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2018

IMPLEMENTATION OF IOTC

CONSERVATION AND MANAGEMENT MEASURES PART B

IMPLEMENTATION OF IOTC CMMs ENTAILING
REPORTING OBLIGATIONS



2018

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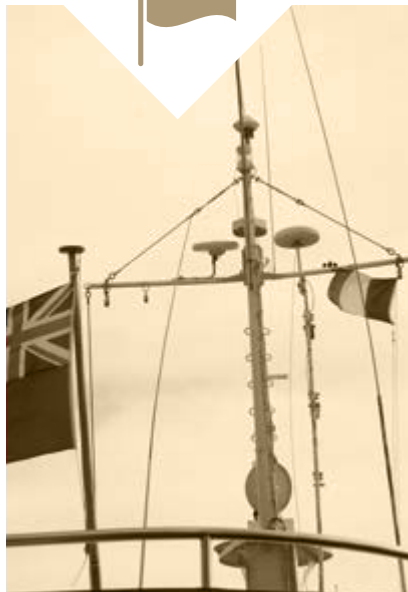
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The photographs in the manual belong to the Indian Ocean Tuna Commission except where indicated otherwise.

ACP	African, Caribbean and Pacific Group of States
APSM	Agreement on Port State Measures (2009)
ALB	Albacore Tuna
BET	Bigeye Tuna
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
CCAMLR	Commission for the Conservation of Antarctic Marine Living Resources
CDS	Catch Documentation Scheme
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMM	Conservation and Management Measure
CNCP	Cooperating Non-Contracting Party
CPC	IOTC Contracting Party (or “Member”) and Cooperating Non-contracting Party
DWFN	Distant Water Fishing Nation
EDF	European Development Fund
EEZ	Exclusive Economic Zone
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
FAOCA	FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (1993) commonly called the FAO Compliance Agreement
FFA	Forum Fisheries Agency
FDP	Fleet Development Plan (Resolution 12/11)
FMC	Fisheries Monitoring Centre
IOSEA MoU	Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia
IOTC	Indian Ocean Tuna Commission

ACRONYMS

ACRONYMS

IPOA	International Plan of Action
IUU	Illegal, unreported and unregulated (fishing)
LOA	Length Overall
LSTLV	Large-scale tuna longline fishing vessel
MCS	Monitoring, Control and Surveillance
MSY	Maximum Sustainable Yield
NCP	Non-contracting Party
NPOA	National Plan of Action
OFCF	Overseas Fisheries Cooperation Foundation of Japan
PSMA	Port State Measures Agreement
RAV	Record of Authorised Vessels
RECOFI	Regional Commission for Fisheries
RFB	Regional Fishery Bodies
RFMO	Regional Fisheries Management Organizations
RTTP	Regional Tuna Tagging Project
SKJ	Skipjack Tuna
UN	United Nations Organization
UNCLOS	United Nations Convention on the Law of the Sea (of 10 December 1982)
UNFSA	1995 Agreement Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
USD	United States Dollar
VMS	Vessels Monitoring System
WECAFC	Western Central Atlantic Fishery Commission
WPEB	Working Party on Ecosystems and Biodiversity
YFT	Yellowfin Tuna

SUMMARY

The purpose of this Manual is to assist IOTC Members and Cooperating Non-Contracting Parties in achieving a better understanding of the actions that they need to take under the IOTC, by providing an overview of the Conservation and Management Measures (CMM's) entailing active reporting requirements.

The content is divided into six chapters.

The first chapter provides a broad overview of the IOTC Resolutions and Conservation and Management measures adopted by the IOTC.

The second chapter provides a detailed description of the requirements from the CPCs arising from the CMMs in relation to the main roles that CPCs play with regards to Coastal State responsibility.

The third Chapter describes requirements and responsibilities of CPCs as Flag States.

The fourth chapter describes requirements and responsibilities of CPCs as Port States.

The fifth chapter describes requirements and responsibilities of CPCs as Market States.

The sixth chapter describes the cross-cutting CMMS and duties under basic texts.

This manual should be viewed as a living document that can be revised and improved by all parties as experience is expanded in the implementation of the IOTC Conservation and Management Measures.





CHAPTER 1

INTRO - DUCTION

OBJECTIVE OF THIS MANUAL

The purpose of this Manual is to assist IOTC Members and Cooperating Non-Contracting Parties (designated together as “CPCs”) achieve a better understanding of their obligations and the actions that need to be undertaken under the IOTC, by providing an overview of the Conservation and Management Measures (CMMs) and their respective reporting requirements.

This manual should not be taken as a substitute to the IOTC Resolutions and Recommendations. It does not cover active technical implementation requirements of resolutions which do not require recurrent or event-based reporting. The resolutions addressed in this manual focus on the reporting requirements and technical requirements are only noted for the purpose of fostering better understanding of the resolution and requirements.

The collection of the full-text of IOTC Resolutions and Recommendations can be downloaded from the following IOTC webpage: <http://www.iotc.org/cmms>. Each year, the IOTC generally provides an annually updated compendium of the active resolutions and recommendations that CPCs are to observe, with an appendix of the resolutions and recommendations that have been superseded and by which conservation management measure.

STRUCTURE OF THIS DOCUMENT

The requirements from the CPCs arising from the CMMs are presented and discussed in relation to the main roles that CPCs play:

- a. Flag State
- b. Port State
- c. Market State
- d. Coastal State

The above State-type roles, with the addition of a 'Cross cutting' category, deal with CMMs that affect more than one category of CPCs and correspond to discreet chapters of this manual. In the first four chapters, active resolutions are listed which apply either exclusively or primarily to a specific type of State jurisdiction as noted above, e.g., flag, port, market, coastal or licensing State, or which contain elements for implementation by a particular type of State jurisdiction. In the fifth chapter, active resolutions are listed which cover all types of States in a general manner – and no specific type of State jurisdiction in particular.

It should be noted that IOTC, like most RFMOs, has in the past relied heavily on 'flag State' compliance resulting in most conservation and management measures being directed to the flag State to monitor and control its own fleets and nationals. In more recent years IOTC is seeking cross checking and compliance actions from coastal States, licensing States and market States thus reducing the total reliance on flag State for compliance purposes to achieve a balanced and sustainable management regime.

Apart from providing an overview of these resolutions, this manual also indicates the availability, from the IOTC Secretariat, of **implementation sheets** for relevant active resolutions and **reporting templates** which should be used to submit information under specific resolutions to the IOTC Secretariat. The implementation sheets provide a simple summary overview per resolution on what reporting action has got to be taken by whom and at what point in time. The reporting templates assist CPCs to provide information in a set format, assisting the Secretariat in pooling information in such a way that it can then easily be stored, used or analysed to support further activities.

The requirements from the CPCs arising from the CMMs are in relation to the main roles that CPCs play:

- Flag State
 - Port State
 - Market State
 - Coastal State.
-

RESOLUTIONS AND RECOMMENDATIONS

Meeting room of a
Commission IOTC plenary



There are two different types of CMMs: Resolutions and Recommendations.

IOTC Resolutions are binding, and generally contain at least one binding “shall” clause instructing a party to undertake an action, and a reference to Article IX of the IOTC Agreement. Such action might be requested of CPCs, the Secretariat, or of a subsidiary body of the Commission. Resolutions can be time-bound and become redundant in a set period after their promulgation. Other resolutions have a more permanent character, and resolutions also often become superseded; i.e. they are updated and replaced by a new resolution. ***This manual addresses only currently active resolutions that are binding upon IOTC Members and Cooperating Non-Contracting Parties, and which entail reporting obligations.***

IOTC CMMs
are of 2 types:
Resolutions are
binding
Recommendations
are voluntary.

IOTC Recommendations are what their title implies. They contain suggested best practice, and are generally directed at CPCs. While they are not binding, nor the object of detailed implementation and reporting routines presented in this manual, they are no less important and often reflect internationally recognized best practice standards, such as are reflected in the FAO Code of Conduct for Responsible Fisheries.

There are various types of resolutions, and there is no straightforward way of categorizing them. Some resolutions address the organs of the IOTC internally and instruct them on actions to take. Other resolutions instruct CPCs to take specific management action with regard to the fisheries. We call such required actions “**technical requirements**”. Other resolutions instruct CPCs to submit specific types of information (data, statistics) to the Secretariat, either on a one-off basis, or on the basis of specific events (event-based), or at set intervals of time (recurrent). Such “**reporting requirements**” are not limited to the submission of data and statistics, but can also relate to information on how specific technical requirements have, or are being implemented under given resolutions.

COMPLIANCE

The work of the Compliance Committee endeavours to enhance the compliance of CPCs with IOTC CMMs.

The Compliance Section of the IOTC Secretariat is responsible for gathering the information that the Compliance Committee uses in monitoring the implementation of CMMs by the CPCs. The Terms of Reference of the Compliance Committee were initially established through IOTC Resolution 10/09. These have been transferred into the IOTC Rules of Procedures on the basis of Resolution 14/01. Generally, the work of the Compliance Committee sets out to strengthen compliance of CPCs with IOTC CMMs, as one critical avenue to pursuing the sustainable management of tuna and tuna-like fish stocks in the IOTC Area of Competence.

This manual is also intended to foster and enhance the results of the work of the Compliance Committee. The manual directly supports the CPCs and facilitates the understanding of, and compliance with CMMs, with a primary focus on reporting obligations.



Plenary of the Scientific
Committee in 2015, Bali,
Indonesia

STATE OF PLAY ON CMMs - 2015

Effective October 2017, there were 51 active CMMs, comprised of 48 Resolutions and 3 Recommendations, of which 32 resolutions require active reporting by CPCs. There are four reporting requirements outside the resolutions; these are defined in the IOTC Agreement, the Rules of Procedures (2014), the 4th session of the Scientific Committee (2001) and the 17th session of the Commission (2013). The implementation of the reporting requirements is actively monitored by the Compliance Committee. This manual details the reporting obligations of CPCs with regards to when, how, and whom information should be submitted to.

REPORTING REQUIREMENTS

- EVENT-BASED AND RECURRENT REPORTING REQUIREMENTS

There are two basic different types of reporting requirements: Cyclical Event based.

There are two basic types of reporting requirements, and these are briefly outlined here.

Some of the reporting requirements are cyclical, usually based on an annual or bi-annual reporting cycle. An example would be the requirement to submit an annual report on CMM implementation ahead of the annual meeting of the Commission. This is normally referred to as a "reporting requirement", and when a distinction needs to be made, as a "recurrent reporting requirement". The salient point is that a recurrent reporting requirement does invariably need to be honoured and does not depend on an event to occur first.

The other type of reporting requirement is sometimes referred to as an "event-based reporting requirement", in order to distinguish it from a recurrent requirement. The event-based reporting requirement - while generally also binding - is based on the premise that a specific event has to occur first in order to trigger the reporting requirement. If the event does not occur, then the reporting obligation does not arise. If the event does occur, then the CPC must report it. An example would be for port States, which are required to inform the IOTC Secretariat of their decision to deny entry to port to a fishing vessel - suspected of IUU fishing - under Resolution 16/11 on Port State Measures. Another example would be the requirement, again under Resolution 16/11, for the port State inspectors to forward a copy of the inspection report within 3 working days to designated recipients. In both examples, if a specified event occurs, then specified information must be submitted to the IOTC Secretariat and/or other specified parties. As long as no such event occurs, the obligation is not triggered, *however it is important to note that a 'Nil' report is encouraged on the annual compliance report to clarify to the Secretariat that indeed an incident did not occur and it was not simply an oversight on reporting by the CPC.*

DUTIES OF FLAG, PORT, MARKET AND COASTAL STATES

Tuna purse seiner waiting
for berthing in the port of
Victoria, Seychelles



This manual has been segmented into chapters which talk directly to specific types of State jurisdictions and present these State types with their duties under resolutions which require reporting obligations.

It is important to bear in mind, that States are rarely just the one type of State. For States bordering the Indian Ocean, States are often coastal, flag, port and market State - all in one. For the States bordering the Indian Ocean, they are all coastal States by definition.

In some cases, one or two of the dimensions of State jurisdiction are missing. It is possible for a coastal State, for instance, not to operate any ports, or not to import, export and/or process any tuna – in which case it is not a market State. Some coastal States do not flag tuna fishing fleets, in which case they are not a flag State – while they might still be a coastal, a port and a market State. In very rare cases, a State is a coastal State only. And in other cases, as for DW-FNs, States can be flag, port and market States, but not a coastal State.



Yellowfin tuna caught during the IOTC tuna tagging programme

This manual allows the user to ask the question: What would be my duties if I were a coastal State or a port State only? Or what are my duties as a flag State? CMMs engendering reporting requirements are looked at from that perspective. This perspective is useful to understand how the different forms of State jurisdiction under the IOTC framework are being addressed and solicited and how they are summoned to honour their conservation and management responsibilities under international law.



MATRIX OF CMMs ENTAILING REPORTING REQUIREMENTS

The majority of Resolutions focus primarily on the flag State action, as these States carry the responsibility to control the actions of their fleets.

The following table contains the full list of CMMs that entailed reporting requirements at the end of 2017. The matrix provides a summary overview of which State-types are addressed by which resolution. The tick marks in the table indicate which particular types of State jurisdiction are addressed by any given resolution. The requirements under each resolution are generally not limited to reporting requirements, but also provide for technical implementation requirements. This table is useful to establish “whom the resolutions talk to”.

Following a common approach in RFMOs, the majority of resolutions focus primarily on flag State action, as the flag State carries the principal responsibility to control the actions of vessels flying its flag. Less regulatory substance is focusing directly on port, licensing or market States, even though this trend has started to gradually change over the last few years. It is often the case that a resolution addresses several State types at the same time. In some cases the focus and reporting requirements are spread evenly between all four State types, in which case we may refer to a “cross-cutting” resolution (e.g. Res. 01/03 on establishing a scheme to promote compliance by Non-Contracting Parties vessels with Resolutions established by IOTC). In other cases a resolution may focus on one particular State type, with one or two others also covered, but to a lesser degree (e.g. Res. 17/05 on the conservation of sharks, focusing primarily on the flag State, but also on the coastal State).

TABLE 1

Matrix of active IOTC Resolutions requiring reporting, identified by reporting State type (Primary responsibility is marked with a double ✓✓ ; secondary responsibility is marked with a single ✓).

Resolution and superseded info	Resolution Title	Flag State	Port State	Market State	Coastal State
17/01 (16/01)	On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence	✓✓			
17/03 (11/03; 09/03; 06/01; 02/04)	On establishing a List of Vessels presumed to have carried out Illegal, Unreported and Unregulated Fishing in the IOTC Area of Competence	✓	✓	✓	✓
17/05 (05/05)	On the conservation of sharks caught in association with fisheries managed by IOTC	✓✓			
17/06 (14/06; 12/05; 11/05; 08/02; 06/02)	On establishing a programme for transshipment by large-scale fishing vessels	✓✓			
17/07 (12/12; 09/05)	On the prohibition to use of Large-Scale Driftnets in the IOTC Area	✓✓	✓		✓

Resolution and superseded info	Resolution Title	Flag State	Port State	Market State	Coastal State
17/08 (15/08; 13/08; 12/08)	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	✓✓			
16/05	On vessels without nationality	✓	✓	✓	✓
16/06	On measures applicable in case of non fulfilment of reporting obligations in the IOTC	✓✓			
16/07 (15/07)	On the use of artificial lights to attract fish	✓✓			
16/08	On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids	✓✓			✓

TABLE 1 (CONTINUED)

Matrix of active IOTC Resolutions requiring reporting, identified by reporting State type (Primary responsibility is marked with a double ✓✓; secondary responsibility is marked with a single ✓).

