

CONSERVATION MEASURE 02/05 ON INTERIM PORT STATE MEASURES

Each Contracting Party shall

1. maintain an effective system of port State control for fishing vessels entitled to fly the flag of another Contracting Party than the port State or a non-Contracting Party calling at its port,
2. ensure that port State inspections take place in accordance with Annex A and obtain, in the course of such inspections, at least the information listed in Annex B,
3. consult, cooperate and exchange information with other Contracting Parties, and
4. report without delay on the results of inspections to the SEAFO Secretariat.

ANNEX A

PORT STATE INSPECTION PROCEDURES OF FOREIGN FISHING VESSELS

1. Vessel identification

The port inspector(s) should:

- a) verify that the official documentation onboard is valid, if necessary, through appropriate contacts with the flag State or international records of fishing vessels;
- b) be assured that the flag, the external identification number (and IMO ship identification number when available) and the international radio call sign are correct;
- c) examine whether the vessel has changed flag and, if so, note the previous name(s) and flag(s);
- d) note the port of registration, name and address of the owner (and operator if different from the owner) and the name of the master of the vessel, including the unique ID for company and registered owner if available; and
- e) note name(s) and address(es) of previous owner(s), if any.

2. Authorization(s)

The port inspector(s) should verify that the authorization(s) to fish or transport fish and fishery products are compatible with the information obtained under paragraph 1 and examine the duration of the authorization(s) and their application to areas, species and fishing gear.

3. Other documentation

The port inspector(s) should review all relevant documentation¹ which may include various logbooks, in particular the fishing logbook, as well as stowage plans and drawings or descriptions of fish holds if available. Such holds or areas may be inspected in order to verify whether their size and composition correspond to these drawings or descriptions and whether the stowage is in accordance with the stowage plans. Where available, this documentation should also include catch documents issued by any regional fisheries management organization, trade documents or, if applicable, CITES documents.

¹ It is understood that documentation includes documents in electronic format.

4. Fishing gear

- a) The port inspector(s) should verify that the fishing gear on board is in conformity with the conditions of the authorization(s). The gear may also be checked to ensure that the mesh size(s) (and possible devices), length of nets, hook sizes etc. are in conformity with applicable regulations and that identification marks of the gear correspond to those authorized for the vessel.
- b) The port inspector(s) may also search the vessel for any fishing gear stowed out of sight.

5. Fish and fishery products

- a) The port inspector(s) should, to the greatest extent possible, examine whether the fish and fishery products on board are harvested in accordance with the conditions set out in the authorization. In doing so, the port inspector(s) should examine the fishing logbook, reports submitted, including those resulting from a vessel monitoring system (VMS), as appropriate.
- b) In order to determine the quantities and species which are fresh on ice, frozen but not packed, processed, packed or in bulk, the port inspector(s) may examine the fish in the hold or during the landing. In doing so, the port inspector(s) may open cartons where the fish has been pre-packed and move the fish or cartons to ascertain the integrity of fish holds.
- c) If the vessel is unloading, the port inspector(s) may, to the greatest extent possible, verify the species and quantities landed. Such verification may include presentation (product form), live weight (quantities determined from the logbook) and the conversion factor used for calculating processed weight to live weight. The port inspector(s) may also examine any possible quantities retained onboard.
- d) If the port inspector(s) has reasonable grounds to believe that a vessel has engaged in, or supported IUU fishing, the port inspector(s) should as soon as possible contact the flag State authorities to verify whether the fish and fishery products have been harvested or collected in the areas as recorded in the relevant documents. To this effect, the port inspector(s) may also review the quantity and composition of all catch onboard, including by sampling.

6. Report

The result of the port State inspection should be presented to the master of the vessel and a report should be completed, signed by the inspector and the master. The master should be permitted the opportunity to add any comments to the report.

ANNEX B

RESULTS OF PORT STATE INSPECTIONS

Results of port State inspections shall include at least the following information:

1. Inspection references

- inspecting authority (name of inspecting authority or the alternate body nominated by the authority);
- name of inspector;
- port of inspection (place where the vessel is inspected); and
- date (date the report is completed).

2. Vessel identification

- name of the vessel;
- type of vessel;
- external identification number (side number of the vessel) and IMO-number (if available) or other number as appropriate;
- international Radio Call Sign;
- MMSI-number (Maritime Mobile Service Identity number), if available;
- flag State (State where the vessel is registered);
- previous name(s) and flag(s), if any;
- whether the flag State is party to a particular regional fisheries management organization;
- home port (port of registration of the vessel) and previous home ports;
- vessel owner (name and address of the vessel owner);
- vessel operator responsible for using the vessel if different from the vessel owner;
- name(s) and address(es) of previous owner(s), if any; and
- name and certificate(s) of master.

3. Fishing authorization (licenses/permits)

- the vessel's authorization(s) to fish;
- State(s) issuing the authorization(s);
- areas, scope and duration of the authorization(s);
- species and fishing gear authorized; and
- transshipment records and documents² (where applicable).

4. Trip information

- date trip commenced (date when the current trip started);
- areas visited (entry to and exit from different areas);
- areas where fish and fishery products were captured or collected;

² The transshipment records and documents must include the information provided for in paragraphs 1-3 of this Annex B.

- ports visited (entry into and exit from different ports); and
- date trip ended (date when the current trip ended).

5. Result of the inspection on discharge

- start and end (date) of discharge;
- fish species;
- presentation (product form);
- live weight (quantities determined from the log book);
- relevant conversion factor;
- processed weight (quantities landed by species and presentation);
- equivalent live weight (quantities landed in equivalent live weight, as “product weight multiplied with the conversion factor”); and
- intended destination of fish and fishery products discharged.

6. Quantities retained on board the vessel

- fish species;
- presentation (product form);
- relevant conversion factor;
- processed weight; and
- equivalent live weight.

7. Results of gear inspection

- details of gear type inspected and attachments, if any.

8. Conclusions

- conclusions of the inspection including identification of the violations presumably committed and reference to the rules which have been presumably not complied with.