

# International Provisions of the MSRA: *Progress Report*



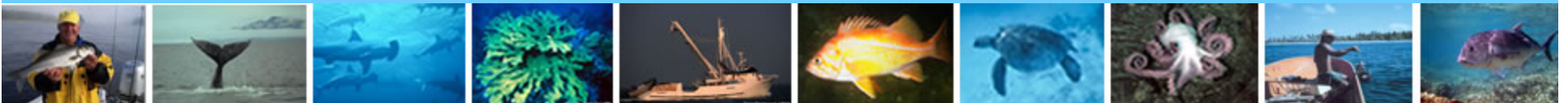
Dr. Rebecca Lent, Director  
NOAA Fisheries Office of International Affairs  
Council Coordination Committee Meeting  
January 2008





# U.S. Required Actions under MSRA

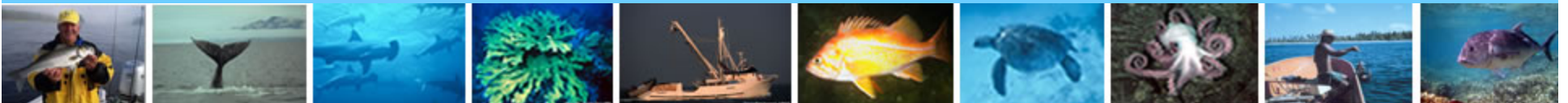
- Actions must be taken to:
  - Address international overfishing
  - Strengthen international fishery management organizations
  - Combat illegal, unreported, or unregulated (IUU) fishing
  - Reduce bycatch of protected living marine resources (PLMRs)





# U.S. Required Actions under MSRA

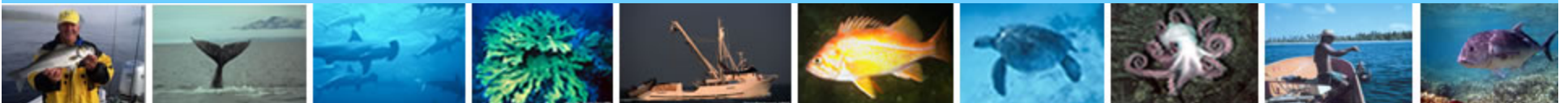
- Biennial Report to Congress due January 2009
- Report will include:
  - Information on the status of international living marine resources
  - List of nations whose vessels have been *identified* as engaging in IUU fishing or bycatch of PLMRs





# U.S. Required Actions under MSRA

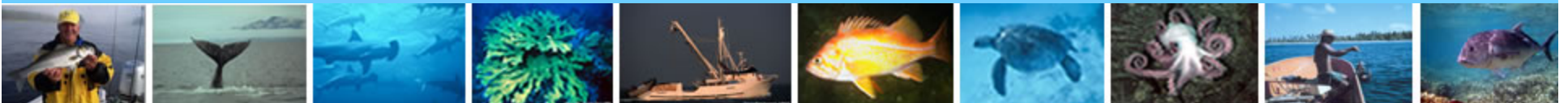
- After identification, U.S. government will:
  - *Notify* nations of their identification and the Act's requirements to address IUU fishing and bycatch
  - Initiate *consultations* with those nations
  - *Notify* relevant international organizations of U.S. actions to address IUU fishing
  - Seek *international agreements* to reduce bycatch





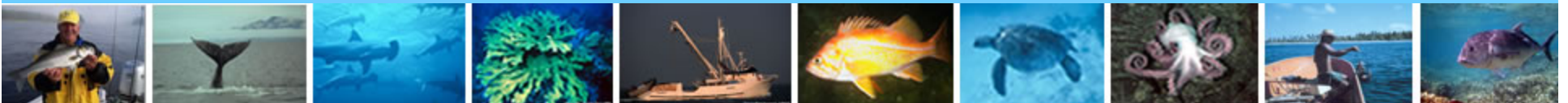
# U.S. Required Actions under MSRA

- Commerce Secretary is required to determine whether appropriate corrective action has been taken to address IUU fishing or bycatch
- Based upon determination, identified nations will receive either a “positive” or “negative” certification
- Nations must be provided an opportunity for notice and comment regarding certification decisions



