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**RESPONSE TO COC CHAIR'S REQUEST FOR ADVANCE INPUT ON POTENTIAL
COMPLIANCE ISSUES OF OTHER CPCs, AND INFORMATION FROM COC CHAIR
ON PROCESS FOR REVIEWING CPC RESPONSES TO COC CHAIR LETTER COMPLIANCE ISSUES
IDENTIFIED BY THE COC AT THE 2017 ANNUAL MEETING**

CPC advance input on potential compliance issues of other CPCs

In his letter in circular #7493 of 11 October 2018, the COC Chair wrote:

To facilitate a fulsome discussion during the CPC by CPC compliance review, I strongly encourage CPCs to review the Annual Reports and other compliance-related documentation of other CPCs when these are made available to the Commission, and to submit any questions or concerns regarding potential noncompliance to me in writing no later than Monday, November 5. I will in turn consider this input as I develop a list of additional matters for discussion during the CPC by CPC review.

Input received in response to the Chair's request is attached. As appropriate, the Secretariat and COC Chair will take this information into consideration in preparing revised versions of Compliance Summary Tables (COC-308).

CPCs that have not submitted information through this process are nevertheless encouraged to come to the COC sessions prepared to raise issues or pose questions related to compliance by other CPCs as reflected in reports and other documentation available to the COC.

Process for review of CPC responses to COC Chair letters on compliance issues identified at 2017 Annual Meeting

Letters sent by the COC Chair to certain CPCs following the 2017 Annual Meeting informing them of compliance issues identified at the 2017 meeting and CPC response letters received to date are contained in COC-309.

During the CPC by CPC review that will take place during the November 10-11 COC sessions, for each CPC that received a letter, I will review the issues raised, and then turn to the CPC to respond how it has addressed the issues raised, either by presenting the contents of its written response to the COC Chair or providing information not included in a written response, including any updates to its written response. I will then open the floor to for questions and views of other CPCs as to the sufficiency of the actions taken by the CPC to address compliance issues identified in 2017. I also welcome views from CPCs as to how to track CPC responsive actions year-to-year, to aid the COC in continuing to monitor responsive actions where there is a continuing concern about the issue. I would like this to be a robust discussion and strongly encourage CPCs to review the letters and develop views in preparation for the COC sessions.

Observer requirements

For many years the SCRS has noted the incomplete picture on the total magnitude of bycatch within ICCAT fisheries, where and when it is occurring, and the measures being applied to avoid bycatch.

COC-303 and COC-311 note that several CPCs indicated difficulties implementing scientific observer programs. As noted in PLE-105A, the CP45 form was replaced by the ST11 form to reflect the requirements stipulated in Rec. 16-14. In 2018 ST11 forms were submitted by just 14 CPCs and CP45 was submitted by 1 CPC. Additionally, in 2018, just 21 CPCs submitted form ST09 to report observer bycatch data. As was the case in previous years, several forms were submitted with very little or no information. The limited observer data submitted using ST09 has significantly hampered the SCRS's ability to provide responses to the Commission on Rec. 16-14, para 10 (and its predecessor Rec. 10-10) to review and make recommendations to improve the effectiveness of observer programs; Rec. 11-09 para 8 to assess, evaluate, and make recommendations to improve seabird bycatch reduction measures; and Rec. 13-11 para 2 to provide advice to mitigate sea turtle bycatch.

Compliance with observer coverage minimum standards and the data reporting requirements associated with those programs appear to be quite poor. We ask that the COC prioritize review of this matter this year, in particular, to confirm for each CPC whether or not they have a scientific observer program in place, if they met the 5% minimum coverage of fishing effort required for the concerned gear types (pelagic longline, purse seine, baitboat, trap, gillnet, and trawl) in 2017, how they calculate their level of effort and ensure representative temporal and spatial coverage of their fleets, and whether they provided details on the structure and design of their program to the Commission and SCRS and other information required per paragraph 10 of Rec. 16-14.

Additionally, in its Annual Report, Barbados indicates that it is not subject to ICCAT's minimum standards for scientific observer programs as it objected to Recommendation 10-10. In 2016, however, the Commission adopted Rec. 16-14, which repealed and replaced Rec. 10-10. We do not recall that Barbados lodged a similar objection to Rec. 16-14. If not, Barbados is bound by its terms. We would appreciate clarification of this matter.

