

Report of the Eleventh Session of the Compliance Committee

Colombo, Sri Lanka 26–28 May 2014

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ACRONYMS

CMM	Conservation and Management Measure (of the IOTC; Resolutions and Recommendations)
CoC	Compliance Committee of the IOTC
CPCs	Contracting Parties and Cooperating non-Contracting Parties
EEZ	Exclusive Economic Zone
FAD	Fish Aggregation Device
FAO	Food and Agriculture Organization of the United Nations
IOC	Indian Ocean Commission
IOTC	Indian Ocean Tuna Commission
ISSF	International Seafood Sustainability Foundation
IUU	Illegal, unreported and unregulated
LSTLV	Large-scale tuna longline vessel
OPRT	Organisation for the Promotion of Responsible Tuna Fisheries
PEW	PEW Charitable Trust
ROP	Regional Observer Programme
ROS	Regional Observer Scheme
SC	Scientific Committee of the IOTC
UNCLOS	United Nations Convention on the Law of the Sea
VMS	Vessel Monitoring System

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EXECUTIVE SUMMARY

The Eleventh Session of the Compliance Committee (CoC) of the Indian Ocean Tuna Commission (IOTC) was held in Colombo, Sri Lanka from the 26–28 May 2014. The welcome address was given by the Director General of the Department of Fisheries and Aquatic Resources, Mr. Nimal Hettiarachchi, Sri Lanka. The meeting was opened by the Chair, Mr. Herminio Tembe (Mozambique). A total of 122 delegates attended the Session, composed of 96 delegates from 25 Contracting Parties (Members) of the Commission, 1 delegate from 1 of the 2 Cooperating Non-Contracting Parties and 16 delegates from 7 Observers (including 9 invited experts).

([para. 2](#)) The CoC **RECALLED** that the purpose of the meeting is to strengthen compliance amongst Members, i.e. Contracting Parties, and Cooperating Non-Contracting Parties (CPCs) by firstly reviewing progress made during the 2013/2014 intersessional period, identifying outstanding issues of non-compliance as well identifying the challenges and difficulties that each CPC and notably developing coastal States are facing in enforcing and complying with IOTC Conservation and Management Measures (CMMs), and finally to encourage such improvement during the next intersessional period.

The following are a subset of the complete recommendations from the CoC11 to the Commission, which are provided at [Appendix IX](#).

Identification of possible infringements under the Regional observer programme

([para. 69](#)) The CoC **RECOMMENDED** that those CPCs identified in paper IOTC-2014-CoC11-08c Rev_1 and Add_1, a summary of possible infractions of IOTC regulations by large-scale fishing vessels (LSTLVs/carrier vessels), which have not submitted any response to the Committee investigate and report back to the IOTC via the Secretariat, the findings of their investigations, within three months of the end of the 18th Session of the Commission, by submitting reports on the follow-up on the irregularities identified. In order to assist with the comprehensive evaluation of any alleged infringement, copies of the logbooks, VMS plots, licenses and any other relevant documents should be provided by the flag States, as necessary.

Review of options for a regional high-seas boarding and inspection scheme for the IOTC area

([para. 110](#)) The CoC **RECOMMENDED** the creation of either an informal, inter-sessional working group to discuss further the '*Regional high-seas boarding and inspection scheme*' involving interested CPCs, or via the proposed Working Party on Compliance (IOTC-2014-S18-PropQ), if adopted by the Commission, in order to develop the guideline further and subsequent proposal for a Conservation and Management Measure. If a separate working group is formed, then the group should meet, to the extent possible, via electronic means to minimise costs.

([para. 113](#)) The CoC **RECOMMENDED** that all CPCs inform fishing vessel owners, companies and agents of the advisability of reporting intention to transit through another CPCs waters, and to provide details of the reporting formats, such as that for UK(OT) contained in Circular 2013–51.

([para. 114](#)) The CoC **RECOMMENDED** that all CPCs inform fishing vessel owners, companies and agents of the requirements to comply with IOTC CMMs and to include this within terms and conditions of licencing and fisheries legislation.

([para. 115](#)) The CoC **RECOMMENDED** that all IOTC coastal State enforcement bodies consider completing a common 'Reporting Form for Activity Not Compliant with IOTC Resolutions' for any inspections carried out on board vessels in transit through their waters, and report a summary of this to IOTC Secretariat for the CoC, at least annually.

([para. 116](#)) The CoC **RECOMMENDED** that as part of its review and consolidation of IOTC CMMs the Commission should revise all relevant CMMs such that they apply to any vessel, irrespective of its size, registered on the IOTC Record of Vessels which operate in the IOTC area of competence and which fish outside their national fisheries jurisdiction for species covered by the IOTC Agreement.

Activities by the Secretariat in Support of Capacity Building for Developing CPCs

([para. 129](#)) The CoC **RECOMMENDED** that the Commission consider its continued support of the work of the Secretariat in 2014/15, to allow it to undertake additional capacity building missions to improve the implementation of CMMs by IOTC Members, and to consider further developing the plan of work for 2014/15.

Adoption of the Report of the 11th Session of the Compliance Committee

([para. 145](#)) The CoC **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC11, provided at [Appendix IX](#).

1. OPENING OF THE SESSION

1. The Eleventh Session of the Compliance Committee (CoC) of the Indian Ocean Tuna Commission (IOTC) was held in Colombo, Sri Lanka from the 26–28 May 2014. The welcome address was given by the Director General of the Department of Fisheries and Aquatic Resources, Mr. Nimal Hettiarachchi, Sri Lanka. The meeting was opened by the Chair, Mr. Herminio Tembe (Mozambique). A total of 122 delegates attended the Session, composed of 96 delegates from 25 Contracting Parties (Members) of the Commission, 1 delegate from 1 of the 2 Cooperating Non-Contracting Parties and 16 delegates from 7 Observers (including 9 invited experts). The list of participants is provided at [Appendix I](#).
2. The CoC **RECALLED** that the purpose of the meeting is to strengthen compliance amongst Members, i.e. Contracting Parties, and Cooperating Non-Contracting Parties (CPCs) by firstly reviewing progress made during the 2013/2014 intersessional period, identifying outstanding issues of non-compliance as well identifying the challenges and difficulties that each CPC and notably developing coastal States are facing in enforcing and complying with IOTC Conservation and Management Measures (CMMs), and finally to encourage such improvement during the next intersessional period.

2. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

3. The CoC **ADOPTED** the Agenda as provided at [Appendix II](#). The documents presented to the CoC are listed at [Appendix III](#).

3. ADMISSION OF OBSERVERS

4. **NOTING** Rule XII.2 of the IOTC Rules of Procedure which states that ‘*The procedures of subsidiary bodies of the Commission established in accordance with paragraph 5 of Article XII of the Agreement shall be governed mutatis mutandis by the Rules of procedure of the Commission.*’ and pursuant to Article VII of the Agreement establishing the IOTC, the CoC **ADMITTED** the following observers, as defined in Rule XIII of the IOTC Rules of Procedure:
 - i. Djibouti
 - ii. Russian Federation
 - iii. Indian Ocean Commission (IOC)
 - iv. International Seafood Sustainability Foundation (ISSF)
 - v. Organisation for the Promotion of Responsible Tuna Fisheries (OPRT)
 - vi. PEW Charitable Trusts (PEW)

Invited experts

- i. Invited experts from Taiwan, Province of China

4. OVERVIEW OF THE IMPLEMENTATION OF IOTC CONSERVATION AND MANAGEMENT MEASURES

4.1 Summary report on the level of compliance

5. The CoC **NOTED** paper IOTC–2014–CoC11–03 Rev_1 which summarised the level of compliance by IOTC Contracting Parties (Members) and Cooperating Non-Contracting Parties (CNCP), collectively termed CPCs, to some of the more prominent IOTC Resolutions adopted by the Commission. The report is based on information available to the Secretariat as of 16th April 2014.
6. The CoC **NOTED** that although there has been a continued improvement in the levels of compliance by some CPCs in 2013, there are still many CPCs not meeting their obligations to provide information under the various CMMs covered in the paper. Some of the required information is not only important to ensure the completeness of datasets, but also to allow the CoC to fully assess the level of compliance of CPCs with the CMMs to monitor the catch and capacity of fleets actively fishing for tuna and tuna-like species under the mandate of IOTC.
7. The CoC **REMINDED** all CPCs of the need to respect the deadlines of the process established in Resolution 10/09 *Concerning the functions of the Compliance Committee*, para. 4.

4.2 IOTC regional observer programme for at-sea transshipments

8. The CoC **NOTED** paper IOTC–2014–CoC11–04a Rev_1 and 4b which provided reports on establishing an observer programme to monitor at-sea transshipment by large-scale fishing vessels in the IOTC area of competence and in particular the alleged cases of non-compliance (see section 7).
9. The CoC **NOTED** that nine fleets have submitted information on carrier vessels authorised to receive at-sea transshipments from their large-scale tuna longline fishing vessels (LSTLVs). This represents a total of 44 carrier vessels that have been expressly authorised to receive at-sea transshipments from participating fleets in the programme.

10. The CoC **NOTED** that in 2013, a total of 47 (up from 45 in 2012 and 42 in 2011) observer deployments were approved; this excluded deployments that were approved in late 2012, but continued into 2013. A total of 852 (up from 801 in 2012 and 770 in 2011) transshipment operations were observed, in which 47,035 t (up from 43,339 in 2012 and 37,443 t in 2011) of fish were transhipped. Bigeye tuna was the main species transhipped; accounting for 42.5% (55% in 2012) of all fish transhipped. This was followed by albacore and yellowfin tuna which accounted for 15.4% (9.3% in 2012) and 14.7% (16.3% in 2012) respectively. Overall, tuna and billfishes accounted for 74.8% of all species transhipped. In comparison to 2012, the quantity of fish transhipped during 2013 has slightly increased.
11. **NOTING** with concern that there are two CPCs (Indonesia, Tanzania) with LSTLVs participating in the transshipment programme that have not yet submitted their list of authorised carrier vessels to the Secretariat as required by IOTC Resolution 12/05, the CoC **REQUESTED** that the two CPCs do so as soon as possible.

4.3 Review of reference fishing capacity and fleet development plans (FDP)

12. The CoC **NOTED** papers IOTC–2014–CoC11–05 Rev_1 and 05 Add_1, which summarise the information available to the Secretariat in accordance with IOTC Resolution 12/11 *On the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating Non-Contracting Parties*, to assist CPCs in assessing compliance with the limitation on fishing capacity, in particular with the provisions of paragraph 1 of the Resolution ([Appendix IV](#))
13. The CoC **NOTED** that the trends in overall fishing capacity can be assessed by comparing the active capacity in 2013 with the reference active capacity in 2006 or 2007. Capacity in 2013 reflects a decrease in fishing pressure, relative to 2006 or 2007 levels. In case of differences between CPCs records and IOTC records of active capacity for reference years, CPCs are encouraged to work with the Secretariat to resolve those differences as soon as possible.
14. **NOTING** that five CPCs (Belize, India, Malaysia, Pakistan and Vanuatu) have yet to provide a list of their active vessels in 2013, the CoC **REQUESTED** that these CPCs do so during the current Session in consultation with the Secretariat.
15. The CoC **NOTED** that in relation to tropical tunas, the results indicate that the active capacity in 2013 (516,233 t) has decreased relative to the baseline capacity of 2006 (576,163 t), and it was just over half the reference limit capacity of 933,662 t, that was expected for 2013. The lower than expected value is the results of reductions in capacity of most fleets, and also the failure of the majority of CPCs with a fleet development plan, to implement the plan.
16. The CoC **NOTED** that as has been the case over the last few years, the level of activities in the swordfish and albacore fisheries has remained relatively low compared to the baseline capacities. Three CPCs that have not recorded a baseline capacity for these fisheries have indicated, in their revised fleet development plans, that they will introduce vessels in the fishery in the coming years.
17. The CoC **REQUESTED** that the Secretariat ensure that an evaluation of the effectiveness of CPC's implementation of Resolution 12/11, including the state of play of FDP implementation since 2009, be included in the terms of reference for the second performance review of the IOTC.

