



# agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

## South Africa's Annual Report to the Compliance Committee and the Extended Commission of the CCSBT

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## **I. Summary of MCS Improvements**

### **1. Improvements achieved in the current fishing season**

- 1.1 As has been the case during the previous years, South Africa continues to maintain an enhanced Monitoring, Control and Surveillance (MCS) enforcement obligations. The South African Department of Agriculture, Forestry and Fisheries (DAFF) hereby register its commitment to do more than is required to meet its compliance obligations. These obligations include although not limited to sampling, monitoring, following up, investigations of contraventions, transshipment by vessels at sea etc. DAFF is grateful to the CCSBT for having raised, in the past, the issue of the Catch Monitor Forms (CMFs) and Catch Tagging Forms (CTFs) being duplicated or un-procedurally. These complaints/reports were addressed.
- 1.2 The Fisheries Research vessels as well as Fisheries Protection vessels (FPV's) were operational during the period under review. DAFF have been able to carry out the necessary vessels patrols to curb the illegal, Unregulated and Unreported fishing (IUU) to reduce as well as to keep IUU under acceptable levels.
- 1.3 Enforcement efforts during the period of review was further enhanced following the implementation of the decision taken by Cabinet during December 2013 which required the development of an more integrated approach for Ocean Governance, including the development of management plans for the Oceans and Coastal Areas. South Africa had been operating in terms of a Sector Based Ocean Management approach; however recently South Africa progressed to a more all-encompassing integrated and coordinated cross-sector management approach delivering Big Fast Results (Operation Phakisa).
- 1.4 Through this process the Operation Phakisa LABS were established. The coordination and management of the LABS was aimed at integrating governance structures in the South African Maritime/Ocean environment, identifying and managing the inter-dependencies of socio-economic aspirations and environmental integrity, and unlocking sustainable ocean economy opportunities and developments.
- 1.5 The Marine Protection Services and Governance LAB focused on the need to improve monitoring, control and surveillance; the identification and protection of sensitive and unique marine habitats and species as well as the co-ordination of required resources for compliance, enforcement and policing of the oceans and coast. This was undertaken through Initiative 5, the enhanced and Coordinated Compliance and

Enforcement Programme, and Initiative 6 the National Ocean and Coastal Information System and Extending Earth Observation Capacity.

- 1.6 Through Initiative 5: The Enhanced and Coordinated Compliance and Enforcement Programme, IUU fishing, other criminal activities within the ocean and coastal environment as well as environmental degradation result in the indiscriminate utilization of marine resources and the destruction of associated, supporting habitat that, in turn, results in revenue losses globally are addressed. South Africa recognises that illegal harvesting continues to threaten biodiversity, ecosystems, sustainable resource use and the sustainable livelihoods of legitimate fishers.
- 1.7 Initiative 5 under Operation Phakisa has created the platform to provide opportunities for an integrated and coordinated approach in addressing these indiscriminate fishing practices as well as other illegal activities within the ocean environment and created systems, processes and practices that allowed for detection of infringements (as well as prevention capabilities) followed by a co-ordinated and integrated response to deal with them. This is achieved through integrating compliance and enforcement activities focussing on amongst others, the monitoring and associated enforcement activities related to IUU, illegal activities within Marine Protected Areas (MPAs), pollution at sea, illegal effluent discharge, piracy, human trafficking and human smuggling.
- 1.8 The Pilot Project: Initiative 5 of Operation Phakisa has been completed successfully and has proven that a more enhanced and co-ordinated compliance and enforcement programme is attainable and when executed effectively results in an increased ability to protect South Africa's marine environment.
- 1.9 The Port of Entry Control Centre (PECC) was established in the Port of Cape Town and facilitates ongoing and future operations in terms of Initiative 5, to carry out inspections and rummaging of vessels. At the two main South African Ports, Richards Bay, Durban, Port Elizabeth and Cape Town a total of 633 foreign fishing vessels entered South Africa and 206 foreign fishing were inspected. Consequently, five vessels were arrested by the South African Authorities for various transgressions in terms of the Marine Living Resources Act (Act No. 18 of 1998) (the MLRA) during the 2015 fishing season. The results are displayed in Figure 1.

Date	Vessel Name	Legislation and Charge	Outcome of the Case
02/02/2015	Hung Yu #8	Possession of abalone without invoice. MLRA 18/1998 Reg.36(1)(a)	R5000.00
28/03/2015	Shinsei Maru #11.	Fail to declare fish on board. Not comply with EEZ permit condition par.7	R5000.00
01/05/2015	Hung Yih #212	Fail to offload shark fins together with their trunks. Not comply with EEZ permit condition par.11	Docket
17/07/2015	Jia de 6	Fail to have EEZ permit available for inspection. MLRA 18/1998 Sec. 13(3)	R3000.00
22/08/2015	Insung Ho	Fail to have EEZ permit available on board for inspection by FCO. MLRA 18/1998 Sec. 13(3)	R2500.00

**Figure 1 Results of Foreign fishing vessels charged and fined during 2015**

## **2. Future planned improvements**

South Africa has implemented very high MCS standards, and requires:

- 2.1 VMS on all long line vessels,
- 2.2 Observer coverage on 100% of charter vessels,
- 2.3 Vessel quotas for the large pelagic longline fishery,
- 2.4 100% Monitoring of landings,
- 2.5 discarding/releasing of all Southern Bluefin tuna (SBT) when the fishery is closed, and
- 2.6 Implementation of tags, CTFs and CMFs.

As a port state South Africa has also closely monitored vessels with SBT and required confirmation by flag states before foreign vessels were allowed to enter port. Further improvements are for DAFF and the Department of Environmental Affairs (DEA) to amend the MLRA and the regulations promulgated thereunder. This will result in the reduction of the SBT bag limits for the recreational fishery; Specific amendments addressing EEZ and High seas Permits for non-gear carrying vessels (Reefer Vessels).

South Africa is in the process of improving its Vessel Monitoring Systems, which will bring about a more stringent monitoring and surveillance regime by applying the most advanced VMS technologies.

