



Report of implementation for the year Implementation 2012

Reporting CPC: European Union (EU)

Date: March 2013

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

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

Such international obligations are also binding for EU Member States even in the absence of acts transposing those measures into EU law. In these circumstances, Member States are bound to take the necessary direct measures designed to ensure compliance with the provisions of the IOTC measures in question by their vessels and, as appropriate, their nationals until such time as EU Regulations on the implementation ("transposition") of those measures have been adopted.

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

1. Resolution 12/01 on the implementation of the Precautionary Approach

EU Member States and EU Operators in the Indian Ocean have been informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. Furthermore, the precautionary approach principle is clearly inscribed in the basic EU Common Fisheries Policy Regulation, as well as in the UN Fish Stocks Agreement, to which the EU is a party.

2. Resolution 12/02 Data confidentiality policy and Procedures.

EU Member States, EU Operators and European Commission services responsible for the management and transmission of data to the Indian Ocean Tuna Commission have been informed of the amendments brought by this Resolution on the Resolution 98/02 and must comply with its provisions.

3. Resolution 12/03 on the recording of catch and effort by fishing vessels in the IOTC area of competence

EU Member States and EU Operators in Indian Ocean have been informed of the amendments brought by this Resolution on the Resolutions 08/04 and 10/03 and Recommendation 11/06 and must comply with its provisions that should be progressively implemented by July 2014.

4. Resolution 12/04 on the conservation of Marine Turtles

EU Member States and EU Operators in Indian Ocean have been informed of the amendments brought by this Resolution on the Resolution 09/06 and Recommendation 05/08 and must comply with its provisions. EU Member States and/or EU operators have undertaken important measures to protect marine turtles as reported in the EU scientific report to the Scientific Committee (see as example a bill attached to this report).

5. Resolution 12/05 on establishing a programme for transshipment by large-scale fishing vessels

EU Member States and EU Operators in Indian Ocean have been informed of amendments brought by this Resolution on the Resolution 11/05 and must comply with its provisions. However, this resolution doesn't apply to EU vessels that are not authorised to tranship at sea (Council Regulation (EC) No 1005/2008)

6. Resolution 12/06 on reducing the incidental bycatch of seabirds in Longline fisheries

EU Member States and EU Operators in Indian Ocean have been informed of the amendments brought by this Resolution on the Resolution 10/06 and Recommendation 05/09 and must comply with its provisions that enter into force in July 2014.

7. Resolution 12/07 concerning a record of licensed Foreign Vessels fishing for IOTC species in the IOTC area of competence and access Agreement information

Concerned European Commission services have been informed of amendments brought by this Resolution on the Resolution 10/07 and must comply with its provisions. All related mandatory information applicable to the EU – Government to Government access agreements – has already been provided to the IOTC secretariat.

8. Resolution 12/08 Procedures on a Fish Aggregating Devices (FADs) Management Plan

EU Member States and EU concerned Operators in Indian Ocean have been informed of this Resolution and must comply with its provisions. EU concerned operators have undertaken, in conjunction with respective national EU marine research institutions, research measures aiming the rationalisation of the use of FADs also facilitating the implementation of this resolution

9. Resolution 12/09 on the conservation of Thresher Sharks (Family Alopiidae) caught in association with fisheries in the IOTC area of competence

EU Member States and EU Operators in Indian Ocean have been informed of amendments brought by this Resolution on the Resolution 10/12 and must comply with its provisions. No violations of this Resolution have been reported so far.

10. Resolution 12/10 to promote implementation of Conservation and Management Measures already adopted by IOTC

EU Member States, EU Operators and European Commission concerned services have been informed of the amendments brought by this Resolution on the Resolution 98/02 and must comply with its provisions. The EU has repeatedly contributed with extra-budgetary funds and cooperation for development projects supporting capacity building activities to ensure compliance within IOTC. The EU has also been very active on streamlining of IOTC Conservation and Management Measures, notably through the Compendium Working Group as stated in the Resolution 11/01.

