

Report of the 22nd Session of the Indian Ocean Tuna Commission

Bangkok, Thailand, 21–25 May 2018

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ACRONYMS

AFAD Anchored fish aggregating device

SB_{MSY} Spawning or 'adult' equilibrium biomass at MSY

B_{MSY} Biomass which produces MSY

CMM Conservation and Management Measure (of the IOTC; Resolutions and Recommendations)

CNCP Cooperating Non-Contracting Party, of the IOTC

CoC Compliance Committee of the IOTC

CPs Contracting Parties

CPCs Contracting Parties and Cooperating non-Contracting Parties

DFAD Drifting fish aggregating device EEZ Exclusive Economic Zone FAD Fish aggregating device

FAO Food and Agriculture Organization of the United Nations

F_{MSY} Fishing mortality at MSY GEF Global Environment Facility

HCR Harvest control rule

ICRU Improved Cost Recovery Uplift
 IOC Indian Ocean Commission
 IOTC Indian Ocean Tuna Commission
 IPNLF International Pole and Line Foundation

ISSF International Seafood Sustainability Foundation

IUU Illegal, unreported and unregulated

LRP Limit reference point

LSTLV Large-scale tuna longline vessel

MPF Meeting participation fund, of the IOTC

MSC Marine Stewardship Council
MSE Management Strategy Evaluation
NGO Non-Governmental Organisation

OFCF Overseas Fishery Cooperation Foundation of Japan

OIG Office of the Inspector General

OPRT Organisation for the Promotion of Responsible Tuna Fisheries

OT Overseas Territories
PEW PEW Charitable Trust

RFMO Regional Fisheries Management Organisation

SC Scientific Committee of the IOTC

SCAF Standing Committee on Administration and Finance of the IOTC

SIOFA Southern Indian Ocean Fisheries Agreement SWIOFC Southwest Indian Ocean Fisheries Commission

TCAC Technical Committee on Allocation Criteria of the IOTC

TCMP Technical Committee on Management Procedures
TCPR Technical Committee on Performance Review

TRP Target referent point

UNCLOS United Nations Convention on the Law of the Sea

VMS Vessel Monitoring System

WPEB Working Party on Ecosystems and Bycatch of the IOTC

WPICMM Working party on the Implementation of Conservation and Management Measures

WPM Working Party on Methods of the IOTC

WPTmT Working Party on Temperate tunas of the IOTC WPTT Working Party on Tropical Tunas of the IOTC

WWF World Wide Fund for Nature (a.k.a World Wildlife Fund)

CONTRACTING PARTIES OF THE INDIAN OCEAN TUNA COMMISSION

THIRTY-ONE AS OF 25 MAY 2018

AUSTRALIA

BANGLADESH

CHINA

COMOROS

ERITREA

EUROPEAN UNION

FRANCE (OT)

INDIA

INDONESIA

IRAN, ISLAMIC REPUBLIC OF

JAPAN

KENYA

KOREA, REPUBLIC OF

MADAGASCAR

MALAYSIA

MALDIVES

MAURITIUS

MOZAMBIQUE

OMAN

PAKISTAN

PHILIPPINES

SEYCHELLES

SIERRA LEONE

SOMALIA

SOUTH AFRICA, REP. OF

SRI LANKA

SUDAN

UNITED REPUBLIC OF TANZANIA

THAILAND

UNITED KINGDOM (OT)

YEMEN

COOPERATING NON-CONTRACTING PARTIES OF THE INDIAN OCEAN TUNA COMMISSION

TWO AS OF 25 MAY 2018

LIBERIA

SENEGAL

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EXECUTIVE SUMMARY

The 22nd Session of the Indian Ocean Tuna Commission (IOTC) was held in Bangkok, Thailand, from 21–25 May 2018, chaired by Vice-Chairperson Ms. Jung-re Riley Kim (Republic of Korea). A total of 232 delegates from 27 Contracting Parties (Members) of the Commission, 6 delegates from 2 Cooperating Non-Contracting Parties, 37 delegates from 14 Observers to the Commission (including 9 Invited Experts) and 2 delegates from the FAO.

The Commission adopted a budget of USD 4,270,341 for the 2019 calendar year (<u>Appendix 9</u>), and a corresponding scheme of contributions (<u>Appendix 10</u>).

The Commission granted the status of Cooperating Non-Contracting Party, until the close of the 23rd Session in 2019, to Liberia and Senegal.

The Commission added 5 vessels to the IOTC IUU Vessels List, bringing the total number of vessels listed to 74 vessels (<u>Appendix 7</u>).

The Commission adopted 10 Conservation and Management Measures (Appendix 13), as follows:

- Resolution 18/01 On an interim plan for rebuilding the Indian ocean yellowfin tuna stock in the IOTC area of competence.
- Resolution 18/02 On management measures for the conservation of blue shark caught in association with IOTC fisheries.
- Resolution 18/03 On Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing in the IOTC Area of Competence.
- Resolution 18/04 On bioFAD experimental project.
- Resolution 18/05 On management measures for the conservation for the conservation of billfish, striped marlin, black marlin, blue marlin and Indo-Pacific sailfish.
- Resolution 18/06 On establishing a programme for transhipment by large-scale fishing vessels.
- Resolution 18/07 On measures applicable in case of non-fulfilment of reporting obligations in the IOTC.
- Resolution 18/08 Procedures on a 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 Design to Reduce the Incidence of Entanglement of Non-Target Species.
- Resolution 18/09 On a scoping study of socio-economic indicators of IOTC fisheries.
- Resolution 18/10 On vessel chartering in the IOTC Area of Competence.

1. Opening of the session

- 1. The 22nd Session of the Indian Ocean Tuna Commission (IOTC) was held in Bangkok, from 21-25 May 2018. Due to the resignation of the Chair, Dr Ahmed Al-Mazrouai (Oman) in 2017, the Vice-Chair, Ms. Jung-re Riley Kim (Republic of Korea) chaired the meeting. A total of 232 delegates from 27 Contracting Parties (Members) of the Commission, 6 delegates from 2 Cooperating Non-Contracting Parties, 37 delegates from 14 Observers to the Commission (including 9 Invited Experts) and 2 delegates from the FAO. The list of participants is provided at Appendix 1.
- 2. Opening remarks were made by Dr. Adisorn Promthep, Director General of the Department of Fisheries, Thailand and Mr Àrni Mathiesen, Assistant Director General of the Department of Fisheries, Food and Agriculture Organization (FAO) of United Nations. Mr Luck Wajananawat, Deputy Minister of the Ministry of Agriculture and Cooperatives, Thailand, delivered the keynote speech.

2. Letter of credentials

- 3. A Credentials Committee comprising of the IOTC Executive Secretary, the IOTC Secretariat's Administrative Officer, and the Chairperson-elect of the SCAF, reviewed the credentials provided by the CPCs and Observers.
- 4. The Chair of the Credentials Committee, Mr. Hussain Sinan (Maldives), presented the outcomes of this Committee and informed the Commission that 27 Member countries, 2 Cooperating Non-Contracting Parties, and 14 Observers submitted credentials.
- 5. The Commission WELCOMED Bangladesh as the latest Member to join the IOTC.
- 6. The Commission NOTED the statements made by Mauritius and the United Kingdom (OT) (Appendix 2).

3. Admission of observers

- 7. The Commission **RECALLED** its agreement made in 2012 that meetings of the Commission and its subsidiary bodies should be open to participation by observers from all those who have attended previous sessions of the Commission. Applications by new Observers should continue to follow the procedure as outlined in IOTC Rules of Procedure (2014).
- 8. Pursuant to Article VII of the Agreement establishing the IOTC, the Commission admitted the following Observers, in accordance with Rule XIV of the IOTC Rules of Procedure (2014):
 - a. Members and Associate Members of the Organization that are not Members of the Commission.
 - United States of America
 - Curação
 - b. Intergovernmental organizations having special competence in the field of activity of the Commission.
 - Indian Ocean Commission (IOC)
 - Forum Fisheries Agency (FFA)
 - c. Intergovernmental project(s)
 - South West Indian Ocean Fisheries (SWIOFISH1) Project
 - FAO ABNJ Project
 - d. Non-governmental organizations having special competence in the field of activity of the Commission.
 - Earth Island Foundation (EII)
 - Féderation des Pêcheurs Artisans de l'Océan Indien (FPAOI)
 - Greenpeace International (GI)
 - International Pole and Line Foundation (IPNLF)
 - International Seafood Sustainability Foundation (ISSF)
 - Marine Stewardship Council (MSC)
 - PEW Charitable Trusts (PEW)
 - Stop Illegal Fishing (SIF)
 - Sustainable Fisheries Partnership (SFP)
 - World Wide Fund for Nature (WWF)
 - e. Invited consultants and experts.
 - Taiwan, Province of China

4. Adoption of the agenda and arrangements for the session

9. Some CPCs **EXPRESSED** their concern that S22 was to be chaired by the elected Vice-Chairperson rather than an elected Chairperson. However, the Commission **RECOGNIZED** that the Vice-Chairperson had fulfilled well

- the intersessional duties of the IOTC Chairperson and had worked with the IOTC Secretariat over the past months to prepare for the Commission meeting, therefore the Commission **AGREED** that the Vice-Chairperson should chair the meeting.
- 10. The Commission **NOTED** the statement made by the Republic of Mauritius and the corresponding statements made by the United Kingdom (OT) and France (OT), as provided in <u>Appendix 2</u>.
- 11. France (OT) **EXPRESSED** its concern about the availability of some meeting documents in one of the working languages of the Commission, French. France (OT) reminded the Commission about the importance of having all documents available ahead of time in order to enable the French speaking countries to be able to participate fully in the decision making of the Commission.
- 12. The Commission **ADOPTED** the agenda provided in <u>Appendix 3</u>. The documents presented to the Commission are listed in <u>Appendix 4</u>.

5. Amendments to the IOTC Rules of Procedure

5.1 Appointment of an Executive Secretary

- 13. The Chair of the small drafting group to Review the IOTC Rules of Procedure (RoP), Ms. Jenny Baldwin (Australia), informed the Commission that the small drafting group had worked to revise Appendix II of the RoP regarding the selection and recruitment of the IOTC Executive Secretary and sent those revisions to the FAO Council for submission to the FAO Committee on Constitutional and Legal Matters (CCLM) and for review by the FAO Secretariat.
- 14. The CCLM duly considered the proposal but deferred the matter to its next meeting in September 2018. The FAO Secretariat responded that it did not accept or support the proposed revised text, as it does not believe the text addresses the concerns that were the impetus for the development of the current interim selection procedure and appointment of an Executive Secretary and thus recommended the current interim procedure be confirmed by the Commission as the permanent procedure. As a result of this outcome, the group developed three options for the Commission to consider as a possible action for a way forward.
 - Option 1. Commission engage the Small Drafting Group to continue re-drafting the RoP to seek a compromise with the FAO on the IOTC preferred recruitment process and possibly suggest a meeting to discuss the issue;
 - Option 2 Allow the FAO to undertake recruitment as per the *ad hoc* process currently in place and as advised in earlier advice from the FAO;
 - Option 3 Agree to the RoP as they are re-drafted and write to the FAO advising it of this decision. Advise FAO that if there are no comments the Commission will adopt these amended RoP intersessionally.
- 15. The Commission **NOTED** the need to revise the RoP to secure a flexible recruitment process for the Commission and to do this in a manner that is consistent with the requirements of the FAO Constitution. The Commission **RECOMMENDED**, and the FAO representative concurred that the Commission should take advantage of the next COFI meeting in Rome to consult with FAO in order to ascertain an acceptable solution.
- 16. The Commission further **RECOMMENDED**, that depending on the outcome of this consultation, the small drafting group then redraft the proposed text for RoP to reflect those consultations and present a revised text at the next Commission meeting.

5.2 Proposal to amend appendix V of the Compliance Committee terms of reference and rules of procedure

- 17. The Commission **REVIEWED** IOTC-2018-S22-04 that outlined proposed amendments to Appendix V of the Terms of Reference for the Compliance Committee. The authors of the document indicated that their aim was to ensure a more effective and efficient communication within the Committee; strengthen actions taken so as to better encourage compliance with the conservation measures of the Commission; and to help CPCs prioritize which actions have the greatest impact on conservation and management measures so that the corresponding technical and capacity assistance to augment compliance with those measures can subsequently also be prioritized.
- 18. The Commission **RECOGNIZED** compliance as a critical component to the effective and efficient functioning of the IOTC but some CPCs indicated that the proposal to include compliance with Article XIII in the IOTC Agreement as a compliance assessment criteria and some of the proposed remedies for non-compliance, such as suspension of fishing rights and/or suspension of participation in the Commission needs more consideration. Those CPCs stated that such an approach does not take into account the varying level of development and capacity of the CPCs and such an approach of applying uniform remedies to all CPCs would be unfair.

- 19. Those CPCs further NOTED that the current upward trend in improvement in compliance further illustrates the will among CPCs to implement compliance measures, and that this will is impeded by a lack of capacity. The CPCs suggested that compliance would further be strengthened by encouraging compliance through support as opposed to discouraging CPCs through severe penalties.
- 20. The Commission RECOMMENDED the proposal be referred to the WPICMM and the CoC for further deliberations before any Commission decision on the matter.
- 21. The Chair **ENCOURAGED** all CPCs with comments on this matter to provide these to the authors of the proposal prior to the next WPICMM.

6. Brief introduction to the conservation and management measures being proposed in 2018

22. Proponents of conservation and management measure proposals, IOTC-2018-S22-PropA through PropN, gave a brief introduction of their proposals. For each proposal the Commission was invited to seek clarification on technical matters or make a brief statement on their general reaction to the proposal. Following the presentations, the Vice-Chairperson encouraged all proponents of the proposals to work in the margins to further discuss the text of the proposals.

7. Report of the 20th Session of the Scientific Committee (SC20)

7.1 Overview of the 2017 SC Report

- 23. The Commission **NOTED** the report of the 20th Session of the Scientific Committee (SC) (IOTC–2017–SC20–R) which was presented by the Chair of the SC, Dr Hilario Murua (EU). A total of 73 participants from 21 Contracting Parties, 12 observers, including 2 Invited Experts attended the last SC meeting.
- 24. The Commission **NOTED** that the IOTC Meeting Participation Fund supported 61 CPC scientists to participate in IOTC Working Parties and the Scientific Committee in 2017 and **AGREED** that this fund should be continued to enable CPC scientists to participate more fully in the IOTC scientific process.
- 25. The Commission **NOTED** that 10 Contracting Parties and 2 Cooperating Non-Contracting Parties did not submit a National Report to the Scientific Committee in 2017, and issues with lack of data and poor quality data persist. The Commission reiterated its concerns about the lack and poor quality of data, and again strongly **RECOMMENDED** that CPCs take immediate steps to review, and where necessary, improve their performance with respect to the provision of data through improved compliance with Resolutions 15/01 *On the recording of catch and effort data by fishing vessels in the IOTC area of competence*, and 15/02 *Mandatory statistical reporting requirements for IOTC contracting parties and cooperating non-contracting parties.*
- 26. The Commission **NOTED** the stock status summaries for species of tuna and tuna-like species under the IOTC mandate, as well as other species impacted by IOTC fisheries (<u>Appendix 5</u>) and considered the recommendations made by the SC20 in its report that related specifically to the Commission. The Commission **ENDORSED** the SC 2017 list of recommendations as its own, noting the additional activities requested by the Commission at this meeting.
- 27. The Commission **ENDORSED** the Chairpersons and Vice-Chairpersons elected by the Scientific Committee and its subsidiary bodies for the coming years, as listed in Appendix VII of the 2017 Scientific Committee Report.
- 28. The Commission **NOTED** the importance of the SC report as it informs most of the management proposal discussions. To this end, the Commission requested that the Chairs report be presented before any agenda item relating to the preliminary presentation of proposals.

7.2 The status of tropical and temperate tunas

29. The Commission **NOTED** that the current status of tropical and temperate tunas is as follows:

Bigeye tuna

A bigeye assessment was carried out in 2016. The stock is not overfished and not subject to overfishing. If catch remains below the estimated MSY levels estimated for the current mix of fisheries, then immediate management measures are not required.

Yellowfin tuna

A yellowfin assessment was carried out in 2016. The stock is overfished and subject to overfishing. The stock status is driven by unsustainable catches of yellowfin tuna taken over the last four years, and the relatively low recruitment levels estimated by the model in recent years. The Commission has revised the interim rebuilding plan for this stock through Resolution 17/01, with catch limitations beginning January 1 2017. The possible

effect of this measure can only be assessed once estimates of abundance in 2017 would be available at the 2018 assessment.

Skipjack tuna

A skipjack assessment was carried out in 2017. The stock is not overfished and not subject to overfishing. A model grid was used to characterize the uncertainty in the assessment related to growth, tag mixing period, tagging programs, natural mortality, steepness and tag-release mortality. The median value of the distribution of spawning biomass relative to the unfished spawning biomass from the stock assessment was used by the Scientific Committee to calculate the overall skipjack catch limit for Indian Ocean, based on the Harvest Control Rule as established through Resolution 16/02. The IOTC Secretariat has informed the CPCs of the catch limit to be implemented for 2018–2020.

Albacore tuna

An albacore assessment was carried out in 2016. The stock is not overfished and not subject to overfishing. A precautionary approach to the management of albacore tuna should be applied by capping total catch levels to MSY levels.

- 30. The Commission **CONSIDERED** working paper IOTC-2018-S22-08 by the European Union and **REQUESTED** the Scientific Committee to review the effect of the revised interim plan for rebuilding yellowfin tuna in the IOTC Area (Resolution 17/01) as amended in the proposal.
- 31. The Commission NOTED that the revised interim rebuilding plan in Resolution 17/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence*, which directs the Working Party on Tropical Tunas of the Scientific Committee to evaluate the effectiveness of the measures contained in the resolution, taking into account all sources of fishing mortality and possible alternatives aimed to restore and maintain biomass levels at the target levels, as stipulated in IOTC Resolution 15/10 *On target and limit reference points and a decision framework.*

7.3 Matters related to ecosystems, bycatch and the status of sharks

32. The Commission **NOTED** that the current status of sharks is as follows:

Blue shark

A stock assessment for blue shark was carried out in 2017. Even though the blue shark in 2017 is assessed to be not overfished nor subject to overfishing, maintaining current catches is likely to result in decreasing biomass and the stock becoming overfished and subject to overfishing in the near future. A precautionary approach to the management of blue shark should be considered by the Commission, by ensuring that future catches do not exceed current catches.

Oceanic whitetip shark

No quantitative stock assessment is currently available for oceanic whitetip shark. The population status remains uncertain. A precautionary approach to the management of oceanic whitetip shark should be considered by the Commission, noting that recent studies suggest that longline mortality at haulback is high (50%) in the Indian Ocean, while mortality rates for interactions with other gear types such as purse seines and gillnets may be higher.

- 33. The Commission **NOTED** that IOTC–2018–S21–PropL *On the conservation of mobula and manta rays caught in association with fisheries in the IOTC Area of competence* was deferred. The Commission also **NOTED** that there is no specific research that indicates an association of mobula and manta rays with surface fisheries. One CPC highlighted the need for data be collected in order for the SC to provide potential management advice on the conservation of this species.
- 34. The Commission **REQUESTED** the SC to review the status of manta and mobula rays and their interaction with IOTC fisheries and to report this to the Commission in 2020. This work should include an evaluation of data availability and data gaps. Where data is insufficient, the SC should propose options for strengthening data collection.
- 35. The Commission **NOTED** the high uncertainty of catch history estimates used in the stock assessment of blue shark and the estimation method to derive blue shark catch history accounting for reported zero catches for certain fleets and certain areas.

- 36. The Commission **NOTED** the information provided by the SC that there continues to be catches of oceanic whitetip shark in the IOTC Area, although prohibited as per Resolution 13/06.
- 37. The Commission **NOTED** the working paper IOTC-2018-S22-06 by the EU, which requested a follow-up of the Resolution 17/05 on the conservation of sharks caught in the IOTC fisheries. The Commission **NOTED** there are existing limitations in current observer coverage, shortcomings in the provision of complete, accurate and timely catch records for sharks caught in association with fisheries managed by IOTC.
- 38. The Commission **REQUESTED** the Scientific Committee to identify possible means to improve the submission of complete, accurate and timely catch records for sharks, as well as the collection of species-specific data on catch, biology, discards and trade.
- 39. The Commission **AGREED** to the requests made to the Compliance Committee and Scientific Committee in working paper IOTC-2018-S22-06Rev1:
 - to analyse and document, wherever possible, whether the practice of shark finning still takes place in IOTC and to what extent, despite the adoption of Resolution 17/05, and to review the compliance with the requirements contained in Res 17/05, including the shark finning prohibition and the fins naturally attached requirement adopted by IOTC (Compliance Committee);
 - to identify possible means to improve the submission of complete, accurate and timely catch records for sharks, as well as the collection of species-specific data on catch, biology, discards and trade. (Scientific Committee).
- 40. The Commission **ADOPTED** IOTC Resolution 18/02 On management measures for the conservation of blue shark caught in association with IOTC fisheries. As a consequence, the Commission **REQUESTED** the SC to carry out stock assessment on blue shark in 2020.
- 41. The Commission ADOPTED Resolution 18/04 On bioFAD experimental project.
- 42. The Commission **WELCOMED** financial support from the European Union, ABNJ Tuna Project, and ISSF in mitigating potentially negative effects of FADs on the ecosystem and contributing to addressing the issue of marine litter.
- 43. The Commission **ADOPTED** Resolution 18/09 On a scoping study of socio-economic indicators of IOTC fisheries.
- 44. The Commission **WELCOMED** the pledge by IPLNF, ABNJ Tuna Project, SWIOFISH1 Project and WWF to provide financial support for the scoping study on socio-economic indicators.

7.4 The status of neritic tunas

45. The Commission **NOTED** that the current status of neritic tunas is as follows:

Kawakawa

An assessment for kawakawa was carried out in 2015. The stock is not overfished and not subject to overfishing. The probabilities of the stock achieving levels consistent with the MSY reference points (e.g. SB >SBmsy and F<Fmsy) in 2023 are 100% for a future constant catch at 80% of 2013 catch levels

Longtail

A longtail assessment was carried out in 2016. The stock is overfished and subject to overfishing. Catches should be reduced by approximately 10% of 2014 levels which corresponds to catches somewhat below MSY in order to recover the stock to levels above the MSY reference point

Indo-Pacific king mackerel

An assessment of Indo-Pacific king mackerel was carried out in 2016. The stock status is uncertain. A precautionary approach to the management of Indo-Pacific king mackerel should be considered by the Commission, by ensuring that catches are reduced to levels below the current estimates of MSY

Narrowed-Barred Spanish mackerel

An assessment of narrowed-barred Spanish mackerel was carried out in 2016. The stock appears to be overfished and subject to overfishing. Catches should be reduced by at least 30% of current levels which corresponds to catches below MSY in order to recover the stock to levels above the MSY reference point.

Bullet tuna

No quantitative stock assessment is currently available for bullet tuna. The population status remains uncertain. A precautionary approach to the management of bullet tuna should be considered by the Commission, by the ensuring that future catches do not exceed current catches

Frigate tuna

No quantitative stock assessment is currently available for frigate tuna. The population status remains uncertain. A precautionary approach to the management of bullet tuna should be considered by the Commission, by ensuring that future catches do not exceed current catches

- 46. The Commission **NOTED** that catch of neritic species amounts to around 35% of the total catch of IOTC species, and nearly all the catch of neritic species is taken by coastal States. Furthermore, that around 80% of the catch data available to the Commission on neritic species is estimated i.e. only around 20% of the catch data is derived from catch sampling processes and reported to the IOTC Secretariat.
- 47. The Commission **NOTED** that neritic tuna are vital resources to the coastal States and **EXPRESSED** its concern that the current nature and extent of management measures applying to the neritic species is much less than that being applied to other IOTC species. The Commission **EXPRESSED** further concern about the overall lack of information on neritic tunas, strongly **ENCOURAGED** the coastal States to improve data collection and reporting, and develop measures to underpin sustainable management of IOTC neritic species. Some CPCs also expressed concern that the concerned coastal States had not tabled conservation and management measures for this stock at this annual meeting in response to the Commission's call to do so at the last annual meeting.
- 48. The Commission **NOTED** that some CPCs informed that SEAFDEC has been working to improve the collection and reporting of data in SEAFDEC Member countries and **ENCOURAGED** the Working Party on Neritic tunas to engage with SEAFDEC to find out what has been done and obtain any relevant information to improve understanding of IOTC neritic species.

7.5 The status of billfish

49. The Commission **NOTED** that the current status of billfish is as follows:

Swordfish

A swordfish assessment was carried out in 2017. The stock is not overfished and not subject to overfishing. The most recent catches (31,407 t in 2015) are at the MSY level (31,590 t). However, given the uncertainty of most recent catches from Indonesian fresh tuna longline fisheries there is a possibility that total catches could already be 39,777 t. The catches should not be increased beyond the MSY level.

Striped Marlin

A new stock assessment for striped marlin was carried out in 2017, based on four different models. Only 40% of the CPCs are reporting data. All models were consistent in indicating that the stock has been subject to overfishing, and that the stock biomass is well below the B_{MSY} level. This stock is overfished and subject to overfishing. Current or increasing catches have a very high risk of further decline in stock status. In order to enable the stock to start rebuilding, the Commission should consider a substantial reduction of catches.

Blue Marlin

A blue marlin assessment was carried out in 2016. The stock is not overfished but subject to overfishing; catch since 2012 has been above MSY. In order to achieve the Commission objectives, catches would have to be reduced by 24% compared to the average catch of 2013-2015, to a maximum value of 11,704 t.

Black Marlin

A black marlin assessment was carried out in 2016. The stock is overfished and subject to overfishing. The maximum catch limit should be lower than 40% of current catches.

Indo-Pacific sailfish

57% of data is estimated by the IOTC Secretariat; no countries are submitting data on this stock. An Indo-Pacific sailfish assessment was carried out in 2015. The stock is not overfished but subject to overfishing. The same management advice for 2017 (catches below a MSY of 25,000 t) is kept for 2018

50. The Commission **NOTED** that, in accordance with the MSE work program endorsed at the 21st Session of the Commission, the swordfish MSE was initiated in 2017.

51. The Commission **ADOPTED** IOTC Resolution 18/05 On management measures for the conservation of billfish, stripped marlin, black marlin, blue marlin and Indo-Pacific sailfish.

7.6 Matters affecting all IOTC species

- 52. The Commission **ADOPTED** Resolution 18/08 On procedures on a 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 Design to Reduce the Incidence of Entanglement of Non-Target Species.
- 53. The Commission **ADOPTED** Resolution 18/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC Area of Competence*. The Commission also **AGREED**, notwithstanding paragraph 3 c) iii of Resolution 18/01, to grant a special approval for Japan to register one support vessel.
- 54. The Commission **AGREED** to defer IOTC-2018-S22-PropD and PropJ *On a Regional Observer Scheme*. The proponents of these proposals attempted to merge the two proposals; however, they agreed more work needed to be done to reach a consensus and indicated that a revised proposal will be submitted to the next session of the Commission.
- 8. Report of the 4th Session of the Technical Committee on Allocation Criteria (TCAC04)

8.1 Overview of the TCAC04 report

- 55. The Executive Secretary presented the report of the TCAC04 held in Victoria, Mahé, Seychelles, from 5-7 February 2018. The meeting was chaired by an independent chairperson, Mr. Don MacKay. A total of 99 delegates attended the Session, comprised of 82 delegates from 22 Contracting Parties (Members), 14 delegates from observer organisations and 4 Invited Experts.
- 56. The Commission **NOTED** that the TCAC04 deliberations revolved around two proposals one from the coastal States and one from the European Union. Some CPCs expressed their concern at the apparent lack of progress by the TCAC in its pursuit of allocation criteria. Other CPCs were of the opinion that the eight points of common interest noted in the TCAC04 report reflected that progress is being made on some substantial elements of the allocation issue.
- 57. The EU informed the Commission that it had further developed the proposal table at TCAC04 and had incorporated comments received at TCAC04. The EU further informed the Commission that its proposal was now ready for simulation analyses.

8.2 Proposals related to allocation

- 58. The Commission **CONSIDERED** proposal IOTC-2018-S22-PropK *On the allocation of fishing opportunities for IOTC species*, co-sponsored by 12 IOTC CPCs. The proponents of the proposal stated their collective objectives were to:
 - 1) Ensure a fair, equitable, and transparent system of allocation of fishing opportunities is developed;
 - 2) Take into account the sovereign rights of IOTC coastal States, in accordance with the United Nations Convention on the Law of the Sea;
 - 3) Support the long-term sustainability of the following IOTC species: albacore, bigeye tuna, skipjack tuna, yellowfin tuna, and swordfish;
 - 4) Ensure the special requirements of IOTC developing coastal States, and Small Island Developing States (SIDS), are accommodated, including food security and development aspirations, thereby promoting opportunities for economic development and development aspirations; and
 - 5) Set forth a Program of Work for the next two (2) years that will result in the adoption of a sequence of IOTC Resolutions, ending in an operational system for allocation in 2020.
- 59. The Commission **NOTED** that the proponents of the proposal (12), with the support of other CPCs across the floor, indicated that the following is the foundation principle of the allocation proposal:
- 60. "Historical catches: The proponents of this proposal consider that, for the purpose of allocation of future fishing opportunities, all historical catches taken within an Exclusive Economic Zone, within the IOTC Area of Competence, shall be attributed solely to the coastal State with jurisdiction over that area, regardless of the flag State of the vessel/s that took such catches. Therefore, any catches made during previous provision of access to fisheries resources within an area under national jurisdiction (e.g. via access agreements or other arrangement) shall be attributed solely to the coastal State with jurisdiction over that area rather than to any other State. In the current proposal, the incorporation of temporary quota transferability has been incorporated to ensure market access."

- 61. The Commission **NOTED** that some Distant Water Fishing Nations indicated that for the purposes of allocating future fishing rights via a quota allocation system, they could not agree that historical catches taken in the EEZ of a coastal State should be attributed solely to the Coastal State. One DWFN stated that historical catches taken in the EEZ of a coastal State should be attributed solely to the flag State; however, some DWFN expressed their willingness to share a portion of these historical catches.
- 62. The Commission **NOTED** that an informal discussion was convened by the proponents to explore other CPC views about potential relative weightings between the four allocation criteria in the proposal. The proponents of the proposal noted that very little specific feedback was provided during the discussion, other than the need to conduct simulations before anything could be further discussed.
- 63. The Commission **NOTED** that the proponents of Proposal K Rev1 indicated their willingness to undertake further consultation and refinement of the proposal intersessionally, and as such, the proposal was **DEFERRED** until the next meeting of the Commission in 2019, noting the proponents' intention to have it considered for adoption at that time.
- 64. The Commission **NOTED** the proposed Program of Work (2018-20) to bring the G16 proposal (Proposal K Rev1) to completion, also **NOTING** that the final Program of Work is described in <u>Appendix 6</u>.
 - 1. **Catch histories**: The IOTC Secretariat shall provide final estimates of each CPCs historical catch, in accordance with paragraph 15 of Proposal K Rev1, to the consultant detailed under point 2 below, and to all CPCs for information, no later than 1 July 2018.
 - 2. Consultant simulations: The IOTC Secretariat shall develop draft terms of reference for the hiring of an independent consultant to develop an allocation model based on a revised version of Proposal K Rev1, that will be provided by the proponents as soon as practicable. The draft terms of reference shall be provided to all CPCs for comment and agreement, facilitated by the Chairperson of the Commission. The draft terms of reference shall include a requirement for the independent consultant to be approved by the Commission. The consultant report, and associated simulations shall be provided to TCAC05, which shall be held in December 2018 or January 2019.
 - 3. Administrative processes: The IOTC Secretariat shall develop and document an administrative process for instances where a CPC, who does not have a 'baseline historical catch' for a particular species, may request an allocation in accordance with paragraphs 14(b) Baseline coastal State allocation; 16(c) Supplementary high seas allocation and 17(c) Supplementary DCS/SIDS allocation, and how that request would be evaluated against the provisions in this Resolution. The administrative processes described in the paragraphs shall be presented for decision at the TCAC05 meeting.
 - 4. Catch reconciliation mechanism: Mechanisms to reconcile reported catch against CPC allocations, and associated over-catch penalty administration (in accordance with paragraph 20 of Proposal K Rev1), shall be developed and documented by the IOTC Secretariat, for presentation and decision at the TCAC05.
- 65. The Commission **REQUESTED** the IOTC Scientific Committee to provide advice as to how an index of relative abundance of each allocated species (as detailed in IOTC-2018-S22-Prop K Rev1) might be constructed, within the area under national jurisdiction of each CPC.
- 66. The Commission **NOTED** that the European Union is ready to further develop its allocation proposal in light of the results of the simulations.
- 67. The Commission **NOTED** the statements by Mauritius and United Kingdom (OT), and France OT (Appendix 2).
- 68. The Commission **AGREED** to a Program of Work for the allocation of fishing opportunities (2018-2019) as provided in Appendix 6.
- 9. Report of the 2nd Session of the Technical Committee on Management Procedures (TCMP02)
- 69. The Commission **NOTED** the report (IOTC-2018-TCMP-02-R) from the 2nd meeting of the Technical Committee on Management Procedures (TCMP) and **ENDORSED** its recommendations.
- 70. The Commission **NOTED** the success of the TCMP in engaging discussions on Management Procedures through the use of interactive tools.
- 71. The Commission **NOTED** the importance of the work of the TCMP and in addressing MSE issues. The Commission further **NOTED** the TCMP workplan for 2019-2020 and the proposed budget of approximately US\$ 91,500 and **EXPRESSED** its support for this work to continue, provided there is no increase in overall Commission

- budget. To this end, the Commission **REQUESTED** the IOTC Secretariat to seek sources of extra-budgetary funds to support the proposed work.
- 72. The Commission **NOTED** that the other tuna RFMOs are also undertaking work on management procedures and encouraged the TCMP to hold a dialogue with the t-RFMOS to ensure an exchange of information and to avoid duplication of work.
- 73. The Commission **NOTED** the importance of data quality in developing management procedures and **RECOMMENDED** that the longline CPUE data for swordfish be made available and jointly standardized.
- 74. The Commission **NOTED** that the Harvest Control Rule was implemented for skipjack tuna through Resolution 16/02 and **ENCOURAGED** CPCs to begin to develop management proposals for other IOTC species that are based on TCMP outputs and advice once the results of the current MSE analyses are reviewed and endorsed.
- 75. The Commission **PROVIDED** directions on management objectives and guidance on the specifics of the risks and probabilities the Commission might want to consider to achieve its management objectives.

10. Report of the 15th Session of the Compliance Committee (CoC15)

- 76. The Commission **NOTED** the report of the 15th Session of the Compliance Committee (CoC) (IOTC–2018–CoC15–R), which was presented by the Vice-Chairperson, Ms. Anne-France Mattlet (France (OT)). Due to the inability of the Chairperson, Mr Hosea Gonza Mbilinyi, to attend, the meeting was chaired by the Vice-Chairperson. A total of 79 delegates attended the Session, 22 Contracting Parties (Members), 2 Cooperating Non-Contracting Parties, 6 Observers, and 3 Invited Experts.
- 77. The Commission **NOTED** the statements made by the Republic of Mauritius, and the corresponding statements made by the United Kingdom (OT) and France (OT) (<u>Appendix 2</u>).
- 78. The Commission **NOTED** that the introduction of Compliance Reports aimed to improve understanding and implementation of IOTC CMMs by all CPCs, but that substantial differences exist in the degree of compliance by each CPC.
- 79. The Commission **ENDORSED** the list of recommendations, as amended, made by CoC15 in its 2018 report.

10.1 Overview of the CoC15 Report

80. The Commission **NOTED** the marginal improvement in the levels of compliance of some CPCs in 2017, especially with regards to mandatory statistics. The Commission **ENCOURAGED** all CPCs and the IOTC Secretariat of the need to respect the 15 days deadlines set in the IOTC Rules of Procedure (2014) to finalise the Compliance Reports.

10.2 Adoption of the List of IUU Vessels

- 81. The Commission **NOTED** the statements of Mauritius and the United Kingdom (OT) (Appendix 2).
- 82. The Commission **NOTED** the recommendation of the CoC to retain the 10 vessels flagged to India on the IUU Vessels List and **EXPRESSED** disappointment that India did not attend the CoC15 where this issue was deliberated, and strongly **ENCOURAGED** India to attend all future CoC meetings.
- 83. In respect of India's request to delist 10 vessels flagged to India, the Commission **NOTED** the recommendation of the CoC to retain the vessels on the list, and the additional information provided by India and UK (OT) during S22. The Commission welcomed India's commitment to install VMS on the 10 vessels and to provide evidence to the Commission during the intersessional period on the installation of VMS on these vessels, and on the payment of the fine imposed by India and paid by the owner of the vessel BEO-HINGIS.
- 84. The Commission **RECOMMENDED** that the 10 vessels flagged to India shall remain on the IUU Vessels list and that upon receipt of the evidence (as in paragraph 83) submitted by India, the intersessional vessel delisting procedures specified in Resolution 17/03 shall be applied, subject to the following:
 - Where any CPC objects to the delisting of the vessels, the outcome of the CPCs decision on the proposal shall be determined according to the process outlined in paragraph 27 of Resolution 17/03.
 - Otherwise, and exceptionally, the lack of a response by any CPC shall be considered as a 'yes' with respect to that CPC to delist the vessels in respect of paragraph 27.
- 85. The Commission reviewed and **ENDORSED** the recommendation of the Compliance Committee to add the carrier vessel, WISDOM SEA REEFER, flagged to Honduras, to the IOTC IUU Vessels List.

