

REPUBLIC OF PANAMA
MINISTRY OF AGRICULTURAL DEVELOPMENT

EXECUTIVE DECREE No. 130
(Of April 14th, 2020)

By which the Inter-Institutional Commission is created to prevent, discourage and eliminate Illegal, Unreported, Unregulated Fishing (IUU) and other provisions are issued.

THE PRESIDENT OF THE REPUBLIC
in use of its constitutional and legal powers;

CONSIDERING:

That by Law No. 44 of November 23rd, 2006, the Aquatic Resources Authority of Panama is created, as the governing entity of the State to ensure compliance and application of national laws and policies on fishing and aquaculture;

That according to numerals 2 and 3 of article 4 of Law No. 44 of November 23rd, 2006, the Authority has among its functions, to regulate, promote and apply the technical and administrative measures and processes for rational use, sustainable and responsible of aquatic resources, in order to protect the national aquatic heritage and contribute to the protection of the environment, comply with and enforce international agreements and conventions, which have been ratified by the Republic of Panama, regarding their competition;

That the Authority has territorial jurisdiction in the Republic of Panama and its jurisdictional waters, as well as legal personality, its own patrimony and autonomy in its internal regime, and is subject only to the policies, guidance and inspection of the Executive Branch, and the supervision of the Comptroller General of the Republic;

That it is necessary to have a broad, permanent Inter-Institutional Commission made up of public institutions with competence within the fishing and aquaculture sector, so that there is better coordination to identify risks that compromise the country related to Illegal Fishing in a timely manner, No Declared, Not Regulated (IUU), in order to recommend measures applicable to vessels and the entire chain of production of products from fishing in the country.

DECREES:

Article 1. Create the Inter-Institutional Commission to prevent, discourage and eliminate Illegal, Unreported, Unregulated Fishing (IUU), hereinafter the Commission, as a specialized consulting and advisory body in all matters concerning the policies and measures of the Republic of Panama in this matter, which will be made up of the following members:

- One (1) representative of the Panama Aquatic Resources Authority, designated by the General Administration, who will preside over the Commission;
- One (1) representative from the Ministry of Agricultural Development;
- One (1) representative of the Ministry of Public Security.
- One (1) representative of the Department of Food Protection of the Ministry of Health;
- One (1) representative of the Vice Ministry of Foreign Trade of the Ministry of Commerce and Industries;
- One (1) representative of the Vice Ministry of Multilateral Affairs and Cooperation of the Ministry of Foreign Affairs;
- Two (2) representatives of the Panama Maritime Authority, made up of the following:
 - One (1) representative of the General Directorate of Merchant Marine.
 - One (1) representative of the General Directorate of Auxiliary Maritime Ports and Industries;
- One (1) representative of the National Customs Authority.

Article 2. The entities that make up the Commission will designate their representative and an alternate, by means of a formal note addressed to the General Administration of the Panama Aquatic Resources Authority.

Article 3. The Commission shall have the following powers:

- a. Make recommendations aimed at preventing, discouraging, and eliminating Illegal, Unreported, Unregulated (IUU) Fishing by national or foreign-flagged vessels, in marine areas under the sovereignty and jurisdiction of Panama, as well as flag vessels national in marine areas located beyond the jurisdiction of Panama.
- b. Propose to the entities that are part of the Commission, according to their competences, improvements to the plans and programs regarding inspection, surveillance and control in fishing, management and control of products from fishing and all the production chain to the national and international market.
- c. Support in the activities related to the fulfilment of the plans and programs established by the institutions that are part of the Commission, to guarantee the exports of the products coming from the fishing, according to the norms established by the States of the market, Organizations Regional Fisheries Management, governing institutions of fisheries from other States and international organizations related to fishing.
- d. Promote, organize and support the holding of technical and informative events, in order to exchange knowledge and experiences in the field of action of this Commission, at the national and international level.
- e. Promote the dissemination of the issues discussed and decided by the Commission, to the different institutional and union bodies.
- f. Propose manuals of procedures, standards and / or regulations according to the matters of competence of the institutions that are part of the Commission.
- g. Dictate the internal regulations for the operation of the Commission, the legal validity of which will depend on its adoption, through an administrative resolution of the Panama Aquatic Resources Authority.

Article 4. The recommendations of the Commission are not binding; however, after each meeting is held, they will be recorded in minutes and their members must endeavor to implement them within the framework of the powers of each of the institutions that are part of the Commission.

Article 5. The Commission shall meet in ordinary session every three (3) months, and in an extraordinary manner, according to a call made by the Panama Aquatic Resources Authority. Extraordinary sessions may also be requested by at least two (2) of its main members, to the presidency of the same.

Article 6. The Commission may invite to participate in its meetings, when it deems it appropriate, representatives of other public entities, non-governmental organizations or private entities, whether national or foreign, regional or international, with the purpose of raising consultations, which will have the right to speak only.

Article 7. The expenses that are generated by the Commission, in the exercise of the functions assigned to it in this Executive Decree, will be borne proportionally by each of the institutions that comprise it.

Article 8. Executive Decree No. 96 of November 12, 2009 is repealed.

Article 9. This Executive Decree will take effect from its publication in the Official Gazette.

BASIS OF LAW: Law 44 of November 23rd, 2006.

COMMUNICATE AND ENFORCE IT.

LAURENTINO CORTIZO COHEN
President of the Republic

AUGUSTO VALDERRAMA
Minister of Agricultural Development