Resolution and superseded info	Resolution Title	Flag State	Port State	Market State	Coastal State
16/11 (10/11)	On Port State Measures to prevent, deter and eliminate Illegal, Unreported and Unregulated Fishing	✓	✓✓		
15/11 (12/11; 09/02 & 07/05 & 06/05)	On the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating Non-Contracting Parties	✓✓			✓
15/05	On conservation measures for striped marlin, black marlin and blue marlin	✓✓			
15/04 (14/04; 13/02; 07/02 & 01/02; 05/02; 02/05)	Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence	✓✓	✓	✓	✓
15/03 (06/03; 02/02)	On the vessel monitoring system (VMS) programme	✓✓	✓		✓
15/02 (10/02; 08/01; 01/05; 98/01)	On mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs)	✓			

Resolution and superseded info	Resolution Title	Flag State	Port State	Market State	Coastal State
15/01 (13/03; 12/03; Rec 11/06 & 10/03 & 08/04)	On the recording of catch and effort data by fishing vessels in the IOTC Area of Competence	✓			
14/05 (13/07; 12/07; 10/07; 07/04; 05/04; 98/04)	Concerning a record of licensed foreign vessels fishing for IOTC species in the IOTC Area of Competence and access agreement information	✓			✓✓
13/06	On a scientific and management framework on the Conservation of sharks species caught in association with IOTC managed fisheries	✓✓			
13/05	On the conservation of whale sharks (<i>Rhincodon typus</i>)	✓			
13/04	On the conservation of cetaceans	✓			
12/09 (10/12)	On the Conservation of Thresher Sharks (Family <i>Alopiidae</i>) caught in association with Fisheries in the IOTC Area of Competence	✓✓			✓
12/06 (10/06 & Rec 05/09; 08/03; 06/04)	On reducing the incidental bycatch of seabirds in longline fisheries	✓✓			

TABLE 1 (CONTINUED)

Matrix of active IOTC Resolutions requiring reporting, identified by reporting State type (Primary responsibility is marked with a double ✓✓; secondary responsibility is marked with a single ✓).

Resolution and superseded info	Resolution Title	Flag State	Port State	Market State	Coastal State
12/04 (09/06; Rec 05/08)	On the Conservation of Marine Turtles	✓✓			
11/04 (10/04)	On a Regional Observer Scheme	✓✓			
11/02	On the prohibition of fishing on data buoys	✓	✓	✓	✓
10/11	On Port State Measures to prevent, deter and eliminate Illegal, Unreported and Unregulated Fishing	✓	✓✓		
10/10	Concerning Market related Measures		✓	✓✓	
10/08 (07/04; 05/04; 98/04)	Concerning a Record of active Vessels fishing for Tunas and Swordfish in the IOTC Area	✓✓			
07/01	To promote Compliance by Nationals of Contracting Parties and Cooperating Non-Contracting Parties with IOTC Conservation and Management Measures	✓	✓	✓	✓

Resolution and superseded info	Resolution Title	Flag State	Port State	Market State	Coastal State
05/03 (02/01)	Relating to the establishment of an IOTC Programme of Inspection in Port	✓	✓✓		
01/06 (03/03 - Annexes)	Concerning the big-eye tuna statistical document programme	✓		✓✓	
01/03	Establishing a scheme to promote compliance by Non-Contracting Parties vessels with Resolutions established by IOTC	✓	✓	✓	✓

Table 1 helps the user understand which resolutions apply to which State jurisdictions. Since any country can cover several types of State jurisdiction simultaneously, it is useful for the reader to start with the question: *“How many different types of State jurisdiction does my country cover within the IOTC framework?”*

Throughout the remainder of this document, the short titles for resolutions will be used to facilitate the reading of the text. The link between long and short titles can be found in [Annex I](#).

REQUIREMENTS

UNDER CROSS-CUTTING CMMs

Tuna fishing vessels,
Sri Lanka



Some resolutions apply to all CPCs regardless of the State or jurisdiction (coastal, port, flag, market), these are called cross-cutting. The presentation of the objective, the content and reporting requirements of cross-cutting resolutions is made in Chapter 6 of this manual. Although these resolutions generally imply reporting requirements for all individual State-type jurisdictions, they are not presented under the following four State-type chapters for the sake of not repeating similar or identical requirements several times.

All State-type jurisdictions have responsibilities under the following (cross-cutting) resolutions:

- Res. 17/03: List of presumed IUU Vessels;
- Res. 16/05: Vessels without nationality;
- Res. 11/02: Prohibition of fishing on data buoy;
- Res. 07/01: Compliance by nationals;
- Res. 01/03: Promote compliance by Non-Contracting Parties.

REQUIREMENTS

UNDER THE IOTC AGREEMENT, THE RULES OF PROCEDURE, THE SCIENTIFIC COMMITTEE AND THE COMMISSION

Large scale tuna longline
vessel



In addition to reporting requirements derived from Resolutions, CPCs have reporting obligations under the following:

- IOTC Agreement: Article X - Implementation Report;
- Rules of Procedure - Standard Compliance Questionnaire;
- Scientific Committee - National Scientific Report;
- Commission - Response to the Letter of Feedback.

These requirements, most of which are cross-cutting in nature, are also detailed in the final Chapter 6.





CHAPTER 2

COASTAL STATE CMMs

There is no IOTC resolution that applies exclusively to coastal States, and only one active resolution that applies to coastal States primarily. This is because the preferred approach to addressing tuna resource management at the regional level, is not through coastal State mechanisms alone, but primarily through a mix of approaches. This owes to the fact that the resource is shared between stakeholders; between custodians of individual EEZs and ports, and users of resources in the high seas and the market States.

Coastal States have obligations under twelve (12) of the thirty-two (32) resolutions entailing reporting requirements. These resolutions, and the obligations they contain, are outlined in this chapter.

Large scale tuna vessels
are commonly licensed by
coastal States to fish in their
waters



RESOLUTION(S) - PRIMARILY COASTAL STATE:

- Res. 14/05: Record of licensed foreign fishing vessels and access agreements

RESOLUTIONS - PRIMARILY FLAG STATE WITH COASTAL STATE REQUIREMENTS:

The following resolutions contain specific requirements for coastal States:

- Res. 17/07: Large-Scale driftnets;
- Res. 16/08: Use of aircrafts and drones
- Res. 15/11: Limitation of fishing capacity;
- Res. 15/04: Record of authorized vessels;
- Res. 15/03: Vessel Monitoring System (VMS);
- Res. 12/09: Conservation of thresher sharks.

Coastal State reporting requirements under these resolutions are presented and discussed in the following sections.

The five cross-cutting resolutions, as well as reporting obligations under the IOTC Agreement, the Rules of Procedure, the Commission and the Scientific Committee apply to all CPCs and are presented in full in the final chapter of this manual.

REQUIREMENTS

PRIMARILY COASTAL STATE CMMs



Tuna purse seine vessels are also commonly licensed by coastal States to operate in their waters

RES. 14/05:

RECORD OF LICENSED FOREIGN FISHING VESSELS AND ACCESS AGREEMENTS

This resolution was adopted by the Commission in 2014. It supersedes Resolution 13/07 which in turn superseded Resolutions 12/07; 10/07; 07/04; 05/04; and 98/04. Its primary objective is to ensure a recurrent and transparent picture - through the creation of an IOTC Record - of tuna and tuna-like fishing vessels licensed to operate in the EEZs of Indian Ocean CPCs. It also aims to create more transparency at the level of fisheries agreements under which such access is granted. It also serves as a cross check to the IOTC record of authorized fishing vessels under Resolution 15/04 and carrier vessels authorized to receive transshipments from LSLTVs under Resolution 17/06. One of the overall outcomes sought is the strengthening of data collection, and the achievement of more complete statistics on fleets active in the IOTC Area of Competence.

The resolution primarily addresses coastal States, which may be granting access to foreign (or third country) fleets to their waters, where these may obtain licenses to target tuna and tuna-like species.

Coastal fishing center,
Zanzibar, Tanzania

Reporting requirements

The resolution primarily addresses coastal States, which may be granting access to foreign (or third country) fleets to their waters, where these may obtain licenses to target tuna and tuna-like species. The resolution is essentially split into three parts. The first part covers private access agreements (paragraphs 1 and 2), while the second part covers government to government access agreements (paragraphs 3, 4 and 5). The third part provides common provisions for access agreements including processes for denial of licenses, the requirements for coastal State license templates for foreign fishing vessels, and identification of Competent Authorities to license such third party vessels.



There is a requirement for the CPC to notify the flag State of reasons for denial of a fishing license under paragraph 6. The CPCs shall notify the ship owner and flag State concerning foreign flagged fishing vessels that requested a license for which the request of license was denied and if the reason for denial is due to an infraction – it shall be addressed by the Compliance Committee. This presumes that in the latter case of denial due to an infringement of IOTC CMMs that a report shall be forwarded to the Commission.

Coastal State CPCs are required to submit a record of foreign vessel licenses issued in the previous year to fish tuna and tuna-like species in their waters. This information should be submitted by the 15th February of every year. The list of items to report per vessel (9 in total) is specified in the resolution.

Coastal State CPCs are required to submit a record of foreign vessel licenses issued in the previous year to fish tuna and tuna-like species in their waters.

Under government-to-government agreements (e.g. Madagascar with the European Union), the resolution proposes that coastal and flag States – signatories to such agreements – make a joint notification of information from the Agreement to the IOTC Executive Secretary including:

- a) The CPCs involved in the agreement;
- b) The time period or periods covered by the agreement;
- c) The number of vessels and gear types authorised;
- d) The stock or species authorised for harvest, including any applicable catch limits;
- e) The CPC's quota or catch limit to which the catch will be applied, where applicable;
- f) Monitoring, control, and surveillance measures required by the flag CPC and coastal CPC involved;
- g) Data reporting obligations stipulated in the agreement, including those between the parties involved, as well as those regarding information that must be provided to the Commission;
- h) A copy of the written agreement.

Information, as specified, relating to these agreements already in force prior to the entry into force of this resolution in 2012, was to be made available to the Commission, 60 days prior to its meeting in 2013 (i.e. as part of the annual report under Article X). Likewise, any modifications to such agreements should give rise to a prompt notification of the Commission.

Although the responsibility is shared under the second part of the resolution, the coastal State bears the overall responsibility for informing the various organs of the IOTC – as specified.

The scope of the resolution resides entirely on the provision of Government to Government access agreements and coastal State licensing templates and information for third Party vessel information (paragraph 7) to the IOTC Secretariat and the Commission.

COASTAL STATE REQUIREMENTS

UNDER PRIMARILY FLAG STATE CMMs



Landing of tuna from a
purse seine vessel

The full presentation of the content and objective of these (primarily flag State) resolutions treated under this section (focusing on coastal State requirements only) is made under the same resolution headings, within the flag State chapter of this manual.

Note: It is recognised that Resolution 03/01 is still an active Resolution, however, the main reporting requirements are incorporated in Resolution 15/11.

Resolution 17/07
implements
United Nations
General Assembly
Resolution 46/215
which calls for a
global moratorium
on large-scale high
seas driftnet fishing.

RES. 17/07:

LARGE-SCALE DRIFTNETS

Resolution 17/07 supersedes Resolution 12/12 of the same title. It implements United Nations General Assembly Resolution 46/215 which calls for a global moratorium on large-scale high seas driftnet fishing. The resolution is presented in full under the same title in the Chapter on flag State CMMs.

Technical requirements

While there are no explicit technical requirements for coastal State CPCs under this resolution, it would appear obvious that coastal States are expected to incorporate the expanded prohibition for driftnet fishing within the EEZ into their national legal framework – and this is supported by the tenets of paragraph 8. However, the resolution does not address this particular matter, and rules from an exclusive flag State perspective.

Reporting requirements

During the conduct of an inspection by coastal State inspectors, the presence of large scale driftnets on-board a vessel, and their prohibited/illegal use on the high seas may be established. It then pertains to the coastal State, in its annual implementation report, to provide a summary of MCS actions it has taken related to this resolution and its enforcement (paragraph 6).

RES. 16/08:**USE OF AIRCRAFTS AND DRONES**

This resolution aims to limit increases in fishing power by prohibiting the use of piloted and remotely piloted aircraft in support of fishing operations

This resolution, primarily aimed at flag States, aims to limit increases in fishing power through technological creep, by prohibiting the use of piloted and remotely piloted aircraft in support of fishing operations (or as “fishing aids”) – regardless of the gear deployed.

Reporting requirements

There is one event-based reporting requirement under this resolution which applies to coastal States, as follows:

1. CPCs that become aware of fishing operations undertaken with the aid of aircraft (manned or unmanned) – which a coastal State may detect during sea patrols – should report the occurrence to the IOTC Secretariat and the flag State.



RES. 15/11:

LIMITATION OF FISHING CAPACITY

Although this Resolution deals mainly with flag State requirements for capacity limitations, it does open the door for other CPCs not flag State or without vessels fishing tuna (e.g. coastal States of the Indian Ocean) desiring to build their tuna industries and tuna fleets, through the development of a Fleet Development Plan referred to in paragraph 6.

Reporting Requirements

Paragraph 1 requires notification to the IOTC Secretariat of the vessels by gear type and gross tonnage that fished tropical tunas in 2006 and swordfish and albacore in 2007, including vessels already under the administrative processes of construction. Paragraph 2 notes the requirement for CPCs to report their verification of these fishing capacities. Paragraph 6 opens the door for CPCs that wish to develop their tuna fishing capacity to do so through submission of a Fleet Development Plan. The information to be provided are: the type of vessel, size (GT), gear and origin of the vessels.



Purse seine caught tuna in the hold of a reefer



Pole and line tuna vessel

This Resolution lays the foundation to identify the vessels greater than 24m and those less than 24 m that are authorized by their respective flag States to fish for tuna and tuna-like species outside their EEZs.

RES. 15/04:

RECORD OF AUTHORIZED VESSELS

This Resolution has superseded Resolutions 14/04, 13/02, 07/02 & 01/02, 05/02, and 02/05. This is one of the core resolutions for IOTC compliance as it lays the foundation to identify the vessels greater than 24m and those less than 24 m that are authorized by their respective flag States to fish for tuna and tuna-like species outside their EEZs.

Technical requirements

The paragraphs 9a, 9b[ii], and 9b[iii] provide the specific responsibilities of the coastal State CPC in this resolution to prohibit fishing, having onboard or transshipping tunas by vessels not on the IOTC Record and requirement of statistical documents to accompany all frozen bigeye tuna, caught by longline vessels, imported for verification against the IOTC Vessel Record and their authenticity.

Reporting requirement

As a coastal State, the reporting requirement of this resolution relates to the notification of information showing that non-authorized fishing vessels operate in the IOTC area of competence.

This Resolution is to ensure that all vessels 24 m and longer, as well as vessels under 24 m that fish outside their EEZs, authorized to operate in the IOTC Area of Competence carry and operate a VMS.

RES. 15/03:

VESSEL MONITORING SYSTEM (VMS)

Technical Requirements

This Resolution is to ensure that all vessels 24 m and longer, as well as vessels under 24 m that fish outside their EEZs, authorized to operate in the IOTC Area of Competence carry and operate a VMS (paragraph 1). Most of the technical requirements are specified in Annex 1 - Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices.

Reporting Requirements

This Resolution is targeted almost exclusively at flag States, however Annex 1, paragraph A notes that any CPC that has information to suspect that the VMS does not meet IOTC requirements or has been tampered with, that CPC shall report the matter to the IOTC Secretariat. This knowledge can come from a coastal State's at sea inspection (or a port State's port inspection) and thus becomes a reporting obligation for the coastal State (or the port State).

Roof of the bridge of a tuna longliner where the antenna of VMS is commonly installed





Shark fins

This resolution gives full consideration to the endangered and vulnerable status of sharks, from the family of thresher sharks (*Alopiidae*).

RES. 12/09:

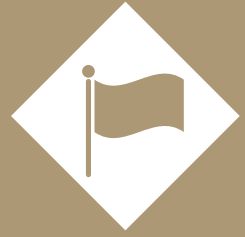
CONSERVATION OF THRESHER SHARKS (FAMILY ALOPIIDAE)

This resolution, which supersedes Resolution 10/12 of the same title, gives full consideration to the endangered and vulnerable status of sharks, from the family of thresher sharks (*Alopiidae*). It provides a limited number of technical and reporting requirements, most of which are directed to the flag State and will be discussed in detail under Flag State CMMs.

Reporting requirements

As a coastal State, the reporting requirement of this resolution focused on the submission of catch and effort data of thresher sharks caught by foreign fishing vessels and reported to the coastal State through the logbooks programme (if the coastal State is licensing foreign fishing vessels). It is implied that this information shall be reported as per the requirements of Resolution 15/01 in accordance with the timeline of Resolution 15/02.





CHAPTER 3

FLAG STATE CMMs

Large scale tuna longline vessel (LSTLV) operating on the high sea



CMMs addressing primarily the flag State form the bulk of the binding IOTC conservation and management measures,

CMMs addressing primarily the flag State form the bulk of the binding IOTC conservation and management measures, as can be gathered from the matrix presented in table 1. The reason for this resides primarily in the fact that jurisdiction and control over fishing activities on the high seas may be exercised most effectively through flag State jurisdiction over fishing vessels targeting resources in waters that lie partly or primarily beyond the boundaries of national jurisdictions. This assumes however, that the flag State is committed to sustainable and responsible regional fisheries management.

