



# agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Enquiries: Mr C. Smith Tel: +27 21 402 3048 E-mail: [CraigS@daff.gov.za](mailto:CraigS@daff.gov.za)

## SOUTH AFRICA'S CCSBT COMPLIANCE ACTION PLAN SEPTEMBER 2012

### I. Summary of Improvements Implemented in the Compliance Action Plan

#### **(1) Current improvements**

South Africa had noted its deficiencies in the CMF information that was presented by the secretariat at the Compliance meeting in 2011. Signatories have subsequently been trained to ensure that all relevant CMF information is captured correctly. Hence, improving the CMF data submitted to CCSBT. The Department has explored the possibility of quota transfer between tuna longline right holders and it has proven to be a viable option and would be considered again in future seasons so as to improve the fishing efficiency for southern bluefin. Although no southern bluefin is landed by the recreational fishery consultation to reduce tuna bag limits has been initiated.

#### **(2) Future planned improvements**

The Department intends to revise the Regulations of the Marine Living Resources Act in order to prohibit the landing of southern bluefin tuna by the recreational fishery. Discard and release data of southern bluefin after the quota has been reached requires reporting through a scientific on board observer programme. The national scientific observer programme contract had expired in March 2011 and the Department is currently in process to re-appoint a observer service provider. Since the expiration of the contract observers have only been placed on foreign charter vessels, with 100% of fishing trips observed.

## II. Compliance Action Plan

### (1) Fishing for Southern Bluefin Tuna

(a) South Africa has issued long-term fishing rights in the large pelagic fishery where 50 rights were allocated and will expire in February 2015. These rights are divided between 21 swordfish-directed longline vessels and 29 tuna-directed longline vessels. Currently due to the small country allocation of 40t both sub-sectors catch southern bluefin as a by-catch to swordfish, yellowfin and bigeye. A larger more equitable country allocation would allow vessels to target South Africa's bluefin allocation. The tuna pole fishery is not allowed to catch southern bluefin and no southern bluefin is landed by the recreational fishery as the fishing grounds are too far offshore and the fishing season is during the worse weather months of the year. The Regulations of the Marine Living Resources Act would require amending to prevent the recreational fishery from catching southern bluefin.

(b) For the current 2012 season no quotas have been allocated to individual swordfish Right Holders. However, these vessels were allowed to operate on an Olympic system until 11 t is reached. The southern bluefin fishery for the swordfish sector was closed on 17 July 2012 when the 11 t was exceeded. All catches of southern bluefin tuna in this sector were released/discarded subsequent to this date. The remaining 29 t country allocation was equally divided amongst all the tuna Right Holders and this sector was also closed to southern bluefin tuna on the 1 August when the Department noted that the entire country quota was exceeded. No further landing of southern bluefin was allowed after the 1 August 2012. All landings from domestic and charter vessels are independently monitored and all catches are reported to CCSBT for quota control purposes. Close to real time monitoring of the quota is achieved by obtaining 5 day reports from on board observers (foreign charter vessels only) and through the submission of electronic landing summaries (all vessels).

(c)

Monitoring Methods	Description
Daily log book	<ul style="list-style-type: none"><li>i. The completion of logbooks on a daily basis is mandatory for all commercial fishing vessels.</li><li>ii. In the large pelagic fishery the catch and effort information is recorded with each line set and includes the following information: reason for set, depth of set, time of set, end of set, date, co-ordinates of start set, co-ordinates of end set, number of hooks set, type of bait used, number of light sticks, catches(in number and weight) of target and selected by-catch species.</li><li>iii. The logbook does not make provision for discarded catch for the following reasons:a) the logbook already has an overwhelming amount of information to record; b) past experience has revealed poor compliance of skippers to complete discard information; c)</li></ul>

