



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
INTERNATIONAL AFFAIRS AND MARKETS
INTERNATIONAL AFFAIRS, LAW OF THE SEA AND REGIONAL FISHERIES
ORGANISATIONS

Brussels,
MARE/B-1 OF/
Dr. David WILSON
IOTC Executive Secretary
P.O. Box 1011
Fishing Port - Victoria
SEYCHELLES

Subject: Report of implementation

Dear Dr. Wilson,

In accordance with Article X.2 of the IOTC Agreement, please find enclosed the EU Report of implementation of IOTC conservation and management measures for the year 2015.

Pursuant to Article 216(2) of the Treaty on the Functioning of the European Union (EU), the EU as a Contracting Party to IOTC is bound to ensure that the measures adopted by the Commission are effectively implemented by EU vessels operating in the IOTC area of competence.

Such international obligations are also binding for EU Member States. They are bound to take the necessary direct measures designed to ensure compliance with the provisions of the IOTC measures in question by their vessels and, as appropriate, their nationals.

Moreover, in accordance with EU legislation, all EU vessels operating in the IOTC area of competence are subject to monitoring and control measures to ensure that IOTC and EU Common Fisheries Policy rules are fully respected. Therefore all measures adopted by the Commission in its last session are implemented by the EU vessels operating in the IOTC area of competence.

Further specific information related to the implementation of IOTC conservation and management measures will be transmitted to the IOTC secretariat before the 2016 annual session.

Yours sincerely,

Seppo NURMI
Head of EU Delegation to IOTC



IOTC Agreement – Article X

Report of Implementation for the year 2015

DEADLINE FOR SUBMISSION OF THE REPORT 16 MARCH 2016

Reporting CPC: EU

Date of submission: March 2016

Please NOTE: this document is composed of 3 sections to report on the implementation of IOTC Resolutions

Part A. *Describe the actions taken, under national legislation, in the previous year to implement conservation and management measures adopted by the Commission at its Nineteenth Session.*

- Resolution 15/11 On the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating Non-Contracting Parties.^a

EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU stakeholders have fully implemented this resolution.

EU fishing authorities have monitored their vessels and took the necessary legal and administrative measures to implement limitations of capacity as stated in this resolution.

- Resolution 15/10 On target and limit reference points and a decision framework.

EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. Activities of EU stakeholders in IOTC are fully in line with the provisions of this resolution.

- Resolution 15/09 On a fish aggregating devices (FADs) working group.

EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU stakeholders have fully implemented this resolution.

- Resolution 15/08 Procedures on fish aggregating devices (FADs) management plan, including a limitation on the number of FADs, more detailed specifications of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species.^a



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Commission des Thons de l'Océan Indien



EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU stakeholders have fully implemented this resolution.

- Resolution 15/07 On the use of artificial lights to attract fish to drifting fish aggregating devices. EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU stakeholders have fully implemented this resolution.
- Resolution 15/06 On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna, and a recommendation for non-targeted species caught by purse seine vessels in the IOTC area of competence. EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU stakeholders concerned by the application of this measure have fully implemented it.
- Resolution 15/05 On conservation measures for striped marlin, black marlin and blue marlin. EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. As stated in this resolution, EU stakeholders have been encouraged to implement all its provisions.
- Resolution 15/04 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence.^a

EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU stakeholders have fully implemented this resolution.

Reporting on IMO number:

To allow the necessary time for CPCs to obtain an IMO number for eligible vessels that do not already have one, paragraph 2.b on IMO number is effective as of 1 January 2016. As of this date, CPCs shall ensure that all their fishing vessels that are registered on the IOTC Record of fishing vessels have IMO numbers issued to them. Paragraph 2.b on IMO number does not apply to vessels which are not eligible to receive IMO numbers.



In assessing compliance with the paragraph above, the Commission shall take into account exceptional circumstances in which a vessel owner is not able to obtain an IMO number despite following the appropriate procedures. **Flag CPCs shall report any such exceptional situations** to the IOTC Secretariat.

The report on exceptional situations has already been provided to the IOTC Secretariat:

Yes **Date of reporting (DD/MM/YYYY):** 15 March 2016, further detail will follow. *Information provided on*

No ; if no report exceptional situations below:

In principle, all EU eligible vessels have an IMO number or are applying for it.