Noting the above, and traditional regional management practices, the flag State has been the focus of responsibility and action for conservation and management measures in the IOTC Area of Competence. Of the 32 active resolutions involving reporting obligations:

- 16 resolutions are pure flag State resolutions (i.e. they do not address any other State type);
- 6 are primarily flag State resolutions;
- 4 address flag States as a secondary party,
- 5 cover flag States as cross-cutting CMMs.

Therefore, 31 out of the 32 resolutions that have reporting requirements address flag State jurisdiction issues to some degree.

The obligations of the flag States are contained in the resolutions as follows (these resolutions and their requirements are presented in full in this chapter):

UNDER RESOLUTIONS WHICH ADDRESS THE FLAG STATE ALONE:

- Res. 17/08: FADs management plan requirements;
- Res. 17/06: Transshipment by large-scale fishing vessels;
- Res. 17/05: Conservation of sharks;
- Res. 17/01: Interim YFT rebuilding plan;
- Res. 16/07: Use of artificial lights
- Res. 16/06: Non-fulfilment of reporting obligations
- Res. 15/05: CMM for striped, black and blue marlins;
- Res. 15/02: Mandatory statistical requirements;
- Res. 15/01: Catch and effort data recording;
- Res. 13/06: Management framework on conservation of shark species;
- Res. 13/05: Conservation of whale sharks;
- Res. 13/04: Conservation of cetaceans;
- Res. 12/06: Reduction of seabird bycatches;
- Res. 12/04: Conservation of marine turtles;
- Res. 11/04: Regional observer scheme,
- Res. 10/08: Record of active Vessels.



UNDER RESOLUTIONS, WHICH PRIMARILY ADDRESS FLAG STATES, BUT ALSO OTHER STATE TYPE RESPONSIBILITIES (THESE RESOLUTIONS AND THEIR REQUIREMENTS ARE ALSO PRESENTED IN FULL UNDER THIS CHAPTER):

- Res. 17/07: Large-Scale driftnets;
- Res. 16/08: Use of aircrafts and drones
- Res. 15/11: Limitation of fishing capacity;
- Res. 15/04: Record of authorized vessels;
- Res. 15/03: Vessel Monitoring System (VMS);
- Res. 12/09: Conservation of thresher sharks,
- Res. 05/05: Conservation of sharks.

UNDER A RESOLUTION WHICH PRIMARILY ADDRESSES COASTAL STATES, BUT ALSO COVERS THE FLAG STATE (THIS RESOLUTION HAS BEEN PRESENTED IN FULL IN THE COASTAL STATE CMMS CHAPTER. IN THIS CHAPTER, ONLY THE REQUIREMENTS FOR FLAG STATES ARE PRESENTED):

- Res. 14/05: Record of licensed foreign fishing vessels and access agreements.



UNDER RESOLUTIONS WHICH PRIMARILY ADDRESS PORT STATES, BUT ALSO COVER FLAG STATES (THESE RESOLUTIONS ARE PRESENTED IN FULL IN THE PORT STATE CMMS CHAPTER OF THIS MANUAL. IN THIS CHAPTER, ONLY THE REQUIREMENTS FOR FLAG STATES ARE PRESENTED):

- Res. 16/11: Port State measures,
- Res. 05/03: Programme of inspection in port.



UNDER RESOLUTIONS WHICH PRIMARILY ADDRESS MARKET STATES, BUT ALSO COVER THE FLAG STATE (THESE RESOLUTIONS ARE PRESENTED IN FULL IN THE MARKET STATE CMMS CHAPTER. IN THIS CHAPTER, ONLY THE REQUIREMENTS FOR FLAG STATES ARE PRESENTED):

- Res. 01/06: BET statistical document programme.

Flag State reporting requirements under these resolutions are presented and discussed in the following sections.

The five cross-cutting resolutions, as well as reporting obligations under the IOTC Agreement, the Rules of Procedure, the Commission and the Scientific Committee apply to all CPCs and are presented in full in the final chapter of this manual.

REQUIREMENTS UNDER EXCLUSIVE FLAG STATE CMMs

Beacons of FADs stored on board a tuna purse seiner



Drifting FADs are primarily used by purse seiners to aggregate skipjack and juvenile bigeye and yellowfin tunas.

RES. 17/08: FADS MANAGEMENT PLAN REQUIREMENTS

This Resolution supersedes resolution 15/08 which in turn superseded resolutions 13/08 and 12/08. The evolution and use of Fish Aggregating Devices (FADs), both anchored FADs (AFADs) and drifting FADs (DFADs), has increased the efficiency of fishing operations to the extent that with instrumented FADs fishers no longer need to search for fish – the FAD aggregates the fish, and sounders can give some indication of the type and quantity of fish around the FADs, thus changing the fishing operation to a harvesting activity as opposed to a search and catch operation.

Anchored FADs are in use to assist fishers in catch efficiency, and drifting FADs are primarily used by purse seiners to aggregate skipjack and juvenile bigeye and yellowfin tunas.

Although extremely efficient and cost effective for fishers, concerns were raised that uncontrolled use of FADs may lead to a rapid decline in fish stocks and may also result in a very high percentage of catch of juveniles. Use of FADs has been addressed in other tuna RFMOs and it appears that the IOTC is the last t-RFMO where steps are being taken to control use of FADs for fishing.

Resolution 15/08
establish the
requirement for a
FAD management
plan for purse
seiners.

The intent of Resolutions 12/08 and 13/08 was to start to implement control mechanisms for the use of this fishing gear by both purse seiners and bait boats. Resolution 12/08 set the requirement for a FADs Management Plan and included guidelines as to what information and data was required in such a plan. The FADs plan was required for purse seiners and bait boats. Resolution 13/08 extended the management plan requirements for purse seine and bait boat operations to include Annex I – the Guidelines for Drifting FADs (DFADs) Management Plans; Annex II – Guidelines for Anchored FADs (AFADs) Management Plans; and Annex III – Principles for Design and Deployment of FADs, the latter to mitigate bycatches of sensitive species, e.g., turtles, sharks, etc.

These guidelines were further extended under Resolution 15/08, to set limits (paragraph 3) for the carriage of ‘instrumented buoys’ for DFADs, further detailed recording requirements, and also set marking requirements (paragraph 16) for DFADs to be implemented from January 2016. The current (and 4th) iteration of this resolution provides a more precise definition of what an active buoy is and the conditions of its activation (paragraph 3), in order to facilitate implementation of paragraph 10 of Resolution 17/01 on an interim YFT rebuilding plan. This plan calls for, inter alia, the assessment of effectiveness of FAD management measures. It also lowers the number of instrumented buoys to be deployed by purse seine vessels at any one time to 350 (down from 550 under Resolution 15/08).

Tuna purse seine vessels
use FADs, increasing the
efficiency of the fishing
operations



The maximum number of instrumented buoys active from a purse seiner at any one time is 350 and the maximum number of instrumented buoys that can be acquired by any purse seiner annually is set at 700.

Technical requirements

The maximum number of instrumented buoys active from a purse seiner at any one time is 350 and the maximum number of instrumented buoys that can be acquired by any purse seiner annually is set at 700 (paragraph 3).

There are two interesting control options open, one to a flag State and another to a coastal State, both noted in paragraph 4. A flag State may adopt a lower FADs limit for its vessels and a coastal State may also adopt a lower limits for FADs deployed in its EEZs.

Paragraphs 5 and 7 state the responsibility of the flag State to control the numbers of 'instrumented buoys'.

On data recording, para 10 sets the requirements for flag State CPCs to record data according to Annex I, to ensure that purse seiners actually record the data accordingly.

On the marking of FADs, paragraph 15 sets the stage for mandatory marking for FADs by January 2016 in a manner determined by the Commission.

Reporting requirements

Recognising that this Resolution applies to CPCs having purse seine vessels fishing on DFADs equipped with instrumented buoys, there are three reporting requirements for:

- submission of annual FADs management plans (or an update if already submitted under Resolution 12/08) for each of the applicable purse seine vessels (paragraph 11);
- submission of a report on the progress of implementation of the FADs management plans (paragraph 13),
- the commencement in January 2016 of reports including data elements prescribed in Annex I and Annex II (paragraph 14).

This resolution addresses IUU fishing and the laundering of illegally caught harvests into market supply streams by establishing a mandatory framework for monitored transshipments.

RES. 17/06:

TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS

This resolution supersedes Resolutions 14/06, 12/05, 11/05, 08/02 and 06/02. It addresses IUU fishing and the laundering of illegally caught harvests into market supply streams by establishing a mandatory framework for monitored transshipments, based on notifications, authorizations and data transmissions. At-sea transshipment operations are a recognised channel for laundering of illegal catches. The resolution is one of the most complex IOTC resolutions, and is segmented into several functional layers.

One of the key concerns with this Resolution is that a flag State CPCs can submit a list of carrier vessels authorized to receive at-sea transshipments from its fishing vessels that may include carrier vessels from a non CPC country. Because of this possibility there is a high risk of non-compliance with IOTC CMMs and flag State measures.

Technical requirements

The following is a general summary of the technical requirements. This summary does not cover every detailed requirement, but endeavours to provide a general picture of the central elements, so that reporting requirements may be properly understood.

As a general rule, transshipments are confined to ports, except under the programme to monitor transshipments at sea specified in section 2 of the resolution (paragraph 1).

Only large-scale tuna longline fishing vessels (LSTLVs, interpreted to be those vessels of LOA 24m or above) may, under prescribed conditions, continue to tranship at sea onto carrier vessels that also fall under a monitored regime. It is up to flag States to decide whether they authorise their LSTLVs to tranship at sea or not (paragraph 4).

A formal IOTC record of carrier vessels authorised to receive transshipments at sea from authorized LSTLVs is created (paragraphs 5 and 6), and these vessels must carry VMS (paragraph 9). Transshipments made within the EEZ of a coastal State, requires the prior authorization of that coastal State (paragraph 10).

As a general rule, transshipments are confined to ports, except under the programme to monitor transshipments at sea specified in section 2 of the resolution.

For every transshipment at sea, an LSTLV must obtain prior authorization from its flag State (paragraph 11) following the submission of detailed information on what products are to be transhipped (paragraph 12); the same rule does not apply for transshipments in port (ANNEX I; paragraphs 1 and 2).

An observer programme provides for the mandatory placement of an IOTC observer aboard every duly authorised carrier vessel (paragraphs 17, 18, 19 and 20).

Reporting requirements

Flag States must notify the IOTC Secretary of the carrier vessels they have authorised and that should be integrated into the record of vessels authorised to tranship at sea. This record is to be updated on a required basis (paragraphs 6 and 7).

Paragraph 22 notes that flag State CPCs must submit a report to the IOTC Secretary annually by 15 September noting the quantities transhipped, the LSTLVs that have transhipped, and an assessment of related reports of observers placed on receiving carrier vessels.

In addition to reporting requirements by CPCs to the IOTC Secretariat, there are a host of reporting obligations by masters of both LSTLVs and carrier vessels to flag, port and coastal States within the scheme – depending on the circumstances – which must be fulfilled. In summary, these obligations have to do with prior notifications for transshipments, and the submission of transshipment declarations.

Transshipment operation of frozen tunas to a carrier vessel.



This resolution pursues the objectives of protecting and conserving sharks which are caught as bycatch in fisheries under IOTC management and reduce the practice of shark finning.

RES. 17/05:

CONSERVATION OF SHARKS

This resolution, which supersedes Resolutions 05/05 is targeting flag States and pursues the objectives of protecting and conserving sharks which are caught as bycatch in fisheries under IOTC management and reduce the practice of shark finning. The resolution recognizes that artisanal fishers traditionally utilize the entire carcass of the fish (paragraph 12).

Technical requirements

The resolution has technical requirements which – if implemented – should contribute substantially in reducing shark mortality related to finning and discarding of mutilated individuals.

In essence, the resolution establishes that sharks retained on-board must be fully utilized (retention of all parts except head, guts and skins - paragraph 2).

Shark fins on-board any vessel may not constitute more than 5% by weight of all shark produce on-board – at the point of first landing (paragraph 3.b) and if not landed, monitoring and certification of the ratio on-board should be carried out.

The buying and/or placing on the market of shark fins harvested, removed, transhipped or landed in contravention to the resolution is to be prohibited by CPCs (paragraph 7). This provision sets out to further the reach of the finning prohibition by adding a market-related provision.

The resolution encourages CPCs to release live sharks (paragraph 4). Paragraph 10 encourages CPCs to annually review available new information with the ultimate aim to improve the overall management and sustainability of shark fisheries. CPCs shall also conduct a range of research activities into sharks including use of selective fishing gear and nursery areas (paragraph 11).

Reporting requirements

CPCs shall report shark-related data annually, and no later than the 30th June, in accordance with IOTC data reporting requirements under resolution 15/02 – and including, where available – historical data (paragraph 6).

RES. 17/01:**INTERIM YELLOWFIN TUNA REBUILDING PLAN**

This resolution provides a plan to rebuild the YFT stock.

This resolution supersedes Resolution 16/01, and provides a plan to rebuild the YFT stock. This stock, at the end of 2017, was both overfished, and subject to overfishing. The resolution applies to all fishing vessels over 24m in length, and all fishing vessels under 24m in length operating beyond the EEZ (paragraph 1).

The resolution establishes that the Scientific Committee in 2018 will, on the basis of a new YFT stock assessment, review the effectiveness of the rebuilding plan contained in the resolution, and determine whether additional corrective measures are required.

Technical requirements

The technical requirement of the resolution is for flag State CPCs to reduce their annual YFT catches by a set percentage, taking 2014 or 2015 as the year of reference. All gears, including purse seine, longline and gillnets are covered (paragraphs 3, 4, 5, and 6). The resolution calls on CPCs to determine for themselves what the most appropriate method for achieving the targeted catch reductions would be (capacity reductions, effort limits, etc.).

Reporting requirements

Reporting requirements pertain to the flag State alone. CPCs shall report to the IOTC Secretariat the measures undertaken to achieve the catch reductions – as part of their annual Implementation Report (paragraph 7). The resolution also re-iterates the importance for CPCs to complying with their reporting obligations under Resolutions 15/01 and 15/02 covering the recording of catch and effort data and the reporting of statistics.

The prohibition to use artificial lights for fishing entered into force for all CPC vessels and FADs on the 1st January, 2018.

RES. 16/07:

USE OF ARTIFICIAL LIGHTS

This resolution supersedes Resolution 15/07, which regulated the use of artificial lights on drifting fish aggregating devices (DFADs). The resolution regulates the use of artificial lights to attract fish while fishing – under all circumstances. Similar to Resolution 16/08, it intends to set limits on the further introduction of new technologies into the fishery. The prohibition to use artificial lights for fishing, following a transition period, entered into force for all CPC vessels and FADs on the 1st January, 2018.

Technical requirements

The resolution requires CPCs to prohibit fishing vessels and support / supply vessels flying their flag *“from using, installing or operating surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species beyond territorial waters”* (paragraph 1). In addition to this, it prohibits vessels flying the flag of a CPC to intentionally fish around an artificially lit DFAD, and to remove any such artificially lit DFAD from the water and take them back to port.

Reporting requirements

Contrary to Resolution 16/08 on the prohibition of the use of manned and unmanned aircraft, the resolution does not call for parties deploying such DFADs to be reported to the IOTC Secretariat and the flag State of the vessel having deployed them.

The resolution does however grant a transition period to those CPCs whose vessels already actively use artificial lights to attract tuna and tuna-like species, up to the 31st December 2017, if they report to the Secretariat within 120 days of the adoption of the resolution.

Yellowfin tuna caught by a longline vessel.



RES. 16/06:

NON-FULFILLING OF REPORTING OBLIGATIONS

This resolution is primarily addressing the situation related to CPCs failing to comply with IOTC data reporting obligations. Most specifically relating to requirements of reporting nominal catch data to the IOTC Secretariat by the 30th June of each year. These obligations – alongside others – are codified in Resolution 15/02 (for IOTC Species) and 17/05 (for sharks). This leads to a situation, where, due to a lack of information and data gaps, the Scientific Committee is limited in its efforts to assess the status of stocks and to provide informed management advice to the Commission.

Technical requirements

The technical requirements under this resolution, which aim to provide a sanctioning mechanism for non-compliant CPCs. Failure to properly report nominal catch data in accordance with Resolution 15/02 can lead to a CPC losing its right to retain species when no or incomplete data are reported to the IOTC Secretariat (paragraph 3).

Reporting requirements

In order to ensure that CPCs abide with their reporting obligations, they shall include in the annual reports information on *"actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches"* (paragraph 1).

