



Australia Implementation of MCS Frameworks

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AFMA Compliance



Key Areas of Responsibility:

- Australian fishing vessels in the AFZ
- Australian fishing vessels and Australian nationals operating internationally
- Foreign fishing vessels operating illegally in the AFZ

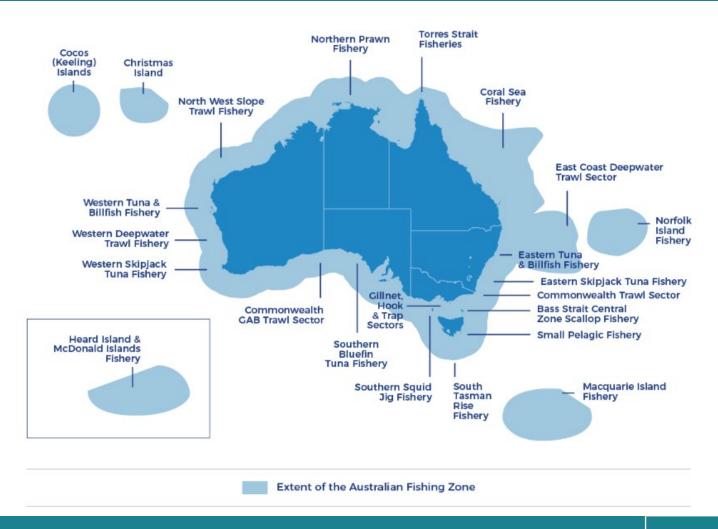




Australian Fishing Zone



- Out to 200 nautical miles
- 9 million km² in area (3rd largest in the world)
- Antarctic to tropical regions
- Shared boundaries
 - New Zealand
 - New Caledonia
 - East Timor
 - PNG
 - Indonesia
- France





MCS: Domestic Licensed Vessels



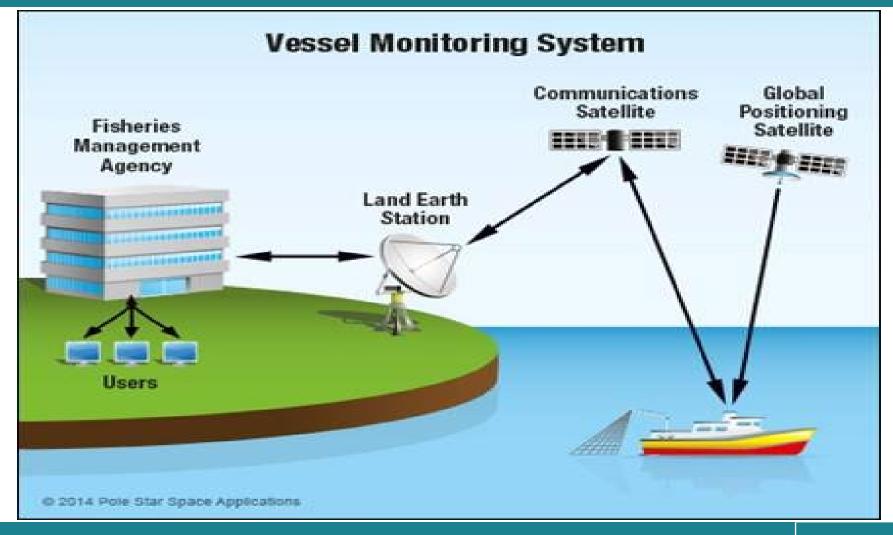
- Risk based intelligence driven targeted compliance program
- Fisheries Observers
- Aerial Surveillance
- Port inspections
- Covert observations
- Vessel Monitoring System (VMS)
- Electronic Monitoring (EM) System
- Logbooks
- Quota Controlled Fisheries
- Input Controlled Fisheries
 - Fishing Gear Restrictions
 - Spatial and Seasonal Closures





Vessel Monitoring System (VMS)







Vessel Monitoring System (VMS)



VMS data is used for a range of purposes including;

