Adopted: 28th November 2024 Entered into force 1st December 2024

South East Atlantic Fisheries Organisation

SEAFO

SYSTEM OF OBSERVATION, INSPECTION, COMPLIANCE AND ENFORCEMENT (2024)

THE SOUTH EAST ATLANTIC FISHERIES ORGANISATION AT ITS 10th ANNUAL MEETING IN 2013 ADOPTED IN ACCORDANCE WITH ARTICLE 16 OF THE CONVENTION, THE FOLLOWING RECOMMENDATION ON A SYSTEM OF CONTROL AND ENFORCEMENT

In accordance with Article 16 of the Convention on observation inspection compliance and enforcement, the Commission recommends that the attached SYSTEM OF OBSERVATION, INSPECTION, COMPLIANCE AND ENFORCEMENT shall enter into force on 5th December 2017

At the same time, the following SEAFO Conservation and Control Measures:

(a) "07/06 relating to Interim Measures to amend the interim Arrangement of the SEAFO Convention"; , is repealed.
(b) "08/06 Establish a List of Vessels Presumed to Have Carried out Illegal, Unreported and Unregulated (IUU) Fishing Activities"; , is repealed.
(c) "13/09 on an Interim Prohibition of Transhipment at SEA in the SEAFO Convention Area and to regulate Transhipment in Port";is repealed.
(d) "19/10 on Retrieval of Lost Fixed Gear"; , is repealed.
(e) "21/11 on port State control"; , is repealed.
(f) "System of Observation, Inspection, Compliance and Enforcement" as entered into force on 6 February 2013, is repealed.
(g) "System of Observation, Inspection, Compliance and Enforcement" as entered into force on 12 February 2014, is repealed.
(h) "System of Observation, Inspection, Compliance and Enforcement" as entered into force on 15 February 2016, is repealed.
(i) "System of Observation, Inspection, Compliance and Enforcement" as entered into force on 14 February 2017, is repealed.
(j) "System of Observation, Inspection, Compliance and Enforcement" as entered into force on 5th December 2017, is repealed.
(k) "System of Observation, Inspection, Compliance and Enforcement" as entered into force on 5th December 2019, is repealed.

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CHAPTER I

General provisions

Article 1 – Scope

Unless otherwise stated, this System of Observation, Inspection, Compliance and Enforcement, hereafter designated as the System, shall apply to all fishing vessels and fishing research vessels operating or intending to operate in the Convention Area**.**

Article 2 – Definitions

1. In addition to the definitions laid down in the Convention, for the purpose of this System the following definitions shall apply:

   (a) "Convention" means the Convention on the Conservation and Management of Fishery Resources in the South East Atlantic Ocean;

   (b) "Convention Area" means the waters of the Convention Area as defined in Article 4 of the Convention;

   (c) "fishing related activities" means any operation in support of, or in preparation for fishing, including the landing, packaging, processing, transhipping or transporting of fishery resources that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear and other supplies at sea;

   (d) "foreign vessel" means a vessel flying the flag of another Contracting Party;

   (e) "illegal, unreported and unregulated fishing" refers to the activities set out in paragraph 3 of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, and includes fishing related activities in support of such fishing, hereinafter referred to as IUU fishing;

   (f) "non-Contracting Party vessel" means any vessel not flagged to a Contracting Party of SEAFO, including vessels for which there are reasonable grounds for suspecting them to be without nationality;

   (g) "patrol vessel" means any ship clearly marked and identifiable as being on Government service and authorized to carry out inspections and related MCS operations/activities to ensure compliance with SEAFO Conservation and Management Measures.

   (h) "port" includes offshore terminals and other installations for landing, transhipping, packaging, processing, refuelling or resupplying; and

   (i) "vessel" means fishing vessel and fishing research vessel.

Article 3 – Co-operation and contact points

1. Contracting Parties shall consult, co-operate and exchange information with other Contracting Parties and/or the Executive Secretary in order to facilitate the implementation of this System, taking into account the appropriate confidentiality requirements.

2. Contracting Parties shall designate the competent authority which shall act as the contact point for the purposes of receiving reports in accordance with Articles 11, 13, 14, 17, 23 and 24 and for receiving notifications and issuing authorisations in accordance with Articles 21 and 22. Each Contracting Party shall send to the Executive Secretary the telephone number, e-mail address and fax number of at least two designated contact points before March 15, 2013. Any subsequent changes to the list shall be notified to the Executive Secretary at least fifteen days before the change shall come into force. The Executive Secretary shall put the details of the contact points and any changes thereto on the SEAFO website without delay.

CHAPTER II

Control measures

Article 4 – Authorisation and notification to fish

1. Each Contracting Party shall submit electronically and annually to the Executive Secretary, by 1 January, the list of its vessels that are authorised to operate in the Convention Area. This list shall include the following information:

   (a) name of vessel, registration number, previous names (if known), and port of registry;

   (b) previous flag (if any);

   (c) International Radio Call Sign;

   (d) IMO number[1]

   (e) name and address of owner or owners;

   (f) where and when built;

   (g) type of vessel;

   (h) length;

   (i) name and address of operator (manager) or operators (managers) (if any);.

   (j) type of fishing method or methods;

   (k) moulded depth;

   (l) beam;

   (m) gross tonnage; and

   (n) power of main engine or engines.

2. Each Contracting Party shall promptly notify, after the establishment of the SEAFO record, the Executive Secretary of any addition to, any deletion from and/or any modification of the SEAFO record at any time such changes occur.

3. The Executive Secretary shall maintain the SEAFO record, and take any measure to ensure publicity of the record and through electronic means, including placing it on the SEAFO website, in a manner consistent with confidentiality requirements noted by Contracting Parties.

[1] Deadline for implementation is 1st Jan 2017

4. Each Contracting Party shall:

   (a) authorise their vessels to operate in the Convention Area only if they are able to fulfil in respect of these vessels the requirements and responsibilities under the Convention, this System and its conservation and management measures;

   (b) take necessary measures to ensure that their vessels comply with this System and all the relevant SEAFO conservation and management measures;

   (c) take necessary measures to ensure that their vessels on the SEAFO record keep on board valid certificates of vessel registration and valid authorisation to fish and/or tranship;

   (d) ensure that its vessels on the SEAFO record have no history of IUU fishing, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, its vessels are not engaged in or associated with IUU fishing;

   (e) ensure, to the extent possible under domestic law, that the owners and operators of its registered vessels on the SEAFO record are not engaged in or associated with fishing activities conducted in the Convention Area by vessels not registered into the SEAFO record; and

   (f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the vessels on the SEAFO record are citizens or legal entities within that Contracting Party so that any control or punitive actions can be effectively taken against them.

5. Each Contracting Party shall review their own internal actions and measures taken pursuant to Article 4, including punitive actions and sanctions and in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission at its annual meetings. In consideration of the results of such review, the Commission shall, if appropriate, request the Contracting Party with vessels on the SEAFO record to take further action to enhance compliance by those vessels to this System and the SEAFO conservation and management measures.

6. Each Contracting Party shall take measures, under their applicable legislation, to prohibit the fishing and fishing related activities on fishery resources covered by the Convention by the vessels which are not registered into the SEAFO record.

7. Each Contracting Party shall notify the Executive Secretary of any factual information showing that there are reasonable grounds for suspecting vessels not registered on the SEAFO record to be operating in the Convention Area.

Article 5 – Prohibition of transhipments in the Convention Area

Each Contracting Party shall ensure that its vessels are not involved in transhipment in the Convention Area on fishery resources covered by the Convention

Article 6 – Vessel requirements

1. Each Contracting Party shall ensure that:

   (a) its vessels carry on board documents issued and certified by the competent authority of that Contracting Party, including, as a minimum, the following:

      i. registration document;

      ii. license, permit or authorisation to fish or to engage in research fishing activities and terms and conditions attached to the licence, permit or authorisation;

      iii. vessel name;

      iv. port in which registered, and the number(s) under which registered;

      v. International Radio Call Sign (if any);

      vi. names and addresses of owner(s) and where relevant, the charterer;

      vii. overall length;

      viii. power of main engine or engines in KW/horsepower; and

      ix. certified drawings or description of all fish holds, including storage capacity in cubic feet or metres.

   (b) above documents are checked on a regular basis; and

   (c) any modification to the documents referred to in subparagraph (a) is certified by the competent authority of that Contracting Party.

2. Each Contracting Party shall ensure that its vessels authorised to operate in the Convention Area are marked in such a way that they can be readily identified with generally accepted international standards, such as the FAO Standard Specification for the Marking and Identification of Fishing Vessels.

