



National Oceanic Resource Management Authority

FSM NATIONAL GOVERNMENT

P.O. Box PS122

PALIKIR, POHNPEI, FEDERATED STATES OF MICRONESIA 96941



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April 3, 2020

NOTIFICATION OF COVID-19 PANDEMIC NATIONAL PUBLIC HEALTH EMERGENCY IN RESPECT OF TRANSHIPMENT ACTIVITIES AT DESIGNATED TRANSHIPMENT AREAS IN THE FSM

TO: All Fishing Companies, Associations, Operators
FROM: Executive Director, NORMA
SUBJECT: COVID-19 Decree By FSM

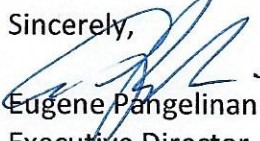
This is to notify licensed purse seine and longline fishing vessels that the FSM National Government has issued a new Decree Amending the National Public Health Emergency Declaration addressing the COVID-19 Pandemic Situation in FSM. The new Presidential Decree provides for temporary measures that applies to transshipment activities in FSM.

Pursuant to Section A(1) of the Decree, the National Oceanic Resource Management Authority is issuing these guidelines attached to regulate the transshipment activities in the designated transshipment areas within the territorial waters beyond the three (3) nautical miles zone from the baselines.

Attached are Decree and the FSM Requirements for Port Call and Transshipment outlining the Decree and specifying the data to be provided with the 72 Hours Notification required information implementing the Decree.

The Authority solicits the cooperation of all fishing vessels and operators in implementing this Decree to safeguard the people of the FSM from COVID-19.

Should you have any questions or concerns, please contact me or Mr. Mathew Chigiyal, Deputy Director (Mathew.chigiyal@norma.fm).

Sincerely,

Eugene Pangelinan
Executive Director

CC: Office of the President
Governors of Pohnpei, Chuuk, Yap and Kosrae Government
Secretary of Justice



The President
Palikir, Pohnpei
Federated States of Micronesia

Decree to amend the National COVID-19 Pandemic National Public Health Emergency in order to provide temporary measures with respect to the transshipment activities at designated transshipment areas in the FSM

WHEREAS, on March 14, 2020, the President of the Federated States of Micronesia issued a National Public Health Emergency Declaration due to the COVID-19 Pandemic pursuant to his authority under Art. X Sec. 9 of the FSM Constitution;

WHEREAS, in the exercise of national jurisdiction over interstate commerce and in order to establish additional temporary measures concerning fishing activities regulated by Title 24 of the FSM Code, this amendment is necessary to strengthen the applicable emergency measures addressing risks associated with the transshipment of fish catch;

WHEREAS, the continued accessibility of the national seaports by any fishing vessels without further restrictions during the pandemic is dangerously increasing the risk of introducing the virus to the FSM; and

WHEREAS, this decree is necessary to ensure the integrity and effectiveness of the emergency declaration and in order to protect public health and safety of the people throughout the nation.

NOW THEREFORE, I, David W. Panuelo, President of the Federated States of Micronesia, pursuant to the authority vested upon me by Article X Section 9 of the FSM Constitution, Title 41, Chapter 7 of the FSM Code, and Title 11, Chapter 8 of the FSM Code, do hereby DECREE as follows:

(A) Section III of the National Public Health Emergency issued on March 14, 2020, in particular, paragraph 10 thereof, is hereby amended such that the term "commercial sea vessels" defined in that paragraph does not include "fishing vessels"; hence, fishing vessels are carved out from the application of paragraph 10. This decree governs the transshipment activities of fishing vessels during the COVID-19 emergency.

