



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

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ABBREVIATIONS

CFHC	Ceylon Fishery Harbours Corporation
DFAR	Department of Fisheries and Aquatic Resources
DG	Director General of DFAR
EEZ	Exclusive economic zone
FARA	Fisheries and Aquatic Resources Act, No 2 of 1996
FAO	Food and Agriculture Organization of the United Nations
FFBA	Fisheries (Regulation of Foreign Fishing Boats) Act, No 59 of 1979
FMCC	Fisheries Management Centre with VMS facilities
FMD	Fisheries Management Coordinating Committee
GDP	Gross domestic product
IPOA-IUU	International Plan of Action to Prevent, Deter and Eliminate IUU Fishing
IOTC	Indian Ocean Tuna Commission
IUU fishing	Illegal, unreported and unregulated fishing
MCS	Monitoring, control and surveillance
NARA	National Aquatic Resources Research and Development Agency
RFMO	Regional fisheries management organization
SLC	Sri Lanka Customs
SLCG	Sri Lanka Coast Guard
SLN	Sri Lanka Navy
SLNPOA-IUU	Sri Lanka National Plan of Action to Prevent, Deter and Eliminate IUU Fishing
SMFARD	Secretary to the Ministry of Fisheries and Aquatic Resources Development
UNCLOS	United Nations Convention on the Law of the Sea
VMS	Vessel monitoring system
WTO	World Trade Organization
AD/FMD	Assistant Director/ Fisheries Management
DD (Biology)/FMD	Deputy Director (Biology)/ Fisheries Management Division
DD/Socio-Economic	Deputy Director/Socio Economics
D/FMD	Director/ Fisheries Management Division
DD/QCD	Director/ Fisheries Management Division

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EXECUTIVE SUMMARY

The fisheries industry of Sri Lanka contributes significantly to the nutrition, employment and food security, foreign exchange earnings, and government revenue of the country, and therefore its sustainability has become a primary concern in the country's economic development. Sri Lanka perceives illegal, unreported and unregulated fishing (IUU fishing) as a serious threat to the sustainability of the fisheries both in national jurisdictions and high seas, and agrees that such fishing has to be prevented, deterred and eliminated. Towards this end, Sri Lanka is in the process of implementing measures in conformity with the national and international law. Sri Lanka is also committed to co-operate with other States, both directly and through the Indian Ocean Tuna Commission (IOTC) or where necessary through any other Regional Fisheries Management Organization, to prevent, deter and eliminate IUU fishing.

This document, which is titled the Sri Lanka National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (SLNPOA-IUU) contains the measures that are being implemented and those proposed to be adopted for implementation to combat IUU fishing activities conducted by local fishing boats in Sri Lanka waters, waters of national jurisdictions of other coastal States, and high seas, and by foreign fishing boats in Sri Lanka waters. It also contains port State measures that are under implementation against foreign fishing boats engaged in IUU fishing in high seas and seek access to ports in Sri Lanka to land their catches. SLNPOA-IUU has been prepared in accordance with the guidelines given by the International Plan of Action to Prevent, Deter and Eliminate IUU Fishing (IPOA-IUU) adopted by the FAO.

Fisheries of Sri Lanka are governed by the Fisheries and Aquatic Resources Act (FARA), provisions of which are administered by the Department of Fisheries and Aquatic Resources (DFAR). FARA was amended in 2013 by among other things incorporating provisions to implement measures, which are needed to combat IUU fishing activities conducted by local fishing boats in high seas and waters in national jurisdictions of other States. These provisions include heavy penalties for violators, which were enhanced by another amendment effected to FARA in 2015. A series of regulations have been issued for the purpose of giving effect to these provisions.

Sri Lanka has become a party to the United Nations Convention on the Law of the Sea, the UN Fish Stocks Agreement, FAO Compliance Agreement and the FAO Port State Measures Agreement. The country has also become a member of IOTC. Sri Lanka will implement measures against IUU fishing directly through the fisheries management mechanism that has been established by the Government or in co-operation with other coastal States or indirectly through the IOTC or FAO by providing the necessary support including information as appropriate.

SLNPOA-IUU covers all marine capture fisheries within Sri Lanka waters and outside, and includes an integrated approach involving Coastal State measures, Flag State measures, Port State measures and Market State measures where applicable. All local stakeholders that include fishing boat owners, fishing boat skippers and fishers, fish traders and exporters, fisheries managers, fisheries law enforcement officials, fisheries researchers and NGOs have been made aware of the SLNPOA-IUU.

SLNPOA-IUU ensures that measures against IUU fishing are consistent with the conservation and sustainability of fisheries resources and protection of the marine environment. Development of SLNPOA-

IUU has been done in consultation with all local stakeholders that include fishing boat owners, fishing boat skippers and fishers, fish traders and exporters, fisheries managers, fisheries law enforcement officials, fisheries researchers and NGOs. Decision-making in its implementation is being done in a transparent manner. Implementation of the SLNPOA-IUU is being done without any discrimination against any individual, any local or foreign fishing boat or any State.

SLNPOA-IUU gives effect to the relevant provisions of the IPOA-IUU. Most provisions of the SLNPOA-IUU are legally binding as they are based on provisions of the national legislation. Other provisions such as training of staff are implemented administratively. Accordingly SLNPOA-IUU serves as an integral part of the national fisheries management regime. Budgetary provisions are being made annually from the national budget for its implementation. Implementation of the SLNPOA-IUU is coordinated by the Fisheries Management Division of DFAR, which is the Division of DFAR entrusted with management of fisheries.

Sri Lanka is willing to cooperate with other States by entering into appropriate agreements or arrangements or by other possible means for the enforcement of applicable laws and conservation and management measures adopted at the national, regional and global levels to combat IUU fishing. If another State requests for Sri Lanka's assistance in deterring trade in fish and fishery products harvested illegally in the jurisdiction of that State, Sri Lanka will provide possible assistance in accordance with the terms agreed and the international law.

Sri Lanka submits reports to FAO on progress of implementation of SLPOA-IUU as part of the biennial reporting on implementation of the Code of Conduct for Responsible Fisheries.

1. INTRODUCTION

1. The fisheries industry of Sri Lanka contributes significantly to the nutrition, employment and food security, foreign exchange earnings, and government revenue. Over the past several decades around 1.8 % of the GDP of the country has come from fisheries. The total number of persons employed both directly and indirectly in the industry is over 600,000. In 2014 Sri Lanka has produced a total of 535,050 tonnes of fishery products comprising 459,300 tonnes of marine fish and 75,750 tonnes of inland fish, and earned an amount of USD 268 million by exporting 26,320 tonnes (estimated wet whole-fish equivalent 37,772 tonnes) of fishery products mainly comprising tuna and other large pelagic fish, and shrimp, crab and lobster. The same year Sri Lanka has imported a total of 78,712 tonnes of fishery products (estimated wet whole-fish equivalent 134,153 tonnes) mainly comprising dried fish, Maldivian fish (salted and smoked skipjack tuna) and canned fish at a value of USD 145 million. The trade balance in international fish trade is in favour of Sri Lanka both in terms of value and volume. Fish contributes over 70 percent to the animal protein intake of the people of Sri Lanka. Sri Lanka has a fishing fleet of about 50,000 boats, of which about 2,500 are multiday fishing boats while the balance are single-day fishing boats of different categories. Around 1600 multiday fishing boats, which are over 10.3 m but almost all below 24 m, undertake fishing in high seas while the other fishing boats operate in Sri Lanka waters. Considering the important role played by the fisheries industry in economic development of Sri Lanka every successive government that came to power since Independence have taken steps to develop it on a sustainable basis.