Article 7 – Marking of gear

Each Contracting Party shall ensure that gears used by its vessels authorised to operate in the Convention Area are marked as follows: the ends of nets, lines and gear anchored in the sea shall be fitted with flag or radar reflector buoys by day and light buoys by night sufficient to indicate their position and extent. Such lights should be visible at a distance of at least two nautical miles in good visibility. Marker buoys and similar objects floating on the surface and intended to indicate the location of fixed fishing gear shall be clearly marked at all times with the letter(s) and/or number(s) of the vessel to which they belong.

Article 8 – Retrieval of lost or abandoned fishing gear

Each Contracting Party shall ensure that:

(a) vessels operating with any gear shall have equipment on board to retrieve lost or abandoned gear;

(b) a vessel that has lost or abandoned gear shall make every reasonable attempt to retrieve it as soon as possible, including but not limited to a search and retrieval period of a minimum of 24 hours.

(c) no vessel shall deliberately abandon fishing gear, except for safety reasons, notably vessels in distress and/or life in danger; and

(d) if the lost gear, amounting to 10% or more of longline and pot lines or any part of trawling gear, cannot be retrieved the vessel shall notify the competent authorities of its flag State within 24 hours of the following:

   i. the name and call sign of the vessel;

   ii. the type of lost gear;

   iii. the quantity of gear lost;

   iv. the time when the gear was lost;

   v. the position where the gear was lost; and

   vi. measures taken by the vessel to retrieve lost gear.

(e) following retrieval of lost gear, the vessel shall notify the flag State Contracting Party within 24 hours of the following:

   i. the name and call sign of the vessel that has retrieved the gear;

   ii. the name and call sign of the vessel that lost the gear (if known);

iii. the type of gear retrieved;

iv. the quantity of gear retrieved;

v. the time when the gear was retrieved; and

vi. the position where the gear was retrieved.

(f) The flag State shall without delay notify the Executive Secretary of the information referred to in paragraphs (d) and (e). The Executive Secretary shall without delay put this information on the SEAFO website.

Article 9 – Labelling of frozen products of fishery resources

Each Contracting Party shall ensure that:

(a) when frozen, all fishery products caught and retained onboard within the Convention Area shall be identified by a clearly legible label or stamp. The label or stamp, on each box, carton, container, bag or block of frozen fishery products, shall indicate the species (using the relevant FAO 3-Alpha code), presentation, production date, the SEAFO Division where the catch was taken and the name of the catching vessel;

(b) labels shall be securely affixed, stamped or written on packaging at the time of stowage and be of a size that can be clearly read by inspectors in the normal course of their duties;

(c) labels shall be marked in ink on a contrasting background; and

(d) each package shall contain only:

i. one product form/type category;

ii. one division of capture;

iii. one date of production; and

iv. one species.

CHAPTER III

Monitoring of Fisheries

Article 10 - Information on fishing activities

1. Each Contracting Party shall ensure that its vessels keep a bound fishing logbook with consecutively numbered pages and, where appropriate, a production logbook, stowage plan or a research plan and that the fishing logbook contains the following:

   (a) each entry into and exit from the Convention Area;

   (b) the cumulative catches by species (using the relevant FAO 3 Alpha Code) by live weight (Kg), the proportion of the catch by live weight (Kg) retained on board, including retained by-catch species and discarded TAC species; and

   (c) for each haul:

      i. catch retained on board by species in live weight (Kg) and an estimation of the amount of fishery resources discarded (Kg), by species;

      ii. all non-TAC species discarded for which the total live weight is less than 10 kg, may be reported using the 3-Alpha Code MZZ (Miscellaneous Marine Species);

      iii. the type of gear (trawl, pots, longline, etc.);

      iv. the description of gear (number of hooks, number of pots, size of the trawl, etc.);

      v. the longitude and latitude co-ordinates of shooting and hauling; and

      vi. the date and time of shooting and hauling (UTC).

   (d) after each report, pursuant to article 11 and 13 (f), the following details shall be entered in the logbook immediately:

      i. date and time (UTC) of transmission of the report; and

      ii. in the case of a radio transmission, the name of the radio station through which the report is transmitted.

2. Each Contracting Party shall ensure that its vessels:

   (a) submit the fishing logbook data within 30 days of the completion of a fishing trip in the convention Area; and

   (b) submit the fishing logbook data to the Secretariat in the electronic format as provided in the Reporting Forms section on the SEAFO website.

3. Each Contracting Party shall ensure that its vessels, which process and/or freeze their catch shall:

   (a) record their cumulative production by species (using the relevant FAO 3-Alpha Code), by live weight (Kg), including by-catch and product form/type in a production logbook; and/or

   (b) stow in the hold all processed catch in such a way that the location of each species can be identified from a stowage plan maintained by the vessel.

4. The quantities recorded shall correspond to the quantities kept on board. The original recordings contained in the fishing logbooks shall be kept on board the vessel for a period of at least 12 months.

Article 11 – Communication of catches by vessels

1. Each Contracting Party shall ensure that its vessels authorised to operate in the Convention Area shall communicate catch reports to its FMC in accordance with the specifications set out in Annex II A by electronic means, or other appropriate means The timing and content of the reports shall include the following:

   (a) entry report (COE). This report shall be transmitted no more than 12 hours and at least 6 hours in advance of each entry into the Convention Area and shall include entering date, time, geographical position of the vessel and the quantity of fishery resources on board by species (using the relevant FAO 3-Alpha Code) and by live weight (Kg);

   (b) catch report (CAT). The aggregated catch for consecutive 5 days shall be recorded by division, by species (using the relevant FAO 3 Alpha Code) and by live weight (Kg), including retained by-catch species and discarded TAC species, every 5 days, or more frequently as required by the Contracting Party. Nil catch retained and nil discards of all species shall be reported using the 3-Alpha Code MZZ and quantity as “0”; and

   (c) exit report (COX). This report shall be made no more than 12 hours and at least 6 hours in advance of each exit from the Convention Area. The report shall include exiting date, time, geographical position of the vessel, the number of fishing days and the catch taken by species (using the relevant FAO 3-Alpha Code) and by live weight (Kg) since the commencement of fishing in the Convention Area, or since the last catch report.

2. Each Contracting party shall ensure that its FMC upon receipt, transmits electronically the reports referred to in paragraph 1 to the Executive Secretary in the format prescribed in Annex II A without delay.

Article 12 – Periodic reporting of catch and fishing effort by Contracting Parties

1. Each Contracting Party shall report to the Executive Secretary the aggregated retained and discarded catch of fishery resources listed in Annex I, and by-catch species, in accordance with the specifications and format set out in Annex II B attached, in kilogram per species, taken by its vessels in the Convention Area on a quarterly basis. Such reports shall specify the months to which each report refers and shall be submitted within 30 days following the end of the quarter in which the fishing occurred.

2. The Executive Secretary shall, within 15 days following the quarterly deadlines for receipt of the provisional catch statistics, collate the information received and circulate it to the Contracting Parties.

Article 13 – Vessel Monitoring System (VMS)

1. Each Contracting Party shall ensure that its vessels implement a satellite based vessel monitoring system and:

   (a) be equipped with a Vessel Locating Device (VLD) able to automatically transmit VMS data to the land based Fisheries Monitoring Centre (FMC) of its flag State allowing a continuous tracking of the position of the vessel by the flag State;

   (b) the VLD fitted on board the vessel shall be able to continuously collect and transmit, at any time, to the FMC of the flag State the following data:

      i. the vessel's identification;

      ii. the most recent geographical position of the vessel (longitude and latitude) with a margin of error lower than 500 metres, with a confidence interval of 99%;

      iii. course of the vessel;

      iv. speed of the vessel; and

      v. the date and time that the position of the vessel has been transmitted.

   (c) the satellite tracking devices on its vessels are permanently operational and that the information referred to in sub-paragraph (b) is collected and automatically transmitted at least every 2 hours;

   (d) its vessels do not enter the Convention Area and commence operations with a defective VLD;

   (e) in the event of a technical failure or non-operation of the VLD fitted on board a vessel, the device shall be repaired or replaced within a month. After this period, the vessel is not authorised to begin a new trip with a defective VLD. If the trip is

lasting more than one month, the repair or the replacement has to take place as soon as the vessel enters a port; the vessel shall not be authorised to begin a new trip without a VLD having been repaired or replaced; and

(f) that a vessel with a defective VLD shall manually communicate to the flag State FMC, at least daily, reports containing the information in sub-paragraph (b) by other means of communication (email, radio, fax, etc.).