- 86. The Commission reviewed and **ENDORSED** the recommendation of the Compliance Committee to add the four flagless fishing vessels, CHAICHANACHOKE 8, CHAINAVEE 54, CHAINAVEE 55 and SUPPHERMNAVEE 21, to the IOTC IUU Vessels List.
- 87. The Commission **ADOPTED** the IOTC IUU Vessels List (<u>Appendix 7</u>). All CPCs shall be required to take the necessary measures regarding the IUU Vessels List in accordance with paragraph 21 of Resolution 17/03.
- 88. The Commission **NOTED** the statements made by the Republic of Mauritius, and the corresponding statements made by the United Kingdom (OT) <u>Appendix 2</u>.

10.3 Requests for the accession to the status of Cooperating Non-Contracting Party

- 89. The Commission **NOTED** the application for Cooperating Non-Contracting Party (CNCP) status from Curaçao, Liberia, and Senegal (IOTC-2018-CoC15CNCP-02), which was received before the deadline of 90 days prior to the commencement of the session.
- 90. The Commission **GRANTED** CNCP status to Liberia and Senegal.
- 91. However, the Commission also **NOTED** that Curaçao was not present at the CoC15, and recalling its decision that, applications for CNCP status shall no longer be considered, unless the State submitting the application is present at the Compliance Committee and Commission meetings to present its application, the Commission **AGREED** not to grant CNCP status to Curaçao.
- 92. The Commission **ACKNOWLEDGED** Curação's presence and interventions at S22, and invited Curação to consider submitting an application for CNCP status in 2019.

10.4 Proposals related to compliance

- 93. The Commission **ADOPTED** Resolution 18/07 *On measures applicable in case of non-fulfilment of reporting obligations in the IOTC.*
- 94. The Commission **ADOPTED** Resolution 18/03 On Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing in the IOTC Area of Competence.
- 95. The Commission **ADOPTED** Resolution 18/10 On vessel chartering in the IOTC Area of Competence.
- 96. The Commission **ADOPTED** Resolution 18/06 *On establishing a program for transhipment by large-scale fishing vessels*.
- 97. The proponent of IOTC-2018-S22-PropN, Maldives, noted its intention to work intersessionally with the European Union and any other concerned CPCs with the aim of submitting a revised version of Resolution 18/06 *On establishing the program for transhipment by large-scale fishing vessels* to the Commission meeting in 2019 for its consideration.

11. Report of the 1st Session of the Technical Committee on Performance Review (TCPR01)

11.1 Overview of the TCPR01 Report

- 98. The Chairperson of the TCPR, Ms. Riley Jung-re Kim (Republic of Korea), presented the report of the TCPR held on 8-9 February 2018 in Victoria, Mahé, Seychelles. A total of 45 delegates attended the Session, comprised of delegates from 19 Contracting Parties (Members), 2 observer organisations, and 3 Invited Experts
- 99. The Commission **ENDORSED** the recommendations from TCPR, including its workplan.
- 100. The Commission **RECOGNIZED** the election of Ms Riley Jung-re Kim (Korea) the Chairperson and Mr Sammy Malvas (Philippines) as the Vice Chair for the TCPR for the next two meetings. The Commission **NOTED** that the next meeting will take place over two days in conjunction with another existing meeting for cost savings purposes and will likely be held in February or March of 2019.

11.2 Progress on the implementation of the recommendations of the 2nd IOTC Performance Review Panel

101. The Commission **NOTED** document IOTC-2018-S22-09a, which described the progress of the Commission on the implementation of the recommendations of the 2nd IOTC Performance Review Panel. The TCPR noted that that the second performance review made 24 recommendations, and the 63 actions related to these recommendations were allocated to one or more of the following bodies: the Commission, the IOTC Secretariat, the Compliance Committee (CoC), the Scientific Committee (SC), the Standing Committee on Administration and Finance (SCAF), the Technical Committee on Allocation Criteria (TCAC) and the TCPR

- 102. The Commission **NOTED** that all the above bodies had updated status of their allocated actions prior S22, and the Commission updated the status of its allocated actions following it review of IOTC-2018-S22-09b. The updated list describing progress on the actions arising from the performance review is provided in Appendix 8.
- 103. The Commission **REQUESTED** the TCPR continue to monitor progress on the performance review recommendations at its next meeting.

11.3 Progress on the implementation of the recommendations/actions allocated to the Commission

104. The Commission **NOTED** document IOTC-2018-S22-09b, progress on the implementation of the performance review actions allocated to the Commission and provided updates on the status, timeline and priority of those actions for the (above mentioned) updated list (Appendix 8).

11.4 The TCPR workplan

105. The Commission **ENDORSED** the TCPR's recommendations and workplan (IOTC-2018-TCPR01-R)

11.5 Maintaining/changing the institutional link with FAO as it relates to the drafting of the new IOTC Agreement.

- 106. Most Members provided an update on their views relating to the matter of maintaining/changing the institutional link with FAO, and overall there was no clear direction at this stage. The Vice-Chairperson encouraged Members to continue their national discussions, and reminded them that the TCPRs work to develop the text of a new IOTC agreement (phase I and II of the TCPR workplan) would continue in the meantime.
- 107. The Commission **NOTED** that the TCPR will be seeking a conclusion on the maintaining/changing the institutional link with FAO at the next meeting of the Commission (S23 in 2019) in order to be able to adapt the text of the IOTC Agreement accordingly and present it to the Commission by 2020.

12. Report of the 15th Session of the Standing Committee on Administration and Finance (SCAF15)

- 108. The Commission **NOTED** the report of the 15th Session of the Standing Committee on Administration and Finance (SCAF) (IOTC–2018–SCAF15–R), which was presented by the Vice-Chairperson, Mr Hussain Sinan (Maldives). A total of 61 individuals attended the Session, comprised of delegates from 21 Contracting Parties (Members), 4 delegates from 1 Cooperating Non-Contracting Party, 3 Observers and 3 Invited Experts.
- 109. The Commission **ADOPTED** the SCAF report and **ENDORSED** the list of recommendations made by the SCAF15 in its 2018 report. The Commission **AGREED** that the reference to 'long term fishing entities' in the SCAF report would be replace by the term 'others'.
- 110. The Commission **ADOPTED** the budget for 2019 and indicative budget for 2020 (<u>Appendix 9</u>), and the schedule of contributions for 2019 as provided in <u>Appendix 10</u>.
- 111. The Commission **RECOGNIZED** the election of Mr. Hussain Sinan (Maldives) as Chairperson and Mr Muhammad Farhan Khan (Pakistan) as the Vice Chairperson of the SCAF for the next biennium.
- 112. The Commission **NOTED** that statement by Somalia that payment of its contributions was pending and should be received by the end of May 2018.
- 113. The Commission **NOTED** that payments of partial contributions had been received from Kenya and Mozambique during S22.

12.1 Programme of work and budget of the Commission

- 114. The Commission **ADOPTED** the program of work and budget.
- 115. The Commission **NOTED** that a budget for work to be undertaken as part of the TCMP work plan had not been included in the budget, and **REQUESTED** the IOTC Secretariat to seek extra-budgetary funds for this work.
- 116. The Commission **NOTED** that in accordance with FAO requirements, there is a need to establish a legal framework for project-funded activities of IOTC in the territory of member countries of IOTC, in order to manage the risk of activities and protect the budget of IOTC. The Commission also **NOTED** that this requirement would also likely apply to all of the IOTC Secretariat's in-country missions in the near future (i.e. not only project funded activities). Thus, in order to meet this requirement. The Commission **ADOPTED** a set of standard conditions for IOTC incountry activities (<u>Appendix 11</u>). It is expected that this action will significantly streamline the legal coverage of IOTC activities by setting out a number of standard Government commitments that could apply to all IOTC incountry activities.

117. The Commission **NOTED** that some Members may need to confirm some elements of the conditions with their governments, and this will be managed on a case by case basis by the IOTC Secretariat and the CPC concerned.

12.2 Schedule of meetings for 2019-2020

118. The Commission **ADOPTED** the schedule of meetings for its subsidiary bodies for 2019 and 2020 as detailed in Appendix 12.

13. Progress on Requests for Action Made by the Commission in 2017 (S21)

119. The Commission **NOTED** paper IOTC-2018-S22-05.

14. Conservation and management measures

14.1 Consideration of current conservation and management measures that require action by the Commission in 2018 and 2019

120. The Commission **NOTED** paper IOTC-2018-S22-10.

14.2 Review of objections received under Article IX.5 of the IOTC Agreement

- 121. The Commission **NOTED** paper IOTC-2018-S22-11.
- 122. The Commission **NOTED** objections from India on Resolution 13/06 On a scientific and management framework on the conservation of sharks species caught in association with IOTC managed fisheries; Australia on Resolution16/02 Harvest controls for skipjack tuna in the IOTC Area of Competence; and Pakistan on Resolution17/07 Large scale driftnets in IOTC Area.
- 123. Pakistan informed the Commission that given the size of its gillnet fisheries, Resolution 17/07 was difficult to implement. However, the Government of Pakistan has recently approved a deep sea fisheries policy that has a mandatory requirement restricting the length of gillnets to 2.5 km, and for the vessels to have VMS.
- 124. The Commission **NOTED** the statement of Mauritius (Appendix 2).

14.3 Proposals for conservation and management measures

125. The Commission NOTED that the proposal on implementation of the limitation of fishing capacity (PropN) was withdrawn noting that the Resolution 03/01 *On the limitation of fishing capacity of Contracting Parties and CNCPs* still provides capacity measures even though the Resolution 15/11 is no longer applicable.

14.4 Deliberations on proposals

126. The Commission **ADOPTED** the following measures (Appendix 13):

- Resolution 18/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC Area of Competence
- Resolution 18/02 On management measures for the conservation of blue shark caught in association with IOTC fisheries
- Resolution 18/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area of Competence
- Resolution 18/04 On bioFAD experimental project
- Resolution 18/05 On management measures for the conservation for the conservation of billfish, striped marlin, black marlin, blue marlin and Indo-Pacific sailfish
- Resolution 18/06 On establishing a programme for transhipment by large-scale fishing vessels
- Resolution 18/07 On measures applicable in case of non-fulfilment of reporting obligations in the IOTC
- Resolution 18/08 Procedures on a 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 design to reduce the incidence of entanglement of non-target species
- Resolution 18/09 On a scoping study of socio-economic indicators of IOTC fisheries
- Resolution 18/10 *On vessel chartering in the IOTC Area of Competence*

15. Other Business

15.1 Cooperation with other organisations and institutions

127. The Commission **ACKNOWLEDGED** the contributions to the IOTC work from a wide range of partners and collaborators including: the tuna RFMOs, SIOFA, SWIOFC, the Indian Ocean Commission (IOC), INFOFISH, WWF, IPNLF, PEW, SIF, ISSF, OFCF, CSIRO (Australia), the SWIOFISH1 Project, and the FAO-GEF ABNJ Tuna Project.

15.2 Migration of the IOTC website

128. The Executive Secretary informed the Commission that there was no new information to report since S21 on the matter of the migration of the IOTC website to FAO. IOTC website remains outside the FAO framework, and the IOTC Secretariat is not aware of any plans by FAO to change the current situation.

15.3 Date and place of the 23rd and 24th Sessions of the Commission and its subsidiary bodies for 2019 and 2020.

- 129. The Commission unanimously **THANKED** Thailand for hosting the 22nd Session of the Commission and commended the local authorities of Bangkok on the warm welcome, the excellent facilities and assistance provided to the IOTC Secretariat in the organisation and running of the Session.
- 130. No host was identified at S22 for the 2019 Annual meeting. The Commission **NOTED** that if no host can be identified the IOTC Secretariat will be responsible for finding a location and funding for the meeting.
- 131. The Commission **THANKED** Indonesia for hosting 2020 meeting in Bali. Dates to be confirmed.

15.4 Provision of document in the working languages of the Commission.

132. France (OT) reiterated its concern about the availability of some meeting documents in the French language, and made the following statement. "Last week we noticed the lack of translation of several decision reports. France showed flexibility so as not to disrupt the conduct of the meeting but we would like to remind that the translation of all the documents into French is vital and that it is also important that important documents be classified as meeting documents and not information papers. French and English are both official languages of the Commission and we would like to emphasize that such bilingualism is beneficial to the cultural diversity of the Indian Ocean Tuna Commission."

16. Election of the chairperson and the vice-chairpersons of the Commission

- 133. The Commission **NOTED** that position of the IOTC Chairperson is vacant following the resignation of Dr Ahmed Al-Mazrouai (Oman). As per the IOTC Rules of Procedure (2014) participants elected Ms Susan Imende Ungadi (Kenya) as Chairperson of the IOTC for the next biennium.
- 134. As per the IOTC Rules of Procedure (2014) participants elected Mr Adam Ziyad (Maldives) as a second Vice-Chairperson of the IOTC for the next biennium.
- 135. The Commission **THANKED** the acting Chair, Vice-Chair Riley Jung-re Kim and the IOTC Secretariat for their hard work and leadership.

17. Adoption of the report of the 22nd Session of the Commission

136. The report of the 22nd Session of the Indian Ocean Tuna Commission (IOTC–2018–S22–R) was **ADOPTED** on 25 May 2018.

APPENDIX 1. LIST OF PARTICIPANTS

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APPENDIX 2. STATEMENTS OF MAURITIUS, THE UNITED KINGDOM (OT) AND FRANCE (OT)

(a) Mauritius

Agenda Item 2: Letters of Credentials

The Government of the Republic of Mauritius reiterates that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius under both Mauritian law and international law.

The Government of the Republic of Mauritius reaffirms that it does not recognize the so-called "British Indian Ocean Territory" ("BIOT") which the United Kingdom purported to create by illegally excising the Chagos Archipelago from the territory of Mauritius prior to its accession to independence. This excision was carried out in violation of international law and of United Nations General Assembly Resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967.

The Government of the Republic of Mauritius further reiterates that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC) as it is not a "coastal State situated wholly or partly within the Area [of competence of the Commission]". Nor can the so-called "BIOT" claim to be a member of the IOTC on the basis of Article IV of the IOTC Agreement.

In the light of the foregoing, the delegation of the Republic of Mauritius strongly objects to the 'Letter of Credentials' of the UK delegation or the so-called "United Kingdom (OT)" delegation received by the Executive Secretary. It also requests that the 'Letter of Credentials' of the UK delegation or the so-called "United Kingdom (OT)" delegation should not be uploaded on the meeting pages of the IOTC website.

Agenda Item 2: Letters of Credentials, reply by the Republic of Mauritius to UK's Statement (2nd statement)

The Government of the Republic of Mauritius reiterates that it does not recognize the so-called "British Indian Ocean Territory" ("BIOT") and that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius, a position on which no international judge or arbitrator has expressed a contrary view. In the arbitral proceedings initiated in December 2010 by the Republic of Mauritius against the United Kingdom under the United Nations Convention on the Law of the Sea, two of the arbitrators concluded that the United Kingdom does not have sovereignty over the Chagos Archipelago.

The Government of the Republic of Mauritius reaffirms that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC). Nor can the so-called "BIOT" claim to be a member of the IOTC.

The delegation of the Republic of Mauritius therefore reiterates its strong objection to the 'Letter of Credentials' of the UK delegation or the so-called "United Kingdom (OT)" delegation received by the Executive Secretary. It also maintains that the 'Letter of Credentials' of the UK delegation or the so-called "United Kingdom (OT)" delegation should not be uploaded on the meeting pages of the IOTC website.

Agenda Item 4: Adoption of the Agenda and Arrangements for the Session

The Government of the Republic of Mauritius reiterates that the Chagos Archipelago, including Diego Garcia, and the Island of Tromelin form an integral part of the territory of the Republic of Mauritius.

The Government of the Republic of Mauritius reaffirms that it does not recognize the so-called "British Indian Ocean Territory" ("BIOT") which the United Kingdom purported to create by illegally excising the Chagos Archipelago from the territory of Mauritius prior to its accession to independence, in violation of international law and of United Nations General Assembly Resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967. The dismemberment of the territory of Mauritius prior to independence is a matter of direct interest to all members of the United Nations which has historically played a central role in addressing decolonization.

The Government of the Republic of Mauritius further reiterates that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC) as it is not a "coastal State situated wholly or partly within the Area [of competence of the Commission]". Nor can the so-called "BIOT" claim to be a member of the IOTC on the basis of Article IV of the IOTC Agreement.

Moreover, the Government of the Republic of Mauritius rejects the sovereignty claim of France over the Island of Tromelin as well as France's claim to any sovereign right or jurisdiction over the Exclusive Economic Zone adjacent to the Island of Tromelin. Further, the Government of the Republic of Mauritius does not recognize the validity of the inclusion of the Island of Tromelin in the French Southern and Antarctic Lands (TAAF) or the Scattered Islands/Iles Eparses. The Government of the Republic of Mauritius reaffirms that the Republic of Mauritius has full and complete sovereignty over the Island of Tromelin, including its maritime zones.

The Government of the Republic of Mauritius strongly objects to the use of terms such as "United Kingdom (OT)" and "UK (OT)" in documents which have been circulated for this meeting, in so far as these terms purport to refer to the Chagos Archipelago as a British territory or to imply that the United Kingdom or the so-called "BIOT" is entitled to be a member of the IOTC.

The Government of the Republic of Mauritius also objects to the use of terms such as "France (Territories)" and "France (OT)" in documents which have been circulated for this meeting, in so far as these terms purport to refer to the Island of Tromelin as a French territory.

On 20 December 2010, the Republic of Mauritius initiated proceedings against the United Kingdom under Article 287 of, and Annex VII to, the United Nations Convention on the Law of the Sea (UNCLOS) to challenge the legality of the 'marine protected area' ('MPA') which the United Kingdom purported to establish on 1 April 2010 around the Chagos Archipelago. The Arbitral Tribunal constituted under Annex VII to UNCLOS to hear the dispute delivered its Award on 18 March 2015. The Tribunal ruled that in establishing the 'MPA' around the Chagos Archipelago, the United Kingdom breached its obligations under Articles 2(3), 56(2) and 194(4) of UNCLOS.

Since the 'MPA' purportedly established by the United Kingdom around the Chagos Archipelago has been held to be in breach of international law, it cannot be enforced. Any reference to or consideration given by the IOTC, including this meeting, to the purported 'MPA' in disregard of the Award will be in contradiction with the Tribunal's ruling and international law. The Government of the Republic of Mauritius urges the Commission to ensure compliance with the Award of the Arbitral Tribunal constituted under Annex VII to UNCLOS.

In the light of the foregoing, the delegation of the Republic of Mauritius has no objection to the adoption of the draft agenda, subject to:

- (a) there being no discussions at this meeting on the 'MPA' purportedly established by the United Kingdom around the Chagos Archipelago which has been held to be illegal under international law; and
- (b) the Republic of Mauritius reserving its right to object to the consideration of any document purportedly submitted by the United Kingdom, including in respect of the so-called "BIOT" which is not recognized by the Government of the Republic of Mauritius, and any other document submitted by the Secretariat or any other party in relation to the so-called "BIOT".

Should any document which purports to refer to the Chagos Archipelago as the so-called "BIOT" or as a British territory be considered, such consideration as well as any action or decision that may be taken on the basis of such document cannot and should not be construed in any way whatsoever as implying that the United Kingdom has sovereignty or analogous rights over the Chagos Archipelago or that the United Kingdom or the so-called "BIOT" is entitled to be a member of the IOTC.

Further, any consideration of any document which purports to refer to the Island of Tromelin as a French territory or use terms such as "France (Territories)", "France (Overseas Territories)" and "France (OT)", as well as any action or decision that may be taken on the basis of any such document, cannot and should not be construed in any way whatsoever as implying that France has sovereignty or analogous rights over the Island of Tromelin or that the Island of Tromelin is part of the French Southern and Antarctic Lands (TAAF) or the Scattered Islands/Iles Eparses or is a French territory.

The Republic of Mauritius also reserves all its rights under international law, including under Article XXIII of the Agreement for the Establishment of the Indian Ocean Tuna Commission.

This statement is applicable to all agenda items under which the Chagos Archipelago and the Island of Tromelin are dealt with.

Agenda Item 4: Adoption of the Agenda and Arrangements for the Session, reply by the Republic of Mauritius to UK's and France's Statement (2nd statement)

The Government of the Republic of Mauritius reiterates that it does not recognize the so-called "British Indian Ocean Territory" ("BIOT") and that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius, a position on which no international judge or arbitrator has expressed a contrary view. In the arbitral proceedings initiated in December 2010 by the Republic of Mauritius against the United Kingdom under the United Nations Convention on the Law of the Sea, two of the arbitrators concluded that the United Kingdom does not have sovereignty over the Chagos Archipelago.

The Government of the Republic of Mauritius reaffirms that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC). Nor can the so-called "BIOT" claim to be a member of the IOTC.

The Government of the Republic of Mauritius maintains in no uncertain terms that the 'marine protected area' ('MPA') purportedly established by the United Kingdom around the Chagos Archipelago is illegal. At paragraph 547(B) of its Award, the Arbitral Tribunal constituted in the case brought by the Republic of Mauritius against the United Kingdom under the United Nations Convention on the Law of the Sea to challenge the legality of the purported 'MPA' declared that in establishing the purported 'MPA' around the Chagos Archipelago, the United Kingdom breached its obligations under Articles 2(3), 56(2) and 194(4) of the Convention.

Moreover, the Government of the Republic of Mauritius reiterates that the Island of Tromelin forms an integral part of the territory of the Republic of Mauritius and that it does not recognize the validity of the inclusion of the Island of Tromelin in the French Southern and Antarctic Lands (TAAF) or the Scattered Islands/Iles Eparses. The Government of the Republic of Mauritius reaffirms that the Republic of Mauritius has full and complete sovereignty over the Island of Tromelin, including its maritime zones.

Since the United Kingdom and France purport to assert under the Agreement for the Establishment of the Indian Ocean Tuna Commission and in this multilateral forum rights which they do not have over the Chagos Archipelago and the Island of Tromelin respectively, the Republic of Mauritius considers that it is entitled to raise issues relating to the Chagos Archipelago and the Island of Tromelin in this forum. These are no doubt multilateral and not bilateral matters.

Agenda Item 8.2: Proposals related to allocation

The Government of the Republic of Mauritius has serious reservations about the proposal submitted by Maldives and other Contracting Parties.

The Government of the Republic of Mauritius reaffirms that the Chagos Archipelago, including Diego Garcia, and the Island of Tromelin form an integral part of the territory of the Republic of Mauritius and that it rejects the sovereignty claims of the United Kingdom and France over the Chagos Archipelago and the Island of Tromelin respectively. It also reiterates that neither the United Kingdom, nor the so-called "British Indian Ocean Territory" is entitled to be a member of the IOTC.

The Government of the Republic of Mauritius wishes to point out that the United Kingdom and France cannot and should not be granted any baseline allocation in respect of the Chagos Archipelago and the Island of Tromelin respectively. The baseline allocation for the Republic of Mauritius should take into account the maritime zones of the Republic of Mauritius around the Chagos Archipelago and the Island of Tromelin as well.

The Government of the Republic of Mauritius has similar reservations about the proposal submitted by the European Union.

[Later] The Government of the Republic of Mauritius reiterates its previous statements made under the earlier agenda items. It states that it has serious reservations about the proposal submitted by Maldives and other Contracting Parties.

The United Kingdom is not a coastal State as set out within the parameters of the IOTC Agreement.

The Government of the Republic of Mauritius wishes to point out that the United Kingdom and France cannot and should not be granted any baseline allocation in respect of the Chagos Archipelago and the Island of Tromelin respectively.

Mauritius highlights that the issues raised in the previous statement made by it under this agenda item are not academic.

Agenda Item 10: Adoption of the List of IUU Vessels

Mauritius does not condone IUU fishing and has taken numerous steps at both national and regional levels to combat IUU fishing.

The Government of the Republic of Mauritius reaffirms that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius and that it does not recognize the so-called "British Indian Ocean Territory" ("BIOT").

The Government of the Republic of Mauritius further reiterates that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission as it is not a coastal state within the definition of the IOTC Agreement. The same applies to the so-called 'BIOT'.

Agenda Item 10.2: Adoption of the List of IUU Vessels – 1st statement

The statements made by the Republic of Mauritius under agenda items 2 and 4 are reiterated.

The Government of the Republic of Mauritius reaffirms that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius and that it does not recognize the so-called "British Indian Ocean Territory" ("BIOT").

The Government of the Republic of Mauritius reaffirms that it does not recognize the so-called "British Indian Ocean Territory" ("BIOT") which the United Kingdom purported to create by illegally excising the Chagos Archipelago from the territory of Mauritius prior to its accession to independence, in violation of international law and of United Nations General Assembly Resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967. The dismemberment of the territory of Mauritius prior to independence is a matter of direct interest to all members of the United Nations which has historically played a central role in addressing decolonization.

The Government of the Republic of Mauritius further reiterates that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC) as it is not a "coastal State situated wholly or partly within the Area [of competence of the Commission]". Nor can the so-called "BIOT" claim to be a member of the IOTC on the basis of Article IV of the IOTC Agreement.

The Government of the Republic of Mauritius wishes to point out that the adoption of the List of IUU Vessels cannot and should not be construed in any way whatsoever as implying that the United Kingdom has sovereignty or analogous rights over the Chagos Archipelago or that the United Kingdom or the so-called "BIOT" is entitled to be a member of the IOTC.

Agenda Item 10.2: Adoption of the List of IUU Vessels – 2nd statement

Mauritius does not condone IUU fishing and has been active in taking steps to combat this threat both nationally and regionally. The Government of the Republic of Mauritius reaffirms that the Chagos Archipelago forms an integral part of the territory of the Republic of Mauritius. Mauritius has caused a Note Verbale dated 06 November 2017 to be issued. Mauritius refers to its previous statements made under the earlier agenda items.

Agenda Item 14.2: Conservation and Management Measures

Mauritius does not condone IUU fishing and has taken numerous steps at both national and regional levels to combat IUU fishing. The Government of the Republic of Mauritius reaffirms that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius and that it does not recognize the so-called "British Indian Ocean Territory" ("BIOT").

The Government of the Republic of Mauritius further reiterates that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission as it is not a coastal state within the definition of the IOTC Agreement. Idem for the so-called 'BIOT'.

(b) United Kingdom (OT)

Read Statement

UK Position on Sovereignty of the British Indian Ocean Territory

- The Government of the United Kingdom is clear about its sovereignty of the Chagos Archipelago, which has been British since 1814, and which it administers as the British Indian Ocean Territory. This matter is a bilateral issue and, as has been made clear at previous IOTC meetings by the UK and the Food and Agriculture Organisation (FAO), this is not an appropriate forum for Mauritius to raise this
- We have responded to Mauritius' repeated claims at past meetings and rather than take the focus away from the important work of this meeting on a bilateral matter, we intend to provide a written statement for the record.

Written Statement

UK Position on Sovereignty of the British Indian Ocean Territory

The Government of the United Kingdom is clear about its sovereignty of the Chagos Archipelago, which has been British since 1814, and which it administers as the British Indian Ocean Territory. No international tribunal, including the March 2015 United National Convention

on the Law of the Sea (UNCLOS) ad hoc arbitral tribunal, has ever found the United Kingdom's sovereignty to be in doubt. We strongly refute Mauritius' claim that the Chagos Archipelago, which the UK administers as the British Indian Ocean Territory, is part of Mauritius.

While we do not recognise the Republic of Mauritius' claim to sovereignty of the Archipelago, the UK has repeatedly undertaken to cede it to Mauritius, when no longer required for defence purposes; we maintain that commitment though it is for the UK alone to determine when this condition is met. In the meantime, BIOT is still needed for defence purposes. It is used to combat some of the most difficult problems of the 21st Century including terrorism, international criminality, instability and piracy.

Marine Protected Area

The BIOT Marine Protected Area (MPA), which the UK declared in 2010, is highly valued by scientists from many countries. They consider it a global reference site for marine conservation in an ocean which is heavily overfished.

The UNCLOS arbitral tribunal found no evidence of ulterior motive or improper purpose in the creation of the MPA. The issue of improper purpose has also been scrutinised by UK Courts in great detail. On 8 February 2018 the UK Supreme Court found there had been no improper purpose behind and also dismissed the claimant's appeal that the MPA had been declared on the basis of a flawed consultation.

The Arbitral Tribunal was also clear that it took no view on the substantive quality or nature of the MPA; its concern was confined to the manner in which it was established. The Tribunal found that the UK needed to have further consultation with Mauritius about the establishment of the MPA in order to have due regard to its rights and interests under the 1965 Agreement between the UK and Mauritius. Implementation of the Tribunal's Award has started with a series of bilateral talks, the latest of which took place in August 2016.

The UK is committed to implementing the Arbitral Tribunal Award. In line with the Award, the UK will continue to work with Mauritius to agree the best way to meet our obligation to ensure fishing rights in the territorial sea remain available to Mauritius, so far as practicable. The Arbitral Award did not require the termination of the MPA.

UK Position on the right to participate at IOTC

The Agreement for the Establishment of the Indian Ocean Tuna Commission provides that IOTC membership shall be open, inter alia, to FAO members that are situated wholly or partly within the IOTC's Area of Competence. As the British Indian Ocean Territory is situated wholly within the IOTC's Area of Competence, there can therefore be no doubt that the United Kingdom, as the State with sovereignty over BIOT as aforementioned, is entitled to be a member of IOTC. As such, we are full members of the IOTC and have every right to be here.

IOTC incorrect forum to raise bilateral issues

The United Kingdom regrets the continued use of this important multilateral forum by the Republic of Mauritius to address a bilateral matter. This only serves to distract from the important work of IOTC members to combat the regional IUU threat and other matters considered by this Committee.

The UK notes the statement from the FAO at the IOTC meeting in May 2016 recognising that this is a bilateral matter between Mauritius and the United Kingdom and that the FAO Secretariat would not express any views on the question. The FAO Secretariat went on to state that "The United Kingdom and Mauritius are both Parties to the IOTC Agreement and Members of the IOTC and that the instruments of acceptance of the IOTC Agreement of 1994 and 1995 and none of the instruments contains any declaration, restriction or reservation on the matter. The IOTC is not a forum to discuss issues of sovereignty." The FAO Secretariat requested both Members not to raise the matter in this forum. As such, the UK thanks the FAO for recognising this matter as a bilateral issue and rather than respond to Mauritius each time it inappropriately raises it, has submitted this written statement for the record, to avoid any further disruption to the work of this meeting.

(c) France (OT)

As translated:

France declares that it does not recognize the Mauritian declaration as having any legal value because it disregards the fact that the island of Tromelin is a French territory over which France exercises consistently full sovereignty.

Thus, France enjoys sovereign rights or jurisdiction conferred to it by international law in the Exclusive Economic Zone adjacent to the island of Tromelin. The meetings of the Indian Ocean RFMOs are not the place to discuss issues of territorial sovereignty, but France stresses that it will continue to have a constructive dialogue with the Republic of Mauritius on this subject.

APPENDIX 3. AGENDA FOR THE 22ND SESSION OF THE COMMISSION

Date: 21-25 May 2018

Location: Bangkok, Thailand, Windsor Suites Hotel

Time: 09:00 - 17:00 daily

Chairperson: Vacant; Vice-Chairperson: Ms Jung-re Riley Kim (Rep. of Korea)

- 1. OPENING OF THE SESSION
- 2. LETTERS OF CREDENTIALS (Secretariat)
- 3. ADMISSION OF OBSERVERS (Secretariat)
- 4. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

IOTC-2018-S22-01a, IOTC-2018-S22-01b

- 5. AMENDMENTS TO THE IOTC RULES OF PROCEDURE IOTC-2018-S22-03a, IOTC-2018-S22-03b
 - 5.1. Appointment of an Executive Secretary (introduced by the Chairperson of the small drafting group)
 - 5.2. Proposal to amend Appendix V the Compliance Committee terms of reference and rules of procedure (introduced by the European Union) IOTC-2018-S22-04.
 - 5.3. On the election of the IOTC Chairperson and Vice-Chairperson.
- 6. BRIEF INTRODUCTION TO THE CONSERVATION AND MANAGEMENT MEASURES BEING PROPOSED IN 2018 (with Contracting Parties) IOTC-2018-S22-PropA to N
- 7. REPORT OF THE 20TH SESSION OF THE SCIENTIFIC COMMITTEE (SC20) (with the Scientific Committee Chairperson) IOTC-2018-SC20-R
 - 7.1. Overview of the 2017 SC Report
 - 7.2. The status of tropical and temperate tunas
 - Yellowfin stock status examination and follow-up of the Resolution 17/01 on an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence — IOTC-2018-S22-08 (European Union)
 - 7.3. Matters related to ecosystems, bycatch and the status of sharks
 - Follow up of the Resolution 17/05 on Shark Finning and on the conservation of sharks caught in association with fisheries managed by IOTC regarding shark finning and need to assess the opportunity to prohibit the removal of shark fins on-board for all shark fisheries in IOTC IOTC-2018-S22-06 (European Union)
 - 7.4. The status of neritic tunas
 - 7.5. The status of billfish
 - 7.6. Matters affecting all IOTC species
- 8. REPORT OF THE 4TH SESSION OF THE TECHNICAL COMMITTEE ON ALLOCATION CRITERIA (TCAC04) (with the TCAC Chairperson) IOTC-2018-TCAC04-R
 - 8.1. Overview of the TCAC04 Report
 - 8.2. Proposals related to allocation
- 9. REPORT OF THE 2ND SESSION OF THE TECHNICAL COMMITTEE ON MANAGEMENT PROCEDURES (TCMP02) (with the TCMP Chairperson) IOTC-2018-TCMP02-R
- **10. REPORT OF THE 15** TH **SESSION OF THE COMPLIANCE COMMITTEE (CoC15)** (with the Compliance Committee Chairperson) IOTC-2018-COC15-R (available 18 May)
 - 10.1. Overview of the CoC15 Report (including the report from the 1st meeting of the Working Party on Implementation of Conservation and Management Measures)
 - 10.2. Adoption of the List of IUU Vessels
 - 10.3. Requests for accession to the status of Cooperating non-Contracting Party

10.4. Proposals related to Compliance

11. REPORT OF THE 1st SESSION OF THE TECHNICAL COMMITTEE ON PERFORMANCE REVIEW (TCPR01) (with the TCPR Chairperson) — IOTC-2018-TCPR-R

- 11.1. Overview of the TCPR01 Report
- 11.2. Progress on the implementation of the recommendations of the 2nd IOTC Performance Review Panel IOTC-2018-S22-09a
- 11.3. Progress on the implementation of recommendations/actions allocated to the Commission IOTC-2018-S22-09b
- 11.4. The TCPR work plan
- 11.5. Maintaining/changing the institutional link with FAO as it relates to the drafting of the new IOTC Agreement

12. REPORT OF THE 15TH SESSION OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE (SCAF15)

(with the SCAF Chairperson) — IOTC-2018-SCAF15-R (available 18 May)

- 12.1. Programme of Work and Budget of the Commission (introduced by the Secretariat)
- 12.2. Schedule of meetings for 2019-2020 (Chairperson)
- 13. **PROGRESS ON REQUESTS FOR ACTION MADE BY THE COMMISSION IN 2017 (S21)** (introduced by the Secretariat) —IOTC-2018-S22-05

14. CONSERVATION AND MANAGEMENT MEASURES

- 14.1. Consideration of current Conservation and Management Measures that require action by the Commission in 2018 and 2019 (introduced by the Secretariat) IOTC-2018-S22-10
- 14.2. Review of objections received under Article IX.5 of the IOTC Agreement (introduced by the Secretariat) IOTC-2018-S22-11
- 14.3. Proposals for Conservation and Management Measures (Contracting Parties)
 - Recommendation to extend the application of the Resolution 15/11 on the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating Non-Contracting Parties that should remain active until it is replaced by other management measures limiting the fishing effort in IOTC — IOTC-2018-S22-07 (European Union)
 - Proposal N on the implementation of a limit of fishing capacity of contracting parties and cooperating non-contracting parties (updating Res 15/11, Maldives)
- 14.4. Deliberating on any outstanding proposals
- 14.5. Recapping the status of proposals submitted in 2018

15. OTHER BUSINESS

- 15.1. Cooperation with other organisations and institutions (Secretariat)
- 15.2. Migration of the IOTC website (Secretariat)
- 15.3. Date and place of the 23rd and 24th Sessions of the Commission and of its subsidiary bodies for 2019 and 2020
- 15.4. On translation of documents (France (OT))
- 16. ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS OF THE COMMISSION (with Contracting Parties)
- 17. ADOPTION OF THE REPORT OF THE 22nd SESSION OF THE COMMISSION

