

BELIZE

National Plan of Action to Prevent, Deter and Eliminate, Illegal, Unreported and Unregulated (IUU) Fishing On the High Seas



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NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

PREFACE

The escalation of extractive fisheries activities, resulting from the increasing demand for marine resources, has led fishing fleets globally to search for marine resources in areas outside their jurisdictional waters, often using methods that violate national and international regulations and agreements that regulate these activities.

The issue of illegal, unreported and unregulated fishing activities (IUU) is of utmost importance when these activities compromise the management and conservation of fisheries resources, violate the rights of those who fish legally, harm the coastal communities that depend on the sustainable use of such resources and put at risk the human and social elements of the crew on board vessels that lack minimum employment and security regulations at sea and may cause serious damage to the marine environment.

In an effort to eliminate IUU fishing globally, nations must take the responsibility by adopting relevant measures relating to port state control, flag state and coastal state measures, access agreements, trade and holistic and deterrent enforcement procedures.

The development of a National Plan of Action is the way forward for States to take responsibility for prevention, deterrence and elimination of IUU activities. It is in this context that this document has been structured and also taking into account all current domestic rules and regulations of Belize and those established in the International Plan of Action to Prevent, Deter and Eliminate, Illegal, Unreported and Unregulated fishing activities, approved by the FAO within the framework of the Code of Conduct for Responsible Fishing.

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NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

CONTENTS

EXECUTIVE SUMMARY

1. Profile of Belize's High Seas Fisheries
2. Legislation for the Management of the Belize high seas fisheries
3. Impact of IUU fishing

I. INTRODUCTION

- 1.1 Purpose

II. NATURE AND SCOPE OF IUU FISHING AND THE INTERNATIONAL PLAN OF ACTION

- 2.1 Definitions of IUU fishing
- 2.2. Other definitions

III. OBJECTIVES AND PRINCIPLES

IV. IMPLEMENTATION OF MEASURES TO PREVENT, DETER AND ELIMINATE IUU FISHING

- 4.1 All State Responsibilities
 - 4.1.1 International Instruments
 - 4.1.2 National Legislation
 - 4.1.3 State controls over nationals
 - 4.1.4 Vessels without Nationality
 - 4.1.5 Sanctions
 - 4.1.6 Non-Cooperating States
 - 4.1.7 Economic Incentives
 - 4.1.8 Monitoring Control and Surveillance
 - 4.1.8.1 Licenses
 - 4.1.8.2 Registers
 - 4.1.8.3 Vessel Monitoring System
 - 4.1.8.4 Observer Program
 - 4.1.8.5 Inspection Program
 - 4.1.8.6 MCS Training and Education
 - 4.1.8.7 Planning, Funding and Undertaking MCS Measures
 - 4.1.8.8 Industry knowledge and cooperation

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

- 4.1.8.9 Knowledge and understanding of MCS issues within the Judicial system
- 4.1.8.10 MCS Data
- 4.1.9 National Plans of Action
- 4.1.10 Cooperation Among States
 - 4.1.10.1 Exchange of Data and Information
 - 4.1.10.2 Investigation of IUU Activities
 - 4.1.10.3 Transfer of Expertise and Technology
 - 4.1.10.4 Compatibility of Policies and Measures
 - 4.1.10.5 Immediate response to IUU
 - 4.1.10.6 Cooperation in MCS
 - 4.1.10.7 Provision of Information to RFMOs
 - 4.1.10.8 Contact Points for MCS
- 4.1.11 Publicity
- 4.1.12 Technical Capacity and Resources
- 4.2 Flag State Responsibilities
 - 4.2.1 Fishing Vessel Registration
 - 4.2.1.1 Exercise of Flag State Responsibilities
 - 4.2.1.2 Vessel with a History of non-Compliance
 - 4.2.1.3 Chartering Arrangements
 - 4.2.1.4 Flag Hopping
 - 4.2.1.5 Control over Nationals
 - 4.2.1.6 Coordination of Processes among Agencies
 - 4.2.2 Record of Fishing Vessels
 - 4.2.3 Authorization to Fish
 - 4.2.3.1 Requirement to hold a license
 - 4.2.3.2 Authorization to fish within the jurisdiction of a Coastal State
 - 4.2.3.3 Condition of Authorization to Fish
 - 4.2.3.4 Authorization to Transship
- 4.3 Coastal State Responsibilities
- 4.4 Port State Measures
 - 4.4.1 Port Access
 - 4.4.2 Inspection of foreign vessels in port
 - 4.4.3 Evidence indicating IUU
 - 4.4.4 Procedure for port State control of vessels

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

- 4.4.5 Cooperation with Port States to combat IUU fishing
- 4.4.6 Implementation of port State measures
- 4.5 Internationally Agreed Market Related Measures
 - 4.5.1 Market Related Measures
 - 4.5.2 Multilaterally agreed Trade Related Measures
 - 4.5.3 Provision of Information to the Regional Fisheries Management Organizations
 - 4.5.4 Catch Certification Scheme
 - 4.5.5 Information Dissemination
- 4.6 Research
- 4.7 Regional Fisheries Management Organizations
 - 4.7.1 Compliance by Members
 - 4.7.2 Strengthening and Development of innovative ways to prevent, deter and eliminate IUU fishing

