



ON A REGIONAL OBSERVER SCHEME

SUBMITTED BY : EUROPEAN UNION

EXPLANATORY MEMORANDUM

The European Union is proposing to amend Resolution 22/04 on the regional observer scheme. The draft resolution aims to follow the request from the Scientific Committee to increase the scientific observer coverage of IOTC fisheries. It takes into account the different situations of the fleets. To achieve this increase in scientific observation and taking stock of the adoption of EM standards, the use of EMS should be allowed to complement the observer coverage.

RESOLUTION ~~22/04~~24/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 (SC) 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 ~~22/11~~24/04 *On A Regional Observer Scheme*, adopted by the Commission;

CONSIDERING Resolution 16/04 On the implementation of a pilot project in view of promoting the regional observer scheme of IOTC;

FURTHER CONSIDERING the deliberation of the 21st Session of the IOTC Scientific Committee held in Seychelles, from 3 to 7 December 2018;

RECALLING that the 23rd session of the IOTC Scientific Committee expressed the concern on the low observer coverage level at 2.15% and on the fact that there is no coverage of the artisanal fleet, which comprise a large portion of catches taken in the Indian Ocean;

RECALLING the discussion of the 23rd-26th and 27th sessions of the IOTC on enabling the use of electronic monitoring to increase the scientific observation of IOTC fisheries.

CONSIDERING Resolution 23/08 on Electronic Monitoring Standards for IOTC Fisheries; held in Hyderabad, India, from 17 to 21 June 2019;

~~FURTHER RECALLING that the 23rd session of the IOTC Scientific Committee expressed the concern on the low observer coverage level at 2.15% and on the fact that there is no coverage of the artisanal fleet, which comprise a large portion of catches taken in the Indian Ocean;~~

CONSIDERING the recurrent non-compliance of multiple fleets to the minimum observer coverage since the adoption of Resolution 11/04;

CONSIDERING that the pilot project mentioned in Resolution 16/04 *On the implementation of a pilot project in view of promoting the regional observer scheme of IOTC* was endorsed by the Commission in 2017 and concluded in 2022;

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

Definition

1. In this Resolution:

- a. “field sampler” means a person who collects information on land during the unloading of fishing vessels and field sampling programs can be used *inter alia* for quantifying catch, retained bycatch and collecting tag returns; and
- b. “observer” means a person who collects information on board fishing vessels, in the framework of observer programs, can be used *inter alia* for monitoring fishing activities, quantifying species composition of target species and bycatch, whether they are retained or discarded and deploying or collecting tags.
- c. “Electronic Monitoring System” (EMS) means an integrated system of hardware and software that supports acquisition of video footages of fishing activity, positional data and/or sensor, that allows the analysis and reporting of EM records.
- d. “Pool of observers” means a list of IOTC recognised observers that have been allocated an IOTC registration number and trained according to IOTC standards who may be called upon by other flag States.

Objective

2. The objective of the IOTC Regional Observer Scheme (ROS) 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

3. In order to improve the collection of scientific data, each CPC shall ensure that all fishing vessels of 24 meters length overall and above and under 24 meters, if they operate outside the exclusive economic zone (EEZ) of the flag CPC and in the IOTC area of competence, comply with the minimum observer coverage of 5%, of 5% as defined by the number of operations/sets, according to the table below:

a. —

	<u>Minimum observer coverage</u>	<u>Minimum level of coverage by onboard observers</u>
<u>Observer coverage of sets by purse seine fleet</u>	<u>5%;</u> <u>100% by 1st January 2027;</u>	<u>5%;</u> <u>10% by 1st January 2027</u> <u>20% by 1st January 2030</u>
<u>Observer coverage of trips by supply and support vessels</u>	<u>100% by 1st January 2028</u>	<u>10% by 1st January 2028;</u> <u>20% by 1st January 2030</u>
<u>Observer coverage of operations/sets by fleets using gears other than purse seine</u>	<u>5%;</u> <u>10% by 1st January 2027;</u> <u>20% by 1st January 2030</u>	<u>5%</u>

4. The IOTC Scientific Committee, in collaboration with the Compliance Committee, shall develop and agree on minimum standards for the use of EMS for purse seine, longline, bait boat (pole and line), handline, and gillnet fleets by 2023 at the latest, including on modalities of the substitution of the human observer coverage by an EMS, taking into account factors such as, the principles and regulations regarding minimum safe manning requirements. The Commission may consider and adopt these standards by 2024 in a separate Resolution.

5. The minimum human observer coverage provided for in paragraph 3 may be complemented by means of an EMS. To ensure the minimum mandatory ROS data reporting standards are met, the use of EMS shall meet the standards included in Annex II of Resolution 23/08 on Electronic Monitoring for IOTC Fisheries, as well as the minimum

ROS data requirements included in this Resolution. If the minimum ROS data requirements cannot be met by the use of an EMS, data reporting shall be complemented by port sampling and/or other Commission approved data collection methods.