This resolution is primarily addressing the situation related to CPCs failing to comply with IOTC data reporting obligations.

The intent of this regulation is to reduce catches of striped, black and blue marlins back to 2009-2014 levels.

RES. 15/05:

CMM FOR STRIPED, BLACK AND BLUE MARLINS

The intent of this regulation is to reduce catches of striped, black and blue marlins back to 2009-2014 levels, and gather more data on catches to enhance scientific knowledge and analyses.

Technical requirements

Paragraphs 1 and 2 aim to reduce catches to the levels reported during the period 2009-2014, and include a requirement to release the marlins alive, where possible.

Reporting requirements

The catch and effort, length frequencies and bycatch/discard data on striped, black and blue marlins are to be reported to the Secretariat (paragraph 4), however, the timing of the reports is not specified. Although it does not state when data should be reported but it states that the Scientific Committee is to annually review the information, it can be assumed that this information should be reported as per the requirements of Resolution 15/01 in accordance with the timeline of Resolution 15/02.

String of frozen marlins ready to be transhipped.



RES. 15/02:**MANDATORY STATISTICAL REQUIREMENTS**

The mandatory statistical requirements focus on the collection of data on catches, fishing effort and the distribution of sizes of the fish in the catch, which are essential information to determine the status of the resources.

This resolution supersedes Resolutions 10/02, 08/01, 01/05, 98/01 and is critical to the operations of the Commission to ensure the provision of timely, accurate and complete data on tuna and tuna-like species for scientific purposes and management recommendations from the Scientific Committee. The mandatory statistical requirements focus on the collection of data on catches, fishing effort and the distribution of sizes of the fish in the catch, which are essential information to determine the status of the resources. The requirements under this resolution are primarily channelled through the flag State.

The resolution specifies that some of the required data are for the exclusive use of IOTC scientists and that the IOTC data confidentiality policy and procedures (provided for under Resolution 12/02) apply.

Technical requirements

The resolution requires CPCs to collect catch data (total annual catch by species – paras 2 & 3), catch and effort data (para 4), size data (Para 5), and data on FADs and supply vessel operations (para 6). The resolution explains in detail how the data under the different categories must be organised. It is for each CPC to ensure that it complies with the specified data collection/supply protocols.

These data are analysed by the Scientific Committee and its Working Parties, subject to the approval of the data owners and in accordance with Resolution 12/02 Data confidentiality policy and procedures, and should be provided in a timely fashion.

Reporting requirements

The general reporting requirement is contained in paragraph 1, and the reporting timelines relate to the submission of the different data records to the IOTC Secretariat and are specified in paragraph 7 of the resolution.

For longline fleets operating on the high seas – i.e. implying fleets operating there at least part of the time – flag States shall submit provisional data by the 30th June for the previous year and final datasets for the previous year by 30 December.

For all other fleets, all final annual catch data should be submitted by the 30th June for the previous year.

The resolution also makes provision for late reporting, and the revision of historical data. Reporting templates are hosted on IOTC’s website under <http://www.iotc.org/data/requested-statistics-and-submission-forms>.

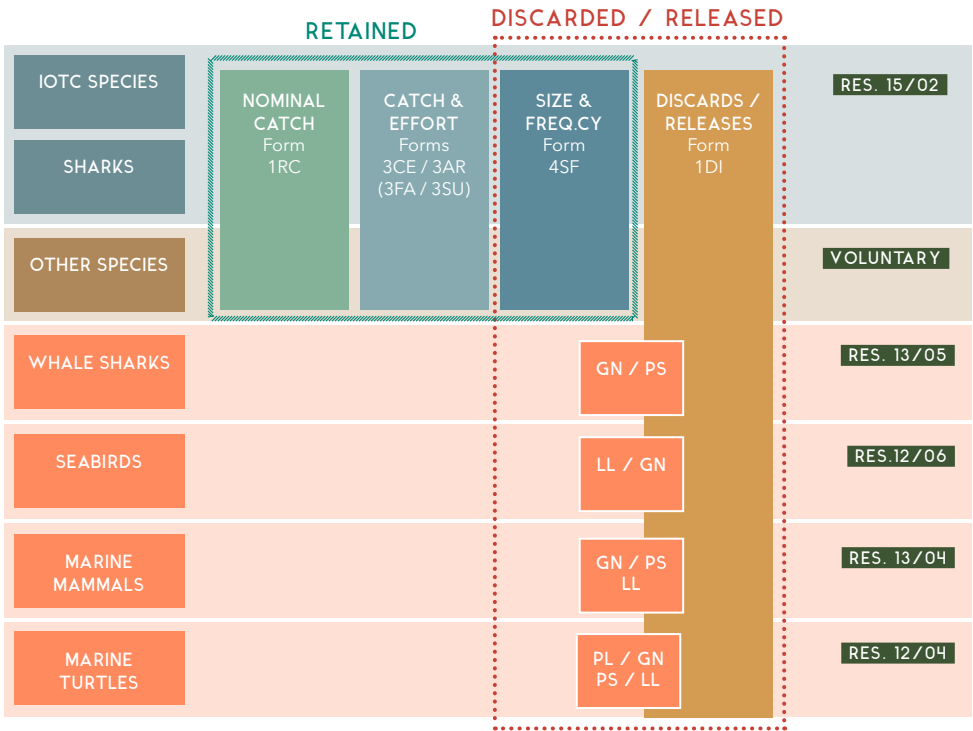


Figure 1: Current IOTC statistical data reporting requirements by species and data set, including references to the recommended IOTC forms for data submission and categorized by the fate of the captured species (retained vs. discarded / released).

RES. 15/01:**CATCH AND EFFORT DATA RECORDING**

The intent of the Resolution 15/01 is to build on other IOTC measures to obtain more detailed catch and effort and bycatch data for science analyses from purse seine, longline, gillnet, pole and line, handline, trolling fisheries.

This Resolution supersedes Resolutions 13/03, 12/03, Recommendation 11/06, and Resolutions 10/03, 08/04, 07/03. The information it covers is critical for the work of the Scientific Committee. The intent of the Resolution is to build on other measures to obtain more detailed catch and effort and bycatch data for science analyses from purse seine, longline, gillnet, pole and line, handline, trolling fisheries.

The data being requested is for all vessels greater 24m and those less than 24m that fish outside their EEZs. The intent is to establish a data recording system and it also recognizes that such a system for vessels under 24 m will be challenging to set up so the latter is expected to be implemented through a phased approach and be in place by 1 July 2016 (paragraph 11).

Technical requirements

The requirement to establish a data recording system and the scope of applicability of the system are in paragraphs 1 and 2.

The requirement for a paper or electronic logbook is in paragraph 3 noting the required data details as per Annexes I to III, and the requirement for it to be in one of the two languages of the Commission is in paragraph 5.

The data information requirements are segregated by trip (Annex I - para 6), set/shot or operation for specified fishing gear (Annex II - para 7) and specifications for handline and trolling gears (Annex III para 8).

Reporting requirements

There are two reporting requirements:

- the CPCs templates (official logbooks) for reporting catch and effort according to the three Annexes by 15 February 2016 and,
- the report of aggregated data each year by 30 June for the preceding year.

These requirements are in paragraphs 4 and 10 respectively.

Transhipment operation of tunas between a carrier vessel and a large scale tuna longline vessel (LSTLV).



RES.13/06: MANAGEMENT FRAMEWORK ON CONSERVATION OF SHARK SPECIES

This Resolution is for the protection of oceanic whitetip shark (*Carcharinus longimanus*) taken as bycatch in the tuna fisheries.

Technical requirements

In essence this Resolution prohibits retention on board, transhipment, landing or storage of any whitetip shark or part thereof, except for scientific purposes and artisanal fishers (paragraph 3). Further, CPCs shall require their vessels to release unharmed any unharmed whitetip sharks brought alongside or from the line (paragraph 4).

Flag State CPCs should 'encourage' their fisheries to record incidental catches and inter-actions with whitetip sharks, and although it does not state that such data should be reported, or when, to the IOTC, it is implied in Paragraph 5 and assumed that it would accompany the data for the Scientific Committee for analyses as per paragraph 8.

Finally, CPCs shall conduct research on whitetip sharks, where possible and then consider other management measures as appropriate (paragraph 6).

This Resolution prohibits retention on board, transhipment, landing or storage of any whitetip shark or part thereof, except for scientific purposes and artisanal fishers.

Reporting requirements

Although it does not state that whitetip sharks catch data should be reported and when, it is implied that this information shall be reported as per the requirements of Resolution 15/01 in accordance with the timeline of Resolution 15/02.

Oceanic white tip shark.



This Resolution prohibit the setting of purse seine nets around whale sharks.

RES. 13/05:

CONSERVATION OF WHALE SHARKS

Technical requirements

This Resolution addresses the following technical actions by flag States with respect to incidental catches of whale sharks (*Rhincodon typus*) by their vessels:

- Prohibit the setting of purse seine nets around whale sharks (paragraph 2);
- Ensure all steps are taken to release whale sharks alive (paragraph 3 a);
- Collect information on such entanglements in fishing gear with details as per paragraph 3 b),
- Ensure that FADs are designed to reduce incidents of entanglement (paragraph 5).

Reporting Requirements

This Resolution addresses the following reporting actions by flag States with respect to incidental catches of whale sharks (*Rhincodon typus*) by their vessels:

- to report logbook or observer information on such instances by 30 June for the preceding year (paragraph 7) and,
- to report instances in which whale sharks have been encircled by the purse seine nets in the Implementation Report (Article X, IOTC Agreement).

Incidental catches of whale sharks must be reported in the fishing logbook.



Incidental catches of cetaceans must be reported in the fishing logbook.



RES. 13/04:

CONSERVATION OF CETACEANS

Technical requirements

The technical requirements of this Resolution are similar to that for whale sharks with the intent to:

- Prohibit the setting of purse seine nets around cetaceans (paragraph 2);
- Ensure all steps are taken to release of whale sharks alive (paragraph 3 a);
- Collect information on such entanglements in fishing gear with details as per paragraph 3 b),
- Ensure that FADs are designed to reduce incidents of entanglement (paragraph 5).

Reporting requirements

The reporting requirements of this Resolution are similar to that for whale sharks with the intent to:

- to report logbook or observer information on such instances by 30 June for the preceding year (paragraph 7) and,
- to report instances in which cetaceans have been encircled by the purse seine nets in the Implementation Report (Article X, IOTC Agreement).

The technical requirements of this Resolution prohibit the setting of purse seine nets around cetaceans.

The main objective of the Resolution 12/06 is the reduction of incidental seabird mortality in longline fisheries.

RES. 12/06:

REDUCTION OF SEABIRD BYCATCH

This Resolution supersedes Resolution 10/06 and Recommendation 05/08. It is firmly grounded within FAO's *IPOA for Reducing the Incidental Catch of Seabirds in Longline Fisheries*, and follows up on the 2007 and 2009 recommendations of the IOTC Working Party on Ecosystems and Bycatch. Its main objective is the reduction of incidental seabird mortality in longline fisheries.

Technical requirements

The resolution obliges CPCs to seek reductions in seabird mortality associated to "all fisheries south of 25°S" through the use of effective mitigation measures. In particular, the resolution requires of the CPCs to record incidental catches of seabirds through their observer programme (paragraph 1), and if such a programme is not in place, to record such data in logbooks (paragraph 2). CPCs are to ensure that fishing operations are conducted in such a way as to reduce incidental catches, and for all longline fisheries conducted south of 25°S, through the use of at least two of three mitigation measures detailed in Table 1 of the resolution (paragraphs 5 & 6), the design and deployment of such measures further detailed in Annex I of this Resolution (paragraph 7). In essence the mitigation measures are to ensure the cover of longlines, and the fastest possible sinking of hooklines on shooting and retrieving these longlines.

Reporting requirements

CPCs are required to submit information on interactions with seabirds. This information is to be provided by flag States, or States authorising vessels to fish, through their annual reports (paragraph 3) in accordance with Article X of the Agreement, with data being collected through observer reports (paragraph 1) and if such a programme is not in place, to report incidental catches through logbooks (paragraph 2).

Release of a loggerhead turtle caught accidentally by a longline vessel



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RES. 12/04:

CONSERVATION OF MARINE TURTLES

This Resolution strengthens the foregoing Resolution 09/06 and Recommendation 05/08, which were pursuing the same goal of protecting marine turtles. The Resolution takes into account, and gives continuance to the intent of other Conventions, Agreements and Organisations in the domain of conserving sea turtles; such as CITES, the IOSEA MoU, or the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations.

Technical requirements

The Resolution calls on CPCs to implement the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations – as appropriate (paragraph 2).

The Resolution lays down a number of technical requirements by type of fishery in terms of mitigation measures. These include:

- CPCs must ensure that their fishermen are aware of proper sea turtle handling techniques, including de-hooking, resuscitation and safe transfer back to the sea (paragraph 6).

The Resolution calls on CPCs to implement the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations.

- All types of vessels (gillnetters, longliners and purse seiners) should record all incidents of sea turtle interactions in their logbooks and through observer programs (paragraph 7 – gillnetters).
- For longliners, they must record all incidents as noted above, carry line-cutters and de-hookers and release turtles according to IOTC guidelines, use whole finfish bait (paragraph 8).
- For purse seine vessels, they must avoid encircling turtles, carry dip nets, stop net roll as soon as the turtle comes out of the water, and release turtles alive where possible, adopt FAO designs to reduce turtle catches and report all incidents as noted above (paragraph 9).
- All CPCs, as appropriate, should undertake research on mitigation techniques across the range of fisheries they operate (paragraph 10) and collaborate with IOSEA (paragraph 14).

Reporting requirements

With respect to logbook and observer records on sea turtle interactions, CPCs should submit annual reports to the IOTC Secretariat by 30 June, data for the previous year in accordance with Resolution 10/02 on statistics (see relevant section further below). These data should include the level of coverage and an estimation of total sea turtle mortality (paragraph 3) and information on successful mitigation measures (paragraph 4) to the Scientific Committee.

For CPCs undertaking formal research into sea turtle by-catch mitigation measures, CPCs are requested to report those results to the Scientific Committee 30 days in advance of its annual meeting.

CPCs should also – in line with the annual reporting under Article X of the Agreement (see relevant section further below) – formally report to the Commission on their progress in implementing the FAO Guidelines and the resolution in general (paragraph 5).

RES. 11/04:**REGIONAL OBSERVER SCHEME**

This Resolution supersedes Resolution 10/04 of the same name and it is targeted to flag States. The regional observer scheme focuses on the need to increase scientific information. Its objective is to collect verified catch data by species, as well as other relevant scientific data. Observers (and samplers) under the scheme have no enforcement mandate but only a scientific mandate. The programme targets both at-sea observations and sampling in the small-scale fisheries.

The observer scheme endeavours to cover 5% of all operations (segmented by gear type) for the fleet of each CPC, covering vessels of over 24m LOA, or under 24m if fishing outside their EEZ. The target date to achieve this coverage was January 2013. The sampling scheme in the artisanal tuna fisheries targets 5% coverage of total vessel activity.

Technical requirements

Under the resolution, the CPCs have a number of obligations, which include the following:

- they bear the primary responsibility to develop their schemes and deploy their observers, so as to achieve the envisaged coverage - 5% by gear type/year, purse seine landings, and similar levels for field sampling of small scale/artisanal fishers (paragraphs 2, 3, 4);
- they have to ensure that coverage levels are met, observers alternate between vessels and are provided appropriate and safe accommodation and working environment (paragraph 5);
- they have to fund their observer schemes (paragraph 6).
- observer tasking is addressed in paragraph 10 and field sampler information is in paragraph 13.
- observer reports are to be submitted to the flag CPCs within 30 days of the completion of the trip.

Under Resolution 11/04, CPCs bear the responsibility to develop a national observer scheme and deploy observers.

Reporting requirements

There are two specific reporting requirements for this resolution:

- The first one refers to the production of an annual report flowing from each observer scheme (paragraph 9). This report should detail the number of vessels monitored and the coverage achieved.
- The second relates to the submission of observer reports to the IOTC Secretariat within 150 days – currently it is not clear whether the 150 days relates to the completion of the trip or to the date of receipt of the observer report by the flag State. For vessels fishing in EEZs the observer reports are also to be submitted to the coastal State (paragraph 11).

With respect to observers placed on longline vessels, the ideal geo-referenced reporting format for information contained in these reports should be in 1°x1° format.

Branchlines ready to be deployed and attached to the mainline of a tuna longline vessel



The aim of Resolution 10/08 is to establish – on a yearly basis – the vessels that are actively fishing in the IOTC Area of Competence.

