

STOPPING ILLEGAL FISHING THE VALUE OF PORTS FOR GROWING BLUE



HOW DOES ILLEGALITY IN THE FISHERIES SECTOR DAMAGE BLUE GROWTH?

Annual global economic losses to illegal, unreported and unregulated (IUU) fishing are thought to be as high as USD 23.5 billion, while in the Southern African Development Community (SADC) region the loss is conservatively estimated to represent USD 10 billion annually. The illegal operators involved in industrial IUU fishing are driven by money and their tactics are generally deliberate, organised and systematic. They break fisheries rules to reduce operational costs and to increase profits from the sale of fish and seafood.

UNSAFE
VESSELS

POOR
WORKING
CONDITIONS

ILLEGAL
FISHING




Illegal operators also minimize their upfront costs and increase their profits by cutting costs involved with the safety of their vessels and the provision of fair and safe conditions for their crew. These might include the use of inadequate equipment or inappropriate modifications to the vessel, operating the vessels for extended periods without undergoing inspections or safety certifications, or forcing crew to work long hours with inadequate rest or food.

There is increasing international recognition that poor safety standards and substandard working conditions and are a hallmark of vessels that also engage in illegal fishing. This produces a range of related and associated crimes including document forgery, vessel identity fraud, tax evasion and modern-day slavery which combined with IUU fishing all undermine a countries ability to grow a thriving blue economy.

COMMON TECHNIQUES USED:

- ✓ Document forgery
- ✓ Vessel identity fraud
- ✓ Flags of convenience
- ✓ Hidden ownership
- ✓ Corruption
- ✓ Forced labour

THE IMPACT:

-  **Fish**
Unsustainable fishing.
Conservation and management measures undermined.
-  **Maritime security**
Lawless culture.
Rise in piracy and other maritime crimes.
-  **Economy**
Financial losses.
Missed opportunity for blue growth.
-  **Environment**
Damaged ecosystem.
Loss of biodiversity.
-  **People**
Livelihoods put at risk.
Exploited crew.

Therefore, stopping illegal fishing can contribute to the achievement of a range of development aspirations including the sustainable development goals, the growth of blue economies, and the furtherance of human rights.

GLOBAL ISSUES AND GLOBAL MARKETS REQUIRE GLOBAL SOLUTIONS

Fishing is a global industry, dependent on a global regulatory system to operate efficiently and fairly. In addition the threats to fisheries and the forces and pressures driving change within fisheries are often from outside of fisheries requiring complex and multi-sector responses, demonstrating the importance of integrating fisheries and fighting IUU fishing within blue growth strategies.

GLOBAL PRESSURES

- **Increasing demand** – an increasing human population is resulting in an increase in demand for fish and seafood to feed growing populations and provide much needed protein at an ever-cheaper cost.
- **Overcapacity** – to make sure that domestic needs are met harmful subsidies are contributing to overcapacity in the sector and creating an unlevel playing field, with distant water fishing nations subsidising vessel building and fuel costs, allowing their fleets to travel further and catch more.
- **Climate change** – is impacting on traditional fishing grounds as stocks move in response to warming oceans, and people move in response to extreme weather and its impact on them.

BLUE ECONOMY

- **The SADC 2015 to 2063** Industrialisation Strategy and Roadmap identifies the importance of mainstreaming the blue economy concept for accelerated industrialisation.
- **The African Union** recognises the inherent challenges faced by its member States in realising the full benefits from the various sectors of the blue economy; notably, the menace of illegal fishing in the exclusive economic zones.
- **Piracy and illegal drug trafficking** are serious challenges in the ocean sector, posing a real threat not only to the safety of vessels and their crew but also to the economies of affected countries.
- **Significant institutional and governance challenges** constrain the ability of countries to effectively formulate and implement policies relating to growth of their blue economies.



USING PORTS TO DEVELOP LEGAL, SAFE AND FAIR FISHERIES

Ports and port States play a unique role in the governance of the fisheries and maritime sectors. Port States are responsible under international law to control and monitor fishing vessels entering and using their ports and fish being moved through their ports. They have an opportunity to stop illegal fishing from going unpunished, and to identify unsafe vessels and unfair working conditions.

