



**COMMISSION SOUS-RÉGIONALE DES PÊCHES
SUB-REGIONAL FISHERIES COMMISSION**



**MCS/EU/WAEMU project « Strengthening of the Sub-Regional
Cooperation for Monitoring, Control and Surveillance (MCS)
of Fishing Activities in the Area of the Sub-Regional Fisheries
Commission (SRFC) »**

**REPORT ON THE THIRD MEETING OF THE TECHNICAL COMMISSION
FOR MCS OF THE SRFC MEMBER STATES**

4th – 5th October 2012 in Banjul, Republic of the Gambia

Banjul, October 2012

I/OPENING CEREMONY

The Technical Commission for the Monitoring, Control and Surveillance (TC/MCS) of the Sub-Regional Fisheries Commission (SRFC) held its third meeting in Banjul, Republic of the Gambia, on 4th and 5th October 2012.

The Directors/Heads of MCS national structures from all the SRFC member States have attended the meeting as well as the representatives of Liberia and Luxembourg Cooperation as observers.

Both the list of participants and the agenda of the meeting are annexed to the present report.

Mr. Kane Ciré Amadou, Permanent Secretary of the SRFC has first and foremost recalled the background of the present session that lies within the framework of the implementation of the conclusions and recommendations of the 2nd meeting of the TC/MCS held in Praia, Cape Verde, in March 2012, and the exchange of information with the member States in view of the holding of the next ordinary session of the Conference of Ministers. This background is also marked by the increase of IUU fishing. That is why the SRFC will multiply its partners in the matter of MCS.

He has recalled that the first partner is the Grand Duchy of Luxembourg which has supported the creation of the Surveillance Operation Coordinating Unit (SOCU), now known as the Department of MCS (DMCS) of the SRFC, the Head of which will be recruited very soon.

He has addressed his warm congratulations, on behalf of the member States, to Mrs. Diénaba Bèye Traoré, who has ensured the interim of the Head of Department so far, owing to her commitment and the quality of a well-accomplished work.

In addition, the Permanent Secretary has mentioned the existence of the International Plan of Action to Combat Illegal, Unreported and Regulated (IUU) fishing (FAO 2001 Plan of Action) from which the SRFC has inspired to develop its sub-regional strategy in the matter of MCS.

He has also underscored that the projects LUX DEV and FAO TCP 3212 are the precursors of the MCS/EU project, which is to strengthen the work that has already been well done by the former.

At the end of his speech, **Mr. Kane** has addressed his warmest thanks to the Gambian authorities who have once again accepted to hold the meeting in their home place, where the very first joint surveillance operations had been organized.

The opening ceremony was chaired by **Mr. Nfamara Dampha**, Director of Fisheries of the Gambia and Chairman of the Coordination Committee of the SRFC. On behalf of the Gambian Minister of Fisheries, Water Resources and Relations with the National Assembly, the Chairman in office of the Conference of Ministers of the SRFC and the Fisheries Directors of the member States and that of Liberia, he has thanked the SRFC for its efforts toward the eradication of IUU fishing in the sub-region. Before wishing the participants a warm welcome to the Gambia, he has stressed the necessity to strengthen the DMCS/SOCU in terms of infrastructures.

At the end of these speeches, an agenda has been adopted. Colonel Ahmed O. Amedine, Delegate to the Department of Fisheries Surveillance and Control at Sea (DFSCS) from the Islamic Republic of Mauritania, has been appointed as **Chairman** for the first session. As for the second session, Mr. Thierno Aliou Diallo, Assistant Director General of the National Center of Fisheries Surveillance and Protection (NCSP) has ensured the **chairmanship** of the meeting.

The Frigate Captain Oumar Wade, Chief of Operations of the Senegalese Navy and Mr. Victor Kargbo, Chief of Fisheries Surveillance of Sierra Leone, have been appointed as **Reporters**.

With a view to showing the background of the meeting, Mrs. Diénaba Bèye Traoré, acting Head of the Department of MCS has recalled the recommendations of the 2nd meeting of the TC/MCS and 2nd meeting of the MCS-EU/SRFC Steering Committee.

