

ASIA-PACIFIC FISHERY COMMISSION (APFIC)

IMPLEMENTATION OF PORT STATE MEASURES

Port Inspection Workshop Workbook for Trainers

Volume 2



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FOREWORD

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. Port State Controls are now recognized as an effective tool to combat IUU fishing and this has been reinforced with the development of the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

The Asia-Pacific Fishery Commission (APFIC) has been requested by its member countries to assist in developing regional guidance and capacity building in the implementation of Port State Measures. As part of this commitment, APFIC and the FAO Regional Office for Asia and the Pacific, with the assistance of the Department of Fisheries Thailand, have developed a "Port Inspection Training Course". The target organizations for port inspection training come from a cross-section of national agencies responsible for various aspects of enforcement. These may include staff from fisheries, customs, immigration, coast guard, police, navy, port authorities, and maritime officers. The course has been developed based on the training requirements for inspectors, as detailed in the 2009 FAO Port State Measures Agreement.

This publication is a three-volume set of training materials to build skills and capacity of fisheries, maritime, customs and port staff in undertaking port state inspections. Successful trainees are expected to gain confidence to participate as part of a team in port inspections, both independently, and in concert with other competent authorities for Port Control.

The three volumes are intended to be used in conjunction with the other volumes. This volume, "Port inspection workshop: Workbook for trainers" provides guidance for trainers on conducting a training workshop and contains the descriptions of breakout activities, workshop case studies and training notes. It should be used together with the other two volumes in the series as part of the complete training course programme.

This port inspection training course is an important first step in building the institutional capacity and confidence to use Port Controls effectively as a measure to combat illegal, unreported and unregulated fishing in the Asian and Pacific regions.



Hiroyuki Konuma
Assistant Director-General and Regional Representative
FAO Regional Office for Asia and the Pacific

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WORKSHOP BREAKOUT ACTIVITY 1

Workshop breakout group activity 1

Each group should discuss the importance of international law.

Write down up to five reasons why international law is important to fisheries management.

Trainers guidance notes

The purpose of the activity is to ensure participants are familiar with the international law context of port inspections.

SOME OF THE REASONS WHY INTERNATIONAL LAW IS IMPORTANT CAN BE DRAWN FROM THE TEXT OF THE TECHNICAL GUIDE AND INCLUDE:

- ensuring port states understand the limits of their powers;
 - clarifying legal rights and responsibilities;
 - preventing international conflict;
 - protecting fish stocks;
 - combatting IUU fishing; and
 - providing a legal basis for RFMOs and RFBs.
-

WORKSHOP BREAKOUT ACTIVITY 2

Workshop breakout group activity 2

Each breakout group discusses the importance of managing our oceans and fisheries resources. List a maximum of five things on each of these topics:

- **What you have seen, or what you know about that might damage our oceans.**
 - **What are the things concerning fishing and fisheries that are important to you?**
 - **What are the key characteristics of each vessel type – could you recognize each one?**
-

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO DRAW ON THE PERSONAL EXPERIENCE OF PARTICIPANTS, NOT ONLY THEIR WORK EXPERIENCES BUT ALSO THEIR BROADER EXPERIENCE.

WHAT YOU HAVE SEEN, OR WHAT YOU KNOW ABOUT THAT MIGHT DAMAGE OUR OCEANS?

Examples include wasteful or damaging fishing practices, pollution on land and in or on the water, and damage to coastal environments such as mangroves and wetlands.

WHAT THINGS CONCERNING FISHING AND FISHERIES ARE IMPORTANT TO YOU?

This is trying to draw out different issues from different groups, from their own perspectives. If there is commonality of views it is worth asking participants to put themselves in someone else's shoes, perhaps an artisanal fisherman, a politician, a factory owner, a boat owner, or an environmental organization. Examples might include sustainability, protection, livelihood, profit, food, habitat, and jobs.

DISCUSS THE KEY CHARACTERISTICS OF EACH VESSEL TYPE. COULD YOU RECOGNIZE EACH ONE?

Knowing about fishing vessels and equipment can help officers to get the respect of the crew. The major indicators are the size and shape of the boat.

- Purse seiners tend to be larger and have a distinct sloping transom.
 - Longliners come in all shapes and sizes and are sometimes adapted from other vessels, particularly old trawlers – look for large line drums, barrels holding snoods and hooks.
 - Troll vessels have large booms that are stored vertically when the vessel is underway.
 - Pole and line vessels have a large and distinct front deck platform – big enough to land a helicopter.
 - Refrigerated carriers (reefers) are very large vessels that are the same as carriers of other commodities. They always have large cranes for transshipment.
-

CASE STUDIES DISCUSSION – INTERNATIONAL FISHERIES MCS

SOUTH AFRICA – INDIAN OCEAN TUNA COMMISSION

On 11 April 2012 the IOTC programme to monitor transshipments at sea observed a fishing vessel named Full Rich in the IOTC area. The vessel was apparently registered by the Democratic People's Republic of Korea (DPRK). The details were provided to the DPRK requesting additional information.

DPRK responded saying that after investigation the vessel was proven to have no relationship with the DPRK, having neither been registered there nor issued a certificate of registry. Moreover, it did not have the radio call sign HMEK.

On 13 June 2011 the Full Rich was arrested and detained by the South African Authorities for entering the South African EEZ without a permit.

The vessel had:

- no navigation plots;
- no vessel logbook;
- no fishing logbook;
- no functioning VMS;
- a catch on-board of: bigeye, yellowfin, bonito, oilfish, blue shark, mako shark, and shark fin; and
- Taiwanese officers and a Vietnamese crew.



The South African Authorities prosecuted the vessel but lost the case based on a lack of jurisdiction over fishing beyond the SA EEZ.

The vessel was released on 14 October 2011. The Full Rich was next sighted taking on-board supplies from a carrier vessel on 11 April 2012.

FIJI

Between 2002 and 2011, at least eight fishing vessels have been found guilty of illegal fishing in Fiji waters by the High Court of Fiji. One conviction involved a Belize flagged longliner named Lian Chi Sheng, licensed to catch tuna and tuna-like species in the EEZ, but it was caught deliberately fishing for sharks in archipelagic waters.

The stand of the judiciary is summarized in the warning issued to captains, charterers and owners in the Lian Chi Sheng case.

“Captains, charters and owners must conduct themselves with care and prudence when harvesting our Pacific ocean. They are well-warned. They are deemed to know the law. The burden of compliance is on them and not on poor states that cannot police the pirates. There is a legitimate expectation that those engaged in foreign fleet fishing should take care to comply with the rules. There is a legitimate expectation that non-compliance will result in high penalties and forfeiture.”

MAURITIUS

On 15 May 2012, the fishing vessel Rwad-1 called into Port Louis, Mauritius, to unload 150 tonnes of fish.

Following the inspection undertaken by Mauritius authorities, it was observed that:

- the catch of albacore on-board amounted to 125 tonnes;
- based on the duration of the fishing trip of the vessel, which was 19 days, the catch per day varied between 6 and 9 tonnes; and
- this catch rate appears to be very high compared to the catch rate of other vessels using the same method of fishing in the same fishing ground (2 to 3 tonnes/day).

The vessel was refused authorization to land/transship the catch on-board as it was suspected to have carried out high seas transshipment, taking on-board catch from IUU vessels.

A case was lodged in the Supreme Court against the Ministry of Fisheries for not authorizing the unload/transship, but on 12 June 2012 the vessel left Port Louis for an unknown destination.

Trainers guidance notes for case studies discussion

THE PURPOSE OF DISCUSSING THE CASE STUDIES IS TO HIGHLIGHT THE IMPORTANCE OF A COMPREHENSIVE LEGAL FRAMEWORK TO SUPPORT YOUR MCS ACTIVITIES.

In two of the three examples the authorities were unable to sustain action against vessels that were clearly IUU vessels.

The second example highlights the benefits of a good legal framework in Fiji – most Pacific Island countries have model fisheries legislation developed with the support of the Forum Fisheries Agency.

WORKSHOP BREAKOUT ACTIVITY 3

Workshop breakout group activity 3

Discuss the statements:

- 1. Effective regional MCS requires cooperation, harmonization of laws and conditions, and joint initiatives.**
- 2. A key challenge for MCS programmes is to constantly adapt to ensure compliance, and to combat IUU fishing.**

For each of these statements, list up to five things you think could be done.

If you have an example of illegal fishing involving a foreign flagged vessel, discuss this with your group.

What happened? Was there a prosecution?

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO DEVELOP AN UNDERSTANDING OF THOSE THINGS THAT CAN HELP ENSURE EFFECTIVE MCS PROGRAMMES. SOME EXAMPLES INCLUDE:

- working collaboratively with neighbouring states;
- industry working groups;
- joint patrols;
- close relationships with RFMOs;
- harmonized standard licence conditions;
- harmonized legislation and legislation that “calls up” external provisions;
- reviews of the effectiveness of data collection and management;
- effective use of observers, observer data, and technology;
- optimizing VMS data sharing agreements;
- validating compliance data with science data;
- regular but unpredictable surveillance and monitoring of fishing operations;
- monitoring catches, auditing and validating logbooks, and sharing of results;
- using voluntary assistance; and
- port inspections and factory inspections.