RES. 10/08:

RECORD OF ACTIVE FISHING VESSELS

This Resolution may readily be described as the mirror image of Resolution 14/05 (Record of licensed foreign Vessels) and supersedes Resolutions 07/04, 05/04, and 98/04. Its aim is to establish – on a yearly basis – the vessels that are *actively fishing* in the IOTC Area of Competence. Under this Resolution, however, the information is not primarily supplied by the coastal State, but exclusively by the flag State.

It is also useful to distinguish this *active* record from the other basic record of vessels *authorised* to operate in the IOTC Area of Competence, established under Resolution 15/04, which does list vessels that flag States authorise to operate in the Indian Ocean, but which falls short of providing any indications on whether individually listed vessels are also active in the area at any given point in time.

Technical requirements

There are no technical requirements as such under this resolution, save the requirement for CPCs to be able to put together the information on their active vessels targeting tuna and swordfish in the IOTC area over the period of any given year. All vessels over 24m fall within the remit of this resolution, as well as vessels under 24m operating beyond the EEZ of the flag State.

Reporting requirements

As for Resolution 14/05, reporting is once a year – on the 15th February – to the Secretary of the IOTC. Included in the report should be a list of vessels that were active in the previous year, which is interpreted to mean the previous year (paragraph 1). For every vessel, a list of twelve information items is required, covering items such as vessel name, vessel type and target species (paragraph 2).

REQUIREMENTS UNDER PRIMARILY FLAG STATE CMMs



Large-scale driftnets are defined as being more than 2.5km in length

RES. 17/07:

LARGE-SCALE DRIFTNETS

Resolution 17/07 supersedes Resolution 12/12, it implements United Nations General Assembly Resolution 46/215 which calls for a global moratorium on large-scale high seas driftnet fishing, and expands the remit of Resolution 12/12 to include the EEZs of coastal States. Large-scale driftnets are defined as being more than 2.5km in length. The ban of large-scale driftnet fishing addresses concerns that driftnets catch non-target species like marine mammals, seabirds and turtles and continue to fish when they are lost or abandoned. Use of large-scale driftnets within EEZs is prohibited as of 1st January 2022.

Resolution 17/07
implements
United Nations
General Assembly
Resolution 46/215
which calls for a
global moratorium
on large-scale high
seas driftnet fishing.

Technical requirements

The resolution re-states the use of large-scale driftnets on the high seas within the IOTC Area of Competence, which was adopted in 2009, and calls on flag States to ensure that their vessels do not engage in large-scale high seas driftnet fishing. It then establishes in the same paragraph that *"large-scale driftnets in the entire IOTC area of competence shall be prohibited by 1 January 2022"* – not limited to the high seas, and including EEZs (paragraph 2).

Reporting requirements

Flag State CPCs must notify the IOTC Secretariat before 31st December, 2020 of any of their vessels using large-scale driftnets in their EEZs – for the purposes of establishing a baseline, and subsequent implementation of the monitoring of the resolution.

CPCs are to report – within the framework of the annual reports of implementation foreseen under Article X of the Agreement – on MCS actions directly related to the banning and policing of large-scale driftnet fishing (paragraph 6).

While this resolution clearly addresses flag State jurisdiction, implementation and enforcement, a coastal and/or a port State detecting an infringement of rules during vessel inspections in port or at sea would also be expected to report on the detection of illegal large-scale drift net fishing.

This resolution aims to limit increases in fishing power by prohibiting the use of piloted and remotely piloted aircraft in support of fishing operations.

RES. 16/08:

USE OF AIRCRAFTS AND DRONES

This resolution, primarily aimed at flag States, aims to limit increases in fishing power through technological creep, by prohibiting the use of piloted and remotely piloted aircraft in support of fishing operations (or as “*fishing aids*”) – regardless of the gear deployed.

Technical requirements

CPCs are called upon to prohibit their fishing vessels, including support and supply vessels, from using piloted and remotely piloted aircraft. As of the 1st January, 2018, such aircraft may no longer be deployed in Indian Ocean tuna fisheries.

Reporting requirements

There are two reporting requirements under the resolution, one of which is event-based, and one which is a one-time reporting obligation. In the same order, these are as follows:

1. CPCs that become aware of operations undertaken with the aid of aircraft (manned or unmanned) should report the occurrence to the IOTC Secretariat and the flag State (paragraph 3). In the case of flag States, such information would primarily be obtained from their fishing vessels (masters and/or observers);
2. A flag State whose vessels were actively deploying manned or unmanned aircraft at the time the resolution was adopted were allowed to continue deploying them until the 1st December 2017. However, in order to apply that provision, the CPC had to report to the IOTC Secretariat within 120 days, following the adoption of the resolution (paragraph 2).

Freshly caught pole and line tuna



RES. 15/11:

LIMITATION OF FISHING CAPACITY

The limitation of fishing capacity is a central issue, which IOTC has been addressing for many years; trying to develop and implement a framework which effectively does limit fishing capacity throughout the IOTC Area of Competence.

The limitation of fishing capacity is a central issue, which IOTC has been addressing for many years; trying to develop and implement a framework which effectively does limit fishing capacity throughout the IOTC Area of Competence. Efforts in this domain respond directly to the tenets of the IPOA-Capacity which the FAO published in 1999. The first resolution on the subject matter – setting specific capacity limits – was Resolution 03/01. Resolution 15/11, which supersedes Resolutions 12/11 and 09/02 of the same title, the latter two resolutions limiting the tonnage of active vessels fishing for tropical tunas to 2006 levels and albacore and swordfish to 2007 levels. Vessels under construction, and existing Fleet Development Plans (FDPs) were accommodated in this limitation, and countries with less than 10 active vessels targeting albacore were allowed in 2007 to develop and submit an FDP (Res 07/02 Para 7).

What is missing from the current resolution, though, is the explicit reference to the limitation of fishing capacity according to the established 2006 and 2007 reference capacity, and the additional capacity under FDPs, for which provision is made. This limitation of capacity did exist in Resolutions 07/05 and 06/05 (and also in Resolution 03/01 – albeit in another form), but reference to these limits has been “lost” (Resolution 07/02 paragraph 2), although it is inferred in paragraph 4 of this resolution, but still is not as clear as in the earlier resolutions.

Technical requirements

The technical requirements in this resolution have to be read in conjunction with the previous versions of this resolution, in order to grasp their full meaning and intent. Under the current version, the technical requirements for flag States largely focus on the following specific elements.

The first one is for those CPCs to confirm both the lists of vessels that fished outside their EEZs by specific parameters for tropical tunas in 2006 and swordfish and albacore in 2007, including vessels under construction, and verification of the presence and activities of their vessels in 2006 and 2007 (paragraphs 1 and 2).

Second is the understanding that the numbers of vessels may change by gear type, **but** *CPCs must be able to demonstrate that the change does not lead to an increase in fishing effort*, nor does it include vessels on the IUU vessel list of IOTC or any other tuna or other RFMOs (paragraphs 4 and 5).

Third is the confirmation of the specifics of the CPCs Fleet Development Plan and *compliance on implementation with the FDP on implementation* according to the FDP as noted in paragraph 7.



Fishing operations on-board a pole and line tuna vessel

Reporting requirements

Resolution 15/11 supersedes previous resolutions on the subject, and in particular Resolutions 12/11 and 09/05. In doing so, it also maintains several of the reporting deadlines of the earlier resolutions. For this reason many people will find it somewhat odd that the 2015 resolution calls for several pieces of information to be submitted to the IOTC Secretariat by 31st December, 2009. The reason for this is that several CPCs have not met this original deadline and that the resolution implicitly extends the deadline – while maintaining the original date in the text.

The first reporting requirement relates to the list of vessels (over 24m LOA, and under 24m LOA if fishing beyond the EEZ) which were actively fishing for tuna and tuna-like species, specifically for tropical tunas, and for albacore and swordfish in 2006 and 2007 respectively, in order to establish the reference capacity for each CPC (paragraph 1). CPCs must confirm the presence and activities of such vessels (paragraph 2). This requirement obviously relates only to those States that have still not positively responded to this requirement, and the deadline was the 31st December, 2009.

The second reporting requirement relates to those other CPCs not yet having notified the IOTC Secretariat of their fleet development plans, and may also apply to coastal States who wish to develop tuna fisheries. The deadline was also 31st December, 2009. Information to be submitted includes information on type, size, gear and origin of vessels to integrate the fleet and the programming for their phasing in (paragraph 6).

The Compliance Committee shall verify the compliance of CPCs to Resolution 15/11. However, there is no requirement for CPCs to report on Fleet Development Plan implementation although it is implied in paragraph 7, when it is noted that the Compliance Committee and Commission shall give annual consideration to problems related to the implementation of these plans.

Marlins ready to be transhipped to a carrier vessel



RES. 15/04

RECORD OF AUTHORIZED VESSELS

This Resolution has superseded Resolutions 14/04, 13/02, 07/02 & 01/02, 05/02, and 02/05. This is one of the core resolutions for IOTC compliance as it lays the foundation to identify fishing vessels greater than 24 m and less than 24 m fishing outside their EEZs, and any auxiliary, supply and support vessels, that are authorized by their respective flag States. All other fishing vessels, auxiliary, supply and support vessels, not on this list are deemed to be *not authorized to operate in the IOTC Area of Competence* (paragraph 1).

Technical requirements

Paragraph 1 details the technical requirements of the Commission regarding the maintenance of the list of authorised vessels, and paragraph 2 describes the information that CPCs are required to report. The Secretariat is required to publicize this information on the IOTC website, and take appropriate action when CPCs notify any changes to the authorized list.

Flag States must comply with the following controls over vessels flying their flag:

- Flag States must issue authorisations to fish (ATF) to their flag vessels to fish for species managed by the IOTC;

This Resolution lays the foundation to identify fishing vessels greater than 24 m and less than 24 m fishing outside their EEZs, and any auxiliary, supply and support vessels, that are authorized by their respective flag States.

- The requirement of flag States to control their vessels and limitations with respect to which vessels may be included in the list are noted in paragraphs 7, 8 and 9;
- Flag States must ensure that all its vessels carry the documents listed in paragraph 13, verify this each year and notify the Secretariat of any changes.
- Vessel and gear marking requirements for flag States to ensure for its vessels are included in paragraphs 14, and 15 with the assurance that all its vessels that operate in the IOTC Area of Competence are on the IOTC list noted in paragraph 16.

The paragraphs 9a, 9b[ii], and 9b[iii] provide the specific responsibilities of the coastal State CPC in this resolution to prohibit fishing, having onboard or transshipping tunas by vessels not on the IOTC Record and requirement of statistical documents to accompany all frozen bigeye tuna, caught by longline vessels, imported for verification against the IOTC Vessel Record and their authenticity.

Reporting requirement

Noted below are the primary reporting responsibilities of the flag State in this resolution:

- Flag States to submit the detailed information required for each vessel that flies its flag (Paragraph 2) and;
- Flag States promptly notify the IOTC Executive Secretary to additions, deletions and/or modifications from/to list of authorized vessels (Paragraph 5);
- Flag States to submit the template of the official authorisation to fish (ATF) outside national jurisdictions and the identification details of the competent Authorities of each CPC issuing ATF (Paragraph 3 and 4);
- CPCs must internally review their internal actions and measures (paragraph 8) regarding the control of their vessels on the RAV and report the results of the review to the Commission annually,
- Each CPC shall notify the IOTC Executive Secretary of any factual information showing that there are reasonable grounds for suspecting vessels not on the IOTC Record to be engaged in fishing for and/or transhipment (paragraph 10).

This Resolution ensure that all its vessels 24 m and larger, as well as vessels under 24 m that fish outside their EEZs, authorized to operate in the IOTC Area of Competence carry and operate a VMS.

RES. 15/03:

VESSEL MONITORING SYSTEM (VMS)

This Resolution supersedes Resolution 06/03 and is targeted at flag States, to ensure that all its vessels 24 m and larger, as well as vessels under 24 m that fish outside their EEZs, authorized to operate in the IOTC Area of Competence carry and operate a VMS (paragraph 1).

Technical Requirements

The technical parameters for the VMS are noted in paragraphs 5, 8 and 9 (for failure of its system) with the requirements for collection of such data by flag States for their vessels in land based fisheries monitoring centres (FMCs) at least every 4 hours (paragraph 7).

Reporting Requirements

If a CPC has not adopted a satellite-based VMS, it must notify the Compliance Committee of a plan to do so by April 2016 (paragraph 2).

Flag State CPCs must report on the implementation of their VMS to the Secretariat by 30 June each year (paragraph 12).

In the event that a failure occurs more than two times within a period of one year for a particular vessel, the Flag State of the vessel shall investigate the matter in order to establish whether the equipment has been tampered with. The outcome of this investigation shall be forwarded to the IOTC Secretariat within 30 days of its completion.

CPC shall, as soon as possible but no later than two working days following detection or notification of technical failure or non-functioning of the vessel monitoring device on board the fishing vessel, forward the geographical positions of the vessel to the IOTC Secretariat. Or ensure that these positions are forwarded to the IOTC Secretariat by the owner of the vessel, or a representative.

RES. 12/09:**CONSERVATION OF THRESHER SHARKS**

The Resolution 12/09 gives full consideration to the endangered and vulnerable status of sharks, from the family of thresher sharks (*Alopiidae*).

This resolution, superseding Resolution 10/12 of the same title, gives full consideration to the endangered and vulnerable status of thresher sharks (*Alopiidae*). It provides a limited number of technical and reporting requirements, most of which are directed to the flag State.

All three species of thresher sharks were listed in CITES Appendix II in 2017 and the listing entered into effect in October 2017. This entails that any thresher sharks, or parts thereof, traded internationally must be covered by a CITES permit established by the competent authority of the flag State.

Technical requirements

The resolution introduces a mandatory discards regime for thresher sharks, as none may be retained on board any vessel (paragraph 2). Transshipment, landing and commercial transactions of this family of species are equally prohibited.

CPCs require their vessels to release thresher sharks unharmed (paragraph 3) and report incidents of bycatch of thresher sharks.

The same applies to recreational fisheries, where all thresher sharks caught should be released alive (paragraph 5). This requirement is to be enforced in recreational fisheries.

Research is to be carried out where possible, and sampling by scientific observers aboard vessels is permitted (as formally directed by the WPEB).

Reporting requirements

Flag States are required to submit catch data under mandatory IOTC data reporting procedures (paragraph 8), as provided for under Resolution 15/02 (Mandatory Statistical Requirements). In particular, vessels targeting sharks are required to submit their data for sharks to IOTC under those reporting obligations. It is also implied that this also applies to vessels not specifically targeting sharks.

REQUIREMENTS UNDER PRIMARILY COASTAL STATE CMMs

This Resolution is intended to create a record of foreign flagged fishing vessels licensed to fish in the EEZs of coastal CPCs, and a record of country-to-country access agreements.

RES. 14/05:

RECORD OF LICENSED FOREIGN FISHING VESSELS AND ACCESS AGREEMENTS

This Resolution supersedes Resolutions 13/07, 12/07, 10/07, 07/04, 05/04 & 98/04, is targeted to coastal States and is intended to create a record of foreign flagged fishing vessels licensed to fish in the EEZs of coastal CPCs, and a record of country-to-country access agreements. It also serves as a cross check to the IOTC record of authorized fishing vessels under Resolution 15/04 and carrier vessels authorized to receive transshipments from LSLTVs under Resolution 17/06. One of the overall outcomes sought from this resolution is the strengthening of data collection, and the achievement of more complete statistics on fleets active in the IOTC Area of Competence.

Reporting requirements

There are no technical requirements under this resolution, and key reporting requirements mainly relate to the coastal State. However, in cases where government-to-government fisheries agreements exist between CPC coastal States and flag States, both States are required to submit a joint notification to the Commission before the commencement of fishing activities. The list of items to report covers fishing vessel details (paragraph 2 - coastal States only), and in the case of government-to-government agreements, both the coastal and flag States are to submit a list of 7 items related primarily to the clauses of the agreement itself (Paragraph 3). This information relates to the period of validity of the agreement, possible limits on catches, MCS arrangements, etc. Information, as specified, relating to these agreements already in force in 2012, at the time of the promulgation of this resolution, should still be made available to the Commission 60 days prior to its meeting (i.e. this information should be submitted as part of the annual reporting). Likewise, any modifications to such agreements should give rise to a prompt notification of the Commission.

REQUIREMENTS UNDER PRIMARILY PORT STATE CMMs

This Resolution introduces a comprehensive Port State Measures regime throughout the IOTC Area of Competence and CPC port States receiving catches from this area.

