



FCWC

Fisheries Committee for
the West Central Gulf of Guinea



**REGIONAL PLAN OF ACTION TO PREVENT, DETER AND
ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED (IUU)
FISHING IN THE FISHERIES COMMITTEE FOR THE WEST
CENTRAL GULF OF GUINEA (FCWC) MEMBER COUNTRIES
(2019- 2023)**

May 2018



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REGIONAL PLAN OF ACTION TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING IN THE FISHERIES COMMITTEE FOR THE WEST CENTRAL GULF OF GUINEA (FCWC) MEMBER COUNTRIES

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Table of Contents

LIST OF ABBREVIATIONS AND ACRONYMS	4
EXECUTIVE SUMMARY	7
INTRODUCTION	8
PART 1: OVERVIEW OF INTERNATIONAL AND GLOBAL CONTEXT OF IUU FISHING	9
1.1. Concept Of Illegal, Unreported And Unregulated Fishing	9
1.2. International Concern About IUU Fishing	9
1.3. International Plan Of Action To Combat IUU Fishing	10
PART 2: PROFILE OF FISHERIES IN THE FCWC REGION AND CONCERNS REGARDING IUU FISHING	10
2.1. Fisheries In The FCWC Region	10
2.2. IUU Fishing-Related Issues	11
2.3. Impact Of IUU Fishing In The Region	11
2.4. Gaps In Implementation Of The 2009 FCWC RPOA-IUU	11
2.4.1. Adoption Of NPOA-IUU	12
2.4.2. Ratification/Accession To International Instruments	12
2.4.3. Signing Of FCWC Convention	12
2.4.4. Ratification/Accession To Regional Fisheries Management Organization	12
2.4.5. Ratification/Accession To Regional Fisheries Organization	12
2.4.6. Updating Of Legal Framework And Harmonization Of Sanctions	12
2.4.7. Weak Monitoring, Control And Surveillance Systems (MCS)	12
2.4.8. Weak Traceability System To Prevent International Trade In IUU Fish	13
2.4.9. Weak Or No Regulations To Implement Port State Measures	13
2.4.10. Update Of Vessel And Licence Registers	13
PART 3: REVISED REGIONAL PLAN OF ACTION TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING	14
3.1 Objective Of The Revised RPOA-IUU	14
3.2 Measures Of The Regional Plan Of Action	14
3.2.1. All States Responsibilities	14
3.2.2. Flag States Responsibilities	16

Table of Contents

3.2.3. Responsibility Of Coastal States	16
3.2.4. Port States Responsibilities	17
3.2.5. International Trade	17
3.2.6. Fishery And Oceanographic Research	17
3.2.7 Regional Management Organisation	17
3.2.8 Reporting And Evaluation Of The RPOA-IUU At National Level	17
3.3 Regional (FCWC Secretariat) Responsibilities	17
3.3.1 Harmonized Sanctions	17
3.3.2 Regional MCS	18
3.3.3 Regional Awareness Creation	18
3.3.4 Regional Communication Network	18
3.3.5 Regional Publicity	18
3.3.6 Regional Technical Capacity	19
3.3.7 Harmonized Registration Of Industrial Fishing Vessels And Artisanal Canoes	19
3.3.7 Regional Register Of Fishing Licence And Authorization	19
3.3.8. Harmonized Regulations On Port Control	19
3.3.9. Harmonized Certification Scheme For International Trade	19
3.3.10 Reporting And Evaluation Of The RPOA-IUU At Regional Level	19
TIMEFRAME FOR IMPLEMENTATION OF MEASURES	20
BIBLIOGRAPHY/REFERENCES	23

List of Abbreviations and Acronyms

AfDB:	African Development Bank
AIS:	Automatic Identification System
ATLAFCO:	Ministerial Conference on Fisheries Cooperation among African States bordering the Atlantic Ocean
BMA:	Bureau of Maritime Affairs of Liberia
BNF:	Bureau of National Fisheries of Liberia
CECAF:	Fishery Committee for the Eastern Central Atlantic
CFA:	Francs CFA
COFI:	FAO Committee on Fisheries
CRHOB:	Centre for Fishery and Oceanographic Research of Benin
CRO:	Centre for Oceanographic Research
DFA:	Directorate of Fisheries and Aquaculture
ECOWAS:	Economic Commission of West African States
EU:	European Union
FAO:	United Nations Food & Agriculture Organization
FAOCA:	1993 FAO Compliance Agreement
FCWC:	Fisheries Committee for the West Central Gulf of Guinea
FDF:	Federal Department of Fisheries and Aquaculture of Nigeria
GDP	Gross Domestic Product;
GPS	Global Positioning System
IUU Fishing:	Illegal, Unreported and Unregulated Fishing
IPOA-IUU:	2001 International Plan of Action to Combat IUU Fishing
IMO:	International Maritime Organisation;
MARPOL:	International Convention for the Prevention of Pollution from Ships (Marine Pollution)
MCS:	Monitoring Control and Surveillance System
MRAG:	Marine Resources Assessment Group
NGOs:	Non-Governmental Organisations,
NIMASA:	Nigerian Maritime Administration and Safety Agency
CCRF:	FAO Code of Conduct For Responsible Fisheries

ICCAT:	International Commission for the Conservation of Atlantic Tunas
NEPAD:	New Partnership For Africa's Development
PSMA:	2009 FAO Agreement on Port State Measures to Combat IUU Fishing
NPOA-IUU:	National Plan of Action to Combat IUU Fishing
SIF:	Stop Illegal Fishing
AU:	African Union
SOLAS:	International Convention for Safeguarding Human Lives at Sea
UNCLOS:	1982 United Nations Convention on the Law of the Sea
UNFSA:	1995 United Nations Fish Stocks Agreement
AU-IBAR:	Inter-African Bureau for Animal Resources
VMS:	Vessel Monitoring System
EEZ:	Economic Exclusion Zone
NOAA:	National Oceanic Atmospheric Administration of US Department of commerce
NORAD:	Norwegian Agency For Development
PESCAO:	Improved Regional Fisheries Governance Project
WATF:	West Africa Task Force
WARFP:	West African Regional Fisheries Programme
NWG:	National Working Group
TMT:	Trygg Mat Tracking
ACP:	African Caribbean and Pacific Vessel Monitoring System

Executive Summary

The 3rd Ministerial Conference of the Fishery Committee of the West Central Gulf of Guinea (FCWC) held in Lome, Togo in 2009 adopted a Regional Plan of Action to Prevent, Deter and Eliminate IUU fishing (RPOA-IUU) for implementation at national and regional levels.