V. SPECIAL REQUIREMENTS FOR DEVELOPING COUNTRIES

- 5.1 Special Requirements
- 5.2 Future Measures

VI. REPORTING

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

EXECUTIVE SUMMARY

1. Profile of Belize's High Seas Fisheries

The high seas fisheries industry, as part of the international financial service industry in Belize, contributes significantly to the foreign exchange earnings, general revenue and employment for the country. Direct revenues collected from this sector include, license fees and quota fees with charge rates per tonne set on a species specific basis. Consequently, its sustainability has become a principal concern in the economic development of the country. Belize's high seas fisheries is currently catered to foreign owned interests and only foreign owned vessels are licensed to operate under the Belize flag for operation in distant waters. Our current high seas fishery sector in 2014 can be divided into the following main fisheries:

- Long line tuna fishery: a fleet of 34 vessels of between 24 to 38 meters in length utilizing long line gear are licensed to target albacore, bigeye tuna, yellowfin and swordfish. Shark species caught in association with tuna fisheries are also taken. Belize is an active member of the International Commission for the Conservation of Atlantic Tuna (ICCAT), the Inter-American Tropical Tuna Commission (IATTC) and the Indian Ocean Tuna Commission (IOTC) and fully participates in respect to assessment and -management of these species.
- Purse seine tuna fishery: a fleet of 6 vessels between 56 to 81 meters in length utilizing the purse seine gear are licensed to target bigeye tuna, yellowfin and skipjack in the ICCAT Convention Area.
- Trawlers: a fleet of 16 mid-water trawlers between 28 to 120 in length are licensed to fish for horse mackerel, sardines and sardinella mostly within the exclusive economic zones of Coastal States.
- Others: vessels utilizing other fishing methods or providing support to fishing vessels are also regulated under the applicable fishing regulations of Belize.

The capacity for development of each respective fishery or type of operation shall be guided by Belize's National High Seas Fleet Policy which is subject to change as Belize's National capacity changes.

2. Legislation for the management of Belize's high seas fisheries

The principal legislation governing the high seas fishing by Belize flagged vessels is the High Seas Fishing Act (HSFA), 2013 and the regulations, rules, notices and directions promulgated in accordance with that Act. The main objectives of the Act, among others, are to ensure the conservation and optimal utilization of marine resources, management and maintenance of a systematic fishing operation and the sanctioning of violations in contravention of conservation and management measures.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

According to the provisions of the Act, the Belize High Seas Fisheries Unit (the Authority), administratively placed under the Ministry of Finance, is the primary Authority responsible for the management and control of the high seas fisheries sector.

3. Impacts of IUU Fishing

Illegal, Unreported and Unregulated (IUU) Fishing poses a serious threat to the sustainable fisheries of our global marine resources both in our national waters and in distant waters. In this regard, the fight against IUU activities is of paramount importance and, accordingly, has been given priority by the Government of Belize in a concerted effort to prevent, deter and eliminate this scourge. IUU fishing undermines efforts to conserve and manage fish stocks in marine fisheries and leads to both short and long term social and economic loss. It also has undesirable impacts on food security and environmental protection. As one of the small participants, Belize's failure to deter the IUU activities of its vessels could result in the unsustainable utilization of the marine resources on the high seas and in the jurisdictional waters of other states. This indirectly affects fish trade and the viability of other vessel owners as well as the overall reputation of the Flag which will ultimately have a serious impact on the development of this growing sector as well as the development of the Registry.

I. INTRODUCTION

1.1 Purpose

This document outlines Belize's NPOA-IUU for distant waters fisheries. It is intended to support the effective implementation of the FAO's International Plan of Action to Prevent, Deter and Eliminate IUU fishing (IPOA-IUU). In an effort to ensure that this NPOA remains applicable and up-to-date, a mandatory revision will be conducted bi-annually; however, it may be updated intercessionally as may be appropriate.

II. NATURE AND SCOPE OF IUU FISHING AND THE INTERNATIONAL PLAN OF ACTION

2.1 Definition of IUU Fishing

The definition of IUU fishing in this document, as defined in paragraph 3 of the IPOA-IUU, is outlined below.

Illegal fishing refers to activities:

- Conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations;

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

- Conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organization but which operate in contravention of the conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions of the applicable international law; or
- In violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organization.

Unreported fishing refers to fishing activities:

- Which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or
- Undertaken in the area of competence of a relevant regional fisheries management organization which have not been reported or have been misreported, in contravention of the reporting procedures of that organization.

Unregulated fishing refers to fishing activities:

- Conducted in the area of application of a relevant regional fisheries management organization that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization; or
- Conducted in areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.

2.2 Other definitions

In this document the terms referred therein shall have the same meaning as prescribed in paragraph 6 of the IPOA-IUU outlined below.