Further, she has requested the Directors/Heads of MCS of the member States to present their MCS situations for the year 2012.

II/SUMMARY OF THE PRESENTATIONS

II/1 – THE MEMBER STATES and LIBERIA

The national presentations of the member States and Liberia have enabled a global understanding of the MCS situation in the sub-region and have favored at the same time a better exchange of information on the MCS systems.

The presentations have been made according to the framework¹ proposed by the SRFC and will be the subject of an analysis which will be published in a brochure format. These presentations are **annexed** to the present Report.

II/2 – SUMMARY OF THE DMCS ACTIVITES

- **PLAN OF ACTION OF THE DMCS-SOCU**

The presentation has mainly focused on the activities undertaken by the DMCS-SOCU in order to ensure the monitoring of the surveillance effort and that of the infractions. Some proposals intended to boost the DMCS-SOCU have also been made. This should allow for the (i) collection of MCS data; (ii) analysis in order to display a trend of the scope of the IUU fishing; (iii) publication of the results of the analyses in a quarterly bulletin; (iv) storage in a sub-regional database; (v) preparation of the elements of the red list.

¹ The framework is as follows: (i) organization of MCS in the countries; (ii) available means to combat IUU fishing; (iii) development a global strategy; (iv) obstacles and shortcomings; (v) operational supports and cooperation axes according to the country, including the need in terms of training.

The confidentiality issues and the measures taken (*medium, format, periodicity of exchanges, rules of access, human resources, appropriate channel for exchanges*) in order to facilitate the exchange of information between the member States and the DMCS-SOCU have also been raised.

The concerns expressed by the States with regard to the exchange of data will be taken into consideration in the memorandum of exchange of data which the Permanent Secretariat of the SRFC plans to submit for the approval of the States.

Concerning the boosting of the DMCS-SOCU, the participants have requested that the strengthening in terms of equipment (communication and infrastructures) and human resources be followed by the elaboration of a strategic document specifying its vision, contributions, and responsibilities as an operational structure of sub-regional coordination.

- **IMPLEMENTATION OF THE MCS PROJECT**

The following items have been dealt with:

Legal Support

The compendium of national legislations in the matter of fisheries is in the process of elaboration in electronic format. It will be available on the website of the SRFC and published in CD format as well. The MCS texts will be analyzed and their conformity with the regional and international Conventions checked, too.

Sustainability of the MCS funding

The Terms of Reference (ToR) on the study relating to the durability of MCS funding, elaborated in synergy with the West Africa Regional Fisheries Program (WARFP), have been submitted to the participants for reading and comments.

The member States and Liberia have been requested to be deeply involved in the study that will be conducted, as a sensitization tool for a better financial autonomy of the MCS.

Situation of the investment

Subsequent to the identification of the village sites that are to host the coastal stations, the terms and conditions have already been elaborated and are available to the States concerned (Guinea, Guinea-Bissau and the Gambia). The procurement procedures have been launched.

The tender for the acquisition of a Vessel Monitoring System (VMS) for the Gambia has also been launched.

The restoration procedures of the building hosting the DMCS-SOCU are still underway, including the procedures for the building of the premises that are to host the coastal radar for the Gambia.

Training sessions

Two training sessions have been organized respectively for inspectors/controllers and for the MCS agents.

At the end of the presentations made by the Heads of MCS national structures, the following themes/subject areas have been identified, thus serving as basis for the training program 2012-2013:

- Retraining of the inspectors and observers;
- Support to the awareness-raising process on the enforcement of the Port States Measures, in synergy with WARFP;
- Support to the elaboration of national plans of action to combat IUU fishing;
- Support to the implementation of procedures for the certification of fisheries products (Senegal and Mauritania);
- Capacity building of the MCS agents in charge of VMS;
- Dissemination and awareness-raising on the relevant regional and international Conventions on IUU fishing.