1. With the exception of transshipment activities in Kosrae by purse seine fishing vessels and of activities falling under #2 hereof, all transshipment activities are to be carried out in a designated transshipment area to be identified by the National Oceanic Resource Management Authority (NORMA). A designated transshipment area will be in the territorial waters beyond the three nautical miles zone from baselines. NORMA shall issue appropriate guidelines regulating the transshipment.
2. Longline (LL) fishing vessels are allowed to come to port for transshipment purposes, subject to the additional measures established by NORMA for the avoidance of COVID-19, and observing the following guidelines:
 - a. Fresh LL fishing vessels are allowed to transship at port; provided, that there shall be no contact at anytime prior to the transshipment.
 - b. Frozen LL fishing vessels are allowed to transship at port; provided, that the fishing vessels observe the 14 days quarantine at sea, and that no crewmembers are allowed to disembark at port. The 14-day quarantine is counted from the date of last contact.



COVID-19 Decree

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- c. For the purpose of #2 hereof, and any part of this decree where its application is deemed relevant, "contact" refers to human interaction of less than four (4) feet between a crewmember of one fishing vessel, a crewmember of another fishing vessel, or any other human-to-human contact external to fishing vessel operations.
 - d. Bartering, trading and local sale of fish are prohibited. No person is allowed to approach (in the transshipment and Anchorage area) any fishing vessel, or have any contact therewith, at anytime during the effective period of this decree.
3. Domestic fishing vessels are allowed to call port in the FSM States for repair, maintenance and provisioning purposes at the Anchorage area, and shall remain there in the Anchorage area during repairs, maintenance and provisioning. For the purpose of this paragraph, domestic fishing vessels are fishing vessels that are flagged in the FSM or have a base of operation anywhere in the FSM States.
 4. With respect to transshipment at sea, Immigration and Customs clearance procedures shall be conducted electronically with the intention of avoiding or minimizing contact. For the duration of this emergency procedure concerning transshipment at sea, Quarantine procedures are suspended until further notice.
 5. Transshipment at sea shall be monitored thoroughly by the relevant national department or agency, in particular, Department of Justice (DOJ) and NORMA, to ensure compliance with this directive. NORMA and DOJ, on behalf of the National Emergency Task Force, shall coordinate with the State authorities to ensure that the transshipment activities are not unduly delayed or interfered with by any State-mandated procedures.
 6. It is part of the requirement that 72 hours prior to transshipment, notice shall be provided in advance to NORMA and DOJ using applicable forms of reporting. Included in the notice are the body temperatures of all the crewmembers of the fishing vessels intending to transship, taken at 24-hour intervals prior to transshipment. (72 hours, 48 hours, and 24 hours). Information on body temperatures may be shared with the State authorities for health assessment and coordination purposes.

(B) The restriction set out in Section (A) of this decree is a temporary emergency measure, which shall remain in effect until further notice.

(C) Any violation of this decree shall be subject to penalty set by law pursuant to 11 F.S.M.C. §803. The Secretary of Justice is ordered to take measures under law to ensure the enforcement of this decree.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "David W. Panuelo", written over a horizontal line.

David W. Panuelo
President

Date:

April 3rd, 2020

FSM Requirements for Port Call & Transshipment

The following provide 1) the outline of the Decree, 2) the data fields required to be provided along with the 72 hours notification and 3) the maps designating areas for at-sea transshipment in the FSM.

A. Outline of Transshipment Decree

Offloading in port

1. Entry into the Kosrae ports by both PS and LL is permitted provided catch is to be landed or offloaded.
2. Only longline vessels (fresh and frozen) are permitted to enter into Pohnpei port to offload their catch.
3. Port entry and offloading for Fresh LL is allowed subject to the condition:
 - a. No contact with any other vessels at sea at any time prior to transshipment.
4. Frozen LL is allowed subject to the following conditions:
 - a. It meets the 14-day quarantine at sea (14-day quarantine at sea is counted from the date of last contact or date of departure from the last port call);
 - b. No crew disembark at transshipment port.
5. Domestic Fishing Vessels (fishing vessels with base of operation in FSM or FSM flag vessels) may call at the anchorage area only for purposes of repair, maintenance and provision and shall remain in the anchorage area.