Activity at sea is difficult to monitor and oversee, making regulations and laws hard to enforce. Ports provide the most effective, low-cost opportunity to check, inspect and act against illegal operators. Port States control whom they allow to use their port for offloading, transshipment and for servicing of the vessel and crew. They provide a critical control point for foreign flagged vessels operating in or transiting national waters.

Denying port entry and access to port services, and consequently preventing illegal seafood from being landed and entering trade, increases the costs associated with illegal fishing operations and removes the financial incentives for engaging in these activities. Identifying illegal catches before or during landing is important as after they have been landed it becomes more difficult to detect illegalities that occurred during before or fishing.

Access to port to offload or tranship catch, take on fuel, crew and provisions or undergo repairs and maintenance is essential for fishing vessels. The denial of port access or services and the requirement for in-port inspection provides a powerful means of identifying illegal fishing activity and of disrupting the operations of illegal vessels.

WE CAN USE OUR PORTS AS A POWERFUL TOOL TO:

- Refuse access to known or suspected IUU fishing vessels.
- Promote a legitimate and equitable environment for all fishers.
- Identify high-risk vessels for inspection or investigation.
- Work across agencies to identify, sanction and stop illegal operators.
- Establish systems and procedures that reduce the risk of corruption.
- Target repeat offenders who systematically fish illegally or operate unsafe vessels.
- Increase compliance in the industrial sector to support a sustainable artisanal sector.
- Improve governance and maritime security.

To do so, certain systems need to be in place. Requiring advanced requests for port access gives authorities time to gather information on a vessel and make an informed decision to grant or deny port access and services and whether to prioritise the vessel for an inspection. Once in port, inspections are important to identify an array of violations including illegal fishing, forgery and fraud, safety issues and forced labour.

MOZAMBIQUE'S PORTS

Three ports in Mozambique are designated under the PSMA to receive foreign flagged fishing vessels, these are: Beira, Maputo and Nacala.



	Beira	Maputo	Nacala
Managing company or port authority	Cornelder de Mozambique (CdM)	Maputo Port Development Company (MPDC) except for terminals related to aluminium, grains and fuel	Corredor do Norte (CDN)
Total port traffic (metric ton) 2017	5,226,459	18,218,144	2,247,112
Vessel calls 2017	479	1,062	277
Container traffic (TEUs) 2017	218,876	101,995	70,931
No. of refrigerated container connection points	144	196	n/a
Importance for PSM implementation	High	High	Low

BEIRA

Served by extensive rail and road network systems, Beira is a main port for exports and imports for the Mozambique provinces, and a strategic gateway for the landlocked countries in southeast Africa. Cornelder de Moçambique (CdM), a joint venture between the parastatal Caminhos de Ferro de Moçambique (CFM and Cornelder Holding from the Netherlands, has operated it since 1998.

Beira is a tidal port making pilotage and tug assistance compulsory. Access to the port is via the Macuti Channel and systematic dredging is required to maintain the channel open for ships. The port of Beira has 11 berths stretching over a total length of 1,994 m. An additional berth, Nr 1, is reserved as a fishing harbour.

FISHERIES USAGE

Fishing vessels: Foreign and local longline and trawler vessels for shrimp and tuna.

Transport vessels: Foreign reefer and container vessels.

MAPUTO

The port of Maputo is the largest port in Mozambique, connected to an extensive rail and road network. More than 80 % of handled cargo is in transit to or from neighbouring countries. A renewable 25-year concession to manage and develop the port was awarded to an international port management consortium (Portus Indico), which subsequently formed a Mozambican joint venture with CFM – the Maputo Port Development Company (MPDC).

In total, the port has 16 linear berths totalling approximately 4,000 metres.

FISHERIES USAGE

Fishing vessels: Foreign longline vessels occasionally offload tuna to containers, mainly used by local shrimp trawlers.

Transport vessels: Foreign reefer and container vessels.

NACALA

The port of Nacala is the only deep-water port of Mozambique and the largest on the East Africa coast. The port is connected to Malawi by rail and offers a key access route for import and export cargoes from Malawi and Zambia but at present, most of the traffic is import or export cargo to or from Mozambique.

