



REPORT OF THE 2nd ANNUAL MEETING OF THE COMPLIANCE COMMITTEE
2009

The Secretariat

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Chairperson of the Compliance Committee

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1. Opening of the Meeting

The 2nd Annual Meeting of the Compliance Committee was convened in Swakopmund, Namibia from 5-6 October 2009. The Meeting was called to order by the Chairperson, Mr. B. Amuste (Namibia). In his opening remarks, the Chairperson warmly welcomed the delegates and expressed his wishes for a successful meeting. He further noted the absence of the delegation of Republic of South Africa.

2. Appointment of Rapporteur

The Executive Secretary was appointed as Rapporteur.

3. Adoption of Agenda and Meeting Arrangements

The meeting reviewed the agenda and changes were made to agenda as follows:

- 3.1 Delete agenda point 10: Review Resolution 01/06 to reduce Sea Turtle Mortality in the SEAFO Fishing Operation (Annex 1).
- 3.2 Insert new agenda points: (a) Discussion on CM 08/06, and
(b) Reflect on ALDFG gear in the SEAFO CA
- 3.3 The adopted agenda is presented in Annex 1.

4 Introduction and Opening Statements of Parties and Signatories

- 4.1 Four Contracting Parties namely Angola, EU, Namibia and Norway were present. The Head of Delegations introduced members of their respective delegations. List of participants is provided in Annex 2.
- 4.2 No opening Statements were made by Head of Delegations in the Compliance Committee.

5 Introduction and Admission of Observers

Observers from Japan, Korea, USA and the FAO were present. List of participants is provided in Annex 2.

6 Status of Compliance of Parties concerning SEAFO Conservation Measures

- 6.1 The Executive Secretary introduced this item on the basis of document DOC/CC/MEETING/03/2009.
- 6.2 The meeting was informed that the EU vessels fished in the SEAFO Convention Area were fishing for ICCAT species and therefore not obliged to submit fisheries data to the Secretariat.

7 Status of Compliance of Non-Parties concerning SEAFO Conservation Measures

7.1 The Executive Secretary introduced this item on the basis of document DOC/CC/MEETING/03/2009.

7.2 The meeting agreed that the future Compliance Reports shall include a section on compliance of any obligation to provide data to the Secretariat. Furthermore, the report shall reflect on trends regarding fishing operations. The 2009 NAFO Compliance Report could serve as an example.

7.3 The Committee expressed satisfaction that the Japanese and Korean fishing vessels are complying with the SEAFO Conservation Measures.

8 Report on requirements to implement a Catch Documentation Scheme (CDS) in SEAFO

8.1 The Executive Secretary introduced this item on the basis of document DOC/CC/MEETING/04/2009.

8.2 The meeting was informed that all members of CCAMLR have to comply with the CDS irrespective of area of catch. The SEAFO members EU, Namibia, Norway and South Africa are also members of CCAMLR. It was also noted that both Japan and Korea are members of CCAMLR and have to comply with the CDS.

8.3 The Committee noted that Angola is the only SEAFO CP not member to CCAMLR and could consider implementing the CCAMLR CDS on a voluntary basis.

8.4 The meeting agreed that it is not necessary to implement a CDS in SEAFO, but to rely on CCAMLR adopted measures regarding toothfish.

9 Review of Conservation Measure 03/06 on Interim Prohibition of Transshipments-at-Sea in the SEAFO Convention Area and to Regulate Transshipment in Port.

9.1 The Executive Secretary introduced the agenda point on the basis of DOC/CC/MEETING/06/2009.

9.2 The meeting was informed by the Secretariat that no notifications of transshipments were received during 2009.

9.3 The meeting discussed the Conservation Measure and proposed one amendment to the text. Paragraph 6 "The Commission shall review these measures at its Annual Meeting in 2009" should be deleted. The revised Conservation Measure is provided in Annex 3.

10 Discussion on Conservation Measure 08/06

10.1 In implementing paragraphs 18 and 19, the Secretariat shall incorporate the lists established by NAFO, NEAFC and CCAMLR into the SEAFO IUU vessel list following the procedures set out in those paragraphs.

10.2 The meeting furthermore agreed that before the SEAFO IUU vessel list is put on the webpage the protocols contained in the Conservation Measure shall be followed.

