



# ความเป็นมาของมาตรการรัฐเจ้าของท่าเรือ (Port State Measures)

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# หัวข้อการนำเสนอ



- สาเหตุ IUU-Fishing
- รูปแบบ IUU-Fishing
- เครื่องมือป้องกัน IUU-Fishing
- ประวัติของ Port State Measures
- ประโยชน์ของ PSM
- บทบาทในฐานะ Flag States ต่อ Port States
- อนุสัญญาภายใต้ IMO ที่สนับสนุน Fisheries Management Measures



# สาเหตุ IUU-Fishing

- ความต้องการของผู้บริโภคมีมากขึ้น
- การทำการประมงเกินศักยภาพการผลิตในธรรมชาติ (Overfishing)
- ทรัพยากรมีปริมาณ และขนาดเล็กลง
- ขาดการรับผิดชอบในบางรัฐเจ้าของธง (Flag of Convenience)
- เกิด Port of Convenience
- เครื่องมือและอุปกรณ์ทันสมัย
- เรือมีขนาดใหญ่ขึ้น

# รูปแบบ IUU-Fishing

- เรือไร้สัญชาติ หรือมีมากกว่าหนึ่งสัญชาติ
- ขนถ่ายปลาที่ทำไม่ได้รับอนุญาต
- ไม่ปฏิบัติตามข้อกำหนดของรัฐเจ้าของธง  
รัฐเจ้าของชายฝั่ง และ องค์กรจัดการ  
ประมงระหว่างประเทศ
- ไม่รายงานบันทึก การทำประมง/ขนถ่าย  
/ชนิดและปริมาณสัตว์น้ำ



Fishing and fishing-related activities conducted in contravention of national, regional and international laws.



Non-reporting, misreporting or under-reporting of information on fishing operations and their catches.



Fishing by "Stateless" vessels.



Fishing in convention areas of Regional Fisheries Management Organizations by non-party vessels.




Fishing activities which are not regulated by States and cannot be easily monitored and accounted for.

Global estimates indicate that **IUU fishing is responsible for annual catches of up to 26 million tonnes, with a value of up to US\$ 23 billion.**

# รูปแบบ IUU-Fishing (ต่อ)



### 1 FISHING VESSELS.




**Illegal fishing vessels are used as floating centres of lawlessness.**

A fishing vessel provides the perfect hub for transnational organised crime. It's mobile, it has a reason to be on the seas and most of the time it is out of sight of the authorities.

Fishing vessels are built with huge storage areas. These are ideal for the smuggling of illicit goods, whether they be drugs, arms, blood diamonds, people or wildlife products.

Exempt from IMO ship identification numbers the identity of fishing vessels is easy to change and hard to track.


### 2 SERVICE VESSELS.



**These are not single vessels acting alone. This is not opportunistic. This is organised crime.**

Service vessels are used to deliver goods to and from fishing vessels –mixing legally caught fish with illegally caught fish. Providing supplies that enable the fishing vessels to stay at sea for years at a time.

### 3 HUMAN RIGHTS.

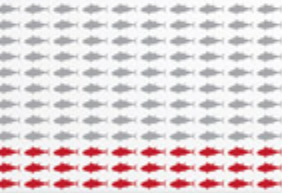


**Tricked. Trapped. Trafficked.**

Workers on fishing vessels frequently slip under the radar of the protection offered by labour and related laws. Often workers are tricked into working on fishing vessels: their wages are unpaid, they live and work in unsafe and unsanitary conditions and they are far from land for months and years at a time so there is no opportunity for escape.

Harsh and violent treatment of crew has been reported as widespread.


### 4 ILLEGAL TRADING.



**1 out of 4 fish is caught and traded illegally.**

Illegal fishing undermines sustainability, damages marine ecosystems and denies some of the neediest people in the world a livelihood.

### 5 CORRUPTION.




**FishCRIME feeds the fat underbelly of corruption. Making the rich richer and denying the rest of us access to a fair system.**

At every link in the illegal fishing supply chain, the potential for corruption exists.

