

RESPONSES FROM NPCS TO LETTERS FROM THE CHAIR OF THE COMPLIANCE COMMITTEE

This document contains responses received by **12 October 2021**. **Annex 1** of document **COC-310** contains the letters sent by the COC Chair to non-Contracting Parties. Replies received after 12 October 2021 will be presented as **Addendum** to **COC-310**.

<i>NCP</i>	<i>Letter content</i>	<i>Reply received</i>	<i>Observations</i>
Colombia	Letter on reporting deficiencies while still a Cooperating party	6 October 2021	
Dominica	Concern over continued over-harvest of blue marlin	11 October 2021	Letter was accompanied by statistical data
Gibraltar	Request data and information concerning autonomous EBFT quota	19 May 2021	Indicated that statistical data would be forthcoming, but not received to date.
St. Kitts & Nevis	Request data and information on fisheries management	No response to date	
St. Lucia	Request continued collaboration and statistical data submission	N/A	No response required; Task 1 data was again submitted.
Tanzania		6 October 2021	
Vanuatu	Request for information and reports not submitted while still CP	No response to date	

AUNAP-DG-832-2021

Bogota, DC, September 2021.

Mr. CAMILLE JEAN PIERRE MANEL
ICCAT Executive Secretary

info@iccat.int Madrid, Spain

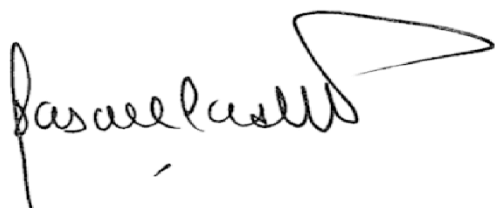
Subject: Response ICCAT Communication #S21-05677 Request for information on compliance with ICCAT conservation and management measures and reporting requirements

Dear Executive Secretary,

In reference to the communication received, in which the International Commission for the Conservation of Atlantic Tunas (ICCAT) sets out its assessment and the factors which led to the decision to not renew Colombia's cooperating status for 2021, it is important to indicate that the bodies responsible for the matters regulated by the Commission are undergoing a learning process as regards the official communication tools. However, we will carry out all the actions considered necessary to ensure efficient exchange of information, with a view to the role that Colombia may play in the Commission in the future.

In this regard and according to the indications contained in the official communication received, please find the requested information in the attached table. Regarding the same matter, we respectfully inform that Colombia has not ruled out the possibility of submitting a new request for cooperating status to the upcoming Commission meeting. Therefore, we will remain vigilant for the circular issued by the Compliance Committee Chair which list the information required for a fresh application by our country.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nicolas del Castillo Piedrahita', with a large, stylized flourish at the end.

Nicolas del Castillo Piedrahita

Director General

Annexes: two (2) pages

DECISION OF THE 2020 COMMISSION

<i>Area of deficiency</i>	<i>Specific element</i>	<i>Remedial action taken</i>	<i>Date missing data/information sent</i>
Annual Report	Annual Report received late	The Secretariat was contacted to request support in relation to the missing elements. Following their clarification, the report was submitted.	The missing information was submitted on 29 September 2020. On 1 October 2020 an email was received, acknowledging receipt of the full report from Colombia.
Reporting of statistical data	Task 1 data received late	The report was completed, taking into account the observations made. An unfortunate mix-up followed as regards the informed dates of receipt.	The missing report was submitted on 28 September 2020. On 1 October an email was received, acknowledging receipt of the full report from Colombia,
Conservation and management measures	Rec. 16-13/08-06 Shark check sheet received late	Through the Chancellery the noted aspects were verified. It is reiterated that in 2019 Colombia did not hold CPC status (in late 2019 its inclusion was approved). Therefore, the catch report was "zero", as informed in the Statistical Report submitted. Furthermore, the other items consistently did not contain information to be reported.	The corresponding clarifications were submitted on 24 September 2020. On 1 October an email was received, acknowledging receipt of the full report from Colombia.
	Rec. 14-07: Detailed information on access agreements, covering the requirements of the Recommendation, not submitted	Through the Chancellery the noted aspects were verified. It should be noted that the catch reports under access agreements are submitted by the flag State of the vessel, in this case Japan.	The corresponding clarifications were submitted on 24 September 2020. On 1 October an email was received, acknowledging receipt of the full report from Colombia.