	<p>discard information is not enforceable, and; d) discard information should be obtained independently from observers and extrapolated for the entire fishery.</p> <p>iv. Logbook information on ERS includes all other tuna and billfish species and some shark species.</p> <p>v. Logbooks are submitted to the chief directorate Fisheries Research and Development of the branch Fisheries Management (Department of Agriculture, Forestry and Fisheries).</p> <p>vi. Logbooks are required to be submitted on a monthly basis.</p> <p>vii. Comparison with landing declarations which are independently monitored for all landings. Verification is also randomly conducted using observer data for a particular trip.</p> <p>viii. The relevant legislation includes the Marine Living Resources Act (No 18 of 1998) and the Regulations thereof. More specific legislation is found in permit conditions, which is updated annually. Contraventions of the MLRA, Regulations and permit conditions which are considered serious could result in the revocation of the fishing right, permit or licence as provided by Section 28 of the MLRA.</p> <p>ix. All landings are independently monitored in port and a separate landing declaration form is issued, which is used for quota control, levy verification and CMF verification.</p>
<p>Additional reporting methods (such as real time monitoring programs)</p>	<p>In addition, electronic summaries of landings are required to be submitted by the Right Holder.</p> <p>i. This is mandatory for all longline vessels.</p> <p>ii. The information recorded includes the weight by species landed per vessel per trip and relates both to SBT and certain ERS.</p> <p>iii. The reports are submitted to the Chief Directorate: Marine Resource Management of the Department of Agriculture, Forestry and Fisheries.</p> <p>iv. The Right Holders are required to provide trip landing summaries within two weeks after the vessel has landed. In addition, a final annual summary is required at the end of the season. All landing summaries are submitted via e-mail on an Excel spreadsheet.</p> <p>v. Landing summaries are verified against logbooks and landing declarations.</p> <p>vi. The relevant legislation includes the Marine Living Resources Act (No 18 of 1998) and the Regulations thereof. More specific legislation is found in permit conditions, which is updated annually. Contraventions of the MLRA, Regulations and permit conditions which are considered serious could result in the revocation of the fishing right, permit or licence as provided by Section 28 of the MLRA.</p> <p>vii. Other relevant information:- None</p>

Scientific Observers	<ul style="list-style-type: none"> <li>i. South Africa had a well developed on board observer programme which aimed to cover 20% of fishing effort deployed by local vessels and 100% coverage for foreign charter vessels. The observer contract expired in March 2011. Subsequently, observer coverage has only been provided for 100% of fishing trips conducted by foreign charter vessels. The Department is currently in process to re-appoint an observer service provider, which will once again provide observer coverage for domestic vessels as well as charter vessels.</li> <li>ii. Access database query writing</li> <li>iii. The specifications of the South African onboard observer programme complies with the CCSBT Scientific Observer Program Standards. South African observers are also used internationally in other fishery observer programmes (CCAMLR, ICCAT, IOTC and SWIOFP).</li> <li>iv. Observers are required to record size frequencies, catch composition of all species, record discards (alive and dead), record level of compliance with mitigation measures, record bird mortalities, and obtain biological samples for various research programmes.</li> <li>v. Observer data and reports are submitted to the chief directorate Fisheries Research and Development of the branch Fisheries Management (Department of Agriculture, Forestry and Fisheries)</li> <li>vi. Observer reports are generally submitted within one week after the vessel returns to port</li> <li>vii. Observer coverage is 100% for charter vessels in 2012, but the contract expired for domestic vessels. A tender process was embarked upon in order to re-appoint an observer service provider for domestic vessels.</li> </ul>
VMS	<ul style="list-style-type: none"> <li>i. All vessels require functional VMS. For the large pelagic fishery the vessels use INMARSAT C which reports every 6 hours to the chief directorate Monitoring, Control and Surveillance.</li> <li>ii. VMS legislation can be found in permit conditions, which also makes provision for protocols to be followed in the event of VMS malfunction. Fishing rights can be revoked if a Right Holder fails to comply with these permit conditions.</li> </ul>
At-Sea Inspections	<ul style="list-style-type: none"> <li>i. South Africa has acquired four fishery patrol vessels to monitor all offshore commercial and recreational fishing activity in the South African EEZ. Due to the small country allocation and given the by-catch nature of southern bluefin the Department does not conduct dedicated SBT trips hence there are no At-Sea inspection coverage for this classification.</li> </ul> <p>Other relevant information:- None</p>

Other (use of masthead cameras etc.)	No other information to report.
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**(2) SBT Towing and transfer to and between farms (farms only)**

(a) Juvenile SBT are generally not found in South African waters, hence farming is not considered a suitable option, hence total SBT farmed = 0%.

