

**PANAMA AQUATIC RESOURCES AUTHORITY
 FISHERIES AFFAIRS INTERNATIONAL**

Technical Circular 043 – 2022

For:	Ship-owners, Captains and Resident Agents.
Of:	Dir. Technical Cooperation and International Fisheries Affairs.
Theme:	Resolution ADM/ARAP No. 069, on transshipments and/or landings of Panamanian fishing vessels in foreign ports.
Ref.:	ARAP/IFA/TC/043/2022

The Aquatic Resources Authority of Panama (ARAP), communicates to the Ship-owners, Operators, Captains and Resident Agents that **Resolution ADM/ARAP No. 069 of December 02, 2022** has been published in Official Gazette No. 29681 of December 13, 2022, establishes the **requirements for transshipment and/or landing** of fishery products, as long as they have not been previously landed by **fishing vessels and activities related to fishing under the national flag, in foreign ports** that exercise effective control of inspection, surveillance, control, validation, registration and exchange of information among other provisions.

Ships that eventually need to carry out these operations in **ports not considered** in Annex A of Resolution No. 069, in each case, must request a **Certificate of Authorization for Operations in Unauthorized Ports**, to the General Directorate of Inspection, Surveillance and Control of the Authority, through the Single Window, with a minimum of **ten (10) business days prior to arrival**.

Any rescheduling or cancellation of each operation must be requested and notified to the General Directorate of Inspection, Surveillance and Control of the Authority, to the emails vu@arap.gob.pa and ivc@arap.gob.pa.

Annexes:

- Resolution ADM/ARAP No. 069

✓ Important and Mandatory Disposition

Resolution ADM/ARAP No. 069 of December 2, 2022 nullifies Resolution ADM/ARAP No. 015 of February 22, 2022.

To ensure compliance of the guidelines described in this circular, it is necessary that all fishing vessels and activities related to fishing under the national flag that enter foreign ports comply with the provisions of this circular.

Ships that are detected in activities that violate the established rules and recommendations will be subject to the application of the regulations established by this Authority in sanctioning matters.

For more information on this Technical Circular, please contact:

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 the Office for International Technical Cooperation**

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REPUBLIC OF PANAMA
AUTHORITY OF AQUATIC RESOURCES OF PANAMA

ADM/ARAP RESOLUTION N°069
(December 2, 2022)

That establishes the requirements to carry out transshipments and/or landings of fishing vessels and activities related to national flag fishing in foreign ports and dictates other provisions.

THE GENERAL ADMINISTRATOR

In use of her legal faculties,

CONSIDERING:

That by means of Law 44 of November 23, 2006, the Aquatic Resources Authority of Panama is created, hereinafter the Authority, as the governing body of the State to ensure compliance and application of national fishing and aquaculture laws and policies;

That numerals 2 and 7 of article 38 of Law 44 of 2006, provide that the Authority, through the General Directorate of Inspection, Surveillance and Control, has among its functions, to establish the bases and parameters that the technical standards must follow for the development of the fishing and aquaculture activity, as well as the supervision, verification and certification and updating of said standards, and ensure, in coordination with the corresponding entities, strict compliance with the legal provisions and regulations whose purpose is to regulate the protection and use of aquatic resources;

That article 31 of Law 204 of March 18, 2021, establishes that the Authority will adopt all those conservation, management and control measures that are necessary to prevent, combat, discourage and eliminate Illegal, Unreported, Unregulated Fishing (IUU), being able to regulate those measures that are not expressly contemplated in the Law, in accordance with international agreements, conventions and treaties;

That article 32 of Law 204 of March 18, 2021, establishes that the Authority will regulate the transshipment activities that Panamanian-flagged vessels can carry out beyond the waters under Panamanian jurisdiction;

That by means of ADM/ARAP Resolution No. 015 of February 22, 2022, fishing vessels and fishing-related activities with national flag, international service, were authorized to unload and transship products from the activity, in the ports detailed in Annex A of the aforementioned administrative act;

That the Authority, recognizing that the primary responsibility of the flag State is to implement the necessary measures to combat IUU Fishing; that port State measures are an essential element in preventing, deterring and eliminating these illegal activities; and aware of the need to increase coordination at the international level to combat this scourge;

RESOLVES:

FIRST: Fishing vessels and fishing-related activities, both national flag and international service, are authorized to land and transship fishing products provided they have not been previously landed, in those ports listed in the Annex A of this resolution, which forms an integral part thereof.

