MISSION REPORT

Review of the current situation on IUU fishing and monitoring, control and surveillance in the fisheries sector of the CARICOM/CARIFORUM Region

Prepared by

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For

THE CARIBBEAN REGIONAL FISHERIES MECHANISM

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1.0 Mission Report

1.1 Introduction

In accordance with Section 5.1 of the Terms of Agreement dated 24 February 2004 for the consultancy on Illegal, Unreported and Unregulated (IUU) Fishing and the effectiveness of Monitoring, Control and Surveillance (MCS) systems in the CARICOM/CARIFORUM Region, the following Mission Report is submitted.

1.2 Terms of Reference for Section 5.1 of the Letter of Agreement

- Work Undertaken.
- Countries Visited.
- Persons met.
- General Observations and findings, problems and difficulties encountered.
- Conclusions.

1.3 Work Undertaken

During the period 9th June – 17th Aug, the consultant visited six CARICOM countries: See Annex I - Travel Itinerary. The CRFM office in St. Vincent and the national fisheries administrations in each country made arrangements and appointments for field consultations in the respective countries. The aim of the mission was to assess the status of IUU fishing, the policies and strategies in place to deal with IUU fishing and the capacity to deal with the MCS requirements. Based on the mission output and additional research, the consultant is required to develop a strategy and proposal to enhance the effectiveness of MCS at the national, sub-regional and regional levels and eliminate or minimize IUU fishing activities in the region.

In the mentioned countries, the consultant met with Fisheries Directors, staff of the fisheries departments, Coast Guard officials, law enforcement agents, officials responsible for maritime administrations, representatives of fishing cooperatives, fishers and fish marketing representatives. In some countries representatives from Ministries of Foreign Affairs or the Attorney General's Office were made available. (Annex II – Meeting Participants List)

The objectives of the project are:

- To review and document the extent of IUU fishing in CARICOM / CARIFORUM States.
- To review and assess the situation regarding MCS in the fisheries CARICOM / CARIFORUM Region.

- To identify the critical issues affecting the use of MCS as an effective mechanism for fisheries resource management and sustainability.
- To define a strategy and project proposal to enhance the effectiveness of MCS at the national, sub-regional and regional levels and eliminate or minimize IUU fishing activities in the region.

During the mission, the areas for examination, analysis and discussion covered were:

- The extent of IUU fishing in the region, both by foreign and national fishers.
- Existing policies and strategies put in place by member states to meet their obligations under UNCLOS II and other international agreements;
- Existing legislation and regulations in place to meet fisheries requirements and other secondary fisheries related tasks, such as pollution and environmental monitoring.
- The capacity of the organizations responsible for MCS at national, regional and local levels, the resources available for fisheries operations and the strengths and weaknesses of those organizations.
- The existing level of coordination and cooperation among different organizations with respect to fisheries MCS.

1.4 Countries Visited

Fieldwork was scheduled to be undertaken in a representative sample of nine (9) CARICOM / CARIFORUM countries. However, owing to logistical and financial constraints, the consultant was only able to conduct successful field missions in six (6) countries, these being, St. Vincent and the Grenadines, St. Lucia, Suriname, Guyana, Jamaica and The Bahamas

1.5 Persons Met

See Annex II –" Meeting Participants List"

1.6 Questionnaire

As part of the preparation for the field mission, a questionnaire was prepared and submitted to the Fisheries Directors in advance of the mission. See Annex III

1.7 Additional Information

In addition to the countries visited, the questionnaire was sent to the Fisheries Director in Trinidad and Tobago and a response was received. The Director was also interviewed. Further, the consultant was able to obtain information from a FAO/GOTT sponsored regional workshop on VMS systems held in Trinidad and Tobago from 28 – 30 July 2004.

1.8 Findings

The findings are addressed under four headings: IUU Fishing, MCS in CARICOM, Legal Matters and Institutional arrangements. They are the main findings relevant to assessing the regional situation and to the development of a strategy for improvement. The mission examined existing policies and strategies, existing legislation, the capacity of the enforcement agencies, and the level of cooperation among agencies.

1.8.1 IUU Fishing

(i) Fishing is a significant contributor to GDP in most CARICOM countries, a major employer and hard currency earner from export of fish and fish products. Fishing contributes significantly to member states food security. The effect of IUU fishing is significant and it is therefore a major problem for the region.