2. Each flag State shall provide a copy of the reports required in accordance with this Article to the Executive Secretary, as soon as possible after receipt, but not later than 24 hours following the receipt of the reports and messages by the FMC.

3. Each flag State shall ensure that the reports and messages transmitted to the Executive Secretary shall be in accordance with the data exchange format in Annex III.

Article 14 – Monitoring of transhipments in ports

1. Each Contracting Party shall ensure that its vessels carrying fishery resources caught and covered by the Convention in the Convention Area shall only tranship in port of a Contracting Party if they have prior authorisation from both its flag State and the port. Each Contracting Party shall further ensure that transhipments are consistent with the reported catch of each vessel and require the reporting of transhipment in accordance with the format set out in Annex IV.

2. Each flag State shall ensure its vessels which tranships in port to another vessel, hereinafter referred to as "the receiving vessel", any quantity of catches of fishery resources covered by the Convention and fished in the Convention Area shall, at the time of the transhipment inform the flag State of the receiving vessel of the fishery resources and quantities involved, of the date of the transhipment and the location of catches. The vessel shall submit to its flag State a SEAFO transhipment declaration in accordance with the format set out in Annex IV. The vessel shall notify, at least 24 hours in advance, the following information to the port State:

   (a) the date, time and port of transhipment;

   (b) the names of the transhipping vessels;

   (c) the names of the receiving vessels; and

   (d) the tonnage of fishery resources by species to be transhipped.

3. Each flag State shall ensure its vessels, not later than 24 hours before the beginning of the transhipment, and at the end of a transhipment, the receiving vessel shall inform the competent authorities of the port state, of the quantities of catches by species of fishery resources covered by the Convention on board the vessel. The vessel shall transmit the SEAFO transhipment declaration to the competent authorities within 24 hours. The receiving vessel shall, 48 hours before landing, submit a SEAFO transhipment declaration to the competent authorities of the port State where the landing takes place.

4. Each Contracting Party involved in the transhipment shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag State referred in paragraph 1 to ensure that landings are consistent with the reported catches of each vessel. Each Contracting Party shall notify annually to SEAFO the details of transhipments by its vessels in accordance with paragraphs 1, 2, and 3.

CHAPTER IV

At sea inspection

Article 15 – Scope and application

Until a SEAFO sea inspection programme has been adopted, each Contracting Party undertaking inspections by its patrol vessels at sea on a vessel operating, or suspected of operating, on fishery resources covered by the Convention in the Convention Area, will do so by applying the relevant provisions in part VI of the United Nations Fish Stocks Agreement, that came into force 11 November 2001.

Article 16 – Notification to inspect at sea

1. Each Contracting Party shall, no later than 30 days prior to commencement of the initial sea inspection, notify the Executive Secretary of:

   (a) the provisional plan, names of inspectors and inspector trainees and the name, radio call sign and communication contact information of each inspection vessel it has assigned to sea inspection duties applying the provisions provided in Article 15; and

   (b) any changes to the particulars so notified prior to subsequent sea inspections.

2. Upon receiving such information, the Executive Secretary shall post the information received from Contracting Parties on the secure part of the SEAFO website.

3. Each Contracting Party may request information from the Executive Secretary regarding fishing within the Convention Area to assist with the co-ordination of their deployment of resources for sea inspection purposes.

Article 17 – At sea inspection reports and procedures

1. Inspectors shall complete the approved SEAFO inspection report form as provided in Annex V, and apply the following procedures:

   (a) the inspector shall provide a written explanation, on the inspection report form, of any alleged violation of SEAFO measures. The inspector shall allow the master of the vessel being inspected to comment, on the inspection report form, about any aspect of the inspection;

(b) the inspector shall sign the inspection report form. The master of the inspected vessel shall be invited to sign the inspection report form to acknowledge receipt of the report;

(c) before leaving the vessel that has been inspected, the inspector shall give the master of that vessel a copy of the completed inspection form; and

(d) the inspector shall provide a copy of the completed inspection form along with photographs and video footage to the competent authority of the inspecting Contracting Party not later than 15 days of arrival into port.

2. The inspecting Contracting Party shall forward a copy of the inspection form in electronic format not later than 15 days from its reception along with two copies of photographs and video footage to the Executive Secretary who shall forward one copy of this material to the flag State of the inspected vessel not later than seven days from receipt.

3. Fifteen days after the transmission of the completed inspection form to the flag State, the Executive Secretary shall, in the case where an alleged infringement is detected, transmit that form to all Contracting Parties together with comments or observations, if any, received from the flag State.

4. Any supplementary reports or information shall be provided to the Executive Secretary. The Executive Secretary shall provide such reports or information to the flag State of the vessel, which shall then be afforded 15 days to comment. In the case where an alleged infringement is detected, all supplementary reports or information provided, and any comments received from the flag State of the vessel, if any, shall be forwarded to all Contracting Parties, by the Executive Secretary, without delay.

CHAPTER V

Observer Programme

Article 18 – Scientific observer programme

1. Each Contracting Party shall ensure that all its vessels operating in the Convention Area shall carry scientific observers qualified by the flag State. Flag States shall ensure that the relevant data is transmitted to Executive Secretary in the format specified by the Scientific Committee using the scientific observer forms and report template as provided in the Reporting Forms section on the SEAFO website.

2. Each Contracting Party shall require the submission of this information, in respect of each vessel flying its flag, within 30 days of leaving the Convention Area. The Contracting Party shall provide a copy of the information to the Executive Secretary as soon as possible, taking account of the need to maintain confidentiality of non-aggregated data.

CHAPTER VI

Port State control

Article 19 – Scope

Each Contracting Party shall, in accordance with duties under article 15 of the SEAFO Convention maintain an effective system of port State control for all vessels that have been engaged in fishing or fishing related activities in the Convention Area, except container vessels that are not carrying fishery resources or, if carrying fishery resources, only fishery resources that have been previously landed, provided that there are no clear grounds for suspecting that such a vessel has engaged in fishing related activities in support of IUU fishing.

Article 20 - Designation of ports

1. Each Contracting Party shall designate, publicize and notify the Executive Secretary about the ports to which foreign vessels may request entry.

2. Each Contracting Party shall, to the greatest extent possible, ensure that designated ports have sufficient capacity to conduct inspections and take other measures in accordance with obligations set out by SEAFO.

3. The Executive Secretary shall establish a register of all ports designated by Contracting Parties. The register shall include accompanying information, such as associated conditions of entry and the period of notice required, and shall be published, and updated as required, on the SEAFO website.

Article 21 – Advance request for port entry of foreign vessels

Each Contracting Party shall, before granting entry to a foreign vessel to its port, as a minimum standard, require the information set out in Annex VI to be provided at least 48 hours before the estimated time of arrival. A Contracting Party may provide for another notification period, taking into account, *inter alia*, the distance between the fishing grounds and its ports. In such a case, the Contracting Party concerned shall without delay inform the Executive Secretary, who shall put this information on the SEAFO website. Any other subsequent changes to the requirements shall be notified to the Executive Secretary at least 30 days before the changes become effective.

Article 22 – Port entry; authorisation or denial of foreign vessels

1. After receiving the information required pursuant to Article 21, as well as such other information as it may require to determine whether the vessel requesting entry into its port has engaged in IUU fishing, each Contracting Party shall decide whether to authorise

or deny the entry of the vessel into its port and shall communicate this decision to the master of the vessel or to the vessel's representative.

2. In the case of authorization of entry, the master of the vessel or the vessel's representative shall be required to present the authorisation for entry to the competent authorities of the Contracting Party upon the vessel's arrival at port.

3. In the case of denial of entry, the Contracting Party shall communicate its decision taken pursuant to paragraph 1 of this Article to the flag State of the vessel and to the Executive Secretary, who shall put this information on the SEAFO website.

4. Without prejudice to paragraph 1 of this Article, when a Contracting Party has sufficient proof that a vessel seeking entry into its port has engaged in IUU fishing, in particular the inclusion of a vessel on a list of vessels having engaged in such fishing or fishing related activities adopted by SEAFO or another relevant regional fisheries management organisation, the Contracting Party shall deny that vessel entry into its ports.

5. In addition to paragraphs 3 and 4 of this Article, a Contracting Party may allow entry into its ports of a vessel referred to in those paragraphs exclusively for the purpose of inspecting it and taking other appropriate actions in conformity with international law which are at least as effective as denial of port entry in preventing, deterring and eliminating IUU fishing.