2. Sri Lanka perceives illegal, unreported and unregulated (IUU) fishing as a serious threat to the sustainability of fisheries in both national jurisdictions and high seas, and agrees that such fishing has to be prevented, deterred and eliminated. Towards this end, Sri Lanka is implementing measures in conformity with the national and international law. Sri Lanka is also committed to co-operate with other States both directly and through the Indian Ocean Tuna Commission (IOTC), and where necessary through other Regional Fisheries Management Organizations, to prevent, deter and eliminate IUU fishing.

3. This document, which is titled the Sri Lanka National Plan of Action to Prevent, Deter and Eliminate IUU Fishing (SLNPOA-IUU) contains measures that are being implemented to combat IUU fishing activities conducted by local fishing boats in Sri Lanka waters, and waters of national jurisdictions of other coastal States and high-seas, and by foreign fishing boats in Sri Lanka waters. It also contains port State measures that are under implementation against foreign fishing boats engaged in IUU fishing in high seas and seek access to ports in Sri Lanka to land their catches. SLNPOA-IUU has been prepared in accordance with the guidelines stipulated in the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) adopted by the Food and Agriculture Organization of the United Nations (FAO) (FAO, 2001).

4. Fisheries of Sri Lanka are governed by Fisheries and Aquatic Resources Act, No. 2 of 1996 as amended by Acts No. 4 of 2000, 4 of 2004, 22 of 2006, 35 of 2013 and 2 of 2015 (FARA), provisions of which are administered by the Department of Fisheries and Aquatic Resources (DFAR). By the 2013 amendment, provisions were incorporated in FARA to implement measures, which are needed to combat IUU fishing activities of local fishing boats in high-seas and waters in national jurisdictions of other States. By the 2015 amendment, penalties for engaging in IUU fishing were enhanced.

2. NATURE AND SCOPE OF SLNPOA-IUU

5. SLNPOA-IUU is to be implemented as an integral part of the Sri Lanka National Fisheries and Aquatic Resources Management Plan. The main responsibility of its implementation lies with DFAR. Sri Lanka Navy (SLN), Sri Lanka Coast Guard (SLCG), Ceylon Fishery Harbours Corporation (CFHC), National Aquatic Resources Research and Development Agency (NARA), and Sri Lanka Customs (SLC) also have major roles to play in its implementation. Resources required for its implementation are allocated in the national budget. A coordinating committee comprising representatives of the respective organizations under the Chair of the Director General of DFAR (DG), and Director of the Fisheries Management Division of DFAR (FMD) as the Secretary has been set up to review the progress of its implementation, identify constraints and where necessary to make adjustments to improve its effectiveness. The Coordinating Committee is empowered to co-opt representatives from other government agencies, and non-government organizations such as the National Fisheries Federation, the Multi-day Fishing Boat Owners' Association, the Fish Exporters Association of Sri Lanka, and the Fisheries Co-operative Federation as required.

6. In this document:

6.1. Illegal fishing refers to fishing activities conducted:

- (a) By local or foreign fishing boats in Sri Lanka waters in contravention of the laws and regulations of Sri Lanka;
- (b) By local fishing boats in high seas in contravention of the laws and regulations of Sri Lanka, or conservation and management measures adopted by IOTC or other relevant Regional Fisheries Management Organization (RFMO);
- (c) By local fishing boats in waters under the jurisdiction of another State, without the permission of such State, or in contravention of its laws and regulations;
- (d) By boats flying the flag of States that are parties to IOTC or another RFMO but operate in contravention of the conservation and management measures adopted by IOTC or such other RFMO and by which the States are bound, or relevant provisions of the applicable international law;

6.2. Unreported fishing refers to fishing activities:

- (a) Which have not been reported or have been misreported in contravention of the reporting procedures of DFAR, the national authority for management of fisheries;
- (b) Undertaken in the area of competence of IOTC or any other RFMO, which have not been reported or have been misreported, in contravention of the reporting procedures of IOTC or such other RFMO as the case may be.

6.3. Unregulated fishing refers to fishing activities:

- (a) In the area of competence of the IOTC or any other RFMO that are conducted by fishing boats without nationality, or by those flying the flag of a State that is not a party to IOTC or such other RFMO, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of IOTC or such other RFMO as the case may be;
- (b) 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.

6.4. Fishing boat means any vessel that is used or intended to be used for taking, transshipping, transporting or processing of fish or fishery products.

6.5. Local fishing boat means any fishing boat:

- (a) Wholly owned by the Government of Sri Lanka or any public corporation established by or under any law of Sri Lanka;
- (b) Wholly owned by one or more persons who are citizens of Sri Lanka;
- (c) Wholly owned by any company, society or other association of persons, incorporated or established under the law of Sri Lanka, a majority of the voting shares of which are held by citizens of Sri Lanka.

6.6. Foreign fishing boat means any fishing boat other than a local fishing boat.

6.7. RFMO includes sub-regional fishery management organizations where applicable.

6.8. Sri Lanka waters means:

- (a) The area declared to be the territorial sea of Sri Lanka by proclamation made under section 2 of the Maritime Zones Law, No. 22 of 1976;
- (b) The area declared to be the contiguous zone of Sri Lanka by proclamation made under section 4 of the Maritime Zones Law, No. 22 of 1976;
- (c) The area declared to be the exclusive economic zone of Sri Lanka by proclamation made under section 5 of the Maritime Zones Law, No. 22 of 1976;
- (d) The area declared to be the historic waters of Sri Lanka by proclamation made under Section 9 of the Maritime Zones Law, No. 22 of 1976;

- (e) All public bays, rivers, lakes, lagoons, estuaries, streams, tanks, pools, channels and all other public inland or internal waters.

6.9. High seas mean the waters beyond Sri Lanka waters and beyond the waters within the national jurisdiction of any other coastal State.

7. Sri Lanka strengthens its commitment to implement the FAO Code of Conduct for Responsible Fisheries (FAO, 1995) by adopting the SLNPOA-IUU.

3. OBJECTIVES AND PRINCIPLES

(IPOA-IUU paragraphs 8 and 9)

8. The primary objective of SLNPOA-IUU is to prevent, deter and eliminate IUU fishing by any fishing boat, whether local or foreign in Sri Lanka waters, and by local fishing boats in high seas or in waters of national jurisdictions of other coastal States. It also aims at reducing or discouraging IUU fishing by foreign fishing boats in high seas or waters of national jurisdictions of other coastal States.

9. The following principles and strategies have been incorporated into SLNPOA-IUU.

- 9.1. Sri Lanka commits to implement measures against IUU fishing directly through the fisheries management mechanism that has been established by the Government or in co-operation with other coastal States, or indirectly through IOTC or other RFMO as appropriate by providing the necessary support including information.
- 9.2. SLNPOA-IUU is to be reviewed annually and revised by incorporating adjustments or changes required to address the issues encountered in its implementation.
- 9.3. SLNPOA-IUU covers all marine capture fisheries within Sri Lanka waters and outside, and includes an integrated approach involving coastal State measures, flag State measures, port State measures and market State measures where applicable. All local stakeholders that include fishing boat owners, fishing boat skippers and fishers, fish traders and exporters, fisheries managers, fisheries law enforcement officials, fisheries researchers and NGOs are aware of SLNPOA-IUU.
- 9.4. SLNPOA-IUU ensures that measures against IUU fishing are consistent with the conservation and sustainability of fisheries resources and protection of the marine environment.
- 9.5. Development and revision of SLNPOA-IUU has been done in consultation with all local stakeholders that include fishing boat owners, fishing boat skippers and fishers, fish traders and exporters, fisheries managers, fisheries law enforcement officials, fisheries researchers and NGOs. Decision-making in its implementation is done in a transparent manner.
- 9.6. Implementation of SLNPOA-IUU is without any discrimination against any individual, any local or foreign fishing boat or any State.
- 9.7 SLNPOA-IUU is a public document and is available in the following website.
 - www.fisheriesdept.gov.lk

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

ALL STATE RESPONSIBILITIES

International Instruments

(IPOA - IUU paragraphs 10 – 15)

10. Sri Lanka is a party to the United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS). Sri Lanka has ratified UNCLOS on 19 July 1994.