<i>Area of deficiency</i>	<i>Specific element</i>	<i>Remedial action taken</i>	<i>Date missing data/information sent</i>
Other issues	Following of the inquiry process of the vessel Haleluya	<p>Following the communication aimed at the ICCAT Secretary, a review was carried out of the trips of this motor vessel. It was found that it held a valid license for all of them and was permitted therefore to engage in fishing activity in the territorial waters of Colombia.</p> <p>However, on more thorough analysis of the flagging issue, it was observed that one day after the trip on 26 June 2019 (27 June), the vessel Haleluya's DIMAR registration certificate No. 400035 expired. This is worthy of note, as it is unclear why the Captain's Office of the Port provided clearance when the registration certificate was about to expire. Furthermore, on 27 June this motor vessel ceased to be flagged to Tanzania. Therefore, fishing during this trip was carried out (bearing in mind that we do not know the arrivals of this motor vessel) without a flag State but with a valid AUNAP license (No. 01774, valid from 27 July 2018 until 26 July 2019).</p> <p>In addition, it appears when the following license, No. 09058, valid from 27 July 2019 to 26 July 2020, was issued by AUNAP, the motor vessel did not have a registration certificate or flag State, as it was no longer flagged to Tanzania on 27 June 2019 and the registration certificate expired on 27 June 2019, and it only became flagged a Colombian flag and had a provisional registration certificate on 7 October 2019 (CMP No. CP-05-0284-A). Under the same conditions, it also received clearance to set sail from the Captain's Office of the Port on 5 October 2019.</p> <p>Through a working panel, the maritime authority (DIMAR) and the fisheries authority (AUNAP) checked the records of departures and arrivals, which showed that the motor vessel Haleluya did not make any fishing trips during the period in which it was unflagged, but held a valid license.</p> <p>It should be noted that, legally and at the time the events took place, there was no requirement to update or verify vessel registrations under the AUNAP procedure, which is why the vessel's loss of flag was not detected. In light of this drawback, the procedure is being adjusted so that this requirement must be strictly fulfilled for issue of a license, in order to strengthen the body's mission.</p> <p>Re-issue of this vessel's fishing licence is currently suspended given that it is included in the ICCAT IUU list.</p>	Communication sent to ICCAT: 20 January 2021.

S-GAE-21-024114

**REPUBLIC OF COLOMBIA
MINISTRY OF FOREIGN AFFAIRS**

The Ministry of Foreign Affairs – Directorate of Economic, Social and Environmental Affairs – extends its warm greetings to the Executive Secretariat of the International Commission for the Conservation of Atlantic Tunas (ICCAT) and has the honour to refer to communication S21-05677, on compliance related issues.

In this regard, please find attached S2021NC002115 from the National Authority of Aquaculture and Fisheries of Colombia (AUNAP), providing a response to the ICCAT communication.

The Ministry of Foreign Affairs – Directorate of Economic, Social and Environmental Affairs – takes the opportunity to renew to the honourable Executive Secretariat of the International Commission for the Conservation of Atlantic Tunas (ICCAT) the assurances of its highest consideration.

(signed)

Bogota, D.C., 4 October 2021

To the honourable
**International Commission for
the Conservation of Atlantic Tunas (ICCAT)**
Madrid, Spain



COMMONWEALTH OF DOMINICA

**MINISTRY OF BLUE AND GREEN ECONOMY,
AGRICULTURE AND NATIONAL FOOD SECURITY
FISHERIES DIVISION**

October 8, 2021

Derek Campbell
Compliance Committee Chair ICCAT

SUBJECT: RESPONSE TO ICCAT COMMUNICATION S21-05601

Dear Mr. Campbell,

On behalf of the Commonwealth of Dominica I acknowledge receipt of your later dated July 26, 2021 and also please accept our most sincere apologies for our late reply. The delay was in part due to some administrative changes and the secondment of our data officer to another government project and then subsequently he proceeded on study leave. Since, we are already faced with the negative impacts of COVID 19 compounded with technical and human resource constraints the absence of his experience and expertise has a profound negative impact on our data analysis capability.

Please note that the description provided of our artisanal fishery in our response letter sent in 2020 remains unchanged including the consumption of Atlantic blue Marlin (*Makaira nigricans*) solely for local consumption and its importance for our national food security. Your concern over the significant harvest of billfish and other ICCAT species is acknowledged. Regarding your additional concern of "lack of data supplied for recent years", it is our understanding that data for the years 2014-2019 was submitted to ICCAT in 2020. However, if this data was not received data for the years 2014-2020 is re-submitted with this letter.

Notwithstanding our limitations and constraints, we have made strides in addressing some of the areas indicated in our previous letter, which are

- Expanding training for data collection staff and expedited the capture of landings through introduction of electronic data collection.
- Began sensitization of fishers about the current stock status of Blue Marlin and need to implement management and conservation measures for sustainability

Furthermore, we are committed to addressing the other areas such as the development and implementation of a management plan for blue marlin in the short term and other ICCAT species in the long term; however, we have not acquired the resources to do so. In this regard, we are making an appeal to ICCAT to facilitate or provide technical assistance and capacity building to achieve this goal.