SOME OF THE THINGS THAT COULD ASSIST WITH ADAPTING FOR NEW CHALLENGES INCLUDE:

- keep training up-to-date;
 - stakeholder involvement (because someone always knows what’s going on);
 - keep legislation up-to-date;
 - attending conferences;
 - technology briefings and demonstrations; and
 - monitoring hardware and software development – emerging technology.
-

WORKSHOP BREAKOUT ACTIVITY 4

Workshop breakout group activity 4

Discuss the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

- **Where does this sit with respect to the framework of international law?**
- **Where does it sit with your own national legislation?**
- **Is your national legislation adequate to fully implement PSMs?**

Trainers guidance notes

THIS DISCUSSION POINT IS TRYING TO DRAW OUT AN UNDERSTANDING OF PORT STATE MEASURES IN RELATION TO INTERNATIONAL LAW, AND TO QUESTION WHETHER NATIONAL LAW IS ADEQUATE.

- To be enforceable the international law framework needs to be recognized by national legislation.
- National legislation would need to recognize the international agreement requirements, provide powers, and describe offences and penalties.

WORKSHOP BREAKOUT ACTIVITY 5

Workshop breakout group activity 5

As a group, discuss what you might suspect, and what you would do in the following two situations:

- 1. You are offered small courtesy gifts by the master of a vessel you were about to inspect.**
- 2. You have identified a vessel for inspection but a colleague suggests you inspect a different vessel.**

Discuss why is it important to work in an ethical way?

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO START A DISCUSSION ON THE LINE BETWEEN COURTESY AND CORRUPTION, AND WHEN YOU MIGHT QUESTION THE MOTIVES OF ANOTHER OFFICIAL.

There are no easy answers, especially because different cultures have different views of the same action.

1. Generally, the right answer is that it depends on the kind of gift. If it was something that could only be regarded as a small token of no monetary value and given solely because it was the custom to demonstrate friendship, courtesy, or the recipient's position or seniority in this way, and especially if refusal could cause offence, it can be argued this is OK. On the other hand, if it is something of obvious financial value or benefit, if it something that would be viewed by a normal person as potentially being a bribe, if it could be seen as influencing you in your job, and ultimately if it could result in you losing your job or appearing on the front page of a newspaper, then the gift should be declined, and a note made of the offer and the refusal in your notebook and on the file.
 2. If a colleague suggests you inspect another vessel, the correct action is to ask why, and to push for a good explanation. It might be simply that the vessel you are planning to inspect is very dirty and unhygienic. Generally though you should stick to the planned inspection.
-

WORKSHOP BREAKOUT ACTIVITY 6

Workshop breakout group activity 6

- **Work as a group to identify five potential port inspection risks from Fishing Vessel North Star, call sign V6P09 – pictured in the technical guide.**
- **How would you mitigate them?**

This Workbook contains a model risk assessment for freezers and cool-rooms that you should review. (See Page 34 of this Volume)

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO HELP PARTICIPANTS UNDERSTAND THAT FISHING VESSELS CAN BE DANGEROUS AND RISKY PLACES, BUT THERE ARE THINGS YOU CAN DO TO MITIGATE THOSE RISKS.

RISKS INCLUDE:

- access onto the vessel;
- slippery surfaces (slips);
- gangways and ladders (trips);
- holds and other fall hazards (falls);
- confined spaces;
- sharp rusty edges;
- broken window glass;
- freezers;
- uncooperative crew/misunderstanding by the crew;
- fishing gear lying around;
- water, fuel, and other chemicals;
- electricity;
- fire; and
- communications failure between inspectors and shore.

EACH RISK NEEDS TO BE DISCUSSED, UNDERSTOOD, AND MITIGATED:

- risk management discussions and planning for each identified risk;
- involve the whole boarding party; and
- always work in pairs.

ALWAYS MAINTAIN COMMUNICATIONS WITH SOMEONE WHO IS ON SHORE.

WORKSHOP BREAKOUT ACTIVITY 7

Workshop breakout group activity 7

As a group, discuss your powers:

- **Are your powers adequate to undertake effective port inspections?**
 - **What extra powers do you think you might need?**
 - **Discuss “hot pursuit” into international waters, or the waters of another state.**
 - **What would you do if you were uncertain about your powers?**
-

Trainers guidance notes

THE PURPOSE OF THIS DISCUSSION IS MAINLY TO MAKE SURE EVERYONE KNOWS THEY MUST UNDERSTAND WHAT THEIR POWERS ARE, HOW FAR THEY CAN GO, AND TO ALWAYS CHECK WITH SOMEONE MORE SENIOR IF THEY ARE EVER IN DOUBT.

WORKSHOP BREAKOUT ACTIVITY 8

Workshop breakout group activity 8

Work in pairs:

- **Draft a document you would prepare to present to the master of a vessel before commencing an inspection.**

Working in groups:

- **Review the Port State Inspection Procedures in Table 2, and the report form in Table 3. List at least five potential breaches you might be looking for during a port inspection.**
 - **Review the training programme for inspectors and identify what additional training you think you might need.**
-

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO ENCOURAGE PARTICIPANTS TO THINK ABOUT WHAT THE MASTER NEEDS TO UNDERSTAND WHEN A GROUP OF INSPECTORS BOARDS HIS OR HER VESSEL.

Providing a written document can make sure the necessary information is provided clearly and if necessary in the master's first language. It can prevent a lot of confusion. It should:

- be on official letterheaded paper;
- have a space for the master to sign once it has been read;
- include details about who the boarding party are and what departments they are from;
- explain the purpose of the inspection;
- give details of the legislation under which it is being conducted;
- explain how long the inspection is going to take;
- invite the master to provide a person to assist each group of inspectors; and
- explain politely that it is an offence to obstruct an inspection in any way and that officers will leave the vessel if any obstruction occurs. The vessel will then be prevented from offloading or leaving port if the inspection cannot be completed.

A COPY SHOULD BE PROVIDED TO, AND LEFT WITH THE MASTER.

WORKSHOP BREAKOUT ACTIVITY 9

Workshop breakout group activity 9

Review the data to be filled out on the IOTC PSMs pre-entry form in Table 1 in this Workbook.

- **What information can be checked with the IOTC?**
 - **How would you check the details filled out for the last port of call and any transshipment details?**
-

Trainers guidance notes

THE AIM OF THIS ACTIVITY IS TO DEVELOP FAMILIARITY WITH THE PRE-ENTRY FORM.

Rows 5 to 19 can all be checked with the IOTC before port entry.

Row 5 and rows 20 and 21 can be checked against the vessel log and transshipment log during the vessel inspection.

WORKSHOP BREAKOUT ACTIVITY 10

Workshop breakout group activity 10

Work in pairs to conduct an informal interview.

- **The subject of the interview is: What did you do last weekend?**
- **The person being interviewed should tell a lie.**
- **The goal is to find out what the lie is.**

Alternate the roles of interviewer and interviewee.

This Workbook contains a section called Conducting an Interview:

- **Use the cognitive interview method.**
 - **Use the interview techniques tool kit.**
-

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO PRACTICE INTERVIEW TECHNIQUES.

- Start the interview with some simple exchanges such as: How are you today? What do you think of the weather? Did you see the soccer last night? (You do this to establish “control” body language, i.e. the way the person behaves and acts when not under pressure, as well as to build rapport).
- The easiest way to get the interview started is it to start with the question: What did you do last weekend?
- Keep a record of what is said in time and chronological order. Let them tell their story with as few interruptions as possible.
- Prompt the suspect if you’re not sure about something but interject as little as possible.
- When a reasonable amount of information has been logged – say three or four minutes – start to ask for more details and to ask them to repeat what they did, especially about anything you think is suspicious.
- Ask questions to get more details: Who did you meet for coffee? What was on TV? What was the score? Keep digging for more details because lies often get more and more difficult to keep up.
- Use “reflection” by asking questions such as: So you went to the movies on Saturday night? And then you watched the soccer? Was that on TV? What channel?
- Work backwards in time with questions such as: So remind me what you did before 11.00 hours? And what did you do before that? (The mind doesn’t remember lies well in reverse time order).
- Really watch for body language – eye contact, hand movement, crossing legs, scratching, unprovoked anger, anxiety – anything that deviates from the control situation.

NO MORE THAN TEN MINUTES TO FIND THE LIE!

WORKSHOP BREAKOUT ACTIVITY 11

Workshop breakout group activity 11

Working in groups review the IOTC port inspection report form in Table 3 in this Workbook.

- **Using the *Makmur Cakalang 3* information in this Workbook, work as a group to fill out the report form.**
- **Report on what you observed during the inspection and one or more offences you may have detected.**

What steps might you have taken since conducting the inspection?

Trainers guidance notes

THE PURPOSE OF THE ACTIVITY IS TO DEVELOP FAMILIARITY WITH THE FORM, AND TO MAKE SURE THE CONSEQUENCES OF DETECTING AND ACTING UPON A SUSPECTED OFFENCE ARE UNDERSTOOD.

The form is fairly self-explanatory. For certain information there is a set format, e.g. for species, country, and FAO fishing area. There are extracts from lookup tables in the Workbook.

The form includes some code:

- 9. Purpose LAN/TRX/PRO (landing, transshipment, processing).
- 30. Species (lookup table); Product form (whole/gutted/head on or off); Catch area (FAO statistical area/s).

