

SUMMARY REPORT ON COMPLIANCE SUPPORT ACTIVITIES

Prepared by: IOTC Secretariat, 06 May, 2016

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

The general and specific objectives of the capacity building activities have been presented in previous versions of this document and presented at previous sessions of the Compliance Committee.

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

2.1. Activities and methodology

The activities and the methodology to implement the capacity building activities have been presented in previous versions of this document and presented at previous sessions of the Compliance Committee.

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	Maldives	Iran
Date of CSM	18/20 Aug 2015	28/30 Sept 2015

Table 1 – Countries and Compliance Support Mission.

The countries that have benefited from the follow up of the Compliance Support Mission during the intersessional period are listed in Table 2.

Country	Mozambique	Kenya	Madagascar	Tanzania	Mauritius
Date of CSM	17/19 Jun 2015	28/29 Jan. 2016	15/19 Feb. 2016	25/26 Jan. 2016	28/29 Feb. 2016

Table 2 – Countries and follow up of Compliance Support Mission.

In 2016, CSM missions shall be conducted in Philippines and CSM follow up missions shall be conducted for 3 to 6 CPCs that had previously benefited from the Compliance Support Missions in 2013, 2014 and 2015.

The results following the Compliance Support Missions are presented in Appendix 1 (Note: 2015 compliance assessment on-going).

3. Implementation of the IOTC port State measures Resolution (10/11): activities and methodology

3.1. National PSM training

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 national trainings are undertaken by one IOTC staff from the Compliance Section and one training expert (5 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 methodology comprises as well of follow up missions to provide support to the implementation of the Resolution 10/11 and assess the progress of its implementation.

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

Country	Maldives	Djibouti/Somalia
Date of PSM	23/27 Aug 2015	17/21 May 2015
Officers trained	30	25

Table 3 – Countries, date of the PSM training course and number of officers trained.

In 2016, PSM national training course shall be conducted in South Africa (Durban) and PSM follow up missions shall be conducted in 3 to 5 others CPCs that have benefited from the PSM training course.

The CSM and PSM capacity building activities have been supported by: The Indian Ocean Commission's SmartFish Programme (EU funded), the EU grant (DG Mare), the Global Partnership for Oceans of the World Bank and the FAO/GEF tuna ABNJ Programme.

3.2. Regional PSM training – national interagency collaboration and regional cooperation

A regional training focusing on the implementation of the paragraph 4 of the Resolution 10/11 was developed and delivered to Western Indian Ocean CPCs (Kenya, Mauritius, Somalia, Tanzania, France (Reunion), Madagascar, Comoros and Mozambique). The training was held on 27 – 30 October 2015, in Antananarivo, Madagascar. The report of the training and the regional training package is available for download at the following link:

<http://www.iotc.org/meetings/regional-psm-training-national-interagency-collaboration-and-regional-cooperation>

A model MoU on interagency cooperation and a guideline on best practices for interagency and regional cooperation has been developed to assist CPCs to strengthen cooperation among national agencies implementing PSM. They are available at the following link: <http://www.iotc.org/compliance/port-state-measures>

4. Legal assistance to CPCs to transpose IOTC obligations into binding national legal instruments

The Secretariat has obtained funds from the Global Partnership for Oceans of the World Bank, managed by the Indian Ocean Commission (IOC), to provide legal assistance to 11 IOTC CPCs (Comoros, Kenya, Madagascar, Maldives; Mauritius, Mozambique, Seychelles, Somalia, South Africa, Tanzania and Yemen) to translate the relevant obligations of IOTC Resolutions into the national legislation of these CPCs, in order to enhance the implementation and compliance to the IOTC Resolutions. The project "Review fisheries law and regulations to ensure that the legal framework is

adequate to allow the Members to implement the Resolutions adopted by the Indian Ocean Tuna Commission” is being implemented over two years, in 2015/2016.

Article X of the IOTC Agreement focuses on the implementation of the decisions of the Members. With regards to implementation, paragraph 1) requests that “*Each Member of the Commission shall ensure that such action is taken, under its national legislation, including the imposition of adequate penalties for violations, as may be necessary to make effective the provisions of this Agreement and to implement conservation and management measures which become binding on it under paragraph 1 of Article IX.* In practice, the Members have the obligation to transpose the Conservation and Management Measures adopted by the Commission.

Phase 1 of the project has been completed: During this first phase, a comprehensive review of the relevant active resolutions that have been adopted by the IOTC over the years has been undertaken in order to identify those that require domestication in national fisheries law and regulations. On the basis of this comprehensive review of IOTC Resolutions, an IOTC “Legislative Framework” has been prepared, and presents the specific obligations in IOTC Resolutions in legal drafting language for incorporation into national legislative frameworks.