The Cape Town Port of Entry Control Centre will be extended to the Air Border Environment and a third phase will be on the land border post to prevent the illegal export of fish and fish products to South Africa's neighbouring countries. The Border Management Authority (BMA) is being established and will further address illegal activities in the border environment.

### **3. Implementation of the common CCSBT definition for the "Attributable SBT Catch"**

*CCSBT 21 agreed on a common definition of the Attributable SBT Catch. Further, it agreed to implement this common definition as soon as practicable, but not later than the 2018 quota year. Members should report on progress on the action points for implementing the Attributable SBT catch as specified in Table 1 at paragraph 53 of the CCSBT 21 report (provided here as Attachment A).*

South Africa has not yet commenced research into sources of UAM. Possible sources of UAM in South Africa include incidental and unreported catches of the tuna baitboat and the recreational tuna fishery during times when the species is available nearshore around the Cape of Good Hope, which has been the case historically. Catches from the recreational fishery are likely to be negligible, but by catches by the baitboat vessels, likely to be misidentified and reported as big eye tuna, could become more common when the species recovers.

## II. SBT Fishing and MCS Arrangements

### (1) Fishing for Southern bluefin Tuna

(a) Specify the number of vessels that caught SBT in each sector (e.g. authorised commercial longline, authorised commercial purse seine, authorised commercial charter fleet, authorised domestic fleet) during the previous 3 fishing seasons.

Fishing Season (e.g. 2011/12)	Sector 1 (domestic longline fleet)	Sector 2 (charter longline fleet)
	Number of vessels	Number of vessels
2010	9	2
2011	9	11
2012	9	8
2013	11	9
2014	11	4
2015	10	4

(b) Specify the historic national SBT allocation, together with any carry-forward of unfished allocation and the total SBT catch counted against the national allocation (Attributable Catch) during the 3 previous fishing seasons. All figures should be provided in tonnes. Some CCSBT Members use slightly different definitions for the catch that is counted against the allocation, so in the space below the table, clearly define the catch that has been counted against the national allocation:-

Fishing Season (e.g. 2011/12)	National SBT allocation (t) (excluding carry-forward)	Unfished allocation carried forward to this fishing season (t)	SBT catch counted against the national allocation (t)			
			Sector 1 (domestic longline fleet - swordfish)		Sector 2 (domestic & charter longline fleet - tuna)	
			Domestic allocation	Actual Catch Against Allocation	Domestic allocation	Actual Catch Against Allocation
2005	40			2.5		21.5
2006	40			9.4		0
2007	40		8 (Olympic)	15.2	32 (Olympic)	26.2
2008	40		8 (Olympic)	0.3	32 (Olympic)	45.2

2009	40		10 (Olympic)	14.8	30 (Quota)	13.2
2010	40		0 (SBT only permitted as by-catch to swordfish)	34.3	40 (Quota)	0.1
2011	40		11 (Olympic)	26.7	29 (Quota)	21.9
2012	40		11 (Olympic)	54.9	29 (Quota)	21.7
2013	40		11 (Olympic)	43.3	29 (Quota)	22.3
2014	40		29.26 (Quota)	47.4	10.65 (Quota)	2.9
2015	40		36.52 (Quota)	49.3	3.48 (Quota)	5.4

*(c) Describe the system used for controlling the level of SBT catch. For ITQ and IQ systems, this should include details on how the catch was allocated to individual companies and/or vessels. For competitive catch systems this should include details of the process for authorising vessels to catch SBT and how the fishery was monitored for determining when to close the fishery. The description provided here should include any operational constraints on effort (both regulatory and voluntary):-*

South Africa has a complicated management system for its Large Pelagic Longline fishery. The fishery was split into two main components when long-term commercial fishing rights were allocated in 2005, namely swordfish longline (18 vessels) and tuna longline (26 vessels). The rationale for this was to limit the fishing effort on swordfish due to excessive decline in the swordfish CPUE during the experimental phase of the fishery. However, this was changed for the 2015/16 fishing season, subsequently, both the tuna longline and swordfish longline were merged to form the Large Pelagic Longline sector. The large pelagic longline sector catches the SBT as by-catch. In the commercial period, only the tuna longline sector were given opportunities to enter into charter agreements with foreign vessel owners to improve catch performance of tuna and to provide a platform for transferring skills to

South Africans but because of the merger, the entire sector is now given an opportunity to enter into charter agreements with foreign vessels.

In 2005 and 2006 the South Africa's SBT allocation of 40 t was managed on an Olympic system for both the swordfish and tuna longline sectors combined. In 2007 and 2009 the SBT allocation was split thereby allowing the swordfish longline sector to catch 8 t and the tuna longline sector to catch 32 t. Sectors were managed on separate Olympic systems. Due to the exceeding of the SBT by the tuna longline sector in 2008, which resulted in the early closure of the fishery, the management of this sector changed to a quota system in 2009. The tuna longline sector was given a total of 30 t, which was equally divided between the 26 tuna longline right holders (26 vessels) at the start of the season. The Department also made provision for tuna right holders to transfer their quota should the right holder not be operating for the year or if the vessel was not catching any SBT. The swordfish sector (18 right holders = 18 vessels) was given 10 t to fish on an Olympic system. The Department changed the management of the system again in 2010 by transferring the entire allocation (40t) to the tuna longline sector on a quota system. The management also had to take into account that an additional three rights would be allocated in swordfish and a further three rights allocated in tuna longline. The quota was equally divided by 29 right holders, which translated to 1.37 t per right holder. The swordfish vessels were only permitted to catch SBT as by-catch to swordfish fishing. The Department made provision for the transfer of SBT quota between tuna and swordfish right holders. In 2011, 2012 and 2013 South Africa reverted back to a split quota between the swordfish and tuna longline sectors. The tuna longline sector was given 29 t, which was divided equally between 29 right holders. The Department once again made provision for the transfer of quotas between right holders. The swordfish longline sector was given 11t to fish on an Olympic system between 21 right holders. In 2014 and 2015, the Department allocated the SBT quota equally amongst the rights holders, each getting 870 kg, with a provision that if a right holder has not been actively fishing before or on 31 May, its SBT allocation will be transferred to those that have been active.