The 9th Ministerial Conference of the FCWC held in Monrovia, Liberia in 2016 made several recommendations including:

- Recommendation 6: Requested the development and implementation of a Regional Fisheries Management Plan in the FCWC region that could among others facilitate: exchange of personnel and expertise in fisheries; collaboration with regional bodies on MCS strategies to combat IUU fishing; as well as help in the revision of the FCWC Regional Plan of Action for combating IUU fishing.
- Recommendation 9: Requested the support of the African Union (AU) for among others, to evaluate the implementation of the 2009 FCWC RPOA-IUU by the member States.

The AU-IBAR recruited a consultant under the AU-IBAR Fisheries Governance Project, to, among others, revise the 2009 RPOA-IUU for FCWC as may be required by member States and current developments towards formulating a realistic Regional IUU Plan for the FCWC. This consultancy was complementary to AU-IBAR's support to enhancing regional cooperation on MCS (AU-IBAR, 2016a) and consistent with the implementation of Policy Framework and Reform Strategy for fisheries and aquaculture in Africa (PFRS), AUC-NPCA, 2014.

The revised Regional Plan of Action to prevent, deter and eliminate IUU fishing (RPOA-IUU) in the FCWC Region, is based on outcomes of evaluation of implementation of the 2009 FCWC RPOA-IUU, the identified existing gaps in relation to combating IUU fishing in the FCWC Region and proposed measures to address these gaps, inputs from member States and current developments regarding IUU fishing in the FCWC Region.

The revised RPOA-IUU is for the period 2019 – 2023 and presented in three (3) Parts. Part 1 gives an overview of international and global context of IUU fishing; Part 2 presents the fisheries profile in the FCWC Region and specific concerns regarding IUU fishing; and Part 3 outlines range of measures and the timeframe for implementation of the measures at national and regional levels to combat IUU fishing in the FCWC Region.

The revised RPOA-IUU identified 56 measures to be implemented under the following broad areas: i) Ratification of international instruments; ii) Completion, adoption and harmonization of national laws; iii) Measures relating to ships without nationality and non-cooperating States; iv) Development of the monitoring, control and surveillance system at national and regional levels; and v) Cooperation between the FCWC and other States and regional fisheries organizations; vi) Registration and register of fishing vessels and artisanal canoes; vii) Issuance of licenses to artisanal canoes and industrial fishing vessels; viii) Port State Control; ix) International trade in products from Illegal, Unreported and Unregulated fishing; and x) Cooperation within Regional Fisheries Management Organizations.

In addition, the plan identifies the following priority actions/measures: (i) Development and adoption of NPOA-IUU; (ii) Ratification/ Accession/Signing of International Instruments, FCWC Conventions, AU Agreements and RFMO/RFO (ICCAT/ATLAFCO) Conventions; (iii) Strengthening and Improvement of MCS system; (iv) Awareness creation for and participation of Professional Associations and NGOs; (v) Harmonization of deterrent sanctions; (vi) Access Control; (vii) Strengthening of research and dissemination of research findings; (viii) Port control measures; (ix) Export control measures and (x) Appointment of Focal Persons for implementation of RPOA-IUU.

Introduction

The Fishery Committee for the West Central Gulf of Guinea (FCWC) comprising Nigeria, Benin, Togo, Ghana, Cote d'Ivoire and Liberia was established in 2007 to promote appropriate management and optimum utilization of living marine resources and encourage sustainable development, based on such resources.

These countries have challenges such as overcapacity; overfishing; preventing, deterring and eliminating of illegal, unreported and unregulated (IUU) fishing; development of sustainable aquaculture; as well as improvement of livelihoods of small-scale fishers and processors. However, the common thread regarding the fishery-related challenges of these countries is that they are all vulnerable to IUU fishing; the increasing incidence of which is contributing to undermine the economic development of the countries as well as aggravate poverty among and under-nourish their populations. These have made it necessary for the member States to develop common strategies to curb the rising incidence of the IUU fishing menace and protect their common heritage of the living natural marine resources under their jurisdiction.

The 3rd Ministerial Conference of the FCWC held in Accra, Ghana in 2009 adopted a Regional Plan of Action to Prevent, Deter and Eliminate IUU fishing (RPOA-IUU). The RPOA-IUU was developed with financial and technical assistance from the Food and Agriculture Organization (FAO) of the United Nations (UN) and in accordance with the FAO International Plan of Action to Prevent, Deter and Eliminate IUU fishing (IPOA-IUU).

The 9th Ministerial Conference of the FCWC held in Monrovia, Liberia in 2016 made several recommendations including:

- Recommendation 6: Requested the development and implementation of a Regional Fisheries Management Plan in the FCWC region that could among others facilitate: exchange of personnel and expertise in fisheries; collaboration with regional bodies on MCS strategies to combat IUU fishing; as well as help in the revision of the FCWC Regional Plan of Action for combating IUU fishing.

- Recommendation 9: Requested the support of the African Union (AU) for among others, to evaluate the implementation of the 2009 FCWC RPOA-IUU by the member States.

To achieve the aforementioned Recommendations, the AU-IBAR recruited a consultant under the AU-IBAR Fisheries Governance Project, to evaluate the status of domestication and implementation of the provisions of the FCWC Regional Plan of Action for IUU into national plans for IUU and review the 2009 IUU regional plan for the FCWC as may be required by member States and current developments towards formulating a realistic Regional IUU Plan for the FCWC. This consultancy was complementary to AU-IBAR's support to enhancing regional cooperation on MCS (AU-IBAR, 2016a) and consistent with the implementation of Policy Framework and Reform Strategy for fisheries and aquaculture in Africa (PFRS), AUC-NPCA, 2014.