A renewable 15-year concession to manage and develop the port was awarded to an international port management consortium (Vale do Rio Doce from Brazil and Mitsui from Japan). Currently substantial investment is being undertaken mainly to improve break-bulk and container handling facilities and to build new facilities that will prompt increased levels of transit traffic.

FISHERIES USAGE

Fishing vessels: Occasional foreign vessels, mainly purse seiners, visit to resupply, refuel, crew change and for inspection when required by fisheries procedures.

Transport vessels: Foreign reefer and container vessels.

	Number of fisheries inspectors	Inspector's access to port	Advance request for entry to port	Interagency cooperation & communication	Procedures	Training
Beira	12	●	●	●	●	●
Maputo	17	●	●	●	●	●
Nacala	7	●	●	●	●	●

● Established ● Developing ● Not yet in place



STOPPING ILLEGAL FISHING: IMPLEMENTING THE AGREEMENT ON PORT STATE MEASURES

WHAT IS IT?

The United Nations (UN) Food and Agriculture Organization (FAO) Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA) is the first binding international agreement to specifically target IUU fishing.

WHY IS IT IMPORTANT?

Becoming a party to and implementing the provisions of the PSMA means that a country is working to keep illegally caught fish and illegal vessels out of their ports.

Regional clusters of ports implementing the PSMA will effectively block illegal operators from a region, forcing them to relocate, putting them out of business or forcing them to change their way of doing business and to operate legally.

STATUS

The 2009 PSMA came into force in 2016.

Strong uptake of the PSMA demonstrates the recognition that port controls are a low cost, highly effective means of stopping illegal fishing.

MOZAMBIQUE STATUS

Mozambique ratified the PSMA in 2014.

As a member of the Indian Ocean Tuna Commission (IOTC) Mozambique is also bound to implement Resolution 10/11 on port State measures (PSMs) for tuna and tuna like species.

Mozambique is working to implement port State measures in three of its ports: Beira, Maputo and Nacala. These have been designated as PSMA ports.

WHAT DOES THE PSMA DO?

- Strengthens port controls to prevent illegally caught fish from entering the global market.
- Provides a coordinated system of controls at ports, including requirements for vessels, information systems, inspections and training.
- Can be used to detect and enforce against IUU caught fish.
- Enables port officials to deny foreign vessels access to their port, and to services such as refuelling and repairs, if they are suspected of illegal activities.
- Vessels can be turned away or subjected to immediate inspection on arrival and prohibited from landing their fish if there is evidence that it was caught or transhipped illegally.

WHICH VESSELS DOES IT APPLY TO?

The provisions of the PSMA apply to fishing vessels and support vessels seeking entry into a designated port of a foreign State.

Targets foreign flagged vessels, but the processes and standards are applicable to all industrial vessels including foreign operated by locally flagged.

BLUE ECONOMY BENEFITS

The PSMA builds on the sovereignty that port State countries have over their ports, enabling them to close the loopholes and opportunities that illegal operators exploit.

By developing cooperation at national, regional and international level as well as putting systems and procedures in place to identify and inspect high-risk vessels, the process of PSMA implementation will develop capacity, skills and systems that will build stronger fisheries enforcement efforts.

The PSMA will be most effective if all port States within a region join and work collaboratively. This would effectively close a region to the possibility to land illegal catch or to be able to service vessels or their crews, this would make illegal hotspots, less profitable and less attractive to illegal operators.

By implementing the PSMA within regions and globally, the incentive to fish illegally is reduced and illegally caught fish is prevented from reaching national and international markets.



INTERAGENCY COOPERATION TO STOP ILLEGAL FISHING

Growing an interagency approach is important because the PSMA while principally a fisheries agreement requires implementation through enhanced liaison with allied authorities. It provides for more stringent and more effective port procedures and increases benefits for legal fisheries operators.

By engaging with other agencies improved control of the fisheries sector will send a strong signal rejecting IUU and other illegal activity and promoting sustainable management.

Close cooperation between port authorities and fisheries inspectors is particularly important for exercising control over foreign flagged fishing and support vessels. In addition, cooperation with the marine police, safety, customs, immigration and labour authorities as well as the coastguard or navy are necessary at different stages of the risk assessment, inspection and enforcement process.

