
Report of the Fourteenth Session of the Indian Ocean Tuna Commission

Busan, Korea, 1-5 March 2010

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EXECUTIVE SUMMARY

The 14th Session of the Indian Ocean Tuna Commission (IOTC) was held in Busan, Republic of Korea, from 1 to 5 March 2010. Representatives of 19 Members of the Commission, two Cooperating non-Contracting Parties, FAO, eight Observers and invited experts attended the Session.

In response to concerns about the status of the stocks, the Commission adopted a conservation and management action by which a time-area closure is established for purse-seine and longline fisheries, and a plan of action is started that will lead to the adoption of a quota or other appropriate conservation measure by 2012. The plan of action includes a feasibility study on improving data collection from artisanal fisheries, and an inter-sessional technical meeting to adopt recommendations on allocation criteria for a quota system. Management advice is to be supplied by the Scientific Committee in a way that allows managers to assess the risks and benefits of different management actions.

The Commission also adopted a binding resolution establishing a Port State measure, with provisions almost identical to the global Port State Agreement recently adopted by the FAO Council. The Commission also agreed to establish a mechanism for applying market-related measures against Parties that have engaged in activities undermining the objectives of the Commission.

The issue of lack of compliance by Members, identified in the past as one of the major problems for IOTC, was addressed by the strengthening of the Compliance Committee, who will focus on the performance of individual Members, allowing it to identify Parties that are deficient in the implementation of IOTC resolutions. The Compliance Committee will have extended meetings to accommodate the additional workload starting at its next Session.

Combating illegal, unregulated and unreported (IUU) fishing continued with a detailed review of several incidents of IUU involving vessels from member states, which resulted in new vessels being listed under the IUU list.

The Commission also adopted a measure that, for the first time among tuna RFMOs, protects all shark species in the family Alopiidae, by notably by the retention onboard and prohibiting the commercialization of these vulnerable species.

The Commission agreed to the creation of a special Fund to support the participation of representatives from developing states in meetings of the Commission or its subsidiary bodies. Accumulated savings from previous years are to be used as seed funding for this purpose, as well as to start the execution of sampling programmes in artisanal fisheries, as requested in the Regional Observer Scheme adopted in 2009.

The Commission reiterated its deep concerns and desire to see the end of the ongoing issue of piracy off the coast of Somalia.

The Commission approved the 2010/11 Program of Work and Budget of the Secretariat, and the schedule of contributions.

The Commission renewed the status of Cooperating non-Contracting Party of Senegal, South Africa and Uruguay, and, for the first time, granted the status to Maldives.

The following measures were adopted by the Commission:

- Resolution 10/01 *For the conservation and management of tropical tunas stocks in the IOTC area of Competence*
- Resolution 10/02 *On mandatory statistical requirements for IOTC Members and Cooperating non-Contracting Parties (CPCs)*
- Resolution 10/03 *Concerning the recording of catch by fishing vessels in the IOTC area*
- Resolution 10/04 *On a Regional Observer Scheme*
- Resolution 10/05 *On the Establishment of a Meeting Participation Fund for Developing IOTC Members and non-Contracting Cooperating Parties (CPCs)*
- Resolution 10/06 *On reducing the incidental bycatch of seabirds in longline fisheries*

- Resolution 10/07 *Concerning a record of licensed foreign vessels fishing for tunas and swordfish in the IOTC area*
- Resolution 10/08 *Concerning a record of active foreign vessels fishing for tunas and swordfish in the IOTC area*
- Resolution 10/09 *Concerning the functions of the Compliance Committee*
- Resolution 10/10 *Concerning Market Related Measures*
- Resolution 10/11 *On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing*
- Resolution 10/12 *On the conservation of thresher sharks (family Alopiidae) caught in association with fisheries in the IOTC area of competence*
- Recommendation 10/13 *On the implementation of a ban on discards of skipjack tuna, yellowfin tuna, bigeye tuna, and non-targeted species caught by purse-seiners*

OPENING OF THE SESSION

1. The Fourteenth Session of the Indian Ocean Tuna Commission (IOTC) was held in Busan, Republic of Korea, from 1 to 5 March 2010. Representatives of 19 Members of the Commission, 2 Cooperating non-Contracting Parties, FAO, 8 Observers and invited experts attended the Session. The list of participants is attached as [Appendix I](#).
2. Following speeches by Mr Alejandro Anganuzzi (Executive Secretary of IOTC) and Mr Rondolph Payet (Chairperson of IOTC) the Commission was addressed by Mr Lim Kwang-soo, president of the National Fisheries Research and Development Institute. The opening speech was given by Mr Ha Young-jae, Vice-Minister of Food, Agriculture, Forestry and Fisheries. The texts of the addresses by Mr Payet and Vice-Minister Ha are provided in [Appendix II](#).

ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

3. The Commission adopted the Agenda as presented in [Appendix III](#) to this report. The documents before the Commission are listed in [Appendix IV](#).

ADMISSION OF OBSERVERS

4. Pursuant to Article VII of the Agreement establishing the IOTC, the Commission admitted observers from the Maldives, Mozambique, United States of America, the Indian Ocean Commission (IOC), the International Seafood Sustainability Foundation (ISSF), the Marine Stewardship Council (MSC), the Organization for the Promotion of Responsible Tuna Fisheries' (OPRT), the World Wide Fund for Nature (WWF), as well as invited experts from Taiwan, Province of China. The Commission noted the presence of FAO (the Food and Agriculture Organization of the United Nations) as a special observer.

REPORT OF THE 12TH SESSION OF THE SCIENTIFIC COMMITTEE

5. The report of the Twelfth Session of the Scientific Committee (IOTC-2009-SC-R) was presented by the Scientific Committee Chair, Dr Francis Marsac (European Union). The Commission acknowledged the report and considered the following issues.

Status of the stocks

6. The Commission noted the latest advice from the Scientific Committee on the following species and species groups:
7. Albacore: No new stock assessment have been realised on albacore in 2009. The stock size and fishing pressure on this species are considered to be within acceptable limits. Catches, mean weight and catch rates of albacore have been stable for over 20 years. The status of the stock is not likely to change markedly over the next 2-3 years and assuming that the price level remains low compared to other tuna species, no immediate action should be required. It was suggested that a new assessment be undertaken in 2011.
8. Bigeye: The estimated values of fishing mortality and stock size in 2008 are close to MSY-related values. Standardized catch rates from the longline fleets of Japan and Taiwan, China since 1980 present divergent trends. The results of the 2009 assessment indicate that the stock is fully exploited. Catches of bigeye tuna should not exceed the estimated MSY of 110,000t.
9. Skipjack: Skipjack is a highly productive and resilient species and seems not easily prone to overfishing. However, the analysis of some indicators of the stock status during recent years suggests that the state of the stock should be closely monitored in 2010.
10. Yellowfin: Stock has been recently overexploited and is probably still being overfished. Fishing pressure has been exceeding the MSY-related level and reduction of catch or of fishing

effort would be required to return exploitation rates to those related to MSY. The catch of yellowfin tuna should not exceed the current estimated MSY, *ie.* 300,000t.

11. Swordfish: Overall stock size and fishing pressure are close to MSY-related values and the stock is considered to be fully exploited. Catches of swordfish should not exceed the estimated MSY of 33,000t.
12. Neritic tunas: No quantitative stock assessments are currently available for the six neritic tuna species under the IOTC mandate and the stock status for all species remains unknown. The Scientific Committee noted that the neritic species were relatively productive with high fecundity and therefore relatively resilient and less prone to overfishing than other species.
13. Sharks: There was no improvement regarding the available catch statistics and in the present situation conducting formal assessments is questionable. The stock status for all species remains highly uncertain and stock indicators should be developed. In general, the life history characteristics and biology of sharks make them vulnerable to overfishing.
14. Marine turtles: The World Conservation Union (IUCN) has classified the olive ridley turtle as vulnerable, the green turtle and loggerhead turtle as endangered and the hawksbill turtle and leatherback turtle as critically endangered. The status of marine turtles remains unknown due to insufficient information on a range of factors such as degradation of nesting beaches, targeted harvesting of eggs and turtles and, to a lesser extent, incidental catches by purse seine and longline. Notwithstanding this, it is acknowledged that the impact on marine turtle populations from fishing for tuna and tuna-like species may increase if fishing pressure increases, or if the status of the marine turtle populations worsens due to other factors such as an increase in fishing pressure from other fisheries or anthropological or climatic impacts.
15. Sea birds: An Executive Summary for seabirds was adopted by the Scientific Committee for the first time in 2009, outlining the current state of knowledge for seabird distributions, the current understanding of interactions between IOTC fisheries and seabirds, current management concerns, management measures currently in place by the IOTC to enhance the conservation of seabirds, and gaps in the knowledge of fishery impacts with seabirds.

Comments of the Commission and consideration of the recommendations made by the Scientific Committee

16. The Commission expressed its satisfaction about the reinstatement of the Working Party on Data Collection and Statistics, following the recommendations of the Performance Review Panel, and for its work that provided a clearer picture on the current data situation.
17. The Commission expressed its concerns about the lack of fisheries data on target and bycatch species and the relatively low reporting of data relevant for stock assessment by the time the data are required for the assessments. In particular, it noted the possible under-reporting of bigeye catch by the gillnet fleets operating in the IOTC area of competence. The Commission reminded to the CPCs the importance of reporting the data as per IOTC requirements within the deadlines in order for the scientists to be able to do the necessary analyses and assessments on which the scientific advices will be based.
18. The Commission addressed the list of recommendations made by the Scientific Committee in its 2009 report that related specifically to the Commission or concerned the work of the Secretariat, and made the following responses:
 - The Commission expressed its concerns regarding the level of catch of juvenile yellowfin and bigeye tuna and requested that consideration is given to the protection of these juveniles.
 - The Commission recognized that Marine Protected Areas (MPA) in high seas are a possible management option, in particular for the conservation of juveniles of yellowfin and bigeye tuna, and that it has already been considered or implemented by other tuna RFMOs.

However, the closure of particular areas should be carefully studied prior to implementation and should be based on scientific advice.

- The Commission expressed its concerns regarding the use of a single model for the assessment of the yellowfin tuna stock and recommended the use of various models for future stock assessments. It noted the need for more coordination among the scientists participating at technical meetings to ensure more diversity in the use of models for all species.
- The Commission recognizing the added value of the Indian Ocean Tuna Tagging Programme, encouraged extensive use of the data for stock assessments and supported the organization of a tagging symposium in 2011. However, the Commission expressed its concerns regarding the low reporting rate of the tags by the longline fleets.
- The Commission supported the development of a Management Strategy Evaluation (MSE) by the Scientific Committee as a tool to evaluate conservation and management measures.
- The Commission reiterated its commitment to start a Regional Observer Scheme on 1st July 2010 to collect verified catch data and other scientific data related to the fisheries for tuna and tuna-like species in the IOTC area as per Resolution 09/04 (superseded by Resolution 10/04) following the guidelines that are being developed by the Scientific Committee.
- The Commission agreed on the need for a Data Summary as a priority in 2010.
- The Commission recognized the need to strengthen the Secretariat by adding two professional staff members, and referred the matter to the SCAF for assessment of the financial implications.

REPORT OF THE COMPLIANCE COMMITTEE (CoC)

19. The Report of the Seventh Session of the IOTC Compliance Committee (provided in [Appendix V](#)) was presented by the Committee Chair, Mr Roberto Cesari (EU) to the Commission, who commended the Compliance Committee for its work.

National Reports on the progress of implementation of conservation and management measures

20. The Commission noted that national reports were provided by twelve of twenty-eight Members (Australia, Belize, China, European Union, France Territories, Indonesia, Japan, Republic of Korea, Mauritius, Philippines, Seychelles and the United Kingdom (OT)), and one of three Cooperating Members (South Africa), which despite being an improvement in comparison to the previous year is still very low, especially taking into account that only six CPCs submitted their report before the deadline.
21. The Commission recalled the importance of the submission of national reports and their mandatory nature under Article X, paragraph 2, of the IOTC Agreement, and noted that they should be provided no later than 60 days before the Session. The Commission supported the request by the Compliance Committee that CPCs that did not submit their national report should fulfil their obligation as soon as possible and asked the Secretariat to follow up on this issue.
22. The Commission thanked the Secretariat for having prepared a template for the submission of national reports as it requested during its previous Session. However, it was noted that some CPCs had some difficulties in submitting their report following the template within the deadline, due to the late circulation of the template.

Status of the application of IOTC conservation and management measures

23. The Commission noted the compliance of members regarding the application of several resolutions and requested the Chairperson to write to the Islamic Republic of Iran and Sri Lanka to express the concerns of the Members on the level of compliance of their respective fleets active in the Indian Ocean..
24. The Commission endorsed all the recommendations made by the Compliance Committee.

IOTC IUU Vessels list

25. The Commission noted that, after the presentation and discussions on each case, the Compliance Committee recommended the inclusion of 5 new vessels to the IOTC IUU Vessels List:
- Parsian Shila (Iran)
 - Rwad 1 (Oman) - under probation for a period of three months, within which Oman should provide evidence about the origin of the catches onboard
 - Balena (unknown)
 - Lingsar 08 (Indonesia)
 - Hoom Xiang 11 (Malaysia)
26. The Commission endorsed these additions and the IOTC IUU Vessels List was adopted by the Commission in 2010 as given in [Appendix VI](#).

Applications for Cooperating non-Contracting Party status

27. Following the recommendations of the Compliance Committee, the Commission granted the status of Co-operating non-Contracting Party until the 15th Session in 2011 to Maldives, Senegal, South Africa and Uruguay.

28. The Commission especially noted its satisfaction in seeing Maldives, a major fishing nation of the Indian Ocean, becoming Cooperating non-Contracting Party and it expressed its wish that Maldives will soon become a full Member of the Commission.

Fleet development plans

29. The Commission endorsed the recommendations of the Compliance Committee regarding fleet development plans and set up the 31st December 2010 for CPCs which expressed their wish to submit new or revised fleet development plans to do so, unless they have indicated an earlier deadline.

Election of a Chairperson for the next biennium

30. The Commission endorsed the election of Mr Roberto Cesari (EU) as Chairperson of the Compliance Committee for the next biennium.

REPORT OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE (SCAF)

31. The report of the Standing Committee on Administration and Finance (provided in [Appendix VII](#)) was presented by the Chair, Mr Geoffrey Nanyaro (Tanzania).
32. The Commission thanked the Secretariat for the work conducted during 2009, and approved the IOTC Secretariat's Programme of Work for 2010 and adopted the budget for the year 2010 and the scheme of contributions for the Members as listed in Annex II and III of the SCAF report.

CONSERVATION AND MANAGEMENT MEASURES ARISING FROM THE RECOMMENDATIONS OF THE PERFORMANCE REVIEW PANEL REPORT

33. The Commission received proposals for conservation and management measures on the topics below.

On the Establishment of a Meeting Participation Fund for Developing State IOTC Members and non-Contracting Cooperating Parties (CPCs)

34. The Commission adopted Resolution 10/05 *On the establishment of a meeting participation fund for developing IOTC Members and non-Contracting Cooperating Parties (CPCs)* ([Appendix VIII](#)). This resolution makes provisions for the creation of a fund to help scientists from the region to participate in the IOTC scientific meetings as well as to the Session of the Commission. This fund will be financed from the IOTC accumulated funds to begin with (200,000 USD), and, then by voluntary contributions of Members or other sources to be identified.

Concerning a Record of Licensed Foreign Vessels Fishing for Tunas and Swordfish in the IOTC Area

35. The Commission adopted Resolution 10/07 *Concerning a record of licensed foreign vessels fishing for tunas and swordfish in the IOTC area* ([Appendix VIII](#)). This Resolution supersedes Resolution 07/04 *Concerning registration and exchange of information on vessels fishing for tunas and swordfish in the IOTC area* following a recommendation of the Performance Review Panel to separate the reporting requirements of flag state and licensing states concerning the activities of fishing vessels.

Concerning a Record of Active Vessels Fishing for Tunas and Swordfish in the IOTC Area

36. The Commission adopted Resolution 10/08 *Concerning a record of active foreign vessels fishing for tunas and swordfish in the IOTC area* ([Appendix VIII](#)). This resolution, as the previous, supersedes Resolution 07/04 *Concerning registration and exchange of information on vessels fishing for tunas and swordfish in the IOTC area* and specifies the responsibility the flag state to report annually on their vessels that were active in the IOTC area.

On the Functions of the Compliance Committee

37. The Commission adopted Resolution 10/09 *Concerning the functions of the Compliance Committee* ([Appendix VIII](#)). This Resolution strengthens the Compliance Committee as recommended by the Performance Review Panel in 2009. The Compliance Committee will now review annually the compliance of each CPC with the conservation and management measures adopted by the Commission, and in order to do that, two days will be devoted to the meeting of the Compliance Committee prior to the Session of the Commission.

Concerning Market Related Measures

38. The Commission adopted Resolution 10/10 *Concerning Market Related Measures* ([Appendix VIII](#)). This resolution is another tool to combat IUU fishing by establishing the possibility of adopting market-related measures in severe cases of non-compliance by CPCs and non-CPCs with conservation and management measures adopted by the Commission. The Resolution notes that market related measures should be taken in last resort after other means and discussion with the concerned parties are exhausted.

On Port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing

39. The Commission adopted Resolution 10/11 *On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing* ([Appendix VIII](#)). In November 2009, a binding agreement on Port State Measures was adopted by the FAO Council and is open for signature and ratification. This Resolution, which contains provisions very similar to those of the adopted FAO agreement, enables CPCs to implement these provisions at a much earlier time.
40. Concerns were raised by some Members as the responsibilities for port inspection do not fall under their fisheries department, and therefore they will face difficulties in the implementation. Noting that some Members have ports that are outside the IOTC area, the Resolution applies only to CPCs ports within the IOTC area of competence.

OTHER CONSERVATION AND MANAGEMENT MEASURES

41. The Commission received proposals for conservation and management measures on the topics below.

Conservation and management of tropical tuna stocks in the IOTC area of competence

42. The Commission adopted Resolution 10/01 *For the conservation and management of tropical tunas stocks in the IOTC area of Competence* ([Appendix VIII](#)). This Resolution establishes a closure of a defined area for purse-seine vessels from 1st November to 1st December and for longline vessels from 1st February to 1st March in order to reduce the fishing pressure on yellowfin and bigeye tunas as recommended by the Scientific Committee. The impacts of the closure area and periods shall be assessed by the Scientific Committee during its next meeting in 2010.
43. The closure area is defined by the following coordinates:
- 0° - 10° North
 - 40° - 60° East
44. The Resolution also called for a technical committee to meet prior to the next Session to discuss allocation criteria and recommend an allocation quota system or any other relevant measures. The Resolution also mandates the implementation of a pilot project in order to assess the feasibility of near real-time reporting for CPCs, which might be required under a unallocated quota system. The Commission shall adopt in 2012 a quota system, or any other relevant measure for the conservation and management of yellowfin and bigeye tunas.

Mandatory Statistical Requirements For IOTC Members and Cooperating non-Contracting Parties (CPCs)

45. The Commission adopted Resolution 10/02 *On mandatory statistical requirements for IOTC Members and Cooperating non-Contracting Parties (CPCs)* ([Appendix VIII](#)). This Resolution introduced minor amendments to Resolution 08/01 *On mandatory statistical requirements for IOTC Members and Cooperating non-Contracting Parties (CPCs)* concerning minimum levels of sampling for size data.

Concerning the recording of catch by fishing vessels in the IOTC area

46. The Commission adopted Resolution 10/03 *Concerning the recording of catch by fishing vessels in the IOTC area* ([Appendix VIII](#)). This resolution introduced amendments to Resolution 07/03 *Concerning the recording of catch by fishing vessels in the IOTC area* in order to record information on each FAD deployed by purse-seiners in their logbooks for consistency with paragraph 5c of Resolution 10/02 *On mandatory statistical requirements for IOTC Members and Cooperating non-Contracting Parties (CPCs)*.

On a Regional Observer Scheme

47. The Commission adopted Resolution 10/04 *On a Regional Observer Scheme* ([Appendix VIII](#)). This Resolution introduced amendments to Resolution 09/04 *On a Regional Observer Scheme* to clarify issues related to its implementation in the context of artisanal fisheries.

On Reducing the Incidental Bycatch of Seabirds in Longline Fisheries

48. The Commission adopted Resolution 10/06 *On reducing the incidental bycatch of seabirds in longline fisheries* ([Appendix VIII](#)). This Resolution introduced amendments to Resolution 08/03 *On reducing the incidental bycatch of seabirds in longline fisheries* in changing the limit of the area in which longline vessels have to implement mitigation measures from 30°S to 25°S to better encompass the area of overlap between the distribution area of endangered species of seabirds and the longline fishing grounds.

On the conservation of thresher sharks (family Alopiidae) caught in association with fisheries in the IOTC area of competence

49. The Commission adopted Resolution 10/12 *On the conservation of Thresher sharks (family Alopiidae) caught in association with fisheries in the IOTC area of competence* ([Appendix VIII](#)). This Resolution prohibits the retention onboard, transshipment, landing, storing, selling or offering for sale any part or whole carcass of the three species of Thresher sharks (family Alopiidae) by all vessels on the IOTC record of authorized vessels.
50. Australia expressed reservations and concerns regarding the application of the Resolution to recreational fisheries and indicated that they could not support the Resolution in its current form.
51. As there was no consensus, the EU called for a vote on this resolution and Philippines and Kenya requested that the vote be conducted through a secret ballot according to the Rule IX of the IOTC Rules of Procedure. At the time of the vote, seventeen Members were present and able to vote. The ballot was conducted according to the standard procedure of FAO with Mr. Raschad Al-Khafaji, FAO, nominated Election Officer and Mr. Geoffrey Nanyaro, Tanzania, designated to oversee the voting process. The results of the ballot was fourteen votes in favour of the Resolution and three against.
52. The Commission noted the statement of Australia made after the adoption of the Resolution ([Appendix X](#)).

Implementation of a Ban On Discards Of Skipjack Tuna, Yellow Fin Tuna, Bigeye Tuna, And Non Targeted Species Caught By Purse Seiners

53. The Commission adopted Recommendation 10/13 *On the implementation of a ban on discards of skipjack tuna, yellowfin tuna, bigeye tuna, and non-targeted species caught by purse-seiners* ([Appendix VIII](#)). This Recommendation requests that all CPCs encourage retention onboard the purse-seiners and landing of all skipjack, bigeye and yellowfin tuna as well as of all non-targeted species. Although this proposal was originally intended to become a binding resolution, there was no consensus among Members to do so.

On an IOTC Tropical Tunas – Yellowfin, Bigeye And Skipjack - Catch Documentation Programme

54. The Commission considered a proposal on a Catch Documentation Programme for tropical tuna, but no consensus could be reached on this issue. Several Members noted that this proposed Programme was different from the Programme that they have recently implemented to comply with the EU-IUU regulations (Council Regulation (EC) no.1005/2008), and applying only to the three tropical tuna species, therefore creating difficulties and confusion in the CPCs currently exporting fish to the EU market.

ANY OTHER MATTERS

Piracy at sea

55. The Commission recognized the severe impact of piracy acts on humanitarian, commercial and fishing vessels off the coast of Somalia and noted that the range of the attacks extended toward Kenya and Seychelles, with attacks being reported in their respective EEZ.
56. The Commission therefore agreed to issue a new Statement on the issue of piracy ([Appendix IX](#)), calling once again on the international community to give all its support to ensure the safety of all fishing vessels and their crew in the region from acts of piracy.

Indian Ocean Commission: Regional Fisheries Monitoring Plan for the South-western Indian Ocean

57. The Regional Fisheries Monitoring Plan for the South-Western Indian Ocean, funded at 80% by the EU and at 20% by the Indian Ocean Commission has for primary objective to fight IUU fishing in the EEZ of the five Members of the IOC, *ie.* Comoros, La Réunion (France), Madagascar, Mauritius and Seychelles. Its activities and first results were presented to the Commission which noted the good cooperation developed between the IOC and the IOTC regarding monitoring and surveillance issues.
58. The IOC announced that a new project was going to start under the 10th European Development Fund which will provide support in the region for enhancing the management of fisheries resources in the recipient countries. Some of the activities included implementation of better monitoring control and surveillance measures, such as port inspection schemes, and improved data collection procedures. The Commission welcomed this initiative, hoping that the tradition of active cooperation between the two organizations, established by the implementation of the Regional Tuna Tagging Programme in the Indian Ocean, will continue during the execution of these activities.

Vandalism of oceanographic buoys

59. The USA made an update on the point raised during the 13th Session of the Commission on the vandalism and destruction of National Oceanic and Atmospheric Administration (NOAA) data buoys in the Indian Ocean. This vandalism is resulting in a worldwide data loss of 10%, although for the Indian Ocean the loss reaches 50% of the data. Several *fora* recognized this growing problem in 2009 and a management and conservation measure was adopted by the Western and Central Pacific Fisheries Commission (WCPFC) to prohibit fishing around these

buoys. Taking into account the importance of the buoys for the correct operation of the Tsunami Warning System in the Indian Ocean, the USA called for CPCs to propose such a measure at the 15th Session of the Commission in 2011.

