

MCS PRACTITIONERS INTRODUCTORY GUIDE TO:

INDUSTRIAL FISHING VESSEL INSPECTIONS



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GLOSSARY OF TERMS

AIS	Automatic Identification System
AREP	Advance Request for Entry to Port
°C	Degrees Celsius
EEZ	Exclusive Economic Zone
E-log	Electronic Logbook
EPIRB	Emergency Position Indicating Radio Beacon
FAD	Fish Aggregation Device
FAO	United Nations Food and Agriculture Organization
GPS	Global Positioning System
GRT	Gross Registered Tonnes
IRCS	International Radio Call Sign
IUU	Illegal, Unreported and Unregulated (fishing)
kg	Kilogram
MCS	Monitoring, Control and Surveillance
MMSI	Maritime Mobile Service Identity
MTU	Mobile Transceiver Unit
PSMA	Port State Measures Agreement
RFMO	Regional Fisheries Management Organisation
SART	Search and Rescue Transponder
SOP	Standard Operating Procedure
TMT	Trygg Mat Tracking
VMS	Vessel Monitoring System



This MCS Practitioners Introductory Guide has been developed by Trygg Mat Tracking (TMT) in cooperation with the IMCS Network. It is intended to be used as a training tool towards building knowledge in personnel working in all agencies (Fisheries, Port, Coast Guard and Navy, Maritime etc.) who may play an operational role in fisheries monitoring, control, and surveillance (MCS), as well as for use by broader interested stakeholders.

While this guide is a stand-alone tool focussed on introducing the key concepts required to carry out an industrial fishing vessel inspection, it has been developed as part of series of similar introductory guides on major industrial fishing vessels, gear types, and related operations.

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FISHING VESSEL INSPECTIONS – PURPOSE AND SCOPE

Vessel inspections in port and at sea allow authorities to physically observe areas of interest, check licencing and verify compliance, and ensure that fishing vessels are operating in a manner that meets the requirements set through the fishing vessel's authorisation conditions. Inspections may happen at port or at sea with both allowing different opportunities to verify compliance.

It is the right and duty of nations to enforce the legal requirements related to fishing operations, whether these are taking place at sea or in port. Inspections are a crucial component of the monitoring, control, and surveillance (MCS) required to achieve this objective. Inspections are particularly vital in confirming a fishing vessel's identity, that it is operating within its licensing conditions and other legal requirements, for verifying catch, documentation, and gear, and for building evidence against suspect activities.

The ability to physically inspect a fishing vessel in port or at sea allows authorities to observe the physical vessel, review documents, examine areas of interest such as gear, catch and crew, and investigate uncertainties that have been identified either ahead of the inspection or during it. Inspections provide the opportunity to verify the operating behaviour of a fishing vessel in situ, and to gain crucial human intelligence that is not attainable through remote sensing methods. When conducted in cooperation with other agencies, fishing vessel safety, labour, and other operating requirements can also be inspected and verified; in some cases, individual agencies may have delegated powers across multiple areas, for example the coast guards of many countries.

Physical inspections are best conducted in conjunction with remote sensing and other MCS tools that can help inform inspection priorities. Due to the vast scope an inspection could cover, inspections should be supported with as much intelligence as possible to target risk issues rather than aim to inspect everything. In certain cases, inspections may serve as a means of identifying and gathering evidence against non-compliance. However, it is important that inspectors approach any inspection with the mindset of verifying compliance, rather than confirming non-compliance.



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WHO IS INVOLVED IN A FISHERIES INSPECTION?

Fisheries inspections are generally led by personnel from the relevant national fisheries authority. However, for both port and at sea inspections, in many cases joint inspection teams involving other 'frontline' MCS agencies, including port authorities, navy / coastguard / maritime police, maritime safety and labour authorities, can take part. It is important that standard operating procedures (SOPs) and dedicated personnel are established, and those personnel involved should have a full understanding of these procedures, their legal frameworks, and authority.

