



**EUROPEAN COMMISSION**  
**DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES**  
**INTERNATIONAL AFFAIRS AND MARKETS**  
**INTERNATIONAL AFFAIRS, LAW OF THE SEA AND REGIONAL FISHERIES**  
**ORGANISATIONS**

Brussels,  
MARE /B-1 OF/

Mr. Rondolph PAYET  
IOTC Executive Secretary  
P.O. Box 1011  
Fishing Port - Victoria  
SEYCHELLES

**Subject: Report of implementation**

Dear Mr. Payet,

In accordance to the article X.2 of the IOTC Agreement, please find enclosed the EU Report of implementation of IOTC conservation and management measures for the year 2013.

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

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

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

Yours sincerely,



Seppo NURMI  
Head of EU Delegation to IOTC



## **Report of Implementation for the year 2013**

**DEADLINE FOR SUBMISSION OF THE REPORT 2 APRIL 2014**

Reporting CPC: European Union

Date: March 2014

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*Please NOTE: this document is composed of 3 sections to report on the implementation of IOTC resolutions*

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

1. Resolution 13/01 On the removal of obsolete Conservation and Management Measures  
EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU stakeholders have fully implemented this resolution.
2. Resolution 13/02 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence<sup>a</sup>  
EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. The EU has fully implemented this resolution, including the new provisions regarding the templates of the official authorisations to fish outside national Jurisdictions.
3. Resolution 13/03 On the recording of catch and effort data by fishing vessels in the IOTC Area of Competence<sup>a</sup>  
EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. The EU has fully implemented this resolution, including the new provisions regarding the submission of the logbook templates to the Secretariat.
4. Resolution 13/04 On the conservation of cetaceans  
EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. The EU has fully implemented this resolution, including the new provisions regarding the submission of the logbook templates to the Secretariat.



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5. Resolution 13/05 On the conservation of whale sharks (*Rhincodon typus*)

EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU related stakeholders are applying the provisions of this resolution and are requested to report any incident occurring with whale sharks and other relevant information.

6. Resolution 13/06 On a scientific and management framework on the conservation of shark species caught in association with IOTC managed Fisheries

EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU related stakeholders have been requested to fully apply the provisions of this resolution and to report, where possible, information on incidental catches.

EU scientists are actively participating in research and scientific work related to the implementation of this measure.

7. Resolution 13/07 Concerning a record of licensed foreign vessels fishing for IOTC species in the IOTC Area of Competence and access agreement information <sup>a</sup>

EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. The EU has fully implemented this resolution by sending information on fisheries agreements, including updates in 2013.

NB in 2013 there were no foreign fishing vessels authorised to fish in the EU EEZ in the Indian Ocean (Mayotte was a French Overseas Territory until the end of 2013).

8. Resolution 13/08 Procedures on a fish aggregating devices (FADs) management plan, including more detailed specifications of catch reporting from fad sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species

EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. The EU has implemented this resolution, including the obligations to submit DFAD management plans that will be updated soon according to IOTC standards.

9. Resolution 13/09 On the conservation of albacore caught in the IOTC Area of Competence

EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management



Measure adopted by the IOTC. The EU stakeholders will apply the provisions of this resolution whenever in force.

EU scientists are actively participating in the scientific works related to the implementation of this resolution.

**10. Resolution 13/10 On interim target and limit reference points and a decision framework**

EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. The EU stakeholders will apply the provisions of this resolution whenever in force.

**11. Resolution 13/11 On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna, and a recommendation for non-targeted species caught by purse seine vessels in the IOTC Area of Competence**

EU Member States and EU Operators in the Indian Ocean have been officially informed of this resolution and must comply with its provisions and with any related Conservation and Management Measure adopted by the IOTC. EU related stakeholders are applying the provisions of this resolution.

