

**SOUTH EAST ATLANTIC FISHERIES ORGANIZATION
(SEAFO)**



**REPORT OF THE 1st ANNUAL MEETING OF SEAFO
COMPLIANCE COMMITTEE, 2008**

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REPORT OF THE FIRST MEETING OF SEAFO COMPLIANCE COMMITTEE

6-8 October 2008, Windhoek

1. OPENING OF THE MEETING

- 1.1 The inaugural meeting of SEAFO Compliance Committee was held back-to-back with the Annual Meeting of SEAFO Commission in Windhoek, Namibia on 07 and 08 October 2008.
- 1.2 The meeting was called to order by Dr. Hashali Hamukuaya, Acting Executive Secretary of SEAFO who introduced the provisional agenda. Following discussion, the agenda was adopted (Annex 1).

2. ADOPTION OF THE AGENDA AND MEETING ARRANGEMENTS

The Meeting adopted the agenda (Appendix 1).

3-4. INTRODUCTION OF PARTIES DELEGATIONS AND ADMISSION OF OBSERVERS

Delegates from SEAFO Contracting Parties – Angola, European Union, Namibia, Norway and South Africa, attended the meeting and the Heads of Delegations introduced members of their delegations. Four observers – Rep. of Korea, Japan, FAO and WWF were admitted and also introduced their delegations

5. ELECTION OF OFFICE BEARERS

- 5.1 Considering that the Rules of Procedure of the Commission also apply to any subsidiary body, and taking into account Rule # 8 concerning the appointment of the Chairperson and Vice-Chairperson, the Acting Executive Secretary invited the nomination of the Chairperson of the Committee. The Committee agreed to implement a system of rotation on alphabetical order for office bearers.
- 5.2 Norway nominated Namibia and the nomination was seconded by EU and by Angola. Namibia accepted the nomination and introduced Mr. Bonny Amutse as the Chair. Norway was nominated and accepted the Vice-Chair. The Acting Executive Secretary handed-over the chairing responsibilities to Mr. Amutse.

6. COMPLIANCE COMMITTEE TERMS OF REFERENCE (TOR)

The Compliance Committee ToR adopted by the Commission at its 2007 Annual Meeting were presented to the Committee for information.

7. RULES OF PROCEDURE FOR THE COMPLIANCE COMMITTEE

The Rules of Procedure for the Commission were presented to the Committee as a template for drafting the Committee's own Rules of Procedure. Following discussion, the Committee decided to summarise its Rules of Procedure with the following text: "*The Rules of Procedure applicable to the conduct of the business of the Commission shall apply mutatis mutandis, except as regards officers, to the Compliance Committee, but they may be supplemented by additional rules of procedure or by-laws for the exercise of its functions and duties provided for in Article 9 of the Convention*".

8. STATUS OF COMPLIANCE OF PARTIES CONCERNING SEAFO CONSERVATION AND MANAGEMENT MEASURES

- 8.1 The ex-Executive Secretary introduced this item on the basis of document DOC/CC/MEETING/05/2008. Members expressed deep concerns about the lack of data submission by Contracting Parties, noting that the availability of data is essential in respect of compliance. In particular, the absence of the observer data and inspection reports were identified as a major impediment to the assessment of compliance and consequently to long-term conservation and sustainable use of the resources under the jurisdiction of SEAFO. Furthermore the members expressed their concerns regarding the lack of notifications to the Secretariat. It is in this light that the Committee recommends that the Commission urge Parties to comply fully with relevant conservation measures in force.
- 8.2 The Committee reviewed the latest SEAFO Vessel Register. Some members expressed concern whether all Parties have sent their flagged vessels to the Secretariat. The Committee recommends that the Commission urges Contracting Parties to provide the list of their flagged vessels in line with the adopted conservation measure.
- 8.3 The Committee reviewed information on up-to-date Final IUU Vessel List of CCAMLR, IUU List of NAFO and the B-List of NEAFC taking into account the joint listing procedures between SEAFO and these RFMOs
- 8.4 Reviewing progress made in respect of linking VMS of Contracting Parties to the VMS at the Secretariat, the Committee appreciated progress made by EU (Spain and Portugal) whose flagged vessels are linked to the SEAFO VMS. It was also noted that some of EU flagged vessels, although linked to SEAFO VMS, were targeting non-SEAFO species as reflected in port inspection report in Walvis Bay. The Committee is recommending strongly to the Commission to ensure that all Parties have established linkage to SEAFO VMS without any further delay.
- 8.5 The Committee expressed concern on the implementation of conservation measure 09/07 related to port State inspection scheme.