Good relations and teamwork between fisheries and other national agencies are essential, along with good communications, information sharing, and a clear decision-making structure. Competing agendas must be resolved. These requirements may require a cooperation agreement such as a memorandum of understanding. At the international level, some regional fisheries management organisations (RFMOs) operate high seas boarding and inspection schemes that guide these types of operations.

PRACTICING GENERAL SAFE PRACTICE

As an inspector or part of a boarding team (both in port and at-sea), personnel are tasked with entering an unknown space and examining a vessel for compliance with fisheries laws. The boarding and inspection of a fishing vessel represents a difficult and sometimes dangerous working environment - particularly at sea. In addition, fishing vessels are full of hard-to-reach areas, hidden storage areas and hiding places that could be hazardous to an inspector who is not familiar with their surroundings. There are some general rules to ensure inspectors remain safe during an inspection:

During the inspection:

- 1) Inspectors should never be unaccompanied, always work in a minimum team of two persons
- 2) Maintain routine communications with a ground (if in port) or patrol (if at sea) asset
- 3) Ensure one person remains on the bridge with the vessel captain/master at all times
- 4) Centralise the fishing vessel crew on the deck if possible (dependant on the risk profile of the vessel)
- 5) Ensure all declared weapons onboard are secure

In the perspective of the crew, an inspector/team are coming on board a vessel that represents their home and place of work, where they may have been living undisturbed for several months. Inspectors should always maintain professionalism and a respect for the crew and vessel during inspections.

Inspections should follow a SOP set out by the authority or inspecting body and use standardised inspection forms to ensure and document a thorough process. Maintaining operational and safety standards is critical (regardless of the individual inspector's experience).



DOCUMENTING THE INSPECTION

If possible, inspectors should endeavour to use photography to document the vessel, gear, documents etc., particularly for anything unusual or where there may be a compliance issue. These photos can become part of the vessel's record, and potentially be used in a compliance case. For more information on maximising photography in support of inspections, please refer to the 'Photo Manual for Fisheries Enforcement'¹.

¹ Available at www.tm-tracking.org/post/2017/02/08/photo-manual-for-fisheries-enforcement

KEY INSPECTION TYPES AND CONSIDERATIONS

This section provides a short overview of different inspection types. These are not intended to give a comprehensive summary of all the needs for each of these inspection types, but rather the main considerations. Each inspection type should in practice be guided by a dedicated SOP and be carried out by inspectors specifically trained in the inspection requirements.

PRE-LICENSE INSPECTIONS

The objective of pre-licensing inspection can vary country by country, but generally focus on the following objectives:

- 1) Verify the identity of the vessel and if the details in the documentation submitted for licensing correspond with the reality of the vessel.
- 2) Vessel particulars (vessels length, beam, hold capacity, etc)
- 3) Vessel markings (normally against national requirement or FAO guidelines).
- 4) Fishing gear should align with licensing conditions.
- 5) VMS / AIS mobile transceiver units (MTUs) should be confirmed to be in working order (if required).
- 6) Safety Equipment and procedures.
- 7) Observer accommodation (if required).
- 8) Any other requirements mandated by the license issuing authority.

This inspection generally happens when a fishing vessel first enters the fishery, but may also be a period requirement. The inspection is generally conducted in a national port, however in some cases a licensing officer may travel to another country where the vessel is located to authorise licensing. The use of the 'Document Verification Manual'² is advised to assist this process.

Dependent on the country, licensing may require confirmation of the seaworthiness of a vessel. The reflagging of a vessel to the country granting the licence may also be a condition set out within the fishing licence conditions. In both cases the pre-licensing condition is likely to involve the registry (generally maritime) authority.