SECOND: Only those ports that meet one or more of the following requirements may be included in Annex A of this resolution:

- a) Belong to a State that complies with effective inspection, surveillance and control controls, registration and exchange of information on ships that carry out activities in their ports.
- b) Belong to a Member State of the Agreement on Port State Measures (AMERP) aimed at preventing, discouraging and eliminating IUU Fishing.
- c) Be included in the list of authorized ports of the corresponding RFMO.

THIRD: For the purposes of the provisions of the second article of this resolution, it will be understood that an effective control of the inspection, surveillance, control, validation, registration and exchange of information is carried out in a port, if it applies the following minimal mechanisms:

Authorized ports: Governing State provides the Authority with information regarding its authorized ports, including, at least:

1. Name of the designated port;
2. Coordinates (latitude and longitude) of the authorized ports;

3. Infrastructure to receive the vessel, unload and/or transship products, including cold chain, lifting and weighing system, and species identification and classification mechanisms.

Contact Points: The Governing State provides the Authority with the official contact points for the exchange of information. The contact points must be kept up to date and contain, as a minimum:

1. Name and address of the competent fishing institution;
2. Name and position of the officials (contact points) of the competent fishing institution;
3. Official emails;
4. Telephones.

Exchange of information: Governing State provides the Authority:

1. Validation, through physical and documentary inspections of the quantities and characteristics of the landed products or other information that the Authority requires.
2. The results of the inspections, which must contain the information established in Annex C of the Agreement on port state measures aimed at preventing, discouraging and eliminating IUU Fishing.

FOURTH: Vessels that eventually need to carry out landing and/or transshipment operations in ports that are not listed in Annex A of this resolution, must, in each case, request a Certificate of Authorization for operations in unauthorized ports, to the General Directorate of Inspection, Surveillance and Control of the Authority, through the Single Window, with a minimum of ten (10) business days prior to arrival, which includes:

1. Notification of port entry (within the established period);
2. Effective contact details of the fishing authorities of the Port State, in charge of implementing inspection, surveillance and control measurements, on the vessels that carry out activities in their ports;
3. Summary of sets or transshipment declarations, when applicable;
4. Payment of the cost of the Authorization Certificate;
5. Any other requirement that the Authority deems necessary and is solicited.

Any rescheduling or cancellation of each operation must be requested and notified respectively to the General Directorate of Inspection, Surveillance and Control of the Authority, to the emails vu@arap.gob.pa and ivc@arap.gob.pa.

FIFTH: The Authority will authorize the use of ports not included in Annex A of this resolution, only in the following cases:

1. When, in coordination with the Port State, an inspection can be carried out to determine the characteristics of the verified, weighed and verified product;
2. When through the on-board observer (when applicable) authorized by the Authority, an inspection can be carried out to determine the characteristics of the verified, weighed, and proven product;
3. When by means of an inspector assigned by the Authority, an inspection can be carried out to determine the characteristics of the verified, weighed and proven product;

SIXTH: As of the entry into force of this resolution, all international fishing license and international license for activities related to fishing that are issued by the Authority, will expressly mention this resolution, as a legal basis for the ports section authorized.

SEVENTH: As of the effective date of this resolution, international service fishing vessels or fishing-related activities may request the General Directorate of Planning and Integral Management of the Authority, the modification of the license as established in article 26, numeral 2, of Executive Decree 131 of April 14, 2020, with the objective that this administrative resolution is reflected in it as legal base.

EIGHTH: Failure to comply with the provisions of this resolution will be sanctioned in accordance with Law 204 of March 18, 2021.

NINTH: Resolution ADM/ARAP No. 015 of February 22, 2022 is rendered null and void.

TENTH: This Resolution will take effect 60 calendar days after its promulgation.

BASIS OF LAW: Law 44 of November 23, 2006, Law 204 of March 18, 2021.

PUBLISH AND ENFORCE.

