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## 6<sup>TH</sup> MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC6)

*The Hague, The Netherlands, 23 to 27 January 2019*

### CTC 6 – Doc 06

#### Follow-up actions taken in relation to the 2018 Final Compliance report *Secretariat*

### 1. Background

This paper reports on follow-up actions taken by Members and CNCPs in relation to their need for either a Compliance review or a Compliance Action plan as identified in the 2018 Final Compliance Report ([Annex 5](#) of the 6<sup>th</sup> Commission report). In that document, the Commission agreed that, consistent with the CTC recommendations, the following should apply:

- a. Members and CNCPs that were asked by the CTC to prepare a Compliance Review, shall transmit to the Secretariat any missing information, if the relevant information has not yet been provided, within 90 days after the end of the Commission Meeting 2018 (being 4 May 2018).
- b. Members and CNCPs that were asked by the CTC to prepare a Compliance Action Plan shall provide the Secretariat with detailed information on the steps taken to respond to and rectify the non-compliance and/or improve the implementation of the relevant obligations, within six months after the end of the Commission Meeting 2018 (being 2 August 2018).

### 2. Follow-up Actions

#### 2.1. Chairperson/Secretariat actions

In line with the CTC's request the Commission tasked the Commission Chairperson and, where possible without requiring additional resources, the Secretariat, to communicate bilaterally with the Member and CNCPs with repeated non-compliance issues. CTC advised that this outreach should be directed at explaining the importance of this report and better understanding impediments to engagement and offering assistance, as appropriate. Table 1 shows the outreach taken by the Commission Chairperson and the Secretariat during 2018.

#### 2.2. Compliance Action Plans

The 2017 Final Compliance report asked 1 CNCP to develop a Compliance action plan to rectify non-compliance and/or improve implementation of obligations. Table 2 shows the current status of those obligations.

#### 2.3. Compliance Review

As part of their Compliance Review, 3 Members/CNCPs were asked to transmit to the Secretariat any missing information, if the relevant information had not yet been provided. Table 3 shows the current status of those obligations.



**Table 1:** Outreach performed by the Commission Chairperson and the Secretariat during 2018.

Member/CNCP	Seriously/persistently non-compliant with:	Ongoing Issue	2018 Outreach performed	Current Status
Cuba	CMM 10-2017 (CMS); Para 5	Lack of implementation reports	Phone calls by Executive Secretary on 13 & 17 October. 26 October Secretariat assisted with implementation report drafting.	2017/18 report provided 31 October 2018
Panama	CMM 01-2017 (Jack mackerel); Paras 11, 15 & 16	Lack of monthly reports and VMS data	Correspondence with Secretariat regarding VMS set-up on 27 January. Summary of information pending on 27 November.	Compliance action plan provided 30 January 2018 (Annex I) 2017 reports provided 30 January 2018 2018 reports provided 10 December 2018
	CMM 10-2017 (CMS); Para 5	Lack of implementation reports	Phone call by Executive Secretary on 23 November. 27 October Secretariat assisted with implementation report drafting. June & October correspondence by Chile offering assistance.	Compliance action plan provided 30 January 2018 (Annex II) 2016/17 report provided 28 January 2018 2017/18 report provided 23 November 2018

**Table 2:** Current status of Compliance Action plans as identified in the 2017 Final Compliance Report.

Member/CNCP	Compliance Action plan for:	Compliance Issue	Current Status
Panama	CMM 12-2017 (Transshipment); Para 4 & 8	2017 Transshipment notifications being received after activity rather than prior Lateness and lack of transshipment details for 2017.	2017 Transshipment details provided 30 January 2018 2019 Initial Draft CMS identified possible issues with Paras 4 & 8 in relation to transshipment details data <i>Noting that as of 12 December 2018 Panama continues to make significant efforts to submit outstanding data</i>

**Table 3:** Current status of Compliance Reviews as identified in the 2017 Final Compliance Report.

Member/CNCP	Compliance review in relation to:	"Missing (or late) information"	Current Status
China	CMM 02-2017 (Data standards); Para 1(e)	2016 Squid jigging activity data (incomplete)	Additional 2016 jigging activity data submitted on 29 June 2018
Cuba	CMM 05-2016 (Record of Vessels); Para 2, 3 & 4	2015/16 Implementation report	2016/17 report not submitted 2017/18 report provided 31 October 2018
	CMM 07-2017 (Port inspections); Various	2015/16 Implementation report	Missing information provided 28 January 2018
Panama	CMM 05-2016 (Record of Vessels); Para 6	Images for 3 vessels	Missing images provided 30 January 2018



Annex I: Compliance Action plan provided by Panama in relation to CMM  
01-2017 (Jack mackerel)

Republic of Panama  
Aquatic Resources Authority of Panama

ANNEX I

Action Plan regarding CMM 4.01

(*Trachurus murphyi*).

**Effort and Catch Management**

No catch vessels are involved in *Trachurus murphyi*

**Data Collection and Reporting**

The participation of Panama as CNCP in *Trachurus murphyi* is in transshipment. The Vessels that are engage with the species, will provide to the Commission 15 days of the end of each month the information on the activities. The Authority will collect all the information in order to provide the final report to the Compliance Committee

**Disposal of Catch**

Fishing vessels are registered in SPRFMO to catch squid, also reefer cargo vessel as support fishing vessels of species managed by the Commission.

**Transshipment Notification and Report**

We have our position to maintain only fishing vessels for squid and vessels for transport transship and support fishing vessel. However, support vessel can be involved in transshipment of *Trachurus murphyi*.

