IOMOU-IOTC

Pilot Project training programme for PSC and PSM Inspectors of the Indian Ocean region

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1. Executive Summary

1.1. Overview of the pilot project

Following the 4th Session of the Joint FAO/ILO/IMO Working Group on IUU Fishing that welcomed IOMOU's initiative to explore a collaborative programme with the IOTC, a letter of intent was signed jointly by the IOTC and IOMOU on February 5, 2021. In this letter, both Secretariats agreed to cooperate with each other to: enhance inspector awareness for improved coordination, identify commonalities, facilitate information sharing, support capacity development, align legal frameworks for efficient inspections, promote international agreements' implementation, and prepare a comprehensive pilot training program covering relevant IMO and FAO regulations for fishing vessel inspections.

Recognizing the global importance of this project, Australia's Department of Foreign Affairs and Trade (DFAT), expressed their willingness to provide funds in two phases, consisting of the development of training materials and a training program, and the delivery of three separate in-country training courses. Upon the release of funds for the initial phase, the Project's Working Partners—FAO, ILO, IMO, IOTC, IOMOU, and The Pew Charitable Trusts—selected two consultants to develop the training materials and training program. The training programme was finalized in November 2023, and the corresponding training materials were developed in preparation for the pilot implementation of the programme, which was conducted in Cape Town, South Africa, from 19 to 29 August 2024.

1.2. Training Programme Summary

A key milestone in this Project was the development of the training programme. The IOMOU and IOTC worked closely with the other Project Partners to create a curriculum that covered topics ranging from fishing vessel certification, international safety standards, crew working and living conditions, fisheries conservation and management measures and marine pollution. To ensure that PSC and PSM officers were well-equipped to carry out their duties in a complex and ever-changing environment, the training programme incorporated practical elements, hands-on inspections, and scenario-based learning. The final report of the training programme, originally based on IMO Model Course 3.09; IMO Procedures of Port State Control, 2021; IOMOU on Port State Control in the Indian Ocean Region; and the IOTC Procedures for the implementation of the Indian Ocean Tuna Commission Port State Measures, was the result of an iterative process of peer reviews and successive revisions. The finalised training programme comprises a nine-day course plan and detailed syllabus that can be adapted to assist training lecturers in organizing and introducing a new training course on PSC and PSM. This flexibility allows the programme to adopt a tailored approach based on the participants' profile and knowledge, enabling it to effectively supplement existing IOMOU and IOTC training courses.

1.3. Recommendations and Next Steps

The training programme, piloted in South Africa, significantly enhanced the capacity and understanding of port State inspectors regarding PSM and PSC regimes, as reflected by positive participant feedback. Following the pilot phase, key proposals for enhancing the training programme emerged, including expanding its scope to address pre-inspection processes such as risk assessment, decision-making, and developing Standard Operating Procedures (SOPs). Emphasizing commonalities between PSC and PSM regimes was also recommended, supported by tools such as a checklist. Suggestions to refine theoretical content included allocating more time to the ILO Work in Fishing Convention, 2007 (C.188) and the ILO Maritime Labour Convention, 2006, as amended (MLC, 2006), creating a crew questionnaire on labour conditions, studying CTA flexibility options, and adding group exercises. Emphasis was placed on improving coordination and information exchange among national agencies through systems like IMO GISIS, IOTC e-PSM, FAO Global Record, and others. The training achieved notable outcomes, including raising awareness of information exchange systems, securing commitments for inter-agency cooperation, and identifying gaps, such as the lack of a reporting system for PSC inspections of fishing vessels.

While the programme provides a solid framework to complement IOMOU and IOTC training, the proposed enhancements may necessitate further piloting to effectively incorporate the suggested improvements and align the training programme more closely with the Project's objectives. This process should be completed prior to seeking endorsement at the next JWG meeting to support its potential replication in other regions.

2. Introduction

2.1. Background

Illegal, unreported, and unregulated (IUU) fishing represents a serious threat to global marine resources, undermining conservation and management efforts while accelerating the degradation of marine ecosystems. Its primary causes include the lack or ineffective application of flag State responsibilities to monitor and control the activities of national vessels, alongside other contributing factors such as overfishing and the drive for economic profitability. To support flag State's primary responsibilities and address IUU fishing, a range of measures have been implemented over the past decades through both binding and voluntary international instruments.

A key milestone in this effort was the adoption of the Food and Agriculture Organization of the United Nations (FAO)'s 2009 Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing (PSMA). The only legally binding international agreement designed to eradicate IUU fishing by preventing vessels engaged in IUU fishing from using ports and landing their catches. Parties to the PSMA serve as a critical frontline defence against IUU fishing products entering national and international markets. By providing vital information on the activities of their national vessels, the PSMA supports flag States in meeting their obligations to exercise effective jurisdiction and enforce regulations over their national vessels.

In response to the increasing international concern about IUU fishing and repeated calls from various international fora, the FAO began collaborating with the IMO to secure concerted action to combat IUU fishing in 1999 due to the links with the safety of vessels at sea. This collaboration led to the establishment of the Joint FAO/IMO Ad Hoc Working Group on IUU Fishing and Related Matters (JWG) in October 2000. Recognizing the link between IUU fishing and other related matters such as substandard vessel safety and marine pollution under the purview of the IMO, as well as serious labour violations and forced labour addressed by the ILO, the ILO also formally joined the JWG in 2019.

The work of the JWG has largely focused on technical matters concerning flag State control of fishing vessels and port State measures for the inspection of foreign-flag fishing vessels. While the initial intention of strengthening the role of the port State was to support the primary responsibilities of the flag State, it has proven to be an extremely effective and cost-efficient mechanism to combat IUU fishing while promoting safety at sea and decent work. This recognition has led to increased attention to port State responsibilities, with Port State Control (PSC) and Port State Measures (PSM) playing pivotal roles in addressing these interconnected challenges.

According to the IMO and ILO, PSC relates to the inspection of foreign ships in national ports to verify that their condition and equipment and the working conditions on board comply with requirements established under IMO and ILO instruments and that the ship is manned and operated in compliance with these instruments to ensure maritime safety and security as well as decent work, and prevent pollution. On the IMO side, these instruments mainly include the International Convention for the Prevention of Pollution from Ships (MARPOL), the International Convention for the Safety of Life at Sea (SOLAS), the International Convention on Standards of Training, Certification, and Watchkeeping for Fishing Vessel Personnel (STCW-F) and the yet to enter into force the 2012 Cape Town Agreement (CTA). On the ILO side, these instruments include the Work in Fishing Convention, 2007 (C.188) and the Maritime Labour Convention, 2006, as amended (MLC, 2006) .

Within the FAO context, Port State Measures (PSM) refer to the actions taken by a port State over foreign vessels seeking entry into its ports to prevent, deter and eradicate IUU fishing. At the FAO level, the framework for PSM is established primarily by the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UN Fish Stocks Agreement) , the 1995 Code of Conduct for Responsible Fisheries, the three international plans of action (IPOAs) and the 2009 Agreement on Port State Measures (PSMA).

Despite international instruments include provisions for increased coordination and cooperation among national authorities, the integration of PSM into the broader system of PSC, along with the promotion of information exchange and inter-agency cooperation, remains limited. Increased communication and information exchange, and established processes and principles for the effective coordination of PSM and PSC regimes have been identified as crucial. It is therefore imperative to devise transformative solutions that could increase mutual awareness and improve inter-agency cooperation.

2.2. IOMOU-IOTC Collaborative Initiative

The Third Session of the Joint FAO/IMO Ad Hoc Working Group was convened in November 2015. Amongst the various issues discussed, one of the objectives was to consider ways to improve the effectiveness and coordination of vessel inspections across PSM and PSC remits and recommended to FAO, in cooperation with IMO and ILO, to consider the organisation of joint capacity development programmes together with States, IGOs and NGOs.

In light of the recommendations made by the JWG3, FAO, ILO and IMO submitted a proposal to the Indian Ocean Memorandum on Port State Control (IOMOU)'s 22nd Committee Meeting, in August 2019, for the IOMOU to consider a cooperation programme with the IOTC. The Committee gave the IOMOU Secretariat its approval to embark on such a cooperation programme subject to concurrence by the IOTC. Under the initiative of IOMOU, the proposal was eventually approved by the IOTC Commission as a Letter of Intent that was signed jointly by IOMOU and IOTC on 5 February 2021.