The quota in the Large Pelagic Longline sector is managed by monitoring electronic landing summaries submitted by industry within two weeks after the vessel has landed and by monitoring observer reports submitted every five days while observers are at sea. Through this system when the Department becomes aware that a quota has been exceeded it immediately responds to close the SBT fishery. When this occurs the vessels are required to release all SBT caught after this date. The SBT fishery was closed in July of 2008, 2010, 2011, 2012, 2013 and in October 2015.



(d) Provide details of the methods used to monitor catching in the fishery by completing the table below. Details should also be provided of monitoring conducted of fishing vessels when steaming away from the fishing grounds (this does not include towing vessels that are reported in Section 2).

Monitoring Methods	Description
Daily log book	<p><i>Specify:</i></p> <p><i>i. Whether this was mandatory. If not, specify the % of SBT fishing that was covered:-</i> Mandatory</p> <p><i>ii. The level of detail recorded (shot by shot, daily aggregate etc):-</i> Date, latitude, longitude, time of start and end set, number of hooks set, reason for set, float line length, branch line length, bait type, drift, observer present (y/n), drift, light stick info, catch by species, weight and number, discards and releases.</p> <p><i>iii. Whether the effort and catch information collected complied with that specified in the “Characterisation of the SBT Catch” section of the CCSBT Scientific Research Plan (Attachment D of the SC5 report), including both retained and discarded catch. If not, describe the non-compliance:-</i> Although provision is made for this type of information, it is seldom recorded and there is no way to verify the information. The only means of obtaining accurate information on this is through an observer programme, which is in place to collect information from part of the large pelagic longline fishery.</p> <p><i>iv. What information on ERS was recorded in logbooks:-</i> Bird/turtle mortality and releases of birds, turtles and sharks.</p> <p><i>v. Who were the log books submitted to<sup>1</sup>:-</i> Department of Agriculture Forestry and Fisheries: Fisheries Research and Development (FRD).</p>

<sup>1</sup> If the reports are not to be submitted to the Member’s or CNM’s government fisheries authority, then also specify whether the information will later be sent to the fisheries authority, including how and when that occurs.

	<p><i>vi. What was the timeframe and method<sup>2</sup> for submission:-</i></p> <p>The pages in the logbook are perforated, which allows the original to be removed after the fishing trip. The original log pages are generally submitted by hand to DAFF. In return DAFF countersigns the logbook to indicate that the catch statistics have been submitted for a particular trip. Right holders are required through permit conditions to submit log books before the 15<sup>th</sup> of the following month in which the trip was undertaken.</p> <p><i>vii. The type of checking and verification that was routinely conducted for this information:-</i></p> <p>Data capturing is checked by a second person to ensure that no typing errors occur when entering the data. The information from logbooks is only estimates and hence they are not used in quota control. Independent landing declarations verified by Fishery Control Officers and Fishery Monitors are used to compare against electronic landing summaries and CMFs submitted by industry.</p> <p><i>viii. Reference to applicable legislation and penalties:-</i></p> <p>Marine Living Resources Act, (Act No 18 of 1998);  The Regulations promulgated under the MLRA;  The 2015/16 Large Pelagic Longline permit conditions.</p> <p>Penalties could range from revocation of the right, licence or permit; suspension of the right, licence or permit for a period determined by the Minister; cancellation of the right, licence or permit from a date determined by the Minister; or alter the terms or conditions of the right, licence or permit in the case of serious offences in terms of section 28 of the MLRA or fines could be imposed in terms of criminal proceedings.</p> <p><i>ix. Other relevant information<sup>3</sup>:-</i></p>
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<sup>2</sup> In particular, whether the information is submitted electronically from the vessel.

<sup>3</sup> Including information on ERS, and comments on the effectiveness of the controls or monitoring tools and any plans for further improvement.

<p>Additional reporting methods (such as real time monitoring programs)</p>	<p>If multiple reporting methods exists (e.g. daily, weekly and/or month SBT catch reporting, reporting of tags and SBT measurements, reporting of ERS interactions etc), create a separate row of in this table for each method. Then, for each method, specify:</p> <p><b>Electronic Landing Summaries</b></p> <p>i. Whether this was mandatory. If not, specify the % of SBT fishing that was covered:- Mandatory for large pelagic longline sector.</p> <p>ii. The information that was recorded (including whether it relates to SBT or ERS):- All landed species including SBT</p> <p>iii. Who the reports were submitted to and by whom (e.g. Vessel Master, the Fishing Company etc)<sup>1</sup>:- Rights holder submits to DAFF: Marine Resource Management (MRM).</p> <p>iv. What was the timeframe and method<sup>2</sup> for submission:- Within two weeks after landing</p> <p>v. The type of checking and verification that was routinely conducted for this information:- Compared with landing declarations verified by Fishery Control Officers/ Fishery Monitors and occasionally checked with logbooks.</p> <p>vi. Reference to applicable legislation and penalties:- Section 13(2) of the MLRA The Regulations promulgated under the MLRA; The 2015/16 Large Pelagic Longline permit conditions. Penalties could range from revocation of the right, licence or permit; suspension of the right, licence or permit for a period determined by the Minister; cancellation of the right, licence or permit from a date determined by the Minister; or alter the terms or conditions of the right, licence or permit in the case of serious offences in terms of section 28 of the MLRA or fines could be imposed in terms of criminal proceedings.</p> <p>vii. Other relevant information<sup>3</sup>:-</p>
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Scientific Observers

*Specify:*  
 i. *The percentage of the SBT catch and effort observed and the total number of days that observers were actually deployed for in the three previous seasons for each sector (e.g. longline, purse seine, commercial charter fleet, domestic fleet). The unit of effort should be hooks, sets and tows for longline, purse seine and towing respectively:-*

