

IOTC Agreement – Article X

Report of Implementation for the year 2015

DEADLINE FOR SUBMISSION OF THE REPORT 16 MARCH 2016

Reporting CPC: Sri Lanka

Date of submission: 15.03.2016

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

The list of vessels operating in the IOTC area of competent has been already reported to IOTC Secretariate as per the template provided. The revised fleet development plan for 2016 to 2020 will be submitted at earliest.

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

Sri Lanka noted resolution 15/10

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

Currently there are no purse seines operate under the flag of Sri Lanka. The knowledge on the structure, function, construction, Usage and Management of large scale drifting and anchored FADS is poor in fishery managers and researchers of Sri Lanka. Facilitating participation of Sri Lanka for the working party on FADs is proposed.

- 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

Not applicable - No large scale purse seines operate under flag of Sri Lanka. Conditions will be imposed with the development of the purse seine fishery.

- Resolution 15/07 On the use of artificial lights to attract fish to drifting fish aggregating devices.

Not applicable - No large scale purse seines operate under flag of Sri Lanka. Actions have been taken to inspect the boats to find out whether boats are doing such practices.

- 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.
No large scale purse seines operate under Sri Lanka Flag. Taking the future development of the fishery in to consideration, Discard of excess catch of purse seines is legally banned under the provisions of the High Seas Fisheries Operations Regulations 2014.
- Resolution 15/05 On conservation measures for striped marlin, black marlin and blue marlin.
The fishermen were made aware on the scientific findings on the reduced stock status of bill fish in the Indian Ocean, in the regular awareness programs conducted by DFAR. The importance of reducing catch limits for stock restoration is explained.
- Resolution 15/04 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence.^a
 1. Sri Lanka maintains a vessel registry and the list of vessels operating outside the EEZ for high seas fishing is submitted to Secretariate and regularly updated the changes. The whole fleet of Sri Lanka is < 24m in LOA and not eligible to have IMO number.
 2. All details as per the point (3) of the above resolution is already submitted to the Secretariate.
 3. All requirements for the High Seas fishing as per the resolution is made legally mandatory under the High Seas Fisheries Operation regulation 2014 and the subsequent amendment published on 14th December 2015 in the Gazette no. 1945/6. (Annex- i)
 4. Fish species under statistical document program is validated only if catch is made by a vessel in the authorised list of IOTC.
 4. Sri Lanka established a mechanism to verify the compliance for the CMMs of IOTC prior to departure of the vessel for high seas fishing. A departure form (Annex (ii) with a check list is introduced and made mandatory to complete and submit to the officers in the departing port. The boats which are not comply with the conditions are not allowed to go for high sea fishing.
Legal actions have been taken against the violations and 56 such cases were reported in 2015. (Annex (iii))

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):** [Click here to enter text](#)

No ; if no report exceptional situations below:

NA

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

The number of fishing vessels for high seas fishing is fixed to 1615 in 2015. 1536 numbers of high seas fishing vessels were fixed with operational VMS on board as at 31st December 2015. The progress has been reported in October in the interim report submitted to secretariate and circulated through IOTC circular no. 2015-105 in November 2015.

The Fisheries Management center is well equipped and in time vessel information (once every 4 hrs and hourly records in sensitive zones) is reported as per the resolution. Implementation of Operational VMS on board for high seas fishing is made legally mandatory by the gazette no. 1907/47 Published in 26th March 2015. The copy of the regulation already submitted to Secretariate.

VMS data verification with logbook data has been established for further improve the quality of catch data reported to IOTC. FMC closely work with High seas fisheries management unit and following reports are generated for better management and to prevent deter and elimination of IUU fishing activities.

(i) Power off/ disconnection of Vessel Monitoring Device (VMD)

(ii) Harbour departure report

(iii) Maritime Border crossing reports

(iv) Buffer zone entry report (8hrs to pre arrival)

(v) Harbour arrival report

(vi) cruise track map of whole fishing trip (print)

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

The data collection mechanism has been upgraded to submit as per the IOTC standard. As a result in 2014 Sri Lanka was able to provide species wise catch data for each gear separately for



coastal and beyond EEZ areas. The log book data reporting in 2015 is further improved and the next reporting will be more improved to give the grid wise spatial distribution of the catch. The log book data base has been established and the data analysis is being conducted for the next submission before the 30th June 2016. Sri Lanka needs more time to adjust the systems to quarterly submission of catch data. An electronic data recording system (e-logbook) is being tested for easy collection of correct, reliable data for analysis and report generation and further to get graphical illustrations and mapping of data.