11. Resolution 12/11 on the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating Non-Contracting Parties

EU Member States and EU Operators have been informed of the amendments brought by this Resolution on the Resolution 09/02 and must comply with its provisions. The limitation on EU fishing capacity in IOTC is also integrated in the EU legislation through the Council Regulation (EU) N° 40/2013.

12. Resolution 12/12 to prohibit the use of large-scale driftnets on the high seas in the IOTC area

EU Member States and EU Operators have been informed of the amendments brought by this Resolution on the Resolution 09/05 and must comply with its provisions. In addition, the use of driftnets longer than 2.5 Km is prohibited for EU operators in accordance with Council Regulation (EC) No 894/97 of 29 April 1997 laying down certain technical measures for the conservation of fishery resources.

13. Resolution 12/13 for the conservation and management of Tropical Tunas in the IOTC area of Competence

EU Member States, EU Operators and European Commission services responsible for the management and transmission of data to the Indian Ocean Tuna Commission have been informed of the amendments brought by this Resolution on the Resolution 10/01 and must comply with its provisions. The EU has transmitted to the IOTC secretary relevant information on the application of the spatio-temporal closure and EU Member States control services have successfully monitored EU fishing vessels activities in the Indian Ocean. VMS track records have been transmitted to the secretariat.

14. Recommendation 12/14 on interim target and limit reference points

EU Member States, EU Operators and EU relevant Marine Research institutes have been informed of this recommendation.

15. Recommendation 12/15 on the best available science

EU Member States, EU Operators and EU relevant Marine Research institutes have been informed of this recommendation.

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

As referred in part A and pursuant to Article 216(2) of the Treaty on the Functioning of the European Union (EU), EU Member States are bound to take the necessary direct measures designed to ensure compliance with the provisions of the IOTC measures in question by their vessels and, as appropriate, their nationals until such time as EU Regulations on the implementation ("transposition") of those measures have been adopted

Furthermore:

- (EU) Council Regulation N° 520/2007 which lays down technical measures for the conservation of certain stocks of highly migratory species transposed all IOTC technical measures adopted prior to and including 2006.

- (EU) Council Regulation N° 1936/2001 amended by the Council Regulation (EC) N° 869/2004 transposed all IOTC control and surveillance measures adopted prior to and including 2003.

- (EU) Council Regulation N° 40/2013, and similar (EU) Council Regulations adopted in previous years, fixing for the fishing opportunities available in EU waters and, to EU

vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements transposed in particular the IOTC Resolution 12/11, and related previous resolutions as well as other instruments to freeze fishing effort in the IOTC area of competence and protection of IOTC species or other species caught in association with IOTC fisheries.

- The main IOTC Resolutions for vessel recording, port inspection, IUU fisheries, driftnets, transshipments, vessels monitoring system, shark finning and recording of catches and logbooks are transposed into EU legislation through the EU general Fisheries Regulations.

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

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

Part C. Data and information reporting requirements for CPCs to be included in this report (please refer to the section March 2013 of the Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties).

- *Resolution 01/06 concerning the IOTC bigeye tuna statistical document programme.*

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

The EU provides quarterly reports on the Bigeye Statistical information, relevant information on imports and exports on IOTC species products and keeps the secretariat informed on EU institutions and officers authorised to validate the statistical documents and import/export certificates.

The EU also reports informally the results of this programme to the IOTC secretariat.

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

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

The provisions of the Recommendation 05/07 match the EU fisheries legislation the IOTC management standards management are fulfilled by the EU fleet operating in the Indian Ocean. Furthermore, EU vessels fishing in high seas are also subject to control and legislation of the Indian Ocean coastal states having Fisheries Partnership Agreements with the EU.