The Fourth Session of the JWG (JWG4), which included the ILO as a formal partner and was held in October 2019, welcomed the IOMOU's pioneering initiative to explore a collaborative programme with the IOTC, bringing together both RFMOs and PSC regimes. In echoing this collaborative spirit, JWG4 advocated for analogous contact opportunities in other regions and recommended to the various regional PSC regimes, to explore opportunities for coordination and information sharing on inspections under FAO/ILO/IMO instruments.

Through the Letter of Intent, both IOMOU and IOTC Secretariats agreed to cooperate with each other to enhance inspector awareness for improved coordination, identify commonalities, facilitate information sharing, support capacity development, align legal frameworks for efficient inspections and promote international agreements' implementation. Likewise, both organisations agreed to prepare a pilot training project for carrying out inspection on fishing vessels, covering all FAO, ILO and IMO instruments, which apply to fishing vessels and vessels used for fishing-related activities. Recognizing the global importance of this project, Australia's Department of Foreign Affairs and Trade (DFAT), expressed its willingness to provide funds for the development of training materials and a training programme, and the delivery of three separate in-country training courses.

2.3. Funding Sources

A significant driver behind the success of this initiative was the generous financial support from Australia, an IOMOU and IOTC member. Recognizing the importance of the project, Australia's contributions enabled critical activities such as the development of training modules, regional consultations, and the implementation of pilot programs. This financial backing ensured that the project could move forward at key junctures. Australia through DFAT agreed to provide funds on two phases to

cover the costs of travel accommodation and incidental expenses. Total amount of DFAT support accounted for USD 82364.12.

The funds from the European Union, totalling EUR 60,000, were instrumental in facilitating the piloting of the training programme held in Cape Town, South Africa, from 19 to 29 August 2024. These funds supported participation and were specifically used to cover flight and per diem expenses of PSC and PSM senior inspectors from Seychelles, Sri Lanka and also South Africa, provided their duty stations were other than Cape Town. Mauritius was also invited to send inspectors to the training but were unable to meet the deadline for submitting their list of nominees.

2.4. Role of the Project Partners

In addition to the primary roles of IOMOU and IOTC, the Project engaged various partners, encompassing staff from relevant international organisations and an NGO, specifically the FAO, IMO, ILO and The Pew Charitable Trusts. Their roles and responsibilities are outlined below.

2.4.1. The Indian Ocean Memorandum of Understanding on Port State Control (IOMOU)

The IMO, convinced that regional cooperation in the application of port State control in all parts of the world would enhance international standards and could further contribute to preventing the operation of substandard ships, thus making a significant contribution to maritime safety and pollution prevention, invited its members to consider concluding regional agreements on the application of PSC. As result, nine regional agreements on PSC, known as Memoranda of Understanding or MOUs, have been signed.

The IOMOU is the inter-governmental organization on PSC in the Indian Ocean Region and in consultative status with IMO and ILO. The IOMOU promotes the effective implementation of an improved and harmonized system of PSC by uniform applications of the relevant IMO/ILO instruments on vessels with the aim to eliminate the operation of substandard vessels in the region. IOMOU became effective on 1st April 1999. As of December 2019, the following 20 countries have become parties to the MoU: Australia, Bangladesh, Comoros, Eritrea, France, India, Iran, Kenya, Madagascar, Maldives, Mauritius, Mozambique, Myanmar, Oman, Seychelles, Sri Lanka, Sudan, South Africa, Tanzania, and Yemen.

Each Authority is committed to establish and maintain an effective system of PSC with a view to ensuring that, without discrimination as to flag, foreign ships visiting the ports of its State comply with the standards laid down in the relevant instruments of its MOU and achieve a specified target rate of inspection.

2.4.2. The Indian Ocean Tuna Commission (IOTC)

The Indian Ocean Tuna Commission (IOTC) is an inter-governmental organization, established under Article XIV of the FAO constitution. Its objective is to promote cooperation and ensure, through appropriate management, the conservation and optimum utilisation of the 16 stocks of tuna and tuna-like species in the Indian Ocean. As covered by the organisation's establishing Agreement. The IOTC accounts with a total of 29 Contracting Parties and one Cooperating Non-Contracting Party (30 CPCs in total).

Regional Fisheries Management Organisations (RFMOs), like the IOTC, are vested with powers to adopt binding measures, playing a critical role in implementing international fisheries regulations. As proof of this, the IOTC, in 2010, inspired by the PSMA text adopted its first Resolution on PSM binding its members to implement analogue provisions within the context of the IOTC. In 2016, in an effort to strengthen PSM, while harnessing technological advancements, this Resolution was superseded to incorporate a provision on the e-PSM application, the information system devised by IOTC for efficient PSM implementation. In 2023, as part of its ongoing efforts to support the implementation of PSM, the IOTC developed the Offline Port Inspection Report (PIR) Application. This complementary tool enables port States to manage the entire inspection process digitally, including scheduling the inspection, completing the inspection report offline directly on a tablet, and uploading it to the e-PSM application once online. The key objectives of these systems is to share real time data to inform decisions at port.

2.4.3. The FAO, ILO, IMO

Key to this effort was the involvement of the UN agencies—FAO, ILO, and IMO—whose specialized expertise in areas such as maritime labour standards, fishing vessel safety, and fisheries management were instrumental in shaping the direction of the project. Their participation provided a crucial multi-dimensional approach to the issue, ensuring that the training programme would address safety, labour, legal, and environmental concerns.

2.4.4. Role of The Pew Charitable Trusts

One of the driving forces behind this collaboration was The Pew Charitable Trusts, whose long-standing commitment to ocean conservation and fisheries management aligned perfectly with the objectives of the IOMOU-IOTC partnership. Their support facilitated the coordination of activities, the chairing of meetings, and the drafting of meeting minutes. Additionally, they contributed with technical expertise, funds and resources essential for developing a robust training programme that could serve as a model for other regions.

3. Objectives and Scope

3.1. Objective

The objective of this Project is to enhance the awareness of national PSC and PSM inspectors, operating under the context of the IOMOU and IOTC, of each other's inspection regimes, enabling them to flag potential infringements or deficiencies to the relevant authorities, to improve coordination and efficiency, and eventually ensuring that ports serve as an effective frontline in combating IUU fishing, while also contributing to improved maritime safety and security, environmental protection and decent labour conditions on board fishing and fishing-related vessels.

To achieve its objective, the Project was planned in two phases, consisting of the formulation of an initial study and development of training materials and a training programme, and the delivery of three separate in-country training courses. For each phase, the secondary objectives related to each component were:

- To lay the foundational groundwork for developing the training materials and programme, the Project planned an initial study involving a comprehensive review and comparative analysis of PSC and PSM legal frameworks and operational aspects. This study aimed to identify commonalities and/or potential synergies in application and opportunities for enhanced coordination between both inspection regimes.
- Building upon this foundation, the training course envisaged to ensure that inspectors acquire a sufficient understanding of the inspection procedures established by both IOMOU and IOTC. It aimed at enabling them to effectively carry out their duties, while also being knowledgeable about the work of the other port State inspectors and capable, to the extent possible, of identifying and communicating "clear grounds" indicating potential IUU fishing activities or deficiencies related to the relevant FAO, IMO, and ILO instruments.
- The three in-country trainings aimed at piloting the training programme for its refinement and adjustment to meet the needs of the region.

3.2. Scope

The scope of this Project was limited to international instruments that apply to fishing vessels or vessels used for fishing related activities in the Indian Ocean region. Vessels used for fishing-related activities include cargo vessels used for processing, transhipping or transportation of fish that have not been previously landed at port, as well as cargo vessels used for the provisioning of personnel, fuel, gear and other supplies at sea. Considering the extensive number of IMO and ILO instruments applicable to

fishing vessels and vessels engaged in fishing-related activities, the Project put special emphasis on the "4 pillars" of international law regarding fishing-related matters, namely the CTA, C.188, PSMA and STCW-F, and relevant regional frameworks such as the IOTC Resolution 16/11 and those of the IOMOU (incl. laid down guidelines/procedures, as prepared by the IOMOU for carrying out PSC inspection on board ship), as well as applicable conventions such as MARPOL (Annexes), SOLAS (Chapter) and MLC, 2006 as appropriate.

