
ON A REGIONAL OBSERVER SCHEME

SUBMITTED BY: MAURITIUS, ORIGINALLY ON 20 APRIL 2018

Explanatory Memorandum

Resolution 11-04 requires CPCs to have observers on at least 5% of the number of operations/sets for each gear type by the fleet of each CPC while fishing in the IOTC Area of Competence for vessels of 24 meters overall length and over, and under 24 meters if they fish outside their Exclusive Economic Zone (EEZ).

Even the Scientific Committee argues that the present human observer coverage of 5% is not enough to provide a reliable evaluation of scientific and catch data including by-catch. This draft resolution is taking into account this observation which was agreed upon by the IOTC SC to have a better understanding and control over the activities taking place on board fishing vessels such as the gear type the mesh size, the targeting of tuna species, species composition as well as the fishing locations being reported in the fishing logbooks.

Taking into consideration the Resolution 17/01 on an interim plan for rebuilding the Indian Ocean Yellowfin tuna stock in the IOTC Area of Competence, an increase in the percentage of human observer coverage is a pre-requisite for a better monitoring of the fishing activities such as a good reporting of catch, by-catch and discards in the IOTC Area of Competence.

The Resolution on the Regional Observer Scheme needs to be revised for the above mentioned reasons and would certainly enhance the recommendations made by the Scientific Committee based on scientific data.

RESOLUTION 18/xx
ON A REGIONAL OBSERVER SCHEME

The Indian Ocean Tuna Commission (IOTC),

TAKING INTO ACCOUNT the need to increase the scientific information, in particular to provide the IOTC Scientific Committee working material in order to improve the management of the tuna and tuna-like species fished in the Indian Ocean;

REITERATING the responsibilities of flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting IOTC Conservation and Management Measures;

CONSIDERING the need for action to ensure the effectiveness of the IOTC objectives;

CONSIDERING the obligation of all IOTC Contracting Parties and Cooperating Non-Contracting Parties (hereinafter CPCs) to fully comply with the IOTC Conservation and Management Measures;

CONSIDERING the need to eliminate all forms of illegal, unreported or unregulated fishing activities related to tuna and tuna like species;

AWARE of the necessity for sustained efforts by CPCs to ensure the enforcement of IOTC's Conservation and Management Measures, and the need to encourage Non-Contracting Parties (NCPs) to abide by these measures;

UNDERLINING that the adoption of this measure is intended to help support the implementation of Conservation and Management Measures as well as scientific research for tuna and tuna-like species;

~~CONSIDERING the provisions set forth in Resolution 10/04 On A Regional Observer Scheme [superseded by resolution 11/04], adopted by the Commission;~~

~~CONSIDERING the deliberations of the 12th Session of the IOTC Scientific Committee held in Victoria, Seychelles from 30 November to 4 December 2009~~

ADOPTS, in accordance with the provisions of Article IX, paragraph 1 of the IOTC Agreement, the following:

Objective

1. The objective of the IOTC observer scheme shall be to collect verified catch data and ~~other~~ scientific data related to the fisheries for tuna and tuna-like species and associated activities in the IOTC area of competence ~~notably for species where a TAC has been set within~~.

Observer Scheme

2. In order to improve the collection of scientific data, ~~at least 5-~~ 30% human observer coverage ~~accredited by the IOTC, shall be compulsory as from the 1st of January 2020 for of the number of operations/sets for each gear type~~ the purse seine fleet of each CPC ~~while fishing in the IOTC area of competence of overall length and over~~ while fishing in the IOTC area of competence and 2+0% human observer coverage for

longline and any other gears operated by vessels above 24 meters and vessels under 24 meters fishing outside their EEZ.

For supply vessels assisting purse seiners under the observer scheme, the coverage rate shall be 20% human observer, and progress gradually to 100% after two years.

For vessels below 40 meters – the human observer coverage can be replaced by a electronic monitoring (EM) coverage. This exception does not apply to supply vessels.

~~For vessels above 24m but below 40 meters – the 100% human observer coverage can be replaced by 100% electronic monitoring system (EMS) coverage. This exception does not apply to supply vessels, and under 24 meters if they fish outside their Exclusive Economic Zone (EEZ) shall be covered by this observer scheme. For vessels under 24 meters if they fish outside their EEZ, the above mentioned coverage should be achieved progressively by January 2013.~~

3. When ~~purse seiners~~vessels are carrying a ~~human~~ observer¹ as stated in paragraph ~~24~~, this observer shall also monitor the catches at unloading or through a sampling scheme to identify the composition of ~~bigeye tuna~~ catches.

~~The requirement for the observer to monitor catches at unloading is not applicable to~~For CPCs already having a sampling scheme in place, the observer will be given the scientific sampling program manager reference to get assistance on such with at least the coverage set out in paragraph 2.