FLOR TORRIJOS ORO
General Manager

ANEXO A

Lista de Puertos Autorizados por la Autoridad de los Recursos Acuáticos de Panamá

UNLOCODE	PORT	COUNTRY
AL SAR	SARANDE	ALBANIA
AU PLO	PORT LINCOLN	AUSTRALIA
BE ANR	AMBERES	BELGIUM
BJ COO	COTONU	BENÍN
CV MIN	MINDELO	CABO VERDE
CL CNL	CORONEL	CHILE
CL TAL	TALCAHUANO	
CN DAL	DALIAN	CHINA
CN FZG	FUZHOU	
CN ZOS	ZHOUSHAN	
CN NBG	NINGBO	
CN QDG	QINQDAO	
CN GZG	GUANGZHOU	
CN SHG	SHANGHÁI	
CN SHD	SHIDAO	
CN XMG	XIAMEN	
CN YTG	YANTAI	
CO BAQ	BARRANQUILLA	COLOMBIA
CO BUN	BUENAVENTURA	
CO CTG	CARTAGENA	
CO TCO	TUMACO	
KR PUS	BUSAN	SOUTH COREA
KR MAS	MASAN	
KR MOK	MOKPO	
KR TYG	TONGYEONG	
CI ABJ	ABIJAN	COTE D'IVOIRE
CR GLF	GOLFITO	COSTA RICA
CR PTC	PUERTOS CALDERA	
CR LIO	PUERTO LIMÓN	
EC MEC	MANTA	ECUADOR
EC GYE	GUAYAQUIL	
EC PSJ	POSORJA	
ES ALG	ALGECIRAS	SPAIN
ES CAR	CARTAGENA	
ES LPA	LAS PALMAS DE GRAN CANARIA	
ES LPC	PUEBLA DEL CARAMIÑAL	
ES VGO	PUERTO DE VIGO	
FM PNI	POHNPEI	MICRONESIA FEDERAL STATES
FM KSA	KOSRAE	
US ADK	ADAK	UNITED STATES
US DUT	DUTCH HARBOR	
US IOR	SAMOA	
US TGK	TOGIAK	
PH GES	GENERAL SANTOS	PHILIPPINES

GN CKY	CONAKRY	GUINEA
IE KBS	KILLYBEGS	IRELAND
FO KVI	KLAKSVIK	FEROE ISLANDS
MH MAJ	MAJURO	MARSHALL ISLANDS
SB HIR	HONIARA	SALOMON ISLANDS
JP OSA	OSAKA	JAPAN
JP MKK	MAKURAZAKI	
JP SGM	SENDAI	
JP SMZ	SHIMIZU	
JP SGM	SHIOGAMA	
JP YOS	YOKOSUKA	
KI TRW	TARAWA	KIRIBATI
MT MLA	VALLETA	MALTA
MAVIL	DAKHLA	MORROCO
MA TNG	TANGIER	
MA LAR	LARACHE	
MA PTM	TANGER-MED	
NA WVB	WALBIS BAY	NAMIBIA
NG LOS	LAGOS	NIGERIA
NG PHC	PORT HARCOURT	
NL RTM	ROTTERDAM	NETHERLANDS
PG RAB	RABAUL	PAPUA NEW GUINEA
PG WWK	WEWAK	
PE CLL	CALLAO	PERÚ
PE CHM	CHIMBOTE	
PE PAI	PAITA	
PT LIS	LISBOA	PORTUGAL
SV LUN	LA UNIÓN	SALVADOR
AS PPG	PAGO PAGO	AMERICAN SAMOA
SN DKR	DAKAR	SENEGAL
SC POV	PORT VICTORIA	SEYCHELLES
SG SIN	SINGAPUR	SINGAPUR
ZA CPT	CAPE TOWN	SOUTH AFRICA
ZA DUR	DURBAN	
SR PBM	PARAMARIBO	SURINAM
TH BKK	BANGKOK	THAILAND
TH SGK	SONGKHLA	
TG LFW	LOME	TOGO
TR CES	CESME	TURKEY
TV FUN	FUNAFUTI	TUVALU
UY MVD	MONTEVIDEO	URUGUAY