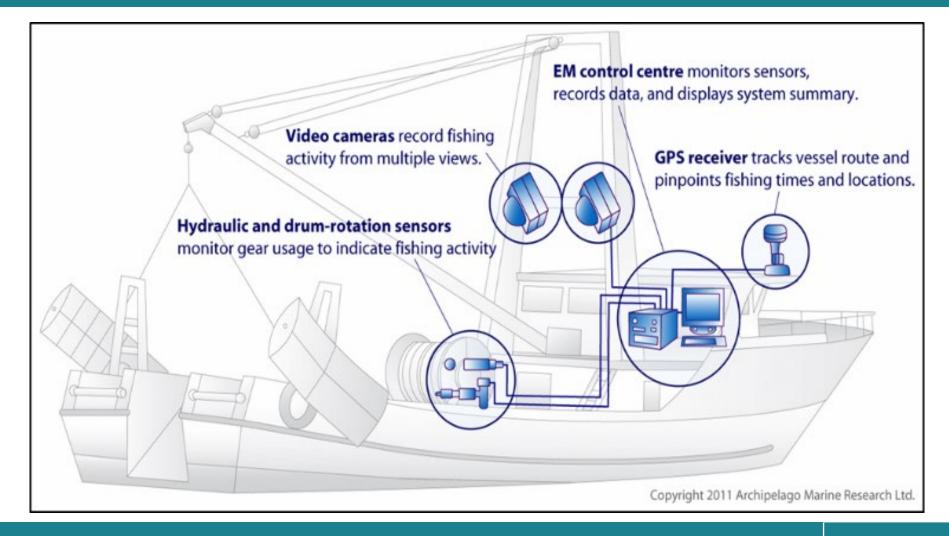
- Catch and effort analysis (fisheries management)
- Real time tracking of boats for inspection and enforcement purposes
- Automated alerting/notification systems for operators
- Monitoring compliance with fisheries closures





Electronic Monitoring (EM)







Electronic Monitoring (EM)







Electronic Monitoring (EM)



How is EM data used?

EM data is used primarily for three purposes:

- 1. Ensuring/verifying/improving the accuracy of logbook data
- Recording and identifying Threatened,
 Endangered and Protected species
 interactions
- 3. Ensuring compliance with bycatch reduction requirements





Australia's Port Permit Process



- Application Received.
- Vessel Assessment.
- Port Access Decision.

	tion for a PP Permit Page 1 of 5		tion for a Permit		
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	tonnage and regional fisheries management organization	ves 🗆	Departure Estimated Time Enter time here		
ART A – Vessel Master's details	(RFMC) ID number, if applicable)		Reason(s) for port access		
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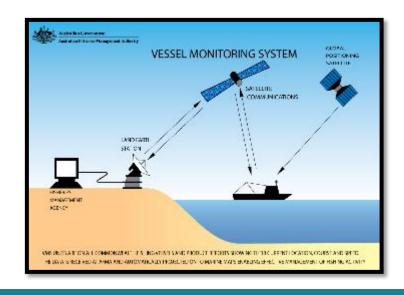


Port Permit Approved



Vessel Monitoring in Australian Waters:

- AFMA may chose to enforce that the vessel is tracked by VMS for the duration that the vessel is in Australian waters.
- The vessel owner must consent to this monitoring and complete this form.
- This is usually a condition of port entry.

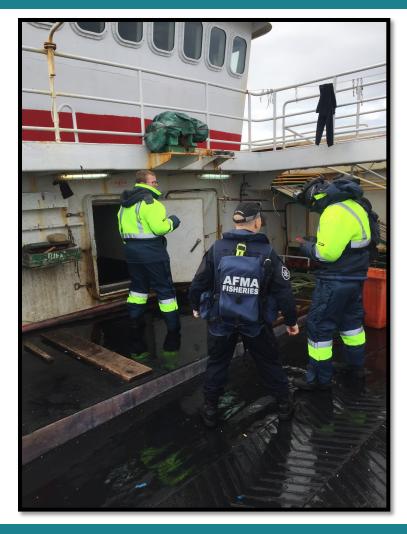


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What you need to do		Model		
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Fax: +01 2 6225 5440		Vessel name		
Phone: +61 2 6225 5555				
Email: portpermit@afma.gov.au				
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Trading Name – All individual or corporate owners must be specified as the applicants and all sign this	form.	Vessel MO Number		
Companies – A company may sign in any manner scall) authorised by s127 of the Cognorations Act 20	901.			
Co-Holders – If the concession is in more than one (partnership or otherwise), all holders must sign this more than two holders please attach and date a sep	s form. If there are	PART D - Vessel o	ontact de	taits
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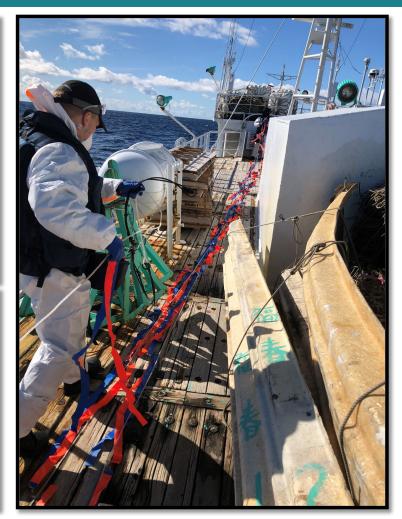
Decision to Inspect and Inspection