RES. 16/11: PORT STATE MEASURES

This resolution, which introduces a comprehensive Port State Measures regime throughout the IOTC Area of Competence and CPC port States receiving catches from this area, is described in full under the same heading in the chapter on Port State CMMs

Technical requirements

In implementing this resolution, CPCs are called upon to apply the Resolution to vessels not flying their flag (paragraph 3.1) – therefore, making it a resolution largely comprising port State actions. However, it is inferred that foreign vessels will be required to cooperate and respond to information requests prior to being granted port entry (paragraphs 6.1, 6.2 & 7.2), and submit to inspections as required by the port State.

Part 5 of the Resolution refers directly to flag States and their role in the regime. In this part, flag State CPCs are requested to cooperate with port State inspections and to encourage their vessels to use designated ports for their operations. In case of proven infringements, flag States should take immediate action, including a full investigation and enforcement actions as necessary; and guarantee penalties to be levelled against its own IUU operators, are equally effective as would be levelled against foreign operators (Paragraph 17).

Reporting requirements

A single event-based reporting requirement is provided for flag States. In the event of a port State detection of IUU fishing (following an inspection in port), and following the transmission of the inspection report to the flag State, the flag State is required to conduct an investigation and inform other CPCs, other relevant States, relevant RFMOs and the FAO, about the actions it has taken in respect of the vessel involved (paragraph 17.5). No particular deadlines are attached to this reporting requirement and the IOTC Secretariat or the Commission is not specifically mentioned. However, it is implied, that the first relevant RFMO to be informed would be the IOTC.

This resolution focuses on the central function of the port as a place for inspections and for relevant controls to be exerted over fisheries operations.

RES. 05/03:

PROGRAMME OF INSPECTION IN PORT

This resolution, which focuses on the central function of the port as a place for inspections and for relevant controls to be exerted over fisheries operations, is described in full under the same heading in the chapter on Port State CMMs.

Reporting requirements

There are no technical requirements for flag States under this resolution. However, there is an event-based reporting requirement in cases where a vessel (flying a State's flag) is detected in a third party port and is known to have infringed IOTC CMMs and the flag State has received full documentation and inspection reports on the matter from the port State. In such cases, the flag State is required to transmit to the Commission the details of the actions it has taken with respect to the matter (paragraph 5). In this provision, the port State that detected the offence is not required to be informed by the flag State of actions taken.



Frozen bigeye tuna caught by LSTLVs are subject to the statistical document programme

REQUIREMENTS

UNDER PRIMARILY MARKET STATE CMMs

This resolution aims to reduce the opportunities to have illegally harvested bigeye tuna in the marketplace.

RES. 01/06:

BIGEYE STATISTICAL DOCUMENT PROGRAMME

This resolution aims to reduce uncertainty about bigeye tuna catches through the collection of market data, and to reduce the opportunities to have illegally harvested bigeye tuna in the marketplace. The resolution is presented in full under the same heading in the chapter on market State CMMs.

It should be noted that tuna caught by purse seines and pole and line (bait vessels) whose catches are destined to canneries in the IOTC Area of Competence are exempted from this programme (see paragraph 1).

Technical requirements

The main technical requirement for the flag State is to ensure that Statistical Document accompany consignment of frozen big eye tuna caught by LSTLVs during export up to the market State.

Reporting requirements

There are two reporting requirements for the flag State:

1. One yearly reporting requirement where CPC flag States, as exporters and re-exporters of Bigeye tuna, are required to inform the Commission of the outcomes of their data cross-checking efforts (compiled third State import data received from the IOTC Secretary vs. national export data),
2. One event-based reporting requirement where flag State CPCs must provide sample forms (statistical document and/or re-export certificate) and information on validation to the IOTC Secretary.





CHAPTER 4

PORT STATE CMMs

Resolution 16/11 on Port State Measures implementation will contribute substantially to the combating of IUU fishing throughout the IOTC Area of Competence, and beyond.

There are two active resolutions that target port States primarily, and some other port State requirements contained in resolutions targeting other State types. With the port State being primarily recognized as a basis for the collection of statistics, inspection and law enforcement, this serves to underline that to date, the approach to addressing MCS requirements through port State actions has been used to a modest extent only.

However, for those port State CMMs that are in place today – especially Resolution 16/11 on Port State Measures (PSM) – it is clear that their full implementation will contribute substantially to the combating of IUU fishing throughout the IOTC Area of Competence, and beyond.

Port States have obligations under eleven of the resolutions containing reporting requirements, plus the general reporting requirements under Article X of the Agreement. None of these address the port State exclusively. These resolutions, and the obligations they contain, are outlined in this chapter.

Port inspection team verifying documents onboard a longliner, Port Louis, Mauritius



UNDER RESOLUTIONS WHICH PRIMARILY ADDRESSES THE PORT STATE:

- Res. 16/11: Port State measures,
- Res. 05/03: Programme of inspection in port.



UNDER RESOLUTIONS, WHICH PRIMARILY ADDRESS FLAG STATES, THE FOLLOWING RESOLUTIONS CONTAIN SPECIFIC REQUIREMENTS FOR PORT STATES:

- Res. 17/07: Large-Scale driftnets;
- Res. 15/04: Record of authorised vessels;
- Res. 15/03: Vessel Monitoring System (VMS).

These three resolutions are presented in full in the flag State CMMs chapter. In this chapter, only the requirements for port States are presented.



UNDER A RESOLUTION PRIMARILY ADDRESSING THE MARKET STATE, THE FOLLOWING CONTAINS SPECIFIC REQUIREMENTS FOR PORT STATES:

- Res. 10/10: Market related measures.



The five cross-cutting resolutions, as well as reporting obligations under the IOTC Agreement, the Rules of Procedure, the Commission and the Scientific Committee apply to all CPCs and are presented in full in the final chapter of this manual.

REQUIREMENTS UNDER PRIMARILY PORT STATE CMMs

Fisheries port inspector
verifying the logbook of a
tuna longliner, Port Louis,
Mauritius



RES. 16/11:

PORT STATE MEASURES

The 2016 resolution on Port State Measures, which superseded the resolution from 2010, – is one of the longest and most complex resolutions in the currently active list of IOTC's CMMs. In essence, it transcribes the substance of the FAO Agreement on Port State Measures, and makes these measures mandatory for IOTC Members. In doing so, it introduces a much more comprehensive port State control scheme, than the one provided for under Resolution 05/03 (Programme of Inspection in Port). It is a very cost effective control measure for developing States to apply to foreign fishing vessels. And if combined with the requirement for a pre-fishing briefing and port visit prior to operations, it can be an effective control mechanism to establish a baseline of catches by fleets operating within the coastal State's EEZ.

The 2016 resolution on Port State Measures transcribes the substance of the FAO Agreement on Port State Measures, and makes these measures mandatory for IOTC Members.

Given the complexity of Resolution 16/11, readers are encouraged to review the original text in order to ensure a full understanding of this important resolution.

Technical requirements

With the exception of part 5 of the resolution, which relates to the roles of flag States, the provisions of this resolution relate mainly to port States. In doing so, the resolution establishes a comprehensive mechanism to bring about a port State control framework applicable to CPCs. This framework calls on all CPCs to integrate fisheries related port State Measures with broader port State controls, and also with measures to prevent, deter and eliminate IUU activities, and share this information between agencies (paragraph 4); and calls on port States to:

- designate ports authorized to receive foreign fishing vessels and ensure they have sufficient capacity to conduct port inspections (paragraph 5);
- request advance port entry notice and issue entry authorizations or denials, depending of compliance profile of vessels requesting entry (paragraph 6);
- inspect at least 5% of all landings or transshipments each year – applying minimum inspection standards to its work; causing minimum interference (paragraph 10), and,
- to train its port inspectors in line with guidelines provided in the resolution (paragraph 14).

Further, paragraph 7 of Part 2 details the procedures to be taken by the port State after receipt of information regarding approval for entry into port, and the steps to be taken by the port State and Master in each case; including if necessary, allowing the vessel to enter port solely for the purposes of inspection and subsequent actions (paragraph 7.5).

The Resolution recognizes that in the case of force majeure, this process does not apply (paragraph 8).

Part 2 addresses authorization to enter port or denying such permission, and the situation where a vessel has already entered port and is then found to have violated IOTC Resolutions (see paragraph 9.1). In such cases, options for denying the use of port services are given in paragraph 9.2 – 9.5.

Part 4 provides direction to port States on inspections and follow-up actions, including the 5% inspection requirement noted above, monitoring the entire landing or transshipment process (paragraph 10), conducting inspections (paragraph 11) and follow-up actions with respect to inspection reports (paragraphs 12, 13, and 16).

Reporting requirements

The major reporting obligation under this resolution is to communicate the list of designated ports, competent authority and advance notification period, or changes thereto (paragraph 5.1) to the IOTC Secretariat. To this end, CPCs are encouraged to use the e-PSM application, available via the IOTC website, to implement the reporting under the resolution (paragraph 3.3).

Port States are required to transmit electronically all individual inspection reports to the flag State and the IOTC Secretariat within three working days of the completion of the inspection, and to other States as appropriate (paragraph 13.1).

In cases when entry into the port is denied, the relevant port State CPC shall communicate this decision to the flag State of the vessel, and when appropriate, to the relevant coastal State and the IOTC Secretariat (paragraph 7.3).

In cases when port services have been denied (when a vessel is already in port and paragraph 9 applies), or there has been a withdrawal of such a denial, the same parties as listed in paragraph 7.3 are to be informed (paragraphs 9.3 and 9.5).

With respect to the detection of infringements, port States should immediately notify the flag State, the IOTC Secretariat, other RFMOs and the State of which the master is a national (paragraph 15.1 a).

Purse seine vessels are subject to port State measures when they request entry into ports located in the IOTC area of competence



This resolution focus on the central function of the port as a place for inspections, and for relevant controls to be exerted over fisheries operations.

RES. 05/03:

PROGRAMME OF INSPECTION IN PORT

This resolution, which supersedes Resolution 02/01 of the same title, pertains almost exclusively to port States. Its focus is on the central function of the port as a place for inspections, and for relevant controls to be exerted over fisheries operations. Large portions of this resolution are repeated in more detailed form in Resolution 16/11 on Port State Measures, without, however, being superseded.

Technical requirements

The resolution provides that port States may inspect fishing vessels that are voluntarily in their ports (paragraph 3), but it does not go as far as Resolution 16/11 and set requirements for such a mandatory process or inspection levels.

However, port States are required to adopt national regulations to prohibit landings and transshipments from Non-Contracting Parties where it can be established that catches have been taken in a manner which undermines the effectiveness of IOTC conservation and management efforts (paragraph 4).

On the other hand, in the case of infringements by CPCs, the resolution does not mention any punitive actions the port State might take. It is merely indicates that the flag State is required to inform the Commission (but not the port State where the infringement was detected) of the actions undertaken with respect to its vessel (paragraph 5).

Reporting requirements

There is a single recurrent reporting requirement attached to this resolution. On 1st July each year, port States are required to submit to the IOTC Secretary the list of foreign vessels that have landed tuna and tuna-like species in their ports. This particular requirement is not duplicated in Resolution 16/11 on Port State Measures.

An event-based reporting requirement is mandated in cases where a third party CPC vessel in port is detected to have infringed IOTC CMMs. Port States are then required to notify such occurrences to the flag State and the Commission, providing full documentary evidence, including records of inspection (see paragraph 5). This reporting should occur in real time and it is suggested that the inspection report detailed in Resolution 16/11 Annex III be utilized for commonality and consistency in reporting.

REQUIREMENTS UNDER PRIMARILY FLAG STATE CMMs

RES. 17 / 07:

LARGE SCALE DRIFTNETS

Technical and Reporting Requirements

There are no specific technical requirements for port States under this Resolution. However, it should be noted that if, while conducting a port inspection, a port State detects the presence of large scale driftnets on-board and suspects their prohibited/illegal use on the high seas (as evidenced by logbooks, VMS tracks, etc.), then, in accordance with paragraph 6, the port State should provide a summary of the MCS actions it has taken related to this resolution in its annual report.

Offloading of tunas caught
by a purse seiner into a
container



RES. 15/04:

RECORD OF AUTHORISED VESSELS

This resolution supersedes Resolutions 14/04; 13/02; 07/02 and 01/02; 05/02; 02/05 and is targeted mainly at flag States for the proper identification and placement of their vessels on the IOTC Record of Fishing Vessels, identification of Competent Authorities and templates for their authorisations, control of their fleets, marking of the vessel and fishing gear, and recording of fishing activities.

Technical Requirements

The role of the port State however, is the verification of compliance with all the above flag State commitments and requirements during port visits and through port inspections.

All CPCs including port States, shall take measures to prohibit the landing or transshipment of tuna and tuna-like species by vessels not on the IOTC Record (paragraph 9 a).

Reporting Requirements

A single reporting requirement for port States is described in paragraph 10. If a port State has factual information showing that a vessel is actively operating in the IOTC Area of Competence, and is not on the IOTC Record, then it should notify the IOTC Secretary thereof.

This resolution is focused on flag State requirements to ensure that its vessels have on-board a working VMS.

RES. 15/03:

VESSEL MONITORING SYSTEM (VMS)

This resolution supersedes Resolutions 06/03; 02/02 and is focused on flag State requirements to ensure that its vessels have on-board a working VMS that can provide specific information back to the flag State, or have plans to have all its vessels carrying a VMS by April 2019 (and 50% of its vessels by September 2017). Flag States must report annually by 30 June on their progress in implementing a VMS.

Reporting Requirements

There are no technical requirements specifically for port States; however, Annex 1 paragraph A does require CPCs that have information to suspect that the VMS aboard a vessel does not meet requirements of paragraph 4, or has been tampered with, to immediately notify both the IOTC Executive Secretary and the vessel's flag State.

Landing of tunas from a purse seiner, Port Victoria, Seychelles



REQUIREMENTS UNDER PRIMARILY MARKET STATE CMMs

This resolution provide a mechanism to impose trade sanctions against non-compliant State parties.

RES. 10/10:

MARKET RELATED MEASURES

This resolution reflects the transition of the non-binding Recommendation 03/05 concerning Trade related Measures into a binding resolution, thereby providing a mechanism to impose trade sanctions against non-compliant State parties. It is presented in full under the chapter on Market State CMMs.

Technical and reporting requirements

There are few technical requirements. Paragraph 1 establishes that port States “should, as much as possible” collect and examine relevant data on landings and transshipments. The collection of some of these data is mandatory under resolution 12/05 on Transshipment by Large-Scale Fishing Vessels (paragraph 20).

The resolution encourages port States to submit annual information on landings and in-port transshipments to the Commission, 60 days before its annual meeting (paragraph 1). This submission thus falls under the remit of Article X of the IOTC Agreement.

The resolution also encourages CPCs to notify the Commission of the measures taken nationally for the enforcement of market related measures levelled against another CPC or NCP (paragraph 7). No timeline for submission of such information is provided.





CHAPTER 5

MARKET STATE CMMs

There are few CMMs in existence that provide for specific market State mechanisms. Market related measures generally aim to deny market access to IUU products, hence diminishing the value of the product.

Two resolutions have reporting requirements that primarily target the market State, while one resolution (primarily targeting flag States) also targets market States to some extent. Hence, including the five cross-cutting CMMs, market States have obligations under a total of eight resolutions. These resolutions, and the obligations they contain, are outlined in this chapter.

Landing of tunas
from a reefer



Market related measures generally aim to deny IUU products a market, therefore, destroying the value of the product.

Under the resolution which primarily addresses the market State:

UNDER THE RESOLUTION WHICH PRIMARILY ADDRESSES THE MARKET STATE:

- Res. 10/10: Market related measures,
- Res. 01/06: Bigeye statistical document programme.

.....

UNDER RESOLUTIONS, WHICH PRIMARILY ADDRESS FLAG STATES, THE FOLLOWING RESOLUTION CONTAINS SPECIFIC REQUIREMENTS FOR MARKET STATES:

- Res. 15/04: Record of authorised vessels,
- Res. 14/06: Transshipment by large scale fishing vessels.

.....

The above resolution is presented in full in the flag State CMMs chapter. In this chapter, only the requirements for market States are presented.

The five cross-cutting resolutions, as well as reporting obligations under the IOTC Agreement, the Rules of Procedure, the Commission and the Scientific Committee apply to all CPCs and are presented in full in the final chapter of this manual.

REQUIREMENTS UNDER PRIMARILY MARKET STATE CMMs



Albacore tuna caught
by a longliner

The primary objective of the resolution is to “identify” CPCs who fail to implement IOTC CMMs and to level trade sanctions against them in order to force them to comply with the IOTC Resolutions.

