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## SUMMARY REPORT ON COMPLIANCE SUPPORT ACTIVITIES

Prepared by: IOTC Secretariat, 26 April, 2014

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*This document provides a summary of the activities undertaken by the Secretariat in support of implementation of Conservation and Management Measures adopted by the IOTC.*

### 1. General and specific objectives of the activities

Since 1998, the IOTC Secretariat has dedicated most of its efforts to the support to the scientific component of the IOTC process. Since 2008, with the increase in the number of CMMs adopted, more emphasis has been placed on the compliance component. A Compliance Committee and a Compliance Section were created to assess and review all compliance aspects related to the implementation of the IOTC Conservation and Management Measures and provide support to CPCs in the implementation of Monitoring, Control and Surveillance (MCS) tools adopted by the IOTC Members, including: IUU vessels list, the Records of Authorized & Active Vessels, documents on board, marking of fishing vessels and gears, Vessel Monitoring System, fishing logbooks, regional observers scheme, transshipments programme and catch certification/trade documentation schemes.

In 2010, aware of the power and cost effectiveness of Port States measures (PSM) as a compliance tool to combat IUU fishing activities in the Indian Ocean, the IOTC adopted a resolution on port State measures to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing (IOTC Resolution 10/11 on PSM). The resolution, which entered into force on 1 March 2011, is inspired by the 2009 FAO Agreement on Port State Measures, but placed in the context of the IOTC mandate. The fisheries administrations of the coastal CPCs of the IOTC, where foreign fishing vessels offload tuna and tuna like species, are responsible for the implementation of the resolution.

The effective implementation of the IOTC Resolutions by CPCs requires a variety of aspects to be considered, developed and/or strengthened, to improve the implementation capacity of the concerned CPCs, including the implementation of Port State Measures Resolution (PSMR). With regards to the PSMR, those aspects were identified during the port State measures Workshop organized in 2011, with the support of the ACP FISH II Programme, financed by the European Union (9th EDF) by the IOTC Secretariat. At the national level, the most relevant aspects relate to the policy, legal, institutional, human resources and operational framework and at the international/regional level the resolution calls for cooperation between the port State, the flag State, the coastal State and other tuna RFMOs.

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 (authorized & 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 by-catch 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 this resolution, thus ensure the long-term conservation and sustainable use of the tuna resources.

## 2. Compliance Support Mission: activities, methodology and assessment of results

### 2.1. Activities and methodology

With regards to the implementation of IOTC CMMs, the proposed activity is related to the assessment of the level of compliance of CPC taking into consideration the compliance issues addressed during the Compliance Committee and the Commission meeting. The purpose of the assessment is to identify and to facilitate corrective actions. The assessment allows the concerned parties to gain a clear understanding of the difficulties encountered by the CPC and the challenges they face to implement IOTC Resolutions, at the policy, legal, institutional/administrative and operational levels. The Compliance Support Missions (CSM) are undertaken on a country-by-country basis by two staff members from the Compliance Section (5 working days by country). 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 Compliance Action Plan, which is designed to assist the CPC to improve and/or strengthen the implementation of the Resolutions.

The methodology comprises as well follow up Compliance Support Missions to provide support to the implementation of the Action Plan elaborated during the first CSM and assess the progress of the implementation of the Plan.

### 2.2. Assessment of results

During the first day of the mission, most of the time is dedicated to the description of the compliance process and the methodology to be used during the week leading, at the end of the mission, to the development of the Compliance Action Plan. From the list of “*not compliant issues*” and “*partially compliant issues*”, several working groups are formed according to the areas relating to the compliance issue to work with staff of the Compliance Section. The plan of action is structured in components (corresponding to Resolutions) and sub-components (corresponding to requirements of Resolutions). For each sub-component, activities are defined together with an implementation time frame, implementation responsibility, indicators to verify the effective implementation of each activity (OVI).

The countries that have benefited from the Compliance Support Mission during the intersessional period are listed in Table 1.

Country	Madagascar	Mozambique	Tanzania	Oman	Mauritius	Kenya
Date of CSM	24/28 Jun.	22/26 Jul.	5/9 Aug.	15/19 Sept.	22/25 Oct	25/29 Nov.

**Table 1 – Countries and Compliance Support Mission.**

The first CSM follow up mission was conducted in Sri Lanka from 4/7 March 2014. In 2014, CSM mission shall be conducted in Seychelles, South Africa, Maldives, Thailand, Malaysia and India, and, CSM follow up missions shall be conducted in Indonesia, Madagascar, Mozambique, Tanzania, Oman, Mauritius and Kenya.