While the existing courses offered by IOMOU and IOTC provide specific and comprehensive training on PSC and PSM, respectively, for their port State inspectors, the training programme described here focuses on the basic elements of both PSC and PSM that all port State inspectors should be aware of, regardless of whether they work under the IOMOU or the IOTC regime. Port State inspectors are, therefore, expected to gain comprehensive knowledge of the work of each other's regimes and the capability to identify, during their routine inspections, "clear grounds" indicating potential IUU fishing activities and/or deficiencies related to safety, labour issues or marine pollution, that may require the involvement of other port State authorities. They should then report such possible "clear grounds" to the relevant national authority, be it maritime, fisheries or labour.

This Project does not provide an in-depth training on: (1) pre-inspection processes, (2) more detailed inspections under the PSC regime following the identification of "clear grounds", and (3) port State actions following inspections, such as a detention of the vessel. More detailed inspections and port State actions following inspections are expected to be carried out by the respective relevant national authority in accordance with its procedures.

4. Project Timeline

4.1. Selection of consultants

To achieve the objectives outlined in Section 3.1, the project engaged two consultants. The first consultant conducted an initial study comprising a review of international and regional PSC and PSM regimes, including a comparative analysis and prepared a preliminary draft of the training programme. The second consultant was tasked with finalizing the design, drafting of the training materials and delivery of the pilot programme.

Following the publication of the vacancy notice for the appointment of an Expert/Consultant on the IOMOU and IOTC websites on 3 June 2022, the project partners conducted a selection process. On 29 August 2022, from the various candidates interviewed, Mr. Christian Alphonce Nzowa, Principal Fisheries Officer, from Zanzibar, Tanzania, was selected for the Project. Mr. Christian was appointed for a six-month period spanning from the 01 December 2022 to 31 May 2023.

Upon reviewing Mr. Christian's reports, the Project Partners concluded that a stronger focus on the PSC regime and a more detailed analysis were missing. It became clear that a deeper understanding of the various IMO instruments relevant to PSC inspectors, was essential to facilitate a more thorough analysis and sound conclusions, and a more robust training programme. Consequently, the Project Partners decided to engage a senior expert with extensive expertise in PSC and knowledge of PSM frameworks to advance the work. As a result, Mr. Ari Gudmundsson, a Consultant with The Pew Charitable Trusts and former Head of the FAO Fishing Operations and Technology Branch, supported the design of the pilot training programme from June 2023. Mr. Ari Gudmundsson was later appointed as coordinator and principal lecturer, alongside representatives from IOMOU and IOTC, for the piloting of the training programme.

4.2. Timeline

Originally, the Project was designed as a two-year initiative, set to run from 01 July 2021 to 30 June 2023. To accommodate exceptional circumstances, such as Covid-19, which could impact the timeline and cause delays, the Project foresaw extensions of up to 12 months, allowing for a potential end date of

30 June 2024. However, challenges for the recruitment and delivery of reports delayed its start to 01 December 2022, and led to a reformulation of the timeline, shifting its final completion date to 31 August 2024. The final timeline and contents are presented in Figure 1 below.

	Description	Duration (Days)	Start Date	End Date	01/12/2022	01/01/2023	01/02/2023	01/03/2023	01/04/2023	01/05/2023	01/06/2023	01/07/2023	01/08/2023	01/09/2023	01/10/2023	01/11/2023	01/12/2023	01/01/2024	01/02/2024	01/03/2024	01/04/2024	01/05/2024	01/06/2024	01/07/2024	01/08/2024	01/09/2024
Phase 1	**Initial study**																									
	Overview of int. & reg. PSC and PSM regimes	30	01/12/2022	31/12/2022																						
	Comparative analysis	44	01/01/2023	14/02/2023																						
	Preliminary draft initial study report	44	15/02/2023	31/03/2023																						
	Peer review	7	31/03/2023	07/04/2023																						
	Final initial study report	6	08/04/2023	14/04/2023																						
	Training programme																									
	Preliminary draft training programme	46	15/04/2023	31/05/2023																						
	Peer review	21	16/06/2023	07/07/2023																						
	Draft training programme	115	08/07/2023	31/10/2023																						
	Peer review	21	01/11/2023	22/11/2023																						
	Final training programme	1	22/11/2023	23/11/2023																						
Phase 2	**Pilot of the training programme**																									
	Preparations for the Three Treaties workshop	144	24/11/2023	16/04/2024																						
	Three Treaties workshop	3	16/04/2024	19/04/2024																						
	Preparations for the in-country training	120	20/04/2024	18/08/2024																						
	In-country training in South Africa	10	19/08/2024	29/08/2024																						

Figure 1: Project's Gantt Chart

5. Phase 1: Development of Training Material and Programme

5.1. Initial study

From a task delivery perspective, the initial study comprised an overview of international and regional PSC and PSM regimes, their comparative analysis and the drafting of its report. These were scheduled for completion in a 5-month period, finishing on 14 April 2023.

The overview of international and regional PSC and PSM regimes consisted of three components. The first involved the review of key overarching FAO, IMO and ILO international instruments relevant to fishing vessels, namely SOLAS, CTA, C.188, STCW-F and PSMA. The second entailed an examination of the IMO PSC procedures (IMO Resolution A.1155(32)), which provide basic guidance on the conduct of port State control inspections by all existing PSC regimes[1] as well as global and regional PSM regimes established under the PSMA and RFMOs, such as the IOTC (Resolution 16/11). The third component required the inclusion of case studies to showcase national experiences in the implementation of PSM and PSC schemes.

Building on the previous work, the comparative analysis of PSC and PSM inspection procedures and legal frameworks aimed to identify commonalities and potential synergies within the context of the IOMOU and the IOTC. It also sought to address aspects related to the identification and characterization of potential deficiencies, as well as any challenges that might hinder increased cooperation.

At last, the initial study considered the preparation of a draft report, outlining the background, objectives, the findings of the previous components, and conclusions and recommendations. This draft report was to undergo a peer review by the Project Partners before being finalised.

5.2. Identified Commonalities and Synergies

The PSC and PSM regimes of the IOMOU and IOTC, share significant commonalities that facilitate a unified approach to monitoring vessel activities and enhancing the coherence of enforcement actions. The main commonalities identified were related to:

- Legal and operational frameworks: both regimes are grounded in international conventions and instruments, which have been adapted to the regional context of the Indian Ocean. The PSC legal framework, with a long-standing history that can be traced back to 1975[2], was the first to appear. Due to its experience of demonstrated effectiveness, the PSC regime inspired the development of the PSM regime. This historical connection between both regimes is evident in their significant number of similarities including inspection procedures, information exchange requirements, capacity building activities and training of inspectors.
- Inspection procedures: according to both regimes, port States have the authority to conduct port inspections on their own initiative or at the request of another Party, such as the flag State. Such inspections are to be carried out in a non-discriminatory manner, avoiding unnecessary delays or unduly detention of vessels. For this and to optimize inspection means, port States under both

[1] Currently, there are ten PSC regimes, comprising eight regional Memoranda of Understanding (MoUs), and one Agreement on port State control covering specific regions (i.e. Europe and the north Atlantic (Paris MoU); Asia and the Pacific (Tokyo MoU); Latin America (Acuerdo de Viña del Mar); Caribbean region (Caribbean MoU); West and Central Africa (Abuja MoU); Black Sea (Black Sea MoU); Mediterranean Sea (Mediterranean MoU); Indian Ocean (Indian Ocean MoU); and Persian Gulf (Riyadh MoU)). The United States Coast Guard forms the tenth PSC regime.

