



**SOUTH EAST ATLANTIC FISHERIES ORGANIZATION**

**REPORT OF THE 3rd ANNUAL MEETING OF THE  
COMPLIANCE COMMITTEE, 2010**

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## **1. OPENING AND WELCOME REMARKS BY THE CHAIRPERSON MR. BONNY AMUTSE**

The 3<sup>rd</sup> Annual meeting of the SEAFO Compliance Committee was convened on the 12<sup>th</sup> October 2010 at Safari Hotel Windhoek , Namibia. The Chairperson opened the meeting and welcomed all participants.

## **2. Appointment of rapporteurs**

The Chairperson appointed Messrs Malcolm Block and Mr Ruben Hamunyela both from Namibia as rapporteurs.

## **3. Adoption of the Agenda and meeting arrangements**

The agenda was adopted with minor changes. Three agenda points were added namely (Annex 1):

- Election of the chairperson and vice chairperson of the Compliance Committee
- Recommendations of the review panel
- Scientific Committee recommendation 22 : Secretariat solicits the views of the CP on the suitable maximum limits for the total length of fixed gear/sets, soak time and vessel gear capacity

## **4. Introduction of parties delegations**

The Chairperson requested the heads of delegations to introduce their delegates

The following heads of delegation introduced their delegates (Annex 2):

- Angola
- European Union
- Japan
- South Africa
- Norway
- Namibia
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## **5. INTRODUCTION AND ADMISSION OF OBSERVERS**

The chairperson recognized the presence of the observers such as:

- USA
- Fisheries Observer Agency
- FAO
- Republic of Korea
- CCAMLR

## **6. Executive Secretary s' report on Compliance (DOC/CC/Meeting/03/2010)**

The Executive Secretary presented his report on compliance cited in the document DOC/CC/MEETING 03/2010.

## **Discussion on the Executive Secretary compliance report DOC/CC/MEETING/03/2010**

After the presentation of the Executive Secretary s' report on compliance, the parties discussed and made some suggestions .

The EU welcomed this first SEAFO compliance report, which is a key element for the factual analysis of the fisheries in the SEAFO area and the implementation of compliance provisions by the Contracting Parties.

The EU questioned why, with the exception of Namibia, the SEAFO coastal States have not yet designated ports in accordance with the CM 09/07, nor have provided a list of their authorized vessels. On port inspection reports, the EU also stated that the only EU vessel which had fished this year in SEAFO area did not land in an EU port, and therefore no port inspection report was submitted.

The EU also expressed the view that issues on maritime safety and security should not be considered by the CC. However, SEAFO may consider the appropriateness of making available VMS messages for rescue purposes.

On the SEAFO IUU list, the EU expressed the view that SEAFO should consider the deletion of vessels from the list when a CP has evidence that any vessel on the list is no longer operational, either dismantled or scrapped.

Norway informed that there were three vessels that were provisionally put on the IUU list pending the information from other RFMO's. They further suggested that vessels can only be removed from the SEAFO list if they were removed from the NEAFC list.

South Africa inquired about the position of the SEAFO pertaining to maritime safety and security given its importance and if there was an in-principle agreement to cooperate with Maritime Safety Agencies . The EU responded that it was a shared concern, but is not a matter for the Compliance Committee but SEAFO will assist with VMS information if requested.

## **7. Recommendations from the Review Panel (DOC/Com/Meeting/13/2010)**

### **Adoption of conservation and management measures**

**Recommendation 20: The conservation and management measures should be supported by an effective implementation regime and a robust enforcement mechanism in order for them to have the desired effect.**

The CC felt that all Contracting Parties must ensure compliance with this conservation measure although it was noted that some inconsistencies existed on the current measures that needed clarification and proposed a revision to ensure that they were workable and enforceable for the next meeting.

### **Capacity management**

**Recommendation 21: The Commission should established rules that assure that the list of authorises vessels better reflects the actual capacity deployed in the Convention Area.**

The CC noted that the current vessel list contains a large number of vessels that were currently fishing in the Convention Area and suggested to consider that the list of authorised vessels should be commensurate to the fishing opportunities. It also considered the possibility for Executive Secretariat to delete vessels from the list which were not active for a number of years .

### **Flag State Duties**

**Recommendation 22: SEAFO should investigate whether it's Contracting Parties comply with it's obligations as flag states and if not, takes steps to ensure that flag states provide the data required in relevant conservation measures.**

The CC noted that the compliance report submitted by the Secretariat is the response to the request of the panel for the verification of compliance to the conservation measures and that this is an ongoing exercise.

### **Port State Measures**

**Recommendation 23: The panel recommends that SEAFO investigate whether contracting parties comply with their obligations as port states.**

The same as 22.

**Recommendation 24: The panel recommends that the implications of the FAO Agreement on Port State Measures for the current SEAFO port state measures be examined and the latter measures amended as appropriate.**

The CC noted that this exercise would not be possible at this meeting and Norway volunteered to prepare a working document on this issue at the next meeting for discussion.

### **Monitor, Control and Surveillance**

**Recommendation 25: SEAFO should examine the pros and cons of implementing the provisions on observer programmes set out in Article 16(3)(c) of the Convention.**

After clarification that the review panel intended to envisage a compliance observer programme, in addition to the scientific observer programme, the EU volunteered to prepare a working document on this measure for discussion at the next meeting.