² See the Document Verification Manual for Fisheries Enforcement, available at <https://www.tn-tracking.org/post/document-verification-manual-vessel-identity>

PORT INSPECTIONS - Pre-arrival – Advanced Request for Entry to Port (AREP)

Vessels should announce their intention to enter port once fisheries operations are finished and before entry to port³. Depending on the type of vessel and area of operation, the minimal timeframe required between end of operations and port entry should be established⁴. Once a request for entry to port has been received, all relevant sources of intelligence should be used to analyse the incoming vessel in terms of four key risk elements:

- 1) Identity (from vessel registers and authorisation lists. i.e. national and RFMO registers, IUU vessel databases, etc),
- 2) Authorisation / licensing status (what information about the RFMO authorisation and/or coastal and flag state license validity and conditions is available on the vessel for the period of time it was fishing since the last port entry)
- 3) Vessel movements (are the vessel reporting on VMS or AIS? If so, does the analysis indicate if it was operating in the high seas and all coastal State waters, where it was authorized or licenced to?)
- 4) Fishing operation characteristics (was there vessel movements consistent with transshipments and contact with other vessels?) Are there any 'dark periods'? etc.

Once the pre-entry to port analysis has been conducted, this intelligence should inform three key questions that govern what steps are taken next:

- 1) Do we allow the vessel entry to port?
- 2) If we allow the vessel entry to port, do we inspect it?
- 3) If we inspect the vessel, are there any particular areas of risk / concern that should be targeted for the inspection?

If the decision is to allow the vessel into port and inspect it, the mission of the inspection is to investigate and verify any issues found prior to arrival and to generally make sure the vessel has not been involved in IUU fishing or related illicit activities. It should include interviews with master and crew, inspection of documents, gear, general aspect of the vessel and catches. Paper records, electronic records, and the physical amount of fish by species and quantity must match up, including a crosscheck that the species and quantity recorded in the prior notice of landing match the species and quantity landed or transhipped.

³ Under the FAO Port State Measures Agreement that many countries are now implementing, this process is called the Advanced Request for Entry into Port (AREP).

⁴ It is recommended that the AREP (or any similar port entry request process) should require the fishing vessel to submit the request at least 72 hours before entry to port to give adequate time to conduct the risk assessment and prepare for any required inspection.

All gear on-board (on deck or stowed) should be inspected to make sure it is legal in terms of its characteristics (e.g. meets legal mesh size, meets gear identification marking standards etc.) Only after the inspection is finished, signed off, and documented (no offences proven or suspected), then authorization to use the port (including unloading or transshipment) is given.

In an increasing number of countries, after the vessel has been cleared for unloading, inspectors board the vessel for monitoring of catch unloading (landings and transshipments). The key objectives are to record estimates of catch amount and species composition against the catch logs on board the vessel as well as the vessel's authorisation.



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DEPARTURE CLEARANCE

Fishing vessels and reefers should be subject to departure clearance procedures. This may not involve inspection of all vessels; however, approval to depart and consideration of the need for an inspection based on a risk assessment should be conducted prior to departure. Generally, the focus of these inspections is on any fish on board, and hence it should be high priority to access a copy of the vessel's manifest and loading plan prior to inspection. This document will show the vessel's hold sizes and the amount of each species held within each hold. The inspector should aim to verify visually if the information provided is truthful; if necessary, this information should be stated in the logbook and passed to the next declared port of call. Also, on occasion, observer deployment is part of the clearance procedure.



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PORT STATE MEASURES AGREEMENT

The Port State Measures Agreement (PSMA) is the first binding international agreement specifically aimed at tackling IUU fishing. The PSMA came into force in 2016 after reaching a required threshold of 25 Parties. Currently, 69 Parties have ratified the Agreement. The PSMA provides for the adoption and implementation of port State measures “as a means of ensuring the long-term conservation and sustainable use of living marine resources”. It focuses on the responsibilities of Parties in their capacities as port States and requires them to place standardized control measures on foreign-flagged fishing vessels seeking port entry and use of ports to land, transship, package or process fish and for other port services, including refueling and resupplying, maintenance and drydocking if they have catch on board that has not yet been landed.

The PSMA defines a minimum level of procedures and inspections that must be conducted to verify that such vessels did not engage in IUU fishing or in related activities in support of IUU fishing. These include gathering information when vessels request port entry which then provides the basis for approval or denial of port entry and a potential trigger for a port inspection. In addition, the PSMA requires cooperation and exchange of information between state Parties, the FAO, other international organizations, and RFMOs to promote the effective implementation of the Agreement.

