

Report of Implementation for the year 2012

DEADLINE FOR SUBMISSION OF THE REPORT 7 MARCH 2013

Reporting CPC: France (territories)

Date: 02/4/2013

Please NOTE: this document is composed of 3 sections to report on the implementation of IOTC resolutions

Part A. *Describe the actions taken, under national legislation, in the previous year to implement conservation and management measures adopted by the Commission at its sixteenth Session.*

1. Resolution 12-01 On The Implementation Of The Precautionary Approach

France is a signatory to the United Nations Convention on the Law of the Sea (UNCLOS) and to the United Nations Fish Stocks Agreement (UNFSA), which both include the precautionary approach as a basic principle for a sound management of fisheries. Furthermore, the precautionary principle is included in the Environmental Charter (Article V), a text included in the constitutional bloc of the French Law since 2005. It provides that "When the occurrence of any damage, although uncertain according to current scientific knowledge, could seriously and irreversibly affect the environment, public authorities shall ensure, by applying the precautionary principle, and in their areas of responsibility, to the implementation of risk assessment procedures and the adoption of interim and proportionate measures to deal with the occurrence of said damage".

2. Resolution 12-02 Data Confidentiality Policy And Procedures

The Institut pour la Recherche et le Développement collects data from French observers, analyses them and submits them to the IOTC Secretariat, according to the standard stratification defined by Resolution 12/02.

3. Resolution 12-03 On The Recording Of Catch And Effort By Fishing Vessels In The IOTC Area Of Competence

-Order No. 2013-14 dated 8 March 2013 (TAAF) prescribing rules governing the exercise of fishing for tuna and other pelagic fish in the exclusive economic zones of the Scattered Islands provides in its Annex II all obligations relating to the recording of catches and effort that masters of vessels fishing in these areas must meet. It provides, in the Annex, the specific provisions by type of fishing gear (purse seine, longline, trolling line, pole-and-line). These are in accordance with Resolution No. 12/03.

- A decision of the Prefet of Mayotte grants an individual fishing license to each foreign vessels in the EEZ of Mayotte. The technical prescriptions associated with licenses are provided in annexes. Annex II sets out the reporting and monitoring requirements that must be met by captain fishing in the EEZ of Mayotte. Annex VI provide the information that shipowners must submit to the administration, in particular those relating to the monitoring of ships and to the fishing program (Summary tables of landings by species under Appendix I of Annex VI).

4. Resolution 12-04 On The Conservation Of Marine Turtles (Including in accordance with Article X of the IOTC Agreement, their progress of implementation of the FAO Guidelines and this Resolution)

- Order No. 2013-14 dated 8 March 2013 (TAAF) prescribing rules governing the exercise of fishing for tuna and other pelagic fish in the exclusive economic zones of the Scattered Islands

provides in its Annex II the provisions for the recording of information on interactions with sea turtles as well as the obligations for different types of fishing gear (purse seine, net, longline, line/longline/pole-and-line) in terms of release and having on board equipment to mitigate interactions with sea turtles. These provisions are consistent with Resolution No. 12/04.

A decision of the Prefet of Mayotte grants an individual fishing license to each foreign vessels in the EEZ of Mayotte. The technical prescriptions associated with licenses are provided in annexes. Annex II sets out the reporting and monitoring requirements that must be met by captain fishing in the EEZ of Mayotte. Annex IV provides that masters should record in their logs all incidents involving sea turtles with an obligation to release them to increase their chances of survival and to develop FADs so that they do not pose a risk of entanglement for sea turtles.

5. Resolution 12-05 On Establishing A Programme For Transhipment By Large-Scale Fishing Vessels

Transshipments at sea are prohibited in French waters and no transhipment in port is done in the French Overseas Territories. In addition, the monitoring program for large-scale tuna longliners is not applicable to the French fleet.

6. Resolution 12-06 On Reducing The Incidental Bycatch Of Seabirds In Longline Fisheries

In force in July 2014

7. Resolution 12-07 Concerning A Record Of Licensed Foreign Vessels Fishing For IOTC Species In The IOTC Area Of Competence And Access Agreement Information

Foreign vessels (only purse seiners for 2012) have been granted access for fishing activities in the waters of Mayotte and the Scattered Islands (TAAF). The conditions of access are governed by Decree No. 2010-727 of 29 June 2010 and Mayotte Order No. 2013-14 dated 8 March 2013 for the Scattered Islands (TAAF). The list of foreign vessels will be forwarded to the IOTC Secretariat.

8. Resolution 12-08 Procedures On A Fish Aggregation Devices (FADs) Management Plan

- A management plan for fish aggregating devices will be prepared and submitted to the IOTC Secretariat by the end of 2013, as required by Resolution No. 12/08. Order No. 2013-14 dated 8 March 2013 (TAAF) prescribing the rules governing the exercise of fishing for tuna and other pelagic fish in the exclusive economic zones of the Scattered Islands already contains provisions related to the use of FADs . These include obligations in terms of reporting, marking, record-keeping and FAD designs.

- Annexes to the decisions of the Prefet of Mayotte provide, in their Annex IV, the technical requirements for the use of FADs (numbering, log-keeping, prohibition of abandonment).

9. Resolution 12-09 On The Conservation Of Thresher Sharks (Family Alopiidae) Caught In Association With Fisheries In The IOTC Area Of Competence

- Order No. 2013-14 dated 8 March 2013 (TAAF) prescribing the rules governing the exercise of fishing for tuna and other pelagic fish in the exclusive economic zones of the Scattered Islands prohibits the fishing of Thresher sharks.

- Annexes to the decisions of the Prefet of Mayotte provide in their Annex IV a ban on the fishing of Thresher sharks.

