

Report of the

SECOND GLOBAL FISHERIES ENFORCEMENT TRAINING WORKSHOP

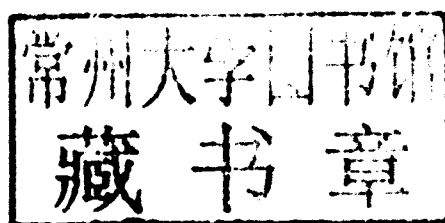
Trondheim, Norway, 7–11 August 2008



DIRECTORATE OF FISHERIES



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ISBN 978-92-5-106299-9

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PREPARATION OF THE DOCUMENT

This document contains the report of the second Global Fisheries Enforcement Training Workshop (GFETW) which was held in Trondheim, Norway from 7 to 11 August 2008.

The workshop was hosted by the Directorate of Fisheries, Government of Norway, and organized by the International Monitoring, Control and Surveillance (MCS) Network. The GFETW was co-sponsored by the Food and Agriculture Organization of the United Nations (FAO), the National Oceanic and Atmospheric Administration of the United States of America (NOAA) and the Nor-Fishing Foundation, and supported by the Australian Agency for International Development (AusAID), the United Kingdom's Department for International Development (DFID), the Indian Ocean Commission (IOC), the Forum Fisheries Agency (FFA), the Norwegian Ministry of Foreign Affairs, the City of Trondheim, the Norwegian Pelagic Sales Association and the Norges Råfisklag.

FAO.

Report of the Second Global Fisheries Enforcement Training Workshop. Trondheim, Norway, 7–11 August 2008.

FAO Fisheries and Aquaculture Report. No. 885. Rome, FAO. 2009. 61p.

ABSTRACT

The document contains the report of the second Global Fisheries Enforcement Training Workshop (GFETW) which was held in Trondheim, Norway from 7 to 11 August 2008.

The first GFETW was convened in Kuala Lumpur, Malaysia, in 2005, and was highly successful in bringing together a global community of fisheries monitoring, control and surveillance (MCS) professionals to share information and experiences and to receive training on a broad array of MCS topics. Due to the success of that initial workshop, this second GFETW was arranged to further tackle the illegal, unreported and unregulated (IUU) fishing problem, with the nearly 200 practitioners at the GFETW discussing pragmatic solutions for eliminating IUU fishing, using actual situations covering a broad array of topics. These topics included case studies from many nations, applications of sophisticated technologies and ingeniously simple low tech approaches, the role of transshipment, port State measures, legal support, organized crime, corruption and more.

Recognizing the shared nature of problems in this field, the participants agreed to employ cooperative approaches and seek best practices in addressing IUU fishing activities. Their conclusions are embodied in the 2008 Trondheim Declaration. A future workshop was announced for 2010 in Mozambique.

Abbreviations/acronyms

AFMA	Australian Fisheries Management Authority
AIPCE EU	Fish Processors and Traders Association
CARICOM	Caribbean Community and Common Market
CCAMLR	Commission for the Conservation of Antarctic Marine Living Resources
CCRF	Code of Conduct for Responsible Fisheries
CCRVMA	Convención sobre la Conservación de los Recursos Vivos Marinos Antárticos
CDS	Catch Documentation Scheme
CFEA	China Fisheries Enforcement Authority
CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
COFI	Committee on Fisheries (FAO)
CONVEMAR	Convención de las Naciones Unidas sobre el Derecho del Mar
CP	Contracting Party
CSRP	Commission sous-régionale des pêches
DFID	Department for International Development (UK)
EC	European Commission
EEZ	Exclusive economic zone
EU	European Union
FFA	Pacific Islands Forum Fisheries Agency
FMC	Fisheries Monitoring Centre
FOC	Flag of Convenience/Non-compliance
GFETW	Global Fisheries Enforcement Training Workshop (first Kuala Lumpur, 2005, second Trondheim, 2008)
GPS	Global Positioning System
ICCAT	International Convention for the Conservation of Atlantic Tunas
HSTF	High Seas Task Force
IMO	International Maritime Organization
IOC	Indian Ocean Commission
IOTC	Indian Ocean Tuna Commission
INCOPESCA	Instituto Costarricense de Pesca e Acuicultura/Costa Rica Institute for Fish and Aquaculture
INFOFISH	Intergovernmental Organization for Marketing Information and Technical Advisory Services for Fishery Products in the Asia Pacific Region
IPOA	International Plan of Action
IRCS	International Telecommunication Union Radio Call Sign
ISPS Code	International Ship and Port Facility Security Code
IUU fishing	Illegal, unreported and unregulated fishing
LCDR	Lieutenant Commander
MCS	Monitoring, control and surveillance
MCS Network	International Monitoring, Control and Surveillance Network
MRAG	Marine Resources and Fisheries Consultants
NAFO	North Atlantic Fisheries Organization/Organización de Pesquerías del Atlántico Noroeste
NCP	Non-Contracting Party
NEAFC	North East Atlantic Fisheries Commission
NFDS	International Fisheries and Maritimes Development Consultancy
NOAA	National Oceanic and Atmospheric Administration
NPOA	National Plan of Action
RFB	Regional fishery body