- a. The reference to states includes regional economic integration organization in matters within their competence
- b. The term "regional" includes sub-regional as appropriate;

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

- c. The term “regional fisheries Management Organization” means an inter-governmental fisheries organization or arrangement, as appropriate, that has the competence to establish fishery conservation and management measures;
- d. The term “conservation and management measure” means measures to conserve one or more species of living marine resources that are adopted and applied consistent with the relevant rules of international law.
- e. The term “1982 UN Convention” refers to the 1982 United Nations Convention on the Laws of the Sea;
- f. The term “1993 FAO Compliance Agreement” refers to the agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas;
- g. The term “1985 Fish Stocks Agreement” refers to the agreement for the implementation of the United Nation Convention on the Laws of the Sea relating to the conservation and management of straddling fish stocks and highly migratory fish stocks;
- h. “Code of Conduct” refers to the FAO Code of Conduct for Responsible Fisheries;
- i. “Force majeure” means an event or effect that cannot be reasonably anticipated or controlled.
- j. “Registrar” means the Registrar of Merchant Shipping appointed or designated under the Merchant Ships (Registration) Act, 2010.

III. OBJECTIVES AND PRINCIPLES

Belize’s NPOA-IUU focuses on the general measures as indicated in section 1.1 above and reflects only those measures that are applicable to the High Seas fleet. This document is intended to focus on the long and short term measures that Belize has and will adopt to prevent, deter and eliminate IUU fishing by its high seas fleet. As previously mentioned, the NPOA will be reviewed and revised appropriately to ensure the effectiveness of its effort to combat IUU fishing.

IV. IMPLEMENTATION OF MEASURES TO PREVENT, DETER AND ELIMINATE IUU FISHING

4.1 ALL STATE RESPONSIBILITIES

4.1.1 International Instruments

The major fisheries organization and instruments to which Belize is a party are indicated in the Table below:

Instruments and Organizations	Ratification/Acceptance
1982 United Nations Convention on the Law of the Sea (UNCLOS)	13 th August 1983
Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fishing Stocks (Fish Stocks Agreement)	8 th July 2005
Agreement to Promote Compliance with International Conservation and	8 th July 2005

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

Management Measures by Fishing Vessels On the High Seas (1993 FAO Compliance Agreement)	
International Convention for the Conservation of Atlantic Tunas (ICCAT)	8 th July 2005
Convention for the strengthening of the Inter-American Tropical Tuna Commission (the Antigua Convention)	5 th June 2007
Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean	11 th April 2011
Agreement on the International Dolphin Safe Program	11 th April 2011
Agreement for the establishment of the Indian Ocean Tuna Commission	13 th April 2011
Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES)	19 th August 1986
Agreement on the International Dolphin Conservation Program	11 th April 2011

In specific regard to IUU fishing, Belize's High Seas Fisheries Policy dated 2nd December 2013 and legal framework incorporates many of the standards and objectives of the FAO Compliance Agreement, the Fish Stocks Agreement and the Code of Conduct for Responsible Fisheries. In order to facilitate capacity growth for the further strengthening or implementation of these instruments, Belize may request assistance provided to developing States as provided for under Part V of the IPOA-IUU.

4.1.2 National Legislation

Belize recently completed a review of its legal framework for high seas fisheries culminating in the enactment of the High Seas Fishing Act, 2013. The new Act makes provisions for Belize to ensure full compliance with its international and regional obligations with regard to responsible fisheries management and operations of vessels flying its flag.

The current legal framework makes use of many of the tools for combating IUU fishing pursuant to the instruments which Belize subscribes. The adoption of our Licensing Regulations (S.I. 33 of 2014) allows for a robust licensing regime, and our Monitoring Control and Surveillance Regulations (S.I. 39 of 2014), allow for the establishment of our observer and inspection programs. The latter also allows for new regulations for transshipment at sea and catch and effort reporting, and our Sanctions Regulations (S.I. 32 of 2014) introduced a more holistic sanctioning system for IUU fishing operations.

4.1.3 State control over nationals

Belize's high seas fishery is geared towards foreign owned fishing vessels and the High Seas Fishing Act, 2013 applies to fishing by foreign owned vessels on the high seas only. As a result, Belize nationals do not work on or are

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

in any other way involved with such vessels. As Belizeans do not, as a rule, seek employment as crew on foreign owned Belize flagged vessels, Belize's practices will be focused on control of its foreign owned vessels.

Belize nationals operating inside of Belize's jurisdictional waters are obligated to comply with the requirements of domestic legislation.

There is currently no provision in the Act to provide a license to a Belize national who wishes to fish with such vessel outside of Belize waters, on the high seas. However, considerations will be given to a legal requirement to allow Belizean nationals to operate a vessel outside of Belize waters.

Belize nationals engaged in IUU fishing within the jurisdictional waters of Belize shall be prosecuted in accordance with domestic legislation.

4.1.4 Vessels without Nationality

Belize currently lacks capacity to take active measures in relation to vessels without nationality that fish on the high seas, but will cooperate as appropriate with other States that have such legislation and capacity.