Participants can use any potential offence but an obvious one is a logbook not completed accurately or completely (e.g. catch on-board greater than catch declared); or perhaps large quantities of shark fins with no associated carcasses.

Once an offence is detected the first thing is to understand that from that point on everything needs to be done by the book. The master needs to be cautioned and advised of the potential offence.

Evidence needs to be secured and preserved so that it cannot be interfered with. This is a big issue; for example fish holds might need to be padlocked and steps taken to ensure the crew doesn't interfere with freezers or generators. Offloading will need to be suspended. Owners and agents will need to be notified.

WORKSHOP BREAKOUT ACTIVITY 12

Workshop breakout group activity 12

Working in groups, review and discuss the evidence scenarios in this workbook.

- **What evidence is admissible?**
 - **Why?**
-

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO ENSURE PARTICIPANTS ARE AWARE OF THE MAIN TYPES OF EVIDENCE, TO DISCUSS WHAT EVIDENCE IS LIKELY TO BE USEFUL AND RELEVANT, AND IDENTIFY HEARSAY EVIDENCE IN PARTICULAR AND WHY IT IS LIKELY TO BE INADMISSIBLE.

Look for circumstantial evidence, hearsay evidence, and evidence that is not relevant.

WORKSHOP BREAKOUT ACTIVITY 13

Workshop breakout group activity 13

Work in pairs. One person acts as the investigator and one as the master of the Makmur Cakalang 3.

Use what you know so far to conduct an interview and take a statement. Use the PEACE interview method and the techniques outlined in the Workbook.

Trainers guidance notes

THE PURPOSE OF THIS EXERCISE IS TO DEVELOP SKILLS IN CONDUCTING AN INTERVIEW AND PREPARING A WRITTEN STATEMENT.

WORKSHOP BREAKOUT ACTIVITY 14

Workshop breakout group activity 14

Work together to prepare a short investigation report based on the facts provided to you on the matter of the Indonesian registered tuna longline vessel Makmur Cakalang 3.

The details are in this Workbook, along with a template to assist you.

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO THINK THROUGH WHAT AN INSPECTOR WOULD INCLUDE IN AN INVESTIGATION REPORT ONCE THE INITIAL INVESTIGATION IS COMPLETE. IT IS NOT THE INTENTION OF THIS WORKSHOP TO PROVIDE COMPREHENSIVE INVESTIGATION AND PROSECUTION REPORT TRAINING; THAT IS A COURSE ON ITS OWN. THIS IS JUST TO DEVELOP FAMILIARITY WITH THE PROCESS.

The investigation report summarizes the relevant facts, describes the evidence, and provides an analysis, so this can all be assessed and a decision made about how to proceed.

It is a story. If it helps to put into a form, that's fine, but often it's just a detailed written report containing key elements:

- date, time, and nature of alleged offence;
 - officers names;
 - vessel details;
 - master's details;
 - date and time of inspection;
 - whether the master and any other suspects were cautioned;
 - whether the master and any other suspects were given the opportunity for legal representation;
 - date and time of interviews;
 - names of witnesses and details of their interviews;
 - details and type of evidence;
 - whether the offence was disputed and if so what was said;
 - whether any specific admissions or denials were made;
 - whether the evidence is secure and whether chain of custody requirements have been observed;
 - any steps that have been taken since the offence was detected;
 - whether any fish were involved and if so whether are they secure;
 - whether there are any holes in the case and whether there is any room for doubt;
 - whether any statements were made that might be of interest to the decision-maker, such as threats against or bribes to officers;
 - whether any inducements were offered to suspects in exchange for information; and
 - the investigating officer's recommendation.
-

WORKSHOP BREAKOUT ACTIVITY 15

Workshop breakout group activity 15

Review the sample tuna logsheet provided later in this Workbook.

- 1. How much fish of each species would you expect to find in the hold?**
- 2. What is the total weight of all species?**
- 3. What is the density of tuna (kg/m³)?**
- 4. What is the packing allowance (%) for the space between fish?**
- 5. Calculate much hold space you would expect to be occupied by fish based on the sample logsheet?**

Note: On the logsheet there are two boxes for each entry – the upper box is the number of fish, the lower box is the weight of fish.

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO ASSIST WITH THE ASSESSMENT OF THE VOLUMETRIC MEASUREMENT OF FISH AND FISH HOLDS.

It is important that everyone is OK with length x breadth x height to calculate total hold size and with drawing a hold and measuring the different parts if it is an odd shape, and reaching an overall hold dimension by adding the section calculations together.

Using the total weight of fish from the logbook, this activity is to calculate how much hold space will be occupied by the fish in the logbook.

KEY THINGS TO REMEMBER:

1. fish volume is 1 080 kg/m³; and
2. packing density allowance is between 20 percent and 30 percent.

EXERCISE

Add up total weights from completed logbook in this Workbook for each species to get a total for whole fish weight in the hold.

Divide the total weight from the logbook by 1 080 = X.

Multiply X by a packing density of 1.25 to estimate total area of hold occupied by fish in cubic metres.

WORKSHOP BREAKOUT ACTIVITY 16

Workshop breakout group activity 16

Working as a group, discuss how you would go about planning to inspect a catch offloaded from a large purse seine vessel that is visiting your port.

Write down in brief:

- 1. Pre-offload inspection plan.**
 - 2. Offload inspection plan.**
 - 3. How you might go about estimating offload weights.**
 - 4. How you might go about identifying species fish.**
-

Trainers guidance notes

THE PURPOSE OF THIS ACTIVITY IS TO ENSURE THE GROUP DISCUSSES AND THINKS ABOUT PLANNING AN OFFLOAD INSPECTION BEFORE THE ON-BOARD PRACTICAL.

CONDUCTING AN INTERVIEW

GENERAL¹

The information collected in an interview must be accurate, relevant and complete.

Effective interviewers:

- have knowledge of the psychology of interviewing and scientific experimentation;
- have a grounding in a wide range of practical techniques to draw on in interviews;
- have had the opportunity for substantial practice in a learning environment; and
- are supervised and given feedback on their real-life interviews.

DEFINITIONS

- The term witness interview can be used to describe any interview with a suspect, victim, witness or complainant.
- Special attention needs to be paid to “vulnerable,” “intimidated” and “significant” witnesses.
- Use the term “investigative interviewing” or “investigative interview,” in favour of “interrogation,” to describe all interviews with victims, witnesses and suspects.
- The usefulness of the term “interrogation” for the questioning of suspects is outweighed by the negative connotations of the term, and doesn’t take into account the possibility of a willing subject.

INVESTIGATIVE INTERVIEWING

- Investigative interviewing is the major fact-finding method you have at your disposal when investigating crime. You have to do it well.
- Quality investigations require quality investigative interviews.
- Officers must recognize that every interview is unique and potentially generates intelligence that can be used not only in the specific investigation but also in other activities.
- Interviewers need to appreciate the contribution made by the interview to the success of an investigation and that this success relies on the goodwill and cooperation of victims, witnesses and the community.
- Eyewitness testimony (I saw) and confessions (I did) are the most persuasive forms of evidence.
- A large proportion of suspects readily make admissions. Interviewers should make sure they get as much information as possible and not close the interview prematurely.
- The vast majority of suspects who admit to wrongdoing do so early in the interview.
- Despite the best efforts of the interviewer, few suspects change their story once they have denied wrongdoing, so avoid backing suspects into a corner of denial.

ETHICAL INTERVIEWING

- Interviews should be conducted with integrity, commonsense and sound judgement.
- Using unfair means to get a confession (noble cause corruption) is never justified.

¹ This section is based on *Investigative interviewing: The literature* by Mary Schollum (2005). Office of the Commissioner of Police, Wellington, NZ. <http://www.police.govt.nz/resources/2005/investigative-interviewing/investigative-interviewing.pdf>

- Interviewers must avoid unethical behaviours such as making threats or promises or using coercive and oppressive tactics.
- Ethical interviewing involves treating the suspect with respect and being open-minded, tolerant and impartial.
- If offenders believe they have been treated well they are less likely to form a negative view of officers or to communicate a negative view to others.
- Many miscarriages of justice have resulted from malpractice.
- Officers must be aware that some people will make false confessions, and why. These occur in different ways and for different reasons, including dispositional factors (e.g. age, personality characteristics, intellectual impairment, etc.) and situational factors (e.g. isolation, confrontation, minimization, fear, oppression, habit).
- Officers need to appreciate the many reasons why witnesses and suspects may not be cooperative in interviews, including fear of embarrassment, fear of retaliation, loss to themselves, legal proceedings, harming someone else, self-disclosure, and consequences of restitution.
- Officers should largely ignore questions asked by the witness and stick to the interview plan.

THE PEACE INTERVIEW METHOD

The PEACE interviewing model provides a structure that can be used for all investigative interviews as well as more broadly for planning investigations and searches. The components are:

- P – Planning and preparation
- E – Engagement and explanation
- A – Account
- C – Closure
- E – Evaluation

P – PLANNING AND PREPARATION

The planning and preparation step is when you gather as much information as you can about the boat, its history, and its fishing activity, the master, and the alleged offence. From the pre-entry form you will have a lot of information and ideally you will have checked that licences and permits are all in order, and checked other information, before boarding.