RFMO	Regional fisheries management organization
SADC	Southern African Development Community
SAR	Synthetic Aperture Radar
SFPA	Scottish Fisheries Protection Agency
SFNA	National Fisheries and Aquaculture Surveillance Service
SICA	Sistema de Integración Centroamericana (SICA).
SOLAS	International Convention for the Safety of Life at Sea
SWIO	Southwest Indian Ocean
SWIOC	South-West Indian Ocean Fisheries Commission
TAC	Total allowable catch
UNCLOS	United Nations Convention on the Law of the Sea
UNFSA	United Nations Fish Stocks Agreement
US	United States of America
USA	United States of America
VDR	Vessel data recorder
VDS	Vessel detection system
VHF	Very high frequency
VMS	Vessel monitoring system
WCPFC	Western and Central Pacific Fisheries Commission
WWF	World Wide Fund for Nature

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INTRODUCTION

1. This document is the report on the Second Global Fisheries Enforcement Training Workshop (GFETW), which was held in Trondheim, Norway from 7 to 11 August 2008. The workshop was hosted by the Directorate of Fisheries, Government of Norway, and organized by the International Monitoring, Control and Surveillance Network (IMCS Network). The GFETW was co-sponsored by the Food and Agriculture Organization of the United Nations (FAO), the National Oceanic and Atmospheric Administration of the United States of America (NOAA) and the Nor-Fishing Foundation, and supported by the Australian Agency for International Development (AusAID), the United Kingdom Department for International Development (DFID), the Indian Ocean Commission (IOC), the Forum Fisheries Agency (FFA), the Norwegian Ministry of Foreign Affairs, the City of Trondheim, the Norwegian Pelagic Sales Association and the Norges Råfisklag.

2. The GFETW was the result of the efforts of many individuals and organizations but the lead in planning and organizing was taken by the International Steering Committee (ISC), a group of individuals from all regions of the globe, who worked to make the Trondheim workshop a reality. A hearty thank you is offered for their work.

Workshop background

3. Illegal, unreported and unregulated fishing and related activities (IUU) are a major global problem. These activities have adverse biological, environmental, social and economic effects.

4. IUU activities are a primary obstacle to achieving sustainable fisheries, are a threat to food security and directly compromise the livelihoods of many. Combating IUU has remained a priority of the international community for a number of years, resulting in a number of initiatives by international organizations, governments, non-governmental organizations (NGOs), civil society, and others. While there has been some progress, IUU related problems are complex in nature, and have not been resolved. More work is needed and MCS work remains a key element in the struggle to control IUU activities.

5. The first GFETW was convened in Kuala Lumpur, Malaysia, in 2005 (FAO/FishCode Review No. 18), and by all accounts was highly successful in bringing together a global community of fisheries MCS professionals to share information and experiences and to receive training on a broad array of MCS topics. Due to the success of that initial workshop, this second GFETW was arranged to further the work of the global community of operational MCS specialists to learn about the latest, most effective and innovative tools and methods being used to detect IUU activities and to apprehend those who engage in these practices.

6. These illegal activities are often characterized as economic crimes. They take place both on the high seas and within national zones and, due to globalization in the marketplace, no region or area is immune from these problems or their harmful effects. Regardless of location and resources dedicated to MCS, countries share many common problems when confronting IUU activities.

7. IUU activities involve a spectrum of activities and are not confined to the act of fishing but include transport, sale, purchase, processing and other aspects in the supply and distribution chain. The amount of IUU activity which occurs and the values attributable to IUU activities are difficult to quantify due to the covert nature of IUU operations, but have recently been estimated to range from USD 10 to USD 23.5 billion.