6. Where a vessel referred to in paragraph 4 or 5 of this Article is in port for any reason, a Contracting Party shall deny such vessel the use of its ports for landing, transhipping, packaging, and processing of fishery resources and for other port services including, *inter alia*, refuelling and resupplying, maintenance and dry-docking. Paragraphs 2 and 3 of Article 23 apply *mutatis mutandis* in such cases.

Article 23 – Use of ports by foreign vessels

1. Where a vessel has entered one of its ports, a Contracting Party shall deny that vessel the use of the port for landing, transhipping, packaging and processing of fishery resources that have not been previously landed and for other port services, including, *inter alia*, refuelling and resupplying, maintenance and dry-docking, if:

   (a) the Contracting Party finds that the vessel does not have a valid and applicable authorization to engage in fishing or fishing related activities required by its flag State;

   (b) the flag State does not confirm within a reasonable period of time, on the request of the port State, that the fishery resources on board was taken in accordance with applicable requirements of SEAFO; or

   (c) the Contracting Party has reasonable grounds to believe that the vessel was otherwise engaged in IUU fishing, including in support of a vessel referred to in paragraph 4 of Article 22, unless the vessel can prove:

      i. that it was acting in a manner consistent with relevant conservation and management measures; or

ii. in the case of provision of personnel, fuel, gear and other supplies at sea, that the vessel that was provisioned was not, at the time of provisioning, a vessel referred to in paragraph 4 of Article 22.

2. In addition to paragraph 1 of this Article, a Contracting Party shall not deny a vessel referred to in that paragraph the use of port services:

   (a) essential to the safety or health of the crew or the safety of the vessel, provided these needs are duly proven; or

   (b) where appropriate, for the scrapping of the vessel.

3. Where a Contracting Party has denied the use of its port in accordance with this Article, it shall promptly notify the flag State and the Executive Secretary, who shall put this information on the SEAFO website.

Article 24 – Inspections

1. Each Contracting Party shall ensure that inspections of vessels are carried out by authorised inspectors trained and familiar with the Convention and relevant conservation and management measures adopted by the Commission. Inspector training programs shall take into account the elements set out in Annex VII, and Contracting Parties shall seek to cooperate in this regard.

2. Prior to an inspection, the inspector shall present to the master of the vessel an appropriate identity document.

3. Each Contracting Party shall ensure that inspections of vessels in their ports are carried out at least in accordance with the procedures set out in Annex VIII.

4. The port State may invite inspectors of other Contracting Parties to accompany their own inspectors and observe the inspection of landings or transhipment operations of fishery resources caught by foreign vessels.

5. Each Contracting Party shall ensure that their inspectors make all possible efforts to avoid unduly delaying a vessel and that the vessel suffers the minimum interference and inconvenience, and that degradation of the quality of the fish resources is avoided.

6. On completion of the inspection, the port Contracting Party inspector shall provide the Master of the foreign fishing vessel with the inspection report containing the findings of the inspection as set out in Annex IX, including possible subsequent measures that could be taken by the port Contracting Party. The Master shall be given the opportunity to add any comments or objection to the report and to contact the flag State. The inspector and the Master shall sign the report and a copy of the report shall be provided to the Master. The Master's signature shall serve only as acknowledgement of the receipt of a copy of the report.

7. The port Contracting Party shall transmit a copy of the inspection report to the Executive Secretary no later than 14 days following the date of completion of the inspection. If the inspection report cannot be transmitted within 14 days, the port Contracting Party shall notify the Executive Secretary within the 14-day time period the reasons for the delay and when the report will be submitted.

8. Where the catch of TAC species is landed at a port of non-Contracting Parties, the Flag Contracting Party shall report to the Secretariat the information regarding the landing of the TAC species, including the date, the name of the port, the name of the fishing vessel and the weight by species, as soon as possible after the landing. If the landing is inspected by the port non-Contracting Party, Flag Contracting Party shall transmit a copy of the inspection report to the Executive Secretary no later than 30 days following the date of receipt of the inspection report by the Port non-Contracting Party. If the inspection report cannot be transmitted within 30 days, the Flag Contracting Party shall notify the Executive Secretary within the 30-day after the due submission date the reasons for the delay and an expected timing of the submission of the report. If a suspected infringement is identified during the inspection, the Flag Contracting Party shall also report the nature of the infringement and any other relevant details, when the Port Inspection Report is submitted.

Article 25 - Procedure in the event of apparent infringements

1. If the information collected during the inspection provides evidence that a foreign fishing vessel has committed an apparent infringement of the SEAFO conservation and management measures, the inspector shall:

a) record the apparent infringement in the inspection report;
b) transmit the inspection report to the port Contracting Party competent authority, which shall promptly forward a copy to the Executive Secretary and to the flag State point of contact and, as appropriate, the relevant coastal State(s); and
c) to the extent practicable, ensure safekeeping of the evidence pertaining to such apparent infringement. If the infringement is to be referred to the flag State for further action, the port Contracting Party shall promptly provide the evidence collected to the flag State.

2. If the apparent infringement falls within the legal jurisdiction of the port Contracting Party, it shall promptly notify the flag State of action taken, the relevant coastal State(s), as applicable, and the Executive Secretary, who shall promptly publish this information in a secured part of the SEAFO website.

3. Apparent infringements that do not fall within the jurisdiction of the port Contracting Party, and apparent infringements referred to paragraph 2 of this article for which the port Contracting Party has not taken action, shall be referred to the flag State and, as appropriate, the relevant coastal State(s). Upon receiving the copy of the inspection report and evidence, the flag Contracting Party shall promptly investigate the infringement and notify the Executive Secretary of the status of the investigation and of any enforcement action that may have been taken within 6 months of such receipt. If the flag Contracting Party cannot notify

the Executive Secretary this status report within 6 months of such receipt, the flag Contracting Party shall notify the SEAFO Secretariat within the 6-month time period the reasons for the delay and when the status report will be submitted. The Executive Secretary shall promptly publish this information in a secured part of the SEAFO website. Contracting Party shall include in their Annual compliance reports information regarding the status of any such investigations.

4. Should the inspection provide evidence that the inspected vessel has engaged in IUU fishing activities as referred to in Article 27.4, the port Contracting Party shall promptly report the case to the flag State, and the relevant coastal Contracting Party, as applicable, and notify as soon as possible the Executive Secretary, along with its supporting evidence, for the purpose of inclusion of the vessel in the draft IUU vessel list.

CHAPTER VII

Measures to promote compliance

Article 26 – Sightings and identifications of non-contracting party vessels

1. Each Contracting Party shall ensure that its vessels report information to its flag State on any possible fishing and fishing related activities by vessels flying the flag of a non-contracting party in the Convention Area. This information shall contain, inter alia:

   (a) name of the vessel;

   (b) registration number of the vessel;

   (c) flag State of the vessel;

   (d) date, time and position of sighting; and

   (e) any other relevant information regarding the sighted vessel.

2. Each Contracting Party shall submit this information to the Executive Secretary as rapidly as possible. The Executive Secretary shall forward this information to the Contracting Parties for information and for consideration at the next SEAFO Annual Meeting.

Article 27 – Listing of IUU vessels

1. Contracting Parties shall every year, and at least 120 days before the Annual Meeting of the Commission, transmit to the Executive Secretary a list of vessels presumed to be carrying out IUU activities in the Convention Area during the current and previous year, accompanied by the supporting evidence, as provided in paragraph 3, concerning the presumption of this IUU fishing.

2. At each Annual Meeting, the Commission shall identify those vessels which have engaged in fishing and fishing related activities for fishery resources covered by the Convention in a manner which is inconsistent with SEAFO conservation and management measures, and shall establish a list of such vessels (the IUU Vessel List), in accordance with the procedures and criteria set out below.

3. This identification shall be documented, *inter alia*, on reports from a Contracting Party relating to SEAFO conservation and management measures, trade information obtained on the basis of relevant trade statistics such as Food and Agriculture Organization of the United Nations (FAO) data, statistical documents and other national or international verifiable statistics, as well as any other information obtained from port States and/or gathered from the fishing grounds which is suitably documented.