60. The Commission noted the concerns raised by the vandalism on oceanographic buoys in the Indian Ocean and reminded CPCs to encourage their fleets to avoid fishing around those devices.

DATE AND PLACE OF THE THIRTEENTH SESSION OF THE SCIENTIFIC COMMITTEE AND THE FIFTEENTH SESSION OF THE COMMISSION

61. The Commission was unanimous in its thanks to the Republic of Korea for hosting the 14th Session and commended Korea on the warm welcome, the excellent facilities and the excellent organization.
62. The Commission agreed that the 13th Session of the Scientific Committee will take place in early December 2010 in Seychelles.
63. Following an invitation from Vanuatu to host the 15th Session of the Commission, it was agreed to investigate in cooperation with Vanuatu the possibility to organize the next Session in Port Villa the third week of March 2011 (date and location to be advise at a later stage).

ADOPTION OF THE REPORT

64. The Commission decided to adopt the report of the 14th Session of the Indian Ocean Tuna Commission by correspondence.

APPENDIX I

LIST OF PARTICIPANTS

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APPENDIX II
OPENING ADDRESS BY MR. HA
VICE-MINISTER FOR FOOD, AGRICULTURE, FORESTRY AND FISHERIES OF THE
REPUBLIC OF KOREA

Honorable Chairman 론돌프 파에트,

Honorable Executive Secretary 알레한드로 앙가누찌,

Distinguished Delegates, Observers,

ladies and gentlemen,

Good Morning and welcome to Busan for the 14th Session of the Indian Ocean Tuna Commission.

It is my great honor to make an Opening Address at the 14th Session of the Indian Ocean Tuna Commission in this Busan city, the largest port and the hub of Fisheries industry in Korea.

On behalf of the Korean government, I would like to extend my warmest welcome to the delegates, representatives of the tuna fishing industry and non-governmental organizations.

I would like to convey a special appreciation to Executive Secretary 알레한드로 앙가누찌 and his staff, who have made great efforts to prepare this meeting.

Distinguished delegates,

The Indian Ocean is special to Korea. It was the Indian Ocean that Korea caught 10 tons of tuna in 1957 for the first time in Korean history. That opened a new chapter in Korean tuna fishery history.

Since then, the Indian Ocean has been an important fishing ground for Korea.

The total tuna catch reached around seventy thousand tons in mid 70s with 180 fishing vessels in the Indian Ocean. The Indian Ocean has greatly contributed to creating wealth as an important fishing ground for Korea.

Nowadays, managing tuna resources sustainably are becoming the most important issue. Sustainability of tuna resources in the Indian Ocean is threatened by the increasing demands which in turn lead raising fishing effort and capacity of fleet in the Indian Ocean.

To address this issue, 5 tuna RFMOs including the IOTC have worked together to ensure the long-term conservation and sustainable use of tuna stocks.

Distinguished delegates,

People say that the ocean is our last rich repository of resources. It is no exaggeration to say that our future and prosperity depend on how we successfully manage the fisheries resources in the Ocean.

Now is the time to gather our wisdom to find a best way to ensure the sustainable use of limited fisheries resources.

Against this backdrop, the Korean government, as a responsible fishing nation, has made lots of efforts in the international framework to conserve the fisheries resources in many ways such as acceding to the United Nations Fish Stock Agreement and actively participating in various regional fisheries management organizations.

Also, the Korean government has mapped out a comprehensive plan in an effort to develop value added, sustainable distant water fisheries in Korea.

Distinguished Delegates, Observers and ladies and gentlemen,

We are here to contribute to long-term conservation and sustainable use of the tuna resources. The approach may vary according to the situation that each State faces. However, I am sure that we could narrow our differences through close consultation and compromise. I hope this meeting will serve as a milestone for future development of the IOTC with constructive outcomes.

Lastly, Mr. Chairman, under your excellent guidance and leadership, I hope, we will have a fruitful results during this week.

Once again, I would like to express my deepest gratitude to all of you for attending the 14th Session of the IOTC and wish you have a wonderful and pleasant stay in Busan.

Thank you.

OPENING ADDRESS OF MR. PAYET CHAIRPERSON OF THE INDIAN OCEAN TUNA COMMISSION

Honourable Vice Minister, Ministry for Food, Agriculture, Forestry and Fisheries.

Mr. Alejandro Anganuzzi, Executive Secretary of IOTC

Distinguished Guests,

Distinguished Representatives of Members,

Invited observers,

Ladies and gentlemen;

Let me wish you all a very good morning and welcome to the vibrant city of Busan, Republic of Korea for the 14th Session of the Indian Tuna Ocean Commission.

Firstly, on your behalf I would like to express our deepest thanks to the Government of the Republic of Korea for the kind hosting of this Commission meeting. The Government of Korea has provided us, in this exquisite location, excellent facilities for us to do our work.

It is a great honour for me to be addressing you today on the occasion of the opening of the 14th Session of the IOTC.

This 14th Session of the Indian Ocean Tuna Commission is again taking place against the backdrop of a series of international and regional fisheries concerns. The RMFO's credibility is being questioned and is of concern to me as your chair. I must however, say that we fall short of what needs to be achieved in this organisation, notwithstanding our past achievements.

Ladies and Gentlemen, we have indeed a very difficult task ahead of us. We urgently need to take decisions consistent with the advice of the Scientific Committee and we must not let the Commission be a breeding ground for mediocrity. We need to make a difference and ensure that we take decisions in support of sustainable use, conservation and management of the Indian Ocean tuna resources.

I would like reiterate some of the points I made at the last meeting and to remind you of the tasks ahead of us.

- We do not have long-term fishing limits – such as quotas, catch limits or fishing effort measures in place consistent with the best scientific advice;
- Our compliance record is very low;
- Reporting is extremely low in certain fisheries;
- Inadequate measures and resources to tackle the IUU activities which is diminishing the effectiveness of this organisation;
- Members need to become accountable for their activities under this organisation.
- Fishing Capacity – we don't really know what level of fishing capacity in the Indian Ocean.

I would like to welcome the NGO's, that have a keen interest in this organisation and playing a greater role in ensuring the effectiveness of this organisation. I would also like to call upon them and all of our partners to join hands with us in assisting the coastal states in the Indian Ocean to meet their obligations under this organisation otherwise we will fail again and again.

Finally let me thank Mr. Alejandro Anganuzzi and all his staff for past year's work, which is commendable.

I look forward to working with all of you in an evenhanded and fair manner to achieve the desired results. I am counting on the chairpersons of the Compliance and the Standing Committee on Finance and Administration to move forward on the different issues.

Thank you and enjoy yourself in beautiful Busan. We cannot be in any better location to do our work.

APPENDIX III

AGENDA OF THE 14TH SESSION OF THE IOTC

1. OPENING OF THE SESSION
2. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION
3. ADMISSION OF OBSERVERS
4. REPORT OF THE 12TH SESSION OF THE SCIENTIFIC COMMITTEE
5. REPORT OF THE COMPLIANCE COMMITTEE
6. REPORT OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE
7. CONSERVATION AND MANAGEMENT MEASURES ARISING FROM THE RECOMMENDATIONS OF THE PERFORMANCE REVIEW PANEL REPORT
8. OTHER CONSERVATION AND MANAGEMENT MEASURES
9. ANY OTHER MATTERS
10. DATE AND PLACE OF THE 13TH SESSION OF THE SCIENTIFIC COMMITTEE AND THE 15TH SESSION OF THE COMMISSION
11. ADOPTION OF THE REPORT

APPENDIX IV

LIST OF DOCUMENTS

Reference / Référence	Title / Titre
Session	
IOTC-2010-S14-01	[E] Draft agenda of the Commission – 14th Session (01 March, 2010) [F] Ordre du jour provisoire de la commission – 14e Session (01 mars 2010)
IOTC-2010-S14-02	[E + F] List of documents / Liste des documents
IOTC-2010-S14-03	[E + F] List of participants / Liste des participants
IOTC-2010-S14-04	[E] Estimating the fishing capacity of the tuna fleets in the Indian Ocean [F] Estimation de la Capacité de pêche des flottes thonières dans l'Océan Indien
IOTC-2010-S14-05	[E] Proposal for a Statement of IOTC on piracy in the western part of the IOTC area of competence [F] Proposition de déclaration de la CTOI sur la piraterie dans la zone de compétence de la CTOI.
IOTC-2010-S14-06	[E] Framework for the Development Observer Manuals, Reporting Templates and Training Programmes for the Indian Ocean Tuna Commission (with comments from Japan and Birdlife International) [F] Programme pour le développement de manuels, modèles de rapports et formations destinés aux observateurs de la Commission des Thons de l'Océan Indien (avec des Commentaires du Japon et de Birdlife International)
IOTC-2010-S14-Inf01	[E] Information to the Participants to the 14 th Session of the Indian Ocean Tuna Commission: Regional Fisheries Monitoring Plan for the South-western Indian Ocean. [F] Note d'Information aux participants à la 14 ^{ième} Session de la Commission des Thons de l'Océan Indien : Le Plan régional de surveillance des pêches dans le Sud Ouest de l'Océan indien
IOTC-2010-S14-Inf02	[E] Update on Vandalism/Negligent Destruction of Moored Data Buoys and Actions by the International Community
IOTC-2009-SC-R	[E] Report of the Twelfth Session of the Scientific Committee [F] Rapport de la douzième Session du Comité Scientifique
Compliance Committee / Comité d'Application	
IOTC-2010-S14-CoC01	[E] Draft agenda of the compliance committee (04 February 2010) [F] Ordre du jour provisoire du comité d'application (04 février 2010)
IOTC-2010-S14-CoC02	[E] Application for cooperating non-contracting party status :South Africa [F] Candidature au statut de partie coopérante non contractante : Afrique Du Sud
IOTC-2010-S14-CoC02-Add1	[E] Application for cooperating non-contracting party status :South Africa – Addendum 1 [F] Candidature au statut de partie coopérante non contractante : Afrique du Sud – Addendum 1
IOTC-2010-S14-CoC03	[E] Application for cooperating non-contracting party status :Senegal [F] Candidature au statut de partie coopérante non contractante : Sénégal
IOTC-2010-S14-CoC03-add1	[E] Report on CNCP Senegal (Addendum_CoC03). [F] Rapport de la PCNC Sénégal (Addendum_CoC03)

Reference / Référence	Title / Titre
IOTC-2010-S14-CoC04	[E] National reports on the progress of implementation of conservation and management measures : United Kingdom [F] Rapports nationaux sur l'application des mesures de conservation et de gestion : Royaume Uni
IOTC-2010-S14-CoC05, rev1	[E] National reports on the progress of implementation of conservation and management measures : Korea [F] Rapports nationaux sur l'application des mesures de conservation et de gestion : Corée
IOTC-2010-S14-CoC06	[E] National reports on the progress of implementation of conservation and management measures :European Community [F] Rapport national sur l'application des mesures de conservation et de gestion : Communauté Européenne
IOTC-2010-S14-CoC07, rev1, rev2	[E] Report on the progress and implementation of VMS programmes. Prepared by IOTC Secretariat [F] Rapport sur la mise en place et l'avancement des programmes de SSN. Préparé par le Secretariat de la CTOI
IOTC-2010-S14-CoC08, rev3	[E] Report on the IOTC bigeye statistical document record. Prepared by the IOTC Secretariat [F] Rapport sur le registre des documents statistiques sur le patudo. Préparé par le Secretariat de la CTOI
IOTC-2010-S14-CoC09	[E] Landings by foreign vessels in the ports of CPCs. Prepared by the IOTC Secretariat [F] Débarquements par des navires étrangers dans les ports des CPC. Préparé par le Secretariat de la CTOI
IOTC-2010-S14-CoC10	[E] Report on establishing a programme for transshipment by large-scale fishing vessels. Prepared by the IOTC Secretariat [F] Rapport sur la mise en place d'un programme sur les transbordements par les grands navires de pêche. Préparé par le Secretariat de la CTOI
IOTC-2010-S14-CoC10-add1	[E] Review of the IOTC Regional Observer Programme. [F] Revue du Programme d'observateurs de la CTOI.
IOTC-2010-S14-CoC11, rev2	[E] Report on the IOTC Fisheries statistics record. Prepared by the IOTC Secretariat. [F] Rapport sur le registre CTOI des statistiques des pêches. Préparé par le Secretariat de la CTOI
IOTC-2010-S14-CoC12, rev1	[E] Report on the IOTC record of authorised vessels. Prepared by IOTC Secretariat [F] Rapport sur le registre CTOI des navires autorisés à pêcher. Préparé par le Secretariat de la CTOI
IOTC-2010-S14-CoC13	[E] Concerning the IOTC IUU vessels list. Prepared by the IOTC Secretariat [F] À Propos de la liste des navires INN de la Commission des Thons de l'Océan Indien. Préparé par le Secretariat de la CTOI
IOTC-2010-S14-CoC13-add1, rev1, rev2	[E] Complementary Elements for Discussion Under CoC Agenda Item 5 (Addendum_CoC13) [F] Éléments complémentaires de discussion sous le point 5 de l'ordre du jour du CoC (Addendum_CoC13)
IOTC-2010-S14-CoC13-add2, rev1	[E] Concerning the level of illegal fishing activities reported by the United Kingdom on behalf of its Indian Ocean territories (Addendum_CoC13) [F] A propos du niveau d'activité de pêche illégale signalé par le Royaume-Uni au nom de ses territoires dans l'Océan Indien (Addendum_CoC13)

Reference / Référence	Title / Titre
IOTC-2010-S14-CoC14, rev1	[E] Annual report of implementation to IOTC (Belize) [F] Rapport annuel d'implémentation (Belize)
IOTC-2010-S14-CoC15, rev1	[E] Report on the IOTC record of active vessels [F] Rapport sur le registre CTOI des navires en activité
IOTC-2010-S14-CoC16	[E] Implementation report (Comoros) [F] Rapport d'implémentation (Comores)
IOTC-2010-S14-CoC17, rev1, rev2	[E] On the limitation of fishing capacity and fleet development plans [F] Limitation de la capacité de pêche et plans de développement des flottes
IOTC-2010-S14-CoC17-add1	[E] Fleet development plans [F] Plan de développement des flottes
IOTC-2010-S14-CoC18	[E] National reports on the progress of implementation of conservation and management measures : Japan [F] Rapport national sur l'application des mesures de conservation et de gestion : Japan
IOTC-2010-S14-CoC19	[E] Chinese Tuna Longline Fishery in the Indian Ocean in 2008 [F] Pêcherie chinoise de palangriers thoniers dans l'océan Indien en 2008
IOTC-2010-S14-CoC19-add1	[E] Implementation report (China) [F] Rapport d'implémentation (Chine)
IOTC-2010-S14-CoC20	[E] Application for cooperating non-contracting party status :Maldives [F] Candidature au statut de partie coopérante non contractante : Maldives
IOTC-2010-S14-CoC21	[E] Implementation report (Philippines) [F] Rapport d'implémentation (Philippines)
IOTC-2010-S14-CoC22	[E] Implementation report (Mauritius) [F] Rapport d'implémentation (Mauritius)
IOTC-2010-S14-CoC23	[E] Application for cooperating non-contracting party status :Uruguay [F] Candidature au statut de partie coopérante non contractante : Uruguay
IOTC-2010-S14-CoC24, rev1	[E] National reports on the progress of implementation of conservation and management measures : Australia [F] Rapport national sur l'application des mesures de conservation et de gestion : Australie
IOTC-2010-S14-CoC25	[E] Implementation report (France - Territories) [F] Rapport d'implémentation (France - Territoires)
IOTC-2010-S14-CoC26	[E] Implementation report (Seychelles) [F] Rapport d'implémentation (Seychelles)
IOTC-2010-S14-CoC27	[E] Indonesia National Report to the IOTC [F] Rapport annuel de l'Indonésie à la CTOI
IOTC-2010-S14-CoC28	[E] South Africa implementation report [F] Rapport d'application de l'Afrique du sud
<i>Standing Committee Administration and Finance / Comité Permanent d'Administration et des Finances</i>	
IOTC-2010-S14-SCAF01	[E] Provisional agenda of the standing committee on administration and finance (04 February 2010) [F] Ordre du jour provisoire du comité permanent d'administration et des finances (04 février 2010)

Reference / Référence	Title / Titre
IOTC-2010-S14-SCAF02, rev1	[E] Programme of work and budget .Submitted by IOTC Secretariat [F] Programme de travail et budget .Soumis par le Secretariat de la CTOI
IOTC-2010-S14-SCAF03	[E] Financial report. Prepared by the IOTC Secretariat [F] Bilan Financier. Préparé par le secrétariat de la CTOI
IOTC-2010-S14-SCAF04	[E] Progress report of the secretariat [F] Rapport d'activité du secrétariat
Proposals	
IOTC-2010-S14-PropA_Rev1,B_rev1,C_Rev2 A, B & C ADOPTED	[E] Three proposal of Amendements to existing Resolutions [F] Trois propositions d'amendements à des résolutions existantes PropA[E] Amendment to Resolution 07/03 <i>Concerning the recording of catch by fishing vessels in the IOTC area.</i> PropA[F] Amendement à la Résolution 07/03 <i>Concernant l'enregistrement des captures par les navires de pêche dans la zone de compétence de la CTOI</i> PropB[E] Amendment to Resolution 08/01 <i>Mandatory statistical requirements for IOTC members and cooperating non-contracting parties (CPCs)</i> PropB[F] Amendement à la Résolution 08/01 <i>Sur les Statistiques exigibles des membres et parties coopérantes non contractantes de la CTOI</i> PropB[E] Amendment to Resolution 09/04 <i>On a Regional observer scheme</i> PropC[F] Amendement à la Résolution 09/04 <i>Concernant le programme régional d'observateurs</i>
IOTC-2010-S14-PropD, rev1 ADOPTED	[E] On establishment of a scientific meeting participation fund for developing state members. Submitted by the European Union. [F] Sur la mise en place d'un fonds de participation aux réunions scientifiques pour les états membres en développement. Soumis par l'Union Européenne.
IOTC-2010-S14-PropE, rev1	[E] On the conservation of thresher sharks (family Alopiidæ) and of hammerhead sharks (family Sphyrnidæ) caught in association with fisheries in the IOTC agreement area. [F] Sur la conservation des requins renards (famille des Alopiidæ) et des requins marteaux (famille des Sphyrnidæ) captures par les pêcheries dans la zone de compétence de la CTOI
IOTC-2010-S14-PropF, rev2 ADOPTED	[E] Concerning the functions of compliance committee [F] Concernant les fonctions du comité d'application
IOTC-2010-S14-PropG, rev1 ADOPTED	[E] Concerning trade related measures [F] Concernant des mesures relatives au commerce
IOTC-2010-S14-PropH, rev3 ADOPTED	[E] On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing [F] Sur des mesures du ressort de l'état du port visant à prévenir, contrecarrer et éliminer la pêche illicite, non déclarée et non réglementée
IOTC-2010-S14-PropI REJECTED	[E] On an IOTC tropical tunas – yellowfin, bigeye and skipjack - catch documentation programme [F] Concernant un programme CTOI de documentation des captures de thons tropicaux –albacore, patudo et listao

Reference / Référence	Title / Titre
IOTC-2010-S14-PropJ, rev3 ADOPTED	[E] For the conservation and management of tropical tunas stocks in the IOTC area of competence [F] Pour la conservation et la gestion des stocks de thons tropicaux dans la zone de compétence de la CTOI
IOTC-2010-S14-PropK, rev3 ADOPTED	[E] Amending Resolution 08/03 on reducing the incidental bycatch of seabirds in longline fisheries [F] Amendement de la Résolution 08/03 sur la réduction des captures accidentelles d'oiseaux de mer dans les pêcheries palangrières
IOTC-2010-S14-PropL, rev1 merged with J	[E] For the conservation and management of the yellowfin tuna and bigeye tuna stocks in the IOTC area of competence [F] Sur la conservation et la gestion des stocks d'albacore et de patudo dans la zone de compétence de la CTOI
IOTC-2010-S14-PropM, rev3 ADOPTED	[E] On the implementation of a ban on discards of skipjack tuna, yellow fin tuna, bigeye tuna, and non targeted species caught by purse seiners [F] Sur la mise en place d'une interdiction des rejets des listaos, des albacores, des patudos et des espèces non cibles capturés par les senneurs
IOTC-2010-S14-PropN, rev1 ADOPTED	[E] Concerning a record of licensed foreign vessels fishing for tunas and swordfish in the IOTC area [F] Sur un registre des navires étrangers autorisés pêchant les thons et l'espadon dans la zone de compétence de la CTOI
IOTC-2010-S14-PropO, rev1 ADOPTED	[E] Concerning a record of active vessels fishing for tunas and swordfish in the IOTC area [F] Sur un registre des navires en activité pêchant les thons et l'espadon dans la zone de compétence de la CTOI

APPENDIX V

REPORT OF THE SEVENTH SESSION OF THE COMPLIANCE COMMITTEE

1) OPENING OF THE SESSION

1. The Seventh Session of the Compliance Committee of the Indian Ocean Tuna Commission was held during the 14th Session of the Commission. The Committee elected Mr Roberto Cesari (EU) as Chairman for the next biennium.

2) ADOPTION OF THE AGENDA

2. The Compliance Committee adopted the Agenda as presented in Annex I to this report. The documents before the Committee are listed in Appendix to the main report.

3) NATIONAL REPORTS ON THE PROGRESS OF IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES

3. The Committee noted the national reports provided by Australia, Belize, China, European Union, France Territories, Indonesia, Japan, Republic of Korea, Mauritius, Philippines, Seychelles, South Africa and the United Kingdom (OT).
4. The Committee thanked the Secretariat for preparing the national report template, noting that, in spite of this, the number of reports presented is still very low. It was noted that only six out of the thirteen CPC referred to above had presented reports before the deadline. Several members indicated that they had had difficulties to complete the template in time, due to the limited time available since the release of the template by the Secretariat.
5. The Committee requested that those CPC who have not submitted their national report should do so as soon as possible and that the Secretariat should follow-up with the CPC which have not submitted their report.
6. The Committee stressed the need for all IOTC CPC to present reports, in particular those CPC that cannot send delegates to the IOTC Session. The Committee emphasized the importance of the national reports and reminded Members of their obligation under Art X.2 of the IOTC Agreement to provide them no later than 60 days before the Session.

4) STATUS OF THE APPLICATION OF IOTC CONSERVATION AND MANAGEMENT MEASURES

Review of compliance with IOTC Resolution 08/01 on mandatory fisheries statistics requirements for IOTC members

7. The Secretariat presented document IOTC-2010-S14-CoC11-Rev2 describing the status of reporting of statistical data by CPCs and non-CPCs for the year 2008.
8. The Committee reiterated its concern that many data sets received from Members were incomplete, in particular catch-and-effort and size frequency data. The Committee urged all CPCs to take the necessary steps to meet IOTC fisheries data requirements.
9. The EU informed that information concerning the number of Fish Aggregating Devices used by EU fleets is being compiled and will be reported during the intersessional period to the Secretariat.
10. Indonesia and Maldives informed that they have implemented the IOTC logbook on vessels under their flag and will be reporting catch-and-effort data as per IOTC standards in the early future.
11. Japan indicated that they will provide size frequency data for their fleets under the Regional Observer Scheme which will start on 1st July 2010 and the UK that it will provide data for its recreational fishery.

Review of compliance with Resolution 07/02 on the IOTC record of authorised vessels

12. The Secretariat presented document IOTC-2010-S14-CoC12-Rev1 describing the status of reporting by CPCs in accordance with IOTC Resolution 07/02 *Concerning the establishment of an IOTC record of vessels authorised to operate in the IOTC area.*

13. The Committee expressed concern about reports from third parties including several vessels from IOTC CPC, in particular Pakistan and Sri Lanka, presumed to have fished illegally for IOTC species within the EEZ of such parties, noting that none of these CPC have Authorized vessels under their flag to operate within the IOTC Area of Competence.
14. The Committee noted that many authorized vessel records do not contain the time period that the vessels are authorized for fishing or transshipping, as required in Resolution 07/02, and called on CPC to make a special effort to provide this information as soon as possible.
15. The Committee also reiterated the importance of reporting vessel volume as Gross Tonnage (GT) instead of GRT, as GT is the standard measurement of vessel volume, in accordance with Resolution 07/02.
16. The Committee noted that some parties have consistently failed to report information concerning the length overall of some of their authorized vessels urging these parties to complete this information as soon as possible.
17. Indonesia informed the Committee that, at present, there is no obligation for vessels registered in Indonesia to provide length overall measurement as the current Regulation requires that GT is reported. Indonesia indicated that it has implemented a vessel marking programme and will consider collecting and reporting this information in the future.
18. The Committee noted that some parties have been authorizing vessels that are not likely to operate outside the EEZ, due to their small size. The Committee requested that CPC make every possible effort to authorize vessels under their flag as per the standards specified in IOTC Resolution 07/02.

