

# Operation Directions for Coast Guard Administration to Conduct WCPFC High Seas Boarding and Inspection Procedures

Developed pursuant to the official act of  
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- I、 In order to facilitate Coast Guard Administration, Ocean Affairs Council ( herein referred to as “CGA” ) to conduct Western and Central Pacific Fisheries Commission (herein referred to as “WCPFC”) boarding and inspection procedures on the high seas, the CGA thus stipulates the Operation Directions.
- II、 The Operation Directions are applicable to the high seas within the convention area of the Conservation and Management of the Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (herein referred to as “WCPFC Convention Area”, as shown in Attachment 1).
- III、 In order to ensure compliance with the relevant conservation and management measures (herein referred to as “CMMs”) of the WCPFC by fishing vessels, High Seas Boarding and Inspection(herein referred to as “HSBI”) activities conducted under the Operation Directions are applicable to:
  - (i) fishing vessels flagged to the Republic of China ( herein

referred to as “ROC”) .

- (ii) fishing vessels flagged to whose countries agree to apply the WCPFC HSBI procedures with the ROC.

IV、 In carrying out HSBI activities, the authorized inspection vessels of CGA Fleet Branch shall fly, in clearly visible fashion and at the specified location, the WCPFC inspection flag as designed by the Commission as follows:

- (i) WCPFC inspection flag: fly at the mainmast of the authorized inspection vessels.
- (ii) pennant: fly at the top part or stern of the contact boat of the authorized inspection vessels.

V、 The authorized Boarding Officers assigned by CGA Fleet Branch and responsible for HSBI (herein referred to as “Boarding Officers”) shall have the status of judicial police, complete HSBI training course, and obtain the identify card(herein referred to as “ID card”) issued by Fisheries Agency, Ministry of Agriculture ( herein referred to as “FA” ) and be listed on the Commission’s registration.

VI、 The Boarding Officers shall inform and make contacts in the following ways in advance before conducting HSBI procedure:

- (i) Use audible and visual signaling devices to inform the fishing vessels to stop for inspection. Furthermore, it is required to make contacts with the fishing vessel by radio or other ways to inform that HSBI would be conducted in accordance with WCPFC HSBI procedures, and one of the

inspectors shall be assigned to conduct video recording throughout the inspection, and preserve evidence.

(ii) Actively provide the name of the CGA's inspection vessel, international radio call sign, contact frequency, WCPFC registration number, and other information to the master of the fishing vessel and clarify that the inspection vessel is authorized by WCPFC.

(iii) Report the nationality of the fishing vessel, name and number, location in the sea area, site situation, and other information to the duty room of the Fleet of Direct Access (known as Deep sea Patrol Fleet) or Sector Flotilla.

VII、In the conduct of a boarding and inspection, the Boarding Officers shall:

(i) be in uniforms, present their CGA-issued service certificates and the FA-issued WCPFC ID card.

(ii) cooperate with the FA inspectors to inspect the license of a fishing vessel, gear, equipment, records, facilities, fish and fish products, and any relevant documents necessary to verify compliance with the CMMs of WCPFC.

VIII、The Boarding Officers shall immediately report to the higher authorities and take action in accordance with the directions for CGA to report major (special) situation before boarding and inspecting foreign flagged fishing vessels on the high seas within WCPFC Convention Area.

IX、CGA Command Center shall fill out the form (as shown in

Attachment 2 for form format) once receiving the report from the Boarding Officers in accordance with the preceding Article and immediately notify the authorities of the fishing vessel listed on the WCPFC website by email or fax, as well as the National Security Council, National Security Bureau, Ministry of Foreign Affairs and FA.

X、 In the circumstances that a fishing vessel evades, obstructs or refuses the inspectors to conduct HSBI, the Boarding Officers shall take the following measures :

- (i) The Boarding Officers shall conduct video recording and preserve evidence, including fishing vessel's position, relative orientation, course, speed and the non-compliance situation, and so on through the entire process and also record the above information in a logbook.
- (ii) The above recorded information shall be reported to the CGA via the reporting system of the Command Center and shall be transmitted to FA.

When a ROC fishing vessel is under the situation as referred to in the preceding paragraph, the CGA's inspection vessel may conduct continuous and nonstop pursuit, suspend the vessel to accept the boarding and inspection and cooperate with FA's investigation.

XI、 The Boarding Officers shall comply with the directions for CGA, as well as the following regulations:

- (i) The use of force shall be avoided except when the

inspectors are under threat and not exceed that reasonably required in the circumstances.

- (ii) Boarding and inspection pursuant to these procedures shall be conducted as much as possible in a manner so as not to interfere unduly with the lawful operation of the fishing vessel and avoid action that would adversely affect the quality of the catch.
- (iii) The inspection of the vessel shall be completed within 4 hours unless evidence of a serious violation is found.

XII 、 In the conduct of HSBI for a foreign flagged fishing vessel, the Boarding Officers shall:

- (i) make their best efforts to communicate with the master of the fishing vessels in a language that the master can understand. The Boarding Officers shall use the relevant part of the standardized multi-language questionnaire (as shown in Attachment 3) listed on the WCPFC website if necessary.
- (ii) not interfere with the master's ability to communicate with the authorities of the fishing vessel;
- (iii) fill out the Boarding and Inspection Report (as shown in Attachment 4 for report format) together with the FA inspector and co-sign on the report.

XIII 、 In the conduct of HSBI for ROC flagged fishing vessel, the Boarding Officers shall co-sign with the FA inspector on the Boarding and Inspection Record Sheet filled out by the FA

inspector.

XIV 、 After the conduct of HSBI, the Boarding Officers shall make sure with the FA inspector that any objection or statement of the master is recorded on the Boarding and Inspection Report as referred to in Article 12, subparagraph 3 or the Boarding and Inspection Record Sheet as referred to in the preceding Article, whether the fishing vessel violated the CMMs of WCPFC. A copy of an interim report or sheet on the boarding and inspection shall be provided to the master prior to leaving the vessel.

XV 、 After the conduct of HSBI, the information of the case, including the report as referred to in Article 12, the sheet as referred to in the Article 13, as well as other relevant documents, shall be reported to the CGA by the Boarding Officers via the reporting system of Command Center on the very same day.

CGA shall provide the report as referred to in Article 12, subparagraph 3 to FA, then FA shall prepare and provide the full report to the authorities of the fishing vessel being inspected, as well as the Secretariat of WCPFC, within 3 full working days of the completion of a boarding and inspection of foreign flagged fishing vessels.