APPENDIX 4. LIST OF DOCUMENTS

| Document No. | Title | | | | | | |
|----------------------------------|--|--|--|--|--|--|--|
| IOTC-2018-S22-01a | Provisional agenda for the 22nd Session of the Commission. | | | | | | |
| IOTC-2018-S22-01b | Provisional annotated agenda and schedule for the 22nd Session of the Commission. | | | | | | |
| IOTC-2018-S22-01c | Provisional annotated agenda and schedule for the 22nd Session of the Commission v20 May | | | | | | |
| IOTC-2018-S22-02 | (Working) list of documents for the 22nd Session of the Commission | | | | | | |
| IOTC-2018-S22-03a | Consultation towards the development of a proposal for a permanent procedure to select the Executive Secretary (Small drafting Group). | | | | | | |
| IOTC-2018-S22-03b | Communication from FAO Secretariat on the proposed amendments to the IOTC Rules of Procedure to select the Executive Secretary (FAO). | | | | | | |
| IOTC-2018-S22-04 | Proposal to amend Appendix V of the IOTC Rules of Procedure in order to streamline and strengthen CPCs compliance assessment in IOTC (European Union). | | | | | | |
| IOTC-2018-S22-05 | Progress on requests for action made by the Commission in 2017 (Secretariat) | | | | | | |
| IOTC-2018-S22-06 +rev1 | Working paper: Follow up of the Resolution 17/05 on Shark Finning and on the conservation of sharks caught in association with fisheries managed by IOTC regarding shark finning and need to assess the opportunity to prohibit the removal of shark fins on-board for all shark fisheries in IOTC (European Union). | | | | | | |
| IOTC-2018-S22-07 | Working paper: Recommendation to extend the application of the Resolution 15/11 on the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating Non-Contracting Parties that should remain active until it is replaced by other management measures limiting the fishing effort in IOTC (European Union). | | | | | | |
| IOTC-2018-S22-08 | Working paper: Yellowfin stock status - examination and follow-up of the Resolution 17/01 on an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence (European Union). | | | | | | |
| IOTC-2018-S22-09a | Implementation of performance review recommendations (Secretariat) – not yet available. | | | | | | |
| IOTC-2018-S22-09b | Implementation of performance review recommendations – actions of the Commission (Secretariat). | | | | | | |
| IOTC-2018-S22-10 | Conservation and Management Measures requiring action by the Commission in 2018 (Secretariat). | | | | | | |
| IOTC-2018-S22-11 | Review of objections received under Article IX.5 of the IOTC Agreement (Secretariat). | | | | | | |
| IOTC-2018-S22-PropA + rev1, rev2 | On management measures for the conservation for the conservation of billfish, striped marlin, black marlin, blue marlin and Indo-Pacific sailfish (European Union) | | | | | | |
| IOTC-2018-S22-PropB +rev1 | On management measures for the conservation of blue shark caught in association with IOTC fisheries (European Union) | | | | | | |
| IOTC-2018-S22-PropC +rev1 | On biofad experimental project (European Union) | | | | | | |
| IOTC-2018-S22-PropD | On a regional observer scheme (European Union) | | | | | | |
| IOTC-2018-S22-PropE | On measures applicable in case of non-fulfilment of reporting obligations in the IOTC (European Union) | | | | | | |
| IOTC-2018-S22-PropF | Proposal for amendment of Resolution 17/08: Procedures on a 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 Design to Reduce the Incidence of Entanglement of Non-Target Species (Japan) | | | | | | |
| IOTC-2018-S22-PropG +rev1, rev2 | Proposal for amendment of Resolution 17/03: On Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing in the IOTC Area of Competence (Japan and European Union) | | | | | | |

| Document No. | Title | | | | | | |
|---|---|--|--|--|--|--|--|
| IOTC-2018-S22-PropH +rev1, rev2 | Proposal on a scoping study of socio-economic indicators of IOTC fisheries (Seychelles, Comoros, Kenya, Mauritius, Sri Lanka, United Republic of Tanzania) | | | | | | |
| IOTC-2018-S22-Propl +rev1 | Proposal on vessel chartering in the IOTC Area of Competence (South Africa, United Republic of Tanzania, Kenya, Somalia, Mozambique) | | | | | | |
| IOTC-2018-S22-PropJ +rev1 | On a regional observer scheme (Mauritius) | | | | | | |
| IOTC-2018-S22-PropK +rev1 | On the allocation of fishing opportunities for IOTC species (Maldives, South Africa, Australia, Indonesia, Kenya, Mozambique, Pakistan, Seychelles, Sri Lanka, Tanzania). | | | | | | |
| IOTC-2018-S22-PropL | On the conservation of mobula and manta rays caught in association with fisheries in the IOTC Area of Competence in association with fisheries in the IOTC Area of Competence (Maldives, Seychelles). | | | | | | |
| IOTC-2018-S22-PropM +rev1, rev2 | On establishing a programme for transhipment by large-scale fishing vessels (Maldives) | | | | | | |
| IOTC-2018-S22-PropN +rev1, rev2, rev3, rev4 | On the implementation of a limitation of fishing capacity of contracting parties and cooperating non-contracting parties (Maldives) | | | | | | |
| Information documents | | | | | | | |
| IOTC-2018-S22-INF01 | On allocation – TCAC04 PropA Rev2 - European Union | | | | | | |
| IOTC-2018-S22-INF02 | International Seafood Sustainability Foundation position statement | | | | | | |
| IOTC-2018-S22-INF03 | Global Tuna Sustainability Appeal-NGO Tuna Forum | | | | | | |
| IOTC-2018-S22-INF04 | International Pole and Line Statement | | | | | | |
| IOTC-2018-S22-INF05 | WWF position statement | | | | | | |
| IOTC-2018-S22-INF06 | Information provided by India related to the IUU vessels list | | | | | | |
| Reference documents | | | | | | | |
| IOTC Circular 2018-10 | Communication from the Chair of the Technical Committee on Performance Review | | | | | | |
| Relevant reports from other meetings | | | | | | | |
| IOTC-2018-CoC15-R | Report of the 15 th session of the IOTC Compliance Committee | | | | | | |
| IOTC-2018-SCAF15-R | Report of the 15 th session of the IOTC Standing Committee on Administration and Finance | | | | | | |
| IOTC-2018-TCAC04-R | Report of the 4th session of the Technical Committee on Allocation Criteria | | | | | | |
| IOTC-2018-TCMP02-R | Report of the 2nd session of the Technical Committee on Management Procedures | | | | | | |
| IOTC-2018-TCPR01-R | Report of the 1st session of the Technical Committee on Performance Review | | | | | | |
| IOTC-2017-SC20-R | Report of the 20 th session of the IOTC Scientific Committee | | | | | | |

APPENDIX 5. STOCK STATUS SUMMARY FOR THE IOTC SPECIES: 2017

Temperate and tropical tuna stocks: main stocks being targeted by industrial, and to a lesser extent, artisanal fisheries throughout the Indian Ocean, both on the high seas and in the EEZ of coastal states.

| Stock | Indicator | ·s | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | Advice to the Commission |
|---------------------------------|---|--|------|------|------|------|------|-------|--|
| Albacore Thunnus alalunga | Catch 2016: Average catch 2012–2016: MSY (1000 t) (80% CI): FMSY (80% CI): SBMSY (1000 t) (80% CI): F2014/FMSY (80% CI): SB2014/SBMSY (80% CI): SB2014/SB1950 (80% CI): | 35,996 t 35,150 t 38.8 (33.9–43.6) - 30.0 (26.1–34.0) 0.85 (0.57–1.12) 1.80 (1.38–2.23) 0.37 (0.28–0.46) | | | | | | | Although considerable uncertainty remains in the SS3 assessment, particularly due to the lack of biological information on Indian Ocean albacore tuna stocks, a precautionary approach to the management of albacore tuna should be applied by capping total catch levels to MSY levels (38,800 t). Click here for full stock status summary: Appendix VIII |
| Bigeye tuna Thunnus obesus | Catch 2016: Average catch 2012–2016: MSY (1,000 t) (80%): F _{MSY} (80%): SB _{MSY} (1,000 t) (80%): F ₂₀₁₅ /F _{MSY} (80%): SB ₂₀₁₅ /SB _{MSY} (80%): SB ₂₀₁₅ /SB ₀ (80%): | 86,586 t 100,455 t 104 (87-121) 0.17 (0.14-0.20) 525 (364-718) 0.76 (0.49-1.03) 1.29 (1.07-1.51) 0.38 (n.a. – n.a.) | | | | | | 83.7% | The stock status determination did not qualitatively change in 2017. If catches remain below the estimated MSY levels estimated for the current mix of fisheries, then immediate management measures are not required. However, increased catch or increases in the mortality on immature fish will likely increase the probabilities of breaching reference levels in the future. Continued monitoring and improvement in data collection, reporting and analysis is required to reduce the uncertainty in assessments. Click here for full stock status summary: Appendix IX |

| Stock | Indicator | s | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | Advice to the Commission |
|--|--|--|------|------|------|------|------|-------|---|
| Skipjack tuna Katsuwonus pelamis | Catch 2016: Average catch 2012–2016: Yield _{40%SSB} (1000 t) (80% CI): E _{40%SSB} (80% CI): C ₂₀₁₆ /C _{40%SSB} (80% CI): SB ₂₀₁₆ (1000 t) (80% CI): SB ₂₀₁₆ /SB _{40%SSB} (80% CI): SB ₂₀₁₆ /SB ₀ (80% CI): E _{40%SSB} (80% CI): SB ₀ (1000 t) (80% CI): | 446,723 t 407,456 t 510.1 (455.9–618.8) 0.59 (0.53–0.65) 0.88 (0.72-0.98) 796.66 (582.65-1,059.29) 1.00 (0.88–1.17) 0.40 (0.35–0.47) 0.59 (0.53-0.65) 2,015 (1,651–2,296) | | | | | | 47% | The catch limit will be calculated applying the Harvest Control Rule specified in Resolution 16-02. Following Resolution 16/02, the catch limit is calculated as [Imax x Etarg x Bcurr] = 1 * 0.59 * 796,660 t. which results in an annual overall catch limit of 470,029 t. for the period 2018-2020. Click here for full stock status summary: Appendix X |
| Yellowfin tuna Thunnus albacares | Catch 2016: Average catch 2012–2016: MSY (1000 t) (80% CI): FMSY (80% CI): SBMSY (1,000 t) (80% CI): F2015/FMSY (80% CI): SB2015/SBMSY (80% CI): SB2015/SB0 (80% CI): | 412,679 t 407,985 t 422 (406-444) 0.151 (0.148-0.154) 947 (900-983) 1.11 (0.86-1.36) 0.89 (0.79-0.99) 0.29 (n.an.a.) | | | | | | 67.6% | As no stock assessment was conducted in 2017, the stock status determination has not changed since 2016, and gives a somewhat more optimistic estimate of stock status than the 2015 assessment as a result of the use of more reliable information on catch rates of longline fisheries and catches updated to 2016. The stock status is driven by unsustainable catches of yellowfin tuna taken over the last five (5) years, and the relatively low recruitment levels estimated by the model in recent years. The Commission has an interim plan for the rebuilding of this stock (Resolution 17/01, which is yet to be evaluated and superseded Resolution 16/01) to achieve the recovery of yellowfin stock, with catch limitations based on 2014/2015 levels. The projections produced to advise on future catches are, in the short term, driven by the below average recruitment estimated for in recent years since these year classes have yet to reach maturity and contribute to the spawning biomass. Click here for full stock status summary: Appendix XI |

Billfish: The billfish stocks are exploited by industrial and artisanal fisheries throughout the Indian Ocean, both on the high seas and in the EEZ of coastal states. While marlins and sailfish are not usually targeted by most fleets, they are caught and retained as byproduct by the main industrial fisheries, and are are also important for localised small-scale and artisanal fisheries or as targets in sports and recreational fisheries.

| Stock | Indicate | ors | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | Advice to the Commission |
|--------------------------------|---|---|------|------|------|------|------|-----------|--|
| Swordfish Xiphias gladius | Average catch 2012–2016: MSY (1,000 t) (80% CI): F _{MSY} (80% CI): SB _{MSY} (1,000 t) (80% CI): F ₂₀₁₅ /F _{MSY} (80% CI): | 31,407 t 31,463 t 31.59 (26.30–45.50) 0.17 (0.12–0.23) 43.69 (25.27–67.92) 0.76 (0.41–1.04) 1.50 (1.05–2.45) 0.31 (0.26–0.43) | | | | | | 83% | The most recent catches (31,407 t in 2016) are at the MSY level (31,590 t). However, given the uncertainty of most recent catches from Indonesian fresh tuna longline fisheries there is a possibility that total catches could already be 39,777 t. The catches should not be increased beyond the MSY level (31,590 t). Click here for full stock status summary: Appendix XII |
| Black marlin Makaira indica | Average catch 2012–2016: MSY (1,000 t) (80% CI): F _{MSY} (80% CI): B _{MSY} (1,000 t) (80% CI): F ₂₀₁₅ /F _{MSY} (80% CI): B ₂₀₁₅ /B _{MSY} (80% CI): | 17,829 t 16,638 t 9.932 (6.963-12.153) 0.211 (0.089-0.430) 47.430 (27.435-100.109) 2.42 (1.52-4.06) 0.81 (0.55-1.10) 0.30 (0.20-0.41) | | | | | | 80% | The current catches are considerably higher than MSY (9,932 t) and the stock is overfished (B ₂₀₁₅ < B _{MSY} and currently subject to overfishing (F ₂₀₁₅ > F _{MSY}). Even with a 40% reduction in current catches, it is very unlikely (less than 5%) to achieve the Commission objectives of being in the green zone of the Kobe Plot by 2025. Current catch levels are not sustainable and there is a need for urgent actions to decrease these catch levels. In order to enable the stock to start rebuilding, the Commission should consider a reduction of substantially greater than 40% from the current catches. Click here for full stock status summary: Appendix XIII |
| Blue marlin Makaira nigricans | Average catch 2012–2016: MSY (1,000 t) (80% CI): FMSY (80% CI): BMSY (1,000 t) (80% CI): F2015/FMSY (80% CI): | 16,353 t 15,859 t 11.926 (9.232–16.149) 0.109 (0.076 –0.160) 113.012 (71.721 – 161.946) 1.18 (0.80–1.71) 1.11 (0.90–1.35) 0.56 (0.44 – 0.71) | | | | | | 46.8 % | The current catches (average of 15,859 t in the last 5 years, 2012-2016) are higher than MSY (11,926 t) estimated for 2015 and the stock is currently subject to overfishing ($F_{2015} > F_{MSY}$). If catches of blue marlin are reduced to a maximum value of 11,704 t. (24 % reduction from average catch 2013-2015 at the time of the assessment), then the stock is expected to recover to the green zone of the Kobe Plot by 2025 ($F_{2025} < F_{MSY}$ and $B_{2025} > B_{MSY}$) with at least a 50% |

| | | | | | | probability. Click here for full stock status summary: Appendix XIV |
|--|--|---|--|--|-----|--|
| Striped marlin Tetrapturus audax | Catch 2016: Average catch 2012–2016: MSY (1,000 t) (80% CI): FMSY (80% CI): BMSY (1,000 t) (80% CI): F2015/FMSY (80% CI): B2015/BMSY (80% CI): B2015/B1950 (80% CI): | 4,854 t (3.26–5.40) (0.05–0.9) (1.82–61.0) (1.32–3.40) (0.24–0.62) | | | 60% | Current or increasing catches have a very high risk of further decline in stock status. In order to enable the stock to start rebuilding, the Commission should consider a substantial reduction of catches. Quantitative advice will be provided after the next stock assessment which will be carried out in 2018. Click here for full stock status summary: Appendix XV |
| Indo-Pacific Sailfish Istiophorus platypterus | Catch 2016: Average catch 2012–2016: MSY (1,000 t) (80% CI): FMSY (80% CI): BMSY (1,000 t) (80% CI): F2014/FMSY (80% CI): B2014/BMSY (80% CI): B2014/B1950 (80% CI): | 0.26 (0.15–0.39) 87.52 (56.30–121.02) 1.05 (0.63–1.63) 1.13 (0.87–1.37) | | | | The same management advice for 2017 (catches below a MSY of 25,000 t) is kept for the next year (2018). Click here for full stock status summary: Appendix XVI |

Neritic tunas and mackerel: These six species have become as important or more important as the three tropical tuna species (bigeye tuna, skipjack tuna and yellowfin tuna) to most IOTC coastal states. Neritic tunas and mackerels are caught primarily by coastal fisheries, including small-scale industrial and artisanal fisheries, and are almost always caught within the EEZs of coastal states. Historically, catches were often reported as aggregates of various species, making it difficult to obtain appropriate data for stock assessment analyses.

| Stock | Indicators | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | Advice to the Commission |
|-----------------------------|--|------|------|------|------|------|------|--|
| Bullet tuna Auxis rochei | Catch 2016: 8,900 t Average catch 2012–2016: 9,099 t MSY (1,000 t) (80% CI): unknown FMSY (80% CI): unknown BMSY (1,000 t) (80% CI): unknown Fcurrent/FMSY (80% CI): unknown Beurrent/BMSY (80% CI): unknown Bcurrent/Bo (80% CI): unknown unknown | | | | | | | For assessed species of neritic tunas in Indian Ocean (longtail tuna, kawakawa and narrow barred Spanish mackerel), the MSY was estimated to have been reached between 2009 and 2011 and both FMSY and BMSY were breached thereafter. Therefore, in the absence of a stock assessment of bullet tuna a limit to the catches should be considered by the Commission, by ensuring that future catches do not exceed the average catches estimated between 2009 and 2011 (8,870 t). This catch advice should be maintained until an assessment of bullet tuna is available. Considering that MSY-based reference points for assessed species can change over time, the stock should be closely monitored. Mechanisms need to be developed by the Commission to improve current statistics by encouraging CPCs to comply with their recording and reporting requirements, so as to better inform scientific advice. Click here for full stock status summary: Appendix XVII |
| Frigate tuna Auxis thazard | Catch 2016: 83,300 t Average catch 2012–2016: 91,844 t MSY (1,000 t) (80% CI): unknown FMSY (80% CI): unknown BMSY (1,000 t) (80% CI): unknown Fcurrent/FMSY (80% CI): unknown Bcurrent/BMSY (80% CI): unknown Bcurrent/Bo (80% CI): unknown unknown | | | | | | | For assessed species of neritic tunas in Indian Ocean (longtail tuna, kawakawa and narrow barred Spanish mackerel), the MSY was estimated to have been reached between 2009 and 2011 and both FMSY and BMSY were breached thereafter. Therefore, in the absence of a stock assessment of frigate tuna a limit to the catches should be considered by the Commission, by ensuring that future catches do not exceed the average catches estimated between 2009 and 2011 (94,921 t) This catch advice should be maintained until an assessment of frigate tuna is available. Considering that MSY-based reference points for assessed species can change over time, the stock should be closely monitored. Mechanisms need to be developed by the Commission to improve current statistics by encouraging CPCs to comply with their recording and reporting requirements, so as to better inform scientific advice. Click here for full stock status summary: Appendix XVIII |

| Kawakawa Euthynnus affinis | Catch 2016: Average catch 2012–2016: MSY (1,000 t) (80% CI): FMSY (80% CI): BMSY (1,000 t) (80% CI): F2013/FMSY (80% CI): B2013/BMSY (80% CI): B2013/B1950 (80% CI): | 156,831 t 158,990 t 152 [125 –188] 0.56 [0.42–0.69] 202 [151–315] 0.98 [0.85–1.11] 1.15 [0.97–1.38] 0.58 [0.33–0.86] | | | Although the stock status is classified as not overfished and not subject to overfishing, the Kobe strategy II matrix developed in 2015 showed that there is a 96% probability that biomass is below MSY levels and 100% probability that F>F _{MSY} by 2016 and 2023 if catches are maintained at the 2013 levels. There is a 55 % probability that biomass is below MSY levels and 91 % probability that F>F _{MSY} by 2023 if catches are maintained at around 2016 levels. The modelled probabilities of the stock achieving levels consistent with the MSY reference points (e.g. SB > SB _{MSY} and F <f<sub>MSY) in 2023 are 100% for a future constant catch at 80% of 2013 catch levels. If catches are reduced by 20% based on 2013 levels at the time of the assessment (170,181 t), the stock is expected to recover to levels above MSY reference points with a 50% probability by 2023. Click for a full stock status summary: Appendix XIX</f<sub> |
|--|---|---|--|-----|---|
| Longtail tuna Thunnus tonggol | Catch 2016: Average catch 2012–2016: MSY (1,000 t) (80% CI): F _{MSY} (80% CI): B _{MSY} (1,000 t) (80% CI): F ₂₀₁₅ /F _{MSY} (80% CI): B ₂₀₁₅ /B _{MSY} (80% CI): B ₂₀₁₅ /B ₁₉₅₀ (80% CI): | 133,334 t 149,224 t 140 (103–184) 0.43 (0.28–0.69) 319 (200–623) 1.04 (0.84–1.46) 0.94 (0.68–1.16) 0.48 (0.34–0.59) | | 67% | There is a substantial risk of exceeding MSY-based reference points by 2018 if catches are maintained at current (2015) levels (63% risk that B ₂₀₁₈ <b<sub>MSY, and 55% risk that F₂₀₁₈>F_{MSY}). If catches are reduced by 10% this risk is lowered to 33% probability B₂₀₁₈<b<sub>MSY and 28% probability F₂₀₁₈>F_{MSY}). If catches are capped at current (2015) levels at the time of the assessment (i.e. 136,849 t), the stock is expected to recover to levels above MSY reference points with at least a 50% probability by 2025. Click for a full stock status summary: Appendix XX</b<sub></b<sub> |
| Indo-Pacific king mackerel Scomberomorus guttatus | Catch 2016: Average catch 2012–2016: MSY (1,000 t) (80% CI): FMSY (80% CI): BMSY (1,000 t) (80% CI): Fcurrent/FMSY (80% CI): Bcurrent/BMSY (80% CI): Bcurrent/B1950 (80% CI): | 45,978 t 45,819 t 46 [38.9–54.4] 0.52 [0.40–0.69] 66.0 [45.9–107.9] 0.98 [0.85–1.14] 1.10 [0.84–1.29] 0.55 [0.42–0.64] | | | For assessed species of neritic tunas in Indian Ocean (longtail tuna, kawakawa and narrow barred Spanish mackerel), the MSY was estimated to have been reached between 2009 and 2011 and both F _{MSY} and B _{MSY} were breached thereafter. Therefore, in the absence of a stock assessment of Indo-Pacific king mackerel a limit to the catches should be considered by the Commission, by ensuring that future catches do not exceed the average catches estimated between 2009 and 2011 (46,787 t). This catch advice should be maintained until an assessment of Indo-Pacific king mackerel is available. Considering that MSY-based reference points for assessed species can change over time, the stock should be closely monitored. Mechanisms need to be developed by the Commission to improve current statistics by encouraging CPCs to comply with their recording and reporting requirements, so as |

| | | | | | to better inform scientific advice. Click for a full stock status summary: Appendix XXI |
|--|---|--|--|-----|--|
| Narrow-barred Spanish mackerel Scomberomorus commerson | Catch 2016: 168,350 t Average catch 2012–2016: 161,951 t MSY (1,000 t) (80% CI): 131 [96–180] FMSY (80% CI): 0.35 [0.18–0.7] BMSY (1,000 t) (80% CI): 371 [187–882] F2015/FMSY (80% CI): 1.28 [1.03–1.69] B2015/BMSY (80% CI): 0.89 [0.63–1.15] B2015/B1950 (80% CI): 0.44 [0.31–0.57] | | | 89% | There is a continued high risk of exceeding MSY-based reference points by 2025, even if catches are reduced to 80% of the 2015 levels (73% risk that B ₂₀₂₅ <b<sub>MSY, and 99% risk that F₂₀₂₅>F_{MSY}). The modelled probabilities of the stock achieving levels consistent with the MSY reference levels (e.g. B > B_{MSY} and F<f<sub>MSY) in 2025 are 93% and 70%, respectively, for a future constant catch at 70% of current catch level. If catches are reduced by 30% of the 2015 levels at the time of the assessment, which corresponds to catches below MSY, the stock is expected to recover to levels above the MSY reference points with at least a 50% probability by 2025. Click for a full stock status summary: Appendix XXII</f<sub></b<sub> |

Sharks: Although sharks are not part of the 16 species directly under the IOTC mandate, sharks are frequently caught in association with fisheries targeting IOTC species. Some fleets are known to actively target both sharks and IOTC species simultaneously. As such, IOTC Contracting Parties and Cooperating Non-Contracting Parties are required to report information at the same level of detail as for the 16 IOTC species. The following are the main species caught in IOTC fisheries, although the list is not exhaustive.

| Stock | Indicators | | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | Advice to the Commission |
|------------|--|--------------------|------|------|------|------|------|------|---|
| | Reported Catch 2016: | 32,312 t | | | | | | | Even though the blue shark in 2017 is assessed to be not overfished |
| | Estimated catch 2015: | 54,735 t | | | | | | | nor subject to overfishing, maintaining current catches is likely to |
| | Not elsewhere included (nei) sharks 2016: | 54,495 t | | | | | | | result in decreasing biomass and the stock becoming overfished |
| | Average reported catch 2012-16: | 30,563 t | | | | | | | and subject to overfishing in the near future. If the catches are |
| Blue shark | Average estimated catch 2011–15: | 54,993 t | | | | | | | reduced at least 10%, the probability of maintaining stock biomass |
| Prionace | Ave. not elsewhere included (nei) 2012-16 | 49152 t | | | | | | 72.6 | above MSY reference levels (B>B _{MSY}) over the next 8 years will |
| | MSY (1,000 t) (80% CI): | 33.0 (29.5 - 36.6) | | | | | | % | be increased. The stock should be closely monitored. While |
| glauca | F _{MSY} (80% CI): | 0.30 (0.30 - 0.31) | | | | | | | mechanisms exist for encouraging CPCs to comply with their |
| | SB _{MSY} (1,000 t) (80% CI): | 39.7 (35.5 - 45.4) | | | | | | | recording and reporting requirements (Resolution 16/06), these |
| | F ₂₀₁₅ /F _{MSY} (range): | 0.86 (0.67 - 1.09) | | | | | | | need to be further implemented by the Commission, so as to better |
| | SB ₂₀₁₅ /SB _{MSY} (range): | 1.54 (1.37 - 1.72) | | | | | | | inform scientific advice in the future. Click for a full stock status |
| | SB ₂₀₁₅ /SB ₀ (range): | 0.52 (0.46 - 0.56) | | | | | | | summary: Appendix XXIII |

| Oceanic whitetip shark Carcharhinus longimanus | Reported Catch 2016: Not elsewhere included (nei) sharks 2016: Average reported catch 2012–2016: Not elsewhere included (nei) sharks 2012– 2016: MSY (range): | 503 t 54,495 t 303 t 49,152 Unknown | | A cautious approach to the management of oceanic whitetip shark should be considered by the Commission, noting that recent studies suggest that longline mortality at haulback is high (50%) in the Indian Ocean (IOTC-2016-WPEB12-26), while mortality rates for interactions with other gear types such as purse seines and gillnets may be higher. While mechanisms exist for encouraging CPCs to comply with their recording and reporting requirements (Resolution 16/06), these need to be further implemented by the Commission, so as to better inform scientific advice. IOTC Resolution 13/06 on a scientific and management framework on the conservation of shark species caught in association with IOTC managed fisheries, prohibits retention onboard, transhipping, landing or storing any part or whole carcass of oceanic whitetip sharks. Click for a full stock status summary: Appendix XXIV |
|---|---|---|--|---|
| Scalloped hammerhead shark Sphyrna lewini | Reported catch 2016: Not elsewhere included (nei) sharks 2016: Average reported catch 2012–2016: Not elsewhere included (nei) sharks 2012– 2016: MSY (range): | 77 t 54,495 t 69 t 49,152 t unknown | | Despite the absence of stock assessment information, the Commission should consider taking a cautious approach by implementing some management actions for scalloped hammerhead sharks. While mechanisms exist for encouraging CPCs to comply with their recording and reporting requirements (Resolution 16/06), these need to be further implemented by the Commission so as to better inform scientific advice. Click for a full stock status summary: Appendix XXV |
| Shortfin mako Isurus oxyrinchus | Reported Catch 2016: Not elsewhere included (nei) sharks 2016: Average reported catch 2012–2016: Not elsewhere included (nei) sharks 2012– 2016: MSY (range): | 1,631 t 54,495 t 1,503 t 49,152 t unknown | | Despite the absence of stock assessment information, the Commission should consider taking a cautious approach by implementing some management actions for shortfin make sharks. While mechanisms exist for encouraging CPCs to comply with their recording and reporting requirements (Resolution 16/06), these need to be further implemented by the Commission so as to better inform scientific advice Click for a full stock status summary: Appendix XXVI |
| Silky shark Carcharhinus falciformis | Reported Catch 2016: Not elsewhere included (nei) sharks 2016: Average reported catch 2012–2016: Not elsewhere included (nei) sharks 2012– 2016: MSY (range): | 2,189 t 54,495 t 3,278 t 49,152 unknown | | Despite the absence of stock assessment information, the Commission should consider taking a cautious approach by implementing some management actions for silky sharks. While mechanisms exist for encouraging CPCs to comply with their recording and reporting requirements (Resolution 16/06), these need to be further implemented by the Commission so as to better inform scientific advice. Click for a full stock status summary: Appendix XXVII |

| Bigeye thresher shark Alopias superciliosus | Reported Catch 2016: Not elsewhere included (nei) sharks 2016: Average reported catch 2012–2016: Not elsewhere included (nei) sharks 2012– 2016: MSY (range): | 54,495 t 93 t 49,152 unknown | | The prohibition on retention of bigeye thresher shark should be maintained. While mechanisms exist for encouraging CPCs to comply with their recording and reporting requirements (Resolution 16/06), these need to be further implemented by the Commission, so as to better inform scientific advice. IOTC Resolution 12/09 On the conservation of thresher sharks (family Alopiidae) caught in association with fisheries in the IOTC area of competence, prohibits retention onboard, transhipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family Alopiidae. Click for a full stock status summary: Appendix XXVIII |
|--|--|---------------------------------------|--------------------------|---|
| Pelagic thresher shark Alopias pelagicus | Reported Catch 2016: Not elsewhere included (nei) sharks 2016: Average reported catch 2012–2016: Not elsewhere included (nei) sharks 2012– 2016: MSY (range): | 54,495 t 66 t 49,152 unknown | pelow), derived from the | The prohibition on the retention of pelagic thresher shark should be maintained. While mechanisms exist for encouraging CPCs to comply with their recording and reporting requirements (Resolution 16/06), these need to be further implemented by the Commission s, so as to better inform scientific advice. IOTC Resolution 12/09 On the conservation of thresher sharks (family Alopiidae) caught in association with fisheries in the IOTC area of competence, prohibits retention onboard, transhipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family Alopiidae. Click for a full stock status summary: Appendix XXIX e confidence intervals associated with the current stock status. ** Range of plausible model runs. |

| | ,, | |
|---|---|--|
| Colour key | Stock overfished(SB _{year} /SB _{MSY} < 1) | Stock not overfished (SB _{year} /SB _{MSY} ≥ 1) |
| Stock subject to overfishing($F_{year}/F_{MSY} > 1$) | | |
| Stock not subject to overfishing $(F_{year}/F_{MSY} \le 1)$ | | |
| Not assessed/Uncertain | | |

APPENDIX 6. CONSOLIDATED PROGRAM OF WORK FOR ALLOCATION OF FISHING OPPORTUNITIES (2018-19)

The Commission **AGREED** to the following a Program of Work for the allocation of fishing opportunities (2018-2019):

- 1. **Catch histories**: The IOTC Secretariat shall provide estimates of each CPCs historical catch from 1950-2016, for albacore, bigeye tuna, skipjack tuna, yellowfin tuna and swordfish, to all CPCs for review, in accordance with:
 - a. paragraph 15 of Proposal K Rev1, or any subsequent revision provided to the IOTC Secretariat, no later than 15 June 2018.
 - b. paper IOTC-2018-S22-INF01, or any subsequent revision provided to the IOTC Secretariat, no later than 15 June 2018.

1a. Final estimates of each CPCs historical catch, as detailed above, shall be circulated to all CPCs for review. All CPCs should provide any comments to the Secretariat no later than 1 July 2018.

- 2. **Independent Consultant**: The IOTC Secretariat shall develop draft terms of reference for the hiring of an independent consultant, to develop allocation models based on the documents referred to in point 1 above, or any subsequent revision (to be provided by the proponents as soon as practicable). The draft terms of reference and list of three suitable candidates shall be provided to all CPCs, by the end of June, for comment and agreement by 15 July 2018. The Chairperson of the Commission shall facilitate among the CPCs the agreement on the ToRs and the selection of the consultant. The draft terms of reference shall include a requirement for the independent consultant to be approved by the Commission. The consultant report, and associated simulations using the allocation models to be developed by the consultant shall be provided to, and presented at TCAC05 (to be held at the end of March of 2019 in Seychelles) for comment, in accordance with the IOTC Rules of Procedure (2014).
- 3. **Administrative processes**: The IOTC Secretariat shall develop and document administrative processes for any element of the proposals referred to in point 1 above, including but not limited to a catch reconciliation mechanism to reconcile reported catch against CPC allocations, and associated over-catch penalty administration, shall be developed by the IOTC Secretariat, for presentation and discussion at the TCAC05.