This document presents a revised Regional Plan of Action to prevent, deter and eliminate IUU fishing (RPOA-IUU) in the FCWC Region, based on outcomes of evaluation of implementation of the 2009 FCWC RPOA-IUU, inputs from member States and current developments regarding IUU fishing in the FCWC Region.

The revised RPOA-IUU identifies existing gaps in relation to combating IUU fishing in the FCWC Region and proposes measures to address these gaps. The revised RPOA-IUU is presented in three (3) Parts. Part 1 gives an overview of international and global context of IUU fishing; Part 2 presents the fisheries profile in the FCWC Region and specific concerns regarding IUU fishing; and Part 3 outlines range of measures and the timeframe for implementation of the measures at national and regional levels to combat IUU fishing in the FCWC Region.

The revised RPOA-IUU is developed in accordance with the IPOA-IUU fishing and identified 56 measures that cover the following areas: i) Ratification of international instruments; ii) Completion, adoption and harmonization of national laws; iii) Measures relating to ships without nationality and non-cooperating States; iv) Development of the monitoring, control and surveillance system at national and regional levels; v) Cooperation between the FCWC and other States and Regional Fisheries Organizations; vi) Registration of industrial vessels and artisanal canoes; vii) Registers for industrial vessels and small boats; viii) ix) Issuance of licences for industrial vessels and artisanal canoes; x) Port State Control; xi) International trade in products from Illegal, Unreported and Unregulated fishing; xii) Cooperation within Regional Fisheries Management Organizations; xiii) Technical and financial needs; and xiv) the mechanisms for implementing the regional plan.

The revised RPOA-IUU is also consistent with the African Union (AU) Policy Framework and Reform Strategy (PFRS) policy outcome on ensuring that 'Effective and sustainable national and regional fisheries Monitoring, Control and Surveillance systems are in place to ensure that sustainable benefits are realized'.

Part 1: Overview of International and Global Context of IUU Fishing

This section explains the concept of IUU that forms the basis for governing the Regional Plan of Action of the Fisheries Committee for the Gulf of Guinea, aimed at preventing, deterring and eliminating illegal, unreported and unregulated fishing in the maritime area of FCWC member countries. It further elaborates the international concern about IUU; and introduces the international plan of action for combating IUU.

1.1. Concept of Illegal, Unreported and Unregulated Fishing

Illegal fishing is fishing activity, which is undertaken by national or foreign vessels in waters under the jurisdiction of a State, without its authorization, or in contravention of its laws and regulations. Further, it refers to fishing undertaken by vessels flying the flags of States which belong to a relevant regional fisheries management organization, but which contravene the conservation and management measures adopted by this organization and are restricting for the States or the relevant provisions of the applicable international law.

Furthermore, it refers to fishing activity contravening national laws or international obligations, including those contracted by the States cooperating with a relevant regional fisheries management organization.

Unreported fishing refers to fishing activity, which is unreported to a relevant national authority, or has been done in a false manner, thus contravening the relevant national laws and regulations. It further refers to fishing undertaken in the area of competence of a relevant regional fisheries management organization, which has not been reported or has been done in a false manner, thus contravening the reporting procedures of this organization.

Unregulated fishing refers to a fishing activity undertaken in the area of competence of a relevant regional fisheries management organization by vessels without nationality, or by vessels flying the flag of a State not belonging to this organization. Further, it refers to a fishing activity undertaken by a fishing entity, in a manner not conform or contrary to the conservation and management measures of this organization. Furthermore, fishing activity carried out in zones, or aimed at stocks for which there are no applicable conservation or management measures, and in a manner not in accordance with the responsibilities of the State as regards the conservation of marine biological resources under international law, is considered unregulated.

1.2. International Concern About IUU Fishing

Over the past decades, the international community has been concerned about the prevalence of IUU fishing and its detrimental effect upon the fish stocks, marine ecosystems, livelihoods of coastal communities and food and nutritional security.

Globally, IUU fishing is identified as one of the most severe problems affecting world fisheries and the main obstacle to achieving the sustainable fisheries in both areas under national jurisdiction and at high seas.

It is difficult to know the true quantity and value of fish caught by IUU fishing due to illegal nature of the activity. However, in 2014, the European Commission estimated that the global value of IUU fishing as about €10 billion per year. The European Commission again estimated that between 11 and 26 million tons of fish are caught illegally a year, which corresponds to at least 15% of world catches.

IUU fishing focuses on developing countries; the high seas; and remote areas of surveillance. It is motivated by economic reasons in view of the prospect of high profits; the global growth in demand for fish products; and the overcapacity of some fleets, whether industrial or artisanal. Most importantly, it takes advantage of weakness of management and surveillance systems in some countries and is often associated in some fisheries with organized crime.

1.3. International Plan of Action to Combat IUU Fishing

The International Plan of Action aimed at preventing, deterring and eliminating illegal, unreported and unregulated fishing IPOA-IUU is

an optional international instrument, developed by the FAO in 1999 and approved by the COFI at its 21st ordinary session in 2001 in Rome. The plan, within the framework of the Code of Conduct for Responsible Fisheries (CCRF, 1995), specifies the measures to be implemented to combat IUU fishing by all States, flag States, coastal States, port States and market States.

The IPOA-IUU clearly establishes that national, regional and international collaboration and coordination are key elements in the implementation of strategies to combat this practice.

Though a voluntary and non-legally binding instrument, it draws on core principles from other international legally binding and consensus fisheries instruments for promoting responsible fishing practices such as:

- the United Nations Convention on the Law of the Sea (UNCLOS, 1982);
- the FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 1993 (FAOCA);
- the United Nations Agreement on Straddling Fish Stocks of 1995 (UNFSA);
- the Agreement on Port States Measures to Prevent, Deter and Eliminate IUU Fishing of 2010 (PSMA); and
- The Code of Conduct for Responsible Fishing.

