

REVIEW OF PROGRESS MADE ON ELABORATING A PROPOSAL FOR AN IOTC HIGH SEAS BOARDING AND INSPECTION SCHEME.

Prepared by IOTC Secretariat, 25 APRIL 2016

PURPOSE

To inform the Compliance Committee (CoC), on the progress being made by the informal Working Group to elaborate a proposal for an IOTC High Seas Boarding and Inspection Scheme.

BACKGROUND

• **2013**

At its 17th Session, the Commission discussed the recommendation under paragraph 79 of the Compliance Committee report and requested the Secretariat to prepare a study on a regional high-seas boarding and inspection scheme:

*79. The CoC **RECOMMENDED** that the Commission consider whether a potential best practice protocol for vessels in transit with armed guards on board and whether a formal and binding management measure on a regional high-seas boarding and inspection scheme should be developed in the future.*

IOTC 2013. Report of the Tenth Session of the Compliance Committee. Mauritius, 2–4 May, 2013. IOTC–2013–CoC10–R[E], 36 pp

Following its deliberations, the Commission agreed that such a scheme should be developed:

*66. The Commission **DISCUSSED** the recommendation from the CoC10 for a potential best practice protocol for vessels in transit with armed guards on board and whether a formal and binding management measure on a regional high-seas boarding and inspection scheme should be developed in the future.*

*67. The Commission **REQUESTED** that the Secretariat review similar practices by other RFMOs and develop a paper for the next CoC in 2014.*

IOTC 2013. Report of the Seventeenth Session of the Indian Ocean Tuna Commission. Mauritius, 6–10 May 2013. IOTC–2013–S17–R[E]: 129 pp.

• **2013 -2014 Intersessional period**

With the financial assistance of the World Wide Fund for Nature (WWF) and under the supervision of the Secretariat, two consultants, with extensive experiences with RFMOs, were recruited to develop a guideline for the development of a regional binding management measures for the Indian Ocean Tuna Commission.

• **2014**

The guideline was presented as document IOTC–2014–CoC11–10 to the 11th Session of the Compliance Committee, held in Colombo, Sri Lanka.

108. The CoC NOTED paper IOTC–2014–CoC11–10 which presented the study on the review of regional high-seas boarding and inspection schemes adopted and implemented by other RFMOs and propose a guideline for the development of a regional binding management measure for the IOTC.
109. The CoC NOTED that the guideline went beyond the paper that the Commission had requested the Secretariat to produce for the 11th Session of the CoC.
110. The CoC RECOMMENDED the creation of either an informal, inter-sessional working group to discuss further the ‘Regional high-seas boarding and inspection scheme’ involving interested CPCs, or via the proposed Working Party on Compliance (IOTC–2014–S18–PropQ), if adopted by the Commission, in order to develop the guideline further and subsequent proposal for a Conservation and Management Measure. If a separate working group is formed, then the group should meet, to the extent possible, via electronic means to minimise costs.

IOTC 2014. Report of the Eleventh Session of the Compliance Committee. Colombo, Sri Lanka, 26–28 May, 2014. IOTC–2014–CoC11–R[E], 48 pp

At its 18th Annual Session, the Commission endorsed the Compliance Committee’s recommendation for the setting up an informal, inter-sessional working group to discuss further the ‘Regional high-seas boarding and inspection scheme’.

- **2014 OCTOBER** – The Working Group (WG) was formed, consisting of Australia, the European Union, France (OT), Japan, Mozambique, Seychelles and the United Kingdom (OT).
- **2014 NOVEMBER** – The IOTC Secretariat requested written comments to be submitted to the Secretariat by 7th December 2014, on the proposal that was presented as document IOTC–2014–CoC11–10. Three Members of the WG responded to various degrees; including one Member which submitted a total revision based on the model that was being developed in ICCAT. The majority of the Members of the WG objected to this approach.
- **2015 JANUARY** – Mozambique produced a template to collate all comments on document IOTC–2014–CoC11–10.
- **2015 ANNUAL MEETING IN KOREA** – The WG met in the margins of the Annual Session. Mozambique took leadership of the group and it was agreed to work electronically in the intersessional period and hold at least one WG meeting before the 2016 Annual Meeting.
- **2015 NOVEMBER/DECEMBER** – The Secretariat re-circulated a template document based on the original proposal to capture and collate comments from all Members of the WG. Based of comments received from four of the WG Members, another working document was produced and circulated by the Secretariat.

It was agreed by Member of the WG to hold a physical meeting of the WG in Seychelles in mid-March.

- **2016 FEBRUARY/MARCH** - Following a proposal from Australia, and with the agreement of the other Members of the WG, the Secretariat produced and circulated a revised version of the High Seas Boarding and Inspection Scheme, in text form (i.e. a proposal form).

Australia, Mozambique and the United Kingdom(OT) indicated that due to budgetary constraints they would not be able to attend the meeting, but indicated that they would make themselves for consultations via electronic means, if the need arose.

Due to its inability to attend the WG meeting, Australia submitted an expanded version of their previous comments, for the meeting’s consideration.

- **2016 MARCH 15/17** – Three Members of the WG (European Union, Japan and Seychelles), with the administrative support of the Secretariat, met for three days at the IOTC Secretariat to further develop the proposal, taking into consideration that where there were convergence of views the text could be finalised, and where there were adivergence of views compromised text were proposed. Due to time constraints the meeting did not have time to consider the Annexes of document IOTC–2014–CoC11–10.
- **2016 MARCH 21** – A “clean” version of the draft proposal was circulated to all Members of the WG.

Since the circulation of the document, the European Union have provided a revised version indicating that they have made some additional editorial and substantive changes, for clarity, while keeping intact what was agreed at the meeting of the Working Group.

Since this remains a work in progress, the latest draft of the proposal for an IOTC High Seas Boarding and Inspection Scheme is provided as an information document (IOTC-2016-CoC13-Inf07) for the 13th Session of the Compliance Committee.

RECOMMENDATIONS

That the CoC:

- 1) **NOTE** paper IOTC–2016–CoC13–14, which provides a review of the work done to date by the informal Working Group on developing a proposal for an IOTC High Seas Boarding and Inspection Scheme.
- 2) **CONSIDER** whether the progress made in the 2015/16 intersessional period should be built upon by the Working Group during the 2016/2017 intersessional period, with the aim of putting forward a proposal for the consideration of the Commission at its 2017 Annual Session.