(b) N/A

(c) N/A

(d) N/A

(e) N/A

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

(a) Transshipment at sea is prohibited in South Africa. Historically, none of the swordfish-directed vessels transship product in port. In contrast, the tuna longline vessels, particularly those foreign charter vessels flagged to Asian countries, regularly tranship product in port. In some years 50% of the annual South African southern bluefin catch is transhipped in port.

(b) Longline vessels may only tranship product in limited ports, namely Cape Town, Port Elizabeth, and Durban. Transshipment is only allowed on the authority of a permit and 100% of transshipments are independently monitored. No information sharing is required with foreign ports as all product is landed/transhipped in South African ports. CCSBT CDS documents are submitted by the Right Holders/ exporters and compared with the landing declarations obtained by the fishery monitor. Permit conditions dictate how transshipments are to be conducted and any transgressions may be addressed through the revocation of the right, permit or licence.

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

- i. Transshipments at sea are not allowed.
- ii. N/A
- iii. N/A
- iv. The relevant legislation includes the Marine Living Resources Act (No 18 of 1998) and the Regulations thereof. More specific legislation is found in permit conditions, which is updated annually. Contraventions of the MLRA, Regulations and permit conditions which are considered serious could result in the revocation of the fishing right, permit or licence as provided by Section 28 of the MLRA.
- v. None

#### **(4) Landings of Domestic Product (from both fishing vessels and farms)**

(a) Approximately 25-50% of the annual SBT catch is expected to be landed by domestic vessels each year. The remaining product is caught by foreign charter vessels and is usually transhipped in port.

(b) Monitoring of domestic landings are conducted as follows:

- i. Longline vessels may only land product in the following ports: Port Nolloth, Saldanha, Cape Town, Hout Bay, Hermanus, Gansbaai, Mossel Bay, Port Elizabeth and Durban.
- ii. 100% of landings are independently monitored
- iii. The Monitoring systems require each fish to be weighed.
- iv. CCSBT CDS documents are submitted by the Right Holders and compared with the landing declarations obtained by the fishery monitor.
- v. The relevant legislation includes the Marine Living Resources Act (No 18 of 1998) and the Regulations thereof. More specific legislation is found in permit conditions, which is updated annually. Contraventions of the MLRA, Regulations and permit conditions which are considered serious could result in the revocation of the fishing right, permit or licence as provided by Section 28 of the MLRA.
- vi. Other relevant information:- None

#### **(5) SBT Exports**

(a) There is no market in South Africa for southern bluefin tuna, hence all Right Holders try to achieve maximum profits through exporting. Although the intention is to export all southern bluefin the poor grade bluefin is sold domestically. Typically more than 90% of southern bluefin is exported.

(b) Describe the system to be 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:

- i. Inspections of consignments are conducted randomly or on the basis of a tip-off.
- ii. The CDS documents provides a monitoring system for recording the quantity and weight of SBT exported.
- iii. CCSBT CDS documents are submitted by the Right Holders and verified against the landing declarations obtained by the fishery monitor.
- iv. CCSBT CDS documents are included in the fishing and export permit conditions and any contraventions of these permit conditions may result in the revocation of a right/permit or licence.
- v. In addition to the issuing of the CCSBT CDS documents all marine product exported needs to be authorized in terms of an export permit. An export permit has associated permit conditions, which stipulates a number of reporting and notification requirements.

**(6) SBT Imports**

(a) Currently the Department is not aware of any imports of southern bluefin. This is consistent with the limited marketing opportunity in South Africa.

(b) As with any other marine species, southern bluefin can only be imported on the authority of an import permit and and ITAC permit and has to be declared under specific Customs and Excise codes.

- i. N/A
- ii. N/A
- iii. N/A
- iv. Import permit conditions are applicable
- v. Other relevant information:- None

**(7) SBT Markets**

(a) No activities are targeted at points in the supply chain between landing and the market, except for random inspections of Fish Processing Facilities and Supply Chains

(b) Receipt paper trail used to identify source of fish in markets if fish is expected from IUU sources.

(c) Other relevant information:- None

**(8) Other**

There are no other systems of relevance to the Action Plan to describe.

### **III. Additional Reporting Requirements for the Compliance Committee**

#### **(1) Annual VMS Summary Report**

The Resolution on establishing the CCSBT Vessel Monitoring System requires the following information to be reported by each Member and CNM. However, depending on the information provided in the Compliance Action Plan (chapter II), it may be possible to satisfy the requirements of item “a” by referencing the VMS part of Section “1c” of the Compliance Action Plan.

