



## RESOLUTION 16/11

### ON PORT STATE MEASURES TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

APPLICABLE TO

- CPC FLAG STATE
- CPC COASTAL STATE
- CPC PORT STATE
- CPC MARKET STATE



## REPORTING REQUIREMENTS

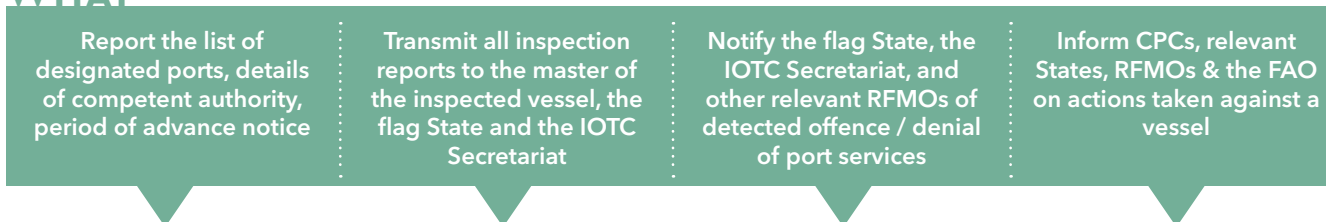
The 2016 resolution on Port State Measures is one of the longest and also most complex resolutions in the IOTC's list of CMMs. In essence, it transcribes the substance of the 2009 FAO Agreement on Port State Measures, and makes it mandatory for the IOTC Area of Competence and its Members. In doing so, it introduces a much more comprehensive port State control scheme than the one provided for under Resolution 05/03 (Programme of Inspection in Port) – which remains in force. It is a cost effective control measure for developing States to apply to foreign fishing vessels.

There are four reporting requirements under this resolution, of which three apply to port States, and one to flag States. Two of these relate to notifications which are triggered only in case an infringement is detected.

### WHO



### WHAT



### WHEN



# REPORTING REQUIREMENTS: FORMAT AND CONTENT

The resolution provides reporting templates for the advance request for entry into port - AREP (Annex 1) and the port inspection report - PIR (Annex 3). These templates have to be customised and adapted where necessary by each CPC individually. The (internet based) e-PSM application developed by the IOTC Secretariat came into operation in 2016, and enables vessels to submit AREPs, and port States PIRs electronically via the e-PSM application.



## LIST OF DESIGNATED PORTS

### REPORTING REQUIREMENT 1:

REPORT THE LIST OF DESIGNATED PORTS, DETAILS OF COMPETENT AUTHORITY, PERIOD OF ADVANCE NOTICE

#### IMPLEMENTATION

- How to report: A template report is provided, but CPCs are encouraged to provide the following information when designating their ports: a) name of port; b) name of authority handling port calls of fishing vessels; c) contact details of the authority, and; d) mandatory period for advance notice.
- Reporting format: An official letter with completed report template available at <http://www.iotc.org/compliance/reporting-templates>
- Where to send the information: The report should be mailed to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org)

## TRANSMISSION OF PORT INSPECTION REPORTS

### REPORTING REQUIREMENT 2:

TRANSMIT ALL INSPECTION REPORTS TO THE MASTER OF THE INSPECTED VESSEL, THE FLAG STATE AND THE IOTC SECRETARIAT

#### IMPLEMENTATION

- How to report: Inspection report templates are provided in the resolution as Annex 3. These should be submitted to both the IOTC Secretariat and the flag State of the vessel inspected via the e-PSM application, or electronically as scans.
- Reporting format: Scan or electronic copy (e-PSM) of the port inspection report, the electronic report template is available at <http://www.iotc.org/compliance/reporting-templates>
- Where to send the information: Reports should be mailed to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org) and to the flag States and the master of the inspected vessel.

