

7TH MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

Port Vila, Vanuatu, 10 to 12 February 2020

CTC 7 – Doc 10

Port Inspections Implementation Report

Secretariat

1. Background

Paragraph 41 of CMM 07-2019 (Port Inspections) states that:

“The SPRFMO Commission shall review this CMM no later than 2021 and consider revisions to improve its effectiveness and take into account developments in other RFMOs and the FAO Port State Measures Agreement. The Secretariat will report annually on the implementation of this CMM.”

2. CMM 07-2019 Implementation

2.1. Points of Contact & Designated Ports

Under paragraphs 5 and 7 Members and CNCs are to designate their Points of Contact and Ports to which foreign fishing vessels may request entry. The Points of Contact and Port lists were to have been provided to the Secretariat within 30 days of the entry into force of the measure.

Table 1 shows which Members/CNCs have previously provided the required lists and whether they expect to foreign fishing vessels carrying SPRFMO managed species to utilise their ports. Table 1 also indicates the status of SPRFMO Members and CNCs with respect to the Port State Measures Agreement.

Table 1: Members and CNCs who have provided Points of Contact and Designated Ports

Member/CNCP	Foreign fishing vessels expected to use ports?	Points of Contact?	Designated ports?	Minimum notification period?	Port State Measures Status ¹
Australia	Yes	Yes	Yes	Advises 8 days	Ratified
Chile	Yes	Yes	Yes	48 hrs	Ratified
China	No	Yes ²	-	-	-
Cook Islands	Unknown	Yes	-	-	-
Cuba	No	Yes	-	-	Acceded
Ecuador	No	Yes	Yes	-	Acceded
European Union	No	Yes	Yes	-	Approved
Faroe Islands	No	Yes	Yes	24 hrs	Acceded ³
Korea	Yes	Yes	Yes	48 hrs	Acceded
New Zealand	Yes	Yes	Yes	72 hrs	Ratified
Peru	Yes	Yes	Yes	3 working days	Ratified
Russian Federation	No	Yes ⁴	-	-	Signed
Chinese Taipei	Yes	Yes	Yes	5 working days	-
Vanuatu	No	Yes	-	-	Acceded
USA	No	Yes	Yes	-	Ratified
Colombia	No	Yes	Yes	-	-
Curaçao	No	Yes	-	-	-
Liberia	No	-	-	48 hrs	Acceded
Panama	No	Yes	Yes	48 hrs.	Acceded

¹ Last update 11 January 2020

² China confirmed their Point of Contact details in their comments on this year's draft CMS report

³ Through Denmark

⁴ The Russian Federation confirmed their Point of Contact details in their comments on this year's draft CMS report



Points of Contact and Designated Port lists are available publicly on the SPRFMO website: <https://www.sprfmo.int/cmms/points-of-contact/>.

2.2. Port Inspections

Table 2 shows the Members and CNCPs who conducted inspections and the results of those inspections during the most recently assessed period (October 2018 – September 2019). Note this table is limited to those Members/CNCPs who are expected to receive foreign vessels.

Table 2: Members and CNCPs who conducted Port inspections during Oct 2018 – Sep 2019

Member/ CNCP	Foreign vessels requesting port services	Vessels denied port services	Requests to inspect specific vessels?	Vessels Inspected ⁵	Infringements Detected?
Australia	0	0	0	0	0
Chile	12	0	0	11	0
Korea	1	0	0	1	0
New Zealand	0	0	0	0	0
Peru	31	0	0	31	2
Chinese Taipei	1	0	0	1	0
Total	45	0	0	44⁶	2

In addition, the SPRFMO website Member area contains [summary information on Port Inspections](#) conducted by Members & CNCPs.

2.3. Inspection rate, Denial of entry, Requests and Infringements

As can be seen in Table 2 despite the minimum requirement of 5%, the overall inspection rate achieved during 2018/19 was very high (97.8%).

According to the inspection summary reports, during the 2018/19 period no vessels were denied entry and there were no requests to inspect specific vessels.

Summaries of the flag State investigative reports relating to the 2 infringements detected by Peru are also available on the SPRFMO website Member area.

2.4. Requirements of Developing Members and CNCPs and General Provisions

At this time the Secretariat has not been informed of any developing Members/CNCPs who have recently received assistance in relation to a port inspection scheme (paragraph 31).

The Secretariat is also not aware of any bilateral agreements/arrangements that allow for an inspector exchange program (paragraph 39).

⁵ Since the conclusion of COMM7, as required under paragraph 24, the Secretariat has promptly conveyed the Port Inspection reports to the authorities of the fishing vessel inspected.

⁶ The 44 inspections were conducted on 18 vessels flagged to Korea, 10 vessels flagged to China, 2 vessels flagged to Panama, 1 Cook Islands vessel, 1 EU vessel and 1 vessel from the Russian Federation (noting some vessels were inspected multiple times).



2.5. Prior notification Implementation

A new requirement under paragraph 11 added last year is “*Members and CNCs, in their capacity as port States, shall promptly inform the Secretariat of any request received to use their ports under this CMM*”. The Draft CMS report will show that implementation of this new requirement by the port States has been mixed. Meanwhile the Secretariat is regularly being receiving cc’d into some port call requests made by various foreign fishing vessels when seeking to enter national ports.

Noting that this CMM will be reviewed no later than 2021 the CTC could re-consider who should be responsible for ensuring that the Secretariat has a complete list of all SPRFMO related port requests (ie. the flag State possibly via its fishing vessel or the port State as per the status quo).

2.6. Developments in the Agreement on Port State Measures (PSMA) to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

The second meeting of the Parties to the Port State Measures Agreement⁷ was held in Santiago, Chile, from 03 to 06 June 2019 and the next meeting is scheduled for 2020 in the European Union.

The Chile meeting noted the progress of PSMA implementation in port State measures in RFMOs and Parties were encouraged to promote the further adoption of port State measures in RFMOs where they do not already exist. Additionally, Parties were urged to promote the alignment of existing RFMO measures with the minimum standards of the Agreement, ensuring their implementation, monitoring and compliance.

⁷ <http://www.fao.org/port-state-measures/meetings/meetings-parties/second-mop-documents/en/>