6.4. ~~Once the EMS standards are adopted and providing CPCs meet the minimum mandatory ROS data reporting standards, the minimum human observer coverage provided for in paragraph 3 may be complemented or substituted by means of an EMS. To ensure the minimum mandatory ROS data reporting standards are met, where applicable and in line with the recommendation of the IOTC Scientific Committee on the outcomes from the ROS review of minimum data standards, the EMS may shall be complemented by port sampling and/or other Commission approved data collection methods. CPCs are encouraged to use an EMS to improve the collection of scientific data before the standards mentioned in paragraph 4 are adopted.~~

7.5. CPCs shall endeavor to provide a list of observers to the IOTC Secretariat constituting the basis for the development of a regional pool of observers. The regional pool of observers shall be composed of observers registered through authorised observer providers according to the IOTC ROS standards. Each observer shall be allocated an IOTC registration number that must be included on reported data.

6. When purse seiners are carrying an observer in accordance with paragraph 3, this observer shall also monitor the catches at unloading to identify the species composition of targeted tuna species. 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 3.

7. CPCs may present a list of implementation plans for alternate data¹ collection to the IOTC Scientific Committee.

8. ~~If their implementation plans for alternate data is endorsed by the IOTC Scientific Committee, CPCs with vessels less than 24 meters length overall fishing for IOTC listed species tuna and tuna-like species exclusively in their EEZ may use alternate data collection means to record and report mandatory ROS data requirements, Resolution 15/01 on the recording of catch and effort data by fishing vessels in the IOTC area of competence or Resolution 15/02 on mandatory statistical requirements for IOTC Contracting and Cooperating Non-Contracting parties (CPCs).~~

9. Landings from artisanal fishing vessels shall also be monitored at the landing place by field samplers. The indicative level of the coverage of the artisanal fishing vessels shall be 5% of the total levels of vessel activity (i.e. total number of vessel trips or total number of active vessels).

10. 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 may be requested by the IOTC Scientific Committee.

11. CPCs shall:

- a. have the primary responsibility to obtain qualified observers and 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. ensure that the minimum level of coverage is met;
- 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;
- e. ensure that observers perform duties described in paragraphs ~~67, 16 and 5 and 17~~6. If observers are entrusted with complementary tasks by the relevant CPC fisheries research institutes, this shall in no way affect their performance on the above-mentioned duties;

¹ For the purpose of this resolution, alternate data collection means alternate on-board data collection methods other than the ROS observers or EMS (e.g. crew sampling)

- f. 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; and
 - g. require vessel masters to 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.
12. If the coverage referred in paragraphs 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 ~~67, 14, 15 and 16~~ and 17 until that CPC provides a replacement or the target coverage level is met.
13. CPCs shall provide to the IOTC Secretariat and the IOTC Scientific Committee, annually in their national scientific reports, a description of the protocols supporting their observer programs and sampling schemes mentioned in paragraphs 3, 45, 67 and 98, the number of fishing vessels and of fishing effort sampled, as well as the coverage achieved by gear type in accordance with the provisions of this Resolution.
14. 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 bycatch and to monitoring discards including their fate (e.g. released alive) 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 (e.g. collecting samples), as requested by the IOTC Scientific Committee.
15. The IOTC Scientific Committee shall ~~adopt update in by 2024~~ the IOTC ROS Observer Manual and the IOTC Observer Forms used for reporting (including minimum data fields) and provide advice on a training program.
16. ~~Once adopted by the IOTC Scientific Committee, When carrying out their duty,~~ observers shall use the IOTC ROS *Minimum Standard Data Fields*, the IOTC data collection forms, the IOTC Species identification cards, the IOTC Regional Observers Scheme (ROS) Observer Manual and the IOTC Observer ~~Forms when carrying out their duty.~~ ~~The Secretariat shall published on this information in a dedicated area of~~ the IOTC website.
17. Each observer shall provide, within 30 days of completion of each trip, a report to the flag CPC of the vessel. If the vessel was fishing in the EEZ of a coastal State, the part of the observer report covering fishing activities in the EEZ shall be also submitted to that coastal State.
18. Each CPC shall provide, to the IOTC Secretariat within 150 days the latest, each report and observer data, following IOTC observer reporting templates and standards. The Executive Secretary shall make the information available to the IOTC Scientific Committee.
19. The data referenced in paragraph ~~17 16 18~~ shall be provided by 1°x1° square and month. CPC shall endeavor to send these data in an electronic format suitable for automated data extraction.
20. The confidentiality rules set out in Resolution 12/02 *Data confidentiality policy and procedures for fine-scale data* shall apply.
21. The funds available from the IOTC balance of funds may be used to support the implementation of this program in developing coastal CPCs, notably the training of observers and field samplers.
- ~~22. The elements of the Observer Scheme, notably those regarding its coverage and the adoption of EMS standards, are subject to review and revision, as appropriate, for application in 2023 and subsequent years.~~

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22. All provisions in this resolution related to the deployment of observers onboard fishing vessels, shall apply *mutatis mutandis* to the use of EMS, as applicable.
23. Resolution 16/04 *On the implementation of a pilot project in view of promoting the regional observer scheme of IOTC* is superseded by this Resolution.
24. This Resolution supersedes Resolution ~~22~~11/04 *On A Regional Observer Scheme*.