5. NATIONAL REPORTS ON THE PROGRESS OF IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES

18. The CoC **NOTED** that in 2014, a total of 25 national 'Reports of Implementation' were provided by CPCs (25 Members and zero Cooperating Non-Contracting Parties), down from 27 in 2013 and 28 in 2012. The CoC stressed the importance of the timely submission of national 'Reports of Implementation' by all CPCs and urged those CPCs who did not meet their reporting obligations in this regard (Eritrea, Guinea, Pakistan, Sierra Leone, Sudan, Yemen, Senegal and South Africa), to provide a national Report of Implementation to the Secretariat as soon as possible.
19. The CoC **REMINDED** CPCs of their obligation under Article X.2 of the IOTC Agreement to transmit to the Commission a national 'Reports of Implementation' on the actions it has taken to make effective the provisions of the IOTC Agreement and to implement CMMs adopted by the Commission. Such 'Reports of Implementation' shall be sent to the Executive Secretary of the Commission not later than 60 days before the date of the following regular session of the Commission.
20. The CoC **AGREED** that specifics relating to each national 'Reports of Implementation' would be considered in conjunction with Agenda item 6, on the country based Compliance Reports prepared by the Secretariat.

Recommendation/s

21. The CoC **RECOMMENDED** that those CPCs who have not submitted their national ‘Reports of Implementation’ for 2014 should do so as soon as possible. The Chair of the CoC, with the assistance of the IOTC Secretariat shall follow-up with each such CPC to ensure a national ‘Reports of Implementation’ is submitted for publication on the IOTC website and to inform CPCs via an IOTC Circular once each is received.

6. REVIEW OF THE COUNTRY BASED COMPLIANCE REPORTS – RES. 10/09

6.1 Review of individual CPC Compliance Status against IOTC Conservation and Management Measures

22. The CoC **NOTED** the country based Compliance Reports (IOTC–2014–CoC11–CR01 to CR33) for each CPC, and thanked the Secretariat for developing the reports.
23. The CoC **WELCOMED** the progress made by each CPC on compliance with IOTC CMMs in 2013/2014 and encouraged each CPC to continue their efforts to improve compliance during the intersessional period.
24. The CoC **AGREED** that the development of these reports, based on the Compliance Questionnaire, in addition to the discussion on the identification of areas of non-compliance, was aimed at improving the understanding and implementation of IOTC CMMs by all CPCs.
25. The CoC **AGREED** to individually assess Contracting Parties and Cooperating Non-Contracting Parties (CPCs) for their respective compliance with IOTC CMMs and associated reporting requirements. Based on the CPC presentations, and the examination of the country based Compliance Report and the national ‘Reports of Implementation’, the CoC **NOTED** substantial variations in the degree of compliance by the CPCs.
26. The CoC **NOTED** the clarification sought by the Rep. of Korea on the interpretation of paragraph 3 of Resolution 13/06 *On a scientific and management framework on the Conservation of sharks species caught in association with IOTC managed fisheries*. The Rep. of Korea suggested the paragraph 3 (*prohibition on oceanic whitetip sharks*) be interpreted as a voluntary measure, not a compulsory one since it contains the language “*an interim pilot measure*”, that suggest the paragraph is not legally binding on Contracting Parties (Members).
27. The CoC **INVITED** the Secretariat to present information on the fleets from Taiwan, Province of China operating in the IOTC area of competence. Taiwan, Province of China has a large fleet of longliners operating in the Indian Ocean, landing around 47,035 t of tuna and tuna-like species annually. The CoC asked the invited experts from Taiwan, Province of China to provide an overview of the actions that they have taken to comply with all IOTC CMMs.
28. The CoC **NOTED** the actions taken by the fleet of longliners from Taiwan, Province of China, to comply with IOTC CMMs. A ‘Report of Implementation’, made available by Taiwan, Province of China to the Secretariat, can be made available to CPCs upon request.

6.2 Identification of eventual non-compliance cases, CPC information on their compliance status (reasons, problems, etc.)

29. The CoC **NOTED** the responses from CPCs on non-compliance issues and **AGREED** to include responses and difficulties in implementation being experienced by each CPC in the ‘Letter of feedback on compliance issues’.

6.3 Discussion on follow-up on individual compliance status (intersessional process, and 2014 Compliance Committee discussions)

30. The CoC **AGREED** that the individual compliance status should be summarised and will constitute the content of the ‘feedback letters on compliance issues’, that will be addressed to the Heads of Delegation during the 18th Session of the Commission (S18) by the Chair of the Commission, including the challenges being experienced by CPCs in implementing the IOTC CMMs.
31. The CoC **NOTED** that eight CPCs (Members: Eritrea, Guinea, Pakistan, Sierra Leone, Sudan, Vanuatu and Yemen; CNCs: South Africa) were not present at CoC11 and **AGREED** that attendance by all CPCs at each CoC meeting is essential to the effective operation of the Commission.
32. The CoC **NOTED** the advice from the Scientific Committee [IOTC–2013–SC16–R, Section 6 National reports] that catch statistics for some CPCs are very incomplete which does not enable its use for the scientific purposes of the Commission. Given the size of the fisheries for some of these CPCs, the lack of reporting is likely to have a major impact on the management of the stocks. It was also highlighted that it is important to have rapid and tangible progress on recurrent non-compliance records, notably concerning MCS and implementation of the regional observer scheme.

33. The CoC **NOTED** with concern that the majority of CPCs with fisheries for neritic tuna and billfish, were failing in their reporting on mandatory statistics for these fisheries and that this situation raises concerns over the status of the stocks of these species.
34. The CoC **REQUESTED** that the Chair of the CoC would provide questions in writing to each of the CPCs who were not in attendance at the CoC meeting. For those CPCs who attend S18, this would be done during the first day of the meeting. For those CPCs who do not attend S18, the ‘letter of feedback on compliance issues’ would be sent by the IOTC Chair following the Commission meeting and would include an expression of concern given the CPCs absence from the IOTC meetings.
35. The CoC **RECALLED** that the Commission adopted a deadline of 60 days before the annual Session of the Commission, for all CPCs to respond to the ‘feedback letters on compliance issues’ from the Commission and based on the deliberations of the CoC each year.

Recommendation/s

36. The CoC **RECOMMENDED** that the Commission agree to the development and distribution of letters of feedback by the IOTC Chair, highlighting areas of non-compliance to relevant CPCs, together with the difficulties and challenges being faced.
37. The CoC **RECOMMENDED** that the Commission consider developing follow-up actions on the issues contained in the letters of feedback, including potential capacity building activities to address these matters, particularly for developing coastal States.
38. **NOTING** that there are practical limitations of time prior to the CoC meeting for the Secretariat to prepare, and CPCs to review the country compliance reports, the CoC **RECOMMENDED** that the Commission consider as a basis for discussion, the text contained in [Appendix V](#).
39. **NOTING** that there are 10 carrier vessels operating under the ROP that are flagged to a non-CPC of the IOTC (Panama), the CoC **RECOMMENDED** that vessels involved in at-sea transshipment operations flagged to non-CPCs shall not be allowed to operate in the IOTC area of competence.

7. REVIEW OF ADDITIONAL INFORMATION RELATED TO IUU FISHING ACTIVITIES IN THE IOTC AREA OF COMPETENCE

40. The CoC **NOTED** papers IOTC–2014–CoC11–08a Rev_1 and 8a Add_1 which outline reports of possible IUU fishing activities in the IOTC area of competence from three CPCs. Since the reporting CPCs have not requested that the concerned vessels be placed on the IOTC Draft IUU Vessels List, the information is for the consideration of CPCs and for them to take any action that they may feel is appropriate, at the 11th Session of the Compliance Committee.

7.1 SAMUDERA PASIFIC No. 8 and BERKAT MENJALA No. 23

41. The CoC **NOTED** the information provided by South Africa regarding the absconded stateless longline fishing vessels *SAMUDERA PASIFIC No. 8* and *BERKAT MENJALA No. 23*. It is suspected that the two vessels are the same vessels currently listed in the IOTC Record of Authorised Vessels, under IOTC number 003948 and IOTC number 008284, respectively, and flagged to Indonesia.
42. The CoC **NOTED** the feedback from Indonesia which confirmed that the two vessels were flagged to Indonesia. Indonesia also indicated that although the two vessels had since been sold to Taiwan, Province of China on May 2013, but which had been allowed to operate under an Indonesian issued license to fish in the IOTC area of competence. Following the report to Indonesia from South Africa, the licence to fish had been cancelled.
43. **NOTING** the feedback from the Invited Experts, who requested that Indonesia provide relevant documents for the purpose of investigation, and that Indonesia had provided such information, the CoC **REQUESTED** that the matter be re-tabled at the next CoC Session.

7.2 SHUEN SIANG

44. The CoC **NOTED** the information provided by Sri Lanka regarding the longline vessel *SHUEN SIANG*, presumed to be flagged to Belize, but with no history of registration on the IOTC record of authorised vessels. Belize confirmed that the vessel is not registered to Belize, nor has it ever been registered as a Belize flagged vessel. It was suggested that the vessel should be considered for addition to the IUU vessels list as it is considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.

Recommendation/s

45. The CoC **RECOMMENDED** that the Commission consider adding the *SHUEN SIANG* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

7.3 HOOM XIANG 101, HOOM XIANG 103 and HOOM XIANG 105

46. The CoC **NOTED** the information provided by Malaysia regarding the three vessels *HOOM XIANG 101*, *HOOM XIANG 103* and *HOOM XIANG 105*, flagged to Malaysia which have landed catch in Sri Lankan ports during the year 2012, despite being removed from the IOTC record of authorised vessels in December 2011.
47. The CoC **AGREED** that the vessels should be considered for addition to the provisional IUU list as they are considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.

Recommendation/s

48. The CoC **RECOMMENDED** that the Commission consider adding the *HOOM XIANG 101*; *HOOM XIANG 103* and *HOOM XIANG 105* on the IOTC IUU Vessels List.

7.4 NAHAM No. 4

49. The CoC **NOTED** the information provided by South Africa regarding the vessel *NAHAM No. 4* flagged to Oman. The vessel along with its catch have been forfeited to South Africa.
50. The CoC **NOTED** the information provided by Oman on the *NAHAM No. 4*. On the basis of the information presented, Oman requested that the CoC not list the vessel on the Provisional IOTC IUU Vessels List as the case is still under investigation.
51. The CoC **REQUESTED** that South Africa engage with Oman to clarify the situation regarding the vessel *NAHAM No. 4*. Once the matter has been further clarified, these details should be communicated to the CoC and Commission via the process described in Resolution 11/3 *Establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence*.
52. The CoC **AGREED** that as the information had not been submitted to the Secretariat in accordance with the deadline outlined in Resolution 11/03, the vessel cannot be considered for addition to the provisional IUU list. If South Africa would like the CoC to consider the case further, the necessary documentation should be resubmitted prior to the next CoC in accordance with Resolution 11/03.

7.5 Follow-up actions on the decisions of the 17th Session of the Commission

53. The CoC **NOTED** paper IOTC–2014–CoC11–08b which provides information from the United Kingdom (OT) on IUU fishing in the waters of the Chagos archipelago by fishing vessels flagged to Sri Lanka.
54. The CoC **RECALLED** that the UK(OT) and Sri Lankan Authorities had established a bilateral mechanism for exchanging information on IUU vessels from 2011, and which was further reinforced following the discussions held in Fremantle in 2012 and Mauritius in 2013. This mechanism has been working well and closer collaboration with the Sri Lankan authorities is welcomed in order to combat IUU.
55. The CoC **ENCOURAGED** Sri Lanka to continue their work in improving compliance with IOTC CMMs by their fleets and to work closely with other CPCs and the Secretariat, as they have done in 2012 and 2013.
56. The CoC **NOTED** the statements from Mauritius and the United Kingdom (OT) provided at [Appendix VI](#).

Recommendation/s

57. The CoC **RECOMMENDED** that Sri Lanka continues to provide monthly reports for vessels found guilty of IUU activities in UK(OT) waters over the past 3 years (i.e. since 2011).
58. The CoC **RECOMMENDED** that in November 2014, Sri Lanka provides to the IOTC Secretariat for circulation to the Commission, a further six monthly update on the implementation of their Roadmap of activities for combating IUU fishing. Details, such as copies of the amended High Seas Fishing Act, should be made available immediately.

7.6 Possible infractions reported by observers under the IOTC Transshipment Programme

59. The CoC **NOTED** paper IOTC–2014–CoC11–08c Rev_1 which provided a summary of possible infractions of IOTC regulations by large-scale fishing vessels (LSTLVs/carrier vessels), as recorded by observers deployed under the Programme during 2013, in line with the requirement of IOTC Resolution 12/05 *On establishing a programme for transshipment by large-scale fishing vessels*.
60. The CoC **NOTED** that a total of 840 possible infractions were recorded in 2013 (up from 169 in 2012 and 84 in 2011). These possible infractions were recorded and communicated to the concerned fleets participating in the Programme, as and when the concerned deployment reports were approved by the Secretariat. The possible infractions consisted of the following:
- 549 (77 in 2012) cases where vessel skippers failed to provide fishing logbooks for inspection, or the logbooks were not printed and bound.
 - 157 (40 in 2012) related to marking of vessels.