Fishing Season (e.g. 2011/12)	Domestic longline			Charter longline		
	% effort obs.	% catch obs.	Obs. days deployed	% effort obs.	% catch obs.	Obs. days deployed
2010	15 (% of fishing trips)			100 (% of fishing trips)		
2011	0	0	0	44 (% of hooks)		
2012	0	0	0	37 (% of hooks)		
2013	0	0		100% (of SBT hooks set)	100% (of nr of SBT caught)	
2014	13% (of SBT hooks set)	12% (of nr of SBT caught)		100% (of SBT hooks set)	100% (of nr of SBT caught)	
2015	0.3% (of SBT hooks set)	1% (of SBT hooks set)		70.4% (of SBT hooks set)	100% (of nr of SBT caught)	

ii. *The system used for comparisons between observer data and other catch monitoring data in order to verify the catch data:-*  
 Observer data is sometimes used to compare with landing declaration, but

	<p>the main purpose of the observer programme is to collect length frequency info, info on by-catch and incidental catch, and on discards. The observer programme is also used to ensure compliance with bird mitigation measures.</p> <p><i>iii. Excluding the coverage, specify whether the observer program complied with the CCSBT Scientific Observer Program Standards. If not, describe the non-compliance. Also indicate whether there was any exchange of observers between countries:-</i></p> <p>The observer programme complies with the CCSBT Scientific Observer Program Standards.</p> <p>There has been no exchange of observers between countries.</p> <p><i>iv. What information on ERS was recorded by observers:-</i></p> <p>Observations of bird mitigation measures used.</p> <p>Bird mortality by species.</p> <p>Discards and releases by species.</p> <p>Length frequencies</p> <p><i>v. Who were the observer reports submitted to:-</i></p> <p>DAFF: FRD</p> <p><i>vi. Timeframe for submission of observer reports:-</i></p> <p>Within two weeks of the disembarking of the observer. Observers are also debriefed by the observer company and FRD scientist</p> <p><i>vii. Other relevant information (including plans for further improvement – in particular to reach coverage of 10% of the effort):-</i></p>
<p>VMS</p> <p>The items of “ii” are required in association with the</p>	<p><i>Specify:</i></p> <p><i>i. Whether a mandatory VMS for SBT vessels that complies with CCSBT’s VMS resolution was in operation. If not, provide details of non-compliance and plans for further improvement:-</i></p> <p>Mandatory and has been in operation since 1998. VMS complies with CCSBT’s VMS resolution. In addition charter vessels are required to report to the Department’s national VMS centre.</p>

<p><i>Resolution on establishing the CCSBT Vessel Monitoring System</i></p>	<p>ii. <i>For the most recently completed fishing season, specify:</i></p> <ul style="list-style-type: none"> <li>• <i>The number of its flag vessels on the CCSBT Authorised Vessel List that were required to report to a National VMS system:-</i> Nineteen longline vessels in 2015 were required to report to the Department's national VMS centre.</li> <li>• <i>The number of its flag vessels on the CCSBT Authorised Vessel List that actually reported to a National VMS system:-</i> Nineteen domestic longline vessels in 2015 reported to the Department's national VMS centre.</li> <li>• <i>Reasons for any non-compliance with VMS requirements and action taken by the Member:-</i> Nothing to report</li> <li>• <i>In the event of a technical failure of a vessel's VMS, the vessel's geographical position (latitude and longitude) at the time of failure and the length of time the VMS was inactive should be reported:-</i> Procedures are in place in terms of permit conditions that the vessel would have to follow in the event that the vessel experiences technical failure of the VMS while at sea.</li> <li>• <i>The procedures used for manual reporting in the event of a VMS failure (e.g. "manual position reporting on a 4 hourly basis"):-</i> A report needs to be submitted via fax or e-mail on a daily basis. The report is to provide detailed information on a three hourly basis on the vessel's position, course and speed. Manual reporting is subject to approval by the Department. If approval granted the vessel would have to return to port.</li> <li>• <i>A description of any investigations initiated in accordance with paragraph 3(b) of the CCSBT VMS resolution including progress to date and any actions taken:-</i> Nothing to report</li> </ul>
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	<p><i>iii. Reference to applicable legislation and penalties:-</i></p> <p>Section 13(2) of the MLRA</p> <p>The Regulations promulgated under the MLRA;</p> <p>The 2015/16 Large Pelagic Longline permit conditions.</p> <p>Penalties could range from revocation of the right, licence or permit; suspension of the right, licence or permit for a period determined by the Minister; cancellation of the right, licence or permit from a date determined by the Minister; or alter the terms or conditions of the right, licence or permit in the case of serious offences in terms of section 28 of the MLRA or fines could be imposed in terms of criminal proceedings.</p>
<p><i>At-Sea Inspections</i></p>	<p><i>Specify:</i></p> <p><i>i. The coverage level of at sea inspections (e.g. % of SBT trips inspected):-</i></p> <p>Although South Africa has four offshore patrol vessels, there have been inspections of longline vessels at sea over the last year (2015). In 2016 it is expected that there will be more sea based inspections on the longline Vessels given the fact that all Fisheries Protection Vessels are operation. An improved management of the Fisheries Protection and Research vessels being managed in terms of a long term management contract is expected to bringing about optimum efficiency and effectiveness during deployments which would include increased inspections for the large pelagic longline sector.</p> <p>After having monitored through VMS system and sea based inspections, there had been no infractions detected on longline vessels.</p> <p><i>ii. Other relevant information<sup>3</sup>:-</i></p>
<p><i>Other (use of masthead cameras etc.)</i></p>	<p>Masthead cameras are not in use.</p>

*(e) Report on the review of internal actions and measures taken in relation to the authorised vessel requirements provided at Attachment B, including any punitive and sanction actions taken.*

The South African vessels authorised to fish for SBT fulfilled the requirements and responsibilities under the CCSBT Convention and its conservation management measures.

South Africa has taken measures to ensure that its authorised vessels comply with all relevant CCSBT conservation and management measures. To this end, before the start of large pelagic longline fishing season, a meeting is held between the Departmental Officials and rights holders specifically to discuss permit conditions and adherence to applicable RFMOs conservation measures. In addition, one of the conditions for issuance of a catch permit for large pelagic longline is adherence to the Conservation Measures and Resolutions adopted by the relevant RFMOs, CCSBT in this case.