The results following the Compliance Support Missions are presented in Table 2 and in Appendix 1 (Note: 2013 compliance assessment on-going).

		Indonesia			Sri Lanka			Madagascar			Mozambique		
		2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
Compliance by Resolution	Resolutions applicable	20	20		20	21		20	20		20	21	
	Number of resolutions compliant	1	10		2	10		4	2		9	11	
	Number of resolutions partially compliant	10	10		8	8		3	13		2	9	
	Number of resolutions not compliant	9	0		10	3		13	7		9	1	
Compliance by Requirement	Requirements applicable	47	51	66	39	47	61	46	42	60	34	43	58
	Number of requirements compliant	3	24	30	7	22	31	7	10	45	16	25	42
	Number of requirements partially compliant	16	18	18	9	17	21	0	8	5	1	8	8
	Number of requirements not compliant	27	9	18	23	8	9	32	28	10	17	10	8
<b>Compliance Rate</b>		<b>6 %</b>	<b>47%</b>	<b>45 %</b>	<b>18 %</b>	<b>47%</b>	<b>51 %</b>	<b>17 %</b>	<b>22 %</b>	<b>75 %</b>	<b>43 %</b>	<b>58 %</b>	<b>72 %</b>

		Tanzania			Oman			Mauritius			Kenya		
		2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
Compliance by Resolution	Resolutions applicable	21	21		21	20		19	18		20	14	
	Number of resolutions compliant	3	1		2	3		7	7		2	5	
	Number of resolutions partially compliant	7	10		4	11		10	11		5	4	
	Number of resolutions not compliant	11	10		15	6		2	0		13	5	
Compliance by Requirement	Requirements applicable	42	47	64	45	49	70	40	41	62	39	26	35
	Number of requirements compliant	3	2	29	5	13	23	19	22	38	3	8	23
	Number of requirements partially compliant	7	9	14	8	15	16	7	8	12	5	2	4
	Number of requirements not compliant	32	36	21	32	21	31	14	11	12	31	16	8
<b>Compliance Rate</b>		<b>7 %</b>	<b>4 %</b>	<b>45 %</b>	<b>11 %</b>	<b>27 %</b>	<b>33 %</b>	<b>48 %</b>	<b>54 %</b>	<b>61 %</b>	<b>8 %</b>	<b>31 %</b>	<b>66 %</b>

**Table 2 – Comparison of the level of compliance between implementation years 2011, 2012 and 2013 (assessment ongoing), following the Compliance Support Missions (Compliance Rate = number of requirements compliant / number of requirements applicable).**

### 3. Training on the implementation of the IOTC port State measures Resolution (10/11): activities and methodology

With regards to the IOTC port State measures Resolution, the activities are related to the administrative and operational aspects of the implementation of Resolution 10/11. Prior to the delivery of the training course, a training package has been developed. It includes a manual, a species identification guide, a translation guide, a notebook, a training programme and as well as an inspectors' kit and a PSM library (The PSM training package is available for download at <http://www.iotc.org/compliance/port-state-measures>).

The trainings are undertaken by one IOTC staff from the Compliance Section and one training expert (5/6 training days by country). The PSMR training is composed of theory and practical components where port inspections are conducted when the context allow it. The practical component is an opportunity to conduct inspections of foreign fishing vessels and use the IOTC inspection form. The training focuses mostly on: a) the assessment of the Advance Request of Entry in Port (AREP), b) the Standard Operating Procedure for inspection of fishing vessel in port, c) the methodology to monitor the landing or the transshipment in port. For each training course, the knowledge of the participants are assessed through a multiple choice test covering the 16 learning outcomes (LO) (5 questions / 3 answers by LO) and IOTC Training Certificates are issued to the participants.

The methodology comprises as well of follow up missions to provide support to the implementation of the Resolution 10/11 and assess the progress of the implementation of the port State measures Resolution 10/11.

The countries that have benefited of the PSM training course during the intersessional period are listed in Table 3.

Country	Madagascar	Mozambique	Tanzania	Oman	Seychelles	Mauritius	Kenya
Date of PSM	1/5 Jul.	29 Jul / 2 Aug.	12/16 Aug.	22/26 Sept.	7/11 Oct	28 Oct/5 Nov.	2/6 Dec.
Officers trained	21 <sup>a</sup>	22	14	19	10	21 <sup>b</sup>	19 <sup>b</sup>

**Table 3 – Countries, date of the PSM training course and number of officers trained (a: including 5 officers from Comoros; b: including 3 officers from Seychelles).**

The first PSM follow up mission was conducted in Sri Lanka from 4/7 March 2014. In 2014, PSM course shall be conducted in South Africa, Maldives, Thailand, Malaysia, and, PSM follow up missions shall be conducted in: Indonesia, Madagascar, Mozambique, Tanzania, Oman, Mauritius, Kenya and Seychelles.