- c) 85 (36 in 2012) inspections where vessel skippers failed to provide valid fishing licenses or authorizations to fish.
- d) 43 (12 in 2012) vessels where there was either no VMS on board or where the VMS was not in operation.
- e) 2 (0 in 2012) related to non-reporting of catch in logbooks.
- f) 1 (3 in 2012) related to vessels not on the IOTC Record of Authorised Vessels.
- g) 1 (0 in 2012) for aggressive behaviour of the captain of a carrier vessel.
- h) 1 (0 in 2012) relating to transshipment declaration (no completed by carrier vessel captain).
- i) 1 (0 in 2012) for a large-scale longline vessel receiving a transshipment at-sea.

61. **NOTING** that all observer reports for the IOTC at-sea transshipment Programme, are forwarded to the countries concerned for information, the CoC **REQUESTED** countries to review the reports and follow-up on the irregularities identified, where required. In order to facilitate this task, the IOTC Secretariat shall continue to highlight the issues identified by observers when sending the reports to the fleets concerned.

7.7 Identification of possible infringements under the Regional observer programme

62. The CoC **NOTED** paper IOTC-2014-CoC11-08c Add_1 which provided a summary of repeated cases of possible infringements of IOTC regulations by large-scale fishing vessels (LSTLVs/carrier vessels), as recorded by observers deployed under the Programme during 2013, in line with the requirement of IOTC Resolution 12/05 *On establishing a programme for transshipment by large-scale fishing vessels*.
63. The CoC **NOTED** that seven fleets have a record of repeated possible infringements and four fleets have no record of repeated infringement in 2013 (Belize, Indonesia, Rep. of Korea and Thailand).
64. The CoC **NOTED** that four fleets have LSTLVs with 43 records of repeated possible infringements in 2013 that have record of possible infringements in 2012 (IOTC IOTC-2014-CoC11-08c Add_1).
65. The CoC **NOTED** that four fleets have LSTLVs with 12 records of repeated possible infringements in 2013, but did not tranship in 2012 or there is no record of possible infringement in 2012 (IOTC IOTC-2014-CoC11-08c Add_1).
66. The CoC **NOTED** paper IOTC-2014-CoC11-08c Add_2 which outlined a response to the possible infractions, received from Thailand on 16 May 2014. It is additional information to the Appendix III responses received from CPCs after the deadline of 25/02/2014 of the paper IOTC-2014-CoC11-08c Rev_1.
67. The CoC **NOTED** the additional information provided by a range of CPCs in regard to the possible infringements outlined in papers IOTC-2014-CoC11-08c Rev_1 and Add_1. All CPCs committed to investigate the possible infractions with the aim of reducing or eliminating infractions in the near future.
68. The CoC **NOTED** the additional information from the Invited Experts who also committed to investigating the possible infractions for their vessels with the aim of reducing or eliminating infractions in the near future.

Recommendation/s

69. The CoC **RECOMMENDED** that those CPCs identified in paper IOTC-2014-CoC11-08c Rev_1 and Add_1, a summary of possible infractions of IOTC regulations by large-scale fishing vessels (LSTLVs/carrier vessels), which have not submitted any response to the Committee investigate and report back to the IOTC via the Secretariat, the findings of their investigations, within three months of the end of the 18th Session of the Commission, by submitting reports on the follow-up on the irregularities identified. In order to assist with the comprehensive evaluation of any alleged infringement, copies of the logbooks, VMS plots, licenses and any other relevant documents should be provided by the flag States, as necessary.
70. The CoC **NOTED** the possibility that vessels with repeated possible infringements be requested to be timely inspected at port.
71. **NOTING** the confusion among many CPCs regarding what certain terms mean, the CoC **RECOMMENDED** that there should be a requirement for all Conservation and Management Measures to use a set of clear definitions. The Compendium Working Group should develop the definitions for them to be added to the IOTC website and the Compendium of CMMs.

8. REVIEW OF THE PROVISIONAL IUU VESSELS LIST AND OF THE INFORMATION SUBMITTED BY CPCs RELATING TO ILLEGAL FISHING ACTIVITIES IN THE IOTC AREA OF COMPETENCE – RES. 11/03

72. The CoC **NOTED** paper IOTC-2014-CoC11-07 Rev_1 which outlined the Provisional IUU Vessels List, and includes both the current list of IUU vessels as well as those proposed for inclusion in the IOTC IUU Vessels list,

in accordance with Paragraph 7 of IOTC Resolution 11/03 *On establishing a list of vessels presumed to have carried out illegal, unregulated and unreported fishing in the IOTC Area.*

8.1 2012 IOTC IUU Vessels List - review

8.1.1 Ocean Lion (Flag unknown)

73. The CoC **NOTED** that no new information was available regarding the *Ocean Lion*, a longline fishing vessel of an unknown flag state.

Recommendation/s

74. The CoC **RECOMMENDED** that the *Ocean Lion* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

8.1.2 Yu Maan Won (Flag unknown)

75. The CoC **NOTED** that no new information was available regarding the *Yu Maan Won*, a longline fishing vessel of an unknown flag state.

Recommendation/s

76. The CoC **RECOMMENDED** that the *Yu Maan Won* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

8.1.3 Gunuar Melyan 21 (Flag unknown)

77. The CoC **NOTED** that no new information was available regarding the *Gunuar Melyan 21*, a longline fishing vessel of an unknown flag state.

Recommendation/s

78. The CoC **RECOMMENDED** that the *Gunuar Melyan 21* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

8.1.4 Hoom Xiang II (Flag unknown)

79. The CoC **NOTED** that no new information was available regarding the *Hoom Xiang II*, a longline fishing vessel of an unknown flag state.

Recommendation/s

80. The CoC **RECOMMENDED** that the *Hoom Xiang II* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

8.1.5 FU HSIANG FA No. 21 (Flag unknown)

81. The CoC **NOTED** that no new information was available regarding the *FU HSIANG FA No. 21*, a longline fishing vessel of an unknown flag state.

Recommendation/s

82. The CoC **RECOMMENDED** that the *FU HSIANG FA No. 21* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

8.1.6 FULL RICH (Flag unknown)

83. The CoC **NOTED** that no new information was available regarding the *FULL RICH*, a longline fishing vessel of an unknown flag state.

Recommendation/s

84. The CoC **RECOMMENDED** that the *FULL RICH* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

8.2 Provisional IUU Vessels List - Consideration of other vessels

85. The CoC **NOTED** both the evidence provided for the inclusion of new vessels on the IOTC IUU Vessels List, and the response received from the flag State as summarised in the sections below. The final Provisional IUU Vessels List is provided in [Appendix VII](#) for the consideration of the Commission, based on the recommendations of the CoC11.

8.2.1 Vessels with flag unknown

86. The CoC **NOTED** the information provided by Belize in support of the proposed IUU listing for 20 vessels with flag unknown, in accordance with Paragraph 7 of IOTC Resolution 11/03.

- | | |
|------------------------|----------------|
| a) FU HSIANG FA NO. 01 | (Flag unknown) |
| b) FU HSIANG FA NO. 02 | (Flag unknown) |
| c) FU HSIANG FA NO. 06 | (Flag unknown) |
| d) FU HSIANG FA NO. 08 | (Flag unknown) |
| e) FU HSIANG FA NO. 09 | (Flag unknown) |
| f) FU HSIANG FA NO. 11 | (Flag unknown) |
| g) FU HSIANG FA NO. 13 | (Flag unknown) |
| h) FU HSIANG FA NO. 17 | (Flag unknown) |
| i) FU HSIANG FA NO. 21 | (Flag unknown) |
| j) FU HSIANG FA NO. 23 | (Flag unknown) |
| k) FU HSIANG FA NO. 26 | (Flag unknown) |
| l) FU HSIANG FA NO. 30 | (Flag unknown) |
| m) SRI FU FA 18 | (Flag unknown) |
| n) SRI FU FA 67 | (Flag unknown) |
| o) SRI FU FA 168 | (Flag unknown) |
| p) SRI FU FA 188 | (Flag unknown) |
| q) SRI FU FA 189 | (Flag unknown) |
| r) SRI FU FA 286 | (Flag unknown) |
| s) SRI FU FA 888 | (Flag unknown) |
| t) FU HSIANG FA NO. 20 | (Flag unknown) |

Recommendation/s

87. The CoC **RECOMMENDED** that the Commission consider adding the vessels detailed in [para. 86](#) on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

8.2.2 QIAN YUAN (Flagged to Cambodia)

88. The CoC **NOTED** the information provided by Mozambique in support of a proposed IUU listing for the *QIAN YUAN*, a carrier vessel flying the flag of Cambodia.

89. The CoC **NOTED** the information provided by China on the *QIAN YUAN*, which described the situation from the perspective of the China. The vessel is a cargo/carrier vessel owned by a Chinese company, and based in Hong Kong. The Qian Yuan supplied food to Chinese flag vessels and no transshipment of tuna and tuna-like species occurred during that period. Fisheries and Customs authorities of China confirmed that no tuna and tuna-like species was landed at the end of that trip. On the basis of the information presented, China requested that the CoC does not list the vessel on the Provisional IUU Vessels List.

90. Some CPCs **NOTED** that the information provided during the Session was insufficient to clarify the matter further and as such, it was considered appropriate to keep the vessel on the Provisional IUU Vessels List and that China provides the information on the results of the investigation.

91. The CoC **AGREED** that the flag State is responsible for responding to any requests for information regarding a possible infraction by the vessel, in this case Cambodia.

92. The CoC **NOTED** that China will provide to Mozambique and the IOTC Secretariat, within 30 days, the full report on their investigation including VMS track and the list of vessels supplied in the IOTC area of competence, and any other relevant information.

Recommendation/s

93. The CoC was unable to reach a conclusion and therefore, **RECOMMENDED** that the Commission consider whether the vessel *QIAN YUAN* be retained on the Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until such an investigation and until further information is provided, and in the absence of these requirement the vessel should be moved onto the IOTC IUU Vessels List.

94. The CoC **RECOMMENDED** that the IOTC Secretariat contact Cambodia to ask that they apply to become a Contracting Party of the IOTC and register its carrier vessels that are supplying fishing vessels listed on the IOTC Record of Authorised Vessels and fishing in the IOTC area of competence.

8.2.3 MAAN YIH FENG (Flagged to Taiwan, Province of China)

95. The CoC **NOTED** the information provided by the UK(OT) in support of a proposed IUU listing for the *MAAN YIH FENG*, a longline fishing vessel flying the flag of Taiwan, Province of China and that prosecution and

sanctions of adequate severity must be applied by the Flag Authority as required in Resolution 11/03 paragraph 10c in order to remove the vessel from the provisional IUU list.

96. The CoC **NOTED** the following statements from the UK(OT):

“We reiterate therefore that in addition to the sanctions already imposed, the owner and captain should be prosecuted for IUU fishing, and the fine, up to the maximum possible under the Taiwan Fisheries Act, recovered and paid. We further maintain that the Fisheries Agency should suggest to the owner that the vessel should be broken up and scrapped, evidence of this should be provided to the Compliance Committee and the UK(OT) Administration, and the scrap value should be paid to the UK(OT) administration as compensation. Until evidence is received that these further measures have been taken the vessel should remain on the provisional IUU list, and in the absence of these requirements the vessel should be moved onto the IUU list.”

And,

“In addition to the further measures I have already outlined, we seek a recommendation from this Committee that requires the Taiwanese Authorities to investigate all vessels under Mr Chi Ping Liang’s ownership, and to specifically investigate the fishing and transshipment history of the Maan Yih Feng including: providing a detailed catch and effort history; economic indicators for the vessel (e.g. fuel usage and how that relates to fishing potential); and, a correlation of the logbook data with the VMS data. From our exchanges with the Taiwanese Authorities we understand and are grateful that they would be in a position to assist with further investigations.

A full investigative report should be provided to the Compliance Committee and, as appropriate, that report should include details of the measures that the Taiwanese Authorities will take in future to prevent IUU by its flagged vessels and may include a review of the Fisheries Act to recognise the criminal nature of IUU fishing thus enabling sanctions of adequate severity. Until such an investigation is conducted and report received the vessel should remain on the provisional IUU list, and in the absence of these requirements the vessel should be moved onto the IUU list.”