Establishing working groups with communication channels for routine sharing of information and an alert system for notification when high-risk or illegal activity is identified are key. This also facilitates crosschecking and verification of information, sharing of resources and cooperation on risk assessment and cases of illegal fishing. Procedures and protocols for the exchange of information and coordination of activities among relevant authorities have proved to be very useful in supporting interagency cooperation.

BUILD NATIONAL INTERAGENCY COOPERATION

- Build on the understanding of existing gaps in implementing the PSMA.
- Define the roles and responsibilities for each of the administrations involved.
- Consider the need for joint procedures and information exchange between agencies.
- Establish a workplan for improved implementation of international treaties from different sectors, such as fisheries, maritime and labour.
- Identify capacity-building needs across agencies.
- Establish systems and mechanisms for communication and information exchange.

THREE TREATIES FOR SAFE, FAIR AND LEGAL FISHERIES

The membership of the Food and Agriculture Organization (FAO), the International Maritime Organization (IMO) and the International Labor Organization (ILO) have developed a framework of international instruments to use ports to block illegally caught fish from being landed, to reduce the number of accidents and fatalities and to improve safety and working and living conditions in the fisheries sector.

The three treaties are the:

- FAO Agreement on Port State Measures (PSMA)
- IMO Cape Town Agreement (CTA)
- ILO Work in Fishing Convention No. 188 (C188)

The number of States ratifying and implementing these internationally binding instruments is increasing and the PSMA and ILO C188 are in force while the CTA is expected to enter into force shortly. To become truly effective tools, it is important that the minimum standards and requirements from these international instruments are adopted as widely as possible.

FAO, IMO and ILO jointly support the ratification and implementation of these instruments through for example, exchange of information for improving safety, working and living conditions and reducing IUU fishing. Technical and legal support and capacity building is available for States that ratify the international instruments to support implementation and enforcement.





REGIONAL COOPERATION TO STOP ILLEGAL FISHING:

THE SADC REGIONAL MONITORING, CONTROL AND SURVEILLANCE COORDINATION CENTRE

While ignorance of rules and regulations causes illegal fishing that can be addressed by awareness and sensitisation, more serious and organised illegal activities require a more systematic and cooperative region-wide response.

The 2008 SADC Statement of Commitment on IUU Fishing has paved the way for the development of a regional fisheries Monitoring, Control and Surveillance Coordination Centre (MCSCC), which will be hosted by Mozambique. This Centre is an important step for the SADC to increase its ability to tackle organised fisheries crimes and IUU fishing. By working together, across sectors and countries, the region will be better able to provide a united and integrated response to protect SADC fisheries.

The MCSCC will focus on three core areas of work: information sharing, capacity building and coordination of activities. These will provide opportunities to monitor SADC oceans, lakes and rivers, and to understand and consider their connectivity. This will improve transparency through the collection and sharing of information between countries and through the improved insight, enable a meaningful regional agenda to be set to underpin the protection of SADC's fisheries.

SUPPORT THE COLLECTION AND EXCHANGE OF INFORMATION

MCS officers need easy access to readily available, good quality information to conduct MCS activities and to validate information in an efficient and effective manner. The great benefit of up-to-date readily accessible, reliable information is that it is useful both as a fisheries management decision support system, as well as for compliance and enforcement decision-making.

The SADC MCSCC will:

- Develop a regional fishing vessel register.
- Monitor vessel activity.
- Share MCS data and information.
- Host and facilitate an information and communication portal.

SUPPORT THE DEVELOPMENT OF HUMAN AND INSTITUTIONAL MCS CAPACITY

Capacity is essential to both national and regional activities to enhance MCS and is key to stopping illegal fishing. The Regional MCSCC will provide support nationally and opportunities regionally to strengthen SADC capacity for MCS.

The SADC MCSCC will:

- Build and support national MCS capacity.

SUPPORT AND COORDINATE REGIONAL MCS ACTIONS

Coordination of assets and resources can provide real financial and strategic benefits. The impact of MCS actions are amplified when they are coordinated so e.g. when all ports in the region deny access to IUU-listed or high-risk vessels, or when all coastal States deny licences.