You will have details of all your evidence, and a list of questions you want to ask the witness or suspect.

E – ENGAGEMENT AND EXPLANATION

You must engage with the witness or suspect and explain what you will be doing, the equipment you will be using, their rights and responsibilities. It is useful and important to confirm whether they understand what is going on, why the interview is being conducted, and whether they have any questions.

Introduce yourself and anyone else in the room, issue any cautions required by your law, and ask the witness or suspect to state their name for the record.

Try to make the witness or suspect at ease. Some small talk is useful such as about the weather or sport. You can use this non-confrontational discussion to observe the witness or suspect and get a baseline impression of their body language when they are not under pressure and telling the truth.

A – ACCOUNT (ASK QUESTIONS)

You are asking the witness or suspect for their account of what happened. This is a formal interview and everything said should be either written down in detail or recorded electronically. If it is written down then it should be reviewed by all parties and signed when the interview is complete.

Use the **cognitive approach**.

- Encourage them to tell the story from beginning to end without too much interruption in the first instance to create a time-line of events.
- Prompt them to give as much information as possible without making the person feel threatened or intimidated. Ask them about general activities such as: where did you fish? Did you catch as much as you expected? Was it a good trip? What was the weather like? You are asking them to share information about what they saw, heard, and felt.
- Get them to talk about what other people may have said or seen or felt, such as: How did your crew feel about the trip/catches/weather?
- When they have finished, ask them questions in a different time order. Start with the beginning of the trip and work forwards. Then pick a point and work back in the other direction.
- Ask them questions that clarify their statement and build on any statement they have made: Which vessel did you transship with? Have you transshipped with that vessel before? What's the master's name? How do you get on with the master?
- Focus on the detail and be really interested in what they tell you.

This approach makes it difficult to lie, and easy to pick up on inconsistencies.

C – CLOSURE (THANKS, AND WHAT NEXT)

At the end of the interview it is important to bring it to a closure. This means thanking the witness or suspect and telling them what will happen next. You should tell them you may need to speak with them again, and that they should contact you if they remember anything else relevant to the matter.

E – EVALUATION (DEBRIEF AND NEXT STEPS)

You need to debrief with your team, evaluate all the material and information you have found, and decide on the next steps.

If you believe IUU fishing has occurred you have to decide what you will do next. This will depend where you are up to in the investigation and whether this is a matter that will be referred to the flag state for action or whether you are considering a prosecution or other action under your national laws.

Remember you need to ensure your evidence is secure, and the chain of evidence maintained. You may need to protect evidence from being destroyed, you may need to detain a vessel, or stop a vessel offloading, and you may need to conduct more formal interviews.

As the matter proceeds, ensure you involve your senior managers and that you get legal advice.

PSYCHOLOGY AND INTERVIEWING

- **Memory.** The memory is made up of three sequential stores: the sensory store, the short-term store and the long-term store, and involves three distinct processes: encoding, storage and retrieval. A first attempt at recall usually reveals broad outlines but little detail. A lack of interruption by the interviewer, and instructions to concentrate and report everything will greatly help get the level of detail required.
- **Body language (BL)/Non-verbal cues (NVCs).** Research has found that facial expression, voice tone, silence, body positioning, eye movements, pauses in speech, and others aspects of BL and NVCs all send messages. These may confirm, obscure, or contradict what is being said. However, research warns against interviewers developing an over-confidence in their ability to “read” the interviewee’s BL/NVCs.
- **Deception.** There is no typical non-verbal behaviour that is associated with deception. Despite this, research has found that people (including both interviewers and interviewees) often hold stereotypical views about non-verbal behaviour that are incorrect. Thus, conclusions based solely on someone’s behaviour in the interview room are not reliable.
- **Suggestibility.** Interviewers need to be aware that interviewees are vulnerable to a range of suggestive techniques that can affect their recall.

INTERVIEWEES

- The completeness and accuracy of the witness account is often the main factor that determines whether or not a crime is solved.
- Consider videoing interviews with “vulnerable” and “intimidated” witnesses.
- The suspect interview is pivotal to the process of case construction and disposition.
- Suspects are most likely to confess when they:
 - perceive the evidence against them as being strong (by far the most important reason);
 - when they are sorry for their crime and want to talk about it and give their account of what happened; and
 - when they are reacting to external pressure from factors such as the stress of confinement and police persuasiveness.

TOOLKIT OF TECHNIQUES

There is a wide range of effective interview tactics/techniques. The number used in any particular interview and the extent to which any of them are used will vary according to the skill level of the interviewer, the cooperation of the interviewee, the nature of the offence/incident under investigation, and the type of approach being taken. Interviewers should consider:

- arranging the seating;
- creating a good first impression;
- establishing rapport;
- personalizing the interview;
- explaining the aims and purpose of the interview;
- ensuring good interviewer behaviour;
- using open-ended and probing closed questions;
- not interrupting the interviewee;
- accepting that it is OK to say “Don’t know” and “Don’t understand”;
- watching for fabrication or guessing;

- systematically probing of topics;
- challenging when appropriate;
- focusing on all senses (see, hear, smell, feel, taste);
- paying attention to body language/non-verbal communication (none of these mean “nothing”, but they might not mean anything!);
 - o Mirroring/synchrony
 - o Mutual gaze
 - o Eye-contact
 - o Active listening
 - o Sweating
 - o Scratching
 - o Leaning back
 - o Crossing arms
 - o Wringing hands
 - o Dilating pupils
 - o Reaction to pauses and silence
 - o Concentrating/paying attention
 - o Ignoring/not paying attention
- echo probing (repeat back statements as questions);
- summarizing (summarize answers back to the interviewee);
- querying and clarification;
- using sketch drawings and visual aids (e.g. maps, photos);
- clarifying inconsistencies;
- note-taking;
- demonstrating friendliness, patience and support;
- praising the interviewee’s efforts;
- reporting everything;
- attending to context reinstatement;
- using varied and extensive retrieval;
- changing the temporal order;
- changing perspectives;
- jogging memory for names – common/uncommon, length, first letter etc.;
- jogging memory for personal information – appearance, clothing, characteristics etc.; and
- taking breaks.

TECHNOLOGY AND INTERVIEWING

- Make good use of electronic recording as a means of documenting interviews with suspects. This can involve audio and/or visual recordings.
- Make sure your legislation permits this.
- A copy of the interview transcript can be provided to the suspect in some circumstances.
- Note that recording equipment is changing rapidly.

LOCATION OF INTERVIEWS

- Officers should maintain as much control over the location of investigative interviews as possible. Both interviewer and interviewee need to concentrate, therefore any disruptions at home or work, or in a busy office, are not good.
- It is preferable to use a quiet room or a customized interview room.
- Where cameras are involved, ensure cameras are focused on all parties equally.

- Conversation tends to take place most comfortably at a 90 degrees angle (or a ten-to-two position). A face-to-face orientation can be too confrontational.
- Interview rooms should have no distractions, therefore place any tables to the side of the officer rather than between the interviewing officer and the suspect.
- If a formal caution is required write it down, along with an introduction and a conclusion.
- Privacy and comfort for witness interviews are major considerations.
- In interviews with vulnerable, intimidated and significant witnesses, it is vital to have two interviewers. Where possible it is good to have one person in the interview room with the witness and one listening and, ideally and where possible, watching in an adjacent room taking notes, checking the equipment is working, and communicating with the main interviewer about inconsistencies and things that may have been missed.

EVIDENCE SCENARIOS

From the scenarios below, what evidence would be admissible and what would be objectionable?

SCENARIO 1

On routine patrol at sea, Officer Arun sees that the gear of an unlicensed fishing vessel is not stowed away (i.e. it seems that it has been used very recently). Officer Arun tells Officer Sunan what he saw and includes it in his written statement. In court, an issue raised is whether or not the gear was stowed away.

1. Officer Arun testifies he saw that the gear of the fishing vessel was not stowed away.
2. Officer Sunan testifies that Officer Arun told him that he saw that the gear of the vessel was not stowed away.
3. Officer Arun tells the court of what he said to Officer Sunan.
4. Officer Arun's written statement that the gear of the said vessel was not stowed away at the time.

SCENARIO 2

Officer Arun is part of the boarding party that boards and inspects an unlicensed fishing vessel at sea. Officer Arun notices someone in the wheelhouse during the inspection. The person does not speak English but appears to be in control of the vessel.

1. Officer Arun testifies that the person is the master of the fishing vessel.
2. Officer Arun testifies that the person was at all times in the wheelhouse during the inspection and appeared to be in control of the vessel.
3. Officer Sunan and another member of the boarding party, inform the court that Officer Arun told him that he saw the person in the wheelhouse.
4. The observer on-board the vessel informs the court that the person in the wheelhouse was actually the engineer, and that the master of the vessel pretended he was part of the crew during the inspection.

SCENARIO 3

Officer Arun is part of the boarding party that boards and inspects a fishing vessel in port. During the inspection, Officer Arun and the boarding party confiscate many documents. Are the following documents relevant and/or admissible (Yes/No/Maybe in certain circumstances)?

1. Newspapers.
2. Fishing magazines covering a wide range of topics (including types of bait, gear, and advances in fishing technology).
3. Charts.
4. Fishing log.
5. Freezer log.
6. Bunkering log.
7. Letters between the vessel master and the owning company in Shanghai.
8. Copy of the INTERCO Code of Signals.
9. Licence.
10. Flag state registration certificate.
11. Derating compliance certificate.
12. The master's private diary.