APPENDIX 7. IOTC IUU VESSELS LIST (MAY 2018)

| No. | Current name of vessel (previous names)/Nom actuel du navire (noms précédents) | Current flag (previous flags)/ Pavillon actuel (pavillons précédents) | Lloyds- IMO number/ Numéro Lloyds- IMO | Photo | Call sign (previous call signs)/Indicatif d'appel (précédents) | Owner / beneficial owners (previous owners)/Propriétaire / en équité (précédents) | Operator (previous operators)/ Armateur (précédents) | Summary of IUU activities/ Résumé des activités INN | Date included on IOTC IUU Vessels List/Date d'inscription sur la Liste des navires INN de la CTOI |
|-----|---|--|---|---|--|--|---|--|--|
| 1 | KIM SENG DENG 3 | BOLIVIA/BOLIVIE | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 2 | KUNLUN (TAISHAN) | EQUATORIAL GUINEA/ GUINÉE EQUATORIALE | 7322897 | Yes. Refer to report IOTC CIRCULAR 2015–004/ IOTC-2015-CoC12-07 CIRCULAIRE CTOI 2015– 004 | 3CAG | Stanley Management Inc | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 3 | YONGDING (JIANFENG) | EQUATORIAL GUINEA/ GUINÉE EQUATORIALE | 90420011 | Yes. Refer to IOTC Circular 2015–004/ Oui. Consulter le Circulaire CTOI 2015–004 | 3CAE | Stanley Management Inc. | UNK/INC | Contravention of IOTC Resolution 11/03/Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 4 | WISDOM SEA REEFER | HONDURAS | 7637527 | Yes. Refer to IOTC Circular 2018–015/ Oui. Consulter le Circulaire CTOI 2018–015 | HQXQ4 | WISDOM SEA REEFER LINE S.A. (WISDOM SEA REEFER LINE S.A.) | CLAUDIA E. RAMOS CERRATO, VIRGIN FISHING COMPANY,MYO THANT - Master/capitaine | Contravention of IOTC Resolution 17/03/Violation de la résolution de la CTOI 17/03 | May/mai 2018 |
| 5 | BENAIAH | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC- 2015-CoC12-07/ Oui. Consulter le rapport IOTC-2015-CoC12-07. | UNK/INC | Mr Raju S/O (Son Of), John Rose Of 11-4-137, Kalingarajapuram, Ezudesam China Thurai Raju J , S/O John Rose Of K R Puram, Chinnathurai, Thoothoor Po, K K Dist, Tamilnadu | Mr Chris Lukaj | Fishing without a licence in the waters of the UK (OT)/ Pêche sans licence dans les eaux du RU (TOM). | May/mai 2017 |
| 6 | BEO HINGIS | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC-2016-CoC13-07 Rev1/ Oui. Consulter le rapport IOTC-2016-CoC13-07 Rev1. | UNK/INC | Nasians. P S/O (son of) Peter. | Hibu Stephen - Master/capitaine | Fishing without a licence and in possession of prohibited gear in the waters of the UK (OT)/ Pêche sans licence et en possession d'engins de pêche interdits dans les eaux du RU(TOM) | May/mai 2017 |
| 7 | CARMAL MATHA | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC-2015-CoC12-07/ Oui. Consulter le rapport IOTC-2015-CoC12-07. | UNK/INC | Antony J S/O (son of) Joseph of D No 111-7-28. St Thomas Nagar, Thoothoor PO, KK Dist Tamilnadu | Mr Antony | Fishing without a licence in the waters of the UK (OT)/ Pêche sans licence dans les eaux du RU (TOM). | May/mai 2017 |

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|-----|--|--|---|---|--|--|--|---|---|
| 8 | DIGNAMOL 1 | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC-2015-CoC12-07/ Oui. Consulter le rapport IOTC-2015-CoC12-07. | UNK/INC | Jelvis s/o Dicostan of 7/103 K R Puram, Thoothoor, KK Dist, Mamilnadu,Mr SD. Jelvish, S/O Dikostan of 7/169 Thoothoor, Kanyakumam Wasol 2, Block Y, Yishming 8Block | Mr James Robert | Fishing without a licence in the waters of the UK (OT)/ Pêche sans licence dans les eaux du RU (TOM). | May/mai 2017 |
| 9 | EPHRAEEM | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC-2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | UNK/INC | UNK/INC | UNK/INC | Fishing without a license, use of prohibited gear and no logbook in the waters of the UK (OT)/ Pêche sans licence, utilisation d'engins de pêche interdits et pas de journal de bord dans les eaux du RU(TOM) | May/mai 2017 |
| 10 | KING JESUS | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC- 2015-CoC12-07/ Oui. Consulter le rapport IOTC-2015-CoC12-07. | UNK/INC | UNK/INC | Bibi S. R. Paul Miranda S | Fishing without a licence in the waters of the UK (OT)/ Pêche sans licence dans les eaux du RU (TOM). | May/mai 2017 |
| 11 | SACRED HEART | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC- 2016-CoC13-07 Rev1/ Oui. Consulter le rapport IOTC-2016-CoC13-07 Rev1. | UNK/INC | Metlan s/o (son of) Paniyadim | P. Newton - Master/capitaine | Fishing without a license in the waters of the UK (OT)/ Pêche sans licence dans les eaux du RU(TOM) | May/mai 2017 |
| 12 | SHALOM | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC-2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | UNK/INC | UNK/INC | UNK/INC | Fishing without a license, use of prohibited gear and no logbook in the waters of the UK (OT)/ Pêche sans licence, utilisation d'engins de pêche interdits et pas de journal de bord dans les eaux du RU(TOM) | May/mai 2017 |
| 13 | VACHANAM | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC-2016-CoC13-07 Rev1/ Oui. Consulter le rapport IOTC-2016-CoC13-07 Rev1. | UNK/INC | Satril T | J Robinson - Master/capitaine | Fishing without a license and use of prohibited gear in the waters of the UK (OT)/ Pêche sans licence et utilisation d'engins de pêche interdits dans les eaux du RU(TOM) | May/mai 2017 |

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|-----|--|--|---|---|--|---|---|--|---|
| 14 | WISDOM | INDIA/INDE | UNK/INC | Yes. Refer to report IOTC-2016-CoC13-07 Rev1/ Oui. Consulter le rapport IOTC-2016-CoC13-07 Rev1. | UNK/INC | Lowerence | Lawrence V - Master/capitaine | Fishing without a license and use of prohibited gear in the waters of the UK (OT)/ Pêche sans licence et utilisation d'engins de pêche interdits dans les eaux du RU(TOM) | May/mai 2017 |
| 15 | FULL RICH | UNK (BELIZE)/INC (BELIZE) | UNK/INC | Yes. Refer to report IOTC- 2013-CoC10-08a/ Oui. Consulter le rapport IOTC-2013-CoC10-08a | НМЕКЗ | Noel International LTD (Noel International LTD) | UNK/INC | Contravention of IOTC Resolution 07/02/ Violation de la résolution de la CTOI 07/02 | May/mai 2013 |
| 16 | OCEAN LION | UNK (EQUATORIAL GUINEA)/ INC (GUINÉE ÉQUATORIALE) | 7826233 | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 02/04, 02/05, 03/05/ Violation de la résolution de la CTOI 02/04, 02/05, 03/05. | June/juin 2005 |
| 17 | SONGHUA (YUNNAN) | UNK (EQUATORIAL GUINEA)/ INC GUINÉE EQUATORIALE | 9319856 | Yes. Refer to IOTC Circular 2015–004/ Oui. Consulter le Circulaire CTOI 2015–004 | 3CAF | Eastern Holdings | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 18 | YU MAAN WON | UNK (GEORGIA)/ INC (GÉORGIE) | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 07/02/ Violation de la résolution de la CTOI 07/02 | May/mai 2007 |
| 19 | HOOM XIANG 101 | UNK (MALAYSIA)/ INC (MALAISIE) | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 20 | HOOM XIANG 103 | UNK (MALAYSIA)/ INC (MALAISIE) | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 21 | HOOM XIANG 105 | UNK (MALAYSIA)/ INC (MALAISIE) | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 22 | HOOM XIANG II | UNK (MALAYSIA)/ INC (MALAISIE) | UNK/INC | Yes. Refer to report IOTC- S14-CoC13-Add1/ | UNK/INC | Hoom Xiang Industries Sdn. Bhd | UNK/INC | Contravention of IOTC Resolution 09/03/ | March/mars 2010 |

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| | | | | Oui. Consulter le rapport IOTC-S14-CoC13-add1 | | | | Violation de la résolution de la CTOI 09/03 | |
| 23 | ABUNDANT 1 (YI HONG 06) | UNK/INC | UNK/INC | Yes. Refer to report IOTC- 2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | CPA 226 | Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung, Taiwan, China | Mr. Hatto Daroi | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2017 |
| 24 | ABUNDANT 12 (YI HONG 106) | UNK/INC | UNK/INC | Yes. Refer to report IOTC- 2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | CPA 202 | Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung, Taiwan, China | Mr. Mendez Francisco Delos Reyes | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2017 |
| 25 | ABUNDANT 3 (YI HONG 16) | UNK/INC | UNK/INC | Yes. Refer to report IOTC- 2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | CPA 201 | Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung, Taiwan, China | Mr. Huang Wen Hsin | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2017 |
| 26 | ABUNDANT 6 (YI HONG 86) | UNK/INC | UNK/INC | Yes. Refer to report IOTC- 2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | CPA 221 | Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung, Taiwan, China | Mr. Huang Wen Hsin | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2017 |
| 27 | ABUNDANT 9 (YI HONG 116) | UNK/INC | UNK/INC | Yes. Refer to report IOTC-2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | CPA 222 | Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung, Taiwan, China | Mr. Pan Chao Mao | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2017 |
| 28 | ANEKA 228 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de larésolution de la CTOI 11/03 | May/mai 2015 |
| 29 | ANEKA 228; KM. | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 30 | CHI TONG | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 31 | FU HSIANG FA 18 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 32 | FU HSIANG FA NO. 01 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ | June/juin 2014 |

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| | | | | | | | | Violation de la résolution de la CTOI 11/03 | |
| 33 | FU HSIANG FA NO. 02 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 34 | FU HSIANG FA NO. 06 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 35 | FU HSIANG FA NO. 08 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 36 | FU HSIANG FA NO. 09 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 37 | FU HSIANG FA NO. 11 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 38 | FU HSIANG FA NO. 13 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 39 | FU HSIANG FA NO. 17 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 40 | FU HSIANG FA NO. 20 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 41 | FU HSIANG FA NO. 21 ^a | UNK/INC | UNK/INC | Yes. Refer to report IOTC- 2013-CoC10-07 Rev1/ Oui. Consulter le rapport IOTC-2013-CoC10-07 Rev1 | OTS 024 or OTS 089 | UNK/INC | UNK/INC | Contravention of IOTC Resolution 07/02/ Violation de la résolution de la CTOI 07/02 | May/mai 2013 |
| 42 | FU HSIANG FA NO. 21 ^a | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ | June/juin 2014 |

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| | | | | | | | | Violation de la résolution de la CTOI 11/03 | |
| 43 | FU HSIANG FA NO. 23 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 44 | FU HSIANG FA NO. 26 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 45 | FU HSIANG FA NO. 30 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 46 | GUNUAR MELYAN 21 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 07/02/ Violation de la résolution de la CTOI 07/02 | June/juin 2008 |
| 47 | KUANG HSING 127 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 48 | KUANG HSING 196 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 49 | MAAN YIH HSING | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 50 | SAMUDERA PERKASA 11 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 51 | SAMUDRA PERKASA 12 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 52 | SHENG JI QUN 3 | UNK/INC | UNK/INC | Yes. Refer to report IOTC- 2017-CoC14-07/ | CPA 311 | Chang Lin, Pao-Chun No. 161, San Min Rd. | Mr. Chen, Chen-Tsai | Contravention of IOTC Resolution 11/03/ | May/mai 2017 |

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|-----|---|--|---|--|--|---|--|--|---|
| | | | | Oui. Consulter le rapport IOTC-2017-CoC14-07. | | Yufu Village, Kaohsiung City, Taiwan, China | | Violation de la résolution de la CTOI 11/03 | |
| 53 | SHUEN SIANG | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 and May/mai 2015 |
| 54 | SHUN LAI (HSIN JYI WANG NO. 6) | UNK/INC | UNK/INC | Yes. Refer to report IOTC- 2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | CPA 514 | Lee Cheng Chung No. 5 Tze Wei Road, Kaohsiung, Taiwan, China | Mr. Sun Han Min | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2017 |
| 55 | SIN SHUN FA 6 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 56 | SIN SHUN FA 67 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 57 | SIN SHUN FA 8 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 58 | SIN SHUN FA 9 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 59 | SRI FU FA 168 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 60 | SRI FU FA 18 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 61 | SRI FU FA 188 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 62 | SRI FU FA 189 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ | June/juin 2014 |

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|-----|---|--|---|--|--|---|--|--|--|
| | | | | | | | | Violation de la résolution de la CTOI 11/03 | |
| 63 | SRI FU FA 286 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 64 | SRI FU FA 67 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 65 | SRI FU FA 888 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | June/juin 2014 |
| 66 | TIAN LUNG NO.12 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 67 | YI HONG 3 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 68 | YU FONG 168 | UNK/INC | UNK/INC | Not Available/Pas disponible | UNK/INC | UNK/INC | UNK/INC | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2015 |
| 69 | YUTUNA 3 (HUNG SHENG NO. 166) | UNK/INC | UNK/INC | Yes. Refer to report IOTC- 2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | CPA 212 | Yen Shih Hsiung Room 11-E. No.3 Tze Wei Forth Road, Kaohsiung, Taiwan. China | Mr. Lee, Shih-Yuan | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2017 |
| 70 | YUTUNA NO. 1 | UNK/INC | UNK/INC | Yes. Refer to report IOTC- 2017-CoC14-07/ Oui. Consulter le rapport IOTC-2017-CoC14-07. | CPA 302 | Tseng Ming Tsai Room 11-E, No. 3 Tze Wei Fort Road, Kaohsiung, Taiwan, China | Mr. Yen, Shih-Shiung | Contravention of IOTC Resolution 11/03/ Violation de la résolution de la CTOI 11/03 | May/mai 2017 |
| 71 | CHAICHANACHOKE 8 | UNK/INC (DJIBOUTI, THAILAND/THAILANDE) | UNK/INC | Yes. Refer to IOTC Circular 2018–015/ Oui. Consulter le Circulaire CTOI 2018–015 | UNK/INC (HSN5721) | UNK/INC (MARINE RENOWN SARL) | UNK/INC | Contravention of IOTC Resolution 17/03/ Violation de la résolution de la CTOI 17/03 | May/mai 2018 |
| 72 | CHAINAVEE 54 | UNK/INC (DJIBOUTI, THAILAND/THAILANDE) | UNK/INC | Yes. Refer to IOTC Circular 2018–015/ | UNK/INC (HSN5447) | UNK/INC (MARINE RENOWN SARL) | UNK/INC | Contravention of IOTC Resolution 17/03/ | May/mai 2018 |

| No. | Current name of vessel (previous names)/Nom actuel du navire (noms précédents) | Current flag (previous flags)/ Pavillon actuel (pavillons précédents) | Lloyds- IMO number/ Numéro Lloyds- IMO | Photo | Call sign (previous call signs)/Indicatif d'appel (précédents) | Owner / beneficial owners (previous owners)/Propriétaire / en équité (précédents) | Operator (previous operators)/ Armateur (précédents) | Summary of IUU activities/ Résumé des activités INN | Date included on IOTC IUU Vessels List/Date d'inscription sur la Liste des navires INN de la CTOI |
|-----|---|--|---|---|--|---|--|--|---|
| | | | | Oui. Consulter le Circulaire | | | | Violation de la résolution de | |
| | | | | CTOI 2018-015 | | | | la CTOI 17/03 | |
| 73 | CHAINAVEE 55 | UNK/INC (DJIBOUTI, THAILAND/THAILANDE) | UNK/INC | Yes. Refer to IOTC Circular 2018–015/ Oui. Consulter le Circulaire CTOI 2018–015 | UNK/INC (HSB3852) | UNK/INC (MARINE RENOWN SARL) | UNK/INC | Contravention of IOTC Resolution 17/03/ Violation de la résolution de la CTOI 17/03 | May/mai 2018 |
| 74 | SUPPHERMNAVEE 21 | UNK/INC (DJIBOUTI, THAILAND/THAILANDE) | UNK/INC | Yes. Refer to IOTC Circular 2018–015/ Oui. Consulter le Circulaire CTOI 2018–015 | UNK/INC (HSN5282) | UNK/INC (MARINE RENOWN SARL) | UNK/INC | Contravention of IOTC Resolution 17/03/ Violation de la résolution de la CTOI 17/03 | May/mai 2018 |

Note:

a: No information on whether the two vessels FU HSIANG FA NO. 21 are the same vessels/ Aucune information indiquant si les deux navires FU HSIANG FA NO. 21 sont les mêmes navires.

UNK/INC: UNKNOWN/INCONNU

APPENDIX 8.

UPDATED PROGRESS ON THE IMPLEMENTATION OF PERFORMANCE REVIEW RECOMMENDATIONS

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|---------------------------|--|--|---|---|----------|
| PRIOTC02.01 (para. 81) | Analysis of the IOTC Agreement against other international instruments NOTING para 80, the PRIOTC02 RECOMMENDED that the Commission establish an ad-hoc Working Party on the Modernisation of the IOTC Agreement, based on the following scope: a) Develop proposed language for the IOTC Agreement that takes into account modern principles of fisheries management; | Commission & TCPR | A drafting group under the TCPR has been formed and work has commenced on the IOTC Agreement text. | 2018-2020 | High |
| | b) Develop a multi-year Program of Work that outlines the specific priority issues to be discussed using the legal analysis contained in Appendix III of this report to inform the working party deliberations; | Commission & TCPR | The TCPR has adopted a work program for 2018-2020. | 2018-2020 | High |
| | c) Proposals to enable the participation of all fishing players with direct fishing interests in IOTC; | Commission & TCPR | The TCPR is focusing on a first phase of modernizing and adapting the IOTC Agreement text, while seeking direction from the Commission on matters related to the institutional linkages between FAO and IOTC. | Pending the Commissions direction | Medium |
| | d) That all CPCs should participate in the Working Party and that funds be provided to support the participation of developing coastal States in the meetings; | Commission & ad- hoc Working Party | The meeting participation fund is operating to support participation at TCPR meetings | Ongoing | High |
| | e) That the working group meet at least annually and to the extent possible progress its work inter-sessionally using electronic means. | Commission & ad- hoc Working Party | An annual meeting and intersessional work using electronic means is reflected in the TCPR work plan | 2018-2020 | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|---------------------------|--|-------------------------|---|----------|----------|
| PRIOTC02.02 (para. 86) | Status of living marine resources The PRIOTCO2 RECOMMENDED that: a) while continuing to work on improving data collection and reporting, the Scientific Committee should continue to utilise qualitative stock assessment methodologies for species where these is limited data available, including ecological risk based approaches, and support the development and refinement of data poor fisheries stock assessment techniques to support the determination of stock status. | Scientific Committee | Ongoing: Since 2013, data-poor approaches to determining stock status have been applied to a range of billfish and neritic tuna species. The WPM has an item in their programme of work specifically related to this: 2.1 Explore potential methods of presenting stock status advice to managers from a range of data limited scenarios, e.g. through the development of a 'Tier' approach for providing stock status advice, based on the type of indicators used to determine stock status (e.g. CPUE series, stock assessment model) A project has been developed with EU funding to further this work. A capacity-building workshop was held in 2017 on data-poor approaches to stock assessment. An ecological risk assessment is scheduled to take place in 2018 for the main shark species as well as for marine turtles in the Indian Ocean. | Ongoing | Medium |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------|---|--|--|----------|----------|
| | b) confidentiality provisions and issues of accessibility to data by the scientists involved needs to be clearly delineated, and/or amended if necessary, so that stock assessment analysis can be replicated. | Scientific Committee & Commission | Ongoing: Input, output and executable files for the assessment of major stocks are archived with the Secretariat to allow replication of analyses. Access to operational data under cooperative arrangements, and those subject to confidentiality rules is still limited. In some cases, the Secretariat is bound by the domestic data confidentiality rules of Members and Cooperating Non—Contracting Parties. Ongoing developments to the new integrated IOTC database are improving the accessibility of IOTC data sets for users outside the Secretariat, while ensuring that confidentiality rules are fully respected. IOTC is contributing to the BlueBridge project which set up a service to assist users with re-running stock assessments. The outputs of CPUE standardisation are available but access to the raw data may not be provided. | Ongoing | Medium |
| | c) chairpersons and Vice-Chairpersons of the Scientific Committee and respective Working Parties, in conjunction with the IOTC Secretariat, develop guiding principles for the provision of papers to ensure that they are directly related to the Program of Work of the respective Working Party and/or Scientific Committee, as endorsed by the Commission, while still encouraging for new and emerging issues to be presented. | Scientific Committee & Working Party Chairs and Vice- Chairs | Given the substantial increase in the quantity of documents submitted for WP meetings in recent years (often reaching 60) the IOTC Secretariat is working closely with Chairs to filter through the papers of most relevance to the agreed agenda items based on the priorities of the SC and Commission for that year, and requesting authors to resubmit their paper for an alternative meeting or as a reference "information" document. | Ongoing | Medium |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|---------------------------|---|---|--|-----------------------|----------|
| | d) ongoing peer review and input by external scientific experts should be incorporated as standard best practice for Working Parties and included in the Commission's regular budget. | Scientific Committee & Commission | Ongoing: External experts (Invited Experts) are regularly invited to provide additional expertise at Working Party meetings. 242. The SC requested that at least one 'Invited Expert' be brought to each of the science Working Parties in 2017 and in each subsequent year, so as to further increase the capacity of the Working Parties to undertake the work detailed in the Program of Work (para 178 IOTC-2016-SC19-R) In 2017 an Invited Expert attended all the WP meetings except for WPDCS. Sufficient budget needs to be allocated to this by the Commission if it is considered a priority. The SC agreed that once stock assessment models were considered robust, that peer review would be advantageous and funds will be requested to undertake peer reviews of stock assessments. | Completed and ongoing | High |
| PRIOTC02.03 (para. 96) | Data collection and reporting The PRIOTCO2 RECOMMENDED that: a) the Commission make further investments in data collection and targeted capacity building, which is necessary for further improvement in the provision and quality of data in support of the Commission's objectives, as well as to identify the sources of the uncertainty in data and work towards reducing that uncertainty. | Commission Scientific Committee | Ongoing: There are multiple opportunities and sources of funding for capacity building on data collection and scientific analyses, both within the IOTC budget and in the context of other partnerships / This is an ongoing activity. Recent emphasis has been in Iran and Indonesia. | Completed and ongoing | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------|---|------------------|--|-----------------------|----------|
| | b) while there are budgetary implications, the IOTC Secretariat staffing dedicated to data collection and data capacity building activities should be increased from 3 to 5 full-time data staff. | Commission | Recruitment of a P1 (Fisheries Officer) began in late-2017. However, the IOTC Data Section still remains severely understaffed given the increasing work loads. These include monitoring data compliance and technical support missions, support to the implementation of the Regional Observer Scheme, development of the IOTC database and dissemination systems, and new work streams taking place in 2017 (e.g., E-monitoring, ROS Pilot Project, support for implementation of skipjack HCR [Res 16/02], and yellowfin catch reduction [Res.17/01] / There are currently 3 staff in the data section, with one further person to begin in mid 2018. The need for additional staff will be assessed. | Ongoing | High |
| | c) the IOTC Secretariat should facilitate discussions with coastal State non-CPCs and other non-CPCs fishing within the IOTC area of competence to formalise long-term strategies for data submission to the IOTC Secretariat, including all relevant historical data sets. | IOTC Secretariat | Ongoing: This is partially being addressed by the programme of work allocated to the IOTC Data Compliance and Support missions. | Completed and ongoing | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------|---|-------------------------|--|-----------------------|----------|
| | d) steps to gain access to fine-scale data to be used in joint analysis, with sufficient protection of confidentiality, should be taken. | IOTC Secretariat | Ongoing: This capability should be part of the improved functionalities provided by the new IOTC database, depending on the quality of these finescale data and confidentiality restrictions. | Completed and ongoing | High |
| | | | The collaborative longline CPUE (involving Japan, Rep. of Korea, and Taiwan,China and an independent fisheries consultant) has involved the sharing of operational level data. While the results of analyses, and joint-CPUE, have been published, the fine-scale data remains confidential. | | |
| | | | In 2017, the collaborative workshop explored the feasibility of including data from other CPCs (i.e. Seychelles Industrial longline) and discussed the possibilities and potential options of allowing more flexibility in data access (e.g. the possibility of remote access). | | |
| | e) where budgets and other resources permit, to encourage data preparatory meetings preceding stock assessment review meetings (Working Parties). | Scientific Committee | Ongoing: The SC has considered this in previous years and for WPTmT a preparatory meeting in 2018 will be held one year before the stock assessment update. | Completed and ongoing | Medium |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------|--|-------------------------|---|-----------------------|----------|
| | f) innovative and/or alternative means of data collection and reporting should be explored and, as appropriate, implemented, including a move towards electronic data collection and reporting for all fleets. | Scientific Committee | Ongoing: The IOTC Secretariat has developed an E-Reporting tool for the Regional Observer Scheme to facilitate reporting of ROS data. | Completed and ongoing | High |
| | | | A pilot E-monitoring project is also planned for 2018, focused on small-scale fisheries (e.g., gillnet, gillnet-longline multi-gear vessels) for which there are practical difficulties placing on-board observers, and for which there is currently little or no data reported to the IOTC Secretariat. | | |
| | | | In October 2017 a consultation and validation workshop was held in South Africa to discuss with CPCs the future implementation of e-MARIS, an electronic Monitoring And Reporting Information System that will streamline - among others - the submission of mandatory statistical data to the Secretariat. | | |
| | | | The Scientific Committee is developing minimum standards for the implementation of electronic observation systems and determining how they can be used to increase levels of observer coverage for Indian Ocean fisheries as requested by Res. 16/04 | | |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|----------------------------|---|---|---|---|----------|
| PRIOTC02.04 (para. 102) | Compliance with data collection and reporting requirements The Commission, through its Compliance Committee, needs to strengthen its compliance monitoring in relation to the timeliness and accuracy of data submissions. To that end, the PRIOTC02 RECOMMENDED that: a) the Commission review its compliance monitoring program conducted by the Compliance Committee, including identification of priority obligations (e.g. timely and accurate data reporting, catch and effort limits, accuracy of the supplied registered fishing vessel information, etc.). | Commission and Compliance Committee | Completed/Ongoing: The IOTC should further develop a scheme for the assessment of compliance of a structured approach for cases of infringements, better reflecting partial compliance and critical compliance issues. However, since the 2011 Compliance Committee meeting, country–based reports have been prepared for this purpose on the basis of Resolution 10/09, which is now integrated into the IOTC Rules of Procedure, Appendix V. A proposal to amend Appendix V of the IOTC Rules of Procedure has been submitted for the consideration of \$22. | Completed and ongoing. | High |
| | b) the compliance monitoring program review all priority obligations and undertake the compliance review by obligation and by CPCs and that the Commission publish a report of each CPCs compliance by obligation and CPC. The reports of all Compliance Missions should be appended to the compliance report of that relevant CPC and where the CPC has identified an action plan, that they not be assessed for that obligation. | Compliance Committee | Ongoing: Idem. To be implemented in 2018 onwards for the concerned CPCs. | Review annually at the Compliance Committee meeting. | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------|---|---|--|------------------------|----------|
| | c) the Commission develop a scheme of responses (in accordance with the IOTC Rules of Procedure (2014) Appendix V, para. 3b (iv)) to priority non-compliance areas, including the preparation of CPC Implementation Action Plans that outline how the CPC will, over time, implement its obligations and alternative responses to serious violations of IOTC CMMs taking into account the FAOs Voluntary Guidelines for Flag State Performance. Reforms to the compliance monitoring program should include the ability of developing CPCs to identify (though the preparation of an Implementation Action Plan) and seek assistance for obligations that they are currently noncompliant with, including for example requesting capacity assistance, capacity building, resources, etc., to enable, overtime, implement its obligations. | Commission and Compliance Committee | Completed/Ongoing: The IOTC should further develop a scheme for the assessment of compliance of a structured approach for cases of infringements, better reflecting partial compliance and critical compliance issues, however, a scheme of response to priority non-compliance areas is done through the Feedback Letter issued during the Commission meeting and forms the basis for the Secretariat, together with concerned CPCs, to develop the Compliance Action Plan. A proposal to amend Appendix V of the IOTC Rules of Procedure has been submitted for the consideration of S22. | Completed and ongoing. | High |
| | d) to facilitate thorough reviews of compliance, the Commission should invest in the development and implementation of an integrated electronic reporting program. This should include automatic integration of data from CPCs into the IOTC Secretariat's databases and automatic cross-referencing obligations and reports for the various obligations, in particular related to the provision of scientific data. | Commission and Compliance Committee | Ongoing: Draft technical specifications of an application has been developed A validation workshop was conducted in October 2017 and the recommendations from the workshop will be presented to the 2018 meeting of the Compliance Committee, for its consideration and recommendation to the Commission. | Ongoing | Medium |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------------------------------|---|---|--|-----------------------|----------|
| PRIOTC02.05 (para. 104) | Capacity building (Data Collection) The PRIOTCO2 RECOMMENDED that: a) the Commission expand its current data support and data compliance missions and that the IOTC Secretariat should be granted increased autonomy to seek and attract external donor funds to support the work approved by the Commission, including supporting actions and/or capacity building initiatives from Compliance Missions that are applicable to more than two CPCs. | Commission | The IOTC Secretariat is actively engaged in a programme of data compliance and support missions, but is constrained by current staffing resources within the Data Section. During 2017, data compliance and support missions were conducted in Sri Lanka (Apr), France (Aug), Mauritius (Aug), Kenya (Sep and Dec) and Iran (Nov). A first training workshop for the adoption of the ROS electronic tool for data collection and reporting was held in Sri Lanka in Dec. External funding for the missions was provided by EU DG-MARE. | Completed and ongoing | High |
| | b) the IOTC should continue the workshop series aimed at Connecting the IOTC Science and Management processes. The aims of the workshop series should be to: 1) improve the level of comprehension among IOTC CPCs on how the scientific process informs the management process for managing of IOTC species and ecosystem-based management; 2) increase the awareness of IOTC Contracting Parties to their obligations, as stipulated in the Commissions' Conservation and Management Measures which are based on rigorous scientific advice; 3) improve the decision making process within the IOTC; and 4) to provide direct assistance in the drafting of proposals for Conservation and Management Measures. | Commission & Secretariat | Ongoing: Although this has been replaced by the IOTC Technical Committee on Management Procedures which met for first time in May 2017, TCMP recommended that this meeting is extended from its current one-day format and that more time is spent developing appropriate science-related capacity to facilitate mutual understanding. A Common Oceans ABNJ Tuna Project funded capacity building workshop took place in 2017 and is planned for 2018 to support the TCMP with more direct capacity building for managers from developing CPCs. | Completed and ongoing | High |
| PRIOTC02.06 (<u>para. 106</u>) | Non-target species The PRIOTC02 RECOMMENDED that the Commission should continue to improve upon the requirements of data collection and reporting mechanisms of non-IOTC species that interact with IOTC fisheries. | Commission and Scientific Committee | Ongoing A discard data reporting form has been established for the collection of data on non-retained bycatch species. Various aspects of the Pilot Project under Res 16/04 also intend to address this issue. | Completed and ongoing | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------------------------------|--|--|--|-----------------------|----------|
| PRIOTC02.07 (<u>para. 112</u>) | Quality and provision of scientific advice The PRIOTC02 RECOMMENDED that: a) the Scientific Committee should continue the good work undertaken since the PRIOTC01 and strive to make further improvements in the way it communicates information about stock status and future prospects for the stocks to the Commission. | Scientific Committee & Working Parties | Ongoing: Revisions and amendments to the Species Executive Summaries are ongoing through various proposals from the WPs and SC that are intended to improve communication. These have been discussed at every SC meeting for the last few years and changes to the documents have been made accordingly. | Completed | Medium |
| | b) an independent peer review process (and budgeting mechanism) for stock assessments should be implemented if IOTC science is to be considered to be in line with best practice and to maintain a high standard of quality assurance. | Scientific Committee & Commission | Ongoing: Invited external experts are routinely invited to participate in the meetings of the WP to provide additional expertise. | Completed and ongoing | High |
| | c) the Scientific Committee, through its Working Party on Ecosystems and Bycatch should pursue the application of ecosystem modelling frameworks. | Scientific Committee & Working Party on Ecosystems and Bycatch | Ongoing: The WPEB has recently added an item into its Program of Work on the development for a plan for ecosystem based fisheries management approaches in the IOTC and has requested the development of a preliminary ecosystem report card template. SC representatives and the Secretariat participated in the tRFMO joint workshop on operationalisation of the EAFM in 2017 and are planning to do so in 2018 and at future meeting. The ecosystem report card results will be available in 2018. | Completed and ongoing | Low |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------|--|---|--|-----------------------|----------|
| | d) continue to develop and adopt robust target and limit reference points, and species or fishery specific harvest control rules through management strategy evaluations, noting that this process has commenced for several species and is specified in IOTC Resolution 15/10 on target and limit reference points and a decision framework. The mandated Resolution 14/03 [superseded by Resolution 16/09] on enhancing the dialogue between fisheries scientists and managers, will benefit from having communication between the Scientific Committee and the Commission more formally structured, facilitated dialogue to enhance understanding and inform decision making. | Scientific Committee & Commission | Ongoing: The 1 st Meeting of the Technical Committee on Management Procedures is due to take place in 2017 and is due to continue to take place prior to each Commission meeting with the discussion of reference points on the agenda. | Completed and ongoing | High |
| | e) the Commission and its subsidiary bodies continue to ensure that meeting schedules and activities are rationalised so that the already heavy workload of those involved, and budgeting constraints, are taken into account. | Commission & Scientific Committee | Ongoing: All Working Parties have ranked the activities in their respective programs of work as high, medium or low and allocated a numerical ranking within the high priority category. These are further prioritised and summarised in paper IOTC-2017-SC20-09. The Scientific Committee will also discuss the potential to reduce the heavy yearly meeting schedule (by combining intersessional meetings with stock assessment meetings) to reduce the workload of the Secretariat and WPs. | Completed and ongoing | High |