97. The CoC **NOTED** the information provided by the Invited Experts on the *MAAN YIH FENG*, which described the actions taken by the Taiwan, Province of China to investigate the allegations and to cooperate with the UK(OT) authorities. On the basis of the information presented, Taiwan, Province of China requested that the CoC not list the vessel on the IOTC IUU Vessels List. However the invited experts agreed to continue to cooperate with the UK(OT) Administration to seek satisfactory resolution of this case.

Recommendation/s

98. The CoC **RECOMMENDED** that the Commission consider retaining the *MAAN YIH FENG* on the Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until sanctions of adequate severity have been applied and until an investigation is conducted and the report received. In the absence of these requirements the vessel should be moved onto the IUU list.

8.2.4 HSIANG FA No. 26 and HWA KUN No. 168

99. The CoC **NOTED** the information from Tanzania that the case against these two vessels had been concluded with the concerned parties. However, Tanzania **REQUESTED** that all CPCs respond to communications of the nature of IOTC Circulars 2013/69 and 2013/70 to demonstrate the Commission’s commitment to eliminating IUU fishing in the IOTC area of competence.

9. REVIEW OF COMPLIANCE ISSUES RAISED AT THE 16TH SCIENTIFIC COMMITTEE

100. The CoC **NOTED** paper IOTC-2014-CoC11-11, which aimed to bring to the attention of the CoC, the range of science related compliance issues raised by the SC at its most recent Session, held in Busan, Rep. of Korea from 2–6 December, 2013.

101. The CoC **NOTED** that in 2013, the IOTC Scientific Committee identified 5 key topics that it felt needed special attention by the IOTC Compliance Committee, as follows:

- a) Resolution 10/06 *On reducing the incidental bycatch of seabirds in longline fisheries*
- b) Resolution 11/04 *On a regional observer scheme*
- c) Resolution 12/04 *On the conservation of marine turtles*
- d) National reports to the Scientific Committee
- e) Status of development and implementation of National Plans of Action for seabirds and sharks, and implementation of the FAO guidelines to reduce marine turtle mortality in fishing operations

102. The CoC **ENCOURAGED** compliance on these five topics. In particular, it encourages all CPCs who are not meeting the minimum IOTC data recording and reporting requirements, which are a main factor negatively affecting the quality of the advice which the Scientific Committee provides to the Commission each year, to comply with all IOTC data recording and reporting requirements.

10. REVIEW OF FAD MANAGEMENT PLANS

103. The CoC **NOTED** paper IOTC–2014–CoC11–12 Rev_1 which outlined the FAD management plans made available to the Secretariat in accordance with IOTC Resolution 13/08, to assist CPCs in analysing the FADs management plans as required in paragraph 3, in particular with the provisions of paragraph 2 of the Resolution.
104. The CoC **NOTED** the following 12 CPCs have purse seine vessels and/or bait boats registered in the IOTC Record of Authorised Vessels: Australia, EU (France and Spain), Indonesia, I.R. Iran, Japan, Rep. of Korea, Sri Lanka, Maldives, Mauritius, Philippines, Seychelles and South Africa. From those twelve CPCs, seven have provided a FADs management plan:
- a) Australia (Received 01.05.14)
 - b) European Union (Received on 15.01.14, Spain, and 17.03.14, France)
 - c) Iran, Islamic Rep. of (Received 26.01.14)
 - d) Japan (Received 25.12.13)
 - e) Rep. of Korea (Received 31.12.13)
 - f) Maldives (Received 17.03.14)
 - g) Mauritius (Received 14.03.14)
105. The CoC **NOTED** the 4 CPCs listed below have reported they will provide a FAD management plan:
- a) Mozambique has indicated that it is preparing to implement its fleet development plan for tuna fisheries and will take first steps in order to develop a FAD management plan and will keep IOTC informed on the progress.
 - b) Seychelles has indicated that they will submit a FAD management plan.
 - c) Sri Lanka has indicated that a plan will be submitted.
 - d) Indonesia has indicated that a plan will be submitted.
106. The CoC **ENCOURAGED** those CPCs who have not yet submitted their FAD management plan to do so as soon as possible noting that the deadline was 31 December 2013 (Resolution 13/08). Resolution 13/08 also requires the CoC to provide an analysis of the impact of the plans by 31 December 2014. It was suggested that the Scientific Committee may be able to provide some level of input once objectives for such an analysis were articulated.
107. The CoC **RECOMMENDED** that the IOTC Secretariat shall undertake an analysis of compliance with the requirements of Resolution 13/08 and to present it at each Session of the CoC.

11. REVIEW OF OPTIONS FOR A REGIONAL HIGH-SEAS BOARDING AND INSPECTION SCHEME FOR THE IOTC AREA

108. The CoC **NOTED** paper IOTC–2014–CoC11–10 which presented the study on the review of regional high-seas boarding and inspection schemes adopted and implemented by other RFMOs and propose a guideline for the development of a regional binding management measure for the IOTC.
109. The CoC **NOTED** that the guideline went beyond the paper that the Commission had requested the Secretariat to produce for the 11th Session of the CoC.
110. The CoC **RECOMMENDED** the creation of either an informal, inter-sessional working group to discuss further the '*Regional high-seas boarding and inspection scheme*' involving interested CPCs, or via the proposed Working Party on Compliance (IOTC–2014–S18–PropQ), if adopted by the Commission, in order to develop the guideline further and subsequent proposal for a Conservation and Management Measure. If a separate working group is formed, then the group should meet, to the extent possible, via electronic means to minimise costs.
111. The CoC **NOTED** paper IOTC–2014–CoC11–08e which presented a summary of routine inspections conducted on vessels in transit through the waters of the UK(OT), in particular on any that have not provided a voluntary transit report. Between May 2013 and January 2014, 115 in transit reports were received and between May 2013 to January 2014, 22 inspections were made, of which 5 vessels had submitted transit reports and 17 had not. The primary purpose of inspections is to look for any signs of illegal fishing in UK(OT) waters, however, inspectors will also check if there is any potential breach of any IOTC Conservation and Management Measures (CMMs). A total of 86% of vessels inspected were in found to be in breach of one or more IOTC CMMs.

112. The CoC **NOTED** that the paper indicated some CMMs were not consistently applied to all vessels fishing beyond their national EEZs due to different vessel size specifications in different CMMs. The UK(OT) highlighted these details to the CoC raising the question of how compliance could be improved. The UK(OT) also proposed that this was a useful exercise that could be adopted by other CPCs.

Recommendation/s

113. The CoC **RECOMMENDED** that all CPCs inform fishing vessel owners, companies and agents of the advisability of reporting intention to transit through another CPCs waters, and to provide details of the reporting formats, such as that for UK(OT) contained in Circular 2013–51.
114. The CoC **RECOMMENDED** that all CPCs inform fishing vessel owners, companies and agents of the requirements to comply with IOTC CMMs and to include this within terms and conditions of licencing and fisheries legislation.
115. The CoC **RECOMMENDED** that all IOTC coastal State enforcement bodies consider completing a common ‘Reporting Form for Activity Not Compliant with IOTC Resolutions’ for any inspections carried out on board vessels in transit through their waters, and report a summary of this to IOTC Secretariat for the CoC, at least annually.
116. The CoC **RECOMMENDED** that as part of its review and consolidation of IOTC CMMs the Commission should revise all relevant CMMs such that they apply to any vessel, irrespective of its size, registered on the IOTC Record of Vessels which operate in the IOTC area of competence and which fish outside their national fisheries jurisdiction for species covered by the IOTC Agreement.

12. IDENTIFICATION OF OPTIONS TO BETTER ADDRESS IOTC COMPLIANCE MATTERS IN THE TIME AVAILABLE

12.1 Interpretation and implementation of IOTC Conservation and Management Measures (CMM)

117. The CoC **AGREED** that there is a need to review all of the IOTC CMMs, to ensure that they are written in a clear and readily understandable way. Where CMMs are found to be unclear or ambiguous, CPCs should work closely with each other and the IOTC Secretariat to prepare revised proposals for CMMs which would improve the ease of interpretation and implementation by all CPCs.

12.2 CPC compliance with CMMs

118. The CoC **REQUESTED** that for the next Session of the CoC, the Compliance Reports also be presented by CMM, rather than only by CPCs. The intention would be to examine the level of implementation and possibly interpretation of each CMM, which may assist the CoC in identifying where an individual CMM is ineffective and may need to be revised.
119. The CoC **NOTED** that the current structure of the CoC is not conducive to the thorough presentation, discussion and summary of all the compliance issues facing the Commission. The merits of extending the CoC from 3 to 5 days in duration was considered, as was the implementation of a new Working Party on Compliance (WPC) which could synthesise the wide range of compliance matters for presentation to the annual Session of the CoC.
120. The CoC **NOTED** that a proposal had been submitted for the consideration of the Commission, on the adoption of a new Working Party on Compliance (WPC) (see IOTC–2014–S18–PropQ) or any other meeting arrangements. If the Commission were to deem that a new working party was needed, it could be held back-to-back with another IOTC meeting, such as the CoC, to reduce impacts on the IOTC budget.

13. UPDATE ON PROGRESS REGARDING THE PERFORMANCE REVIEW – COMPLIANCE RELATED ISSUES

121. The CoC **NOTED** paper IOTC–2014–CoC11–06 which outlined the current status of implementation for each of the recommendations arising from the Report of the IOTC Performance Review Panel, relevant to the CoC.
122. The CoC **NOTED** the following two recommendations from the Performance Review Panel which remain pending:
- Recommendation 9: When the causes of non-compliance are identified and all reasonable efforts to improve the situation are exhausted, any Member or non-Member continuing to not comply be adequately sanctioned (such as market related measures).
 - Recommendation 54: IOTC should establish a sanction mechanism for non-compliance, and task the Compliance Committee to develop a structured approach for cases of infringement.

123. The CoC **NOTED** the significant progress achieved by the CPCs and the IOTC Secretariat on the implementation of the recommendations of the performance review. However, it was also **NOTED** the need to make further progress.
124. The CoC **UPDATED** the status table, including the workplan and proposed timelines and priorities for each recommendation relevant to the work of the CoC, for the Commission's consideration.

Recommendation/s

125. The CoC **RECOMMENDED** that the Commission note the current status of implementation for each of the recommendations arising from the Report of the IOTC Performance Review Panel, relevant to the CoC, as provided in [Appendix VIII](#).

14. ACTIVITIES BY THE SECRETARIAT IN SUPPORT OF CAPACITY BUILDING FOR DEVELOPING CPCs

126. The CoC **NOTED** paper IOTC–2014–CoC11–09 Rev_1 which provided a summary of the activities undertaken by the Secretariat in support of implementation of Conservation and Management Measures (CMMs) adopted by the IOTC in 2012.
127. The CoC **ACKNOWLEDGED** the valuable work of the Secretariat undertaken in 2013 in support of capacity building activities to improve the understanding and implementation of CMMs.
128. The CoC **NOTED** that there has been very little improvement in the data collection and reporting of mandatory statistics and questioned what capacity building activities are being planned by the Secretariat to remedy the situation. The Secretariat indicated that a information in the document: *Program of work and budget for 2014, 2015 and indicative budgets for 2016* (IOTC–2014–SCAF11–05 Rev_1) outlined the activities planned for 2014/15.

Recommendation/s

129. The CoC **RECOMMENDED** that the Commission consider its continued support of the work of the Secretariat in 2014/15, to allow it to undertake additional capacity building missions to improve the implementation of CMMs by IOTC Members, and to consider further developing the plan of work for 2014/15.
130. The CoC **RECOMMENDED** the need to identify the root causes of non-compliance.

15. REVIEW OF REQUESTS FOR ACCESS TO THE STATUS OF COOPERATING NON-CONTRACTING PARTY

131. The CoC **RECALLED** the deadline for the submission of applications to attain the status of Cooperating Non-Contracting Party of the Commission is 90 days prior to the annual Session of the Commission:

Resolution 03/02 On criteria for attaining the status of Cooperating Non-Contracting Party:

“Para. 2. Any Non-Contracting Party requesting the status of a Cooperating Non-Contracting Party shall apply to the IOTC Executive Secretary. Requests must be received by the IOTC Executive Secretary no later than ninety (90) days in advance of an Annual Session of the Commission, to be considered at that meeting.”

15.1 Senegal

132. The CoC **NOTED** the application for Cooperating Non-Contracting Party status by Senegal (IOTC–2014–CoC110–CNCP01).
133. The CoC **NOTED** the confirmation from Senegal that it will commence fishing operations in the Indian Ocean in 2015, when Senegal would become a Contracting Party of the Commission, via the accession process detailed in the IOTC Agreement.