RFMO WEB SITES

Organization	Web site	Vessel register and IUU links
WCPFC	http://www.wcpfc.int/	http://www.wcpfc.int/vessels#Register
IOTC	http://www.iotc.org	http://www.iotc.org/English/record/search3.php http://www.iotc.org/English/iuu/search.php
CCAMLR	http://www.ccamlr.org/en	http://www.ccamlr.org/en/compliance/licensed-vessels http://www.ccamlr.org/en/compliance/non-contracting-party-iuu-vessel-list

ANNEX D OF PSMA (INFORMATION SYSTEMS ON PORT STATE MEASURES: COUNTRY, SPECIES AND VESSEL CODES)

In implementing this Agreement, each Party shall:

- a) seek to establish computerized communication in accordance with Article 16;
- b) establish, to the extent possible, Web sites to publicize the list of ports designated in accordance with Article 7 and the actions taken in accordance with the relevant provisions of this Agreement;
- c) identify, to the greatest extent possible, each inspection report by a unique reference number starting with 3-alpha code of the port State and identification of the issuing agency;
- d) utilize, to the extent possible, the international coding system below in Annexes A and C and translate any other coding system into the international system.
 - o countries/territories: ISO-3166 3-alpha Country Code
 - o species: ASFIS 3-alpha code (known as FAO 3-alpha code)
 - o vessel types: ISSCFV code (known as FAO alpha code)
 - o gear types: ISSCFG code (known as FAO alpha code)

(See Lookup tables)

TABLE 1. PRE-ENTRY FORM (ANNEX 1 – IOTC RESOLUTION 10/11)

Information to be provided in advance by vessels requesting port entry

1. Intended port of call										
2. Port state										
3. Estimated date and time of arrival										
4. Purpose(s)										
5. Port and date of last port call										
6. Name of the vessel										
7. Flag state										
8. Type of vessel										
9. International radio call sign										
10. Vessel contact information										
11. Vessel owner(s)										
12. Certificate of registry ID										
13. IMO ship ID, if available										
14. External ID, if available										
15. IOTC ID, if applicable										
16. VMS	No	Yes: National	Yes: RFMO(s)			Type:				
17. Vessel dimensions	Length		Beam		Draft					
18. Vessel master name and nationality										
19. Relevant fishing authorization(s)										
<i>Identifier</i>	<i>Issued by</i>		<i>Validity</i>	<i>Fishing area(s)</i>		<i>Species</i>	<i>Gear</i>			
20. Relevant transshipment authorization(s)										
<i>Identifier</i>	<i>Issued by</i>		<i>Validity</i>							
<i>Identifier</i>	<i>Issued by</i>		<i>Validity</i>							
21. Transshipment information concerning donor vessels										
<i>Date</i>	<i>Location</i>	<i>Name</i>	<i>Flag state</i>	<i>ID</i>	<i>Species</i>	<i>Product form</i>	<i>Catch area</i>	<i>Quantity</i>		
22. Total catch on-board						23. Catch to be offloaded				
<i>Species</i>	<i>Product form</i>	<i>Catch area</i>		<i>Quantity</i>	<i>Quantity</i>					

TABLE 2. PORT STATE INSPECTION PROCEDURES

Annex 2 (IOTC Resolution 10/11)

Inspectors shall:

- a) verify, to the extent possible, that the vessel identification documentation on-board and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag state or international records of vessels if necessary;
- b) verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
- c) verify, to the extent possible, that the authorizations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance with Annex 1;
- d) review all other relevant documentation and records held on-board, including, to the extent possible, those in electronic format and VMS data from the flag State or IOTC Secretariat or other relevant RFMOs. Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to CITES;
- e) examine, to the extent possible, all relevant fishing gear on-board, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorized for the vessel;
- f) determine, to the extent possible, whether the fish on-board was harvested in accordance with the applicable authorizations;
- g) examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;
- h) evaluate whether there is clear evidence for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing;
- i) provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as an acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag state in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and
- j) arrange, where necessary and possible, for translation of relevant documentation.

TABLE 3. IOTC PORT INSPECTION REPORT FORM (ANNEX 3 OF IOTC RESOLUTION 10/11)

1. Inspection report no.		2. Port state				
3. Inspecting authority						
4. Name of principal inspector				ID		
5. Port of inspection						
6. Commencement of inspection		yyyy	mm	dd	hh	
7. Completion of inspection		yyyy	mm	dd	hh	
8. Advanced notification received					Yes	No
9. Purpose(s)		LAN	TTX	PRO	Other (specify):	
10. Port and state and date of last port call				yyyy	mm	dd
11. Vessel name						
12. Flag state						
13. Type of vessel						
14. International radio call sign						
15. Certificate of registry ID						
16. IMO ship ID, if available						
17. External ID, if available						
18. Port of registry						
19. Vessel owner(s)						
20. Vessel beneficial owner(s), if known and different from vessel owner						
21. Vessel operator(s), if different from vessel owner						
22. Vessel master name and nationality						
23. Fishing master name and nationality						
24. Vessel agent						
25. VMS		No	Yes: National	Yes: RFMOs	Type:	
26. Status in RFMO areas where fishing or fishing related activities have been undertaken, including any IUU vessel listing						
<i>Vessel identifier</i>	<i>RFMO</i>	<i>Flag state status</i>	<i>Vessel on authorized list</i>	<i>Vessel on IUU list</i>		
27. Relevant fishing authorization(s)						
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>	<i>Fishing area(s)</i>	<i>Species</i>	<i>Gear</i>	
28. Relevant transshipment authorizations						
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>				
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>				

29. Transshipment information concerning donor vessels						
<i>Name</i>	<i>Flag state</i>	<i>ID no.</i>	<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity</i>
30. Evaluation of offloaded catch (quantity)						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity offloaded</i>	<i>Difference between quantity declared and quantity determined, if any</i>	
31. Catch retained on-board (quantity)						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity offloaded</i>	<i>Difference between quantity declared and quantity determined, if any</i>	
32. Examination of logbook(s) and other documentation		Yes	No	<i>Comments</i>		
33. Compliance with applicable catch documentation scheme(s)		Yes	No	<i>Comments</i>		
34. Compliance with applicable trade information scheme(s)		Yes	No	<i>Comments</i>		
35. Type of gear used						
36. Gear examined in accordance with paragraph E of Annex B		Yes	No	<i>Comments</i>		
37. Findings by inspector(s)						
38. Apparent infringement(s) noted, including reference to relevant legal instruments						
39. Comments by the master						
40. Action taken						
41. Master's signature						
42. Inspector's signature						

EXAMPLE OF A LONGLINE LOGBOOK



TUNA LONGLINERS FISHING LOGBOOK Fishing Trip and Gear

Logsheet A

Folha ADNAP/IIP

Record once in one cruise

FISHING TRIP					
Flag Country			Name of boat		
Date reported			Vessel size	GT (tons)	LOA (m)
Reporting person/name			License number		
Departure date			Call sign		
Arrival date			Number of crew		
GEAR CONFIGURATION					
Branch line length (m)					
Float line length (m)					
Length between branch line (m)					
Target	<input type="checkbox"/> Tuna <input type="checkbox"/> Swordfish <input type="checkbox"/> Other		TYPE OF WEIGHT		
Remarks:			<input type="checkbox"/> Whole		
			<input type="checkbox"/> Processed		
			Captain signature and stamp		

SAMPLE TUNA LOGSHEET



CATCH AND EFFORT

Logsheet B

Folha ADNAP/1/P

Record one record for each set / In each set, catch should be given both in number and weight (kg) in upper and lower row, respectively.

Data	D	M	Latitude	Longitude	Time of starting setting gear	SST (C)	Number of hooks between float	Number of hooks	Tuna				Billfishes						Sharks				Other fishes	Remarks (discard of tuna & tuna like species, discard / interaction with seabird, turtle, marine mammal, whale shark or other information must be recorded)														
									South Bluefin	Albacore	Bigeye Tuna	Yellow fin	Skipjack	Swordfish	Striped marlin	Blue marlin	Black marlin	Sailfish	Shortbill spearfish	Blue shark	Hammer sharks	Mako sharks			Requiem sharks													
1	3	10	S	80	E	1040	A	7	100	2	30	4	20	50	5	2	5	1	0	0	0	4	0	1	0	0	0	1 TURTLE RELEASED LIVE.										
2	3	10	S	80	E	1040	A	7	100	1	20	8	10	20	2	1	1	0	0	0	0	320	10	50	0	0	0	0	0	0								
3	3	10	S	80	E	1040	A	7	100	80	400	200	600	200	20	10	80	0	0	0	0	50	400	500	0	0	0	0	0	0	0							
4	3	10	S	80	E	1040	A	7	100	1	20	5	20	50	10	0	0	0	0	0	0	10	5	10	0	0	0	0	0	0	0							
5	3	11	S	79	E	1040	A	7	100	1	25	4	30	30	20	0	0	0	0	0	0	5	5	0	0	0	0	0	0	0	0							
6	3	11	S	79	E	1040	A	7	150	1	30	5	50	100	30	10	0	0	0	0	0	10	0	0	0	0	0	0	0	0	0							
7	3	10	S	79	E	1040	A	7	150	1	25	6	30	80	20	0	10	10	0	0	0	8	5	8	0	0	0	0	0	0	0							
8	3	10	S	80	E	1040	A	8	180	7	20	10	40	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0						
9	3	10	S	80	E	1040	A	8	180	120	600	700	1000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0					
10	3	10	S	80	E	1040	A	8	180	7	30	10	20	50	0	10	1	1	1	1	1	10	10	10	10	10	10	10	10	10	10	10	10					
11	3	11	S	80	E	1040	A	8	150	1	35	10	0	80	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
12	3	11	S	80	E	1040	A	8	180	1	35	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
13	3	11	S	80	E	1040	A	8	180	1	20	8	30	0	20	1	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
14	3	11	S	80	E	1040	A	8	180	200	600	800	1500	1600	900	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200		
15	3	11	S	80	E	1040	A	8	180	1	30	4	20	50	5	2	5	1	1	1	1	4	4	1	0	0	0	0	0	0	0	0	0	0	0	0		
16	3	11	S	80	E	1040	A	8	180	200	400	500	1000	500	500	200	200	200	200	200	200	320	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	
17	3	11	S	80	E	1040	A	8	180	150	400	300	1000	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	
18	3	11	S	80	E	1040	A	8	180	150	400	300	1000	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200	200

