

## **Summary of the work to date of the inter-sessional working group on compliance**

**March 2010**

### **Introduction**

The 16<sup>th</sup> Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) adopted the recommendation of the Compliance Committee that an inter-sessional working group be formed to undertake a compliance risk assessment. The purpose of the risk assessment was to identify how well existing measures are contributing to monitoring and management of the southern bluefin tuna (SBT) fishery; and whether there are areas of potential improvement. It was agreed that New Zealand would coordinate the work of the inter-sessional working group, and this paper provides a brief update on the group's progress to date.

### **Background**

The working group is tasked with working inter-sessionally and presenting back to the compliance committee meeting in 2010, including on priorities for action and possible draft resolutions for consideration by the compliance committee, as outlined below:

#### **Excerpt from the Report of the Fourth Meeting of the Compliance Committee**

##### **Agenda Item 5. Future work program and other measures**

*26. It was again noted that there was significant variation in the level of verification of catches by different Members, and some Members considered that adequate levels of flag State verification of catches was the highest compliance priority for the CCSBT.*

*27. The Compliance Committee noted the discussions during the meeting about the need to ensure compliance with CCSBT conservation and management measures, especially given the low state of the SBT stock. In this context, the CC agreed that it would be valuable to undertake a risk assessment to identify how well existing measures are contributing to monitoring and management of the fishery; and whether there are areas where monitoring and management of the fishery could improve. The CC recommended that an intersessional working group be formed to undertake this risk assessment, using the New Zealand paper (CCSBT-CC/0910/09) and the reports of the performance review working group and the independent reviewer as a basis for this work. The on-going FAO consultations on flag state performance were also noted as a relevant input. The working group will report back to the CC meeting in 2010, including on priorities for action and possible draft resolutions for consideration by the CC.*

28. The CC recommended that the CCSBT agree on who would coordinate the work of this group.\* Members and CNMs agreed to provide nominations to participate in the group by 1 December 2009. The CC recommended that the group undertake its work intersessionally, using electronic communications, and an intersessional meeting in conjunction with the Strategy and Fisheries Management Working Group if required. The CC noted that this work would be in addition to Members and CNMs undertaking measures to improve their monitoring and verification systems before the next meeting of the Compliance Committee.

\* CCSBT16 agreed that New Zealand would coordinate the work of this group (CCSBT 16 report, paragraph 22).

## **Process**

The risk assessment process to be used includes the following key steps:

1. Characterise the global fishery for southern bluefin tuna;
2. Compare with desired outcomes and identify key gaps;
3. Identify priority areas and possible solutions

### *Step One —Characterise the global fishery for southern bluefin tuna*

Members of the inter-sessional working group identified that much existing material could be used in the characterisation of the global fishery, including national reports, the draft strategic plan, and the report of the performance review working group. Consequently, the coordinator agreed to summarise existing material relevant to characterising the fishery from a compliance perspective (drawing also on CCSBT-CC/0910/04 rev4, in which the Secretariat summarised member and cooperating non-member compliance with CCSBT measures for the period 1 July 2008 to 30 June 2009). This summary would be supplemented by members providing additional information on basic aspects of the legal, institutional, and judicial frameworks that each member has in place (based on a check list to be circulated by the coordinator).

### *Step Two —Compare with desired outcomes and identify key gaps*

The second step identified was to draw on the characterisation, along with key objectives and management measures for the fishery (from the Convention and agreed conservation and management measures), to identify key potential risks. Such risks could include risks from non-members (e.g. fishing and/or fishery support services or port or market state actions); risks from inadequate MCS measures being in place; and risks from incomplete implementation of conservation and management measures by members. Some members of the group considered that the latter area was the main area in which compliance risks were likely for SBT fisheries.

### *Step Three—Identify priority areas and possible solutions*

Based on the risk assessment, priority areas and possible solutions would then be identified. Examples of future work that might be identified include further support for existing measures, as well as additional measures if required (based on assessment of likelihood and severity of identified compliance risks). Options for on-going assessment of compliance risks would also be identified. The working group noted that the characterisation and risk assessment outlined above might prove to be a substantial analysis in its own right. However, the compliance committee report outlines that this group will report back to the compliance committee in 2010, including on priorities for action and possible draft resolutions for consideration by the compliance committee.

### **Conclusion**

The work of the inter-sessional working group will shortly shift from a focus on characterising the global fishery to the next stage of analysis. The discussions at the Strategy and Fisheries Management Working Group, particularly on members' action plans, will form an important guide for the future work of the group.