- Negotiation of access agreements
- Licenses
- Flags of Convenience
- Mislabeling of fish
- Whitewashing
- Discards
- Intimidation & bribery of officials

### 6 GLOBAL BUSINESS.




**These are commercial businesses. They operate transnationally: beyond national boundaries and outside of national jurisdictions.**

**THE CASE OF THE TAWARIQ 1:**  
On the 8th of March 2009, the Tawariq 1 was intercepted 180 nautical miles off the Tanzanian coast, and arrested by a South African Environmental Protection vessel. The vessel had no flag visible or hoisted, the radar was switched off, no license or permit was produced and no port of registry was provided.

**Investigations revealed the global nature of this fishing vessel:**  
At the time of prosecution an Omani company owned it. The vessel had a history of registered owners in Korea and the Philippines. It had been flagged in both Korea and Madagascar. The Captain was Chinese, the agent was Kenyan and the crew were from China, Indonesia, Philippines, Kenya, Taiwan and Vietnam. The catch had been sent to Singapore, Taiwan and Japan. The Tawariq 1 had transhipped with vessels registered in Oman and Vietnam.


### 7 LAW.



**FishCRIME respects no laws.**

Crime affects all areas of illegal operations whether this is flouting hygiene regulations, tax evasion or document forgery.


### 8 CONNECTED AGENCIES.



**Connected agencies can crack FishCRIME.**

Intercepting criminal networks and prosecuting those in charge necessitates cooperation, both domestically and transnationally, between fisheries experts and the police, customs, tax, port, security and labour authorities to gather and share information and intelligence and bring the criminals to book.

New tools are called for in the fight to combat transnational fisheries crime, and organisations such as INTERPOL and the United Nations Office on Drugs and Crime are taking a leading and critical role on this.





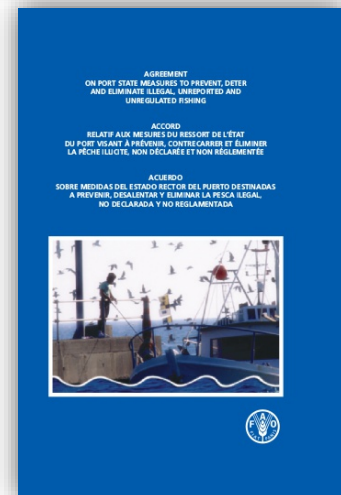
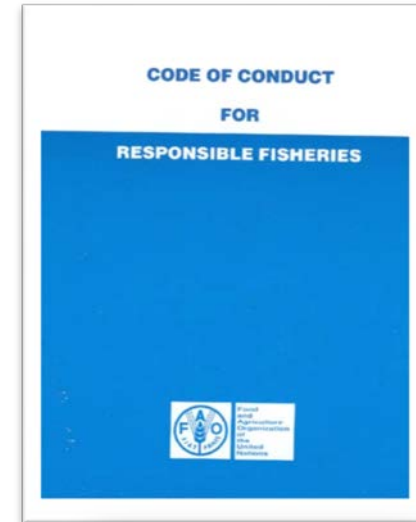
# เครื่องมือป้องกัน IUU-Fishing

- International fisheries instrument
- Flag State Control
- Coastal State responsibilities
- Port State Measures
- Market Measures
- Catch documentation schemes
- Trade Measures : trade sanctions
- RFMOs white (positive) lists / black (negative) lists
- Regulation of transshipment
- Monitoring control and surveillance schemes



