



FCWC

Fisheries Committee for
the West Central Gulf of Guinea



STRATEGY TO COMBAT ILLEGAL TRANSHIPMENT AT SEA

December 2017



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The Fisheries Committee for the West Central Gulf of Guinea (FCWC) was established by Convention in 2007 between the States of Benin, Côte d'Ivoire, Ghana, Liberia, Nigeria and Togo. These Contracting Member States are committed to cooperate, with a view to ensuring that through appropriate management, the conservation and optimal utilisation of the fishery resources within the marine waters under their national jurisdiction will be improved. The Committee has the responsibility to, inter alia: strengthen sub-regional cooperation in fisheries monitoring, control and surveillance (MCS) and enforcement, including the progressive development of common procedures; enhance cooperation in respect of relations with distant water fishing countries; and to promote the development of standards for the collection, exchange and reporting of fisheries data.

In pursuit of these commitments, the Member States of the FCWC established and formally adopted the West Africa Task Force (WATF) in December 2015. Since its formation, the WATF has identified at-sea transshipment as a major challenge in the sustainable management of fisheries resources, a key facilitator of illegal fishing and a means for illegally caught fish to enter the supply chain.

Unauthorised at-sea transshipment enables illegal operators to maximize profits by: reducing time and fuel spent carrying fish to port; avoiding taxes, such as buying a licence; avoiding inspection of the catch, for example for prohibited species; avoiding inspection of the fishing vessel, in order to verify documentation or ensure compliance with fishing gear, safety

and sanitary requirements; enabling other fisheries crimes; and by creating an environment conducive to labour abuse of the crew and human trafficking.

Unauthorised at-sea transshipment occurs in three main ways, from industrial fishing vessels to:

- refrigerated transport vessels – commonly referred to as 'reefers' – through highly organised pre-arranged systems where by the reefer brings supplies of fuel, food, bait and crew, and takes away the catch, usually directly to foreign markets thus avoiding further oversight;
- other fishing vessels – this enables the 'laundering' of illegally caught fish by mixing it with legal fish, with the illegal fish taking on the documentation of the legal fish when later offloaded in regional or international ports; or
- small scale fishing vessels and transport canoes – that take industrial-caught fish directly to buyers on-shore – this practice enables industrial vessel owners to abuse the management system, often depleting coastal fish stocks that are essential for local economies and nutrition.

Transshipment at-sea is principally illegal within the FCWC region. The Member States of the FCWC, within their national legal frameworks have banned transshipment at sea, or require special authorisation¹. FCWC Conventions only permit transshipment at sea in emergency situations².

1 Benin (Loi-cadre n° 2014-19 du 07 août 2014 relative à la pêche et à l'aquaculture en République du Bénin, Article 36 and 112(i)), Côte d'Ivoire (Loi n° 2016-554 du 26 juillet 2016 relative à la pêche et à l'aquaculture, Article 27); Liberia (Fisheries Regulations 2010, Section 14 and 35) and Nigeria (Sea Fisheries Act 2004, Section 1) allow transshipment at sea and in port, but require an authorisation for at-sea transshipment; Ghana (Fisheries Act 2002, Article 132 and 133, Fisheries Regulations 2010, 33) and Togo (Loi n° 2016-026 du 11 octobre 2016 portant réglementation de la pêche et de l'aquaculture au Togo, Article 44, 87, 88 and 90) only allow transshipment in port, subject to authorisation. Ghana (Fisheries Regulations 2010, Regulation 33) also explicitly addresses small scale vessels and canoes.



The International Commission for the Conservation of Atlantic Tunas (ICCAT) prohibits transshipment at sea, apart from transshipments authorised in accordance with the Regional Observer Programme for fish originating from large scale pelagic longliners being transhipped to reefers³. The 2009 Port State Measures Agreement (PSMA) of the Food Agriculture Organization of the United Nations (FAO), is a cost-effective tool which countries can use to deny port access to fishing vessels or reefers if a violation is proven or suspected, while under the 1974 International Convention for the Safety of Life at Sea (SOLAS), of the International Maritime Organization of the United Nations (IMO), fishing vessels and reefers can be required to maintain an automatic identification system (AIS).

In response to this situation, and mindful of the need to take urgent action, the Member States of the FCWC agree to the following strategic approaches to stop illegal transshipment in the region:

1. Harmonise national legislation and procedures regarding at-sea transshipment based on regional and international frameworks and best practice.
2. Collect, share, store and analyse information and intelligence to improve the collective understanding and awareness about at-sea transshipment activities from industrial fishing vessels to reefers; between industrial fishing vessels; and from industrial fishing vessels to small-scale boats in the fisheries within the FCWC area of competence.
3. Require that transshipments from any fishing vessel flagged to a Member State or authorised to fish in the EEZ of a Member State take place in a designated port⁴.
4. Strengthen cooperation with relevant fisheries, economic and other intergovernmental bodies in respect to at-sea transshipment, by sharing information about fishing vessels, including reefers, and by establishing mechanisms to verify this information.
5. Establish information exchange mechanisms and procedures with relevant coastal, flag, port and market States in respect to at-sea transshipment from fishing vessels, including reefers, of mutual interest.
6. Accede to the PSMA to provide a regionally and globally harmonised framework for port access by vessels involved in or supporting illegal, unreported or unregulated (IUU) fishing, including reefers that have engaged in, or are suspected to have engaged in illegal transshipment.
7. Require fishing vessels flagged to a Member State, authorised to fish in the EEZ of a Member State, or that enter the port of a Member State, to use a vessel monitoring system (VMS) and transmit signals to the relevant Member States' designated national administrations, and to maintain an operational automatic identification system (AIS) at all times.
8. Require refrigerated cargo vessels (reefers) flagged to a Member State, authorised to pass through the EEZ of a Member State or to enter the port of a Member State to use a vessel monitoring system (VMS) and transmit signals to the relevant Member States designated national administrations, and to maintain an operational automatic identification system (AIS) at all times, in line with the 1974 International Convention for the Safety of Life at Sea.
9. Implement at-sea and shore-based monitoring of transshipment from industrial fishing vessels to reefers, between industrial fishing vessels, and from industrial fishing vessels to small-scale boats, including through patrols, observer programmes and the engagement of small-scale fishers.
10. Develop an action plan to implement this strategy and report progress to the FCWC Ministerial Conference.

Approved by the FCWC Ministerial Conference, 15th December 2017, Abuja, Nigeria

² Article 16, paragraph three of the 2013 Convention on Minimum Requirements for Access to the Fishery Resources of the Area of the FCWC.

³ ICCAT Recommendation 16-15.

⁴ Except under circumstances of force majeure.



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The Fisheries Committee for the West Central Gulf of Guinea (FCWC) facilitates cooperation in fisheries management between the member countries: Benin, Côte d'Ivoire, Ghana, Liberia, Nigeria and Togo.

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