



# IUU Risk Intelligence

Putting Compliance First

## GLOBAL EVALUATION OF FISHERIES MONITORING CONTROL AND SURVEILLANCE IN 84 COUNTRIES

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### FEDERATED STATES OF MICRONESIA - COUNTRY REPORT

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IUU RISK INTELLIGENCE

*Policy Report - Volume 1 Number 1*



## SUMMARY

*This evaluation of Fisheries Monitoring Control and Surveillance report for **Federated States of Micronesia** 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.*

### Suggested citation:

**Pramod, G.** (2018) Federated States of Micronesia – Country Report, 7 pages, In: Policing the Open Seas: Global Assessment of Fisheries Monitoring Control and Surveillance in 84 countries, IUU Risk Intelligence - Policy Report No. 1, Canada, 820 pages.

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## MICRONESIA – COUNTRY REPORT



**FAO landings (2013):** 35,881 tonnes

**Fisheries contribution to GDP (2014):** 10%

**Law of the Sea (Ratification / Accession):** 29<sup>th</sup> April 1991

**Coastline:** 6112 km

**RFMO Membership:** WCPFC

**Patrolling Agencies:** FSM National Police

Rank	Priority for maritime security tasks
1.	Human Trafficking
2.	Contraband & Narcotics Trafficking
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: 2.5

Score Range: 2-4

Although, the Maritime Wing of FSM's National Police conducts limited patrolling on its own, it has largely relied on assistance from Australian Navy and U.S. Coast Guard (*the Ship rider agreement between Micronesia and U.S. Coast ships allow enforcement missions within EEZ using Micronesian observers*) to conduct bulk of its surveillance missions within the EEZ. The country's enforcement and patrolling infrastructure is largely inadequate due to availability of just two patrol boats and other operational difficulties such as shortage of funds for fuel. The existing surveillance infrastructure is inadequate for monitoring a 1.3 million sq.km EEZ (Jane 2011; Gillett 2007).

We are now averaging about 225 patrol days per year, which with the assistance of the USCG ship rider deployments is giving an effective coverage. We do not have any organic air support and US/Australian/NZ MPA assets have largely been tied up in the Middle East for a number of years (Hart-Davies, *pers. comm.*, 2013).

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

Score: 5

Score Range: 3-5

Moderately equipped with trained personnel to conduct MCS operations. Infrastructure is comparatively better on land than at sea (Gillett 2007; Preston 1999). There are 70 Maritime Wing sea officers including Commander, VMS officer and port inspectors (NPOA 2013).

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

Score: 5

Score Range: 3-5

Limited capability (WCPFC 2010c). Micronesia flagged vessels intending to fish on the high seas are required to hold a valid permit (*Section 301 of Marine Resources Act 2002*). Foreign fishing vessels are also subjected to rules and

regulations stipulated in the fishing access agreements. Micronesia is not a signatory to the FAO compliance agreement. The Forum Fisheries Agency coordinates the vessel monitoring system and most Pacific islands fishing vessels are not required to keep their VMS on, while operating on the high seas.

**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 commercial fishing vessels operating in the EEZ and ones licensed through national fishing permits are required to have VMS installed and send signals on a continuous basis (MRAG 2011). WCPFC (2010a) document shows that 34 vessels equipped with VMS are operating in WCPFC convention area.

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

Score: 5.5

Score Range: 5-7

More than 60 observers are currently deployed on tuna vessels operating in the WCPFC convention area (MSC 2011; MRAG 2011; WCPFC 2017a). In 2011, observer coverage varied from <1% for long liners and pole & line vessels to 99% for purse seiners (WCPFC 2012). MRAG (2009) estimates suggest that FSM is meeting its requirements of 100% observer coverage for purse seiners during FAD closure. In 2016, longliners did not meet ROP minimum 5% while purse seiners achieved 100% observer coverage for tuna fleet (WCPFC 2017a).

We have 100% coverage for purse seiners and are working up to 10% coverage for long liners (Hart-Davies, *pers. comm.*, 2013).

## SECTION 2: INSPECTIONS

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

Score: 5

Score Range: 4-5

We are averaging 225 days at sea on patrol - number of boarding's and sightings is improving with enhanced coordination and planning and we are aiming at 450 boarding's per annum (Hart-Davies, *pers. comm.*, 2013).

249 sea days of patrols were undertaken in the year 2011 using three patrol boats "FSS Palikir, FSS Micronesia, FSS Independence", with an average of 217.9 sea days of patrols over the period 2006-2011 (McCann 2013).

For the year 2010, National Police conducted 75 days of patrols at sea through six law enforcement patrols (MRAG 2011). During 2008, the three patrol boats (*Independence, Micronesia and Palikir*) conducted 180 days of patrolling in FSM's EEZ. MCS experts suggests that at least 300 sea days of patrolling per year is required to provide a credible IUU deterrence in FSM's EEZ; so, patrolling was relatively good in FSM's offshore fisheries in 2009. Routine inspections and at-sea boarding are not reported in artisanal (with the exception of trochus fishery) and recreational fisheries (Gillett 2007). During the period Apr-Dec 2010, the National Police boarded 456 fishing vessels that transshipped or offloaded catch at Pohnpei port; and 23 at-sea boarding's were conducted during the same period (MRAG 2011).