Review of compliance with IOTC Resolution 07/04 on the IOTC list of active vessels

19. The Secretariat presented document IOTC-2010-S14-CoC15-Rev1 on the status of reporting by CPC and non-CPC, in accordance with IOTC Resolution 07/04 (previously 05/04 and 98/04) *Concerning registration and exchange of information on vessels fishing for tunas and swordfish in the IOTC Area*.
20. The Committee expressed its concern that some members have not provided all the data required for this Resolution for the years 2006 through 2008, and noted that unless these data are provided, the Commission will be unable to meet the objectives of Resolution 09/02 concerning the limitation of fishing capacity for vessels targeting tropical tunas, and swordfish and albacore.
21. China informed the Committee that it will provide detailed information on its active vessels in 2008 soon.
22. Tanzania informed the Committee that it will report its list of active vessels soon.
23. India informed the Committee that it had not licensed any foreign vessels to operate in India during 2008.
24. Indonesia informed that it had reported data on active vessels in 2010 and will complete this information for previous years soon.
25. Vanuatu indicated that it had no vessels fishing for IOTC species in the Indian Ocean.
26. The Committee noted that at present it is not possible to determine the levels of activity of vessels in the IOTC List of Active vessels during a particular year as this information is not requested in the Resolution. The Committee recommended that the Commission considers amending IOTC Resolution 07/04 to incorporate the period of activity of each vessel active during the year concerned.
27. The Committee expressed great concern about the low levels of compliance of some CPC, including non-presentation of national reports and non-reporting of authorized and active vessels by some parties, recommending that the Commission considers addressing a letter to the countries involved urging them to provide the information required within the shortest time possible.

Review of compliance with IOTC Resolution 09/02 on the limitation of fishing capacity and fleet development plans

28. The Secretariat presented document IOTC-2010-S14-CoC17-rev2 describing the status of reporting by CPC in accordance with IOTC Resolution 09/02.
29. The Committee noted that only five CPC had provided lists of active vessels or fleet development plans as requested by this Resolution. The Committee stressed the need for this information to be complete for the Commission to be able to assess the levels of activity of vessels in the Indian Ocean and fleet development plans from developing coastal countries and territories, urging all CPC concerned to report this information before the next meeting of the Compliance Committee.
30. Australia informed that it had implemented a new fleet management plan that incorporates provisions to limit the number of its vessels active in the Indian Ocean, in agreement with IOTC Resolution 09/02. Australia informed that it will submit the fleet management plan to the IOTC Secretariat soon.
31. India informed that it is currently preparing its fleet development plan and will make it available within the next three months.
32. Madagascar informed that they will submit its fleet development plan soon.
33. Indonesia and Thailand informed that they will submit their fleet development plans within 3 month.
34. Mauritius and Seychelles informed that it will update its fleet development plan soon.
35. South Africa informed that it is having difficulties to incorporate vessels according to the timeline specified in its fleet development plan, indicating that it intends to incorporate these vessels in the future.
36. Maldives informed that it is considering to restructure its fishing fleet and will submit a fleet development plan if the Commission grant Maldives Cooperating Non-Contracting Party status.
37. The Committee considered an application from Belize to authorize a purse seiner under its flag to fish within the IOTC Area. It was noted that, at present, Belize cannot increase the number of its active vessels targeting tropical tunas, or total GT for those vessels, beyond the level of active vessels in 2006, as specified in IOTC Resolution 09/02. The Committee invited Belize to incorporate this vessel provided that its addition does not represent an increase to the total GRT (1235) for Belize in 2006.
38. The Committee recommended that the Commission consider:
 - To set up a deadline for all CPC concerned to submit their lists of active vessels and fleet development plans.
 - To request that all CPC having fleet development plans submit information concerning the total GT, fishing gear and target species for the vessels that they plan to incorporate into their fisheries.
 - To instruct the IOTC Secretariat to assess changes in capacity for IOTC CPC having active vessels in the IOTC Area, in particular those CPC having implemented schemes to reduce their fishing capacity in the Indian Ocean.
 - To request that all CPC provide information on the actual implementation of their fleet development plan in the past.
39. The committee requested additional information on the level of reporting with regards to the reference capacity for tropical tunas (2006) and albacore and swordfish (2007), and the level of implementation for those CPC which have previously presented fleet development plans to the commission. Following consultations with the concerned CPC, the secretariat produced table 1, which is presented in Appendix III. Australia and South Africa informed the Secretariat that they will require additional time to confirm the reference capacities of their vessels that have fished for tropical tunas and/or for albacore and swordfish. Indonesia, Mauritius, Seychelles and South Africa also requested additional time for them to confirm the timeline for implementation of their fleet development plan or to provide revised or new fleet development plans. India, Kenya, Madagascar and Tanzania informed that they will be submitting their fleet development plans soon.

Review of compliance with IOTC Resolution 05/03 on port inspections

40. The Secretariat presented document IOTC-2010-S14-CoC09 describing the status of reporting by CPC in accordance with IOTC Resolution 05/03 *Relating to the establishment of an IOTC programme of inspection in port*.
41. The Committee thanked Mauritius, Seychelles and South Africa for submitting lists of foreign vessels unloading catches of IOTC species in their ports. The Committee reiterated its concern about the overall lack of reporting by CPC receiving foreign vessels in their ports.
42. Thailand indicating that it is compiling lists of foreign vessels that unloaded catches in ports within its territory during 2008 and will submit this information soon.
43. The Committee noted the activities of vessels from non-IOTC CPC in ports of IOTC CPC, instructing the Secretariat to work with the CPC concerned in order to obtain more information about the activities of such vessels and report the results of this work to the next Session of the Compliance Committee.

Review of compliance with IOTC Resolution 01/06 concerning the IOTC bigeye tuna statistical document programme

44. The Secretariat presented document IOTC-2010-S14-CoC08-Rev3, describing the status of reporting by CPC in accordance with IOTC Resolution 01/06 *concerning the IOTC bigeye tuna statistical document programme*.
45. The Committee noted that only four CPC have reported imports of bigeye tuna into their territory urging other parties concerned to report the information requested as soon as possible.
46. The Committee noted that according to FAO records Malaysia, Oman and Sri Lanka had imported bigeye tuna products from the Indian Ocean in 2008 but none of these countries had submitted information concerning Resolution 01/06.
47. Oman indicated that it will investigate this issue and report back on its findings after the IOTC Session.
48. The Committee requested that the IOTC Secretariat contact Malaysia and Sri Lanka in order to inform them about this issue, urging these countries to join the programme as soon as possible.
49. China informed that its administration has devoted a considerable amount of time and resources to establishing statistical document programmes for bigeye tuna, swordfish and southern bluefin tuna, indicating that China might be able to submit the complete information requested from July 2010.
50. India informed that it had not imported bigeye tuna products into its territory during 2008.

Review of compliance with IOTC Resolution 06/03 concerning the vessel monitoring programme

51. The Secretariat presented document IOTC-2010-S14-CoC07-Rev2 describing the status of reporting by CPC in accordance with IOTC Resolution 06/03 *on establishing a vessel monitoring programme*.
52. The Committee expressed concern that, despite the Secretariat's effort in providing a VMS reporting template, only a few CPC have reported information on their VMS system.
53. The Committee noted that some of the CPC that had not reported information on their VMS systems to the IOTC had reported this information to the FAO. The Committee urged all CPC that had not presented reports on their VMS systems to the IOTC to do so as soon as possible.
54. The Committee expressed concern that it had received information from IOTC CPC including evidence of fishing activities of vessels from Sri Lanka and Pakistan outside their respective EEZ. It was noted that Pakistan and Sri Lanka have not authorized any of their vessels to operate in the IOTC Area and have not implemented VMS on their fleets. The Committee requested the Secretariat to contact Pakistan and Sri Lanka in order to clarify this issue and report the results of this work at the next session of the Compliance Committee.
55. In addition, the Committee noted that five CPC that have vessels in the IOTC Record of Authorized Vessels have not submitted VMS reports, namely Kenya, Guinea, Iran, Philippines and Thailand.
56. Kenya indicated that it is implementing a VMS system at present.

57. Philippines informed that it has implemented a VMS system on vessels under its flag operating in the Pacific Ocean, noting that this system had been extended to cover its vessels in the Indian Ocean.
58. Thailand informed that it had implemented a Vessel Monitoring system to cover its purse seine fleet. It indicated that it receives daily reports from longliners under its flag that include the GPS location. Thailand informed that it is currently drafting a new Regulation that will make compulsory the use of VMS systems, in agreement with IOTC requirements.
59. Indonesia informed that, according to national regulation, it has made compulsory for all fishing vessels greater than 60GT to have a VMS, while implementation of a VMS for fishing vessels between 30 and 60GT is supported by the Government. .
60. South Africa indicated that, since 1998, the use of VMS is mandatory for all vessels under its flag and for all foreign vessels operating under charter agreement.
61. The Committee reminded CPC that the use of VMS is mandatory for all vessels in the IOTC Record of Authorized vessels that are greater than 15 m length overall, urging all CPC that have not implemented VMS to do so within the shortest delay possible.

Review of compliance with IOTC Resolution 08/02 on establishing a programme for transshipment by large-scale fishing vessels

62. The Secretariat presented document IOTC-2010-S14-CoC10-Rev1 informing the Committee on the implementation of the programme as well as details of the transshipments undertaken to date.
63. The Committee expressed concern about information provided by observers under the IOTC Scheme indicating that vessels from Indonesia, Kenya and Oman had been involved in transshipment operations during 2009, noting that none of these CPC participates in the IOTC transshipment programme.
64. Indonesia informed that it has not received reports from the companies involved in transshipment operations indicating that it will pursue this matter and inform the IOTC Secretariat as soon as it receives information from the companies concerned.
65. Kenya indicated that it has taken steps to address this issue and will inform the IOTC Secretariat about its decision soon.
66. Oman informed about its plans to participate fully in the IOTC Transshipment Programme as soon as the administrative procedures initiated by the government of Oman are finalized.
67. Thailand noted that piracy threats in the Western Indian Ocean have been precluding its fleet of purse seiners from unloading catches in ports in this region, requesting that the Committee considers granting Thailand a temporary derogation on the ban on transshipments to purse seine vessels under its flag.
68. The Committee agreed to grant Thailand derogation on the ban of transshipments for its purse seine vessels until the next meeting of the Compliance Committee on the condition that all carrier vessels receiving catches at-sea from Thai purse seiners are monitored through observers under the framework of the IOTC transshipment programme. Notwithstanding this, the Committee noted that other CPC having purse seine vessels in the Indian Ocean should refrain from using the same approach for their fleets.
69. The Committee noted that, according to information reported by observers, some of the vessels inspected were not authorized to operate in the Indian Ocean by the flag states concerned, requesting that the Secretariat compiles this information and reports it to the Commission.
70. In addition, South Africa noted that information provided by observers concerning the weight of shark fins and total weight of sharks retained on board confirmed the difficulties that CPC have to assess implementation of the 5% fin-to-weight ratio measure. South Africa reiterated the need for the Commission to consider amending IOTC Resolution 05/05 to accommodate its concerns.
71. France Drew the attention of CPCs on point 7.3 of document IOTC-2010-S14-CoC10-Add1 « Waste disposal ». It shares the opinion expressed in this document about the need for a study on waste disposal, in particular on their impact on tuna and tuna-like species.

5) IOTC IUU VESSELS LIST

Deliberations in relation to Resolution 09/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area.

Parsian Shila

72. The Secretariat presented document IOTC-2010-S14-CoC13 including the nomination of the purse seiner *Parsian Shila*, from the Islamic Republic of Iran, for the IOTC IUU vessel list.
73. Seychelles informed that this vessel requested entry in Port Victoria in June 2009. Seychelles indicated that, at the time of its entry in port, the vessel was not Authorized to fish for IOTC species in the IOTC Area. Seychelles indicated that, upon inspection of the *Parsian Shila* in port, tuna was found onboard and the logbooks inspected provided evidence that such tuna had been caught in the Indian Ocean, which constitutes evidence of IUU activities. Seychelles noted that it informed the government of Iran and the IOTC Secretariat about the results of the inspection and presumed IUU activities of the vessel *Parsian Shila* in the IOTC Area, indicating that it did not receive any reply from Iran about this issue.
74. The Committee agreed that the evidence presented by Seychelles constitute proof of presumed IUU activities, regretting the fact that no delegates from Iran were present at the meeting. The Committee recommended that the Commission consider listing the vessel *Parsian Shila* in the IOTC IUU List.

Rwad 1

75. UK presented information for the nomination of the longliner *Rwad 1*, from the Sultanate of Oman, for the IOTC IUU vessel list.
76. UK indicated that, in September 2009, it had received an innocent passage report from this vessel on its passage through the BIOT, stating that the vessel had IOTC species onboard. The UK noted that the vessel was not registered in the IOTC Record of Authorized vessels. The UK noted that it informed the government of Oman about the referred facts in September 2009. In December 2009 the government of Oman informed the UK that the fish onboard the vessel *Rwad 1* had not been caught in the BIOT but failed to report evidence about the origin of the fish. The UK noted that Oman had authorized the vessel *Rwad 1* to operate in the Indian Ocean at a later time and that such vessel is now in the IOTC record of authorized vessels.
77. Oman informed that the company Marine 88 had requested registration in Oman of the vessel *Rwad 1* through the Ministry of Transportation. It noted that the vessel called to port in Oman before its passage through BIOT and was inspected by Oman authorities. The inspectors notified that, although the vessel had IOTC species onboard, its skipper failed to provide evidence on the origin of the fish inspected. Oman indicated that, in light of this facts, the Ministry of Fish Wealth of Oman denied the request from the vessel to unload catches in port. Subsequently, the vessel left port and sailed to Singapore to drydock, sailing through BIOT waters on its way, where the transiting report was sent to the UK. Oman indicated that it had authorized this vessel to operate in the IOTC Area at a later time.
78. Oman apologized for its late reply to the letter sent by the UK Government and its insufficient implementation of port inspection procedures in this particular case. Oman reiterated that it is fully committed to implement IOTC management measures, in particular those relating with IUU activities. Oman expressed its commitment to ascertain the origin of the fish onboard the vessel and inform the Commission on its findings as soon as possible. For this reason, Oman requested that the Committee defers consideration of this issue until such a time where Oman obtains additional information about the activities of this vessel.
79. The Committee noted that Oman had not applied port inspection procedures in full, expressing concern that Oman authorities, upon inspection of the vessel *Rwad 1*, had not requested the skipper of such vessel to present evidence about the origin of the fish onboard. Notwithstanding this, the Committee acknowledged Oman's efforts to implement IOTC Management and Conservation measures. The Committee agreed to put this vessel under probation for a period of three months, within which Oman should provide evidence about the origin of the catches onboard. In addition, the Committee requested Oman to request the vessel *Rwad 1* to stop fishing until a final decision is taken about this issue.

80. The Committee requested that the Commission considers listing the vessel *Rwad 1* in the IOTC IUU List if Oman fails to implement the measures requested within the next three months.

Jupiter 1

81. Madagascar presented information for including the nomination of the longliner *Jupiter 1*, from Vanuatu, for the IOTC IUU vessel list.
82. Madagascar indicated that this vessel had been observed fishing illegally within the EEZ of Madagascar. Madagascar informed that the skipper of the vessel refused inspection, escaping from the area. Madagascar noted that its Minister of Fisheries had addressed a letter to the owner of the vessel containing information about the illegal activities of this vessel in the EEZ of Madagascar and escape from prosecution, indicating that it had not received any reply to date. Madagascar indicated that it seeks compensation from Vanuatu concerning the referred IUU activities.
83. Vanuatu confirmed the illegal activities of the vessel in the EEZ of Madagascar informing that its government had taken measures against the owner and the skipper of the fishing vessel, including a fine of USD 50,000 and the suspension of the vessel captain. Vanuatu indicated that the vessel is currently operating in the Pacific Ocean. Vanuatu recalled the attention of the Committee to the provisions in paragraph 10(b) of IOTC Resolution 09/03, “*The Compliance Committee shall remove a vessel from the Provisional IUU Vessels List if the Flag State demonstrates that: (b) It has taken effective action in response to the IUU fishing activities in question, including, inter alia, prosecution and imposition of sanctions of adequate severity...*”, indicating that it believed the approach taken by Vanuatu is in agreement with those provisions.
84. The Committee noted that while no provisions exist in IOTC Resolution 09/03 concerning the compensation of countries in which the illegal activities take place, measures put in place by other RFMO contain such provisions. The Committee agreed to bring this matter to the Commission for consideration, and both Madagascar and Vanuatu agreed to make every possible effort to reach an agreement in due course.
85. The Committee agreed to put the vessel *Jupiter 1* under probation for a period of three months, within which the following actions shall be undertaken:
- Vanuatu to deregister the vessel from the IOTC Record of Authorized Vessels.
 - The Chairman of the Commission to inform the WCPFC about the situation of this vessel and its current activity in the WCPFC Area of Competence.
86. Vanuatu expressed its commitment to undertake the above actions. Vanuatu’s letter of Commitment is presented in Appendix II.
87. The Committee noted that the two previous cases shall not constitute precedent for future considerations on IUU issues indicating that it had granted special consideration to the requests from Oman and Vanuatu not to list the vessels at this time. The Committee stressed the need for CPC having vessels allegedly involved in IUU activities to address these issues as soon as possible. The Committee recommended that, in the future, CPCs shall provide the evidence requested relating to accusations of IUU activities brought against vessels under their flag before the deadline specified in IOTC Resolution 09/03, so that it can be reviewed at the meeting of the Compliance Committee. Where evidence is not provided in time, the vessel will be automatically listed.
88. The Committee noted that, while IOTC Resolution 09/03 contains provisions for the delisting of vessels from the IOTC IUU List at any particular time, it does not contain provisions for the listing of vessels, which can only occur during IOTC Sessions. The Committee recommended that this fact be brought to the attention of the Commission for consideration.

Other presumed IUU fishing activities reported by CPCs

89. The Committee reviewed reports from Seychelles, Mozambique, Mauritius, Tanzania and Maldives concerning fourteen cases of presumed IUU activities in the IOTC Area, as presented in document IOTC-2010-S14-CoC13-add1-Rev3.

90. The Committee thanked the above countries for bringing these cases to its attention. It noted that the above countries had not presented formal reports regarding the IUU activities of vessels within their EEZ as these cases were still under consideration in the countries concerned. The Committee encouraged the CPC concerned to expedite consideration of these cases and present the evidence required at the next meeting of the Compliance Committee.
91. The Committee further noted that CPC having vessels involved in IUU activities should notify the Commission on the measures taken to address these cases.
92. The following cases were considered:

Balena

93. South Africa presented information for including the nomination of the longliner *Balena*, from Vanuatu, for the IOTC IUU vessel list.
94. South Africa informed that this vessel was found with fish admittedly caught in the Indian Ocean while operating without authorization from the flag state. It was not possible to prosecute the vessel for illegally fishing in the Indian Ocean as it would have been regarded as entrapment. The skipper was charged for underdeclaring the catch which was confiscated and the case was settled out of court. However, South Africa still believes that the situation warranted consideration for inclusion in the IUU list.
95. Vanuatu notified the Committee that it had taken severe measures to rectify the situation including deletion of the vessel from the Vanuatu registry, decommissioning and scrapping of the vessel and suspending the skipper. Vanuatu agreed to distribute the relevant documentation as requested.
96. The Committee agreed to recommend the inclusion of the *Balena*, under unknown flag, in the IUU List, until such time where Vanuatu provide the scrapping certificate for this vessel.

Lingsar 08

97. The EU presented information for including the nomination of the longliner *Lingsar 08*, from Indonesia, for the IOTC IUU vessel list (IOTC-2010-S14-CoC13-add1[E] – AnnexA Rev3).
98. This vessel was caught flying the flag of Mauritius in EU waters of La Reunion, and fishing without a license, in October 2009. A letter was sent to Indonesian authorities, to which it had received no reply, followed by a request for inclusion in the IUU List.
99. Indonesia indicated that it had sent its report on the case to the Secretariat, which indicated that during fishing operations it had experienced a breakdown of engine and GPS, and that the vessels had subsequently drifted into the waters of La Reunion, where it was arrested. The vessel has been authorized to fish for tunas in the Indian Ocean since July 2009, until January 2011. Indonesia further noted that the authorities of La Reunion had allowed the vessel to depart following the payment of the fine assessed. Indonesia requested that further evidence be presented as to the flag used by the vessel at the time it was arrested.
100. The Committee recommended that, in the future, replies by the states be also submitted to the CPC who reported the incident, in addition to sending it to the Secretariat. The Committee also noted that an effective use of VMS would have helped to identify the situation of the vessel.
101. The Committee agreed with Mauritius on the seriousness of the infractions, considering, in particular, that the vessel has been caught flying the flag of Mauritius, a CPC different from the flag state. Therefore, the Committee agreed to recommend the inclusion of the *Lingsar 08* in the IUU List.

Hoom Xiang 11

102. The EU presented information for including the nomination of the longliner *Hoom Xiang 11*, from Malaysia, for the IOTC IUU vessel list (IOTC-2010-S14-CoC13-add1[E] – AnnexA Rev3).
103. The EU reported an incident concerning this vessel, also in waters of La Reunion. The vessel was caught without a flag and fishing without a license to fish in waters of La Reunion. The vessel refused to stop

when spotted by an aerial patrol and fled the area. A letter reporting the incident was submitted to the flag state, but no reply was received by the reporting CPC.

104. Malaysia responded with a communication to the Secretariat, providing an alternative explanation of the incident. Nevertheless, the Committee agreed that the vessel be recommended for inclusion in the IUU List.

Tawariq 1

105. Tanzania presented information concerning the illegal activities of the vessel *Tawariq 1*, of unknown flag, informing that the vessel had been arrested and was currently in custody. Tanzania informed that it will take a final decision on the course of action to follow in this matter after the decision from Tanzania's Court.
106. Japan reminded the Committee that two years ago it had provided information indicating that this vessel had a history of IUU activities, requesting that the vessel is not included in the IOTC Record of Authorized vessels, noting that this request was not properly considered at the time.
107. In addition the Republic of Korea stated that this vessel was not under Korean ownership at the time it committed IUU activities and was arrested.
108. The Committee thanked Japan and the Republic of Korea for providing this information.

Illegal activities of gillnet vessels from the Islamic Republic of Iran

109. Maldives and Seychelles presented information concerning the illegal activities of six gillnet vessels from Iran within their respective EEZ.
110. The Committee noted that reports from Maldives indicated that the vessels apprehended were using drifting gillnets up to 10 km long. The Committee noted that the UN ban on the use of drifting gillnets, in force since 1991, establishes that gillnets should not exceed 2.5 km in length, noting that the use of 10 km gillnets by these vessels represents a clear infringement of international law.
111. The Committee recommended that the Chair of the Commission contact Iran authorities requesting clarification about this issue.

Victory 1

112. Seychelles provided information on the activities of the vessel *Victory 1* that requested deregistration from the Seychelles record and subsequently presented documents that indicated it had been scrapped in Mauritius. Seychelles noted that, after the scrapping of this vessel, it had received reports that a vessel under the same name had requested entry in a port in Namibia indicating that Seychelles is currently investigating this matter.

Shuenn Man No.232

113. Seychelles indicated that, following reports of illegal activities concerning the vessel *Shuenn Man No.232*, flagged in Seychelles, it had confirmed the veracity of these reports and taken subsequent action against this vessel, including fining of the vessel and deregistration of the Seychelles record.
114. The Committee noted that the governments of Seychelles and France had cooperated closely in the identification and prosecution of this vessel, stressing the importance of regional cooperation in the fight against IUU activities.

Presumed IUU fishing activities reported by observers under the IOTC Transshipment Programme

115. The Committee reviewed information presented by the IOTC Secretariat concerning alleged IUU activities by five vessels involved in transshipment operations, as reported by observers under the IOTC Transshipment Programme (IOTC-2010-S14-CoC13-add1-Rev3, Table 3).
116. Oman thanked the Secretariat for bringing the case of the vessel *Naham 4* to its attention indicating that it will investigate this issue and report back to the Secretariat about its findings. Oman requested that the Secretariat provide all the information available on this transshipment to its government, in order to speed-up this process as much as possible.

117. The Committee agreed this information can be helpful in the identification of IUU activities. The Committee agreed that it needed more information from the Commission concerning the status of the information provided by observers, in particular the confidentiality rules to be applied.
118. The Committee recommended that the Commission considers informing the flag states involved and all port states in the IOTC Region about the activities of these vessels.