The CSM and PSM capacity building activities have been financed by:

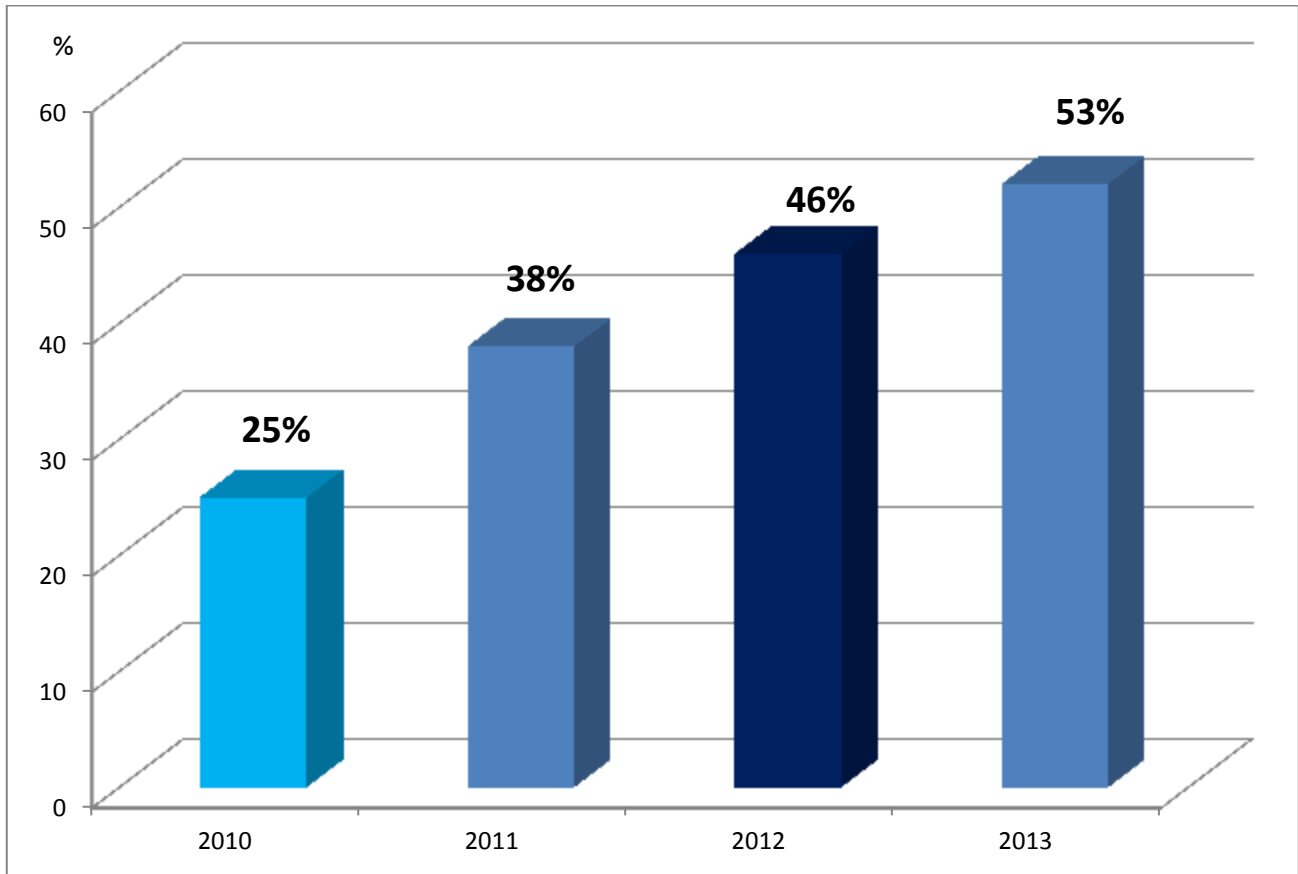
- The Indian Ocean Commission Smartfish project for Comoros, Kenya, Madagascar, Mauritius, Tanzania and Seychelles;
- The EU grant (DG Mare) for Sri Lanka, Indonesia and Oman,
- The Global Partnership for Oceans of the World Bank for Mozambique.