4. Vessels engaged in fishing and fishing related activities for fishery resources covered by the Convention are presumed to have carried out IUU fishing in the Convention Area when a Contracting Party presents evidence that such vessels, *inter alia*:

   (a) harvest fishery resources covered by the Convention in the Convention Area and are not on the SEAFO Record of authorized vessels; or

   (b) harvest fishery resources covered by the Convention, when its flag State is without or has exceeded its quotas, catch limit or effort allocation established by SEAFO conservation and management measures; or

   (c) do not record or report their catches made in the Convention Area, or make false reports; or

   (d) take or land undersized fish in contravention of SEAFO conservation and management measures; or

   (e) fish during closures in contravention of SEAFO conservation and management measures; or

   (f) use prohibited fishing gear in contravention of SEAFO conservation and management measures; or

   (g) tranship with, participate in joint fishing operations with, support or re-supply vessels included in the IUU Vessel List; or

   (h) are without nationality and harvest fishery resources covered by the Convention in the Convention Area; or

(i) engage in fishing activities contrary to any other SEAFO conservation and management measures; or

(j) are under the control of the owner of any vessel on the SEAFO IUU Vessel List.

Draft IUU Vessel List

5. On the basis of the information received pursuant to paragraph 1 and any other information at disposal, the Executive Secretary shall draw up a draft SEAFO IUU Vessel List and shall transmit it, together with all the supporting evidence provided, to all Contracting Parties, as well as to non-contracting parties with vessels on the List, at least 90 days before the Annual Meeting of the Commission.

6. Any comments related to paragraph 5 shall be transmitted to the Executive Secretary, at least 30 days before the Annual Meeting of the Commission, as appropriate, including verifiable evidence and other supporting information, showing that the vessels neither have operated in contravention of SEAFO conservation and management measures nor had the possibility of fishing or fishing related activities for fishery resources covered by the SEAFO Convention.

7. The Executive Secretary shall request each flag State with vessels on the draft IUU Vessel List to notify the owner of the vessels of their inclusion in that List, and of the consequences of their inclusion being confirmed in the IUU Vessel List.

8. Upon receipt of the draft IUU Vessel List, Contracting Parties shall closely monitor the vessels included in that List in order to determine their activities and possible changes of name, flag or registered owner.

Provisional IUU Vessel List

9. On the basis of the information received pursuant to paragraph 6, the Executive Secretary shall draw up a provisional SEAFO IUU Vessel List, and transmit it, two weeks in advance of the Annual Meeting of the Commission, to the Contracting Parties and the non-contracting parties concerned, together with all the evidence provided.

10. Contracting Parties may at any time submit to the Executive Secretary any additional information which might be relevant for the establishment of the IUU Vessel List. The Executive Secretary shall circulate the information, together with all the evidence provided, to the Contracting Parties and to the non-contracting parties concerned, at least two weeks before the Annual Meeting of the Commission.

11. At each Annual Meeting, the Compliance Committee shall:

(a) following consideration of the draft IUU Vessel List and information and evidence circulated under paragraphs 5, 9 and 10, adopt a Provisional IUU Vessel List and submit it to the Commission for approval; and

(b) following consideration of the current IUU Vessel List and the information and evidence circulated under paragraph 9, recommend to the Commission which, if any, vessels should be removed from the current IUU Vessel List.

12. A vessel shall be included in the provisional IUU Vessel List only if one or more of the criteria in paragraph 4 have been satisfied.

13. The Commission shall remove a vessel from the provisional SEAFO IUU Vessel List if the vessel's flag State demonstrates that:

    (a) the vessel did not engage in any of the IUU fishing described in paragraph 4; or

    (b) effective action has been taken in response to the IUU fishing in question, including, *inter alia*, prosecution, and imposition of sanctions of adequate severity.

14. Following the examination referred to in paragraph 11, the Commission shall approve the provisional IUU Vessel List.

15. The Draft IUU Vessel List, Provisional IUU Vessel List and the IUU Vessel List shall contain the following details for each vessel:

    (a) name and previous names, if any;

    (b) flag and previous flags, if any;

    (c) owner and previous owners, including beneficial owners, if any;

    (d) operator and previous operators, if any;

    (e) call sign and previous call signs, if any;

    (f) IMO number, classification authority, Lloyds, etc.;

    (g) photographs, where available;

    (h) date first included on the IUU Vessel List; and

    (i) summary of activities which justify inclusion of the vessel on the List, together with references to all relevant documents informing of and evidencing those activities.

IUU Vessel List

16. Once the Commission adopts the IUU Vessel List, it shall request Contracting Parties and non-contracting parties with vessels on the SEAFO IUU Vessel List to:

    (a) notify the owner of the vessels of its inclusion on the IUU Vessel List and the consequences which result from being included in the List; and

    (b) take all the necessary measures to eliminate this IUU fishing, including, if necessary, the withdrawal of the registration or the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.

17. Contracting Parties shall take all necessary measures under their applicable legislation and pursuant to paragraphs 56 and 66 of the IPOA-IUU, to:

    (a) ensure that its vessels do not participate in any transhipment with, support or re-supply vessels on the IUU Vessel List;

    (b) ensure that vessels on the IUU Vessel List that enter ports voluntarily are not authorized to land, tranship, refuel or re-supply therein but are inspected upon entry;

    (c) prohibit the chartering of a vessel on the IUU Vessel List;

    (d) refuse to grant their flag to vessels on the IUU Vessel List;

    (e) prohibit commercial transactions, imports, landings and/or transhipment of fisheries resources covered by the Convention from vessels on the IUU Vessel List;

    (f) encourage traders, importers, transporters and others involved, to refrain from transactions in, and transhipment of, fishery resources covered by the SEAFO Convention caught by vessels on the IUU Vessel List; and

    (g) collect, and exchange with other Contracting Parties, any appropriate information with the aim of searching for, controlling and preventing false import/export certificates for fishery resources covered by the Convention from vessels on the IUU Vessel List.

18. The Executive Secretary shall transmit the IUU Vessel List and any relevant information regarding the list to the secretariats of the Commission for the Conservation of Antarctic Marine Resources (CCAMLR), the Northwest Atlantic Fisheries Organization (NAFO) and the North East Atlantic Fisheries Commission (NEAFC).

19. Upon receipt of the Final IUU Vessel Lists established by the following RFMOs: CCAMLR, NAFO and NEAFC, any information regarding the lists, the Executive Secretary shall circulate this information to the Contracting Parties. Vessels that have been added to or deleted from the respective lists that are flagged to non-contracting parties shall be incorporated into or deleted from the SEAFO IUU Vessel List as appropriate, unless any Contracting Party objects within 30 days of the date of transmittal by the Executive Secretary on the grounds that:

    (a) there is satisfactory information to establish that any of the requirements in paragraph 13 a) or b) have been met with regard to the Final IUU Vessel List of the following RFMOs: CCAMLR, NAFO and NEAFC; or

    (b) there is satisfactory information to establish that none of the requirements in paragraph 13 a) or b) have been met with regard to a vessel taken off the respective lists.

20. In the event of an objection to a vessel listed by : CCAMLR, NAFO and NEAFC being incorporated into or deleted from the SEAFO IUU Vessel List, such vessel shall be placed on the Provisional IUU Vessel List. Paragraphs 5 to 8 shall not apply to vessels placed on the Provisional IUU Vessel List pursuant to this paragraph.

21. The Executive Secretary shall take any measure necessary to ensure publicity of the IUU Vessel List, in a manner consistent with any applicable confidentiality requirements, including placing it on the SEAFO website. Furthermore, the Executive Secretary shall transmit the IUU Vessel List to the FAO.

22. Without prejudice to the rights of Contracting Parties and coastal States to take proper action, consistent with international law, the Contracting Parties shall not take any unilateral trade measures or other sanctions against vessels on the draft or provisional IUU Vessel Lists, pursuant to paragraphs 5 or 9, or that have been removed from the IUU Vessel List, pursuant to paragraph 13, on the grounds that such vessels are involved in IUU fishing.

Deletion from the IUU Vessel List

23. A Contracting Party or a non-contracting party with a vessel on the IUU Vessel List may request the removal of the vessel from the List during the intersessional period by providing information demonstrating that:

    (a) it has adopted measures that will ensure that the vessel complies with all SEAFO measures;

    (b) it will be able to assume effectively its responsibilities as regards the monitoring and control of the vessel's fishing and fishing related activities in the Convention Area;

    (c) it has taken effective action in response to the IUU fishing that resulted in the vessel's inclusion in the IUU Vessel List, including prosecution and imposition of sanctions of adequate severity; and

    (d) the vessel has changed ownership and that the new owner can establish that the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it, and that the new owner has not participated in IUU fishing.

Article 28 – Summary of reporting obligations

To facilitate compliance with SEAFO data submission requirements and schedules a summary checklist of reporting obligations will be circulated to all Contracting Parties within 30 days following any changes coming into effect and will be made available on the SEAFO website.