Australia and the PSMA: Frameworks



Legislative:

- Australian Fisheries legislation already allowed for provisions under the Port State Measures Agreement:
 - Fisheries Management Act 1991, Section 94 (Port Permits).

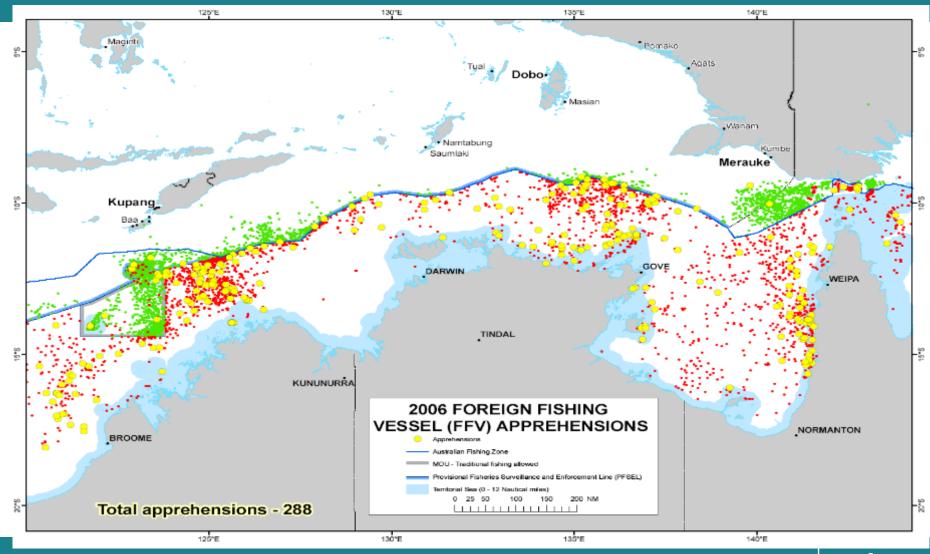
Organisational:

- AFMA is a client of the Civil Maritime Surveillance program co-ordinated by Maritime Border Command (MBC).
 - All Government Departments involved in maritime security are a part of the Civil Maritime Surveillance program
 - AFMA is the lead agency on all incidents involving Foreign Fishing Vessels



2006 FFV Apprehensions and Sightings







Historic FFV Apprehensions and Sightings







Historic FFV Apprehensions and Sightings







Strategies to Address IUU Fishing



Multifaceted Approach

- Deterrence
- Apprehension/prosecution/penalties
- Prevention
- Education/capacity building
- Collaboration
- International engagement/RFMO/RPOA/Disruption activities





Interagency Cooperation





Australian Government

Department of Defence





Australian Government

Australian Fisheries Management Authority





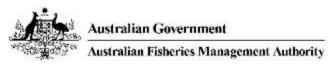




Australian Bureau of Agricultural and Resource Economics and Sciences







Australian Government Civil Maritime Security Strategy



- The Strategy sets the Australian Government's civil maritime security policy direction.
- It provides the framework to deliver a whole-ofgovernment approach for strong, integrated and adaptive national civil maritime security including to combat IUU Fishing.





Guide to Australia's Maritime Security Arrangements



The Guide to Australian **Maritime Security** Arrangements (GAMSA) is a multi-agency document designed to reinforce the endorsed civil maritime security framework and arrangements by facilitating awareness of those arrangements and of existing stakeholder arrangements relating to the eight civil maritime security threats.





Australian Government Australian Fisheries Management Authority Maritime Border Command - Maritime Security Threats









Maritime Security Threats

Prohibited Imports and Exports

Compromise to Biosecurity







Civil Maritime Surveillance and Response Program



- Coordinated by the Maritime Border Command
- Risk based to address threats
- Aerial surveillance provided under contract
- Surface patrols by Defence and Australian Border Force vessels
- A whole of Government multi agency approach











Guide to Australia's Maritime Security Arrangements









Aircraft sights FFV and reports in flight to MBC Watchfloor. AFMA Duty Officer requests a response/or not



Boarding and inspection conducted

FISHREP sent to AFMA Duty Officer. Apprehension or legislative forfeiture approved (or not).

