SUMMARY REPORT ON COMPLIANCE SUPPORT ACTIVITIES

Prepared by: IOTC Secretariat, 09 May, 2018

This document provides a summary of the activities undertaken by the IOTC Secretariat in support of implementation of Conservation and Management Measures adopted by the Indian Ocean Tuna Commission (IOTC).

1.   General and specific objectives of the activities

The general and specifics 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. Implementation – Compliance Support Mission

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 and/or the compilation of the draft Country Compliance Report. 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.

The countries that have benefited from the follow up of the Compliance Support Mission (CSM) during the intersessional period are listed in Table 1.

Country	Mozambique	Mauritius	Kenya	Sri Lanka	Pakistan	Thailand
Date of CSM	Mozambique: 22/23 January 2018	17/18 January 2018	22/26 Aug 2017	29/30 Jan. 2018	26/28 Sept. 2017	26/28 July 2017

Table 1 – Follow up of Compliance Support Missions conducted during the 2017/18 intersessional period.

In the 2018/19 intersessional period, follow up CSMs shall be conducted for 6 CPCs that had previously benefited from similar missions from 2013 to 2017.

The results following the Compliance Support Missions are presented in Appendix 1 (Note: 2017 compliance assessment on-going).

2.3. Implementation – Data Compliance Support Mission

The countries that have benefited from the data Compliance Support Mission (Data CSM) during the intersessional period are listed in Table 2.

Country	I.R. Iran	Maldives	Sri Lanka	Kenya
Date of CSM	11/15 Nov. 2017	15/18 July 2017	22/27 May 2017	13/17 Feb. 2017

Table 2 – Data Compliance Support Missions conducted during the 2017/18 intersessional period.

2.4. CMMs training package

The CMMs training package which is composed of two manuals and 31 implementation sheets have been updated to include the Resolutions adopted by the Commission in 2016 and 2017. Five hundred sets of the training package have been printed and will be distributed to CPCs.

The CMMs training package is available for download at http://www.iotc.org/compliance/capacity-building-compliance, where each individual implementation sheet can be also downloaded separately.

IOTC CMMs Manual A - Understanding IOTC and the international fisheries management framework:

http://www.iotc.org/sites/default/files/documents/compliance/report_templates/Implementation_of_IOTC_Conservation_and_Management_Measures_-_Part_A_HD.pdf

IOTC CMMs Manual B - Implementation of IOTC CMMs - Entailing reporting obligations:

http://www.iotc.org/sites/default/files/documents/compliance/report_templates/Implementation_of_IOTC_Conservation_and_management_measures_-_Part_B_HD.pdf

2.5. Guide to IOTC data and information reporting requirements

The Guide to IOTC data and information reporting requirements is updated yearly and has been designed in its 2018 version. It has been complemented by a reporting calendar providing a summary of the reporting requirements for the year 2018. Five hundred sets of the guide and the calendar have been printed and will be distributed to CPCs.

The guide and the calendar are available at the below links:

http://www.iotc.org/sites/default/files/documents/compliance/report_templates/GUIDE_DATA_EN_FINAL_2018.pdf

http://www.iotc.org/sites/default/files/documents/compliance/report_templates/Calendar_requirements_EN_FR_2018.pdf

3. Implementation of the IOTC port State measures Resolution (16/11): activities and methodology

3.1. National port State measures training

With regards to the IOTC port State measures Resolution (PSMR), the activities are related to the administrative and operational aspects of the implementation of Resolution 16/11. Prior to the delivery of the training course, a training package had 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 over a period of five training days in one country, by one IOTC staff from the Compliance Section and one training expert. 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 Resolution 16/11, and to assess the progress of its implementation.

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

Country	Mauritius
Date of PSM	2-5 October 2017
Officers trained	7

Table 3 –PSM training course and number of officers trained.

In 2018, follow up of PSM national training course shall be conducted in 3 to 5 CPCs that have benefited from the national PSM training course.