Presumed IUU fishing activities reported by the United Kingdom

119. The Committee reviewed information presented by the UK concerning IUU activities by fifty vessels, flagged in Sri Lanka, in the BIOT during the years 2002-2009 (CoC13-add2_Rev1).
120. The UK indicated that, in the past, vessels from IOTC CPC were not eligible to be nominated for the IOTC IUU List, as the IUU Resolution had no provisions to list vessels under the flag of CPC. The UK noted that they had informed the Ministry of Fisheries and Aquatic Resources of Sri Lanka about these cases, indicating that the governments of the UK and Sri Lanka are currently looking into this matter.
121. The Committee noted that Sri Lanka has never authorized vessels under its flag to operate in the Indian Ocean, expressing great concern that a high number of Sri Lankan vessels may be operating on the high seas without authorization.
122. The Committee recommended that, in order to resolve this issue, the Chairman of the Commission informs Sri Lanka and Iran about the concerns expressed by the Committee.
123. The Committee recommended that the Commission considers instructing the Executive Secretary to visit Iran and Sri Lanka in order to inform these countries about the issues considered by the Committee and seek clarification from their governments.
124. The Committee recommended that the Commission adopt the provisional IUU list.

6) REVIEW OF REQUESTS FOR ACCESS TO THE STATUS OF COOPERATING NON-CONTRACTING PARTY

Senegal

125. The Secretariat introduced the request of Senegal, noting that the Senegal authorities had submitted, in addition to an initial letter of request and a report of the actions taken in compliance to IOTC Resolutions, a second letter apologizing for the difficulties encountered to participate in the Session, and requesting that their absence be not an impediment for the Cooperating Status to be granted.
126. The Committee noted the request and decided to recommend to the Commission that Senegal be renewed as Cooperating non-Contracting Party for another year.

South Africa

127. South Africa noted that unfortunately, it had not been able to complete its process of accession to the IOTC, but that it expected to do so before the end of the year. South Africa renew its commitment to sustainability noting that it had fully complied with all IOTC resolutions as indicated in their Report of Implementation.
128. The Committee noted the request and decided to recommend to the Commission that South Africa be renewed as Cooperating non-Contracting Party.

Maldives

129. Maldives indicated its intention to become a full Member of IOTC in the very near future, as soon as the ongoing internal ratification procedures are completed. Maldives reported on the measures taken to ensure full compliance with IOTC measures, including administrative arrangements to initiate the licensing of its vessels, implementation of a pilot VMS system, catch-and-effort reporting and an inspection and compliance scheme. In addition, Maldives has submitted data about fishing activities since several years ago, and Maldivian scientists participate in the work of the Commission.

130. The Committee welcomed Maldives to the IOTC community, noting that this is the first time Maldives requests the status of Cooperating non-Contracting Party and recommended to the Commission that the status be granted.

Uruguay

131. Uruguay noted that, regrettably, it had not been able to send the request for renewal in time, due to administrative difficulties originated partly in the recent change of administration in Uruguay. Nevertheless, Uruguay remains committed to full compliance with all IOTC measures, and to cooperate with IOTC in any relevant matters, while noting that it has no vessels currently operating in the IOTC Area, and in the future, will contemplate becoming a full Member of the Commission.
132. Some Members expressed their concern at the late application of Uruguay and the lack of participation in the IOTC activities, but also noted that in other *fora* Uruguay demonstrated its commitment and willingness to cooperate on fisheries management issues.
133. The Committee noted the request and decided to recommend to the Commission that Uruguay be renewed as Cooperating non-Contracting Party.

7) ADOPTION OF THE REPORT AND CLOSURE OF THE MEETING

134. The report of the Seventh Session of the Compliance Committee of the Indian Ocean Tuna Commission was adopted on 05 March 2010.

**APPENDIX I TO THE COC REPORT
AGENDA**

1. OPENING OF THE SESSION
2. ADOPTION OF THE AGENDA
3. NATIONAL REPORTS ON THE PROGRESS OF IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES
4. STATUS OF THE APPLICATION OF IOTC CONSERVATION AND MANAGEMENT MEASURES
 - A. REPORTING OF MANDATORY STATISTICS – RES 08/01
 - B. RECORD OF AUTHORIZED VESSELS – RES 07/02
 - C. RECORD OF VESSELS ACTIVE DURING 2008 – RES 07/04
 - D. RECORD OF ACTIVE VESSELS IN 2006 TARGETING TROPICAL TUNAS – RES 09/02
 - E. RECORD OF ACTIVE VESSELS IN 2007 TARGETING SWORDFISH AND ALBACORE – RES 09/02
 - F. REPORT ON THE IMPLEMENTATION OF THE FLEET DEVELOPMENT PLANS – RES 03/01 & 09/02
 - G. REPORT ON PORT INSPECTIONS – RES 05/03
 - H. BIGEYE TUNA STATISTICAL DOCUMENT PROGRAMME – RES 01/06
 - I. PROGRESS ON IMPLEMENTATION OF VMS – RES 06/03
 - J. REPORT ON THE PROGRAMME FOR TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS – RES 08/02
 - K. OTHER
5. REVIEW OF INFORMATION RELATING TO ILLEGAL FISHING ACTIVITIES IN THE IOTC AREA – RES 09/03
6. REVIEW OF THE DRAFT IUU VESSELS LIST – RES 09/03
7. REVIEW OF REQUESTS FOR ACCESS TO THE STATUS OF COOPERATING NON-CONTRACTING PARTY
8. ANY OTHER MATTERS
9. ADOPTION OF THE REPORT

APPENDIX II TO THE COC REPORT
LETTER OF COMMITMENT BY VANUATU REGARDING THE VESSEL JUPITER 1

GOVERNMENT OF THE
REPUBLIC OF VANUATU

MINISTRY OF AGRICULTURE,
QUARANTINE, FORESTRY AND
FISHERIES

PMB 9039,
PORT VILA - VANUATU
PHONE: (678) 23406
Fax: (678) 27498



OFFICE OF THE VANUATU
INTERNATIONAL FLEET
ADMINISTRATOR
AND GOVERNMENT AGENT
FOR FISHERIES

P.O. Box 1640,
PORT VILA - VANUATU
PHONE: (678) 29012- 77 40219
E-mail: tunafishing@vanuatu.com.vu

Pusan, 4th March 2010

Executive Secretary
Mr. Alejandro Anganuzzi
IOTC

Dear Sir,

RE: JUPITER 1 – VANUATU COMMITMENTS FOLLOWING OITC 14TH SESSION

In line with the commitments made during the compliance committee session on the 3rd and 4th of March 2010 with regard to the above mentioned Vanuatu vessel Jupiter 1 (attached as annex 1 is the Permanent Certificate of Jupiter 1 for information), Vanuatu wishes, in strict application of Art 10(b) of Resolution 09/03 an abstract of which is reproduced below....:

*Art 10. The Compliance Committee shall remove a vessel from the Provisional IUU Vessels List if the **Flag State demonstrates that:***

(b) It has taken effective action in response to the IUU fishing activities in question, including, inter alia, prosecution and imposition of sanctions of adequate severity. CPCs will report any actions and measures they have taken in accordance with Resolution 07/01, in order to promote compliance by vessels of CPCs with IOTC conservation and management measures.

...states the following¹

- The Capt. Wu Yan-Bin of the said vessel was banned from every Vanuatu vessel (the Administration of Vanuatu shall inform the WCPFC Secretariat accordingly copied to the IOTC Secretariat) and replaced by Capt Yen Yung Chang;
- The vessel was requested to leave the IOTC region to the WCPFC region;
- The shipowner was fined USD 50 000 and payment was received by the Government of Vanuatu;
- Official request has been made to the IOTC Secretariat to remove the vessel from the list of Authorized vessels (attached as annex 2 is the Vanuatu official request to the IOTC Secretariat to remove Jupiter 1 from the IOTC List of Authorized Vessels);

¹ Vanuatu Administration shall provide proves of the below facts not later than 4th April 2010.

- The IOTC Secretariat shall officially inform the WCPFC Secretariat to closely monitor this vessel for an interim period;
- The vessel shall have an observer on board at all time in accordance with the Vanuatu Management Plan implemented in 2009 and WCPFC regulations.
- The vessel has been mandated to be equipped with a VMS E Log-Book as soon as possible within the coming weeks (attached as Annex 3 is an official correspondence from CLS, E-Log Book equipment provider dated 1st March 2010).

Considering the above, the Compliance Committee has agreed not to list the vessel in the Provisional IUU vessels list in accordance with Art 10 of Resolution 03/09.

We believe the above clearly reflects the commitments Vanuatu made during the 14th Session of the IOTC session and we invite you to circulate the content of this letter with their attachments to the attention of the IOTC CPCs.

Yours respectfully.

Christophe Emelec
Fleet Administrator
International Fisheries

APPENDIX III TO THE COC REPORT CONCERNING FISHING CAPACITY IN THE INDIAN OCEAN

Table 1. Corresponding overall capacity of CPC whose fleets targeted tropical tunas during the year 2006 – 2008 and CPC who will confirm the timeline of implementation and/or introduce new vessels, through fleet development plans, to target tropical tunas. *A blank indicates no data was received.*

CPC		Tropical Tunas	Fleet Development Plan						
		Reference capacity	2009	2010	2011	2012	2013	2014	2015
Australia	Numbers	10	Reference capacity to be confirmed in the next six months						
	Capacity (GRT)	3,312							
Belize	Numbers	8							
	Capacity (GRT)	1,235							
China	Numbers	67							
	Capacity (GRT)	27,216							
Comoros	Numbers	0							
	Capacity (GT)	0							
Eritrea	Numbers	0							
	Capacity (GT)	0							
European Union	Numbers	49							
	Capacity (GT)	31,467							
France (OT) ¹	Numbers	2	1	1	1	1	-	-	15
	Capacity (GT)	4,638	2,319	2,319	2,319	2,319	-	-	1,286
Guinea	Numbers	3							
	Capacity (GRT)	1,439							
India	Numbers	70	Fleet development plan to be submitted in the next three months						
	Capacity (GRT)	32,789							
Indonesia	Numbers	1,202	Provisional fleet development plan submitted and to be confirmed within three months						
	Capacity (GT)	124,135							
Iran	Numbers	752							
	Capacity (GRT)	56,949							
Japan	Numbers	227							
	Capacity (GT)	139,818							
Kenya	Numbers		To submit its fleet development plan in the next three months						
	Capacity (GT)								
Korea, Republic of ²	Numbers	38							
	Capacity (GT)	15,274							

¹ France (OT) has indicated that seven existing longliners currently configured to target toothfish, will in the future be converted to fish for tunas. No specific time-line for the introduction of these vessels has been provided. This will contribute to an increase in capacity of 8,230 GT.

² The reference capacity for the Republic of Korea for Tropical Tunas is that of the year 2000.

CPC		Tropical Tunas	Fleet Development Plan						
		Reference capacity	2009	2010	2011	2012	2013	2014	2015
Madagascar	Numbers	2	To submit its fleet development plan in the next three months						
	Capacity (GT)	263							
Malaysia	Numbers	28	16	21	23	24			
	Capacity (GRT)	2,299	-	-	-	-			
Mauritius	Numbers	8		2	2	4	2	1	1
	Capacity (GRT)	1,931		400	400	800	400	200	200
Oman	Numbers	24	To confirm the timeline of the implementation of its fleet development plan						
	Capacity (GRT)	3,126							
Pakistan	Numbers		30	30					
	Capacity (GT)		-	-					
Philippines	Numbers	18							
	Capacity (GT)	10,304							
Seychelles	Numbers	34	To confirm the timeline of the implementation of its fleet development plan						
	Capacity (GT)	41,735							
Sierra Leone	Numbers	0							
	Capacity (GT)	0							
Sri Lanka	Numbers								
	Capacity (GT)								
Sudan	Numbers								
	Capacity (GT)								
Tanzania	Numbers	0	To submit its fleet development plan in the next three months						
	Capacity (GT)	0							
Thailand	Numbers	9	Fleet development plan to be submitted in the next three months						
	Capacity (GT)	13,771							
U. K. (I.O. Territories)	Numbers	0							
	Capacity (GT)	0							
Vanuatu	Numbers		Has no intention to introduce a fleet development plan in the IOTC Area						
	Capacity (GT)								
Senegal	Numbers	3							
	Capacity (GRT)	1,251							
South Africa	Numbers	13	Reference capacity to be confirmed in the next six months and the timeline of the implementation of its fleet development plan to be confirmed						
	Capacity (GRT)	3,013							
Uruguay	Numbers	1							
	Capacity (GT)	1,016							
Total	Numbers	2,568	47	54	26	29	2	1	16
	Capacity (GT/GRT)	516,981	2,319	2,719	2,719	3,119	400	200	1,486

Table 2. Corresponding overall capacity of CPC whose fleets targeted swordfish and albacore tuna during the year 2007 - 2008 and CPC who will confirm the timeline of implementation and/or introduce new vessels, through fleet development plans, to target swordfish and albacore tuna. A blank indicates no data was received.

CPC		Swordfish & Albacore	Fleet Development Plan						
		Reference capacity	2009	2010	2011	2012	2013	2014	2015
Australia	Numbers	9	Reference capacity to be confirmed in the next six months						
	Capacity (GRT)	3,002							
Belize	Numbers	10							
	Capacity (GRT)	1,620							
China	Numbers	2	5	3					
	Capacity (GRT)	314	1,745	438					
Comoros	Numbers	0							
	Capacity (GT)	0							
Eritrea	Numbers	0							
	Capacity (GT)	0							
European Union ³	Numbers	72			15				
	Capacity (GT)	21,922			3375				
France (OT)	Numbers	0							
	Capacity (GT)	0							
Guinea	Numbers	0							
	Capacity (GRT)	0							
India	Numbers	0	Fleet development plan to be submitted in the next three months						
	Capacity (GRT)	0							
Indonesia	Numbers	0							
	Capacity (GT)	0							
Iran	Numbers								
	Capacity (GRT)								
Japan	Numbers	0							
	Capacity (GT)	0							
Kenya	Numbers		To submit its fleet development plan in the next six months						
	Capacity (GT)								
Korea, Republic of	Numbers	0							
	Capacity (GT)	0							
Madagascar	Numbers	0	To submit its fleet development plan in the next six months						
	Capacity (GT)	0							
Malaysia	Numbers								

³ To be introduced in the fleet of La Réunion.

CPC		Swordfish & Albacore	Fleet Development Plan						
		Reference capacity	2009	2010	2011	2012	2013	2014	2015
	Capacity (GRT)								
Mauritius	Numbers	10		2	3	1	2	1	3
	Capacity (GRT)	2,444		400	600	200	400	200	600
Oman	Numbers	29	To confirm the timeline of the implementation of its fleet development plan						
	Capacity (GRT)	3,121							
Pakistan	Numbers								
	Capacity (GT)								
Philippines	Numbers	0							
	Capacity (GT)	0							
Seychelles	Numbers	1	To confirm the timeline of the implementation of its fleet development plan						
	Capacity (GT)	536							
Sierra Leone	Numbers	0							
	Capacity (GT)	0							
Sri Lanka	Numbers								
	Capacity (GT)								
Sudan	Numbers								
	Capacity (GT)								
Tanzania	Numbers	0	To submit its fleet development plan in the next six months						
	Capacity (GT)	0							
Thailand	Numbers	0							
	Capacity (GT)	0							
U. K. (I.O. Territories)	Numbers	0							
	Capacity (GT)	0							
Vanuatu	Numbers		Has no intention to introduce a fleet development plan in the IOTC Area						
	Capacity (GT)								
Senegal	Numbers								
	Capacity (GRT)								
South Africa	Numbers	14	Reference capacity to be confirmed in the next six months and the timeline of the implementation of its fleet development plan to be confirmed						
	Capacity (GRT)	3,213							
Uruguay	Numbers								
	Capacity (GT)								
Total	Numbers	147	5	5	3	18	2	1	3
	Capacity (GT/GRT)	36,172	1,745	838	600	3975	400	200	600

**APPENDIX IV TO THE COC REPORT
PROVISIONAL IOTC IUU VESSELS LIST**

(5 March 2010)

Current name of vessel (previous names)	Current flag (previous flags)	Date first included on IOTC IUU Vessels List	Lloyds/IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities
Ocean Lion	Unknown (Equatorial Guinea)	June 2005	7826233	-				Contravention of IOTC Resolution 02/04, 02/05, 03/05.
Yu Maan Won	Unknown (Georgia)	May 2007						
Gunuar Melyan 21	Unknown	June 2008						
Parsian Shila	Iran		9404285	Yes. Refer to the report from Seychelles	9BK1	Salem Chabahar Product Food Co.		Contravention of IOTC Resolution 07/02, 09/03
Rwad 1⁴ (Marine 88)	Oman (St. Kitts)				A4DD9	Rwad Al-Ibtkar Est. Trading		Contravention of IOTC Resolution 07/02, 09/03
Balena	Unknown (Vanuatu)				YJSV8	Long Bow Fishing Co. Ltd.		Contravention of IOTC Resolution 07/02, 09/03
Lingsar 08	Indonesia			Yes. Refer to the report of the European Union		Buana Lingsar Samudra, PT		Contravention of IOTC Resolution 09/03
Hoom Xiang 11	Malaysia			Yes. Refer to the report of the European Union		Hoom Xiang Industries Sdn. Bhd.		Contravention of IOTC Resolution 09/03

⁴ vessel under probation for a period of three months, within which Oman should provide evidence about the origin of the catches onboard

APPENDIX VI IOTC IUU VESSELS LIST

Current name of vessel (previous names)	Current flag (previous flags)	Date first included on IOTC IUU Vessels List	Lloyds/IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities
Ocean Lion	Unknown (Equatorial Guinea)	June 2005	7826233	-				Contravention of IOTC Resolution 02/04, 02/05, 03/05.
Yu Maan Won	Unknown (Georgia)	May 2007						
Gunuar Melyan 21	Unknown	June 2008						
Parsian Shila	Iran		9404285	Yes. Refer to the report from Seychelles	9BKI	Salem Chabahar Product Food Co.		Contravention of IOTC Resolution 07/02, 09/03
Rwad 1⁵ (Marine 88)	Oman (St. Kitts)				A4DD9	Rwad Al-Ibtkar Est. Trading		Contravention of IOTC Resolution 07/02, 09/03
Balena	Unknown (Vanuatu)				YJSV8	Long Bow Fishing Co. Ltd.		Contravention of IOTC Resolution 07/02, 09/03
Lingsar 08	Indonesia			Yes. Refer to the report of the European Union		Buana Lingsar Samudra, PT		Contravention of IOTC Resolution 09/03
Hoom Xiang 11	Malaysia			Yes. Refer to the report of the European Union		Hoom Xiang Industries Sdn. Bhd.		Contravention of IOTC Resolution 09/03

⁵ vessel under probation for a period of three months, within which Oman should provide evidence about the origin of the catches onboard

APPENDIX VII

REPORT OF THE SEVENTH SESSION OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE

1) OPENING OF THE SESSION

1. The Seventh Session of the Standing Committee on Administration and Finance (SCAF) of the Indian Ocean Tuna Commission was held during the 14th Session of the Commission. The meeting was chaired by Mr Geoffrey Nanyaro (Tanzania).

2) ADOPTION OF THE AGENDA

2. The SCAF adopted the Agenda as presented in Annex I to this report. The documents presented to the SCAF are listed in Appendix to the main report.

3) PROGRESS REPORT OF THE SECRETARIAT

3. The progress report of the Secretariat for 2009 was presented to the Committee by the Executive Secretary (IOTC-2010-S14-SCAF05) who summarized the activities conducted during the year. In particular, the Secretary highlighted the support given to the scientific process, through the work to improve the quality of the data available, and supporting the preparation of analyses towards the assessment of the stocks. In 2009, the Secretariat also completed the successful execution of both the Indian Ocean Tuna Tagging Programme and the IOTC/OFCF Project. The remaining funds of the tagging experiment provided by Japan will be used to support port sampling programs for artisanal fisheries under Resolution 09/04.
4. The Secretariat also provided continuous assistance to coastal states to improve their ability to comply with IOTC Resolutions and executed the Regional Observer Programme to monitor transshipment at sea for the large-scale tuna longline fleets in the Indian Ocean.
5. The Committee commended the Secretariat for the quality of the work undertaken during 2009. In particular, several Members were grateful for the support received in various areas, from compliance to strengthening of data collection, and requested that such a support be continued in the future.
6. Some Members recommended that a more democratic procedure be applied in the future selection of consultants, by involving all Members of the Scientific Committee in the selection.
7. The Committee also recommended that every effort be made to expedite the recruitment of new staff of the Secretariat, taking into account current delays in the FAO recruitment procedures.

4) FINANCIAL STATEMENT

8. The Executive Secretary presented the Financial Report for 2009 to the Committee (IOTC-2010-S14-SCAF03).
9. The Committee took note of the Financial Report and recommended that in the future, for ease of reference it follows the same breakdown as the budget document. Clarifications were given to the Committee on the way interests were calculated and allocated by FAO, noting that FAO never charges projects for losses and that all revenue from interests is allocated to the IOTC account.
10. The Committee expressed concerns regarding arrears of some Members and noted that some Members had never paid their contributions to the Commission. In particular, it noted that five Members are in arrears for two years or more.
11. Vanuatu recognized it had arrears in their contribution and informed the Committee that the payment of 50% of their outstanding contributions had been effected while the balance should be settled within the next weeks (Annex IV). Oman also indicated that the situation will be settled within one month after the Session.

12. Vanuatu reiterated its concern about the fairness formula for the calculation of the contributions, and indicated its wish to present an alternative proposal at the next session of the SCAF.
13. Following a request from the Committee, the FAO representative explained the relationship between IOTC and FAO as an organization under Article XIV of the FAO Constitution.

5) PROGRAMME OF WORK AND BUDGET FOR 2010-2011

14. The IOTC Programme of Work and Budget for 2010 (IOTC-2010-S14-SCAF02) was presented to the Committee.
15. The Executive Secretary indicated that 200,000USD, 400,000USD and 50,000EUR from the accumulated funds will be set aside respectively for the meeting participation fund for developing state members, for the regional observer scheme for artisanal fisheries and for the organisation of the tagging symposium in 2011.
16. The Committee expressed its concern about some components of the budget, in particular, the structure of the FAO staff costs, which, as it is based on the UN system, contains variable elements over which neither the Commission nor the Secretariat have direct control.
17. The Committee noted that Article VIII of the IOTC Agreement contemplates the possibility that FAO could contribute to the activities of the Commission, for example, in the form of in-kind contributions such as staff seconded to the Secretariat, and asked FAO to explore the possibility that such a contribution to the activities of IOTC be provided in the near future. The FAO representative explained that there was no possibility to provide such assistance to the Secretariat through the regular programme of FAO but that this could be investigated through the extra-budgetary contributions from donors. Furthermore, he also indicated that the Commission was benefiting from indirect support through other FAO funded Commissions or initiatives such as SWIOFC with which a strong cooperation with the Commission has been developed, and that some Members were receiving direct support from the FAO regarding their fisheries programmes.
18. The Committee sought clarifications regarding the 4.5% servicing costs on expenditures paid to FAO. The FAO representative explained that these are for administrative management costs and that they were reduced, in the case of the Commission, from 13% to 4.5%, FAO covering the difference.
19. The Committee requested FAO to provide a report at the next Session detailing its contribution to the Commission, and that the progress report of the Secretariat should also reflect the contributions received from FAO.
20. The Committee asked for the reason behind the 10% increase relative to the 2009 budget. The Executive Secretary indicated that this was a result of the recent increases in late 2009 in the contributions to the FAO entitlement fund and in the greater number of technical missions anticipated in 2010.
21. Some Members also required an explanation on the reasons for the difference of 30% between the 2009 realized expenditures and the 2010 budget. The Executive Secretary explained that this difference was mainly due to under-expenditures in salaries 2009 resulting from the departure of the Deputy Secretary and the late recruitment of the Stock Assessment Expert.
22. The Committee agreed to recommend that adoption of the budget and the scheme of contributions according to the Annexes II and III

6) ANY OTHER MATTERS

23. No other matters were brought in front of the Committee

7) ADOPTION OF THE REPORT AND CLOSURE OF THE MEETING

24. The report of the Seventh Session of the Standing Committee on Administration and Finance of the Indian Ocean Tuna Commission was adopted on 04 March 2010.