The final report of the phase 1 “*Review of active IOTC Resolutions and draft provisions for incorporation of IOTC Resolutions into national legislative frameworks*” and The IOTC legislative framework are available for download at <http://www.iotc.org/compliance/capacity-building-compliance>.

The Report and the IOTC legislative framework include a comprehensive proposed legislative framework for the Resolution 10/11 on Port State Measures, which has been developed with the financial and technical support of the GEF/FAO ABNJ Project.

Phase 2 of the project has been completed: During this 2nd phase, a detailed review of the fisheries and related national legislation of the beneficiary countries has been undertaken in order to identify legislative gaps and how these gaps can be filled using the IOTC “Legislative Framework”. On the basis of this detailed review, a report of the specific legislative amendments or draft legislation that would be required in order to give full effect to the IOTC “Legislative Framework” has been produced for those CPCs: Comoros, Kenya, Madagascar, Maldives; Mauritius, Mozambique, Seychelles, Somalia, South Africa, Tanzania].

Phase 3 is being implemented: During this 3rd Phase, country visits are planned during which the consultant will provide tailored legal assistance, as needed, to the beneficiary CPCs in order to ensure that the report prepared under Phase 2 is in accordance with the national legislative drafting practice and the consultant will provide overall guidance on the process of transposing the IOTC “Legislative Framework” into the national legislation.

5. e-PSM - Development of an information system / web based application on Port State Measures

With the support of the Global Partnership for Oceans (GPO) of the World Bank, the Secretariat is implementing the project “*Development of an information system / web based application on Port State Measures*”. The purpose of the project is to develop an online Port State Measures information system (web-based application), accessible through the IOTC web site, to support the implementation of IOTC resolutions on PSM.

A consultation/validation workshop was held on 1th – 4th April, 2014, in South Africa, with the objective to define the technical specifications of the e-PSM according to the wishes and needs of CPCs.

The report of the consultation workshop and the feasibility study report and technical specifications of the e-PSM application are available for download at <http://www.iotc.org/compliance/capacity-building-compliance>.

A regional e-PSM training was held on 23 – 26 June 2015, in Maputo, Mozambique, with the objective to present the application to CPCs. During the training, several requests were formulated by CPC to modify some of the features of the application. The work was conducted from September 2015 to April 2016.

The e-PSM application is expected to be delivered in May/June 2016 and installed on a dedicated server in the premises of the Secretariat. Upcoming activities, under this initiative, include national training courses on the use of the e-PSM: targeting the industry and officers of port States CPCs and flag States CPCs (2016/2017).

6. Trends in Compliance Level of the Commission

The methodology described in the previous sections has allowed presenting the comparison of 6 years of compliance assessment for the Commission, by fisheries management tools.

6.1. IOTC compliance

The level of compliance of the Commission is presented in Figures 1 and 2, below, and for individual CPCs compliance level from 2010 to 2015 these are presented in Appendix 1.