11 Document on UN Review Conference on RFMO's

11.1 The Executive Secretary introduced DOC/CC/MEETING/08/09 on the outcome of the review. The Review Conference took place in May 2006 in New York. The Review Conference considered four topics namely Conservation and management of stocks, Mechanisms for international cooperation and non-members, Monitoring, control and surveillance and compliance and enforcement as well as Developing States and non parties. The SEAFO Secretariat has been requested by the United Nations to provide information on the implementation of the above mentioned topics. The information obtained from the questionnaire will form the basis for the discussion in the resumed Review Conference in May 2010.

11.2 The meeting agreed that the Chairperson should refer to the document during his presentation of the report to the Commission.

12 Advice on ALDFG gear (2009 SC report point (h) page 36)

At the request of the SC the meeting considered the point on lost and abandoned gear. Since the Commission had already banned the use of gillnets it was considered that further regulations to limit the negative effects of ALDFG gear would have very little effect.

13 Recommendations on additional Measures on Compliance

The meeting agreed to await the outcome of the 2010 SEAFO Performance review.

14 Any other Matters

There were no other matters.

15 Adoption of the Report

The report was presented and adopted by the meeting.

16 Venue and date of next meeting

The CC agreed not to set a date and await the agreed date for the 2010 Commission meeting. CC expressed the view that Compliance Committee meetings be convened during the 2010 annual Commission meeting, as in this and previous years.

17 Closure of meeting

On Tuesday 6th October at 13h00 hrs the Chairperson declared the closure of the meeting after all items had been concluded. In his closing remarks, the Chair expressed his satisfaction for the work accomplished and thanked all participants for their valuable contributions.

Annex 1

1. Opening of the Meeting
2. Appointment of Rapporteur
3. Adoption of Agenda and Meeting Arrangements
4. Introduction and Opening Statements of Parties and Signatories
5. Introduction and Admission of Observers
6. Status of Compliance of Parties concerning SEAFO Conservation Measures
7. Status of Compliance of Non-Parties concerning SEAFO Conservation Measures
8. Report on requirements to implement a Catch Documentation Scheme (CDS) in SEAFO
9. Review of Conservation Measure 03/06 on Interim Prohibition of Transshipments-at-Sea in the SEAFO Convention Area and to Regulate Transshipment in Port.
10. Discussion on Conservation Measure 08/06
11. Document on UN Review Conference on RFMO's
12. Advice on ALDFG gear (2009 SC report point (h) page 36)
13. Recommendations on additional Measures on Compliance
14. Any other Matters
15. Adoption of the Report
16. Venue and date of next meeting
17. Closure of meeting

Annex 2

List of Participants

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Annex 3

Conservation Measure 03/06 on an Interim Prohibition of Transshipments - at - Sea in the SEAFO Convention Area and to Regulate Transshipments in Port

The Parties to the SEAFO Convention :

Taking account of the need to ensure the control of catches by fishing vessels and to combat IUU activities,

Recognising the lack of a comprehensive monitoring, control and surveillance system, in particular, at sea,

Taking account of the need to collect catch data of fishing vessels to improve the scientific assessments of stocks within the Convention Area,

Have agreed as follows :

1. Prohibition of Transshipments in the Convention Area

Each Contracting Party shall prohibit transshipments at sea by vessels flying their flag in the Convention Area fishing for species covered by the SEAFO Convention.

2. Port State authorisation

Fishing vessels which catch species covered by the Convention in the Convention Area shall only transship in port of a Contracting Party if they have prior authorisation from the Contracting Party in whose port the operation will take place. The fishing vessels shall be permitted to carry out transshipments only if they have obtained such a prior authorisation to transship from the flag State and port State.

3. Flag State authorisation

Each Contracting Party shall ensure that their duly licensed fishing vessels obtain a prior authorisation from their Flag State to engage in in-port transshipments. They shall also ensure that transshipments are consistent with the reported catch amount of each vessel and require the reporting of transshipment.

4. Notification obligations

(a) Fishing vessel:

The master of a fishing vessel who transships in port to another vessel, hereinafter referred to as “the receiving vessel”, any quantity of catches of species covered by the Convention fished in the Convention Area shall, at the time of the transshipment inform the flag State of the receiving vessel of the species and quantities involved, of the date of the transshipment and the location of catches. He shall submit to his flag State a SEAFO transshipment declaration in accordance with the format set out in annex. The master of the fishing vessel shall notify, at least 24 hours in advance, the

following information to the Contracting Party in whose port the transshipment will take place:

- the names of the transshipping fishing vessels,
- the names of the receiving vessels,
- the tonnage by species to be transshipped,
- the day and port of transshipment.

