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**ON A REGIONAL OBSERVER SCHEME**

SUBMITTED BY: SEYCHELLES

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**Explanatory Memorandum**

In view of the development in Electronic Monitoring (EM) during the last decade and also situations beyond the control of CPCs which have prevent and in some cases are still preventing the deployment of observers on board fishing vessels, amendment to this proposal is to make provision for enabling the use of Electronic Monitoring System (EMS) in the implementation of the Regional Observer Scheme, and to request the Commission to define and establish minimum standards for the use of EMS on board fishing vessels<sup>72</sup>.

**RESOLUTION ~~11/22/XX04~~**  
**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;

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CONSIDERING the provisions set forth in Resolution 10/04 *On A Regional Observer Scheme* [superseded by [Resolution 11/04](#)], adopted by the Commission;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 12<sup>th</sup> 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 in the IOTC area of competence.

**Observer Scheme**

2. In order to improve the collection of scientific data, 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 of 24 meters overall length and over, 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~~.

2 bis. In the implementation of the observer scheme, a CPC may employ the use of electronic means, in particular Electronic Monitoring Systems (EMS) onboard fishing vessels. CPCs may use both observers and EMS for the implementation of the observer scheme.

- ~~2.3.~~ When purse seiners are carrying an observer<sup>1</sup> as stated in paragraph 1, this observer shall also monitor the catches at unloading to identify the composition of ~~Bigeye~~ tuna catches. The requirement for the observer to monitor catches at unloading is not applicable to CPCs already having a sampling scheme, with at least the coverage set out in paragraph 2.

<sup>1</sup> Observer: a person who collects information on board fishing vessels. Observer programmes can be used for quantifying species composition of target species, bycatch, by-products and dead discards, collecting tag returns, etc.

~~3.4.~~ The number of the artisanal fishing vessels landings, fishing for tuna and tuna like species shall also be monitored at the landing place by field samplers<sup>2</sup>. The indicative level of the coverage of the artisanal fishing vessels should progressively increase towards 5% of the total levels of vessel activity (i.e. total number of vessel trips or total number of vessels active).

~~4.5.~~ 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 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.

~~5.6.~~ The cost of the observer scheme in paragraph 2 and 3 shall be met by each CPC.

~~6.7.~~ 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.

~~7.8.~~ 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.

~~8.9.~~ CPCs shall provide to the IOTC Secretariat 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.

~~9.10.~~ Observers shall:

- a) Record and report fishing 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;
- 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
- e) Carry out such scientific work (for example, collecting samples), as requested by the IOTC Scientific Committee.

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<sup>2</sup> 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.

- ~~10.11.~~ 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 IOTC Secretariat, 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.
- ~~11.12.~~ 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.
- ~~12.13.~~ 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.
- ~~13.14.~~ 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. The Commission shall define and establish the minimum standards for the use of EMS onboard fishing vessels.
17. CPCs using EMS shall ensure EMS are not tampered with, with or obstructed or rendered otherwise inoperable.
- ~~14.18.~~ All provisions in this resolution related to the deployment of observers onboard fishing vessels, shall apply *mutatis mutandis* to the use of EMS, including the minimum coverage of operations/ sets.
- ~~15.19.~~ This Resolution supersedes Resolution 11/04 *On A Regional Observer Scheme*.