Transshipment at Sea

1. All transshipment at sea shall be carried out in a designated area beyond 3 nautical mile zone from baseline.
2. The designated areas for transshipment at sea are shown on Map-1, Map-2, Map-3 and Map-4 for Kosrae, Pohnpei, Chuuk and Yap respectively.
3. Immigration and Customs clearance shall be conducted electronically.
4. Quarantine clearance is temporarily suspended for transshipment at sea.
5. 72-hours prior notice to transshipment is required and shall be provided to DOJ and NORMA using applicable forms of reporting.
6. 72-hours prior notice of transshipment shall include the record of body temperature of all crewmembers taken at 24-hour intervals prior to transshipment (72 hrs., 48 hrs., 24 hrs.)
7. Bartering, trading and local sale of fish are prohibited. No person is allowed to approach to (the transshipment and anchorage area) any fishing vessel, or have any contact therewith, at anytime during the effective period of this decree.

8. In addition to the measures outlined above, Section B: Guideline and Data Requirement for Port Call or Transshipment below provides guidelines for transshipment at sea.

Penalty

Any violation of this decree shall be subject to penalty set by law pursuant to 11 F.S.M.C. §803. The Secretary of Justice is ordered to take measures under law to ensure the enforcement of this decree

B. Guideline and Data Requirement for Port Call or Transshipment

Required additional information to accompany 72-hour notice of transshipment or port calls are:

1. Record of Body Temperature of all crewmembers

Temperatures of all crews are to be taken and recorded in the table below. This is to be done at the interval of every 24 hours starting 72 hours prior to arrival of the vessel into the area it is permitted to enter, either into port or designated transshipment area. It is to be transmitted immediately following its completion.

Table 1: Health Declaration Form

Crew Name (Last Name, First Name)	Body Temperature Reading

2. Last port of call/date (e.g. Last Port Call Certificate)
3. Provide the name of the Country and the Departure Date (MM/DD/YYYY), if vessel came from a COVID-19 infected country.
4. Provide the following if Contact at sea occurred during its trip:
 - Date (MM/DD/YYYY) and Time (GMT)
 - Location (Longitude | Latitude)
 - Type of Activity (e.g. Bunkering, Crew Exchange, Spare Part Exchange, Provisioning, Net Sharing and etc.
 - Name of other Vessel(s), IRCS, FFA-VID and Gear Type
 - **Voyage Memo** of all vessels involved
5. Provide the following if contact at sea involved crew exchange:
 - **Copy of Passport** (e.g. bio-page)
 - Full Names (Last Name, Middle, First)
6. Provide the following if crew exchange/pick up occurred in a port of a not infected COVID-19 country:

- Indicate if the crew transited/originated from a COVID-19 infected Country or Port
- If yes, provide the name of the countries and the dates (MM/DD/YYYY)
- Historical Exchange Crew