ANNEX I TO THE SCAF REPORT
AGENDA OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE

1. OPENING OF THE SESSION
2. ADOPTION OF THE AGENDA
3. PROGRESS REPORT OF THE SECRETARIAT
4. FINANCIAL STATEMENT
5. PROGRAMME OF WORK AND BUDGET FOR 2010-2011
6. ANY OTHER MATTERS
7. ADOPTION OF THE REPORT

ANNEX II TO THE SCAF REPORT BUDGET

	2010	2011
Gross salary costs (before deductions)		
Professional		
Executive Secretary	171,168	179,726
Deputy Secretary	120,000	151,200
Data Coordinator	138,660	145,593
Data Analyst/ Programmer	60,000	94,500
Compliance Coordinator	93,396	98,066
Stock Assessment Expert	108,000	113,400
Fisheries Expert	76,296	80,111
General Service		
Administrative Assistant	8,628	9,059
Compliance Assistant	7,800	8,190
Programme Assistant	7,380	7,749
Database Assistant	9,240	9,702
Bilingual Secretary	6,144	6,451
Driver	5,556	5,834
Overtime	2,500	2,625
Total Salary costs	814,768	912,206
Employer contributions to Pension Fund and health insurance	261,708	274,793
Employer contribution to FAO entitlement fund	251,608	264,188
Total staff costs	1,328,084	1,451,188
Operating Expenditures		
Consultants	46,500	48,825
Duty travel	193,000	202,650
Meetings	50,000	52,500
Interpretation	100,000	105,000
Translation	70,000	73,500
Equipment	30,000	31,500
Operating expenses	45,000	47,250
Printing	35,000	36,750
Support to tagging	12,500	13,125
Contingencies	5,000	5,250
Total Operating Expenditures	587,000	616,350
SUB-TOTAL	1,915,084	2,067,538
Additional Contributions Seychelles	(13,700)	(13,700)
FAO Servicing Costs	86,179	93,039
GRAND TOTAL	1,987,563	2,146,877

ANNEX III TO THE SCAF REPORT

INDICATIVE SCALE OF CONTRIBUTIONS FOR 2010

Country	World Bank Classification in 2007⁶	OECD Membership	Average catch for 2005-2007 (in metric tons)	Contribution (in USD)
Australia	High	Yes	6727	108,954
Belize	Middle	No	1087	36,621
China	Middle	No	118516	71,139
Comoros	Low	No	10930	18,593
Eritrea	Low	No	421	15,504
European Community	High	Yes	273625	501,218
France(Terr)	High	Yes	4939	106,326
Guinea	Low	No	875	15,637
India	Middle	No	129068	74,240
Indonesia	Middle	No	199354	94,901
Iran, Islamic Republic of	Middle	No	179387	89,031
Japan	High	Yes	52900	176,815
Kenya	Low	No	2022	15,974
Korea, Republic of	High	Yes	6725	108,950
Madagascar	Low	No	12295	18,994
Malaysia	Middle	No	21805	42,711
Mauritius	Middle	No	1890	36,857
Oman	Middle	No	34152	46,340
Pakistan	Low	No	27060	23,334
Philippines	Middle	No	3968	37,468
Seychelles	Middle	No	83624	60,882
Sierra Leone	Low	No	Below 400 t	7,098
Sri Lanka	Middle	No	113742	69,736
Sudan	Middle	No	Below 400 t	28,020
Tanzania	Low	No	3402	16,380
Thailand	Middle	No	36511	47,034
United Kingdom(Terr)	High	Yes	Below 400 t	90,785
Vanuatu	Middle	No	Below 400 t	28,020
			Total	1,987,562⁷

⁶ In 2007, the World Bank classified countries as low income if the per capita GNI was less than US\$935; as high income if it was higher than US\$11,455, and as middle income those countries with per capita GNI between US\$935 and US\$11,455.

⁷There is a 1 US \$ discrepancy due with the total budget presented in 2010 due to rounding.

ANNEX IV TO THE SCAF REPORT STATEMENT OF VANUATU

We note that Vanuatu has outstanding contributions to the Secretariat of about \$US100,000, as reflected in Table 1 of the SCAF03 document.

We understand the seriousness of the situation and wish to explain to the Members of the Commission the simple reason for which Vanuatu has refused to pay its contribution for the last few years.

Looking at Table 6 on page 14 of the SCAF02_Rev1 document, we note that the contribution of Vanuatu is calculated as \$US28,020 for 2010, for average catches of less than 400 tonnes (and probably much less). That makes for around \$US70 per tonne.

On the same Table, we can take the example of Seychelles (or Sri Lanka, as they have the same World Bank Classification level) and see that they pay \$US60,882 for yearly average catches of about 83,624 tonnes between 2005 and 2007, thus \$US0.72 per tonne (and \$US0.61 per tonne for Sri Lanka, for 113,742 tonnes).

It is our opinion that this example clearly highlights the problem, showing a 97% (resp. 115%) difference between the contributions calculated for Vanuatu and Seychelles (resp. Sri Lanka).

The formula used for calculating the contribution is clearly unfair and we concur with the statement made by Belize at the 12th session (cf. paragraph 6.17 of the SCAF report, in Appendix VII of the Commission report), “that the current formula used to estimate member contributions appears to be inequitable in that countries with large catches appear to pay less per tonne compared to countries with small catches”.

On this topic, Vanuatu has submitted document SCAF05 at the 12th session to briefly explain its difficulties in paying its yearly contribution and to propose various ideas on how to revise the formula currently in use.

Nonetheless, we see that this document has not reached his goal of opening a discussion and we commit to present a proposal for a new formula at the next session.

Yet, we acknowledge the difficulties that late payments of contributions can cause to the operation of the Secretariat and we are committed to pay 50% of our outstanding contributions (about \$US50,000) in the coming days, and the remainder in the next few weeks.

APPENDIX VIII

CONSERVATION AND MANAGEMENT MEASURES ADOPTED DURING THE SESSION

RESOLUTION 10/01

FOR THE CONSERVATION AND MANAGEMENT OF TROPICAL TUNAS STOCKS IN THE IOTC AREA OF COMPETENCE

The Indian Ocean Tuna Commission (IOTC),

RECOGNISING that based on past experience in the fishery, the potential production from the resource can be negatively impacted by excessive fishing effort;

TAKING INTO ACCOUNT the available scientific information and advice, in particular the IOTC Scientific Committee conclusions whereby the yellowfin and bigeye tuna stocks might have been over or fully exploited in recent years;

RECOGNISING that during the 12th IOTC scientific meeting held in Seychelles from 30 November to 04 December 2009, the Scientific Committee recommended that yellowfin and bigeye tuna catches should not exceed the MSY levels which have been estimated at 300,000 tonnes for yellowfin and at 110,000 tonnes for bigeye tuna;

ACKNOWLEDGING that the implementation of a TAC without a quota allocation would result in an inequitable distribution of the catches and fishing opportunities among the IOTC Members and Cooperating non-Contracting Parties (CPCs) and non CPCs;

FURTHER RECOGNISING that the tuna artisanal fisheries sector needs strengthening in terms of catch statistics reporting in order to more closely follow the catch situations and notwithstanding improvement in the industrial fishery catch statistics reporting requirements;

NOTING the importance of applying the precautionary approach for the management of the tropical tuna and swordfish stock, in particular yellowfin and bigeye tuna in the Indian Ocean;

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

1. This resolution is applicable in 2011 and 2012 to all vessels of 24 meters overall length and over, and under 24 meters if they fish outside their EEZ, fishing within the IOTC area of competence.
2. With the view to decreasing the pressure on the main targeted stocks and in particular on the yellowfin tuna and bigeye tuna in the IOTC area of competence for the years 2011 and 2012, the area defined by the following coordinates (Annex1) will be closed for longline vessels in each year from 0000 hours on 1 February to 2400 hours on 1 March, and for purse-seine vessels in each year from 0000 hours on 1 November to 2400 hours on 1 December:

0 ° - 10° North

40° and 60° East

3. All vessels fishing within the IOTC area of competence in 2011 and 2012, regardless of the flag under which they operate or whether they change flag during the year, shall observe the area and period closure.

4. CPCs flag states shall monitor the compliance of their vessels with this Resolution, notably through VMS, and will provide a summary of VMS records related to their fleet operation in the previous year for the consideration of the Compliance Committee.
5. Fishing vessels that do not comply with IOTC Resolution 06/03 "*On establishing a vessel monitoring system programme*" are not allowed to be active in the IOTC area of competence.
6. Landings, transshipments and commercial transactions of all species, and their products, that have been positively identified as originating from fishing activities that contravene this resolution, are prohibited.
7. Each CPC shall no later than 45 days before the date of entry into force of a closure:
 - a) take the necessary legal and administrative measures to implement the closure;
 - b) inform all interested parties and their national tuna and tuna-like species industries of the closure,
 - c) inform the IOTC Secretary that these steps have been taken.
8. In order to have a more extensive knowledge of the exploitation rate of these species and also the assessment of the feasibility of near real time reporting, the IOTC CPCs agree to implement as soon as possible a pilot project within the framework of the port sampling programme under Resolution 09/04, with a view to enhancing the gathering of catch data related to the activities of the artisanal fishery sector and to establishing a catch reporting system.

The pilot project shall be implemented for a 12 months period by the IOTC Secretariat in collaboration with the CPCs concerned.

The pilot project will contribute relevant information to the work of the Scientific Committee in future revision of stock estimates and in the assessment of the reporting requirements in respect of catch quota reporting, particularly in the artisanal fisheries.

The Scientific Committee will examine the results of the pilot project at its 2011 meeting and provide management advice to the Commission.
9. The Scientific Committee will provide at its 2010 plenary Session any appropriate management options based on the Kobe II matrix (Annex 2) for the consideration of the Commission.
10. The Scientific Committee will provide at its 2011 Plenary session:
 - a) an evaluation of the closure area, specifying in its advice if a modification is necessary, its basic scientific rationale with an assessment of the impact of such a closure on the tropical tuna stocks, notably yellowfin and bigeye;
 - b) an evaluation of the closure time periods, specifying in its advice if a modification is necessary, its basic scientific rationale with an assessment of the impact of such a closure on the tropical tuna stocks, notably yellowfin and bigeye;
 - c) an evaluation of the impact on yellowfin and bigeye tuna stocks by catching juveniles and spawners taken by all fisheries. The Scientific Committee shall also recommend measures to mitigate the impacts on juvenile and spawners;

d) any other advice on possible different management measures based on the Kobe II matrix, on the main targeted species under the IOTC competence.

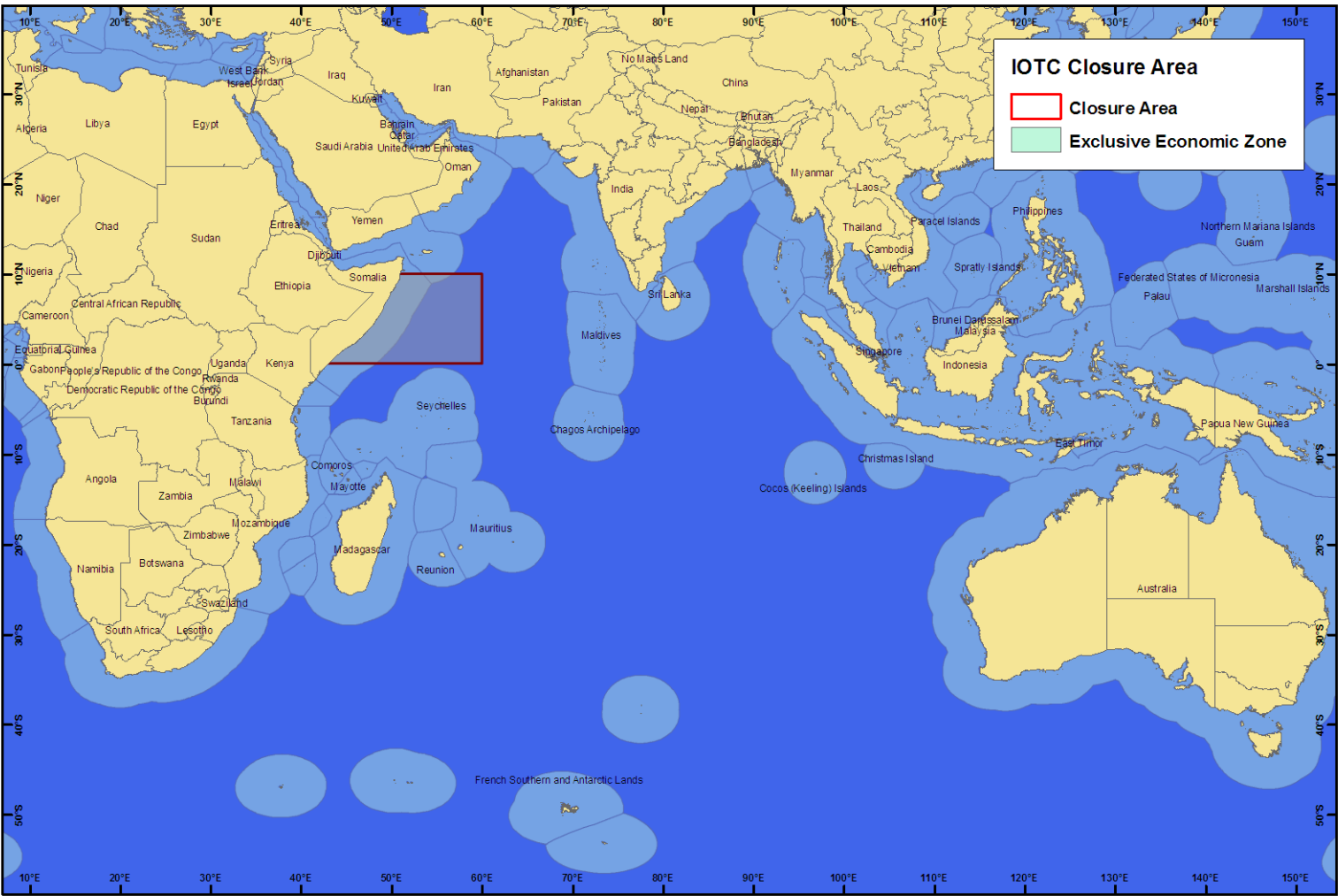
11. CPCs shall implement the following action plan:

1. establishment of an allocation system (Quota) or any other relevant measures based on the Scientific Committee recommendations for the main targeted species under the IOTC competence;
2. advice on the best reporting requirement of the artisanal tuna fisheries and implementation of an appropriate data collection system;
3. the pilot project as specified in paragraph 8.

12. A technical committee meeting shall be held prior to the Commission Plenary session in 2011 to discuss on allocation criteria for the management of the tuna resources of the Indian Ocean and recommend an allocation quota system or any other relevant measures. CPCs are encouraged to submit proposals one month prior to the meeting.

13. The Commission shall adopt an allocation quota system or any other relevant measure for the yellowfin and bigeye tunas at its plenary session in 2012.

Annex 1



Annex 2

Strategy Matrix for Setting Management Measures

Management Target	Time Frame	Probability of Meeting Target			Data Rich/ Data Poor
		A%	B%	C%	
<Fishing Mortality Target>	In x years				
	In y years				
	In z years				

Management Target	Time Frame	Probability of Meeting Target			Data Rich/ Data Poor
		A%	B%	C%	
<Biomass Target>	In x years				
	In y years				
	In z years				

Management Target		Probability of Maintaining Status Quo			Data Rich/ Data Poor
		A%	B%	C%	
<Status Quo>					

RESOLUTION 10/02

MANDATORY STATISTICAL REQUIREMENTS FOR IOTC MEMBERS AND COOPERATING NON-CONTRACTING PARTIES (CPCs)

The Indian Ocean Tuna Commission (IOTC)

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

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

RECALLING the commitment made by members under Article V of the IOTC Agreement to keep under review the conditions and trends of the stocks and to gather, analyse and disseminate scientific information, catch and effort statistics and other data relevant to the conservation and management of the stocks and to fisheries based on the stocks covered by the Agreement.

COGNISANT that the above commitment can only be achieved when members meet the requirements of Article XI of the IOTC Agreement i.e. to provide statistical and other data and information to minimum specifications and in a timely manner.

ACKNOWLEDGING that the IOTC Scientific Committee has repeatedly stressed the importance of the timeliness of data submissions.

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

CONSIDERING the provisions set forth in *Resolution 08/01 on mandatory statistical requirements for IOTC Members and Cooperating non-Contracting parties (CPCs)*, adopted by the Commission in 2008;

CONSIDERING the deliberations of the 12th Session of the IOTC Scientific Committee held in Victoria, Seychelles from 30 November to 4 December 2009

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

1. CPCs shall provide the following information to the IOTC Secretariat according to the timelines specified in paragraph 6:
2. **Nominal catch data:**
Estimates of the total annual catch by species and gear for all species under the IOTC mandate.
3. **Catch and effort data:**
 - a) **For surface fisheries:** catch weight by species and fishing effort shall be provided by 1° grid area and month strata. Purse seine fishery data shall be stratified by fishing mode (e.g. free swimming schools or schools in association with floating objects). The data shall be extrapolated to the total national monthly catches for each gear. Documents describing the extrapolation procedures (including raising factors corresponding to the logbook coverage) shall also be submitted routinely.
 - b) **Longline fisheries:** catch by species, in numbers or weight, and effort as the number of hooks deployed shall be provided by 5° grid area and month strata. Documents describing the extrapolation procedures (including raising factors corresponding to the logbook coverage) shall also be submitted routinely. For the work of relevant working parties under the IOTC Scientific Committee, longline data should be of a resolution of 1° grid area and month or finer. These data would be for the exclusive use of IOTC scientists, subject to the approval of the data owners and IOTC Resolution 98/02 *Data confidentiality policy and procedures*, and should be provided for scientific use in a timely fashion.

- c) **For coastal fisheries:** available catch by species, fishing gear and fishing effort shall be submitted frequently and may be provided using an alternative geographical area if it better represents the fishery concerned.

These provisions, applicable to tuna and tuna-like species, shall also be applicable to the most commonly caught shark species and, where possible, to the less common shark species. CPCs are also encouraged to record and provide data on species other than sharks and tunas taken as bycatch.

4. Size data:

Size data shall be provided for all gears and for all species covered by the IOTC mandate according to the guidelines set out by the IOTC Scientific Committee. Size sampling shall be run under strict and well described random sampling schemes which are necessary to provide unbiased figures of the sizes taken. Sampling coverage shall be set to at least one fish measured by ton caught, by species and type of fishery, with samples being representative of all the periods and areas fished. Alternatively, size data for longline fleets may be provided as part of the Regional Observer Scheme where such fleets have at least 5% observer coverage of all fishing operations. Length data by species, including the total number of fish measured, shall be submitted by a 5° grid area by month, by gear and fishing mode (e.g. free swimming schools or schools in association with floating objects for the purse seiners). Documents covering sampling and raising procedures shall also be provided, by species and type of fishery.

5. Given that the activities of supply vessels and the use of Fish Aggregating Devices (FAD) are an integral part of the fishing effort exerted by the purse seine fleet, the following data shall be provided:

- a) The number and characteristics of supply vessels: (i) operating under their flag, (ii) assisting purse seine vessels operating under their flag, or (iii) licensed to operate in their exclusive economic zones, and that have been present in the IOTC Area.
- b) Number of days at sea by supply vessels by 1° grid area and month to be reported by the flag state of the supply vessel.
- c) The total number and type of FADs set by the supply vessel and purse seine fleet per quarter. Types of FADs are defined as 1) drifting log or debris, 2) drifting raft or fad with a net, 3) drifting raft or fad without a net, 4) other (e.g. Payao, dead animal etc). All types monitored by a tracking system.

These data would be for the exclusive use of IOTC scientists, subject to the approval of the data owners and Resolution 98/02 *Data confidentiality policy and procedures*, and should be provided in a timely fashion.

6. Timeliness of data submission to the IOTC Secretariat:

- (a) Longline fleets operating in the high seas shall provide provisional data for the previous year no later than 30 June. Final data shall be submitted no later than 30 December.
- (b) All other fleets (including supply vessels) shall submit their final data for the previous year no later than 30 June.
- (c) In case where the final statistics cannot be submitted by that date, at least preliminary statistics should be provided. Beyond a delay of two years, all revisions of historical data should be formally reported and duly justified. These reports should be made on forms provided by the Secretariat and reviewed by the Scientific Committee. The Scientific Committee will advise the Secretariat if revisions are then accepted for scientific use.

7. This Resolution supersedes Resolution 08/01 *on Mandatory statistical requirements for IOTC Members and Cooperating non-Contracting parties (CPCs)*.

RESOLUTION 10/03
CONCERNING THE RECORDING OF CATCH BY FISHING VESSELS IN THE IOTC
AREA

The Indian Ocean Tuna Commission (IOTC),

TAKING NOTE of the results of the Inter-sessional Meeting on an Integrated Control and Inspection Scheme held in Yaizu, Japan from 27 to 29 March 2001;

CONSIDERING the provisions set forth in *Mandatory Statistical Requirements For IOTC Members and Cooperating non-Contracting Parties (CPCs)* , and in particular the requirements set out for surface fisheries/purse-seine fleets adopted by the Commission in 2001;

CONSIDERING the deliberations of the 9th Session of the IOTC Scientific Committee held in Victoria, Seychelles from 6 to 10 November 2006 where it agreed that a standardised logbook would be advantageous and agreed on the minimum data requirements for all purse-seine and bait boat fleets operating in the IOTC Area of Competence, in order to harmonize data gathering and provide a common basis for scientific analysis for all IOTC Members and Cooperating non-Contracting Parties (CPCs);

CONSIDERING the provisions set forth in *Resolution 07/03 concerning the recording of catch by fishing vessels in the IOTC area*, adopted by the Commission in 2007;

CONSIDERING the deliberations of the 12th Session of the IOTC Scientific Committee held in Victoria, Seychelles from 30 November to 4 December 2009

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

1. Each flag CPC shall ensure that all purse-seine vessels flying its flag and authorized to fish species managed by IOTC be subject to a data recording system. Within the IOTC Area of Competence, all purse-seine vessels 24 metres length overall or greater and those under 24 metres if they fish outside the EEZs of their flag States shall keep a bound or electronic logbook to provide data for use by Working Parties and the Scientific Committee that includes, as a minimum requirement, the information and data in the logbook set forth, for illustrative purposes, in Annex I.
2. The logbook data shall be provided by the fishing masters to the flag State administration, as well as to the coastal State administration where the vessel has fished in that coastal State's EEZ. The flag State and the States which receive this information shall provide all the data for any given year to the IOTC Secretariat and the Scientific Committee by June 30th of the following year on an aggregated basis. The confidentiality rules set out in Resolution 98/02 *Data Confidentiality Policy and Procedures* for fine-scale data shall apply.
3. This Resolution supersedes Resolution 07/03 *concerning the recording of catch by fishing vessels in the IOTC area*

[illegible]

Instructions for filling the logbook form (EU purse seine and baitboats template) Notice explicative pour utiliser la fiche de pêche (senneurs et canneurs, modèle UE)
EN-TÊTE / CABECERA / HEADING
<p>DEPART / SALIDA / DEPARTURE</p> <ul style="list-style-type: none"> ✓ Port / Puerto / Port ✓ Date / Fecha / Date ✓ Heure / Hora / Hour ✓ Loch / Corredera / Loch <p>ARRIVEE / LLEGADA / ARRIVAL</p> <ul style="list-style-type: none"> ✓ Port / Puerto / Port ✓ Date / Fecha / Date ✓ Heure / Hora / Hour ✓ Loch / Corredera / Loch <p>NAVIRE / BARCO / VESSEL</p> <p>PATRON / PATRON / MASTER</p> <p>FEUILLE / HOJA / SHEET N°</p> <p><i>Remplir l'information correspondante au départ et au retour. Le loch au départ et au retour permettent d'estimer la distance parcourue par le navire pendant sa marée, et donc indirectement la surface prospectée. Les feuilles seront numérotées de 1 à n pour chaque marée.</i></p> <p><i>Fill in the corresponding information at departure and arrival of the boat. Loch at departure and arrival allows to estimate the distance run during the trip, and indirectly the prospected surface. Sheets will be numbered from 1 and following for each trip.</i></p>
DONNÉES SUR LA PÊCHE / DATOS SOBRE LA PESCA / FISHING DATA
<p><i>Toute les informations concernant les activités, captures, incidents, ... qui se sont produits pendant la marée doivent être reportées aussi précisément que possible.</i></p> <p><i>All information regarding activities, catches, incidents, ...which occurred during the trip should be reported as precisely as possible.</i></p> <p>DATE/FECHA/DATE</p> <p><i>Remplir au moins une ligne par jour, même s'il n'y a pas eu d'activité de pêche (cape, avarie, ...).</i></p> <p><i>Fill in at least one line by day, even in case of no fishing activities.</i></p> <p>POSITION (chaque calée ou midi)/POSICION (cada lance o mediadia)/POSITION (each set or midday)</p> <p><i>Utiliser une ligne différente pour chaque calée (y compris les calées nulles), ou chaque DCP déployé, et noter leur position. S'il n'y a pas eu de pêche et qu'aucun DCP n'a été déployé au cours de la journée, noter la position aux environs de midi. Si nécessaire, les informations sur la calée peuvent utiliser plusieurs lignes sans changer les informations générales (date, position, ...).</i></p> <p><i>Use one line for each set (including negative ones), or each FAD deployed, and note its position. If no set have been made and FADs have not been deployed during the day, note the position around midday. If necessary, information for one set can use several lines, without changing the general information (date and position).</i></p> <p>CALEE /LANCE/SET ou/o/or DEPLOIEMENT DE DCP/PLANTANDO DE OBJETO/DEPLOYMENT OF FAD</p> <ul style="list-style-type: none"> ✓ Portant / Positivo / Successful ✓ Nul / Nulo / Nil <p><i>Cocher la case correspondante selon que le coup est nul ou portant.</i></p> <p><i>Tick the corresponding column according that the set was positive or not.</i></p> <ul style="list-style-type: none"> ✓ Heure / Hora / Time : Préciser / Especificar / Specify (TU+ ?) <p><i>Mettre l'heure de début de la calée ou de déploiement de DCP ; préciser le cas échéant l'heure utilisée par le bord (TU+ ??).</i></p> <p><i>Indicate the time at the beginning of the set or at the time the FAD was deployed; if necessary, precise the time used on board (TU+ ??).</i></p> <ul style="list-style-type: none"> ✓ N° Cuve / Cuba / Well <p><i>Indiquer le numéro de la/les cuve(s) où la capture sera stockée.</i></p> <p><i>Indicates the well number where the catch will be stored.</i></p> <p>CAPTURE ESTIMEE / ESTIMACION DE LA CAPTURA / ESTIMATED CATCH</p> <ul style="list-style-type: none"> ✓ ALBACORE / RABIL / YELLOWFIN <ul style="list-style-type: none"> • Taille / Talla / Size • Capture / Captura / Catch ✓ LISTAO / LISTADO / SKIPJACK <ul style="list-style-type: none"> • Taille / Talla / Size • Capture / Captura / Catch ✓ PATUDO / PATUDO / BIGEYE <ul style="list-style-type: none"> • Taille / Talla / Size • Capture / Captura / Catch <p><i>Pour chacune des principales espèces de thons mentionnées, indiquer la capture estimée ainsi que la taille/poids moyen ou la gamme de taille/poids des poissons (par exemple 5-15 kg, 10kg, >30 kg, ...). Si la distinction entre espèces n'est pas connue, remplir à cheval sur les 3 colonnes.</i></p> <p><i>For each of the main tuna species indicated, note the estimated catch as well as the average size/weight or size/weight range (for example, 5-15 kg, 10 kg, > 30 kg, ...). In case you cannot separate species, fill in on the 3 columns.</i></p>

✓ AUTRE ESPECE (préciser le/les nom(s))/OTRA ESPECIE (dar el/los nombre(s))/OTHER SPECIES (give name(s))

- Nom / Nombre / Name
- Taille / Talla / Size
- Capture / Captura / Catch

Remplir comme pour les espèces de thons, en précisant en plus le/les nom(s) de/des espèce(s) pêchées.