Note: <sup>a</sup> indicate that a template report exists for some of the requirements and can be requested at [secretariat@iotc.org](mailto:secretariat@iotc.org)



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

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

Furthermore:

- (EU) Council Regulation N° 520/2007 which lays down technical measures for the conservation of certain stocks of highly migratory species transposed all IOTC technical measures adopted prior to and including 2006.
- (EU) Council Regulation N° 1936/2001 amended by the Council Regulation (EC) N° 869/2004 transposed all IOTC control and surveillance measures adopted prior to and including 2003.
- (EU) Council Regulation N° 43/2014, and similar (EU) Council Regulations adopted in previous years, fixing for the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements transposed in particular the IOTC Resolution 12/11, and related previous resolutions as well as other instruments to freeze fishing effort in the IOTC area of competence and protection of IOTC species or other species caught in association with IOTC fisheries.
- The main IOTC Resolutions for vessel recording, port inspections, IUU fisheries, driftnets, transshipments, vessels monitoring system, shark finning, precautionary approach, discards and recording of catches and logbooks are transposed into EU legislation through the EU general Fisheries Regulations.
- The EU adopted a new Regulation (REGULATION (EU) No 1380/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL) on the Common Fisheries Policy that applies to all EU fishing vessels operating in IOTC. A copy of this new regulation is attached to this report.

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

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

Moreover, with effect from 1 January 2014, Mayotte ceased to be an overseas country or territory and became an outermost region of the European Union. Under these circumstances, Mayotte is no



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longer part of France, on behalf of its overseas territories, as an IOTC Contracting Party and became part of the European Union as an IOTC Contracting Party.



**Part C.** Data and information reporting requirements for CPCs to be included in this report (please refer to the *section April 2014 of the Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties*).

- Resolution 01/06 Concerning the IOTC bigeye tuna statistical document programme

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

**The report has already been provided to the IOTC Secretariat:**

Yes ☒

**Date of reporting (DD/MM/YYYY):** Due to the specific nature of the EU - 28 Member States (4 involved in IOTC fisheries) - the reports and/or information on bigeye statistical documents have been submitted to the IOTC at different dates.

No ☐

**The report is attached to the implementation report:**

Yes ☐

No ☒

**Additional information:**

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

The EU also reports informally statistical information to the IOTC secretariat. Any further specific information will be transmitted to the IOTC secretariat before the 2014 annual session.

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

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

The provisions of the Recommendation 05/07 match the EU fisheries legislation and therefore the IOTC management standards are fulfilled by the EU fleet operating in the Indian Ocean.

Furthermore, EU vessels fishing in high seas are also subject to control and legislation of the Indian Ocean coastal states having Fisheries Partnership Agreements with the EU.

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

- Resolution 10/06 On Reducing the Incidental Bycatch of Seabirds in Longline Fisheries

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 seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to



include details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC Area of Competence.

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

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

- Resolution 10/10 Concerning market related measures

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

**The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2013 have already been provided to the IOTC Secretariat:**

Yes ☒

**Date of reporting (DD/MM/YYYY):** Due to the specific nature of the EU - 28 Member States (4 involved in IOTC fisheries) - the reports and/or information on imports, landing or transhipments have been submitted to the IOTC at different dates.

No ☐

**The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2013 is attached to the implementation report:**

Yes ☐

No ☒

**Additional information:**

Some foreign vessels have landed their catches in the EU port in the region. General information has been reported to IOTC secretariat. Prior to the 2014 annual session, specific additional information will be transmitted to the IOTC secretariat.

There are no foreign vessels operating in the EU EEZ in the IOTC area of competence. Information on EU imports and exports has been provided to the secretariat and further specific information will be transmitted to the IOTC secretariat before the 2014 annual session.

- Resolution 11/04 On a Regional observer scheme

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

EU Member States are implementing this Resolution, whether by new observer missions or by continuing the observation measures already in place. Actually, EU Member States are implementing





gradually the regional observer programme. The EU respects the overall coverage requirements. Implementing reports and activities are reported separately or through the Scientific Committee.

The acts of piracy have triggered for the time being the suspension, at least partially, of the observation programme in the area affected by piracy (purse seiners in particular). However, some self-sampling initiatives (purse seiners and longliners) have been undertaken by some masters, in close coordination with national authorities, and the existing sampling activities at port remain as in the previous years. With the substantial reduction of pirate attacks in 2013, the observer missions in the zone affected by piracy are resuming considerably.

With regard to longliners, EU Member States are implementing their respective actions to carrying out the regional observer programme. Global coverage by EU fleet exceeds the 5% requirements in this resolution. Relevant information, if any, will be submitted to the IOTC secretariat before the annual meeting.