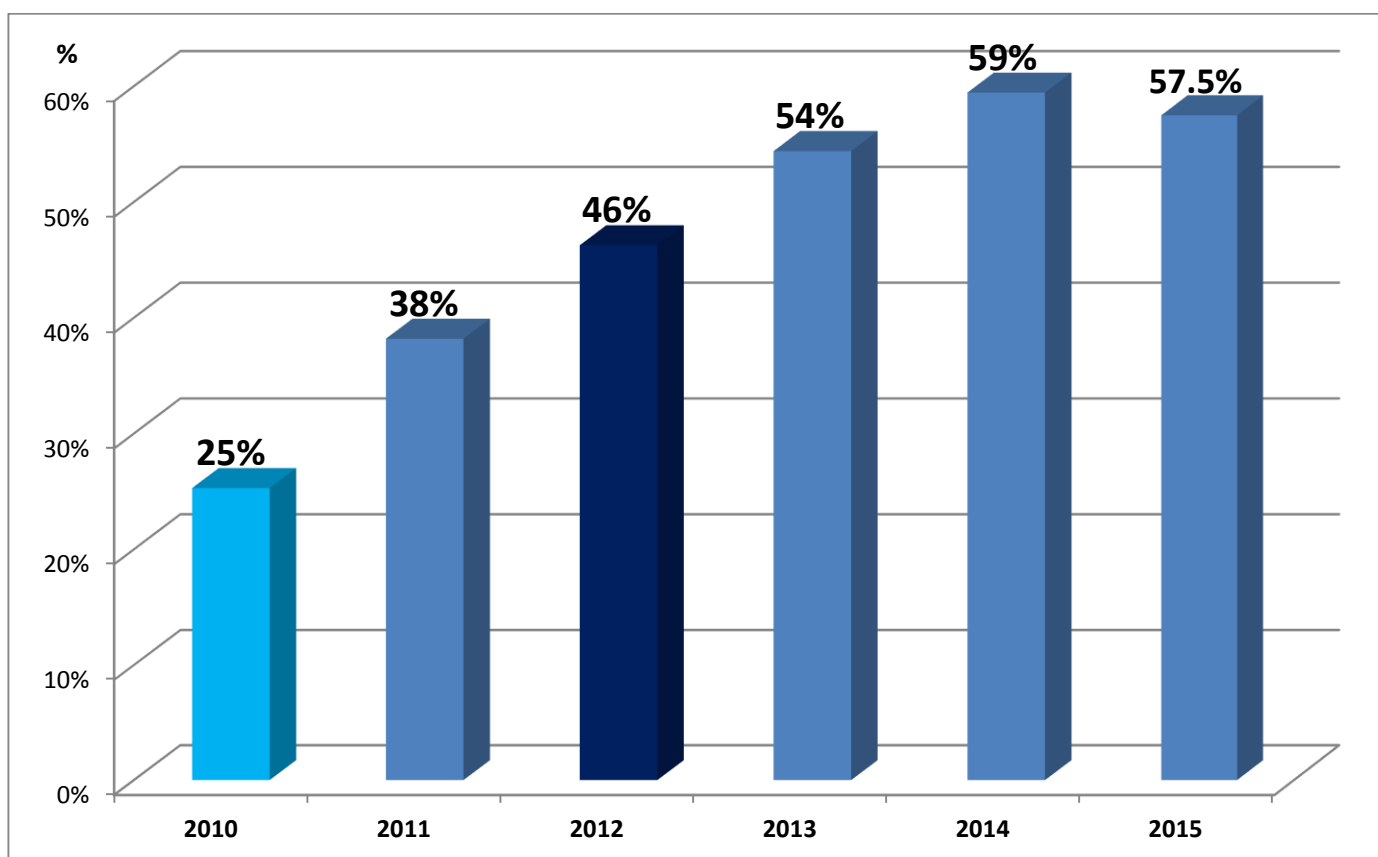
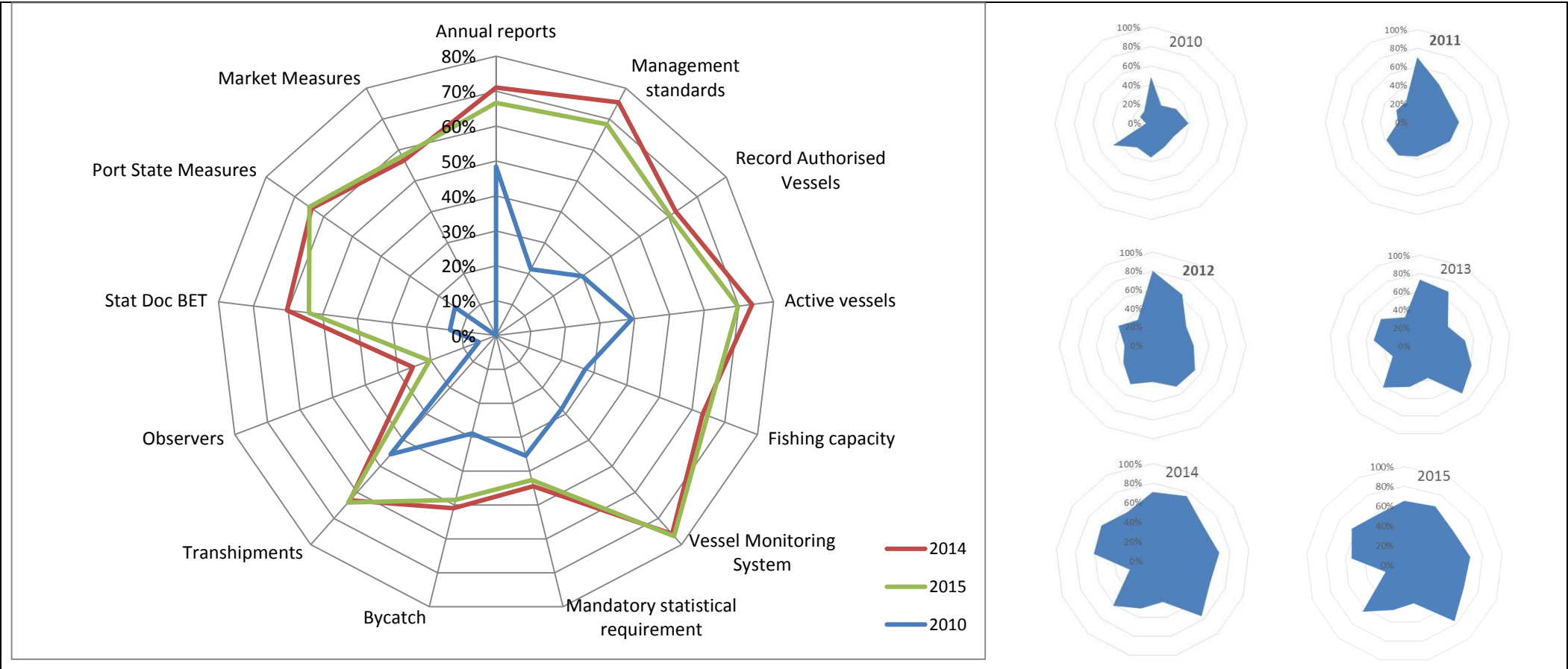