The overarching goal of the PSMA is to prevent fish sourced from IUU fishing activities from reaching national and international markets, thereby “reducing the incentive for perpetrators to continue to operate”. The PSMA is a cost-effective tool for fighting IUU fishing, safer and less expensive by comparison to patrol vessels conducting surveillance patrols although it is not meant to replace at-sea patrols boardings and inspections, which remain necessary. The

PSMA requires Parties to cooperate and exchange information. Cooperation in the context of PSMA implementation involves information exchange. In the case of denial of port entry, the port State must communicate its decision to the flag State of the vessel and to relevant coastal States, RFMOs and other international organizations. When possible, direct electronic exchange of information is preferred but not required.

Article 7 of the PSMA mandates that state Parties designate and publicize ports to which foreign flagged vessels may request entry. When a foreign vessel seeks port entry, the designated port State requires a minimum level of information before it authorizes port entry for the vessel. That information must be submitted with sufficient advanced notice to allow for the examination of such information by port inspectors. After receiving the requested information, the port State then decides whether to authorize or deny the entry of the vessel into its port. Port entry must be denied when there is sufficient proof that the vessel seeking port entry has engaged in IUU fishing or in an activity supporting IUU fishing, if it is included on lists of IUU vessels adopted by a relevant RFMO.

However, the port State can still choose to allow port entry for the sole purpose of inspecting the vessel. If the vessel is already in port, the port authority must deny the vessel use of the port and its facilities. A port State must refuse use of its port as well if the foreign flagged vessel does not have valid and applicable authorizations to engage in fishing or related activities or has fish on board that was taken in contravention with the applicable requirements of a coastal State in waters under its national jurisdiction. Port entry must also be denied if the flag State does not confirm within a reasonable period that the catch on board was taken with applicable requirements of relevant RFMOs.

Under the PSMA, port States must ensure that their designated ports have sufficient capacity to conduct inspections. It also outlines the following priorities for port inspections: (1) vessels that have been denied entry or use of a port in accordance with the Agreement; (2) requests from other relevant Parties, States, or RFMOs that particular vessels be inspected, particularly where such requests are supported by evidence of IUU fishing or activities in support of IUU fishing; (3) other vessels for which there are clear grounds for suspecting they have engaged in IUU fishing or related activities.

Inspectors are required to examine all relevant areas of the vessel, the fish on board, the nets and other gear, equipment, and any document or record on board that is relevant to verifying compliance with relevant conservation and management measures. It should be noted that ratification of the PSMA does not mean that good port controls cannot be implemented; states can incorporate port state measures best practice based on the PSMA until such time that they are ready to ratify.



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AT SEA

Boarding fishing vessels at sea require resources, logistics and planning to be effective. At sea inspections can be carried out from dedicated fisheries patrol vessels, from a navy or coastguard vessel, or even a private vessel with a patrol agreement in place. The main role of an at sea boarding and inspection is to verify the legality of a fishing vessel while it is operating, providing a snapshot to the reality of a fishing vessel's activities. An at sea inspection should cover three key elements:

- 1) Confirming vessel identity - is the vessel who it says it is?
- 2) Confirming licensing / authorisation - is the vessel licenced/authorised to fish in its current location with the gear it is using and for the species it is catching?
- 3) Confirming compliance – is the vessel operating in compliance with the conditions as set out in its licence? This includes gear compliance, reporting, and conditions such as bird mortality mitigation, bycatch avoidance, etc.

