

9. TERMS OF REFERENCE REGIONAL WORKING GROUP ON ILLEGAL, UNREPORTED AND UNREGULATED FISHING (RWG-IUU)

1. Preamble

Recognising:

- That illegal, unreported and unregulated (IUU) fishing is any fishing which undermines or disregards national, regional or international fisheries conservation and management arrangements and measures;
- That high demand for fish, the economic benefits derived from IUU fishing and the inadequate monitoring, control and surveillance (MCS) systems in the WECAFC Region have made Caribbean States particularly vulnerable to IUU fishing;
- That IUU fishing is practiced by both domestic and foreign vessels;
- The responsibilities of States to manage fisheries in which their nationals are engaged and/or benefit;
- The interest of States in providing for the long term development of sustainable marine resources;
- The range and extent of fishing activities within and across coastal waters and the high seas;
- The impacts of fishing on non-target species and the wider marine environment;
- The costs of ensuring compliance by foreign and domestic vessels with fisheries management and conservation measures;
- The benefits of coordination and cooperation in fisheries-related monitoring, control and surveillance (MCS);
- The advantages of collecting and sharing MCS information; and
- The requirements of CRFM States to implement fisheries-related MCS measures pursuant to national, regional and international law, including:
 - Article 8.1.4 and other provisions related to MCS from the Code of Conduct for Responsible Fisheries;
 - The principles and rules of international law as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (the 1982 UN Convention); the United Nations Agreement for the Implementation of the Provisions of the UN Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 1995 (UN Fish Stocks Agreement); and the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 1993 (FAO Compliance Agreement); and
 - Article 24 of the International Plan of Action to Prevent, Deter and Eliminate Illegal Unregulated and Unreported Fishing; and

- Article 6 (viii) of the Castries (St Lucia) Declaration on Illegal, Unreported and Unregulated Fishing, where States agree to establish a Regional Working Group on Illegal, Unreported and Unregulated fishing (RWG-IUU) to regularly consult on methodologies and approaches in relation to deterring, eliminating IUU fishing.

The WECAFC member States indicate their intention to create a Regional Working Group on IUU fishing (RWG-IUU) with the view to define and drive national programs to collect information on foreign fishing vessel incursions into the Region's EEZ, and to propose options and courses of practical action that coastal States can (and should) take to engage pro-actively with relevant RFMOs and suspected (or proven flag States) to address and mitigate these forms of incursions as well as measures to monitor, control and survey their own vessels fishing in the waters of other coastal States, in waters under the auspices of an RFMO and the high seas.

2. Objective

2.1 The objective of the RWG-IUU is to improve coordination and cooperation between national organizations/institutions responsible for fisheries-related MCS in support of their common efforts to prevent, deter and eliminate IUU fishing.

3. Organization

3.1 The RWG-IUU will comprise one member from a national organizations responsible for MCS nominated by each participating country, one member of key partner organizations (OECS, CNFO, CRFM).

3.2 Persons or organizations with expertise in matters pertaining to MCS and IUU fishing may be invited to participate as an observer in the deliberations of the RWG-IUU.

3.3. The WECAFC Secretariat will act as secretary to the RWG-IUU.

4. Functions

The RWG-IUU shall:

- As a matter of priority, seek to identify and recommend cost effective measures that can be easily implemented in the short to medium term to combat, deter and eliminate IUU fishing.
- Review and assess the nature and extent of IUU fishing in the WECAFC region. In particular, the specific areas and species that are targeted by illegal fishing, domestic and/or foreign, and the main market for these IUU products;
- Review current methods and arrangements for timely collection, analysis, reporting and dissemination of data and information relating to DWFN poaching activities;
- Assess the viability of adopting modern technologies and methodologies to increase data capture, coverage and reliability;
- Develop recommendations for the establishment of formal protocol to facilitate transmittal of information regarding IUU fishing from coastal and/or market States to the flag State.
- Conduct a comprehensive review and assessment of the methods by which IUU products are harvested, handled and traded including potential loopholes in legal systems and make recommendations for cost effective strategies and mechanisms to address identified deficiencies;
- Review and assess best international/regional/national practices employed to combat, deter and eliminate IUU fishing and determine the suitability for adoption and implementation in the WECAFC region;

- Review and assess systems and mechanisms used by WECAFC Member States to address IUU fishing and make such recommendations as may be necessary to ensure their effectiveness;
- Provide advice and recommendations on viable methodologies to engage with flag States, regional fishery bodies and regional fishery management organizations in relation to data exchanges, in pursuit of reducing IUU fishing opportunities within the CRFM Region;
- Recommend mechanisms to ensure effective cooperation and coordination among WECAFC Member States and entities as may be necessary in regard to sharing of data and information;
- Promote the concept of collaborative policing approaches, with national fishers, and, where possible, through fisher organizations;
- Seek complementary funding to support activities relating to data capture, analysis and sharing at the regional, national and local levels;
- Promote technical assistance, training, experience exchange, and institutional development, to increase MCS knowledge and capability amongst participating parties; and
- Perform other tasks as may be determined by the member states.
- Develop plan to coordinated MCS actions in the WECAFC area by using as a model the regional fisheries surveillance plan of the southwest Indian Ocean. Such a plan would work to reduce the number of vessels fishing illegally in the region by at sea and aerial surveillance operations; by using satellite and oceanographic data to plan surveillance operations; by using surveillance infrastructures; by reinforcing national FMCs and improving the regional exchange of information and collaboration; by training inspectors and observers.