Recommendation/s

134. The CoC **RECOMMENDED** that the Commission considers renewing the status of Senegal as a Cooperating Non-Contracting Party of the IOTC.

15.2 Bangladesh

135. The CoC **NOTED** the application for Cooperating Non-Contracting Party status by Bangladesh (IOTC–2014–CoC11–CNCP02). As Bangladesh was not present during the CoC11 to present their application for Cooperating Non-Contracting Party status, the CoC referred this application to the 18th Session of the Commission.

Recommendation/s

136. The CoC **RECOMMENDED** that the Commission considers the application by Bangladesh for the status of a Cooperating Non-Contracting Party of the IOTC (IOTC–2014–CoC11–CNCP02) at its 18th Session.

15.3 Democratic People’s Republic of Korea

137. The CoC **NOTED** the application for Cooperating Non-Contracting Party status by the Democratic People’s Republic of Korea (DPRK) (IOTC–2014–CoC11–CNCP03). As the DPRK was not present during the CoC11 to present their application for Cooperating Non-Contracting Party status, the CoC referred this application to the 18th Session of the Commission.

Recommendation/s

138. The CoC **RECOMMENDED** that the Commission considers the application by the Democratic People’s Republic of Korea for the status of Cooperating Non-Contracting Party of the IOTC (IOTC–2014–CoC11–CNCP03) at its 18th Session.

15.4 Djibouti

139. The CoC **NOTED** the application for Cooperating Non-Contracting Party status by Djibouti (IOTC–2014–CoC11–CNCP04).

Recommendation/s

140. The CoC **RECOMMENDED** that the Commission considers granting Djibouti the status of Cooperating Non-Contracting Party.

15.5 South Africa, Republic of

141. The CoC **NOTED** the application for Cooperating Non-Contracting Party status by South Africa (IOTC–2014–CoC11–CNCP05). As South Africa was not present during the CoC11 to present their application for Cooperating Non-Contracting Party status, the CoC referred this application to the 18th Session of the Commission.

Recommendation/s

142. The CoC **RECOMMENDED** that the Commission considers the application by South Africa for the status of Cooperating Non-Contracting Party of the IOTC (IOTC–2014–CoC11–CNCP05) at its 18th Session.

16. OTHER BUSINESS**16.1 Date and place of the 12th Session of the Compliance Committee**

143. The CoC **NOTED** the options available to it in terms of whether the next Session should be held immediately prior to the Commission meeting or at another time in the year.
144. The CoC **RECOMMENDED** that the next 12th Session of the CoC be held immediately prior to the 19th Session of the Commission. The exact dates and location would be decided by the Commission at its 18th Session.

16.2 Adoption of the Report of the 11th Session of the Compliance Committee

145. The CoC **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC11, provided at [Appendix IX](#).
146. The report of the Eleventh Session of the Compliance Committee (IOTC–2014–CoC11–R) was adopted on 28 May 2014.

APPENDIX I

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APPENDIX II
AGENDA FOR THE 11TH SESSION OF THE COMPLIANCE COMMITTEE

Date: 26–28 May, 2014

Location: Bandaranaike Memorial International Convention Hall (BMICH)

Colombo, Sri Lanka

Time: 0900–1700 daily

Chair: Mr. Herminio Tembe, **Vice Chair:** Mr. Hosea Gonza Mbilinyi

1. **OPENING OF THE SESSION** (Chair)
2. **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION** (Chair)
3. **ADMISSION OF OBSERVERS** (Chair)
4. **OVERVIEW OF THE IMPLEMENTATION OF IOTC CONSERVATION OF MANAGEMENT MEASURES** (Chair)
5. **NATIONAL REPORTS ON THE PROGRESS OF IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES – Art X.2 IOTC Agreement** (Chair)
6. **REVIEW OF THE COUNTRY BASED COMPLIANCE REPORTS - RES. 10/09** (Chair)
7. **REVIEW OF ADDITIONAL INFORMATION RELATED TO IUU FISHING ACTIVITIES IN THE IOTC AREA OF COMPETENCE** (Chair)
8. **REVIEW OF THE PROVISIONAL IUU VESSELS LIST AND OF THE INFORMATION SUBMITTED BY CPCs RELATING TO ILLEGAL FISHING ACTIVITIES IN THE IOTC AREA OF COMPETENCE – RES.11/03** (Chair)
9. **REVIEW OF COMPLIANCE ISSUES RAISED AT THE 16TH SCIENTIFIC COMMITTEE** (Chair)
10. **REVIEW OF FAD MANAGEMENT PLANS** (Chair)
11. **REVIEW OF OPTIONS FOR A REGIONAL HIGH-SEAS BOARDING AND INSPECTION SCHEME FOR THE IOTC AREA** (Chair)
12. **IDENTIFICATION OF OPTIONS TO BETTER ADDRESS IOTC COMPLIANCE MATTERS IN THE TIME AVAILABLE** (Chair)
13. **UPDATE ON PROGRESS REGARDING THE PERFORMANCE REVIEW – COMPLIANCE RELATED ISSUES** (Chair)
14. **ACTIVITIES BY THE SECRETARIAT IN SUPPORT OF CAPACITY BUILDING FOR DEVELOPING CPCs** (Secretariat)
15. **REVIEW OF REQUESTS FOR ACCESS TO THE STATUS OF COOPERATING NON-CONTRACTING PARTY** (Chair)
16. **OTHER BUSINESS** (Chair)
17. **ADOPTION OF THE REPORT OF THE ELEVENTH SESSION OF THE COMPLIANCE COMMITTEE** (Chair)

APPENDIX III
LIST OF DOCUMENTS

Document	Title	Availability
IOTC-2014-CoC11-01a	Draft agenda for the Eleventh Session of the Compliance Committee	07 March 2014
IOTC-2014-CoC11-01b	Draft annotated agenda for the Eleventh Session of the Compliance Committee	30 April 2014
IOTC-2014- CoC11-02	Draft list of documents for the Eleventh Session of the Compliance Committee	21 April 2014
IOTC-2014- CoC11-03 Rev1	Summary report on the level of compliance	26 April 2014
IOTC-2014- CoC11-04a Rev1	IOTC Regional Observer Programme for at-sea transhipments – Secretariat’s Report	26 April 2014
IOTC-2014- CoC11-04b	A Summary of the IOTC Regional Observer Programme During 2013 – Contractor’s Report	26 April 2014
IOTC-2014- CoC11-05 Rev1	Report on the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating non-Contracting Parties.	26 April 2014
IOTC-2014- CoC11-05 Add1	Collection of fleet development plans	07 May 2014
IOTC-2014- CoC11-06	Performance review update (Resolution 09/01 – on the performance review follow-up)	24 April 2014
IOTC-2014- CoC11-07 Rev1	Concerning the IOTC provisional IUU vessels list	19 May 2014
IOTC-2014- CoC11-08a Rev1	Complementary elements for discussion under item 7 of the agenda for the Compliance Committee	26 April 2014
IOTC-2014- CoC11-08a Add1	Complementary elements for discussion under item 7 of the agenda for the Compliance Committee	23 May 2014
IOTC-2014- CoC11-08b	IUU fishing in waters of the UK(OT) by fishing vessels flagged in Sri Lanka – prepared by the UK(OT)	21 April 2014
IOTC-2014- CoC11-08c Rev1	Summary report on possible infractions observed under the Regional Observer Programme	26 April 2014
IOTC-2014- CoC11-08c Add1	Identification of repeated infringements under the Regional Observer Programme	26 April 2014
IOTC-2014- CoC11-08c Add2	Response to possible infractions from Thailand under the Regional Observer Programme	23 May 2014
IOTC-2014- CoC11-08d	Report of illegal fishing in Waters of the UK(OT) by the vessel MAAN YIH FENG – prepared by the UK(OT)	21 April 2014
IOTC-2014- CoC11-08e	Reporting of vessels in transit through the waters of the UK(OT) for potential breach of IOTC Conservation and Management Measures - prepared by the UK(OT)	21 April 2014
IOTC-2014-CoC11-09 Rev1	Summary report on Compliance Support Activities	26 April 2014
IOTC-2014-CoC11-10	A regional high-seas boarding and inspection scheme for the Indian Ocean Tuna Commission	26 April 2014
IOTC-2014-CoC11-11	Compliance issues raised at the 16 th Session of the IOTC Scientific Committee (SC16)	24 April 2014
IOTC-2014-CoC11-12 Rev1	Collection of fish aggregating devices management plans	26 April 2014

Document	Title	Availability
<i>Requests for the Cooperating non-Contracting Party status</i>		
IOTC-2014-CoC11-CNCP01	Request for the status of Cooperating non-Contracting Party by Senegal	21 April 2014
IOTC-2014-CoC11-CNCP02	Request for the status of Cooperating non-Contracting Party by Bangladesh	21 April 2014
IOTC-2014-CoC11-CNCP03	Request for the status of Cooperating non-Contracting Party by Democratic People's Republic of Korea	20 May 2014
IOTC-2014-CoC11-CNCP04	Request for the status of Cooperating non-Contracting Party by Djibouti	23 May 2014
IOTC-2014-CoC11-CNCP05	Request for the status of Cooperating non-Contracting Party by South Africa	26 May 2014
<i>Compliance Reports – Members</i>		
IOTC-2014-CoC11-CR01 Rev2	Australia	26 April 2014
IOTC-2014-CoC11-CR02 Rev1	Belize	26 April 2014
IOTC-2014-CoC11-CR03 Rev1	China	26 April 2014
IOTC-2014-CoC11-CR04 Rev1	Comoros	26 April 2014
IOTC-2014-CoC11-CR05 Rev1	Eritrea	26 April 2014
IOTC-2014-CoC11-CR06 Rev2	European Union	26 April 2014
IOTC-2014-CoC11-CR07	France (territories)	26 April 2014
IOTC-2014-CoC11-CR08	Guinea	26 April 2014
IOTC-2014-CoC11-CR09 Rev1	India	26 April 2014
IOTC-2014-CoC11-CR10	Indonesia	26 April 2014
IOTC-2014-CoC11-CR11	Iran, Islamic Republic of	26 April 2014
IOTC-2014-CoC11-CR12	Japan	26 April 2014
IOTC-2014-CoC11-CR13	Kenya	26 April 2014
IOTC-2014-CoC11-CR14 Rev2	Korea, Republic of	26 April 2014
IOTC-2014-CoC11-CR15 Rev1	Madagascar	26 April 2014
IOTC-2014-CoC11-CR16	Malaysia	26 April 2014
IOTC-2014-CoC11-CR17	Maldives	26 April 2014
IOTC-2014-CoC11-CR18	Mauritius	26 April 2014
IOTC-2014-CoC11-CR19	Mozambique	26 April 2014
IOTC-2014-CoC11-CR20 Rev1	Oman	26 April 2014
IOTC-2014-CoC11-CR21	Pakistan	26 April 2014
IOTC-2014-CoC11-CR22 Rev1	Philippines	26 April 2014
IOTC-2014-CoC11-CR23 Rev1	Seychelles	26 April 2014
IOTC-2014-CoC11-CR24	Sierra Leone	26 April 2014
IOTC-2014-CoC11-CR25 Rev1	Sri Lanka	26 April 2014
IOTC-2014-CoC11-CR26	Sudan	26 April 2014
IOTC-2014-CoC11-CR27 Rev1	Tanzania, United Republic of	26 April 2014

