



RESOLUTION 16/04
ON THE IMPLEMENTATION OF A PILOT PROJECT IN VIEW OF PROMOTING THE
REGIONAL OBSERVER SCHEME OF IOTC

Keywords: Regional Observer Scheme;

The Indian Ocean Tuna Commission (IOTC),

TAKING INTO ACCOUNT the need to increase the scientific information, in particular to provide the IOTC Scientific Committee working material in order to improve the management of the tuna and tuna-like species fished in the Indian Ocean;

REITERATING the responsibilities of Flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting IOTC Conservation and Management Measures;

CONSIDERING the need for action to ensure the effectiveness of the IOTC objectives;

CONSIDERING the obligation of all IOTC Contracting Parties and Cooperating Non-Contracting Parties (hereinafter CPCs) to fully comply with the IOTC Conservation and Management Measures;

AWARE of the necessity for sustained efforts by CPCs to ensure the enforcement of IOTC's Conservation and Management Measures, and the need to encourage Non-CPCs to abide by these measures;

UNDERLINING that the adoption of this measure is intended to promote the implementation of the Resolution 11/04 *on a Regional Observer Scheme*;

CONSIDERING the deliberations of the 18th Session of the IOTC Scientific Committee held in Bali, Indonesia from 23-27 November 2015, notably that CPCs should comply with IOTC data requirements as requested per Resolution 15/01 and 15/02, respectively *on the recording of catch and effort data by fishing vessels in the IOTC area of competence and on mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting parties (CPCs)*, given the gaps in available information in the IOTC database and the importance of basic fishery data in order to assess the status of stocks and for the provision of sound management advice.

ADOPTS, in accordance with the provisions of Article IX, paragraph 1 of the IOTC Agreement, the following:

1. Create a pilot project aiming to enhance the implementation of the Resolution 11/04 *on a Regional Observer Scheme* and to raise the level of compliance to the implementation of Resolutions 15/01 and 15/02, respectively *on the recording of catch and effort data by fishing vessels in the IOTC area of competence and on mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating non-Contracting parties (CPCs)*.
2. This pilot project will be funded through IOTC budget and/or from voluntary contributions. The pilot project will be prepared taking into account the following elements:
 - a) Identification and selection of voluntary participatory Contracting Parties or Cooperating Non-Contracting Parties (CPCs). Participatory CPCs should indicate their vessels that will participate in the project.



- b) Terms of Reference (ToR) and selection of scientific observers, according to provisions of the Resolutions 11/04, 15/01 and 15/02.
 - c) Definition of an Action Plan for the observers work, including indicatively, a working calendar and an area of activity.
 - d) Mid-term review and a final term review, the latter should include recommendation on how to expand the experiences and results of the pilot project to all IOTC area of competence.
 - e) Cooperation coordination mechanism between CPCs participating in the project.
 - f) Complementarity with the Regional Observer Scheme actions already in place.
3. The IOTC Scientific Committee will draft guidelines regarding the ToR and work of observers, and an indicative budget for approval by the Commission in 2017. This project will focus on developing states, with priority given to promote the implementation of the ROS to small island developing states (SIDS) and least developed countries (LDC).
 4. Contracting Parties will provide their comments and suggestions within one month after the IOTC Executive Secretary transmission of the draft project, following the Scientific Committee.
 5. The revised draft proposal, including a detailed budget, will be submitted to the Compliance Committee and to the Standing Committee on Administration and Finance for review, and submitted for consideration and approval at the annual meeting of the Commission in 2017.
 6. The pilot project will explore the possibilities offered by electronic observation and observation in port.
 7. The Scientific Committee will evaluate whether electronic observation or observation in port can be used to collect data matching IOTC standards. Scientific Committee will also propose minimum standards for the implementation of Electronic observation systems and how they can be used to increase levels of observer coverage for Indian Ocean fisheries.
 8. The pilot project will not preclude any Regional Observer Scheme's actions already implemented by Contracting Parties or Cooperating non-Contracting Parties and respective fleets.



Annex I

Minimal requirements for observers

Scientific observers

1. Without prejudice to whatever specific training and qualifications are recommended by the Scientific Committee, the designated observers shall have the following qualifications to accomplish their tasks:
 - a) a satisfactory knowledge of the IOTC Conservation and Management Measures;
 - b) the ability to observe and record information accurately;
 - c) a satisfactory knowledge of the language of the flag of the vessel observed;
 - d) sufficient experience to identify species and fishing gear;
 - e) proven training in security and survival at sea.
2. Observers shall:
 - a) record and report upon the fishing activities carried out;
 - b) observe and estimate catches and check consistency with entries made in the logbook;
 - c) note the position of the vessel when engaged in catching activity;
 - d) carry out scientific work such as collecting of IOTC mandatory statistical information and fulfilment of logbooks;
 - e) report the results of these duties on the fishing vessel in the observers report to the flag state fishing authority,
 - f) submit the observer report to Flag State authorities within 30 days from the end of the period of observation;
 - g) treat as confidential all information with respect to the fishing and transshipment operations of the fishing vessels and accept this requirement in writing as a condition of appointment as an observer;
 - h) comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned;
 - i) respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel.

Obligations of the Master

3. The Master shall allow observers to:
 - a) visit the fishing vessel, if weather conditions permit, and to have access to vessel staff and to the gear and equipment but not interfering with the equipment on-board;



- b) have access to the equipment listed below, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties. This shall be done on a request basis. The equipment concerns
 - i) satellite navigation equipment; (consultation only)
 - ii) radar display viewing screens when in use; (consultation only)
 - iii) electronic means of communication;
- c) Observers shall be provided with accommodation, including lodging, food and adequate sanitary facilities, equal to those of officers;
- d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties;

Obligations of the Flag State

- 4. The Flag States shall ensure that masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.
- 5. No later than two months upon completion of a fishing trip, observer reports will be sent to the IOTC secretariat, who shall manage and keep record of the mentioned observer's reports in a manner consistent with IOTC confidentiality requirements, and will submit copies of the observer reports to the Scientific Committee.
- 6. Data collected in any Coastal State EEZ will also be provided to the Coastal State authorities within the same delays and conditions of the previous paragraph.

Mutual recognition of observers

- 7. The observers selected to participate in this pilot project will be recognised by all CPCs participating in the project.