CHAPTER VIII

Research

Article 29 – Vessels conducting fishing research

1. No less than seven days prior to the commencement of a research period, the flag State Contracting Party shall:

   (a) notify the Executive Secretary by electronic means of any vessel it has authorised to conduct fishing research in the Convention Area; and

   (b) provide to the Executive Secretary a fishing research plan for any vessel flying its flag it has authorised to conduct research, including the purpose, location and, for vessels engaged in research, the dates during which the vessel will be engaged as a research vessel.

2. For vessels engaged in research, the flag State Contracting Party shall immediately notify the Executive Secretary upon termination of fishing research and submit a copy of the research data to the Executive Secretary. The Executive Secretary shall ensure that the SEAFO confidentiality protocol is followed for all research data submitted.

3. Each flag State Contracting Party shall notify the Executive Secretary not less than seven days before the effective date of any changes to the fishing research plan, and shall ensure that the master of the vessel shall maintain a record of the changes on board

4. Each flag State Contracting Party shall ensure that masters of vessels flying its flag shall at all times keep on board a copy of the fishing research plan in one of the official SEAFO languages.

5. Each flag State Contracting Party shall ensure that a vessel flying its flag shall not conduct commercial fishing during the research plan period.

6. Each flag State Contracting Party shall ensure that masters of vessels flying its flag shall keep a stowage plan, updated daily, showing the location of the different species by FAO 3-Alpha Code in the holds as well as the quantities of such species on board in kilograms product weight, labelled in accordance with Article 9. The stowage plan shall be kept on board until the vessel has been unloaded completely.

7. Following notification in accordance with paragraph 1 (a), the Executive Secretary shall without delay post the names of all vessels on the SEAFO website, including with such posting any supporting documents provided by the flag State Contracting Party, including the fishing research plan and any subsequent modifications.

8. Unless otherwise provided, vessels flying the flag of a Contracting Party that are conducting fishing research shall not be restricted by SEAFO conservation measures pertaining to the harvesting of fish in the Convention Area but may be subject to sea inspections pursuant to Article 15.

ANNEX I

FISHERY RESOURCES

FAO 3-Alpha Code	Species	Latin Name
ALF	Alfonsino	Family Berycidae
HOM	Horse Mackerel	Trachurus spp.
MAC	Mackerel	Scomber spp.
ORY	Orange Roughy	Hoplosthethus spp.
SKA	Skates	Family Rajidae
SKH	Sharks	Order Selachomorpha
EDR	Armourhead	Pentaceros richardsoni (=Pseudopentaceros spp)
CDL	Cardinal Fish	Epigonus spp.
YHI (= CGE)	Deep-sea red crab	Chaceon erytheiae (= Chaceon maritae)
OCZ	Octopus	Family Octopodidae
SQC	Squid Family	Loliginidae
TOP	Patagonian toothfish	Dissostichus eleginoides
HCK	Hake Merluccius	Spp.
WRF	Wreckfish	Polyprion americanus
ORD	Oreo dories	Family Oreosomatidae

ANNEX II.A

COMMUNICATION OF CATCH BY *VESSEL*

1) "Catch on ENTRY" COE report

Data Element	Field Code	Mandatory/ Optional	Requirements for the field
Start record	SR	M	System detail; indicates start of record
From	FR	M	Name of transmitting Party
Address	AD	M	Message detail; destination, "XSE" for SEAFO
Sequence Number	SQ	M	Message detail; Serial number of the message/report as transmitted by the vessel (annual count)
Type of Message	TM	M	Message detail; message type, "COE" as Catch on Entry report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Vessel Name	NA	O	Vessel registration detail; name of the vessel
Master Name	MA	M	Name of the master of vessel
External Registration Number	XR	O	Vessel registration detail; the side number of the vessel.
Latitude	LA	M1	Activity detail; position at time of transmission
Longitude	LO	M1	Activity detail; position at time of transmission
Relevant Area	RA	M	SEAFO Division into which the vessel is about to enter
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
On Board Species live weight	OB	M	Activity detail; Total quantity by species in kg, upon entry in the Convention Area. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //OB/speciesspaceweightspacespeciesspaceweightspace species spaceweight//
End of record	ER	M	System detail; indicates end of the record

1. Optional if the vessel is subject to satellite tracking in accordance with Article 13.

2) "Catch" (CAT) report

Data Element	Field Code	Mandatory/ Optional	Requirements for the field
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, "XSE" for SEAFO
From	FR	M	Message detail; Address of the transmitting party (ISO-3)
Sequence Number	SQ	M	Message detail; Serial number of the message/report as transmitted by the vessel (annual count)
Type of Message	TM	M	Message detail; message type, "CAT" as Catch report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Vessel Name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal Reference Number	IR	O	Vessel registration detail; unique Contracting Party vessel number as ISO-3 flag State code followed by number
External Registration Number	XR	O	Vessel registration detail; the side number of the vessel.
Relevant Area	RA	M	Activity detail; SEAFO Division
Latitude	LA	M [1]	Activity detail; position at time of transmission
Longitude	LO	M [1]	Activity detail; position at time of transmission
Catch species live weight	CA	M	Activity detail; Catch retained onboard by species and by Division since last CAT report in kg. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes)+live weight in kg (until 9 digits), with each field separated by a space, e.g.//CA/speciesspaceweightspacespeciesspaceweightspace speciesspaceweightspace//
Discarding species live weight	RJ	M	Activity detail; Catch discarded by species and by Division since last CAT report, in kg. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kg (until 9 digits), with each field separated by a space, e.g. //RJ/speciesspaceweightspacespeciesspaceweightspaces pecies spaceweight//
Chartering Flag	CH	M [2]	Flag of Chartering Contracting Party to which the catch must be allocated.
Days Fished	DF	M3	Activity detail; number of fishing days in the Convention Area since last CAT report, as appropriate
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

1. Optional if the vessel is subject to satellite tracking in accordance with Article 13.
2. Mandatory if fishing under chartering agreement.
3. The reporting period should be 5 days, or more frequently as required by the Contracting Party

Note: Nil catch retained and nil discards of all species shall be reported using the 3-Alpha Code MZZ (marine species not specified) and quantity as “0” as the following examples demonstrate //CA/MZZ 0// and //RJ/MZZ 0//

3) "Catch on EXIT" (COX) report

Data Element	Field Code	Mandatory/ Optional	Requirements for the field
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, "XSE" for SEAFO
From	FR	M	Name of transmitting party
Sequence Number	SQ	M	Message detail; Serial number of the message/report as transmitted by the vessel (annual count)
Type of Message	TM	M	Message detail; "COX" as Catch on Exit report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Vessel Name	NA	O	Vessel registration detail; name of the vessel
Master Name	MA	O	Name of master of vessel
External Registration Number	XR	O	Vessel registration detail; the side number of the vessel
Latitude	LA	O[1]	Activity detail; position at time of transmission
Longitude	LO	O[1]	Activity detail; position at time of transmission
Relevant Area	RA	M	SEAFO Division from which the vessel is about to exit
Catch species live weight	OB	M	Activity detail; Total quantity by species on board, upon exit from the Convention Area. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kg (until 9 digits), with each field separated by a space, e.g. //OB/speciesspaceweightspacespeciesspaceweightspacespecies spaceweight//
Days Fished	DF	O	Activity detail; number of fishing days in the Convention Area
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

[1] Optional if the vessel is subject to satellite tracking in accordance with Article 13.

ANNEX II.B
COMMUNICATION OF CATCH BY *CONTRACTING PARTY*

"Periodic Catch" (REP) Report

Data Element:	Code	Mandatory / Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, "XSE" for SEAFO
From	FR	M	Message detail; Contracting Party sending the report
Record Number	RN	M	Message detail; Serial number of retransmission of the message/report by the FMC (annual count)
Record date	RD	M	Message detail; date of transmission
Record time	RT	M	Message detail; time of transmission
Type of Message	TM	M	Message detail; message type, REP for report of provisional monthly statistics of catches of fisheries resources
Year and month	YM	M	Reporting detail; relevant year and month of reporting
Relevant Area	RA		Reporting detail; SEAFO division where the catch is taken
Catch species live weight	CA	M	Reporting detail; aggregate catch retained onboard by species and division since last REP report in kg taken in the Convention Area by vessels of the Contracting Party, allow for several pairs as needed FAO species code
Discarding species live weight	RJ	M	Activity detail; aggregated catch discarded by species and by Division since last REP report, in kg. Allow for several pairs of fields, consisting of species (FAO 3 alpha codes) + live weight in kilograms (until 9 digits), with each field separated by a space, e.g. //RJ/speciesspaceweightspacespeciesspaceweightspaces pecies spaceweight//
End of record	ER	M	System detail; indicates end of the record

Each data transmission shall be structured as follows:

- double slash (//) and the characters "SR" indicate the start of a message,
- a double slash (//) and the filed code indicate the start of a data element,
- a single slash (/) separates the field code and the data,
- pairs of data are separated by a space,

the characters "ER" followed by a double slash (//) indicate the end of a record

ANNEX III

VMS REPORTING FORMAT

The first transmitted position report in the Convention Area detected by the flag State FMC shall be identified as "*ENT*". All subsequent position reports shall be identified as "*POS*" except the first position report identified outside the Convention Area which shall be identified as "*EXI*".