Fill in as for tuna species, indicating also the name(s) of the fished species.

✓ REJETS (préciser le/les nom(s))/DESCARTES (dar el/los nombre(s))/DISCARDS (give name(s))

- Nom / Nombre / Name
- Taille / Talla / Size
- Capture / Captura / Catch

Remplir comme pour les espèces de thons, en précisant en plus le/les nom(s) de/des espèce(s) rejetées.

Fill in as for tuna species, indicating also the name(s) of the discarded species.

ASSOCIATION / ASOCIACION / ASSOCIATION

- ✓ Banc libre/Banco libre/Free school
- ✓ Epave / Objeto / Log : N (naturelle/natural), A (artificielle/artificial)
- ✓ Bateau d'assistance / Barco de apoyo / Supply
- ✓ Balise / Baliza / Beacon
- ✓ Requin Baleine / Tiburon Ballena / Shark Whale
- ✓ Baleine / Ballena / Whale

Cocher la colonne correspondant au type d'association observé. Pour une pêche sur épave ou pour le déploiement d'un DCP, préciser si elle est naturelle (N) ou artificielle (A), ainsi que si elle a ou non une balise. Indiquer également si la calée a été réalisée après l'appel d'un bateau d'assistance. Plusieurs associations sont bien sur possibles, et on peut signaler d'autres associations dans la rubrique « Commentaires »..

Tick the case corresponding to the association type observed. For log sets or deployment of FADs indicate if the log is natural (N) or artificial (A), as well as if there bear or not a beacon. Indicates also if fishing set was done after the call of a supply vessel. Of course, several associations are possible, and others than indicated may be mentioned in the "Comments" field.

COMMENTAIRES / OBSERVACIONES / COMMENTS

Route/Recherche, problèmes divers, type d'épave (naturelle ou artificielle, balisée, bateau), prise accessoire, taille du banc, autres associations,

Steaming/Searching, miscellaneous problems, log type (natural or artificial, with radio beacon, vessel), by catch, school size, other associations,

T° Mer / Mar / Sea

Indiquer la température de la mer (au 1/10 de degré) si elle est disponible.

Indicates the sea surface temperature (1/10 degree) if known.

COURANT / CORRIENTE / CURRENT

Direction / Direccion / Direction (Degrés / Grados / Degree)

Vitesse / Velocidad / Speed (Nœuds / Nudos / Knots)

Indiquer la vitesse et la direction du courant si disponible.

Indicates the current speed and direction if known.

RESOLUTION 10/04

ON A REGIONAL OBSERVER SCHEME

The Indian Ocean Tuna Commission (IOTC),

TAKING INTO ACCOUNT the need to increase the scientific information, in particular to provide the IOTC Scientific Committee working material in order to improve the management of the tuna and tuna-like species fished in the Indian Ocean;

REITERATING the responsibilities of flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting IOTC conservation and management measures;

CONSIDERING the need for action to ensure the effectiveness of the IOTC objectives;

CONSIDERING the obligation of all IOTC Members and Co-operating Non-contracting Parties (hereinafter CPCs) to fully comply with the IOTC conservation and management measures;

AWARE of the necessity for sustained efforts by CPCs to ensure the enforcement of IOTC's conservation and management measures, and the need to encourage non-Contracting Parties (NCPs) to abide by these measures;

UNDERLINING that the adoption of this measure is intended to help support the implementation of conservation and management measures as well as scientific research for tuna and tuna-like species;

CONSIDERING the provisions set forth in *Resolution 09/04 on a Regional Observer Scheme*, adopted by the Commission in 2009;

CONSIDERING the deliberations of the 12th Session of the IOTC Scientific Committee held in Victoria, Seychelles from 30 November to 4 December 2009

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

Objective

1. The objective of the IOTC observer scheme shall be to collect verified catch data and other scientific data related to the fisheries for tuna and tuna-like species in the IOTC area.

Observer Scheme

2. In order to improve the collection of scientific data, at least 5 % of the number of operations/sets for each gear type by the fleet of each CPC while fishing in the IOTC Area of 24 meters overall length and over, and under 24 meters if they fish outside their EEZs shall be covered by this observer scheme. For vessels under 24 meters if they fish outside their EEZ, the above mentioned coverage should be achieved progressively by January 2013.
3. When purse seiners are carrying an observer¹ as stated in paragraph 1, this observer shall also monitor the catches at unloading to identify the composition of bigeye catches. The requirement for the observer to monitor catches at unloading is not applicable to CPCs already having a sampling scheme, with at least the coverage set out in paragraph 2.
4. The number of the artisanal fishing vessels landings shall also be monitored at the landing place by field samplers². The indicative level of the coverage of the artisanal fishing vessels should

¹ Observer: a person that collects information on board fishing vessels. Observer programmes can be used for quantifying species composition of target species, bycatch, by-products and dead discards, collecting tag returns, etc.

² Field sampler: a person that collects information on land during the unloading of fishing vessels. Field sampling programmes can be used for quantifying catch, retained bycatch, collecting tag returns, etc.

- progressively increase towards 5% of the total levels of vessel activity (i.e. total number of vessel trips or total number of vessels active).
5. CPCs shall:
- a) Have the primary responsibility to obtain qualified observers. Each CPC may choose to use either deployed national or non-national of the flag State of the vessel on which they are deployed;
 - b) Endeavour that the minimum level of coverage is met and that the observed vessels are a representative sample of the gear types active in their fleet;
 - c) Take all necessary measures to ensure that observers are able to carry out their duties in a competent and safe manner;
 - d) Endeavour to ensure that the observers alternate vessels between their assignments. Observers are not to perform duties, other than those described in paragraphs 10 and 11 below;
 - e) Ensure that the vessel on which an observer is placed shall provide suitable food and lodging during the observer's deployment at the same level as the officers, where possible. Vessel masters shall ensure that all necessary co-operation is extended to observers in order for them to carry out their duties safely including providing access, as required, to the retained catch, and catch which is intended to be discarded.
6. The cost of the observer scheme in paragraph 2 and 3 shall be met by each CPC.
7. The sampling scheme referred in paragraph 4 will be covered by the Commission's accumulated funds and voluntary contribution on a provisional basis. The Commission will consider at its 14th Annual meeting an alternative for the financing of this scheme.
8. If the coverage referred in paragraphs 2 and 3 is not met by a CPC, any other CPC may, subject to the consent of the CPC who has not met its coverage, place an observer to fulfil the tasks defined in the paragraphs 1 and 2 until that CPC provides a replacement or the target coverage level is met.
9. 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.
10. Observers shall:
- a) Record and report fishing activities, verify positions of the vessel;
 - b) Observe and estimate catches as far as possible with a view to identifying catch composition and monitoring discards, by-catches and size frequency;
 - c) Record the gear type, mesh size and attachments employed by the master;
 - d) Collect information to enable the cross-checking entries made to the logbooks (species composition and quantities, live and processed weight and location, where available); and
 - e) Carry out such scientific work (for example, collecting samples), as requested by the IOTC Scientific Committee.
11. The observer shall, within 30 days of completion of each trip, provide a report to the CPCs of the vessel. The CPCs shall send within 90 days the report, which is recommended to be provided with 1°x1° format to the Executive Secretary, who shall make the report available to the Scientific Committee upon request. In a case where the vessel is fishing in the EEZ of a coastal state, the report shall equally be submitted to that Coastal State.
12. The confidentiality rules set out in the Resolution 98/02 Data confidentiality policy and procedures for fine-scale data shall apply.
13. Field samplers shall monitor catches at the landing place with a view to estimating catch-at-size by type of boat, gear and species, or carry out such scientific work as requested by the IOTC Scientific Committee.

14. The funds available from the IOTC balance of funds may be used to support the implementation of this programme in developing States, notably the training of observers and field samplers.
15. The entry into force of this Resolution is 1 July 2010.
16. The elements of the Observer Scheme, notably those regarding its coverage, are subject to review and revision, as appropriate, for application in 2012 and subsequent years. Basing on the experience of other Tuna RFMOs, the Scientific Committee will elaborate an observer working manual, a template to be used for reporting (including minimum data fields) and a training program at its 2009 session.
17. This Resolution supersedes Resolution 09/04 on a *Regional Observer Scheme*.

RESOLUTION 10/05

ON THE ESTABLISHMENT OF A MEETING PARTICIPATION FUND FOR DEVELOPING IOTC MEMBERS AND NON-CONTRACTING COOPERATING PARTIES (CPCs)

The Indian Ocean Tuna Commission (IOTC),

RECOGNISING that Article 25 paragraph 3 of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) describes, *inter alia*, forms of cooperation with developing states and the need for assistance relating to collection, reporting, verification, exchange and analysis of fisheries data and related information; and stock assessment and scientific research;

RECALLING that the IOTC Scientific Committee has noted with concern the lack of participants from developing States at its meetings and those of its subsidiary bodies since 2004;

RECALLING ALSO that these concerns have been acknowledged by the Commission since its Seventh Session, and by the IOTC Performance Review Panel in 2009, who reiterated these concerns and recommended that a special fund be established to support the participation of scientists from developing States;

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

1. A special Meeting Participation Fund (MPF) be established for the purposes of supporting scientists and representatives from IOTC Members and Cooperating non-Contracting Parties (CPCs) who are developing States to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties.
2. The MPF shall be financed from an initial allocation of USD200,000 from IOTC's accumulated funds, and subsequently by voluntary contributions from Members and such other sources as the Commission may identify. The Commission will identify, at its 15th Session, a procedure for supplying funds to the MPF in the future.
3. The Fund will be administered by the Secretary, in accordance with the same financial controls as regular budget appropriations.
4. The Secretary shall establish a process for notifying CPCs annually of the level of available funds in the MPF, and provide a timeline and describe the format for the submission of applications for assistance.
5. The Secretary shall submit an annual report to the Commission on the status of the Fund, including a financial statement of contributions to and disbursements from the Fund;
6. The Fund would be utilized, as a first priority, to support the participation of scientists from developing CPCs in scientific meetings of the IOTC, including Working Parties. Those eligible scientists may submit an application for assistance from the Fund. Applicants will be selected by a panel including the Chair of the scientific body concerned, the Secretariat and the Chair of the Scientific Committee, in accordance with the process established in 4 above. Priority will be given to those applicants that will contribute a scientific document on a subject of interest to the meeting they wish to attend. The decision by the Panel shall also take into account the size of the fund and the need for cost-effectiveness. Consideration of applications shall also include an assessment of whether any alternative sources of assistance are available.
7. The remainder of the Fund will be used to finance the participation of one representative per developing CPC to a non-scientific meeting of the Commission, including regular Sessions, if

the CPC intends to present reports relevant to the meeting in question, and provided that the CPC is not eligible for support under the fund established under part VII of the UNFSA.

8. The Fund will be allocated in such a way that no more than 25% of the expenditures of the Fund in one year is used to fund attendance to non-scientific meetings.
9. Applicants should note that alternative avenues of funding are available to developing State Members who wish to send scientists to IOTC scientific meetings. For example, a fund has been established under Part VII of UNFSA to assist developing States that are signatories of the UNFSA to implement its provisions, including participation in the work of Regional Fisheries Management Organisations. For those eligible Members of IOTC, this could provide for an alternative source of funding to participate in meetings of the Commission and subsidiary bodies or to fund attendance at IOTC meetings as training and capacity building required to fulfil the obligations under the UNFSA.

RESOLUTION 10/06

ON REDUCING THE INCIDENTAL BYCATCH OF SEABIRDS IN LONGLINE FISHERIES

The Indian Ocean Tuna Commission (IOTC),

RECALLING *Resolution 08/03 On reducing Incidental Bycatch of Seabirds in longline fisheries*, and in particular, its paragraph 8;

RECOGNISING the need to strengthen mechanisms to protect seabirds in the Indian Ocean;

TAKING INTO ACCOUNT the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds);

NOTING the recommendations of the IOTC Working Party on Ecosystems and Bycatch (WPEB) on measures to mitigate seabird interactions as outlined in their 2007 and 2009 Reports;

ACKNOWLEDGING that to date some IOTC Members and Cooperating non-Contracting Parties (hereinafter referred to as “CPCs”) have identified the need for, and have either completed or are near finalizing, their National Plan of Action on Seabirds;

RECOGNISING the concern that some species of seabirds, notably albatross and petrels, are threatened with global extinction;

NOTING that the Agreement on the Conservation of Albatrosses and Petrels, which opened for signatures at Canberra on 19 June 2001, has entered into force;

NOTING that the ultimate aim of the IOTC and the CPCs is to achieve a zero bycatch of seabirds for fisheries under the purview of the IOTC, especially threatened albatrosses and petrel species in longline fisheries;

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

1. CPCs shall seek to achieve reductions in levels of seabird bycatch across all fishing areas, seasons, and fisheries through the use of effective mitigation measures.
2. Fishing operations shall be conducted in such a way that hooklines¹ sink beyond the reach of seabirds as soon as possible after they are put in the water.
3. CPCs shall as soon as possible and, at the latest before 1 November 2010, ensure that all longline vessels fishing south of 25°S use at least two of the mitigation measures in Table 1 below, including at least one from Column A. Vessels shall not use the same measure from Column A and Column B. Until 31 October 2010, CPCs shall ensure that all longline vessels fishing south of 30°S use at least two of the mitigation measures in Table 1 below, including at least one from Column A. Vessels shall not use the same measure from Column A and Column B.
4. In all other areas, CPCs may require that longline vessels use at least one of the measures in Table 1.
5. Mitigation measures used shall conform to the minimum technical standards for the measures as shown in Annex 1.
6. The design and deployment for bird scaring lines shall meet the specifications provided in Annex 2.
7. CPCs shall provide to the Commission, as part of their annual reports, information on how they are implementing this measure and all available information on interactions with

¹ Hookline is defined as the groundline or mainline to which the baited hooks are attached by snoods.

seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to including details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC area of competence.

8. The Scientific Committee, based notably on the work of the WPEB and information from CPCs, will analyse the impact of this Resolution on seabird bycatch no later than for the 2011 meeting of the Commission. It shall advise the Commission on any modifications that are required, based on experience to date of the operation of the Resolution and/or further international studies or research on the issue, in order to make the Resolution more effective.
9. *Resolution 08/03. On Reducing Incidental Bycatch of Seabirds in Longline Fisheries* is superseded by this Resolution.

Table 1: Seabird mitigation measures

Column A	Column B
Night setting with minimum deck lighting	Night setting with minimum deck lighting
Bird-scaring lines (Tori Lines)	Bird-scaring lines (Tori Lines)
Weighted branch lines	Weighted branch lines
	Blue-dyed squid bait
	Offal discharge control
	Line shooting device

ANNEX I

Mitigation Measure	Description	Specification
Night setting with minimum deck lighting	No setting between nautical dawn and before nautical dusk. Deck lighting to be kept to a minimum	Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date. Minimum deck lighting should not breach minimum standards for safety and navigation.
Bird-scaring lines (tori lines)	A bird-scaring line shall be deployed during longline setting to deter birds from approaching the branch line.	Design and deployment for bird-scaring lines are provided in Annex 2 of this Resolution.
Weighted branch lines	Weights must be attached to all branch lines in accordance with specifications provided	<ul style="list-style-type: none"> – minimum of 45 grams weight attached to all branch lines; – less than 60 grams weight must be within 1 metre of the hook; – 60 grams or greater and less than 98 grams must be within 3.5 metres of the hook; and – 98 grams or greater must be within 4 metres of the hook
Blue-dyed squid bait	All bait must be dyed to the colour and shade shown in the placard provided by the IOTC Secretariat.	The standardized colour shall be equivalent to bait dyed using “Brilliant Blue” food dye (Colour Index 42090, also known as Food Additive Number E133) mixed at 0.5% for a minimum of 20 minutes.
Management of offal discharge	No offal discharge during setting. Strategic offal discharge may occur during hauling.	No offal discharge during setting. Offal discharge during hauling should be avoided if possible. If offal discharge is essential during hauling, it must be from the opposite side of the boat to hauling activity.
Line-setter or line-shooter	Permits a mainline to be set slack (no tension astern)	<p>Position line-setter as close to the water line as feasible.</p> <p>Ensure mainline is pulled at a constant speed and slightly faster than the speed of vessel during line-setting, to ensure lines are set slack to aid sinking rate. Avoid setting into propwash.</p>

ANNEX II

DESIGN AND DEPLOYMENT OF BIRD SCARING LINES (TORI LINES)

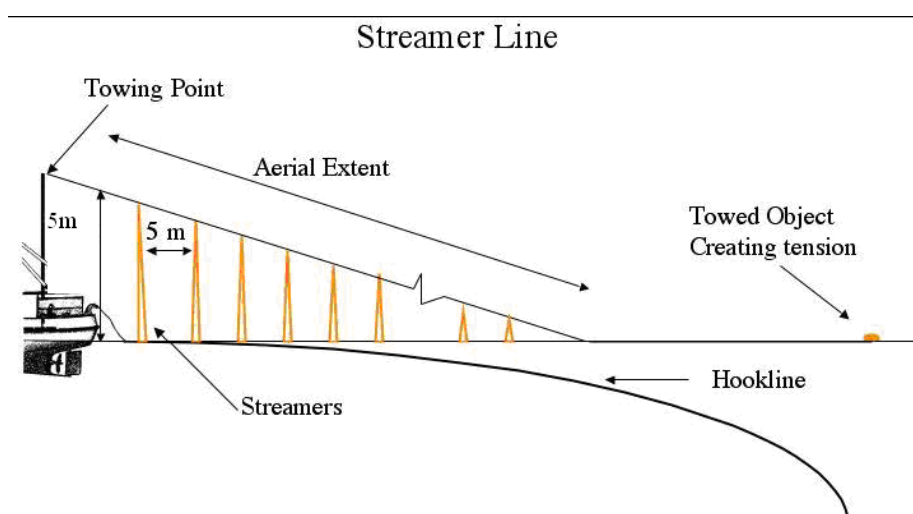
Bird-Scaring Line Design

1. The bird-scaring line shall be a minimum of 100 m in length and if less than 150 m in length will include an object towed at the seaward end to create tension to maximise aerial coverage. The section above water shall be a strong fine line of a conspicuous colour such as red or orange.
2. The above water section of the line shall be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.
3. Streamers for the bird-scaring line shall be made of material that is conspicuous and produces an unpredictable lively action (e.g. strong fine line sheathed in red polyurethane tubing) and shall be suspended in pairs from a robust three-way swivel attached to the bird scaring line and shall hang just clear of the water.
4. There shall be a maximum of 5 m between each streamer pair.
5. The number of streamers shall be adjusted for the setting speed of the vessel, with more streamers necessary at slower setting speeds.

Deployment of Bird scaring Lines

1. The line shall be deployed before longlines enter into the water.
2. The line should have an aerial coverage of at least 100 metres. To achieve this coverage the line shall be suspended from a point a minimum of 5 metres above the water at the stern on the windward side of the point where the branch line enters the water.
3. The bird scaring line shall be set so that streamers pass over baited hooks in the water. The position of the object towed shall be maintained so as to ensure, even during crosswinds, that the aerial extent of the bird-scaring line is over the branch line as far astern of the vessel as possible.
4. Because there is the potential for line breakage and tangling, spare bird scaring lines shall be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted.

Figure 1. Diagram of Bird-scaring Streamer Line.



RESOLUTION 10/07
CONCERNING A RECORD OF LICENSED FOREIGN VESSELS FISHING FOR TUNAS AND
SWORDFISH IN THE IOTC AREA

The Indian Ocean Tuna Commission (IOTC):

RECOGNISING that coastal States have sovereign rights in a 200-nautical mile exclusive economic zone (EEZ) with respect to their natural resources;

CONCIOUS of the provisions of Article 62 of the United Nations Convention on the Law of the Sea;

NOTING that the information on vessels licensed to fish in the exclusive economic zone (EEZ) of IOTC Members and Cooperating non-Contracting Parties (CPCs), constitutes a means to identify potential unreported fishing activities;

MINDFUL of the recommendation 17 of the Performance Review Panel, as listed in Resolution 09/01 On the performance review follow-up, that the obligation incumbent to a flag State to report data for its vessels be included in a separate Resolution from the obligation incumbent on Members to report data on the vessels of third countries they licence to fish in their EEZs.

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

1. All CPCs which issue licenses to foreign flag vessels to fish for tunas and swordfish in the portion of their EEZ that falls within the IOTC Area of Competence (hereinafter referred to as “the Area”), by 15 February every year:
 - Shall submit to the Secretary a list of all foreign flag vessels to which such licences have been issued during the previous year;
2. This list shall contain the following information for each vessel:
 - IOTC Number;
 - Name and registration number;
 - IMO number, if available;
 - The flag at the time of issuing the licence;
 - International radio call sign (if any);
 - Vessel type, length, and gross tonnage (GT);
 - Name and address of owner, and/or charterer and/or operator;
 - Main target species,
 - Period of licence.
3. The Secretary shall circulate this information annually, or upon request, to all CPCs.
4. The CPCs shall notify the Secretary of any information concerning foreign flag fishing vessels that requested a license but are not included in the Record of Authorized Vessels,
5. The information to be provided, shall include for each vessel:
 - a. Name and registration number;
 - b. IMO number, if available;
 - c. The flag at the time of requesting for a license;
 - d. International radio call sign (if any);
 - e. Vessel type, length, and gross tonnage (GT);
 - f. Name and address of owner, and/or charterer and/or operator,
 - g. Main target species.
6. The Secretary shall compile for future consideration by the Compliance Committee information on vessels covered in paragraph 5 whose flag is not identified.

7. IOTC Resolution 07/04 *Concerning registration and exchange of information on vessels fishing for tunas and swordfish in the IOTC Area* is superseded by this Resolution.

RESOLUTION 10/08
CONCERNING A RECORD OF ACTIVE VESSELS FISHING FOR TUNAS AND
SWORDFISH IN THE IOTC AREA

The Indian Ocean Tuna Commission (IOTC):

CONSCIOUS of the duties of every State to exercise effectively its jurisdiction and control over vessels flying its flag;

RECALLING the responsibilities incumbent on States whose vessels fish for highly migratory fish stocks on the high seas;

NOTING that the information about the size of active fleets for implementing the limitation of fishing capacity as set forth in Resolution 09/02 On the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating non-Contracting Parties;

MINDFUL of the recommendation 17 of the Performance Review Panel, as listed in Resolution 09/01 On the performance review follow-up, that the obligation incumbent to a flag State to report data for its vessels be included in a separate Resolution from the obligation incumbent on Members to report data on the vessels of third countries they licence to fish in their exclusive economic zones (EEZs).