Boarding any vessel at sea is a challenging operation. Sea conditions mean the boarding itself requires careful planning, training ahead of time, and execution. Once on board it should be considered that fishing vessels are industrial workplaces with heavy machinery and hazardous areas that the inspector may not be accustomed to. To mitigate risk and maintain levels of control/safety there are some standardised rules that should be adhered to. Ahead of the inspection:

- 1) Preferably secure permission to board the vessel from the Master (not always possible / given even when legally required)
- 2) Understand any history of the vessel that may impact the boarding
- 3) Define areas of interest for inspection
- 4) Number of crew and if any weapons on board

During the inspection:

- 1) Never go anywhere on the ship alone
- 2) Always ask permission or warning before entering an area
- 3) When entering holds or between decks ensure you have a known person on either side of lockable doors
- 4) Take a member of the fishing vessel crew with you on inspection (ideally with a common language)
- 5) Maintain a standardised (5-10 minute) radio check-in with the patrol vessel



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VESSEL INSPECTIONS - WHAT TO LOOK FOR?

AHEAD OF THE INSPECTION

It is impossible to regulate what one does not understand. Therefore, to be able to undertake effective inspections, inspectors need to build an understanding of how a fishing vessel operates in key areas. These include (but are not limited to):

- 1) When and where the vessel can fish
- 2) What species of fish it can and cannot catch or retain
- 3) What gear it can use and have on-board, etc.
- 4) How the fishing gear is structured, deployed, and manoeuvred
- 5) What other licensing or other conditions and measures the vessel must comply with
- 6) How catches are handled and stored on board
- 7) What are the roles and responsibilities of the various crew members including observers, if embarked
- 8) What records are taken and where they are stored on board the vessel (both electronic and written)
- 9) Which instruments on board are used for fishing operations and what information these store
- 10) Whether the vessel or its operators have a known non-compliance history

The more information that is obtained by inspectors before boarding, the more effective inspections will be. Maintaining operational and record keeping standards is critical, particularly when it comes to evidence collection and chain of custody in the case a possible infraction is uncovered.



DURING INSPECTION

The following section provides an overview of an industrial fishing vessel's structures, equipment and records that are considered relevant to a vessel inspection. Not all of these will be relevant for every inspection, but a fisheries inspector should be familiar and have a working knowledge of each type when planning and conducting an action.

1) SHIP EXTERIOR

Vessel Markings: The vessel should be showing a flag of the registration country, a clear name on the bow and stern as well as other identifying features. Dependent on flag and coastal State requirements this could include IRCS (call sign), IMO number, licence/permit number, and/or MMSI number⁵. As national and regional fishery management organisation requirements on vessel markings vary, an inspector should be familiar with the requirements relevant to his/her role. If visible, vessel markings should be checked against the vessel's declared details (if any) and against any authorisation lists the fisheries authority may have. Note that it is common for vessels with illegal fishing histories to change their name and obscure identity details. Time should be taken to examine whether the vessel has been freshly painted with a new name (often old names are visible underneath) and if any identifying numbers have been obscured by paint or fenders/netting etc.



Equipment: When approaching the vessel, several antenna and communications domes may be visible. This is a good indication of the vessel's connectivity. Presence of internet domes (usually large domes with a flat base, as seen in the image below high on the main mast) suggests the vessel has an active email facility and may be relatively well-funded as these are expensive to service and maintain. This may also suggest that the vessel has AIS and/or VMS systems installed that are worth investigating if the vessel is not broadcasting its position.

Activity on board: When approaching the vessel, inspectors should watch for activity on board. How the crew and officers react prior to an inspection may indicate issues onboard. This is particularly true for inspections at sea, and activities such as discarding of shark fins and unauthorised species, illegal gear or other items before boarding may suggest illegal activity has taken place. Vessels that are accustomed to inspections may have all the necessary paperwork ready for inspection as soon as the inspector is on board the vessel, however time should be taken to inspect/observe other documents to ensure consistencies with vessel identity and authorisations.

⁵ To learn more about fishing vessel marking requirements, see 'The Marking and Identification of Fishing Vessels', available at <https://www.tm-tracking.org/post/2017/09/25/new-briefing-the-marking-and-identification-of-fishing-vessels>

2) BRIDGE

Equipment: A vessel's electronic chart display (provided the inspectors are familiar with the technology) can provide insight into the vessel's positional history if AIS and VMS positions are not available. Examining the vessel's previous tracks may show historic vessel movements that could indicate fishing activity in unauthorised areas etc. AIS and VMS units may also be present on the bridge, and it should be determined whether these are operational or not (the inspector should be aware of whether the vessel is broadcasting positions before inspection).