The IPOA is also coherent with the:

- African Union Policy Framework and Reform Strategy for Fisheries and Aquaculture in Africa; and
- African Charter on maritime Security and Safety and Development in Africa (Lomé Charter)

Due to the gravity of IUU Fishing, the countries are more and more inclined to implement measures of the plan as a solution for curbing this practice, which threatens the sustainability of resources and economies of countries, particularly those where fisheries constitutes an important source of livelihood and income.

Part 2: Profile of Fisheries In The FCWC Region and Concerns Regarding IUU Fishing

2.1. Fisheries In The FCWC Region

The FCWC Region is well endowed with abundant fisheries resources, which: provide food, nutritional security and livelihoods to coastal populations; supports employment; as well as provide revenue for governments through royalties and other fees from licensing of fishing vessels, industry operations and fisheries access agreements. Further to these are opportunities presented by the rational and sustainable exploitation of the fisheries resources for the development of FCWC member economies.

Fish production from the FCWC Region is estimated at 1,293,000 tons per year and fisheries sector supports the livelihoods of over 200 million people. There are 268 industrial trawlers (all flagged to member States), 51 tuna purse seiners (12 of the number flagged to member State (Ghana), 20 tuna pole & line (all flagged to Ghana) and 12 supply vessels (foreign flagged) licensed to operate in the region. In addition, there are about 200,000 artisanal canoes operating the region and the artisanal canoes account for over 70% of fish production annually. Fish accounts for 60% of animal protein intake in the FCWC Region and the per capital consumption of fish is between 10 – 25 kg.

The FCW Region is also a major hub for importing and transiting fish that has originated from other regions. Some of the fish is destined for local consumption; some for processing in the fish and tuna factories based in Tema and Abidjan; and a large amount is simply transferred from fishing vessels or reefers to containers for onward transport to global destinations.

It is estimated that in 2016, fish and fishery products worth USD 489.61 million were exported from the region while fish valued at USD1.434 billion was imported by member States to supplement local production (FCWC/WAFT, 2017).

2.2. IUU Fishing-Related Issues

The richness and abundance of fishery resources of the fishing zones of West Africa and the Gulf of Guinea as well as the proximity and ease of access to the European market, combined with a low level of monitoring and control (MCS) most coastal countries have resulted in a high incidence of IUU fishing in the region.

In 2009, MRAG estimated that West African waters had the highest levels of IUU fishing in the world as a proportion of the region's total catch, with the illegal catch in the wider Eastern Central Atlantic estimated to be worth between US\$828 million and US\$1.6 billion per year, or 37 percent of seafood catches. Thus, IUU fishing represents a significant loss of income for the poorest countries because of the high dependency on fishing for food, livelihoods and income generated by local people.

Recent study by the West Africa Task Force (FCWC/WATF, 2016) and results of evaluation of implementation of the 2009 RPOA-IUU by member States indicate that the most common fisheries violations law enforcement officers had to deal with in the West Central Gulf of Guinea are: i) Fishing without a license/authorization or with an expired license/authorization; ii) Fishing with unauthorized or illegal gear (including small mesh size) or methods; iii) Fishing in prohibited areas (including in areas reserved to artisanal fisheries); iv) Use of forged documentation in relation to fishing activities; v) Provision of false, inaccurate or incomplete information on catch and fishing activities (knowingly with the intent to deceive); vi) Illegal transshipment of catch (including by-catch into canoes and sale of fish at sea); vii) Trading in illegal fish (knowingly purchasing, selling, importing or exporting fish caught illegally); viii) Targeting of unauthorized species (e.g. below minimum size/immature or valuable by-catch); and ix) Damage to artisanal gear by industrial fishing vessels or merchant vessels.

2.3. Impact Of IUU Fishing In The Region

Recent studies show that Africa's share of the global IUU catch has been estimated at 4.7 million tons of fish at a conservatively estimated value of \$10 billion (AU-IBAR, 2016b); about 2.7 Million metric tons constitute IUU catch in West waters representing 57 % of Africa's total IUU fish catch.

Adverse impacts of IUU in the region are classified under economic, social as well as resource and environmental.

As regards economic impact, IUU decreases the contribution of the fisheries sector to the gross domestic product (GDP); decreases revenue accruing to the State and local authorities (license, taxes); distorts competition with compliant operators; increases the State's budgetary expenditure on surveillance measures.

Regarding social impacts, IUU causes loss of fishing gear, reduces productivity of livelihoods of local fishing communities resulting in rural-urban migration. Further, it endangers lives of nationals of the region by subjecting them to precarious conditions in vessels engaged in IUU, and through conflicts between artisanal fishing communities in coastal areas.

As regards fisheries resources and the environment, IUU results in depletion of stocks; ineffectiveness of measures to rebuild stocks; destruction of marine habitats; and disappearance of protected species.

2.4. Gaps In Implementation Of The 2009 FCWC RPOA-IUU

Recent review of the legal framework of member States and evaluation of implementation of the 2009 FCWC RPOA-IUU revealed several gaps as presented as follows:

2.4.1. Adoption Of NPOA-IUU

Some member States have not adopted a NPOA-IUU

2.4.2. Ratification/Accession to International Instruments

Some member States have not ratified or acceded to international instruments such as FAOCA, UNFSA and PSMA.

2.4.3. Signing of FCWC Convention

One Member State has not signed the FCWC Convention on minimum access to fishery resources and FCWC Convention on pooling and sharing of information and data

2.4.4. Ratification/Accession to Regional Fisheries Management Organization

Some member States have not ratified the International Convention on the Conservation of Atlantic Tunas (ICCAT).

2.4.5. Ratification/Accession to Regional Fisheries Organization

Some member States have not ratified/acceded to the ATLAFCO Convention

2.4.6. Updating Of Legal Framework And Harmonization Of Sanctions

- One-member State has not updated legal framework since 1992;
- For those that have enacted new Law and Regulations, the sanctions vary from Member State to the other; and
- In some cases the sanctions are not deterrent enough.