Document	Title	Availability
IOTC-2014-CoC11-CR28 Rev1	Thailand	26 April 2014
IOTC-2014-CoC11-CR29 Rev1	United Kingdom (territories)	26 April 2014
IOTC-2014-CoC11-CR30	Vanuatu	26 April 2014
IOTC-2014-CoC11-CR31	Yemen	26 April 2014
<i>Compliance Reports – Cooperating non-Contracting Parties</i>		
IOTC-2014-CoC11-CR32	Senegal	26 April 2014
IOTC-2014-CoC11-CR33	South Africa	26 April 2014
<i>Implementation Reports – Contracting Parties (Members)</i>		
IOTC-2014-CoC11-IR01	Australia	21 April 2014
IOTC-2014-CoC11-IR02	Belize	21 April 2014
IOTC-2014-CoC11-IR03	China	21 April 2014
IOTC-2014-CoC11-IR04	Comoros	21 April 2014
IOTC-2014-CoC11-IR05	Eritrea	Not available
IOTC-2014-CoC11-IR06	European Union	21 April 2014
IOTC-2014-CoC11-IR07	France (territories)	07 May 2014
IOTC-2014-CoC11-IR08	Guinea	Not available
IOTC-2014-CoC11-IR09	India	02 May 2014
IOTC-2014-CoC11-IR10	Indonesia	21 April 2014
IOTC-2014-CoC11-IR11	Iran, Islamic Republic of	21 April 2014
IOTC-2014-CoC11-IR12	Japan	21 April 2014
IOTC-2014-CoC11-IR13	Kenya	21 April 2014
IOTC-2014-CoC11-IR14	Korea, Republic of	21 April 2014
IOTC-2014-CoC11-IR15	Madagascar	07 May 2014
IOTC-2014-CoC11-IR16	Malaysia	21 April 2014
IOTC-2014-CoC11-IR17	Maldives	21 April 2014
IOTC-2014-CoC11-IR18	Mauritius	21 April 2014
IOTC-2014-CoC11-IR19	Mozambique	21 April 2014
IOTC-2014-CoC11-IR20	Oman	21 April 2014
IOTC-2014-CoC11-IR21	Pakistan	Not available
IOTC-2014-CoC11-IR22	Philippines	21 April 2014
IOTC-2014-CoC11-IR23	Seychelles	23 April 2014
IOTC-2014-CoC11-IR24	Sierra Leone	Not available
IOTC-2014-CoC11-IR25	Sri Lanka	21 April 2014
IOTC-2014-CoC11-IR26	Sudan	Not available
IOTC-2014-CoC11-IR27	Tanzania, United Republic of	21 April 2014
IOTC-2014-CoC11-IR28	Thailand	21 April 2014
IOTC-2014-CoC11-IR29	United Kingdom (territories)	21 April 2014

Document	Title	Availability
IOTC-2014-CoC11-IR30	Vanuatu	21 April 2014
IOTC-2014-CoC11-IR31	Yemen	Not available
<i>Implementation Reports – Cooperating non-Contracting Parties</i>		
IOTC-2014-CoC11-IR32	Senegal	Not available
IOTC-2014-CoC11-IR33	South Africa	Not available
<i>Information Documents</i>		
IOTC-2014-CoC11-Inf01	Information on IUU activities	23 May 2014
IOTC-2014-CoC11-Inf02	Indicative Schedule of the Eleventh Session of the Compliance Committee	23 May 2014

APPENDIX IV **REFERENCE FISHING CAPACITY AND FLEET DEVELOPMENT PLAN**

Table 1. The reference limits on fishing capacity based on the tonnage of vessels declared as active in 2006 – for tropical tunas.

CPCs		A. Reference 2006	B. Planned FDPs 2007- 2013	Reference capacity at 2013 (A+B)	Active capacity in 2013	Capacity to be added under Fleet Development Plan						
						2014	2015	2016	2017	2018	2019	> 2020
Australia	(GRT)	3,312		3,312	3,265							
Belize	(GT)		2,800	2,800		400						
China	(GT)	27,216		27,216	16,236							
Comoros												
Eritrea												
European Union	(GT)	96,595		96,595	61,462							
France (OT)	(GT)	4,638	7,994	12,632	13,770							
Guinea	(GRT)	1,439		1,439								
India	(GRT)	32,950	4,200	37,150	(12,379)	1,800	1,800	1,250	1,250	1,100	600	600
Indonesia	(GT)	124,011	76,684	200,695	131,705	6,600	6,270					
Iran	(GT)	83,524	35,153	118,677	102,529	3,100	4,100	6,650	10,200	10,200	7,850	4,400
Japan	(GT)	91,076		91,076	45,054							
Kenya	(GT)											
Korea, Republic of	(GT)	15,274		15,274	7,657							
Madagascar	(GT)	263	278	541	278	1,111	1,181					
Malaysia	(GRT)	2,299	15,334	17,633	(1488)							
Maldives	(GT)		856	856	2,373	68	68	68	68	68	45	45
Mauritius	(GRT)	1,931	21,657	23,588	(9,152)	7,997	5,331	5,331	5,331			
Mozambique	(GT)				444	18,000	18,000	15,000	15,000	15,000	15,000	19,800
Oman	(GT)	3,126	8,318	11,444	(7,212)	1,146	1,146					5,730
Pakistan	(GT)	0	30,000	30,000	(1,130)	10,000	10,000					
Philippines	(GRT)	10,304		10,304	4,961							
Seychelles	(GT)	41,735	151,128	192,863	28,025	18,556	18,556	18,556				
Sierra Leone												
Sri Lanka	(GT)	18,436	16,916	35,352	56,240	67,278	71,227					
Sudan												
Tanzania	(GT)				1,535							
Thailand	(GT)	13,771	18,500	32,271	4,678	5,750						
U.K. (OT)	(GT)											
Vanuatu	(GT)		25,875	25,875								
Yemen												
Senegal	(GRT)	1,250										
South Africa	(GT)	3,013	3,056	6,069	(4,660)							
Total	(GRT + GT)	576,163	418,749	993,662	516,233	141,806	137,679	46,855	31,849	26,368	23,495	30,575
Difference relative to 2006 Baseline						172%	90%					249%

N.B. Estimates of capacity, figures in brackets, for CPCs that have not reported their active vessels list for 2013 are based on their list of authorised vessels on 25th April, 2014.

Table 2. The reference limits on fishing capacity based on the number of vessels declared as active in 2006 – for tropical tunas.

CPCs	A. Reference 2006	B. Planned FDPs 2007-2013	Reference capacity at 2013 (A+B)	Active capacity in 2013	Capacity to be added under Fleet Development Plan						
					2014	2015	2016	2017	2018	2019	>2020
Australia	10		10	9							
Belize		6	6		1	1					
China	67		67	31							
Comoros											
Eritrea											
European Union	49		49	34							
France (OT)	2	3	5	5							
Guinea	3		3								
India	70	24	94	(45)	12	12	12	7	7	6	10
Indonesia	1,201	569	1,770	1,256	60	60	57				
Iran	992	317	1,309	1,230	4	5	9	14	14	10	4
Japan	227		227	73							
Kenya											
Korea, Republic of	38		38	13							
Madagascar	2	8	10	8	32	34					
Malaysia	28	107	135	(8)							
Maldives		34	34	318	4	3	3	3	3	3	4
Mauritius	8	30	23	(8)	2	3	2	2	2		
Mozambique				1	10	10	5	5	5	5	33
Oman	24	49	73	(40)	7	7	7				
Pakistan		60	60	(10)	30	30	30				
Philippines	18		18	9							
Seychelles	34	82	116	34	11	11	11	11			
Sierra Leone											
Sri Lanka	1,001	383	1,384	2,341	295	315					
Sudan											
Tanzania				3							
Thailand	9	60	69	5	25	25					
U. K. (OT)											
Vanuatu		48	48								
Yemen											
Senegal	3		3								
South Africa	13	10	23	(21)							
Total	3,799	1,790	5,574	5,502	493	516	136	42	31	24	51

N.B. Estimates of number of vessels, figures in brackets, for CPCs that have not reported their active vessels list for 2013 are based on their number of authorised vessels on 25th April, 2014.

Table 3. The reference limits on fishing capacity based on the tonnage of vessels declared as active in 2007 – for swordfish and albacore.

CPCs		A. Reference 2007	B. Planned FDPs 2007- 2013	Reference capacity at 2013 (A+B)	Active capacity in 2013	Capacity to be added under Fleet Development Plans						
						2014	2015	2016	2017	2018	2019	>2020
Australia	(GRT)											
Belize	(GT)	1,620		1,620	2,108							
China	(GT)		3,389	3,389	1,745							
Comoros												
Eritrea												
European Union	(GT)	21,922	3,375	25,297	12,612							
France (OT)	(GT)						1,286					2143
Guinea	(GRT)											
India	(GRT)											
Indonesia	(GT)											
Iran	(GT)											
Japan	(GT)											
Kenya	(GT)											
Korea, Republic of	(GT)											
Madagascar	(GT)											
Malaysia	(GRT)											
Maldives	(GT)											
Mauritius	(GRT)		800	800		1,600	2,000	1,600	2,000			
Mozambique	(GT)					3,000	3,000	3,000	3,000	3,000	3,000	16200
Oman	(GT)											
Pakistan	(GT)											
Philippines	(GRT)											
Seychelles	(GT)	536		536								
Sierra Leone												
Sri Lanka	(GT)		2,970	2,970		3,432	4,263					
Sudan												
Tanzania	(GT)											
Thailand	(GT)											
U. K. (OT)	(GT)											
Vanuatu	(GT)											
Yemen												
Senegal	(GRT)						1,251	2,085				
South Africa	(GT)		4,274	4,274								
Total	(GRT+GT)	24,078	14,808	38,886	16,465	8,032	11,800	6,685	5,000	3,000	3,000	18,343
Difference relative to 2007 Baseline						162%	68%					393%

N.B. Estimates of number of vessels, figures in brackets, for a CPC that has not reported its active vessels list for 2013 is based on the number of authorised vessels on 25th April, 2014

Table 4. The reference limits on fishing capacity based on the number of vessels declared as active in 2007 – for swordfish and albacore.

CPCs	A. Reference 2007	B. Planned FDPs 2008-2013	Reference capacity at 2013 (A+B)	Active capacity in 2013	Capacity to be added under Fleet Development Plans						
					2014	2015	2016	2017	2018	2019	>2020
Australia											
Belize	10		10	7							
China		10	10	5							
Comoros											
Eritrea											
European Union	72	15	87	42							
France (OT)						15					25
Guinea											
India											
Indonesia											
Iran											
Japan											
Kenya											
Korea, Republic of											
Madagascar											
Malaysia											
Maldives											
Mauritius		2			4	5	4	5			
Mozambique					5	5	5	5	5	5	27
Oman											
Pakistan											
Philippines											
Seychelles	1		1								
Sierra Leone											
Sri Lanka		29	29		15	17					
Sudan											
Tanzania											
Thailand											
U. K. (OT)											
Vanuatu											
Yemen											
Senegal						3	5				
South Africa		20	20								
Total	83	76	157	54	24	45	14	10	5	5	52

N.B. Estimates of number of vessels, figures in brackets, for a CPC that has not reported its active vessels list for 2013 is based on the number of authorised vessels on 25th April, 201

APPENDIX V

PROPOSAL TO REVISE RESOLUTION 10/09 CONCERNING THE FUNCTIONS OF THE COMPLIANCE COMMITTEE

Current section 4 in Resolution 10/09:

4. IOTC Compliance Committee preparatory works:

4.1 In preparation for the meeting of the IOTC 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 IOTC Compliance Committee session;

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

Modify to:

4. IOTC Compliance Committee preparatory works:

4.1 In preparation for the meeting of the IOTC 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 30 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 draft tables that will form the basis for the compliance examination process. The draft tables will present all available information relating to each CPC's implementation of obligations for review by the IOTC Compliance Committee. The draft tables will be provided to the relevant CPC on a secure section of the IOTC website [or emailed to the relevant authority]. Upon website posting [or emailing] of the relevant draft tables, each CPC may reply to the IOTC Secretariat within 15 days in order to (where appropriate):
 - a) provide additional information, clarifications, amendments or corrections to information contained in its draft report;
 - b) identify any particular difficulties with respect to implementation of any obligations; or
 - c) identify technical assistance or capacity building needed to assist the CPC with implementation of any obligations.
- iv) The IOTC Secretariat will then produce finalised tables for each CPC that will form the basis for the compliance examination process. These tables will be distributed to CPCs for discussion during the IOTC Compliance Committee session;

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

APPENDIX VI
STATEMENTS OF MAURITIUS AND THE UNITED KINGDOM (OT)

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

The Government of the Republic of Mauritius reiterates that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius under both Mauritian law and international law. The Republic of Mauritius is, however, being prevented from exercising its rights over the Chagos Archipelago because of the de facto and unlawful control of the United Kingdom over the Archipelago.

Moreover, the Government of the Republic of Mauritius does not recognize the existence of the ‘marine protected area’ which the United Kingdom has purported to establish around the Chagos Archipelago in breach of international law, including the provisions of the United Nations Convention on the Law of the Sea (UNCLOS). On 20 December 2010, Mauritius initiated proceedings against the United Kingdom under Article 287 of, and Annex VII to, UNCLOS to challenge the legality of the ‘marine protected area’. The dispute is currently before the Arbitral Tribunal constituted under Annex VII to UNCLOS.