- a. South Africa has fully implemented VMS for commercial vessels since 1998. In the large pelagic fishery all vessels use INMARSAT C which reports every 6 hours to the Department of Agriculture, Forestry and Fisheries.
- b. 100% of the South African and foreign charter vessels appearing on the CCSBT Authorised Vessel List are required to report to South Africa’s National VMS station.
- c. All of the vessels fishing in the South African fishery appearing on the CCSBT Authorised Vessel List reports to the National VMS station.
- d. No reports for non-compliance with VMS requirements exists for this fishery and hence no recorded actions taken by the Department.
- e. Standardize measures are in place for the technical failure of a vessel's VMS in accordance with permit conditions.
- f. If a VMS persists to malfunction while the vessel is at sea the vessel has to proceed to port within 24 hours unless alternative arrangements have been approved. If approval is granted for alternative arrangements then the vessel has to submit fax/e-mail of its position every three hours and has to provide a navigational plot on arrival in port for verification.
- g. No investigations currently initiated in the large pelagic fishery relevant to VMS and southern bluefin fishing.

#### **(2) Annual Transshipment Summary Report**

The CCSBT’s resolution on Establishing a Program for Transshipment by Large-Sclae Fishing Vessels requires the following information to be reported to the Secretariat by each Member and CNM six weeks prior to the Annual meeting of the Commission. It would be appropriate for the same information to be provided in this report to the Compliance Committee.

- a. Transshipments at sea are prohibited in South Africa.
- b. N/A
- c. N/A



### **(3) Annual Report on Implementation of the 2008 ERS Recommendation**

1. South Africa published its National Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries (NPOA-Seabirds) in 2008, which aims to reduce seabird mortality to 0.05 seabirds.1000 hooks<sup>-1</sup>. Thus far South Africa has been actively researching effective mitigation measures and have implemented strict individual vessel bird limits to ensure compliance with mitigation measures. Current mitigation measures include the mandatory use of tori lines, night setting and line weighting. As a result of good co-operation with industry and good compliance to mitigation measures the large pelagic fleet was able to drastically reduce seabird mortality limits and is now at the objective of the NPOA-seabirds (2007 – 0.44 seabirds.1000 hooks<sup>-1</sup>; 2011 – 0.07.seabirds.1000 hooks<sup>-1</sup>; 2012 – 0.047 seabirds. 1000 hooks<sup>-1</sup>). Seabird mortality is recorded by the on board observer programme and is reported to the relevant RFMOs. The NPOA-seabirds is due for review. The South African National Plan of Action for the Conservation and Management of Sharks (NPOA-Sharks) has been in draft since 2003. This NPOA-sharks was revised in 2011 and was considerably reduced. The new draft has taken into account the more recent issues and was published in September 2012 for public comment. The Department will finalize the NPOA-sharks once the comment period closes in October 2012. In the absence of a finalized NPOA-sharks a number of proactive steps to conserve and manage sharks have already been implemented in the large pelagic fishery, namely: 1) shark catches by charter vessels are limited to 10% of the total catch of tunas; 2) wire traces are prohibited for charter vessels; 3) South Africa has unilaterally imposed a precautionary upper catch limit of 2000t for the tuna and swordfish longline fishery; 4) all landings of thresher, hammerhead, silky and oceanic whitetip shark species have been banned; 5) shark finning has been banned, 6) the directed pelagic shark fishery was terminated in March 2011, and; 7) all shark catch and effort data are reported to the relevant RFMO. South Africa has not drafted a plan to reduce sea turtle mortality in fishing operations, but the following steps have been implemented: 1) large pelagic vessels have to carry on board appropriate dehooking devices for turtles; 2) turtles are not allowed to be landed; 3) vessels are encouraged to use circle hooks, and 4) on board scientific observers collect information on turtles, and; 4) all turtle data are reported to the relevant RFMO.
2. South Africa is a Member Party of ICCAT and a Co-operating, Non-contracting party of IOTC and as such complies with all the management and conservation measures adopted by these RFMOs pertaining to seabirds, sea turtles and sharks. South Africa has no vessels fishing in the WCPFC area of competence, and hence this RFMO's management and conservation measures are not relevant to South Africa.