Equipment seized, or FFV escorted to nearest boat disposal facility, crew detained in Darwin



Maritime Powers Act 2013



- Integral to have robust national legislation in place
- Incorporation of Legislation under one Act –
 Maritime Powers Act 2013
 - (a) the Customs Act 1901; or
 - (b) the Fisheries Management Act 1991; or
 - (c) the Migration Act 1958; or
 - (d) the Torres Strait Fisheries Act 1984; or
 - (e) section 72.13 or Division 73 or 307 of the Criminal Code; or
 - (f) clause 8 of Schedule 1 to the Environment Protection and Biodiversity Conservation Act 1999; or
 - (g) a law prescribed by the regulations.



Regional Cooperation









Coordinated patrol activity between Australia and Indonesia - Operation Gannet



Regional Cooperation







Education - Public Information Campaign



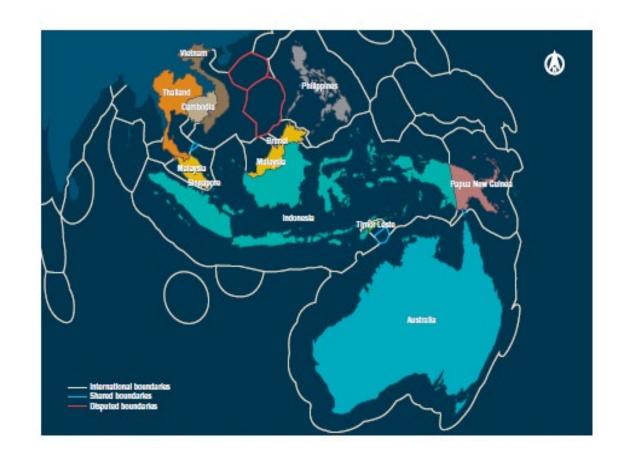




Regional Plan of Action to Combat IUU in Southeast Asia



- Enhance & strengthen fisheries management
- Conserve fisheries resources
- Information Sharing
- Combat IUU Fishing





Information Sharing







REF: MCSSG20013

RPOA MCS Sub-Regional (Arafura and Timor Seas) Group – Indonesia Ministry of Maritime Affairs and Fisheries (Kementerian Kelautan dan Perikanan) Jakarta Pusat 10110 Jakarta. Indonesia

Dear Indonesian Delegates.

The Australian Fisheries Management Authority (AFMA), under the auspices of the Regional Plan of Action (RPOA) to Promote Responsible Fishing Practices including Combating Illegal, Unreported and Unregulated (IUU) Fishing in the Region, and in recognition of the cooperation between Australia and Indonesia through the RPOA Monitoring, Control, Surveillance (MCS) Sub-Regional (Arafura and Timor Seas) Group to address suspected illegal fishing activity in the Arafura and Timor Seas, shares the information attached to this letter.

Please review the vessel sighting information provided and take all necessary action in accordance with your national legislation and international requirements, if potential illegal activity is identified. Australia welcomes the continued cooperation with Indonesia with respect to these fishing vessels, and we look forward to receiving information on the outcome of the investigation. This suspected IUU activity has significantly increased of recent and the exploitation of the resources in this area is concerning. We note that member countries are to report on action taken through the MCS Sub-Group Secretariat on a case-by-case basis.

AFMA will continue to share surveillance information with the MCS Sub-Regional (Arafura and Timor Seas) Group members under the agreed 2019 Action Plan, to facilitate cooperation and to support action taken against IUU operators undermining both national and regional efforts to sustainably manage fisheries resources.

We look forward to continuing to work with Indonesia to ensure the efficient management and sustainable use of fish stocks and marine species in the Arafura and Timor Seas.

Please contact me should you have any queries or if further information is required to assist in this matter.