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

Article X of the IOTC Agreement focuses on the implementation of the decisions of the Members. In practice, the Members have the obligation to transpose relevant Conservation and Management Measures adopted by the Commission.

From 2015 to 2016, 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 transpose 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.

Follow up legal assistance have been provided during the intersessional period for two CPCs; Tanzania and Mozambique.

4.1. Tanzania

The legal assistance has consisted in the amendment of the following legal instruments: the 2009 Deep Sea Fishing Authority Regulations, including the 2016 Deep Sea Fishing Regulations with the aim of implementing IOTC Resolutions and strengthening relevant regulations.

4.2. Mozambique

The legal assistance has consisted of the drafting or amendment of the following legal instruments with the aim of implementing IOTC Resolutions and strengthening relevant regulations: i) Maritime Fishing Regulation (Decree 43/2003, 10 December), ii) Sports Fishing Regulation (Decree n.° 50/99, 31 August); iii) VMS Regulation (Ministerial Decree 286/2012, 31 August); iv) PSM Regulation, and v) Protected Species Regulation.

In 2018, follow up of legal assistance shall be provided to 2 to 4 CPCs that have benefited from the initial legal assistance.

5.   e-PSM application

With the support of the Global Partnership for Oceans (GPO) of the World Bank, the Secretariat has developed the e-PSM application, which is accessible through the IOTC website, to support the implementation of IOTC Resolutions on PSM.

Following the installation of a dedicated server in the premises of the IOTC Secretariat, the e-PSM application became functional in May 2016. As required by the paragraph 3 of the Resolution 16/11, the IOTC Secretariat has provided training to port State CPCs on the use of the e-PSM application. The five days training was conducted in two sessions: the 1st session targeted the fishing industry (representatives of foreign fishing vessels / agents) on how to use the application and submit an advance request to enter a port (AREP) through the application, and the 2nd session targeted the personnel of the competent authority of the port State.

The countries that have benefited from the e-PSM national training courses during the 2017/18 intersessional period are listed in Table 4.

CPC	South Africa	Thailand	Mozambique	Mauritius
Date of PSM training	Durban: 27 Sept. to 1st Oct. 2017	11/15 Dec 2017	24 Jan. 2018	19 Jan. 2018
No. of Agents trained	10	28	5	20
No. of Officers trained	7	35	9	11

Table 4 –Number of e-PSM training course conducted and number of agents/officers trained.

In the 2018/19 intersessional period, the e-PSM training course is planned to be conducted in the Maldives following formal approval, and complementary training will be conducted in 3 to 5 other CPCs that have already benefited from the initial e-PSM training course.

In the second part of 2016, the IOTC rolled out its Port State Measures communications platform (e-PSM application), which is aimed at facilitating implementation of PSM and the exchange of information between stakeholders (the competent authorities of port States, flag States and the industry). Over 400 individuals, from 13 IOTC member States (Port States and industry), have been trained to use the application.

As of 19th March 2018, through the e-PSM application: 2,853 vessel files have been created and 6,431 PSM forms have been submitted; of which; 2,710 are advance request of entry into port (AREP), 2,079 are notifications (NFV) of entry into port authorised, 1 notification (NFV) of entry into port denied and 774 are port inspection reports. The application is being used by 37 flag States, 13 IOTC port States and 1,255 vessels' representatives (fishing agents/vessel master). The implementation of the IOTC port State measures resolution, which reflects almost in its entirety the FAO Agreement on port State measures, have led to the identification and listing of nine vessels in the IOTC IUU Vessels List.

In the recent case involving the CCAMLR IUU listed vessel, STS-50, flagged to Togo, the e-PSM application allowed the tracking of the vessel when she called on 6 February 2018 in a designated port of Madagascar through the e-PSM application. The e-PSM vessel file of STS-50 was shared by Madagascar with different countries and organisations (Argentina, Australia, European Union, France, South Africa, Togo, CCALMR, ICCAT, SIOFA, and Interpol). The vessel was boarded on the 6 April 2018 by Indonesian navy for further investigations.