As a member of the International Maritime Organization and several Regional Fisheries Management Organizations, Belize will consider what legal measures could be taken, consistent with international law, in relation to vessels without nationality that are involved in IUU fishing on the high seas. Belize will ensure communication as appropriate through any RFMO of which it is a member to notify other States regarding any vessel it may identify without nationality and will take appropriate measures. Belize will also consult with other States concerning actions, which could be taken bilaterally or regionally.

4.1.5 Sanctions

The Sanctions Regulations, (S.I. 32 of 2014) sections 5 and 6, call for the imposition for various sanctions for any violations committed in contravention of the Act, its regulations, circulars, notices, instruments. Sanctions shall be levied depending on the nature and severity of the offense, the extenuating circumstances and the damage to the marine environment and shall include, *inter alia*, the imposition of fines up to 3 million US dollars. Sanctions in excess of the maximum amount may be imposed in cases of recidivism and continuous violations, in addition to other accompanying sanctions, such as, but not limited to, the suspension or revocation of a license, the prohibition from sailing, the sequestration of vessel, catch or gears and all other sanctions as contained in the Sanctions Regulations.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

4.1.6 Non-Cooperating States

To prevent, deter and eliminate the activities of vessels engaged in IUU fishing that are flagged to a non-cooperating State of a relevant RFMO. Belize shall take measures to ensure that Belize flagged vessels are prohibited from engaging in activities with vessels whose State is not a party to a relevant RFMO or who is not in good standing with the relevant RFMO.

4.1.7 Economic Incentives

Belize's high seas fishing fleet is of foreign interest and Belize does not provide any economic support to fishery companies, vessels or persons involved in IUU fishing.

4.1.8 Monitoring, Control and Surveillance

The HSFA, 2013 allows for the following MCS measures to be taken:

4.1.8.1 Licenses

Belize executes its flag State responsibility by requiring all Belize flagged vessels to have specific licenses to operate on the high seas. The licensing of Belize flagged vessels are carried out in accordance with the Licensing Regulations (S.I. 33 of 2014).

4.1.8.2 Registers

In accordance with Section 18 of the Licensing Regulations (S.I. 33 of 2014), Belize shall maintain a record of all vessels licensed in accordance with the Licensing Regulations and shall make this information available to the FAO as required by the terms of the Compliance Agreement. To further facilitate fisheries management, Belize will make available through our official website a complete record of information on Belize's vessels, including any historical change of such information. The information will also be reported to the relevant RFMOs as appropriate.

4.1.8.3 Vessel Monitoring System

Belize has established a fisheries monitoring centre for the provision of vessel monitoring services to our vessels. The technical capacity of our VMS is aligned with the requirements of those established by the relevant RFMOs. The requirement for vessel monitoring is contained in our Monitoring, Control and Surveillance Regulations.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

Belize is fully supportive of collaborating in the development of a cost-effective regional VMS.

4.1.8.4 Observer Program

Belize has outsourced its observer program to an accredited establishment which will facilitate the placement of observers on board Belize flagged vessels for the sole purpose of collecting fisheries specific data and in compliance with the relevant requirements for observer coverage established by the RFMOs. The requirement for observer coverage is contained in the Monitoring, Control and Surveillance Regulations.

4.1.8.5 Inspection Program

Belize's inspections program will allow for port inspection of vessel discharges and inspections to ascertain compliance with relevant conservation and management measures of the RFMOs and national legislation. The requirements of our inspection program are contained in the Monitoring, Control and Surveillance Regulations.

4.1.8.6 MCS Training and Education

Personnel involved in the MCS operations shall be required to attend annual courses to update the information on MCS operations. This training shall be available for fisheries and authorized officers to update their information of MCS and for new personnel involved in the VMS operations. Training for VMS operations shall be conducted by the providers of the service, and observer training shall be the responsibility of the institution which will facilitate the observers.

4.1.8.7 Planning, Funding and Undertaking MCS Measures

The cost of monitoring, control and surveillance of the high seas fishing fleet shall be funded by the Government of Belize. These costs will be recovered through fees charged to the clients prior the deployment of observer to the vessel.

4.1.8.8 Industry Knowledge and Cooperation

As the high seas fisheries industry is a unique sector within the Ministry of Finance, local stakeholder involvement and cooperation is limited to associated governmental agencies. Nonetheless, Belize will endeavour, through the dissemination of notices and website accessible information, to educate its owners and operators who operate Belize flagged vessels on the high seas of the importance of the impact of IUU fishing with the goal of ensuring continued support in our efforts to prevent, deter and eliminate IUU fishing.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

4.1.8.9 Knowledge and Understanding of MCS Issues within the Judicial System

The jurisdiction of the courts, evidentiary standards and permissibility shall be addressed in relevant regulations. Due to the uniqueness of the high seas fisheries sector, the jurisdiction of the courts over foreign based nationals is not practical; consequently, penalties shall be imposed administratively, which shall be based on the evidence provided, the nature and circumstance of the offense and the damage to the marine environment.