- Resolution 12/04 On marine turtles

CPCs shall report to the Commission, in accordance with Article X of the IOTC Agreement, their progress of implementation of the FAO Guidelines and this Resolution.

EU has reported information on sea turtles along the intersessional period, notably referring to incidents and encounters with turtles.

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

- Resolution 12/05 On establishing a programme for transshipment by large-scale fishing vessels

Each flag CPC of the LSTV shall include in its annual report each year to IOTC the details on the transshipments in ports by its vessels (Name of LSTV, IOTC Number, name of carrier vessel, species and quantity transhipped, date and location of transshipment). *[A template report exists].*

**The details on transshipment in ports for 2013 have already been provided to the IOTC Secretariat:**

Yes ☒

**Date of reporting (DD/MM/YYYY):** Due to the specific nature of the EU - 28 Member States (4 involved in IOTC fisheries) - the reports and/or information on transshipments have been submitted to the IOTC at different dates.

No ☐

**The details on transshipment in ports for 2013 are attached to the implementation report:**

Yes ☐

No ☒

Additional information:

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- Resolution 12/12 To Prohibit the use of large-scale driftnets on the high seas in the IOTC Area

CPCs shall include in their Annual Reports a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing on the high seas in the IOTC area of competence.

For the EU, only purse seiners and longliners operate in Indian Ocean's high seas and therefore there are no gillnets or driftnets used by EU operators in the fisheries regulated by the IOTC. Moreover, the use of driftnets longer than 2.5 Km is prohibited for EU operators in accordance with Council Regulation (EC) No 894/97 of 29 April 1997 laying down certain technical measures for the conservation of fishery resources.

- Resolution 12/13 For the Conservation and Management of Tropical Tunas Stocks in the IOTC Area of Competence

CPCs flag states shall monitor the compliance of their vessels with this Resolution 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. *[A template report exists].*

**The summary of VMS records has already been provided to the IOTC Secretariat for:**

**Longline vessels** ☒ **Date of reporting (DD/MM/YYYY):** Due to the specific nature of the EU - 28 Member States (4 involved in IOTC fisheries) - the reports and/or information on the VMS records have been submitted to the IOTC at different dates.

**Purse seine vessels** ☒ **Date of reporting (DD/MM/YYYY):** Idem

**The summary of VMS records is attached to the implementation report:**

Yes ☐

No ☒

**Additional information:**

EU fishing authorities have monitored its vessels activities and took the necessary legal and administrative measures to implement the closures foreseen in the Resolution 12/13, informed all interested parts as well as the IOTC secretariat.

- Resolution 13/04 On the conservation of cetaceans

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels.

See Part A Resolution 13/04, all information related to cetaceans encircled by purse seiners will be transmitted to the Scientific Committee through the EU Scientific report. EU stakeholders are requested to apply the provisions of this resolution, report any incident with cetaceans and other relevant information on the application of this resolution.

- Resolution 13/05 On the conservation of whale sharks (*Rhincodon typus*)



CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels.

See Part A Resolution 13/05, all information related to whale sharks encircled by purse seiners will be transmitted to the Scientific Committee through the EU Scientific report. EU stakeholders are requested to apply the provisions of this resolution, report any incident with whale sharks and other relevant information on the application of this resolution.

- Resolution 13/07 Concerning A Record Of Licensed Foreign Vessels Fishing For IOTC Species In The IOTC Area Of Competence And Access Agreement Information

For Government to Government access agreement in existence prior to the entry into force of this resolution, where coastal CPCs allow foreign-flagged vessels to fish in waters in their EEZ in the IOTC Area for species managed by IOTC through a CPC-to-CPC agreement, CPCs involved in the referred agreement:

- Shall submit copy of the access agreement,
- Shall submit information concerning these agreements (paragraphs 3a, b, c, d, e, f, g),

*A report template exists and can be requested at [secretariat@iotc.org](mailto:secretariat@iotc.org)*

The EU has reported all information regarding its access agreement, including updates in 2013.

In 2013 there were neither foreign fishing vessels authorised individually to fish in the EU EEZ in the Indian Ocean nor any agreement allowing foreign vessels to operate in the EU EEZ (We remind that Mayotte was still a French Overseas Territory in 2013).