MAP-1: Designated Transshipment Area for Kosrae

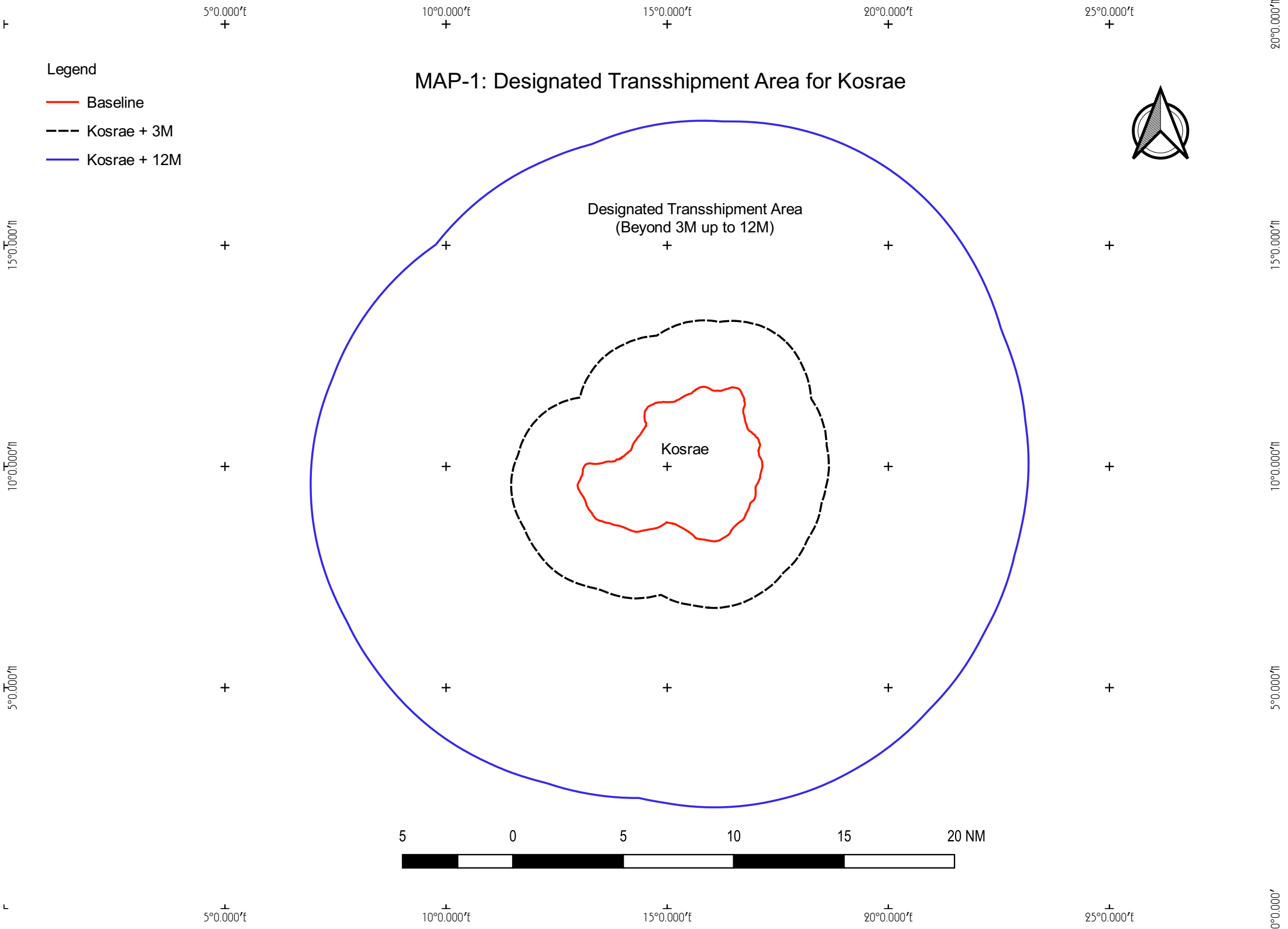
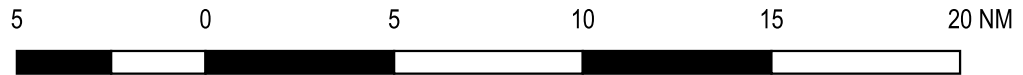
Legend

- Baseline
- - - Kosrae + 3M
- Kosrae + 12M



Designated Transshipment Area
(Beyond 3M up to 12M)