Please rest assured of our highest consideration.

Sincerely,

JULLAN DEFOE
CHIEF FISHERIES OFFICER (Ag.)

Cc: Dr. Maren Headley, CRFM

ICCAT Secretariat
C/Corazón de Maria 8-6
28002 Madrid
Spain

Department of the Environment,
Sustainability, Climate Change and Heritage
HM Government of Gibraltar

19/05/2021

Subject: Management and catches of Bluefin tuna in Gibraltar

Dear Mr. Campbell,

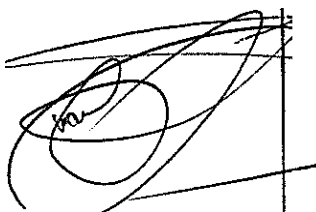
First and foremost, I hope this letter finds you and yours well during these hard times and may I take this opportunity to extend our best wishes from Gibraltar to your team.

I refer to our letter dated the 31 July 2020 where, in addition to providing statistics on recreational catches of Bluefin tuna, we advised that a separate letter specifying the different measures adopted in British Gibraltar Territorial Waters to control Bluefin tuna *Thunnus thynnus* (BFT) fishing would be provided. This additional information is now provided in **Appendix 1**.

I also take this opportunity to provide you with a summary of our latest catch statistics which now includes data pertaining to the 2020 season. This information is also submitted separately in the required ST02 Form requested by Mr. Carlos Mayor in his email dated 6'h August 2020.

We remain at your disposal should you require any technical clarification on the measures and data provided and reiterate our desire to continue our cooperation and positive engagement with the Secretariat.

Yours sincerely,



19 MAY 2021

Senior Environment Officer
Department of the Environment, Sustainability, Climate Change and Heritage

Summary of BFT conservation measures adopted in British Gibraltar Territorial Waters (BGTW)

- By way of background information, Her Majesty's Government of Gibraltar enacted the pioneering Nature Protection Act (NPA) in 1991. This legislation banned specific fishing methods, in particular commercial fishing methods, which were not only depleting fish stocks but also having a significant negative impact on the marine biodiversity of BGIW. As a result, fishing with any type of net, pot or trap is currently banned in BGTW. There are therefore no industrial commercial fishing fleets registered or operating from Gibraltar. Other notable measures contained within the NPA include a blanket ban on fishing any and all types of sharks, rays and skates in BGTW making Gibraltar one of the few jurisdictions in Mediterranean where a total ban on the capture of elasmobranchs exists.
- In 2014, both the Marine Protection Regulations (MPR) (<http://www.gibraltarlaws.gov.gi/articles/2014s180.pdf>) and Tuna Preservation Regulations (TPR) (<https://www.gibraltarlaws.gov.gi/legislations/tuna-preservation-regulations-2014-3702>) were published. These Regulations were subject to a lengthy consultation process encompassing a wide variety of stakeholders, including but not limited to, recreational anglers, divers, marine biologists, cottage and big game fishermen, spear fishermen, marine tour operators and sports fishing enthusiasts. The Regulations are therefore considered to be key piece of marine conservation legislation published in Gibraltar to date.
- Some of the conservation measures introduced in the MPR and TPR 2014 include a fishing licensing requirement for all anglers, the introduction of minimum fish sizes, the creation of No Fishing Zones and the ability to designate fishing seasons or quotas for specific species e.g. Bluefin tuna. The Marine Protection Regulations 2014 also provided for the creation of a statutory Fishing Working Group. The working group is made up of government scientists, representatives from local fishing and diving associations as well as environmental non-governmental organisations.
- The licensing regime within the MPR and TPR consists of ten different license classes. Each type of license is subject to different conditions. Recreational and sport fishing for BFT for example are covered by Class K license requirements contained within the TPR whereas Sports fishing operators targeting BFT are covered by Class E requirements under the MPR.
- The TPR are based on the conservation measures implemented by the International Commission for the Conservation of Atlantic Tuna (ICCAT) demonstrating HMG's legal commitment to enshrine the BFT conservation requirements of ICCAT in its statutes. Some of the salient management measures included in the TPR include:
 - (i) Establishing a set Total Allowable Catch (TAC) for recreational and sport fishing of BFT in BGIW as determined by HMG in consultation with the statutory Fishing Working Group. Details of the allocated TAC and reported catches are provided to the ICCAT;
 - (ii) Establishing an Open and Closed Season for BFT in BGTW which mimics ICCAT requirements. The Open Season runs from the 16th June to the 14th October or until the TAC is reached. Technical stops are implemented during the Open Season to help ratify data collected at the designated reporting station inside Gibraltar harbour;
 - (iii) A maximum number of 2 BFT per week for each Class K licence holder and per registered vessel may be landed under the TPR. No more than 1BFT can be landed on a single day. The minimum size of Bluefin tuna that can be landed is 30kgs and 115cm fork length. Reporting all catches is a legal requirement under section 6(f) of the TPR. A dedicated office and reporting station exists within Gibraltar Harbour where anglers are able to dock against the jetty to weigh and report any recreational BFT catches;