COC-304

- **Discrepancies between Task I data and COC tables:** There are a number of differences between the reported Task I data and the compliance tables for many species and CPCs, leading to two disparate sets of catch data maintained by ICCAT. This is an issue that ICCAT should address in the near future.
- **EU/S-ALB:** There is a significant difference between the EU's reported 2017 S-ALB landings in Task I data (435 t) and the COC table (178.2 t). Can the EU please explain this discrepancy?
- **EU/BUM:** It appears that the EU has carried forward 48 t of BUM to 2019 despite having just 11 t of underharvest of its reduced 2017 quota, and still has an additional 65.25 t to pay back in 2018. Can the EU please clarify its payback plan for blue and white marlin, explain the discrepancy between Task I reported BUM catch in 2017 (565 t) and the COC table reported catch (337.84 t), and describe measures in place to reduce interactions and fishing mortality?
- **Canada/W-BFT:** Rec. 16-08, para 6d, specifies that, depending on availability, Mexico can transfer up to 108.98 t of its adjusted quota in 2017 to Canada to support cooperative research as specified in paragraph 20 of Rec. 16-08. The W-BFT compliance annex for Mexico and Canada note differing information regarding a transfer in 2017. We would appreciate clarification of this matter (including the transfer year and the year the quota was applied) and adjustment of the compliance annex as appropriate.
- **Barbados, Belize, Brazil, France (SP&M), Korea, Mexico, Trinidad & Tobago/N-SWO:** Rec. 17-02, para 3, specifies that CPCs with initial N-SWO catch limits (as specified in para 2.b) of 500 t or less may carry over a maximum underage of 40% of their initial catch limit. The carry over amounts included in the compliance annex for Barbados, Belize, Brazil, France (in respect of St. Pierre et Miquelon), Korea, Mexico, and Trinidad and Tobago for 2018 appear inconsistent with this rule. We would appreciate clarification of this matter and adjustment of the compliance table annex as appropriate.
- **Canada, Japan, Senegal/N-SWO:** Rec 17-02, para 3, (as well as Rec. 13-02, para 6, and Rec. 16-03, para 3) specifies that CPCs with initial N-SWO catch limits (as specified in para 2.b) of more than 500 t (excluding quota transfers) may carry over a maximum underage of 15% of their initial catch limit. The calculations in the compliance annex for Canada, Japan, and Senegal appear inconsistent with this rule. These CPCs appear to be using adjusted catch limits when calculating their carryovers. We would appreciate clarification of this matter and adjustment of the compliance annex as appropriate.
- **Canada, Chinese Taipei/N-SWO:** The N-SWO total allowable catch includes landings and dead discards (vice the landings limits set for marlins). All catches, including dead discards, therefore, should be calculated against quotas in the North Atlantic swordfish fishery. The N-SWO compliance annex for Canada and Chinese Taipei do not appear to include dead discards although these are reported in SCRS and reflected in Task I. We would appreciate clarification of this matter and adjustment of the compliance annex as appropriate.