4.1.8.10 MCS Data

A system for the procurement, storage and propagation of MCS data shall be established and maintained by Belize, and shall take into consideration the confidentiality requirements and personnel handling of matters relating to the MCS measures and disclosure of information relevant to any violation.

In accordance with the Monitoring, Control and Surveillance Regulations, the dissemination of any VMS data or other such data by any authorized officer is prohibited unless approved by the Director of High Seas Fisheries.

The following measures for the procurement, storage and propagation of MCS data are described below:

1. Data of Fishing Vessel Records

In accordance with the Licensing Regulations (S.I. 33 of 2014), the owners shall be required to complete an application together with supporting documents to Belize for the issuance of a license. The minimum information as prescribed in the regulations shall be recorded on the license. Data for each vessel shall be stored electronically and uploaded to our official website. As a result of confidentiality of ownership information, this data shall be restricted from public access, all other information on the vessel will be available via the internet, but ALL data shall be reported to the FAO in accordance with the Compliance Agreement.

2. Data of Catch

All Belize flagged vessels are required to report their catches regularly in accordance with the Monitoring, Control and Surveillance Regulations.

3. VMS Data

Belize flagged vessels are required to report their positions, via the vessel monitoring system on an hourly basis or any other such time as may be approved by the Authority and in accordance with the Monitoring Control and Surveillance Regulations.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

4. *Observer Data*

Observers shall be required to submit all data obtained from the fishing activities observed on board the vessel in accordance with the Monitoring Control and Surveillance Regulations.

5. *Catch and Transshipment Data*

Transshipment at sea shall be prohibited in accordance with our MCS Regulations. Only at port transshipment shall be allowed. Any vessel which intends to conduct at-port transshipment is required to obtain prior approval from the Authority and the vessel can only commence transshipment after the approval is granted. Data on transshipment operations shall be reported to the Authority in accordance with the requirements of the MCS Regulations.

6. *Catch Landing data*

Inspections of vessel and vessel discharges and data relating thereto are carried out in accordance with the MCS Regulations.

4.1.9 National Plans of Action

This NPOA-IUU shall guide the development of other national plans to implement the conservation and management measures necessary to protect our high seas and coastal state marine environments in an effort to promote the sustainability of our aquatic marine resources.

4.1.10 Cooperation among States

Belize shall cooperate with all States in an effort to fully implement the requirements of the IPOA-IUU as follows:

4.1.10.1 Exchange of Data and Information

It is of utmost importance to ensure close collaboration with other States and relevant RFMOs to ensure the sustainability of the marine resources. As required and as appropriate, Belize submits data on its vessels authorized to operate under its flag to the relevant RFMOs and the FAO. Other data on species and relevant information are submitted annually to the RFMOs as appropriate.

4.1.10.2 Investigation of IUU Fishing Activities

Belize recognizes the importance of international cooperation with States and other organizations to effectively combat IUU fishing activities and has always prioritized all allegations of IUU activities of its vessels. In so doing, Belize has and will always cooperate with other States in the investigation of any alleged IUU activities to provide all relevant data and to take immediate corrective and disciplinary measures.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

4.1.10.3 Transfer of Expertise and Technology

Belize as a developing State shall welcome any expertise and technology that may be provided by other States as we realize that cooperation in the exchange of knowledge and technology in respect to monitoring, control and surveillance is a fundamental component in the fight against IUU fishing activities.

4.1.10.4 Compatibility of Policies and Measures

In accordance with the national fisheries legislation, Belize shall aim to ensure that all MCS measures taken shall be compatible with those measures adopted by the relevant RFMOs and other such related bodies. Currently, Belize disseminates all relevant measures adopted by the RFMOs via fishing vessel circulars to our vessel owners. This pattern shall be followed and all such measures shall be uploaded to our website for ease of access to our owners and operators and the general public.

4.1.10.5 Immediate Response to IUU Fishing

In the event of any reported occurrence of IUU activities by Belize flagged vessel, the Authority shall take immediate action to investigate and cooperate with the competent authorities to obtain relevant evidence and information. At the conclusion of an investigation, if proven that a Belize flagged vessel had engaged in IUU activities, Belize shall impose administrative sanctions in accordance with our Sanctions Regulations. Belize shall also notify the respective State and the RFMO, the result of the investigation and the actions taken thereon.

4.1.10.6 Cooperation in MCS

In an effort to reinforce cooperation with States on MCS measures, Belize shall take steps to implement formal bilateral agreements in respect to this matter.

Additionally, Belize shall comply with all MCS measures adopted by the relevant RFMOs and cooperate with the Belize Fisheries Department and States under the structure of such RFMOs.

4.1.10.7 Provision of Information to Regional Fisheries Management Organizations

Belize provides information on vessels and their activities to the relevant RFMOs as well as to the FAO in accordance with the requirements of the relevant reporting obligations in the Compliance Agreement.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

4.1.10.8 Contact Points for MCS

Belize has notified the relevant RFMOs, the contact points for the Authority responsible for MCS measures and compliance. Contact points shall be provided to all other relevant organizations as appropriate and shall be uploaded to the BHSFU website for public access.