- Resolution 15/03 On the vessel monitoring system (VMS) Programme. ^a

EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU stakeholders have fully implemented this resolution. All EU authorised vessels in IOTC registry are equipped with VMS according to this resolution. The VMS programme in accordance with this resolution (and previous Resolution 06/03) have been fully implemented.

- Resolution 15/02 On mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs).

EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. The EU fishing authorities endeavor to fully implement the mandatory statistical requirements stakeholders have fully implemented this resolution

- Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC Area of Competence.

EU Member States and EU Operators in the Indian Ocean have been officially notified of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU stakeholders have started updating in logbooks according to the provisions of this resolution.

Note: ^a indicate that a template report exists for some of the requirements and can be downloaded at <http://www.iotc.org/compliance/reporting-templates>



Part B. *Describe the actions taken, under national legislation, to implement conservation and management measures adopted by the Commission in previous Sessions, and which have not been reported previously.*

Pursuant to Article 216(2) of the Treaty on the Functioning of the European Union (EU), EU Member States are bound to take the necessary direct measures designed to ensure compliance with the provisions of the IOTC measures in question by their vessels and, as appropriate, their nationals.

Furthermore:

- (EU) Council Regulation N° 520/2007 which lays down technical measures for the conservation of certain stocks of highly migratory species transposed all IOTC technical measures adopted prior to and including 2006.
- (EU) Council Regulation N° 1936/2001 amended by the Council Regulation (EC) N° 869/2004 transposed all IOTC control and surveillance measures adopted prior to and including 2003.
- (EU) Council Regulation N° 2015/104, and similar (EU) Council Regulations adopted in previous years, fixing for the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements transposed in particular the IOTC Resolution 12/11, and related previous resolutions as well as other instruments to freeze fishing effort in the IOTC area of competence and protection of IOTC species or other species caught in association with IOTC fisheries.
- The main IOTC Resolutions for vessel recording, port inspections, IUU fisheries, driftnets, transshipments, vessels monitoring system, shark finning, precautionary approach, discards and recording of catches and logbooks are transposed into EU legislation through the EU legal framework of fisheries.
- During the year 2015, the EU continued to implement the Common Fisheries Policy, which was adopted through an EU Regulation (REGULATION (EU) No 1380/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL) as informed in our previous Implementation reports. The Common Fisheries Policy applies to all EU fishing vessels operating in IOTC.

According to EU legislation all EU vessels operating in the IOTC area of competence are subject to the monitoring and control measures ensuring the respect of the provisions of the IOTC resolutions as well as of the EU's Common Fisheries Policy. Therefore all measures adopted by the Commission in its previous sessions are implemented by EU vessels operating in the IOTC area of competence.

We remind that La Reunion Fisheries authority undertook a plan of fisheries and compliance, notably applicable for local longliners (12-20 miles zone).



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Part C. Data and information reporting requirements for CPCs to be included in this report (please refer to the section "Implementation Report due by 16 March 2016" of the *Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties, available for download at <http://www.iotc.org/compliance/reporting-templates>*).

- Resolution 01/06 Concerning the IOTC bigeye tuna statistical document programme

CPCs which export bigeye tuna shall examine export data upon receiving the import data from the Secretary, and report the results to the Commission annually [A template report exists].

Nil report, specify the reason: No large scale longline vessels on the IOTC RAV
 Do not export frozen big eye tuna

The report has already been provided to the IOTC Secretariat:

Yes Date of reporting (DD/MM/YYYY): The dates vary depending on the EU Member State.

No

The report is attached to the implementation report:

Yes

No

Additional information:

Further pieces of information might be provided as soon as they became available.

- Recommendation 05/07 Concerning a management standard for the tuna fishing vessels

The CPC flag States which issues licenses to their AFVs should report annually to the Commission all measures taken to meet the minimum management standards when they issue fishing licenses to their "authorised fishing vessels".

a. Management in the fishing grounds (of flag vessels).

