

Report of the 12th Session of the Compliance Committee

Busan, Rep. of Korea, 20–22 April 2015

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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

HOW TO INTERPRET TERMINOLOGY CONTAINED IN THIS REPORT

The CoC12 Report has been written using the following terms and associated definitions so as to remove ambiguity surrounding how particular paragraphs should be interpreted.

Level 1: *From a subsidiary body of the Commission to the next level in the structure of the Commission:*

RECOMMENDED, RECOMMENDATION: Any conclusion or request for an action to be undertaken, from a subsidiary body of the Commission (Committee or Working Party), which is to be formally provided to the next level in the structure of the Commission for its consideration/endorsement (e.g. from a Working Party to the Scientific Committee; from a Committee to the Commission). The intention is that the higher body will consider the recommended action for endorsement under its own mandate, if the subsidiary body does not already have the required mandate. Ideally this should be task specific and contain a timeframe for completion.

Level 2: *From a subsidiary body of the Commission to a CPC, the IOTC Secretariat, or other body (not the Commission) to carry out a specified task:*

REQUESTED: This term should only be used by a subsidiary body of the Commission if it does not wish to have the request formally adopted/endorsed by the next level in the structure of the Commission. For example, if a Committee wishes to seek additional input from a CPC on a particular topic, but does not wish to formalise the request beyond the mandate of the Committee, it may request that a set action be undertaken. Ideally this should be task specific and contain a timeframe for the completion.

Level 3: *General terms to be used for consistency:*

AGREED: Any point of discussion from a meeting which the IOTC body considers to be an agreed course of action covered by its mandate, which has not already been dealt with under Level 1 or level 2 above; a general point of agreement among delegations/participants of a meeting which does not need to be considered/adopted by the next level in the Commission's structure.

NOTED/NOTING: Any point of discussion from a meeting which the IOTC body considers to be important enough to record in a meeting report for future reference.

Any other term: Any other term may be used in addition to the Level 3 terms to highlight to the reader of an IOTC report, the importance of the relevant paragraph. However, other terms used are considered for explanatory/informational purposes only and shall have no higher rating within the reporting terminology hierarchy than Level 3, described above (e.g. **CONSIDERED; URGED; ACKNOWLEDGED**).

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EXECUTIVE SUMMARY

The 12th Session of the Compliance Committee (CoC) of the Indian Ocean Tuna Commission (IOTC) was held in Busan, Rep. of Korea from 20–22 April 2015. The welcome address was given by Mr. Jeongseok Park of the International Cooperation Division, Overseas Fisheries and International Policy Bureau, Ministry of Oceans and Fisheries, Republic of Korea. The meeting was opened by the Chair, Mr. Herminio Tembe (Mozambique). A total of 88 delegates attended the Session, composed of 72 delegates from 22 Contracting Parties (Members) of the Commission, 1 delegate from Senegal, of the 3 Cooperating Non-Contracting Parties, and 16 delegates from 10 Observers (including 5 invited experts).

([para. 2](#)) The CoC **RECALLED** that the purpose of the Compliance Committee meeting is to strengthen compliance amongst Contracting Parties (Members), and Cooperating Non-Contracting Parties (CPCs) by firstly reviewing progress made during the 2014/2015 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.

([para. 8](#)) The CoC **NOTED** that although there has been a continued improvement in the levels of compliance by some CPCs in 2014, 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.

([para. 14](#)) The CoC **NOTED** that the compliance reports assessing the reporting requirements are more quantitative and does not consider the quality of the information provided.

The following are a subset of the complete recommendations from the CoC12 to the Commission, which are provided at [Appendix XI](#).

([para. 28](#)) **NOTING** that the deadline for submitting Fleet Development Plans was at the end of 2009 for those CPCs who were part of the Commission at the time, the CoC **RECOMMENDED** that those CPCs that have expressed their desire to submit a Fleet Development Plan to do so as soon as possible..

([para. 48](#)) The CoC **RECOMMENDED** that when countries are requesting the renewal of their CNCP status they have to participate in the work of the CoC and the Commission.

([para. 90](#)) The CoC **RECOMMENDED** that the vessels listed in [para 89](#) remain on the IOTC IUU Vessels List as no further information was provided to the CoC12 during its deliberations

([para. 127](#)) The CoC **RECOMMENDED** that the Working Group on High Seas Boarding Scheme continue its work during the intersessional period and report the result of its work to the CoC13.

([para. 133](#)) The CoC **RECOMMENDED** that the IOTC Secretariat continues with those capacity building activities and to include similar activities that would allow CPCs to address the issue of mandatory statistics.

([para. 142](#)) The CoC **RECOMMENDED** that the Commission considers renewing the status of Senegal as Cooperating Non-Contracting Party of the IOTC:

([para. 143](#)) The CoC **RECOMMENDED** that the Commission considers granting Bangladesh the status of Cooperating Non-Contracting Party for the first time

([para. 147](#)) The CoC **RECOMMENDED** that the concerned CPCs consider the development of a proposal on a Working Party on Compliance for S20.

1. OPENING OF THE SESSION

1. The 12th Session of the Compliance Committee (CoC) of the Indian Ocean Tuna Commission (IOTC) was held in Busan, Rep. of Korea from 20–22 April 2015. The welcome address was given by Mr. Jeongseok Park of the International Cooperation Division, Overseas Fisheries and International Policy Bureau, Ministry of Oceans and Fisheries, Republic of Korea. The meeting was opened by the Chair, Mr. Herminio Tembe (Mozambique). A total of 88 delegates attended the Session, composed of 72 delegates from 22 Contracting Parties (Members) of the Commission, 1 delegate from Senegal, of the 3 Cooperating Non-Contracting Parties, and 16 delegates from 10 Observers (including 5 invited experts). The list of participants is provided at [Appendix I](#).
2. The CoC **RECALLED** that the purpose of the Compliance Committee meeting is to strengthen compliance amongst Contracting Parties (Members), and Cooperating Non-Contracting Parties (CPCs) by firstly reviewing progress made during the 2014/2015 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](#), noting the request from Mozambique to include the information paper IOTC–2015–CoC12–INF02 under the agenda item 14 (Other Business). The documents presented to the CoC are listed at [Appendix III](#).
4. The CoC **NOTED** the statements from Mauritius and the United Kingdom (OT) provided at [Appendix IV](#).