4. Landings, including those of vessels below 24 meters ~~The number of the artisanal fishing vessels landings~~ shall ~~also~~ be monitored at the landing place by field samplers².

5. CPCs shall:

- a. Have the primary responsibility to obtain qualified observers. Each CPC may choose to use either deployed national or non-national of the flag State of the vessel on which they are deployed;
- b. ~~Endeavour~~ Ensure that the ~~minimum~~ level of coverage is met and that the observed vessels are a representative sample of the gear types active in their fleet;
- c. Take all necessary measures to ensure that observers are able to carry out their duties in a competent and safe manner;
- d. Endeavour to ensure that the observers alternate vessels between their assignments. Observers are not to perform duties, other than those described in paragraphs 10 and 11 below;
- e. Ensure that the vessel on which an observer is placed shall provide suitable food and lodging during the observer's deployment at the same level as the officers, where possible. Vessel masters shall ensure that all necessary cooperation is extended to observers in order for them to carry out their duties safely including providing access, as required, to the retained catch, and catch which is intended to be discarded.
- f. Ensure that for vessel using EM as per provision of paragraph 2 a proper management system and control of sata is set by an independent recognized certification body if not performed under defined regulation by the Flag State's Competent Authority.
- e. ~~Ensure that for vessel using EM as per provision of paragraph 2 a proper management system and control of data is set by an independent recognized certification body if not performed under defined regulation by the flag state competent authority~~

6. The cost of the observer scheme in paragraph 2 may be met by the CPC or by any arrangement between the CPC and the boat owner/operator.:-

7. The sampling scheme referred in paragraph 4 will be covered by the Commission's accumulated funds and voluntary contribution on a provisional basis. The Commission will consider an alternative for the financing of this scheme.
8. If the coverage referred in paragraphs 2 and 3 is not met by a CPC, any other CPC may, subject to the consent of the CPC who has not met its coverage, place an observer to fulfil the tasks defined in the paragraphs 1 and 2 until that CPC provides a replacement or the target coverage level is met.
9. CPCs shall provide to the IOTC Executive Secretary and the IOTC Scientific Committee annually a report of the number of vessels monitored and the coverage achieved by gear type in accordance with the provisions of this Resolution.
10. Observers shall:
- a. Record and report fishing **and fishing related** activities, verify positions of the vessel;
 - b. Observe and estimate catches as far as possible with a view to identifying catch composition and monitoring discards, by-catches and size frequency;
 - c. Record the gear type, mesh size and attachments employed by the master **and information**;
 - d. Collect information to enable the cross-checking of entries made to the logbooks (species composition and quantities, live and processed weight and location, where available); **and and**
 - e. Carry out such scientific work (for example, collecting samples), as requested by the IOTC Scientific Committee.
11. The observer **or the EM Program Manager or the EM program manager** shall, within 30 days of completion of each trip, provide a report to the CPCs of the vessel. The CPCs shall send **each report** within ~~150~~ days **to the IOTC Secretariat, to the Scientific Committee as well as to the Compliance Committee. at the latest each report, as far as continuous flow of report from observer placed on the longline fleet is ensured, which is recommended to be provided with 1°x1° format to the IOTC Executive Secretary, who shall make the report available to the IOTC Scientific Committee upon request. In a case where the vessel is fishing in the EEZ of a coastal State, the report shall equally be submitted to that coastal State.**
12. The confidentiality rules set out in the Resolution 98/02 [superseded by Resolution 12/02] *Data confidentiality policy and procedures for fine-scale data* shall apply.
13. Field samplers shall monitor catches at the landing place with a view to estimating catch-at-size by type of boat, gear and species, or carry out such scientific work as requested by the IOTC Scientific Committee.
14. The funds available from the IOTC balance of funds may be used to support the implementation of this programme in developing States, notably the training of observers and field samplers.
15. The elements of the Observer Scheme ~~, notably those regarding its coverage,~~ are subject to review and revision, as appropriate, ~~for application in 2012 and subsequent years. Basing on the experience of other Tuna RFMOs, the IOTC Scientific Committee will elaborate an observer working manual, a template to be used for reporting (including minimum data fields) and a training program.~~
16. This Resolution supersedes Resolution ~~10~~11/04 *On A Regional Observer Scheme*.

Footnotes:

1. Observer: a person who collects information on board fishing or fishing related vessels. Observer programmes can be used for quantifying species composition of target species, bycatch, by-products and dead discards, collecting tag returns, fishing related activities etc.
2. Field sampler: a person who collects information on land during the unloading of fishing vessels. Field sampling programmes can be used for quantifying catch, retained bycatch, collecting tag returns, etc.