11. Sri Lanka is also a party to the Agreement for the Implementation 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 Fish Stocks (UN Fish Stocks Agreement). Sri Lanka has ratified the UN Fish Stocks Agreement on 24 October 1996.

12. Sri Lanka has acceded to the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (FAO Compliance Agreement). Sri Lanka has acceded to the FAO Compliance Agreement on 29 August 2014.

13. Sri Lanka has become a member of IOTC. Sri Lanka has ratified the IOTC Agreement on 13 June 1994.

14. Sri Lanka has become a party to Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (FAO Port State Measures Agreement). Sri Lanka has ratified the FAO Port State Measures Agreement on 20 January 2011.

15. There are provisions in FARA for giving effect to the international instruments referred to in Paragraphs 10 to 14 above.

16. Sri Lanka has developed its system of management of fisheries in its waters, i.e. the EEZ, territorial sea and internal waters, and in high seas in accordance with the guidelines stipulated by the FAO Code of Conduct for Responsible Fisheries. FARA provides legal provisions required for managing fisheries in Sri Lanka waters and fishing operations conducted by local fishing boats in high seas. Important provisions include requirement of registration of fishing boats used or intended to be used for fishing in Sri Lanka waters or high seas, requirement of fishing operation licenses for engaging in fishing operations in Sri Lanka waters or high seas, prohibition of the use of explosives including dynamite, and poisonous and stupefying substances or other harmful material for fishing, enhanced penalties for destructive fishing, provisions for the Minister to prohibit the export from or import into Sri Lanka of any species of fish including live fish and their eggs or spawn with a view to protection of fish species and biodiversity, and declare fishery management areas, fisheries reserves, and closed or open seasons for fishing with a view to conservation. Orders to implement such provisions have been published in the Gazette. Amendments effected to FARA as referred to in Paragraph 15 above also provide for DG to appoint a fisheries management coordinating committee (FMCC) for each fisheries management area and such FMCC to prepare and submit to DG a fisheries development and management plan for the respective fisheries management area.

National Legislation

(IPOA Paragraphs 16 – 23)

Legislation

17. As mentioned in paragraph 4 above the Fisheries and Aquatic Resources Act, No. 2 of 1996 (FARA) as amended by Acts No. 4 of 2000, 4 of 2004, 22 of 2006, 35 of 2013 and Act, No. 2 of 2015 is the main Act that governs fisheries in Sri Lanka. In addition, illegal fishing activities by foreign fishing boats are

controlled using provisions available under the Fisheries (Regulation of Foreign Fishing Boats) Act, No. 59 of 1979 (FFBA). FARA contains provisions required to deal with IUU fishing conducted by local fishing boats or foreign fishing boats in Sri Lanka waters, and by local fishing boats in high seas or waters under the national jurisdictions of other coastal States. Such provisions include provisions for licensing of fishing operations of local fishing boats in high-seas, prohibiting local fishing boats from fishing in waters under the national jurisdictions of other coastal States except in accordance with laws of such States, requiring that license issued for fishing in high-seas to be carried at all times on fishing boat and produce for inspections by authorized officers on demand, imposing a penalty of not exceeding two years imprisonment or a fine of not less than LKR 1.5 million to LKR 150 million depending on the length of the boat concerned for fishing in high-seas without license or unauthorized fishing in waters under the national jurisdictions of other coastal States, and for the Minister to make regulations to give effect to Sri Lanka's obligations under the UNCLOS, UN Fish Stocks Agreement and FAO Port State Measures Agreement, and resolutions adopted by IOTC. Regulations have been made to give effect to these provisions (Annex 1). New regulations will be made to give effect to newly introduced conservation and management measures ~~and the existing regulations will be consolidated as appropriate.~~ Further revision will be done for the fisheries sanction scheme to enhance the level of fines related to the high seas fishing activities

18. Electronic and other new technological evidence is admissible under laws of Sri Lanka in accordance with the Evidence (Special Provisions) Act, No. 14 of 1996. Therefore electronic and other new technological evidence could be used in legal proceedings against IUU fishing. An awareness workshop on legal aspects concerning conservation and management of fisheries in high seas is proposed to be conducted for magistrates in coastal districts before whom cases against IUU fishing are filed.

State Control over Nationals

19. With the introduction of the multi-day fishing boat in mid-1980s Sri Lanka nationals have engaged increasingly in high seas fisheries. Some Sri Lankan fishing boats have unknowingly or even knowingly strayed into waters of national jurisdictions of neighbouring coastal States and Indian Ocean territories of some other States for fishing. Now with the amendments effected to FARA incorporating provisions concerning fishing by local fishing boats in high seas and in waters of national jurisdiction of other coastal States (Sections 14A – 14E) and regulations made to give effect to such provisions it is possible to control fishing activities of local fishing boats conducted outside Sri Lanka waters, and deter and prevent them from engaging in IUU fishing activities, and identify the operators and beneficiary fishing boat owners involved in IUU fishing activities.

20. No information is available to the effect that Sri Lanka nationals do register fishing boats under the flag of another State. Sri Lanka as a policy does not grant investment approval to its nationals to undertake investments if such investments involve in registering fishing boats under the flag of another State that does not meet its flag State responsibilities under the international law.

Vessels without Nationality

21. Sri Lanka does not issue fishing operation licenses to foreign fishing boats to fish in Sri Lanka waters. However, in accordance with Landing of Fish Regulations, 1997 made under Section 61 of FARA (Gazette 972/4 of 21 April 1997) Sri Lanka issues fish landing permits to foreign fishing boats fishing in high seas to land their catches at a designated port. Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing Regulations of 2015 made under Section 61(1) (t) of FARA as amended by the Act, No. 35 of 2014 / (Gazette, No. 1907/47 of 26 March 2015) requires that an application for such fish landing permits should be submitted to DG together with certified copies of the flag State registration certificate of the fishing boat concerned and fishing operation license issued to that fishing boat by the flag State. Fishing boats without nationality are not issued with such fish landing permits. Before issuing fish landing permits to any foreign fishing boat, Sri Lanka inquires from IOTC and the flag State as to whether such fishing boat is listed as an IUU fishing vessel. It is the policy of Sri Lanka not to issue fish landing permits to foreign fishing boats, which are listed in the IUU fishing vessels list maintained by IOTC.

Sanctions

22. Sanctions are imposed against IUU fishing in Sri Lanka waters by local fishing boats under the provisions in Section 49 of FARA. DFAR will review such sanctions periodically for their effectiveness. The FFBA (Sections 15 – 17) provides for sanctions against foreign fishing boats engaged in IUU fishing in Sri Lanka waters. The sanctions against IUU fishing in Sri Lanka waters by foreign fishing boats appear to be deterrent enough since they include heavy fines, surcharge of repatriation costs of the crew, and forfeiture of the relevant fishing boat and fishing equipment, and the fish catch. The amendments to FARA effected by Acts, No. 35 of 2013 and 2 of 2015 provide for imposing a penalty of not exceeding two years imprisonment or a fine of not less than LKR 1.5 million to LKR 150 million depending on the length of the boat concerned. Management measures prescribed under FARA and penalties for violation of such management measures are given in Annex 1.

Non Co-operating States

23. As mentioned in paragraph 21 above, when an application is received from an owner, master or local agent of a foreign fishing boat fishing in high-seas for a fish landing permit to land fish in a port of Sri Lanka, necessary inquiries are made from IOTC and authorities of its flag State to ascertain whether the particular fishing boat has engaged in IUU fishing and its flag State is a member of IOTC or a co-operating State to IOTC. Foreign fishing boats, which have previously been engaged in IUU fishing, or with non co-operating States to IOTC as their flag States are not issued with fish landing permits to land their catches in a port of Sri Lanka.

