
PROGRESS ON REPORTING AND OUTCOMES FROM THE IOTC COMPLIANCE COMMITTEE

PREPARED BY: IOTC SECRETARIAT, 28 AUGUST 2013

PURPOSE

To provide participants at the 9th Session of the IOTC Working Party on Ecosystems and Bycatch (WPEB09) with the outcomes of discussions held at the 10th Session of the IOTC Compliance Committee (CoC10), subsequent to the recommendations from the WPEB08 and SC15 in 2012.

BACKGROUND

In 2012, the WPEB08 made a number of recommendations to the Compliance Committee, Commission and CPCs relating to the lack of compliance by IOTC CPCs with the requirements outlined in Conservation and Management Measures for ecosystems and bycatch topics. These recommendations were endorsed by the SC15 in December 2012 as follows:

Data reporting requirements

SC15.14 (para.89) **NOTING** that despite the mandatory reporting requirements detailed in Resolutions 05/05, 10/02, 10/06, 12/03 and 12/04, bycatch data remain largely unreported by CPCs and the SC **RECOMMENDED** that the Compliance Committee and the Commission address this non-compliance by taking steps to develop mechanisms which would ensure that CPCs fulfil their bycatch reporting obligations.

Sharks – Status of catch statistics and data reporting

SC15.18 (para.96) **NOTING** that the information on retained catches and discards of sharks contained in the IOTC database remains very incomplete for most fleets despite their mandatory reporting status, and that catch-and-effort as well as size data are essential to assess the status of shark stocks, the SC **RECOMMENDED** that all CPCs collect and report catches of sharks (including historical data), catch-and-effort and biological data on sharks, as per IOTC Resolutions, so that more detailed analysis can be undertaken for the next WPEB meeting.

Implementation of the Regional Observer Scheme

SC15.51 (para.218) The SC **RECOMMENDED** that all IOTC CPCs urgently submit, and keep up-to-date, their list of accredited observers to the IOTC Secretariat and implement the requirements of Resolution 11/04 *on a Regional Observer Scheme*, which states that:

“The observer shall, within 30 days of completion of each trip, provide a report to the CPCs of the vessel. The CPCs shall send within 150 days 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 Executive Secretary, who shall make the report available to the 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.” (para. 11)

SC15.52 (para.220) The SC **RECOMMENDED** that the Commission consider how to address the lack of implementation of observer programmes by CPCs for their fleets and reporting to the IOTC Secretariat as per the provision of Resolution 11/04 *on a Regional Observer Scheme*, noting the update provided in [Appendix XXXIII](#).

Sharks – Status of catch statistics and data reporting

SC15.74 (para.95) The SC **NOTED** the main shark data issues that are considered to negatively affect the quality of the statistics available at the IOTC Secretariat, by type of dataset and fishery, which are provided in Appendix VIII of the WPEB08 report (IOTC–2012–WPEB08–R), and **RECOMMENDED** that the CPCs listed in the Appendix, make efforts to remedy the data issues

identified and to report back to the WPEB at its next meeting, noting the status and type of datasets that need to be provided for sharks, and other bycatch species provided at Appendix IX of the WPEB08 report (IOTC–2012–WPEB08–R).

DISCUSSION

Compliance Committee discussions/process

At the 10th Session of the Compliance Committee, the Secretariat presented a range of documents that summarised the level of compliance by all CPCs with a range of CMMs adopted by the Commission. The papers can be found on the CoC10 meeting page at: http://iotc.org/English/meetings/comm/history/doc_meeting_C10.php

It is important to note that the information considered by the CoC10 relates to the level of compliance in terms of submission of data or other elements, but does not currently consider the quality or completeness of the data submitted.

National Reports of Implementation [of IOTC Conservation and Management Measures]: At each Session, the CoC reviews the level of implementation of CMMs by each CPC, and develops a list of significant non-compliance issues for each concerned CPC. These issues form the core of discussions when the Compliance Committee assesses the performance of each CPC in relation to their obligations to the Commission.

Pursuant to Article X.2 of the IOTC Agreement, each Contracting Parties and Cooperating non-Contracting Parties are required to transmit to the Commission, no later than 60 days before the Commission Session, a statement of the actions it has taken under its national legislation during the previous year, including the imposition of adequate penalties for violations, as may be necessary, to make effective the provisions of the Agreement and to implement Conservation and Management Measures which have become binding.

The National Report Template may be viewed at the following link:

http://www.iotc.org/files/other/2013/ReportofImplementation_2012%5bE%5d.doc

In line with discussions at the Compliance Committee and Commission, and explanations provided by the concerned CPCs, the issues of concerns are refined accordingly and presented to each of the concerned CPCs in the form a Letter of Feedback. While Resolution 10/09 does not provide guidance as to what actions CPCs are expected to undertake following the reception of the Letter of Feedback, it can only be logically expected that the concerned CPCs will take certain actions towards addressing the concerns identified by the Compliance Committee and report those actions back to the Chair of the Commission.

Since the establishment of the new approach of compliance assessment, two sets of Letters of Feedback have been issued by the Chair of the CoC. However, for the 32 letters issued for the 2011 Session of the CoC, only thirteen CPCs provided a response. At the conclusion of the 2012 Session, 31 letters were issued and only ten CPCs provided a response. As was observed with the returns of completed compliance questionnaires, after the first year of issuance of the Letter of Feedback, more CPCs provided a response compared to the second year.

Compliance Support Missions

The IOTC Compliance Section, under direction from the Compliance Committee and the Commission has commenced several initiatives to assess and review all compliance aspects related to the implementation of the IOTC CMMs, including those relevant to the WPEB.

The general objective of the initiative is twofold:

1. Strengthen compliance with and implementation of active IOTC CMMs. In this case, implementation obligations relates to the reporting obligations of the CPCs including reporting on vessels (authorised & active vessels, IUU, fishing capacity and Fleet Development Plan), mandatory statistical requirements (Nominal catch, catch & effort, size frequency, FAD), management standards and monitoring, control and surveillance (MCS) tools (documents on board, marking of fishing vessels and gears, logbook, ban on driftnets, area closure, ports inspections, Vessel Monitoring System, regional observers scheme, at sea transshipments programme), implementation of management measures on bycatch and non-IOTC species and statistical documentation programme;
2. Provide technical support to the developing States - coastal CPCs of the IOTC responsible for the implementation of the port State measures to facilitate and strengthen the implementation of the port State measures Resolution, thus ensure the long-term conservation and sustainable use of the species under the IOTC mandate.

The Compliance Section undertakes annual assessments to identify and facilitate corrective actions for CPCs who are non-compliant with IOTC CMMs. The assessments allow a clearer understanding of the difficulties encountered by CPCs and the challenges they face to implement the IOTC CMMs at a policy, legal, institutional/administrative and operational levels. The Compliance Support Missions (CSM) are undertaken on a country-by-country basis the IOTC Compliance Section. The assessment process includes:

- a. Preparation of the assessment based on the compliance issues, review of national fisheries legislation, administrative structure/arrangements;
- b. Presentation of the compliance issues to the CPC and identification of constraints;
- c. Identification of corrective actions and pragmatic solutions;
- d. Development of a corrective actions plan designed to assist the CPC to improve and/or strengthen the implementation of the CMMs.

RECOMMENDATION/S

That the WPEB **NOTE** paper IOTC–2013–WPEB09–09 on the progress on reporting and outcomes from the IOTC Compliance Committee, relevant to the WPEB and consider options to for further recommendations to the Compliance Committee and Commission.