2.4.7. Weak Monitoring, Control and Surveillance Systems (MCS)

- MCS is weak in some member States;
- Weak cooperation and collaboration among institutions involved in MCS activities

- No VMS and AIS in some member States
- No Operational Manual on MCS in some member States;
- No Observer program in some member States;
- No at sea inspection program in some member States
- No regional observer and inspection program;
- No regional at sea patrols;
- Inadequate budget allocation for MCS activities;
- Inadequate human resources for MCS activities.
- Lack of or inadequate mechanisms in place for efficient and effective regional cooperation on fisheries MCS; and
- Inadequate strategies and mechanisms to support integrated MCS to ensure that countries can monitor and enforce fishery regulations in their waters.

2.4.8. Weak Traceability System to Prevent International Trade in IUU Fish

- Many of the member States have not established catch certification scheme to prevent international trade in IUU fish

2.4.9. Weak Or No Regulations To Implement Port State Measures

- No member State has regulations to implement port State measures

2.4.10. Update Of Vessel And Licence Registers

- Some members States have no canoe register
- Some member States have no licence register for canoes
- Periodic update of vessel and licence registers at national and regional levels
- Vessel registers and licence list not publicly available

This section presents a revised regional plan of action to prevent, deter and eliminate illegal, unreported and unregulated fishing in the area of the FCWC.

3.1 Objective Of The Revised RPOA-IUU

The Regional Plan of Action is based on the principles and provisions governing the IPOA-IUU, and on a relatively objective analysis of existing actions, efforts and mechanisms both at national, regional levels in the zone of the countries of the Fisheries Committee for the Gulf of Guinea and as well as continental levels.

The objective of the RPOA-IUU is to serve as a blue print for member States to develop and adopt their National Plan of Action to combat IUU fishing (NPAO-IUUU).

The operational part of the plan presents measures to be taken as part of a regional strategy to combat IUU fishing activities in the FCWC zone. The plan identifies 58 measures and presents the timeframe for implementation of each measure.

Part 3: Revised Regional Plan of Action To Prevent, Deter And Eliminate Illegal, Unreported and Unregulated Fishing

Priority Actions/Measures

In addition, the plan identifies the following priority actions/measures: (i) Development and adoption of NPOA-IUU; (ii) Ratification/ Accession/Signing of International Instruments, FCWC Conventions, AU Agreements and RFMO/RFO (ICCAT/ATLAFCO) Conventions; (iii) Strengthening and Improvement of MCS system (through recruitment of personnel, procurement of equipment and logistics, harmonization of VMS and AIS, implementation of regional VMS and AIS programs, implementation of national and regional observer programs, implementation of national and regional at sea patrols and inspection programs and training of personnel; (iv) Awareness creation for and participation of Professional Associations and NGOs; (v) Harmonization of deterrent sanctions; (vi) Access Control (through registration and licensing of artisanal canoes, and introduction of IMO numbers as prerequisite for issuance of licence and authorization for industrial vessels); (vii) Strengthening of research and dissemination of research findings; (viii) Port control measures; (ix) Export control measures (through improvement of traceability systems and implementation of catch certification schemes) and (x) Appointment of Focal Persons for implementation of RPOA-IUU.

3.2 Measures Of The Regional Plan Of Action

The following are the breakdown of measures for the revised regional plan:

3.2.1 All States Responsibilities

3.2.1.1. National Plan Of Action

Measure 1: All member States should develop and adopt a National Plan of Action to prevent, deter, and eliminate IUU fishing based on the RPOA-IUU and IPOA-IUU.

3.2.1.2 International Instruments

Measure2: All member States should ratify or accede to the FAO Agreement on Port State Measures to prevent, deter and eliminate IUU fishing of 2009, the United Nations Fish Stocks Agreement of 1995 and that of the FAO Compliance Agreement of 1993;

Measure 3: All member States should amend or update their national laws and regulations to include the relevant standards and principles of aforementioned international instruments and ensure their implementation;

3.2.1.3. National Laws

Measure 4: All member States should either amend or enact new laws or regulations to make provisions for the following: (i) installation of transponders of vessel monitoring system on national industrial vessels or foreign vessels under access arrangement as a condition of issuance of fishing licence or authorization; (ii) use of electronic data from VMS transmission as evidence of offence; (iii) deterrent sanctions against vessels engage in IUU fishing; and (iv) deterrent sanctions against owners, operators, captains and crew of vessels engage in IUU fishing.

Measure 5: All member States should make provision in their respective laws and regulations the exercise of the right of pursuit of IUU vessels in their waters.

Measure 6: All member States should make regulations to address port measures relating to (i) designated ports; (ii) designated port inspectors; (iii) establishment of procedures for port inspections; (iv) requirements of fishing vessels before allowing access to port; (v) authorization of cooperation and exchange of information including inspection results with other States and regional fisheries management organization; and (vi) a system of appeal against decision of resulting from inspection..

3.2.1.4. Control Of The State Over Their Nationals

Measure 7: All member States should include in their national legislations specific provisions to help control and monitor and to prosecute when necessary, the nationals and (persons and vessels) operating in other zones beyond their jurisdictions if it turns out that these persons or vessels have committed illegal fishing acts including the use of flags of convenience

3.2.1.5. Awareness Creation

Measure 8: All member States should undertake awareness programme on the negative impact of IUU fishing on their socio-economic development and ecological impact.

3.2.1.6. Contracting Party To Regional Fisheries Management Organization

Measure 9: All member States should be Contracting Party to the International Commission for the Conservation of Atlantic Tunas (ICCAT) Convention and ensure compliance with the ICCAT measures including the non-issuance of licences to non-member countries and the refusal to market tuna products from vessels of non-member countries

3.2.1.7. Monitoring, Control and Surveillance

Measure 10: All States should establish and strengthen MCS by recruiting adequate personnel and procuring equipment and logistics for MCS activities.

Measure 11: Develop MCS Operational Manual for use by all institutions involved in MCS activities.