The DMCS has informed the participants about the conclusions of the second meeting of the project Steering Committee and the position of the European Union concerning the selection criteria of the trainers. It is about the international experience acquired by the proposed trainers, without any consideration with regard to their nationalities. The participants have claimed that the sub-region disposes of the required skills likely to ensure the training of inspectors and observers. They have therefore requested the SRFC to seek solutions in this way.

The holding of training sessions at the national level, with the recruitment of national trainers, has also been suggested. This could have the advantage of making more people profit from the training instead of grouping two or three agents per State for a sub-regional training session.

MCS ASPECTS OF THE REVISED CONVENTION ON MAC

The advantages of the Convention relating to the Minimum Access Conditions (revised MAC Convention) have been raised. The following relevant issues have also been raised : (i) the port State measures and the combat against illegal, undeclared and unregulated (IUU) fishing ; (ii) the infractions and penalties ; (iii) compulsory boarding of observers aboard industrial fishing vessels; (iv) compulsory use of Vessel Monitoring Systems, Automatic Information Systems, Radar, etc.; (v) protection of the areas reserved for small-scale fishing in the matter of MCS; (vi) strengthening of the combat against IUU fishing; (vii) final provisions : Convention on Minimal Access Conditions (MAC) in force 100 days after the last signature by the member States, in **September 2012**.

It has been repeatedly mentioned that all the MCS Directors have participated in the elaboration of the revised MAC Convention, and they are consequently requested to ensure the dissemination of this instrument to the different stakeholders at the national level.

ENFORCEMENT MANUAL OF THE PORT STATE MEASURES

The Manual on the Port State Measures has been developed by the SRFC as part of the WARFP. It is a minimum standard for the control at fishing ports and is designed particularly for States that are fitted with adequate surveillance means and whose sea resources are highly threatened by foreign fishing vessels involved in IUU fishing operations. This Manual that has been approved by the Heads of MCS national structures will be the subject of awareness-raising and dissemination campaigns at the national level, thus involving all the stakeholders.

The importance of the 2009 Agreement relating to Port States Measures for the member States and Liberia has been raised. Those who have not yet formally accepted this instrument have been urged to do so.

CONCEPTUAL NOTE ON THE PROJET RELATING TO THE CAPACITY-BUILDING OF THE MCS NATIONAL STRUCTURES IN THE SRFC MEMBER STATES AND LIBERIA

The Permanent Secretary has welcomed the presence of the Representative of the Embassy of the Grand Duchy of Luxembourg to Dakar, who specifically came to inform himself on the observations from the member States with regard to the conceptual Note.

The Representative of the Grand Duchy of Luxembourg has expressed his satisfaction to participate in a meeting that will enable him to explore the cooperation possibilities between his country and the SRFC, notably in the matter of communication systems, vessel detection and monitoring. He has shown his eagerness to receive a complete request from the SRFC, containing the needs of the member States and Liberia based on a sub-regional approach.

After the review of the projects that have contributed to the combat against IUU fishing in the sub-region (AFR010 and AFR/013/LUX-SOCU/DMCS/FAO/GCP/INT/722/LUX; support to the management of resources in West Africa (GIZ/SRFC); TCP/RAF/3212; WARFP/WB; MCS Project/EU-SRFC), the objectives, activities, and expected results of the project have been specified. The member States and Liberia have been urged to enrich this conceptual Note through the identification of their national needs.

The participants have highly welcomed the manifestation of interest of the Grand Duchy of Luxembourg with regard to possible new collaboration with the SRFC. The member States have been urged to express their real priority needs in terms of communication, detection and monitoring equipment of vessels, complementary to the benefits of the projects that are already underway.

DISCUSSIONS ON THE SUPPORT POSSIBILITIES FROM THE SRFC FOLLOWING THE REQUESTS OF THE STATES TO COMBAT VESSELS INVOLVED IN IUU OPERATIONS

Four member States have submitted the matter to the SRFC as part of the search of vessels that have committed IUU fishing activities in the waters under their national jurisdiction and sought refuge in other member States of the SRFC.

The actions undertaken by the SRFC have been magnified, notably the information of all the member States. However, some concerns relating to the availability of detailed information in due time and the definition of the required monitoring have been raised.