[2] Latest PSC procedures adopted by IMO Resolution A.1185 (33), following successive revocation of resolutions A.1155(32), A.1138(31), A.1119(30), A.1052(27), A.882(21), A.787(19), A.742(18), A.597(15) and A.466(XII). IMO Resolution A.466(XII) was adopted in November 1981. The latter based on an older resolution, IMO Resolution A.321 (IX) Procedures for the Control of Ships under Regulation 19 of Chapter I of the International Convention for the Safety of Life at Sea, 1960, adopted in 1975.

regimes utilize a risk-based approach to target inspections, prioritizing vessels deemed to be at higher risk.

Inspections procedures under both regimes involve the examination of various aspects of a vessel's operations. While some of these aspects overlap, or represent areas of common interest, the specific elements required under each regime often differ. However, they remain compatible, enabling potential synergies and a more comprehensive understanding of the vessel activities.

A key commonality between the two regimes is the review of the validity and authenticity of certificates and relevant documentation. On the PSC side, fishing and fishing-related vessels are required to carry specific certificates and documents based on their length, size, and type, in accordance with international conventions[3] (e.g. certificates of nationality and tonnage, machinery and oil record logs, etc.). Similarly, under the PSM framework, vessels must possess documentation tailored to the species targeted, areas of operation, and fishing gear used (e.g. fishing authorizations, coastal State licenses, certificates of registry, fishing logbooks, transhipment declarations, and catch certificates). Although the exact documents required under each regime differ, they provide complementary and mutually valuable information. For instance, certificates of nationality, international tonnage, and registry are useful for verifying vessel identity and crosschecking external markings, while processing and freezing logbooks, regulated by IMO instruments, can indicate whether loitering events may involve undeclared transhipments. Additionally, the verification of crew documentation and welfare is important in both regimes. For PSC, the emphasis is on verifying that crew members are adequately trained, certified, and that working and living conditions meet the standards (e.g. ILO C.188). For PSM, ensuring that crew members are properly documented and authorized to engage in fishing activities is essential.

Another key aspect of the inspection, which focuses on different elements in each regime but exhibits numerous compatibilities and areas of common interest, is the assessment of the vessel's overall condition and its equipment. These common elements include, but are not limited to, the hull condition and vessel external markings, the gangway or accommodation ladder and side netting, the load lines, vessel tracking and communication systems, antenna inspection and cargo hold inspection.

- Information exchange: both PSC and PSM regimes incorporate provisions for communication and reporting between port States and flag States. These common provisions include the obligation to notify relevant parties in cases of denial of port entry for high-risk vessels, as well as to share the results of inspections with the vessel. If any deficiencies or potential infringements are detected, the port State is required, under both regimes, to inform the flag State and other relevant stakeholders such as the ILO/IMO/IOMOU or FAO/IOTC. In turn, flag States, upon receiving a report of detention or inspection indicating evidence of IUU fishing, are expected to communicate the corrective actions taken to the relevant authority. To facilitate this information exchange, electronic systems are employed: the Global Integrated Ship Information System (GISIS) under the IMO for PSC-related data, and both the Global Information Exchange System (GIES) and the IOTC's electronic Port State Measures (e-PSM) for PSM-related reporting. Although a voluntary tool, another information system under FAO that enables the dissemination of information on inspection results and port denials is the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record).

5.3. Identified hindrances

Coordinated implementation of PSM and PSC regimes faces several challenges, which can hinder seamless cooperation between the two. Some of the key hindrances identified include:

[3] Available in Appendix 12 of IMO Resolution A.1185 (33).

- Not all States have ratified or acceded the relevant FAO, IMO and ILO instruments: leading to varying levels of commitment and implementation standards. Some port States may be Parties to the PSMA but are at varying degrees of implementation and also not fully engaged in PSC regimes, or vice versa, creating inconsistencies in enforcement. These discrepancies can undermine coordinated efforts, as vessels might target ports with less stringent inspection regimes.
- Not all Contracting Parties and Cooperating Non-Contracting Parties of the IOTC are members of the IOMOU.
- The Cape Town Agreement of 2012, one of the key instruments of the PSC regime is not yet in force.
- Although both regimes include provisions for information exchange, the exchange of information via electronic systems and applications is specific to each regime, as these have been developed independently. This may result in lack or limited interoperability, which can create gaps in communication and delay the timely exchange of information between PSC and PSM authorities. Additionally, confidentiality concerns and varying data protection rules can limit the willingness of States to share sensitive information across different platforms.
- The denial of vessel entry into port is a fundamental component of PSM, serving as a crucial deterrent. However, due to its significant economic consequences for the operator and the port, the PSC regime is more hesitant to employ this measure.
- Formal coordination agreements or mechanisms among the various relevant administrations may not exist.

5.4. Training materials and programme

A key milestone in this Project was the development of the training programme[4]. The IOMOU and IOTC worked closely with the other Project Partners to create a curriculum that covered topics ranging from fishing vessel certification, international safety standards, crew working and living conditions, fisheries conservation and management measures and marine pollution. To ensure that PSC and PSM officers were well-equipped to carry out their duties in a complex and ever-changing environment, the training programme incorporated practical elements, such as real-world case studies, hands-on inspections, and scenario-based learning.

The final report of the training programme, originally based on IMO Model Course 3.09; IMO Procedures of Port State Control, 2021; IOMOU on Port State Control in the Indian Ocean Region; and the IOTC Procedures for the implementation of the Indian Ocean Tuna Commission Port State Measures, was the result of an iterative process of peer reviews and successive revisions, beginning with the submission of the preliminary draft training programme on 31 May 2023, and extending over five months until 23 November 2023. The finalised training programme comprises a nine-day course plan and detailed syllabus that can be adapted to assist training lecturers in organizing and introducing a new training course on PSC and PSM. This flexibility allows the programme to adopt a tailored approach based on the participants' profile and knowledge, enabling it to effectively supplement existing IOMOU and IOTC training courses.

Although the final training programme clearly identifies and details the contents and expected outcomes of each training subject, the development of the training materials did not occur until Phase 2, during the preparations for the in-country training.

[4] Training programme available at: https://openknowledge.fao.org/server/api/core/bitstreams/206f14e1-f418-451e-85fc-db00e1616481/content

6. Phase 2: Pilot Testing of the Training Programme

Acknowledging the pending ratification status of vital international agreements, the second phase envisaged the delivery of three in-country training courses to pilot the training programme developed in phase one. These training courses are intended to ensure that inspectors acquire sufficient understanding of the inspection procedures established by both IOMOU and IOTC. The overarching objective is to enable them to effectively carry out their duties, while also being knowledgeable about the work of the other port State inspectors and capable, to the extent possible, of identifying "clear grounds" to indicate potential IUU fishing activities or deficiencies related to the safety of the vessel, its safe navigation and operation, the safety of the fishers on board, including decent work and living conditions on board the vessel.

6.1. Preliminary testing at the Three Treaties workshop in South Africa

In preparation for the three in-country training sessions planned for the second phase, the project's working partners agreed to conduct a preliminary test of the training programme at the Three Treaties workshop in South Africa organised by The Pew Charitable Trusts jointly with South Africa's relevant authorities from 16 to 19 April 2024. To enable the incorporation of the pilot training programme test, Pew extended the Three Treaties event to cover an additional 1.5 days (18 – 19 April). Following the outcomes of it, further refinement was made to the training programme before the commencement of the in-country training sessions.

Attendees of the meeting included representatives from IOMOU, IOTC, ILO, the Department of Forestry, Fisheries, and the Environment (DFFE) that leads on fisheries management and enforcement and the South African Maritime Safety Authority (SAMSA) that works under the Department of Transport (DOT) and lead on maritime safety inspections and have a Memorandum of Understanding (MOU) with the Department of Employment and Labour (DEL) to lead on labour inspections as well. Experienced inspectors also attended from Angola, Tanzania, Seychelles, and Madagascar.

The programme of the Three Treaties workshop, outlined in Annex 1, consisted of two mock boarding inspections by fisheries, safety and labour inspectors aimed to identify gaps in the draft training programme before the in-country training sessions were rolled out in the region. The main objective of the two mock inspections was to test certain parts of the IOMOU-IOTC in-country training course, to participate in discussion on the findings, to provide feedback on possible "clear grounds" and to provide takeaways and recommendations regarding the way forward for the development of the in-country training course.