The regulations stipulate that a vessel shall not be permitted to fish, provided a valid catch permit has been applied for and issued. One of the requirements for issuance of such a permit is the submission of a valid vessel license and a valid vessel registration certificate issued by the South African Maritime Safety Authority and these must at all times be stored at the Permit Holder's registered place of business over the duration of the fishing season. The Permit Holder is further obliged at all times to have available a true certified copies on board the vessel utilised to harvest Large Pelagic species. Transhipment at sea is not allowed. Before a vessel can tranship in port, it is required to apply for and be issued with a valid transhipment permit

None of the South African vessels authorized to fish for SBT have been reported for IUU activities thus far. South Africa would like to affirm that any breach of the provisions of the MLRA, Regulations promulgated thereunder or permit conditions by the Permit Holder, or its employees (whether permanent, full-time or part-time), its contractors, agents or advisers and the skipper of the vessel, may result in the initiation of legal proceedings (which may include section 28 of the MLRA proceedings and or criminal proceedings).

In terms of South Africa's regulations, only vessels authorized by the Department of Agriculture, Forestry and Fisheries and registered on CCSBT's authorized vessel list are permitted to catch/land SBT. All other vessels are not permitted to catch/land SBT.

In terms of the MLRA, only South African "persons" own local fishing vessels and some of those are authorised to fish for SBT. A breach of the provisions of the MLRA, Regulations promulgated thereunder or permit conditions by the Permit Holder, or its employees



(whether permanent, full-time or part-time), its contractors, agents or advisers and the skipper of the vessel, may result in the initiation of legal proceedings (which may include section 28 of the MLRA proceedings and or criminal proceedings).

**(2) SBT Towing and transfer to and between farms (farms only)**

South Africa does not farm SBT, hence this section is not applicable.

**(3) SBT Transshipment (in port and at sea)**

*(a) In accordance with the Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels, report:*

*i. The quantities of SBT transhipped during the previous fishing season:-*

<b>Fishing Season</b> (e.g. 2011/12)	Percentage of the annual SBT catch transhipped at sea	Percentage of the annual SBT catch transhipped in port
2012	0	21%
2013	0	
2014	0	
2015	0	12.4%

*ii. The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped at sea and in port during the previous fishing season:-*

No transshipment occurred at sea or in port for the authorised South African vessels.

*iii. A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from their LSTLVs:-*

Not applicable

*(b) Describe the system used for controlling and monitoring transshipments in port. This should include details of:*

*i. Rules for and names of designated foreign ports of transshipment for SBT and for prohibition of transshipment at other foreign ports:-*

Vessels may only tranship in ports, which have been designated as landing ports in terms of the 2015/16 Large Pelagic Longline permit conditions.

*ii. Port State inspections required for transhipments of SBT (include % coverage):-*

All vessels fishing in the South African fishery which wishes to tranship in port needs to apply for a transhipment permit. The application form makes provision for the applicant to provide all the relevant information such as vessel names, quantities by species to be transhipped and port where transhipment will take place. Only on the authority of a permit and subject to monitoring may the vessel tranship. Monitoring is mandatory.

*iii. Information sharing with designated port states:-*

As a port state, South Africa requires flag states to acknowledge the quantity of SBT on board their vessels before the vessel is authorised to enter port. Vessels fishing in the South African fishery have only landed or transhipped product in designated South African ports.

*iv. Monitoring systems for recording the quantity of SBT transhipped:-*

Fishery Control officers/ Fishery Monitors are required to monitor every offload and transhipment of vessels fishing in the South African large pelagic longline fishery. Fish are sorted by species on deck before being weighed in order to determine the weight by species. The FCOs/FMs record the information and signs off a landing declaration form which the representative of the right holder is also required to sign.

*v. Process for validating and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form):-*

The landing declaration forms which are signed off by the FCO/FM are used together with the CTFs to verify the maximum SBT that an entity may export on a consignment basis.

*vi. Reference to applicable legislation and penalties:-*

Section 13(2) of the MLRA

The Regulations promulgated under the MLRA;

The 2015/16 Large Pelagic Longline permit conditions.

Penalties could range from revocation of the right, licence or permit; suspension of the right, licence or permit for a period determined by the Minister; cancellation of the right, licence or permit from a date determined by the Minister; or alter the terms or

conditions of the right, licence or permit in the case of serious offences in terms of section 28 of the MLRA or fines could be imposed in terms of criminal proceedings.

*vii. Other relevant information<sup>3</sup>:-*

*(c) Describe the system used for controlling and monitoring transshipments at sea. This should include details of:*

Transshipment at sea is not allowed, as such, there are no permits issued.

**(4) Landings of Domestic Product (from fishing vessels)**

*(a) Specify the approximate percentage of the annual SBT catch that was landed as domestic product.*

Approximately 90.1% of SBT was landed as domestic product in 2015.

<b>2015</b>	<b>Domestic</b>	<b>Foreign</b>
Number of boats which caught SBT	10	4
Total number of SBT	616	66
Total weight of SBT caught in Kgs (round weight)	49274.7	5217.6

*(b) Describe the system used for controlling and monitoring domestic landings of SBT. This should include details of:*

*i. Rules for designated ports of landing of SBT:-*

Landing ports in South Africa have been designated in terms of the permit conditions. If a company would like to land product outside of South Africa then the right holder is responsible for arranging for a South African FCO to be present at the landing of the product in a foreign port. This provision in permit conditions is yet to be tested.

*ii. Inspections required for landings of SBT (including % coverage):-*

There is 100% inspection and monitoring of SBT landings.

*iii. Monitoring systems for recording the quantity of SBT landed:-*

Fishery Control officers/ Fishery Monitors are required to monitor every offload of vessels fishing in the South African large pelagic longline fishery. Fish are sorted by species on deck before being weighed in order to determine the weight by species. The FCOs/FMs record the information and signs off a landing declaration form which the representative of the right holder is also required to sign. The landing declarations are used for quota control.

iv. *Process for validating collecting the relevant CCSBT CDS documents (Catch Monitoring Form, and depending on circumstances, Catch Tagging Form):-*

The landing declaration forms which are signed off by the FCO/FM are used together with the CTFs to verify the maximum SBT that an entity may export on a consignment basis.

v. *Reference to applicable legislation and penalties:-*

Section 13(2) of the MLRA

The Regulations promulgated under the MLRA;

The 2015/16 Large Pelagic Longline permit conditions.