Vessel safety equipment such as SARTs and EPIRBs are often mounted on the bridge wings; these may have the expiry dates of their last function tests printed on the equipment. If within the remit of the inspector's authority, these should be checked in correlation with the Ship Safety Certificate to ensure equipment is in date and correctly serviced.

Note: If possible, the inspector should request that a member of the ships' crew operates any navigational equipment while it is being inspected, to prevent a situation where the inspector may alter or damage any of the ship's equipment through improper use.



Logs: Logs are a key area for inspectors to focus, as these records provide important insight into the vessel's fishing operation. It is possible that a fishing vessel may maintain several logbooks relevant to the fishing operation, including a Ships Log, Fishing logs or logsheets, and Transhipment Log. These logs should be thoroughly checked for discrepancies and undeclared events that may indicate unauthorised activities. For example, the catch log may not match with the species observed on board. In fisheries where shark finning is prominent, the logbooks should be checked to see how many shark carcasses are declared on board and verify this against the amount of shark fins found.

Engineering logbooks are also important as these can contain information such as engine activity, which can be cross-verified with the ships log and fishing log. In addition, there are frequently logs that track the temperatures of the cargo holds. Fluctuations in hold temperatures can provide indications of transshipment events; when the cargo hold is opened the fish holds get warmer, which under normal circumstances is not desirable so as to maintain quality of the catch. In certain fisheries there may also be a FAD logbook which can provide insight as to the deployment, location, and retrieval of FADs.

Electronic logbooks (E-logs) are increasingly being used across some fisheries. Where this is part of the fishing licence conditions, then the fisheries department that issued the licence should be receiving information from the E-Log.

Not all licence conditions require the maintenance of an active logbook. Inspectors should be familiar with their national licencing and reporting conditions before conducting an inspection. As general good practice, inspectors should sign and stamp logbooks following an inspection so that future inspectors can see when the vessel was last inspected; a copy can be offered to the captain of the vessel as well.



Vessel Documents: Documents carried onboard a fishing vessel may provide information about the vessel's identity, registration, physical characteristics, what activities it is permitted to engage in and where, and whether it has been certified as compliant with required safety regulations. However, documents can be altered, replicated, or obtained by illegal means, making them false, so it is essential that vessel documents are systematically verified as part of the inspection process. False documents are used in an attempt to hide illegal activities or to avoid obligations and costs. False vessel registration certificates, fishing licences or catch certificates are a key element in many cases of illegal fishing, as illegal operators either alter existing documents or create forged documents.

Common reasons for Fishing Vessels to use False Documents

- 1) Conceal the true identity of the vessel
- 2) Avoid complying with safety regulations
- 3) Avoid or underpay fees
- 4) Gain illegal access to resources or services

For more in-depth information see the 'Document Verification Manual for Fisheries Enforcement'⁶.