The number of vessel files by port State CPCs created in the e-PSM application is presented in Table 5 (From 6 May 2016 to 19th March 2018).

Port State CPC	Mauritius	Seychelles	South Africa	Thailand	Sri Lanka	Madagascar	Mozambique
Vessel files	1,540	564	199	139	138	94	65

Port State CPC	Malaysia	Kenya	Maldives	EU (France)	Tanzania	Indonesia	Oman
Vessel files	44	11	10	5	4	3	0

Table 5 – Number of vessel files by port State CPCs.

The number of calls by flag State CPCs registered through the e-PSM application is presented in Table 6 (From 6 May 2016 to 19th March 2018).

Flag State CPC	China	Taiwan, Province of China	EU ESP	EU FRA	EU UK	EU PRT	EU ITA	EU NLD	EU LTU	Indonesia	Iran
Call in port	196	1,367	232	171	9	19	7	1	7	10	4

Flag State CPC	Japan	Kenya	Korea	Liberia	Madagascar	Malaysia	Maldives
Call in port	149	4	95	19	6	65	12

Flag State CPC	Mauritius	Oman	Philippines	Seychelles	Tanzania	Thailand	Other
Call in port	51	5	1	335	6	12	70

Note: Other vessels that have made port calls through the e-PSM application are flagged to the following countries (NCP): Panama, Kiribati, Micronesia, Bahamas, Singapore, Netherlands Antilles, Norway, Samoa, Cook Island, Togo, Belize and Ukraine.

Table 6 – Number of calls by flag State CPCs.

6. Electronic Monitoring and Reporting Information System (e-MARIS)

In 2013 the Indian Ocean Tuna Commission (IOTC) Performance Review made two major recommendations related to compliance with data collection and reporting, and following up on infringements.

Compliance with data collection and reporting requirements

Para 102. The Commission, through its Compliance Committee, needs to strengthen its compliance monitoring in relation to the timeliness and accuracy of data submissions. To this end, the performance review recommended :   *"b) to facilitate thorough reviews of compliance, the Commission should invest in the development and implementation of an integrated electronic reporting program. This should include automatic integration of data from CPCs into the IOTC Secretariat's databases and automatic cross-referencing obligations and reports for the various obligations, in particular related to the provision of scientific data."*

Follow-up on infringements

Para 153. The performance review recommended that: *"b) The IOTC **further develop an online reporting tool to facilitate reporting by CPCs** and to support the IOTC Secretariat through the automation of identification of non-compliance."*

These recommendations were the basis to initiate discussions on the development of the Electronic Monitoring and Reporting Information System (e-MARIS) initiative. With the support of the FAO/GEF Tuna ABNJ Programme, the IOTC Secretariat has started to implement the project "*Development of Electronic Monitoring and Reporting Information System (e-MARIS)*".

Following the development of the terms of reference of the system, a consolidation and validation workshop was held in Cape Town South Africa in October 2017 to discuss the technical and functional specifications of e-MARIS. The report of the workshop include recommendations from the CPCs attending the workshop that will serve as basis for further work on the development and implementation of the system. The recommendations are presented in the report IOTC-2018-eMARIS-R.

In connection with the cost associated with the development of the e-MARIS, the IOTC Secretariat, under the mandate provided to it through IOTC Resolution 16/10, has already received a firm commitment of financial support for developing this system.