# ประวัติของ Port State Measures

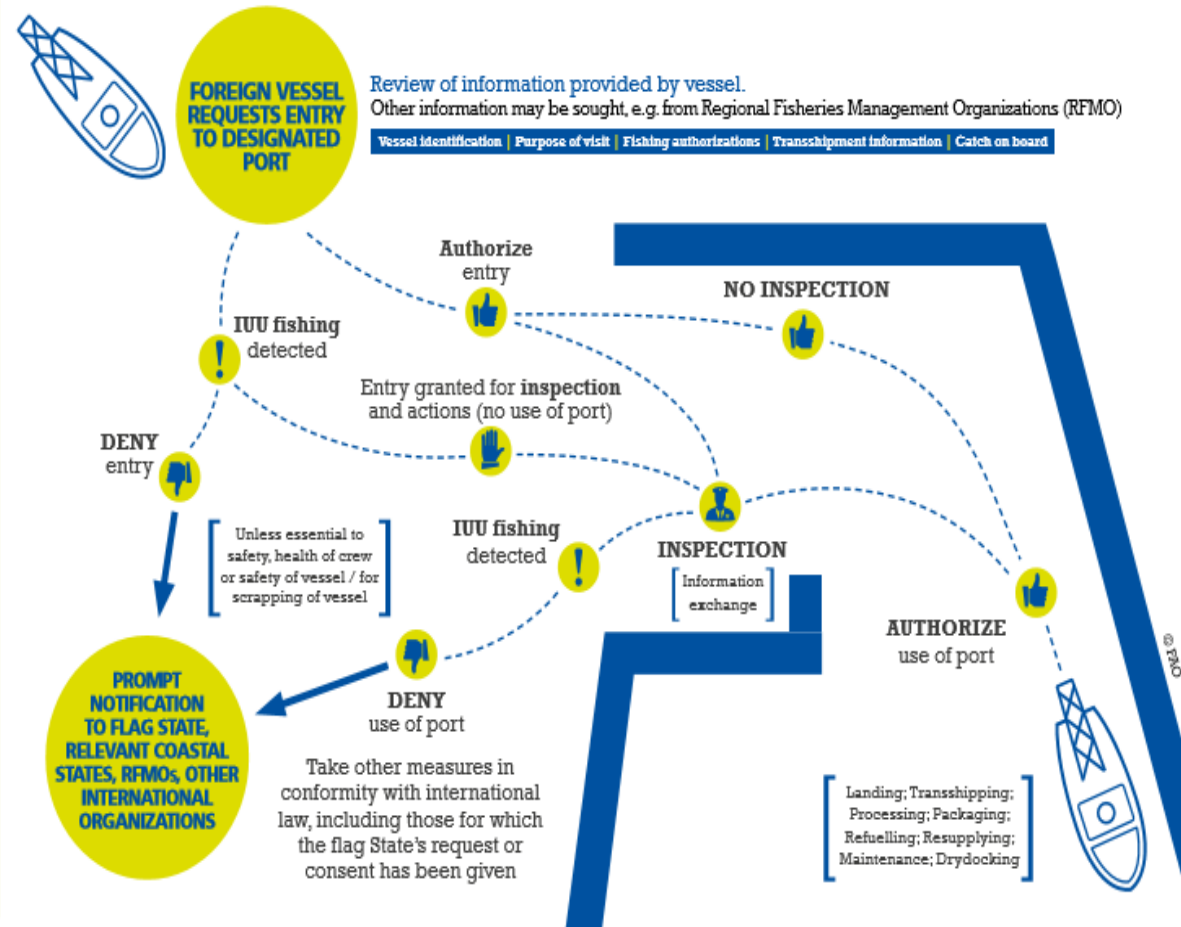
- 1982 UN Convention on Law of the Sea
- 1993 FAO Compliance Agreement
- 1995 UN Fish Stocks Agreement
- 1995 FAO Code of Conduct for Responsible Fisheries
- 2001 FAO IPOA IUU
- 2005 FAO Model Scheme on Port State Measures
- 2007 Commitment to developing a binding instrument
- 2009 Agreement on Port State Measures
- 1<sup>st</sup> March 2011 PSM entered into force for IOTC members
- Thailand first official launch on 1<sup>st</sup> Sep 2015
- 6<sup>th</sup> May 2016 Thailand has pledged accession to the FAO PSMA



# ประโยชน์ของ Port State Measures

## Benefits of the PSMA

- ✓ combats IUU fishing in a cost-effective and efficient manner
- ✓ protects the livelihoods of legitimate fishers
- ✓ enhances flag States' control over their fishing vessels
- ✓ promotes effective cooperation and information exchange among coastal States, flag States and Regional Fisheries Management Organizations and Arrangements
- ✓ prevents the occurrence of "ports of non-compliance"
- ✓ contributes to strengthened fisheries management and governance at all levels
- ✓ provides for the requirements of developing countries