Penalties could range from revocation of the right, licence or permit; suspension of the right, licence or permit for a period determined by the Minister; cancellation of the right, licence or permit from a date determined by the Minister; or alter the terms or conditions of the right, licence or permit in the case of serious offences in terms of section 28 of the MLRA or fines could be imposed in terms of criminal proceedings.

vi. *Other relevant information<sup>3</sup>:-*

## **(5) SBT Exports**

*(a) Specify the quantity of the domestic catch that was exported and provide an estimate of the total quantity of the domestic SBT catch (in tonnes to 1 decimal place) that was retained within the country/fishing entity (i.e. the quantity can be estimated by subtracting the total export from domestic catch) during each of the last 3 fishing seasons to each country/fishing entity.*

Fishing Season (e.g. 2011/12)	Estimate of SBT retained within the country/fishing entity (Domestic catch-Export) Consumption	SBT Exported to		
		Japan	USA	Italy
2010	6.6	13.7	9.6	
2011	8.3	23.7	10.3	
2012	17.0	31.7	17.9	
2013		19	14.1	
2014		9.3	19	0.5

Fishing Season (e.g. 2011/12)	Estimate of SBT retained within the country/fishing entity (Domestic catch-Export) Consumption	SBT Exported to		
		Japan	USA	Italy
2015	2.98	21.1	31.8	0.73

(b) Describe the system used for controlling and monitoring exports of SBT (including of landings directly from the vessel to the foreign importing port). This should include details of:

South Africa has never landed any SBT in foreign ports. Hence, the information provided below addresses measures implemented for product landed in South African ports.

*i. Inspections required for export of SBT (including % coverage):-*

All SBT is inspected and monitored when a vessel offloads or tranships in port. There is insufficient capacity to monitor product at the points of export. Only through random sampling or through a tip off are consignments inspected at the airports.

*ii. Monitoring systems for recording the quantity of SBT exported:-*

The main system used to record the quantity of SBT exported are the CMFs. In addition, all marine product to be exported requires an export permit. In terms of the export permit conditions the exporter has to provide prior notification to our compliance office of all consignments to be exported. Monthly summaries of export by species are also required to be electronically submitted by the exporter to MRM.

*iii. Process for validating and collecting the relevant CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Catch Tagging Form or Re-export/Export after landing of domestic product Form):-*

It is an export permit condition that validated CDS documents accompany the consignments of all SBT for export. The exporter can only obtain a validated CMF by providing the CTF and signed landing declaration to Marine Resource Management.

*iv. Reference to applicable legislation and penalties:-*

Section 13(2) of the MLRA

MLRA Regulation 27(f)

2015/16 Export permit conditions.

The 2015/16 Large Pelagic Longline permit conditions.

Penalties could range from revocation, or suspension of the export permit in the case of serious offences in terms of section 28 of the MLRA or fines could be imposed in terms of criminal proceedings.

v. *Other relevant information*<sup>3</sup>:-

### **(6) SBT Imports**

(a) *Specify the total quantity of SBT (int tonnes to 1 decimal place) imported during each of the last 3 fishing seasons from each country/fishing entity.*

Fishing Season (e.g. 2011/12)	SBT Imported from									
	Country / Fishing Entity 1	:	:	:	:	:	:	:	:	:
2010	0									
2011	0									
2012	0									
2013	0									
2014	0									
2015	0									

(b) *Describe the system used for controlling and monitoring imports of SBT. This should include details of:*

i. *Rules for designated ports for import of SBT:-*

There are no specific rules designating ports for the import of SBT. However, foreign vessels are limited in that they can use, only one of three ports, namely Cape Town, Port Elizabeth and Durban. It is possible for SBT to be imported by air freight, but this is unlikely as South Africa is unable to pay the international market price for SBT.

ii. *Inspections required for import of SBT (including % coverage):-*

There are no routine inspections in place for the importing of SBT.

iii. *Process for checking and collecting CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Re-export/Export after landing of domestic product Form):-*

For import of any marine/fishery product, including SBT requires an import permit. The import permit conditions require that a validated CDS document be submitted to MRM for all imported consignments of SBT.

iv. *Reference to applicable legislation and penalties:-*

Section 13(2) of the MLRA

MLRA Regulation 27(e)

2015/16 Import permit conditions.

Penalties could range from revocation, or suspension of the import permit in the case of serious offences in terms of section 28 of the MLRA or fines could be imposed in terms of criminal proceedings.

v. *Other relevant information<sup>3</sup>:-*

## **(7) SBT Markets**

South Africa is not regarded as a market state for SBT. Hence the questions below are not relevant to South Africa.

*(a) Describe any activities targeted at points in the supply chain between landing and the market:-*

None

*(b) Describe the system used for controlling and monitoring of SBT at markets (e.g. voluntary or mandatory requirements for certain documentation and/or presence of tags, and monitoring or audit of compliance with such requirements):-*

None

*(c) Other relevant information<sup>3</sup>*

## **(8) Other**

*Description of any other MCS systems of relevance.*

### III. Additional Reporting Requirements

#### **(1) Coverage and Type of CDS Audit undertaken**

*As per paragraph 5.9 of the CDS Resolution, specify details on the level of coverage and type of audit undertaken, in accordance with 5.8<sup>4</sup> of the Resolution, and the level of compliance.*

All landings by the large pelagic longline fleet are inspected and monitored by a Fishery Control Officer/ Fishery Monitor. These officials are required to produce a landing declaration, which is used to validate the CMFs.

#### **(2) Ecologically Related Species**

*(a) Reporting requirements in relation to implementation of the 2008 ERS Recommendation:*

*i. Specify whether each of the following plans/guidelines have been implemented, and if not, specify the action that has been taken towards implementing each of these plans/guidelines:-*

- *International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries:*

Published in August 2008 and implemented, with good results in reducing seabird mortality in the swordfish/tuna longline fishery.