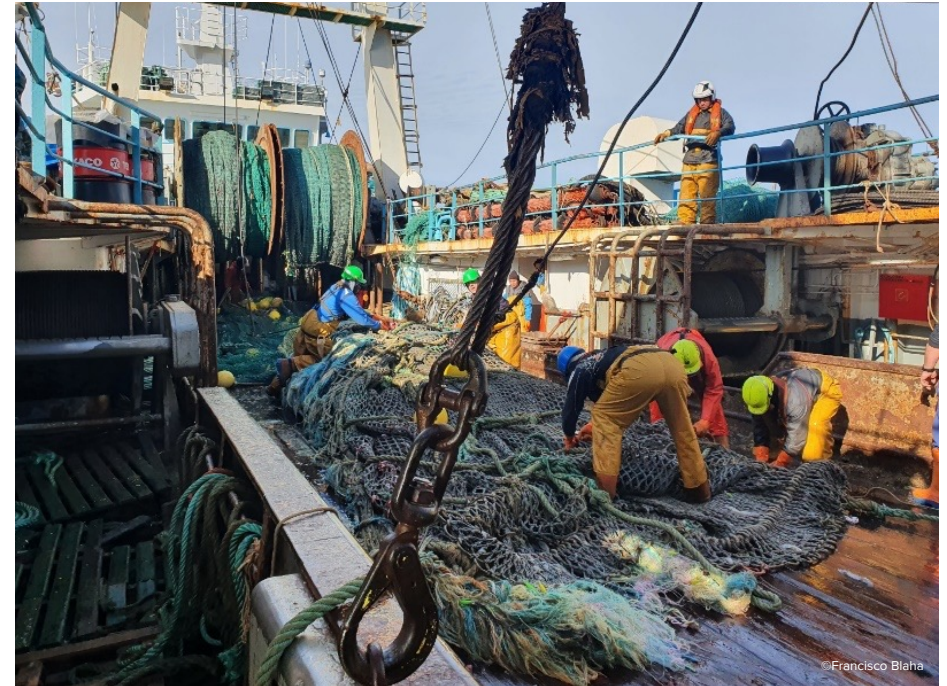
⁶ Available at <https://www.tm-tracking.org/post/document-verification-manual-vessel-identity>

3) DECK AND HOLDS

Deck area: Inspectors should take time to conduct an in-depth examination of the deck area. This working area of a ship can provide inspectors with a lot of information pertaining to the vessel's fishing operating methods and safety ethos (if this latter is within the remit of the inspection), as well as indicate potential illicit activities. Inspectors should also look for adapted areas such as additional refrigeration areas or storage areas. These areas should be examined for non-authorized activities such as storage of additional catch, hiding of gear, additional crew accommodation etc.

Fishing Gear: While on deck, a key area to examine is the vessel's fishing gear. Inspectors should be familiar with all gear types (see other MCS Practitioner Guides in this series) and what the vessel is currently authorised to use within their licences and authorisations. Any restrictions on the gear such as net mesh size or any conservation devices (such as turtle exclusion devices etc.) should also be examined.

During an at sea inspection, time should be taken to also examine stowed gear, as this may be used without authorisation. In particular, examine the method in which the gear is stowed, how accessible it is and how recently the gear may have been used. Algae build up, bird droppings and general dirt are good indicators that the net may not have been active for some time, whereas a wet or relatively clean net can indicate one that is actively being used. Where intelligence indicates a fishing activity that does not match the gear that is observable, it may be necessary to search for gear hidden elsewhere on the.



Catch related: Most licensing conditions specify the target species, the bycatch able to be retained on board, and in some cases total allowable catch volumes. It is well known that one of the critical IUU fishing issues relates to underreporting and misreporting of catches. Transhipments or offloads in port in particular are one of the last opportunities for inspectors to measure the level of a vessel's reporting of catch before the fish is transported further for processing.

Inspections should include storage holds for species composition, and an evaluation if the volumes found are in a similar ratio as in the logbooks / catch declarations, etc. If the vessel has, for example, only bycatch on board, then potentially an illegal transhipment may have taken place involving the target species. When fish are offloaded in port, they can also be inspected for species composition to ensure that these meet requirements.

If fish is stored in boxes or other containers, a random sampling of these should be opened to ensure the species are legitimate. In port these can also be weighed to ensure that they are meeting weight standards e.g. a 20 kg box of fish should weigh close to that amount (some small variation is likely); dependent on the market for the fish, both under and over reporting of weight could indicate that an illegal activity is taking place. All containers should also be inspected to ensure that legal requirements for marking are met.

Mislabelling: Poor or deliberate mislabelling of packaged fish can hide potential problems. These include the capture and offload of unauthorised species, or the deliberate mislabelling of high value fish as low value ones to reduce landing or export fees. Mislabelled boxes also represent a risk of fish laundering; there have been many known cases of one vessel obtaining a license while in fact two or more vessels catch fish and package them using this name. The packages are transhipped, either to the licensed vessel or a reefer, which then lands all the packages as legally caught fish.