(b) Receiving vessel:

Not later than 24 hours before the beginning of the transshipment, and at the end of a transshipment, the master of the receiving vessel shall inform the competent authorities of the port state, of the quantities of catches of species covered by the Convention on board his vessel. He shall transmit the SEAFO transshipment declaration to these competent authorities within 24 hours. The master of the receiving vessel shall, 48 hours before landing, submit a SEAFO transshipment declaration to the competent authorities of the port State where the landing takes place.

5. Follow-up by Contracting Parties

Each Contracting Party referred to in paragraphs 3, 6 and 7 shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag State to ensure that landings are consistent with the reported catches amount of each vessel. Each Contracting Party shall notify annually to SEAFO the details of transshipments by its flag vessels in accordance with paragraphs 2, 3, 4 and 5.

SEAFO TRANSSHIPMENT DECLARATION

Name of vessel and radio

External identification:

In case of transshipment

Call sign if any:

SEAFO number:

Name and/or call sign,

external

identification and

nationality of

recipient vessel:

	Day	Month	Hour	Year	2_ 0_ _ _	Agent's name:	Master's name:
Departure	_ _	_ _	_ _	from	_____		
Return	_ _	_ _	_ _	to	_____	Signature:	Signature:
Transshipment	_ _	_ _	_ _		_____		

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: |_____| kilograms ⁽³⁾ ⁽⁴⁾

Species	Port of Transshipment ⁽²⁾	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)	Presentation (1)
	Name of Port, Country	Whole	Gutted	Head off	Filleted						

TRANSSHIPMENT DECLARATION

(1) General rule

In the case of transshipment, the master of the fishing vessel shall enter the quantities on the transshipment declaration. A copy of the transshipment declaration shall be handed to the master of the recipient vessel.

(2) Procedure for completion

- (a) Entries on transshipment declaration shall be legible and indelible.
- (b) No entry on the transshipment declaration may be erased or altered. If a mistake is made, the incorrect entry shall be struck out with a line and followed by a new entry initialled by the master or his agent.
- (c) One transshipment declaration should be completed for each transshipment operations.
- (d) Each page of the transshipment declaration shall be signed by the master.

(3) Responsibilities of the master in respect of the landing declaration and the transshipment declaration

The master of the vessel shall certify with his initials and signature that the estimated quantities entered on the transshipment declaration are reasonable. The copies of the transshipment declaration must be kept for one year.

(4) Information to be provided

The estimates of the quantities trans-shipped are to be indicated as follows, for each species, on one of the declaration forms in respect of a particular voyage:

- **Presentation of fish** (reference n° 1)

“*Presentation*” means the way fish has been processed. Indicate the nature of this processing if any: GUT for gutting, HEAD for heading, FILLET for filleting, etc ... Where no processing has taken place, WHOLE for whole fish.

- **Measurement unit for landed quantities** (reference n° 3)

Give the unit of weight used (e.g. basket, box, etc.) for landing fish and the weight of the unit in kilograms. This unit may be different from that used in the logbook.

- **Total weight species trans-shipped** (reference n° 4)

Give the weight or quantities actually trans-shipped for all species covered by the SEAFO Convention.

The weight should correspond to the weight of fish as landed, i.e. after any processing on board.

Conversion coefficients will be applied subsequently by the appropriate authorities in the CPC to calculate the corresponding live weight.

- **Name of Port** (reference n° 2)

Name of Port, Country refers to the port and country in which the transshipment will take place.

(5) Procedure of transmission

(a) In the case of transshipment to a vessel flying the flag of a Contracting Party or registered in a Contracting Party, the first copy of the transshipment declaration shall be handed over to the master of the recipient vessel. The original shall be handed over or dispatched, as the case may be, to the authorities of the Contracting Party whose flag the vessel is flying or in which it is registered, within 48 hours of completion of landing or on arrival in port.

(b) In the case of transshipment to a vessel flying the flag of a non-member country, the original document shall be handed over or sent, as the case may be, as soon as possible to the Contracting Party whose flag the fishing vessel is flying or in which it is registered.

(c) In cases where it is impossible for the master to dispatch the original of the transshipment declarations to the authorities of the Contracting Party whose flag the vessel is flying or in which it is registered within the time limits specified, the information required in respect of the declaration shall be transmitted by radio or by other means to the authorities concerned.

The information shall be transmitted via the radio stations usually used, preceded by the name, the call sign and external identification of the vessel, and the name of its master. In

cases where it is not possible for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel or by any other method. The master shall ensure that information transmitted to radio stations is passed on in writing to the relevant authorities.