- (iv) Only rod and line fishing is allowed. No more than (a) 2 rods or lines may be used per person at any one time; (b) 6 rods or lines may be used from a vessel at any one time and (c) only 1 lure may be used on a rod or line;
- (v) BFT caught by a permit holder may not be transhipped to any other vessel;
- (vi) Sports fishing operators are not allowed to retain any catches of BFT whatsoever. The activity is allowed on a catch and release basis and only during the open season;
- Aside from the BFT conservation measures enshrined in law, the Department of the Environment, Sustainability, Heritage and Climate Change (DESHCC) implements an awareness campaign on sustainable fishing practices. A BFT tagging programme is also planned for the next BFT Open Season. Any and all data will be submitted to the ICCAT Secretariat. The tagging programme builds on the ongoing work carried out by the Department together with local fishing clubs on species that are commonly found in BGTW;
- Enforcement of the conservation measures is a vital component of the management regime in existence within BGTW. With this in mind, HMGoG created the Environmental Research and Protection Unit under the DESHCC in 2013. Since its creation the section has more than doubled in size and there are now 8 officers working on a shift basis. The section is making good use of the Department's maritime assets which include the *Storm Petrel* and *Razorbill* - a 10 metre cabin cruiser and a 7.5 metre RHIBs respectively. Additionally, coastline patrols are now being carried out on a daily basis, both from land and sea, throughout the year. The section works hand in hand with the Royal Gibraltar Police.



UNITED REPUBLIC OF TANZANIA
DEEP SEA FISHING AUTHORITY

DSFA Bulding, P.O.Box 56, ZANZIBAR
Tel:+255 779 888 215/+ 255 779 888 241
Email: mfo@dsfa.go.tz Wi-bs1te: www.dsfa .go.tz



Ref. BA5/247/01/68

6th October 2021

Derek Campbell
Compliance Committee Chair
International Commission for the Conservation of Atlantic Tuna (ICCAT)

Dear Sir,

REF: REQUEST FOR INFORMATION ON FISHERIES ACESS AGREEMENTS BETWEEN TANZANIA AND COLOMBIA

Please refer to your letter to the Director General of the Deep Sea Fishing Authority with the above mentioned subject.

2. We would like to inform you that the F.V Haleluya was deregistered as a Tanzanian flag vessel on the 21st of June 2019 through Certificate of Deletion number ZMA-DEL-190018 (attached).
3. Furthermore, the vessel was never issued an Authorization to Fish and in this regard the DSFA is neither aware of any access agreement between the vessel and Colombia nor has it ever received any catch data from the vessel.
4. The DSFA offers its sincere gratitude for your esteemed cooperation and avails itself for any further clarification.

Zahor Mohamed El Kharousy
DIRECTOR GENERAL



THE UNITED REPUBLIC OF TANZANIA
ZANZIBAR MARITIME AUTHORITY



CERTIFICATE OF DELETION

The Maritime Transport Act, 2006
The Maritime Transport (Registration and Licensing of Vessels) Regulations 2007, Reg. 44(2)(a)

This is to certify that the ship described below was deleted from the registry of Zanzibar on:
27/06/2019 at 14:05 UTC

Ship's name			
HALELUYA			
Port of registry	Zanzibar	IMO number	
Official No.	400035	Callsign	5IM 615
Gross tonnage	80	Net tonnage	25
Length (Art 2(8) ITC)	24.5	Power (kW)	441
Length overall		Breadth	5.0
Alternative tonnage		Depth	2.0
Type of ship	Fishing Vessel		
Description			
Owner(s)	CHIN TIEN CHEN , BARRIO BOSQUE TRANSVERSAL 52 NO. 21A - 62 CARTAGENA, CARTAGENA , Colombia (64 shares)		
Date of first registry	27/06/2019		

At the time of deletion there were no encumbrances registered against the ship in the register of Zanzibar.

Issued at Zanzibar on 27/06/2019 at 14:05 UTC



Registrar of ships