**Recommendation 26: The current MCS conservation measures should be merged into one single conservation measure on the MCS.**

The CC agreed that all conservation measures should be combined into one single conservation measure on MCS but emphasised on the inconsistencies that were noted on the current conservation measures that needed to be revised. Due to time constraints, delegates felt that they needed time to peruse the documents before making recommendations. The members also proposed that the CC needed additional days either in advance of the next annual Commission meeting or in parallel to the annual meeting. The CC underlined the financial and administrative constraints for the Secretariat of organising separate meetings. It was also suggested that each Contracting Party scrutinised the conservation measures and make proposals for improvements to be forwarded to the Executive Secretary, who will prepare a working document and disseminate to all members in advance of the next annual Commission meeting.

**Follow - up on infringements**

**Recommendation 27: More detailed provisions on procedures and requirements for follow – up actions to alleged infringements should be developed.**

After clarification that the review panel referred to a better information on the follow up of infringements, the CC agreed to create a template for this reporting exercise. The EU volunteered to develop a draft template for discussion at the next committee meeting. The EU will provide this document to the Executive Secretary well in advance of the next annual meeting to be circulated to all CPs for consideration.

**Cooperative mechanisms to Detect and Deter Non – compliance**

**Recommendation 28: SEAFO should adopt measures for observation to give effect article 14(3)(g) and article 16(3)(c) of the SEAFO Convention.**

Norway clarified that the review panel referred to observers to be onboard vessels flying the flag of another contracting party and participate in monitoring activities. This measure is linked to 25 and will be addressed in the working document prepared by the EU to be presented at the next annual Committee meeting. The EU will provide this document the Executive Secretary well in advance of the next annual meeting to be circulated to all CPs for consideration.

**Recommendation 29: SEAFO should consider amending Conservation Measure 08/06 in order to recognise IUU vessel lists of all relevant RFMO's which are probably those responsible for managing discrete high seas fish stocks, straddling fish stocks and highly migratory fish stocks.**

The CC noted that SEAFO recognises IUU vessel lists established by CCAMLR, NAFO and NEAFC and suggested that SEAFO should recognise IUU vessel lists of other RFMO's, in particular ICCAT.

**8. UNFSA 2010 RESUMED REVIEW CONFERENCE (DOC/CC/MEETING/04/2010)**

The CC examined the relevant recommendations (a, c, e, g section III of the annex to the report) contained in this report and noted that SEAFO is doing well in relation to suggested actions by the conference.

**9. FAO 2009 AGREEMENT ON PORT STATE MEASURE TO PREVENT , DETER AND ELIMINATE IUU FISHING (DOC/CC/MEETING/05/2010)**

Norway informed that this topic was addressed under agenda point 7 and repeated that they reiterated to look at the implications of the port state measures in relation to current SEAFO conservation measures and will prepare a working document for discussion at the next CC meeting.

**10. DISCUSSION ON THE DRAFT SEAFO SYSTEM OF OBSERVATION, INSPECTION, COMPLIANCE AND ENFORCEMENT DOC/CC/MEETING/06/2010 AND DOC/CC/MEETING/07/2010**

The CC noted that the topic was covered already under point 7 and that it was suggested that all Contracting Parties should contribute to the revision of the current MCS conservation measures. Contributions should be forwarded to the SEAFO Secretariat in advance of the next annual meeting.

**11. Recommendations on additional measures on Compliance**

The CC noted that the topic was covered already under point 7, referring to the compliance observer programme.

**12. Election of Chairperson and Vice chairperson**

The Executive Secretary referred the CC to the Rules of Procedure on the election of the chairperson and vice chairperson. Namibia was unanimously re-elected as chair of the Compliance Committee for the second term. Norway was re-elected as vice chair for the second term.

### **13. Other matters**

#### **13.1 Scientific Committee recommendation 22 : Secretariat solicits the views of the CP on the suitable maximum limits for the total length of fixed gear/sets, soak time and vessel gear capacity**

The EU informed that the CC was not responsible for setting limits on fishing gear and vessel capacities but focused on the implementation and compliance of these measures. The EU further suggested that information should be sourced from other RFMO's/FAO on problems encountered with this measure to better equip the CC to make tangible recommendations.

### **14. ADOPTION OF THE REPORT**

After the presentation of the report, it was adopted.

### **15. VENUE AND DATE OF THE NEXT MEETING**

To be agreed upon by the Commission

### **16. CLOSURE OF THE MEETING**

The Chairperson expressed his satisfaction with the work done and thanked all members for their valuable contributions. He then declared the meeting closed.

## Annex 1



### **Agenda of the 3rd Annual Meeting of the Compliance Committee Windhoek, Namibia 11 – 15 October 2010**

**Venue:** Safari Hotel

**Chair:** Mr B. Amutse, Namibia  
**Vice Chair:** Norway

1. Opening of the meeting
2. Appointment of Rapporteur
3. Adoption of the Agenda and Meeting Arrangements
4. Introduction of Parties Delegations
5. Introduction of Observers
6. Executive Secretary's Report on Compliance
7. Recommendations from the Review Panel
8. UNFSA 2010 Review Conference Outcome Document
9. FAO 2009 Agreement on Port State Measure to Prevent, Deter and Eliminate IUU Fishing
10. Discussion on the draft SEAFO System of Observation, Inspection, Compliance and Enforcement.
11. Recommendations on additional Measures of Compliance
12. Election of Chair and Vice-Chair: CC
13. Any other Matters
  - 13.1 SC recommendation 22: Secretariat solicits the views of CP's on the suitable maximum limits for the total length of fixed gear/sets, soak time and vessel gear capacity
14. Adoption of the report
15. Venue and date of next meeting
16. Closure of meeting



**Annex 2**

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