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

Resolution 10/06 on reducing the incidental bycatch of seabirds in Longline Fisheries

For the majority of the EU longliners fishing permits are only issued to vessels having reported information on seabirds encounters and measures taken to reduce incidental encounters. For some other vessels, scientific observers have also supported masters to implement this Resolution, including the introduction of self-sampling schemes.

EU scientists have provided important information to the Scientific Committee (including the EU annual scientific report) on seabirds' data, protective measures and research undertaken.

Resolution 10/10 concerning market related measures

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

Only one foreign vessel has landed part of its catches in the EU port in the region. General information has been reported to IOTC secretariat. Prior to the 2013 annual session, specific information will be transmitted to the IOTC secretariat.

There are no foreign vessels operating in the EU EEZ in the IOTC area of competence. Information on EU imports and exports has been provided to the secretariat.

Resolution 11/04 on a regional observer programme.

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

EU Member States are implementing this Resolution, whether by new observer missions or by continuing the observation measures already in place. Actually, EU Member States are implementing gradually the regional observer programme outside the zone affected by piracy and respecting coverage requirements. Implementing reports and activities have been reported separately or through the Scientific Committee.

The acts of piracy have triggered for the time being the suspension, at least partially, of the observation programme in the area affected by piracy. However, some self-sampling initiatives (purse seiners and longliners) have been undertaken by some masters, in close coordination with national authorities, and the existing sampling activities at port remain as in the previous years.

With regard to the longliners, EU Member States are implementing their respective actions to carrying out the regional observer programme. Global coverage by EU fleet exceeds the 5% requirements in this resolution. Currently, the UK fleet is not active in Indian Ocean.

Annex



GuideBonnesPratique
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TORTUES MARINES

TENEZ LA TORTUE DE CHAQUE CÔTÉ DE SA CARAPACE.



REMETTEZ DÉLICATEMENT LA TORTUE À L'EAU.

SI VOUS RETARDEZ SA LIBERATION :

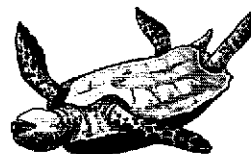
GARDEZ SA PEAU ET SES YEUX HUMIDE À L'AIDE D'UNE SERVIETTE MOUILLEE OU ARROSEZ-LA RÉGULIÈREMENT.



SOULEVEZ L'ARRIÈRE-TRAIN DE LA TORTUE D'ENVIRON 20 CM AU-DESSUS DU PONT. MAINTENEZ-LA À L'OMBRE.

A EVITER

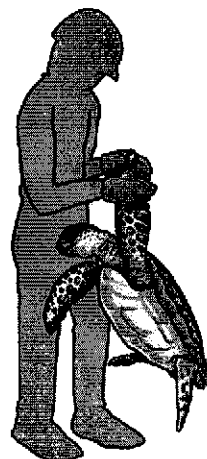
NE POSEZ PAS LA TORTUE À L'ENVERS.



N'EXPOSEZ PAS LA TORTUE AU SOLEIL.



NE LEVEZ PAS LA TORTUE PAR SES NAGEOIRES.



LES TORTUES MARINES PEUVENT ÊTRE MAILLÉES DANS LE DCP OUDANS LA SENNE / EXAMINEZ LE DCP.

EXAMINEZ LE FILET AUSSI LOIN QUE POSSIBLE AFIN DE REPÉRER LES TORTUES MARINES RAPIDEMENT.

APRÈS AVOIR APERÇU UNE TORTUE, DEMANDEZ IMMÉDIATEMENT À RÉDUIRE LA VITESSE DE VIRAGE POUR DIMINUER LA TENSION DU FILET, PUIS RETIREZ-LA SOIGNEUSEMENT. SI NÉCESSAIRE, UTILISEZ UN COUTEAU OU DES PINCES POUR COUPER LE FILET.

SÉPARER LA TORTUE DU RESTE DE LA CAPTURE ET DES PRISES ACCESSOIRES.