(ii) Although all countries reported that IUU fishing occurs in waters under their jurisdiction, there is insufficient information to quantify the extent and effect. The same applies to the adjacent High Seas where reports of alleged IUU fishing on the High Seas are not substantiated by records of the appropriate authorities of sightings.

(iii) Poaching is widespread in region because of the close adjacency of most Caribbean states, particularly in the Eastern Caribbean. Jamaica reported poachers from Honduras and Dominican Republic, while Suriname and Guyana claim nationals from each other's state carry out the illegal activity.

(iv) It is estimated that vessels engaged in artisanal fishing present the greatest threat.

(iv) Under-reporting and mis-reporting of catches appear to be prevalent in Guyana and Suriname.

(v) Despite the efforts by Fisheries authorities to establish measures to manage the resources sustainably, non-compliance with conditions of licences and management measures is prevalent throughout the region.

1.8.2 MCS in CARICOM

(i) The ability to effectively carry out MCS activities varies considerably among the countries in the region. This is a function of affordability, availability of resources, importance of the fishing industry to the country, and the will to carry out enforcement activities.

(ii) Many of the CARICOM island states fall into the category of Small Island Developing States (SIDs), such as the OECS countries. Unauthorized fishing within the EEZs of SIDs presents particular problems. However, OECS do not have the capacity to conduct and sustain the required surveillance in their EEZs to prevent IUU fishing.

(iii) Different agencies carry out the MCS functions. But in all countries fisheries authorities depend on the Coast Guard organizations to carry out the surveillance and enforcement functions. There is, however, need for cooperation between agencies to effectively carry out integrated MCS functions.

(iv) The MCS systems of most states are inadequate and affected by the lack of human and financial resources. Therefore, compliance and enforcement vary significantly across the region from almost no enforcement in Haiti to a reasonable level of enforcement in Belize.

(v) There is no region wide system to acquire the relevant catch data from flag states.

(vi) Some countries have several vessels to conduct marine surveillance duties while others may have one vessel, which may not even be suitable for conducting surveillance patrols to the limit of the EEZ.

(vii) The costs of maintenance and operations of the vessels are high. Cost of fuel is a significant constraint on the frequency of patrols.

(viii) Extended patrols are irregular in those countries with vessels. Fishery surveillance patrols do not rank very high on the list of operational priorities as compared with counter-narcotics and Search and Rescue operations. Those types of operations have priority call on the fuel supply, therefore routine fisheries patrols are not carried out.

(ix) Few Coast Guard organizations have air assets suitable for EEZ surveillance. There is therefore no surveillance data available to determine the extent of IUU fishing.

(x) Because the cost of operating a surveillance system is a limiting factor, use of civilian vessels and aircraft to patrol fishing zones is an approach that can be taken as is carried out by Georgetown Seafoods Ltd of Guyana, and is now being contemplated by state owned Suriname National Fishing Co., SEVITAS.

(xi) Belize has a functioning VMS system for its High Seas fleet. In Guyana, Georgetown Seafoods Ltd installed its own VMS system for its fleet. Meanwhile the Suriname authorities, having previously conducted trials with a system, are seeking donor funding to acquire and install one.

(xii) A barrier to combating IUU includes, at the regional level, the conflict between the development of regional fisheries and protection of sovereign rights over living resources by member states. At the national level, conflicts occur as a result of different policy objectives. For example, in The Bahamas, the conflict is between control over the access of foreign fishing vessels, and the facilitation of tourism by allowing easy access to sport fishers who will be given a quota. However, there is no requirement for them to report catch data before departing Bahamian waters. They often exceed the quota.

(xiii) Among fisheries officers, there is a perception of an apparent conflict between their performing extension and advisory functions and their enforcement functions and authority.

1.8.3 Legal Matters

(i) In most countries, Fisheries legislation has been found to be inadequate to the task of managing the resource and is in need of updating. Some are currently being amended while others have been amended already but are not in force because new Regulations are yet to be drafted. These laws are to provide for the new means of implementing management plans including the introduction of modern electronic surveillance and monitoring systems.

(ii) Maritime boundaries are not well established in the region. Because of the closeness of Caribbean states, there must be boundary agreements between them. Yet there are 39 boundaries to be settled in the Caribbean region. States cannot properly enforce their laws and sovereign rights if boundaries are not properly delimited

(iii) Because of the migratory nature of stocks and the trans-boundary sharing of fish stocks, IUU fishing and disputes will result without adequate boundary delimitation of EEZs. Furthermore, states may have difficulty in proving offences when arrests are made.