# Effects of a *Negative* Certification

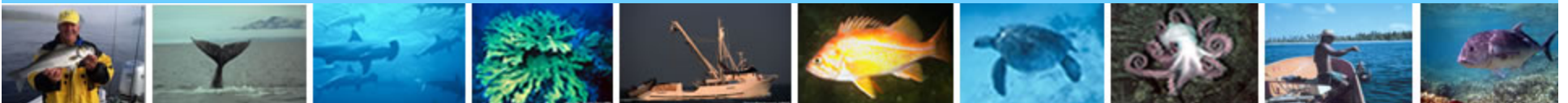
- Deny entry of nation's fishing vessels into U.S. ports
- With exceptions, prohibit importations of certain fish or fish products from that country





# Implementation Activities to Date

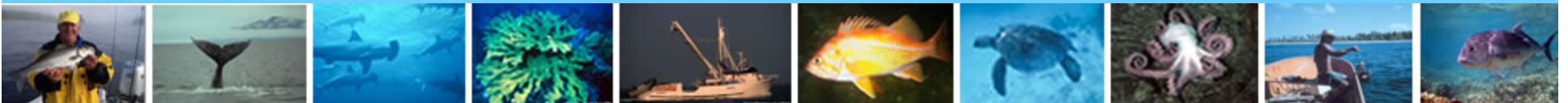
- Rulemaking
  - Proposed rule currently in development
  - Proposes procedures for the identification, notification, and certification of nations in accordance with MSRA
  - Provides guidance on sources, types, and verification of information to be used in identification and certification
  - Outlines requirements for positive certification





# Implementation Activities to Date

- Potential public hearings on proposed rule:
  - Boston, MA
  - Long Beach, CA
  - Miami, FL
  - Seattle, WA
  - Washington, DC
  - Western Pacific
- NEPA Analysis
  - Environmental Assessment currently in development
  - Will be completed concurrently with proposed rule

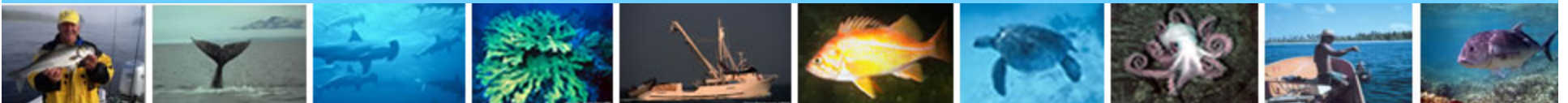






# Implementation Activities to Date

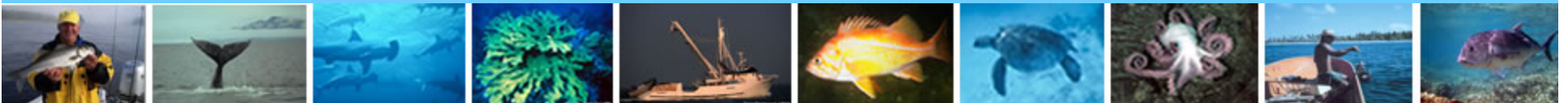
- NMFS/DOS Guidance Letter to U.S. Commissioners
  - Provides direction for U.S. delegations to international meetings in fulfillment of MSRA provisions:
    - Account for traditional U.S. participation in fisheries and promote stock rebuilding (Sec. 4)
    - Undertake activities to promote improved monitoring and compliance (Sec. 401)
    - Strengthen international fishery management organizations (Sec. 402)
    - Ensure U.S. catch history is not transferred when vessels are sold or transferred to foreign citizen or entity (Sec. 407)





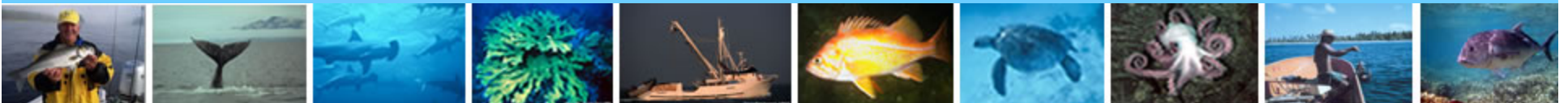
# International Cooperation and Assistance

- International provisions of the MSRA also seek to:
  - Promote improved monitoring and compliance of international fisheries
  - Improve the effectiveness of international organizations to address IUU fishing
  - Prevent and mitigate bycatch of PLMRs
  - Support efforts to build capacity in other countries for fisheries management and enforcement