Measure 12: All member States should implement a VMS and AIS systems and the systems should be harmonized by the FCWC Secretariat

Measure 13: All member States should ensure that all their national flagged vessels and foreign vessels under access arrangement are fitted with transponders and transmit data and information to the National Fisheries Control Centres at regular intervals.

Measure 14: All member States should undertake at regular periods at sea patrol to implement at sea inspection program

Measure 15: All member States should implement an at sea observer program that should cover at least 50% of national vessels and 100% coverage of foreign vessels under access arrangement. In this regard observers should be trained and provided with the logistics for the work.

Measure 16: All member States should appoint a focal person on MCS activities who will prepare and submit to the FCWC Secretariat a summary report of MCS activities every six (6) months

3.2.1.8. Cooperation Among The States

Measure 17: All member States should sign or ratify and implement the FCWC Convention on the pooling and sharing of information and data of the area of the Fisheries Committee for the West Central Gulf of Guinea; FCWC Convention on minimum requirements for access to the fishery resources of the area of the Fisheries Committee for the West Central Gulf of Guinea; AU Agreement of harmonized minimum conditions for access to fisheries; AU Regional Fisheries Access Agreement for shared stocks, and any other Conventions and Agreements.

3.2.1.9. Technical Capacity And Resources

Measure 18: All member States should recruit adequate human resources and provide adequate budgetary allocations and logistics to strengthen national capabilities in research, fisheries management and marine surveillance and training.

3.2.2. Flag States Responsibilities

3.2.2.1 Registration Of Industrial Fishing Vessels And Artisanal Canoes

Measure 19: All member States should register industrial fishing vessels in accordance with the adopted harmonized procedures and conditions as a pre-requisite for issuance of licence or authorization;

Measure 20: All member States should register national and migrate artisanal canoes in accordance with the adopted harmonized conditions developed by the FCWC Secretariat as a pre-requisite for issuance of licence. The registration number should be embossed on both sides of the canoe.

3.2.2.2. Register Of Industrial Fishing Vessels And Artisanal Canoes

Measure 21: All member States should establish a register (web base optional) of industrial vessels and update the register periodically.

Measure 22: All member States should establish a register (web base optional) of national and migrate artisanal canoes and update the register periodically.

3.2.3. Responsibility of Coastal States

3.2.3.1 Fishing Licence And Authorization

Measure 23: All member States should issue fishing licence or authorizations to industrial vessels to fish in their EEZ or high seas in accordance with the FCWC Convention on minimum requirements for access to fishery resources of the area of the FCWC, FAO Compliance Agreement of 1993 and UN Fish Stocks Agreement of 1995;

Measure 24: All member States introduce IMO number as a requirement for issuance of licence and authorization to industrial vessels;

Measure 25: All member States should issue fishing licence to artisanal canoes to fish in their EEZ and in accordance FCWC Convention on minimum requirements for access to fishery resources of the area of the FCWC.

3.2.3.2 Register Of Fishing Licence And Authorization

Measure 26: All member States should establish a register (web base optional) of licences and authorizations for industrial vessels and update the register periodically. The record of licensed vessels should be in accordance with the FAO Global Record of Vessels.

Measure 27: All member States should establish a register (web base optional) of licences for artisanal canoes and update the register periodically.

Measure 28: All member States should establish a register (web base optional) of licences for migrant artisanal canoes and update the register periodically.

3.2.4. Port States Responsibilities

Measure 29: All member States should declare their respective designated ports and appoint designated port inspectors;

3.2.5. International Trade

Measure 30: All member States should implement a catch certification scheme to prevent international trade in IUU fish and fishery products;

3.2.6. Fishery and Oceanographic Research

Measure 31: All member States should set up and strengthen Research Units to collect the requisite oceanographic and fishery data and information for sustainable management of the fishery resources.

Measure 32: All member States should disseminate the research findings to the operators and members of the various fisheries associations;

3.2.7 Regional Management Organisation

Measure 33: All member States should regular participate in ATLFCO meetings and implement recommendations of the organization

Measure 34: All member States should ratify the ICCAT Convention and participate actively in the meetings of the organization

3.2.8 Reporting And Evaluation Of The RPOA-IUU At National Level

Measure 35: All member States should appoint a focal person for the implementation of the RPOA-IUU at national level

Measure 36: The Focal Person for each member State should prepare quarterly, mid-year and annual report on implementation of the revised RPOA-IUU in their respective countries to the Secretary General of FCWC;

3.3 REGIONAL (FCWC SECRETARIAT) RESPONSIBILITIES

3.3.1 Harmonized Sanctions

Measure 37: The FCWC Secretariat should prepare for adoption by all member States a list of infractions that constitute serious violations (including the name and particulars of vessels involved). In preparation of the list, the FCWC Secretariat should be guided by provisions made in paragraph 11 of Article 21 of the United Nations Fish Stock Agreement of 1995.

Measure 38: The FCWC Secretariat should harmonize deterrent sanctions against various IUU fishing provided for in the respective national laws and regulations of member States for adoption by member States. At the regional level, a set of deterrent penalties for each offense according to the gravity of the act and likely benefits to be obtained by the offenders shall be prepared. The sanctions shall also apply to vessels of FCWC countries which commit same offences in each other EEZ.

Measure 39: The FCWC Secretariat should undertake study to quantify value of IUU fish caught in the respective waters of member States.

3.3.2 Regional MCS

Measure 40: The FCWC Secretariat should establish regional VMS and AIS systems that will be harmonized and integrated with the VMS and AIS systems at national centres and other centres at international level to exchange information concerning illegal fishing vessels found in the zone of FCWC

Measure 41: The FCWC Secretariat prepare for adoption by all member States regional conventions in favor of regional inspection programs and joint surveillance operations between the countries and mobilize from development partners, the necessary resources

to strengthen the capabilities of the countries in this area.