(iv) Harmonization of legislation as obtains in the OECS sub-region has proven to be a successful approach to management of fisheries and MCS on a sub-regional basis. It led to the drafting of an Agreement Establishing Common Fisheries Surveillance Zones, which served to optimise the use of the slender resources available to the sub-region to undertake the task of MCS. Unfortunately, lack of adequate funding prevented the approach from developing and maintaining the surveillance patrol system.

1.8.4 Institutional Arrangements

(i) There is no CARICOM-wide system for monitoring, controlling and surveillance over fishing activities by distant water vessels, nor is there an organization coordinating these tasks.

(ii) There is no data repository of scientific information on the regional fish stocks, on the level of fishing effort in the region, the impact of fishing effort on the stocks, nor whether those stocks are at risk.

(iii) There is no established and coordinated system either at the national or regional levels for determining the identity and number of distant water fishing vessels operating in the region. Consideration should be given to establishing a regional coordinating centre for managing data and for supporting countries in developing their MCS systems. This center can be a unit of an RFMO for the region. The CRFM has a provision for a MCS Unit.

(iv) Belize, Jamaica and St Vincent have open registries. Jamaica and St. Vincent are no longer taking fishing vessels on their registries. The High Seas fleet of Belize is registered by IMMARBE and is licensed by the Fisheries Department. Vessels wishing to fish in breach of conservation measures or for species for which Belize has no agreed quotas are neither registered nor licensed.

(v) A VMS system is already operating in Guyana and Belize for the industrial and High Seas fleets. A system is being planned for Suriname. There should be some harmonizing of VMS systems so that they can be integrated into a regional system.

1.9 Follow-up

Following the completion of the field mission and the preparation of a draft strategy and project proposal to create and sustain suitable institutional, legal, regulatory mechanisms to enhance the effectiveness of MCS at the national, sub-regional and regional levels, the CRFM Secretariat will organise and convene a regional workshop of senior fisheries and enforcement personnel to review the strategy and project proposal. The consultant will present the strategy and project proposal and use the recommendations from the workshop to refine the document**.**

2.0 Conclusion

IUU fishing poses significant problems for the region but MCS systems at the national level are generally weak because of several constraints: human resources, financial resources, lack of vessels and aircraft for EEZ patrols and beyond. Flag State Control over vessels on the Open Registry is minimal neither is Port State Control exercised over vessels that fish on the high seas or transship fish caught on the high seas. The cost of operating a marine surveillance system is a significant burden for some countries and this situation leads to a prioritization of use of the surveillance assets. Fisheries surveillance is not the top priority.

In most countries Fisheries legislation is inadequate however, many countries are in the process of drafting new legislation, or revising existing legislation and the associated regulations.

In the region, there are several maritime boundaries yet to be negotiated therefore, occasionally, states experience difficulty in proving offences when arrests are made. Common fishery zones could be established among neighbouring states as modeled by the OECS.

There is no regional data system for monitoring the activities and catches by local and distant water vessels in the waters under national jurisdiction of CARICOM states and the adjacent High Seas. No arrangements exist with Flag States of distant water fleets operating in the Caribbean region for information of the fishing plans of those fleets. This is a responsibility for an RFMO to make arrangements to acquire such information and to disseminate it to CARICOM member states. The CRFM should develop further to assume these responsibilities.

ANNEX I

Travel Itinerary

St Vincent	6 June - 9 June
St Lucia	13 June - 15 June
Barbados	15 June – 16 June
Suriname	21 June – 24 June
Guyana	24 June – 25 June
Jamaica	8 Aug – 12 Aug
The Bahamas	12 Aug – 16 Aug

ANNEX II

Persons Met

St Vincent

Ms Jennifer Cruickshank	-	Senior Fisheries Officer
Mr Geoffrey Pompey	-	Fisheries Officer
Mrs Sylvia Ambris-Dick	-	Attorney General's Offfice
Colin Davis	-	Fishing Cooperative
Silvan Peters	-	Fishing Cooperative
Augustus Williams	-	Fishing Cooperative
Lt. Cdr. David Robin	-	Commanding Officer Coast Guard

CRFM

Dr. Susan Singh-Renton	-	Programme Manager, Research and Resource Assessment
Mr. Terrence Phillips	-	Programme Manager, Fisheries Management and Development.

