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## RELATIONSHIP TO COOPERATING NON-CONTRACTING PARTIES

PREPARED BY: IOTC SECRETARIAT, 14 JANUARY 2015

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**REVIEW AREA:** *International cooperation*

**GENERAL CRITERION:** *Relationship to Cooperating Non-Contracting Parties*

**DETAILED CRITERIA:**

- 1) Extent to which the RFMO facilitates cooperation between members and non-members, including through the adoption and implementation of procedures for granting cooperating status.

**SUPPORTING INFORMATION**

1. *Extent to which the RFMO facilitates cooperation between members and non-members, including through the adoption and implementation of procedures for granting cooperating status.*

*Cooperating non contracting parties.*

- Since 1999, IOTC has had a mechanism to assess and grant/reject CNCP status.

*Cooperation with non-members*

- IOTC has mechanisms to allow non-members to participate in IOTC meetings.
- IOTC meetings are typically well attended by a range of non-member countries and bodies
- Some significant fishing countries are not IOTC members and it is not clear whether these fisheries are being operated in accordance with IOTC management measures.
- Data collection activities are carried out with all countries fishing in the Indian Ocean including non-members
- The IOTC Secretariat collaborates in a range of activities in support of the fisheries under the IOTCs mandate in non-member countries and depending how significant those fisheries are.

1. *Extent to which the RFMO facilitates cooperation between members and non-members, including through the adoption and implementation of procedures for granting cooperating status.*

*Cooperating non-contracting party status*

In 1999, the Commission adopted Resolution 99/04 *On the Status of Cooperating Non-contracting Parties* to develop relationships with non-Contracting Parties such that they would agree to fish in a manner which is in conformity with the conservation measures adopted by IOTC. This Resolution was superseded in 2003 with Resolution 03/02 *On criteria for attaining the status of co-operating non-contracting party Non-Contracting Cooperating Party*.

The Commission considers the status of CNCP as short term and transitory (though this is loosely applied). In 2006, the Commission strongly encouraged CNCPs to contribute financially to the Commission and become full members as soon as possible.

In 2014 the process on relationship with non-Contracting Parties were absorbed into the Rules of Procedure and the Resolution 03/02 was repealed.

The history of the IOTC granting Cooperating Non-Contracting Party Status is as follows:

- Belize 2006 before becoming a member in 2007.
- Indonesia 2003-2007 before becoming a member in 2007
- Philippines 2000-2004 before becoming a member in 2005
- Senegal 2006-2014
- South Africa 2005-2014
- Uruguay 2007

- Djibouti 2014
- Mozambique 2011 before becoming a member in 2012

In 2005, the Commission rejected a CNCP application from Belize.

In 2006, the Commission deferred the acceptance of a CNCP application from Panama pending additional information.

In 2012 the Commission deferred the acceptance of a CNCP application from Democratic People’s Republic of Korea (DPRK) pending additional information for consideration at the 2013 session.

In 2013, the Commission rejected the acceptance of a CNCP application of DPRK and as they were not present at the Compliance Committee or the Commission meeting, the Commission agreed that the application could not be considered. The DPRK application for CNCP status should be resubmitted to and presented at the next Compliance Committee meeting to be held in 2014, by the DPRK.

Similarly, in 2013 the Commission rejected the acceptance of a CNCP application of Djibouti as they were not present at the Compliance Committee or the Commission meeting, the Commission agreed that the application could not be considered.

#### ***A framework exists for the participation of non-Members at IOTC meetings***

Article VII of the IOTC Agreement and Rule XIII of the IOTC Rules of Procedure provide mechanisms for participation of non-members and economic integration organisations, consultants and experts at IOTC meetings.

#### ***Cooperation with non-Members (excluding CNCPs)***

Several non-member countries operate significant fisheries for a range species under the IOTC mandate and the Commission has little information on the extent of compliance with IOTC management measures in these countries.

On the other hand, the relationship between non-Members and the IOTC Secretariat in terms of data collection is generally strong.

Since 2002 the IOTC has collaborated with the Overseas Fishery Cooperation Foundation of Japan in the IOTC-OFCF Project to contribute to the realization of sustainable utilization of tuna resources in the Indian Ocean, by improving the accuracy of data collection and statistical analysis of the catch, and resources of tuna in the Indian Ocean. This project was undertaken in both IOTC member and non-member countries. With respect to the latter, fact finding activities were conducted in Maldives, Mozambique (currently Members) and South Africa (currently a CNCP). A sampling programme was implemented in Maldives, and training and technical advice on database design was also provided to Maldives

Singapore, whose port is an important hub for vessels fishing in the Indian Ocean, has been very cooperative in providing the Secretariat, on an annual basis, a list of fishing vessels that call into the Port of Jurong. However, the level of details provided, makes it difficult for the Secretariat to isolate vessels that have been active in the IOTC Area.

Attempts at contacting Panama, which operates a significant number of carrier vessels that are participating in the Transshipment Programme, have all gone unanswered. The ability for carrier vessels from non-members to be included in the IOTC Record of Authorised Carrier Vessels is counter intuitive; a fact that the 11<sup>th</sup> Session of the Compliance Committee recognised and recommended be addressed.