



IUU Risk Intelligence

Putting Compliance First

GLOBAL EVALUATION OF FISHERIES MONITORING CONTROL AND SURVEILLANCE IN 84 COUNTRIES

COOK ISLANDS - COUNTRY REPORT

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SUMMARY

This evaluation of Fisheries Monitoring Control and Surveillance report for Cook Islands is one of 84 such country evaluations that covers nations landing 92% of world's fish catch. Using a wide range of interviews and in-country consultations with both military and civilian agencies, the report exemplifies the best attempt by the author(s) at evaluation of MCS compliance using 12 questions derived from international fisheries laws. The twelve questions are divided into two evaluation fields, (MCS Infrastructure and Inspections). Complete details of the methods and results of this global evaluation would be published shortly through IUU Risk Intelligence website.

Over a five-year period, this global assessment has been subjected to several cross-checks from both regional and global MCS experts familiar with compliance aspects in the country concerned. Uncertainty in assigning each score is depicted explicitly through score range. However, the author(s) are aware that gaps may remain for some aspects. The lead author remains open at any time to comments, and revisions will be made upon submission of evidence where necessary. Throughout the report, extreme precaution has been taken to maintain confidentiality of individuals who were willing to share information but expressed an inclination to remain anonymous out of concern for their job security, and information from such sources was cited as 'anonymous' throughout the report.

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COOK ISLANDS – COUNTRY REPORT



FAO landings (2013): 3870 tonnes

Fisheries contribution to GDP (2014): 6% (Figure inclusive for Fishing and Pearl)

Law of the Sea (Ratification / Accession): 15th February 1995

Coastline: 120 km

RFMO Membership: WCPFC, SPRFMO

Patrolling Agencies: Cook Islands Navy

Rank	Priority for maritime security tasks
1.	Narcotics & Human Trafficking
2.	Organised Crime
3.	Illegal Fishing

SECTION 1: MCS INFRASTRUCTURE

1. Does the country have adequate surveillance infrastructure (patrol aircraft, sea based patrol vessels and coastal patrols) to effectively patrol fisheries resources within its EEZ?

Score: 4.5

Score Range: 3-5

No, only to a moderate extent for patrolling territorial waters (Jane 2011). Low domestic capability; heavily reliant on surveillance assistance from New Zealand, Australia and USA for joint operations and offshore patrols. Patrols are conducted from the lone patrol boat “*Te Kukupa*” which has been refurbished this year (Rigby 2015). Limited surveillance is also available through U.S. Coast Guard vessels operating under the ship-rider agreement during certain periods each year. See Anon (2012) document for more information.

Te Kukupa patrols the whole EEZ – last couple of years recording 100 sea patrol days. Joint patrols have been conducted with Australian Patrol Boats and French Naval vessels based in French Polynesia (Graham, *pers. comm.*, 2012).

2. Does the country have adequate trained officers to conduct MCS operations?

Score: 5

Score Range: 3-5

Available information suggests availability of limited manpower in Cook Islands Marine Police and the Ministry of Marine Resources (MRAG 2011). Ministry of Marine Resources (MMR) has 35 staff of which half are based in Avarua, Rarotonga (FAO 2010).

3. Does the country have adequate management plans to monitor their fishing vessels on the high seas?

Score: 7

Score Range: 5-7

Existing information suggests that the country has limited capabilities through access to the high seas VMS data (MRAG 2011). Cook Islands is also a signatory to the FAO Compliance Agreement. A few sea-based patrols are conducted on the high seas each year. MRAG (2009) suggests that VMS data is only provided for activity inside the EEZ and information on activity of fishing vessels on the high seas is not received. A more recent resolution from WCPFC in 2012, will

make it necessary for vessels to transmit VMS signals while transiting through EEZs, when they are primarily fishing on the high seas pockets. In 2016, eight Cook Islands longline vessels were authorized to operate both within EEZ and on the high seas; while 3 longline vessels flagged to Cook Islands were licensed to operate on the high seas only (MMR 2017).

Cook Islands and New Zealand are the only two members of the WCPFC that have access to the Commission's High Seas VMS data covering the 100 nm 'buffer' zone surrounding the Cook Islands EEZ (Graham, *pers. comm.*, 2012).

4. What proportion of fishing vessels is equipped with vessel monitoring system (VMS) to monitor their movements on a continuous basis?

Score: 8

Score Range: 7-8

All licensed foreign fishing vessels are required to have functioning MTUs that report to the FFA VMS at all times during their presence in the Cook Islands EEZ. All vessels based in Cook Islands >15 m in length are also monitored through VMS (MRAG 2009, 2011).

No license is issued unless this condition is fulfilled. VMS signals are checked by VMS Officer at least twice daily – the polling rate is 6 hourly (Graham, *pers. comm.*, 2012).

5. What percentage of fishing vessels (>20 m OAL) is monitored through onboard observers at sea (for major commercial fish stocks)?

Score: 4

Score Range: 2-4

A limited observer program is in place (MRAG 2011). In 2016, coverage ranged from 100% for purse seiners to 16% for trawlers and 7.7% for longliners (MMR 2017).

9.8% observer coverage for the year 2014 in the WCPFC area (WCPFC 2015a) and 6% coverage in 2015.