6.1.1. Outputs of the inspection

Inspections were limited to the examination of the vessels' certificates and relevant documentation, followed by an onboard check to assess its overall condition. This involved, on one hand, the verification of the existence, validity, completeness and proper maintenance of certificates and documentation, as well as identifying any discrepancies between them. On the other hand, it included checking for structural deficiencies, the availability of nautical charts and publications in the wheelhouse, assessing the cleanliness of the engine room, verifying the fishing gears and evaluating the working and living conditions of the crew. The first vessel was a domestic vessel from South Africa, and the second was a foreign flagged vessel. As result of the second mock inspection, the following points were noted:

- There was a concern of safety with access for the inspection team as the vessel was double-backed and the gangway did not have a net, therefore breaching safety requirements.
- There were discrepancies in some certificates and documentation.
- There was a discrepancy with the international tonnage vs the national registered tonnage.
- There was a language barrier as the logbook and the species were not in English.
- The IMO number could not be found on the documentation.
- The vessel was more than 30 years old. Despite some wear and tear the overall condition of the vessel was considered satisfactory.
- Inspectors interviewed the crew on board and were satisfied that labour conditions were being met.

- The markings of the container for an inflatable life raft indicated that the last service was still valid and from a safety perspective the vessel was considered seaworthy.

6.1.2. Outputs and outcomes from the workshop

Although no significant amendments to the training course were identified, discussions during and after the mock inspections generated several recommendations across three main topics: information exchange, the use of available technologies and inspection procedures.

i. Effective information exchange was highlighted as crucial for conducting thorough and informed port State inspections. Participants emphasized the importance of establishing clear communication channels with other agencies to share the Advance Request of Entry into Port form (AREP) and risk assessment reports, potential clear grounds, and inspection findings. Additionally, it was noted that real-time data-sharing systems could facilitate these efforts by providing timely information across agencies and integrating with existing regional and global platforms, such as the use of body cameras to share real time data, PSMA GIES, the FAO Global Record, GISIS, and the IOTC e-PSM system.

ii. The use of available technologies such as Quick Response (QR) codes for validating ships' documents and certificates, body cameras for recording inspections, and vessel positions data, were recognised as highly beneficial. These technologies could help minimise the risk of forged documentation, provide evidence for legal proceedings, and facilitate the conduct of risk assessments.

iii. To enhance effectiveness during port State inspections, it was recognized the need to monitor inspections to assess existing processes and procedures and promote continuous improvement. As an example, participants noted the importance of having a comprehensive list of all required documents for all agencies involved to facilitate the examination of vessel certificates and all relevant documentation during port State inspections.

Furthermore, during the Three Treaties workshop, the South African authorities committed to hosting one of the three in-country training sessions planned for Phase 2 of the IOMOU-IOTC Pilot Project. The Southern African Development Community (SADC) expressed their support and collaboration in engaging its members and securing their participation in the training.

6.2. In-country Trainings

6.2.1. Selection of Pilot Locations and Institutions

Initially, Phase 2 of the Pilot Project envisaged the conduction of three in-country trainings to pilot the training programme. However, due to the tight timeline for delivering the three in-country sessions before the project's deadline, it was agreed to convene instead, a single training session in Cape Town, South Africa, from 19 – 29 August 2024, to pilot the training programme. The training session targeted Port State Control (PSC) and Port State Measures (PSM) inspectors from the most important ports for tuna fisheries in the Indian Ocean region; Port Victoria (Seychelles), Cape Town (South Africa) and Sri Lanka. Mauritius was also invited to send inspectors to the training. However, they were unable to meet the deadline for submitting their list of nominees.

6.2.2. Implementation and rollout of the training programme

Over the course of nine days, the programme of the training detailed in Annex 2, allocated five days to theoretical instruction and four days to practical exercises. On the final day of the training, instructors and trainees evaluated both the theoretical and practical components to provide feedback on the experience gained and reflect on their main takeaways and recommendations on the way forward.

Theoretical sessions

The theoretical part introduced the various sections of the training programme developed in phase 1, with special focus on its scope, relevant PSC and PSM provisions from applicable international FAO, IMO and ILO instruments, as well as port State inspection procedures and follow-up actions under both PSC and PSM regimes. Additionally, in preparation for the practical component of the training, a special emphasis was put on introducing and examining the certificates and other relevant documentation that fishing and fishing-related vessels are required to carry on board.

To foster accountability and cultivate a collaborative environment rich in national context and practical knowledge, the training programme envisioned a national senior instructor with extensive experience in PSC and PSM inspections as the lead trainer, supported by national assistant instructors with relevant practical experience. However, to ensure a comprehensive understanding of the technical and legal aspects of the relevant international agreements, the initial rollout of the training was conducted and supported jointly by South African authorities and the Pilot Project partners – IOMOU, IOTC, FAO, IMO, ILO and The Pew Charitable Trusts.

As a result, trainees were introduced to the general international legal frameworks covered in the programme by staff representing the IOMOU, IOTC, IMO, and ILO, while senior officers from the fisheries and maritime departments of South Africa and Sri Lanka provided insights on the technical aspects of their implementation. This approach aimed at bolstering constructive discussions on various issues, maintaining alignment with global and regional standards and fostering consistency across countries.

Practical sessions

The practical sessions, consisting of mock port State inspections, depended on the availability of foreign vessels in port and were therefore prioritized over theoretical sessions. As a consequence, the first mock port State inspection took place on the fifth day of the training, while the second took place on the seventh day. To showcase PSC and PSM inspections on different vessel types, the first mock inspection was carried out on a fishing vessel and the second on a refrigerated cargo vessel.

The practical component of the training included an initial briefing, followed by the port State inspection under both PSC and PSM regimes and a debriefing session. During the briefing or preparations for the inspections, the group examined vessel-related information available on official databases, such as IMO GISIS, Paris MOU, IOTC e-RAV and FAO Global Record, in order to identify (1) the "relevant instruments" that applied to the vessel, its crew and operations; (2) which certificates would be required; and (3) what kind of issues might be expected onboard, based on available information, including from inspections carried out by other PSC/PSM authorities and available in other information systems such as the IOTC e-PSM and FAO GIES. These briefings were led by Mr. Gudmundsson and the South African authorities in their capacity as the port State with support from IOMOU and IOTC representatives, who intervened to point out key issues and facilitate group discussions. Based on the information available it was concluded that:

- The fishing vessel: Its flag Administration was not a party to any of the "recognized instruments", and the principle of "no more favourable treatment" was, therefore, applied during the port State inspection. Consequently, it was considered that the following relevant instruments would apply: SOLAS Ch. V; MARPOL Annexes I, IV, V and VI; TONNAGE 1969; CTA (when in force) or similar national requirements; STCW-F; C.188; PSMA; and IOTC Resolution 16/11.
- The refrigerated cargo vessel: was transporting non-IOTC species, specifically sardines, from China to a cannery in Cape Town. The vessel was listed in the Paris MOU Ship Detention List. During a PSC inspection in November 2023, it accounted with a total of 16 deficiencies of which five were classified as grounds for detention. The five deficiencies were related to the areas of fire safety and International Safety Management (ISM). Based on available information concerning the flag State, tonnage, and type of vessel, it was concluded that the following relevant instruments may apply to the planned mock inspections: LOAD LINES; SOLAS; MARPOL Annexes I, IV, V and VI; TONNAGE 1969; STCW; ILO MLC, 2006; and FAO PSMA.

For the inspection, due to their large number, participants were divided into two groups. The first group inspected the fishing vessel, and the second group inspected the refrigerated cargo vessel on different

days. Each group was equipped with a body camera, enabling the other group to follow the inspection from the classroom. To conduct inspections in an organized manner and avoid obstructing one another, during the inspection each group was subsequently divided into two teams: one consisting of four PSC inspectors plus one PSM inspector, and the other composed of four PSM inspectors plus one PSC inspector. The inclusion of a single representative from the alternate inspection regime present in each team was intended to foster first-hand knowledge of the other inspection regime and stimulate discussions during the debriefing. As part of the procedure, one of the teams examined the existence, validity, completeness, proper maintenance and coherence of vessel certificates and any other relevant documentation[5]. Meanwhile, the other team inspected elements, to get an impression of the overall condition of the vessel, such as the hull and load lines, the external superstructure and decks of the vessel, vessel external markings, onboard living conditions of the crew, survival craft, fire extinguishing system and pumps, fishing gears, engine room and wheelhouse. Once completed, both teams rotated their tasks.