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

1. All IOTC Members and Cooperating non-Contracting Parties (CPCs) with vessels fishing for tunas and swordfish in the IOTC Area of Competence (hereinafter referred to as “the Area”), shall submit to the Secretary by 15 February every year a list of their respective vessels that were active in the Area during the previous year and that are:
 - a. larger than 24 metres in length overall, or
 - b. in case of vessels less than 24m, those operating in waters outside the economic exclusive zone of the flag state,
2. These lists shall contain the following information for each vessel:
 - The IOTC number;
 - Name and registration number;
 - IMO number, if available;
 - Previous flag (if any);
 - International radio call sign (if any);
 - Vessel type, length, and gross tonnage (GT);
 - Name and address of owner, and/or charterer, and/or operator;
 - Main target species,
 - Period of authorisation
3. The Secretary shall maintain the IOTC Record of Active Vessels, and take any measure to ensure publicity of the Record and through electronic means, including placing it on the IOTC website, in a manner consistent with confidentiality requirements noted by CPCs.
4. The Secretary shall compile, for consideration by the Compliance Committee, a report on the information submitted by CPCs.
5. The objective of the report shall be to provide the Compliance Committee with an independent evaluation of the level of compliance to this resolution, and other pertinent IOTC resolution(s), by the concerned CPCs.
6. The Compliance Committee shall after its evaluation of the Secretary’s report, make appropriate recommendations to the Commission on actions that should be pursued against the non-complying CPCs. These should include, *inter alia*, taking actions under Resolution 10/10.

7. IOTC Resolution 07/04 *Concerning registration and exchange of information on vessels fishing for tunas and swordfish in the IOTC Area* is superseded by this Resolution.

RESOLUTION 10/09

CONCERNING THE FUNCTIONS OF THE COMPLIANCE COMMITTEE

The Indian Ocean Tuna Commission (IOTC),

CONCERNED that in general the level of compliance within the Commission need to be improved in order to insure the sustainability and a sound management of the IOTC fishing resources.

CONCERNED that the performance Review Panel concluded that there is a poor record of compliance and limited tools for addressing non-compliance.

RECALLING that the Commission expressed its concern about some specific matters and urged all IOTC Members and Cooperating non-Contracting Parties (CPCs) to take the necessary steps to meet IOTC fisheries data requirements:

RECALLING, that the Performance Review Panel found that it is imperative to strengthen the ability of the Compliance Committee to monitor non-compliance and advise the Commission on actions which might be taken in response to non-compliance and sanction mechanisms for non-compliance and provisions for follow-up on infringements should be developed.

AFFIRMING the urgent need that all CPCs ensure the proper implementation of the IOTC legislation.

ADOPTS, in accordance with the provisions of Article IX, paragraph 1 of the IOTC Agreement, the following Terms of reference for the Compliance Committee:

1. Meetings of the Compliance Committee

The meetings of the Compliance Committee shall be held for a period of at least Two (2) days in the week preceding the meeting of the Commission, to assess individual IOTC Members and Co-operating non-Contracting Parties' (hereinafter referred to as "CPCs") compliance and enforcement with their obligations as Members and Cooperating non Members of IOTC. Compliance Committee sessions might also be held, if necessary, during the days of the plenary sessions.

2. Mandate and Objectives of the Compliance Committee

1.1. The Compliance Committee shall be responsible for reviewing all aspects of CPCs individual compliance with IOTC conservation and management resolutions in the IOTC Area.

1.2. The Compliance Committee shall report directly to the Commission on its deliberations and recommendations.

1.3. The Compliance Committee shall cooperate closely with other IOTC subsidiary bodies in order to remain informed on all issues concerning compliance with IOTC conservation and management resolutions.

1.4. The work of the Compliance Committee shall be guided by the following overall objectives:

1.4.1. To provide a structured forum for discussion of all problems related to effective implementation of, and compliance with, IOTC conservation and management resolutions in the IOTC Area;

1.4.2. To gather and review information relevant to compliance with IOTC conservation and management resolutions from IOTC subsidiary bodies, and from Reports of Implementation submitted by CPCs,

1.4.3. To identify and discuss problems related to the implementation of, and compliance with, IOTC conservation and management resolutions, and to make recommendations to the Commission on how to address these problems.

3. The terms of reference of the Compliance Committee shall be to:

1.1 Review each individual CPCs compliance with conservation and management resolutions adopted by the Commission and make such recommendations to the Commission as may be necessary to ensure their effectiveness, notably in relation to:

- i) The mandatory statistical requirements and all issues related to obligatory reporting and data providing, including non targeted species;
- ii) The level of CPCs conformity with conservation resolutions;
- iii) The CPCs conformity with the resolutions concerning the limitation of the fishing capacity;
- iv) The status of implementation of resolutions for monitoring, control, surveillance and enforcement adopted by the Commission (Port inspections, VMS, follow-up on infringements and market related measures);
- v) The reporting on authorised as well as active vessels in IOTC area of competence, in particular in relation to the fishing effort limitation IOTC Resolutions;

1.2 The Compliance Committee shall also be tasked to:

- i) Compile reports, with the help of the IOTC Secretariat, based on information submitted by CPCs in accordance to the various Resolutions adopted by the Commission and, which will form the basis for the compliance examination process;
- ii) Develop a structured, integrated approach to evaluate the compliance of each of the Members against the IOTC Resolutions in force. The Chairman of the Compliance Committee, assisted by the IOTC Secretariat, will identify, select and transmit the significant non compliance issues to each CPC and submit them for discussion at the Compliance Committee meeting;
- iii) Issue its opinion on the compliance status of each CPC at the end of the meeting. Non compliance with the IOTC conservation and management resolutions will lead to a declaration of non compliance by the Compliance Committee and recommend suitable actions for consideration of the Commission;
- iv) Develop a scheme of incentives and sanctions and a mechanism for their application to encourage compliance by all CPCs,
- v) Perform such other tasks as directed by the Commission.

4. Compliance Committee preparatory works:

1.1 In preparation for the meeting of the Compliance Committee the IOTC Secretariat will:

- i) send each CPC, 4 months prior to the annual meeting, a standard questionnaire on compliance with the various IOTC resolutions governing conservation and management for receiving comments and answers from the concerned CPCs within 45 days;
- ii) circulate to all CPCs, 2 months prior the annual meeting, the comments and answers provided by each CPC in response to the questionnaire and invite comments and possible questions from all other CPCs;
- iii) compile CPCs' initial replies to the questionnaire and comments and questions provided by other CPCs in the form of tables that will form the basis for the compliance examination process. These tables will be distributed to CPCs for discussion during the Compliance Committee session.

1.2 The Chairman of the Compliance Committee, assisted by the Secretariat of IOTC, will identify, select and transmit the significant non compliance issues to each concerned CPC and submit them for discussion in the Compliance Committee meeting at least 30 days in advance.

5. Opinion of the Compliance Committee

At the end of the meeting the Compliance Committee shall issue its opinion on the compliance status of each CPC.

6. IOTC Resolution 02/03 concerning *Terms of Reference for the IOTC Compliance Committee* is superseded by this Resolution.

RESOLUTION 10/10

CONCERNING MARKET RELATED MEASURES

The Indian Ocean Tuna Commission (IOTC),

RECALLING that the IOTC adopted Resolution 01/07 concerning its support of the IPOA-IUU Plan,

RECALLING the IOTC Recommendation 03/05 concerning Trade Related Measures and its non-binding nature;

CONSIDERING the calls of the United Nation General Assembly, included in particular in the UNGA Resolutions on Sustainable Fisheries N° 61/105 of 6 December 2006 and N° 62/177 of 18 December 2007, urging States, individually and through Regional Fisheries Management Organisation to adopt and implement trade measures in accordance with international law, including principles, rights and obligations established in World Trade Agreements;

CONSIDERING the need for action to ensure the effectiveness of the IOTC objectives;

CONSIDERING the obligation of all IOTC Members and Co-operating Non-contracting Parties (hereinafter CPCs) to respect the IOTC conservation and management measures;

AWARE of the necessity for sustained efforts by CPCs to ensure the enforcement of IOTC's conservation and management measures, and the need to encourage non-Contracting Parties (NCPs) to abide by these measures;

NOTING that market related measures should be implemented only as last resort, where other measures have proven unsuccessful to prevent, deter and eliminate any act or omission that diminishes the effectiveness of IOTC conservation and management measures;

ALSO NOTING that market related measures should be adopted and implemented in accordance with international law, including principles, rights and obligations established in WTO Agreements, and be implemented in a fair, transparent and non-discriminatory manner.

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

Identification

1. CPCs that import tuna and tuna-like fish products, from the IOTC Area of competence, or in whose ports those products are landed or transhipped, should, as much as possible, collect and examine all relevant data on import, landing or transshipment and associated information and submit the following information to the Commission each year at least 60 days prior to the annual meeting of the Commission:
 - i. Names of the vessels that caught, landed and/or transhipped such tuna or tuna-like species products,
 - ii. Flag States of those vessels,
 - iii. Species of tuna and tuna-like species of the products,
 - iv. Areas of catch (Indian Ocean, or other area),
 - v. Product weight by product type,
 - vi. Points of export,
 - vii. Names and addresses of owners of the vessels,

- viii. Registration number.
2. (a) The Commission, through the Compliance Committee should identify each year:
- i) The CPCs who have repeatedly failed, as stated by the Commission in its annual Plenary, to discharge their obligations under the IOTC Agreement in respect of IOTC conservation and management measures, in particular, by not taking measures or exercising effective control to ensure compliance with IOTC conservation and management measures by the vessels flying their flag; and/or
 - ii) The NCPs who have failed to discharge their obligations under international law to co-operate with IOTC in the conservation and management of tuna and tuna-like species, in particular, by not taking measures or exercising effective control to ensure that their vessels do not engage in any activity that undermines the effectiveness of IOTC conservation and management measures.
- (b) These identifications should be based on a review of all information provided in accordance with paragraph 1 or, as appropriate, any other relevant information, such as: the catch data compiled by the Commission; trade information on these species obtained from National Statistics; the IOTC statistical document programme; the list of the IUU vessels adopted by the IOTC, as well as any other information obtained in the ports and on the fishing grounds.
- (c) In deciding whether to make identification, the Compliance Committee should consider all relevant matters including the history, and the nature, circumstances, extent, and gravity of the act or omission that may have diminished the effectiveness of IOTC conservation and management measures.

Notification

3. The Commission should request CPCs and NCPs concerned to rectify the act or omission identified under paragraph 2 so as not to diminish the effectiveness of the IOTC conservation and management measures.

The Commission should notify identified CPCs and NCPs of the following:

- a) the reason(s) for the identification with all available supporting evidence;
 - b) the opportunity to respond to the Commission in writing at least 30 days prior to the annual meeting of the Commission with regard to the identification decision and other relevant information, for example, evidence refuting the identification or, where appropriate, a plan of action for improvement and the steps they have taken to rectify the situation; and
 - c) in the case of a NCP, an invitation to participate as an observer at the annual meeting where the issue will be considered.
4. The Secretariat should transmit without delay the Commission's request referred to in paragraph 3 to the identified CPC or NCP. The Secretary should seek to obtain confirmation from the CPC or the NCP that it received the notification. Absence of response from the CPC or NCP concerned within the time limit shall not prevent action from the Commission.

Evaluation and possible actions

5. The Compliance Committee should evaluate the response of the CPCs or NCPs referred to in paragraph 3 b), together with any new information, and propose to the Commission to decide upon one of the following actions:

- a) the revocation of the identification;
- b) the continuation of the identification status of the CPC or NCP; or
- c) the adoption of non-discriminatory WTO-consistent market related measures in accordance with Article IX paragraph 1 of the IOTC Agreement.

In the case of CPCs, actions such as the reduction of existing quotas or catch limits should be implemented to the extent possible before consideration is given to the application of market related measures referred to in subparagraph c). Market related measures should be considered only where such actions either have proven unsuccessful or would not be effective.

- 6. The Commission, through the Secretariat, should notify the CPCs and NCPs concerned of its decision and the underlying reasons in accordance with the procedures specified in paragraph 4.
- 7. CPCs should notify the Commission of any measures that they have taken for the enforcement of the non-discriminatory market related measures adopted in accordance with paragraph 5.
- 8. The Commission should establish annually a list of CPCs and NCPs that have been subject to a non-discriminatory market-related measure pursuant to paragraph 5 and, with respect to NCPs, are considered as Non Co-operating Non Contracting Parties to IOTC.

Review of market related measures

- 9. In order for the Commission to adopt the possible lifting of market related measures, the Compliance Committee should review each year all non-discriminatory market related measures adopted in accordance with paragraph 5. Should this review show that the situation has been rectified the Compliance Committee should recommend to the Commission the lifting of the non-discriminatory market related measures. Such decisions should in particular take into consideration whether the CPCs and/or NCPs concerned have demonstrated by submitting the necessary evidence that the conditions that led to the adoption of non-discriminatory market related measures are no longer met.
- 10. Where exceptional circumstances so warrant or where available information clearly shows that, despite the lifting of non-discriminatory market related measures adopted in accordance with paragraph 9, the CPC or NCP concerned continues to diminish the effectiveness of IOTC conservation and management measures, the Commission may immediately decide on action including, as appropriate, the imposition of non-discriminatory market related measures in accordance with paragraph 5. Before making such a decision, the Commission should request the CPC or NCP concerned to discontinue its wrongful conduct and, after verification through the Secretariat that the CPC or NCP concerned has received such communication, should provide the CPC or NCP with an opportunity to respond within 10 working days. Absence of response from the CPC or NCP concerned within the time limit shall not prevent action from the Commission.

RESOLUTION 10/11
**ON PORT STATE MEASURES TO PREVENT, DETER AND ELIMINATE ILLEGAL,
UNREPORTED AND UNREGULATED FISHING**

The Indian Ocean Tuna Commission (IOTC):

DEEPLY CONCERNED about the continuation of illegal, unreported and unregulated fishing in the IOTC Area and its detrimental effect upon fish stocks, marine ecosystems and the livelihoods of legitimate fishers in particular in Small Island Developing States, and the increasing need for food security in the region,

CONSCIOUS of the role of the port State in the adoption of effective measures to promote the sustainable use and the long-term conservation of living marine resources,

RECOGNIZING that measures to combat illegal, unreported and unregulated fishing should build on the primary responsibility of flag States and use all available jurisdiction in accordance with international law, including port State measures, coastal State measures, market related measures and measures to ensure that nationals do not support or engage in illegal, unreported and unregulated fishing,

RECOGNIZING that port State measures provide a powerful and cost-effective means of preventing, deterring and eliminating illegal, unreported and unregulated fishing,

AWARE *of* the need for increasing coordination at the regional and interregional levels to combat illegal, unreported and unregulated fishing through port State measures,

RECOGNIZING the need for assistance to developing countries, in particular Small Island Developing States to adopt and implement port State measures,

TAKING NOTE OF the binding Agreement on port State measures to combat IUU fishing which was adopted and opened for signature within the framework of FAO in November 2009, and desiring to implement this Agreement in an efficient manner in the IOTC Area, ,

BEARING IN MIND that, in the exercise of their sovereignty over ports located in their territory, IOTC Members and Cooperating non-Contracting Parties (CPCs) may adopt more stringent measures, in accordance with international law,

RECALLING the relevant provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, hereinafter referred to as the Convention,

RECALLING the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 December 1995, the Agreement to Promote Compliance with International Conservation and Management Resolutions by Fishing Vessels on the High Seas of 24 November 1993 and the 1995 FAO Code of Conduct for Responsible Fisheries,

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

PART 1

GENERAL PROVISIONS

1. Use of terms

For the purposes of this Resolution:

- (a) “fish” means all species of highly migratory fish stocks covered by the IOTC Agreement;
- (b) “fishing” means searching for, attracting, locating, catching, taking or harvesting fish or any activity which can reasonably be expected to result in the attracting, locating, catching, taking or harvesting of fish;
- (c) “fishing related activities” means any operation in support of, or in preparation for, fishing, including the landing, packaging, processing, transshipping or transporting of fish that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear and other supplies at sea;
- (d) “illegal, unreported and unregulated fishing” refers to the activities set out in paragraph 1 of the Resolution 2009/03;
- (e) “port” includes offshore terminals and other installations for landing, transshipping, packaging, processing, refueling or resupplying; and
- (f) “vessel” means any vessel, ship of another type or boat used for, equipped to be used for, or intended to be used for, fishing or fishing related activities.

2. Objective

The objective of this Resolution is to prevent, deter and eliminate IUU fishing through the implementation of effective port State measures to control the harvest of fish caught in the IOTC Area, and thereby to ensure the long-term conservation and sustainable use of these resources and marine ecosystems.

3. Application

3.1 Each CPC shall, in its capacity as a port State, apply this Resolution in respect of vessels not entitled to fly its flag that are seeking entry to its ports or are in one of its ports, except for:

- (a) vessels of a neighbouring State that are engaged in artisanal fishing for subsistence, provided that the port State and the flag State cooperate to ensure that such vessels do not engage in IUU fishing or fishing related activities in support of such fishing ; and
- (b) container vessels that are not carrying fish or, if carrying fish, only fish that have been previously landed, provided that there are no clear grounds for suspecting that such vessels have engaged in fishing related activities in support of IUU fishing.

3.2 This Resolution shall be applied in a fair, transparent and non-discriminatory manner, consistent with international law.

4. Integration and coordination at the national level

Each CPC shall, to the greatest extent possible:

- (a) integrate or coordinate fisheries related port State measures with the broader system of port State controls;
- (b) integrate port State measures with other measures to prevent, deter and eliminate IUU fishing and fishing related activities in support of such fishing, taking into account as appropriate the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing; and
- (c) take measures to exchange information among relevant national agencies and to coordinate the activities of such agencies in the implementation of this Conservation and Management Resolution.

PART 2

ENTRY INTO PORT

5. *Designation of ports*

- 5.1 Each CPC shall designate and publicize the ports to which vessels may request entry pursuant to this Resolution. Each CPC shall provide a list of its designated ports to IOTC Secretariat before 31 December 2010, which shall give it due publicity on the IOTC website.
- 5.2 Each CPC shall, to the greatest extent possible, ensure that every port designated and publicized in accordance with point 5.1 has sufficient capacity to conduct inspections pursuant to this Resolution.

6. *Advance request for port entry*

- 6.1 Each CPC shall require the information requested in Annex 1 to be provided before granting entry to a vessel to its port.
- 6.2 Each CPC shall require the information referred to in point 6.1 to be provided at least 24 hours before entering into port or immediately after the end of the fishing operations, if the time distance to the port is less than 24 hours. For the latter, the port State must have enough time to examine the above mentioned information.

7. *Port entry, authorization or denial*

- 7.1 After receiving the relevant information required pursuant to section 6, as well as such other information as it may require to determine whether the vessel requesting entry into its port has engaged in IUU fishing or fishing related activities in support of such fishing, each CPC shall decide whether to authorize or deny the entry of the vessel into its port and shall communicate this decision to the vessel or to its representative.
- 7.2 In the case of authorization of entry, the master of the vessel or the vessel's representative shall be required to present the authorization for entry to the competent authorities of the CPC upon the vessel's arrival at port.
- 7.3 In the case of denial of entry, each CPC shall communicate its decision taken pursuant to point 7.1, to the flag State of the vessel and, as appropriate and to the extent possible, relevant coastal States and IOTC secretariat. The IOTC Secretariat may, if deemed appropriate to combat IUU fishing at global level, communicate this decision to Secretariats of other RFMO's.
- 7.4 Without prejudice to point 7.1, when a CPC has sufficient proof that a vessel seeking entry into its port has engaged in IUU fishing or fishing related activities in support of such fishing, in particular the inclusion of a vessel on a list of vessels having engaged in such fishing or fishing related activities adopted by a regional fisheries management organization in accordance with the rules and procedures of such organization and in conformity with international law, the CPC shall deny that vessel entry into its ports.
- 7.5 Notwithstanding points 7.3 and 7.4, a CPC may allow entry into its ports of a vessel referred to in those points exclusively for the purpose of inspecting it and taking other appropriate actions in conformity with international law which are at least as effective as denial of port entry in preventing, deterring and eliminating IUU fishing and fishing related activities in support of such fishing.
- 7.6 Where a vessel referred to in points 7.4 or 7.5 is in port for any reason, a CPC shall deny such vessel the use of its ports for landing, transshipping, packaging, and processing of fish and for other port services including, *inter alia*, refueling and resupplying, maintenance and drydocking. Points 9.2 and 9.3 of section 9 apply *mutatis mutandis* in such cases. Denial of such use of ports shall be in conformity with international law.

8. *Force majeure or distress*

Nothing in this Resolution affects the entry of vessels to port in accordance with international law for reasons of force majeure or distress, or prevents a port State from permitting entry into port to a vessel exclusively for the purpose of rendering assistance to persons, ships or aircraft in danger or distress.

PART 3

USE OF PORTS

9. Use of ports

9.1 Where a vessel has entered one of its ports, a CPC shall deny, pursuant to its laws and regulations and consistent with international law, including this Conservation and management resolution, that vessel the use of the port for landing, transshipping, packaging and processing of fish that have not been previously landed and for other port services, including, *inter alia*, refueling and resupplying, maintenance and drydocking, if:

- a) the CPC finds that the vessel does not have a valid and applicable authorization to engage in fishing or fishing related activities required by its flag State;
- b) the CPC finds that the vessel does not have a valid and applicable authorization to engage in fishing or fishing related activities required by a coastal State in respect of areas under the national jurisdiction of that State;
- c) the CPC receives clear evidence that the fish on board was taken in contravention of applicable requirements of a coastal State in respect of areas under the national jurisdiction of that State;
- d) the flag State does not confirm within a reasonable period of time, on the request of the port State, that the fish on board was taken in accordance with applicable requirements of a relevant regional fisheries management organization; or
- e) the CPC has reasonable grounds to believe that the vessel was otherwise engaged in IUU fishing or fishing related activities in support of such fishing, including in support of a vessel referred to in point 7.4, unless the vessel can establish:
 - i. that it was acting in a manner consistent with relevant IOTC resolutions; or
 - ii. in the case of provision of personnel, fuel, gear and other supplies at sea, that the vessel that was provisioned was not, at the time of provisioning, a vessel referred to in point 4 of paragraph 7.

9.2 Notwithstanding point 9.1, a CPC shall not deny a vessel referred to in that point the use of port services:

- a) essential to the safety or health of the crew or the safety of the vessel, provided these needs are duly proven, or
- b) where appropriate, for the scrapping of the vessel.

9.3 Where a CPC has denied the use of its port in accordance with this paragraph, it shall promptly notify the flag State and, as appropriate, relevant coastal States, IOTC or other regional fisheries management organizations and other relevant international organizations of its decision.

9.4 A CPC shall withdraw its denial of the use of its port pursuant to point 9.1 in respect of a vessel only if there is sufficient proof that the grounds on which use was denied were inadequate or erroneous or that such grounds no longer apply.

9.5 Where a CPC has withdrawn its denial pursuant to point 9.4, it shall promptly notify those to whom a notification was issued pursuant to point 9.3.

PART 4

INSPECTIONS AND FOLLOW-UP ACTIONS

10. Levels and priorities for inspection

- 10.1 Each CPC shall carry out inspections of at least 5% of landings or transshipments in its ports during each reporting year.
- 10.2 Inspections shall involve the monitoring of the entire discharge or transshipment and include a cross-check between the quantities by species recorded in the prior notice of landing and the quantities by species landed or transhipped. When the landing or transshipment is completed, the inspector shall verify and note the quantities by species of fish remaining on board.
- 10.3 National inspectors shall make all possible efforts to avoid unduly delaying a vessel and ensure that the vessel suffers the minimum interference and inconvenience and that degradation of the quality of the fish is avoided.
- 10.4 The port CPC may invite inspectors of other CPC to accompany their own inspectors and observe the inspection of landings or transshipment operations of fishery resources caught by fishing vessels flying the flag of another CPC.

11. Conduct of inspections

- 11.1 Each CPC shall ensure that its inspectors carry out the functions set forth in Annex 2 as a minimum standard.
- 11.2 Each CPC shall, in carrying out inspections in its ports:
- a) ensure that inspections are carried out by properly qualified inspectors authorized for that purpose, having regard in particular to section 14;
 - b) ensure that, prior to an inspection, inspectors are required to present to the master of the vessel an appropriate document identifying the inspectors as such;
 - c) ensure that inspectors examine all relevant areas of the vessel, the fish on board, the nets and any other gear, equipment, and any document or record on board that is relevant to verifying compliance with relevant conservation and management resolutions;
 - d) require the master of the vessel to give inspectors all necessary assistance and information, and to present relevant material and documents as may be required, or certified copies thereof;
 - e) in case of appropriate arrangements with the flag State of the vessel, invite the flag State to participate in the inspection;
 - f) make all possible efforts to avoid unduly delaying the vessel to minimize interference and inconvenience, including any unnecessary presence of inspectors on board, and to avoid action that would adversely affect the quality of the fish on board;
 - g) make all possible efforts to facilitate communication with the master or senior crew members of the vessel, including where possible and where needed that the inspector is accompanied by an interpreter;
 - h) ensure that inspections are conducted in a fair, transparent and non-discriminatory manner and would not constitute harassment of any vessel; and
 - i) not interfere with the master's ability, in conformity with international law, to communicate with the authorities of the flag State.