4.1.11 Publicity

As indicated, Belize shall notify the results of any investigation of IUU activities allegedly conducted by Belize flagged vessels to the State concerned and the relevant RFMO as appropriate.

Data on fishing vessel violation and enforcement shall be posted on the Authority's website, consistent with confidentiality protocols.

4.1.12 Technical Capacity and Resources

Belize shall allocate the necessary resources required to properly implement the NPOA-IUU with respect to the technical and institutional capacity. Capacity development shall be maintained through training or expansion as necessary consistent with our required capacity for the overall management of the high seas fishing fleet.

4.2 FLAG STATE RESPONSIBILITIES

4.2.1 Fishing Vessel Registration

4.2.1.1 Exercise of Flag State Responsibility

Belize's legislation currently requires the registration of all foreign fishing vessels flying the Belize flag. The register is maintained by the Registrar of Ships of the International Merchant Marine Registry of Belize (IMMARBE) under the Ministry of Finance. The register shall be well maintained and kept fully updated in regard to details concerning vessel specification and ownership.

Measures are in place to ensure effective inter-agency communication between IMMARBE and the Authority so that both parties are kept abreast of the IUU vessels lists maintained by the relevant RFMOs and other such organizations so as to ensure that no vessel with an IUU history is able to acquire Belize registration.

As a result of the aforementioned cooperation, no fishing vessel can be registered unless the Authority confirms its ability to properly monitor, control and surveille the activities of the vessel.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

4.2.1.2 Vessels with a history of Non-Compliance

Belize shall continue to take and reinforce its measures to ensure its ability to control vessels before granting registration. This will include, but will not be limited to the following:

1. Satisfactory registration information

All information required to be submitted for the registration of a vessel under the Belize flag shall be reviewed to ensure that it conforms to the standards of transparency developed at national, regional and international levels and in accordance with the minimum requirements under international law.

2. Measures to deny registration

Fishing vessels with a history of IUU are not registered or licensed unless the new owner can, to the satisfaction of the relevant administrations, prove that the previous owner or operator has no further legal, beneficial or financial interest in, or control of the vessel. A thorough background search of the vessel and its new and previous owners shall be conducted prior to the approval of any vessel for registration.

Belize flagged vessels that have been identified as having engaged in IUU activities shall be deregistered. If a vessel is found to be carrying more than one registration, it shall also be immediately deregistered.

4.2.1.3 Chartering Arrangements

Belize has taken a policy decision to prohibit the registration of fishing vessels for bareboat charter out arrangements. Vessels currently under these arrangements shall be phased out upon expiration of their charter arrangements. This is part of our concerted effort to eradicate IUU fishing.

In respect to the RFMOs rules for such arrangements and in particular, ICCAT's rules to prevent vessels involved in chartering arrangements from being used for IUU fishing activities, these rules shall be reviewed and implemented.

4.2.1.4 Flag Hopping

Applications for registration and licensing of vessels with a history of continuous flag changes shall be cautiously reviewed and will only be accepted after the relevant authorities have been satisfied that such history was not a result of circumventing any rules or regulations of other States or the non-compliance of conservation and management measures.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

Additionally, vessels shall be required, as a pre-requisite for obtaining a license, to provide a detailed operational plan for its operation under Belize and to ensure that the vessel will not utilize the flag for purposes of convenience.

4.2.1.5 Control over Nationals

This is addressed under Section 4.1.3

4.2.1.6 Coordination of Processes among Agencies

The International Merchant Marine Registry of Belize is responsible for the registration of the vessel and the BHSFU is responsible for the licensing of all fishing vessels engaged in fishing or related activities on the high seas. Both agencies fall within the jurisdiction of the Ministry of Finance. Both the structure and collaboration between agencies allows for the effective implementation of all measures to prevent, deter and eliminate IUU fishing.

Both institutions also have inter-agency exchanges with other relevant departments and ministries such as the Belize Fisheries Department, the Belize Agriculture and Health Authority, the Belize Customs Department, the International Financial Services Commission and the Ministry of Foreign Affairs.

4.2.2 Record of Fishing Vessels

The International Merchant Marine Registry of Belize maintains a list of all vessels registered to operate under the Belize flag including fishing vessels in accordance with their data recording regulations. The Authority maintains a list of all fishing vessels licensed to operate under the Belize flag. Data kept and recorded by the Authority are consistent with the requirements of paragraph 1 and 2 of Article VI of the FAO Compliance Agreement in addition to other information as required by the relevant RFMOs.

Submissions of data on fishing vessels licensed to operate under Belize flag are submitted to the FAO on a monthly basis and to the relevant RFMOs as appropriate.

4.2.3 Authorization to Fish

4.2.3.1 Requirement to hold Authorization to Fish

The HSFA, 2013 requires fishing vessels to have a license prior to engaging in any fishing activities from Belize as well as from any other State. In accordance with the Licensing Regulations, Belize flagged vessels shall only operate in the EEZ of another country after they have obtained the relevant fishing license or authorization from that State and have received prior approval from the Authority. Vessels which will operate in the area of an

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

RFMO shall only proceed to operate in that area after the vessel has been included in that RFMO's list of approved and authorized vessels.