7. Organisations/donors supporting IOTC capacity building activities
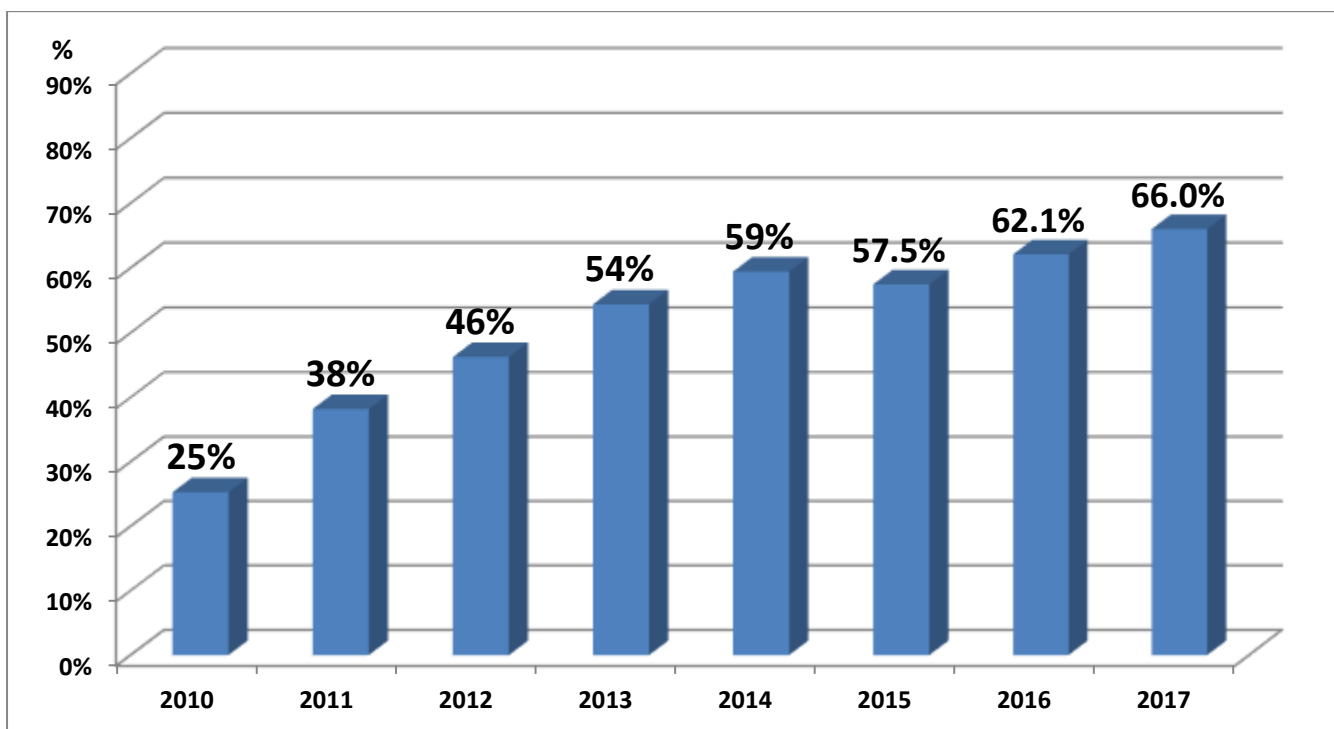
The compliance related capacity building activities (CSM and PSM) have been financially supported by: the European Union (DG Mare), the Second South West Indian Ocean Fisheries Governance and Shared Growth Project (SWIOFish 2 Project, IOTC Component) of the World Bank, the FAO/GEF Tuna ABNJ Programme, the World Wide Fund for Nature (WWF) and the IOTC regular budget.

8. Trends in Compliance Level of the Commission

The methodology described in the previous sections has allowed presenting the comparison of 7 years of compliance assessment for the Commission, by fisheries management tools.

8.1. 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 2017, these are presented in Appendix 1.

Figure 1: Level of compliance of the Commission from 2010 to 2017.