Figure 1: Level of compliance of the Commission from 2010 to 2015.

Note: The level of compliance is expressed in percentage – 81 reporting requirements in 2015.

Figure 2. Trends in compliance levels with the different fisheries management tools



Notes

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

Management Standard = Resolutions 14/04, 13/03, 12/12, 15/08, 14/05 (Denial of license, agreement, coastal State license) – 12 reporting requirements.

Active vessels = Resolution 10/08, 14/05 (list of foreign vessels licensed in EEZ) – 2 reporting requirements.

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

Vessel Monitoring System = Resolution 06/03 -2 reporting requirements.

Mandatory statistical requirement = Resolution 10/02 - 15 reporting requirements.

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

Transhipment = Resolution 14/06 – 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.

Market State measures – 1 reporting requirement.

Note: Market related measures only for year 2014 and 2015 (Res. 10/10). Resolutions 11/03 and 07/01 not included.

Appendix 1: Individual CPCs level of compliance between 2010 and 2015.

Compliance Rate = number of requirements compliant / number of requirements applicable.

CPCs / year	Compliance Rate						Trend
	2010	2011	2012	2013	2014	2015	
Australia	47%	85%	78%	84%	85%	88%	↑
Belize	39%	67%	60%	58%	64%	14%	↓
Bangladesh						10%	N/A
China	55%	74%	76%	85%	96%	90%	↓
Comoros	29%	43%	79%	55%	61%	75%	↑
Djibouti					3%	4%	↑
Eritrea	0%	0%	0%	7%	7%	8%	↑
European Union	71%	73%	80%	83%	88%	83%	↓
France (OT)	61%	55%	72%	77%	80%	90%	↑
Guinea	0%	0%	0%	22%	22%	22%	↔
India	29%	24%	32%	38%	23%	9%	↓
Indonesia	13%	7%	47%	45%	62%	60%	↓
Iran, Islamic Republic of	11%	52%	60%	65%	69%	75%	↑
Japan	82%	97%	93%	93%	91%	97%	↑
Kenya	3%	8%	31%	66%	71%	66%	↓
Korea, Republic of	77%	84%	92%	89%	96%	97%	↑
Liberia						100%	N/A
Madagascar	13%	18%	22%	75%	81%	66%	↓
Malaysia	11%	26%	17%	40%	57%	56%	↓
Maldives	3%	33%	50%	57%	79%	78%	↓
Mauritius	15%	48%	54%	69%	80%	81%	↑
Mozambique		47%	58%	72%	82%	80%	↓
Oman, Sultanate of	10%	11%	27%	33%	53%	57%	↑
Pakistan	0%	11%	5%	7%	5%	6%	↑
Philippines	18%	52%	48%	61%	80%	67%	↓
Senegal	0%	0%	50%	60%	56%	67%	↑
Seychelles	36%	47%	41%	56%	74%	73%	↓
Sierra Leone	0%	0%	0%	18%	18%	18%	↔
Somalia					80%	71%	↓
South Africa	38%	48%	64%	54%	65%	76%	↑
Sri Lanka	5%	18%	47%	51%	60%	74%	↑
Sudan	0%	0%	0%	6%	6%	6%	↔
Tanzania	0%	7%	4%	45%	60%	56%	↓
Thailand	28%	38%	43%	44%	45%	68%	↑
United Kingdom (OT)	86%	100%	100%	100%	100%	100%	↔
Yemen			0%	3%	3%	2%	↓
Commission (All CPCs)	25%	38%	46%	54%	59%	57.5%	↓

Cells in green indicate CPCs that have benefited from the Compliance Support Mission and the year it was conducted.