In the light of the above, consideration of any documents which the United Kingdom has purported to submit to this Committee in respect of the Chagos Archipelago or which purport to refer to the Chagos Archipelago as the so-called “BIOT”, as well as any action or decision that may be taken on the basis of such documents, cannot and should not be construed as implying that the United Kingdom has sovereignty or analogous rights over the Chagos Archipelago.”

“The UK has no doubt about its sovereignty over the British Indian Ocean Territory which was ceded to Britain in 1814 and has been a British dependency ever since. As the UK Government has reiterated on many occasions, we have undertaken to cede the Territory to Mauritius when it is no longer needed for defence purposes.”

APPENDIX VII
IOTC PROVISIONAL IUU VESSELS LIST

Current Vessels in the 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			Unknown	Unknown	Contravention of IOTC Resolution 02/04, 02/05, 03/05
Yu Maan Won	Unknown (Georgia)	May 2007				Unknown	Unknown	Contravention of IOTC Resolution 07/02
Gunuar Melyan 21	Unknown	June 2008				Unknown	Unknown	Contravention of IOTC Resolution 07/02
Hoom Xiang 11	Unknown (Malaysia)	March 2010		Yes. Refer to report IOTC-S14- CoC13-add1[E]		Hoom Xiang Industries Sdn. Bhd.	Unknown	Contravention of IOTC Resolution 09/03
Fu Hsiang Fa No. 21	Unknown	May 2013		Yes. Refer to report IOTC-2013- CoC10-07 Rev1[E]	OTS 024 or OTS 089	Unknown	Unknown	Contravention of IOTC Resolution 07/02
Full Rich	Unknown (Belize)	May 2013		Yes. Refer to report IOTC-2013- CoC10-08a[E]	HMEK3	Noel International LTD (Noel International	Unknown	Contravention of IOTC Resolution 07/02

New vessels to be considered for addition to the IOTC IUU Vessels List

Current name of vessel (previous names)	Current flag (previous flags)	Date first included on IOTC IUU Vessels List	Lloyds/I MO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities
FU HSIANG FA NO. 01	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 02	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 06	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 08	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 09	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 11	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 13	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 17	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03

FU HSIANG FA NO. 21	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 23	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 26	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 30	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 18	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 67	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 168	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 188	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 189	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03

SRI FU FA 286	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 888	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 20	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
QIAN YUAN	Cambodia	Not Applicable	8819691		XUFN4	Greatsources Shipping – A-2902, Yuanli Mingzhu Building, 278,	Greatsources Shipping – HKG	Contravention of IOTC Resolution 11/03
MAAN YIH FENG	Taiwan, Province of China	Not Applicable			BJ4377	LIANG JI PING	Unknown	Contravention of IOTC Resolution 11/03
SHUEN SIANG	Unknown	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
HOOM XIANG 101	Unknown (Malaysia)	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
HOOM XIANG 103	Unknown (Malaysia)	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03
HOOM XIANG 105	Unknown (Malaysia)	Not Applicable				Unknown	Unknown	Contravention of IOTC Resolution 11/03

APPENDIX VIII

CoC: UPDATE ON PROGRESS REGARDING RESOLUTION 09/01 – ON THE PERFORMANCE REVIEW FOLLOW-UP

(NOTE: NUMBERING AND RECOMMENDATIONS AS PER APPENDIX I OF RESOLUTION 09/01)

ON CONSERVATION AND MANAGEMENT	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN/TIMELINE	PRIORITY
Data collection and sharing				
4. The deadline to provide data on active vessels be modified to a reasonable time in advance of the meeting of the Compliance Committee. This deadline is to be defined by the Compliance Committee.	<i>Compliance Committee</i>	Completed: Resolutions 10/07 and 10/08 have modified the reporting date for active vessels, which is now in the month preceding the meeting of the Compliance Committee. Resolution 10/08 establishes February 15 th as the new deadline for submission of the list of active vessels for the previous year.	Periodic review of Resolutions.	Low
7. Non-compliance be adequately monitored and identified at individual Member level, including data reporting.	<i>Compliance Committee</i>	<p>Ongoing: Resolution 10/09 has partially been developed for this purpose. Reports on compliance with data reporting requirements have been regularly reviewed by the Compliance Committee, as well as discussed at the species Working Parties, the Working Party on Data Collection and Statistics and the Scientific Committee. For the Compliance Committee meetings, country-based reports have been prepared for this purpose since the 2011 meeting.</p> <p>A first implementation of this approach took place in the Compliance Committee meeting 2011 (Colombo, Sri Lanka)</p> <p>There remains a need to setup a scheme of penalties and incentives.</p>	Annual review at Compliance Committee meeting	High

8. The causes of non-compliance be identified in cooperation with the Member concerned.	<i>Compliance Committee</i>	<p>Ongoing: The Terms of Reference of the Compliance Committee was revised in 2010 (Resolution 10/09) and provides for the assessment of compliance by CPCs. The Secretariat, via the Compliance Section, maintains contact with national officers to determine the reasons for non-compliance, in particular, concerning data reporting.</p> <p>The identification of non-compliance causes started with the country based approach (Compliance Committee meeting 2011 – Colombo, Sri Lanka).</p> <p>Starting in 2013 the Compliance Section has begun conducting Compliance Support Missions (CSM). Sri Lanka and Indonesia have already benefitted from this initiative.</p> <p>During the intersessional period, staff of the Secretariat have conducted CSMs in Madagascar, Mozambique, Tanzania, Oman, Mauritius and Kenya, where a Compliance Action Plan have been developed with these CPCs.</p> <p>The Capacity Building activities planned for 2014/15 are detailed in the annual Programme of work and budget for the Secretariat. Refer: IOTC-2014-SCAF11-05</p>	Review annually at the Compliance Committee meeting	High
9. When the causes of non-compliance are identified and all reasonable efforts to improve the situation are exhausted, any Member or non-Member continuing to not –comply be adequately sanctioned (such as market related measures).	<i>Compliance Committee</i>	<p>Pending: Resolution 10/10 provides the necessary framework in which to apply market related measures, following an appropriate process. Reductions in future quota allocation have been proposed as deterrents for non-compliance. Process still to be implemented</p>	Review annually at the Compliance Committee meeting	High
17. 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).	<i>Compliance Committee</i>	<p>Completed: Resolutions 12/07 (formerly 10/07) and 10/08 address the reporting requirements of flag and coastal States responsibilities, with regards to vessels that are active in the IOTC Area.</p>	Review annually at the Compliance Committee meetings	Medium

Quality and provision of scientific advice				
24. More emphasis should be given to adherence to data collection requirements.	<i>Compliance Committee</i>	<p>Ongoing: The Working Party on Data Collection and Statistics and the species Working Parties evaluate the availability and quality of data, and make recommendations to the Scientific Committee on how to improve data quality. The country-based compliance report submitted to the Compliance Committee provides information on the timeliness and completeness of the reporting of data required by the various Resolutions of the Commission.</p> <p>A Regional Workshop was conducted in February 2014 to address the issue data reporting, for compliance with IOTC requirements. A conclusion from the Regional Workshop is that the Secretariat will need to conduct in country missions in several of the Member States.</p>	Review annually at the Compliance Committee meeting.	High
ON COMPLIANCE AND ENFORCEMENT	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN/TIMELINE	PRIORITY
Monitoring, Control and Surveillance				
51. IOTC should develop a comprehensive monitoring, control and surveillance (MCS) system through the implementation of the measures already in force, and through the adoption of new measures and tools such a possible on-board regional observers' scheme, a possible catch documentation scheme as well as a possible system on boarding and inspection.	<i>Compliance Committee</i>	<p>Ongoing: IOTC already has an extensive number of MCS related measures. However, the implementation of these measures are the duty and responsibility of the CPCs. Proposals to introduce a catch documentation scheme, especially for the major IOTC species, have until now not received the agreements CPCs. As a way forward, the Commission agreed to set up an IOTC Intersessional Working Party to make progress on a catch documentation scheme for tropical tuna species. Resolution 11/04 – observers and field samplers are required to monitor the landing and unloading of catches respectively.</p> <p>The IOTC Regional Observer Programme (ROP) has over the last two years been expanded in scope to include the verification of documents on board fishing vessels (flag State Authorisation To Fish and fishing logbook), marking of vessels (consistent with information in the IOTC Record of Authorised Vessels) as well as their VMS.</p> <p>At the request of the Commission (S17), the Secretariat is presenting a document at the CoC11, which concerns a study on options for a regional high-seas boarding</p>	Review annually at IOTC meetings.	High

		and inspection scheme, for the IOTC Area.		
Follow-up on infringements				
53. IOTC should explore options concerning the possible lack of follow-up on infringements by CPCs.	<i>Compliance Committee</i>	<p>Ongoing: The Compliance Committee, under its revised terms of reference, is in a better position to assess such cases through the country-based Compliance Reports, and will continue to do so in 2014.</p> <p>Infringements detected under the ROP are communicated to the concerned fleets for their investigation and provision of explanations and/or actions taken.</p> <p>There remains a need to setup a scheme of penalties and incentives.</p>	Review annually at IOTC meetings	Medium
54. IOTC should establish a sanction mechanism for non-compliance, and task the Compliance Committee to develop a structured approach for cases of infringement.	<i>Compliance Committee</i>	<p>Pending: The Compliance Committee, under its revised terms of reference, shall develop a scheme of incentives and sanctions and a mechanism for their application to encourage compliance by all CPCs.</p> <p>There remains a need to setup a scheme of penalties and incentives.</p>	<p>Attempts over the last two years to introduce a scheme of penalties to be applied in case in case of non-fulfilment of reporting obligations have so far not received the required support for adoption.</p> <p>There is a need to continue these efforts.</p>	High
Cooperative mechanisms to detect and deter non-compliance				
56. A structured, integrated approach to evaluate the compliance of each of the Members against the IOTC Resolutions in force should be developed by the Compliance Committee.	<i>Compliance Committee</i>	<p>Ongoing: Since the 2011 Compliance Committee meeting, country-based reports have been prepared for this purpose on the basis of Resolution 10/09.</p>	Review annually at the Compliance Committee meeting	High

57. CPCs should be reminded of their duty to implement in their national legislations the conservation and management measures adopted by IOTC.	<i>Compliance Committee</i>	<p>Ongoing: CPCs are reminded annually about the responsibility of integrating IOTC conservation and management measures in their national legislation. The Reports of Implementation, mandated in the IOTC Agreement, provide a mechanism to monitor progress of implementation at the national level.</p> <p>A project proposal to the WB/IOC grant for <i>Global Partnership for Oceans</i>, to develop a model legal framework to facilitate CPCs to efficiently transpose conservation and management measures adopted by the Commission into their national legislation, has been approved. Two offers for this work are under review, and the contract with the successful bidder is expected to be signed in May 2014.</p>	Review annually at IOTC meetings	High
58. The requirement to present national reports on the implementation of IOTC measures should be reinforced.	<i>Compliance Committee</i>	<p>Ongoing: Reminders are sent to CPCs prior to the Commission meeting and a template, which is revised annually, is provided by the Secretariat to facilitate CPCs preparation of national reports on implementation of IOTC measures. Compliance with this requirement is assessed in the country-based compliance reports. With the introduction of the country-based Compliance Reports, this reporting requirement has gone from 56% for 2010 to 84% for 2012.</p>	Review annually at IOTC meetings	High
59. The sense of accountability within IOTC seems to be very low; therefore more accountability is required. There is probably a need for an assessment of the performance of CPCs.	<i>Compliance Committee</i>	<p>Ongoing: The revised terms of reference of the Compliance Committee now facilitates this assessment in the form of the country reports prepared for the Compliance Committee meeting.</p> <p>Through the Compliance Support Mission, CPCs are becoming more conscious of their role in ensuring the effectiveness of the Commission.</p>	Review annually at IOTC meetings	High
60. Establishment of formal mechanisms of MCS (e.g. observers programmes) should be considered	<i>Compliance Committee</i>	<p>Ongoing: Resolution 12/05 provides for an observer programme to monitor at sea transshipments, by placing observers on carrier vessels. Resolution 11/04 (superseding Resolution 09/04 and 10/04) establishes a Regional Observer Scheme that includes observers on board fishing vessels and port sampling for artisanal fisheries.</p> <p>Implementation remains pending for a number of CPCs.</p>	Review annually at IOTC meetings	Medium