The States have recalled the role of interface of the SRFC and have recommended the SRFC to be deeply involved in the resolution process of these issues.

The States have expressed their concerns with regard to the situation of vessels involved in IUU fishing activities in a member State and that can seek refuge in another member State of the SRFC.

As a reply, the Permanent Secretary has asked the member States to implement the existing legal and technical instruments and to give due attention to the exchange of information among them on the one hand, and with the DMCS on the other hand.

The existence and necessity to implement the legal and technical instruments of the SRFC (*the revised MAC Convention and the Convention relating to the sub-regional cooperation in the exercise of the maritime pursuit right*) have been underscored. The need to disseminate and sensitize on these instruments have also been expressed by the States.

JOINT SURVEILLANCE OPERATIONS

- SARDINELLA operation

PARTICIPATING STATES

- The Gambia;
- Guinea-Bissau (missing);
- Senegal.

SURVEILLANCE AREAS

- Senegal central area;
- Gambian waters;
- Senegal southern area and common area of Guinea-Bissau/ Senegal.

RESULTS

No vessel involved in infraction has been identified among the 15 vessels that have been controlled.

LESSONS DRAWN FROM THESE RESULTS

Need to have continuous communication over the whole period of operation between the main engaged sea-born units and ground-born coordination structures concerned has been raised as well as the participation of units of all the participating countries.

- Preparation of Types of Operations (A, B & C)

Four (4) type A operations, regrouping the three southern countries (Guinea, Guinea- Bissau, Sierra Leone) have been retained. Each of these four operations should last about twenty (20) days. These operations should be supported by a patrol vessel from Cape Verde and a maritime patrol aircraft along with the participation of sea-born units of the countries concerned.

Two (2) type B operations, regrouping Senegal, the Gambia and the northern part of Guinea-Bissau have been retained in the program. These operations should be supported by a high-sea-born patrol vessel from Senegal along with the participation of sea-born units from the two other countries concerned, namely the Gambia and Guinea-Bissau.

As for the type C operation, it covers the northern countries (Mauritania, Cape Verde, and Senegal). These countries will make available their own sea-born units for the joint surveillance operation of about five (5) days along their common borders.

The participation of Guinea-Bissau in the joint surveillance operations has been raised. The Permanent Secretary has mentioned the possibility of financing the participation through funds from WARFP project, subject to approval by the World Bank.

RECOMMENDATIONS OF THE MEETING

The third meeting of the Technical Commission for MCS (TC/MCS) has recommended:

- Harmonization of infractions and penalties in national legislations concerning MCS ;
- Development of a strategy for DMCS-SOCU containing a vision that sets its roles and responsibilities as an operational structure for sub-regional coordination ;
- Encouragement of States to adhere to the 2009 Agreement relating to the Port State Measures ;
- Analysis of the situation of the member States' MCS in the light of the presentations made by national MCS Directors at the 3rd meeting of the TC/MCS aiming at expressing the top-priority needs in order to enrich the conceptual Note on the project relating to the capacity-building of the MCS national structures ;
- Involvement of the States in the study on the search of durable financing mechanisms of national and sub-regional MCS ;
- Exchange visits to share experiences in the matter of MCS;
- Visits to collect information as part of the effort of surveillance and monitoring of penalties ;
- Pursuit of the training of MCS inspectors and agents, and schedule of the training of observers at the national level.

The training topics are as follows:

- Retraining of inspectors and observers ;
- Support to the awareness-raising program, in synergy with WARFP, on the enforcement of the Port State Measures;
- Support to the elaboration of national plans of action to combat IUU fishing;
- Support to the implementation of the certification procedures of fisheries products (Senegal and Mauritania) ;
- Capacity-building of the agents in charge of MCS ;
- Dissemination and awareness-raising concerning the relevant regional and international Conventions relating to IUU fishing.

Date of the next meeting of the Technical Commission: the next meeting of the TC/MCS is scheduled for late February 2013 in a venue to be specified later.