Workshop objectives

8. The main objectives of the workshop were to enable the participants to:
- build contacts with their counterparts and other MCS specialists across the world;
 - learn about the most effective approaches being taken to fighting IUU activities;
 - be exposed to new ways of thinking when approaching the problems caused by IUU; and
 - form relations to locate resources to detect or resolve IUU incidents.

Participation and agenda

9. The workshop was a five day event. This provided ample time to present all the topics on the agenda including questions, discussion and comments following the presentations. Informal networking during the breaks between sessions also encouraged the continuation of sharing ideas. The agenda consisted of 11 sessions plus an opening session and a concluding session for the adoption of a workshop declaration. The social events enhanced networking opportunities. Each session followed an identified theme.

10. The GFETW agenda is shown as Appendix A and the list of Workshop participants is shown as Appendix B.

11. The GFETW was attended by a total of 173 participants representing 54 countries, including approximately 30 developing countries, and more than 15 international/intergovernmental organizations, NGOs, academic institutions and other affiliations. Fifty participants contributed presentations or served as facilitators. Simultaneous interpretation was provided in English, Spanish and French.

12. Copies of the PowerPoint presentations given by the speakers have been posted on the IMCS Network's web site www.imcsnet.org and are provided on a CD-ROM which is included with this report.

OPENING SESSION

13. Ms Ivone Lichucha, Director, National Directorate of Fisheries Administration, Ministry of Fisheries, Mozambique, served as the general moderator of the day and opened the workshop on the morning of 7 August 2008, welcoming everyone to the workshop after long journeys. She said all would leave the workshop with new ideas to combat IUU as a result of the information presented and the contacts which would be made among the participants. Ms Lichucha urged everyone to implement MCS activities to achieve sustainable fisheries. The facilitator of the opening session, Mr Alejandro Covarrubias, the MCS Network Executive Secretary from Chile, was introduced.

14. Mr Covarrubias added his welcome to all the workshop participants and introduced the opening cultural performance.

15. Mr Dale Jones, Director, National Marine Fisheries Service, Office of Law Enforcement, NOAA, Chair of the IMCS Network, welcomed all the participants on behalf of the IMCS Network and thanked many, including the organizers for all of their hard work, Norway, for serving as host to the workshop, and all the presenters and facilitators for their contributions. The participants were encouraged to use the time during the workshop to network with colleagues and to learn as much as possible from their experiences.

16. A brief history of the IMCS Network's founding was given, with special recognition to Mr Covarrubias, who originally had the idea of creating such a network. The Network was designed to facilitate global collaboration and cooperation among MCS professionals and to curtail IUU activities as much as possible.

17. Mr Peter Gullestad, Director General of the Norwegian Directorate of Fisheries, provided a welcome to Norway and the historic city of Trondheim. He also thanked the ISC for all of their work over the past year and for putting together an impressive programme. His opening speech is shown as Appendix C.

18. Mr Gullestad stressed that IUU fishing is one of the greatest threats to sustainable fishing and that these illegal activities are not only carried out by obscure vessels under flags of non compliance but also occur much closer to home with national vessels. IUU fishing is therefore to be considered a local, regional, national and international problem. He reminded all that much can be done to combat IUU activities at both a local and national level.

19. Mr Jean-François Pulvenis de Séligny, Director, Economics and Policy Division, Fisheries and Aquaculture Department, FAO, addressed the workshop saying he was honoured to be in Trondheim and associated with this event. He relayed the best wishes of the Director-General of the FAO, Jacques Diouf, and the Assistant Director-General of FAO's Fisheries and Aquaculture Department, Ichiro Nomura, for a successful workshop and highlighted its alignment with FAO's mandate of capacity building and training. He recalled the charge given at the 26th session of the Committee on Fisheries (COFI) in 2006 which called for action on a number of instruments. Mr Pulvenis emphasized the timeliness of this sort of training, as implementation of existing initiatives is what is needed now. He urged all of the practitioners from the many different fields to take advantage of the extraordinary opportunity this workshop presented.

20. Minister Helga Pedersen, the Norwegian Minister of Fisheries and Coastal Affairs, welcomed everyone and shared her hopes that the Trondheim workshop would be as successful as the first GFETW, which was held in 2005 in Kuala Lumpur, Malaysia. Her opening address is shown in Appendix D.