| Reference # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|----------------------------|---|---|---|-----------------------|----------|
| | f) the Commission fully implements Resolution 12/01 On the implementation of the precautionary approach, so as to apply the precautionary approach, in accordance with relevant internationally agreed standards, in particular with the guidelines set forth in the UNFSA, and to ensure the sustainable utilisation of fisheries resources as set forth in Article V of the IOTC Agreement, including ensuring that a lack of information or increased uncertainty in datasets/stock assessment, is not used as a justification to delay taking management actions to ensure the sustainability of IOTC species and those impacted by IOTC fisheries. | Commission | Ongoing. The precautionary approach is used by SC in the provision of the scientific advice for fishery management. A harvest control rule was adopted for skipjack tuna, and work is progressing on yellowfin, bigeye and albacore tunas, with support of external funding (Common Oceans ABNJ Tuna Project) An MSE for swordfish is considered a high priority by the Commission (para. 40, IOTC-2017-S21-R). | Ongoing | High |
| | g) while there are budgetary implications, the IOTC Secretariat staffing dedicated to scientific analysis should be increased from 2 to 4 full-time science staff. | Commission | The IOTC science staff section has now increased to 2 persons again and the science manager will commence in June 2018. A further science coordinator position will be advertised in mid-2018 | Ongoing | High |
| PRIOTC02.08 (para. 123) | Adoption of Conservation and Management Measures The PRIOTC02 RECOMMENDED that: a) the Commission acknowledge the inherent difficulty in managing small scale and data poor fisheries and continue efforts to adopt adequate fisheries management arrangements and to assist developing coastal States to overcome constraints to implement the CMMs. | Commission | Ongoing: A workshop on data limited methods has been conducted in May 2017. | Completed and ongoing | High |
| | b) as the IOTC has faced the management of the main targeted stock under its purview only through a regulation of the fishing effort; other approaches should be explored, such as those envisioned in Resolutions 05/01 and 14/02, including catch limits, total allowable catch (TAC) or total allowable effort (TAE). | Commission & Scientific Committee | Ongoing: While TCAC has progressed this work, WPTT agenda has also included the option of alternative management tools. This should be continued in light of Res 17/01 and 16/02 revisions. | Ongoing | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|----------------------------|---|---|--|-----------------------|----------|
| | c) the Science-Management Dialogue is strengthened to improve understanding of modern approaches to fisheries management, including the implementation of Harvest Strategies through the use of Management Strategy Evaluation. The Commission adopt a formal process of developing and implementing Harvest Strategies within a prescribed timeframe. | Commission & Scientific Committee | Completed: The Commission adopted Resolution 16/09, establishing a Technical Committee on Management Procedures, formalising a process to facilitate discussion and adoption of harvest strategies. The first meeting of the TCMP took place in May 2017. The Commission adopted the schedule of work of TCMP including the timelines and process for the development of MSE and adoption of HCR for IOTC Species (Appendix 9 of IOTC-2017-S21-R[E]) | Completed and ongoing | High |
| PRIOTC02.09 (para. 129) | Fishing capacity management The PRIOTC02 RECOMMENDED that: a) the IOTC should establish a stronger policy on fishing capacity to prevent or eliminate all excess fishing capacity, including options to freeze capacity levels as an interim measure, while alternative management measures are considered. As current capacity limits are generic and apply across all fleets and their ability to control catch of particular species is limited, therefore alternative management measures should be considered which may include spatial-temporal area closures, quota allocation, etc. | Commission and Scientific Committee | Ongoing: For yellowfin tuna since January 2017 through Resolution 17/01, which superseded Resolution 16/01. For skipjack tuna, Resolution 16/02 sets the Harvest Control Rules | Completed and ongoing | High |
| | b) the Commission undertake a formal process to develop transfer mechanisms to developing coastal States, and in particular the least developed among them, with a view to realising their fleet development aspirations within sustainable levels. | Commission | No comment from S22 | TBD | TBD |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------------------------------|---|--|---|--|----------|
| PRIOTC02.10 (<u>para. 133</u>) | Compatibility of management measures The PRIOTC02 RECOMMENDED that if needed, CPCs request assistance from other CPCs or PRIOTC02.01 (para. 81) the IOTC Secretariat to assist in the assessment of the legal needs to effectively implement IOTC CMMs, noting that this process has already commenced with a number of IOTC Contracting Parties. | Secretariat & CPCs, CoC | Ongoing: Ten developing CPCs have benefitted from assistance to transpose IOTC resolutions into their legal framework. An additional five years of funding for this type of assistance have been secured through extra-budgetary contributions. | Completed and ongoing. | High |
| PRIOTC02.11 (para. 136) | Fishing allocations and opportunities The PRIOTC02 RECOMMENDED that the IOTC develop allocation criteria or any other relevant measures as a matter of urgency through the established Technical Committee on Allocation Criteria (TCAC) process, and that it include consideration of how catches by current non-CPCs would be accounted for. This process should not delay the development and adoption of other management measures, based on the advice of the Scientific Committee. | Commission & Technical Committee on Allocation Criteria | Ongoing: The Technical Committee on Allocation Criteria (TCAC) has held four meetings so far. | Ongoing | TBD |
| PRIOTC02.12 (para. 139) | Flag State duties The PRIOTC02 RECOMMENDED that any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as flag States, drawing on the relevant provisions of the UNFSA and take due note of the FAO Guidelines on flag State performance. | Commission and TCPR | A drafting group under the TCPR has been formed and work has commenced on the IOTC Agreement text. | 2018-2020 | High |
| PRIOTC02.13 (para. 144) | Port State measures The PRIOTCO2 RECOMMENDED that: a) since port State measures are critical for the control of fishing in the IOTC area and beyond, CPCs should take action to ratify the FAO Agreement on Port State Measures, and the Commission explore possible ways of including ports situated outside the IOTC area known to be receiving IOTC catches in applying port State measures established by the IOTC. | Commission and CoC | Ongoing: 20 of the 33 CPCs have signed or ratified or accepted or approved or acceded to the FAO PSMA. | Review annually at IOTC meetings. | Medium |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|----------------------------|---|-----------------------------------|---|--|----------|
| | b) the Commission, through its port State measures training, support the implementation, including support from FAO and other donors, of the requirements of the FAO PSMA and the IOTC Resolution 10/11 On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing. | Commission | The IOTC has a well-established capacity building programme for the implementation of port State measures. An online management and communications platform has been developed and in use by the major IOTC port States (13 CPCs), Flag States (19 CPCs) and 9 non-CPCs flag States. 2,466 port calls have been logged through the application. | Review annually at IOTC meetings. | Medium |
| PRIOTC02.14 (para. 149) | Monitoring, control and surveillance (MCS) The PRIOTC02 RECOMMENDED that: a) the IOTC should continue to develop a comprehensive monitoring, control and surveillance (MCS) system through the implementation of the measures already in force, and through the adoption of new measures and tools such as a possible catch documentation scheme, noting the process currently being undertaken within the FAO. | Commission & Compliance Committee | Ongoing: A CDS Working Group for the IOTC exists, but the virtual meetings of this Working Group had been suspended awaiting results from the FAO study on best practices for implementing a CDS. Extra budgetary are funds available for engaging a consultant to assist the IOTC on developing a comprehensive MCS system, including developing a CDS during 2018/2019. The Terms of Reference for the recruitment of a consultant has been drafted/submitted to the FAO. It is anticipated that the consultant will conclude his work towards the end of 2018. | Ongoing. | Medium |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|----------------------------|--|---|---|---|----------|
| | b) as a matter of priority review the IOTC monitoring, control and surveillance (MCS) measures, systems and processes, with the objective of providing advice and guidance on improving the integration of the different tools, identification of gaps and recommendations on how to move forward, taking into consideration the experiences of other RFMOs, and that the review should be used as a basis for strengthening MCS for the purpose of improving the ability of the Commission to deter non-compliance and IUU fishing. | Commission & Compliance Committee | Ongoing: A review of existing IOTC MCS measures is planned to be conducted in 2018/2019 Extra budgetary are funds available for engaging a consultant to assist the IOTC on developing a comprehensive MCS system during 2018/2019. The Terms of Reference for the recruitment of a consultant has been drafted/submitted to the FAO. It is anticipated that the consultant will conclude his work towards the end of 2018. | Ongoing. | Medium |
| PRIOTC02.15 (para. 153) | Follow-up on infringements The PRIOTC02 RECOMMENDED that: a) the IOTC should establish a scheme of responses to non-compliance in relation to CPCs obligations, and task the Compliance Committee to further develop a structured approach for cases of infringement. | Commission & Compliance Committee | Ongoing: Notably to be implemented through IOTC Resolution 16/06 On measures applicable in case of nonfulfilment of reporting obligations in the IOTC and Resolution 10/10 On market related measures. | Ongoing | High |
| | b) further develop an online reporting tool to facilitate reporting by CPCs and to support the IOTC Secretariat through the automation of identification of noncompliance. | Commission & Compliance Committee | Ongoing: Draft technical specifications of an application has been developed. A validation workshop was conducted in October 2017 and the recommendations from the workshop will be presented to the 2018 meeting of the Compliance Committee, for its consideration and recommendation to the Commission. | Review annually at IOTC meetings | Medium |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|----------------------------|--|---|--|------------------------|----------|
| | c) reasons for the non-compliance should be identified, including whether it is related to the measure itself, a need for capacity assistance or whether it is wilful or repeated non-compliance, and that the Compliance Committee provide technical advice on obligations where there are high level of CPCs non-compliance. | Commission & Compliance Committee | Completed/Ongoing: A scheme of response to non-compliance areas is done through the Feedback Letter issued during the Commission meeting and forms the basis for the Secretariat, together with concerned CPCs, to develop the Compliance Action Plan. This will be further addressed by the WPICMM to enhance the technical capacity of CPCs. | Completed and ongoing. | High |
| PRIOTC02.16 (para. 159) | Cooperative mechanisms to detect and deter non-compliance The PRIOTCO2 RECOMMENDED that the Commission considers strengthening the intersessional decision making processes in situations where CPCs have not transmitted a response such that a decision can be taken for effective operational cooperative mechanisms and that the Commission encourages the CPCs to be more involved in decision making and for the Commission to collaborate to the greatest extent possible with other RFMOs. | Commission | Not required in 2017, low priority. | Ongoing | Low |
| PRIOTC02.17 (para. 163) | Market-related measures The PRIOTC02 RECOMMENDED that: a) the Commission considers strengthening the market related measure (Resolution 10/10 Concerning market related measures) to make it more effective. | Commission and CoC | To be developed/Ongoing: The ad-hoc Working Group on Catch Documentation System (CDS) should resume its work intersessionally to propose a CDS scheme for the consideration of the Commission. If adopted, the CDS scheme will strengthen market related measures. | Ongoing | High |
| | b) the Commission considers to invite key non-CPCs market States that are the main recipient of IOTC catches as observers to its meetings with the aim of entering into cooperative arrangements. | Commission | Low priority | TBD | Low |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|--|--|-----------------------------------|---|--|----------|
| PRIOTC02.18 (para. 169) | Fishing capacity The PRIOTC02 RECOMMENDED that the Commission consider non-compliance with fishing capacity related measures as a priority in the scheme of responses to non-compliance, in order to ensure the sustainable exploitation of the relevant IOTC species. | Commission & Compliance Committee | Ongoing: A scheme of response to non- compliance areas is done through the Feedback Letter issued during the Commission meeting. | Review annually at the IOTC meetings. | High |
| PRIOTC02.19 (para. 175) | | | Low priority | TBD | Low |
| PRIOTC02.20 (<u>para. 198</u>) | Relationship to Non-Cooperating Non-Members (Non-CPCs) The PRIOTC02 RECOMMENDED that the IOTC continue to strengthen its actions towards coastal State non-CPCs to have all such coastal States included under its remit, and that Contracting Parties take diplomatic missions to coastal State non-CPCs with active vessels in the IOTC area of competence. | Commission | Ongoing: in addition to the above action, the Secretariat will work with RECOFI members (Bahrain, Iraq, Iran, Kuwait, Oman,Qatar, Saudi Arabia,and United Arab Emirates) to promote membership of IOTC. | Ongoing | Medium |
| non-CPCs with active vessels in the IOTC area of competence. PRIOTC02.21 (para. 204) Cooperation with other RFMOs The PRIOTC02 RECOMMENDED that: | | Commission & Compliance Committee | Ongoing: This recommendation should be addressed at the next opportunity when IOTC Resolution 11/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence is amended. Resolution 11/03 was amended at the 2017 Annual Session, but the concept of cross-listing of IUU vessels was not incorporated in Resolution 17/03. A proposal to amend IOTC Resolution 17/03 (which superseded IOTC Resolution 11/03), to address this specific issue, has been submitted for the consideration of S22. | Review annually at the IOTC meetings | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|----------------------------|---|----------------|---|-----------------------|----------|
| | b) The IOTC should develop cooperative mechanisms, such as MoUs, to work in a coordinated manner on issues of common interest, in particular non-target species and an ecosystem approach with other RFMOs especially with SIOFA. | Commission | Ongoing: The IOTC is currently working with other tRFMOs, within the framework of the Kobe process, through joint meetings on the MSE, ecosystem approaches to management, harmonisation of observer schemes and a joint working group on FADs. A porbeagle risk assessment (southern hemisphere) was presented at WPEB in 2017. The IOTC Secretariat, the SC Chair and the Chair of WPEB all participated in the tRFMO joint meeting on EBFM (FAO, Rome) and the FAD Working Group (Madrid) in 2017. | Ongoing | Medium |
| PRIOTC02.22 (para. 211) | Special requirements of developing States The PRIOTCO2 RECOMMENDED that: a) the continuation and optimisation of the IOTC Meeting Participation Fund indefinitely as part of the IOTC Regular Budget, and that the MPF is used to support participation of all eligible Contracting Parties in order to create a more balanced attendance to both science and non-science meetings of the Commission. | Commission | In 2017, 71 MPF applications were accepted by the IOTC Secretariat, the highest number to date – although a significant proportion of applicants were funded through external funding sources rather than the IOTC regular budget | Completed and ongoing | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|----------------------------|--|--------------------------|---|--|----------|
| | b) the IOTC Secretariat in partnership with development agencies and organisations, should develop a five year regional fisheries capacity development program to ensure coordinated capacity building activities across the region. | Secretariat & Commission | Ongoing: Support have been made available by the World Bank, under the new SWIOFISH (2) project, for a duration of six years, with a total budget of approximately 3,000,000 USD, in order to assist eligible CPCs to strengthen their compliance with IOTC Resolutions and to build MCS capacity (IOTC Circular 2016-093).). Extra budgetary funds from the European Commission is also being made available for capacity building activities during 2018/2019. The IOTC Secretariat has been coordinating and cooperating with capacity building opportunities around the region, although a specific plan has not been formulated. | Review annually at the Compliance Committee meeting. | Medium |
| PRIOTC02.23 (para. 228) | Availability of resources for IOTC activities & Efficiency and cost-effectiveness The PRIOTCO2 RECOMMENDED that: a) the IOTC continue to strengthen its actions towards non-paying Contracting Parties including consideration of diplomatic missions to non-paying Contracting Parties to encourage payment and to explore other mechanisms to recover the outstanding contributions (debt), and collaborate with FAO to identify the difficulties faced in recovering outstanding contributions. | Commission | Ongoing: The issue of non-payment has been raised with FAO Permanent Representatives of the Member countries with outstanding contributions | Ongoing | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------|---|---|--|---------------------------------|-----------------------|
| REFERENCE # | b) consistent with best practice governance procedures, that the Commission: i. Amend or replace the IOTC Financial Regulations (1999) as a matter of urgency in order to increase Contracting Parties' as well as the Secretariat's control of all the budget elements, including staff costs of the budget, consistent with best practice governance procedures. ii. A system of cost-recovery should be considered as a possible funding mechanism for new activities and/or ongoing activities. iii. An annual external financial audit of the organisation be implemented as soon as possible, and include a focus on whether IOTC is efficiently and effectively managing its human and financial resources, including those of the IOTC Secretariat. iv. Develop guidelines for the acceptance of extrabudgetary funds to undertake elements of the Commission's Program of Work, or those of its subsidiary bodies. v. Explore opportunities to improve efficiency concerning financial contributions, including extrabudgetary funds in support of the Commission's | RESPONSIBILITY Commission & Standing Committee on Administration and Finance | (i) Ongoing SCAF RECOMMENDED that a working group be formed (led by SCAF Chairperson) to begin work on the action to replace the IOTC Financial Regulation and the action to develop guidelines to enable IOTC acceptance of extra budgetary funds (ii) Pending (iii) Pending by FAO (iv) Ongoing SCAF RECOMMENDED that a working group be formed (led by SCAF Chairperson) to begin work on the action to replace the IOTC Financial Regulation and the action to develop guidelines to enable IOTC acceptance of extra budgetary funds | TIMELINE 2019 TBD 2019 2019 | High TBD High High |
| | Program of Work, including the possibility of minimising project support costs. vi. Develop and implement staff development, performance and accountability evaluations and procedures, for inclusion within the IOTC Rules of Procedure (2014). | | (vi) Ongoing (vi) Completed: The IOTC staff members are covered by the Staff Rules and Regulations, including the system of evaluation know as Performance Evaluation Monitoring System (PEMS) | Ongoing | - |
| | c) the Commission, as a matter of urgency, decide whether remaining inside the FAO structure (as an Article XIV body) provides the most suitable means to effectively deliver upon the IOTC Objectives. | Commission, TCPR | In 2018 the TCPR was unable to meet the Commission request on making a recommendation, and requested the Commission to make a decision on this matter. | Ongoing | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS AS OF MAY 2018 | TIMELINE | PRIORITY |
|-------------------------------------|--|----------------|--|----------|----------|
| PRIOTC02.24 (<u>para. 233</u>) | FAO The PRIOTCO2 RECOMMENDED that the IOTC would be more appropriate as an independent entity. As such, as a matter of the highest priority, the Commission should decide whether the IOTC should remain within the FAO framework or become a separate legal entity, and as necessary, begin consultations with the FAO on this matter. | | Ongoing, to be further discussed at S23 to inform the new IOTC Agreement | Ongoing | High |

 $\label{eq:Appendix 9.} Appendix 9.$ Proposed budget for 2019 and indicative budget for 2020 (in US\$)

| 1 | Staff costs | | Actuals 2017 | 2018 | 2019 | 2020 |
|------------|--------------------|--|--------------|------------------|-----------|-------------|
| 1.1 | Professional | | | | | |
| | | Executive Secretary (D1) | 186,683 | 163,907 | 174,785 | 180,028 |
| | Science | Science Manager (P5) | - | 147,947 | 145,588 | 149,956 |
| | | Science Coordinator (P4) | - | 57,654 | | 113,856 |
| | | Stock Assessment Expert (P4) | 103,412 | 116,308 | 108,327 | 111,577 |
| | | Fishery Officer (Science P3) | 92,778 | 102,258 | 96,533 | 99,429 |
| | Compliance | Compliance Manager (P5) | - | 145,000 | 143,376 | 147,677 |
| | | Compliance Coordinator (P4) | 111,630 | 131,500 | 133,488 | 137,493 |
| | | Compliance Officer (P3) | 115,030 | 95,779 | 123,986 | 127,705 |
| | Data | Data Coordinator (P4) | 107,605 | 115,308 | 111,108 | 114,441 |
| | | Statistician (P3) | 95,878 | 102,717 | 98,589 | 101,547 |
| | | Fishery Officer (Data P1) | - | 91,000 | 55,917 | 57,594 |
| | Admin. | Administrative Officer (P3) | 106,628 | 98,970 | 111,689 | 115,040 |
| 1.2 | General Servi | ce | | | | |
| | | Administrative Assistant | 14,258 | 15,445 | 18,790 | 19,353 |
| | | Compliance Assistant | 6,191 | 11,950 | 15,204 | 15,660 |
| | | Office Assistant | 10,306 | 11,747 | 15,204 | 15,660 |
| | | Database Assistant | 14,460 | 15,869 | 18,508 | 19,064 |
| | | Office Assistant | 1,852 | 8,259 | 13,174 | 13,570 |
| | | Driver | 7,777 | 7,465 | 10,095 | 10,398 |
| | | Overtime | - | 5,000 | 5,450 | 5,614 |
| | | Total Salary Costs | 974,487 | 1,444,083 | 1,399,811 | 1,555,661 |
| 1.3 | | Employer Pension and Health | 279,556 | 418,651 | 379,736 | 421,347 |
| 1.4 | | Employer FAO Entitlement Fund | 575,290 | 607,582 | 781,501 | 885,048 |
| 1.5 | | Adjustment entitlement fund | 71,504 | | | |
| 1.6 | | Improved Cost Recovery Uplift | 55,582 | 0 | 71,709 | 80,138 |
| | | Total Staff Costs | 1,956,420 | 2,470,316 | 2,632,757 | 2,942,194 |
| 2 | Operating I | Expenditures | | 127.000 | 100.000 | 100.000 |
| 2.1 | | Capacity Building | 60,780 | 125,000 | 100,000 | 100,000 |
| 2.2 | | Co-funding Science/Data grants | 174,153 | 100,000 | 205,000 | 205,000 |
| 2.3 2.4 | | Co-funding Compliance grants Misc. Contingencies | 28,221 | 35,000 60,000 | 30,000 | 30,000 0 |
| 2.5 | | Consultants | 230,994 | 155,000 | 155,000 | 155,000 |
| 2.6 | | Duty travel | 126,977 | 135,000 | 150,000 | 150,000 |
| 2.7 | | Meetings | 166,156 | 105,000 | 145,000 | 145,000 |
| 2.8 | | Interpretation | 94,815 | 140,000 | 140,000 | 140,000 |
| 2.9 | | Translation | 63,640 | 105,000 | 110,000 | 110,000 |
| 2.10 | | Equipment | 22,033 | 30,000 | 25,000 | 25,000 |
| 2.11 | | General Operating Expenses | 48,204 | 75,000 | 68,000 | 68,000 |
| 2.12 | | Printing | 0 | 20,000 | 0 | 0 |
| 2.13 | | Contingencies | 0 | 10,000 | 10,000 | 10,000 |
| | | Total OE | 1,015,974 | 1,095,000 | 1,138,000 | 1,138,000 |
| | | SUB-TOTAL | 2,972,394 | 3,565,316 | 3,770,757 | 4,080,194 |
| 3 | Additional (| Contributions Seychelles | -15,783 | -20,100 | -20,100 | -20,100 |
| 4 | FAO Service | | 144,319 | 160,439 | 169,684 | 183,609 |
| 5 | Deficit Con | | - | - | 150,000 | 150,000 |
| 6 | | rticipation Fund | 202,945 | 200,000 | 200,000 | 200,000 |
| | | GRAND TOTAL | | 3,905,655 | | 4,593,703 |
| | | | | - | 9% | 7.6% |

9% 7.6%

APPENDIX 10.
SCALE OF CONTRIBUTIONS FOR 2019 (IN US\$)

| Country | World Bank Classification in 2016 | OECD Membership | Average catch for 2014-2016 (in metric tons) | Base Contribution | Operations Contribution | GNP Contribution | Catch Contribution | Total Contribution (in USD) |
|---------------------------|--------------------------------------|--------------------|--|----------------------|----------------------------|---------------------|-----------------------|-----------------------------------|
| Australia | High | Yes | 5,180 | \$14,234 | \$17,793 | \$142,345 | \$17,156 | \$191,528 |
| Bangladesh | Middle | No | 2,284 | \$14,234 | \$17,793 | \$35,586 | \$1,513 | \$69,127 |
| China | Middle | No | 74,062 | \$14,234 | \$17,793 | \$35,586 | \$49,059 | \$116,673 |
| Comoros | Low | No | 9,858 | \$14,234 | \$17,793 | \$0 | \$6,530 | \$38,558 |
| Eritrea | Low | No | 219 | \$14,234 | \$0 | \$0 | \$145 | \$14,380 |
| European Union | High | Yes | 203,030 | \$14,234 | \$17,793 | \$142,345 | \$672,441 | \$846,813 |
| France(Terr) | High | Yes | 0 | \$14,234 | \$0 | \$142,345 | \$0 | \$156,579 |
| India | Middle | No | 166,274 | \$14,234 | \$17,793 | \$35,586 | \$110,141 | \$177,755 |
| Indonesia | Middle | No | 344,776 | \$14,234 | \$17,793 | \$35,586 | \$228,382 | \$295,996 |
| Iran, Islamic Republic of | Middle | No | 237,832 | \$14,234 | \$17,793 | \$35,586 | \$157,541 | \$225,155 |
| Japan | High | Yes | 15,942 | \$14,234 | \$17,793 | \$142,345 | \$52,801 | \$227,173 |
| Kenya | Middle | No | 877 | \$14,234 | \$17,793 | \$35,586 | \$581 | \$68,195 |
| Korea, Rep of | High | Yes | 21,358 | \$14,234 | \$17,793 | \$142,345 | \$70,737 | \$245,109 |
| Madagascar | Low | No | 8,670 | \$14,234 | \$17,793 | \$0 | \$5,743 | \$37,771 |
| Malaysia | Middle | No | 20,546 | \$14,234 | \$17,793 | \$35,586 | \$13,610 | \$81,223 |
| Maldives | Middle | No | 124,578 | \$14,234 | \$17,793 | \$35,586 | \$82,521 | \$150,135 |
| Mauritius | Middle | No | 10,470 | \$14,234 | \$17,793 | \$35,586 | \$6,935 | \$74,549 |
| Mozambique | Low | No | 4,101 | \$14,234 | \$17,793 | \$0 | \$2,716 | \$34,744 |
| Oman | High | No | 39,856 | \$14,234 | \$17,793 | \$142,345 | \$26,401 | \$200,773 |
| Pakistan | Middle | No | 59,238 | \$14,234 | \$17,793 | \$35,586 | \$39,240 | \$106,854 |
| Philippines | Middle | No | 762 | \$14,234 | \$17,793 | \$35,586 | \$505 | \$68,119 |
| Seychelles | High | No | 96,586 | \$14,234 | \$17,793 | \$142,345 | \$63,980 | \$238,352 |
| Somalia | Low | No | 0 | \$14,234 | \$0 | \$0 | \$0 | \$14,234 |
| South Africa | Middle | No | 381 | \$14,234 | \$0 | \$35,586 | \$252 | \$50,073 |
| Sri Lanka | Middle | No | 90,306 | \$14,234 | \$17,793 | \$35,586 | \$59,819 | \$127,433 |
| Sudan | Middle | No | 34 | \$14,234 | \$0 | \$35,586 | \$22 | \$49,843 |
| Tanzania | Low | No | 7,167 | \$14,234 | \$17,793 | \$0 | \$4,748 | \$36,775 |
| Thailand | Middle | No | 12,431 | \$14,234 | \$17,793 | \$35,586 | \$8,234 | \$75,848 |
| United Kingdom(Terr) | High | Yes | 3 | \$14,234 | \$0 | \$142,345 | \$9 | \$156,589 |
| Yemen | Middle | No | 39,816 | \$14,234 | \$17,793 | \$35,586 | \$26,374 | \$93,988 |
| | | | Total | \$427,034 | \$427,034 | \$1,708,137 | \$1,708,137 | \$4,270,341 |

APPENDIX 11. Basic Conditions for in-country activities of IOTC

1)

- (a) This Annex sets out the basic conditions under which the Indian Ocean Tuna Commission (IOTC) will implement activities, which have been approved by the Commission, in the territory of members of the Commission.
- (b) IOTC will be responsible for the provision, with due diligence and efficiency, of assistance as provided in the IOTC workplan. IOTC and the Government will consult closely with respect to all aspects of the activities.
- (c) Activities of IOTC will be implemented (i) in accordance with relevant decisions of the Governing Bodies of FAO, and with its constitutional and budgetary provisions, and (ii) subject to the receipt by IOTC of the necessary contribution from Resource Partners. IOTC will disburse the funds received from the Resource Partner in accordance with the regulations, rules and policies of FAO. All financial accounts and statements will be expressed in United States Dollars and will be subject exclusively to the internal and external auditing procedures laid down in the financial regulations, rules and directives of FAO.
- 2) With a view to the rapid and efficient implementation of the activities, the Government shall grant to FAO, including IOTC, its staff, and all other persons performing services on behalf of FAO, the necessary facilities including:
 - i) the prompt issuance, free of charge, of any visas or permits required;
 - ii) any permits necessary for the importation and, where appropriate, the subsequent exportation, of equipment, materials and supplies required for use in connection with the Project and exemption from the payment of all customs duties or other levies or charges relating to such importation or exportation;
 - iii) exemption from the payment of any sales or other tax on local purchases of equipment, materials and supplies for use in connection with the project;
 - iv) prompt customs clearance of the equipment, materials, supplies and property referred to in subparagraphs (ii) above.
- The Government will apply to FAO, its property, funds and assets, its officials and all the persons performing services on its behalf in connection with the activities: (i) the provisions of the Convention on Privileges and Immunities of the Specialized Agencies; and (ii) the United Nations currency exchange rate. The persons performing services on behalf of FAO will include any organization, firm or other entity, which FAO may designate to take part in the execution of the Project.
- The Government will be responsible for dealing with any claims which may be brought by third parties against FAO, its personnel or other persons performing services on its behalf, in connection with the Project, and will hold them harmless in respect to any claim or liability arising in connection with the Project, except when it is agreed by FAO and the Government that such claims arise from gross negligence or wilful misconduct of such persons.

APPENDIX 12. SCHEDULE OF MEETINGS FOR 2019 AND 2020

| | 2019 | | 2020 | | |
|--|------------------------------|---------------------|----------------------|------------|--|
| Meeting | Date | Location | Date | Location | |
| Technical Committee on Allocation Criteria (TCAC) | February-March, TBD | TBD | TBD | TBD | |
| Technical Committee on Management Procedures (TCMP) | Week prior to S23 | TBD | TBD | TBD | |
| Compliance Committee (CoC) | Week prior to S23 | TBC | Week prior to S24 | TBD | |
| Working Party on Implementation of Conservation and Management Measures (WPICMM) | TBC | TBC | TBD | TBD | |
| Technical Committee on Performance Review (TCPR) | February-March, TBD | TBD | TBD | TBD | |
| Standing Committee on Administration and Finance (SCAF) | Week prior to S23 | TBD | Week prior to S24 | TBD | |
| Commission | Mid-late June TBC 5 days | TBD | TBD | Indonesia | |
| Working Party on Neritic Tunas (WPNT) | TBD | TBD | TBD | TBD | |
| Working Party on Temperate Tunas (WPTmT) | TBD | TBD | TBD | TBD | |
| Working Party on Ecosystems and Bycatch (WPEB) | 3-7 September | La Reunion (TBC) | TBD | TBD | |
| Working Party on Billfish (WPB) | 9-13 September | La Reunion (TBC) | TBD | TBD | |
| Working Party on Tropical Tunas (WPTT) | 3 rd week October | TBD | TBD | TBD | |
| Working Party on Methods (WPM) | 3 rd week October | TBD | TBD | TBD | |
| Working Party on Data Collection and Statistics (WPDCS) | November (TBD) | Seychelles | November (TBD) | Seychelles | |
| Scientific Committee (SC) | November (TBD | Seychelles | November (TBD | Seychelles | |

APPENDIX 13. CONSERVATION AND MANAGEMENT MEASURES ADOPTED IN 2018

RESOLUTION 18/01 ON AN INTERIM PLAN FOR REBUILDING THE INDIAN OCEAN YELLOWFIN TUNA STOCK IN THE IOTC AREA OF COMPETENCE

Keywords: Yellowfin tuna, Kobe Process, MSY, Precautionary Approach

The Indian Ocean Tuna Commission (IOTC),

CONSIDERING the objectives of the Commission to maintain stocks in perpetuity and with high probability, at levels not less than those capable of producing their maximum sustainable yield as qualified by relevant environmental and economic factors including the special requirements of developing States in the IOTC area of competence;

BEING MINDFUL of Article XVI of the IOTC Agreement regarding the rights of Coastal States and of Article 87 and 116 of the UN Convention of the Law of the Sea regarding the right to fish on the high seas;

RECOGNISING the special requirements of the developing States, particularly Small Island developing States in Article 24, of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982, relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA);

RECALLING that Article 5, of UNFSA entitles the conservation and management of highly migratory fish stocks are based on best scientific evidence available and with special reference to Resolution 15/10 for a stock where the assessed status places it within the red quadrant, and with an aim to end overfishing with a high probability and to rebuild the biomass of the stock in as short time as possible;

FURTHER RECALLING that Article 6, of UNFSA, requires the States to be cautious during the application of precautionary approach when information is uncertain, unreliable or inadequate and this should not be a reason for postponing or failing to take conservation and management measures;

CONSIDERING the recommendations adopted by the KOBE II, held in San Sebastian, Spain, June 23 – July 3 2009; implementing where appropriate a freeze on fishing capacity on a fishery by fishery basis and such a freeze should not constrain the access to, development of, and benefit from sustainable tuna fisheries by developing coastal States:

FURTHER CONSIDERING the recommendations adopted by the KOBE III, held in La Jolla, California, 12-14 July 2011; considering the status of the stocks, each RFMO should consider a scheme for reduction of overcapacity in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the high seas, by developing coastal States, in particular Small Island Developing States, territories, and States with small and vulnerable economies; and Transfer of capacity from developed fishing members to developing coastal fishing members within its area of competence where appropriate;

FURTHER CONSIDERING the report by International Council for the Exploration of Sea and FAO Working Group on Fishing Technology and Fish Behaviour (2006), Gillnets are considered to be one of the least catch controllable and least environmentally sustainable gears;

FURTHER CONSIDERING the recommendations of the 18th Scientific Committee held in Bali, Indonesia, 23 – 27 November 2015 that the catches of yellowfin tuna have to be reduced by 20% of the 2014 levels to recover the stocks to levels above the interim target reference points with 50% probability by 2024;

NOTING THAT the new yellowfin tuna stock assessment produced at the 19th Scientific Committee held in Seychelles mentions: "The stock status determination did not change in 2016, but does give a somewhat more optimistic estimate of stock status than the 2015 assessment, as a direct result of the use of more reliable information on catch rates of longline fisheries and updated catch up to 2015" and that "Maximum Sustainable

Yield (MSY): estimate for the whole Indian Ocean is estimated at 422,000 t with a range between 406,000-444,000 t" and "the 2011-2015 average catches (390,185 t) were below the estimated MSY level;"

FURTHER NOTING that the estimated probability of the Indian Ocean yellowfin tuna stock to be in the red zone of the Kobe plot has decreased from 94% based on 2015 stock assessment to 67.6% based on the 2016 stock assessment and considering other applicable measures within Resolution 16/01 [superseded by Resolution 17/01, then by Resolution 18/01], particularly the 23% reduction in the limit on the number of FADs deployed by tuna purse seiners from 550 to 425 per vessel per year, effective from 1st January 2017, and the supply vessel limitation could help this progressive improvement of the yellowfin tuna stock status;

NOTING THAT supply vessels contribute to the increase in effort and capacity of purse seiners and that the number of supply vessels has increased significantly over the years;

FURTHER CONSIDERING the discussions of the Working Party on Tropical Tuna held in Montpellier, France, 23 – 28 October 2015 on the limitations and the uncertainties in the stock assessment models due to the unavailability of standardized yellowfin tuna CPUE data;

FURTHER CONSIDERING the call by the United Nations General Assembly Resolution 70/75 upon the States to increase the reliance on scientific advice in developing, adopting and implementing conservation and management measures and to take into account the special requirements of developing States, including Small Island Developing States (SIDS) as highlighted in the SIDS Accelerated Modalities of Action (SAMOA) Pathway;

NOTING THAT Article V (2)(b) of the Agreement for the Establishment of the Indian Ocean Tuna Commission give full recognition to the special interests and needs of Members in the region that are developing countries, in relation to the conservation and management and optimum utilization of stocks covered by this Agreement and encouraging development of fisheries based on such stocks;

FURTHER NOTING THAT Article V(2)(d) requires the Commission to keep under review the economic and social aspects of the fisheries based on the stocks covered by this Agreement bearing in mind, in particular, the interests of developing coastal States. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States, especially Small Island Developing States;

RECOGNIZING FURTHER the interactions that occur between the fisheries for yellowfin, skipjack and bigeye tuna;

CONSIDERING paragraph 12 of Resolution 16/01 [superseded by Resolution 17/01, then by Resolution 18/01] that allows the Commission to review this Interim Plan before 2019;

ADOPTS, in accordance with the provisions of Article IX, paragraph 1 of the IOTC Agreement, the following:

- 1. This resolution shall apply to all fishing vessels targeting tuna and tuna like species in the Indian Ocean of 24 meters overall length and over, and those under 24 meters if they fish outside the EEZ of their flag State, within the IOTC area of competence.
- 2. The CPCs will reduce their catch of yellowfin as follows:
- 3. Purse seine:
 - a) CPCs whose purse seine catches of yellowfin reported for 2014 were above 5000 MT to reduce their purse seine catches of yellowfin by 15 % from the 2014 levels.
 - b) The number of Fish Aggregating Devices (FADs) as defined in Resolution 15/08 [superseded by Resolution 17/08, then by Resolution 18/08], paragraph 7 will be no more than 350 active instrumented buoys and 700 acquired annually instrumented buoys per purse seine vessel per year.

- c) Supply vessels¹: Supply vessels shall be gradually reduced by 31st December 2022 as specified below in (i), (ii), (iii) and (iv). Flag States shall submit plans for reducing the use of supply vessel to the Scientific Committee no later than 31st December 2017.
 - i. From 1st of January 2018 to 31st December 2019: 1 supply vessel in support of not less than 2 purse seiners, all of the same flag State. ²
 - ii. From 1st of January 2020 to 31st December 2022: 2 supply vessels in support of not less than 5 purse seiners, all of the same flag State.²
 - iii. No CPC is allowed to register any new or additional supply vessel on the IOTC Record of Authorized Vessels after 31st December 2017.
 - iv. Any further reduction as from 2022 shall be determined by the Commission in light of the advice of the Scientific Committee.
- d) A single purse seine vessel shall not be supported by more than one single supply vessel of the same flag State at any point in time.
- e) Complementary to Resolution 15/08 [superseded by Resolution 17/08, then by Resolution 18/08] on "Procedures on 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" and to Resolution 15/02 "Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs)", CPC/flag States shall report annually before the 1st of January for the coming year of operations which Purse seiners are served by each supply vessel. This information will be published on IOTC website so as to be accessible to all CPCs and is mandatory. In the light of assessments made available by the Working Group (WG) on dFADs and the Scientific Committee, the Commission shall update, if necessary the above limits in point b) and c).
- 4. Gillnet: CPCs whose Gillnet catches of yellowfin reported for 2014 were above 2000 MT to reduce their Gillnet catches of yellowfin by 10 % from the 2014 levels.
- 5. Longline: CPCs whose Longline catches of yellowfin reported for 2014 were above 5000 MT to reduce their Longline catches of yellowfin by 10 % from the 2014 levels.
- 6. CPCs' other gears: CPCs whose catches of yellowfin from other gears reported for 2014 were above 5000 MT to reduce their other gear catches of yellowfin by 5 % from the 2014 levels.
- 7. Flag States will determine appropriate methods for achieving these catch reductions, which could include capacity reductions, effort limits, *etc...*, and will report to the IOTC Secretariat in their Implementation Report, the measures they have taken.
- 8. CPCs shall monitor the yellowfin tuna catches from their vessels in conformity with Resolution 15/01 "On the recording of catch and effort data by fishing vessels in the IOTC area of competence" and Resolution 15/02 "Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non Contracting Parties (CPCs)" and will provide a summary of most-recent yellowfin catches for the consideration of the IOTC Compliance Committee.
- 9. Each year, the Compliance Committee shall evaluate the level of compliance with the catch limits deriving from this Resolution and shall make recommendations to the Commission accordingly. The Scientific

2 The subparagraphs (i) and (ii) shall not apply to flag States which use only one supply vessel.

¹ For the purpose of this Resolution, the term "supply vessel" includes "support vessel".

Committee via its Working Party on Tropical Tunas, shall in 2018, conduct a new assessment of the status of the Yellowfin stock using all available data.

- 10. The Scientific Committee via its Working Party on Tropical Tunas shall in 2018 undertake an evaluation of the effectiveness of the measures detailed in this Resolution, taking into account all sources of fishing mortality and possible alternatives aiming at returning and maintaining biomass levels at the Commission's target level. After consideration of the results of this evaluation, the Commission shall take corrective measures accordingly.
- 11. The Commission shall, based on the improved artisanal fishery data and the assessment of the state and impact of the artisanal fishery on the yellowfin stocks, take appropriate measures on the management of the artisanal yellowfin tuna fishery, at its Commission meeting in 2018.
- 12. The measures contained within this Resolution shall be considered as interim measure and will be reviewed by the Commission no later than at its annual Session in 2019.
- 13. The provisions of paragraphs 3, 4, 5 and 6 shall be applicable to Small Island Developing States, Least Developed Countries and Small Vulnerable Economies on catches of yellowfin reported for 2014 or 2015.
- 14. Nothing in this resolution shall pre-empt or prejudice future allocation.

This Resolution supersedes IOTC Resolution 17/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock.

RESOLUTION 18/02

ON MANAGEMENT MEASURES FOR THE CONSERVATION OF BLUE SHARK CAUGHT IN ASSOCIATION WITH IOTC FISHERIES

Keywords: Blue shark, Catch limits, scientific research, reference points, data collection, catch reporting

The Indian Ocean Tuna Commission (IOTC),

RECALLING the Resolution 17/05 on the conservation of sharks caught in association with fisheries managed by IOTC aims the sustainability of shark fisheries and the protection of sharks;

RECALLING the Resolution 12/01 on the implementation of the precautionary approach calls on IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) to apply the precautionary approach in accordance with Articles 5 and 6 of the United Nations Fish Stocks Agreement;

RECALLING the Resolution 15/01 on the recording of catch and effort data by fishing vessels in the IOTC area of competence fixes the IOTC data record system;

RECALLING the Resolution 15/02 on the Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) defines the catch and catch related information to be provided by CPCs to the IOTC secretariat;

RECALLING that United Nations General Assembly Resolution on Sustainable Fisheries, adopted annually by consensus, since 2007 (62/177, 63/112, 64/72, 65/38, 66/68, 67/79, 68/71, 69/109,70/75 and 71/123) calls upon States to take immediate and concerted action to improve the implementation of and compliance with existing regional fisheries management organisation or arrangement measures that regulate shark fisheries and incidental catch of sharks, in particular those measures which prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with fins naturally attached;

CONSIDERING that pending the results of the new stock assessment, it is advisable to avoid an increase in levels of catches of blue shark while simultaneously adopt measures to improve data collection and monitoring of catches;

CONSIDERING that the average estimated catches of blue shark are much higher than the reported catches;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

1. To ensure the conservation of the blue shark (*Prionace glauca*) stock in the Indian Ocean, Contracting Parties and Cooperating non-Contracting Parties,(CPCs) whose vessels catch blue shark in the IOTC Convention Area shall ensure that effective management measures are in place to support the sustainable exploitation of this stock in line with IOTC's Convention objective by undertaking the following management measures:

Recording, Reporting, and Use of the Catch Information

- 2. In order to curb the level of unreported catches, each CPC shall ensure that its vessels catching blue shark in association with IOTC fisheries in the Agreement area record their catch in accordance with the requirements set out in the Resolution 15/01 on the recording of catch and effort data by fishing vessels in the IOTC area of competence or any Resolution superseding it.
- 3. CPCs shall implement data collection programmes that ensure improved reporting of accurate blue shark catch, effort, size and discard data to IOTC in full accordance with the Resolution 15/02 on the Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs), or any Resolution superseding it.
- 4. CPCs shall include in their national Annual Reports to the Scientific Committee information on the actions they have taken domestically to monitor catches.

Scientific Research

- 5. CPCs are encouraged to undertake scientific research on blue shark that would provide information on key biological/ecological/behavioural characteristics, life-history, migrations, post-release survival and guidelines for safe release and identification of nursery grounds, as well as improving fishing practices. Such information shall be made available to the Working Party on Ecosystem and Bycatch and Scientific Committee through working documents and the national Annual Reports.
- 6. In light of the results of the next stock assessment of blue shark in 2021, the Scientific Committee shall provide advice, if possible, on options for candidate limit, threshold and target reference points for the conservation and management of this species in the IOTC Convention area.
- 7. The Scientific Committee shall also provide advice, at the latest by 2021, on potential management options for ensuring long-term sustainability of the stock, such as mitigation measures to reduce the mortality of blue shark, improving selectivity of fishing gears, spatial/temporal closures or minimum conservation sizes.