Economic Incentives

24. No subsidies, investment incentives or other financial benefits such as exemption from income tax are given to companies or owners or operators of local fishing boats engaged in IUU fishing. For

transparency, this policy will be announced together with the announcements of the availability of such incentives or benefits.

Monitoring, Control and Surveillance (MCS)

25. The following MCS activities are being implemented by DFAR.

- A scheme for issuing fishing operation licenses to fish in Sri Lanka waters in accordance with the Fishing Operations Regulations of 1996 made under the provisions in Sections 6 – 14 of FARA (Gazette, No. 948/25 of 07 November 1996) and a scheme for issuing fishing operation licenses to fish in high seas in accordance with the High Seas Fishing Operations Regulations, No. 1 of 2014 made under the provisions in Sections 14A – 14N of FARA (Gazette, No. 1878/12 of 01 September 2014).
- A register of local fishing boats used for taking fish in Sri Lanka waters and a register of local fishing boats for used for taking fish in high seas where the name and address of the owner, number of crew members, and description of the fishing boat in regard to the type of boat, material of construction, length, engine type and capacity, etc. are recorded under the provisions of Sections 15, 16, 16A, 16B, 17 - 26 of the FARA. These registers are maintained electronically.
- A land based fisheries monitoring centre (FMC) with a satellite based vessel monitoring system. Use of transponders has been made compulsory for the local ~~offshore~~ **high seas** multiday fishing boats fishing in offshore waters by the amendment made by Regulations published in Gazette No. 1730/9 of 01 November 2011 to the Registration of Fishing Boat Regulations, 1980 (Gazette No. 109 of 3 October 1980) as amended by Regulations published in Gazette, No. 1430/4 of 30 January 2006, and all foreign fishing boats fishing in high seas, which have been issued with fish landing permits to land their catches in a port of Sri Lanka by Landing of Fish Regulations, 1997 (Gazette, No. 972/4 of 21 April 1997). Local fishing boats of or over 10.3m (34 ft) fishing in high seas are monitored through a satellite based vessel monitoring system in accordance with the Implementation of Satellite Based Vessel Monitoring System for Fishing Boats Operating in High Seas Regulations, 2015 made under Section 61 of FARA (Gazette, No.1907/47 of 26 March 2015).
- Fish Catch Data Collection Regulations, 2014 made under paragraph (1), m and (s) of subsection (1) of Section 61 of FARA (Gazette, No. 1878/11 of 01 September 2014) require all mechanized local fishing boats to maintain a logbook issued by DFAR, maintain a record of the fish catch of each fishing trip in the logbook, and produce a certificate of the fish catch to the authorized officer in a prescribed form on demand or at the end of every three months.
- Almost all local fishing boats that are engaged in fishing in high-seas are smaller than 24 m, and therefore it is not practical to send observers on board such boats. However, regulations will be made under the provisions of FARA requiring fishing boats of and over 24 m to carry observers on board.

- Personnel in FMC have been provided with the necessary knowledge and training in VMS activities. A radio communication network has been established to facilitate communication between fishing boats and district fisheries offices or FMC. Fishers are encouraged to be vigilant of IUU fishing activities and report such activities to district fisheries offices or the MCS Division through the radio communication network or by other means.
- Officers and men of the SLN and the SLCG, industry personnel, fishers and other stakeholders are continuously being made aware of IUU fishing activities through seminars, workshops, leaflets, posters and mass media. A documentary film is also being developed for use in awareness programmes.
- FARA (Section 46) provides for DG to authorize officers not below the rank of Fisheries Inspector to implement its provisions, and for such authorized officers to among other things stop, go onboard and search any fishing boat in Sri Lanka waters or any local fishing boat engaged in fishing in high seas and examine such boat, its crew, its fishing gear and other equipment, and fish catch. If an authorized officer has reasons to believe that an offence has been made he may seize such boat together with its fishing gear and equipment and fish catch, and arrest any person, and commence legal proceedings.
- A record of local fishing boats apprehended for IUU fishing that include registration number and name and address of owner and operator, offence, place of apprehension and penalty imposed is maintained by the Fisheries Management Division of DFAR (FMD), which is the Division of DFAR entrusted with management of fisheries.

National Plans of Action

(IPOA-IUU Paragraphs 25 – 27)

26. SLNPOA-IUU gives effect to the relevant provisions of the IPOA-IUU. Most provisions of the SLNPOA-IUU are legally binding as they are based on national legislation, i.e. FARA and regulations made there-under and FFBA. SLNPOA-IUU will serve as an integral part of the fisheries management regime of Sri Lanka. Budgetary provisions are being made annually from the national budget for its implementation.

27. Sri Lanka periodically reviews the implementation of provisions in FARA and FFBA to evaluate their effectiveness to achieve the intended objectives. This is done by the Fisheries and Aquatic Resources Advisory Council established under Section 3 of FARA. This reviewing is done once a year or if the situation requires at a shorter interval. Similarly Sri Lanka annually reviews SLNPOA-IUU with a view to identifying its strengths and weaknesses and making improvements accordingly. This reviewing is done by the Coordinating Committee referred to in Paragraph 5 above. Sri Lanka will meet the reporting obligations to FAO concerning information on actions against IUU fishing under Article VI of IPOA-IUU. Sri Lanka regularly furnishes information concerning IUU fishing to IOTC.

28. Implementation of SLNPOA-IUU is coordinated by FMD. Progress of the implementation of SLNPOA-IUU is evaluated by the Coordination Committee referred to in Paragraph 5 above.

Cooperation between States

(IPOA-IUU Paragraphs 28 -31)

29. Sri Lanka continues to cooperate with other States directly and indirectly to combat IUU fishing. Following are the activities that are being implemented under the programme for cooperation between States.

- The joint working group (JWG) between India and Sri Lanka that has been established to address the issue of IUU fishing in the Palk Bay and the associated area of the Bay of Bengal and the Gulf of Mannar: This JWG meets annually alternatively in India and Sri Lanka to evaluate the situation and make recommendations to the respective countries.
- Membership of IOTC: Sri Lanka is a member of IOTC and actively participates in its meetings, implements its resolutions and provides information as required.

30. As mentioned in Paragraph 12 above Sri Lanka has acceded to the 1993 FAO Compliance Agreement. Legal provisions have been incorporated into FARA to license fishing operations conducted by local fishing boats in high-seas. As required by Article IV of that Agreement, a record of local fishing boats authorized to fish in high-seas is being maintained. As required by Article VI of that Agreement Sri Lanka provides information on local fishing boats to FAO. As per the relevant resolutions adopted by IOTC, Sri Lanka continues to provide IOTC with the required information on local fishing boats authorized to fish in high-seas and local fishing boats that have engaged in IUU fishing.

31. Director (Fisheries Management) Department of Fisheries and Aquatic Resources (Tel/Fax 94-11-2446291, dfmd@fisheries.gov.lk, dfmd@gmail.com is the initial formal contact point for exchanging of information in respect to implementation of SLNPOA-IUU. Website of DFAR is www.fisheriesdept.gov.lk/.

32. Sri Lanka is willing to cooperate with other States by entering into appropriate agreements or arrangements with such States for the enforcement of applicable laws against IUU fishing and implementation of the conservation and management measures adopted at the national, regional and global levels.

Publicity

(IPOA-IUU Paragraph 32)

33. Identified IUU fishing activities and actions taken against such activities are given due publicity. Posters in fishery harbours, press communiqués, national media, and the website of DFAR are used for this purpose.