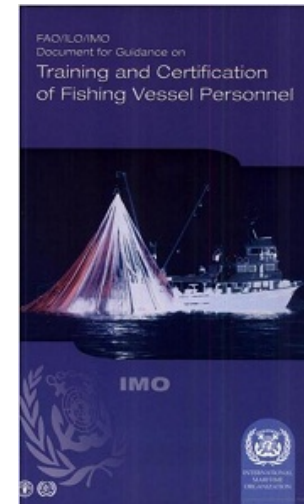
# บทบาทในฐานะ Flag States ต่อ Port States

- Monitoring cooperation by its flag vessels with port inspections in other States.
- Requesting another port State to inspect a flag vessel (except this should be mandatory, as appropriate, where there are clear grounds to believe that its flag vessel has engaged in IUU fishing and is seeking entry to or is in the port of another State), liaising during the inspection process and receiving the inspection reports.
- Encouraging vessels to use ports in States that are acting in accordance or consistently with the instruments.
- Authority and procedures for immediately and fully investigating an inspection report indicating that there are clear grounds to believe that a flag vessel has engaged in IUU fishing or related activities and taking necessary enforcement action.
- Reporting on actions taken in respect of its flag vessels that, as a result of port State measures, have been determined to have engaged in IUU fishing or related activities.
- Ensuring that effective measures are applied to flag vessels determined to have engaged in IUU fishing or related activities.

# อนุสัญญาภายใต้ IMO ที่สนับสนุน Fisheries Management Measures

## The International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F)

- Adoption: 7 July 1995; Entry into force: 29 September 2012 after the required 15 ratifications were reached
- The Convention applies to crews of seagoing fishing vessels generally of 24 meters in length and above.

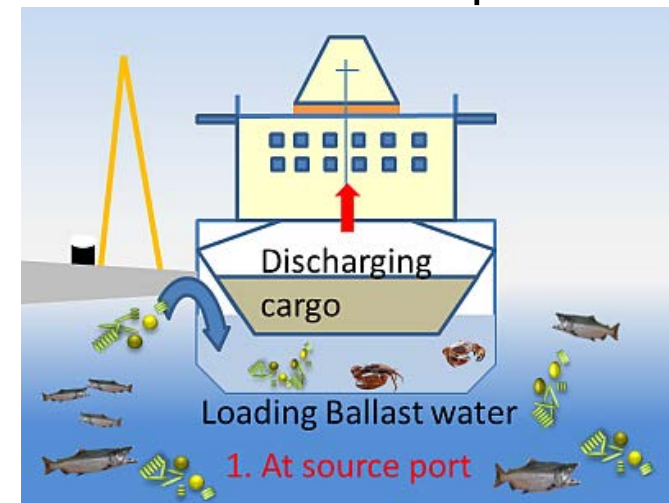




# อนุสัญญาภายใต้ IMO ที่อาจสนับสนุน Fisheries Management Measures

## International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM)

- Adoption: 13 February 2004; Entry into force: 8 September 2017
- The Ballast Water Management Convention, adopted in 2004, aims to prevent the spread of harmful aquatic organisms from one region to another, by establishing standards and procedures for the management and control of ships' ballast water and sediments



# NGOs

A South Korean fishing vessel ferrying an illegal haul of Patagonian toothfish was given an appropriate branding by activists this week. The ship, named *Insung 3*, was painted over in red to say “illegal” by conservationists from the organization Greenpeace. This is how the ship looked before:



*(Paul Hilton for Greenpeace)*

The ship was reportedly carrying 60 tons of what’s referred to as illegal, unreported and unregulated (IUU) catch off the coast of Korea. The ship uses longlines, a fishing technique that involves a lot of bycatch, especially of seabirds and sharks. Conservationists are now calling for the ship and others in its fleet to be blacklisted from operating.



*(Paul Hilton for Greenpeace)*





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