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Note: It should be noted that hidden compartments and fish holds can also be used by fishing vessels engaging in other crimes to hide contraband; if this is the case then the relevant authority should be immediately contacted to carry out their own inspections.

Safety: Inspectors should observe the safety culture on board. As a general rule, vessels carrying out legitimate fishing operations will have a higher safety standard, while vessels in a poor state of maintenance with no safety culture can be considered at greater risk of other infractions.

4) OBSERVERS

The presence of an observer on board a vessel gives inspectors the opportunity to gather information on the vessel's activity through an impartial and independent source. Observers are embarked on board vessels to gather information on catch and in some cases (dependant on the fishery and observer role) vessel compliance with fishery management measures. As well as gathering information specified by their brief, observers spend extended time periods on vessels, and will have knowledge of events that may help during an inspection.

Observers remain on board a vessel after the inspectors have left. It is therefore of utmost importance that inspectors do not compromise the position and safety of an observer by overtly investigating issues raised by the observer while on board or interviewing the observer in the presence of other crew members. Mitigating against this risk should be the priority of every inspector. Interviews should be conducted in private, and any indicators of noncompliance raised by the observer should be dealt with discretely. If an issue is raised that may compromise the observer's position on board, efforts should be made to organise the removal of the observer from the vessel before these issues are dealt with.



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5) LABOUR ISSUES

Inspection of labour issues of fishing vessels crews generally falls outside of the responsibility of a fisheries inspector. Nonetheless, crew labour conditions are an important issue on many fishing vessels, and fisheries inspectors should be aware of these challenges. Increasingly, fisheries and labour inspectors are working together in many countries to coordinate efforts on this issue.

Crews working in any fishing vessel commonly have extremely difficult working conditions. The injury and fatality rates are higher in fisheries than any other sector. For those vessels operating in distant water fisheries, crews can be out at sea for months or even up to a year before the vessel returns to port. Living conditions are frequently cramped, and food and water can be of poor quality. In the worst scenarios, crews can be working under conditions that can be considered as indentured labour and/or physically abusive, up to and including death.

Identifying if crew are working in unsafe, unsanitary, abusive, or even under indentured labour conditions can be very difficult. Fisheries inspectors on their own are frequently not trained to identify these issues, or do not have the remit to address this issue within their inspections, and it is recommended that appropriate training, or cooperation with labour agencies, is developed. An important source of information is the crew themselves, and it is important to build a positive rapport with them.

However, if interviewing crew for whatever reason, inspectors need to be aware of the safety and confidentiality issues that potentially arise once the inspection is over, and the crew are left on board to potentially suffer negative consequences from the vessel's officers. While in port, a good strategy is to invite the crew to the wharf for interviews, as then they will be under the jurisdiction of the port State, instead of the flag State while they are on board the vessel.

Crew conditions will vary considerably based on the flag State (and increasingly coastal State) requirements, and it is important to understand that what may be seen as poor working and living conditions according to the standards set by one country are standard for another. Nonetheless, all crew should be working under reasonable working conditions, and any indications otherwise should be further investigated by the relevant national Labour agency.

RISK INDICATORS

When observed during an inspection, any or all of the above issues should be considered as a risk indicator of potential problems elsewhere. Illegal fishing operations are done to maximise profit, and by the same token a vessel owner may seek to make or save money in other ways and through breaking other laws, such as not investing in safety standards, falsifying documents, or using underpaid or even indentured crew. Looking at these issues not in isolation, can contribute to the successful identification of key problems and illegalities during an inspection.



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The *MCS Practitioners Introductory Guide* series has been developed by Trygg Mat Tracking (TMT) in cooperation with the IMCS Network.

They are intended to be used as training tools to introduce common international industrial fishing vessels, gear types, and operations, towards building knowledge in personnel working in all agencies (Fisheries, Port, Coast Guard and Navy, Maritime etc.) who may play an operational role in fisheries monitoring control and surveillance (MCS), as well as for use by broader interested stakeholders.

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