- **EU, Japan, Venezuela/NSWO:** The NSWO catch reflected by the EU and Japan in the compliance annex differs from that in Task I for 2017. We would appreciate an explanation for this difference and adjustment of the compliance annex as appropriate. Further, Task I indicates that Venezuela caught N-SWO in 2017 but no compliance table appears to have been submitted. Venezuela should be asked to rectify this omission as soon as possible.
- **Guyana/NSWO:** Guyana continues to harvest NSWO but does not have a catch limit under the relevant recommendations (Rec. 13-02, 16-03, and 17-02). Clarification from Guyana on this matter is sought.
- **Mexico/BUM:** The BUM compliance table for Mexico shows 15 t overharvest of BUM in 2013 but the adjusted limit in 2015 only shows a 14 t reduction. Mexico reported BUM overharvest of its adjusted limit again in 2015, requiring 17 t payback in 2017. However, the adjusted 2017 limit does not reflect the 17 t reduction and indicates a potential carryforward. A similar problem exists for 2014, 2016, and 2018. We would appreciate clarification of this matter and adjustment of the compliance annex as appropriate.
- **Mexico/WHM:** It does not appear that Mexico's 2013 or 2015 overharvest of WHM has been accounted for in its planned carry forward from 2014 to 2016 to 2018. It also does not appear that the proper adjustment year is applied in each case. We would appreciate clarification of this matter and adjustment of the compliance annex as appropriate.
- **Belize/WHM:** Rec. 15-05 limits WHM landings for CPCs not on the quota table to 2 t. Belize appears to be using a 10 t limit in its compliance tables for WHM, reporting 11.5 t landed in 2017. We would like to make Belize aware of its actual 2 t landings limit and seek adjustment of the compliance annex and payback of overharvest as appropriate.
- **EU/WHM:** The EU reported significant overharvest of WHM in 2014 and 2015, and proposed a payback plan for 2016, 2017, 2018, 2019, 2020. EU's WHM catch has declined significantly since 2015 as reported in the compliance table, but Task I landings show a continued overharvest. We would like clarification on this matter.
- **Trinidad & Tobago/WHM:** Trinidad and Tobago reported significant WHM overharvest in 2014, 2015, 2016. It has not reported a repayment plan, but has reported zero catch in 2017. We would like clarification on how Trinidad and Tobago prevented any landings in 2017 and ensured there were no dead discards.
- **Liberia/WHM:** Liberia reported 98 t of WHM in 2016 in Task I, but its limit is 2 t. There was no compliance report submitted. We seek submission of the compliance table and payback of overharvest as appropriate.
- **CPCs on the BET quota table, re: BET TAC payback under 16-01 para 2(b):** It is unclear if the payback for the TAC overage was taken into account in the 2017 catch limits for those on the quota table (except for Japan, which clearly stated that it did not), and China who does seem to have adjusted its 2017 adjusted limits down by about 3%. It appears the EU, Korea, and Chinese Taipei did not make this adjustment. We seek clarification from those CPCs on the quota table on how this requirement was taken into account.
- **EU/BET:** The adjusted catch limit for 2017 (19,699.78) is higher than the maximum allowed under the measure with the 15% carry forward limit (19,537.35) and does not take into account the para 2(b) reduction. This means that the EU's BET overharvest should be greater than what is calculated here. For 2018, the EU claims the maximum allowable adjusted quota of 19,537.35, despite the fact that it overharvested in 2017. We seek clarification on this issue and would appreciate adjustment of the compliance annex as appropriate.
- **Ghana/BET:** Ghana did not include an adjusted catch limit for BET in 2018. Based off of the reported overharvest and quota payback/transfer plan, the adjusted catch limit should be 3586.57. Ghana also reports a significant difference between its Task I BET catch (4826 t) and its catch in the compliance tables (4085.7 t). We seek clarification on this issue and would appreciate adjustment of the compliance annex as appropriate.

- **Japan/BET:** We seek clarification on the differences between Japan's reported catches in Task I data (10,980 t) and its catch reported in the compliance tables (9,437.6 t). From 2014 to 2017, there is an accumulated 15,001.4 t difference between Japan's reported BET Task I data and the catches reported in the compliance tables. We seek clarification on these discrepancies.
- **Panama/BET:** We seek clarification on the differences between Panama's reported BET catches in its Task I data (1,664 t) and its COC reported catches (1,413 t).

COC-303 Annex 2

- **Ghana:** There are a number of measures marked as "optional" or "not required" by Ghana in CP10-IntAc20 (as reported in COC-303 Annex 2), including "conditions for reporting discard statistics" and "observer coverage". Can Ghana please explain why it considers these requirements optional for its ICCAT vessels?

COC-301 Annual Reports

- **Angola:** Angola provided a list of vessels which fished for tropical tunas in previous year (TRO 2002) but did not submit Task I data for tropicals in 2016 and responded "N/A" in its annual report for all tropical tunas reporting requirements. Can Angola please clarify whether it is fishing for tropical tunas?
- **Senegal:** The shark catch composition reported in Table 6 in Senegal's Annual Report (page 449 of COC-301) indicates a different composition than what has been included in the narrative text of its Annual Report (Section 1.1.2). Can Senegal please clarify the composition of its shark catches from its longline fleet?

COC-303

- **Barbados, Senegal, Venezuela/SMA:** Barbados, Senegal, and Venezuela reported Task I data for shortfin mako catch in previous years, but no catches for the first six months of 2018 were reported. Can Barbados, Senegal, and Venezuela please clarify if they had North Atlantic shortfin mako landings during this period? If so, we request that they provide the data to ICCAT as required.
- **Ghana, Panama/FADs:** COC-303 notes management plans should also have been submitted by Ghana and Panama. We would appreciate clarification of this matter and, where applicable, ask that FAD management plans be provided as soon as possible.
- **Guatemala/FADs:** In its Annual Report, Guatemala indicates that it has updated and submitted its FAD management plan; however COC-303 does not indicate the report has been submitted and it is not contained within COC-303 Annex 6. Can Guatemala clarify whether it has submitted its FAD management plan?

Other

- **EU:** Two purse seine vessels on the 2016 active vessel list but not on the 2018 active vessel list show evidence of recent fishing activity in the Atlantic and Western Mediterranean based on AIS readings. These vessels (ATEU0ESP03287 and ATEU0ESP03360) are operating under the flag of Spain. Can the EU please clarify whether these vessels are fishing for tuna or tuna-like species?