	<i>Scientific Observer boarding</i>	<i>Satellite-based vessel monitoring system</i>	<i>Daily or required periodic catch report</i>	<i>Entry/Exit report</i>
Yes, No?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Note	% Purse Seine vessels - 100% Longliners - depending on the EU Member State (some information still to be provided)	% or number of vessels All EU vessels are equipped with a VMS according to obligations of the Resolution 15/03	Method All vessels have a (daily) logbook on board according to Resolution 15/01 or 13/03)	Method General information provided to the secretariat



	but should be near the minimal obligation of 5% coverage Artisanal - still to be implemented some coverage at port.			
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b. Management of transshipment (from the fishing grounds to the landing ports; of flag vessels)

	<i>Transshipment report</i>	<i>Port inspection</i>	<i>Statistical document program</i>
Yes, No?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Note	Method Information provided to the secretariat	Method Information provided to the secretariat	Information provided to the secretariat

c. Management at landing ports (of flag vessels).

	<i>Landing inspection</i>	<i>Landing reporting</i>	<i>Cooperation with other Parties</i>
Yes, No?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Note	Method Information provided to the secretariat	Method Information provided to the secretariat	General information provided to the secretariat

Additional information:

The provisions of the Recommendation 05/07 match the EU fisheries legislation and therefore the IOTC management standards are fulfilled by the EU fleet operating in the Indian Ocean. Strict VMS monitoring and various vessel's inspections contribute to the implementation of the Resolution 05/07.

EU vessels fishing in high seas are also subject to control and legislation of the Indian Ocean coastal states having Fisheries Partnership Agreements with the EU. This also applies to port inspections by the port state authorities when EU vessels visit Indian Ocean ports.

EU vessels are also required to maintain daily catches in logbooks, which are validated by the EU Member States oceanographic institutes. Furthermore, EU vessels are not authorised to tranship at sea.

- Resolution 10/10 Concerning market related measures



For CPCs that import tuna and tuna-like fish products, or in whose ports those products are landed or transhipped, should report a range of information (e.g. information on vessels / owners, product data (species, weight), point of export) annually. *[A template report exists].*

- Nil report, specify the reason(s): No landing from foreign vessels in national ports
 No transhipment by foreign vessels in national ports
 Do not import tuna and tuna-like fish products

The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2015 have already been provided to the IOTC Secretariat:

Yes Date of reporting (DD/MM/YYYY): Due to the nature of the EU - 28 Member States (5 involved in IOTC fisheries) – and the specificity of the information on imports, landing or transhipments, reports and information have been submitted to the IOTC secretariat at different dates.

No

The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2015 is attached to the implementation report:

Yes

No

Additional information:

One foreign vessel has landed their catches in the EU port in the region and related information and report has been reported to IOTC secretariat. Moreover, information on landings, transhipments, imports and exports has been reported to the secretariat since the last implementation report.

- Resolution 11/02 Prohibition of fishing on data buoys

CPCs are to notify the IOTC Secretariat of all reports of observations of damaged data buoys.

Nil Report

The report has already been provided to the IOTC Secretariat:

Yes Date of reporting (DD/MM/YYYY): Scientific reports were sent to the secretariat the 19 November 2015

No

The report is attached to the implementation report:

Yes

No

Additional information:

This measure is fully implemented by EU vessels.

- Resolution 11/04 On a Regional observer scheme



CPCs shall provide to the Executive Secretary and the Scientific Committee annually a report of the number of vessels monitored and the coverage achieved by gear type in accordance with the provisions of this Resolution.

Type of gear	No of vessels monitored in 2014	Coverage in 2014 (%)
Purse seine	Almost 100 % coverage	100' coverage
Longline	About 5% coverage, precise information on observers missing.	About 5 % coverage, precise information on observers missing
Gillnet	Click here to enter text.	Click here to enter text.
Bait Boat	Click here to enter text.	Click here to enter text.
Hand line	Click here to enter text.	Click here to enter text.
Insert other gear type Artisanal	Some sampling in Port	Some sampling in port
Insert other gear type Click here to enter text.	Click here to enter text.	Click here to enter text.
Insert other gear type Click here to enter text.	Click here to enter text.	Click here to enter text.
Insert other gear type Click here to enter text.	Click here to enter text.	Click here to enter text.