MODEL RISK ASSESSMENT²

	Consequence			
	Minor No injuries	Moderate Medical treatment required	Major Extensive injuries	Death Catastrophic illness/ injury
Unlikely Unusual or rare situation	L	L	L	S
Moderate May occur at sometime	L	L	S	H
Likely Probably will occur	S	S	S	H
Almost certain Occurred before/expected	S	S	H	H

RISK CATEGORIES

High (H) – Cease exposure immediately until protection, approved at senior management level implemented

Significant (S) – Procedures alone may not be enough, Senior management attention required

Low (L) – May be managed by routine procedures, some risks in this category may be acceptable

² Based on NSW Fisheries Model Risk Assessment

JOB RISK ASSESSMENT FORM	
JOB TASK Safe methods for inspecting freezers and coolrooms	Branch: Fisheries compliance
	Unit:
	Location:
RISK IDENTIFICATION AND CONTROLS	
<i>Please include all discrete steps involved in the performance of the task</i>	
<i>NOTE: Personal Protective Equipment (PPE) required must be listed. For chemicals the PPE must be listed as per manufacturers data sheet</i>	
R1 (Risk without controls)	R2 (Risk with controls)
Procedural steps	Safety Control(s)
Assess the area and the client	R1
Possible hazard(s)	R2
<ul style="list-style-type: none"> Crush/impact injuries Sprains, strains, cuts and abrasions Exposure to elements 	<ul style="list-style-type: none"> Check for condition of facilities and for the history of operator prior to inspection. Minimum of two officers are required to undertake an inspection. Observing Officer must be Outside near the door at all times whilst an Inspecting Officer is inside the coolroom. Fisheries Officer must complete customer aggression or similar conflict resolution training. Be aware that in freezers or coolrooms, glasses can fog up making it difficult to complete the work so choose the roles of Inspector and Observing Officer appropriately. Ask operator if any dangers inside coolroom/freezer. Check that the entry door opens and closes easily. Check the operation of other doors. Look for and ask Operator if there are any other entry/exits to the freezer/coolroom. Observing Officer to continually assess demeanour of Operator and other persons in area. Check internal temperature on the indicator. Inspecting Officer must wear warm clothes and personal protective equipment (PPE) are required (e.g. non slip shoes, if internal temperature of the freezer is -40°C, staff must wear freezer suit and appropriate gloves). COB staff should handle fish (measuring catch) and clients in accordance with instructions for Dealing with Dangerous Clients.
	L
	L

Procedural steps	Possible hazard(s)	R1	Safety Control(s)	R2
Enter the coolroom/freezer	Crush/impact injuries Sprains, strains, cuts and abrasions Exposure to elements	S	<ul style="list-style-type: none"> Observing Officer must be outside near the door at all times whilst an Inspecting officer is inside the coolroom. Check communications devices work inside the freezer/coolroom. Check that the door can be opened from inside and that it is operational. Inspecting Officer to reassess the freezer coolroom for potential dangers such as slippery floors, items that may fall from height, heavy items, and identify any other hazards. Inspecting Officer to ensure adequate lighting available for inspection. Observing Officer to continually assess demeanour of Operator and other persons in area. While entering and moving around in a coolroom take smaller steps than normal and work at a controlled pace and follow instructions from Manual Handling/Back Care Safe Work Method Statement. 	L
Conducting the inspection	Crush/impact injuries Sprains, strains, cuts and abrasions Exposure to elements	S	<ul style="list-style-type: none"> Inspecting and Observing Officer to maintain verbal communications. Observing Officer to assess welfare of Inspecting Officer and watch for signs of hypothermia (refer to section below). If time consuming assessment is required on suspect items they should be removed from freezer coolroom to reduce exposure time in the cold environment. If a large item, seek assistance from Operator, other person in area or trolley etc., ensuring Observing Officer remains outside the coolroom at all time. When moving items, follow instructions from Manual Handling/Back Care Safe Work Method Statement. Observing Safety Officer to continually assess demeanour of Operator and other persons in area. If it appears that an extended amount of time is required for inspection, rotate work among the staff present to limit exposure time in the cold environment, ensuring one officer is outside the coolroom at all times. COB staff must be wary of sharp objects, fish spines, and gill rakers and handle fish (measuring catch) and clients in accordance with the Dealing with Dangerous Clients – Safely Measuring Catch Safe Work Method Statement (SWMS). If an incident does provide the appropriate assistance in accordance with your first aid training and any tactical training, in an emergency situation call [000]. 	L

Procedural steps	Possible hazard(s)	R1	Safety Control(s)	R2
Exiting the coolroom/freezer	Crush/impact injuries Sprains, strains, cuts and abrasions Exposure to elements	S	<ul style="list-style-type: none"> Exit coolroom slowly and cautiously – take smaller steps than normal and work at a controlled pace and follow instructions. Warm up slowly. Observing Officer to assess mental and physical state of Inspecting Officer upon exit. Ensure door is shut or in same state at which it was found. Observing Officer to continually assess demeanour of Operator and other persons in area. 	L
Working on vessel checking catch in coolroom/freezer		S	<ul style="list-style-type: none"> Be aware you may be dealing with dangerous clients. Follow the same procedures as set out above for inspecting coolrooms on watercraft or truck. When working in watercraft/truck coolrooms walk slowly and cautiously as the surfaces may be uneven and there may be vertically (roll) or horizontally (pitch) movement which may also cause the catch or boxes of catch to move. 	L
Working in cold environments hypothermia (cold stress)	Exposure to elements	S	<p>Immersion in cold water can quickly lead to hypothermia. If you suspect someone may be suffering from hypothermia the signs to watch for are:</p> <ul style="list-style-type: none"> Non voluntary (uncontrollable) shivering. Excessive sweating. Numbing of hands. Muscle cramps. Loss of fine motor co-ordination. Slurred speech. Difficulty in thinking clearly Irrational behaviour. <p>If necessary, stop work immediately and seek shelter and medical aid – hypothermia is a medical emergency requiring hospitalisation, and the local emergency services should be notified.</p> <ul style="list-style-type: none"> If suffering from hypothermia, the body temperature must be raised gradually. If victim is wet dry them, shelter out of the wind, gradually warm with blankets and use your own body heat. Drink warm, sweet liquids. Do not rub the patient's body this does not aid in the warming process. 	L

Procedural steps	Possible hazard(s)	R1 Safety Control(s)	R2
		<ul style="list-style-type: none"> • Do not wear cotton in cool weather as it retains water, and water rapidly conducts heat away from the body. Even in dry weather, cotton clothing can become damp from perspiration. • Synthetic and wool fabrics provide good insulation when wet and are quicker to dry. Some synthetic fabrics are designed to draw perspiration away from the body. • In air, most heat (20 to 40 percent) is lost through the head; covering the head and neck is quite important in reducing the likelihood of hypothermia. • Heat is lost much faster in water, hence the need for wetsuits or drysuits. • Refer to Work in Hot or Cold Environments Code of Practice 2001 Workcover NSW. 	
	Overall risk rating	L	Overall risk rating L

FISHING VESSEL LOOKUP TABLE

International standard statistical classification of fishing vessels by vessel type