### REPORTING REQUIREMENT 3:

#### NOTIFY THE FLAG STATE, THE IOTC SECRETARIAT, AND OTHER RELEVANT RFMOS OF DETECTED OFFENCE / DENIAL OF PORT SERVICES

##### IMPLEMENTATION

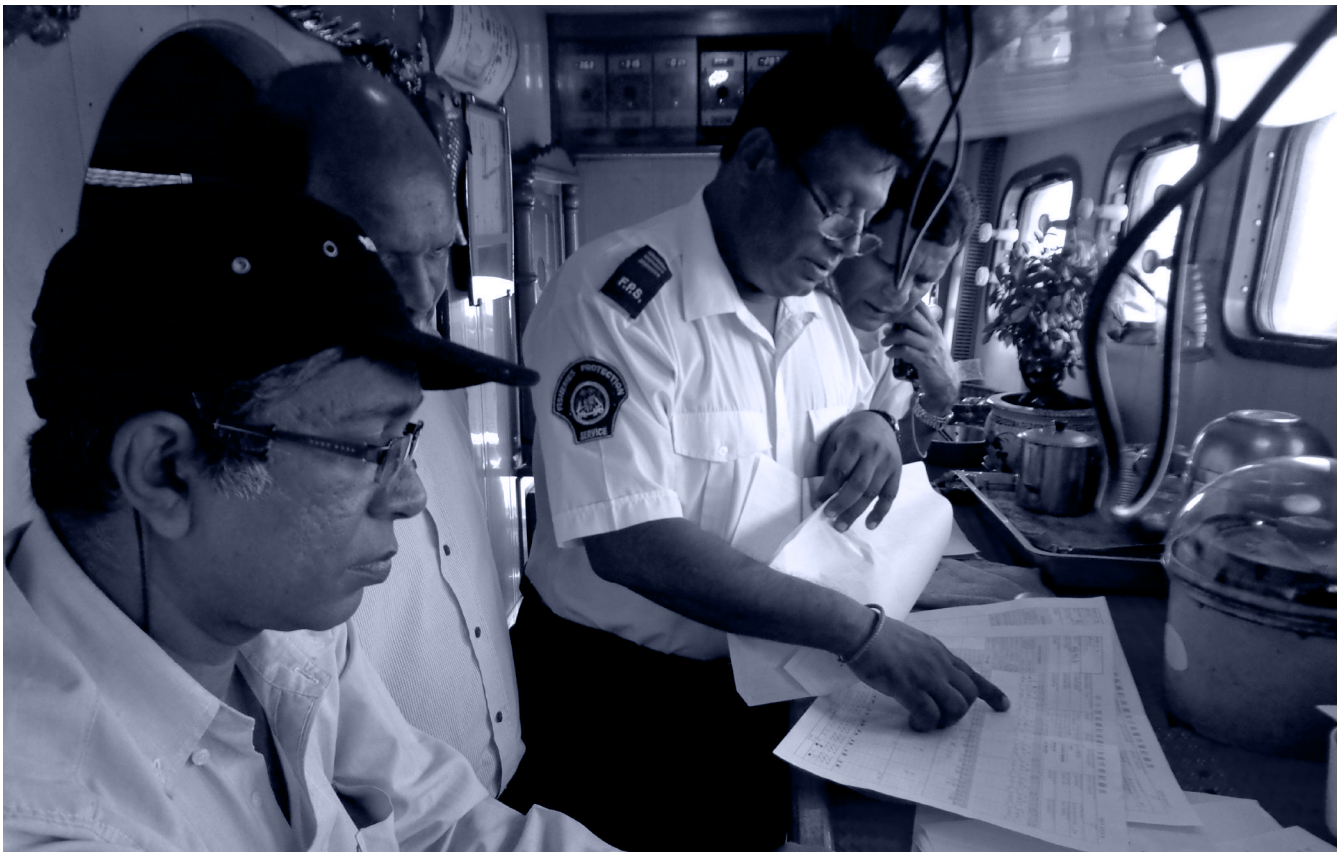
- How to report: A notification of a detected offence should be sent by the port State to all relevant parties, including the flag State of the vessel, the RFMOs involved (including IOTC), and the State of the nationality of the master.
- Reporting format: An official letter, with the inspection report and any additional evidence as attachments.
- Where to send the information: The letter should be sent to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org), and to the relevant States and organizations noted above.

### REPORTING REQUIREMENT 4:

#### INFORM CPCS, RELEVANT STATES, RFMOS & THE FAO ON ACTIONS TAKEN AGAINST A VESSEL

##### IMPLEMENTATION

- How to report: Information on resulting action following a detected offence by a port State should be sent by the flag State to all relevant parties, including the port State having detected the offence, other relevant States (depending on the nature of the infringement(s)), the RFMOs involved (IOTC Secretariat), and the FAO.
- Reporting format: An official report, with relevant evidence in an annex.
- Where to send the information: The report should be mailed to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org), and to the relevant States and organizations noted above.



## COOPERATION REQUIREMENTS

Flag States are required to cooperate with port States where their vessels carry out operations. This includes flag States asking port States to investigate their vessel, if the suspicion of an infringement arises. These cooperation requirements are listed in the CPC flag State actions above. If a violation is detected in a third party's waters, that third party is to be included in the information flow.

Second, this Resolution includes a special section on cooperation - Requirements of Developing States, whereby all CPCs are to recognise the challenges facing these States and cooperate to enhance their ability to develop a legal basis and capacity to implement the resolution, facilitate their participation in international organisations and meetings on the effective development and implementation of port State measures, and facilitate technical assistance and funding mechanisms to strengthen their capacity for the implementation of this Resolution.

## OBLIGATIONS OF THE INDUSTRY

The industry shall:

- Provide in the advance request to enter port to the port State CPC;
- In the case of authorisation of entry, the master of the vessel or the vessel's representative shall be required to present the authorisation for entry to the competent authorities of the CPC upon the vessel's arrival in port;
- Give inspectors all necessary assistance and information, and to present relevant material and documents as may be required;
- Cooperate with the port State inspection carried out pursuant to this Resolution.

## OBLIGATIONS OF THE SECRETARIAT

The IOTC Secretariat has three obligations under the resolution:

- Post the list of designated ports on the website (complete with information on competent authorities, notification periods, etc.). This is now accessible under the e-PSM application.
- Post copies of all port inspections on a secure part of the website.
- Submit to relevant RFMOs copies of inspection reports.

## OBLIGATIONS OF THE COMMISSION & BODIES

There are none in this resolution.



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