Kosrae

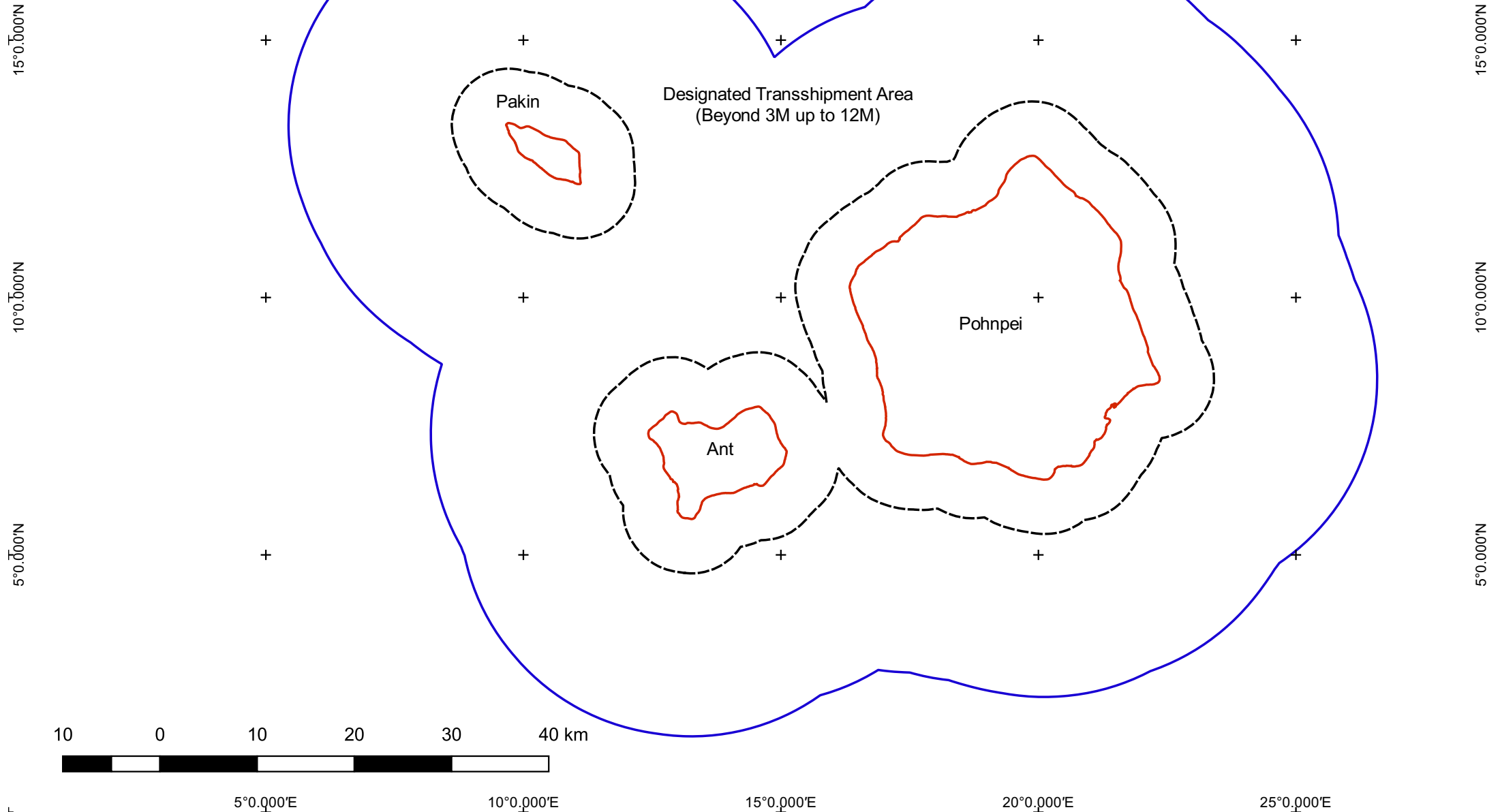


0°0.000' 5°0.000'E 10°0.000'E 15°0.000'E 20°0.000'E 25°0.000'E

Legend

- Baseline
- - - Pohnpei_Ant_Pakin + 3M
- Pohnpei_Ant_Pakin + 12M

MAP-2: Designated Transshipment Area for Pohnpei



10 0 10 20 30 40 km

5°0.000'E 10°0.000'E 15°0.000'E 20°0.000'E 25°0.000'E

15°0.000'N

10°0.000'N