# Implementation Activities to Date

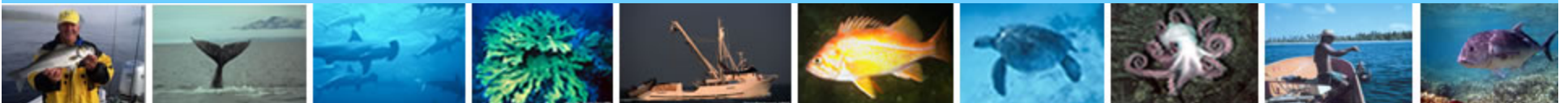
- NMFS has supported workshops on:
  - Methods to prevent and mitigate incidental take of marine turtles, mammals, seabirds, and other resources
  - Marine mammal stranding response training
  - Observer and enforcement training
  - Elimination and prevention of IUU fishing





# Implementation Activities to Date

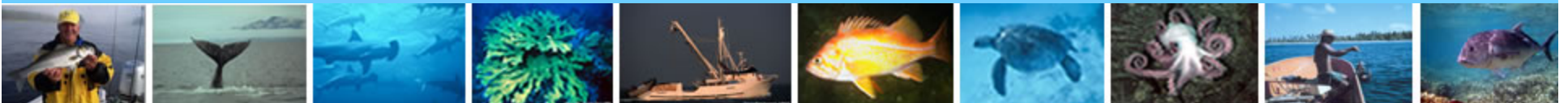
- NMFS has also assisted or supported:
  - Transfer of technology and equipment
  - Development of regional observer programs
  - Funding within RFMOs and other international bodies that increase developing State participation
  - Promotion of regional fisheries regimes in the Caribbean and West Africa





# Implementation Activities to Date

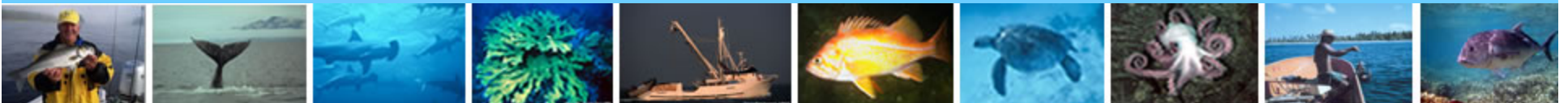
- Progress Report
  - Describes activities undertaken to implement the international MSRA provisions
  - Prepared for NMFS Assistant Administrator in preparation for first biennial report to Congress due in January 2009
  - Expected timeframe for completion: January 2008





# MSRA Summary

- Provides opportunities and challenges to improve fisheries management globally
- Emphasizes multilateral process to address IUU fishing and bycatch
- Requires commitment to strengthen international fishery organizations and capacity building efforts
- NMFS will seek to work cooperatively with Councils



# Questions?



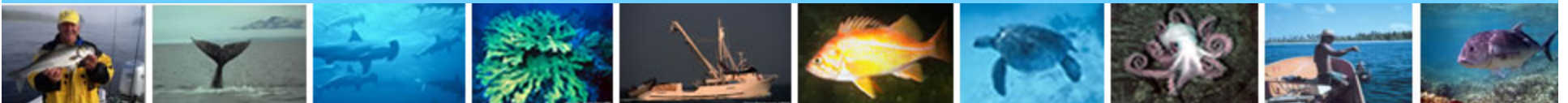
# Backup Slides





# U.S. Required Actions under MSRA

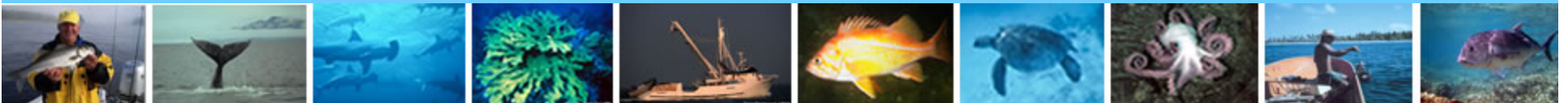
- Commerce Secretary is directed to consider in the biennial report:
  - Whether an international organization regulates the IUU fishing activity in question or bycatch of PLMRs
  - Actions by the relevant international organization to address IUU fishing or bycatch of PLMRs
  - Whether nations are party to or maintain cooperating status with the relevant organization





# U.S. Required Actions under MSRA

- Commerce Secretary also is directed to consider:
  - Whether identified nations have adopted a program to end or reduce bycatch that is *comparable* to U.S. program
- Information will be considered when identification decisions are made





# MSRA Certification Procedures

- To grant a nation a *positive* certification, Commerce Secretary must determine if:
  - For IUU fishing: Nation has taken corrective action or the relevant international organization has implemented effective measures to address IUU fishing
  - For bycatch: Nation has adopted regulations comparable to the U.S. to address bycatch and established a management plan to collect data