Technical Capacity and Resources

(IPOA-IUU Paragraph 33)

34. The national budget of Sri Lanka provides funds to the DFAR for implementation of the national fisheries management programme. As SLNPOA-IUU is an integral part of the national fisheries management programme, funds provided by the national budget include funds required to implement the SLNPOA-IUU. In addition, the SLN, SLCG, CFHC, NARA and SLC which also have roles in implementation of the SLNPOA-IUU too get funds from the national budget for their activities. The technical capacities of DFAR and other organizations to implement SLNPOA-IUU are being continuously enhanced through national training programmes, and where possible through training programmes conducted at regional or global levels. Skippers and fishers of local fishing boats engaged in fishing in high seas are also made aware of new conservation and management measures when such measures are introduced.

FLAG STATE RESPONSIBILITIES

Fishing Vessel Registration

(IPOA-IUU Paragraphs 34 -41)

35. According to Section 15 of FARA and the Registration of Fishing Boats Regulations, 1980 (Gazette No. 109 of 03 October 1980, Gazette, No. 948/24 of 07 November 1996 and Gazette, No. 1430/4 of 30 January 2006) no person could use a local fishing boat to fish in Sri Lanka waters unless a certificate of registration is issued in respect of such fishing boat by DG. This requirement has been extended to cover high-seas by the amendment effected to Section 15 of FARA by the Act, No. 35 of 2013. Currently all local fishing boats irrespective of whether they are used for fishing in Sri Lanka waters or high seas are registered under the Registration of Fishing Boats Regulations, 1980. ~~It is proposed to issue new regulations for registration of local fishing boats used for fishing in high seas.~~

36. Only local fishing boats could be registered in Sri Lanka. The definition of local fishing boat is given in Paragraph 6 (Section 6.5) above.

37. If an application is received to register a fishing boat of foreign origin as a local fishing boat such fishing boat is registered as a local fishing boat only if the applicant could produce proof to the satisfaction of DG to the effect that the fishing boat concerned has not previously engaged in IUU fishing or its previous owner or operator has no legal, beneficial or financial interest in or control of it.

38. Chartered fishing boats of foreign origin are not registered as local fishing boats as they do not fulfill any of the requirements stipulated in Section 66 of FARA (Paragraph 6 (Section 6.5) above) to be considered as local fishing boats.

39. Registration of local fishing boats is performed by FMD.

Record of Fishing Vessels

(IPOA-IUU Paragraphs 42, 43)

40. Section 15 of FARA as amended by the Act, No. 35 of 2013 requires DG to maintain a register of local fishing boats used for taking fish in Sri Lanka waters or high seas. Applicants for registration of local fishing boats are required to furnish the following information to DG (Gazette, No. 1430/4 of 30 January 2006).

- Full name and address of owners with national identity card number of each owner
- Particulars of the fishing boat (type of boat and code, make of hull (timber, FRP, metal), length (ft, m), year of construction, boatyard number)
- Engine (make, serial number, horsepower)
- Navigation equipment (satellite navigator, radar, depth sounder)
- Communication equipment (SSB radio, VHF radio)
- Fishing equipment (fish finder, line hauler, net hauler)
- Place where the boat is kept at most times (fishery harbour, anchorage)

41. FARA (Section 16) provides for change of ownership of a registered local fishing boat. The new owner is required to report the change of ownership within 30 days of the change with a declaration of transfer signed both by the transferor and the receiver, and apply for registration of the boat in the new owner's name.

42. A record of local fishing boats that are not authorized to fish on the high seas is maintained by FMD with the same information as in paragraph 40 above.

Authorization to Fish

(IPOA-IUU Paragraphs 44 – 50)

43. No person is allowed to use a local fishing boat to engage in any prescribed fishing operation in Sri Lanka waters except under the authority of a fishing operation license issued by DG (Section 6 of FARA). Following are the fishing operations prescribed under FARA by the Fishing Operations Regulations of 1996 (Gazette, No. 948/25 of 07 November 1996):

- Fishing operations carried out by seine nets, beach seines, *madel*, or Danish seine nets
- Fishing operations carried out by trawl nets
- Fishing operations carried out by surrounding nets
- Fishing operations carried out by trammel nets
- Fishing operations carried out by gillnets
- Fishing operations carried out by drift gillnets
- Fishing operations carried out by long lines
- Fishing operations carried out by cast nets
- Fishing operations carried out by fish traps
- Fishing operations carried out by stake nets (*kattu del*)
- Bivalve mussel fishing operations
- Beche-de-mer fishing operations
- Chank fishing operations

- Fishing operations carried out using bundles of *Pila atu* (*Tephrosia* plants)
- Fishing operations carried out using fish aggregation devices
- Fishing operations carried out by lift net (*atoli*)
- Fishing operations carried out by diving including free diving, SCUBA diving and HOOKAH diving

44. In accordance with the amendment effected to FARA by the Act, No. 35 of 2013 (Section 14A) no person is allowed to engage in any prescribed fishing operation in high seas except under the authority of a license issued by DG. The prescribed fishing operations for high seas are the following as per the High Seas Fishing Operation Regulations, No. 1 of 2014 (Gazette, No. 1878/12 of 01 September 2014):

- Purse-seine fishing operations
- Long-line fishing operations
- Gillnet cum long-line fishing operations
- Gillnet fishing operations
- Pole and line fishing operations
- Hand-line fishing operations
- Trolling fishing operations

45. Fishing operation licenses for fishing in Sri Lanka waters are issued on a form prescribed by the Regulation published in Gazette, No. 1392/8 of 11 May 2005 amending the Fishing Operations Regulations of 1996 (Gazette, No. 948/25 of 7 November 1996). Information incorporated in a license for fishing in Sri Lanka waters is the following.

- Fishing area
- Details of fishing boat (type, length, horse power of engines, number of crew)
- Fishing gear authorized to use (in case of nets - type, number, average length, average depth and mesh size; in case of lines – type, number, average length and average number of hooks; in case of other gear – type and number of units)
- Season of the year and times of the day fishing operations are permitted
- Species or groups of species permitted to be taken
- Areas or locations where fishing is permitted
- General conditions

46. Similarly fishing operation licenses for fishing in high seas are issued on a form prescribed by High Seas Fishing Regulations, No. 1 of 2014 (Gazette, No. 1878/12 of 01 September 2014). Information incorporated in a license for fishing in high seas is the following.

- Registration number of the fishing boat for which the license is issued
- Length of the fishing boat
- Authorized fishing operations under the license
 - Authorized fishing gear
 - Length of fishing nets (maximum length less than 2.5 km) and mesh size
 - No. of hooks, length of the floating line and length of the branch lines

- Authorize species of fish
- Area of fishing
- Home port landing
- Fishing duration
- Conditions
 - Catching, keeping in possession, transporting and transshipping of mammals, turtles, thresher sharks and seabirds are totally prohibited.
 - No fishing operation should be conducted within a radius of 1 km from data buoys installed in high seas.

47. All local fishing boats are required by the Regulations published in Gazette, No. 1430/4 of 30 January 2006 amending the Registration of Fishing Boats Regulations, 1980 (Gazette, No. 109 of 03 October 1980) amended by Regulations published in Gazette, No. 948/24 of 07 November 1996 to be marked in accordance with the FAO Standard Specifications and Guidelines.

48. Every person who uses a mechanized fishing boat for fishing in Sri Lanka waters or high seas is required to maintain a logbook issued by DFAR and fish catch in relation to each fishing trip needs to be recorded in the logbook, which should be produced to the authorized officer in charge of fish landing on demand and at the end of every three months (Fish Catch Data Collection Regulations (Gazette, No. 1878/11 of 01 September 2014)).