Final Provisions

8. Based on the review and the results of the next stock assessment, updated reported catch information by each CPC and taking into account the Scientific Committee's advice, the Commission shall consider, at its 2021 meeting, the adoption of conservation and management measures, which could include the catch limit for each CPC to be decided taking into account the most recent reported catch information or bycatch mitigation such as a ban on wire trace/shark line for blue shark as appropriate.

RESOLUTION 18/03

ON ESTABLISHING A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN THE IOTC AREA OF COMPETENCE

Keywords: IUU, illegal, unreported and unregulated fishing

The Indian Ocean Tuna Commission (IOTC),

RECALLING that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, to deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU). This plan stipulates that the identification of the vessels carrying out IUU activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way;

RECALLING that the IOTC adopted Resolution 01/07 [superseded by Resolution 14/01] concerning its support of the IPOA-IUU;

RECALLING that IOTC has already adopted measures against IUU fishing activities;

RECALLING that the IOTC adopted Resolution 07/01 to promote compliance by nationals of Contracting Parties and Cooperating Non-Contracting Parties with IOTC Conservation and Management Measures;

RECALLING ALSO that the IOTC adopted Resolution 07/02 [superseded by Resolution 13/02, then by Resolution 14/04, then by Resolution 15/04] to enhance the implementation of IOTC Conservation and Management Measures through establishing a Record of fishing vessels authorised to operate in the IOTC area of competence;

RECOGNISING that IUU fishing activities may be linked with serious and organised crime;

CONCERNED by the fact that IUU fishing activities in the IOTC area of competence continue, and these activities diminish the effectiveness of IOTC Conservation and Management Measures;

FURTHER CONCERNED that there is evidence of a large number of vessel owners engaged in such fishing activities who have re-flagged their vessels to avoid compliance with IOTC Conservation and Management Measures:

DETERMINED to address the challenge of an increase in IUU fishing activities by way of countermeasures to be applied in respect of the vessels engaged in IUU fishing, without prejudice to further measures adopted in respect of flag States under the relevant IOTC instruments;

CONSCIOUS of the need to address, as a matter of priority, the issue of large-scale fishing vessels conducting IUU fishing activities;

NOTING that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organisation (WTO) Agreement;

TAKING INTO ACCOUNT the basic principles for adopting measures for cross-listing vessels listed as IUU by other RFMOs endorsed in the recommendations of the 3rd Joint Meeting of the Tuna RFMO, held in La Jolla, California in 2011;

ACKNOWLEDGING the need to preserve the decision-making authority of IOTC in any cross-listing decision by ensuring that members have the opportunity to consider each vessel on a case-by-case basis prior to its inclusion in the IOTC IUU vessel list;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

Use of terms

- 1. For the purpose of this Resolution:
 - a) 'Owner' means the natural or legal person registered as the owner of a vessel;
 - b) 'Operator' means the natural or legal person who is responsible for taking commercial decisions regarding the management and operation of a vessel and includes a charterer of the vessel;
 - c) 'Master' means any person holding the most responsible position at any given time onboard a fishing vessel;
 - d) 'fishing' means searching for, attracting, locating, catching, taking or harvesting fish or any activity which can reasonably be expected to result in the attracting, locating, taking or harvesting of fish;
 - e) 'fishing related activities' means any operation in support of, or in preparation for, fishing, including landing, packaging, processing, transhipment or transport of fish and/or fish products that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear, food and other supplies at-sea;
 - f) 'Information' means suitably and sufficiently documented data which is capable of being presented as evidence to the Compliance Committee and/or Commission of any facts in issue,
 - g) the singular also includes the plural.

Application of this measure

2. This Resolution applies to vessels, together with their Owners, Operators and Masters that undertake fishing and fishing related activities, for species covered by the IOTC Agreement, or by IOTC Conservation and Management Measures, within the IOTC area of competence (IOTC Area).

Objective

- 3. This Resolution sets out rules and procedures for the maintenance and updating by the Commission of the system of lists of vessels considered to be involved in illegal, unreported and unregulated (IUU) fishing activities and which comprises:
 - a) the Draft IOTC IUU Vessel List (Draft IUU Vessel List);
 - b) the Provisional IOTC IUU Vessel List (Provisional IUU Vessel List); and
 - c) the IOTC IUU Vessel List (IUU Vessel List).

Definition of IUU Fishing Activities

4. For the purposes of this Resolution a vessel is presumed to have engaged in IUU fishing activities when a Contracting Party or Cooperating Non-Contracting Party (hereinafter referred to as "CPCs") has provided information that such a vessel has, within the IOTC Area

and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures:

- a) engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 15/04, nor recorded in the Active list of vessels; or
- b) engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable unless that vessel is flagged to a CPC; or
- c) failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports; or
- d) taken or landed undersized fish in contravention of IOTC Conservation and Management Measures; or
- e) engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures; or
- f) used prohibited fishing gear in contravention of IOTC Conservation and Management Measures; or
- g) transhipped fish to, or otherwise participated in joint operations with, support or resupply vessels that are not included on the IOTC Record of Authorised Vessels or not on the Record of Vessels Authorised to Receive Transhipments At-Sea in the IOTC Area; or
- h) engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel)³; or
- i) engaged in fishing or fishing related activities whilst being without nationality; or
- j) engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration; or
- k) engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures

Submission of information on IUU Fishing Activities

5. A CPC in possession of information that one or more vessels has engaged in IUU fishing activities within the IOTC Area within a 24 month period prior to the annual meeting of the Compliance Committee shall submit a list of such vessels to the IOTC Executive

³ For the purposes of this subparagraph, a vessel that is recorded on the IOTC Record of Authorised Vessels shall not be presumed to have engaged in IUU fishing activities when a Fish Aggregating Device (FAD) it has deployed has drifted into waters that are under the national jurisdiction of a coastal State without its permission or authorization. However, if the vessel retrieves or fishes on a FAD in a Costal State's waters without its permission or authorization, the vessel is presumed to have engaged in IUU activities

Secretary. Such submission shall be made at least 70 days before the annual meeting of the Compliance Committee using the IOTC Reporting Form for Illegal Activity (Annex I).

- 6. A list submitted by a CPC (the nominating CPC) in accordance with paragraph 5, shall be accompanied by information concerning the IUU fishing activity of each of the listed vessels including but not limited to:
 - a) reports regarding the alleged IUU fishing activity from CPCs relating to IOTC Conservation and Management Measures in force;
 - b) trade information obtained on the basis of relevant trade statistics such as those from statistical documents and other national or international verifiable statistics;
 - c) any other information obtained from other sources and/or gathered from the fishing grounds such as:
 - i. information gathered from inspections undertaken in port or at sea; or
 - ii. information from coastal States including VMS transponder or AIS data, surveillance data from satellites or airborne or seaborne assets; or
 - iii. IOTC programmes, except where such a programme stipulates that information gathered is to be kept confidential; or
 - iv. information and intelligence collected by third parties either provided directly to a CPC or via the IOTC Executive Secretary pursuant to paragraph 7.
- 7. When the IOTC Executive Secretary receives information and intelligence from third parties indicating alleged IUU fishing activities, the IOTC Executive Secretary shall transmit the information to the flag State of the vessel and each CPC. Where the flag State of the vessel is a CPC, if requested by any other CPC through the IOTC Executive Secretary, it shall investigate the allegation and shall report the progress of the investigation to the IOTC Executive Secretary within 60 days. Where the flag State is not a CPC, if requested by any CPC the IOTC Executive Secretary shall request it to investigate the allegation and report the progress of the investigation to the IOTC Executive Secretary within 60 days. The IOTC Executive Secretary shall then, as soon as practicably possible, notify each CPC and the flag State of each vessel concerned, together with such compiled information as has been received. Where the alleged IUU activities occurred in the waters of a coastal State CPC of IOTC, the CPC concerned may seek to include the vessel on the draft IUU list (paragraph 6(c).iv). Where the alleged IUU activities occurred in areas beyond national jurisdiction within the IOTC Area any concerned CPC may seek to include the vessel on the draft IUU list.

Draft IOTC IUU Vessel List

8. On the basis of the information received pursuant to paragraphs 5, 6 and 7, the IOTC Executive Secretary shall draw up a Draft IUU Vessel List incorporating the information in the format set out in **Annex II**. The IOTC Executive Secretary shall then transmit the Draft IUU Vessel List together with the compiled information to each CPC and to the flag State of each vessel included on the Draft IUU Vessel List at least 55 days before the Annual Meeting of the

Compliance Committee.

- 9. The flag State of a vessel included on the Draft IUU Vessel List shall be requested to:
 - a) notify the Owner, Operator and the Master of the vessel of the fact of its inclusion in the Draft IUU Vessel List and of the consequences that may result from its inclusion being confirmed in the IUU Vessel List adopted by the Commission, and
 - b) closely monitor the vessels included in the Draft IUU Vessel List in order to determine their activities and possible changes of use, name, flag and/or registered Owner.
- 10. The flag State of a vessel included on the Draft IUU Vessel List may transmit to the IOTC Executive Secretary at least 15 days before the Annual Meeting of the Compliance Committee, any comments and information about listed vessels and their activities, including information pursuant to Paragraph 9.a) and 9.b) and information showing that the listed vessels either have or have not:
 - a) conducted fishing activities in a manner consistent with IOTC Conservation and Management Measures in force; or
 - b) conducted fishing activities in a manner consistent with the laws and regulations of a coastal State when fishing in the waters under the jurisdiction of that State, and with the law and regulations of the flag State and the Authorisation to Fish; or
 - c) conducted fishing activities exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures.
- 11. The IOTC Executive Secretary shall compile any new information received from CPCs and flag States regarding vessels on the Draft IUU Vessel List and, pursuant to paragraphs 22 and 23, those on the IUU Vessel List and circulate that information to all CPCs and to the flag States of vessels on the lists at least 10 days prior to the annual session of the Compliance Committee together with the completed checklist, **Annex III** and where applicable, **Annex IV**.
- 12. A CPC may at any time submit to the IOTC Executive Secretary any additional information regarding vessels on the Draft IUU list, which might be relevant to the establishment of the IUU Vessel List. If the IOTC Secretariat receive this information after the Draft IUU Vessel List has been circulated to CPCs, it will circulate the information to all CPCs and to the flag States of listed vessels as soon as practicable.

Provisional IOTC IUU Vessel List

- 13. The IOTC Compliance Committee shall each year at its Annual Meeting examine the Draft IUU Vessel List, as well as the information submitted, any comments received from the flag State of a vessel included on the Draft IUU Vessel List together with any additional information submitted by any CPC. If the IOTC Compliance Committee is satisfied that the documented information establishes that the vessel carried out IUU fishing activities, it shall include the vessel or vessels concerned in the Provisional IUU Vessel List.
- 14. The Compliance Committee shall not include a vessel in the Provisional IUU Vessel List if:

- a) the nominating CPC did not follow the provisions of paragraphs 5 and 6; or
- b) on the basis of the information available, the Compliance Committee is not satisfied that the presumption of IUU fishing activities referred to in paragraph 4 has been established; or
- c) the flag State of a vessel included in the Draft IUU Vessel List provides information that demonstrates that the vessel has at all relevant times complied with the rules of the flag State and with its authorisation to fish and:
 - i. that the vessel has conducted fishing activities in a manner consistent with the IOTC Agreement and Conservation and Management Measures; or
 - ii. that the vessel has conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or
 - iii. that the vessel has fished exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures; or
- d) the flag State of a vessel included in the Draft IUU Vessel List provides information that demonstrates that effective action has been taken in response to the IUU fishing activities in question, including prosecution and imposition of sanctions of adequate severity to be effective in securing compliance and deterring further infringements. Every CPC shall report any actions and measures that it has taken in accordance with Resolution 07/01, in order to promote compliance with IOTC Conservation and Management Measures by vessels that fly its flag.
- 15. In cases where a flag State has not demonstrated the matters referred to in Paragraphs 14.c) or 14.d) or where a flag State has not provided any information under paragraph 10 or during the Compliance Committee meeting, the IOTC Compliance Committee shall include the vessel on the Provisional IUU List and recommend to the Commission that the vessel be included on the IUU Vessel List.
- 16. Following the examination referred to in paragraph 13 at each IOTC Annual meeting, the IOTC Compliance Committee shall submit the Provisional IUU Vessel List to the Commission for its consideration. If the Compliance Committee cannot agree as to whether a certain vessel shall be included in the Provisional IUU Vessel List, the List shall include the vessel and the Commission shall decide whether the vessel shall be included in the IUU Vessel List.

IOTC IUU Vessel List

- 17. The IOTC Compliance Committee shall each year examine the IUU Vessel List and the information circulated under paragraph 11 and shall recommend to the Commission which, if any, vessels should be added to or removed from the IUU Vessel List.
- 18. The Commission shall each year at its Annual Meeting review the IUU Vessel List as well as the Provisional IUU Vessel List, and the recommendations adopted by the IOTC Compliance Committee to amend the IUU Vessel List, together with the documented

information provided under paragraphs 6, 10, 12, and 30. Based on its review, the Commission may decide to amend the IUU Vessel List by:

- a) adding or removing vessels; and/or
- b) rectifying any incorrect details, or inserting new details, about a vessel already included on the IUU Vessel List in accordance with paragraph 30.a).
- 19. The Commission, acting in accordance with paragraph 18, may amend the IUU Vessel List by consensus. In the absence of consensus, the Commission shall decide upon any proposed amendment by a vote. Voting may be conducted by a secret ballot if a member requests it and this request is seconded. If two thirds or more of the Contracting Parties present and voting support the proposed amendment it shall be considered approved and brought into effect. The outcome of any decision made by the Commission pursuant to this paragraph shall not affect any domestic prosecution or settlement of any sanctions by the nominating or flag States pursuant to paragraphs 4 and 14.d).

Action against IUU Vessels

- 20. Following the adoption of the IUU Vessel List, the IOTC Executive Secretary shall request the flag State of every vessel that is included in the list:
 - a) to notify the Owner and Operator of the vessel of its inclusion on the list and the consequences which may result from its inclusion in the list;
 - b) to take all the necessary measures to prevent the vessel from undertaking IUU fishing activities, including withdrawing its fishing licence or the de-registering of the vessel, and to inform the Commission of the measures taken in this respect.
- 21. A CPC shall take all necessary measures, in accordance with its legislation:
 - to ensure that no vessel flying its flag, including any fishing vessel, support vessel, refuelling (supply) vessel, mother-ship or cargo vessel, provides assistance to a vessel included in the IUU Vessel List in any way, or engages in fishing processing operations with such a vessel or participates in transhipment or joint fishing operations with such a vessel, except for the purpose of rendering assistance where such a vessel, or any person on that vessel, is in danger or distress;
 - to refuse entry into its ports by any vessel included on the IUU Vessel List, except in case of *force majeure* or where the vessel, or any person on that vessel, is in danger or distress, unless vessels are allowed entry into port for the exclusive purpose of inspection and effective enforcement action:
 - c) to consider giving priority to the inspection of vessels on the IUU Vessel List, if such vessels are otherwise found in their ports;
 - d) to prohibit the chartering of a vessel included on the IUU Vessel List;
 - e) to refuse to grant their flag to vessels included in the IUU Vessel List, except if the vessel has changed Owner and the new Owner has provided sufficient information demonstrating the previous Owner or Operator has no further legal, beneficial or financial

interest in, or control of, the vessel; or having taken into account and documented all relevant facts, the flag State determines that granting the vessel its flag will not result in IUU fishing;

- f) to prohibit the import, landing or transhipment, of tuna and tuna-like species from vessels included in the IUU Vessel List;
- g) to encourage importers, transporters and other sectors concerned, to refrain from engaging in transactions, including transhipments, relating to tuna and tuna-like species caught by vessels included in the IUU Vessel List;
- h) to collect and exchange with other Contracting Parties or Cooperating Non-Contracting Parties any appropriate information with the aim of detecting, controlling and preventing false import/export certificates for tunas and tuna-like species from vessels included in the IUU Vessel List.

Vessel Delisting Procedures

- 22. The flag State of a vessel included in the IUU Vessel List may request the removal of the vessel from the list at any time, including during the inter-sessional period, by providing information to the IOTC Executive Secretary to demonstrate that:
 - a) i) it has adopted measures such that the vessel Owner and all other nationals employed on that vessel that engage in fishing and fishing related activities within the IOTC Area for species covered by the IOTC Agreement comply with all IOTC Conservation and Management Measures; and
 - ii) it is effectively assuming and will continue to effectively assume its flag State responsibilities with regard to the monitoring and control of the fishing activities of this vessel; and
 - iii) it has taken effective action against the Owner, Operator and Master (where appropriate) in response to the IUU fishing activities that resulted in the vessel's inclusion in the IUU Vessel List including prosecution and imposition of sanctions of adequate severity; or
 - b) The vessel has changed ownership and that the new Owner can establish that the previous Owner no longer has any operational, legal, financial or real interests whether direct or indirect in the vessel or exercises control over it and that the new Owner has not participated in any IUU fishing activities in the preceding 5 years; or
 - c) The vessel has been sunk or scrapped; or
 - d) Any prosecution and/or sanctions regarding the vessel that conducted IUU fishing activities has been concluded by both the nominating CPC and the flag State of the vessel.
- 23. If a request for the removal of a vessel from the IUU Vessel List is received within 55 to 15 days before the annual Compliance Committee meeting, the request shall be considered at that meeting. The Compliance Committee shall examine the request along with any information provided under paragraph 22 and shall recommend to the Commission whether or not the vessel should be removed from the IUU Vessel List.

- 24. If a request is received more than 55 days before the annual Compliance Committee meeting, the request will be considered in accordance with the intersessional procedure outlined in paragraphs 25-28.
- 25. On the basis of the information received in accordance with paragraph 22, the IOTC Executive Secretary shall transmit the request for removal together with all the supporting information submitted and the checklist in **Annex IV** to all CPCs within 15 days following receipt of the request.
- 26. The Contracting Parties shall examine the request to remove the vessel and shall notify the IOTC Secretariat of their conclusion to either remove the vessel from, or keep the vessel on, the IUU Vessel List, within 30 days following the notification by the IOTC Executive Secretary.
- 27. At the end of the 30 day period, the IOTC Executive Secretary shall ascertain the outcome of the CPCs' decision on the proposal in accordance with the following:
 - a) A Vessel Delisting Procedure shall be deemed valid only if at least 50% of the Contracting Parties with voting rights respond to the proposal;
 - b) A proposal shall be considered to have been approved if two thirds or more of the Contracting Parties with voting rights that respond indicate that they support the delisting of the vessel concerned from the IUU Vessel List, and it shall be delisted;
 - c) If fewer than two-thirds of the Contracting Parties with voting rights that respond are in favour of delisting the vessel from the IUU Vessels List it shall not be delisted and the request for delisting shall be considered by the next annual meeting of the Compliance Committee in accordance with the procedure outlined in paragraph 23.
- 28. The IOTC Executive Secretary shall communicate the result of every decision, along with a copy of the amended IUU Vessel List, to all CPCs, the flag State of the vessel (if not a CPC), and any Non-Contracting Party that may have an interest. The amended IUU Vessel List will have effect immediately after the result of the decision has been communicated.

Publication of the IUU Vessel List

29. The IOTC Executive Secretary will take any necessary measures to ensure publicity of the IUU Vessel List adopted by IOTC pursuant to paragraph 18, or as amended pursuant to paragraphs 22 to 27, 30, 35, 36 or 37 in a manner consistent with any applicable confidentiality requirements, and through electronic means, including placing it on the IOTC website. Furthermore, the IOTC Executive Secretary shall transmit the IOTC IUU Vessel List as soon as possible to the FAO and to the organisations as set out in Paragraph 31 for the purposes of enhanced co-operation between IOTC and these organisations in order to prevent, deter and eliminate IUU fishing.

Change of details of vessels included on the IUU Vessels List

- 30. A CPC with new or changed information for vessels on the IUU Vessel List in relation to the details in paragraphs 1 to 8 of Annex II shall, as soon as practicable, transmit such information to the IOTC Executive Secretary. The IOTC Executive Secretary shall communicate such information to all CPCs and:
 - a) where the information indicates incorrect details were included at the time the vessel was

- added to the IUU Vessel List, refer the matter to the Commission for consideration pursuant to paragraph 18.b);
- b) where the information indicates a change in details since the vessel was added to the IUU Vessel List, seek to verify the information by reference to other information and, after verification, update the relevant details in the IUU Vessel List and re-publicise it in accordance with paragraph 29. If the Secretariat, after reasonable efforts, is unable to verify the information submitted by the CPC the IUU Vessel List will not be updated.

Cross-Listing of vessels included on the IUU Vessels List

- 31. The IOTC Executive Secretary shall maintain appropriate contacts, *inter alia*, with the Secretariats of the following organisations in order to obtain their latest IUU vessel lists and any other relevant information regarding the list in a timely manner upon adoption or amendment: the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the South East Atlantic Fisheries Organisation (SEAFO), the Southern Indian Ocean Fisheries Agreement (SIOFA), the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the Western and Central Pacific Fisheries Commission (WCPFC).
- 32. Notwithstanding paragraph 2, IUU vessels listed by the organisations set out in paragraph 31 may be added to or deleted from the IOTC IUU Vessel List, provided that the procedures specified in paragraphs 34 to 37 are followed.
- 33. In addition to the organisations set out in paragraph 31, the Executive Secretary shall transmit the IOTC IUU Vessel List to a relevant organisation that has expressed an interest to receive such List,
- 34. Upon receipt of the information outlined in paragraph 31, the IOTC Executive Secretary shall promptly circulate it to all CPCs for the purpose of amending the IOTC IUU Vessel List.
- 35. Vessels that have been included in the IUU vessel lists of the organisations set out in paragraph 31 shall be included in the IOTC IUU Vessel List, unless any CPC objects to the inclusion in writing within 30 days of the date of transmittal by the Executive Secretary. The objecting CPC shall explain the reason for the objection.
- 36. In the event of an objection to the inclusion pursuant to paragraph 35, the case shall be brought to the following session of the Compliance Committee for its examination. The Compliance Committee shall provide a recommendation to the Commission on the inclusion of the relevant vessel/s in the IUU Vessel List.
- 37. Vessels that have been listed under the procedures specified in paragraphs 35 and 36 and that have been removed from the IUU vessel lists of the relevant organisations set out in paragraph 31 shall be removed from the IOTC IUU Vessel List.
- 38. Upon the change of the IOTC IUU Vessel List pursuant to paragraphs 35 or 37, the IOTC Executive Secretary shall circulate the amended IOTC IUU Vessel List to all CPCs.

General Provisions

39. Without prejudice to the rights of flag States and coastal States to take action consistent with international law, CPCs shall not take any unilateral trade measures or other sanctions against vessels included in the Draft and/or Provisional IUU Vessel Lists, pursuant to paragraphs 8 and 16 on the grounds that such vessels are involved in IUU fishing activities, or against

those vessels removed from the IUU vessels list by the Commission.

- 40. A summary of the timeframe for actions to be taken in respect of this Resolution is provided in **Annex V**.
- 41. Resolution 17/03 On Establishing A List Of Vessels Presumed To Have Carried Out Illegal, Unreported And Unregulated Fishing In The IOTC Area is superseded by this Resolution.

ANNEX I IOTC REPORTING FORM FOR ILLEGAL ACTIVITY

Recalling IOTC Resolution 18/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area, attached are details of illegal activity recorded by [name of CPC, third party] in [area in which the activity took place]

A. Details of Vessel

(*Please detail the incidents(s) in the format below*)

| Item | Definition | Indicate |
|------|--|----------|
| a | Current Name of Vessel (Previous name/s, if any) | |
| b | Current Flag (previous flag/s, if any) | |
| С | Date first included on IOTC IUU Vessel List (if applicable) | |
| d | Lloyds IMO Number, if available | |
| e | Photo | |
| f | Call Sign (previous call sign, if any) | |
| g | Owner (previous Owner/s, if any) | |
| h | Operator (previous Operator/s, if any) and Master/Fishing Master | |
| i | Date of alleged IUU fishing activities | |
| j | Position of alleged IUU fishing activities | |
| k | Summary of alleged IUU activities (see section B for more detail) | |
| 1 | Summary of any actions known to have been taken in respect of the alleged IUU fishing activities | |
| m | Outcome of actions taken | |

B. Details of IOTC Resolution Elements Contravened

(Indicate with a "X" the individual elements of IOTC Resolution 18/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

That a vessel has, within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures:

| Item | Definition | Indicate |
|------|--|----------|
| a. | engaged in fishing or fishing related activities and is | |
| | neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 15/04, nor | |
| | recorded in the Active list of vessels; or | |
| b. | engaged in fishing or fishing related activities when | |
| 0. | its flag State is without quota, catch limit, or effort | |
| | allocation under IOTC Conservation and | |
| | Management Measures where applicable; or | |
| c. | failed to record or report its catches in accordance | |
| | with IOTC Conservation and Management Measures | |
| | or has made false reports; or | |
| d. | taken or landed undersized fish in contravention of | |
| | IOTC Conservation and Management Measures; or | |
| e. | engaged in fishing or fishing related activities during | |
| | closed fishing periods or in closed areas in | |
| | contravention of IOTC Conservation and | |
| | Management Measures; or | |
| f. | used prohibited fishing gear in contravention of IOTC | |
| | Conservation and Management Measures; or | |
| g. | transhipped fish to, or otherwise participated in joint | |
| | operations with, support or re-supply vessels that are | |
| | not included on the IOTC Record of Authorised | |
| | Vessels or not on the Record of Vessels Authorised | |
| h. | to receive transhipments at-sea in the IOTC Area or | |
| n. | engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a | |
| | coastal State without the permission or authorisation | |
| | of that State or in contravention of the laws and | |
| | regulations of that State (without prejudice to the | |
| | sovereign rights of the State concerned to undertake | |
| | enforcement measures against such a vessel); or | |
| i. | engaged in fishing or fishing related activities whilst | |
| | being without nationality; or | |
| j | engaged in fishing or fishing related activities having | |
| | intentionally falsified or concealed its markings, | |
| | identity or registration; or | |
| k | engaged in fishing or fishing related activities in | |
| | contravention of any other binding IOTC | |
| | Conservation and Management Measures; | |

C. Associated Documents

(List here the associated documents that are appended e.g. boarding reports, court proceedings, photographs)

D. Recommended Actions

| Recor | nmended Actions | Indicate |
|-------|---|----------|
| a | Notification to IOTC Secretariat only. No further | |
| | action is recommended. | |
| b | Notification of illegal activity to IOTC Secretariat. | |
| | Recommend notification of activity to flag State. | |
| С | Recommended for inclusion on IOTC IUU list | |

ANNEX II INFORMATION TO BE INCLUDED IN ALL IOTC IUU VESSELS LISTS

The Draft IUU Vessel List, Provisional IUU Vessel List and the IUU Vessel List shall contain the following details:

- 1. Name of the vessel and previous name/s, if any;
- 2. Flag of the vessel and previous flag/s, if any;
- 3. Name and address of the Owner and Operator of the vessel and previous Owner and Operator, if any;
- 4. For legal entity the country of registration and registration number;
- 5. Callsign of the vessel and previous callsign, if any;
- 6. IMO number, if any, or unique vessel identifier (UVI), or if not applicable, any other vessel identifier;
- 7. Recent photographs of the vessel, where available;
- 8. Vessel length overall;
- 9. Date the vessel was first included on the IOTC IUU Vessel List, if applicable;
- 10. Summary of the alleged IUU fishing activities which justify inclusion of the vessel on the List, together with references to all relevant supporting documents information;
- 11. Summary of any actions known to have been taken in respect of the alleged IUU fishing activities and their outcomes,
- 12. Name of the organization, if the vessel has been listed or is proposed to be listed based on the information from another organization.

ANNEX III

CHECKLIST TO BE COMPLETED BY THE SECRETARIAT FOR VESSELS TO BE INCLUDED ON THE DRAFT AND PROVISIONAL IUU LISTS Vessel Name: _____

| Action | Responsibility | Paragraph | Provided on time (Y/N) | Aide Memoire | Mark which applies | Comments |
|--|----------------------------------|-----------|------------------------|---|--------------------------|----------|
| For the Draft IUU Vessel List | | | | | • | |
| IOTC Reporting form (Annex I) submitted at least 70 days before the Compliance Committee meeting with documented information | Nominating CPC | 5,6,7,8 | | If No, do not include on the Provisional IUU list (Para 17) | | |
| At least 15 days before the Compliance Committee Meeting, Flag State has provided information that it has notified the Owners and Masters of a vessel of its inclusion on the Draft IUU Vessel List and the consequences thereof | Flag CPC | 9,10 | | | | |
| At least 15 days before the Compliance Committee Meeting, Flag State has provided information consistent with Paragraph 10 | Flag CPC | 10 | | | | |
| Additional information has been submitted, relevant to IUU listing | Nominating CPC or flag CPC | 12 | | | | |

For Inclusion on the Provisional IUU Vessel List (note that Secretariat will indicate if information has been provided, but will make no judgement as to its adequacy, which will be the responsibility of the Compliance Committee)

IOTC-2018-S22-R[E]

| Action | Responsibility | Paragraph | Provided on time (Y/N) | Aide Memoire | Mark which applies | Comments |
|---|----------------|-----------|------------------------|--|--------------------------|----------|
| Has the flag State of a vessel included in the Draft IUU Vessel List provided information that demonstrates that the vessel has at all relevant times complied with the rules of the flag State and with its authorisation to fish and: | Flag CPC | 14c | | | | |
| (a) that the vessel has conducted fishing activities in a manner consistent with the IOTC Agreement and Conservation and Management Measures | Flag CPC | 14c | | | | |
| (b) that the vessel has conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or | Flag CPC | 14c | | Aide Memoire to CoC: Only where para14c or 14 d are satisfied, do not include on | | |
| (c) that the vessel has fished exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures | Flag CPC | 14c | | Provisional IUU list. | | |
| Has the flag State provided information that demonstrates that effective action has been taken in response to IUU fishing activities (the CoC will decide if they are of adequate severity) | Flag CPC | 14d | | | | |
| Has the flag State provided information to show that it has taken any actions in accordance with 07/01 | Flag CPC | 14d | | | | |

ANNEX IV

CHECKLIST TO BE COMPLETED BY THE SECRETARIAT FOR POTENTIAL REMOVAL OF VESSELS FROM THE IOTC IUU VESSEL LIST

(Aide Memoire for the Commission for delisting a vessel: note that the Secretariat will indicate if information has been provided, but will make no judgement as to its adequacy, which will be the responsibility of the Compliance Committee / Commission, Paragraphs 17 and 27)

| Vessel Name: | |
|---------------------|--|
| | |

| Para | Action | Responsibility | Information | Comments | Aide Memoire |
|-----------|---|----------------|-------------|----------|---|
| 22, | | | Provided | | |
| sub | | | (Y/N) | | |
| para | | | | | |
| | i) It has adopted measures such that the vessel, Owner and all other nationals comply with all IOTC | Flag CPC | | | If paragraph a) or b) or c) is satisfied, the vessel may be |
| | Conservation and Management Measures; and | | | | removed from the IUU Vessels |
| | ii) it is effectively assuming and will continue to | Flag CPC | | | List pursuant to paragraph 27, |
| | effectively assume its flag State responsibilities with | | | | else the vessel will remain on |
| a) | regard to the monitoring and control of the fishing | | | | the list for re-examination by the |
| <i>a)</i> | activities of this vessel; and | | | | Compliance Committee and |
| | iii) it has taken effective action against the Owner and | Flag CPC | | | Commission at its next Annual |
| | crew in response to the IUU fishing activities that | | | | Session |
| | resulted in the vessel's inclusion in the IUU Vessel List | | | | |
| | including prosecution and imposition of sanctions of | | | | |
| | adequate severity; or | | | | |
| | The vessel has changed ownership and that the new | Flag CPC | | | |
| b) | Owner can establish the previous Owner no longer has | | | | |
| | any operational, legal, financial or real interests | | | | |
| | whether direct or indirect in the vessel or exercises | | | | |
| | control over it and that the new Owner has not | | | | |
| | participated in any IUU fishing activities in the | | | | |
| | preceding 5 years; or | | | | |
| c) | The vessel has been sunk or scrapped. | Flag CPC | | | |
| d) | Any prosecution and sanctions regarding the vessel | Flag CPC | | | |
| | that conducted IUU fishing activities has been | | | | |
| | concluded by both the nominating CPC and the flag | | | | |
| | State of the vessel. | | | | |

ANNEX V A SUMMARY OF THE TIMEFRAME FOR ACTIONS TO BE TAKEN IN RESPECT OF THIS RESOLUTION

| Step | Timeframe | Actions to be taken | Responsibility | Paragraph |
|------|--|---|--|-----------|
| 1 | 70 days before CoC meeting (minimum) | Information transmitted to the IOTC Executive Secretary | CPCs | 5,6 |
| 2 | 55 days before CoC Meeting | Compilation of all information received on the alleged IUU fishing activities into the Draft IUU Vessel List together with the IUU Vessel List. Transmit the Draft IUU Vessel List to all CPCs and to flag States with vessels on the list (if not CPCs). | IOTC Executive Secretary | 8 |
| 3 | 15 days before CoC meeting | Provide any information to the IOTC Executive Secretary regarding the alleged IUU fishing activities. | Flag States | 10 |
| 4 | 10 days before CoC meeting | Transmit the Draft IUU Vessel List, and any additional information on vessels on the IUU Vessel List pursuant to paragraph 22 to all CPCs and to flag States with vessels on the list (if not CPCs). | IOTC Executive Secretary | 11 |
| 5 | Any time | Submit to the IOTC Executive Secretary any additional information relevant to the establishment of the IUU Vessels List | CPCs and flag States | 12 |
| 6 | As soon as practicable prior to CoC | Circulate additional information pursuant to paragraph 12. | IOTC Executive Secretary | 12 |
| 7 | CoC Meeting | Review the Draft IUU Vessel List including the information provided by the nominating CPC and the flag State, including information/clarification provided by either party during the meeting. Submit a Provisional IUU Vessel List and provide recommendations to the Commission. | All CPCs, except the flag State and nominating CPC | 13-15 |
| 8 | CoC Meeting | Examine the IUU vessel List and provide recommendations to the Commission regarding the removal of any vessels | All CPCs, except the flag State and nominating CPC | 17 |
| 9 | Commission meeting | Review the Provisional IUU Vessel List, including any new information/clarification provided by the nominating CPC and flag State during the session; Review the IUU Vessel List. Adopt the Final IUU Vessel List. | All CPCs, except the flag State and nominating CPC | 17,19 |
| 10 | Immediately following the annual session | Publish the IUU Vessel List on the IOTC website and transmit the IUU Vessel List to the FAO, the organisations set out in paragraph 31 and 33, CPCs and the flag State (if not a CPC). | IOTC Executive Secretary | 29 |

RESOLUTION 18/04 ON BIOFAD EXPERIMENTAL PROJECT

Keywords: BIOFAD, Research project, biodegradability

The Indian Ocean Tuna Commission (IOTC),

MINDFUL of the call upon States, either individually, collectively or through regional fisheries management organisations and arrangements in the United Nations General Assembly Resolution 67/79 on Sustainable fisheries to collect the necessary data in order to evaluate and closely monitor the use of large-scale fish aggregating devices and others, as appropriate, and their effects on tuna resources and tuna behaviour and associated and dependent species, to improve management procedures to monitor the number, type and use of such devices and to mitigate possible negative effects on the ecosystem, including on juveniles and the incidental bycatch of non-target species, particularly sharks and marine turtles;

RECALLING that the objective of the IOTC Agreement is to ensure, through appropriate management, the conservation and optimum utilisation of stocks under its competence and to encourage the sustainable development of fisheries based on such stocks while minimising the level of bycatch;

HAVING REGARD to Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL);

RECOGNISING that promoting the use of natural origin biodegradable materials in the construction of FADs could contribute to the reduction of marine litter;

NOTING that the IOTC Scientific Committee advised the Commission that only non-entangling FADs, both drifting and anchored, should be designed and deployed to prevent the entanglement of sharks, marine turtles and other species;

RECALLING that Resolution 12/04 established that the Commission at its annual session in 2013 should consider the recommendations of the IOTC Scientific Committee as regards the development of improved FAD designs to reduce the incidence of entanglement of marine turtles, including the use of biodegradable materials, together with socio-economic considerations, with a view to adopting further measures to mitigate interactions with marine turtles in fisheries covered by the IOTC Agreement;

RECALLING that Resolution 17/08 [superseded by Resolution 18/08] established procedures on a fish aggregating device (FAD) management plan, including more detailed specifications of catch reporting from FAD sets, and the development of improved FAD designs and use of biodegradable materials to reduce the incidence of entanglement of non-target species as specified in Annex III of Resolution 17/08 [superseded by Resolution 18/08]; calling to reduce the amount of synthetic marine debris and promote the use or biodegradable materials (such as hessian canvas, hemp ropes, etc.);

Further RECALLING that the Scientific Committee noted the challenges in conducting studies on biodegradable FADs (BIOFADs), such as the limit on the number of active FADs per purse seine vessel in the Indian Ocean that may hinder the deployment of biodegradable FADs following experimental sampling designs, and also engagement with the fleet is necessary in order to incentivise them to deploy biodegradable FADs that may not be successful for fishing;

Furthermore, NOTING that IOTC, along with other tuna RFMOs, recommended and adopted resolutions to promote reduction of the amount of synthetic marine debris by the use of natural or biodegradable materials for drifting FADs;

RECALLING that SC20 ENDORSED (IOTC SC20 paras 157 to 165) a scientific research project ("the BIOFAD Research Project", IOTC-2017-SC20-INF07) by a consortium ('the Project Consortium') led by the Technological Center for Food and Marine Innovation (AZTI), the Spanish Oceanographic Institute (IEO) and

the Institut de recherche pour le développement (IRD) to test the use of biodegradable materials and designs for the construction of drifting FADs in natural environmental conditions and REQUESTED the project to present the outcomes of the at sea trials to the next WPEB, WPTT and SC meetings;

NOTING that, the Scientific Committee ENDORSED that the Project Consortium carries out a large-scale experiment with the deployment of 1000 biodegradable FADs with experimental sampling designs (BIOFADs) in 2018-2019 in order to obtain sufficient data by the BIOFAD Research Project to conduct reliable scientific research and to avoid the limitations identified in earlier small scale trials (250 in each quarter to analyse temporal effects). The SC equally noted that the project counts on the active collaboration of Seychelles, Mauritius and European Union purse seiners with a participation of 42 purse seine vessels operating in the Indian Ocean. The SC noted that in total, each vessel will deploy around 24 BIOFADs, 6 BIOFADs by trimester (2 BIOFADS per vessel/month for the duration of the project from April 2018 to April 2019).