RES. 10/10:

MARKET RELATED MEASURES

This resolution represents the transition of the non-binding Recommendation 03/05 concerning Trade Related Measures into a binding resolution. However, in doing so, the resolution falls short on providing a single “shall” clause – implying that there are no mandatory actions that must be undertaken by a CPC, the Commission, the Secretariat or the Compliance Committee, they are only strong suggestions. However, the resolution does encourage CPCs with the necessary powers to undertake action under the resolution, should they chose to do so. The resolution signals a step forward in the intent of the Commission to ensure that CMMs are adhered to by CPCs and NCPs (as appropriate) alike.

The primary objective of the resolution is to “identify” CPCs who fail to implement IOTC CMMs and to level trade sanctions against them (i.e. to take “market related measures”) in order to force them to comply with the IOTC Resolutions. The same applies to NCPs failing to discharge their duties under international law and undermining the effectiveness of IOTC CMMs. A second, more subsidiary element of the resolution is to gain a better understanding of market dynamics (imports and landings) in CPC markets / ports.

Resolution 10/10 encourages market States and port States to submit information on imports and landings/transshipments to the Commission.

Technical requirements

There are few technical requirements. Paragraph 1 establishes that market States “should, as much as possible” collect and examine relevant data on imports. The same applies to port States for landings and transshipment data. In the latter instance, the collection of some of these data is mandatory under Resolution 17/06 on transshipment by Large-Scale Fishing Vessels (paragraph 20).

The remainder of the resolution describe actions to be undertaken by the Commission, the Secretariat and the Compliance Committee in the process of identifying, notifying, and undertaking possible actions against non-compliant CPCs or NCPs. In this process, CPCs may vote as members of the Commission to support or reject the proposals made by the Compliance Committee (paragraphs 2 -8 inclusive).

It is implicit (paragraph 7) that CPCs are expected to implement whatever sanctions have been voted in at their level.

Reporting requirements

The resolution encourages market States and port States to submit information on imports and landings/transshipments collected to the Commission, annually, 60 days before its meeting (see paragraph 1). This submission thus falls under the remit of Article X of the IOTC Agreement.

The resolution also encourages CPCs to notify the Commission of the measures taken nationally for the enforcement of market related measures levelled against another CPC or NCP, following a successful identification by the Commission (see paragraph 7 above). No timeline is provided for the submission of this information.

Finally, for CPCs and NCPs identified as non-compliant by the Commission, they are given the option to respond in writing to the Commission 30 days before its meeting, providing elements in support of annulling the identification (paragraph 3 b). Such elements could be in the form of evidence refuting allegations or plans of actions for improvement, and possible steps already undertaken.

This resolution aims to reduce uncertainty about bigeye tuna catches through the collection of market data, and to reduce the opportunities to have illegally harvested bigeye tuna in the marketplace.

RES. 01/06:

BIGEYE STATISTICAL DOCUMENT PROGRAMME

This resolution, aims to reduce uncertainty about bigeye tuna catches through the collection of market data, and to reduce the opportunities to have illegally harvested bigeye tuna in the marketplace..

It should be noted that tuna caught by purse seines and pole and line (bait vessels) whose catches are destined to canneries in the IOTC Area of Competence are exempted from this programme (see paragraph 1).

Technical requirements

CPC market States must demand that any imports of frozen big-eye tuna into their State/Territory be accompanied by an appropriate IOTC Bigeye Tuna Statistical Document or re-export certificate (paragraph 1).

In the case of re-exportation, the IOTC Bigeye Tuna Re-Export Certificate must be validated by a government official of the re-exporting State (paragraph 2).

CPCs exporting and/or importing bigeye tuna have to compile all data arising under this programme.

Reporting requirements

CPCs as importers of tuna products must report to the Executive Secretary twice per year: 1 April for data in the period 1 July – 31 December of the previous year, and 1 October for the period of 1 January – 30 June of the current year in the established form (paragraph 5).

REQUIREMENTS UNDER PRIMARY FLAG STATE CMMs

This resolution lays the foundation to identify the vessels authorised by their flag States to operate in the IOTC Area of Competence.

RES. 15/04:

RECORD OF AUTHORISED VESSELS

This resolution (noted earlier as superseding Resolutions 14/04; 13/02; 07/02 & 01/02; 05/02; 02/05), lays the foundation to identify the vessels authorised by their flag States to operate in the IOTC Area of Competence. It is mainly a flag State resolution, however there are a few clauses applicable also to the market State. Resolution 15/04 is presented in full under the same heading in the chapter on flag State CMMs.

Technical requirements

Under this resolution, market State CPCs are given specific responsibilities to ensure compliance with the Statistical Document Programme (paragraph 9.b). In doing so, the market State importing species covered by the Statistical Document Programme must ensure that the document is accompanying the products and that the vessels having landed them are on the Record of Authorised Vessels. In addition to this, the market State is required to cooperate with the flag State to ensure documents are not forged or contain wrong information.

Reporting requirements

One event-based reporting requirement is in place for when a vessel is suspected not to be on the list of RAVs that have engaged in fishing operations (including transshipment) in the IOTC Area of Competence. In such cases, the market State, as a CPC, shall submit to the IOTC Secretary all factual information that substantiates such suspicions (paragraph 10).





CHAPTER 6

CROSS CUTTING CMMs & DUTIES UNDER BASIC TEXTS

Cross-cutting CMMs target all States, and no State in particular. While a resolution may apply more to one State than another, all CPCs are targeted and these resolutions therefore apply to all CPCs regardless of their particular involvement in Indian Ocean tuna fisheries as coastal, port, market or flag States.

Resolutions which are cross-cutting, and which are presented in full in this chapter, are the following:

- Res. 17/03: List of presumed IUU Vessels;
- Res. 16/05: Vessels without nationality;
- Res. 11/02: Prohibition of fishing on data buoy;
- Res. 07/01: Compliance by nationals,
- Res. 01/03: Compliance by Non-Contracting Parties.

This chapter also highlights the duties arising under Article X of the IOTC Agreement, the Rules of Procedure, the Commission and the Scientific Committee. Article X of the Agreement provides for an annual reporting requirement, and several resolutions – as indicated in earlier chapters – take advantage of Article X for the submission of information under those resolutions to the IOTC Secretariat or the Commission.

REQUIREMENTS

UNDER CROSS CUTTING CMMs

Transhipment of a string of Southern Bluefin Tunas conducted under the IOTC regional observer programme to monitor transhipment at sea



This resolution provides for the maintenance of a list of vessels that have carried out IUU fishing activities.

RES. 17/03:

LIST OF PRESUMED IUU VESSELS

This resolution, which supersedes Resolutions 11/03, 09/03, 06/01, and 02/04, provides for the maintenance of a list of vessels that have carried out IUU fishing activities. It is one of the main resolutions that addresses IUU fishing. It complements Resolution 07/01 on Compliance by Nationals, another cross-cutting resolution addressing IUU fishing.

The resolution describes a step-by-step system for listing and delisting IUU fishing vessels. The Commission is careful to define the use of terms (paragraph 1) and IUU fishing first (paragraph 4), the latter of which combines the principles of article 21, paragraph 11 of the UNFSA and article 3 of the FAO IPOA IUU. These definitions form the basis for the further actions by CPCs in the resolution.

The resolution describes a step-by-step system for listing and delisting IUU fishing vessels.

THE LISTING MECHANISM OPERATES AS FOLLOWS:

- a. Submission of information of alleged IUU activities to the Executive Secretary at least 70 days prior to the annual meeting of the Compliance Committee (paragraph 5). This applies to all State types and is submitted with associated evidence and according to the format noted in Annex I of the resolution. The IOTC Executive Secretary circulates all such information to the flag State(s) of the alleged IUU vessels, and all CPCs;
- b. Flag States of alleged IUU vessels, whether CPCs and NPCs, are requested to investigate the allegation and to report back to the IOTC Executive Secretary within 60 days of the annual meeting of the Compliance Committee, with information about the progress of the investigation. Information is then made available to all CPCs, and they may then individually decide whether to formally seek inclusion of an individual vessel on the draft IUU list (paragraph 7);
- c. A draft IUU vessel list is drawn up by the IOTC Executive Secretary (as per Annex II of the resolution), for circulation to all CPCs and the flag State(s) of the listed vessel(s) – 55 days ahead of the annual meeting of the Compliance Committee (paragraph 8);
- d. Flag States of listed vessels may transmit further evidence up until 15 days prior to the annual Compliance Committee meeting (paragraph 10), and such information will then be forwarded to all CPCs by the IOTC Executive Secretary 10 days prior to the meeting (paragraph 11);
- e. Paragraphs 13 and 14 pertain to the Compliance Committee establishing the provisional IUU list on the basis of the draft IUU list, and using any further information that may have been brought before it by any interested party – including the concerned flag State(s). If evidence is produced “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” (paragraph 14.c), then the vessel is not included on/removed from the provisional IUU list. In all other cases, including when a flag State has not provided any feedback, the vessel is included on the provisional IUU list;

- f. The Compliance Committee, on the basis of the provisional IUU list, recommends to the Commission which vessels are to be included in the IUU vessel list – and which ones ought to be removed (paragraph 16).
- g. On adoption by the Commission, the list becomes the “IOTC IUU Vessels List” (paragraph 13).

ADOPTION OF THE IOTC IUU VESSEL LIST

Decisions on listing or removal of a vessel from the IOTC IUU Vessel List are sought through consensus, but if it goes to a vote, it must be a decision by 2/3 majority of the quorum present (paragraph 19)

On adoption of the IOTC IUU Vessel List, the IOTC Executive Secretary requests the flag State with vessels on the list to again notify the owner of the listing and consequences, and also to take appropriate action to eliminate these IUU activities. All CPCs are bound to take action to ensure they do not participate in landing, transshipment, importation of products, reflagging or other activities related to IUU vessels (paragraphs 21 and 21).

ACTIONS AGAINST IUU VESSELS

The resolution calls on flag States of vessels included in the IUU list to notify owners of the facts, and to take all necessary measures to ensure IUU fishing activities are terminated (paragraph 20). CPCs are requested to ensure that their vessels, nationals, companies, etc. forego any kind of business with listed vessels, including reflagging, port entry, transshipments and other transactions (paragraph 21).

VESSEL DELISTING PROCEDURES

The resolution also has provisions for removal of vessels from the IUU list during inter-sessional periods (paragraphs 22 to 28). In all cases, it falls on the CPCs to decide whether the information supplied to the IOTC Secretary by the flag State is sufficient to warrant a removal of the vessel from the list.

For the inter-sessional removal of vessels from the list, a two thirds majority of a minimum of 50% of all CPCs is required to allow for the removal of a listed vessel (paragraph 27).

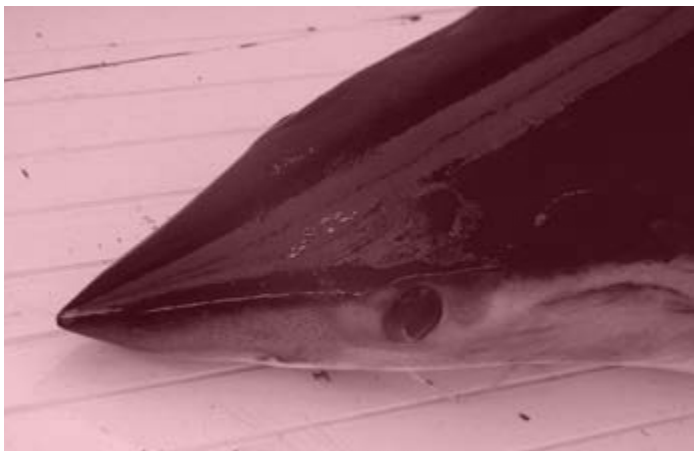
Transshipment operations
conducted on the high seas
are monitored by IOTC
observers



PUBLICATION OF THE LIST AND CHANGES TO VESSEL DETAILS

The list is circulated by the IOTC Executive Secretary, and published on the IOTC website. CPCs holding any additional information related to the listed vessel details (name, flag, etc.), or knowing of errors or needed changes, are required to promptly forward such information to the Executive Secretary, and after verification corroborating the information, the list will be updated (paragraphs 29 and 30).

Blue shark caught
by a longliner



Technical requirements

For all State types, technical requirements relate primarily to the collection of evidence, with paragraph 4 focusing on the definition of IUU fishing, listing eleven specific actions that are regarded as constituting IUU fishing; paragraph 5 noting the timing of posting the draft IUU list within 70 days of the meeting; and paragraph 6 noting the information to be collected and the submission of evidence to the IOTC Secretariat. As previously mentioned, IUU fishing consists of actions that violate rules enshrined in IOTC resolutions and/or international maritime law. All CPCs have the potential to detect such infringements in their respective and often overlapping capacities as coastal, port, flag and/or market States – and are encouraged to do so.

Specific to coastal and port States, paragraphs 21.b) and f) stipulate that the port State shall prohibit landings, transshipments, refuelling, bunkering or any other commercial transaction for IUU-listed vessels that have entered one of its ports voluntarily. Under Resolution 17/06 on transshipment by Large-Scale Fishing Vessels, the coastal State is one of the parties providing such authorizations.

For flag States, the requirements relate primarily to the prohibition to charter or re-flag any listed IUU vessels (paragraphs 21.d) and e), and the prosecution and sanctioning of IUU vessels flying its flag (paragraph 14.d).

For market States, there are three specific technical requirements which relate to listed IUU fishing vessels. This underlines the importance given to market-related mechanisms in combatting IUU fishing. These are as follows:

- a. prohibit imports of products from IUU-listed vessels into its territory (paragraph 21.f);
- b. encourage importers, transporters and other actors in the chain of custody to refrain from dealing in products of known IUU sources (paragraph 21.g); and
- c. collect and exchange information with other CPCs and NCPs to detect and prevent the laundering of products derived from IUU listed vessels under false import/export certificates (paragraph 21.h).

Reporting requirements

There are several reporting requirements under the resolution. A binding requirement, for all States, is to submit annually a list of vessels presumed to have engaged in IUU fishing in the IOTC Area of Competence. This list should be submitted 70 days before the annual meeting of the Commission. However, it is assumed that if no such vessels were detected, no list will have to be submitted (paragraph 5).

Other reporting requirements provide the opportunity for CPCs to submit additional information on listed vessels at different points in time of the procedure (paragraphs 12 and 30).

For flag States whose vessels have been listed (including CPCs), and/or wish to have them removed from the list, they must submit evidence to the IOTC Executive Secretary, demonstrating that the grounds for listing have been effectively addressed (paragraphs 10, 14.d and 22).



Shark fins prepared for a transhipment operation

This resolution encourages CPCs to take all possible actions against fishing vessels without nationality operating in the IOTC area of competence.

RES. 16/05:

VESSELS WITHOUT NATIONALITY

This resolution encourages CPCs to take all possible actions against fishing vessels without nationality (i.e. flying no flag or flying multiple flags) operating in the IOTC area of competence. These vessels are operating outside IOTC rules and are therefore undermining the conservation and management efforts of the Commission. This approach is consistent with UNCLOS and the IPOA-IUU.

Technical requirements

CPCs are encouraged to “take effective action [...], including, where appropriate, enforcement action, against vessels without nationality that [...] have engaged, in fishing or fishing related activities in the IOTC area of competence, and to prohibit the landing and transhipment of fish and fish products, and access to port services [...]” (paragraph 3) and to adopt relevant measures “including, where relevant, domestic legislation, to allow them to take the effective action” against fishing vessels without nationality operating in the IOTC area of competence (paragraph 4).

Even though this resolution is cross-cutting and addresses all CPCs, it is obvious that its application by market States is limited, and that it applies mainly to coastal, flag and port States. However, market States would be expected to refuse market entry to products known to originate from such vessels.

Reporting requirements

The resolution calls on CPCs to report to the IOTC Secretariat *“any sightings of fishing vessels that are suspected of, or confirmed as being, without nationality that may be fishing in the high seas of the IOTC area of competence”* (paragraph 5).

Tuna pole and line vessels,
Malé, Maldives



Large scale tuna fishing vessel (LSTLV) at rendez-vous point with a carrier vessel to conduct transshipment operations on the high seas



RES. 11/02:

PROHIBITION OF FISHING ON DATA BUOYS

The intent of this Resolution is to keep vessels well clear of data buoys.

Technical requirements

CPCs shall:

- prohibit fishing within one nautical mile of a data buoy (paragraph 2);
- prohibit taking aboard a data buoy (paragraph 3);
- avoid data buoys (paragraph 4),
- remove any entanglements with data buoys without damage to the buoy (paragraph 5).