Code	Vessel type		Standard abbreviation	Code
FISHING VESSELS				
01.0.0	TRAWLERS		TO	
		Side trawlers	TOTS	01.1.0
		Side trawlers wet-fish	TSW	01.1.1
		Side trawlers freezer	TSF	01.1.2
		Stern trawlers	TT	01.2.0
		Stern trawlers wet-fish	TTW	01.2.1
		Stern trawlers freezer	TTF	01.2.2
		Stern trawlers factory	TTP	01.2.3
		Outrigger trawlers	TU	01.3.0
		Trawler nei	TOX	01.9.0
02.0.0	SEINERS		SO	
		Purse seiners	SP	02.1.0
		North American type	SPA	02.1.1
		European type	SPE	02.1.2
		Tuna purse seiners	SPT	02.1.3
		Seiner netters	SN	02.2.0
		Seiner nei	SOX	02.9.0
03.0.0	DREDGERS		DO	
		using boat dredge	DB	03.1.0
		using mechanical dredge	DM	03.2.0
		Dredgers nei	DOX	03.9.0
04.0.0	LIFT NETTERS		NO	
		Using boat operated net	NB	04.1.0
		Lift netters nei	BOX	04.9.0
05.0.0	GILLNETTERS		GO	
06.0.0	TRAP SETTERS		WO	
		Pot vessels	WOP	06.1.0
		Trap setters nei	WOX	06.9.0
07.0.0	LINERS		LO	
		Handliners	LH	07.1.0
		Longliners	LL	07.2.0
		Tuna longliners	LLT	07.2.1
		Pole and line vessels	LP	07.3.0
		Japanese type	LPJ	07.3.1
		American type	LPA	07.3.2
		Trollers	LT	07.4.0
		Liners nei	LOX	07.9.0

Code	Vessel type		Standard abbreviation	Code
08.0.0	VESSELS USING PUMPS FOR FISHING		PO	
09.0.0	MULTIPURPOSE VESSELS		MO	
		Seiner-handliners	MSN	09.1.0
		Trawler-purse seiners	MTS	09.2.0
		Trawler-drifters	MTG	09.3.0
		Multipurpose vessels nei	MOX	09.9.0
10.0.0	RECREATIONAL FISHING VESSELS		RO	
49.0.0	FISHING VESSELS NOT SPECIFIED		FX	
NON-FISHING VESSELS				
11.0.0	MOTHERSHIPS		HO	
		Salted-fish motherships	HSS	11.1.0
		Factory motherships	HSF	11.2.0
		Tuna motherships	HST	11.3.0
		Motherships for two-boat purse seining	HSP	11.4.0
		Motherships nei	HOX	11.9.0
12.0.0	FISH CARRIERS		FO	
13.0.0	HOSPITAL SHIPS		KO	
14.0.0	PROTECTION AND SURVEY SHIPS		BO	
15.0.0	FISHERY RESEARCH VESSELS		ZO	
16.0.0	FISHERY TRAINING VESSELS		CO	
99.0.0	NON-FISHING VESSELS		VOX	

FAO FISHING AREAS LOOKUP TABLE

Code	Major fishing areas
51	Indian Ocean, Western
57	Indian Ocean, Eastern
58	Indian Ocean, Antarctic
71	Pacific, Western Central
34	Atlantic, Southeast

SPECIES CODE LOOKUP TABLE

ISSCAAP	TAXOCODE	3A CODE	Scientific name	English name
36	1750101202	DOT	<i>Gymnosarda unicolor</i>	Dogtooth tuna
36	1750102501	SKJ	<i>Katsuwonus pelamis</i>	Skipjack tuna
36	1750102602	PBF	<i>Thunnus orientalis</i>	Pacific bluefin tuna
36	1750102603	LOT	<i>Thunnus tonggol</i>	Longtail tuna
36	1750102610	YFT	<i>Thunnus albacares</i>	Yellowfin tuna
36	1750102612	BET	<i>Thunnus obesus</i>	Bigeye tuna
36	1750400301	SWO	<i>Xiphias gladius</i>	Swordfish
36	1750300505	BUM	<i>Makaira nigricans</i>	Blue marlin
36	1750300507	BLM	<i>Makaira indica</i>	Black marlin
36	1750300903	MLS	<i>Tetrapturus audax</i>	Striped marlin
36	1750300402	SFA	<i>Istiophorus platypterus</i>	Indo-Pacific sailfish
38	10608002XX	MAK	<i>Isurus spp</i>	Mako sharks
38	1060800701	WSH	<i>Carcharodon carcharias</i>	Great white shark
38	1080201005	BLR	<i>Carcharhinus melanopterus</i>	Blacktip reef shark
38	1080201703	TIG	<i>Galeocerdo cuvier</i>	Tiger shark
38	1080200401	BSH	<i>Prionace glauca</i>	Blue shark
38	10803XXXXX	SPY	<i>Sphyrnidae</i>	Hammerhead sharks

COUNTRY CODES LOOKUP TABLE

CODE	COUNTRY
ABW	Aruba
AFG	Afghanistan
AGO	Angola
AIA	Anguilla
ALA	Åland Islands
ALB	Albania
AND	Andorra
ARE	United Arab Emirates
ARG	Argentina
ARM	Armenia
ASM	American Samoa
ATA	Antarctica
ATF	French Southern Territories
ATG	Antigua and Barbuda
AUS	Australia
AUT	Austria
AZE	Azerbaijan
BDI	Burundi
BEL	Belgium
BEN	Benin
BES	Bonaire, Sint Eustatius and Saba
BFA	Burkina Faso
BGD	Bangladesh
BGR	Bulgaria
BHR	Bahrain
BHS	Bahamas
BIH	Bosnia and Herzegovina
BLM	Saint Barthélemy
BLR	Belarus
BLZ	Belize
BMU	Bermuda
BOL	Bolivia, Plurinational State of
BRA	Brazil
BRB	Barbados
BRN	Brunei Darussalam
BTN	Bhutan
BVT	Bouvet Island
BWA	Botswana
CAF	Central African Republic
CAN	Canada
CCK	Cocos (Keeling) Islands
CHE	Switzerland
CHL	Chile
CHN	China
CIV	Côte d'Ivoire
CMR	Cameroon

CODE	COUNTRY
COD	Congo, the Democratic Republic of the
COG	Congo
COK	Cook Islands
COL	Colombia
COM	Comoros
CPV	Cape Verde
CRI	Costa Rica
CUB	Cuba
CUW	Curaçao
CXR	Christmas Island
CYM	Cayman Islands
CYP	Cyprus
CZE	Czech Republic
DEU	Germany
DJI	Djibouti
DMA	Dominica
DNK	Denmark
DOM	Dominican Republic
DZA	Algeria
ECU	Ecuador
EGY	Egypt
ERI	Eritrea
ESH	Western Sahara
ESP	Spain
EST	Estonia
ETH	Ethiopia
FIN	Finland
FJI	Fiji
FLK	Falkland Islands (Malvinas)
FRA	France
FRO	Faroe Islands
FSM	Micronesia, Federated States of
GAB	Gabon
GBR	United Kingdom
GEO	Georgia
GGY	Guernsey
GHA	Ghana
GIB	Gibraltar
GIN	Guinea
GLP	Guadeloupe
GMB	Gambia
GNB	Guinea-Bissau
GNQ	Equatorial Guinea
GRC	Greece
GRD	Grenada
GRL	Greenland

CODE	COUNTRY
GTM	Guatemala
GUF	French Guiana
GUM	Guam
GUY	Guyana
HKG	Hong Kong
HMD	Heard Island and McDonald Islands
HND	Honduras
HRV	Croatia
HTI	Haiti
HUN	Hungary
IDN	Indonesia
IMN	Isle of Man
IND	India
IOT	British Indian Ocean Territory
IRL	Ireland
IRN	Iran, Islamic Republic of
IRQ	Iraq
ISL	Iceland
ISR	Israel
ITA	Italy
JAM	Jamaica
JEY	Jersey
JOR	Jordan
JPN	Japan
KAZ	Kazakhstan
KEN	Kenya
KGZ	Kyrgyzstan
KHM	Cambodia
KIR	Kiribati
KNA	Saint Kitts and Nevis
KOR	Korea, Republic of
KWT	Kuwait
LAO	Lao People's Democratic Republic
LBN	Lebanon
LBR	Liberia
LBY	Libya
LCA	Saint Lucia
LIE	Liechtenstein
LKA	Sri Lanka
LSO	Lesotho
LTU	Lithuania
LUX	Luxembourg
LVA	Latvia
MAC	Macao
MAF	Saint Martin (French part)
MAR	Morocco
MCO	Monaco
MDA	Moldova, Republic of
MDG	Madagascar

CODE	COUNTRY
MDV	Maldives
MEX	Mexico
MHL	Marshall Islands
MKD	Macedonia, the former Yugoslav Republic of
MLI	Mali
MLT	Malta
MMR	Myanmar
MNE	Montenegro
MNG	Mongolia
MNP	Northern Mariana Islands
MOZ	Mozambique
MRT	Mauritania
MSR	Montserrat
MTQ	Martinique
MUS	Mauritius
MWI	Malawi
MYS	Malaysia
MYT	Mayotte
NAM	Namibia
NCL	New Caledonia
NER	Niger
NFK	Norfolk Island
NGA	Nigeria
NIC	Nicaragua
NIU	Niue
NLD	Netherlands
NOR	Norway
NPL	Nepal
NRU	Nauru
NZL	New Zealand
OMN	Oman
PAK	Pakistan
PAN	Panama
PCN	Pitcairn
PER	Peru
PHL	Philippines
PLW	Palau
PNG	Papua New Guinea
POL	Poland
PRI	Puerto Rico
PRK	Korea, Democratic People's Republic of
PRT	Portugal
PRY	Paraguay
PSE	Palestine, State of
PYF	French Polynesia
QAT	Qatar
REU	Réunion
ROU	Romania