21. The Trondheim workshop was part of combating the transnational aspect of IUU activities. It reflected cooperation and sharing of information across national borders, as all have the same objective. The future should not be looted for the benefit of a few or risk the collapse of a stock with no assurance of recovery. IUU activities deny developing States the full opportunity to develop their fisheries and economies.

22. Minister Pedersen identified the main challenges while acknowledging that IUU is complex and there is no quick fix. Where flag States are concerned, their vessels must comply everywhere because they have a responsibility to control their vessels under the United Nations Convention on the Law of the Sea (UNCLOS), although it remains very easy to change flags even at sea. Coastal States must cooperate with others in international waters. Port States must verify the legality of catches offloaded in their territory. Market States and all who import fish and fish products must demand verification that the catch is harvested legally. She said we have not yet achieved success in solving IUU problems because IUU operators take advantage of loopholes and underlined that a global view of the problems is needed.

23. Minister Pedersen spoke of a success story with reducing IUU activity on cod in the Barents Sea where some IUU vessels were ultimately scrapped. However, she cautioned of the dangers of displacement of IUU activity to other locations when controls are tightened in one location. In this case, the concern was displacement of illegal activity to the Black Sea and to West Africa, which points to the need to cooperate with others to resolve the problem.

24. She further highlighted the great success the North East Atlantic Fisheries Commission has had with its programme of port State measures, which had the effect of closing ports to IUU fishing. She stressed the importance of establishing a united effort to combat IUU activities.

25. The group photo session followed and a copy of the photograph appears as Appendix E.

SETTING THE STAGE

26. This session was convened on the morning of 7 August 2008 and was facilitated by Dr Darius Campbell, Head of Strategy and Evidence Division, Marine and Fisheries Directorate, Department for Environment, Food and Rural Affairs, United Kingdom. The presentations made by the respective speakers are provided on the accompanying CD-ROM.

The global status of IUU fishing

27. This session began with a presentation by Dr Ussif Rashid Sumaila, Director, Fisheries Economic Research Unit, University of British Columbia, Canada, on the global status of IUU fishing including summaries by region, quantity, species and value. The presentation identified some of the economic driving factors of IUU fishing including high value catches, low likelihood of detection, low fines, and fishers' moral and social standing.

28. Dr Sumaila analysed IUU activity in the 1950–2004 period and pointed out the variation in IUU rates during those years. Estimates of the IUU catch value of some major species such as tuna were also examined. He theorized that the IUU issue remains so prominent on the international fisheries management agenda due to its severe ecological, economic and social consequences. Ecologically, IUU fishing with its illegal and unreported catches, distorts stock assessments which are an integral part of fisheries management and planning. It endangers long-term sustainability of fisheries. IUU activities skew the benefits of fishing by distributing these benefits in an uneven fashion and allow a few to benefit disproportionately. Socially, there are conflicts between domestic small scale fishers and the IUU fleet.

29. It was also pointed out that the costs of MCS need to be taken into account, with possible sources of internal and external financing listed. Improving the cost effectiveness of MCS could include identifying and providing the least costly approach, involving stakeholders, using technology, employing social and cultural sanctions, having regional cooperation and sharing MCS facilities.

Status of MCS in Norway

30. A presentation which explained how MCS was done in Norway was given by Mr Aksel Eikemo, Director, Resource Management Department, Directorate of Fisheries, Norway.

31. Mr Eikemo provided a profile of Norway, describing the coastline, the fleet composition and the importance of fisheries to the national economy. MCS in Norway is carried out by several agencies, including the Directorate of Fisheries, the Norwegian Coast Guard and the sales organizations. The Directorate has responsibility for inspecting the landed catches and the inspections in the coastal zone. Norway is the second largest fisheries exporter in the world and export inspection is a significant component of control. The assets of the Norwegian Coast Guard for surveillance operations were described as well as the typical duties at sea, in port for landings and at export.

32. Mr Eikemo also stressed the need for international cooperation, the need for transparency and exchange of information and knowledge, and exchange of inspectors. He also emphasized the need to participate in regional fisheries bodies and to have good relations with NGOs. He concluded by identifying the basic elements in the Norwegian MCS toolbox: risk assessment, tracking of fishing vessels, recording by sales organizations of catches landed, e-reporting of catches and logbooks, trade measures and the need for legal elements to provide support in the IUU battle such as not granting a license to those with an IUU history.