AGREES, in accordance with the provisions of Article IX, paragraph 1 of the IOTC Agreement, the following:

- 1. To acknowledge and support the Biodegradable FAD (BIOFAD) project with the objective of reducing the impact and the amount of synthetic marine debris of the use of non-biodegradable FAD in the ecosystem as requested in Resolution 17/08 [superseded by Resolution 18/08]. The description of the project is contained in Annex 1.
- 2. BIOFADs used for the collection of scientific data on biodegradable FADs tested under the supervision of the BIOFAD Project Consortium and the Scientific Committee, and deployed by the Project Consortium, shall not be exempted from the application of FADs limit number established by Resolutions 17/01 [superseded by Resolution 18/01] and 17/08 [superseded by Resolution 18/08].
- 3. As part of the project referred to in paragraph 1, each BIOFAD deployed shall be marked in a clear manner by the Project Consortium to distinguish it from other FADs and to avoid that it becomes unreadable or disassociated with the BIOFAD Research project.
- 4. Vessels not participating in the Research Project fishing on FADs clearly identified as a BIOFAD shall specifically report to their national scientists the BIOFAD (and devices) status and activities on this BIOFAD (including catch data if applicable). Vessels not participating in the Research Project that encounter such FADS are encouraged to report to their national scientists the BIOFAD (and devices) status and activities on this BIOFAD.
- 5. The Project Consortium will make available to the IOTC Scientific Committee the results of the project at the latest two months in advance of its 2020 meeting. The Scientific Committee will analyse the outcomes of the project and provide scientific advice on possible additional FAD management options for consideration by the Commission in 2021.

ANNEX I BIOFAD PROJECT INFORMATION AND GUIDELINES TO DEPLOY AND USE OF BIOFADS

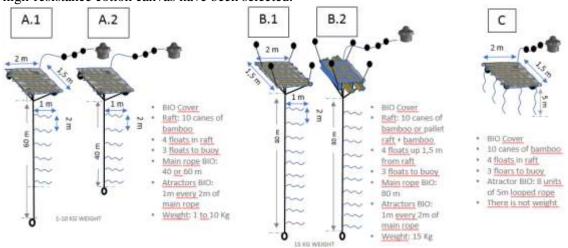
The consortium formed by AZTI, IRD and IEO aims through the project "Testing designs and identify options to mitigate impacts of drifting FADs on the Ecosystem" to address current impediments and to provide solutions that shall support the implementation of non-entangling and biodegradable FADs in the IOTC Convention Area. This project will have the collaboration of the EU, Seychelles and Mauritius purse seine fishery and the International Seafood Sustainability Foundation active. The purpose of this specific contract is to:

- i) to test the use of specific biodegradable materials and designs for the construction of drifting FADs in natural environmental conditions;
- ii) to identify options to mitigate drifting FADs impacts on the ecosystem, and
- iii) to assess the socio-economic viability of the use of BIO FADs (i.e. non-entangling and biodegradable) in the purse seine tropical tuna fishery.

The consortium will oversee both the construction of experimental BIOFADs and the monitoring of deployed BIOFADs, and their paired conventional non-entangling FADs (hereafter named CONFAD), at sea, as well as the data collection and reporting. Purse seine vessels participating in the BIOFAD project in the Indian Ocean will follow the summarized protocol regarding i) material and prototypes selection, ii) deployment strategy and identification of experimental FADs, and iii) data collection and reporting.

i) MATERIAL AND PROTOTYPES

Three are the prototypes selected for the BIOFAD project. These designs include all the details in terms of dimension and materials as guide for their construction by the tuna purse seine industry. These prototypes were designed in consensus and aim to cover the different drifting performance that fisherman currently seek with the conventional non-entangling FADs: superficial FADs (prototype C), semi-superficial FADs (prototypes A1 and A2), and deep FADs (B1 and B2). Synthetic material like plastic gallons, plastic bottles, fishing nets, synthetic canvas, and metallic frame used for the construction of the raft are all prohibited for the construction of BIOFAD. To replace these synthetic material different configuration cotton ropes and high-resistance cotton canvas have been selected.



Summary of the dimensions and materials of the prototypes selected for the BIOFAD project.

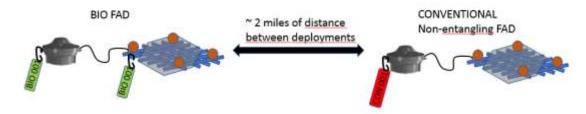
ii) DEPLOYMENT STRATEGY AND IDENTIFICATION

An effective FAD deployment strategy will be adopted considering the PS fleet FAD fishing strategy and its dynamics in the Indian Ocean. A total of 1000 BIOFADs (24 FADs per vessel) are planned to be deployed from April 2018 to April 2019, 2 BIOFADs per month and vessel (6 BIOFADs per vessel and quarter-season, preferably). Deployment effort will be shared among the 42 purse seiners from Mauritius, Seychelles and EU operating in the Indian Ocean. This will make it approximately 250 FADs being deployed each quarter.

To assess the efficiency of BIOFADs in terms of tuna and non-tuna species aggregation, structure durability and degradation rate, and FAD performance (e.g., drift), comparison between BIOFADs and currently using conventional non-entangling FADs (hereafter named CONFAD) will be conducted.

The following deployment procedure is defined:

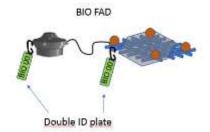
- Every BIOFAD deployment will be accompanied by a "pair" CONFAD deployment.
- The CONFAD construction will be of similar dimension of its pair BIOFAD but made by currently used synthetic material.
- The BIOFAD and its pair CONFAD will use same model/brand of echo-sounder buoy at first deployment.
- The distance between the deployment of BIOFAD and its pair CONFAD will be approximately 2 miles.



Drawing of the deployment strategy for the BIOFAD and its pair CONFAD.

BIOFAD and CONFAD identification procedure are described in the following points:

- All the BIOFADs and CONFADs will be identified in every moment by an identification number to ensure their traceability (e.g. from BIO-0001 to BIO-1000 and from CON-0001 to CON-0001).
- This ID number will always belong to the same BIOFAD or CONFAD through all its lifetime.
- All BIOFADs will be identified by two metallic plates showing the ID number. One of them will be attached to the raft and the other to the echo-sounder buoy associated with the BIOFAD.
- CONFADs as its pair BIOFADs will share same serial number (e.g. CON-0001 and BIO-0001).
- All CONFAD will be identified by a unique metallic plate showing the ID number and attached to the associated echo-sounder buoy.
- The metallic plate attached to the raft of the BIOFAD will never be removed from it. Only if the part of the structure where the plate is attached is replaced, the ID plate will be removed and attached again to the newly replaced part.
- It is very important that when a BIOFAD or CONFAD change hands (i.e. every time there is an echosounder buoy replacement), the ID number plate will be transferred from old buoy to newly associated buoy.



Drawing of the procedure to attach the BIOFAD ID number shown in the metallic plate to the raft and associated echo-sounder buoy.

iii) DATA COLLECTION AND REPORTING

The following fishing operations have been considered for the data collection procedure related to BIOFAD and CONFAD:

• In every new deployment of BIOFAD or CONFAD: type of prototype (e.g. A1), ID number of the metallic plate (e.g. BIO-0001), and associated echo-sounder buoy codification number will be collected.

- In every set, visit with buoy replacement, or retrieval of a BIOFAD or CONFAD: ID number of the metallic plate, codification number of the echo-sounder buoy, the prototype type, and FAD's component state control will be recorded. If there is buoy replacement codification number of new buoy and old buoy must be recorded.
- In every simple visit (no buoy replacement) to a BIOFAD or CONFAD: It will encourage to record above described information.

To provide information on BIOFAD components status control the following procedure is defined:

- Every time there is a set on BIOFAD or CONFAD, if possible, the experimental FAD will be lifted up for the assessment of the state control of FAD's components.
- Observers onboard and crew (Skipper/Captain) will be responsible to collect this information.
- All parts of the structure described in the table below will be checked. A scale from 1 to 4 will be applied to value the status of the FADs (1 = Very good, not damaged; 2 = Good, a bit damaged; 3 = Bad, quite damaged; 4 = Very bad, close to sinking). More detailed description of each of the values for each component is also provided.
- Pictures of the components of BIOFAD and CONFAD will be taken whenever possible.
- Every time there is a replacement of any component of the BIOFAD and CONFAD, will be reported in the table below.
- In the case of the BIOFADs, any damaged parts susceptible of replacement will be replaced by biodegradable material, similar to the material used when it was first constructed and keeping design of the original prototype.
- The operator is encouraged to provide any observation to further describe the status of the structure (e.g. degradation % of each component).

Participating vessels are also requested to report data from echo-sounder buoys associated to BIOFADs and CONFADs deployed during the project.

All collected information described above will be reported following a specific form created for the BIOFAD project. An email template has been created for the crew (Skipper/Captain) to provide required information to the Consortium by the following email address biofad@azti.es.

| Statu control of BIOFAD and CONFAD | | | | REPL | ACEMENT | Vessel name | | | | | | | | |
|---|---|---|---|------|--------------------------|--|-------------------|--|-----|--|----------------|---------|--|--|
| Floating parts | 1 | 2 | 3 | 4 | 5 | YES | NO | Date / Hour: | | | | | | |
| Raft | | | | | | | | Activity (add a X in the correct cell) | | | | | | |
| Floats | | | | | | | | New deployment Visit Set Retrieval Redeployment Remova | | | | Removal | | |
| Cover/canvas | | | | | | | | | | | | | | |
| Hanging parts 1 2 3 4 5 | | | | | Number of BIO or CONFAD: | | | | | | | | | |
| Main rope Prototype (add a X in the correct cell) | | | | | | _ | | | | | | | | |
| Attractor (looped rope) A1 A2 B1 B2 C | | | | | С | | | | | | | | | |
| Weight | | | | | | | | | | | | | | |
| | | | | | | BIO or CONFAD own | nership (| Yes/N | o): | | _ ' | | | |
| 1 Very good, not damaged 5 Unknown | | | | | | Code echo-sounder buoy old or foreign: | | | | | | | | |
| 2 Good, a bit damaged | | | | | | Code new echo-souder buoy: | | | | | | | | |
| 3 Bad, quite damaged | | | | | | | Lift up (Yes/No): | | | | | | | |
| 4 Very bad, close to sinking | | | | | | | | | | | | | | |

Image of the email template developed for participating vessels to report required information

RESOLUTION 18/05

ON MANAGEMENT MEASURES FOR THE CONSERVATION OF THE BILLFISHES: STRIPED MARLIN, BLACK MARLIN, BLUE MARLIN AND INDO-PACIFIC SAILFISH

Keywords: Striped marlin, black marlin, blue marlin, Indo-Pacific sailfish, catch limits, scientific research, reference points, data collection, catch reporting

The Indian Ocean Tuna Commission (IOTC),

RECALLING Resolution 15/05 [superseded by Resolution 18/05] on conservation measures for striped marlin, black marlin and blue marlin aiming to reduce the fishing pressure on the marlin species;

RECALLING the available scientific information and advice, in particular the IOTC Scientific Committee conclusions, according to which Striped Marlin, Black Marlin, Blue Marlin and/or Indo-pacific Sailfish are subject to overfishing and, in some cases, overfished with catches in recent years exceeding by far the average catches of the baseline period 2009/2014;

RECALLING Resolution 12/01 on the implementation of the precautionary approach that calls on IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) to apply the precautionary approach in accordance with Articles 5 and 6 of the United Nations Fish Stocks Agreement and further recalling that Article 6.2 therein stipulates that the absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures;

RECALLING that Resolution 15/01 on the recording of catch and effort data by fishing vessels in the IOTC area of competence fixes the IOTC data record system;

RECALLING Resolution 15/02 on the Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) that defines the catch and catch related information to be provided by CPCs to the IOTC secretariat;

CONSIDERING that the SC noted that, catches have increased in 2015 and in 2016 from the average level of 2009-2014 and that the SC therefore recommended that substantial reduction of current catches should be agreed to end overfishing and, whenever possible, to enable the stocks to rebuild;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, the following:

1. To ensure the conservation of the striped marlin (*Tetrapturus audax*), black marlin (*Makaira indica*), blue marlin (*Makaira nigricans*) and Indo-Pacific sailfish (*Istiophorus platypterus*) stocks in the Indian Ocean, Contracting Parties and Cooperating non-Contracting Parties, (CPCs) whose vessels catch those species in the IOTC Area of Competence undertake at least the following national management measures as described below are in place to support the sustainable exploitation of these stocks in line with the IOTC Agreement objectives of ensuring the conservation and optimum utilization of stocks by undertaking the following:

Management Measures: Catch limits

- 2. CPCs shall endeavour to ensure that the overall catches, of the Indian Ocean Striped Marlin, Black Marlin, Blue Marlin and Indo Pacific Sailfish in any given year do not exceed either the MSY level or, in its absence, the lower limit of the MSY range of central values as estimated by the Scientific Committee.
- 3. The limits referred to in paragraph 2 correspond to the following:
 - a. Striped Marlin: 3,260 t
 - b. Black Marlin: 9.932 t
 - c. Blue Marlin: 11,930 t
 - d. Indo Pacific Sailfish: 25,000 t

4. If the average annual total catch of any of the species referred to in paragraph 2 in any two consecutive years period from 2020 onward exceeds the limits referred to in paragraph 3, the Commission shall review the implementation and effectiveness of the measures contained in this Resolution and consider the adoption of additional conservation and management measures, as appropriate, by also taking into account the advice of the Scientific Committee referred to in paragraph 14.

Other Management Measures

- 5. Pending advice from the Scientific Committee on a joint and/or a species specific minimum conservation size, notwithstanding Resolution 17/04, CPCs shall not retain on board, trans-ship, land, any specimen smaller than 60 cm Lower Jaw Fork Length (LJFL) of any of the species referred to in paragraph 2, but shall return them immediately to the sea in a manner that maximizes post-release survival potential without compromising the safety of crew¹.
- In addition, CPCs may consider the adoption of additional fisheries management measures to limit fishing mortality such as: releasing any specimen brought alive on-board or alongside for taking on board the vessel; modify fishing practices and/or fishing gears to reduce juveniles catches; adopting spatial/temporal management measures to reduce fishing in nursery grounds; limiting days at sea and/or fishing vessels exploiting billfishes.

Recording, Reporting, and Use of the Catch Information

- 7. CPCs shall ensure that their vessels catching Striped Marlin, Black Marlin, Blue Marlin and Indopacific Sailfish in the IOTC Area of Competence record their catch in accordance with the requirements set out in Resolution 15/01 on the recording of catch and effort data by fishing vessels in the IOTC area of competence or any Resolution superseding it.
- 8. CPCs shall implement data collection programmes to ensure accurate reporting of Striped Marlin, Black Marlin, Blue Marlin and Indo-pacific Sailfish catches, released alive and/or discarded, together with effort, size and discard data to IOTC in full accordance with the Resolution 15/02 on the Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs), or any Resolution superseding it.
- 9. CPCs shall include in their Annual Reports to the Scientific Committee information on the actions they have taken domestically to monitor catches and to manage fisheries for sustainable exploitation and conservation of Striped Marlin, Black Marlin, Blue Marlin and Indo-pacific Sailfish.
- 10. The Commission, shall consider appropriate assistance to developing CPCs for the collection of data on the above-mentioned species.

Scientific Research and Scientific Committee

CPCs are encouraged to undertake scientific research on key biological/ecological/behavioural characteristics, life-history, migrations, post-release survival and guidelines for safe release, identification of nursery grounds, improving selectivity of fishing practices and fishing gears, for Striped Marlin, Black Marlin, Blue Marlin and Indo-pacific Sailfish. The results of such researches shall be made available to the Working Party on Billfishes and the Scientific Committee through working documents and their national Annual Reports.

¹ Notwithstanding paragraph 5, in the case of billfish, when purse seiners unintentionally catch such small fish and freeze them as a part of a purse seine fishing operation, this does not constitute non-compliance as long as such fish are not sold.

- 12. The IOTC Working Party on Billfish and the Scientific Committee shall continue their work on assessing and monitoring the status of Striped Marlin, Black Marlin, Blue Marlin and Indo-pacific Sailfish and provide advice to the Commission.
- 13. The Scientific Committee and the Compliance Committee shall annually review the information provided and assess the effectiveness of the fisheries management measures reported by CPCs on striped marlin, black marlin, blue marlin and Indo-Pacific sailfish and, as appropriate, provide advice to the Commission.
- 14. For each of the four species covered by this Resolution, the Scientific Committee shall provide advice:
 - a. Options to reduce fishing mortality with a view to recover and/or maintain the stocks in the Green zone of the Kobe Plot with levels of probability ranging from 60 to 90% by 2026 at latest. The advice shall be provided on the basis of the current exploitation pattern as well as of its likely change to take into account the advice under point c. below;
 - b. Options for candidate reference points for their conservation and management in the IOTC Area of Competence;
 - c. Species specific minimum conservation sizes by taking into account the size at maturity and the recruitment size to the fishery by gear as well as its practicability. Where adequate, due to considerations on technical interaction of fisheries, advice shall provide also a minimum conservation size common to the four species.

Final Provision

15. This Resolution supersedes the Resolution 15/05 *On conservation measures for striped marlin, black marlin and blue marlin.*

RESOLUTION 18/06 ON ESTABLISHING A PROGRAMME FOR TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS

Keywords: transhipment

The Indian Ocean Tuna Commission (IOTC),

TAKING ACCOUNT of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the Conservation and Management Measures already adopted by the IOTC;

EXPRESSING GRAVE CONCERN that organized tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transhipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to ensure the monitoring of the transhipment activities by large-scale longline vessels in the IOTC area of competence, including the control of their landings;

TAKING ACCOUNT of the need to collect catch data of such large scale long-line tuna to improve the scientific assessments of those stocks;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

SECTION 1. GENERAL RULE

- 1. Except under the programme to monitor transhipments at sea outlined below in Section 2, all transhipment operations of tuna and tuna-like species and sharks caught in association with tuna and tuna-like fisheries in the IOTC area of competence (hereinafter referred to as "tuna and tuna like species and sharks") must take place in port².
- 2. The flag Contracting Parties and Cooperating Non-Contracting Parties (collectively termed CPCs) shall take the necessary measures to ensure that large scale tuna vessels ³(hereafter referred as the "LSTVs") flying their flag comply with the obligations set out in Annex I when transhipping in port.
- 3. Maldivian flagged collector vessels registered on the IOTC Record of Authorized Vessels listed in Annex II of this Resolution shall be exempted from the data reporting requirements specified in Annex I and Annex III. This exemption shall be valid for a period of 1 year.

SECTION 2. PROGRAMME TO MONITOR TRANSHIPMENTS AT SEA

- 4. The Commission hereby establishes a programme to monitor transhipment at sea which applies only to largescale tuna longline fishing vessels (hereafter referred to as the "LSTLVs") and to carrier vessels authorised to receive transhipments from these vessels at sea. No at-sea transhipment of tuna and tunalike species and sharks by fishing vessels other than LSTLVs shall be allowed. The Commission shall review and, as appropriate, revise this Resolution.
- 5. The CPCs that flag LSTLVs shall determine whether or not to authorise their LSTLVs to tranship at sea. However, if the flag CPC authorises the at-sea transhipment by its flag LSTLVs, such transhipment shall be conducted in accordance with the procedures defined in Sections 3, 4 and 5, and **Annexes III** and **IV** below.

² Port includes offshore terminals and other installations for landing, transshipping, packaging, processing, refuelling or resupplying (as defined by FAO Port State Measures Agreement)

³ Large Scale Tuna Vessel (LSTV) – fishing vessels targeting tuna and tuna like species that are over 24m LoA and are on the IOTC Record of Authorized Vessels.

SECTION 3. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSHIPMENTS-AT-SEA IN THE IOTC AREA OF COMPETENCE

- 6. The Commission shall establish and maintain an IOTC Record of Carrier Vessels authorised to receive tuna and tuna-like species and sharks at sea in the IOTC area of competence from LSTLVs. For the purposes of this Resolution, carrier vessels not entered on the record are deemed not to be authorised to receive tuna and tuna-like species and sharks in at-sea transhipment operations.
- 7. Each CPC shall submit, electronically where possible, to the IOTC Executive Secretary the list of the carrier vessels that are authorised to receive at-sea transhipments from its LSTLVs in the IOTC area of competence. This list shall include the following information:
 - a. The flag of the vessel;
 - b. Name of vessel, register number;
 - c. Previous name (if any);
 - d. Previous flag (if any);
 - e. Previous details of deletion from other registries (if any);
 - f. International radio call sign;
 - g. Type of vessels, length, gross tonnage (GT) and carrying capacity;
 - h. Name and address of owner(s) and operator(s);
 - i. Time period authorised for transhipping.
- 8. Each CPC shall promptly notify the IOTC Executive Secretary, after the establishment of the initial IOTC Record, of any addition to, any deletion from and/or any modification of the IOTC Record, at any time such changes occur.
- 9. The IOTC Executive Secretary shall maintain the IOTC Record and take measures to ensure publicity of the record through electronic means, including placing it on the IOTC website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
- 10. Carrier vessels authorised for at-sea transhipment shall be required to install and operate a Vessel Monitoring System (VMS).

SECTION 4. AT-SEA TRANSHIPMENT

11. Transhipments by LSTLVs in waters under the jurisdiction of the CPCs are subject to prior authorisation from the Coastal State concerned. CPCs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the following conditions:

Flag State Authorization

12. LSTLVs are not authorised to tranship at sea, unless they have obtained prior authorisation from their flag State.

Notification obligations

Fishing vessel:

- 13. To receive the prior authorisation mentioned in paragraph 12 above, the master and/or owner of the LSTLV must notify the following information to its flag State authorities at least 24 hours in advance of an intended transhipment:
 - a. The name of the LSTLV, its number in the IOTC Record of Vessels, and its IMO number, if issued;
 - b. The name of the carrier vessel, its number in the IOTC Record of Carrier Vessels authorised to receive transhipments in the IOTC area of competence, and its IMO number, and the product to be transhipped;
 - c. The tonnage by product to be transhipped;

- d. The date and location of transhipment;
- e. The geographic location of the catches.
- 14. The LSTLV concerned shall complete and transmit to its flag State, not later than 15 days after the transhipment, the IOTC transhipment declaration, along with its number in the IOTC Record of Fishing Vessels, in accordance with the format set out in Annex III.

Receiving carrier vessel:

- 15. Before starting transhipment, the master of the receiving carrier vessel shall confirm that the LSTLV concerned is participating in the IOTC programme to monitor transhipment at sea (which includes payment of the fee in paragraph 13 of Annex IV) and has obtained the prior authorisation from their flag State referred to in paragraph 12. The master of the receiving carrier vessel shall not start such transhipment without such confirmation.
- 16. The master of the receiving carrier vessel shall complete and transmit the IOTC transhipment declaration to the IOTC Secretariat and the flag CPC of the LSTLV, along with its number in the IOTC Record of Carrier Vessels authorised to receive transhipment in the IOTC area of competence, within 24 hours of the completion of the transhipment.
- 17. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an IOTC transhipment declaration, along with its number in the IOTC Record of Carrier Vessels authorised to receive transhipment in the IOTC area of competence, to the competent authorities of the State where the landing takes place.

Regional Observer Programme:

- 18. Each CPC shall ensure that all carrier vessels transhipping at sea have on board an IOTC observer, in accordance with the IOTC Regional Observer Programme in Annex IV. The IOTC observer shall observe the compliance with this Resolution, and notably that the transhipped quantities are consistent with the reported catch in the IOTC transhipment declaration.
- 19. Vessels shall be prohibited from commencing or continuing at-sea transhipping in the IOTC area of competence without an IOTC regional observer on board, except in cases of "force majeure" duly notified to the IOTC Secretariat.
- 20. In the case of the eight Indonesian wooden carrier vessels listed on the IOTC Record of Authorised Vessel prior to 2015 and listed in Annex V, a national observer programme may be used in place of an observer from the regional observer programme. National observers shall be trained to at least one of tuna-RFMO regional observer programme standards and will carry out all of the functions of the regional observer, including provision of all data as required by the IOTC regional observer programme and the reports equivalent to those prepared by the ROP Contractor. This provision shall only apply to the eight specific wooden carrier vessels referenced in this paragraph as indicated in Annex V. Replacement of those wooden carrier vessels are only permitted if the material of substitute vessel shall remain wooden and the carrying capacity or fish hold volume not larger than the vessel (s) being replaced. In such case, the authorisation of the replaced wooden vessel shall be immediately revoked.
- 21. The provision of Paragraph 20 will be implemented in consultation with the IOTC Secretariat as a two-year pilot project. The results of the project, including data collection, reports and the effectiveness of the project shall be examined in 2019 by the IOTC Compliance Committee on the basis of a report prepared by Indonesia and analysis by the IOTC Secretariat. This review shall include whether the programme offers the same level of assurances as those provided by ROP. It shall also explore the feasibility of obtaining an IMO number for the vessels concerned. The extension of the project or the integration of the project into ROP programme shall be subject to a new decision of the Commission.

SECTION 5. GENERAL PROVISIONS

- 22. To ensure the effectiveness of the IOTC Conservation and Management Measures pertaining to species covered by Statistical Document Programs:
 - a. In validating the Statistical Document, flag CPCs of LSTLVs shall ensure that transhipments are consistent with the reported catch amount by each LSTLV;
 - b. The flag CPC of LSTLVs shall validate the Statistical Documents for the transhipped fish, after confirming that the transhipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the IOTC Observer Programme;
 - c. CPCs shall require that the species covered by the Statistical Document Programs caught by LSTLVs in the IOTC area of competence, when imported into the territory of a Contracting Party, be accompanied by statistical documents validated for the vessels on the IOTC record and a copy of the IOTC transhipment declaration.
- 23. The CPCs shall report annually before 15 September to the IOTC Executive Secretary:
 - a. The quantities by species transhipped during the previous year;
 - b. The list of the LSTLVs registered in the IOTC Record of Fishing Vessels which have transhipped during the previous year;
 - c. A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transhipment from their LSTLVs.
- 24. All tuna and tuna-like species and sharks landed or imported into the CPCs either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the IOTC transhipment declaration until the first sale has taken place.
- 25. Each year, the IOTC Executive Secretary shall present a report on the implementation of this Resolution to the annual meeting of the Commission which shall review compliance with this Resolution.
- 26. The IOTC Secretariat shall, when providing CPCs with copies of all raw data, summaries and reports in accordance with paragraph 10 of **Annex IV** to this Resolution, also indicate evidence indicating possible infraction of IOTC regulations by LSTLVs/carrier vessels flagged to that CPC. Upon receiving such evidence, each CPC shall investigate the cases and report the results of the investigation back to the IOTC Secretariat three months prior to the IOTC Compliance Committee meeting. The IOTC Secretariat shall circulate among CPCs the list of names and flags of the LSTLVs/Carrier vessels that were involved in such possible infractions as well as the response of the flag CPCs 80 days prior to the IOTC Compliance Committee meeting.
- 27. Resolution 17/06 *On establishing a programme for transhipment by large-scale fishing vessels* is superseded by this Resolution.

ANNEX I CONDITIONS RELATING TO IN-PORT TRANSHIPMENT

General

1. Transhipment operations in port may only be undertaken in accordance with the procedures detailed below:

Notification obligations

- 2. Fishing vessel:
 - 2.1. Prior to transhipping, the Captain of the LSTV must notify the following information to the port State authorities, at least 48 hours in advance:
 - a) the name of the LSTV and its number in the IOTC record of fishing vessels;
 - b) the name of the carrier vessel, and the product to be transhipped;
 - c) The tonnage by product to be transhipped;
 - d) the date and location of transhipment;
 - e) the major fishing grounds of the tuna and tuna-like species and sharks catches.
 - 2.2. The Captain of a LSTV shall, at the time of the transhipment, inform its Flag State of the following;
 - a) the products and quantities involved;
 - b) the date and place of the transhipment;
 - c) the name, registration number and flag of the receiving carrier vessel;
 - d) the geographic location of the tuna and tuna-like species and sharks catches.
 - 2.3. The captain of the LSTV concerned shall complete and transmit to its flag State the IOTC transhipment declaration, along with its number in the IOTC Record of Fishing Vessels, in accordance with the format set out in Annex II not later than 15 days after the transhipment.
- 3. Receiving vessel:

Not later than 24 hours before the beginning and at the end of the transhipment, the master of the receiving carrier vessel shall inform the port State authorities of the quantities of tuna and tuna-like species and sharks transhipped to his vessel, and complete and transmit the IOTC transhipment declaration, to the competent authorities within 24 hours.

Landing State:

- 4. The master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit an IOTC transhipment declaration, to the competent authorities of the landing State where the landing takes place.
- 5. The port State and the landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag CPC of the LSTV to ensure that landings are consistent with the reported catches amount of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.
- 6. Each flag CPC of the LSTVs shall include in its annual report each year to IOTC the details on the transhipments by its vessels.

ANNEX II

LIST OF MALDIVIAN FLAGGED COLLECTOR VESSELS EXEMPTED FROM THE REPORTING REQUIREMENTS

| | Vessel name | Registration number | Gross Tonnage |
|----|----------------|---------------------|---------------|
| 1 | Randhi 19 | C1366A-03-10T | 40 |
| 2 | Randhi 22 | C1368A-03-10T | 40 |
| 3 | Randhi 23 | C1369A-03-10T | 27 |
| 4 | Randhi 24 | C1373A-03-10T | 27 |
| 5 | Randhi 25 | C1376A-03-10T | 27 |
| 6 | Randhi 26 | C1378A-03-10T | 27 |
| 7 | Randhi 27 | C1371A-03-10T | 60 |
| 8 | Randhi 29 | C1362A-03-10T | 45 |
| 9 | Randhi 30 | C1360A-03-10T | 45 |
| 10 | Mahaa Kalminja | C6307A-04-10T | 285 |
| 11 | Kalaminja 402 | C6308A-04-10T | 570 |
| 12 | Kalaminja 403 | C6306A-04-10T | 570 |
| 13 | MIFCO 101 | C8376A-01-10T | 150 |
| 14 | HF107 | C67122A-01-10T | 89 |
| 15 | HF108 | C6472A-01-10T | 94 |
| 16 | HF110 | C6350A-01-10T | 67 |
| 17 | HF109 | C6349A-01-10T | 62 |
| 18 | Oivaali 108 | C8407A-01-10T | 499 |

ANNEX III IOTC TRANSHIPMENT DECLARATION

| Carrier Ves | ssel | | | | Fishing Vessel | Fishing Vessel | | | | | | |
|----------------------------------|-----------------|----------------|-------------------|----------------------|---------------------------|---|---------------------------|--|--|--|--|--|
| Name of the | e Vessel and | Radio Call S | Sign: | | Name of the V | Name of the Vessel and Radio Call Sign: | | | | | | |
| Flag: | | | | | Flag: | | | | | | | |
| Flag State 1 | license numbe | er: | | | Flag State lice | Flag State license number: | | | | | | |
| National Re | egister Numb | er, if availab | ole: | | National Regis | National Register Number, if available: | | | | | | |
| IOTC Regi | ster Number, | if available: | : | | IOTC Register | Number, if available: | | | | | | |
| | _ | | | | | AL OTTAL | | | | | | |
| | Day | Month | Hour Year | Agent | t's name: Master's | name of LSTV: | Master's name of Carrier: | | | | | |
| Departure | | | from | | | | | | | | | |
| Return | | | to | Signa | ture: Signature | : | Signature: | | | | | |
| Transhipmer | nt | | | | | | | | | | | |
| Indicate the | weight in kilo | grams or the | e unit used (e.g. | box, basket) and the | e landed weight in kilogr | rams of this unit: | kilograms | | | | | |
| LOCATION | OF TRANSI | HIPMENT | | | | | | | | | | |
| Species Port Sea Type of product | | | | t | | | _ | | | | | |
| | | | Whole | Gutted Hea | aded Filleted | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| If transhipm | ent effected of | t can IOTC | Observer Name | and Signature: | <u>l</u> | | | | | | | |

If transhipment effected at sea, IOTC Observer Name and Signature:

ANNEX IV IOTC REGIONAL OBSERVER PROGRAMME

- 1. Each CPC shall require carrier vessels included in the IOTC Record of Carrier Vessels authorised to receive transhipments in the IOTC area of competence and which tranship at sea, to carry an IOTC observer during each transhipment operation in the IOTC area of competence.
- 2. The IOTC Executive Secretary shall appoint the observers and shall place them on board the carrier vessels authorised to receive transhipments in the IOTC area of competence from LSTLVs flying the flag of Contracting Parties and of Cooperating Non-Contracting Parties that implement the IOTC observer program. Designation of the observers
- 3. The designated observers shall have the following qualifications to accomplish their tasks:
 - a) sufficient experience to identify species and fishing gear;
 - b) satisfactory knowledge of the IOTC Conservation and Management Measures;
 - c) the ability to observe and record information accurately;
 - d) a satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

4. Observers shall:

- a) Have completed the technical training required by the guidelines established by IOTC;
- b) not be, to the extent possible, nationals of the flag State of the receiving carrier vessel;
- c) be capable of performing the duties set forth in point 5 below;
- d) be included in the list of observers maintained by the IOTC Secretariat;
- e) not be a crew member of an LSTLV or an employee of an LSTLV company.

5. The observer tasks shall be in particular to:

- a) On the Fishing Vessel intending to tranship to the carrier vessel and before the transhipment takes place, the observer shall:
 - i. check the validity of the fishing vessel's authorisation or licence to fish tuna and tuna-like species and sharks in the IOTC area of competence;
 - ii. check and note the total quantity of catch on board, and the quantity to be transferred to the carrier vessel;
 - iii. check that the VMS is functioning and examine the logbook;
 - iv. verify whether any of the catch on board resulted from transfers from other vessels, and check documentation on such transfers;
 - v. in the case of an indication that there are any violations involving the fishing vessel, immediately report the violations to the carrier vessel's master,
 - vi. report the results of these duties on the fishing vessel in the observers report.

b) On the Carrier Vessel:

Monitor the carrier vessel's compliance with the relevant Conservation and Management Measures adopted by the Commission. In particular the observers shall:

- i. record and report upon the transhipment activities carried out;
- ii. verify the position of the vessel when engaged in transhipping;
- iii. observe and estimate products transhipped;
- iv. verify and record the name of the LSTLV concerned and its IOTC number;
- v. verify the data contained in the transhipment declaration;
- vi. certify the data contained in the transhipment declaration;
- vii. countersign the transhipment declaration;
- viii. issue a daily report of the carrier vessels transhipping activities;

- ix. establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information;
- x. submit to the IOTC Secretariat the aforementioned general report within 20 days from the end of the period of observation;
- xi. exercise any other functions as defined by the Commission.
- 6. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLVs and of the LSTLVs owners and accept this requirement in writing as a condition of appointment as an observer.
- 7. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
- 8. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 9 of this program.

Obligations of the flag States of carrier vessels

- 9. The responsibilities regarding observers of the flag States of the carrier vessels and their captains shall include the following, notably:
 - a) Observers shall be allowed access to the vessel personnel and to the gear and equipment;
 - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 5:
 - i. Satellite navigation equipment;
 - ii. Radar display viewing screens when in use;
 - iii. Electronic means of communication.
 - c) Observers shall be provided accommodation, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e) The flag States shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.
- 10. The IOTC Executive Secretary, in a manner consistent with any applicable confidentiality requirements, shall provide to the flag State of the carrier vessel under whose jurisdiction the vessel transhipped and to the flag CPC of the LSTLV, copies of all available raw data, summaries, and reports pertaining to the trip four months prior to the IOTC Compliance Committee meeting.

Obligations of LSTLV during transhipment

- 11. Observers shall be allowed to visit the fishing vessel, if weather conditions permit it, and access shall be granted to personnel and areas of the vessel necessary to carry out their duties set forth in paragraph 5.
- 12. The IOTC Executive Secretary shall submit the observer reports to the IOTC Compliance Committee and to the IOTC Scientific Committee.

