CLOSING PORTS TO IUU VESSELS
Implementing the IOTC Resolution on Port State Measures

The IOTC, in its capacity as a Regional Fisheries Management Organisation (RFMO), adopted a Resolution on Port State Measures to Prevent, Detach and EliminateIllegal, Unreported and Unregulated Fishing (IOTC PSMM) in its Resolution 12-01, adopted on 1 March 2012. The Resolution was enforced on 7 March 2012.

According to the PSMM, IOTC Members and Cooperating Non-Contracting Parties must provide details of their Designated Ports where foreign vessels may land or tranship catches. Any vessel that wishes to land or tranship fish under the management mandate of the IOTC, or to use the port facilities of a designat port in the Indian Ocean, is required to provide an Advanced Request to Enter Port to the competent authority of the port State.

To which vessels do the IOTC PSMM apply?
"Vessels" are defined broadly to include any type of vessel used or intended to be used for fishing or fishing related activities (e.g., motor vessels, support vessels). The IOTC PSMM applies to all vessels wishing to enter a port different from the nationality of the port State.

What port can a vessel seek entry?

It is the sovereign right of a port State to grant or deny foreign vessels access to their ports. In compliance with the IOTC PSMM, a vessel may not discharge or tranship its catch in a foreign port in the Indian Ocean that has not been designated by that country and is not listed on the IOTC website.

The IOTC website www.iotc.org, section Quick Links “Designated Ports” provides information on the designated ports of each port State, including:
- the name and contact of the designated ports
- the port notification periods
- the contact of the competent authority
- the blank copy of the IOTC Port inspection report form.

How do you apply to enter a port?
The vessel operator, the agent or the master must submit an Advance Request for Port Entry (ARPE) to the port State authority, at least 24 hours before the arrival of the port or within the prescribed time limits as imposed by the port State. The form can be found in Annex 1 of the IOTC PSMM resolution or can be requested from the authority of the port State.

The ARPE provides the means for the port State to review and verify information and decide to grant or deny a vessel the permission to enter port and use the port facilities.

A port State may:
1. **Allow entry**
   - There is no evidence of IUU fishing, the vessel documentation is complete and verified, and the vessel is known for good compliance.
2. **Enter port but deny the use of port facilities**
   - The vessel’s flag State cannot provide adequate proof that the catch was taken in accordance with the IOTC’s conservation and management measures.
   - The documentation is incomplete or cannot be verified, or the details of where the catch was taken cannot be substantiated.
3. **Refuse entry into port**
   - Where there is evidence of IUU fishing or the information provided in the Advance Request for Entry is incomplete or cannot be verified.
   - When the final decision of the port State is taken, the vessel is notified, and where applicable the flag State of the vessel, relevant coastal States and the IOTC are informed.

How to complete the advance request for entry in port?
The advance request to enter port is composed of 23 sections:

1. **Intended port of call**: Name or code of the port where the vessel is requesting entry.
2. **Port State**: Name or code of the port State (ISO 3166 3-alpha country/territory codes).
3. **Estimated date/time of arrival**: Expected date and time that the vessel will arrive at the port limits.
4. **Purpose(s)**: Reason for requesting port access: landing, transhipping, packaging, processing of fish, refueling, reupplying, maintenance, dry-docking.
5. **Port and date of last port call**: Name or code of the last port visited and the date of the last port call.
6. **Name of the vessel**: Name of the vessel as registered in relevant documents of the flag State.
7. **Flag State**: Name or code of the flag State where the vessel is registered.
8. **Type of vessel**: Using FAO vessel type codes.
9. **International Radio Call Sign**: Radio call sign of the vessel assigned by the flag State.
10. **Vessel contact information**: IMNARSAT, fax, email, mobile and satellite phone.
11. **Vessel owner(s)**: Name/contact details of vessel owner.
12. **Certificate of registry**: National registration number of the vessel as issued by the flag State.
13. **IMO ship ID if available**: International Maritime Organization Lloyd’s Register identification number of the vessel.
14. **External ID if available**: Port of Registry, fishing license number, hull number.
15. **IOTC identity**: IOTC number under which the vessel is authorised by IOTC.
16. **VMS and type**: Record if the vessel has a VMS fitted: national, ISPO and the type of VMS.
17. **Vessel dimensions**: Length of the vessel (LOA).
18. **Vessel master name and nationality**: The name and nationality of the Master of the vessel.
19. **Additional fishing automation(s)**: Information on:
   - Authorisation to fish issued by the flag State
   - Fishing licence issued by coastal State
20. **Additional port access**: Information on:
   - Port of Registry
   - Fishing license issued by coastal State
21. **Species**: The fish species authorised to capture.
22. **Location of fishing area**: The vessel’s position coordinates.
23. **Other relevant information**: The details for each authorisation to fish:
   - Authorisation to fish:
   - Fishing licence issued by coastal State
   - Port of Registry
   - Location of fishing area:
   - Other relevant information concerning donor vessels:
     - Date: Date of the transhipment.
     - Location: Position (latitude/longitude) of port where transhipment took place.

Name: Name of donor vessel from which fish were received.
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**Flag State:** Donor vessel: Flag State.
**ID number:** IOTC number of the donor vessel, ICCS, national registration number, IMO number.
**Species:** Code of the species and products transhipped (FAO species codes).
**Product form:** Product code of the catch as offloaded from the donor vessel.
**Catch area:** Geographical/statistical area where the catch was taken by the donor vessel.
**Quantity:** Total quantity of fish offloaded from each donor vessel.

**22. Total catch on board:** The total catch/product onboard the vessel.
**Species:** Code of the species on board (FAO species codes).
**Product form:** Product code of the catch onboard the vessel.
**Catch area:** See catch area for transhipment.
**Quantity:** The total quantity of fish onboard.

**23. Catch to be offloaded:** Quantity of the catch that will be landed and/or transhipped while in port.

**Inspection in port**

Authorization to Enter the Port

The authority of the port State will issue an authorization to enter the port if the vessel has satisfactorily complied with port State requirements.

At this stage another process commences and the vessel is subject to a port State inspection that may lead to the authorization to land or tranship the catch and use port facilities if no evidence of IUU fishing is found.

**Inspection of the vessel and cooperation**

The master and the crew of the vessel are required to fully cooperate with the IOTC inspection team and inspection process that will include:

- Inspection of the vessel documentation.
- Fishing logbook and any other logbooks kept on board.
- Fishing gear.
- Fish hold and catch.
- the Vessel Monitoring System (VMS).

Results of Inspections and follow-up actions

The result of the inspection is recorded in a written report which is then provided to the master of the vessel, the Flag State, relevant coastal States and the IOTC Secretariat.

For any infringements according to the IOTC Resolutions or the laws of the port State, the master will be advised of actions that may be taken including:

- denial of landing and transhipment,
- refused access to port facilities, and
- possible administrative or legal actions being taken against the master, the agent and the operator (e.g. fine, seizure of catch and/or gear and/or vessel).

Offloading: landing or transhipment

If authorized to land or tranship fish the master will be requested to provide the cargo hold or well loading plans of the vessel and assist inspectors to monitor the species and quantity offloaded, sample and measure product for species compositions and unit weights.

For the complete and official requirements, consult the Resolution. If there is a discrepancy between the Resolution and this brochure, the official Resolution takes precedence.

For further information, contact

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Implementing the IOTC Port State Measures Resolution

Responsibilities of the Fishing Industry

Port State Measures

Closing ports to IUU vessels