- *International Plan of Action for the Conservation and Management of Sharks:*

The NPOA-sharks was published in November 2013.

South Africa has taken many steps to conserve and manage sharks. Some notable actions have been: the protection status given to great white sharks; the termination of the pelagic shark longline fishery in favour of developing a large pelagic longline fishery where sharks are managed as by-catch; the banning of many pelagic shark species (porbeagle, hammerheads, silky, oceanic white-tip and threshers) in the large pelagic longline fishery, the use of wire traces will be prohibited during the 2017/18 fishing season in the large pelagic longline fishery, the unilateral introduction of shark by-catch limits; the appointment of a shark

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<sup>4</sup> Paragraph 5.8 of the CDS Resolution specifies that "Members and Cooperating Non-Members shall undertake an appropriate level of audit, including inspections of vessels, landings, and where possible markets, to the extent necessary to validate the information contained in the CDS documentation."



researcher; improved data collection, and; stock assessments conducted for two important demersal species.

- *FAO Guidelines to reduce sea turtle mortality in fishing operations:*  
Dehooking and release procedures included in tuna and swordfish longline permit conditions. Turtles are not allowed to be landed.

ii. *Specify whether all current binding and recommendatory measures<sup>5</sup> aimed at the protection of ecologically related species<sup>6</sup> from fishing of the following tuna RFMOs are being complied with. If not, specify which measures are not being complied with and the progress that is being made towards compliance:-*

- *IOTC, when fishing within IOTC's Convention Area:*  
The contract for South Africa's national observer programme expired in March 2011. Since then DAFF was not able to place observers on domestic vessels. South Africa has not been able to meet the 5% observer coverage as specified by IOTC on the domestic longline vessels. However, all foreign flagged fishing under charter agreement in South Africa are covered, which brings the total observer coverage of the South African fleet that caught SBT to 40% in terms of vessel numbers. The department is currently in the process re-establishing the national observer programme by developing the specifications for the tender. All other IOTC measures are complied with.
- *WCPFC, when fishing within WCPFC's Convention Area:*  
South Africa does not fish in the WCPFCs Convention Area. Hence, not applicable to South Africa.
- *ICCAT, when fishing within ICCAT's Convention Area:*  
The contract for South Africa's national observer programme expired in March 2011. Since then DAFF was not able to place observers on domestic vessels. South Africa has not been able to meet the 5% observer coverage as specified by ICCAT on the domestic longline vessels. However, all foreign flagged fishing under charter agreement in South Africa are covered, which brings the total observer coverage of the South African fleet that caught SBT to 40% in terms of vessel numbers. The department is currently in the process re-establishing the national observer programme by developing the specifications for the tender. All other ICCAT measures are complied with.

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<sup>5</sup> Relevant measures of these RFMOs can be found at: [http://www.ccsbt.org/site/bycatch\\_mitigation.php](http://www.ccsbt.org/site/bycatch_mitigation.php).

<sup>6</sup> Including seabirds, sea turtles and sharks.

iii. Specify whether data is being collected and reported on ecologically related species in accordance with the requirements of the following tuna RFMOs. If data are not being collected and reported in accordance with these requirements, specify which measures are not being complied with and the progress that is being made towards compliance:-

- **CCSBT<sup>7</sup>:**  
ERS information provided in ERS annual report.
  
- **IOTC, for fishing within IOTC's Convention Area:**  
The charter fleet mainly fishes in the Indian Ocean. This fleet has 100% observer coverage. The ERS data (seabirds and turtles) obtained by the observers are provided to IOTC. Shark data is obtained from logbooks of both the domestic and charter fleet and provided to IOTC.
  
- **WCPFC, for fishing within WCPFC's Convention Area:**  
South Africa does not fish in the WCPFCs Convention Area. Hence, not applicable to South Africa.
  
- **ICCAT, for fishing within ICCAT's Convention Area:**  
The charter fleet has 100% observer coverage. The ERS data (seabirds and turtles) obtained by the observers are provided to ICCAT. Shark data is obtained from logbooks of both the domestic and charter fleet and provided to ICCAT.

(b) Specify the number of observed ERS interactions including mortalities, and describe the methods of scaling used to produce estimates of total mortality (information should be provided by species –including the scientific name – wherever possible<sup>8</sup>):

**South African Southern Bluefin tuna catch per vessel for 2015**

<b>Vessel</b>	<b>No. of hooks</b>	<b>No. of S. bluefin</b>	<b>Total SBT (kg) Conversion applied</b>	<b>Dressing method</b>
ATU-S	19900	29	2320	GGT
BALANCE	28603	92	7551	DRT
FUKUSEKI MARU 31	37620	23	1898	GGT

<sup>7</sup> Current CCSBT requirements are those in the Scientific Observer Program Standards and those necessary for completing the template for the annual report to the ERSWG.

<sup>8</sup> Where species specific information is available, insert additional line(s) for each species below the relevant Seabird, Sharks, and/or Sea Turtles sub headings.

KOEI MARU 1	26290	21	1572	GGT
KOEI MARU 88	40416	20	1748	GGT
PRINS WILLEM 1	28800	89	8939	DRT
SAXON	14400	56	4347	DRT
SEAWIN DIAMOND	15600	57	3352	GGT
SEAWIN EMERALD	44850	103	5526	GGT
SEAWIN SAPPHIRE	9634	32	2225	GGT
SOUTHERN CRUSADER	5800	17	1581	GGT
TAIYO MARU 58	5304	2	413	GGT
TWO BOYS	16050	29	2329	GGT
VIKING RUBY	43100	112	9781	DRT
<b>Grand Total</b>	<b>336367</b>	<b>682</b>	<b>53332.8</b>	

	<b>Sector 1</b> <i>(Domestic Longline)</i>		<b>Sector 2</b> <i>(Charter Longline)</i>	
<b>2015</b>				
<i>Total number of hooks (shots for PS)</i>	226 737		109 630	
<i>Percentage of hooks (shots) observed</i>	0.3		100	
	<i>Total number of observed interactions/mortality</i>			
	<i>Interactions</i>	<i>Mortality</i>	<i>Interactions</i>	<i>Mortality</i>
Seabirds	228	72	308	86
Sharks	207	95	120	49
Sea Turtles	7	1	6	0
<b>2014</b>				
<i>Total number of hooks (shots for PS)</i>	1 766 781		1 264 726	
<i>Percentage of hooks (shots) observed</i>	24		100	
	<i>Total number of observed interactions/mortality</i>			
	<i>Interactions</i>	<i>Mortality</i>	<i>Interactions</i>	<i>Mortality</i>
Seabirds	0	0	89	43
Sharks	3236	1406	3691	2648
Sea Turtles	0	0	4	0

*(c) Mitigation – describe the current mitigation requirements:*

Seabirds

Large Pelagic Longline vessels are required to use a tori line and can only set at night.