Steps have already been taken to improve the size frequency data collection through port sampling and the onboard observers. The data for year 2015 is now being processed to report to the Secretariate before the 30th June 2016.

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

1. The Fisheries catch data recording log book is prepared covering all relevant fields of the resolution. The Template of the official log book is already submitted to the Secretariate on 8th February 2016.

2. The log books have already been distributed to all multiday vessels operating for tuna fishery both within EEZ and high seas. 4148 numbers of log books distributed for year 2016.

3. The log book data recording has been improved in 2015 due to strict implementation of High seas Fishing regulations and continuous monitoring of officials of DFAR and log sheet collection and catch data verification by the port inspectors at the arrival point. Boat inspection form has been introduced (Annex - iv) and the progress of the port inspection for the national vessels is annexed hereto. (Annex - v). The non-compliant fishermen were warned for the first time and legal actions were taken for repeated violators. (Annex - iii)

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.*

1. Amended High Seas Fishing Regulation No. 1 of 2014 is published in the Gazette notification 1945/6 on the date of 14th December 2015, by incorporating mandatory requirements of High Seas fishing as per the resolution 15/04 and other effective resolutions on high seas fishing. (Annex - i)

2. The Shark Fisheries Management (High Seas) regulation No. 1938/2 is published on the date of 26th October by compiling all regulations previously published into one. This has covered the CMMS on shark resolutions such as

- a) 2005/05 (conservation of sharks caught in association of tuna fishery)
- b) 2012/09 (Conservation of Thresher sharks caught in association of tuna fishery)
- c) 2013/05 - Conservation of whale sharks
- d) 2013/06- Conservation of Ocean white tip shark. (Annex -vi)

3. Recent amendments of the Fisheries and Aquatic Resources Act no. 35 of Sri Lanka has provisions for further increase of sanctions against the violations. This is approved by the Parliament and to be printed at the Government printer. (Annex - vii) Following provisions included to this Act.

- a) Any person convicted for violation of the HSF regulation is subjected to fines not less than the amounts in column ii of schedule under regulation 5 or
- b) Five times the value of the fish catch on board whenever is higher
- c) Director General shall impose a monetary penalty of not exceeding one third of the maximum fine that could be imposed under the Act which such person would be liable if convicted by the court for first time and not for repetitions.

4. Minimum standards for the citizen of Sri Lanka engaged in fishing operation in the foreign fishing vessels regulation No. 1945/7 is published on the date of 14th December 2015 covering the Resolution 07/01 and under enforcement. (Annex - viii)

5. Fisheries regulations for Foreign Fishing Boats is drafted as an amendment to the Act No.59 of 1979 and to be submitted to cabinet approval. (Annex - ix)

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):** [Click here to enter text.](#)
 No

The report is attached to the implementation report:

Yes No

Additional information:
 Annex - (x)

- 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 | % Apply for the vessels > 24m. At present there are no vessels >24m. For the single vessl wehad in 2014 is been deployed an onboard | % or number of vessels 100% | Method Through paper Log book | Method Departure and arrival inspections by DFAR ,Navy and Coast Guard Officials |



| | | | |
|--|----------------|--|--|
| | observer(100%) | | |
|--|----------------|--|--|

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 x No | Yes x No <input type="checkbox"/> | Yes x No <input type="checkbox"/> |
| Note | <p>Method</p> <p>No large scale tuna longlines. All national vessels are not permitted to tranship fish at sea.</p> | <p>Method</p> <p>Port inspection for national vessels is under implementation. Officials of DFAR assigned on duty at the harbours to do the boat inspection after arrival. Buffer zone entry alarm (of the VMS) keep the port inspectors ready to be present in the port at the time of arrival of the vessel. Progress of such port inspection is annexed hereto (Annex - v)</p> | <p>Species subjected to SDP are reported during exports. The only one longline vessel engaged in BET exports in 2015 is subjected to the SDP when do exports of BET and Sword fish.</p> |

