
APPLICATIONS FOR MEMBERSHIP IN ACCORDANCE WITH ARTICLE IV.2 OF THE AGREEMENT, AND FOR ACQUISITION OF THE COOPERATING NON-CONTRACTING PARTY STATUS

PREPARED BY: IOTC SECRETARIAT, 18 MAY 2017

PURPOSE

To provide the Commission with an opportunity to consider the applications for Contracting Party (Members) status in accordance with article IV.2 of the Agreement, and for acquisition of the Cooperating Non-Contracting Party (CNCP) status, in accordance with Rule IX of the IOTC Rules of Procedure (2014).

BACKGROUND

Contracting Party (Member) status:

Democratic People's Republic of Korea: On the 6th April 2017, in conformity with the provisions of Article XVII.1 of the Agreement for the Establishment of the Indian Ocean Tuna Commission (1993), an instrument of acceptance of the Agreement by the Government of the Democratic People's Republic of Korea was submitted for consideration to the Director-General of the FAO.

The Democratic People's Republic of Korea, a member of FAO, is not a coastal State situated wholly or partly within the Area of the Agreement. Based on the information available to the Depository, vessels of the Democratic People's Republic of Korea do not engage in fishing in the Area for stocks covered by the Agreement. Therefore, the eligibility criteria set forth in the text of the IOTC Agreement are not fulfilled.

At its Thirteenth Session in 2009, the Commission recommended that, when the eligibility criteria are not met, the Depository should seek the views of the Members of the Commission. Accordingly, the Members are invited to inform the Commission of the opinion they may have in the context of this issue.

Cooperating Non-Contracting Party (CNCP) status:

The IOTC Rules of Procedure (2014), Rule IX, require the following action in regards to '*Cooperating Non-Contracting Party status*':

1. *The Chairperson or the Vice-Chairperson acting as Chairperson of the Commission, shall annually send a letter to all non-Contracting Parties known to be fishing in the IOTC area of competence for species covered by the Agreement to urge them to become a Contracting Party to IOTC or attain the status of a Cooperating Non-Contracting Party. In doing so, the Chairperson or the Vice-Chairperson shall instruct the Executive Secretary to provide a copy of all relevant Conservation and Management Measures adopted by the Commission.*
2. *The application process for requesting the status of Cooperating Non-Contracting Party is provided at Appendix III. [of the IOTC Rules of Procedure (2014)]*

DISCUSSION

In accordance with Rule IX, paragraph 1 of the IOTC Rules of Procedure (2014) (shown above), on 6 February 2017 letters of invitation to become either a Contracting Party or a Cooperating Non-Contracting Party of the IOTC, were communicated to each of the eleven (11) remaining coastal States of the IOTC area of competence, who are not currently CPCs.

- Bahrain
- East Timor
- Egypt
- Iraq
- Israel
- Jordan
- Kuwait
- Myanmar

- Qatar
- Saudi Arabia
- United Arab Emirates

Update: Of the 11 Non-CPCs contacted, no response has been received.

Cooperating Non-Contracting Party (CNCP) status: 2016-17 CNCPs

At the 20th Session of the Indian Ocean Tuna Commission (IOTC), held in La Reunion, France from 23 -27 May 2016, the Commission granted the status of Cooperating Non-Contracting Party (CNCP) to the following four (4) countries until the close of the 21st Session in 2017 (22–25 May 2017).

- Bangladesh
- Djibouti
- Liberia
- Senegal
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In accordance with the IOTC Rules of Procedure (2014), Appendix III paragraph 1, invitations were sent to each of the four (4) current CNCPs on 6 February 2017, requesting that they consider submitting an application for renewal of their CNCP status to the IOTC. The CNCPs were reminded that in accordance with the IOTC Rules of Procedure (2014), a formal request needs to be made to the IOTC Executive Secretary no later than ninety (90) days in advance of the next Session of the Commission, which in this case was **15 February 2017**.

Each CNCP was also reminded of the following decision taken by the Commission at its 19th Annual Session:

*“The Commission **AGREED** that applications for CNCP status shall no longer be considered unless the applications are submitted on time and in accordance with Rule IX.2 Appendix III, of the IOTC Rules of Procedure (2014), and that the concerned parties are present at the Compliance Committee and Commission meetings to present their application and respond to questions from CPCs. One of the key requirements is for applications to be received by the Executive Secretary no later than ninety (90) days in advance of an Annual Session of the Commission, to be considered at that meeting” (Paragraph 82, IOTC–2015–S19–R[E]: 155 pp)*

Provided at **Appendix I** are the details for each CNCP application received for consideration by the Commission in 2016.

RECOMMENDATION/S

That the Commission:

- 1) **NOTE** paper IOTC–2017–S21–06 which provided the Commission with an opportunity to consider the applications for Contracting Party (Member) status in accordance with article IV.2 of the Agreement, and for acquisition of the Cooperating Non-Contracting Party (CNCP) status, in accordance with Rule IX of the IOTC Rules of Procedure (2014).
- 2) **CONSIDER** the situation of the Democratic People’s Republic of Korea, given that it is not a coastal State situated wholly or partly within the Area of the Agreement. It would also appear that the vessels of the Democratic People’s Republic of Korea do not engage in fishing in the Area, for stocks covered by the Agreement.
- 3) **CONSIDER** whether to renew or grant the status of Cooperating Non-Contracting Party to the four (4) applicants received in 2017, until the close of the 22nd Session in 2018, taking into consideration the deliberations at the 14th Session of the Compliance Committee.