A 25 seabird limit applies to a vessel. Once this limit is reached the vessel is required to use additional mitigation measures. For swordfish vessels they must use a double tori line and are only allowed to set at night. For tuna vessels they must fly a double tori line and all lines must be weighted.

A 50 seabird limit also applies to vessels to allow the Department an opportunity to investigate the reason of high seabird mortality and to apply remedial action.

Release tools and procedures are prescribed in permit conditions.

Sharks

Charter vessels are not allowed to use wire tracers.

Charter vessels are restricted to a shark by-catch limit of 10% of the catch of tuna and swordfish landed.

Domestic vessels are restricted to a shark by-catch limit of 50% of the catch of tuna and swordfish landed.

The entire large pelagic longline fleet is restricted to a Precautionary Upper Catch Limit of 2000t. This PUCL, will in line with the prohibition on targeting of sharks be reduced seasonally over a five year period.

The following shark species are banned: hammerheads; porbeagle, silky; threshers, and; oceanic whitetip.

Sea Turtles

Turtles may not be landed.

Release tools and procedures are prescribed in permit conditions.

Longline vessels typically use branch lines that are longer than buoy lines, which allow hooked turtles to make it back to the surface to breath.

Industry is encouraged to use circle hooks.

Large pelagic longline vessels typically set deeper and use fish bait, which may explain the lower incidence of turtle interaction for this fleet.

*(d) Monitoring usage of bycatch mitigation measures:*

- i. Describe the methods being used to monitor compliance with bycatch mitigation measures (e.g. types of port inspections conducted and other monitoring and*

surveillance programs used to monitor compliance). Include details of the level of coverage (e.g. proportion of vessels inspected each year):

All large pelagic longline vessels are subjected to port inspection in line with Port State Measures and as per attached Annexure 5 of the large pelagic longline permit conditions. This port inspection is carried out by the Fishery Compliance Officers in conjunction with the Observers. This includes the Tori line measurements, checking the availability of the dehooking devices as well as line cutters. In addition, Patrol vessels are from time to time tasked to randomly board the large pelagic longline vessels for the inspection of the above.

ii. Describe the type of information that is collected on mitigation measures as part of compliance programmes for SBT vessels:

Through section B and C of the attached Annexure 5 of the large pelagic longline permit conditions, an Observer is required to confirm the deployment of Tori line every day as well as weighted lines.

### **(3) Historical SBT Catch (retained and non-retained)**

Specify the best estimate (weight and number as available) of the historical fishing amounts of SBT for each sector (e.g. commercial longline, commercial purse seine, commercial charter fleet, domestic fleet, recreational) in the table below. The table should include the most recently completed fishing season. Figures should be provided for both retained SBT and non-retained SBT. For longline and recreational, “Retained SBT” includes SBT retained on vessel and “Non-Retained SBT” includes those returned to the water. For farming, “Retained SBT” includes SBT stocked to farming cages and “Non-Retained SBT” includes towing mortalities. If the number of individuals is known but the value in tonnes is unknown, enter the number of individuals in square brackets (e.g. [250]). Table cells should not be left empty. If the value is zero, enter “0”. It is recognised that for some sectors, the information requested in this table may not yet be available. Therefore, if the value is unknown, enter “?”. However, estimates are preferred over unknown entries. Cells containing estimates with a high degree of uncertainty should be shaded in **light grey**. A description of any estimation methods should be provided below the table.

Fishing	Retained and Non-Retained SBT
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	<b>Sector 1 (domestic longline)</b>		<b>Sector 2 (charter longline)</b>		<b>Sector 3 (recreational fishery)</b>	
	Retained SBT	Non- Retained SBT	Retained SBT	Non- Retained SBT	Retained SBT	Non- Retained SBT
2005	2.5t (36)	?	21.5t (303)	?	Likely to be 0, but not able to verify	Likely to be 0, but not able to verify
2006	9.4t (133)	?	0t (0)	0	0	0
2007	15.2t (224)	?	26.2t (532)	29	0	0
2008	0.3t (3)	?	45.2t (806)	106	0	0
2009	14.8t (204)	?	13.2t (204)	6	0	0
2010	34.3t (561)	?	0.1t (4)	26	0	0
2011	26.7t (359)	?	21.9t (349)	19	0	0
2012	54.9t (865)	?	21.7t (393)	300	0	0
2013	43.3t (451)	?	22.3t (250)	126	0	0
2014	47.4t (588)	16 (data obtained from observer data. 13% SBT hooks observed	2.9t (35)	1	0	0
2015	48t (616)	?	5.4t (66)	?	0	0



**agriculture,  
forestry & fisheries**

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

**Seabird Mitigation Checklist for Tuna Vessels**

**Section A (Prior Departure Inspection by Observer)**

Date	Tori line length (150m)	Attachment point for tori line (>7 m high)	Bird dehooker device	Observer Name	Observer signature

**Section B (Observer Report On Compulsory Measures)**

Date	Tori line(s) deployed?	Night setting / (weighted lines)?	Comments	Skipper signature	Observer Name & signature

**Section C (Observer Report On Additional Measures)**

Date	Second tori line / (no full moon fishing)?	Weighted branch lines?	Skipper signature	Observer Name & signature

Instructions: mark boxes with TICK if Permit Holder complies or with a CROSS if Permit Holder does not comply