Cook Islands has 7 observers (Nationals of Samoa) who are placed on fishing vessels licensed to fish in the CI - EEZ that are based out of Pago Pago - American Samoa (Graham, *pers. comm.*, 2012).

SECTION 2: INSPECTIONS

6. How often fishing vessels are inspected at sea (Identification by sight and boarding for inspections)?

Score: 5

Score Range: 5-7

In 2016, a total of 73 vessels were boarded and inspected of which 63 took place at sea in the Cook Islands EEZ, 5 on the high seas and 5 were inspected at Avatiu port (MMR 2017).

In 2011, around 100 days of sea patrols were undertaken in the Cook Islands waters (Graham, *pers. comm.*, 2012).

105 sea days of patrols were undertaken in the year 2011 using the patrol boat “*Te Kukupa*”, with an average of 75.5 sea days of patrols over the 2006-2011 period (McCann 2013). MCS experts suggest that at least 141 sea days of patrolling are required to provide a credible IUU deterrence in Cook Islands EEZ.

7. How often fishing vessels are scrutinized through aerial patrols?

Score: 1.5

Score Range: 1-4

No domestic capability (MRAG 2011). Limited aerial surveillance was available through regional MCS assistance from New Zealand and France (~94 hours each year – MRAG 2011). In 2009, French Navy Guardian aircraft and Orion P3 aircraft of New Zealand Air Force provided 14 days of aerial surveillance (WCPFC 2010). Current MCS benchmarks suggest that at least 200 hours is needed for monitoring Cook Islands EEZ.

8. How often are fishing vessels inspected at landing centers and docks for foreign and domestic vessels (Dockside monitoring)?

Score: 5

Score Range: 5-7

Fishing vessels arriving at Rarotonga port are inspected prior to offloading and 100% quayside inspections were reported in the past (WCPFC 2010; Gascoigne *et al.*, 2015). MRAG (2009); MRAG (2011) reports suggests that port control and monitoring are relatively good in Cook Islands. Gascoigne *et al.*, (2014) suggest

low level of port inspections for tuna vessels as most of the catch is landed in Pago Pago, American Samoa. 20% port sampling is reported for the longliners unloading at Rarotonga port for 2016 year (MMR 2017).

9. Are there adequate plans to monitor catches in coastal areas through coastal patrols (beach patrols, small-scale fishing gear and catch inspections) on a regular basis?

Score: 2.5

Score Range: 2-4

To a limited extent through community-based resource management initiatives (Johannes 2002). A good account of coastal fisheries management in Cook Islands is provided in Gillett (2011).

10. Are all the catches that are caught in this jurisdiction at sea accounted for (i.e., unreported Trans-shipments at sea)?

Score: 5.5

Score Range: 4-7

Transshipments at sea are prohibited in Cook Islands waters. Cook Islands has signed the UN Fish Stocks Agreement (Accession on April 1, 1999). See Q.8 for more information. More data on number of transshipments monitored at ports are needed before arriving at any concrete conclusions for this aspect. For the year 2014, some licensed fishing vessels (longliners) that operated in Cook Islands EEZ transshipped their catches in Pago Pago (American Samoa). Thai longliners transshipped catches in Rarotonga while Chinese flagged vessels unloaded to shipping containers in the Avatiu port of Rarotonga. Marine Resources staff monitored nearly 20% of the transshipments at Rarotonga (WCPFC 2015a). See McCoy (2012) report for more information.

In 2016, 25% of transshipments at Rarotonga port were monitored by staff from the Ministry of Marine Resources (MMR 2017).

All licensed vessels provide catch reports that are forwarded to SPC in Noumea for in-depth analysis and stock assessments (Graham, *pers. comm.*, 2012).

11. Are vessels required to undergo inspection of equipment and fishing gear for every fishing trip?

Score: 2

Score Range: 1-4

No, such measures are not reported in Cook Islands fisheries.

12. Has the country taken adequate measures to revise and implement national fisheries laws to curtail illegal fishing practices; and does it comply with national and international laws signed?

Score: 5

Score Range: 3-5

Marine Resources Act 2005 is the main national legislation for fisheries management in Cook Islands (*A new Marine Resources Bill 2017 has been tabled in the Parliament for review by 31 May 2018*). The country has drafted the NPOA on IUU Fishing in 2006 to fight and eliminate illegal fishing but has not formally adopted it. Cook Islands is not a party to the UN Port State Measures Agreement. Cook Islands ratified the UN Fish Stocks Agreement on 1 April 1999 and the FAO Compliance Agreement on 30 October 2006. See MMR (2006); Barclay and Cartwright (2006); MRAG (2009, 2011, 2016); Gascoigne *et al.*, (2014); Syme-Buchanan (2016) reports for more information.

Flag of Convenience	No
Vessels on the RFMO - IUU vessel list	No

RFMO	Year of the assessment	Compliant	Partially Compliant	Not Compliant	Source
SPRFMO	2014	Not Available	Not Available	Not Available	SPRFMO (2015)
WCPFC	2013		Yes		WCPFC (2015b)

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Note:

Bibliography and other notes relevant to this country report including methods, results and discussion for the global evaluation of 84 countries would be released shortly through IUU Risk Intelligence website (<http://iuriskintelligence.com/>). (The author can be contacted at pramod.raju@gmail.com to provide any feedback).

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