Reporting requirements

The reporting requirements are for CPCs to report any damaged buoys they encounter with identifying information (paragraph 6) as well as the location of such data buoys they may have deployed (paragraph 8).

Offloading of tunas from
a reefer, Antsiranana,
Madagascar



RES. 07/01:

COMPLIANCE BY NATIONALS

This resolution aims to curb potential illegal fishing behaviour by natural or legal persons by requiring States to effectively subject them to their jurisdiction, and sanction them for proven offences.

This resolution aims to curb potential illegal fishing behaviour by natural (individuals) or legal persons (companies), by requiring States to effectively subject them to their jurisdiction, and sanction them for proven offences. This approach is based on the tenets of the IPOA-IUU on the same matter (paragraphs 9.3, 18 and 19). It addresses all CPCs equally.

This resolution addresses a critical IPOA-IUU requirement on taking measures to discourage nationals subject to a State's jurisdiction from supporting or engaging in IUU fishing activities.

Technical and reporting requirements

The resolution directs States to investigate and sanction their nationals with links to vessels listed in the IOTC IUU list (paragraph 1). CPCs are required to submit reports on actions and measures undertaken on natural or legal persons (paragraph 2).

RES. 01/03:**SCHEME TO PROMOTE COMPLIANCE BY
NON-CONTRACTING PARTIES**

Resolution 01/03 addresses the alleged fishing operations of any vessels flagged to Non-Contracting Parties in the IOTC Area of Competence contrary to the IOTC CMMs and presumed to be undermining the IOTC CMMs.

Resolution 01/03 addresses the alleged fishing operations of any vessels flagged to Non-Contracting Parties in the IOTC Area of Competence contrary to the IOTC CMMs and presumed to be undermining the IOTC CMMs (Paragraph 2).

Technical requirements

Any observation by a vessel or aircraft of a NCP fishing vessel believed to be fishing contrary to IOTC CMMs is to be reported immediately to the flag State of the observing platform, who, in turn shall inform the flag State authorities of the vessel fishing and the Executive Secretary of IOTC (Paragraph 1). The Executive Secretary shall inform all other CPCs.

Any NCP flagged vessel that enters a CPC port shall be inspected and not permitted to land or tranship any fish or fish products until the inspection is complete (paragraph 3).

If the inspection reveals IOTC species, no landings or transshipment of fish shall be permitted unless the vessel can establish that the fish was caught outside the IOTC Area of Competence, or in compliance with IOTC CMMs (paragraph 4).

Reporting requirements

CPCs are to report on any observation/inspection made of a NCP vessel that indicated there are grounds for believing that the NCP vessel is fishing contrary to IOTC Conservation or Management Measures. This report is to be made to the Non-CPC flag State of the vessel and to the IOTC Secretariat.

REQUIREMENTS UNDER THE IOTC AGREEMENT, THE RULES OF PROCEDURE, THE COMMISSION AND THE SCIENTIFIC COMMITTEE

Section 1 of Article X states that Members are to take action under their national legislation to give effect to the Agreement and to implement the binding CMMs adopted by the Commission.

IOTC AGREEMENT

IMPLEMENTATION REPORT

Article X of the Agreement describes the fundamental principles of CMM implementation and the submission of operational information (relating to implementation of actions) to the Commission. It addresses all Member States equally.

Technical requirements

Section 1 of Article X states that Members are to take action under their national legislation to give effect to the Agreement and to implement the binding CMMs adopted by the Commission.

It also provides for the development of a mechanism to keep under review the implementation of adopted CMMs (section 3) – to this end, the Compliance Committee, and its objectives, mandate and terms of reference may be considered to be part of this mechanism.

Section 4 requires Members to cooperate with NCPs to obtain data/information on their fishing activities.

Reporting requirements

Section 2 of Article X also provides a mechanism to report annually to the Commission any actions undertaken (under section 1) to guarantee the effective implementation of binding CMMs. The deadline for the submission of this annual report is 60 days before the annual meeting of the Commission.

Reporting on the following resolutions is included in the annual report pertaining to IOTC Article X and has the same deadline.

Relating to coastal States:

- Res. 14/05 on Record of licensed Foreign Vessels (for the 2013 annual meeting of the Commission only – thereafter on an event-related real time basis): report on Government-to-Government fisheries agreements and licenses issued;
- Res. 11/04 on Regional Observer Scheme: report on vessels monitored and coverage achieved.

Relating to flag States:

- Res. 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 designs to reduce the incidence of entanglement of non-target species;
- Res. 17/07 on large-scale high seas drift net fishing: report on MCS actions;
- Res. 17/01 on an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence;
- Res. 15/04 on Record of authorized vessels: report on internal actions or measures taken with respect to their fleets;
- Res. 14/05 on Record of licensed foreign vessels and access agreements: report on Government-to-Government fisheries agreements and licenses issued;
- Res. 12/06 on Reduction of seabird bycatch: report on interaction and bycatch data;
- Res. 12/04 on Conservation of marine turtles: report on implementation of the FAO guidelines and the resolution;
- Res. 11/04 on Regional observer scheme: report on vessels monitored and achieved coverage;
- Res. 01/06 on Bigeye statistical document programme: report on data cross-checking (imports vs exports).

Relating to market and port States:

- Res. 10/10 on Market related measures: submit information on landings and transshipments.

The mandate of the Compliance Committee, is to evaluate the compliance of each CPC against IOTC Resolutions in force, to identify significant CPC non-compliance issues.

RULES OF PROCEDURE

STANDARD COMPLIANCE QUESTIONNAIRE

The IOTC rules of procedure were last updated in 2014, and can be accessed here:

<http://www.iotc.org/documents/indian-ocean-tuna-commission-rules-procedure-2014>

They lay out the rules to be followed in the practical implementation of the Commission's mandated activities. The rules of procedure cover, inter alia, issues such as the sessions of the Commission, the functions of the chairpersons, the functioning of the Secretariat and the subsidiary bodies of the Commission.

Appendix V details the terms of reference and the rules of procedure of the Compliance Committee. The mandate of the Compliance Committee, first specified in Resolution 02/03 in 2002, is to evaluate the compliance of each CPC against IOTC Resolutions in force, to identify significant CPC non-compliance issues, to discuss these in session, and to issue an opinion on the compliance status of each CPC at the end of each session – submitted then to the attention of the Commission.

Reporting requirements

Under Appendix V, paragraph 4, it is stipulated that the Compliance Committee – through the IOTC Secretariat – will send a compliance questionnaire to CPCs, four months ahead of the annual meeting, seeking comments and answers. It requires CPCs to respond to the questionnaire, and to return it to the Secretariat within 45 days of receiving it.

The 4th Session of the Scientific Committee in 2001 gave rise to some specific reporting obligations in the form of a National Scientific Report.

THE SCIENTIFIC COMMITTEE

NATIONAL SCIENTIFIC REPORT

The 4th Session of the Scientific Committee in 2001 gave rise to some specific reporting obligations in the form of a National Scientific Report (paragraph 111). The report was requested to provide “general fisheries statistics, report on the implementation of Committee recommendations, national research programs currently in place and other relevant subjects”.

Reporting requirements

All CPCs are required to submit a National Scientific Report to the Scientific Committee 15 days before the Session of this Committee, regardless of whether they will participate in the Session or not.

The 17th Session of the Commission in 2017 gave rise to the requirement for CPCs to provide a response to the Feedback Letter.

THE COMMISSION

RESPONSE TO THE FEEDBACK LETTER

The 17th Session of the Commission in 2017 gave rise to the requirement for CPCs to provide a response to the Feedback Letter (paragraph 52).

Reporting requirements

The reporting requirement on the Feedback Letter is originating from a decision of the Commission that define a deadline of 60 days before the next annual Session of the Commission for CPCs to provide their response to the ‘Feedback Letters on compliance issues’ issued by the Chair of the Commission and based on the deliberations of the Compliance Committee each year.

ANNEX I

LIST OF ACTIVE RESOLUTIONS REQUIRING REPORTING WITH LONG AND SHORT TITLES

RESOLUTION	RESOLUTION TITLE	SHORT TITLE
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 designs to reduce the incidence of entanglement of non-target species	FADs management plan requirements
17/07	On the prohibition to use of Large-Scale Driftnets in the IOTC Area	Large-Scale driftnets
17/06	On establishing a programme for transshipment by large-scale fishing vessels	Transshipment by large scale fishing vessels
17/05	On the conservation of sharks caught in association with fisheries managed by IOTC	Conservation of sharks
17/03	On establishing a List of Vessels presumed to have carried out Illegal, Unreported and Unregulated Fishing in the IOTC Area of Competence	List of presumed IUU Vessels
17/01	On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence	Interim YFT rebuilding plan
16/11	On Port State Measures to prevent, deter and eliminate Illegal, Unreported and Unregulated Fishing	Port State measures
16/08	On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids	Use of aircrafts and drones
16/07	On the use of artificial lights to attract fish	Use of artificial lights

RESOLUTION	RESOLUTION TITLE	SHORT TITLE
16/06	On measures applicable in case of non-fulfilment of reporting obligations in the IOTC	Non-fulfilment of reporting obligations
16/05	On vessels without nationality	Vessels without nationality
15/11	On the implementation of a limitation of fishing capacity of Contracting Parties and Co-operating Non-Contracting Parties	Limitation of fishing capacity
15/05	On conservation measures for striped marlin, black marlin and blue marlin	CMM for striped, black and blue marlins
15/04	Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence	Record of authorized vessels and access agreements
15/03	On the vessel monitoring system (VMS) programme	Vessel Monitoring System (VMS)
15/02	On mandatory statistical reporting requirements for IOTC Contracting Parties and Co-operating Non-Contracting Parties (CPCs)	Mandatory statistical requirements
15/01	On the recording of catch and effort data by fishing vessels in the IOTC Area of Competence	Catch and effort data recording
14/05	Concerning a record of licensed foreign vessels fishing for IOTC species in the IOTC Area of Competence and access agreement information	Record of licensed foreign fishing vessels
13/06	On a scientific and management framework on the Conservation of sharks species caught in association with IOTC managed fisheries	Management framework on conservation of shark species
13/05	On the conservation of whale sharks (Rhincodon typus)	Conservation of whale sharks
13/04	On the conservation of cetaceans	Conservation of cetaceans
12/09	On the Conservation of Thresher Sharks (Family Alopiidae) caught in association with Fisheries in the IOTC Area of Competence	Conservation of thresher sharks

ANNEX I (CONTINUED)

List of active resolutions requiring reporting with long and short titles

RESOLUTION	RESOLUTION TITLE	SHORT TITLE
12/06	On reducing the incidental bycatch of sea-birds in longline fisheries	Reduction of seabird bycatch
12/04	On the Conservation of Marine Turtles	Conservation of marine turtles
11/04	On a Regional Observer Scheme	Regional observer scheme
11/02	On the prohibition of fishing on data buoys	Prohibition of fishing on data buoys
10/10	Concerning Market related Measures	Market related measures
10/08	Concerning a Record of active Vessels fishing for Tunas and Swordfish in the IOTC Area	Record of active vessels
07/01	To promote Compliance by Nationals of Contracting Parties and Cooperating Non-Contracting Parties with IOTC Conservation and Management Measures	Compliance by nationals
05/03	Relating to the establishment of an IOTC Programme of Inspection in Port	Programme of inspection in port
01/06 (03/03)	Concerning the big-eye tuna statistical document programme (Concerning the amendment of the forms of the IOTC statistical documents)	BET statistical document programme
01/03	Establishing a scheme to promote compliance by Non-Contracting Parties vessels with Resolutions established by IOTC	Scheme to promote compliance by Non-Contracting Parties

ANNEX II

IMPLEMENTATION SHEETS

RESOLUTION	RESOLUTION SHORT TITLE	IMPLEMENTATION SHEET
17/08	FADs management plan requirements	Yes
17/07	Large-Scale driftnets	Yes
17/06	Transshipment by large scale fishing vessels	Yes
17/05	Conservation of sharks	Yes
17/03	List of presumed IUU Vessels	Yes
17/01	Interim YFT rebuilding plan	Yes
16/11	Port State measures	Yes
16/08	Use of aircrafts and drones	Yes
16/07	Use of artificial lights	No
16/06	Non-fulfilment of reporting obligations	Yes
16/05	Vessels without nationality	Yes
15/11	Limitation of fishing capacity	Yes
15/05	CMM for striped, black and blue marlins	Yes
15/04	Record of authorized vessels	Yes
15/03	Vessel Monitoring System	Yes
15/02	Mandatory statistical requirements	Yes

ANNEX II (CONTINUED)

Implementation sheets

RESOLUTION	RESOLUTION SHORT TITLE	IMPLEMENTATION SHEET
15/01	Catch and effort data recording	Yes
14/05	Record of licensed foreign fishing vessels	Yes
13/06	Management framework on conservation of shark species	Yes
13/05	Conservation of whale sharks	Yes
13/04	Conservation of cetaceans	Yes
12/09	Conservation of thresher sharks	Yes
12/06	Reduction of seabird bycatches	Yes
12/04	Conservation of marine turtles	Yes
11/04	Regional observer scheme	Yes
11/02	Prohibition of fishing on data buoys	Yes
10/10	Market related measures	Yes
10/08	Record of active vessels	Yes
07/01	Compliance by nationals	Yes
05/03	Programme of inspection in port	Yes
01/06 (03/03)	Big-eye statistical document programme (Amendments to IOTC stats forms)	Yes
01/03	Scheme to promote compliance by NPCs	Yes

ANNEX III

REPORTING TEMPLATES

RESOLUTION	RESOLUTION SHORT TITLE	REPORTING TEMPLATE(S)
17/08	FADs management plan requirements	Yes (1 Excel file for DFADs and 2 word Guidelines for FADs Management Plans - one each for the AFAD and DFAD Management Plans)
17/07	Large-Scale driftnets	No formal template - Official Letter from CPC
17/06	Transshipment by large scale fishing vessels	Yes (3 Excel files and 1 word file)
17/05	Conservation of sharks	No formal template - Official Letter from CPC
17/03	List of presumed IUU Vessels	Yes (1 word file)
17/01	Interim YFT rebuilding plan	No formal template
16/11	Port State measures	Yes (1 Excel and 1 word file)
16/08	Use of aircrafts and drones	No formal template
16/07	Use of artificial lights	No formal template
16/06	Non-fulfilment of reporting obligations	No formal template – Part C of the Implementation Report
16/05	Vessels without nationality	No formal template
15/11	Limitation of fishing capacity	Yes
15/05	CMM for striped, black and blue marlins	No formal template - Official Letter from CPC
15/04	Record of authorized vessels	Yes (1 Excel and 1 word file)

ANNEX III (CONTINUED)

Reporting templates

RESOLUTION	RESOLUTION SHORT TITLE	REPORTING TEMPLATE(S)
15/03	Vessel Monitoring System	Yes (1 word file)
15/02	Mandatory statistical requirements	Yes (several Excel files)
15/01	Catch and effort data recording	Yes (logbooks in accordance with Annexes I-III in the Resolution and Confidentiality Rules)
14/05	Record of licensed foreign fishing vessels	Yes (1 Excel file and 2 word files)
13/06	Management framework on conservation of shark species	No formal template Official Letter from CPC
13/05	Conservation of whale sharks	No formal template Official Letter from CPC
13/04	Conservation of cetaceans	No formal template Official Letter from CPC
12/09	Conservation of thresher sharks	No formal template Official Letter from CPC
12/06	Reduction of seabird bycatches	No formal template Official Letter from CPC
12/04	Conservation of marine turtles	No formal template Official Letter from CPC

ANNEX III (CONTINUED)

Reporting templates

RESOLUTION	RESOLUTION SHORT TITLE	REPORTING TEMPLATE(S)
11/04	Regional observer scheme	No formal template Official Letter from CPC
11/02	Prohibition of fishing on data buoys	No formal template Official Letter from CPC
10/10	Market related measures	Yes (1 Excel file)
10/08	Record of active vessels	Yes (1 Excel file)
07/01	Compliance by nationals	No formal template Official Letter from CPC
05/03	Programme of inspection in port	Yes (1 Excel and 1 word file)
01/06 (03/03)	Big-eye statistical document programme (Amendments to IOTC stats forms)	Yes (1 Excel file and 2 word files)
01/03	Scheme to promote compliance by NPCs	No formal template Official Letter from CPC
Agreement (Article X)	IOTC Agreement	Yes (1 Word file)



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