3. ADMISSION OF OBSERVERS

5. The CoC **NOTED** that at the 18th Session of the Commission, Contracting Parties decided that its subsidiary bodies should be open to participation by observers from all those who have attended the current and/or previous sessions of the Commission. Applications by new Observers should continue to follow the procedure as outlined in Rule XIV of the IOTC Rules of Procedure (2014).
6. Pursuant to Article VII of the Agreement establishing the IOTC, the CoC admitted the following observers, as defined in Rule XIV of the IOTC Rules of Procedure (2014):
 - Rule XIV.1. *The Director-General or a representative designated by him, shall have the right to participate without vote in all meetings of the Commission, of the Scientific Committee and of any other subsidiary body of the Commission.*
 - Rule XIV.2. *Members and Associate Members of the Organization that are not Members of the Commission are, upon their request, invited to be represented by an observer at sessions of the Commission.*
 - i. Bangladesh
 - ii. Liberia
 - iii. Russian Federation
 - Rule XIV.4. *The Commission may, on their request, invite intergovernmental organizations having special competence in the field of activity of the Commission, to attend such of its meetings as the Commission may specify.*
 - i. Indian Ocean Commission (IOC)
 - Rule XIV.5. *The Commission may invite, upon request, non-governmental organizations having special competence in the field of activity of the Commission to attend such of its meetings as the Commission may specify. The list of the NGOs wishing to be invited will be submitted beforehand by the Secretary to the Members of the Commission. If one of the Members of the Commission objects giving in writing its reasons within 30 days, the matter will then be subject to decision of the Commission out of session by written procedure.*
 - i. International Seafood Sustainability Foundation (ISSF)
 - ii. Worldwide Fund for Nature (WWF)
 - iii. Pew Environment Group
 - iv. US-Japan Research Institute
 - v. Stop Illegal Fishing (SIF)

Invited experts

- Rule XIV.9. *The Commission may invite consultants or experts, in their individual capacity, to attend the meetings or participate in the work of the Commission as well as the Scientific Committee and the other subsidiary bodies of the Commission.*
 - i. Taiwan, Province of China

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

4.1 Summary report on the level of compliance

7. The CoC **NOTED** paper IOTC-2015-CoC12-03 Rev2 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 IOTC Secretariat as of 20th March 2015.
8. The CoC **NOTED** that although there has been a continued improvement in the levels of compliance by some CPCs in 2014, 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.
9. The CoC **NOTED** the low level of compliance with the submission of mandatory statistics for IOTC species (Resolutions 10/02), the submission of mandatory statistics for sharks (Resolution 05/05) and the implementation of the regional observer scheme (Resolution 11/04),
10. The CoC **ENCOURAGED** CPCs to continue to increase their efforts to comply with the requirements of the three Resolutions identified as being the ones with lowest levels of compliance.
11. The CoC **REMINDED** all CPCs and the IOTC Secretariat of the need to respect the deadlines of the processes established in the IOTC Rules of Procedure (2014). In particular, Rule XI, Appendix V, para. 4 which indicates that:
 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 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. This table could be updated up to one week prior to the commencement of the Compliance Committee.*
 - 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.*
12. The CoC **RECALLED** that all other papers are due 30 days prior to the commencement of the CoC Session, in accordance with the IOTC Rules of Procedure (2014), as Rule XI, Appendix V, para. 6 indicates that the procedures of the CoC shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission, which require all papers to be submitted and made public no later than 30 days prior to the start of the Session in question.

13. The CoC **NOTED** the delay for the IOTC Secretariat to make documents public no later than 30 days prior to the start of the Session, which was due to the consultation process to finalise the Compliance Report.
14. The CoC **NOTED** that the compliance reports assessing the reporting requirements are more quantitative and does not consider the quality of the information provided.

4.2 IOTC regional observer programme for at-sea transshipments

15. The CoC **NOTED** paper IOTC–2015–CoC12–04a and 4b which provided reports on establishing an observer programme to monitor at-sea transshipment by large-scale tuna longline fishing vessels in the IOTC area of competence and in particular the alleged cases of non-compliance.
16. 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 56 carrier vessels that have been expressly authorised to receive at-sea transshipments from participating fleets in the programme.
17. The CoC **NOTED** that from the 56 carrier vessels listed as carrier vessel in the IOTC Record of Authorised Vessels, 19 carrier vessels have been used by the participating fleets in 2014 and 23 carrier vessels have never been used under the ROP.
18. The CoC **NOTED** that there are 5 carrier vessels operating under the ROP that are flagged to non-CPCs of the IOTC (Singapore and Panama).
19. The CoC **NOTED** that in 2014, a total of 48 (up from 47 in 2013, 45 in 2012 and 42 in 2011) observer deployments were approved; A total of 704 (down from 852 in 2013, 801 in 2012 and 770 in 2011) transshipment operations were observed, in which 41,192 t (down from 47,035 t in 2013, 43,339 in 2012 and up from 37,443 t in 2011) of fish were transhipped. Bigeye tuna was the main species transhipped; accounting for 39.7% (down from 42.5% in 2013 and 55% in 2012) of all fish transhipped. This was followed by albacore and yellowfin tuna which accounted for 17.5% (15.4% in 2013 and 9.3% in 2012) and 14.82% (14.7% in 2013 and 16.3% in 2012) respectively. Overall, tuna and billfishes accounted for 73.92% (74.8% in 2013) of all species transhipped. In comparison to 2013, the quantity of fish transhipped during 2014 has slightly decreased.
20. The CoC **NOTED** paper IOTC–2015–CoC12–INF04 which contains a statement from Indonesia.