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 x No <input type="checkbox"/> | Yes x No <input type="checkbox"/> | Yes x No |
| Note | <p>Method</p> <p>Officials of DFAR assigned for port inspection at the harbour do the inspections according to the format in annexure - (iv) .</p> | <p>Method</p> <p>Landing reports submits to the high seas unit to cross check with the log sheets.</p> | <p>Coordinate with the fisheries harbours cooperation and the Ports Authority.</p> |

Additional information:

[Click here to enter text.](#)

- 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):** Fish landing by the foreign fishing vessels in the designated ports of Sri Lanka for year 2015 is already submitted to Secretariate on the date of 1st March 2016 . Only one transhipment took place in October 2015 and the data attached to this report in the 2015 tuna import data in the the data reporting template of Resolution 10/10. 9(Annex - xi)

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:

- 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.

X Nil Report

The report has already been provided to the IOTC Secretariat:

Yes **Date of reporting (DD/MM/YYYY):** [Click here to enter text.](#)

No

The report is attached to the implementation report:

Yes **No**

Additional information:

Fish around 1km area of a data buoy is prohibited in high seas fishing regulation 2014. No violations reported in 2015

- 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 | 2 reports submitted | 25% |
| Longline | 0 | 0 |
| Gillnet | All vessels are small (>15m) and cannot deploy an onboard observer. | NA |
| Bait Boat | NA | NA |
| Hand line | NA | NA |
| Insert other gear type Click here to enter text. | Click here to enter text. | - |
| Insert other gear type Click here to enter text. | Click here to enter text. | - |
| Insert other gear type Click here to enter text. | Click here to enter text. | - |
| Insert other gear type Click here to enter text. | Click here to enter text. | - |

Additional information:

[Click here to enter text.](#)

- 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.

Already submitted to the Secretariate

- 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.

NA

- 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.



Use of Large - scale gillnets if prohibited under the provisions of High Seas Fishing Regulation No. of 2014 (amended 2015). Vessels depart for fishing has to submit the departure form to the fisheries inspector at the port and the fisheries inspector checked for the compliance with the check list. Vessels carrying gill nets > 2.5 meters is not allowed to carry those to the sea.

- 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.

X 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 |
|---------------------------|-------------------------------------|
| Click here to enter text. | Click here to enter text. |
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| 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:

Conditions for conservation of Cetaceans, as per the resolution 13/04 is incorporated to the high seas fishing (2014 amended 2015) legislation of Sri Lanka to be enforced with the developments of the purse seine fisheries . There is a separate box in the log book to report such incidental encirclings.

- 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.

X 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):



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

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:

All conservation and management measures are incorporated to the National legislation and controlled under supervision of Department of Fisheries and the other relevant line agencies such as Fishery Harbour corporation, Ports Authority, Sri Lanka Navy, Dept. of Coast Guard and Local provincial and Divisional administrations. Despite to the warnings legal actions are being taken of Adequate severity to prevent and deter any violations.

- 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:

Incorporated to national legislation and take legal actions for the violations. Check points are established in the departure point of the harbour and the near coastal waters. Strict inspection is carried out by the officials of DFAR, Navy and Coast Guard.

- 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:

Foreign and local vessels with IUU history are not registered for high seas fishing in Sri Lanka. Local vessels found guilty on IUU activities in other waters (BIOT) are being anchored at the harbour and legal actions are being taken to settle the court cases in the BIOT Courts. Local vessels get released by paying the fines are granted permission only to operate within EEZ after fixing the VMS on board.

- 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:



All vessels engaged in High seas fishing are reported to IOTC to publish in the Authorised vessels list.

- 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:

Sri Lanka do not grant permission to foreign nationals to engage in fishing activities and only the vessels owned by Sri Lanka citizen or a company with majority of shares is issued a high seas licence. This measure is strictly implement administratively and will be incorporated to national legislation as a section in future amendments .