

REPUBLIC OF PANAMA
AUTHORITY OF AQUATIC RESOURCES OF PANAMA

RESOLUTION ADM / ARAP N°059
(Of October 07th, 2019)

By which the Technical Compliance Committee of the Panama Aquatic Resources Authority is created, and its implementing regulations are adopted.

THE GENERAL ADMINISTRATOR
in use of their legal powers,

CONSIDERING:

That Law 44 of November 23rd, 2006, creates the Aquatic Resources Authority of Panama, as a State entity to ensure compliance with and application of national laws and policies on fishing and aquaculture.

That numeral 15 of article 21 of Law 44 of 2006 establishes that the functions of the General Administrator, among others, are to establish the organization of the Authority and, in general, to adopt all the measures it deems appropriate for the organization and operation of the fishing and aquaculture sector.

That by Executive Decree 96 of November 12th, 2009, the Inter-Institutional Commission was created to Prevent, Discourage and Eliminate Illegal, Unreported, Unregulated Fishing of vessels dedicated to the capture, transport and trans-shipment of aquatic resources, as well as of support vessels for vessels that capture these resources, as a specialized consulting and advisory body in all matters concerning policies and measures on Illegal, Unreported, Unregulated Fishing of vessels registered in the National Merchant Marine.

That through Executive Decree 98-A of November 17th, 2009, the National Action Plan of the Republic of Panama to Prevent, Discourage and Eliminate Unreported and Unregulated Illegal Fishing (IUU) was approved.

That through Resolution 003 of November 18th, 2009, the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations (FAO) and its annexes was adopted, as well as the International Plan of Action to Prevent, Discourage and Eliminate Illegal, Unreported and Unregulated Fishing by FAO.

That by Law 43 of September 14th, 2016, the Agreement on Port State Control Measures, aimed at Preventing, Discouraging and Eliminating Illegal, Unreported and Unregulated Fishing, was approved, made in Rome, on November 22th, 2009.

That the Agreement on the application of the provisions of the United Nations Convention on the Law of the Sea of December 10th, 1982, relative to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, establishes in literal j of article 5 that in order to conserve and manage straddling fish stocks and highly migratory fish, coastal States and those that fish on the high seas, must collect and disseminate complete and accurate data on fishing activities, in particular on the position of the vessels, the catch of species subject to fishing, accidental catches and the level of fishing effort, as stipulated in Annex 1, as well as information from national and international research programs.

That the Aquatic Resources Authority of Panama is the governing entity to ensure compliance with the management measures established before the Regional and Sub-Regional Fisheries Management Organizations, in particular, on vessels that carry out fishing activities in the sea.

That this General Administration considers necessary the establishment of a Technical Committee, to carry out the tasks of follow-up to the fulfilment of the obligations framed in the previously detailed legal instruments; in consequence,

RESOLVES:

FIRST: The Technical Compliance Committee of the Panama Aquatic Resources Authority, hereinafter the Committee, is created with the objective of ensuring that the Authority complies with the recommendations, resolutions and management measures established by the Regional and Sub Regional Fisheries Management.

SECOND: The Committee will be made up of the following actors:

1. One (1) representative of the General Administration Office, who will act as Chairman of the Committee, or whoever it designates.
2. One (1) representative of the International Technical Cooperation Office, who will act as Coordinator and Secretary of the Committee.
3. One (1) representative of the Surveillance and Control Department, designated by the General Director of Inspection, Surveillance and Control.
4. One (1) representative of the Fishing Monitoring Center, appointed by the General Director of Inspection, Surveillance and Control.
5. The General Director of Organization and Integral Management, or whoever he designates.

With the exception of the General Administration, the Director of each of the Administrative Units that are represented in the Committee, must provide the information of the designated person, to the Office of International Technical Cooperation, prior authorization of the General Administrator, in a period no more than fifteen (15) calendar days after the promulgation of this resolution.

THIRD: The Committee will have the following functions:

1. Ensure the delivery, in a timely manner, of statistical information in all Regional Fisheries Management Organizations of which the Republic of Panama is a contracting party, is a non-contracting cooperating party, or is not a contracting party of the Organization.
2. Ensure the delivery of all the information regarding compliance in all the Regional Fisheries Management Organizations of which the Republic of Panama is a contracting party, is a non-contracting cooperator or is not a contracting party of the Organization.
3. Carry out an analysis, by vessel, regarding the delivery of information related to compliance with the fishing management measures established in accordance with current regulations.
4. Prepare project profiles, procedures, instructions, matrices and information report templates to improve the delivery and management of the data to be supplied in the different international organizations.
5. Provide a report every six (6) months to the General Administrator of the Panama Aquatic Resources Authority, on compliance and all the information provided to International Organizations.

FOURTH: The Committee will establish the internal deadlines to prepare the reports and reports necessary to comply with the recommendations and resolutions of the Regional Fisheries Management Organizations, for each of the administrative instances of the Authority.

FIFTH: If there are changes in the deadlines and / or deadlines for the submission of compliance reports, these will be communicated to the different General Directorates through the Office of International Technical Cooperation, according to the new dates and measures established by the Regional Fisheries Management Organizations.

SIXTH: The activities of the Committee will be governed by a monthly calendar of ordinary meetings, with information on the deadlines for delivery of the reports of each of the Regional Fisheries Management Organizations, which must be announced and notified to their members, with at least five (5) business days prior to its celebration. The Committee may hold extraordinary meetings, which must be announced and notified to its members, at least three (3) business days before the meeting.

SEVENTH: The Coordinator and Secretary of the Committee will be responsible for calling the ordinary and extraordinary meetings, providing the agenda and documents necessary to hold the respective meeting.

EIGHTH: The Committee's quorum will be confirmed with a simple majority of its members at the beginning of each meeting.

NINTH: The Coordinator and Secretary of the Committee, will keep the minutes and records of the meetings, which will be sent to each of the members of the Committee after reviewing the Cooperation Office, in a term not exceeding fifteen (15) business days after the same is done.

TENTH: The General Directors and Heads of the Departments of the Authority that make up the Committee are responsible for ensuring the participation of their representatives in both ordinary and extraordinary sessions.

ELEVENTH: This resolution will take effect as of its promulgation in the Official Gazette.

LEGAL BASIS: Law 44 of November 23rd, 2006.

PUBLISH AND ENFORCE IT.

FLOR TORRIJOS ORO
General Administrator