49. Sri Lanka furnishes information required pertaining to catch to FAO and IOTC regularly as appropriate.

COASTAL STATE MEASURES

(IPOA-IUU Paragraph 51)

50. Sri Lanka has no agreements or arrangements with other States concerning fishing in Sri Lanka waters.

51. No fishing operation licenses are issued to foreign fishing boats to fish in Sri Lanka waters. Therefore fishing in Sri Lanka waters by any foreign fishing boat would be treated as IUU fishing, and legal action would be taken against those engaged in such fishing under FFBA (Section 4).

PORT STATE MEASURES

(IPOA-IUU Paragraphs 52 -64)

52. Provisions have been incorporated to FARA by the Act, No. 35 of 2014 for the purpose of exercising port State control over fishing vessels in accordance with the FAO Port State Measures Agreement (long title, Sections 14G and Section 61(2) (t)) and under such provisions the Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing Regulations of 2015 have been made (Gazette, No. 1907/47 of 26 March 2015).

53. A foreign fishing boat engaged fishing in high seas could land its fish catch at a designated fishery harbour in Sri Lanka for packing and export under the authority of a permit issued by DG for that purpose. In accordance with the Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing Regulations of 2015 (Gazette, No. 1907/47 of 26 March 2015), the local agent or captain of the foreign fishing boat has to submit an application to DG for a fish landing permit on the format issued by the DFAR 48 hours (in case of the second and subsequent landings 24 hours) before the proposed landing. The format used is that given in Annex A of the FAO Port State Measures Agreement. Sri Lanka has designated Colombo (Mutwal) fishery harbour and Dikowita fishery harbour as the ports for landing of fish by foreign fishing boats and this has been communicated to FAO and IOTC for publicity.

54. Fish landing permits are issued only for foreign fishing boats, the flag States of which are member countries of IOTC and that have no history of engaging in IUU fishing activities. Before issuing fish landing permits inquiries are made from IOTC and the relevant flag State as to whether such foreign fishing boat has previously engaged in IUU fishing activities.

55. Every fish landing by a foreign fishing boat is inspected by a trained Fisheries Inspector as given in Annex B of the Agreement, and an inspection report is prepared in the format given in its Annex C. This information is conveyed to IOTC and the relevant flag State.

56. Access to a port in Sri Lanka is available to any vessel in *force majeure* or distress in accordance with the international law.

57. If any foreign fishing boat is found to have engaged in IUU fishing activities outside Sri Lanka waters, such fishing boat is not allowed to land its fish load at a fishery harbour of Sri Lanka or to transship that fish load within Sri Lanka waters. Such fishing boat is also not provided with general port services. Further that matter would be reported to the relevant flag State, State of the nationality of the master of the foreign fishing boat, IOTC and FAO.

58. Action is being taken to enhance the capacity for port State control by the development of manpower and establishing the necessary infrastructure facilities.

INTERNATIONALLY AGREED MARKET RELATED MEASURES

(IPOA-IUU Paragraphs 65 – 76)

59. Sri Lanka 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 WTO.

60. Sri Lanka exports wet fish and processed fish to all major international markets, i.e. the European Union, Japan and USA, and also to several other countries. These fish consignments could originate from the following sources.

- Fish landed by local fishing boats operating in Sri Lanka waters or high-seas

- Fish landed by foreign fishing boats operating in high seas; these landings are strictly subjected to port State measures against IUU fishing.
- Fish imported from other countries

61. Under the Fish Catch Data Regulations, 2014 (Gazette, No. 1878/11 of 01 September 2014) a mandatory catch certification scheme that involves maintenance of a logbook for all local mechanized fishing boats for recording of the fish catch of each fishing trip, and submission of a catch certificate in respect of fish supplied for export to the EU market is being implemented by DFAR. Importers who import fish for re-export are also required under this catch certification scheme to furnish among other documents, a catch certificate duly signed by the Competent Authority of the country from where such fish is imported.

62. Fish exporters who re-export processed fish originating from imported fish are required under the catch certification scheme referred to in Paragraph 61 above, to submit a process statement to DG giving the catch certificate number, name of the vessel and flag, validation date, catch description, total landed weight, catch processed weight and weight of processed fishery products in respect of all fish products in the export consignment. In addition, fish exporters are required administratively to submit ICCAT sword fish statistical documents and big-eye tuna statistical documents as relevant in respect of export consignments that contain sword fish or big-eye tuna. On information provided by Sri Lanka, US has over a period of 15 years has periodically certified that shrimp fisheries of Sri Lanka are turtle-safe.

63. If another State requests for Sri Lanka's assistance in deterring trade in fish and fish products harvested illegally in the jurisdiction of that State, Sri Lanka will provide possible assistance in accordance with the terms agreed and international law.

64. Programmes for development of awareness on the impact of IUU fishing among all stakeholders in fish trade that include fishing boat owners and operators, fish collectors and suppliers, fish importers, fish processors, fish exporters, financiers and service providers are being conducted.

65. Sri Lanka is implementing the six digit harmonized commodity description and coding system developed by the World Customs Organization for fish and fisheries products in the international trade in fish and fisheries products.

66. Action will also be taken **if possible** to standardize certification and documentation requirements and set up electronic schemes ~~where possible~~ in order to facilitate transactions and avoid opportunities for fraud.

RESEARCH

(IPOA-IUU Paragraph 77)

67. The main research organization of the Government of Sri Lanka in respect of fisheries and aquatic resources is NARA. In addition some universities of Sri Lanka also conduct research on fisheries and aquatic resources. Currently no facilities including technology and equipment are available in Sri Lanka to identify fish species from samples of processed fish. Technical assistance from FAO or other appropriate international organization is sought to initiate research in this area.

REGIONAL FISHERIES MANAGEMENT ORGANIZATIONS

(IPOA-IUU Paragraphs 78 – 84)

68. As mentioned earlier Sri Lanka is a member of IOTC and is in the process of implementing the policies and measures adopted by IOTC to prevent, deter and eliminate IUU fishing in the area of its competence.

69. Following are the actions taken by Sri Lanka to implement the policies and measures adopted by IOTC.

- The principal law concerning fisheries, i.e., the Fisheries and Aquatic Resources Act, No. 2 of 1996 has been amended by Acts, No. 35 of 2013 and 2 of 2015 incorporating among others, provisions to give effect to policies and measures adopted by IOTC and regulations required to implement such provisions have been made.
- Implementation of measures like collection of fish catch data, maintenance of logbooks on board the fishing boats, port inspection, trade documentation schemes, etc. is under implementation.
- Relevant information to IOTC is provided on a regular basis as appropriate.
- Actively participates in the meetings convened by IOTC.
- A VMS system to monitor the local fishing boats has been established.
- Officers are being trained in VMS and in port inspection.
- A mandatory observer programme is being introduced for fishing boats of and over 24 m. Regulations to comply with observer program the local fishing boats more than 24m will be gazetted. Inspection of fishing boats of less than 24 m in which it is not practical to send observers on board has been intensified by inspecting at least 10 percent of the boats registered for high seas fishing prior to departure for fishing and upon arrival after fishing by a team of inspectors comprising officers from DFAR, CFHC, SLN and SLCG.
- Education and awareness programmes on IUU fishing targeting all stakeholders are conducted regularly as appropriate.
- Fisheries management action plans that are being implemented include action against IUU fishing.

70. Information on details of IUU fishing detected in the area of competence of IOTC and action taken against such IUU activities, list of fishing boats authorized to fish in high seas in the area of competence of IOTC and list of fishing boats engaged in IUU fishing is furnished to IOTC regularly as appropriate.