Yours sincerely,

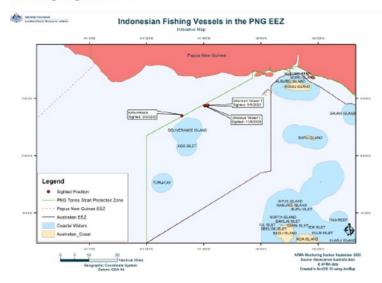
Brendan Rayner

Manager, International Compliance Operations
Australian Fisheries Management Authority

Phone: +61 8 8943 0347

Email: brendan.ravner@afma.gov.au

Vessel Sighting Information



Vessel information: Vessel One

*TSPZ PNG (EEZ) - Torres Strait Protected Zone, Papua New Guinea (Exclusive Economic Zone)

Date	Location	Activity		
9 September 2020	*TSPZ PNG (EEZ)	Manoeuvring Deploying Gear		
11 September 2020	*TSPZ PNG (EEZ)	Anchored		
Vessel Name		Unknown		
Position		09°22'22"S 141°41'27"E 09°22'31"S 141°40'23"E		
Flag State		Indonesia		
Number of crew		Four on the deck (11 September 2020)		
Fish on board		Fish product sighted on 11 September 2020		
Fishing gear		Bottom set gillnet		
Vessel length (appro	ximately)	15 metres		
Vessel description		Wooden construction, white superstructure with white hull.		

FOR OFFICIAL USE ONLY



Information Sharing



FOR OFFICIAL USE ONLY





Photographs: Additional photographs may be available upon request





FOR OFFICIAL USE ONLY





Vessel information: KMN PRIMA 66

*TSPZ PNG (EEZ) - Torres Strait Protected Zone, Papua New Guinea (Exclusive Economic Zone)

Date	Location	Activity
9 September 2020	*TSPZ PNG (EEZ)	Manoeuvring
Vessel Name	t to the second	KMN PRIMA 66
Position		09°26'02"S 141°32'20"E
Flag State		Indonesia
Number of crew		One person sighted
Fish on board		NA
Fishing gear		Bottom set gillnet
Vessel length (appr	roximately)	15 metres
Vessel description		Wooden construction, white superstructure with white hull.

Photographs: Additional photographs may be available upon request







Regional Case Study – FV Cobija



The Vessel – FV Cobija (ex. Cape Flower)



- January 2020 AFMA receive notification of Cobija movements through AIS from Interpol
- Comprehensive case file
 - Historically licensed by Bolivia
 - Notified fishing ventures in CCAMLR Area of Competence as early as 2014.
 - Reports of Toothfish unloads in Myanmar and Ecuador etc.
 - IUU listed in SEAFO and NEAFC Cross listed in ICCAT, SIOFA and IOTC - Fishing inside FAO Area 47.
- Information from Bolivia to SEAFO indicates possible deregistration in Jan 2019.
- AFMA initiates the coordinating a Whole of Australian Government response:





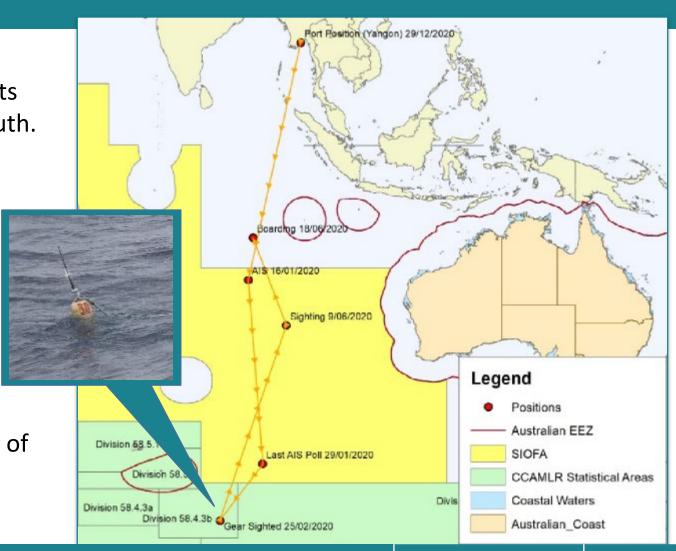
Sequence of Events



• Notification from INTERPOL and AIS position reports departing Myanmar December 2020, transiting south.

Intermittent AIS polling, last AIS poll 29/01/2020.

- Unmarked gear sighted in CCAMLR area of competence 25/02/2020.
- Routine aerial surveillance sights *Cobija* west of Australia.
- Australian surface asset deployed for the purposes of flag state verification.





Operational Response and Boarding



Vessel boarding for the purposes of flag state verification.

- Representation to the purported flag state.
- Inspection of documents relating to flag state.
- Observations concurrent to verifying flag state.