CLOSING CEREMONY

On behalf of his MCS colleagues, the Chairman of the meeting, namely Mr. Thierno Aliou Diallo, has thanked all the participants for the quality of the contributions during the deliberations. He has wished them a safe journey back to their respective countries.

As for the Permanent Secretary, he has expressed his satisfaction with regard to the presence of MCS Directors at the 3rd meeting of the TC/MCS, thus witnessing their commitment to a better collaboration so as to significantly reduce IUU fishing in the area of the SRFC.

Considering the lack of means in the sub-region, he has urged the States to share their naval means and human resources, and exhorted the MCS Directors to raise their authorities' awareness with regard to the strengthening of national means for monitoring and surveillance.

In addition, Mr. Kane has stressed the importance of the planning of the next operations, the implementation of the sub-regional legal instruments (Pursuit rights and revised MAC Convention).

Further, he has regretted the lack of communication among the member States on the one hand, and between the member States and the Permanent Secretariat on the other hand, and has then recommended its improvement.

He has also mentioned the presence of a partner, namely the Luxembourg Cooperation, for a possible new project aimed at reinforcing the communication, detection, and vessel monitoring systems.

He has requested the MCS Directors to forward a copy of their report of mission to the Permanent Secretariat in order to favor better sharing of information with national authorities.

After expressing his satisfaction for the chairmanship of the meeting, Mr. Kane Ciré has thanked the reporters and interpreters for their availability. He has also asked to transmit his apologies to the English-speaking participants, who did not get the Report of the meeting, which will be shortly translated and sent to the States concerned.

Last but not least, he has expressed his gratitude and heart-felt thanks to the authorities of the Republic of the Gambia for accepting to host this meeting, before wishing all the participants a safe journey back to their respective home countries, in prospect of the holding of the next ordinary session of the Conference of Ministers of the SRFC.

Thus, the Permanent Secretary has declared the 3rd meeting of the TC/ MCS closed.

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AGENDA OF THE MEETING

	Thursday, 4 October	Friday, 5 October
8:30 – 9:30 a.m.	Registration of the participants and opening ceremony	
9:30 – 10:00 a.m.	1 – Review of the recommendations of the 2nd meeting of the TC/MCS	1 - Information on MCS aspects of the MAC ; 2 - Information on the Manual and enforcement of the Port States measures ; 3 - Information and discussions on the conceptual note under preparation
10:00 – 10:30 a.m.	COFFEE BREAK	COFFEE BREAK
10:30 – 1 p.m.	2 - Presentations per MS (Member States) on the effort to combat IUU fishing in each country ; according to the framework² (10 minutes per country)	4 - Discussions on the support possibilities of the SRFC, following the request of the States, with regard to the IUU vessels detected by States ; - Sardinella operation debriefing; - Preparation of forthcoming operations.
1 p.m. – 2 p.m.	LUNCH BREAK	LUNCH BREAK
2 p.m. – 3:30 p.m.	1. Summary of activities on DMCS/SOCU/EU/MCS : <ul style="list-style-type: none"> • strategy and boosting of SOCU • restoration and equipment of SOCU • Plan of action (work schedule + collection and dissemination of information) 	Synthesis, recommendations and schedule of the next training sessions ; final report
	COFFEE BREAK	COFFEE BREAK

² The framework will focus on: (i) organization of MCS in the countries; (ii) available means to combat IUU fishing; (iii) development a global strategy; (iv) obstacles and shortcomings; (v) operational supports and cooperation axes according to the country, including the need in terms of training.

	Thursday, 4 October	Friday, 5 October
4 p.m. - 5:30 p.m.	<p>2. Summary of activities (continued) :</p> <ul style="list-style-type: none"> • Institutional support • Legal support (compendium & MCS Convention) • Training program (summary and prospects) • Situation of investment (VMS and coastal stations) • Study on the durability of MCS financing <p>Discussions</p>	<p>(continued): Synthesis, recommendations and schedule of the next training sessions; final report</p> <p>Closing of the meeting</p>

PRESENTATIONS PER MS OF THE EFFORT TO COMBAT IUU FISHING