Recommendation/s

21. **NOTING** that there are 5 carrier vessels operating under the ROP that are flagged to non-CPCs of the IOTC (Singapore and Panama), the CoC **RECOMMENDED** that the Resolution 14/06 be amended in the future to take into consideration the concerns of carrier vessels flagged to non-CPCs that are involved in at-sea transshipment operations in the IOTC area of competence

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

22. The CoC **NOTED** papers IOTC–2015–CoC12–05 and 05 Add1, which summarise the information available to the IOTC 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 VIII](#)).
23. The CoC **NOTED** that the trends in overall fishing capacity can be assessed by comparing the active capacity in 2014 with the reference active capacity in 2006 or 2007. Capacity in 2014 reflects a decrease in fishing pressure, relative to 2006 or 2007 levels.
24. **NOTING** that two CPCs (India and Pakistan) have yet to provide a list of their active vessels in 2014, in contravention of Resolution 12/11, para. 1, the CoC **REQUESTED** that these two CPCs do so during the current Session in consultation with the IOTC Secretariat.
25. The CoC **NOTED** that in relation to tropical tunas, the results indicate that the active capacity in 2014 (412,474 tons) has decreased relative to the baseline capacity of 2006 (576,163 tons), and it was just over a third of the reference limit capacity of 1,104,709 tons, that was expected for 2014. 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.
26. The CoC **NOTED** that contrary to the last few years, the level of activities in the swordfish and albacore fishery has increased substantially in the last year, reaching just over 80% of the baseline value of 2007. Five CPCs that have not recorded a baseline capacity for this fishery have now indicated, in their most recent fleet development plans, that they will introduce vessels in this fishery in the coming years. During 2014, two CPCs (Malaysia and

Thailand) that have not reported a baseline capacity for this fishery, have indicated that their vessels have been active in this fishery.

27. Without prejudice to the aspirations of the developing coastal States, especially small islands developing States, to develop their own fleet, the CoC **NOTED** that there were issues of concerns over the quality on Fleet Development Plans and their implementation schedule.
28. **NOTING** that the deadline for submitting Fleet Development Plans was at the end of 2009 for those CPCs who were part of the Commission at the time, the CoC **RECOMMENDED** that those CPCs that have expressed their desire to submit a Fleet Development Plan to do so as soon as possible.

5. NATIONAL REPORTS ON THE PROGRESS OF IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES (Article X.2 IOTC Agreement)

29. The CoC **NOTED** that in 2015, a total of 24 national ‘Reports of Implementation’ were provided by CPCs (24 Members and zero Cooperating Non-Contracting Parties), down from 25 in 2014, 27 in 2013 and 28 in 2012. The importance of the timely submission of national ‘Reports of Implementation’ by all CPCs was highlighted.
30. 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.
31. 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 IOTC Secretariat.
32. The CoC **NOTED** the statements from Mauritius and France (OT) provided at [Appendix Va](#).
33. The French delegation issued a statement in relation to agenda item 5 and 6, to be set out in [Appendix Va](#).
34. The Mauritian delegation objected to the statement included in the [Appendix Va](#), provided in the version of the report for adoption, on the basis that the statement was not what was stated when this item was discussed under agenda item 5 and 6.
35. The Chair **REQUESTED** that consultations be effected by both delegations. Both delegations confirmed that consultation had taken place in relation to the objection raised by the Mauritian delegation. The statement referred in paragraph 35, is set out in [Appendix Vb](#). The Mauritian delegation provided an additional statement in reply to the one in [Appendix Vb](#), which is set out in [Appendix Vc](#).

Recommendation/s

36. The CoC **RECOMMENDED** that those CPCs (Eritrea, Guinea, India, Pakistan, Sierra Leone, Sudan, Yemen, Djibouti and South Africa) who have not submitted their national ‘Reports of Implementation’ for 2015, do so within 30 days after the end of the Commission meeting. 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 during the Commission meeting and then also via an IOTC Circular once each report is received.

6. REVIEW OF THE COUNTRY BASED COMPLIANCE REPORTS

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

37. The CoC **NOTED** the country based Compliance Reports (IOTC–2015–CoC12–CR01 to CR35) for each CPC prepared by the IOTC Secretariat, which indicated that progress had been made by each CPC on compliance with IOTC CMMs in 2014/2015 during the intersessional period. 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.
38. 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’, substantial variations in the degree of compliance by each CPC was evident.
39. The CoC **INVITED** the IOTC 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, harvesting an important amount 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.

40. The CoC **NOTED** the actions taken by the fleet of longliners from Taiwan, Province of China, to comply with IOTC CMMs. The Compliance Report, and the ‘Report of Implementation’ made available by Taiwan, Province of China to the IOTC Secretariat, can be made available to CPCs upon request.

6.2 Identification of challenges encountered in the implementation of IOTC CMMs; CPC information on its compliance status (reasons, problems, etc.).

41. **NOTING** the responses from CPCs on non-compliance issues, the CoC **AGREED** to include the 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 including identifying opportunities to assist in raising the level of implementation of CMMs (inter-sessional process, and 2016 Compliance Committee discussions).

42. 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 19th Session of the Commission (S19) by the Chair of the Commission, including the challenges being experienced by CPCs in implementing the IOTC CMMs.
43. The CoC **NOTED** that eleven CPCs (Members: Belize, Eritrea, Guinea, India, Pakistan, Sierra Leone, Sudan, Vanuatu and Yemen; CNCPs: Djibouti and South Africa) were not present at CoC12 and **AGREED** that attendance by all CPCs at each CoC meeting is essential to the effective operation of the Commission.
44. The CoC **NOTED** the advice from the Chair of the Scientific Committee 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 reliability of the assessment of the stocks. It was also highlighted that it is important to have rapid and tangible progress on the implementation of the regional observer scheme.
45. The CoC **REQUESTED** that the Chair of the CoC shall provide questions in writing to each of the CPCs who were not in attendance at the CoC meeting. For those CPCs who attend S19, this would be done during the first day of the meeting. For those CPCs who do not attend S19, 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.

Recommendation/s

46. 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. The development of 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’ needs to be developed and funded appropriately.
47. The CoC **RECOMMENDED** that the IOTC Secretariat provide CPCs with the assessment criteria to understand the process of how the Compliance Reports are compiled, including information on the year being assessed for each requirement.
48. The CoC **RECOMMENDED** that when countries are requesting the renewal of their CNCP status they have to participate in the work of the CoC and the Commission.

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

7.1 Complementary compliance elements for discussion

49. The CoC **NOTED** paper IOTC–2015–CoC12–08a Rev_4 which outline reports of three high risks vessels to port States, possible IUU fishing activities in the IOTC area of competence by 22 fishing vessels, and the settlement of cases against two fishing vessels found to have fished illegally in the waters of one CPC in the IOTC area of competence. Apart from the two settled cases and one late request to include one of the above vessel on the IOTC Draft IUU Vessels List, no request concerning the placement of the other vessels on the IOTC Draft IUU Vessels List has been received. The information concerning these other vessels, plus the late request for IUU Listing is for the consideration of CPCs and for them to take any action that they may feel is appropriate, at the 12th Session of the Compliance Committee.

