

INTER-AMERICAN TROPICAL TUNA COMMISSION
COMMITTEE FOR THE REVIEW OF IMPLEMENTATION OF
MEASURES ADOPTED BY THE COMMISSION

3rd MEETING

La Jolla, California (USA)
 20-21 June 2012

DOCUMENT COR-03-04b

COMPLIANCE QUESTIONNAIRES RELATED TO RESOLUTION
[C-11-07](#)

1. GENERAL CONSIDERATIONS

Resolution [C-11-07](#) on compliance establishes in its paragraph 4 that ... “*the Committee meeting shall also discuss non-submission or late submission of the questionnaire by CPCs as well as repeated absences at Committee meetings*”.

This document presents information on the first year of the system for monitoring compliance that derives from the resolution. In view of this year’s experience, and with the intention of improving the system, the Secretariat is proposing certain adjustments to the deadlines for submitting information. There are also certain provisions of the Antigua Convention that require compliance but are not included in the questionnaires, and the Secretariat considers that they should be taken into account in this exercise.

2. SUBMISSION OF QUESTIONNAIRES

In accordance with Resolution [C-11-07](#), the Secretariat sent the questionnaire to the Members, together with the information on possible infractions detected by observers, on 22 March, three months before the meeting of the Committee. The information sent is considered preliminary, since some fishing trips that started in 2011 did not finish until the first months of 2012, and it takes time to process the data collected by the observers; furthermore, at that time the data from the national observer programs were not yet available.

The Secretariat received a total of 17 responses from Members, only five of which arrived before 22 April, two months before the meeting of the Committee, the deadline established in the resolution. Also, on 11 April it also received a response from Bolivia, which is not a CPC of the IATTC.

Member		Date	Member		Date
Belize	BLZ	8-May-12	Kiribati	KIR	
Canada	CAN	26-Apr-12	Korea	KOR	16-May-12
China	CHN	21-Apr-12	Mexico	MEX	18-May-12
Colombia	COL	24-Apr-12	Nicaragua	NIC	14-May-12
Costa Rica	CRI		Panama	PAN	21-May-12
Ecuador	ECU	21-May-12	Peru	PER	16-May-12
El Salvador	SLV	14-May-12	Chinese Taipei	TWN	17-Apr-12
European Union	EUR	22-Apr-12	United States	USA	1-May-12
France	FRA		Vanuatu	VUT	
Guatemala	GTM	17-Apr-12	Venezuela	VEN	22-Apr-12
Japan	JPN	24-Apr-12			

On 7 May an update of the information was circulated, with the final data from IATTC observers and the

information received from the national programs, requesting a response by 15 May.

Appendix 1 summarizes the situation regarding the provisions of the resolution relating to the distribution of information to CPCs and the submission of information to the Secretariat.

3. REQUESTS FOR ADDITIONAL INFORMATION

In addition to the information requested on the questionnaire, the resolution asks CPCs to provide the following additional information on cases of possible non-compliance:

1. Details of the case of possible non-compliance;
2. Current status of the fishing vessel;
3. Status or result of investigation;
4. Actions taken based on the result of the investigation, including sanctions and preventive actions.

The Secretariat received no such additional information.

4. CONTENT OF THE QUESTIONNAIRES

The questionnaire includes only IATTC resolutions in force which involve compliance by vessels and CPCs. However, the following provisions of the Antigua Convention also require compliance, and should perhaps be included in the questionnaire.

Article/Annex	Paragraph	Compliance-related requirements
XV. Contributions	4	If a member of the Commission is in arrears in the payment of its contributions by an amount equal to or greater than the total of the contributions due from it for the preceding twenty-four (24) months, that member shall not have the right to participate in decision-making in the Commission until it has fulfilled its obligations pursuant to this Article
XX. Duties of flag States	2	No Party shall allow any vessel entitled to fly its flag to be used for fishing for fish stocks covered by this Convention unless it has been authorized to do so by the appropriate authority or authorities of that Party.
	3	Each Party shall take such measures as may be necessary to ensure that vessels flying its flag do not fish in areas under the sovereignty or national jurisdiction of any other State in the Convention Area without the corresponding license, permit or authorization issued by the competent authorities of that State.
Annex 1	1	In application of Article XII, subparagraph (k) of paragraph 2, of this Convention, each Party shall maintain a record of vessels entitled to fly its flag and authorized to fish in the Convention Area for fish stocks covered by this Convention, and shall ensure that the following information for all such vessels is entered in that record: ...

Appendix 1. Current and proposed schedules for the circulation of data on compliance (Resolution C-11-07)			
Information	Dates		
	Resolution	In practice (2012)	Proposal by the Secretariat
Distribution by the Secretariat of questionnaires and information on possible infractions	Three months prior to the meeting	<ul style="list-style-type: none"> • Initial distribution: in accordance with the resolution, but with preliminary data from the IATTC program only • 45 days prior to the meeting: updated information, with complete data for the IATTC program y data received from the national programs 	Three months prior to the meeting of the Committee, with preliminary data on possible infractions
Submission to the Secretariat of the completed questionnaires and responses to the possible infractions	Two months prior to the meeting	<ul style="list-style-type: none"> • Only 5 timely responses; 12 more later, some on the same date on which the Secretariat should circulate them (one month before the meeting) • Only one report with additional data on the possible infractions identified 	<ul style="list-style-type: none"> • Two months prior to the meeting for data sent by the Secretariat three months prior to the meeting • At the meeting of the Committee for data sent by the Secretariat one month prior to the meeting
Circulation to all CPCs of the completed questionnaires and responses to possible infractions	One month prior to the meeting	One month prior to the meeting	One month prior to the meeting