Following the inspections, participants were debriefed on the various findings observed by the principal fisheries and maritime inspectors of each team. As previously, during the briefing, IOMOU and IOTC representatives intervened to encourage group discussions on the issues flagged. In essence, the findings included:

- For the fishing vessel:
    - Since the flag Administration was not a party to any of the recognized instruments, no international certificates and documents had been issued for the vessel. The vessel was, therefore, treated as a "vessel of a non-party", and the team checked the certificates and documents available onboard, issued by the flag Administration or an RO, in order to verify whether the conditions onboard were satisfactory.
    - An Oil Record Book, of the same format as the one required by MARPOL Annex I, had been issued for the vessel.
    - The vessel had been at sea for nine months (from September 2023 to July 2024) before arriving in the Port of Cape Town.
    - It was not clear from the records in the Oil Record Book whether the requirements of MARPOL Annex I, regarding discharge/disposal of bilge water and bunkering of fuel, had been complied with, during the vessel's nine-month voyage.
    - Substandard hygiene and living conditions for the crew of the fishing vessel: crew quarters contained eight beds with thin mattresses and lacked proper ventilation. There was no hot water available, and a single toilet served all crew members, except for the captain. Furthermore, food was stored and preserved in substandard conditions.
    - The survival raft of the fishing vessel was stowed on board with additional ropes that obstructed both manual and automatic release in the event of the vessel's sinking.
    - The cleanliness of the engine room of the fishing vessel was deficient.
    - Fire safety conditions were compromised due to wall perforations made for pipe installations and improper stowage of fire extinguishers, which hindered their use.
- For the refrigerated cargo vessel:
    - Access to the cargo vessel was controlled by crew members. Visitors were provided a security card. The vessel was operating under ISPS Code.
    - A recent PSC inspection had been carried out onboard the vessel without the communication of any clear grounds or relevant findings.
    - Certificates and relevant documentation were available, valid, and properly maintained. No discrepancies were noted between the documents or between the logbooks and the reported activities conducted during the trip.

[5] Appendix 2 of the IOMOU/IOTC Training course on PSC and PSM inspections, contains a list of "Key certificates and documents required to be carried on board fishing vessels and other vessels used for fishing-related activities"

- The overall conditions of the superstructure, wheelhouse, and engine room did not exhibit any apparent deficiencies.

6.2.3. Evaluation and takeaways of the training

The takeaways provided below, reflect the main conclusions and outcomes of the training, which have been grouped into two main blocks: communication and collaboration, and existing systems and new potential tools.

Communication and collaboration

i. The training was useful in fostering initial discussions between national agencies dealing with PSC and PSM inspections, respectively.

ii. The trainees were also of the opinion that multilateral training sessions were beneficial for sharing experiences and streamlining communication among members of the IOMOU and IOTC.

iii. There is a critical need for enhanced communication as well as harmonized and streamlined information exchange between PSM and PSC inspectors to ensure effective collaboration between the two regimes and the effective implementation of FAO/IMO/ILO instruments.

iv. The maritime (SAMSA) and fisheries (DFFE) authorities of South Africa expressed their strong commitment and willingness to cooperate and exchange information on fishing vessels and vessels used for fishing-related activities and inspection results.

v. In order to facilitate a kickstarting collaboration, an advantage should be taken of existing institutional commitments on cooperation between national agencies.

vi. The importance of bilateral and regional cooperation and collaboration was emphasized in the context of the effective implementation of FAO/IMO/ILO instruments, creation of professional relationships and knowledge sharing.

vii. Despite the fact that the national maritime administrations may have been authorized to carry out PSC inspections on labour related issues, the participants felt that officers from the national labour administration(s) should be invited to the training sessions in order to participate in the consideration of the practical aspects of the PSC inspections regarding labour-related issues.

viii. The mock inspection of the fishing vessel revealed numerous deficiencies related to IMO/ILO instruments (e.g. the cabins did not meet the minimum standards for decent living conditions, as they lacked ventilation and were equipped with eight bunk beds. Additionally, with the exception of the captain, the entire crew shared a single toilet and shower without hot water).

ix. A questionnaire to be completed anonymously, easily translatable into multiple languages, would be highly beneficial for obtaining feedback from crew members regarding labour conditions on board. The involvement of a neutral translator, in opposition to the vessel agent, to conduct interviews with crew members and effectively overcome language barriers would significantly complement the understanding on the level of implementation of ILO instruments.

Existing systems and new potential tools

x. The IOTC e-PSM application could be used to exchange information between national agencies dealing with PSC and PSM inspections, respectively. Such information exchange could be implemented:

- via the creation of an e-PSM account for other national relevant agency/ies with a generic email; and
- by adding the relevant agency(ies)' general email to the list of the Port State account contact details.

xi. The training provided clarity on key aspects such as identifying relevant issues, reporting them, and understanding the appropriate reporting procedures. However, the training could be substantially improved if a checklist could be prepared to delineate specific areas where relevant national agency/ies can help prior to and during inspections of fishing vessels and vessels used for fishing-related activities (e.g. vessel hull condition, load lines and operational readiness of survival crafts, as well as others such as the crew member list and vessel officials' certificates of competency).

xii. Since the current MOU on PSC for the Indian Ocean region does not require the Maritime Authorities of the IOMOU to inspect fishing vessels, the participants feel that there is a need to develop a separate reporting system under the IOMOU for exchanging information on PSC inspections, which may be carried out by its Maritime Authorities on fishing vessels, to verify their compliance with applicable IMO and ILO instruments, such as TONNAGE, MARPOL, STCW-F and C.188.

xiii. The development of Standard Operating Procedures (SOPs) to process port entry requests from fishing vessels or vessels used for fishing-related activities could facilitate and bolster coordination and cooperation at national levels. Such SOPs could be translated into electronic single window solutions or systems.

6.2.4. Adjustments Proposed to the Training Programme Based on the Pilot

Overall, the feedback received on the training programme was highly positive. Participants agreed on the importance of maintaining the nine-day duration, given the comprehensive and extensive nature of the content. It was suggested that, where feasible, the first week should focus on theoretical instruction, while the second week should emphasize practical exercises. However, regarding the preparation of both the theoretical and practical components, the following recommendations were made:

General preparations

i. Organise, prepare, and make available all course materials and programme well in advance to participants to ensure adequate preparation for the training.

ii. Where participants are required to take leading roles (e.g. give presentations) they should be adequately notified.

iii. Ensure that all necessary equipment is available, ready, and operational (e.g. video conferencing platform, projector, and body cameras prior to the training.

iv. Provide a list of terms and definitions where abbreviations are clearly described in full before the training.

v. Conduct future refresher trainings and seminars to reinforce and enhance cooperation and coordination between PSM/PSC inspectors.

Theoretical component

vi. Allocate additional time for the study of the C.188 and MLC, 2006 regarding, for example, employment agreements, living and working conditions on board on foreign fishing vessels and

vessels used for fishing-related activities, respectively. Furthermore, it may also be necessary to allocate more time for the study of the flexibility options of the CTA, in order to ensure better understanding by the PSC and PSM inspectors of such options when they carry out port State inspections.

vii. Emphasize the commonalities between the two different regimes to clarify key aspects to observe and to promote better understanding and collaboration.

Practical component

viii. Conduct more mock inspections and group exercises, engaging all participants, to consolidate the newly acquired knowledge. Participants on mock port State inspections, could be split into two teams to conduct simultaneous inspections on two different vessels, with findings to be shared afterwards.

ix. Preferably, two mock inspections should be carried out on foreign vessels during the training course, one on a fishing vessel and the other on a vessel used for fishing-related activities. However, in the case the latter type, which could, for example be a refrigerated cargo vessel or a supply vessel, is not available during the conduct of the course, the instructor(s) should consider whether that inspection should be carried on either a different type of a cargo vessel or another fishing vessel instead.

x. Plan port visits well in advance to ensure compliance with port safety requirements, including the use of personal protective equipment (PPE) and obtaining necessary permits.