Additional information:

EU Member States are implementing this Resolution, whether by new observer missions or by continuing the observation measures already in place. EU Member States are implementing gradually the regional observer programme. The EU respects the overall coverage requirements. Implementing reports and activities are reported separately or through the Scientific Committee.

The acts of piracy have triggered for some time the suspension, at least partially, of the observation programme in the area affected by piracy (purse seiners in particular). However, the observation programme in the mentioned area regains 100% coverage. In addition, some EU vessels are start using electronic means in coordination with scientific bodies to undertake observations.

With regard to longliners, EU Member States are implementing their respective actions to carrying out the regional observer programme, only UK vessels are still not implementing observation missions that are planned to start in 2017. Global coverage by EU fleet exceeds the 5% requirements in this resolution (cooperation among EU Member States).

Some observer's reports have been transmitted to the secretariat or the Scientific Committee and further relevant information, if any, including observer's reports will be submitted to the IOTC secretariat when it will become available.



With regard to artisanal fishing activities some sampling activities at port remain as in the previous years and related information were provided in French the scientific report.

- Resolution 12/04 On marine turtles

CPCs shall report to the Commission, in accordance with Article X of the IOTC Agreement, their progress of implementation of the FAO Guidelines and this Resolution.

EU has reported information on marine turtles along the intersessional period, notably referring to incidents and encounters with turtles. EU scientists provided important information to the Scientific Committee (including the EU Member States annual scientific report) on sea turtles' data, protective measures and research undertaken.

- Resolution 12 /06 On Reducing the Incidental Bycatch of Seabirds in Longline Fisheries

CPCs shall provide to the Commission, as part of their annual reports, information on how they are implementing this measure and all available information on interactions with seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to include details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC Area of Competence.

EU has reported information on seabirds including on mitigation measures along the intersessional period, notably referring to incidents and encounters. EU scientists provided important information to the Scientific Committee (including the EU Member States annual scientific report) on seabirds' data, protective measures and research undertaken

- Resolution 12/12 To Prohibit the use of large-scale driftnets on the high seas in the IOTC Area

CPCs shall include in their Annual Report a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing on the high seas in the IOTC area of competence.

For the EU, only purse seiners and longliners operate in Indian Ocean's high seas and therefore there are no gillnets or driftnets used by EU operators in the fisheries regulated by the IOTC. Moreover, the use of driftnets longer than 2.5 Km is prohibited for EU operators in accordance with Council Regulation (EC) No 894/97 of 29 April 1997 laying down certain technical measures for the conservation of fishery resources.

- Resolution 13/04 On the conservation of cetaceans

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels.

Not applicable (No PS vessels on the IOTC RAV in 2015);

No encirclement reported by flag vessels in 2015,

Encirclement reported by flag vessels in 2015 (Complete the table below):



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Name of the species	Number of instances of encirclement
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

Additional information:

All information, related to cetaceans encircled by purse seiners was transmitted to the Scientific Committee through the EU Member States scientific report (7 cases reported by the French fleet, no cases specifically reported by the Spanish fleet , but all cetaceans released alive/not entangled) . EU stakeholders are requested to apply the provisions of this resolution, report any incident with cetaceans and other relevant information on the application of this resolution. When cetaceans are incidently encircled, masters take necessary measures to facilitate their escape.

- Resolution 13/05 On the conservation of whale sharks (*Rhincodon typus*)

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which whale sharks have been encircled by the purse seine nets of their flagged vessels.

Not applicable (No PS vessels on the IOTC RAV in 2015);

No encirclement reported by flag vessels in 2015,

Encirclement reported by flag vessels in 2015 (Complete the table below):

Name of the species	Number of instances of encirclement
Whale sharks (<i>Rhincodon typus</i>)	Click here to enter text.

Additional information:

All information, related to whale sharks encircled by purse seiners was transmitted to the Scientific Committee through the EU Member States scientific report (2 cases reported by the French fleet, no cases specifically reported by the Spanish fleet, but all whale sharks released alive/not entangled) . EU stakeholders are requested to apply the provisions of this resolution, report any incident with cetaceans and other relevant information on the application of this resolution. When whale sharks are incidently encircled master take necessary measures to facilitate their escape.