5. SPECIAL REQUIREMENTS OF DEVELOPING COUNTRIES

(IPOA-IUU Paragraphs 85, 86)

71. Sri Lanka welcomes assistance in the following areas.

- To review the national legislation and if necessary proposals to adjust legislation to meet the international obligations
- To improve collection of fish catch data
- Strengthening of the VMS system with satellite monitoring
- Research to identify fish species from samples of processed fish and fishing grounds
- Training and development of awareness

6. REPORTING

(IPOA-IUU Paragraph 87)

72. Sri Lanka submits reports to FAO on the progress of implementation of the SLPOA-IUU as part of the biennial reporting on implementation of the Code of Conduct for Responsible Fisheries.

**Annex 1: MANAGEMENT MEASURES UNDER THE FISHERIES AND
AQUATIC RESOURCES ACT, No. 2 of 1996**

Annex 2: FURTHER ACTION

Annex 1
(Paragraphs 17 and 22)

MANAGEMENT MEASURES UNDER THE FISHERIES AND AQUATIC RESOURCES ACT, No. 2 of 1996

(Fishing activities conducted in non-compliance with these measures are considered IUU fishing activities)

	Provision in the Act/Regulations (Provision refers to Section in FARA except in item 1, which refers to FFBA)	Management Measure	Penalty for Non-Compliance
1	Section 4 of Fisheries (Regulation of Foreign Fishing Boats) Act, No. 59 of 1979	No foreign boat should be used for fishing or related activities in Sri Lanka waters except under the authority of a permit issued by DG with approval of the Minister	Fine not exceeding LKR 1.5 million and repatriation costs of the crew, forfeiture of the boat and fishing equipment (Section 15 (a) of FFBA)
2	Section 6	No person shall engage in any prescribed fishing operation in Sri Lanka waters without a licence issued by DG.	Fine not exceeding LKR 25,000 (Section 49 (1) as amended by Act, No 35 of 2013)
3	Section 14A as amended by Act, No. 35 of 2013	No person should engage in any prescribed fishing operation in high seas without a licence granted by DG.	Imprisonment for a term not exceeding two years or a fine not less than the amounts specified below (in LKR millions) determined considering the length of the fishing boat $10.3 \leq 15.0$ m 1.5 $15.0 \leq 24.0$ m 5.0 $24.0 \leq 45.0$ m 75.0 $45.0 \leq 75.0$ m 120.0 >75.0 m 150.0 (Section 49(2A) as amended by Act, No. 35 of 2013 and Act, No.2 of 2015)
4	Section 14E as amended by Act, No. 35 of 2013	License granted by DG for fishing operations in high seas should be carried on board the fishing boat at all times and produced for inspection to an authorized officer when required.	Fine not exceeding LKR 25,000 (Section 49 (1) as amended by Act, No 35 of 2013)
5	Section 14F as amended by Act, No. 35 of 2013	No local fishing boat should be used for fishing in the waters under the national jurisdiction of another State except under the authority and in accordance with laws of that State.	Same as in 2 above
6	Section 14N as amended by Act, No. 35 of 2013	DG, subject to availability of resources, conduct long term educational and training programmes to educate fishers on the	

		regulations made and guidelines issued by IOTC, and to create awareness among fishers about the measures taken by the Government to conserve fish stocks and minimize pollution.	
7	Section 15 as amended by Act, No. 35 of 2013	No local fishing boat should be used for fishing in Sri Lanka waters or high seas without registering such boat as a local fishing boat.	Fine not exceeding LKR 25,000 (Section 49 (1) as amended by Act, No 35 of 2013)
8	Section 16	Every change of ownership of a registered local fishing boat should be reported to DG by the new owner within 30 days.	Fine not exceeding LKR 25,000 (Section 49 (1) as amended by Act, No 35 of 2013)
9	Section 27 as amended by Act, No. 4 of 2004	No person should use any poisonous, explosive or stupefying substances (including dynamite) or other noxious or harmful material for fishing or dump any poisonous, explosive, stupefying or other obnoxious or harmful material in Sri Lanka waters.	Imprisonment of either description for a term not less than three years and not exceeding five years and a fine not less than LKR 100,000 or on a second or subsequent conviction imprisonment of either description for a term not less than five years and not exceeding seven years and a fine not less than LKR 500,000 (Section 49 (3) as amended by Act, No. 4 of 2004)
10	Sections 6, 28, 29 and 61/Fishing Operations Regulations of 1996 (Gazette, No. 948/25 of 07-11-1996)	No person should engage in the following fishing operations in Sri Lanka waters without a licence granted by DG. • Fishing operations carried out by seine nets, beach seines, <i>madel</i>, or Danish seine nets • Fishing operations carried out by trawl nets • Fishing operations carried out by surrounding nets • Fishing operations carried out by trammel nets • Fishing operations carried out by gillnets • Fishing operations carried out by drift gillnets • Fishing operations carried out by long lines • Fishing operations carried out by cast nets • Fishing operations carried out by fish traps • Fishing operations carried out by stake nets (<i>kattu del</i>) • Bivalve mussel fishing operations • Beche-de-mer fishing operations • Chank fishing operations	Fine not exceeding LKR 25,000 (Section 49 (1) as amended by Act, No 35 of 2013)

		- Fishing operations carried out using bundles of <i>Pila atu</i> (<i>Tephrosia</i> plants) - Fishing operations carried out using fish aggregation devices - Fishing operations carried out by lift net (<i>atoli</i>) - Fishing operations carried out by diving including free diving, SCUBA diving and HOOKAH diving	
		The following fishing operations are prohibited. - Push net fishing operations - Harpooning for marine mammals - Moxi net fishing operations - Gillnet or trammel net fishing operations on coral reefs or rocks	Fine not exceeding LKR 25,000 (Section 49 (1) as amended by Act, No 35 of 2013)
		No person should catch, land, transport, sell, buy, receive or have in his possession any marine mammals or turtles.	Fine not exceeding LKR 50,000 (Section 49 (2A) as amended by Act, No. 35 of 2013)
11	Sections 14A, 14B, 14C, 14D, 14E, 14F, 14G, 14H, 14I, 14J, 14K, 14L, 14M, 14N and 61(1)(t) as amended by Act, No. 35 of 2013/High Seas Fishing Operations Regulations, No. of 2014 (Gazette, No. 1878/12 of 01 September 2014)	No person should engage in the following prescribed fishing operations in high seas in contravention of conservation and management measures adopted in keeping with the commitments made by Sri Lanka under the United Nations Convention on the Law of the Sea of 1982, UN Fish Stocks Agreement of 1995, Indian Ocean Tuna Commission, FAO Port State Measures Agreement of 2009: - Purse seine fishing operations - Long line fishing operations - Gillnet <i>cum</i> long line fishing operations - Gillnet fishing operations - Pole and line fishing operations - Handline fishing operations - Trolling fishing operations	Imprisonment for a term not exceeding two years or a fine not exceeding LKR 1,000,000 (Section 49(6) as amended by Act, No. 35 of 2013)
12	Section 61 and Section 64 (a) / Registration of Fishing Boats Regulations, 1980 (Gazette, No. 109 of 10 March 1980, Gazette No. 948/24 of 07 November 1996, and Gazette, No. 1430/4 of 30 January 2006)	No person should use or operate any local fishing boat in Sri Lanka waters or high seas for fishing unless such boat has been registered by DG and its registration number and code letters issued by DG are painted as prescribed.	Fine not exceeding LKR 25,000 (Section 49 (1) as amended by Act, No 35 of 2013)
13	Sections 29 and 61 / Lobster Fisheries Management Regulations (Gazette,	(1) No person should engage in spiny lobster fishing operations in the sea area belonging to the Southern coastal belt between the estuaries of Bentota River and Kumbukkan	Fine not exceeding LKR 50,000 (Section 49 (2B) as amended by Act, No 35 of 2013)