Note: The level of compliance is expressed in percentage – 84 reporting requirements in 2017.
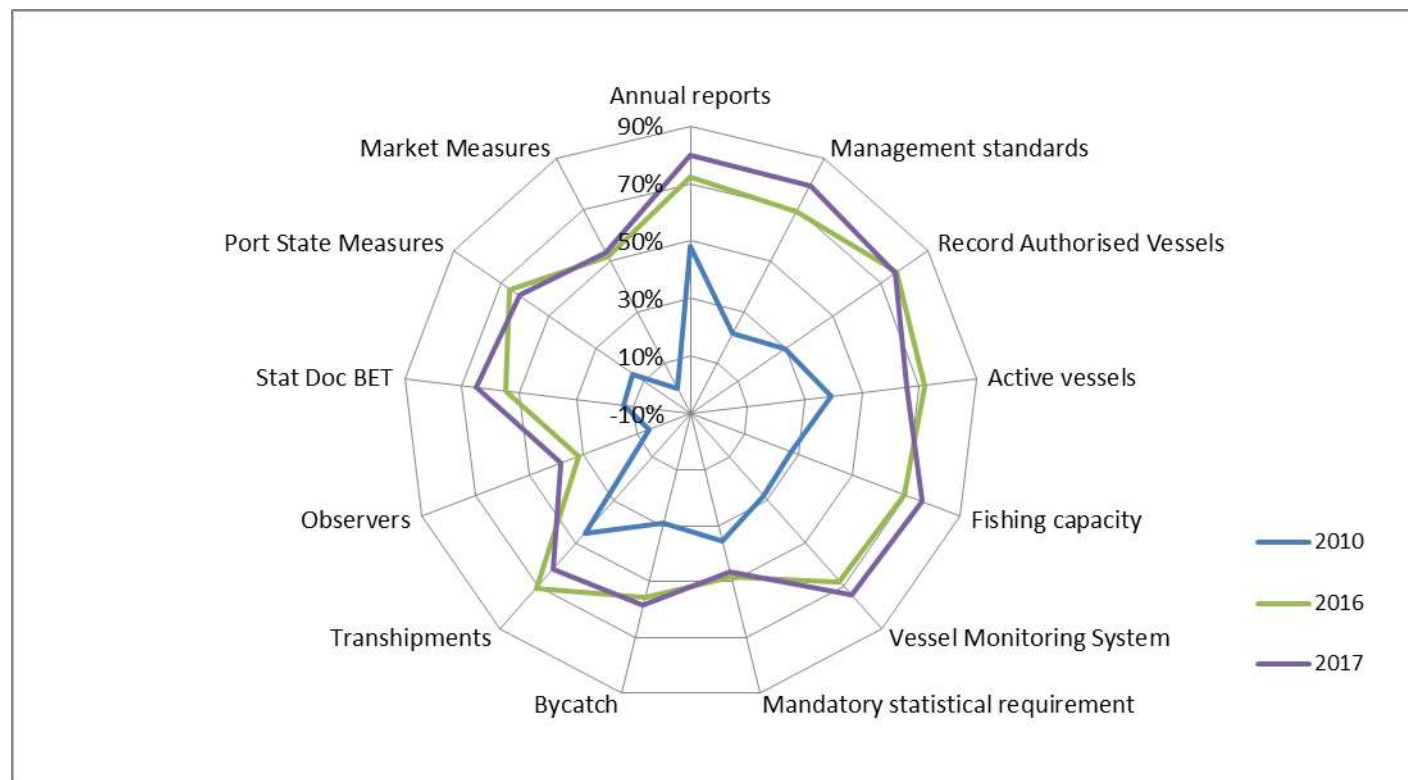
RECOMMENDATION**/**S

That the CoC15:

1) **NOTE** the information provided in document IOTC–2018–CoC15–11,
2) **NOTE** the continued implementation of capacity building activities by the IOTC Secretariat to improve compliance to CMMs and strengthen the implementation of port State measures,
3) **NOTE** the implementation of training programme for port State CPCs in accordance with the paragraph 3 of Resolution 16/11 and the increasing use of the IOTC e-PSM application by port State CPCs,
4) **NOTE** the recommendations of the e-MARIS workshop and, in accordance with the recommendations of the PRIOTC02, **RECOMMEND** that the IOTC Secretariat pursue as soon as possible the work related to the development of the e-MARIS.
5) **NOTE** that the IOTC Secretariat has already secured appropriate funding for the development of the e-MARIS.