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

Score: 2.5

Score Range: 2-4

Minimal domestic capability. Micronesia does not have adequate national capacity to conduct its own aerial patrols. However, around 107 hours of aerial patrols are conducted each year through regional aerial surveillance missions. FSM undertook 60 hours of aerial surveillance in 2008, while current benchmarks suggest that at least 300 hours is needed for effective monitoring of Micronesian EEZ.

We have no organic air support and rely totally on the USCG and RAAF, both of which are minimal. We do not have any organic air support and US/Australian/NZ MPA assets have largely been tied up in the Middle East for a number of years (Hart-Davies, *pers. comm.*, 2013).

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

Score: 7

Score Range: 5-7

We achieve 100% coverage for dockside boarding's in Pohnpei (Hart-Davies, *pers. comm.*, 2013).

Very effective for tuna vessels calling its ports (WCPFC 2012). In 2012, around 460 dockside inspections were undertaken at national ports (ACPFish 2013). Fishing permits require vessel operators to collect and report information through catch logs, fishing activity reports, sampling programs and placement of observers on purse seine vessels. Micronesia is not a signatory to the FAO Port State Measures Agreement. See Q.10 for more information. WCPFC (2010) report states that all incoming foreign fishing vessels are inspected at FSM ports.

**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

No, in fact there appear to be many problems in fisheries enforcement for reef fish and inshore shellfish fisheries (Rhodes *et al.*, 2018; Rhodes *et al.*, 2015; Montambault *et al.*, 2015; Hout *et al.*, 2012; Rhodes *et al.*, 2011; Cuetos-Bueno (2012); Rhodes and Tupper 2007; Gillett 2007; ADB 2000). Other sources such as ADB (2005); Veitayaki *et al.*, (1995); UNEP (2004) suggest that destructive fishing practices are prevalent, and enforcement of fisheries laws is largely ineffective. See Golbuu and Friedlander (2011) for more information. Routine inspection of fisheries landings is not reported for recreational fishing; near shore tuna troll fishing, and night spearfishing for reef fish (Gillett 2007).

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

Score: 7

Score Range: 7-8

Transshipments are monitored at Pohnpei and Kosrae ports, but the frequency of inspections appears to vary each year. 350–600 transshipment inspections are reported at dockside every year (ACPFish 2013). Under national fishing laws, only in-port transshipment is allowed (EU 2010). Random inspections are carried out for foreign fishing vessels (FFVs) using FSM ports. Micronesia is signatory to the UN Fish Stocks Agreement (Ratified on 23 May 1997). See WCPFC (2017a) and McCoy (2012) reports for more information.

There has been some improvement in this area in Pohnpei, however the same cannot be said for the other ports (Hart-Davies, *pers. comm.*, 2013).

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

Score: 2

Score Range: 2-4

Random inspections of foreign fishing vessels are undertaken at FSM ports. Inspections in inshore fisheries are very poor (Gillett 2007) and unsustainable fishery practices like night-fishing and use of small-meshed gillnets is reported in inshore fisheries (Rhodes *et al.*, 2018).

Majority of foreign fishing vessels using FSM ports are inspected, with frequency of inspections equally good for domestic vessels upon arrival and departure (*gear inspections do not constitute an integral part of these inspections*); further with a very low inspection rate in inshore fisheries (Anon, *pers. comm.*, 2015).

**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: 5.5

Score Range: 4-7

Marine Resources Act of 2002 (Public Law 12-34) is the main national legislation for fisheries management in Micronesian waters. The country has recently adopted a NPOA on IUU Fishing. Although Micronesia has not signed the UN Port State Measures Agreement and the FAO Compliance Agreement, it is complying with technical and compliance measures of WCPFC and fulfilling all its reporting requirements. Micronesia has also updated and applied port state measures through a very efficient notification, inspection and detention scheme. FSM ratified the UN Fish Stocks Agreement on 23 May 1997.

Surveillance is largely steered through FFA-VMS and regional surveillance operations funded by Australia, New Zealand and USA. NORMA staff have limited resources to enhance compliance within EEZ waters particularly in remote islands. A Government audit conducted in 2012 revealed that national fisheries surveillance is inactive, and FSM does not achieve its international commitments although it is more willing to fulfill WCPFC data reporting requirements in tuna fisheries (Anon, *pers. comm.*, 2015).

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

RFMO	Year of the assessment	Compliant	Partially Compliant	Not Compliant	Source
WCPFC	2016	Yes			WCPFC (2018)

*Last Updated: 27 March 2018*



## 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](mailto:pramod.raju@gmail.com) to provide any feedback).

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