KUNLUN, SONGHUA and YOUNGDIN

50. The CoC **NOTED** the information provided by Interpol regarding the fishing vessels KUNLUN, SONGHUA and YOUNGDIN. It is suspected that the three vessels, flagged to Equatorial Guinea, may try to use port facilities in the IOTC area.
51. The CoC **NOTED** that no feedback had been received from CPCs when this information was first circulated in January 2015, through IOTC Circular 2015-004.

Recommendation/s

52. The CoC **RECOMMENDED** that the Commission consider adding the KUNLUN, SONGHUA and YOUNGDIN on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

FU HSIANG FA No. 18

53. The CoC **NOTED** the information provided by Belize regarding the longline vessel *FU HSIANG FA No. 18*, 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 IOTC IUU Vessels List as it is considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.
54. The CoC **AGREED** that the vessel should be considered for addition to the IOTC Provisional 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

55. The CoC **RECOMMENDED** that the Commission consider adding the *FU HSIANG FA No. 18* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

ANEKA 228, KM ANEKA 228, SAMUDERA PERKASA 11, SAMUDERA PERKASA 12 and YI HONG 16

56. The CoC **NOTED** the information provided by Indonesia regarding the five vessels *ANEKA 228, KM ANEKA 228, SAMUDERA PERKASA 11, SAMUDERA PERKASA 12* and *YI HONG 16*, which purported to be flagged to Indonesia and which have landed catches in Phuket, Thailand, during the year 2013. Indonesia confirmed that the vessels were not registered to Indonesia, nor had they ever been registered as Indonesian flagged vessels. . It was suggested that the vessels should be considered for addition to the IOTC Provisional IUU Vessels List as they are considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.
57. The CoC **AGREED** that the vessels should be considered for addition to the IOTC Provisional IUU Vessels List as they are considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.

Recommendation/s

58. The CoC **RECOMMENDED** that the Commission consider adding the vessels *ANEKA 228, KM ANEKA 228, SAMUDERA PERKASA 11, SAMUDERA PERKASA 12* and *YI HONG 16* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

KIM SENG DENG, YI HONG 106, YI HONG 116 and YI HONG 6

59. The CoC **NOTED** that no information has been provided by Bolivia regarding the vessels *KIM SENG DENG, YI HONG 106, YI HONG 116* and *YI HONG 6*, which are purportedly flagged to Bolivia.
60. The CoC **NOTED** that Bolivia is neither a Member nor a Cooperating non-Contracting Party of the IOTC. On the basis of this, the activities of these in the IOTC area are in breach of Resolution 11/03
61. The CoC **AGREED** that the vessels should be considered for addition to the IOTC Provisional IUU Vessels List as they are considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.

Recommendation/s

62. The CoC **RECOMMENDED** that the Commission consider adding the vessels *KIM SENG DENG, YI HONG 106, YI HONG 116* and *YI HONG 6* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

KUANG HGING 127, KUANG HGING 196, MAAN YIH HSING, SIN SHUN FA 67, SIN SHUN FA 8, SIN SHUN FA 9, TIAN LUNG NO.12 and YI HONG 3

63. The CoC **NOTED** the information provided by Taiwan, Province of China, regarding the eight vessels, *KUANG HGING 127, KUANG HGING 196, MAAN YIH HSING, SIN SHUN FA 67, SIN SHUN FA 8, SIN SHUN FA 9, TIAN LUNG NO.12* and *YI HONG 3*, which purported to be registered to Taiwan, Province of China, and which have landed catches in Phuket, Thailand, during the year 2013. Taiwan, Province of China confirmed that the vessels were not registered to Taiwan, Province of China. . It was suggested that the vessels should be considered for addition to the IOTC IUU Vessels List as they are considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.

64. The CoC **AGREED** that the eight vessels *KUANG HGING 127*, *KUANG HGING 196*, *MAAN YIH HSING*, *SIN SHUN FA 67*, *SIN SHUN FA 8*, *SIN SHUN FA 9*, *TIAN LUNG NO.12* and *YI HONG 3* should be considered for addition to the IOTC Provisional IUU Vessels List as they are considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.

Recommendation/s

65. The CoC **RECOMMENDED** that the Commission consider adding the vessels *KUANG HGING 127*, *KUANG HGING 196*, *MAAN YIH HSING*, *SIN SHUN FA 67*, *SIN SHUN FA 8*, *SIN SHUN FA 9*, *TIAN LUNG NO.12* and *YI HONG 3* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

MAOULLAI and MALIKI

66. The CoC **NOTED** the information provided by Seychelles on the case of illegal fishing in Seychelles waters by vessels MAOULLAI and MALIKI, flagged to the Islamic Republic of Iran.

Recommendation/s

67. The CoC **RECOMMENDED** that the Islamic Republic of Iran provides to the IOTC Secretariat within two months from the end of the 19th Session of the Commission, for circulation to the Commission, a report on the actions and measures taken to control the two vessels, including registration on the IOTC records of Authorised vessels, authorisation to fish issued to the vessels, installation of VMS on-board the two vessels and evidence of fishing logbook on-board.

CHI TONG and SHUEN SIANG

68. The CoC **NOTED** the information provided by Taiwan, Province of China regarding the two vessels, CHI TONG and SHUEN SIANG, which purported to be registered to Taiwan, Province of China and which have landed catches in Phuket, Thailand, during the year 2013. Taiwan, Province of China confirmed that the vessels were previously registered to Taiwan, Province of China with the same name and whose licenses were revoked in 1995 and for which no records exist in their current registry. It was suggested that the vessels should be considered for addition to the IOTC IUU Vessels List as they are considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.

69. The CoC **AGREED** that the two vessels CHI TONG and SHUEN SIANG should be considered for addition to the IOTC Provisional IUU Vessels List as they are considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.