By providing technical support throughout the SADC region immediate and long-term benefits can be achieved, for example through developing workable processes, conducting thorough and effective checks, taking decisions, and acting against IUU fishing operators.

The SADC MCSCC will:

- Coordinate regional fisheries surveillance.
- Coordinate regional fisheries observers.
- Provide support for fisheries law enforcement and legal expertise.
- Support port State measures implementation.

PROTECTING OUR FUTURE: STOPPING ILLEGAL FISHING, GROWING BLUE

As the role of the blue economy has gained prominence over the last few years our relationship with the ocean has come under a new spotlight.

It has long been known that fisheries are important in the SADC region: they provide food and nutrition, generate employment and income, and provide livelihoods for millions of people. But for many, fishing is more than an occupation: their lives depend on successful catches. Fishing is how children are fed and education and medical bills are paid. Protecting this must be a priority.

The threats to fisheries come from many directions. Climate change is impacting fish stocks and the growing global population increases the demand for low cost, nutritious food. At the same time the fishing industry is competing with subsidised fleets who operate with financial incentives, and with illegal operators who show no respect for laws, regulations or conservation measures.

The fight against IUU fishing has long been championed by Mozambique. They have taken action against illegal operators to keep the maritime domain safe, to protect legitimate operators and to promote compliance to national laws and to the conservation and management measures of the regional fisheries management organizations.

In the last ten years, many have dedicated their efforts to see the vision of the SADC MCSCC become a reality. The realisation of this Centre marks a turning point, from which the means to facilitate collaboration to protect SADC fisheries for our common future and to support the development of thriving blue growth.

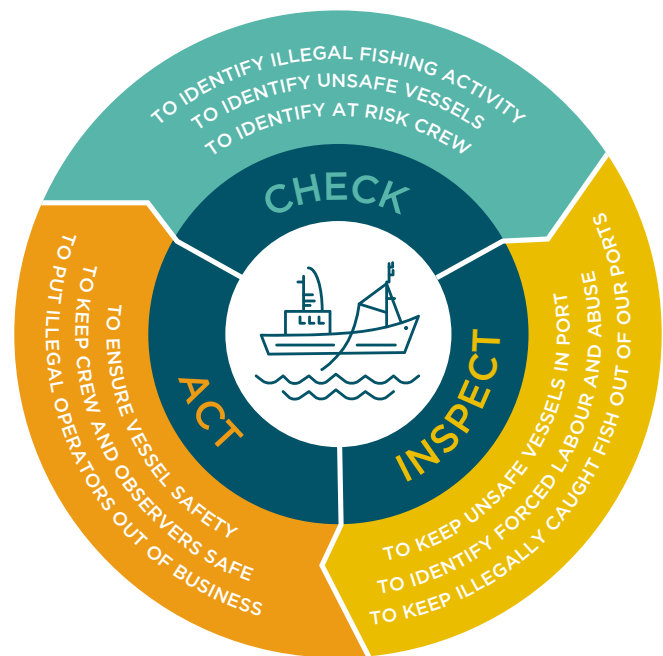


USING PORTS TO CHECK, INSPECT AND ACT

Illegal operators target ports that they perceive to have weak controls, including where few checks will be made on the vessel's history, identity, safety, or authorisation to fish. These ports allow catch to be unloaded or transhipped with no checks on whether it has been legally caught, or on the health and wellbeing of crew. These ports contribute to the illegal exploitation of fisheries resources, damage the potential blue economic growth of developing countries and undermine the wellbeing of legitimate fishers.

Implementing effective port State measures and controls consists of three operational elements for port States - check, inspect and act.

Implementation of the Agreement on Port State Measures (PSMA) in Mozambique is supported by Stop Illegal Fishing, with funding from the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and The German Federal Ministry for Economic Cooperation and Development (BMZ). The impact of this work is anticipated to improve opportunities for blue growth and to contribute to the generation of food, nutrition and socio-economic development that will help end poverty and hunger in Mozambique and Africa.



For more information go to:
www.stopillegalfishing.org



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REPÚBLICA DE MOÇAMBIQUE
Ministério do Mar, Águas Interiores e Pescas



PORT STATE MEASURES
to stop illegal fishing



Implemented by

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