Observer fees

- 13. The costs of implementing this program shall be financed by the flag CPCs of LSTLVs wishing to engage in transhipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the IOTC Secretariat and the IOTC Executive Secretary shall manage the account for implementing the program.
- 14. No LSTLV may participate in the at-sea transhipment program unless the fees, as required under paragraph 13, have been paid.

ANNEX V INDONESIAN CARRIER VESSELS AUTHORISED TO TRANSHIP AT SEA

| No | Name of Wooden Carrier | Vessel Gross Tonnage |
|----|------------------------|----------------------|
| 1 | Hiroyoshi 2 | 142 |
| 2 | Hiroyoshi 17 | 171 |
| 3 | Mutiara 36 | 189 |
| 4 | Abadi jaya 101 | 174 |
| 5 | Mutiara 12 | 120 |
| 6 | Mutiara 18 | 92 |
| 7 | Mutiara 20 | 102 |
| 8 | Gemini | 110 |

RESOLUTION 18/07

ON MEASURES APPLICABLE IN CASE OF NON-FULFILMENT OF REPORTING OBLIGATIONS IN THE IOTC

Keywords: zero catches, species group, data collection, reporting obligations and gear group

The Indian Ocean Tuna Commission (IOTC),

GIVEN that following Article XI of the Agreement for the establishment of the IOTC, Contracting Parties agree to provide statistical and other data and information that the Commission may need for the purposes of this Agreement and that nominal catch data, Catch and effort data, size data and fish aggregating devices data should be submitted annually to the IOTC Secretariat by 30 June the year following the fishing activities;

RECALLING Resolutions by IOTC on the Deadlines, Procedures for Data Submission and Statistical Reporting Obligations, notably Resolutions <u>15/02</u>, <u>15/01</u>, <u>14/05</u>, <u>12/04</u>, 10/11 [superseded by <u>Resolution 16/11</u>], <u>11/04</u>, <u>10/08</u> and <u>01/06</u>;

RECOGNISING that funding is available from the Commission for developing CPCs to improve their data collection and submission capabilities;

TAKING INTO ACCOUNT that the Scientific Committee (IOTC-2015–SC18–R) noted with concern the lack of information submitted by CPCs on total catches, catch and effort and size data for various IOTC species, despite their mandatory reporting status, and requested that CPCs comply with IOTC data requirements, given the gaps in available information in the IOTC database and the importance of basic fishery data in order to assess the status of stocks and for the provision of sound management advice;

CONSIDERING that the Scientific Committee recommended that the Commission develop penalty mechanisms through the IOTC Compliance Committee to improve compliance by CPCs that do not currently comply with the submission of basic fishery data requirements as stated in Resolutions <u>15/01</u> and <u>15/02</u>;

NOTING that incomplete reporting or no data reporting and that, despite the adoption of numerous measures intended to address the matter, lack of compliance with reporting obligations is still a problem for the Scientific Committee and for the Commission;

NOTING that several stocks remain not assessed and some others are assessed with substantial uncertainty, which lead to important risks of depletion of some IOTC species and negative impact in the ecosystem;

FURTHER NOTING that, in order that all IOTC fisheries should be managed in line with the principles of the precautionary approach, it is necessary to take measures aimed at eliminating or reducing non-reporting and misreporting;

ADOPTS in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

- 1. CPCs shall include information in their Annual Reports (*Report of Implementation*) on actions taken to implement their reporting obligations for all IOTC fisheries; including shark species caught in association with IOTC fisheries, in particular steps taken to improve their data collection for direct and incidental catches.
- 2. The IOTC Compliance Committee shall review Actions taken by CPCs, as described in paragraph 1, shall be reviewed annually by IOTC Compliance Committee.
- 3. Following the review carried out by the Compliance Committee, the Commission at its annual session, according to the guidelines attached (**Annex I**), and after having given due consideration to the relevant information provided by the concerned CPCs in these cases, may consider to prohibit CPCs that did not report nominal catch data (exclusively), including zero catches, for one or more species for a given year, in accordance with the Resolution 15/02, paragraph 2 (or any subsequent revision),

from retaining such species as of the year following the lack or incomplete reporting until such data have been received by the IOTC Secretariat. Priority shall be given to situations of repeated non-compliance. Any CPC unable to meet these reporting obligations owing to engagement in civil conflict shall be exempt from this measure. The CPC concerned will work with the IOTC Secretariat to identify and implement possible alternative methods for data collection, using established FAO data collection methods.

- 4. To facilitate the reporting of zero catches as required under paragraph 1 of Annex I of this Resolution, the following procedure shall apply:
 - a) as part of the IOTC 1RC electronic form used to report nominal catches, the Secretariat shall include a matrix by IOTC species as well as the most commonly caught elasmobranch species according to records of catches and incidents as established in Resolution 15/01 on the recording of catch and effort data by fishing vessels in the IOTC area of competence (or any subsequent superseding Resolution) and main IOTC gear groups on the basis of the format set out in Annex II of this Resolution;
 - b) CPCs, as part of their total catch data reporting, shall complete the cells in the matrix with either a value of 'one' (1) to indicate where that CPC had catches (positive catch) for a particular species/gear combination or a value of 'zero' (0) to indicate where that CPC had no catches (zero landings + zero discards) for a particular species/gear combination;
 - c) The "Catch columns" section of the electronic Form 1RC shall only include reports of positive catches.
- 5. The Commission may consider expanding the matrix to include additional species under the competence of IOTC as well as stock/gear combinations as appropriate.
- 6. This Resolution supersedes Resolution 16/06 *On Measures Applicable in case of non-fulfilment of reporting Obligations in the IOTC.*

ANNEX 1 GUIDELINES TO FACILITATE THE APPLICATION OF PARAGRAPH3

1. The Commission will follow the schedule and steps set forth below to guide application of paragraph 3 of this Resolution:

(starting in 2016 and annually thereafter)

Data review year

- 2. The IOTC Secretariat, in consultation with the Scientific Committee will include in the compliance report information detailing data submission status by species or stock (e.g. complete, incomplete, or missing) for each CPC;
- 3. The Compliance Committee reviews the report on the basis of any other relevant information provided by the IOTC Executive Secretary, the Scientific Committee and CPCs. Based on this review, the Compliance Committee identifies in its report those CPCs that did not submit required data (i.e. data are missing or incomplete) and notifies them that they may be prohibited by the Commission from retaining the concerned species/stock from the relevant fishery as of the following year unless and until the data are provided to the Secretariat.
- 4. Compliance Committee also considers if any other actions consistent with this Resolution should be recommended.

Following the decision on retention prohibition

- 1. CPCs with a finding of "missing" or "incomplete" data submissions cannot retain those species;
- 2. Such CPCs should seek to rectify the situation by sending the missing data to the IOTC Executive Secretary as soon as feasible;
- 3. In consultation, as necessary and appropriate, with the Chairpersons of the Compliance Committee and the Commission, the IOTC Executive Secretary will review the new data submission in a timely manner to determine if it is complete. If the data appear to be complete, the Secretariat will promptly inform the CPC in question that it can resume retention of the concerned species/stock in the relevant fishery.
- 4. At the Annual Meeting following the intersessional provision of data and the decision to permit resumption of retention, the Compliance Committee reviews this decision and, if it considers that data are still incomplete, the Compliance Committee will again take the actions specified in the previous column, paragraphs 3 and 4.

 $\underline{\text{ANNEX}} \ \textbf{II}$ Example of zero catch matrix - to be further adjusted by iotc secretariat

| | T1 | L "Zero Catch Matrix" | | | | | | | | | |
|-----------------|---------------------------|--|-------|------------|----|---|----|----|----|-------|--|
| | | | | Gear Group | | | | | | | |
| Species Group | Species Code Species Name | | Stock | HL | BB | Ш | PS | TR | GN | Other | |
| Temperate | ALB | Thunnus alalunga | 10 | | | | | | | | |
| Tunas | SBT | Thunnus maccoyii | 10 | | | | | | | | |
| | BET | Thunnus obesus | 10 | | | | | | | | |
| Tropical Tunas | SKJ | Katsuwonus pelamis | 10 | | | | | | | | |
| | YFT | Thunnus albacares | 10 | | | | | | | | |
| | LOT | Thunnus tonggol | 10 | | | | | | | | |
| | KAW | Euthynnus affinis | 10 | | | | | | | | |
| Neritics Tunas | FRI | Auxis thazard | 10 | | | | | | | | |
| Neritics rulias | BLT | Auxis rochei | 10 | | | | | | | | |
| | СОМ | Scomberomorus commerson | 10 | | | | | | | | |
| | GUT | Scomberomorus guttatus | 10 | | | | | | | | |
| | BUM | Makaira nigricans | 10 | | | | | | | | |
| | BLM | Makaira indica | 10 | | | | | | | | |
| Billfishes | MLS | Tetrapturus audax | 0 | | | | | | | | |
| | SFA | Istiophorus platypterus | 10 | | | | | | | | |
| | SWO | Xiphias gladius | 10 | | | | | | | | |
| | SSP | Shortbill spearfish (Tetrapturus angustirostris) | 0 | | | | | | | | |
| | BSH | Blue shark (Prionace glauca) | 10 | | | | | | | | |
| | MAK | Mako sharks (Isurus spp.) | 10 | | | | | | | | |
| | POR | Porbeagle shark (Lamna nasus) | 10 | | | | | | | | |
| Other | SPN | Hammerhead sharks (Sphyrna spp.) | 10 | | | | | | | | |
| "Species" as | FAL | Silky shark (Carcharhinus falciformis) | 10 | | | | | | | | |
| requested by | MZZ | Other bony fishes | 10 | | | | | | | | |
| Resolution | SKH | Other sharks | 10 | | | | | | | | |
| 15/01 for | THR | Thresher sharks (Alopias spp.) | 10 | | | | | | | | |
| | OCS | Oceanic whitetip shark (Carcharhinus longimanus) | 10 | | | | | | | | |
| | TIG | Tiger shark (Galeocerdo cuvier) | | | | | | | | | |
| required) | PSK | Crocodile shark (Pseudocarcharias kamoharai) | | | | | | | | | |
| | WSH | Great white shark (Carcharodon carcharias) | | | | | | | | | |
| | MAN | Mantas and devil rays (Mobulidae) | | | | | | | | | |
| | PLS | Pelagic stingray (Pteroplatytrygon violacea) | | | | | | | | | |
| | | Other rays | | | | | | | | | |

GREY AREAS SHOULD NOT BE FILLED IN ACCORDANCE WITH LOGBOOKS SPECIFIED IN RESOLUTION $15 \! / \! 01$

RESOLUTION 18/08

PROCEDURES ON A 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

Keywords: FAD, active instrumented buoy.

The Indian Ocean Tuna Commission (IOTC),

BEARING IN MIND that the Agreement for the implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) encourages coastal States and fishing States on the high seas to collect and share, in a timely manner, complete and accurate data concerning fishing activities on, *inter alia*, vessel position, catch of target and non-target species and fishing effort;

MINDFUL of the call upon States, either individually, collectively or through regional fisheries management organisations and arrangements in the United Nations General Assembly Resolution 67/79 on Sustainable fisheries to collect the necessary data in order to evaluate and closely monitor the use of large-scale fish aggregating devices and others, as appropriate, and their effects on tuna resources and tuna behaviour and associated and dependent species, to improve management procedures to monitor the number, type and use of such devices and to mitigate possible negative effects on the ecosystem, including on juveniles and the incidental bycatch of non-target species, particularly sharks and marine turtles;

NOTING that the United Nations Food and Agricultural Organization (FAO) Code of Conduct for Responsible Fishing provides that States should compile fishery-related and other supporting scientific data relating to fish stocks covered by sub-regional or regional fisheries management organisations and provide them in a timely manner to the organisation;

RECOGNISING that all gears deployed to target resources under the competence of IOTC should be managed to ensure the sustainability of fishing operations;

GIVEN that the activities of supply vessels and the use of Fish Aggregating Devices (FAD) are an integral part of the fishing effort exerted by the purse seine fleet;

AWARE that the Commission is committed to adopt Conservation and Management Measures to reduce juvenile Bigeye tuna and Yellowfin tuna mortalities from fishing effort on Fish Aggregating Devices (FADs);

RECALLING that Resolution 12/04 established that the Commission at its annual session in 2013 should consider the recommendations of the IOTC Scientific Committee as regards the development of improved FAD designs to reduce the incidence of entanglement of marine turtles, including the use of biodegradable materials, together with socio-economic considerations, with a view to adopting further measures to mitigate interactions with marine turtles in fisheries covered by the IOTC Agreement;

RECALLING that Resolution 13/08 [superseded by Resolution 15/08, then by Resolution 17/08, then by Resolution 18/08] established procedures on a fish aggregating device (FAD) management plan, including 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;

NOTING that the IOTC Scientific Committee advised the Commission that only non-entangling FADs, both drifting and anchored, should be designed and deployed to prevent the entanglement of sharks, marine turtles and other species;

NOTING that the IOTC Scientific Committee advised the Commission to conduct an investigation of the feasibility and impacts of a temporary FAD closure as well as other measures in the context of Indian Ocean fisheries and stocks;

RECALLING that the objective of the IOTC Agreement is to ensure, through appropriate management, the conservation and optimum utilisation of stocks covered by the mentioned Agreement and encouraging sustainable development of fisheries based on such stocks and minimising the level of bycatch;

ADOPTS, in accordance with the provisions of Article IX, paragraph 1 of the IOTC Agreement, the following:

- 1. This Resolution shall apply to CPCs having purse seine vessels and fishing on Drifting Fish Aggregating Devices (DFADs), equipped with instrumented buoys for the purpose of aggregating tuna target species, in the IOTC area of competence.
- 2. This Resolution defines an instrumented buoy as a buoy with a clearly marked reference number allowing its identification and equipped with a satellite tracking system to monitor its position. Other buoys, such as radio buoys used on DFADs, not meeting this definition, shall be gradually phased out by the 1st January 2017.
- 3. This Resolution sets the maximum number of instrumented buoys active and followed by any purse seine vessels at 350 instrumented buoys at any one time, the active number being calculated as the number of active buoys operated by a purse seine vessel. The number of instrumented buoys that shall be acquired annually for each purse seine vessel is set at no more than 700. An instrumented buoy is considered active when it has been switched on and then deployed. Activation of an instrumented buoy results in an entry in the logbook or the FAD logbook, which specifies the buoy number and the geographical coordinates of its activation. An instrumented buoy may be activated only when physically present on board the purse-seine vessel to which it belongs or its supply or support vessel.
- 4. A CPC may adopt a lower limit than the one set out in paragraph 3 for vessels flying its flag. Further, any CPC may adopt a lower limit for DFADs deployed in its EEZ than that stated in paragraph 3. The CPC shall review the adopted limit to ensure that such limit is not more than the limit fixed by the Commission.
- 5. CPCs shall ensure that as from the effective date of this Resolution, each of its purse seiners already in operation does not exceed the maximum number of instrumented buoys set in paragraph 3.
- 6. Notwithstanding the completion of any study undertaken at the request of the Commission including the study to be undertaken by the Working Group adopted at Resolution 15/09 in relation to FADs, the Commission may review the maximum number of instrumented buoys set out in paragraph 3.
- 7. The flag State shall ensure that no more than:
 - a) 350 instrumented buoys are active at sea at any one time in relation to each of its vessels through such measures as for example the verification of telecommunication bills; and
 - b) 700 instrumented buoys may be acquired annually by each of its fishing vessel.
- 8. CPCs shall require vessels flying their flag and fishing on DFADs to submit by 1 January 2016, the provisional purchase order for 2016 of instrumented buoys for their purse seine vessels under the confidentiality rules set by Resolution 12/02 (or any subsequent superseding Resolution).
- 9. CPCs shall require vessels flying their flag and fishing on DFADs to submit, by the end of 2016 the number of instrumented buoys activated, deactivated and active on each quarter during 2016 its purse seine vessel under the confidentiality rules set by Resolution 12/02 (or any subsequent superseding Resolution).

- 10. All CPCs shall ensure that all fishing vessels as referred to in paragraph 1 shall record fishing activities in association with FADs using the specific data elements found in **Annex I** (DFAD) and **Annex II** (AFAD) in the section of the "FAD-logbook".
- 11. CPCs having vessels fishing on FADs shall submit, to the Commission, on an annual basis, Management Plans for the use of FADs by each of their purse seine vessels covered at paragraph 1. Due to their specificity in terms of users, number deployed, type of boat/vessel involved, fishing method and gear used and materials used in their construction, the Management Plans and Reporting Requirements for Drifting FADs (DFAD) and Anchored FADs (AFAD) shall be addressed separately for the purposes of this Resolution. The Plans shall at a minimum meet the Suggested Guidelines for Preparation for FAD Management Plans by each CPC as provided for DFADs in **Annex I** and AFADs in **Annex II**. For the purpose of this Resolution, the term Fish Aggregating Device means drifting (DFAD) or anchored floating or submerged objects (AFAD) deployed for the purpose of aggregating target tuna species.
- 12. The Management Plans shall be analysed by the IOTC Compliance Committee.
- 13. The Management Plans shall include initiatives or surveys to investigate, and to the extent possible minimise the capture of small Bigeye tuna and Yellowfin tuna and non-target species associated with fishing on FADs. Management Plans shall also include guidelines to prevent, to the extent possible, the loss or abandonment of FADs. To reduce the entanglement of sharks, marine turtles or any other species, the design and deployment of FADs shall be based on the principles set out in **Annex III**, which will be applied gradually from 2014. From 2015 on, CPCs shall submit to the Commission, 60 days before the Annual Meeting, a report on the progress of the management plans of FADs, including reviews of the initially submitted Management Plans, and including reviews of the application of the principles set out in **Annex III**.
- 14. Starting in 2016, CPCs shall submit the data elements prescribed in **Annex I** and **Annex II** to the Commission, consistent with the IOTC standards for the provision of catch and effort data, and these data shall be made available for analysis to the IOTC Scientific Committee on the aggregation level set by Resolution 15/02 (or any subsequent superseding Resolution), and under the confidentiality rules set by Resolution 12/02 (or any subsequent superseding Resolution). The IOTC Scientific Committee will analyse the information, when available, and provide scientific advice on additional FAD management options for consideration by the Commission in 2016, including recommendations on the number of FADs to be operated, the use of biodegradable materials in new and improved FADs and the phasing out of FAD designs that do not prevent the entanglement of sharks, marine turtles and other species. When assessing the impact of FADs on the dynamic and distribution of targeted fish stocks and associated species and on the ecosystem, the IOTC Scientific Committee will, where relevant, use all available data on abandoned FADs (i.e. FADs without a beacon or which have drifted outside the fishing zone).
- 15. From January 2016, CPCs shall require all artificial FADs deployed or modified by their flagged fishing vessels in the IOTC area of competence to be marked in accordance with a detailed marking scheme, e.g. including FAD marking or beacon ID. The marking scheme shall be developed and considered for adoption by the Commission at its regular annual session in 2016, based on recommendations from the IOTC Scientific Committee as requested by the Commission. The marking scheme should take into account, as a minimum, the following:
 - a) All artificial FADs shall be marked with a unique identification number, based on a specific numbering system and format to be adopted by the Commission;
 - b) The marking should be easy to read before the vessel operator engages in any artificial FAD related activity (e.g. setting on the artificial FAD, retrieving the artificial FAD, fishing on the artificial FAD), but if not visible for any reason, (time of day, weather, etc.), the vessel operator shall ensure to obtain the unique artificial FAD identifier as

soon as feasible;

- c) The marking should be easy to apply to the artificial FAD, but should be applied in such a manner that it will not become unreadable or disassociated with the artificial FAD.
- 16. Resolution 17/08 Procedures on a fish aggregating devices (FADs) management plan, including more detailed specification of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species is superseded by this Resolution.

ANNEX I

GUIDELINES FOR PREPARATION OF DRIFTING FISH AGGREGATING DEVICE (DFAD) MANAGEMENT PLANS

To support obligations in respect of the DFAD Management Plan (DFAD–MP) to be submitted to the IOTC Secretariat by CPCs with fleets fishing in the IOTC area of competence, associated to DFADs, DFAD–MP should include:

- 1. An objective
- 2. Scope:

Description of its application with respect to:

- vessel-types and support and tender vessels
- DFAD numbers and DFADs beacon numbers to be deployed
- reporting procedures for DFAD deployment
- incidental bycatch reduction and utilisation policy
- consideration of interaction with other gear types
- plans for monitoring and retrieval of lost DFADs
- statement or policy on "DFAD ownership"
- 3. Institutional arrangements for management of the DFAD Management Plans:
 - Institutional responsibilities
 - application processes for DFAD and /or DFAD beacons deployment approval
 - Obligations of vessel owners and masters in respect of DFAD and /or DFAD beacons deployment and use
 - DFAD and/or DFADs beacons replacement policy
 - reporting obligations
- 4. DFAD construction specifications and requirements
 - DFAD design characteristics (a description)
 - DFAD markings and identifiers, including DFADs beacons
 - Lighting requirements
 - radar reflectors
 - visible distance

- radio buoys (requirement for serial numbers)
- satellite transceivers (requirement for serial numbers)
- 5. Applicable areas
 - Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.
- 6. Applicable period for the DFAD–MP
- 7. Means for monitoring and reviewing implementation of the DFAD–MP
- 8. DFAD logbook
 - catch reporting from DFAD sets (consistent with the Standards for the provision of Catch and Effort Data) set out in Resolution 15/02), including:
 - a) Any visit on a DFAD*
 - b) For each visit on a DFAD, whether followed or not by a set
 - i. position,
 - ii. date.
 - iii. DFAD identifier (i.e., DFAD Marking or beacon ID or any information allowing to identify the owner),
 - iv. DFAD type (drifting natural FAD, drifting artificial FAD),
 - v. DFAD design characteristics (dimension and material of the floating part and of the underwater hanging structure),
 - vi. type of the visit (deployment, hauling, retrieving, loss, intervention on electronic equipment).
 - c) If the visit is followed by a set, the results of the set in terms of catch and bycatch.
 - * Other FADs encountered at—sea should be monitored in accordance with each CPCs' domestic regulations.

ANNEX II GUIDELINES FOR PREPARATION OF ANCHORED FISH AGGREGATING DEVICE (AFAD) MANAGEMENT PLANS

To support obligations in respect of the AFAD Management Plan (AFAD–MP) to be submitted to the IOTC Secretariat by CPCs with fleets fishing in the IOTC area of competence, associated to AFADs, AFAD–MP should include:

- 1. An objective
- 2. Scope:

Description of its application with respect to:

- a) Vessel types
- b) AFAD numbers and/or AFADs beacons numbers to be deployed (per AFAD type)
- c) reporting procedures for AFAD deployment
- d) distances between AFADs
- e) incidental bycatch reduction and utilisation policy
- f) consideration of interaction with other gear types
- g) the establishment of inventories of the AFADs deployed, detailing AFAD identifiers, characteristics and equipment of each AFAD as laid down in point 4 of the present Annex, coordinates of the AFAD's mooring sites, date of set, lost and reset
- h) plans for monitoring and retrieval of lost AFADs
- i) statement or policy on "AFAD ownership"
- 3. Institutional arrangements for management of the AFAD Management Plans:
 - a) Institutional responsibilities
 - b) Regulations applicable to the setting and use of AFADs
 - c) AFAD repairs, maintenance rules and replacement policy
 - d) Data collection system
 - e) reporting obligations
- 4. AFAD construction specifications and requirements:
 - a) AFAD design characteristics (a description of both the floating structure and the underwater structure, with special emphasis on any netting materials used)

- b) Anchorage used for mooring
- c) AFAD markings and identifiers, including AFAD beacons if any
- d) Lighting requirements if any
- e) radar reflectors
- f) visible distance
- g) radio buoys if any (requirement for serial numbers)
- h) satellite transceivers (requirement for serial numbers)
- i) echo sounder
- 5. Applicable areas
 - a) Coordinates of mooring sites, if applicable
 - b) Details of any closed areas e.g., shipping lanes, Marine Protected Areas, reserves etc.
- 6. Means for monitoring and reviewing implementation of the AFAD–MP AFAD logbook
 - Catch reporting from AFAD sets (consistent with the Standards for the provision of Catch and Effort Data) set out in <u>Resolution 15/02</u>), including:
 - a) Any visit in a AFAD.
 - b) For each visit on a AFAD, whether followed or not by a set or other fishing activities, the,
 - i. position;
 - ii. date;
 - iii. AFAD identifier (i.e., FAD Marking or beacon ID or any information allowing to identify the owner).
 - c) If the visit is followed by a set or other fishing activities, the results of the set in terms of catch and bycatch.

ANNEX III PRINCIPLES FOR DESIGN AND DEPLOYMENT OF FADS

- 1. The surface structure of the FAD should not be covered, or only covered with non-meshed material.
- 2. If a sub-surface component is used, it should not be made from netting but from non-meshed materials such as ropes or canvas sheets.
- 3. To reduce the amount of synthetic marine debris, the use of natural or biodegradable materials (such as hessian canvas, hemp ropes, etc.) for drifting FADs should be promoted.

RESOLUTION 18/09 ON A SCOPING STUDY OF SOCIO-ECONOMIC DATA AND INDICATORS OF IOTC FISHERIES

Keywords: Socio-Economics, scoping study.

The Indian Ocean Tuna Commission (IOTC),

CONSIDERING the objective of the Commission provided for in Article V to promote cooperation among its Members with a view to ensuring, through appropriate management, the conservation and optimum utilization of stocks covered by this Agreement and encouraging sustainable development of fisheries based on such stocks:

FURTHER CONSIDERING the responsibility of the Commission provided for in Article V(2)(d) to keep under review the economic and social aspects of the fisheries based on the stocks covered by the Agreement bearing in mind, in particular, the interest of developing coastal states;

FURTHER CONSIDERING the objective of the Commission to maintain stocks in perpetuity and with high probability, at levels not less than those capable of producing their maximum sustainable yield as qualified by relevant environmental and economic factors including the special requirements of developing States in the IOTC area of competence;

RECOGNISING the special requirements of the developing states, particularly Small Island Developing States in Article 24, of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA);

RECALLING paragraph 75 of the 20th Session of the IOTC Scientific Committee report (IOTC-2017-SC20-R) that states:

"75. The SC AGREED that the development of the ecosystem report card is a first step in developing the approach. Initiating the process with the development and monitoring of simple indicators and then linking these to management objectives and actions is an iterative process where the data collection and research activities are based on higher level guidance from the Commission. The SC noted that the consideration of socioeconomic dimensions are specifically mentioned in the IOTC Agreement and so the scientific subsidiary bodies are therefore mandated to work on these issues as well."

RECALLING Article IV, paragraph 2(d) of the IOTC Agreement which states:

"2. In order to achieve these objectives, the Commission shall have the following functions and responsibilities, in accordance with the principles expressed in the relevant provisions of the United Nations Convention on the Law of the Sea: (d) to keep under review the economic and social aspects of the fisheries based on the stocks covered by this Agreement bearing in mind, in particular, the interests of developing coastal state"

ADOPTS in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

1. The terms of reference for a scoping study of socio-economic aspects of IOTC fisheries, are those specified in Annex I.

- 2. Pursuant to Article XII.5 of the Agreement, the Commission shall review the results of the scoping study and determine if a permanent Working Party on the Socio-Economic Aspects of the Fisheries the IOTC Area of the Competence is needed, at its 23rd Session in 2019.
- 3. The IOTC Secretariat shall facilitate the process of recruitment of the consultant or consulting company for delivery of the scoping study as specified in Annex I. The Commission requested the Secretariat to seek sources of extra-budgetary funds to support the proposed work.
- 4. The CPCs shall cooperate with the consultant for the purpose of this study, using their best endeavors and in line with their respective national legislation.

ANNEX I TERMS OF REFERENCE FOR A SCOPING STUDY ON THE SOCIO-ECONOMIC DATA AND INDICATORS OF IOTC FISHERIES

Objectives

- 1. To describe the economic and social aspects of the fisheries, bearing in mind, in particular, the interests of developing coastal States, and identify the availability of data and socio-economic indicators that would describe the respective CPCs economic and social aspects of fisheries, including but not limited to: socio-economic contribution to the fisheries, economic dependence on fishery resources; income from exports; employment conditions and interactions between fleet segments; impact of fishery resource rents, including fisheries agreements with third parties to the local economies in terms of income, investments and jobs.
- 2. To evaluate and document what socio-economic data have been, and are currently collected by CPCs or other organisations that are in the public domain, on IOTC fisheries;
- 3. To evaluate and document what socio-economic data have been, and are currently collected by CPCs or other organisations but are not in the public domain on IOTC fisheries, where feasible under domestic law;
- 4. To evaluate if a) the data can be feasibly and uniformly collected, and b) would be adequate to calculate the indicators proposed. This should include, where feasible, a discussion on the data themselves, data quality, time periods and coverage rates;
- 5. To make recommendations on indicators taking into consideration the available data. To make recommendations on data requirements and harmonisation; and
- 6. To make recommendations on data management, reporting and associated costs to IOTC.
- 7. The consultant shall consider existing initiatives focusing on the socio-economic importance of fisheries, including, where applicable, the Overseas Fisheries Cooperation Foundation of Japan (OFCF) pilot project on socio-economic aspect of fisheries, to avoid any duplication

Outputs

- 8. A draft of the Consultant's report will be provided 120 days in advance of the 23rd Session of the IOTC (S23) in 2019.
- 9. The CPCs shall be tasked to review the report and provide feedback to the Consultant 60 days before the 23rd Session of the IOTC (S23), via the IOTC Secretariat.
- 10. The final Consultant's report shall be submitted to the IOTC Secretariat no later than 30 days prior to the commencement of the 23rd Session in 2019, in accordance with the IOTC Rules of Procedure (2014).
- 11. The final Consultant's report should be presented to the Commission for consideration at its meeting in 2019 and a presentation by the Consultant during the Session to answer any questions from CPCs.

RESOLUTION 18/10 ON VESSEL CHARTERING IN THE IOTC AREA OF COMPETENCE

Keywords: Charter, conservation, data.

The Indian Ocean Tuna Commission (IOTC),

RECOGNIZING that, under the IOTC Agreement, Contracting Parties shall desire to cooperate with a view to ensuring the conservation of tuna and tuna-like species in the Indian Ocean and promoting their optimum utilization;

RECALLING that, according to Article 92 of the United Nations Convention on the Law of the Sea, of 10 December 1982, ships shall sail under the flag of one State only and shall be subject to its exclusive jurisdiction on the high seas except as otherwise provided in relevant international instruments;

ACKNOWLEDGING the needs and interests of all States to develop their fishing fleets so as to enable them to fully utilize the fishing opportunities available to them under relevant IOTC Conservation and Management Measures:

ACKNOWLEDGING the important contribution of chartered vessels to sustainable fisheries development in the Indian Ocean;

MINDFUL that the practice of charter agreements, whereby fishing vessels do not change their flag, might seriously undermine the effectiveness of Conservation and Management Measures established by the IOTC unless properly regulated;

CONCERNED with ensuring that charter agreements do not promote IUU fishing activities or undermine IOTC Conservation and Management Measures;

REALIZING that there is a need for IOTC to regulate charter agreements with due regard to all relevant factors;

REALIZING that there is a need for the IOTC to establish procedures for charter agreements;

ADOPTS, in accordance with the provisions of Article IX, paragraph 1 of the IOTC Agreement, the following: **Part I: Definitions**

1. **Chartering of vessels**: means an agreement or an arrangement by which a fishing vessel flying the flag of Contracting Party is contracted for a defined period of time by an operator in another Contracting Party without the change of flag. For the purpose of this Resolution, the "chartering CP" refers to the CP that holds the quota allocation or fishing possibilities and the "flag CP" refers to the CP in which the chartered vessel is registered.

Part II: Objective

2. Charter agreements may be allowed, predominantly as an initial step in the fishery development of the chartering nation. The period of the chartering arrangement shall be consistent with the development schedule of the chartering nation.

Part III: General provisions

3. The chartering agreement shall contain the following conditions:

- 3.1 The flag CP has consented in writing to the chartering agreement;
- 3.2 the duration of the fishing operations under the chartering agreement does not exceed 12 months cumulatively in any calendar year;
- 3.3 Fishing vessels to be chartered shall be registered to responsible Contracting Parties and Cooperating Non-Contracting Parties, which explicitly agree to apply IOTC Conservation and Management Measures and enforce them on their vessels. All flag Contracting Parties or Cooperating Non-Contracting Parties, concerned shall effectively exercise their duty to control their fishing vessels to ensure compliance with IOTC Conservation and Management Measures.
- 3.4 Fishing vessels to be chartered shall be on the IOTC record of vessels authorized to operate in the IOTC Area of Competence, in accordance with IOTC Resolution 15/04 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence (or any subsequent superseding revision).
- Without prejudice to the duties of the chartering CP, the flag CP shall ensure that the chartered vessel complies with both the chartering Contracting Party and the flag Contracting Party or Cooperating Non-Contracting Party shall ensure compliance by chartered vessels with relevant Conservation and Management Measures established by IOTC, in accordance with their rights, obligations and jurisdiction under international law. If the chartered vessel is allowed by the chartering CP to go and fish in the high seas, the flag CP is then responsible for controlling the high seas fishing conducted pursuant to the charter arrangement. The chartered vessel shall report VMS and catch data to both the CPs (chartering and flag) and to the IOTC Secretariat.
- 3.6 All catches, including bycatch and discards, taken pursuant to the chartering agreement, as well as the observer coverage shall be counted against the quota or fishing possibilities of the chartering C P.
- 3.7 The chartering CP shall report to the IOTC all catches, including bycatch and discards, and other information required by the IOTC, and as per the Charter Notification Scheme detailed in **Part** III of this Resolution.
- 3.8 Vessel Monitoring Systems (VMS) and, as appropriate, tools for differentiation of fishing areas, such as fish tags or marks, shall be used, according to the relevant IOTC Conservation and Management Measures, for effective fishery management.
- 3.9 There shall be observer coverage of at least 5% of fishing effort, as measured in the manner specified in paragraph 2 of Resolution 11/04 (or any subsequent superseding resolution), for chartered vessels. All other provisions of Resolution 11/04 apply *mutatis mutandis* in the case of chartered vessels.
- 3.10 The chartered vessels shall have a fishing license issued by the chartering CP, and shall not be on the IOTC IUU list as established by IOTC Resolution 17/03 [superseded by Resolution 18/03] On Establishing a List of Vessels Presumed to Have Carried out Illegal, Unreported, and Unregulated Fishing Activities in the IOTC Area of Competence (or any subsequent superseding resolution), and/or IUU list of other Regional Fisheries Management Organisations.
- 3.11. When operating under charter agreements, the chartered vessels shall not, to the extent possible, be authorized to use the quota (if any) or entitlement of the flag Contracting Parties or Cooperating Non-Contracting Parties. In no case, shall the vessel be authorized to fish under more than one chartering agreement at the same time.
- 3.12. Unless specifically provided in the chartering agreement, and consistent with relevant domestic law and regulation, the catches of the chartered vessels shall be unloaded exclusively in the Ports of the chartering Contracting Party or under its direct supervision in order to assure that the

- activities of the chartered vessels do not undermine IOTC Conservation and Management Measures.
- 3.13 The chartered vessel shall at all times carry a copy of the documentation referred to in paragraph 4.1.

Part IV: Charter notification scheme

- 4. Within 15 days, or, in any case, prior to 72 hours before commencement of fishing activities under a Charter agreement:
 - 4.1 The chartering CP shall notify the IOTC Executive Secretary of any vessel to be identified as chartered in accordance with this Resolution by submitting electronically where possible the following information with respect to each chartered vessel:
 - a) the name (in both native and Latin alphabets) and registration of the chartered vessel, and International Maritime Organization (IMO) ship identification number (if eligible);
 - b) the name and contact address of the beneficial owner(s) of the vessel;
 - c) the description of the vessel, including the length overall, type of vessel and the type of fishing method(s) to be used under the charter;
 - d) a copy of the chartering agreement and any fishing authorization or license it has issued to the vessel, including in particular the quota allocation(s) or fishing possibility assigned to the vessel; and the duration of the chartering arrangement;
 - e) its consent to the chartering agreement; and
 - f) the measures adopted to implement these provisions;
 - 4.2 The flag CP or Cooperating Non-Contracting Party, shall provide the following information to the IOTC Executive Secretary:
 - a) its consent to the chartering agreement;
 - b) the measures adopted to implement these provisions; and
 - c) its agreement to comply with IOTC Conservation and Management Measures.
- 5. Upon receipt of the information required in paragraph 3, the IOTC Executive Secretary shall circulate all the information within 5 business days to all Contracting Parties or Cooperating Non-Contracting Parties, via an IOTC Circular.
- 6. Both the chartering CP and the flag CP or Cooperating Non-Contracting Party shall immediately inform the IOTC Executive Secretary of the start, suspension, resumption and termination of the fishing operations under the chartering agreement.
- 7. The IOTC Executive Secretary shall circulate all the information pertaining to termination of a chartering agreement within 5 business days to all Contracting Parties or Cooperating Non-Contracting Parties, via an IOTC Circular.
- 8. The chartering CP shall report to the IOTC Executive Secretary by 28 February each year, and for the previous calendar year, the particulars of charter agreements made and carried out under this Resolution, including information of catches taken and fishing effort deployed by the chartered vessels as well as the level of observer coverage achieved on the chartered vessels, in a manner consistent with IOTC data confidentiality requirements.