Recommendation/s

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

YU FONG No. 168

71. The CoC **NOTED** the information provided by Taiwan, Province of China regarding the vessel YU FONG No. 168 which purported to be registered to Taiwan, Province of China and which have landed catches in Phuket, Thailand, during the year 2013. Taiwan, Province of China confirmed that the vessel was previously registered to Taiwan, Province of China with the same name and whose license was revoked in 2009 and has since then been operating illegally. It was suggested that the vessels should be considered for addition to the IOTC IUU Vessels List as it is considered to be flagless and fishing in the IOTC area of competence in breach of Resolution 11/03.

72. The CoC **AGREED** that the vessel YU FONG No. 168 should be considered for addition to the IOTC Provisional 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

73. The CoC **RECOMMENDED** that the Commission consider adding the vessel YU FONG No. 168 on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

7.2 Reporting of vessels in transit through waters of the UK(OT) for potential breach of IOTC Conservation and Management Measures

74. The CoC **NOTED** paper IOTC–2015–CoC12–08b which provides information from the United Kingdom (OT) on inspection of fishing vessels flagged to Sri Lanka, China, India and Taiwan, Province of China.

75. The CoC **NOTED** the statements from Mauritius and the United Kingdom (OT), provided at [Appendix VI](#).

Recommendation/s

76. The CoC **RECOMMENDED** that paper IOTC–2015–CoC12–08b be deferred to the Commission (S19) due to the statement of Mauritius.

7.3 Summary of possible infractions reported by observers under the Regional observer program (IOTC Transshipment Programme)

77. The CoC **NOTED** paper IOTC–2015–CoC12–08c 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 2014, in line with the requirement of IOTC Resolution 14/06 *On establishing a programme for transshipment by large-scale fishing vessels*.
78. The CoC **NOTED** that a total of 380 possible infractions were recorded in 2014 (down from 840 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 IOTC Secretariat. The possible infractions consisted of the following:
- 197 (549 in 2013; 77 in 2012) cases where vessel skippers failed to provide fishing logbooks for inspection, or the logbooks were not printed and bound.
 - 106 (157 in 2013; 40 in 2012) related to marking of vessels;
 - 25 (85 in 2013; 36 in 2012) inspections where vessel skippers failed to provide valid fishing licenses or authorizations to fish.
 - 52 (43 in 2013; 12 in 2012) vessels where there was either no VMS on board or where the VMS was not in operation.
79. **NOTING** that all observer reports for the IOTC at-sea transshipment Programme, are forwarded to the countries concerned for information, the CoC **REMINDED** 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.

7.4 Identification of repeated possible infringements under the Regional observer programme

80. The CoC **NOTED** paper IOTC–2015–CoC12–08c 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 2014, in line with the requirement of IOTC Resolution 14/06 *On establishing a programme for transshipment by large-scale fishing vessels*.
81. The CoC **NOTED** that nine (9) fleets have a record of repeated possible infringements in 2014 (Taiwan, Province of China: 48; Seychelles: 13; Japan: 8; Malaysia: 5; Indonesia, Oman, Philippines and Thailand 2; Tanzania: 1) and two fleets have no record of repeated infringement in 2014 (China and Rep. of Korea).
82. The CoC **NOTED** that seven (7) fleets have LSTLVs with 80 records of repeated possible infringements in 2014 that have a record of infringements in 2013.
- Forty-eight LSTLVs of the fleet of Taiwan, Province of China have been identified as repeated possible infringer in 2014. Thirty-eight of those 48 vessels have a record of possible infractions in 2013.
 - Eight LSTLVs of the fleet of Japan have been identified as repeated possible infringer in 2014. Six of those 8 LSTLVs have a record of possible infractions in 2013.
 - Two LSTLVs of the fleet of Oman have been identified as repeated possible infringer in 2014. The 2 LSTLVs have a record of possible infractions in 2013.
 - Two LSTLVs of the fleet of Philippines have been identified as repeated possible infringer in 2014. The 2 LSTLVs have a record of possible infractions in 2013.
 - Thirteen LSTLVs of the fleet of Seychelles have been identified as repeated possible infringer in 2014. Twelve of those 13 LSTLVs have a record of possible infractions in 2013.
 - Two LSTLVs of the fleet of Thailand have been identified as repeated possible infringer in 2014. The 2 LSTLVs have a record of possible infractions in 2013.
 - Five LSTLVs of the fleet of Malaysia have been identified as repeated possible infringer in 2014. The 5 LSTLVs have a record of possible infractions in 2013.
83. The CoC **NOTED** that three (3) fleets have LSTLVs with 12 records of repeated possible infringements in 2014, but did not tranship in 2013 or there is no record of possible infringement in 2013.
- One LSTLV of the fleet of China has been identified as repeated offender in 2014.
 - Two LSTLVs of the fleet of Indonesia have been identified as repeated offender in 2014.

- c) One LSTLV of the fleet of Tanzania has been identified as a repeated offender in 2014.

84. The CoC **NOTED** the additional information provided by a range of CPCs in regard to the possible infringements outlined in papers IOTC–2015–CoC12–08c and 8c Add_1. All CPCs committed to investigate the possible infractions with the aim of reducing or eliminating infractions in the near future.
85. 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

86. The CoC **RECOMMENDED** that those CPCs identified in paper IOTC–2015–CoC12–08c and 8c Add1, a summary of possible infractions of IOTC regulations by large-scale fishing vessels (LSTLVs/carrier vessels), which have not submitted any response to the CoC, investigate and report back to the Commission via the IOTC Secretariat, the findings of their investigations, within three (3) months of the end of the 19th 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. The IOTC Secretariat shall, at the end of the three (3) months, notify the Commission via a Circular, of those CPCs who have not provided a response.
87. The CoC **RECOMMENDED** that the IOTC Secretariat work with the Contractor to request that a draft of the inspection report be provided to the fishing master of the LSTLVs to give the opportunity of the fishing master to provide comments on the inspection report and when there are comments, they are provided back to the observer for consideration for the final observer report.