- Resolution 14/05 Concerning A Record Of Licensed Foreign Vessels Fishing For IOTC Species In The IOTC Area Of Competence And Access Agreement Information



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For Government to Government access agreement in existence prior to the entry into force of this resolution, where coastal CPCs allow foreign-flagged vessels to fish in waters in their EEZ in the IOTC Area for species managed by IOTC through a CPC-to-CPC agreement, CPCs involved in the referred agreement:

- Shall submit copy of the access agreement,
- Shall submit information concerning these agreements (paragraphs 3a, b, c, d, e, f, g),

A report template exists and can be requested at secretariat@iotc.org

Additional information:

The EU has reported access agreements and available information on their implementation. The situation is the same than in 2014 with exception of Mozambique agreement that expired. Information provided includes updates in 2014 as the foreign fishing vessels authorised to fish in the EU EEZ in the Indian Ocean and relevant pieces of information related to the EU (Mayotte) - Seychelles Fisheries Agreement.

The EU constantly updates the secretariat when there is any relevant information to report.

You find here more information on access agreements:

http://ec.europa.eu/fisheries/cfp/international/agreements/index_en.htm

- Resolution 14/06 On establishing a programme for transshipment by large-scale fishing vessels
(Report of flag vessels transshipping in foreign ports)

Each flag CPC of the LSTV shall include in its annual report each year to IOTC the details on the transshipments in ports by its vessels (Name of LSTV, IOTC Number, name of carrier vessel, species and quantity transhipped, date and location of transshipment). *[A template report exists]*.

Nil report, specify the reason(s): No LSTVs on the RAV
 Flag LSTVs do not tranship in foreign ports

The details on transshipment in ports for 2015 have already been provided to the IOTC Secretariat:

Yes Date of reporting (DD/MM/YYYY): Due to the nature of the EU - 28 Member States (5 involved in IOTC fisheries) – information transshipment have been submitted to the IOTC secretariat at different dates

No

The details on transshipment in ports for 2015 are attached to the implementation report:

Yes No

Additional information:

EU Vessels are not authorised to tranship at sea.

- Resolution 15/04 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence.



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CPCs shall review their own internal actions and measures taken pursuant to paragraph 7, including punitive actions and sanctions and, in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission annually. In consideration of the results of such review, the Commission shall, if appropriate, request the flag CPCs of AFVs on the IOTC Record to take further action to enhance compliance by those vessels with IOTC Conservation and Management Measures.

The flag CPCs of the vessels on the record shall:

- take measures to ensure that their AFVs comply with all the relevant IOTC Conservation and Management Measures;

Describe the measures:

Due to the specific nature of the EU (5 EU Member States involved in IOTC fishing) the control of the vessels is not uniform and therefore undertaken under the principles of the national laws. Some vessels are controlled locally by national authorities, some others visited by observers that report to DG MARE and in general vessels are also controlled by Coastal States having fisheries agreements with the EU or in Coastal States ports used by EU vessels.

In addition, controls are also undertaken through VMS monitoring, data reporting and licences management.

- take measures to ensure that their AFVs on the IOTC Record keep on board valid certificates of vessel registration and valid authorisation to fish and/or tranship;

Describe the measures:

Idem

- ensure that their AFVs on the IOTC Record have no history of IUU fishing activities or that, if those vessels have such a history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels; the parties of the IUU incident have officially resolved the matter and sanctions have been completed; or that having taken into account all relevant facts, their AFVs are not engaged in or associated with IUU fishing;

Describe the measures:

Idem, in addition there are no EU vessels with IUU history in the IOTC record of vessels.

- ensure, to the extent possible under domestic law, that the owners and operators of their AFVs on the IOTC Record are not engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence;

Describe the measures:

Idem, if any EU citizen involves in illegal activities within IOTC he/her will be persecuted and the case investigated by responsible national authorities of his/her Member State. There is also a collaboration mechanism between national authorities and the European Commission (European executive power).



- take measures to ensure, to the extent possible under domestic law, that the owners of the AFVs on the IOTC Record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them;

Describe the measures:

There are provisions under the domestic law to persecute and investigate cases of alleged involvement of EU citizens in illegal activities within IOTC. However, so far, there was not a single case confirmed that an EU citizen involved in such activities.