Measure 42: The FCWC Secretariat should set up a regional observation programme at sea and at the markets to deter the capture and sale of illegal fishery products. Envisage a training component in this programme to strengthen the capabilities of the observers and upgrade their knowledge with regard to regional approaches;

3.3.3 Regional Awareness Creation

Measure 43: The FCWC Secretariat should develop a regional programme of meetings, awareness campaigns and training of socio-professional organizations in order to ensure their involvement in the strategy to combat IUU fishing activities;

3.3.4 Regional Communication Network

Measure 44: The FCWC Secretariat to establish and develop a communication network between the countries and the FCWC surveillance and coordination center to share information and provide a monitoring system against IUU fishing practices. In addition, the FCWC Secretariat should establish a dashboard of fisheries information

Measure 45: The FCWC Secretariat should publish a magazine every six (6) months that contains an inventory of the list of vessels flying flags of convenience, the vessels having committed serious and very serious offences, the list of illegal fishing vessels considered on the black list that all countries are urged to exclude from all fishing activities in their waters, the list of skippers of countries having committed IUU offences.

Measure 46: The FCWC Secretariat should solicit the assistance of development partners for strengthening the capacities of member States to combat illegal fishing: a national and regional centers for communication, computerization of licence registers, and formulation of deterrent and coherent legal and political instruments.

3.3.5 Regional Publicity

Measure 47: The FCWC Secretariat to upgrade the web site at regional level and keep it updated with necessary information including laws, regulations, fisheries policies, IUU fishing control plans, and regional conventions and agreements linking the 6 countries including in particular the FCWC conventions;

3.3.6 Regional Technical Capacity

Measure 48: The FCWC Secretariat should solicit financial assistance from development partners for funding of regional programmes, especially the procurement of a research vessel which would be at the disposal of the 6 countries for undertaking stock evaluation campaigns;

3.3.7 Harmonized Registration Of Industrial Fishing Vessels And Artisanal Canoes

Measure 49: The FCWC Secretariat should develop for adoption by all member States a harmonized procedures and conditions for the registration of new industrial fishing vessels to ensure that vessels on IUU list or vessel without nationality are not registered or licensed in the FCWC Region

Measure 50: The FCWC Secretariat should develop for adoption by all member States conditions for the registration of national and migrate artisanal canoes;

3.3.7 Regional Register Of Fishing Licence And Authorization

Measure 51: The FCWC Secretariat should establish a Regional register (web base optional) of licences and authorizations for industrial and update the register periodically.

3.3.8. Harmonized Regulations On Port Control

Measure 52: The FCWC Secretariat should develop for adoption by All Member States a harmonized regulations relating to the entry, departure and stay, landing and transshipment of vessels in the designated ports;

3.3.9. Harmonized Certification Scheme For International Trade

Measure 53: FCWC Secretariat should develop for adoption by member States a Catch Certification Scheme in line with EU Catch Certificate Scheme to ensure that illegally caught fish or fishery products from illegally caught fish are not off loaded in the ports of member States;

3.3.10 Reporting And Evaluation Of The Rpoa-IUU At Regional Level

Measure 54: FCWC Secretariat to submit the proposed RPOA-IUU to the 11th FCWC Conference of Ministers for adoption;

Measure 55: Secretary General of FCWC should prepare annual report on implementation of the RPOA-IUU to the Ministerial Conference of the FCWC; and

Measure 56: A Consultant to be recruited to evaluate the performance and implementation of the revised RPOA-IUU in 2021

Timeframe For Implementation of Measures

No.	Measure	2019	2020	2021	2022	2023
1	Development and Adoption of NPOA-IUU	X	X			
2	Ratification or Accession To FAOCA, UNFSA and PSMA	X	X			
3	Amend or update national laws and regulations to make provisions to include principles of FAOCA, UNFSA and PSMA	X	X			
4	Amend or update national laws and regulations regarding installation of VMS and AIS on industrial vessels or foreign vessels as condition for issuance of licences; use of electronic data from VMS and AIS for prosecution; deterrent sanctions for IUU fishing; and deterrent sanctions against owners, operators, captains and crew of vessels engage IUU fishing	X	X			
5	Make provision in national laws and regulations for the exercise of the right of pursuit of IUU vessels in their waters.	X	X			
6	Make regulations to address port measures relating to (i) designated ports; (ii) designated port inspectors; (iii) establishment of procedures for port inspections; (iv) requirements of fishing vessels before allowing access to port; (v) authorization of cooperation and exchange of information including inspection results with other States and regional fisheries management organization; and (vi) a system of appeal against decision of resulting from inspection.	X	X			
7	Include in national legislation specific provisions to help control and monitor and to prosecute when necessary, the nationals and (persons and vessels) operating in other zones beyond their jurisdictions if it turns out that these persons or vessels have committed illegal fishing acts including the use of flags of convenience	X	X			
8	Member States to undertake awareness programme on the negative impact of IUU fishing on their socio-economic development	X	X	X	X	X
9	Member States to be Contracting Party to the International Commission For The Conservation of Atlantic Tunas (ICCAT) Convention and ensure compliance with the ICCAT measures	X	X	X	X	X
10	Member States to establish and strengthen MCS by recruiting adequate personnel and procuring equipment and logistics for MCS activities	X	X	X	X	X
11	Member States to develop MCS Operational Manual for use by all institutions involved in MCS activities	X	X			
12	Member States to procure and install VMS and AIS systems and systems should be harmonized	X	X			
13	Member States to fit transponders to all national flagged vessels and foreign vessels under access arrangement and for transmission data and information to National Fisheries Control Centres at regular intervals	X	X	X	X	X
14	Member States to undertake at regular periods at sea patrol to implement at sea inspection program	X	X	X	X	X
15	Member States to implement at sea observer program that should cover at least 50% of national vessels and 100% coverage of foreign vessels under access arrangement.	X	X	X	X	X
16	Member States to appoint a focal person on MCS activities and submit report to the FCWC Secretariat every six (6) months	X	X	X	X	X
17	Member States to sign or ratify and implement the FCWC Convention on the pooling and sharing of information and data of the area of the Fisheries Committee For The West Central Gulf of Guinea, FCWC Convention on minimum requirements for access to the fishery resources of the area, AU Agreement of harmonized minimum conditions for access to fisheries; AU Regional Fisheries Access Agreement for Shared Stocks and any other Conventions and Agreements	X	X	X	X	X