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 – RESOLUTION 11/03

88. The CoC **NOTED** paper IOTC–2015–CoC12–07 which outlined the IOTC 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 9 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 2014 IOTC IUU Vessels List - review

FU HSIANG FA NO. 01, FU HSIANG FA NO. 02, FU HSIANG FA NO. 06, FU HSIANG FA NO. 08, FU HSIANG FA NO. 09, FU HSIANG FA NO. 11, FU HSIANG FA NO. 13, FU HSIANG FA NO. 17, FU HSIANG FA NO. 20, FU HSIANG FA NO. 21, FU HSIANG FA NO. 21, FU HSIANG FA NO. 23, FU HSIANG FA NO. 26, FU HSIANG FA NO. 30, FULL RICH, GUNUAR MELYN 21, HOOM XIANG 101, HOOM XIANG 103, HOOM XIANG 105, HOOM XIANG II, OCEAN LION, SHUEN SIANG, SRI FU FA 168, SRI FU FA 18, SRI FU FA 188, SRI FU FA 189, SRI FU FA 286, SRI FU FA 67, SRI FU FA 888 and YU MAAN WON all of which whose current flag are unknown.

89. The CoC **NOTED** that no new information was available for the below listed vessels.

1. FU HSIANG FA NO. 01
2. FU HSIANG FA NO. 02
3. FU HSIANG FA NO. 06
4. FU HSIANG FA NO. 08
5. FU HSIANG FA NO. 09
6. FU HSIANG FA NO. 11
7. FU HSIANG FA NO. 13
8. FU HSIANG FA NO. 17
9. FU HSIANG FA NO. 20
10. FU HSIANG FA NO. 21
11. FU HSIANG FA NO. 21
12. FU HSIANG FA NO. 23
13. FU HSIANG FA NO. 26

14. FU HSIANG FA NO. 30
15. FULL RICH
16. GUNUAR MELYAN 21
17. HOOM XIANG 101
18. HOOM XIANG 103
19. HOOM XIANG 105
20. HOOM XIANG II
21. OCEAN LION
22. SHUEN SIANG
23. SRI FU FA 168
24. SRI FU FA 18
25. SRI FU FA 188
26. SRI FU FA 189
27. SRI FU FA 286
28. SRI FU FA 67
29. SRI FU FA 888
30. YU MAAN WON

Recommendation/s

90. The CoC **RECOMMENDED** that the vessels listed in [para 89](#) remain on the IOTC IUU Vessels List as no further information was provided to the CoC12 during its deliberations.

8.2 Provisional IUU Vessels List - Consideration of other vessels

91. 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 IOTC Provisional IUU Vessels List is provided in [Appendix IX](#) for the consideration of the Commission, based on the recommendations of the CoC12.

SEA WISH

92. The CoC **NOTED** the details provided by UK (OT) for the information of the CoC.
93. The CoC **NOTED** the information provided by UK (OT) on the SEA WISH, which described the actions taken by the UK (OT) and Sri Lanka to investigate the allegations and to cooperate with the UK (OT) authorities and that the case against this vessel had been concluded with the concerned parties.

SULARA 2

94. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessel SULARA 2, flagged to Sri Lanka, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

95. The CoC **RECOMMENDED** that the Commission retain the vessel SULARA 2 on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are satisfactorily concluded inter-sessionally, failing which they will be reviewed at the next CoC.

IMASHA 2

96. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessel IMASHA 2 flagged to Sri Lanka, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

97. The CoC **RECOMMENDED** that the Commission retain the vessel IMASHA 2 on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

NIRODA PUTHA

98. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessel NIRODA PUTHA, flagged to Sri Lanka, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

99. The CoC **RECOMMENDED** that the Commission retain the vessel NIRODA PUTHA on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 14.

THIWANKA 5

100. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessel THIWANKA 5, flagged to Sri Lanka, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

101. The CoC **RECOMMENDED** that the Commission retain the vessel THIWANKA 5 on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels, as permitted under Resolution 11/03 para. 14.

DULARI

102. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessel DULARI, flagged to Sri Lanka, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

103. The CoC **RECOMMENDED** that the Commission defer the case of the vessel DULARI, flagged to Sri Lanka, to the next CoC.

OTTO 2

104. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessel OTTO 2, flagged to Sri Lanka, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

105. The CoC **RECOMMENDED** that the Commission retain the vessel OTTO 2 on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 14.

KAVIDYA DUWA

106. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessel KAVIDYA DUWA, flagged to Sri Lanka, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

107. The CoC **RECOMMENDED** that the Commission retain the vessel KAVIDYA DUWA on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 14.

FV JANE

108. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessel FV JANE, flagged to Sri Lanka, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

109. The CoC **RECOMMENDED** that the Commission defer the case of the vessel FV JANE, flagged to Sri Lanka, to the next CoC.

STEF ANIA DUWA

110. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessel STEF ANIA DUWA, flagged to Sri Lanka, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

111. The CoC **RECOMMENDED** that the Commission defer the case of the vessel STEF ANIA DUWA, flagged to Sri Lanka, to the next CoC.

GREESHMA, BOSIN, BENAIHA, CARMAL MARTA, DIGNAMOL I, DIGNAMOL II, KING JESUS, ST MARYS I, ST MARYS II

112. The CoC **NOTED** the information provided by UK (OT) in support of the proposed IUU listing for the vessels, GREESHMA, BOSIN, BENAIHA, CARMAL MARTA, DIGNAMOL I, DIGNAMOL II, KING JESUS, ST MARYS I, ST MARYS II, flagged to India, in accordance with Paragraph 9 of IOTC Resolution 11/03.

Recommendation/s

113. **NOTING** that India was not present during the CoC12 to discuss the proposed IUU listing for the vessels, GREESHMA, BOSIN, BENAIHA, CARMAL MARTA, DIGNAMOL I, DIGNAMOL II, KING JESUS, ST MARYS I, ST MARYS II, the CoC **RECOMMENDED** that the Commission considers the proposed IUU listing for the vessels, GREESHMA, BOSIN, BENAIHA, CARMAL MARTA, DIGNAMOL I, DIGNAMOL II, KING JESUS, ST MARYS I, ST MARYS II, at its 19th Session.

114. 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 2012).

115. The CoC **RECOMMENDED** that in November 2015, 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.

116. The CoC **NOTED** the statements from Mauritius and the United Kingdom (OT) provided at [Appendix VII](#).

9. REVIEW OF FAD MANAGEMENT PLANS

117. The CoC **NOTED** paper IOTC–2015–CoC12–11, which outlined the FAD management plans, made available by the IOTC Secretariat in accordance with IOTC Resolution 13/08, to assist CPCs in analysing the FADs management plans, as required in paragraph 3, and in particular with the provisions of paragraph 2 of the Resolution.

