

EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
INTERNATIONAL AFFAIRS AND MARKETS
INTERNATIONAL AFFAIRS, LAW OF THE SEA AND REGIONAL FISHERIES ORGANISATIONS

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Subject: Outstanding Compliance issues

Ref.: Your letter of the 26 May 2017 (IOTC Reference 6624)

Dear Dr. Al-Mazroui,

Before reacting to your above mentioned letter, I would like to make some preliminary observations on the IOTC compliance exercise.

The compliance methodology that we have developed in IOTC, which in fact was initiated and supported by the EU, has contributed to improving global compliance by the majority of members and the IOTC as a whole. However, the good results of this methodology are probably attaining its limits and today we do not have a clear picture of the compliance records in relation to some essential compliance issues, such as the provision of relevant catch data and the implementation of monitoring and control of fisheries.

In this context, we believe that it would be important to further develop the compliance assessment methodology, notably by rating the essential compliance items (e.g. very important, important, average or less relevant) and indicate the levels of compliance, e.g. "partial compliance". As announced in the last IOTC annual Meeting, the EU is committed to work on a possible revision of the compliance assessment methodologies in order to contribute to the development of a more well-organized and informative compliance exercise that should be discussed in the Compliance Committee and eventually adopted at the Commission.

On the shortcomings identified by the EU, we believe that further contacts and work should be undertaken between the Secretariat and DG MARE to determine what the missing elements are in fact and try to find ways to resolve some of the identified shortcomings.

On a separate note I would add that the complexity of data to be provided by the EU, including from some of our Members States that are not active in IOTC area, creates some difficulties that we should try to overcome together. Moreover, there is some

confusion produced by information received from other CPCs on exports from the EU that often requires a substantial amount of time to be checked by responsible services not only at the Commission level but also in the relevant EU Member States and this can at times create some delays in the reporting of this information.

Some confusion is also evident as result of different interpretations of some reporting obligations.

Finally, the scientific information and catch data provided by the EU in preparation and during the Scientific Committee (SC) should be cross checked by the EU scientists participating in the scientific meetings. These scientists, who are generally the main source of the data transmitted to the Secretariat and scientific bodies, should be confronted with the identified data deficiencies. A reinforced contact between the Secretariat data session and the mentioned EU scientists would often help to resolve potential data reporting shortcomings.

With regard to the outstanding compliance issues indicated in your letter, I would like to make the following comments:

- *1. Has not fully reported catch and effort for the longline fisheries (data reported for target species only), as required by Resolution 15/02.*

This shortcoming in fact applies to only one EU Member State. Its national scientific Fisheries Institute is still working to recover the mentioned data, that has been partially transmitted to the Secretariat in different stages according to the work undertaken by the mentioned research institute and national fishing authority. Once this data becomes available, it will be transmitted to the Secretariat.

The EU is working to improve data provisions in order to match the IOTC standards and provide the outstanding data.

- *2. Has not reported size frequency for the coastal fisheries for the fleet of Mayotte, as required by Resolution 15/02.*

National Fishing Authority in Mayotte is making progressive efforts to gather data concerning size frequency for coastal fisheries, notably through sampling coverage in port. The situation is progressing in a satisfactory way and some data has already been gathered and transmitted to the Secretariat.

Despite the difficulties of undertaking this task in Mayotte, the EU and the related National Fishing Authority in Mayotte are strongly committed to fully comply with this request and hope that in the near future size frequency data will be provided to the Secretariat and Scientific Committee.

- *3. Has not reported size frequency to IOTC Standard for the longline fisheries (less than 1 fish per metric ton of catch per species), as required by Resolution 15/02.*

This shortcoming is related to the implementation of the Regional Observer Scheme where the coverage rate is progressively improving. As you know the coverage achieved for longliners is globally corresponding to the 5% obligations, but we are still improving the coverage of this programme to all longline fleets and we believe that in the near future we should be able to better report size frequency in accordance with Resolution 15/02.

As discussed in the last two plenaries, for some species within certain fisheries it is unlikely that all size frequencies will be reported. This is a subject that should be further discussed in the Commission and probably a request should be made to the SC to analyse the situation and make the relevant practical recommendations.

- *4. Has not reported days at sea for all flag vessels, as required by Resolution 15/02.*

The missing "days at sea" information has been provided to the Secretariat after the last Annual Meeting and we will keep in contact with the Secretariat for further clarifications if needed in order to fully comply with this request.

- *5. Has not reported nominal catch, catch and effort and size frequency on sharks to IOTC Standard, as required by Resolution 05/05.*

The EU has reported relevant data on sharks (according to Res 15/02, Res 05/05 states that CPCs have to report according to data reporting procedures) that enabled scientific assessments of diverse shark species. This partial shortcoming is mainly a repetition of point 1 and 2 above. Progress has been made in collecting this catch data in the last few years and we are working with Member States to continue to improve the reporting next year.

- *6. Has not reported on import, landing and transshipment of tuna and tuna-like fish products in ports, for some Member States, as required by Resolution 10/10.*

After our previous contact, we are still in process of clarifying the requested information. In fact, the EU has provided information on import data of 2 Member States (France and Spain) and we are investigating the imports of other Member States, based on crossed information, notably on imports of bigeye tuna in 2016 in Germany, Italy, Netherlands and Portugal. The Secretariat will be informed of this data as soon as we have gathered the relevant data from these Member States.

It should be noted that commercial transaction between EU Member States are not considered imports/exports but internal EU trade.

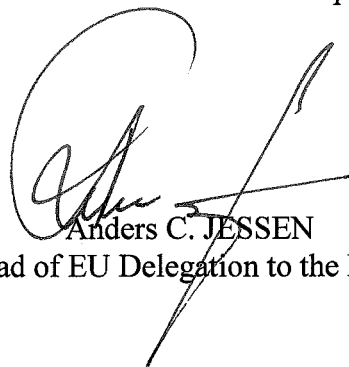
- *7. Has not provided its Annual Report for the IOTC Bigeye Tuna Statistical Document Programme, as required by Resolution 01/06.*

With regards to the annual report of Resolutions 01/06, we have already provided the information on Bigeye Tuna Statistical Document Programme through the quarterly reports sent during the year. We will continue working with the Secretariat to further clarify any question concerning relevant information requested by the Secretariat.

Regarding imports transmitted by other CPCs (Sri Lanka and Japan), we still have to consult France that should have the BET certificates as flag State of the vessel(s) for those imports.

Let me conclude by reaffirming the EU's strong commitment to the IOTC compliance exercise to which we attach great importance.

Yours sincerely,



Anders C. JESSEN
Head of EU Delegation to the IOTC

C.c.: O. Fachada, L. Molledo.