6.1.1. Additional suggestions from participants outside the scope of the Pilot's objectives

xi. Joint inspections by the two national agencies, dealing with PSC and PSM inspections, could be of great value for understanding each other's inspection regime.

xii. Implement role-reversal exercises to enhance participants' understanding and perspective.

xiii. Training on the implementation and enforcement of the CTA is needed prior to its entry into force.

xiv. It was noted that C.188 needed to be amended to include provisions for paid shore leave, a maximum crew contract length of one year, and payments to be made upon the completion of a crew contract.

xv. The trainees pointed out that a guidance on the implementation of the STCW-F Convention, like the "Interim guidance to assist in the implementation of the Cape Town Agreement of 2012", would be beneficial, both for the IMO Member States and for the training course. Bearing in mind the close relationship between the Cape Town Agreement and the STCW-F Convention and that the latest amendments to the latter will enter into force on 1 January 2026, the Member States in the region may consider submitting a document to the Maritime Safety Committee of IMO proposing a new output to develop such guidance.

7. Challenges and Lessons Learned

Throughout the implementation of this project, several challenges were identified that could potentially impact the delivery of outputs and the overall success of the project. These challenges span across organizational, financial, logistical, and coordination aspects.

7.1. Organizational challenges

One of the primary organizational challenges encountered during the project relates to delays in the recruitment of the consultants with the necessary expertise to develop and facilitate the training programme. Such delays, affected the project's timeline, resulting in shorter preparation phases and creating difficulties for the consultants contracted. Consequently, it affected to a certain degree, the quality of the deliverables for the first consultancy, which did not meet the agreed standards or align with the content objectives set at the start of the project and detailed in the roadmap. Some of the relevant areas of study missing included the comparative analysis to identify potential legal, institutional, and operational commonalities, synergies, and hindrances, and; the identification of differences or shortcomings and potential hindrances to the implementation of PSC and PSM schemes. To address this, and in light of the substantial time and effort required by the Project Partners to correct and review its work, it was decided to delegate the continuation of the project to a second senior consultant working for one of the project partners. Thanks to the extensive experience on IMO, ILO and FAO instruments of the consultant, this corrective action ensured that the project could move forward effectively and deliver the training programme.

The delays in concluding phase 1, also had a knock-on effect, leading to a shorter period for implementing phase 2. Despite the extension of the final project's deadline to August 2024, the tight timeframe for organising three in-country trainings, jointly with the reduced availability of the principal trainer and non-readiness of training materials, necessitated a change in strategy. As a solution, the project partners decided to conduct a single in-country training, which was not limited to the host country officials but included other relevant port State inspectors as well.

7.2. Financial challenges

Financial constraints represented a key risk to the successful completion of the project's second phase, particularly in relation to the planned in-country training sessions. Insufficient funding limited the project's ability to conduct the full number of three in-country trainings initially envisioned. To ensure the project's budget was able to cover all the necessary costs—such as lecturers travel, per diem and catering expenses—the geographic coverage was reduced and the number of locations limited from three to one. This, in turn, affected the overall number of participants, implementation and piloting of the programme and reduced the capacity to determine its effectiveness. Impact, that was limited to a great extent, by using funds from other projects to cover flights and per diem expenses from PSC and PSM experts from other relevant port States.

7.3. Coordination challenges between all project partners

Effective coordination between project partners was essential to the successful implementation of this project. However, challenges arose due to misalignment in schedules, limited availability and the rotation of personnel initially assigned to oversee the project. To address these challenges and enhance communication, periodic meetings were established, a chairperson was appointed, and clear discussion points were outlined prior to each meeting. This proactive approach aimed to strengthen coordination and prevent further delays, misunderstandings, or disengagement among project partners. In addition, and, when required, separate meetings involving a smaller group of IOMOU and IOTC representatives were organised to prepare documents or advance discussions for presentation to the larger group.

7.4. Logistical challenges

Logistical challenges were particularly relevant in organizing the practical components of the training. Port State inspections were contingent upon the entry into port and availability of foreign vessels during the training period. Alternatively, other arrangements such as practical exercises in class or mock inspection to national vessels would need to be made to intend to replicate the training scenario. Mock inspections would also require the good collaboration from the captains. Additionally, logistical requirements for ensuring compliance with port safety regulations—such as the provision of personal protective equipment (PPE) and acquiring the necessary permits for port access—could introduce delays or complications.

8. Recommendations and Next Steps

8.1. Potential replication of the pilot in other regions

In accordance with the recommendations adopted during the 5th meeting of the JWG of FAO, IMO and ILO, similar initiatives between RFMOs and regional MOUs should be promoted, supported and facilitated to strengthen and initiate PSC inspections on fishing vessels, in particular through relevant technical support and capacity-building projects.

During the Three Treaties workshop, the IMO Secretariat explained that it would promote and facilitate the development of the initiatives within other regions similar to the pilot project and as necessary, would take the initiatives into account, when planning TC activities under Integrated Technical Cooperation Programme (ITCP). To this end, it was agreed that the pilot should have clear objectives that specify how it can be used by various agencies to effectively implement and share best practices in other regions.

8.2. Sustainability

To secure its sustainability, the training programme presented here, was designed as a flexible training framework intended to supplement existing IOMOU and IOTC training courses. This training programme provides national instructors with a comprehensive course plan and detailed syllabus that can be adjusted in accordance with the cultural backgrounds of trainees in maritime, labour and fisheries subjects. This adaptability allows the training to remain relevant and effective in diverse contexts, supporting long-term capacity building and accountability.

Despite of the above, the need to strengthen bilateral and regional cooperation was strongly emphasized for the effective implementation of FAO, IMO, and ILO instruments. Such collaboration plays a crucial role in establishing lasting professional relationships and facilitating knowledge and experience sharing, both essential for disseminating best practices, maintaining consistent standards across the region and enhancing inspectors' skills over time. Trainees recognized the significant benefits of multilateral training sessions, to support the development of a more cohesive and coordinated regional framework and recommended their continuation. Future similar sessions could foster sustained cooperation and contribute to building a solid foundation for long-term capacity-building efforts.

8.3. Next Steps

Following the pilot phase, several proposals for adjustments and additional considerations emerged. Among these, two key areas stood out. On one side, there was a call to expand the training programme's scope to include a greater attention to pre-inspection processes, such as the call into port, risk assessment, and decision-making procedures that precede port State inspections. A notable suggestion was to develop Standard Operating Procedures (SOPs) that could be easily translatable into electronic single window solutions or systems, to process port entry requests from fishing vessels or vessels used for fishing-related activities. On the other side, the need to further emphasize the commonalities between the two different regimes was stressed. For this purpose, the preparation of a checklist outlining specific areas of mutual interest was recommended.

Additional considerations aimed at fine-tuning the theoretical training content and refining the practical component. These included allocating additional time for the study of the C.188 and MLC, 2006, and facilitating its enforcement through the development of a questionnaire for crew members focusing on labour conditions on board; a deeper study of CTA's flexibility options in anticipation of its imminent ratification, and; the inclusion of more group exercises.

The feedback highlights new areas for potential improvement in the training programme and presents an opportunity to further enhance the training materials supporting port State inspections. However, this may require additional piloting to ensure that the training programme is well-positioned to effectively meet the Project's objectives. Given the interest expressed by IOTC and IOMOU members, such as Mauritius and Thailand, it is recommended that the programme be further piloted before being

presented at the next meeting of the JWG to seek its endorsement and support for the program's potential replication in other regions.

9. Conclusions

The training programme, piloted successfully in South Africa, has demonstrated a significant impact in enhancing the capacity and understanding of port State inspectors on both PSM and PSC regimes. The positive and extensive feedback received from participants underscores the programme's relevance and value, while also identifying key areas for further enhancement.