5. Meetings

The RWG-IUU shall meet at least once every two years. However, the RWG may meet electronically and on an opportunistic basis afforded by the presence of members at other regional workshops or meetings as considered necessary. The deliberations and recommendations of the RWG shall be in writing.

6. RWG-IUU Costs

The cost of participation in meetings of the RWG-IUU will be met by the WECAFC Members. Additional resources may be mobilized with support from the CRFM and WECAFC Secretariats.

UPDATED WORK PLAN (2018-2020) OF THE REGIONAL WORKING GROUP ON ILLEGAL, UNREPORTED AND UNREGULATED FISHING (RWG-IUU)

Activity	Timeframe	Responsible	Status	Proposed activity end date
Develop a draft regional plan of action to combat IUU fishing (RPOA-IUU)	Rescheduled to 2018	RWG IUU coordinated by the WECAFC Secretariat	Ongoing	
Organization of the 3 rd meeting of the RWG-IUU – focus on the RPOA-IUU finalization	26-28 September 2018	WECAFC + CRFM (as convener): meeting supported by EU-DG Mare funded project, the CLME+ project sub-project for shrimp and groundfish and REBYC II LAC	Meeting held	
Design and carry out a review study to assess the nature and extent of IUU fishing in the WECAFC region	2019	Convener + WG members	Had previously been postponed pending development[finalization] of FAO methodological guidelines	March 2019
Finalization of the study proposal Determining cost effective measures to combat IUU fishing, and approaching of potential resource partners	2019	Convener + CRFM	Concept note developed; develop and finalise proposal	Dependent on outcome of assessment of the extent of IUU
Submission of advice and recommendations generated by the 3 RWG-IUU meetings for review/discussion and approval within CRFM and	October 2017 – January 2019	Interim Coordination Mechanism for Sustainable Fisheries (CLME+ supported)	Recommendations from 1 st and 2 nd meetings and the outcomes of 3 rd meeting to be submitted to ICM once clarified	In time for WECAFC 17

OSPESCA				
Reporting to the 9th meeting of the WECAFC Scientific Advisory Group (SAG) for review of advice and recommendations	November 2018	Convener + WECAFC Secretariat	Recommendations from RWG IUU 3rd meeting submitted to SAG for endorsement	November 2018
Encourage/support alignment of national regulations, to ensure effective monitoring and control of transshipment activities, with FAO guidelines for regulating, monitoring and controlling transshipment.	2018 to 2020	Interim Coordination Mechanism for Sustainable Fisheries; WG Members	New activity pursuant to outcome of RWG IUU 3	End 2020; WECAFC 17
Identify information that should be shared at regional level to facilitate enforcement of transshipment regulations	2018 to 2019	Interim Coordination Mechanism for Sustainable Fisheries; WG Members	New activity pursuant to outcome of RWG IUU 3	Mid 2019
Encourage/support alignment of national regulations, with voluntary guidelines for marking of fishing gear.	2018 to 2019	Interim Coordination Mechanism for Sustainable Fisheries; WG Members	New activity pursuant to outcome of RWG IUU 3	Mid 2019
Develop an IUU Vessel List for the region, using internationally applied criteria and procedures, and arrange with TM Tracking for maintaining the list	September 2018	WG Members with WECAFC, CRFM, OSPESCA and TM Tracking	t.b.d.	Probable review of the FAO Standard Specifications for the Marking and Identification of Fishing Vessels for the updated

Develop and finalise RPOA IUU	January 2019	WG Members with WECAFC, CRFM, OSPESCA, Consultant(s)	New activity pursuant to outcome of RWG IUU 3	Submission to WECAFC 17 in April 2019
Develop NPOAs - IUU based on the RPOA-IUU and inform FAO/WECAFC after adoption	2018 to 2020	WG members	ongoing?	Dependent on completion of RPOA; end 2020?
Develop protocols for “cooperation in monitoring, control and surveillance to combat illegal, unregulated and unreported fishing” under the Caribbean Community Common Fishery Policy and OSPESCA, respectively	2018 to 2020	CRFM, OSPESCA plus relevant WG members; supported by WECAFC Secretariat	To be determined.	Pursuant to [and dependent on finalization of] RPOA; by May 2020?
Organize exchange of information and study tours for WG members to learn about successful and best-practice approaches in MCS and fisheries inspection in general	2018-2020	WG members, facilitate by the CRFM, OSPESCA and WECAFC Secretariats	To be determined	