Stop the illegal fishing programme in Southern Africa

33. The next presentation of the session was made by Mr Per Erik Bergh, Director, Programme Coordination Team, International Fisheries and Maritime Development Consultancy (NFDS). Mr Bergh reported on the Stop the Illegal Fishing Programme in southern Africa. He shared a video clip from the conference held in southern Africa in July 2008 where eight coastal States in the region signed a commitment to try and stop illegal fishing. This was groundbreaking for southern Africa. The declaration called for reciprocity among the countries, i.e. when any vessel fishing illegally in one country is banned, it should be likewise banned from the waters and ports of all countries in the region. It also called for a total ban on transshipment at sea and harmonizing sanctions. It further stressed regional cooperation, national MCS capacity, fisheries governance and a chain of custody, which is new to the region.

34. In the period immediately following the ministerial conference, a number of high profile MCS activities occurred in the region, including: 1) action by Tanzania to revoke the commercial fishing licenses of 69 vessels, primarily tuna vessels, 2) the activity of Mozambique which apprehended and fined the Antilles Reefer, connected to Antonio Vidal, who has a criminal record for past IUU offences, 3) another vessel, the Paloma V, was deregistered from the Namibian fleet for IUU activities, and 4) Angola requested that Namibia detain four Spanish vessels.

35. The significant problems in the region included poaching on the east coast, conflicts between industrial and artisanal fleets, dynamite and poison fishing, discards and RFMO difficulties with fishing by non-party vessels and flags of convenience/non-compliance vessels. It was estimated that 65 vessels under flags of convenience/non-compliance were fishing in the SADC region in 2006-2007.

36. The situation in the tuna fleet was discussed, with its large fleet and increased transshipment and transport into the European market. This highlighted the need for regional MCS discussions and strong national programmes.

37. Mr Bergh echoed the experiences of many when he said that going from policy to action is the real challenge. The message needs to get to the right people and be well defined and broadcast through many different mediums. If repeated regularly, it will eventually become accepted.

Global extent of IUU fishing

38. The final presentation of the session was made by Dr Darius Campbell who spoke about the results of a new study, the *Global Extent of Illegal Fishing* authored by Marine Resources Assessment Consultants (MRAG) and the Fisheries Ecosystem Restoration Research Fisheries Centre, University of British Columbia. The study is to be published soon as a follow-up on an earlier study, which had estimated the global value of IUU fishing to be USD 4-9 billion per year. This figure range has been quoted frequently. Due to the original study's reliance on a limited number of case studies, it was felt that the work needed to be redone. The United Kingdom's Department for International Development (DFID) sponsored the studies in both instances. The new study was based on 55 case studies and looked at a number of key species and a number of RFMO areas. The new study concluded that the annual global losses due to IUU fishing range from USD 10 to USD 23.5 billion. Profiles for various regions were presented.

SESSION 1 : MCS PAST, PRESENT AND FUTURE

39. Session 1 of the second GFETW was convened in the afternoon of 7 August 2008 and facilitated by Mr Gerard Domingue, Compliance Officer, Indian Ocean Tuna Commission, Seychelles. Copies of the presentations made by the respective speakers are provided on the accompanying CD-ROM. The session featured presentations about MCS experiences and approaches as they evolved over time from national and regional perspectives.

Overview of Canada's Compliance Programme

40. The first presentation in Session 1 began with an overview of Canada's Compliance Programme and was given by Mr Allan MacLean, Director, Conservation and Protection Branch, Department of Fisheries and Oceans, Canada. Including a historical look back to 1867, Mr MacLean focused on lessons which had been learned by Canada along the way. Compliance was a relatively small part of the job of a fishery officer historically and only in the past 25 years have they become more compliance-oriented. Canada has invested heavily in training programmes and in new technologies as well as engaging third parties.

41. Mr MacLean distilled the lessons into eight major points:

- a comprehensive training programme is essential for success;
- appropriate operations policies are needed to guide officers;
- time is needed to select the best new technology on the market and there is a need to be forward-looking and conscious of costs;
- no one tool will solve all problems;
- fisheries crime is becoming more sophisticated and organized, like a big business;
- traditional enforcement does not always address this type of crime as fishers go to great lengths to cover up;
- borders are not a hindrance to moving illegal products; and
- maintenance of networks at all levels is essential to compliance. Assessments of what works are an ongoing process and one can not assume because something worked in the past that it will work in the future.