CODE	COUNTRY
RUS	Russian Federation
RWA	Rwanda
SAU	Saudi Arabia
SDN	Sudan
SEN	Senegal
SGP	Singapore
SGS	South Georgia and the South Sandwich Islands
SHN	Saint Helena, Ascension and Tristan da Cunha
SJM	Svalbard and Jan Mayen
SLB	Solomon Islands
SLE	Sierra Leone
SLV	El Salvador
SMR	San Marino
SOM	Somalia
SPM	Saint Pierre and Miquelon
SRB	Serbia
SSD	South Sudan
STP	Sao Tome and Principe
SUR	Suriname
SVK	Slovakia
SVN	Slovenia
SWE	Sweden
SWZ	Swaziland
SXM	Sint Maarten (Dutch part)
SYC	Seychelles
SYR	Syrian Arab Republic
TCA	Turks and Caicos Islands
TCD	Chad
TGO	Togo

CODE	COUNTRY
THA	Thailand
TJK	Tajikistan
TKL	Tokelau
TKM	Turkmenistan
TLS	Timor-Leste
TON	Tonga
TTO	Trinidad and Tobago
TUN	Tunisia
TUR	Turkey
TUV	Tuvalu
TWN	Taiwan, Province of China
TZA	Tanzania, United Republic of
UGA	Uganda
UKR	Ukraine
UMI	United States Minor Outlying Islands
URY	Uruguay
USA	United States
UZB	Uzbekistan
VAT	Holy See (Vatican City State)
VCT	Saint Vincent and the Grenadines
VEN	Venezuela, Bolivarian Republic of
VGB	Virgin Islands, British
VIR	Virgin Islands, USA
VNM	Viet Nam
VUT	Vanuatu
WLF	Wallis and Futuna
WSM	Samoa
YEM	Yemen
ZAF	South Africa
ZMB	Zambia
ZWE	Zimbabwe

ALLEGED IUU INCIDENT – FISHING VESSEL MAKMUR CAKALANG 3

BACKGROUND TO THE FISHING VESSEL

- The tuna longline vessel Makmur Cakalang 3 is registered in Indonesia. It has been fishing in the high seas.
- It has submitted an IOTC pre-entry form for Phuket port and has been granted entry.
- In its pre-entry form it declares that its purpose is to offload tuna caught on the high seas and in Indonesia's EEZ.
- The Makmur Cakalang 3 entered Phuket port on the 22 August 2013.

SUSPICIOUS ACTIVITY WAS OBSERVED

At 11.45 hours 20 August 2013, about 100 miles southwest from Phuket, Makmur Cakalang 3 was sighted hauling a longline and loading fish onto its deck.

This event was witnessed by **Paiboon Samran**, master of the **Andaman Hunter**, a registered and licensed longline tuna vessel.

Mr Paiboon Samran reported the incident to the Department of Fisheries office on the 21 August 2013, and provided a statement to the fisheries officer. He provided a video of the alleged incident.

IT WAS DECIDED TO UNDERTAKE A PORT INSPECTION BASED ON THE ALLEGATIONS OF MR PAIBOON

Two officers, Khun Wichai Saengsomboon [Fishery Inspection Officer, DOF] and Khun Anurak Kongthong [Marine Department] conducted the port inspection of Makmur Cakalang 3 at 14.30 hours on 22 August 2013.

The master requested that his agent be present at the interview.

BASED ON THE INSPECTION, THE OFFICERS FOUND THAT

- The fishing vessel Makmur Cakalang 3 is owned by Samudra Fishing Company, a company registered in Indonesia.
- The master of the vessel is Mr Utama Sainuddin.
- The Makmur Cakalang 3 is 35 metres long.
- It uses longlines primarily to catch tuna species.
- The vessel is included on the vessel register of the Indian Ocean Tuna Commission and is displaying the IOTC registration number IO 68934.
- It is on the IOTC "white" list.
- The vessel is on the vessel register of the Western and Central Pacific Fisheries Commission and is displaying the registration number WP 38765.
- It is on the WCPFC "white" list.
- VMS number is A975D694.
- The flag state for the vessel is Indonesia.

WHEN INTERVIEWED MR SAINUDDIN DENIES HE HAS BROKEN THE LAW

Mr Sainuddin claims that:

- He has been fishing for tuna on the high seas.
- He had some engine trouble after he entered national waters and stopped to try and fix it.
- He has entered port to repair the engines.

BY INSPECTING THE SHIPS DOCUMENTS YOU ESTABLISH

- The vessel does not hold authorizations to fish in the port state's exclusive economic zone (EEZ).
- The license to fish in Indonesian waters expired on 31 December 2012.
- The IOTC registration expired in June 2013.
- The vessel log does not show a record of any engine problems.
- The vessel spent three days and 12 hours inside the port state's EEZ.
- The catch log shows 25 tonnes of fish catch taken before entering the port state's EEZ.

BY INSPECTING THE FISH HOLD YOU ESTABLISH:

- There are 55 tonnes of fish in the hold.

DURING THE INTERVIEW

After commencing questioning of Mr Sainuddin he became uncooperative and did not wish to answer questions. Mr Sainuddin's agent suggested that the discussion could be continued over dinner and drinks, that evening at a local restaurant, at his expense.

CONTACT WITH THE RFMO

You have contacted the IOTC and confirmed the vessel's details are accurate.

You have confirmed the vessel has a current flag state and IOTC registration despite the documents you were shown being out of date.

The IOTC has provided you with a certified VMS track for the vessel which shows it was turned off for two days when the vessel was in the port state's EEZ.

1) SUMMARY OF INTERVIEW STATEMENT OF MR PAIBOON SAMRAN

Interview by:

- Khun Wichai Saengsomboon [Fishery Inspection Officer, DOF]
- Khun Sansinee Boonchuey [Fishery Inspection Officer, DOF]

Witness name: Mr Paiboon Samran

- Aged 38 of 123/45 Ratsada Soi 13, Amphur Muang, Phuket.
- He is employed as a vessel master aboard fishing vessel Andaman Hunter.
- The Andaman Hunter's registered number is 86756453.
- The Andaman Hunter is 20 metres long.
- It uses longlines to catch tuna species.
- The Andaman Hunter is a registered longline vessel and holds licenses to fish in the port state's EEZ.
- The informant has been employed in his current position for eight years.
- He was fishing approximately 100 miles southwest of the port when he observed Makmur Cakalang 3 hauling a longline.
- He saw the longline coming in and he saw tuna brought onto the deck of the vessel.
- He made an electronic video recording of the incident and recorded the incident in his vessel log, and recorded the position on his GPS as a waypoint.
- He provided the following evidence:
 - o A copy of the electronic video recording of the incident.
 - o A photocopy of the record of the incident in his vessel log, which also records the GPS waypoint where the event happened.
- This evidence has been secured.

2) SUMMARY OF INTERVIEW STATEMENT OF MR UTAMA SAINUDDIN

Interview by:

- Khun Wichai Saengsomboon [Fishery Inspection Officer, DOF]
- Khun Sansinee Boonchuey [Fishery Inspection Officer, DOF]

Suspect name: Mr Utama Sainuddin

- Aged 46.
- Address 356/42 Denpasar Street, Jakarta.
- Employed as vessel master of Makmur Cakalang 3.
- Makmur Cakalang 3 IOTC registered number is IO 68934.
- The Makmur Cakalang 3 is 35 metres long.
- It uses longlines to catch tuna species.
- The informant has owned the vessel for 12 years.
- He denies fishing in the port state's EEZ.
- He claimed the differences between his catch and his catch log are a mistake for which he apologises.
- When asked about the VMS being turned off he had a conversation with his agent and after that he stated he did not wish to answer any further questions.
- The agent offers to buy the officers dinner and drinks at a well-known local restaurant so that "this can all be sorted out".

REFER TO ACTIVITY 13: PREPARE AN INVESTIGATION REPORT

The investigation report is to your director and he will use it to make a decision about what steps should be taken next. The report should be prepared using the following template as a guide.

1. Details of the vessel (name, flag state, call sign)	
2. A description of alleged offence	
3. Date and time of alleged offence	
4. The dates and times of any inspections	
5. Inspecting officers (name, position, and department)	
6. Details of the master (name, nationality)	
7. Details of any witnesses (names, nationality, vessel details)	
8. Details of languages spoken by the master, and witnesses	
9. Date and time of interviews of the master. Was an interpreter required?	
10. Was the master cautioned about his rights?	
11. Was the vessel agent or legal representation involved?	
12. List the evidence you have to supports the allegation	
13. Is the offence disputed by the master?	
14. If the offence is disputed by the master, what did he say?	

<p>15. Were any specific admissions or denials made?</p>	
<p>16. Date and time of interviews of Witnesses. Was an interpreter required?</p>	
<p>17. What evidence has been obtained?</p>	
<p>18. Is the evidence secure?</p>	
<p>19. Do you have any doubts about whether the master is guilty and if so what are they?</p>	
<p>20. Were any statements made such as threats or bribes to inspectors?</p>	
<p>21. Did the witnesses give you information of their own free will?</p>	
<p>22. What is your recommendation:</p> <ul style="list-style-type: none"> a) Should the vessel be prosecuted under National law? b) Should the vessel be referred to the flag state and IOTC for investigation for IUU fishing? c) Is further action warranted such as a written warning? d) Some other action? 	

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