1) VMS message sequence

Data Element	Code	Remarks
Entry	ENT	The first position report from a vessel detected to be inside the Convention Area
Position	POS	Position report every two hours
Exit	EXI	The first position report from a vessel detected outside the Convention area.

2) VMS message format

Data Element	Code	Mandatory / Optional	Remarks
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; Destination SEAFO (XSE)
From	FR	M	Name of transmitting party
Record Number	RN	M	Message detail; Serial number of retransmission of the message/report by the FMC (annual count)
Record date	RD	M	Message detail; date of transmission
Record time	RT	M	Message detail; time of transmission
Sequence Number	SQ	M	Message detail; Serial number of the message/report as transmitted by the vessel (annual count)
Type of Message	TM	M	Message detail; Message type; ENT, POS, EXI relating to entry, position or exit, as appropriate
Radio Call Sign	RC	M	Vessel Registration Detail; International Radio Call Sign
Trip Number	TN	O	Activity Detail; trip serial number in current year
Vessel Name	NA	O	Vessel Registration Detail; Vessel name
Internal Reference Number	IR	O	Vessel registration detail. Unique Contracting Party vessel number as ISO-3 flag State code followed by
External Registration Number	XR	O	The side number of the vessel
Latitude (decimal)	LT	M	Activity Detail; Vessel position at time of transmission
Longitude (decimal)	LG	M	Activity Detail; Vessel position at time of transmission
Speed	SP	M	Activity Detail; speed at time of transmission. Knots*10 e.g.//SP/105 = 10.5 knots
Course	CO	M	Activity Detail; course at time of transmission. 360° degree scale e.g. //CO/270 = 270
Date	DA	M	Message Detail; Date of transmission
Time	TI	M	Message Detail; Time of transmission
End of record	ER	M	System detail; indicates end of the record

3) Exchange Format and Protocols

Each VMS data transmission will:

(a) Be transmitted in accordance with ISO 8859.1

(b) Be structured as follows:

- double slash ("//") and the characters "SR" indicate the start of a message;
- a double slash ("//") and field code indicate the start of a data element;
- a single slash ("/") separates the field code and the data;
- pairs of data are separated by space;
- the characters "ER" and a double slash ("//") at the end indicates the end of a record.

(c) Include the address (AD) with SEAFO (XSE) as the destination

(d) Include "record date" (RD), "record time" (RT), "record number" (RN) and "from" (FR) data elements

4) Return message error codes

If a Contracting Party so requests, the Secretary shall send a return message for each electronic transmission of a report or message

Return message format (RET message)

Data Element	Field Code	Mandatory/ Optional	Remarks
Start Record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, Contracting Party sending the report
From	FR	M	Message detail; XSE is SEAFO (who is sending the return message)
Type of message	TM	M	Message detail; message type RET for return message
Radio call sign	RC	O	Reporting detail; international radio call sign of the vessel, copied from the report which is received.
Sequence number	SQ	O	Reporting detail; Serial number of the message/report as transmitted by the vessel (annual count)
Return Status	RS	M	Reporting detail; code showing whether the message is acknowledged or not (ACK or NAK)
Return error number	RE	O	Reporting detail; number showing the type of error. See table B) for return error numbers.
Record number	RN	M	Reporting detail; record number of the message which is received
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of Record	ER	M	System detail; indicates end of the record

Return message error codes

Subject/Article:	Errors		Error Cause
	Follow up action required	Accepted	
Communication	101		Message is unreadable
	102		Data value or size out of range
	104		Mandatory data missing
	105		This report is a duplicate; attempt to re-send a report previously rejected.
	106		Unauthorized data source
		150	Sequence error
		151	Date / Time in the future
		155	This report is a duplicate; attempt to re-send a report previously accepted.
Article 11	301		Catch (CAT) prior to catch on entry (COE)
	303		Catch on exit (COX) prior to catch on entry (COE)
	304		No position received prior to catch on exit (COX)
		350	Position without Catch on Entry (COE)

ANNEX IV

SEAFO TRANSHIPMENT DECLARATION

Name of vessel: External identification: Recipient Vessel

Radio Call sign if any: SEAFO number: Name:

Radio Call sign:

External identification:

Nationality of recipient vessel:

	Day	Month	Hour	Year	|2_|0_|__|__|	Agent's name:	Master's name:
Departure	|__|__|	|__|__|	|__|__|	from	|_____|		
Return	|__|__|	|__|__|	|__|__|	to	|_____|	Signature:	Signature:
Transhipment	|__|__|	|__|__|	|__|__|		|_____|		

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: |_____| kilograms (3) (4)

Species	Port of Transhipment (2)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)
	Name of Port, Country	Whole	Gutted	Head off	Filleted				

TRANSHIPMENT DECLARATION

1. General rule

In the case of transhipment, the master of the vessel shall enter the quantities on the transhipment declaration. A copy of the transhipment declaration shall be handed to the master of the recipient vessel.

2. Procedure for completion

a. Entries on transhipment declaration shall be legible and indelible.

b. No entry on the transhipment declaration may be erased or altered. If a mistake is made, the incorrect entry shall be struck out with a line and followed by a new entry initialed by the master or his agent.

c. One transhipment declaration should be completed for each transhipment operations.

d. Each page of the transhipment declaration shall be signed by the master.

3. Responsibilities of the master in respect of the landing declaration and the transhipment declaration

The master of the vessel shall certify with his initials and signature that the estimated quantities entered on the transhipment declaration are reasonable. The copies of the transhipment declaration must be kept for one year.

4. Information to be provided

The estimates of the quantities transhipped are to be indicated as follows, for each species, on one of the declaration forms in respect of a particular voyage:

• **Presentation of fish** (reference n° 1)

"Presentation" means the way fish has been processed. Indicate the nature of this processing if any: GUT for gutting, HEAD for heading, FILLET for filleting, etc … Where no processing has taken place, WHOLE for whole fish.

• **Measurement unit for landed quantities** (reference n° 3)

Give the unit of weight used (e.g. basket, box, etc.) for landing fish and the weight of the unit in kilograms. This unit may be different from that used in the logbook.

• **Total weight species transhipped** (reference n° 4)

Give the weight or quantities actually transhipped for all fisheries resources covered by the SEAFO Convention. The weight should correspond to the weight of fish as landed, i.e. after any processing on board. Conversion coefficients will be applied subsequently by the appropriate authorities in the CPC to calculate the corresponding live weight.

• **Name of Port** (reference n° 2)

Name of Port, Country refers to the port and country in which the transhipment will take place.

5. Procedure of transmission

a. In the case of transhipment to a vessel flying the flag of a Contracting Party or registered in a Contracting Party, the first copy of the transhipment declaration shall be handed over to the master of the recipient vessel. The original shall be handed over or dispatched, as the case may be, to the authorities of the Contracting Party whose flag the vessel is flying or in which it is registered, within 48 hours of completion of landing or on arrival in port.

b. In the case of transhipment to a vessel flying the flag of a non-member country, the original document shall be handed over or sent, as the case may be, as soon as possible to the Contracting Party whose flag the vessel is flying or in which it is registered.

c. In cases where it is impossible for the master to dispatch the original of the transhipment declarations to the authorities of the Contracting Party whose flag the vessel is flying or in which it is registered within the time limits specified, the information required in respect of the declaration shall be transmitted by radio or by other means to the authorities concerned.

The information shall be transmitted via the radio stations usually used, preceded by the name, the call sign and external identification of the vessel, and the name of its master. In cases where it is not possible for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel or by any other method. The master shall ensure that information transmitted to radio stations is passed on in writing to the relevant authorities.