No.	Measure	2019	2020	2021	2022	2023
18	Member States to recruit adequate human resources and provide adequate budgetary allocations and logistics to strengthen national capabilities in research, fisheries management and marine surveillance and training	X	X	X	X	X
19	Member States to register new industrial fishing vessels in accordance with the adopted harmonized procedures and conditions as a pre-requisite for issuance of licence or authorization;	X	X			
20	Member States to register national and migrant artisanal canoes in accordance with adopted conditions as a pre-requisite for issuance of licence. The registration number should be embossed on both sides of the canoe	X	X			
21	Member States to establish a register (web base optional) of industrial vessels and update the register periodically	X	X	X	X	X
22	Member States to establish a register (web base optional) of national and migrant artisanal canoes and update the register periodically	X	X	X	X	X
23	Member States to issue fishing licence or authorizations to industrial vessels to fish in their EEZ or high seas	X	X	X	X	X
24	Member States to introduce IMO number as a requirement for issuance of licence and authorization to industrial vessels	X				
25	Member States to issue fishing licence to artisanal canoes to fish in their EEZ	X	X	X	X	X
26	Member States to establish a register (web base optional) of licences and authorizations for industrial vessels and update the register periodically. The record of licensed vessels should be in accordance with the FAO Global Record of Vessels	X	X	X	X	X
27	Member States to establish a register (web base optional) of licences for artisanal canoes and update the register periodically	X	X	X	X	X
28	Member States to establish a register (web base optional) of licences for migrate artisanal canoes and update the register periodically	X	X	X	X	X
29	Member States should declare their respective designated ports and appoint designated port inspectors		X			
30	Member States to implement a catch certification scheme to prevent international trade in IUU fish and fishery products		X			
31	Member States to set up and strengthen Research Units to collect the requisite oceanographic and fishery data and information for sustainable management			X		
32	Member States to disseminate the research findings to the operators and members of the various fisheries associations			X	X	X
33	Member States to regular participate in ATLFCO meetings and implement recommendations of the organization	X	X	X	X	X
34	Member States to ratify the ICCAT Convention and participate actively in the meetings of the organization	X	X	X	X	X
35	Member States to appoint a focal person for the implementation of the RPOA-IUU at national level	X				
36	Focal Person to prepare quarterly, mid-year and annual report on implementation to the Secretary General of FCWC	X	X	X	X	X
37	FCWC Secretariat to prepare for adoption by all member States a list of infractions that constitute serious violations.	X	X			
38	FCWC Secretariat to harmonize deterrent sanctions against various IUU fishing provided for in the respective national laws and regulations of member States for adoption by member States.	X	X			
39	FCWC Secretariat to undertake study to quantify value of IUU fish caught in the respective waters of member States			X		

No.	Measure	2019	2020	2021	2022	2023
40	FCWC Secretariat to establish a regional VMS and AIS systems that will be integrated with the VMS and AIS systems at national centres and other centres at international level to exchange information concerning illegal fishing vessels found in the zone of FCWC	X	X	X	X	X
41	FCWC Secretariat prepare for adoption by all member States regional conventions in favor of regional inspection programs and joint surveillance operations between the countries		X	X		
42	FCWC Secretariat to implement regional observation programme at sea and at the markets to deter the capture and sale of illegal fishery products. The observers should be adequately trained for the task	X	X	X	X	X
43	FCWC Secretariat to develop and implement a regional programme of meetings, awareness campaigns and training of socio-professional organizations in order to ensure their involvement in the strategy to combat IUU fishing activities	X	X	X	X	X
44	FCWC Secretariat to establish and implement a communication network between the countries and the FCWC surveillance and coordination center to share information and provide a monitoring system against IUU fishing practices. In addition Secretariat should establish a dashboard of fisheries information	X	X	X	X	X
45	FCWC Secretariat to publish a magazine every six (6) months that contains an inventory of the list of vessels flying flags of convenience, the vessels having committed serious and very serious offences, the list of illegal fishing vessels considered on the black list that all countries are urged to exclude from all fishing activities in their waters, the list of shippers of countries having committed IUU offences.	X	X	X	X	X
46	FCWC Secretariat to solicit the assistance of development partners for strengthening the capacities of member States		X			
47	Update the Regional web site with necessary information including laws, regulations, fisheries policies, IUU fishing control plans, and regional conventions and agreements linking the 6 countries including in particular the FCWC convention	X	X	X	X	X
48	FCWC Secretariat to solicit financial assistance from development partners for funding of the procurement of a research vessel which would be at the disposal of the 6 countries for undertaking stock evaluation campaigns			X		
49	FCWC Secretariat to develop for adoption by all member States a harmonized procedures and conditions for the registration of industrial fishing vessels to ensure that vessels on IUU list or vessel without nationality are not registered in the FCWC Region		X			
50	FCWC Secretariat to develop for adoption by all member States conditions for the registration of artisanal canoes		X			
51	FCWC Secretariat to establish a Regional register (web base optional) of licences and authorizations for industrial vessels and update the register periodically	X	X	X	X	X
52	FCWC Secretariat to develop for adoption by All member States a harmonize regulations relating to the entry, departure and stay, landing and transshipment of vessels in the designated ports			X		
53	FCWC Secretariat to develop for adoption by member States a Catch Certification Scheme in line with EU Catch Certificate Scheme	X	X			
54	FCWC Secretariat to submit the revised RPOA-IUU to the 11th FCWC Conference of Ministers for adoption	Dec. 2018				
55	Secretary General of FCWC to prepare annual report on implementation of the RPOA-IUU to the Ministerial Conference of the FCWC	X	X	X	X	X
56	Consultant recruited for midterm evaluation of the performance and implementation of the RPOA-IUU			X		

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FCWC

Fisheries Committee for
the West Central Gulf of Guinea

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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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RPOA-IUU in FCWC Member Countries (2019-2023)