When operating on the high seas, a vessel shall conduct activities strictly in compliance with the terms and conditions as stipulated in its license. When operating in the jurisdiction of an RFMO, the vessel shall conduct activities in compliance with the applicable conservation and management measures of that RFMO.

4.2.3.2 Authorization to fish within the Jurisdiction of Coastal State

In respect to foreign owned Belize flagged vessels which intend to operate in the EEZ of another country, Belize shall ensure that such vessels obtain the relevant authorization from that State as well as from Belize.

4.2.3.3 Conditions of Authorizations to Fish

All licenses issued contain at a minimum, the information as prescribed in paragraph 46 of the IPOA-IUU and conditions as stipulated in the Licensing Regulations.

All licenses shall be kept on board at all times and vessels shall not depart port for operation without a valid license on board.

4.2.3.4 Authorization to Transship

Unless otherwise approved under *force majeure*, all authorized transshipment activities shall be conducted at port. Transshipment by Belize flagged fishing and carrier vessels shall receive prior authorization from the Authority before engaging in any such activities. All requests for transshipment approval shall be submitted together with the relevant documents and information in accordance with the MCS Regulations. After the transshipment, both the fishing and carrier vessel, whatever the case may be, are required to submit the transshipment declaration to the Authority.

4.3 COASTAL STATE RESPONSIBILITIES

Belize currently exercises its rights as a coastal State and signatory to UNCLOS in regard to conservation and management of the living marine resources under its jurisdiction. Current policy, legislation and management measures have been effective in eliminating IUU by local and foreign fishing vessels within our EEZ.

Belize shall ensure that:

- (a) MCS and enforcement activities continue to ensure compliance by vessels authorized to fish in the EEZ with national laws and licence conditions.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

- (b) No vessel shall fish in Belize waters (or outside, in the case of local flag vessels) without a valid authorization(license)
- (c) Only vessels that are duly recorded on a vessel register are authorized to fish within the fisheries waters of Belize.
- (d) Authorizations for transshipment by any foreign vessel in the fisheries waters of Belize shall be done in writing provided that such activities do not constitute a condition of license for fishing in accordance with any applicable access agreements and any requirements which may be prescribed.
- (e) No vessel with a history of IUU fishing is given an authorization to fish in the fisheries waters of Belize.

4.4 PORT STATE MEASURES

Port state measures are managed by the Belize Port Authority in accordance with relevant domestic legislation.

4.4.1 Port Access

The Port Authority shall work closely with the Belize Fisheries Department, the Belize High Seas Fisheries Unit and any other relevant agencies for issues relating to port State.

Belize will ensure compliance with regulations requiring both national and foreign fishing vessels to provide advance notice in seeking access to the designated ports in Belize. The Ports Commissioner in coordination with the Fisheries Administrator and the Director of High Seas Fisheries, as appropriate, may at his discretion deny entry into port where he has reasonable grounds to suspect that a vessel seeking entry into port has engaged in illegal, unreported and unregulated activities or in support of IUU fishing. The Ports Commissioner may also deny entry into port where the Commissioner is aware that a vessel is listed by a regional fisheries management organization or any such other organization, has engaged in illegal, unreported and unregulated fishing or fishing related activities in support of IUU fishing.

Authorization for vessels to access port may be given –

- (a) Exclusively for the purpose of inspection and taking other appropriate actions in conformity with international law which are at least effective in denying port entry in preventing, deterring and eliminating IUU fishing and related activities in support of IUU fishing.
- (b) For reasons of *force majeure* or distress or for rendering assistance to persons, ships or aircraft in danger or distress, vessels will automatically be provided port access, in accordance with international law.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

4.4.2 Inspection of foreign vessels in port

The Belize Port Authority shall ensure that all foreign and local fishing vessels entering Belize's port are thoroughly inspected to ensure that they have not contravened national laws and regulations of Belize or other States or conservation and management measures of the RFMOs to which Belize subscribes. Data and information to be collected during routine inspections include, inter alia:

- (a) The vessel's flag State and identification details;
- (b) Name, nationality and qualifications of the master and senior crew;
- (c) Fishing gears on board
- (d) Catch on board, including origin, species, form and quantity; as appropriate, and
- (e) Where appropriate, other information as required by relevant fisheries management organizations or other international agreements such as a valid fishing license, presence of a fully functional and approved vessel monitoring system.

4.4.3 Evidence indicating IUU fishing

Where evidence is found indicating that a foreign vessel in port has engaged in or supported IUU fishing after being granted port access, measures will be taken to prohibit any landing or transhipments activities and access to port facilities. Any such action taken will be promptly reported by the relevant authority to the flag State of the vessel, as well as the RFMO and other States as appropriate.

4.4.4 Procedures for port State control of vessels

Belize will establish a national strategy and procedures for port State control of vessels involved in fishing and related activities, including the necessary training, technical support, qualification requirements and general operating guidelines for the Port Authority. Belize shall also seek assistance in developing its reception facilities.

