MCS/Port State Measures
to deter IUU Fishing:
NAMIBIA

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Namibia is situated on the South West Coast of Africa, north of South Africa and south of Angola.

Namibia has a coastline of more than 1500 km from the Kunene River up north to the Orange River in the south and EEZ equal to 580 000 sq km.

Namibia became independent in 1990 and established a 200 nm exclusive economic zone (EEZ) in 1990.

The fishing industry is based on the high productivity of the Benguella Upwelling System, which support rich populations of demersal and pelagic fish.
The Policy Framework

Ministry of Fisheries and Marine Resources was established in 1991 to administer the fisheries sector through the following Policy:

Legislative Framework

Marine Harvested Resources governed by:

- The Territorial Sea and Exclusive Economic Zone of Namibia Act of 1990.
- Inland Fisheries Act and Regulation of 2003
- A number of international fisheries conventions, agreements and arrangements to which Namibia has signed up (ICCAT, CCAMLR, SEAFO)
- A Vessel Monitoring System (VMS) and its Regulations.
Commercial Fisheries

- Marine capture fisheries sector exclusively industrial.
- Total of 338 Right Holders in 2012/13
- 7 main species: Hake, Horse Mackerel, Monk, Pilchards, Rock Lobster, Orange Roughy, Red Crab.
- Total of 256 vessels licensed for commercial fishing in Namibian waters in 2012/13 season.
- NO Foreign licensed vessels operate in NEEZ, unless under charter agreement with existing Right Holders.
- Marine catches are landed at only 2 major ports, namely Walvis Bay and Luderitz.
- All landings are directly into private processing establishments, each with its own quay facilities.
Value Addition/Marketing

- Policy encourage onshore processing to increase value – addition prior to export and boost employment from the sector.
- 25 approved fish processing facilities in Namibia, with 7 in Luderitz and 18 in Walvis Bay.
- 30 Factory vessels and 10 Freezer vessels approved for exports
- Approved to supply fish products to the EC market (i.e. are compliant with the sanitary conditions set out in EC Regulation 852/2004)
- Whole frozen fish/fillets (hake, kingklip, monk) accounts for +85% of trade with chilled fish (hake, monkfish) around 10%
- Products are marketed to the EU, Asia, USA, SADC and some other countries.
Performance of the fishing sector

- Revenue from fisheries second most important in foreign exchange earnings after mining, and contribute about on average 4.2% of country GDP in last 5 years.
- For the past 5 years average annual catches amount to app. 572,460 metric tonnes valued at N$5.2 billion (EUR 430 million).
- Total direct employment in fish and fish processing amount to an estimated 13,400 persons for the last few years.
- The Hake fishery is by far the largest employer in the sector and accounts for over 60% of the value of marine fisheries production – largely due to on–shore processing.
1. Monitoring, Control and Surveillance

- Namibia's MCS system has evolved over the years into what is today widely regarded by the international community as a very effective system.
- A crucial element has been the financial, human and material support from the Namibian government.
- The costs to Government and industry of MCS and other management activities has been kept commensurate with the value of the sector.
- An integrated program of inspection and patrols at sea, on land and in the air ensures continuing compliance with Namibia's fisheries laws.
1.1 Compliance and Enforcement

- The Marine Resources Act. 2000 specifies the powers of fisheries inspectors in regard to stopping and boarding vessels, search and inspection, hot pursuit, seizure, and arrest.

1.2 Fisheries Observer Agency

- 230 fisheries observers employed.
- Emplacement of fisheries observers on board most fishing vessels serves both to ensure compliance and the collection of scientific data. Coverage rates range from 70-100%, depending on the fishery in question.
1.3 **Sea, air and shore patrols**

- MCS assets include 2 modern patrol vessels (65m and 56m respectively), fully operated by MFMR, with in-house jetties and maintenance facilities.
- Each vessel carries 2 full time fisheries inspectors with patrols lasting 12 days.
- Systematic sea patrols aim to ensure compliance with fishing conditions by licensed vessels through regular at-sea inspections.
- MCS assets include 2 fixed-wing aircraft with night flight capacity.
- 1 fisheries inspector accompany aircraft on patrol missions 4 – 5 times a week covering entire NEEZ.
- Air patrols detect and deter unlicensed fishing vessels and monitor the movement and operations of the licensed fleet.
- Facilitates more effective deployment of the patrol vessels.
• Shore patrols ensure compliance by both recreational and commercial fishers with conservation measures for inshore resources.

