

RESOLUTION 09/04
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 Contracting Parties and Co-operating 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;

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

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.

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 24 meters overall length and over, and under 24 meters if they fish outside their EEZs 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.
3. When purse seiners are carrying an observer as stated in paragraph 1, this observer shall also monitor the landing at port to identify the composition of bigeye catches. The requirement for the observer to monitor landings at port is not applicable to CPCs already having a port sampling, with at least the above mentioned coverage.
4. The number of the artisanal fishing vessels landings shall also be monitored at port by observers. The indicative level of the coverage of the artisanal fishing vessels should progressively increase towards 5% of the total landings.
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 9 and 10 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 co-operation 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.
6. The cost of the observer scheme in paragraph 2 and 3 shall be met by each CPC.
 7. The observer 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 at its 14th Annual meeting an alternative for the financing of this scheme.
 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.
 9. CPCs shall provide to the Executive Secretary and the Scientific Committee annually a report of the number of vessels on which observers were placed and the coverage achieved by gear type in accordance with the provisions of this Resolution.
 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 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.
 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 90 days the report, 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.
 12. The confidentiality rules set out in the resolution 98/02 *Data confidentiality policy and procedures* for fine-scale data shall apply.
 13. 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.
 14. The entry into force of this Resolution is 1 July 2010.

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 Scientific Committee will elaborate an observer working manual, a template to be used for reporting (including minimum data fields) and a training program at its 2009 session.