4.4.5 Cooperation with Port States to Combat IUU Fishing

Belize will cooperate with other States, both regionally and internationally, to agree on measures and procedures for effective port State control of fishing vessels.

4.4.6 Implementation of Port State Measures Adopted by RFMOs

For the purpose of any international agreements to which Belize subscribes, the Minister responsible for the Port Authority in coordination with other relevant agencies or ministries, may make regulations necessary or expedient for giving effect to the provisions of such agreements. These agreements shall be reviewed and regulations proposed

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

as required. Sanctions with regard to contravention of relevant Port State measures or legislation, including fines and forfeiture, shall be levied in accordance with relevant national legislation.

4.5 INTERNATIONALLY AGREED MARKET-RELATED MEASURES

4.5.1 Market Related Measures

Belize is a member of the World Trade Organization (WTO) and is bound to conduct international trade in accordance with the principles, procedures, rights and obligations established by the WTO.

4.5.2 Multilaterally-agreed trade related measures

Belize will cooperate with inter-governmental organizations and RFMOs in adopting appropriate multilaterally agreed trade-related measures, consistent with the WTO, to prevent, deter and eliminate IUU fishing for specific fish stocks and species.

4.5.3 Provision of information to the Regional Fisheries Management Organizations

Belize shall provide information to the relevant RFMOs and other organizations as appropriate on vessels suspected of IUU fishing in their respective area of competence.

4.5.4 Catch Certification Scheme

Belize has implemented catch certification scheme in accordance with the EU IUU Regulation. Belize shall ensure that other applicable catch certificate schemes are adopted and implemented as appropriate. All Belize flagged vessels shall abide by the relevant catch certificate and statistical document programs adopted by the relevant regional, sub-regional and global organizations.

4.5.5 Information Dissemination

Belize will implement an awareness program to disseminate information on IUU fishing to vessel owners and operators whose activities are related to fishing

4.6 RESEARCH

Belize participates in scientific research under the auspices of regional fisheries management organizations that collect biological data samples for scientific research. These initiatives taken by those RFMOs to which Belize subscribes are fully supported by this Authority as they are aligned with the outlook to promote the sustainable exploitation of our global marine resources in line with all applicable conservation and management measures.

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

4.7 REGIONAL FISHERIES MANAGEMENT ORGANIZATIONS

4.7.1 Compliance of Members

The IPOA-IUU calls upon States to ensure compliance with and enforcement of policies and measures having a bearing on IUU fishing which are adopted by any relevant regional fisheries management organization and by which they are bound. States should cooperate in the establishment of such organization in regions where none currently exists.

In an effort to ensure the sustainable development of fisheries resources, Belize has actively participated in support of and in compliance with the conservation and management measures adopted by these RFMOs.

Belize is currently a member of, ICCAT, IOTC, IATTC, SPRFMO and a cooperating non-member of WCPFC.

4.7.2 Strengthening and Development of Innovative Ways to Prevent, Deter and Eliminate IUU Fishing

Belize have always supported and adhered to the measures adopted by the RFMOs relevant to IUU fishing, including the submission of catch statistics, cooperating in the exchange of information on IUU activities, adherence to measures relevant to record of authorized vessels , VMS and transshipment measures and all other such data as may be required. Belize will continue to cooperate with these organizations to develop and promote new measures within the structure of these RFMOs to prevent, deter and eliminate IUU fishing and will continue to work through the RFMOs to further implement the IPOA-IUU.

V. SPECIAL REQUIREMENTS FOR DEVELOPING COUNTRIES

5.1 Special Requirements

In order to strengthen Belize's implementation of the IPOA-IUU, Belize, as a developing nation, shall welcome any assistance that may be granted by other states and organizations in the form of training, capacity building and technical assistance.

5.2 Future Measures

In the future, Belize will take further measures as described below in an effort to further strengthen its implementation of the IPOA-IUU:-

1. Establish a National Plan for the Management of Fishing Capacity
2. Establish a National Plan for the Management of Sharks for high seas fisheries
3. Development of a domestic Fleet Policy.
4. Continue to strengthen cooperation with other countries and the RFMOs

NATIONAL PLAN OF ACTION OF BELIZE TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

5. Implement or strengthen existing regulations
6. Establish an Inspection Scheme so as to strengthen the verification mechanisms for catch landings.
7. Developing bi-lateral relations with coastal states in whose EEZ's Belize flagged fishing vessels operate.

VI. REPORTING

Belize shall review the implementation of this Plan on a regular basis, taking into consideration all strategies to increase its effectiveness.

Any changes in the implementation of this Plan shall be reported to the FAO in accordance with mandatory reporting obligations prescribed in Part IV of the IPOA-IUU.

ADOPTED this 20th day of May, 2014.

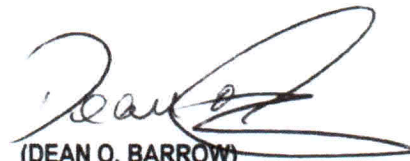


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APPROVED this 20th day of May, 2014.



(DEAN O. BARROW)
Prime Minister and Minister of Finance