#### 4. Compliance of the Commission

The methodology described in the previous sections has allowed presenting the comparison of 4 years of compliance assessment for the Commission by fisheries management tools.

##### 4.1. IOTC compliance

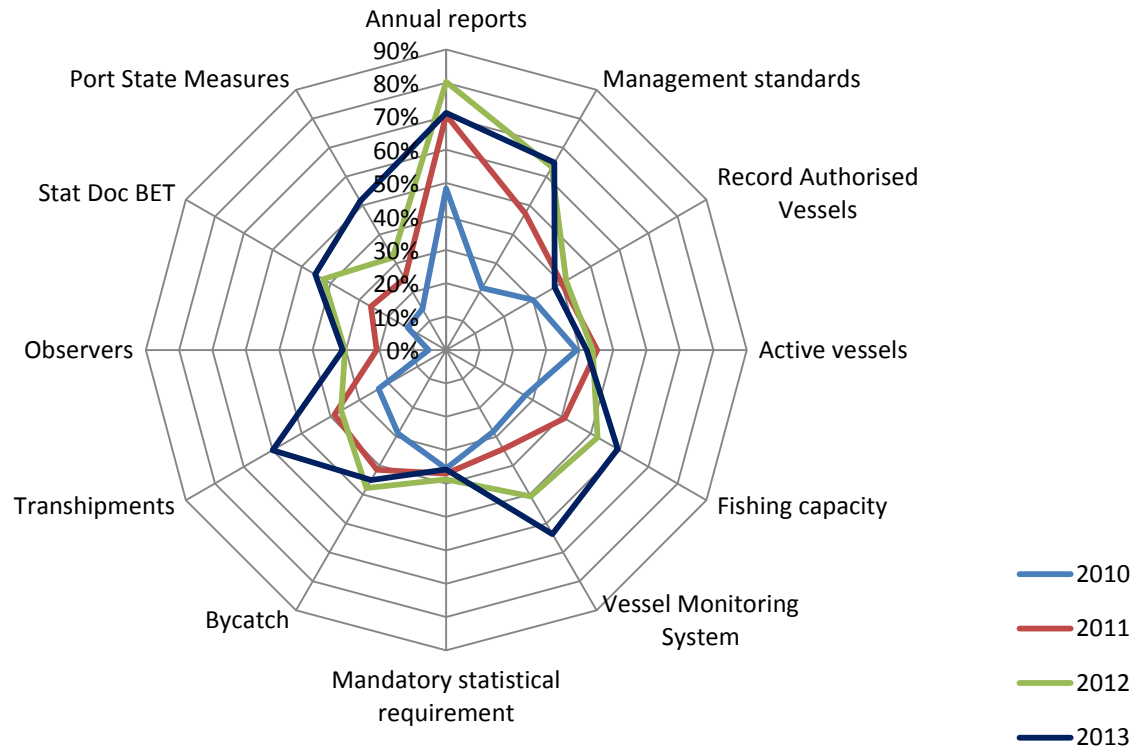
The level of compliance of the Commission is presented in Figure 1.



**Figure 1: Level of compliance of the Commission from 2010 to 2013.**

Note: The level of compliance is expressed in percentage – 80 reporting requirements in 2013 (assessment ongoing).

4.2. Comparison 2010, 2011, 2012 and 2013



Annual reports = Implementation report, compliance questionnaire, national scientific report, feedback letter - 4 reporting requirements.

Management Standard = Resolutions 13/02, 13/03, 12/12, 13/08, 12/13 13/07 (Denial of license, agreement, coastal State license) – 14 reporting requirements.

Active vessels = Resolution 10/08, 13/07 (list of foreign vessels licensed in EEZ) – 2 reporting requirements.

Fishing capacity = Resolution 12/11 – 3 reporting requirements.

Vessel Monitoring System = Resolution 06/03, 12/13 -3 reporting requirements.

Mandatory statistical requirement = Resolution 10/02 - 18 reporting requirements.

Bycatch = Resolutions 05/05, 12/09, 13/06, 12/04, 10/06, 13/04, 13/05 – 10 reporting requirements.

Transhipment = Resolution 12/05 – 5 reporting requirements.

Observers = Resolution 11/04 – 5 reporting requirements.

Stat Doc BET = Resolution 01/06 – 4 reporting requirements.

Port State Measures = Resolutions 05/03, 10/11 – 7 reporting requirements.

*Note: Market related measures not included (Res. 10/10), 2013 is the first year of assessment. Resolutions 11/03 and 07/01 not included.*

Appendix 1