118. 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 these twelve CPCs, eight have provided a FADs management plan, from which one CPC has provided a revised plan in 2015:

- a) Australia (Received 01.05.14);
- b) European Union (Received on 15.01.14, Spain, and 17.03.14, France);
- c) Indonesia (Received 12.01.15);
- d) Iran, Islamic Rep. of (Received 26.01.14);
- e) Japan (Received 25.12.13; revised plan received 26.12.14);
- f) Korea (Received 31.12.13);
- g) Maldives (Received 17.03.14);
- h) Mauritius (Received 14.03.14).

119. The CoC **NOTED** that the three CPCs listed below have reported that they will provide a FAD management plan:

- a) Mozambique had indicated that it is preparing to implement its fleet development plan for tuna fisheries and will take first steps in order to develop an anchored FAD management plan for its coastal fisheries and will keep IOTC informed on the progress. Mozambique expressed its concerns regarding the high number of FADs per vessel as reported in the FADs Management Plans;
- b) Seychelles had indicated that they will submit a FADs management plan;
- c) Sri Lanka had indicated that a plan will be submitted.

120. The CoC **ENCOURAGED** those CPCs who have not yet submitted their FADs 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.

121. The CoC **NOTED** that Japan requested that CPCs provide the maximum number of FADs deployed under their FADs management plans.

122. The CoC **NOTED** that the paper IOTC–2015–CoC12–11 is a compendium of the FADs management plans submitted by CPCs to the IOTC Secretariat.

Recommendation/s

123. The CoC **RECOMMENDED** that the IOTC Secretariat provide a summary of compliance with the FADs management plans in a tabular format to the next CoC.

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

124. The CoC **NOTED** paper IOTC–2015–CoC12–06 Rev_1 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. The following recommendation 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).

125. 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

126. 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 XI](#).

127. The CoC **RECOMMENDED** that the Working Group on High Seas Boarding Scheme continue its work during the intersessional period and report the result of its work to the CoC13.

11. REVIEW OF UNRESOLVED COMPLIANCE ISSUES RAISED BY CPC'S AT THE 18TH ANNUAL SESSION, OR NEW COMPLIANCE ISSUES (CPCs)

128. The CoC **NOTED** paper IOTC–2015–CoC12–10 which provided the CoC with an opportunity to review the current status of compliance issues that remained unresolved at the closure of the 18th Session of the Commission.

Recommendation/s

129. The CoC **RECOMMENDED** that the issue pertaining to India related to the review of objections be addressed in the 19th Commission meeting.

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

130. The CoC **NOTED** paper IOTC–2015–CoC12–09 Rev1 which provided a summary of the activities undertaken by the IOTC Secretariat in support of implementation of Conservation and Management Measures (CMMs) adopted by the IOTC.

131. The CoC **NOTED** the efforts of the IOTC Secretariat to assist CPCs to improve their compliance level through targeted, in-country missions, including initiative to develop facilities to enable CPCs to implement port State measures (e-PSM) more effectively and to transpose IOTC CMMs into national legislation as required by Article X.2 of the IOTC Agreement.

132. The CoC **NOTED** the contribution of some CPCs in supporting the work of the IOTC Secretariat to provide support to some of the CPCs aimed at helping them to increase their level of compliance.

Recommendation/s

133. The CoC **RECOMMENDED** that the IOTC Secretariat continues with those capacity building activities and to include similar activities that would allow CPCs to address the issue of mandatory statistics.

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

134. 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 (26 January 2015 for S19), as stipulated in the IOTC Rules of Procedure (2014), Rule IX, Appendix III, para. 1:

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

13.1 Senegal

135. The CoC **NOTED** the application for Cooperating Non-Contracting Party status by Senegal (IOTC-2015-CoC12-CNCP01), which was received on 21st January 2015.

13.2 Bangladesh

136. The CoC **NOTED** the application for Cooperating Non-Contracting Party status by Bangladesh (IOTC-2015-CoC12-CNCP02), which was received on 28th February 2015.

137. The CoC **NOTED** the commitment of Bangladesh to participate in the IOTC process.

13.3 Djibouti

138. The CoC **NOTED** the application for Cooperating Non-Contracting Party status by Djibouti (IOTC-2015-CoC12-CNCP03), which was received on 20th February 2015.

13.4 Liberia

139. The CoC **NOTED** the application for Cooperating Non-Contracting Party status by Liberia (IOTC-2015-CoC12-CNCP04), which was received on 24th January 2015.

140. The CoC **NOTED** the intention of Liberia to engage only in transshipment activities and not to engage in harvesting activities of tuna and tuna like species under the mandate of the IOTC.

13.5 South Africa

141. The CoC **NOTED** that South Africa was not present at the CoC12 and had not submitted an application for renewal of its Cooperating Non-Contracting Party status.

Recommendation/s

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

143. The CoC **RECOMMENDED** that the Commission considers granting Bangladesh the status of Cooperating Non-Contracting Party for the first time.

144. The CoC **RECOMMENDED** that the Commission considers the application by Liberia for Cooperating Non-Contracting Party status of the IOTC at its 19th Session, pending the submission of a written statement by Liberia that it will not engage in harvesting activities of tuna and tuna like species under the mandate of the IOTC.

145. **NOTING** that Djibouti was not present during the CoC12 to present their application for Cooperating Non-Contracting Party status, the CoC **RECOMMENDED** that the Commission considers the application by Djibouti for the status of Cooperating Non-Contracting Party of the IOTC (IOTC-2015-CoC12-CNCP04) at its 19th Session.

14. OTHER BUSINESS***14.1 How to progress on compliance issues***

146. The CoC **NOTED** the paper IOTC-2015-CoC12-Inf02 on how to progress on compliance issues in the IOTC process presented by Mozambique and further **NOTED** the intention of CPCs to consider the principles of the document and to consider if there is merit in presenting a proposal for a Working Party on Compliance at the next COC.

Recommendation/s

147. The CoC **RECOMMENDED** that the concerned CPCs consider the development of a proposal on a Working Party on Compliance for S20.

14.2 Date and Place of the 13th and 14th Sessions of the Compliance Committee

148. The CoC participants were unanimous in **THANKING** the Rep. of Korea, for hosting the 12th Session of the CoC and commended the Rep. of Korea on the warm welcome, the excellent facilities and assistance provided to the IOTC Secretariat in the organisation and running of the Session.