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 15/04, 15/01, 17/07, 17/08, 14/05 (Denial of license, agreement, coastal State license) – 12 reporting requirements.

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

Fishing capacity = Resolution 15/11 – 3 reporting requirements.

Vessel Monitoring System = Resolution 15/03 -3 reporting requirements.

Mandatory statistical requirement = Resolution 15/02 - 12 reporting requirements.

Bycatch = Resolutions 17/05, 12/09, 13/06, 12/04, 12/06, 13/04, 13/05 – 12 reporting requirements.

Transhipment = Resolution 17/06 – 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, 16/11 – 7 reporting requirements.

Market State measures – 1 reporting requirement.

Note: Market related measures only for year 2015, 2016 and 2017 (Res. 10/10). Resolutions 11/03 and 07/01 not included.

Appendix 1: Individual CPCs level of compliance between 2010 and 2017.

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

CPCs / year	Compliance Rate								Trend
	2010	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**	
Australia	47%	85%	78%	84%	85%	88%	93%	96%	↑
Bangladesh						10%	9%	16%	↑
China	55%	74%	76%	85%	96%	90%	88%	96%	↑
Comoros	29%	43%	79%	55%	61%	75%	96%	85%	↓
Eritrea	0%	0%	0%	7%	7%	8%	8%	8%	↔
European Union	71%	73%	80%	83%	88%	83%	88%	77%	↓
France (OT)	61%	55%	72%	77%	80%	90%	100%	100%	↔
India	29%	24%	32%	38%	23%	9%	6%	39%	↑
Indonesia	13%	7%	47%	45%	62%	60%	68%	64%	↓
Iran, Islamic Republic of	11%	52%	60%	65%	69%	75%	76%	67%	↓
Japan	82%	97%	93%	93%	91%	97%	92%	95%	↑
Kenya	3%	8%	31%	66%	71%	66%	49%	42%	↓
Korea, Republic of	77%	84%	92%	89%	96%	97%	91%	95%	↑
Liberia						100%	100%	100%	↔
Madagascar	13%	18%	22%	75%	81%	66%	81%	65%	↓
Malaysia	11%	26%	17%	40%	57%	56%	75%	74%	↓
Maldives	3%	33%	50%	57%	79%	78%	76%	69%	↓
Mauritius	15%	48%	54%	69%	80%	81%	88%	81%	↓
Mozambique		47%	58%	72%	82%	80%	89%	92%	↑
Oman, Sultanate of	10%	11%	27%	33%	53%	57%	78%	58%	↓
Pakistan	0%	11%	5%	7%	5%	6%	19%	53%	↑
Philippines	18%	52%	48%	61%	80%	67%	79%	60%	↓
Senegal	0%	0%	50%	60%	56%	67%	75%	63%	↓
Seychelles	36%	47%	41%	56%	74%	73%	72%	78%	↑
Sierra Leone	0%	0%	0%	18%	18%	18%	18%	18%	↔
Somalia					80%	71%	73%	44%	↓
South Africa	38%	48%	64%	54%	65%	76%	77%	87%	↑
Sri Lanka	5%	18%	47%	51%	60%	74%	77%	82%	↑
Sudan	0%	0%	0%	6%	6%	6%	6%	6%	↔
Tanzania	0%	7%	4%	45%	60%	56%	63%	54%	↓
Thailand	28%	38%	43%	44%	45%	68%	66%	85%	↑
United Kingdom (OT)	86%	100%	100%	100%	100%	100%	100%	100%	↔
Yemen			0%	3%	3%	2%	2%	2%	↔
Commission (All CPCs)	**25%**	**38%**	**46%**	**54%**	**59%**	**57.5%**	**62.1%**	**66 %**	↑

Cells in green indicate CPCs that have benefited from the Compliance Support Mission (CSM) and follow up of CSM and the year it was conducted.