• Fisheries inspectors partake in coastal, roadblocks, inland inspections, ski – boats and beach trek seine operations throughout the year to monitor compliance.

1.4 Monitoring of landings

• Complete monitoring of all landings at the two commercial fishing ports, Walvis Bay and Lüderitz, by +80 onshore inspectors ensure compliance with quota limits and fee payments.

• Transhipping fish at sea between catching vessels and carrier vessels is prohibited – all fish must be landed at a Namibian port.

• This is another unique feature of the management system, and one that ensures comprehensive monitoring of catches.
1.5 Vessel reporting

• All vessels are required to supply EEZ exit and entry reports, as well as daily catch and effort reports via radio and in the form of vessel log-sheets.

1.6 Vessel monitoring system

• Namibia implemented a national satellite-based vessel monitoring system (VMS) in 2007. The system is benefiting fisheries management in real-time monitoring of vessel movement and activities.
2. Offences and Penalties

- Section 52 of the Act provides for offences and penalties for violations of the Act.
- Unauthorised fishing or contravention of licence conditions by Namibian or foreign flag vessels attract a fine of up to N$2 million.
- Assaulting or hindering any officer authorised under Namibian law or international agreement to which Namibia is a party can face a fine of up to N$1 million.
- Other sections of Part IX of the Act provide for forfeiture, jurisdiction and admissible evidence.

This integrated MCS approach has ensured that Namibia has full control over all fisheries related activities within its EEZ and subsequently has eradicated major IUU fishing within its waters.
At sea surveillance: Patrol Vessels Performance 2012/13

Coastal Patrols: Type and number of offences committed by anglers 2012/13

Offences committed by anglers

- Harvest and retain undersize fish: 286
- Harvest marine resources without permit: 321
- In possession of prohibited annelid worms: 208
- Harvest and retain rock-lobster in berries: 53
- In possession of excess rock-lobster: 32
- Harvest and retain undersize rock-lobster: 20
- In possession of excess white mussels: 19
- In possession of undersize white mussels: 15
- In possession of fish not in whole state: 13
- Transport marine resources without permit: 12
- Harvest and retain limpets in excess: 10
- In possession of excess black mussels: 7
- Harvest marine resources in close areas: 5
- Others: 1
- Total: 1026
PORT STATE MEASURES (PSM)

What are Port State Measures?

• Illegal Unreported and Unregulated (IUU) fishing is a global threat to sustainable fisheries and to the management and conservation of fisheries resources and marine biodiversity.

• As a tool to combat IUU fishing, the importance of enhanced **Port State** controls has increasingly gained ground throughout the last few decades.
• Port State Measures (PSM) are requirements established or interventions undertaken by port states which a foreign fishing vessel must comply with or is subjected to as a condition for use of ports within the port state.

• National PSM would typically include requirements related to prior notification of port entry, use of designated ports, restrictions on port entry and landing/transhipment of fish, restrictions on supplies and services, documentation requirements and port inspections, as well as related measures, such as IUU vessel listing, trade-related measures and sanctions. Many of these measures have in recent years seen their inclusion and development in international instruments.
National legal frameworks for PSM

• Along with international and regional initiatives aiming at implementing and enforcing PSM, individual states are rapidly adopting such measures. Whether it is the implementation of PSM schemes adopted by Regional Fisheries Management Organizations (RFMOs) or nationally adopted PSM, national legal frameworks and their implementation are crucial in enabling port states to apply PSM to combat IUU fishing.

• National legal frameworks should empower national authorities to take adequate enforcement action against vessels involved in IUU fishing in their own ports, with a view to contributing to undermining fishing activities that are not carried out in accordance with conservation and management measures adopted by RFMOs, other states and the port state itself.
Examples of IUU Fishing

- Unlicensed fishing
- Non-complying vessel from party flag state
- Vessel from non-party flag state
- Unregulated fishing
- Operating in closed area
- Licensed but mis-reporting
- Unlicensed ‘border hopping’
Namibia have to be very cautious against IUU fishing and needs to implement Port State Measures because:

- High number of port visits (~100 – 120 annually)
- Represent many flag states (>25)
- Use Namibian ports as base of operations such as landings, repairs, crew changes, bunkers, bait and provisions
- High volume of products landed (~20 000 mt)
- Many species landed are caught in RFMO’s areas of which Namibia is members and are obliged to enforce its conservation measures
Port State Measures Implemented (Continued)