A transshipment Division have been created under the Control Department with an organization chart and each section will be in charge of managing the information depending of the structure and the process.

Special procedures will be made in the division in at least one month and will provide information to the SPRFMO Secretariat including the way to send the information and the persons in charge.

The communication of operation will be received by email [transshipment@arap.gob.pa](mailto:transshipment@arap.gob.pa) in order to receive all the information and then to be sent to the SPRFMO Secretariat.



## Action Plan of Transshipment and Report

Activity	Process of Communication
Pre-notification of Transshipment	Transshipment Division of the Control Department will receive the communication and will send it to the SPRFMO Secretariat immediately
Report of Transshipment	Transshipment Division of the Control Department will receive the communication. Transshipment of <i>Trachurus murphyi</i> will sent monthly.
Annual Report	Control Department will prepare the annual report and will be sent the first week of November each year.
Review of the Final Report of Previous Year	Control Department will review the pending issues of the Previous Final Report in order to adjust the requirement in the report to be sent for the next review.

## Distribution of the Job in the Authority Regarding Compliance and Monitoring Scheme

CMM 4.01 (*Trachurus murphyi*) Information will be provided by Control Department of the Aquatic Resources Authority of Panama

CMM 4.02 (Data Standards) Information will be provided by Transshipment Division of the Control Department

CMM 4.05 (Record of Vessels) Information will be provided by the Directorate of Integral Management

CMM 4.10 (Compliance and Monitoring Scheme) will be provided by the Directorate of Inspection, Monitoring and Control through the Control Department, Monitoring Department and Head Office.



## Annex II: Compliance Action plan provided by Panama in relation to CMM 10-2017 (CMS)

### Republic of Panama Aquatic Resources Authority of Panama

#### ANNEX III

##### Action Plan regarding CMM 4.10

(Establishment of a Compliance and Monitoring Scheme).

#### **Summary**

The Republic of Panama is located between 7 ° 12'07 " and 9 ° 38'46" North Latitude and 77 ° 09'24" and 03'07" 83 ° west longitude and has an area of 75,517 km<sup>2</sup> (29,208 square miles). Panama is the link between Central America and South America, and has coasts on the Caribbean and the Pacific, where emerging about 1, 581 islands and islets. Those coasts add up to a total of 2,988.3 km, of which 1.700.6 km are of the Pacific and 1,287.7 km are in the Caribbean. Its territorial waters extend to about 200 nautical miles wide over which the Republic of Panama has sovereignty and sovereign rights, as in the seabed. A large upwelling in the Gulf of Panama influences this area.

Panama has had major management control of its fishing vessels since 1997, which establishes the obligation to obtain a fishing license for fishing vessels on the high seas or EEZ of other States, with a Vessel Monitoring System (VMS) as mandatory for all fishing vessels and support fishing vessels.

In compliance with the decisions taken by Resolution A/RES/53/33 of 15 March 1999 General Assembly of the United Nations concerning fishing in large-scale drift-nets, the unauthorized fishing in zones of national jurisdiction and high seas, bycatch and discards in fisheries and other matters; Republic of Panama established the Executive Decree No. 90 of July 17, 2002 "Through which prohibits the use gill nets and / or drift to all industrial fishing vessels domestic and international service under the Panamanian flag because it represents a major threat to the marine environment, the sustainability of fisheries and marine biodiversity. Since 1985 Panama, in accordance with these international instruments, has adopted programs to control illegal fishing as required by market states like the European Union and fisheries management organizations (RFMO's).

#### **Background**

The Republic of Panama is a cooperating non-Member of SPRFMO, the number of vessels operating in this convention area are two vessel pole and line for the catching of Squid and 38 reefer vessels as support vessels. All of our vessels are licensed to operate in the SPRFMO in compliment to the commission's recommendations and requirements with responsibilities to exercise effective control of the vessels, taking measures to ensure that vessels, comply with the provisions of the Convention

In this moment we are recognizing the need to request technical assistance and capacity building to Panama as a Developing State.



## Socio-economic factors

The benefits obtained to flag in Panama are in the country and generates many jobs also with the crews of the ships as well as the company profits that are in the country.

### Disposal of Catch

Fishing vessels are registered in SPRFMO to catch squid, also reefer cargo vessel as support fishing vessels.

### Future Prospect of the Fishery

We have our position to maintain only fishing vessels for squid and vessels for transport transship and support fishing vessel, increasing the catch documentation scheme to include other species.

### Action Plan of Compliance and Corrective Actions

Compliance Status	Corrective Action
Non-Compliant	Identification of the non-compliance, make a proposal of corrective action for the future and proceed to provide the information in a prior no longer that two months
Priority non-compliant	Identification of the omissions and failure of compliance. Request technical assistance or capacity building to the Commission to take steps to respond and rectifications. Provide the information in a period no longer than six-months.
Not assessed	Immediately provide the information

### Distribution of the Job in the Authority Regarding Compliance and Monitoring Scheme

CMM 4.01 (*Trachurus murphyi*) Information that will be provided by Control Department of the Aquatic Resources Authority of Panama

CMM 4.02 (Data Standards) Information will be provided by Transshipment Section of Control Department

CMM 4.05 (Record of Vessels) Information will be provided by the Directorate of Integral Management

CMM 4.10 (Compliance and Monitoring Scheme) will be provided by the Directorate of Inspection, Monitoring and Control through the Control Department, Monitoring Department and Head Office