St Lucia

Mr Vaughn Charles	-	Chief Fisheries Officer
Mrs Sarah George	-	Senior Fisheries Officer
Ms Williana Joseph-Jean Baptiste	–	Senior Fisheries Officer
Mr Vincent Peters	–	St Lucia Fish Marketing Corp.
Cpl R. St.Bryce	-	St Lucia Coast Guard

OECS

Mr Peter Murray

Suriname

Mr. M. Mahadew	-	Director of Fisheries
Mr. R Bansee	-	Senior Fisheries Officer
Capt. D Baal	-	Ministry of Defence (Navy)
Capt. R Bhola	-	Ministry of Defence (Navy)
Maj. H S Amatmochrin	-	Marine Police
Inspector H Dhoeme	-	Marine Police
Mr. M Alcenman	-	Director CEVITAS.

Guyana

Ms. Dawn Mason	-	Chief Fisheries Officer
Mr. Lloyd Piggott	-	Managing Director, Georgetown Seafoods Co.
Mr. Reuben Charles	-	Consultant , Former Fisheries Director
Lt.Cdr. D Erskine	-	Guyana Defence Force Coast Guard
Michael Tennant	-	Maritime Administration
Winston Earl Thom	-	Fisheries Officer
Brian Daly	-	Fisheries Officer

Jamaica

Mr. Andre Kong	-	Chief Fisheries Officer
Mr. David Smichael	-	Deputy Chief Fisheries Officer
Mr. Ian Jones	-	Senior Fisheries Officer
Ms. Tennele Grant	-	Fisheries Officer
Mr. Peter Esput	-	Caribbean Coastal Area Management Foundation
Supt. Luscaine Hibbert	-	Marine Divisonal HQ, Jamaica Constabulary
Mr. Lennox Bailey	-	Maritime Authority of Jamaica
Mr. Eric Deans	-	Maritime Authority of Jamaica
Mrs. Marva Smith-Lloodle	-	National Environmental Planning Agency
Mr. Theodore Rhone	-	National Environmental Planning Agency
Lt. Cdr Robert C Aldred	-	Jamaica Defence Force Coast Guard
Mr. Anthony Drysdale	-	Jamaica Fishermen Cooperative

Bahamas

Mr. Michael Braynen	-	Chief Fisheries Officer
Mr. Gilford Lloyd	-	Senior Fisheries officer
Capt. Lloyd Farquahson	-	Acting Chief of Defence
Mr. William E. Poitier	-	Deputy Comptroller, Customs
Mr. Brian Bethel	-	Assistant Comptroller, Customs
Mr Earl Seymour	-	Senior Customs Officer
Mr Jordan Ritcjie	-	Legal Officer, Ministry of Foreign Affairs

Annex III

QUESTIONNAIRE

- **What is the nature of the fishery around this country?**
  - **Species Tonnage**

- **What legislation and regulations are in place to meet:**
  - fisheries requirements,
  - other secondary fisheries related tasks, eg pollution and environmental monitoring?

- **What is the status of ratification, implementation or acceptance of international instruments relevant to management of fisheries around this country, and for the prevention of IUU?**

- **What are the Fisheries Management strategies?**

- **Is your country a Contracting Party to ICCAT?**

- **What is the contribution to the economy of the fishing industry?**

- **How extensive is IUU fishing in the waters of this country?**

- **Are there fishery conservation zones or protected zones?**

- **Is there an Observer Programme?**

- **Are there Self Policing systems?**

- **Is there a compliance and inspection programme?**

- **Are Port inspections carried out?**

- **At sea boardings and inspections carried out?**

- **Countries from which vessels engaged in IUU fishing come?**

- **What is the social impact of IUU?**

- **What is the system for registration and licensing of fishing vessels, both local and foreign?**

- **What policies and strategies exist to stop IUU including sanctions?**

- **Which organizations are responsible for**
  - **Monitoring**
  - **Control**
  - **Surveillance**
- **What are the hindrances to effective MCS?**
- **What is the capacity of the organizations responsible for the conduct of MCS?**
  - **resources available**
  - **strengths**
  - **weaknesses**
- **Is aircraft available for surveillance patrols?**
- **Are there routine patrols of the waters under the country's control?**
- **VMS. Will it work? Can it be implemented?**
- **What was expenditure on MCS for 2002, 2003 and what is allocated for 2004?**
- **How many reports of illegal fishing by (a) foreign fishing vessels, and (b) local vessels were received during 2002, 2003 and so far for 2004?**
- **How many arrests?**
- **Was ICCAT informed?**
- **How are reports made?**
- **Are there any regional arrangements for MCS for fishing?**
- **If so, with which countries?**