ON INTERNATIONAL COOPERATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN/TIMELINE	PRIORITY
Relationship to non cooperating non Members				
70. When non-cooperation is identified and all reasonable efforts to improve the situation are exhausted, any non-Members continuing not to cooperate should be adequately sanctioned by, for example, market related measures.	<i>Compliance Committee</i>	<p>Ongoing: Resolution 10/10 provides the necessary framework in which to apply market related measures. Actions are to be taken by the Compliance Committee, under its revised terms of reference.</p> <p>However, the creation of a scheme of incentives and sanctions and a mechanism for their application to encourage compliance by all CPCs is still pending.</p>	Review annually at IOTC meetings	High

APPENDIX IX

CONSOLIDATED SET OF RECOMMENDATIONS OF THE 11TH SESSION OF THE COMPLIANCE COMMITTEE (26–28 MAY, 2014) TO THE COMMISSION

National Reports on the Progress of Implementation of Conservation and Management Measures

- CoC11.01 ([para. 21](#)) The CoC **RECOMMENDED** that those CPCs who have not submitted their national ‘Reports of Implementation’ for 2014 should do so as soon as possible. The Chair of the CoC, with the assistance of the IOTC Secretariat shall follow-up with each such CPC to ensure a national ‘Reports of Implementation’ is submitted for publication on the IOTC website and to inform CPCs via an IOTC Circular once each is received.
- CoC11.02 ([para. 36](#)) The CoC **RECOMMENDED** that the Commission agree to the development and distribution of letters of feedback by the IOTC Chair, highlighting areas of non-compliance to relevant CPCs, together with the difficulties and challenges being faced.
- CoC11.03 ([para. 37](#)) The CoC **RECOMMENDED** that the Commission consider developing follow-up actions on the issues contained in the letters of feedback, including potential capacity building activities to address these matters, particularly for developing coastal States.
- CoC11.04 ([para. 38](#)) **NOTING** that there are practical limitations of time prior to the CoC meeting for the Secretariat to prepare, and CPCs to review the country compliance reports, the CoC **RECOMMENDED** that the Commission consider as a basis for discussion, the text contained in [Appendix V](#).
- CoC11.05 ([para. 39](#)) **NOTING** that there are 10 carrier vessels operating under the ROP that are flagged to a non-CPC of the IOTC (Panama), the CoC **RECOMMENDED** that vessels involved in at-sea transshipment operations flagged to non-CPCs shall not be allowed to operate in the IOTC area of competence.

Review of Additional Information Related to IUU Fishing Activities in the IOTC Area of Competence***SHUEN SIANG***

- CoC11.06 ([para. 45](#)) The CoC **RECOMMENDED** that the Commission consider adding the *SHUEN SIANG* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

HOOM XIANG 101, HOOM XIANG 103 and HOOM XIANG 105

- CoC11.07 ([para. 48](#)) The CoC **RECOMMENDED** that the Commission consider adding the *HOOM XIANG 101; HOOM XIANG 103 and HOOM XIANG 105* on the IOTC IUU Vessels List.

Follow-up actions on the decisions of the 17th Session of the Commission

- CoC11.08 ([para. 57](#)) The CoC **RECOMMENDED** that Sri Lanka continues to provide monthly reports for vessels found guilty of IUU activities in UK(OT) waters over the past 3 years (i.e. since 2011).
- CoC11.09 ([para. 58](#)) The CoC **RECOMMENDED** that in November 2014, Sri Lanka provides to the IOTC Secretariat for circulation to the Commission, a further six monthly update on the implementation of their Roadmap of activities for combating IUU fishing. Details, such as copies of the amended High Seas Fishing Act, should be made available immediately.

Identification of possible infringements under the Regional observer programme

- CoC11.10 ([para. 69](#)) The CoC **RECOMMENDED** that those CPCs identified in paper IOTC–2014–CoC11–08c Rev_1 and Add_1, a summary of possible infractions of IOTC regulations by large-scale fishing vessels (LSTLVs/carrier vessels), which have not submitted any response to the Committee investigate and report back to the IOTC via the Secretariat, the findings of their investigations, within three months of the end of the 18th Session of the Commission, by submitting reports on the follow-up on the irregularities identified. In order to assist with the comprehensive evaluation of any alleged infringement, copies of the logbooks, VMS plots, licenses and any other relevant documents should be provided by the flag States, as necessary.
- CoC11.11 ([para. 71](#)) **NOTING** the confusion among many CPCs regarding what certain terms mean, the CoC **RECOMMENDED** that there should be a requirement for all Conservation and Management Measures to use a set of clear definitions. The Compendium Working Group should develop the definitions for them to be added to the IOTC website and the Compendium of CMMs.

Review of the Provisional IUU Vessels List and of the Information Submitted by CPCs Relating to Illegal Fishing Activities in the IOTC Area of Competence – Res. 11/03

Ocean Lion (Flag unknown)

CoC11.12 ([para. 74](#)) The CoC **RECOMMENDED** that the *Ocean Lion* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

Yu Maan Won (Flag unknown)

CoC11.13 ([para. 76](#)) The CoC **RECOMMENDED** that the *Yu Maan Won* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

Gunuar Melyan 21 (Flag unknown)

CoC11.14 ([para. 78](#)) The CoC **RECOMMENDED** that the *Gunuar Melyan 21* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

Hoom Xiang II (Flag unknown)

CoC11.15 ([para. 80](#)) The CoC **RECOMMENDED** that the *Hoom Xiang II* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

FU HSIANG FA No. 21 (Flag unknown)

CoC11.16 ([para. 82](#)) The CoC **RECOMMENDED** that the *FU HSIANG FA No. 21* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

FULL RICH (Flag unknown)

CoC11.17 ([para. 84](#)) The CoC **RECOMMENDED** that the *FULL RICH* remain on the IOTC IUU Vessels List as no further information was provided to the CoC11 during its deliberations.

Vessels with flag unknown

CoC11.18 ([para. 87](#)) The CoC **RECOMMENDED** that the Commission consider adding the vessels detailed in [para. 86](#) on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

[from [para. 86](#)]

- | | |
|------------------------|----------------|
| a) FU HSIANG FA NO. 01 | (Flag unknown) |
| b) FU HSIANG FA NO. 02 | (Flag unknown) |
| c) FU HSIANG FA NO. 06 | (Flag unknown) |
| d) FU HSIANG FA NO. 08 | (Flag unknown) |
| e) FU HSIANG FA NO. 09 | (Flag unknown) |
| f) FU HSIANG FA NO. 11 | (Flag unknown) |
| g) FU HSIANG FA NO. 13 | (Flag unknown) |
| h) FU HSIANG FA NO. 17 | (Flag unknown) |
| i) FU HSIANG FA NO. 21 | (Flag unknown) |
| j) FU HSIANG FA NO. 23 | (Flag unknown) |
| k) FU HSIANG FA NO. 26 | (Flag unknown) |
| l) FU HSIANG FA NO. 30 | (Flag unknown) |
| m) SRI FU FA 18 | (Flag unknown) |
| n) SRI FU FA 67 | (Flag unknown) |
| o) SRI FU FA 168 | (Flag unknown) |
| p) SRI FU FA 188 | (Flag unknown) |
| q) SRI FU FA 189 | (Flag unknown) |
| r) SRI FU FA 286 | (Flag unknown) |
| s) SRI FU FA 888 | (Flag unknown) |
| t) FU HSIANG FA NO. 20 | (Flag unknown) |

QIAN YUAN (Flagged to Cambodia)

CoC11.19 ([para. 93](#)) The CoC was unable to reach a conclusion and therefore, **RECOMMENDED** that the Commission consider whether the vessel *QIAN YUAN* be retained on the Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until such an investigation and until further information is provided, and in the absence of these requirement the vessel should be moved onto the IOTC IUU Vessels List.

CoC11.20 ([para. 94](#)) The CoC **RECOMMENDED** that the IOTC Secretariat contact Cambodia to ask that they apply to become a Contracting Party of the IOTC and register its carrier vessels that are supplying fishing vessels listed on the IOTC Record of Authorised Vessels and fishing in the IOTC area of competence.

MAAN YIH FENG (Flagged to Taiwan, Province of China)

CoC11.21 ([para. 98](#)) The CoC **RECOMMENDED** that the Commission consider retaining the *MAAN YIH FENG* on the Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until sanctions of adequate severity have been applied and until an investigation is conducted and the report received. In the absence of these requirements the vessel should be moved onto the IUU list.

Review of FAD management plans

CoC11.22 ([para. 107](#)) The CoC **RECOMMENDED** that the IOTC Secretariat shall undertake an analysis of compliance with the requirements of Resolution 13/08 and to present it at each Session of the CoC.

Review of options for a regional high-seas boarding and inspection scheme for the IOTC area

CoC11.23 ([para. 110](#)) The CoC **RECOMMENDED** the creation of either an informal, inter-sessional working group to discuss further the ‘*Regional high-seas boarding and inspection scheme*’ involving interested CPCs, or via the proposed Working Party on Compliance (IOTC-2014-S18-PropQ), if adopted by the Commission, in order to develop the guideline further and subsequent proposal for a Conservation and Management Measure. If a separate working group is formed, then the group should meet, to the extent possible, via electronic means to minimise costs.

CoC11.24 ([para. 113](#)) The CoC **RECOMMENDED** that all CPCs inform fishing vessel owners, companies and agents of the advisability of reporting intention to transit through another CPCs waters, and to provide details of the reporting formats, such as that for UK(OT) contained in Circular 2013-51.

CoC11.25 ([para. 114](#)) The CoC **RECOMMENDED** that all CPCs inform fishing vessel owners, companies and agents of the requirements to comply with IOTC CMMs and to include this within terms and conditions of licencing and fisheries legislation.

CoC11.26 ([para. 115](#)) The CoC **RECOMMENDED** that all IOTC coastal State enforcement bodies consider completing a common ‘Reporting Form for Activity Not Compliant with IOTC Resolutions’ for any inspections carried out on board vessels in transit through their waters, and report a summary of this to IOTC Secretariat for the CoC, at least annually.

CoC11.27 ([para. 116](#)) The CoC **RECOMMENDED** that as part of its review and consolidation of IOTC CMMs the Commission should revise all relevant CMMs such that they apply to any vessel, irrespective of its size, registered on the IOTC Record of Vessels which operate in the IOTC area of competence and which fish outside their national fisheries jurisdiction for species covered by the IOTC Agreement.

Update on Progress Regarding the Performance Review – Compliance related issues

CoC11.28 ([para. 125](#)) The CoC **RECOMMENDED** that the Commission note the current status of implementation for each of the recommendations arising from the Report of the IOTC Performance Review Panel, relevant to the CoC, as provided in [Appendix VIII](#).

Activities by the Secretariat in Support of Capacity Building for Developing CPCs

CoC11.29 ([para. 129](#)) The CoC **RECOMMENDED** that the Commission consider its continued support of the work of the Secretariat in 2014/15, to allow it to undertake additional capacity building missions to improve the implementation of CMMs by IOTC Members, and to consider further developing the plan of work for 2014/15.

CoC11.30 ([para. 130](#)) The CoC **RECOMMENDED** the need to identify the root causes of non-compliance.

Review of Requests for Access to the Status of Cooperating Non-Contracting Party**Senegal**

CoC11.31 ([para. 134](#)) The CoC **RECOMMENDED** that the Commission considers renewing the status of Senegal as a Cooperating Non-Contracting Party of the IOTC.

Bangladesh

CoC11.32 ([para. 136](#)) The CoC **RECOMMENDED** that the Commission considers the application by Bangladesh for the status of a Cooperating Non-Contracting Party of the IOTC (IOTC-2014-CoC110-CNCP02) at its 18th Session.

Democratic People’s Republic of Korea

CoC11.33 ([para. 138](#)) The CoC **RECOMMENDED** that the Commission considers the application by the Democratic People’s Republic of Korea for the status of Cooperating Non-Contracting Party of the IOTC (IOTC–2014–CoC11–CNCP03) at its 18th Session.

Djibouti

CoC11.34 ([para. 140](#)) The CoC **RECOMMENDED** that the Commission considers granting Djibouti the status of Cooperating Non-Contracting Party.

South Africa, Republic of

CoC11.35 ([para. 142](#)) The CoC **RECOMMENDED** that the Commission considers the application by South Africa for the status of Cooperating Non-Contracting Party of the IOTC (IOTC–2014–CoC11–CNCP05) at its 18th Session.

Date and place of the 12th Session of the Compliance Committee

CoC11.36 ([para. 144](#)) The CoC **RECOMMENDED** that the next 12th Session of the CoC be held immediately prior to the 19th Session of the Commission. The exact dates and location would be decided by the Commission at its 18th Session.

Adoption of the Report of the 11th Session of the Compliance Committee

CoC11.37 ([para. 145](#)) The CoC **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC11, provided at [Appendix IX](#).