10. Resolution 12-10 To Promote Implementation Of Conservation And Management Measures Already Adopted By IOTC

N/A

11. Resolution 12-11 On The Implementation Of A Limitation Of Fishing Capacity Of Contracting Parties And Cooperating Non-Contracting Parties

France has submitted to the IOTC Secretariat the list of vessels actively fishing for tropical tunas during 2006 and swordfish & albacore during the year 2007. In addition, France has filed with IOTC, in 2006, a development plan for the fleet registered in its territories.

12. Resolution 12-12 To Prohibit The Use Of Large-Scale Driftnets On The High Seas In The IOTC Area (Including a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing on the high seas in the IOTC Area of Competence)

Pursuant to this resolution, France applies in its national legislation the prohibition of the use of large-scale driftnets on the high seas.

13. Resolution 12-13 For The Conservation And Management Of Tropical Tuna Stocks In The IOTC Area Of Competence (Including a summary of VMS records related to their fleet operation in the previous year for the consideration of the Compliance Committee)

France has taken the necessary measures (information of ship owners, VMS tracking, ...) to ensure compliance by its fishing fleet of the area closures under Resolution No. 12/13. A functional VMS is mandatory for all French vessels larger than 15 meters, including vessels authorized to fish in the IOTC area of competence. The CROSS (Regional Operational Centre for Surveillance and Rescue) Reunion follows the VMS data to ensure compliance with Resolution 10/01. No vessel flying the French flag (France-Territories) has entered the IOTC closed area in 2012.

14. Recommendation 12/15 On The Best Available Science

France takes appropriate measures, to the extent of its financial and institutional capacity, to support research programs and ensuring the participation of qualified scientists to the meetings of the IOTC Scientific Committee. French scientific institutes ensure a constant dialogue, regarding science, with the IOTC Secretariat and with scientific institutes of a number of other IOTC Parties. All actions taken at the scientific level are summarized in the annual national report sent by France (Territories) each year prior to the holding of the IOTC Scientific Committee. Finally, France is making every effort, especially in the regulatory field, to improve the collection and reporting of data to the Secretariat, including on bycatch.

Part B. *Describe the actions taken, under national legislation, to implement conservation and management measures adopted by the Commission in previous Sessions, and which have not been reported previously.*

- The adoption of Order No. 2013-14 dated 8 March 2013 (TAAF) prescribing the rules governing the exercise of fishing for tuna and other pelagic fish in the exclusive economic zones of the Scattered Islands helped integrate provisions of recent resolutions adopted by the IOTC at its annual session in 2012.

- Annexes to the decisions of the Prefet of Mayotte incorporate the provisions of recent resolutions adopted by the IOTC at its annual session 2012.

Part C. Data and information reporting requirements for CPCs to be included in this report (please refer to the *section March 2013 of the Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties*).

- Resolution 01/06 Concerning the IOTC bigeye tuna statistical document programme

CPCs which export bigeye tuna shall examine export data upon receiving the import data from the Secretary, and report the results to the Commission annually.

No export movement is currently made from a landing port of France (territories). None of the vessels authorized to fish in French waters in the Mozambique Channel has landed in a French port of the South Indian Ocean Area. Therefore, no export of bigeye tuna is made from the French Overseas Territories.

- Recommendation 05/07 Concerning a management standard for the tuna fishing vessels

The CPC flag states which issues licenses to their AFVs should report annually to the Commission all measures taken to meet the minimum management standards when they issue fishing licenses to their “authorised fishing vessels”.

The issuance of fishing licenses is conditioned to a detailed study of the technical, legal, and financial capacity of the shipowner. This includes the study of on-board equipment necessary to meet the technical requirements that govern fishing in the waters of the Scattered Islands and Mayotte, which are consistent with the measures adopted by IOTC.

- Resolution 10/06 On Reducing the Incidental Bycatch of Seabirds in Longline Fisheries

CPCs shall provide to the Commission, as part of their annual reports, information on how they are implementing this measure and all available information on interactions with seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to include details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC Area of Competence.

Order No. 2013-14 dated 8 March 2013 (TAAF) prescribing the rules governing the exercise of fishing for tuna and other pelagic fish in the exclusive economic zones of the Scattered Islands provides in its Annex II the provisions applicable to vessels using longline, line or pole-and-line to limit accidental interactions with seabirds. These provisions include the mandatory use of circle hooks and at least one additional device to prevent interactions, and measures in terms of production waste management and reporting requirements.

- Resolution 10/10 Concerning market related measures

For CPCs that import tuna and tuna-like fish products, or in whose ports those products are landed or transhipped, should report, a range of information (e.g. information on vessels / owners, product data (species, weight), point of export) annually.

No importation.

- Resolution 11/04 On a Regional observer scheme

CPCs shall provide to the Executive Secretary and the 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.

Seven (7) observers were deployed in the course of the year 2012 on tuna purse seiners that have a fishing license to operate the waters of Mayotte and the Scattered islands. These observers have covered 250 days of observation, including 36 days in the French EEZ (229 days in 2011). Observer Trip Reports were sent to the French authorities and to the Coastal states (with regard to their EEZ). The information collected through these Observer Deployments were sent to the IOTC by IRD.

Boarding Conditions for observers are provided in Annex III of Decree n°2013-14 dated 8 March 2013 (TAAF) prescribing the rules governing the exercise of fishing for tuna and other pelagic fish in the Scattered Islands Exclusive Economic Zones, when vessels operate in these waters.

Fisheries Observers can be deployed on board foreign vessels fishing in the EEZ of Mayotte. The annexes to decisions of the Prefet of Mayotte provide in their Annex V the conditions for the deployment of observers.