APPENDIX I
Current CNCP: Applications

CNCP applications	Supporting information	Application deadline	Application received	Application complete	Present at CoC14	CoC14 Recommendation	Present at S21	Eligible based on IOTC Rules	S21 Decision
Liberia	IOTC-2017-CoC14-CNCP01	15 February 2017	06 February 2017	Complete	Yes	<p>The CoC RECOMMENDED that the Commission considers renewing the status of Liberia as Cooperating Non-Contracting Party of the IOTC. (IOTC-2017-CoC14-R para 134)</p>	Pending	Pending	Pending
	2.a) where available, data on its historical fisheries in the IOTC area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;								
	2.b) all the data that Contracting Parties have to submit to IOTC based on the Resolutions adopted by IOTC;								
	2.c) details on current fishing presence in the IOTC area, number of vessels and vessel characteristics and;								
	2.d) information on any research programmes it may have conducted in the IOTC Area and the information and the results of this research.								
	3.a) confirm its commitment to respect the Commission's Conservation and Management Measures and;								
	3.b) inform IOTC of the measures it takes to ensure compliance by its vessels of IOTC Conservation and Management Measures								

CNCP applications	Supporting information	Application deadline	Application received	Application complete	Present at CoC14	CoC14 Recommendation	Present at S21	Eligible based on IOTC Rules	S21 Decision
Djibouti	IOTC-2017-CoC14-CNCP02	15 February 2017	8 February 2017	Incomplete	No	<p>NOTING that Djibouti was not present during the CoC14 to present their application for Cooperating Non-Contracting Party status, the CoC RECOMMENDED that the Commission considers the application by Djibouti for the status of Cooperating Non-Contracting Party of the IOTC (IOTC-2017-CoC14-CNCP02) at S21, bearing in mind paragraph 82 of the Report of the 19th Session of the Commission. (IOTC-2017-CoC14-R para 135)</p>	Pending	Pending	Pending
	2.a) where available, data on its historical fisheries in the IOTC area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;								
	2.b) all the data that Contracting Parties have to submit to IOTC based on the Resolutions adopted by IOTC;								
	2.c) details on current fishing presence in the IOTC area, number of vessels and vessel characteristics and;								
	2.d) information on any research programmes it may have conducted in the IOTC Area and the information and the results of this research.								
	3.a) confirm its commitment to respect the Commission's Conservation and Management Measures and;								
	3.b) inform IOTC of the measures it takes to ensure compliance by its vessels of IOTC Conservation and Management Measures								

CNCP applications	Supporting information	Application deadline	Application received	Application complete	Present at CoC14	CoC14 Recommendation	Present at S21	Eligible based on IOTC Rules	S21 Decision
Senegal	IOTC-2017-CoC14-CNCP03	15 February 2017	14 February 2017	Complete	Yes	<p>The CoC RECOMMENDED that the Commission consider renewing the status of Senegal as Cooperating Non-Contracting Party of the IOTC. (IOTC-2017-CoC14-R para 136)</p>	Pending	Pending	Pending
	2.a) where available, data on its historical fisheries in the IOTC area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;								
	2.b) all the data that Contracting Parties have to submit to IOTC based on the Resolutions adopted by IOTC;								
	2.c) details on current fishing presence in the IOTC area, number of vessels and vessel characteristics and;								
	2.d) information on any research programmes it may have conducted in the IOTC Area and the information and the results of this research.								
	3.a) confirm its commitment to respect the Commission's Conservation and Management Measures and;								
	3.b) inform IOTC of the measures it takes to ensure compliance by its vessels of IOTC Conservation and Management Measures								

CNCP applications	Supporting information	Application deadline	Application received	Application complete	Present at CoC14	CoC14 Recommendation	Present at S21	Eligible based on IOTC Rules	S21 Decision
Bangladesh	IOTC-2017-CoC14-CNCP04	15 February 2017	19 February 2017	Complete	No	<p>NOTING that Bangladesh was not present during the CoC14 to present their application for Cooperating Non-Contracting Party status, the CoC RECOMMENDED that the Commission consider the application by Bangladesh for the status of Cooperating Non-Contracting Party of the IOTC (IOTC-2017-CoC14-CNCP05) at S21, bearing in mind paragraph 82 of the Report of the 19th Session of the Commission. (IOTC-2017-CoC14-R para 137)</p>	Pending	Pending	Pending
	2.a) where available, data on its historical fisheries in the IOTC area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;								
	2.b) all the data that Contracting Parties have to submit to IOTC based on the Resolutions adopted by IOTC;								
	2.c) details on current fishing presence in the IOTC area, number of vessels and vessel characteristics and;								
	2.d) information on any research programmes it may have conducted in the IOTC Area and the information and the results of this research.								
	3.a) confirm its commitment to respect the Commission's Conservation and Management Measures and;								
	3.b) inform IOTC of the measures it takes to ensure compliance by its vessels of IOTC Conservation and Management Measures								