• Namibia’s National Plan of Action against IUU – 2007
• Based on legal and institutional instruments such as the 1995 UN Fish Stocks Agreement, the 1993 Compliance Agreement, voluntary instruments such as 1995 FAO’s Code of Conduct and the various International Plans of Action and various RFMO’s management measures.
• Foreign vessels requesting port entry needs to submit advance notification with copies of valid fishing license, authorized vessel registry on RFMO vessel database, valid safety and registration documents, cargo manifest, crew list and logbook/VMS tracking reports at least 5 days in advance
Port State Measures Implemented (Continued)

• For first time applicants or for licences, or joint venture agreements, Flag State confirmation/consent are requested via official letter
• All applications are captured electronically in excel spreadsheet
• Vessels may enter Nam EEZ or designated ports of Walvis Bay or Luderitz only if approval was granted
• On arrival, all foreign vessels are inspected, all landings are monitored by fisheries inspectors and on completion a Port State Inspection Report are completed and signed by both the inspector and captain
Overview of port activity

Port State Measures
Fishing Areas: Jan - June 2015

South Atlantic (ICCAT)
- 43
- 57%

Angola
- 28
- 37%

WCPFC
- 1
- 1%

IATTC
- 1
- 1%

Seafo
- 2
- 3%

North Atlantic
- 1
- 1%

South Atlantic

- 43
- 57%
Overview of port activity (continue)

Port State Measures
Reasons for Port Entry: Jan - June 2015

- Bunkers: 4 (8%)
- License Application: 6 (8%)
- Crew Changes: 10 (13%)
- Repairs: 12 (15%)
- Discharging & Transhipping: 47 (59%)
Overview of port activity (continue)

Visit by Flag: Jan - June 2015

Flag State

- China: 1
- Italy: 3
- Korea: 2
- Ukraine: 2
- Sao Tome: 1
- Belize: 3
- Portugal: 3
- Vanuatu: 1
- St Vincent and Grenadiers: 1
- Japan: 8
- Peru: 1
- El Salvador: 2
- Russia: 1
- St Kitts and Nevis: 6
- Lituania: 2
- Spain: 37
- Poland: 1
- Panama: 4

Total Nr = 79

No. of Visits
Overview of port activity (continue)

Port State Measures
Application by Ships Agents: Jan - July 2015

- Ocean Liner Services: 2
- Namibia Tuna Fishing: 3
- Spanam Shipping Services: 13
- Trade Ocean Shipping Namibia: 10
- Manship Trading: 35
- Pescalar Fishing: 1
- Panavest: 3
- Maritima Logistics: 4
- Valeri Enterprises: 6
- Wynnic Maritime Services: 5
- Novaship Namibia: 1
- Taiyo Namibia: 1

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Note: The table and graph above list the port activities and the respective companies involved in Jan - July 2015.
Overview of port activity (continue)

Port Visit by Vessel Type: Jan - June 2015

- Pelagic Long Liner: 47
- Bottom Trawler: 15
- Midwater Trawler: 7
- Lobster: 1
- Purse Seiner: 1
- Cargo Reefer: 4
- Crab: 3

Nr. = 78
Achievements to Date

• A number of suspected vessels were denied port entry and reported to their Flag State
• Both Namibian ports are closed to IUU vessels
• Close co-operation between Ministry of Fisheries and NAMPORT to ensure only legal operating vessels have excess to ports
• Ships agents are compliant and the established communication and reporting structures in place are well adhered to
• Small but reliable surveillance equipment
• Full Government support and assistance
Challenges to overcome

• The Marine Resources Act of 2000 and Regulations of 2001 are currently reviewed to ensure compliance with international obligations
• Ratify 2009 FAO Agreement on Port State Measure to prevent IUU Fishing
• Design adequate database to capture Port State measures information
• Improve communication and information sharing mechanism amongst Port States
• Keep on training fisheries managers/inspectors on RFMO’s CM and Ports State measures to ensure continues skills development
Challenges to overcome (continue)

- Demarcation of Southern Maritime Border is yet to be concluded.
- Control of foreign Large Pelagic and Midwater fleet around northern border areas (Boarder hopping = High risk of IUU)
- Weak regional cooperation
- Need for strong legal regime at all levels, with adequate and harmonized enforcement measures, fines, penalties
- Ports of Convenience
- Weak Flag State control
- Transshipments at high seas
I THANK YOU FOR YOUR ATTENTION

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