ANNEX V

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
SEAFO

REPORT OF AT SEA INSPECTION

(Inspector: Please use BLOCK CAPITAL LETTERS)

Note to master of the vessel to be inspected

In accordance with SEAFO System Article 15, the Inspector is entitled to inspect and measure all fishing gear on or near the working deck and readily available for use and the catch on and/or below decks and any relevant documents. The inspection will be to check your compliance with SEAFO's measures to which your country has not objected and, notwithstanding any such objection, to inspect the logbook entries and fishing records for the Convention Area and the catches on board. The Inspector is authorised to examine and photograph the vessel's gear, catch, logbook or other relevant documents. The information provided during the course of this inspection will be made available to the SEAFO Secretariat and the flag State. Should an alleged infringement be detected this report will also be circulated to all Contracting Parties. All information contained in this report will be considered within the SEAFO rules of confidentiality.

1. INSPECTOR(s)

1.a

	Name	Nationality
1.		
2.		
3.		

1.b Name and identifying letters and/or number of vessel carrying the Inspector .....

.....

2. INFORMATION ON VESSEL INSPECTED

2.a Vessel's name and registration number .....

2.b Country and port of registration .....

2.c International radio call sign .....

2.d Type of vessel (fishing, research) .....

2.e Tonnage: GT ..... NRT .....

2.f Master's name .....

2.g Owner's name and address .....

.....

3. DESCRIPTION OF ACTIVITY IN WHICH THE VESSEL WAS ENGAGED

	When Sighted:	When Boarded:
Vessel activity:		

[Steaming, setting gear, hauling gear, towing gear, stationary, transhipping, other (specify)]

4. DETAILS OF INSPECTION

4.a Date ..... Time arrived on board .....UTC

4.b Opinions of the master and inspector regarding the position of the vessel:

	Time (UTC)	Latitude		Longitude		Equipment used in Determining Position, e.g. GPS	SEAFO Area, Subarea or Division
		Deg.	Min.	Deg.	Min.		
Master							
Inspector							

4.c Type of fishing gear in current or recent use (e.g. trawling, longlining, traps) .....

4.d Target species .....

4.e Current control and conservation measures applicable, in the opinion of the inspector, to this fishery:

Reference Number/Article	Summary Title
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11	
12	

5 CATCHES RETAINED ON BOARD

5.1 Quantities recorded by the master

SPECIES (FAO 3-Alpha)	DECLARED QUANTITIES ON BOARD (Kg Live Weight)	Where available PROCESSED QUANTITIES (Kg Live Weight)	CONVERSION FACTOR
TOTAL			

5.2 Quantities On Board Determined by the Inspector

SPECIES (FAO 3-Alpha)	QUANTITIES ON BOARD (Kg Processed Weight)	CONVERSION FACTOR[1]	CALCULATED QUANTITIES (Kg Live Weight)	Difference (%)[2]	OBSERVATIONS
TOTAL					

1 Conversion Factor as provided by the master in 5.1

2 Difference between the quantities on board as determined by the inspectors and the total quantities on board as compared by the master

6. STOWAGE OF CATCH

The processed catch is stowed in the hold in such a way that the location of each species can be identified from a stowage plan maintained by the vessel: YES/ NO

7. COMPLIANCE WITH CURRENT CONTROL AND CONSERVATION MEASURES

7.1 Inspector's opinion on whether or not the measures outlined in paragraph 4.e above were being complied with.

NB: An entry of NO must be followed by a statement by the inspector. The master may also make a statement but is not obliged to do so.

Reference Number/Article (see paragraph 3.e above)	Evidence for Compliance (Yes/No) and Short Comments
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

7.2 Inspector's Statement.....

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7.3 Master's Statement .....

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8. COMPLETION OF INSPECTION

8.1 Date ..... Time of departure ..... UTC

8.2 Signature of Inspector in Charge .....

Name (Please use BLOCK CAPITAL LETTERS) .....

8.3 Signature of Second Inspector .....

Name (Please use BLOCK CAPITAL LETTERS) .....

8.4 Acknowledgment and receipt of report:

I, the undersigned, master of the vessel ....., hereby confirm that a copy of this report has been delivered to me on this date. My signature does not constitute acceptance of any part of the contents of the report.

Date and Time .....

Signature of master .....

Name (Please use BLOCK CAPITAL LETTERS)

ANNEX VI

INFORMATION TO BE PROVIDED IN ADVANCE BY FOREIGN 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. SEAFO ID, if applicable	

16. VMS	No	Yes: National	Yes: SEAFO	Type:

17. Vessel dimensions	Length		Beam		Draft	

18. Vessel master name and nationality	

19. Relevant fishing authorization(s)

Identifier	*Issued by*	*Validity*	*Fishing area(s)*	*Species*	*Gear*

20. Relevant transhipment authorization(s)

Identifier		*Issued by*		*Validity*	
Identifier		*Issued by*		*Validity*	

21. Transhipment authorizations concerning donor vessels	

Date	*Location*	*Name*	*Flag State*	*ID no.*	*Species*	*Product form*	*Catch area*	*Quantity*

22. Total catch onboard				**23. Catch to be offloaded**
Species	*Product form*	*Catch area*	*Quantity, Conversion factor and Live weight*	*Quantity*

ANNEX VII

GUIDELINES FOR THE TRAINING OF INSPECTORS

Elements of a training program for port State inspectors should include at least the following areas:

1. Ethics;
2. Health, safety and security issues;
3. Applicable national laws and regulations, areas of competence and conservation and management measures of SEAFO, and applicable international law;
4. Collection, evaluation and preservation of evidence;
5. General inspection procedures such as report writing and interview techniques;
6. Analysis of information, such as logbooks, electronic documentation and vessel history (name, ownership and flag State), required for the validation of information given by the master of the fishing vessel;
7. Fishing vessel boarding and inspection, including hold inspections and calculation of vessel hold volumes;
8. Verification and validation of information related to landings, transhipments, processing and fishery resources remaining onboard, including utilizing conversion factors for the various species and products;
9. Identification of fish species, and the measurement of length and other biological parameters;
10. Identification of vessels and gear, and techniques for the inspection and measurement of gear;
11. Equipment and operation of VMS and other electronic tracking systems; and
12. Actions to be taken following an inspection.

ANNEX VIII

PORT STATE INSPECTION PROCEDURES

Inspectors shall:

a) verify that the vessel identification documentation onboard 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 that the authorizations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance with Annex VI;

d) review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or SEAFO. Relevant documentation may include logbooks, catch, transhipment and trade documents, crew lists, stowage plans and drawings, descriptions of holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;

e) examine all relevant areas, fishing gear onboard, 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 whether the fishery resources on board was harvested in accordance with the applicable authorizations;

g) examine the fishery resources, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fishery resources have been pre-packed and move the catch or containers to ascertain the integrity of 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 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.

ANNEX IX

REPORT OF THE RESULTS OF THE PORT INSPECTION

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* *TRX* *PRO* *OTH (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: SEAFO* Type:

26. Status in SEAFO areas where fishing or fishing related activities have been undertaken, including any IUU vessel listing

Vessel identifier	*SEAFO*	*Flag State status*	*Vessel on authorized vessel list*	*Vessel on IUU vessel list*

27. Relevant fishing authorization(s)

Identifier	*Issued by*	*Validity*	*Fishing area(s)*	*Species*	*Gear*

28. Relevant transhipment authorization(s)

Identifier *Issued by* *Validity*

Identifier *Issued by* *Validity*

29. Transhipment information concerning donor vessels

Name	*Flag State*	*ID no.*	*Species*	*Product form*	*Catch area(s)*	*Quantity*

30. Evaluation of offloaded catch (quantity)

Species	*Product form*	*Catch area(s)*	*Quantity declared*	*Quantity offloaded*	*Difference between quantity declared and quantity determined, if any*

31. Catch retained onboard (quantity)

Species	*Product form*	*Catch area(s)*	*Quantity declared*	*Quantity retained*	*Difference between quantity declared and quantity determined, if any*

32. Examination of logbook(s) and other documentation	*Yes*	*No*	*Comments*
33. Compliance with applicable catch documentation scheme(s)	*Yes*	*No*	*Comments*
34. Compliance with applicable trade information scheme(s)	*Yes*	*No*	*Comments*
35. Type of gear used			
36. Gear examined in accordance with paragraph e) of Annex VIII	*Yes*	*No*	*Comments*

37. Findings by inspector(s)
38. Apparent infringement(s) noted including reference to relevant legal instrument(s)
39. Comments by the master
40. Action taken
41. Master's signature
42. Inspector's signature