	No. 1123/2 13 March 2000)	River without getting the license issued for fishing operations validated for south coast lobster. (2) No person should catch or keep in possession of any spiny lobster with external eggs, any lobster of species <i>Panulirus hormarus</i> with a carapace length less than 10 cm or tail length less than 14 cm, or any lobster of any other species with a carapace length less than 6 cm or tail length less than 10 cm.	2013)
14	Section 34/ (Notification published in Gazette, No. 1601/36 of 15 May 2009)	No person should engage in lobster fishing operations during the months of February, September and October, which have been declared as closed seasons for fishing of lobster.	Fine not exceeding LKR 25,000 (Section 49 (2) as amended by Act, No 35 of 2013)
15	Sections 28 and 61/ Monofilament Nets Prohibition Regulations, 2006 (Gazette, No. 1454/33 of 21 July 2006)	No person should use monofilament nets for fishing.	Fine not exceeding LKR 25,000 (Section 49(2) as amended by Act, No 35 of 2013)
16	Section 61 / Chank Fisheries Management Regulations, 2003 (Gazette, No. 1298/1 of 21 July 2003)	No person should engage in dredging operations or trawling operations for the purpose of taking chank, and keep in possession of any chank less than 70 mm in diameter.	Fine not exceeding LKR 25,000 (Section 49 (5) as amended by Act, No 35 of 2013)
17	Section 61 / Landing of Fish (Species of Shark and Skate) Regulations, 2001 (Gazette, No. 1206/20 of 17 October 2001)	No person should land fins of shark or skate unless such fins are attached to the bodies of the respective fish.	Fine not exceeding LKR 25,000 (Section 49 (5) as amended by Act, No 35 of 2013)
18	Section 61/Prohibition of Catching Thresher Shark Regulations, 2012 (Gazette, No. 1768/36 of 27 July 2012)	No person should catch, transport or sell thresher shark (Family <i>Alopiidae</i>).	Fine not exceeding LKR 25,000 (Section 49 (5) as amended by Act, No 35 of 2013)
19	Section 61(1) (m) and (s) / Fish catch data collection regulations, 2012 (Gazette, No. 1878/11 of 01 September 2014)	(1) Every person who uses a mechanized fishing boat for fishing in Sri Lanka waters or high seas should carry on board a logbook and maintain a record of the catch of each fishing trip in the logbook, and furnish a certificate of the catch to the Competent Authority in the prescribed form.	Fine not exceeding LKR 25,000 (Section 49 (5) as amended by Act, No 35 of 2013)

		(2) Every importer who imports fish for re-export should furnish a catch certificate and a health certificate, and a process statement in the prescribed form issued by the Competent Authority of the country of export. (3) Every exporter who exports fish products should obtain a validated catch certificate and a health certificate from the Competent Authority.	
20	Section 61 (1) (t) as amended by Act, No. 35 of 2013 / Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing Regulations of 2015 (Gazette, No. 1907/47 of 26 March 2015)	No person should without a licence from DG land, transship, pack or process fish taken outside Sri Lanka waters by a foreign boat at any port in Sri Lanka or obtain port services for such boat.	Imprisonment for a term not exceeding two years or a fine not exceeding LKR 1,000,000 (Section 49(6) as amended by Act, No. 35 of 2013)
21	Section 61(1) (h) / Fishing Gear Marking Regulations of 2015 (Gazette, No. 1904/10 of 03 March 2015)	All types of fishing gear and fish aggregating devices carried on board fishing boats should be marked as prescribed.	Fine not exceeding LKR 25,000 (Section 49 (5) as amended by Act, No 35 of 2013)
22	Section 61 (1) (t) / Satellite Based Vessel Monitoring System for Fishing Boats Operating in High Seas Regulations of 2015 (Gazette, No. 1907/47 of 26 March 2015)	Fishing boats, supply or cargo vessels, reefers and carrier vessels of or above 10.3m (34 feet) or above used for high seas fishing operations should be installed with a functioning satellite based vessel monitoring system device on board approved by DFAR which allows tracking and identification of those boats or vessels by the land based Fisheries Monitoring Center of DFAR.	Imprisonment for a term not exceeding two years or a fine not exceeding LKR 1,000,000 (Section 49(6) as amended by Act, No. 35 of 2013)

FURTHER ACTION

Action <i>(No in parentheses refers to the corresponding paragraph in SLNPOA-IUU)</i>	Remarks	Responsibility	Timeframe
Revision of the fisheries sanction scheme to enhance the level of fines related to the high seas fishing activities(17)	Amendment has been done and has submitted to the LD	LO	October 2015
Issue regulations requiring carrying de-hookers, line cutters and dip nets on board the local fishing boats operate in high seas. (17).	With amendment of the high sea fishing operation regulation covering the requirement to carry de-hookers, line cutters and dip nets on board of the local fishing boats operate in high seas	D/FMD and LO	December 2015
Issue regulations prohibiting fishing of ocean white-tip shark by local fishing boats operating in high seas (17).	A Consolidated draft regulation integrating already promulgated regulations on sharks has been finalized and this also includes prohibition of catching oceanic white tipped shark to give effect to IOTC Resolution 13/06.	LO	December 2015
Consolidate different regulations concerning conservation of sharks in high seas (17).	A copy of this draft Shark Fisheries Management Regulations - 2015 was submitted to DG/MARE on 04.06.2015 and informed that the modified draft according to the instruction of LDs department has been re-submitted and the approval from LD is being awaited.	LO	October 2015
Conduct an awareness workshop on conservation and management measures concerning high seas fisheries for costal district magistrates before whom cases against IUU fishing are filed (18).	Workshop module developed and assistance from the Judicial Services Commission requested to organize the workshop.	DD/Socio Economic and LO	December 2015

Adopt a government policy of not approving investments if such investments involve in registering fishing boats under the flag of another State that does not meet their flag State responsibilities under the international law (20) .	DFAR to request Ministry of Policy Development & Economic Affairs and Central Bank of Sri Lanka.	AD/FMD and DG	December 2015
Adopt a government policy of not granting fiscal incentives or benefits to companies, and owners or operators of local fishing boats engaged in IUU fishing. For transparency announce this policy together with the announcements of the availability of such incentives or benefits (24) .	DFAR to request Ministry of Policy Development & Economic Affairs and Board of Investments of Sri Lanka.	AD/FMD and DG	Done
Develop a documentary film for use in awareness building on IUU fishing (25) .	DFAR to request assistance from FAO.	AD/FMD and DG	December 2016
Continuously enhance the technical capacities of DFAR and other organizations to implement SLNPOA-IUU through national training programmes, and where possible through training programmes conducted at regional or global levels (34)		DD (Socio-Economic) and DG	On going
Demonstrate the use of de-hookers and line cutters on board the fishing boats to fishers and skippers of high seas fishing boats (34) .		D/FMD and NARA	Ongoing activity
Demonstrate marking of gear used in high seas to fishers and skippers of high seas fishing boats (34) .		D/FMD and NARA	2015/2016
Enhance the capacity for port State control of fishing boats by developing manpower and establishing the necessary infrastructure facilities (58) .		DD (Biology)/ FMD	Ongoing activity
Conduct programmes for development of awareness on the impact of IUU fishing among all stakeholders in fish trade that include fishing boat owners and operators, fish collectors and suppliers, fish importers, fish		DD (Socio - Economic)	Ongoing activity.

processors, fish exporters, financiers and service providers (64, 69).			
Standardize certification and documentation requirements and set up electronic schemes where possible in order to facilitate transactions and avoid opportunities for fraud (66).		DD/QCD	This is implemented only if possible
Request for technical assistance from FAO or other appropriate international organization to initiate research in relation to IUU fishing (67).		NARA	Ongoing activity.
Introduce an observer programme for fishing boats of and over 24 m (69).		FMC (Implementation of this only possible when ≥ 24 m vessels are introduced in to the fleet.	Ongoing activity.
Issue Regulations requiring observer on board the local fishing boat ≥ 24 m		LO	December 2015