Despite the high level of acceptance and positive reception, the pilot phase highlighted specific aspects requiring additional development, particularly with regards to pre-inspection processes, areas of common interest and practical exercises. Suggestions for expanding the programme's scope to include Standard Operating Procedures (SOPs) and risk assessment processes were well-received, as these additions would facilitate a more integral and effective approach. While the training provided clarity on key aspects such as identifying relevant issues, reporting and understanding the appropriate reporting procedures, further guidance on specific common areas where relevant national agencies can offer assistance was requested. Moreover, additional recommendations on increasing the focus on labour conditions and on inviting national labour authorities to the training sessions in order to participate in the consideration of the practical aspects of the PSC inspections regarding the MLC, 2006 and C.188, emphasized the commitment to safeguarding safety and decent working conditions on board fishing vessels.

The need for clear communication channels and a harmonized, streamlined information exchange between PSM and PSC inspectors was recognized as essential for enhancing coordination and cooperation among national agencies. The utility of existing dedicated systems for information exchange, such as the IMO GISIS, the IOTC e-PSM application, the IOTC e-RAV, the FAO Global Record, and the FAO GIES, was highlighted to achieve these objectives. In this context, the training programme achieved three notable outcomes. First, it raised awareness of each regime's systems and facilitated the exploration of potential avenues for effective information exchange. Second, it secured an official commitment from national agencies to engage in information sharing on port State inspection matters. Third, the training helped identify existing gaps in the current information exchange framework, such as the lack of a reporting system within the IOMOU specifically for sharing information on PSC inspections of fishing vessels.

In conclusion, the training programme has substantial potential as a model for complementing IOMOU and IOTC specific trainings on port State inspections at national and regional levels. However, while it provides a robust initial framework, further piloting and feedback would help to refine the programme, to effectively incorporate and thoroughly test the recommended improvements, ensuring it is optimally positioned to meet the Project objectives outlined in section 3.1 of this document.

10. Annexes

Annex 1. Agenda of The Three Treaties workshop on a possible cooperation programme on port State inspections between IOMOU and the IOTC

THE THREE TREATIES

Cooperation between Indian Ocean Memorandum of Understanding on Port State Control (IOMOU) and the Indian Ocean Tuna Commission (IOTC) on a possible cooperation programme on port State inspections

18 April 2024

8:30-9:00	*Registration and coffee*
	Opening session:
9:00-9:20	**Opening welcome & meeting objectives:** *Pew: Elaine Young* *Captain Gqabu Thobela, SAMSA, Head of Port State Control Cell and Sue Middleton, DFFE, Deputy Director-General: Fisheries Management, Achintya Dutta, IOMOU, Secretariat, José Antonio Acuña Barros, IOTC, Compliance Fisheries Officer.*
9:20-10:20	**Port State inspections currently carried out on board vessels used for fishing or fishing-related activities:** · IOTC: Outline of the IOTC and the main objectives of its PSM inspections · IOMOU: Outline of the IOMOU and the main objectives of its PSC inspections · Host country: Cooperation between national agencies in South Africa in carrying out port State inspections *José Antonio Acuña Barros, IOTC, Achintya Dutta, IOMOU & Cheslyn Liebenberg, DFFE, Director: Fisheries Protection Vessels, Dr Naidoo,* Director*, The Department of Employment and Labour (DEL), DOT, SAMSA – labour and safety.*
10:20-11:00	**Collaboration programme between IOMOU and IOTC** · Concept of a cooperation programme between the IOMOU and IOTC on PSC and PSM inspections *Achintya Dutta, José Antonio Acuña Barros* · Draft outline for an IOMOU/IOTC training course on PSC and PSM inspections *Ari Gudmundsson, Pew Consultant*
11:00-11:15	*Coffee break*

11:15-11:40	**Collaboration programme between IOMOU and IOTC continued** · Q & A
11:40- 13:00	**Inspection practice – preparations** · General procedural guidelines for port State inspectors · Clear grounds · Prior to inspection: Preparation for an inspection, divided into two main areas: (1) safety/environmental/labour and (2) fisheries-related matters *Ari Gudmundsson, Pew Consultant & PSC (SAMSA) and PSM (Polo) instructors*
13:00-14:00	*Catered lunch on site*
14:00-17:00	**Inspection practice – on board a vessel** Initial inspection / On-board inspection: · Visit on board a fishing vessel to check certificates/documentation and the overall condition of the vessel *Facilitated by Ari Gudmundsson and PSC (SAMSA) and PSM (Polo, DFFE) instructors)*

19 APRIL 2024

8:30-9:00	*Coffee available*
09:00-10:45	**Reflections on site visit** · Experience gained during the inspection · Q & A *Facilitated by Ari Gudmundsson*
10:45- **11:00**	*Coffee break*

11:00-12:15	**Reflections on site visit continued** · Takeaways and recommendations · Q & A *Facilitated by Ari Gudmundsson*
12:15 12:30	**Summary of the day** Next Steps/Closing of the meeting *Achintya Dutta, IOMOU & Elaine Young, Pew*
12:30- **13:30**	*Catered lunch on site (lunch boxes provided for those that need to leave)*

Annex 2. The training programme

	Subject Area	Hours	
		Classroom	Vessel
Day 1			
1	**NEED FOR CONTROL**		
1.1	Introduction	0.5	
1.2	Definitions in FAO/ILO/IMO instruments	0.5	
1.3	Provisions for port State control/measures in the FAO/ILO/IMO instruments	1.0	
1.4	Vessels of non-parties	0.5	
1.5	Vessels below convention size	0.5	
1.6	Professional profile, qualifications and training of port State inspectors	0.5	
1.7	Regional and inter-regional cooperation	0.5	
2	**PORT STATE INSPECTIONS**		
2.1	General	0.5	
2.2	Prior to inspection	1.5	
Day 2			
2.3	Initial inspections / on board inspections	1.5	
2.4	General procedural guidelines for port State inspectors	1.5	
2.5	Clear grounds	2.0	
2.6	More detailed inspections	1.0	
Day 3			
3	**CONTRAVENTION AND PORT STATE ACTIONS FOLLOWING INSPECTION**		
3.1	Identification of substandard vessels, indecent living and working conditions, pollution risks and IUU fishing	0.5	
3.2	Submission of information concerning deficiencies and IUU fishing	0.5	
3.3	Port State action in response to alleged substandard vessels and IUU fishing	0.5	
3.4	Responsibilities of port State to take remedial action	0.5	
3.5	Port State actions following inspections	0.5	
4	**REPORTING REQUIREMENTS FOLLOWING A PORT STATE INSPECTION**		
4.1	Port State reporting	1.0	
4.2	Flag State reporting	0.5	
4.3	Information sharing between IOMOU and IOTC	1.0	
5	**REVIEW PROCEDURES**		
5.1	Report of comments	0.5	
Day 4			
6	**MAIN ELEMENTS OF THE RELEVANT INSTRUMENTS' REQUIREMENTS**		
6.1	Status of the international instruments	1.0	
6.2	LL 1966	0.5	

6.3	SOLAS 1974	0.5	
6.4-6.7	MARPOL 73/78 (all annexes)	1.0	
6.8&6.9	STCW 1978 & STCW-F 1995	1.0	
6.10	TONNAGE 1969	0.5	
6.11	CTA 2012	0.5	
6.12&6.13	COLREG 1972 and FAL 1965	0.5	
6.14&6.15	ILO MLC, 2006 & ILO C.188	1.0	
Day 5			
6.16	PSMA 2009	1.5	
6.17	IOTC Resolution 16/11	1.0	
7	**DOCUMENTATION AND RECORD BOOKS**		
7.1	Certificates and other documents required under FAO/ILO/IMO instruments	4.0	
7.2	Record books	0.5	
Day 6			
8	**PRACTICAL PORT STATE CONTROL TRAINING**		
8.1	Organization	1.0	
8.2	Aide-memoire for inspectors	1.5	
8.3	Safety	0.5	
8.4	Inspection practice	3.0	
Day 7			
8.4	Inspection practice (cont.)		6.0
Day 8			
8.4	Inspection practice (cont.)		6.0
Day 9			
8.4	Inspection practice (cont.)		4.5
8.5	Final discussions	1.5	
	SUBTOTALS	**38.5**	**16.5**
	TOTAL	**55.0**	