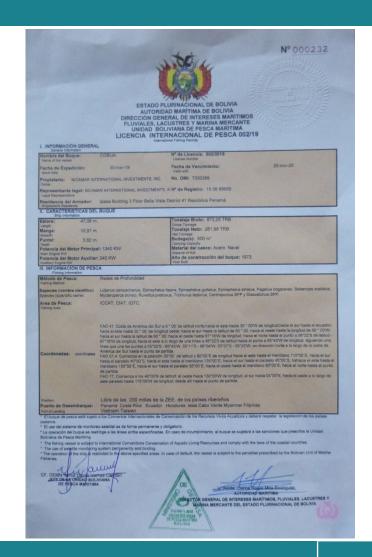




Expired & Fraudulent Documentation



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a) Equipos Equipment	b) Marca Tipo Make / Type	c) Poter Radiested	cia d) Emisión Power Emission	e) Bands de Frecuencia Frequency Band	
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29. Requisitos o condicio SEE REVERSE SIDE M	nes especiales si las hay / ISMC	Special Requ	rements or conditions,	fany	
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Information Sharing and State Responses



Notifications of FV Cobija's actions have been sent through many networks following the joint operation

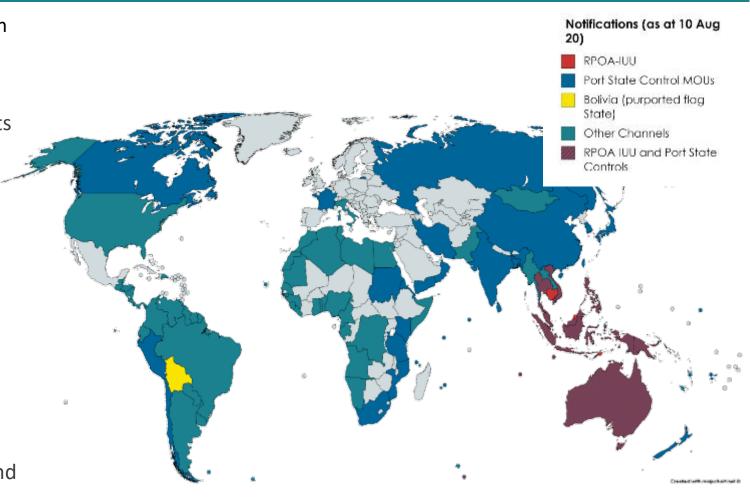
Flag State action

Bolivia have a copy of the alleged forged documents and have commenced an investigation

Port state action

- Myanmar has permanently banned Cobija from operating in their waters
- Yemen detained the vessel.
- Market states
- RFMO IUU Listing
 Continue to investigate possibilities
- Actions by States with nationals on board

AFMA continue to engage INTERPOL, AFP, AGD, DFAT and DAWE in relation to approach





Port State Measures - Yemen



- Vessel detained by Yemen authorities in the Port of Mukalla.
 - Stateless vessel.
 - Document forgery.
- Master prosecuted and since released in response to diplomatic pressure.
- Catch forfeit to the Port State and sold at local market.
- Ongoing efforts to support investigations by relevant agencies and organisations.







Australia's MCS Essentials



- Robust national legislation in place
- Robust Compliance Program utilising Surveillance and Enforcement Assets
- Information sharing frameworks
 - Ability to gather appropriate information
 - Mechanisms to share information including Data Exchange
- Appropriately trained officers to conduct inspections and investigations
- Interagency cooperation
 - Understanding their role under the GAMSA
 - Information sharing between Agencies

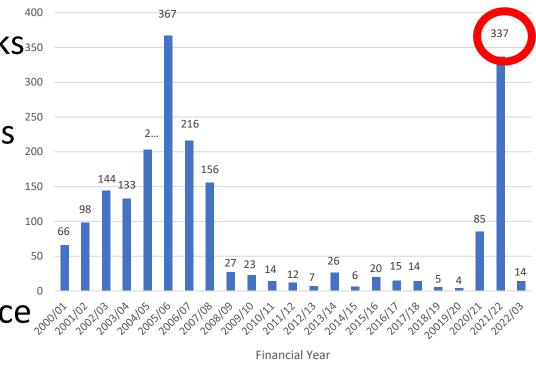




Current Situation – Post COVID



- Increased Illegal Fishing in the AFZ
- Continued Information sharing frameworks 350
- Working with Regional Partners to address the issue
 - Development of Public Information Campaign in Indonesia
 - Improving Enforcement and Surveillance collaboration with Indonesia



Historical Compliance Events





Questions