9. STATUS OF COMPLIANCE BY NON-PARTIES WITH SEAFO CONSERVATION AND MANAGEMENT MEASURES

9.1 The Committee, reviewed information regarding the fishing activities of the Togolese flagged vessels in SEAFO Convention Area and the subsequent correspondence between the Togolese Government and the Chairperson of SEAFO Commission. Members expressed serious concerns that the excuse expressed by Togo was not sufficient to exclude its flagged vessel from being listed in a draft SEAFO List in conformity with conservation measure 09/07. After considerable discussion, the Committee recommended that the Secretariat send a strong letter to the Togolese Authority urging Togo to join SEAFO and to adhere to all conservation and management measures adopted by the Commission. In the letter, it must be stated clearly that in future SEAFO will declare any Togolese flagged vessel fishing in the Convention Area in the manner that undermines conservation and management measures adopted by the Commission, as IUU fishing vessel.

9.2 In reviewing the activities of the Japanese flagged vessel, the observer from Japan, expressed regret that its flagged vessel had fished in one of SEAFO's closed areas and promised to take action to ensure that the incidence it will not happen again. The observer emphasized that Japan will continue to comply to conservation and management measures adopted by SEAFO including the submission of fishery data. Members agreed that from now on, any violation will be dealt with strictly in accordance with the adopted conservation measure on IUU fishing. The Committee recommends that the Commission urge Japan to fully comply with the measures adopted, including adherence not to fish in closed areas.

9.3 The fishing activities of the two fishing vessels flagged by the Rep. of Korea were reviewed. Members expressed concerns about the lack of VMS linkage to the Secretariat by the Korean flagged vessel. The observer from the Rep. of Korea stated that they have encountered technical difficulties in establishing the linkage. The Committee recommends the Commission to urge the Rep. of Korea to establish the linkage without further delay.

Members also expressed concerns on the difference of catch reported and landed weight of toothfish by one of the Korean flagged vessel. Explanation from the observer from Korea that the difference is due to conversion factor was hardly acceptable by the members. The Committee recommends that the Secretariat follow-up the issue with the Korean authority to clarify inconsistencies

9.4 The Committee expressed satisfaction to learn that both the Rep. of Korea and the Japanese longline fishing vessels have bird-scaring lines when fishing south of 30 degree latitude.

10. RECOMMENDATION ON ADDITIONAL MEASURES ON COMPLIANCE

The Compliance Committee expressed serious concern about the lack of available fisheries data such as catch, effort, discard, biological sampling data, observer reports, port inspection reports and VMs data. Such information is essential for future work of the Compliance and Scientific committees. Particularly as new measures have been introduced to regulate bottom fishing activities and the protection of VMEs. Consistent with this, the Compliance Committee strongly recommends that the Contracting Parties take steps to provide the necessary data.

11. ANY OTHER MATTER

There were no other matters raised for consideration by the committee

12. ADOPTION OF THE REPORT AND ADJOURNMENT

The report was adopted on 08 October 2008

Appendix 1

Agenda of the 1st Annual Meeting of the Compliance Committee Windhoek, Namibia 6 to 9 October 2008

Venue: Safari Hotel, Windhoek

1. Opening of the Meeting
2. Adoption of Agenda and Meeting Arrangements
3. Introduction of Parties Delegations
4. Introduction and Admission of Observers
5. Election of Officers
6. Compliance Committee Terms of Reference
7. Rules of Procedure for the Compliance Committee
8. Status of Compliance of Parties Concerning SEAFO Conservation and Management Measures
9. Status of Compliance of non-Parties Concerning SEAFO Conservation and Management Measures
10. Recommendations of Additional Measures on Compliance
11. Any Other Matters
12. Adoption of the Report and Adjournment