South Africa's Programme

42. Mr Nkosinathi Dana, Director, Special Investigations Unit, Department of Environmental Affairs and Tourism, South Africa, followed with his presentation on MCS in South Africa. He spoke about events preceding and following 1994, a watershed for the country in this area. Before 1994, South African fisheries were characterized by a few large quota holders and the need for MCS was perceived as low. Moving into the current situation, South Africa has promoted a new conservation-oriented approach to its fisheries stressing sustainable development. The country has now acquired new resources to assist in the carrying out of MCS functions, which are now believed to be needed. The new resources include new patrol vessels to address the current problems. He discussed the operation of syndicates of poachers, especially of abalone, who are sophisticated and who engage in extensive counter surveillance and monitoring.

43. He further spoke about the attempts to establish a specialized court for fisheries offences which ran into constitutional issues and was disbanded. The specialized court was set up, as traditional courts in general give low priority to fisheries offences. However, a new legal unit was created and it is doing the same sort of work.

Fisheries monitoring, control and surveillance in Central America

44. Mr Mario Gonzáles Recinos, Regional Director, Regional Unit for Fish and Aquaculture, Sistema de Integración Centroamericana/Organización del Sector Pesquero y Acuícola del Istmo Centroamericano (SICA/OSPESCA), El Salvador, provided the final presentation of the session on developments in the OSPESCA area. OSPESCA is comprised of seven countries: Guatemala, Nicaragua, Belize, Costa Rica, Honduras, Panama and El Salvador. Its purpose is to promote sustainable development of fisheries and aquaculture. A regional framework has been developed and it includes MCS.

45. IUU activities are a serious problem in the region and the member countries share common challenges. To address these problems they have focused on joining their limited individual resources

and strengthening their coordination by the creation of joint action plans. Recognizing the loopholes created by inconsistent legislation, they are also in the process of overhauling obsolete legal authorities from the 1950s and harmonizing legislation and regulatory measures.

46. They have enlisted cooperation among their respective navies even outside national boundaries and used VMS as support technology. A new regional register for industrial vessels has been created and in the future there will also be one for small-scale fisheries. A weekly newsletter to publicize infractions is forthcoming.

Discussion, comments and questions

47. Specific questions were raised regarding the selection, applications, costs and shortcomings of technologies (subject areas included VMS, microchips, covert tracking devices tracking for small vessels and other questions). VMS was not a panacea but a tool which required adequate, skilled manpower to analyze the data and evaluate it with other sources of information.

48. Questions and comments were posed in the following areas:

- linkages of Canada's sophisticated system to decline of the cod fishery;
- determining the costs of MCS funding;
- microchips in certain fisheries with tags registered, scans to track product;
- court approval needed before planting various covert tracking devices;
- operation of a regional vessel register;
- standardization of VMS and fish managers who are often reluctant to impose standards and prefer the industry to choose; and
- impact of climate change, fuel prices, carbon management and efficiencies.

SESSION 2 : COMBATING IUU FISHING AT SEA

49. The second session of the second GFETW was convened in the afternoon of 7 August 2008 and was facilitated by Mr Harm Koster, Director of the Community Fisheries Control Agency, European Commission. Copies of the presentations made by the respective speakers are provided on the accompanying CD-ROM. IUU activities often originate at sea. Combating these activities also starts at sea but can not be resolved by enforcement at sea alone. Cooperation is required with port States and market States. These states should be required to follow up on the findings from enforcement activities carried out on fishing vessels and transshipments at sea.

Methodology, surveillance and monitoring activities

50. C.F. Cheikh Ould Ahmed, Frigate Captain, Ministry of Fisheries, Islamic Republic of Mauritania, spoke about the comprehensive control and enforcement system of fisheries regulations, organizational structure, statistical checks and balances, patrol vessels and surveillance aircraft, as well as monitoring systems such as VMS and radar in Mauritania. The main challenges are corruption, political influence and insufficient controls, which are serious impediments to effective MCS.

51. Mauritania has acted successfully against unauthorized fishing in its exclusive economic zone (EEZ) and acted against two IUU vessels. However, the current situation regarding the minimum size of octopus is not satisfactory. Licensed foreign fishing vessels operating in the Mauritanian EEZ are not respecting the minimum size limits for octopus and effective cooperation with the port and marketing States (notably the European Union) is required.