

The Contribution by Chinese delegation on developing procedure for High Sea Boarding and Inspection in the WCPFC Area

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The following items should be considered while developing procedure to guide the high seas boarding and inspection:

1. The vessel of WCPFC member and vessel from non member of WCPFC but Parties of UNIA should be subjected to be boarded and inspected in the WCPFC area (according to the UNIA, the vessel of Parties of UNIA in the area of RFMO shall be boarded by members of RFMO). Therefore, the WCPFC Commission should ask secretariat to regularly inform WCPFC members the situation of Parties of UNIA that are not member of WCPFC.
2. The Parties of WCPFC shall register its enforcement vessels in the Commission's Secretariat. The Secretariat shall develop and maintain a list of registered enforcement vessels. Only those in the list may conduct high sea boarding and inspection in the WCPFC area. The fishing vessel of WCPFC member can refuse any call for boarding and inspection by any vessel not in the list.
3. The commission should discuss the necessity of the common mark/identification for the vessels in the list, or the inspecting Parties should inform the Secretariat on the forms of mark/ identification for such vessels, the Secretariat should maintain the record and take measures to ensure publicity of the record in a manner consistent with confidentiality requirements of relevant members.

4. When the operator of a fishing vessel receiving the signal of order of boarding must maneuver in such a way as to maintain the safety of the fishing vessel and facilitate safe boarding by the authorized officials. The signal of order of boarding should be developed by the Commission at its 3rd annual meeting.

5. Once the authorized official from the inspecting Party embarks the fishing vessel, the official must present his/her credential and identification to the vessel's master. The inspecting Party should inform the Secretariat on the forms of credential and identification issued to their duly authorized inspectors for high seas boarding and inspection purpose. The Secretariat should maintain the record and take measures to ensure publicity of the record in a manner consistent with confidentiality requirements of relevant members.

6. Each member of WCPFC should designate an appropriate authority to receive the notification information. The name, address and contact methods of the designated authority should be informed to the Secretariat. The Secretariat should maintain the record and take measures to ensure publicity of the record in a manner consistent with confidentiality requirements of relevant members.

7. UNIA provides that "the flag state shall respond to the notification within 3 working days of its receipt". But each member has different public holidays. Therefore, the commission should make the public holiday list involving in all members, and make it available for reference.

8. For the purpose of effectiveness the inspection program, the high seas boarding and inspection officials should be properly and duly trained

before conducting the boarding and inspection. The question is who will train the officials and what standard (Party's or Commission's) can be used.

9. In order to minimize the interference with the fishing vessel's normal operation, the frequency of high seas boarding and inspection should be kept in a suitable level. The inspecting Parties should inform the Secretariat of the details of its boarding and inspection activities (the date, area of boarding and inspection as well as the name and flag of fishing vessel) as soon as possible, the Secretariat shall inform other Parties as soon as possible that have vessel in the list the information received. In such case, the fishing should not be boarded by other Parties within certain period of time (such as half a month).

In addition to the above 9 items and based on the work by the Working Group 3, there are some pending issues to be developed, including the right of carrying weapon by inspecting officials on fishing vessels, the details of liabilities and so on. Consideration should also be given to these issues.