12. Results of inspections

Each CPC shall, as a minimum standard, include the information set out in Annex 3 in the written report of the results of each inspection.

13. Transmittal of inspection results

- 13.1 The port State CPC shall, within three full working days of the completion of the inspection, transmit by electronic means a copy of the inspection report and, upon request, an original or a certified copy thereof, to the master of the inspected vessel, to the flag State, to the IOTC Secretariat and, as appropriate, to:

- a) the flag State of any vessel that transhipped catch to the inspected vessel;
 - b) the relevant CPCs and States, including those States for which there is evidence through inspection that the vessel has engaged in IUU fishing, or fishing related activities in support of such fishing, within waters under their national jurisdiction; and
 - c) the State of which the vessel's master is a national.
- 13.2 The IOTC Secretariat shall without delay transmit the inspection reports to the relevant regional fisheries management organizations, and post the inspection report on the IOTC website.

14. Training of inspectors

Each CPC shall ensure that its inspectors are properly trained taking into account the guidelines for the training of inspectors in Annex 5. CPC shall seek to cooperate in this regard.

15. Port State actions following inspection

- 15.1 Where, following an inspection, there are clear grounds for believing that a vessel has engaged IUU fishing or fishing related activities in support of such fishing, the inspecting CPC shall:
- a) promptly notify the flag State, the IOTC Secretariat and, as appropriate, relevant coastal States, and other regional fisheries management organizations, and the State of which the vessel's master is a national of its findings; and
 - b) deny the vessel the use of its port for landing, transshipping, packaging and processing of fish that have not been previously landed and for other port services, including, *inter alia*, refueling and resupplying, maintenance and drydocking, if these actions have not already been taken in respect of the vessel, in a manner consistent with this Conservation and Management Resolution.
- 15.2 Notwithstanding point 15.1, a CPC shall not deny a vessel referred to in that point the use of port services essential for the safety or health of the crew or the safety of the vessel.
- 15.3 Nothing in this Resolution prevents a CPC from taking measures that are in conformity with international law in addition to those specified in points 15.1 and 15.2, including such measures as the flag State of the vessel has expressly requested or to which it has consented.

16. Information on recourse in the port State

- 16.1 A CPC shall maintain the relevant information available to the public and provide such information, upon written request, to the owner, operator, master or representative of a vessel with regard to any recourse established in accordance with its national laws and regulations concerning port State measures taken by that CPC pursuant to sections 7, 9, 11 or 15, including information pertaining to the public services or judicial institutions available for this purpose, as well as information on whether there is any right to seek compensation in accordance with its national laws and regulations in the event of any loss or damage suffered as a consequence of any alleged unlawful action by the CPC.
- 16.2 The CPC shall inform the flag State, the owner, operator, master or representative, as appropriate, of the outcome of any such recourse. Where other Parties, States or international organizations have been informed of the prior decision pursuant to sections 7, 9, 11 or 15, the CPC shall inform them of any change in its decision.

PART 5

ROLE OF FLAG STATES

17. Role of CPCs flag States

- 17.1 Each CPCs shall require the vessels entitled to fly its flag to cooperate with the port State in inspections carried out pursuant to this Resolution.
- 17.2 When a CPC has clear grounds to believe that a vessel entitled to fly its flag has engaged in IUU fishing or fishing related activities in support of such fishing and is seeking entry to or is in the port of another State, it shall, as appropriate, request that State to inspect the vessel or to take other measures consistent with this Resolution.
- 17.3 Each CPC shall encourage vessels entitled to fly its flag to land, transship, package and process fish, and use other port services, in ports of States that are acting in accordance with, or in a manner consistent with this Resolution. CPCs are encouraged to develop fair, transparent and non-discriminatory procedures for identifying any State that may not be acting in accordance with, or in a manner consistent with, this Resolution.
- 17.4 Where, following port State inspection, a flag State CPC receives an inspection report indicating that there are clear grounds to believe that a vessel entitled to fly its flag has engaged in IUU fishing or fishing related activities in support of such fishing, it shall immediately and fully investigate the matter and shall, upon sufficient evidence, take enforcement action without delay in accordance with its laws and regulations.
- 17.5 Each CPC shall, in its capacity as a flag State, report to other CPCs, relevant port States and, as appropriate, other relevant States, regional fisheries management organizations and FAO on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to this Resolution, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.
- 17.6 Each CPC shall ensure that measures applied to vessels entitled to fly its flag are at least as effective in preventing, deterring, and eliminating IUU fishing and fishing related activities in support of such fishing as measures applied to vessels referred to in point 3.1.

PART 6

REQUIREMENTS OF DEVELOPING STATES

18. Requirements of developing States

- 18.1 CPCs shall give full recognition to the special requirements of CPCs developing States in relation to the implementation of this Resolution. To this end, IOTC should provide assistance to CPCs developing States in order to, *inter alia*:
- a) enhance their ability, in particular the least-developed among them and small island developing States, to develop a legal basis and capacity for the implementation of effective port State measures;
 - b) facilitate their participation in any international organizations that promote the effective development and implementation of port State measures; and
 - c) facilitate technical assistance to strengthen the development and implementation of port State measures by them, in coordination with relevant international mechanisms.
- 18.2 IOTC shall give due regard to the special requirements of developing CPCs port States, in particular the least-developed among them and small island developing States, to ensure that a disproportionate burden resulting from the implementation of this Resolution is not transferred directly or indirectly to them. In cases where the transfer of a disproportionate burden has been demonstrated, CPCs shall cooperate to facilitate the implementation by the relevant CPCs developing States of specific obligations under this Resolution.
- 18.3 IOTC shall assess the special requirements of CPCs developing States concerning the implementation of this Resolution.
- 18.4 IOTC CPCs shall cooperate to establish appropriate funding mechanisms to assist CPCs developing States in the implementation of this Resolution. These mechanisms shall, *inter alia*, be directed specifically towards:

- a) developing and enhancing capacity, including for monitoring, control and surveillance and for training at the national and regional levels of port managers, inspectors, and enforcement and legal personnel;
- b) monitoring, control, surveillance and compliance activities relevant to port State measures, including access to technology and equipment; and
- c) listing CPCs developing States with the costs involved in any proceedings for the settlement of disputes that result from actions they have taken pursuant to this Resolution.

PART 7

DUTIES OF THE IOTC SECRETARIAT

19. Duties of the IOTC Secretariat

- 19.1 The IOTC Secretariat shall without delay post on the IOTC website:
 - a) the list of designated ports,
 - b) the prior notification periods established by each CPC,
 - c) the information about the designated competent authority in each port State CPC,
 - d) the blank copy of the IOTC Port inspection report form.
 - 19.2 The IOTC Secretariat shall without delay post on the secure part of the IOTC website copies of all Port inspection reports transmitted by port State CPCs.
 - 19.3 All forms related to a specific landing or transshipment shall be posted together.
 - 19.4 The IOTC Secretariat shall without delay transmit the inspection reports to the relevant regional fisheries management organizations.
20. This Resolution enters into force the 01 March 2011 and shall be applied to CPCs' ports within the IOTC area of competence. The CPCs situated outside the IOTC area of competence shall endeavour to apply this Resolution.

ANNEX 1**Information to be provided in advance by vessels requesting port entry**

1. Intended port of call								
2. Port State								
3. Estimated date and time of arrival								
4. Purpose(s)								
5. Port and date of last port call								
6. Name of the vessel								
7. Flag State								
8. Type of vessel								
9. International Radio Call Sign								
10. Vessel contact information								
11. Vessel owner(s)								
12. Certificate of registry ID								
13. IMO ship ID, if available								
14. External ID, if available								
15. IOTC ID								
16. VMS	No		Yes: National		Yes: RFMO(s)		Type:	
17. Vessel dimensions	Length		Beam		Draft			
18. Vessel master name and nationality								
19. Relevant fishing authorization(s)								
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>	<i>Fishing area(s)</i>	<i>Species</i>	<i>Gear</i>			
20. Relevant transshipment authorization(s)								
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>				
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>				
21. Transshipment information concerning donor vessels								
<i>Date</i>	<i>Location</i>	<i>Name</i>	<i>Flag State</i>	<i>ID</i>	<i>Species</i>	<i>Product</i>	<i>Catch area</i>	<i>Quantity</i>
22. Total catch onboard						23. Catch to be offloaded		
<i>Species</i>	<i>Product form</i>	<i>Catch area</i>	<i>Quantity</i>			<i>Quantity</i>		

ANNEX 2

Port State inspection procedures

Inspectors shall:

- a. verify, to the extent possible, that the vessel identification documentation onboard and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;
- b. verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
- c. verify, to the extent possible, that the authorizations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance with Annex 1;
- d. review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or IOTC Secretariat or other relevant regional fisheries management organizations (RFMOs). Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- e. examine, to the extent possible, all relevant fishing gear onboard, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorized for the vessel;
- f. determine, to the extent possible, whether the fish on board was harvested in accordance with the applicable authorizations;
- g. examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;
- h. evaluate whether there is clear evidence for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing;
- i. provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and
- j. arrange, where necessary and possible, for translation of relevant documentation.

ANNEX 3
IOTC Port inspection report form

1. Inspection report no		2. Port State	
3. Inspecting authority			
4. Name of principal inspector		ID	
5. Port of inspection			
6. Commencement of inspection	YYYY	MM	DD HH
7. Completion of inspection	YYYY	MM	DD HH
8. Advanced notification received	Yes		No
9. Purpose(s)	LAN	TRX	PRO OTH (specify)
10. Port and State and date of		YYYY	MM DD
11. Vessel name			
12. Flag State			
13. Type of vessel			
14. International Radio Call Sign			
15. Certificate of registry ID			
16. IMO ship ID, if available			
17. External ID , if available			
18. Port of registry			
19. Vessel owner(s)			
20. Vessel beneficial owner(s), if			
21. Vessel operator(s), if different			
22. Vessel master name and nationality			
23. Fishing master name and nationality			
24. Vessel agent			
25. VMS	No	Yes: National	Yes: RFMOs Type:
26. Status in IOTC, including any IUU vessel listing			
Vessel	RFMO	Flag State	Vessel on authorized Vessel on IUU vessel list

27. Relevant fishing authorization(s)						
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>	<i>Fishing area(s)</i>	<i>Species</i>	<i>Gear</i>	
28. Relevant transshipment authorization(s)						
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>		
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>		
29. Transshipment information concerning donor vessels						
<i>Name</i>	<i>Flag State</i>	<i>ID no</i>	<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity</i>
30. Evaluation of offloaded catch (quantity)						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity offloaded</i>	<i>Difference between quantity declared and quantity determined, if any</i>	
31. Catch retained onboard (quantity)						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity retained</i>	<i>Difference between quantity declared and quantity determined, if any</i>	
32. Examination of logbook(s) and other documentation				<i>Yes</i>	<i>No</i>	<i>Comments</i>
33. Compliance with applicable catch documentation scheme(s)				<i>Yes</i>	<i>No</i>	<i>Comments</i>
34. Compliance with applicable trade information scheme(s)				<i>Yes</i>	<i>No</i>	<i>Comments</i>
35. Type of gear used						
36. Gear examined in accordance with paragraph e) of Annex 2			<i>Yes</i>	<i>No</i>	<i>Comments</i>	
37. Findings by inspector(s)						
38. Apparent infringement(s) noted including reference to relevant legal instrument(s)						
39. Comments by the master						
40. Action taken						
41. Master's signature						
42. Inspector's signature						

ANNEX 4

Information systems on port State measures

In implementing this Conservation and Management Resolution, each CPC shall:

- a) seek to establish computerized communication;
- b) establish, to the extent possible, websites to publicize the list of ports designated in accordance with point 5.1 and the actions taken in accordance with the relevant provisions of this Conservation and Management Resolution;
- c) identify, to the greatest extent possible, each inspection report by a unique reference number starting with 3-alpha code of the port State and identification of the issuing agency;
- d) utilize, to the extent possible, the international coding system below in Annexes 1 and 3 and translate any other coding system into the international system.

countries/territories:	ISO-3166 3-alpha Country Code
species:	ASFIS 3-alpha code (known as FAO 3-alpha code)
vessel types:	ISSCFV code (known as FAO alpha code)
gear types:	ISSCFG code (known as FAO alpha code)

ANNEX 5

Guidelines for the training of inspectors

Elements of a training programme for port State inspectors should include at least the following areas:

1. Ethics;
2. Health, safety and security issues;
3. Applicable national laws and regulations, areas of competence and conservation and management resolutions of the IOTC, and applicable international law;
4. Collection, evaluation and preservation of evidence;
5. General inspection procedures such as report writing and interview techniques;
6. Analysis of information, such as logbooks, electronic documentation and vessel history (name, ownership and flag State), required for the validation of information given by the master of the vessel;
7. Vessel boarding and inspection, including hold inspections and calculation of vessel hold volumes;
8. Verification and validation of information related to landings, transshipments, processing and fish remaining onboard, including utilizing conversion factors for the various species and products;
9. Identification of fish species, and the measurement of length and other biological parameters;
10. Identification of vessels and gear, and techniques for the inspection and measurement of gear;
11. Equipment and operation of VMS and other electronic tracking systems; and
12. Actions to be taken following an inspection.

RESOLUTION 10/12
ON THE CONSERVATION OF THRESHER SHARKS (FAMILY ALOPIIDAE) CAUGHT IN
ASSOCIATION WITH FISHERIES IN THE IOTC AREA OF COMPETENCE

The Indian Ocean Tuna Commission (IOTC),

RECALLING that the IOTC Resolution 05/05 concerning the conservation of sharks caught in association with fisheries managed by IOTC;

CONSIDERING that thresher sharks of the family Alopiidae are caught as by-catch in the IOTC Agreement area;

NOTING that at its 2009 Meeting of the Working Party on Ecosystem and Bycatch recognized that full stock assessments on sharks may not be possible because of data limitations and that it is essential that some stock assessment evaluation should be carried out;

NOTING that the international scientific community points out that the bigeye thresher shark (*Alopias superciliosus*) is particularly endangered and vulnerable;

CONSIDERING that it is difficult to differentiate between the various species of thresher sharks without taking them on board and that such action might jeopardize the survival of the captured individuals;

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

1. This measure shall apply to all fishing vessels on the IOTC Record of authorised Vessels.
2. Fishing Vessels flying the flag of an IOTC Member and Cooperating non-Contracting Parties (CPCs) are prohibited from retaining on board, transshipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family Alopiidae.
3. CPCs shall require vessels flying their flag to promptly release unharmed, to the extent practicable, thresher sharks when brought along side for taking on board the vessel.
4. CPCs shall encourage their fishermen to record incidental catches as well as live releases. These data will be then kept at the IOTC secretariat.
5. Recreational and sport fishing shall release alive all caught animals of thresher sharks of all the species of the family Alopiidae. In no circumstances specimen shall be retained on board, transshipped, landed, stored, sold or offered for sale. The CPCs shall ensure that both recreational and sport fishermen carrying out fishing with high risk of catching thresher sharks are equipped with instruments suitable to release alive the animals.
6. CPCs shall, where possible, implement research on sharks of the species *Alopias* spp, in the Convention area in order to identify potential nursery areas. Based on this research, CPCs shall consider time and area closures and other measures, as appropriate.
7. The Contracting Parties, Co-operating non-Contracting Parties, especially those directing fishing activities for sharks, shall submit data for sharks, as required by IOTC data reporting procedures (including estimates of dead discard and size frequencies), in advance of the 2011 Scientific Committee meeting.

RECOMMENDATION 10/13
ON THE IMPLEMENTATION OF A BAN ON DISCARDS OF SKIPJACK TUNA, YELLOW FIN TUNA, BIGEYE TUNA AND NON TARGETED SPECIES CAUGHT BY PURSE SEINERS

The Indian Ocean Tuna Commission (IOTC):

RECOGNIZING the need for action to ensure the achievement of IOTC objectives to conserve and manage skipjack, yellow fin and bigeye tuna in the IOTC Area of Competence;

RECOGNIZING that the international community has recognized both ethical concerns and policy regarding discards of species in several international instruments and statements, including United Nations General Assembly resolutions (A/RES/49/118 (1994); A/RES/50/25 (1996); A/RES/51/36 (1996); A/RES/52/29 (1997); A/RES/53/33 (1998); A/RES/55/8 (2000); and A/RES/57/142 (2002)), United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea (UNCLOS) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (United Nations Fish Stocks Agreement); The Rome Consensus on World Fisheries adopted by the FAO Ministerial Conference on Fisheries, Rome, 14–15 March 1995; the Code of Conduct for Responsible Fisheries, the FAO International Plan of Action (IPOA) on sharks; the Convention on Biological Diversity (CBD);

RECALLING that the United Nations Fish Stock Agreement has underlined the importance of ensuring the conservation and optimum utilization of highly migratory species through the action of regional fishery bodies such as the IOTC, and provides that “*States should minimize ... discards, ..., catch of non target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species ...*”;

RECALLING that The Rome Consensus on World Fisheries adopted by the FAO Ministerial Conference on Fisheries, Rome, 14–15 March 1995, provides that “*States should...reduce bycatches, fish discards...* ”;

RECALLING that the FAO Code of Conduct for Responsible Fisheries provides that “*States should take appropriate measures to minimize waste, discards...collect information on discards ...; ... take account of discards (in the precautionary approach) ...; develop technologies that minimize discards ...; use of selective gear to minimize discards*”;

CONCERNED about the morally unacceptable waste and the impact of unsustainable fishing practices upon the oceanic environment, represented by the discarding of tunas and non-target species in the purse-seine fishery for tunas in the Indian Ocean;

CONSIDERING the important volume of tuna and non targeted species discarded in the purse-seine fishery for tunas in the Indian Ocean;

RECOMMENDS, in accordance with the provisions of Article IX, paragraph 8 of the IOTC Agreement, the following:

Retention of tuna species

1. Contracting Parties and Cooperating non-Contracting Parties should encourage all purse-seine vessels to retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption.
2. Procedures for the implementation of full retention requirements include:
 - a. No bigeye, skipjack, and/or yellowfin tuna caught by purse-seine vessels may be discarded after the point in the set when the net is fully pursed and more than one half of the net has been retrieved. If equipment malfunctions affect the process of pursing

and retrieving the net in such a way that this rule cannot be complied with, the crew must make efforts to release the tuna as soon as possible.

- b. The following two exceptions to the above rule shall apply:

Where it is determined by the captain of the vessel that tuna (bigeye, yellowfin or skipjack) caught are unfit for human consumption, the following definitions shall be applied:

- "unfit for human consumption" includes, but is not limited to, fish that:
 - is meshed or crushed in the purse-seine; or
 - is damaged due to depredation; or
 - has died and spoiled in the net where a gear failure has prevented both the normal retrieval of the net and catch, and efforts to release the fish alive;
- "unfit for human consumption" does not include fish that:
 - is considered undesirable in terms of size, marketability, or species composition; or
 - is spoiled or contaminated as the result of an act or omission of the crew of the fishing vessel.

Where the captain of a vessel determines that tuna (bigeye, yellowfin or skipjack) was caught during the final set of a trip and there is insufficient well space to accommodate all tuna (bigeye, yellowfin or skipjack) caught in that set. This fish may only be discarded if:

- the captain and crew attempt to release the tuna (bigeye, yellowfin or skipjack) alive as soon as possible
- and no further fishing is undertaken after the discard until the tuna (bigeye, yellowfin or skipjack) on board the vessel has been landed or transshipped.

Retention of species other than those specified under Para 2, a)

3. Contracting Parties and Cooperating non-Contracting Parties should encourage all purse-seine vessels to retain on board and then land all non targeted species (other tunas, rainbow runner, dolphinfish, triggerfish, billfish, wahoo, and barracuda) except fish considered unfit for human consumption (as defined in paragraph 2, b), i). A single exception shall be the final set of a trip, when there may be insufficient well space remaining to accommodate all the fish caught in that set.

Implementation

4. Contracting Parties and Cooperating non-Contracting Parties should encourage full compliance by their respective fleets with the requirements of this recommendation.
5. Contracting Parties and Cooperating non-Contracting Parties are encouraged to take appropriate actions to promote better data collection and reporting on discards from all gears, to allow the WPEB to estimate the level of discards of both purse seine and longline fisheries.
6. The Scientific Committee is encouraged to provide advice at its 2010 session, on the management of discards in both purse seine and longline fisheries.

APPENDIX IX

STATEMENT OF THE IOTC PLENARY ON PIRACY IN THE WESTERN PART OF THE IOTC AREA OF COMPETENCE

The Indian Ocean Tuna Commission "IOTC" recalls both its statements on piracy off the coast of Somalia issued in May 2008 and March 2009. Regrettably, cases of piracy against humanitarian, commercial and fishing vessels off the coast of Somalia have not declined over the last year. The Commission continues to be deeply concerned by this upsurge of acts of piracy which put at risk the delivery of humanitarian assistance to the population of Somalia and which has had a serious impact in particular on merchant shipping and also on legitimate fishing activities in the western part of the IOTC area of competence according to international laws and regulations and where their activities are monitored by IOTC members in accordance with its management measures.

The IOTC welcomes the adoption of United Nations Security Council Resolutions 1814, 1816, 1838, 1846, 1851 and 1897 on piracy off the coast of Somalia and urges all States to continue and increase contributing to their rapid and effective implementation. The implementation of these resolutions helps to ensure the protection of fishermen (of various nationalities) from piracy, and enable them to carry out their fishing activities on which depend a significant amount of economic activities in Coastal countries of the Indian Ocean. The IOTC expresses its satisfaction with the ongoing efforts of organisations and states contributing to fight piracy off the coast of Somalia. It calls for the international community to devote sufficient means to fully implement the above-mentioned UNSC resolutions.

In addition the IOTC recalls the relevant provisions included in the United Nations Convention on the Law of the Sea (UNCLOS), notably those included in its article 105, for fighting acts of piracy and calls on State parties to that Convention to take the necessary action in their national legislations to make full use of those provisions.

The IOTC also reiterates the efforts made by the International Maritime Organisation "IMO", particularly the sub-regional meeting held in January 2009 in Djibouti, where a code of conduct on maritime security, piracy and armed robbery against ships for States from the Western Indian Ocean and Gulf of Aden areas was concluded.

The IOTC calls for full implementation by all crew members and fishermen of the "best maritime practices" as agreed by the international maritime community. The IOTC reminds the importance of prompt reporting of incidents of piracy and armed robbery, including attempts, thus providing timely and accurate information on the scope of the problem. Sharing relevant information with coastal States and other States potentially affected by such incidents is crucial to addressing the issue; in this context the IOTC commends the important role of the IMO in order to enhance the implementation of the Djibouti Code of Conduct as far as the establishment of a Training Centre in Djibouti and an Information Sharing Centre in Sana'a are concerned and the related financial support provided by Japan and the European Union.

The IOTC calls on the International Community to give all its support to ensure the safety of all fishing vessels and their crew in the region from acts of piracy.

APPENDIX X
STATEMENT OF AUSTRALIA ON THE RESOLUTION 10/12 *ON THE*
CONSERVATION OF THRESHER SHARKS (FAMILY ALOPIIDAE) CAUGHT IN
ASSOCIATION WITH FISHERIES IN THE IOTC AGREEMENT AREA

1. Australia's view is that, as drafted, the measure would do little to ameliorate the impacts of longline fishing on sharks, including those of conservation concern. The draft measure no longer includes requirements for hammerhead sharks – these are species of considerable international concern and focus, most immediately, a proposal to list hammerheads in Appendix II of CITES will be decided later this month.
2. There is a further issue of particular concern to coastal States such as Australia regarding the mandate of the IOTC to agree binding measures on the recreational and sports fishers of a CPC, activities that take place within the coastal waters of the CPC. This issue has not been explicitly considered by the IOTC and is a necessary step before Australia could agree to imposing measures on our recreational fishers such as proposed in this draft resolution.
3. Australia has an active and well regulated recreational and sports fishing sector. This sector has a strong record of implementing measures to address concerns about the conservation status of various species. We continue to work with our recreational and sports fishing sector on approaches to improving conservation outcomes for shark species identified to be of concern.
4. We have worked closely with the European Union over the past week to suggest language that would strengthen the draft measure and address some of these concerns. While our position had been to delete all references to recreational and sports fishing from the draft resolution, we have worked in good faith with other delegations to try and find compromise text which balanced different interests. None of these suggestions are included in the revised draft tabled by the EU – yet suggestions from other CPCs that weaken the measure have been included.
5. Australia worked with other CPCs at last year's annual meeting to bring forward a strengthened measure to address shark conservation in the Indian Ocean, which was opposed by certain CPCs – we reluctantly respected the constraints that some CPCs had at that meeting. Our concerns with this draft should not be misunderstood by anyone here as a reluctance by Australia to protect shark species.