



## **TECHNICAL AND COMPLIANCE COMMITTEE**

### **Second Regular Session**

**28 September to 03 October 2006  
Brisbane, Australia**

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### **PORT STATE MEASURES AND PORT INSPECTIONS**

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**WCPFC/TCC2/2006/13  
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**Paper prepared by the Secretariat**

#### **Introduction**

1. Article 27 of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention) recognises the rights and duties of port States to take measures, in accordance with international law, to promote the effectiveness of sub-regional, regional and global conservation and management measures. Article 27 of the Convention further empowers Members of the Commission to “adopt regulations empowering the relevant national authorities to prohibit landings and transshipments where it has been established that the catch has been taken in a manner which undermines the effectiveness of conservation and management measures adopted by the Commission.”

2. The first regular session of the Technical and Compliance Committee (TCC1) noted the importance of port State measures and port inspections in meeting the objectives of the Convention, increasing cooperation and coordination, addressing illegal, unreported, and unregulated fishing activities and ensuring compliance with conservation and management measures adopted by the Commission. Recognising the benefits of developing a harmonized scheme and standards, the Second Regular Session of the Commission (Comm2) considered and adopted unanimously the following recommendation from TCC1 on “Port State Inspection and Measures:”

“43. The First Regular Session of the TCC recommends the following:

- (a) That the 2005 FAO Model Scheme on Port State Measures to Combat Illegal Unreported and Unregulated Fishing serve as the basis for developing a Commission port State Scheme;
- (b) That Members and CNMs provide a report to the Commission, in advance of TCC2, that describes their existing port State and/or port inspection schemes, as appropriate, and how these schemes correspond with the FAO Model Scheme. Members and CNMs are further requested to provide copies of their existing schemes as part of this report. The Secretariat is requested to compile these reports, compare the information received with the FAO Model Scheme and identify any gaps; and
- (c) That Members and CNMs, in their annual report to the Commission, provide information on inspections undertaken in their ports and any violations detected.”

### **Report on Progress Achieved**

3. By a Circular dated 6 April 2006, the Executive Director requested all Members, Cooperating Non-members and participating territories (CCMs) to provide copies of their existing port State schemes to the Secretariat in accordance with the decision of Comm2. This request was followed by a reminder on 15 June 2006 in which the Executive Director noted that: “Unless additional information is received within the next 6 weeks it will be difficult for the Secretariat to undertake the work asked of it at the Second Regular Session of the Commission in respect of this matter”.

4. As at 31 August 2006, only five CCMs, namely Australia, Canada, EU, Japan and New Zealand have complied with the request from the Executive Director. Australia, Canada and New Zealand also provided a comprehensive assessment of their port State measures against the FAO Model Scheme.

5. As a result of the low response rate by CCMs the Secretariat has not been able to compile a report analysing the port State schemes of CCMs against the FAO Model Scheme as directed by Comm2.

### **Report on FAO/FFA Port State Workshop**

6. The Secretariat participated in a Regional Workshop organised by the FAO and FFA to “Promote the Full and Effective Implementation of Port State Measures to Combat IUU Fishing” in Nadi, Fiji, from 28 August to 1 September 2006. The objective of the workshop was to develop national capacity and promote regional coordination to ensure that States are better placed to strengthen and harmonize port State measures.

7. The workshop noted that fisheries management objectives and related management, science and monitoring control and surveillance frameworks are strongly interdependent, and that the implementation of effective port State measures is critical for fisheries management objectives to be achieved. The Workshop endorsed the need for capacity development, harmonisation and close cooperation in the development and implementation of port State measures throughout the WCPF Convention Area.

### **Action Required**

8. The Programme of Work for the TCC for 2006/2007, approved by the Comm2, included the development of a harmonised Port State scheme. TCC2 is invited to consider means to achieve this work programme given the limited progress made on the strategy approved at Comm1.