5°0.000'N

15°0.000'N

10°0.000'N

5°0.000'N

MAP-3: Designated Transshipment Area for Chuuk

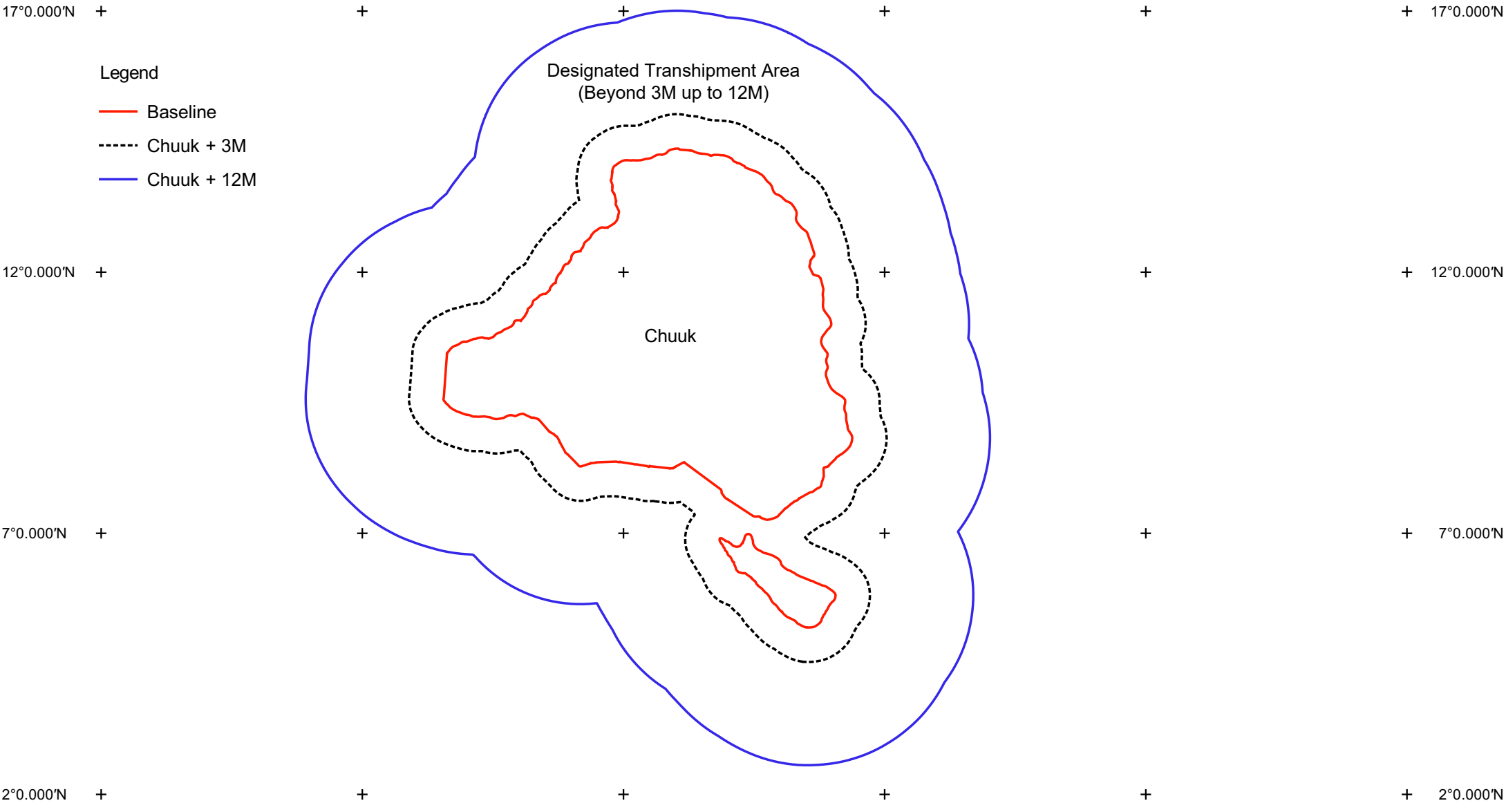


Legend

- Baseline
- Chuuk + 3M
- Chuuk + 12M

Designated Transshipment Area
(Beyond 3M up to 12M)

Chuuk



10 0 10 20 30 40 NM

2°0.000'E 7°0.000'E 12°0.000'E 17°0.000'E 22°0.000'E 27°0.000'E