149. The CoC **AGREED** to defer the discussion on the date and place of the 13th and 14th Sessions of the Compliance Committee to the 19th Session of the Commission. The exact dates and place would be decided during the 19th Session of the Commission.

14.3 Election of a Chairperson and Vice-Chairperson of the Compliance Committee for the next biennium**Chairperson**

150. The CoC **NOTED** that the 1st term of the current Chairperson, Mr Herminio Tembe (Mozambique) is due to expire at the closing of the current CoC meeting, and as per the IOTC Rules of Procedure (2014), participants are required to elect or re-elect a Chairperson for the next biennium.
151. **NOTING** the Rules of Procedure (2014), the CoC **CALLED** for nominations for the newly vacated position of Chairperson of the IOTC CoC for the next biennium. Mr Herminio Tembe (Mozambique) was nominated, seconded and re-elected as Chairperson of the CoC for the next biennium.

Vice-Chairperson

152. The CoC **NOTED** that the 1st term of the current Vice-Chairperson, Mr Hosea Gonza Mbilinyi (Tanzania) is due to expire at the closing of the current CoC meeting and as per the IOTC Rules of Procedure (2014), participants are required to elect or re-elect a Vice-Chairperson for the next biennium.
153. **NOTING** the Rules of Procedure (2014), the CoC **CALLED** for nominations for the newly vacated position of Vice-Chairperson of the IOTC CoC for the next biennium. Mr Hosea Gonza Mbilinyi (Tanzania) was nominated, seconded and re-elected as Vice-Chairperson of the CoC for the next biennium.

15. ADOPTION OF THE REPORT OF THE 12TH SESSION OF THE COMPLIANCE COMMITTEE

154. The CoC **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC12, provided at [Appendix XI](#).
155. The report of the 12th Session of the Compliance Committee (IOTC–2015–CoC12–R) was adopted on 22 April 2015.

APPENDIX I

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APPENDIX II
AGENDA FOR THE 12TH SESSION OF THE COMPLIANCE COMMITTEE

Date: 20–22 April, 2015

Location: Busan, Republic of Korea

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 AND 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 – Appendix V of the IOTC Rules of Procedure** (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 FAD MANAGEMENT PLANS** (Chair)
10. **UPDATE ON PROGRESS REGARDING THE PERFORMANCE REVIEW – COMPLIANCE RELATED ISSUES** (Chair)
11. **REVIEW OF UNRESOLVED COMPLIANCE ISSUES RAISED BY CPC's IN THE 18TH ANNUAL SESSION, OR NEW COMPLIANCE ISSUES (CPCs)** (Chair)
12. **ACTIVITIES BY THE IOTC SECRETARIAT IN SUPPORT OF CAPACITY BUILDING FOR DEVELOPING CPCs** (Secretariat)
13. **REVIEW OF REQUESTS FOR ACCESS TO THE STATUS OF COOPERATING NON-CONTRACTING PARTY** (Chair)
14. **OTHER BUSINESS** (Chair)
 - 14.1. IOTC-2015-CoC12-Inf02: How to progress compliance issues
 - 14.2. Date and place of the Thirteenth Session of the Compliance Committee
 - 14.3. Election of a Chairperson and Vice-Chairperson/s of the Committee, for the next biennium (Chairperson and Vice-Chairpersons)
15. **ADOPTION OF THE REPORT OF THE 12th SESSION OF THE COMPLIANCE COMMITTEE** (Chair)

APPENDIX III
LIST OF DOCUMENTS

Document	Title	Availability
IOTC-2015-CoC12-01a	Draft agenda for the Twelfth Session of the Compliance Committee	19 January 2015
IOTC-2015-CoC12-01b	Draft annotated agenda for the Twelfth Session of the Compliance Committee	06 April 2015
IOTC-2015-CoC12-02	Draft list of documents for the Twelfth Session of the Compliance Committee	24 February 2015
IOTC-2015-CoC12-03 Rev_2	Summary report on the level of compliance	10 April 2015
IOTC-2015-CoC12-04a	IOTC Regional Observer Programme for at-sea transshipments – Secretariat’s Report	27 March 2015
IOTC-2015-CoC12-04b	A Summary of the IOTC Regional Observer Programme During 2014 – Contractor’s Report	31 March 2015
IOTC-2015-CoC12-05	Report on the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating non-Contracting Parties.	27 March 2015
IOTC-2015-CoC12-05 Add_1	Collection of fleet development plans	25 March 2015
IOTC-2015-CoC12-06 Rev_1	Performance review update (Resolution 09/01 – on the performance review follow-up)	25 March 2015
IOTC-2015-CoC12-07	Concerning the IOTC provisional IUU vessels list	13 April 2015
IOTC-2015-CoC12-07 Add_1	Additional information concerning the IOTC Provisional IUU vessels list	19 April 2015
IOTC-2015-CoC12-07 Add_2	Additional information concerning the IOTC Provisional IUU vessels list	19 April 2015
IOTC-2015-CoC12-08a Rev_4	Complementary elements for discussion under item 7 of the agenda for the Compliance Committee	09 April 2015
IOTC-2015-CoC12-08b	Reporting of vessels in transit through the waters of the United Kingdom (OT) for potential breach of IOTC Conservation and Management Measures - prepared by the United Kingdom (OT)	31 March 2015
IOTC-2015-CoC12-08c	Summary report on possible infractions observed under the Regional Observer Programme	27 March 2015
IOTC-2015-CoC12-08c Add_1	Identification of repeated infringements under the Regional Observer Programme	27 March 2015
IOTC-2015-CoC12-09 Rev_1	Summary report on Compliance Support Activities	09 April 2015
IOTC-2015-CoC12-10	A review of unresolved Compliance Issues from S18	13 April 2015
IOTC-2015-CoC12-11	Collection of fish aggregating devices management plans	27 March 2015
<i>Requests for the Cooperating non-Contracting Party status</i>		
IOTC-2015-CoC12-CNCP01	Request for the status of Cooperating Non-Contracting Party by Senegal	24 February 2015
IOTC-2015-CoC12-CNCP02	Request for the status of Cooperating Non-Contracting Party by Bangladesh	24 February 2015

Document	Title	Availability
IOTC-2015-CoC12-CNCP03	Request for the status of Cooperating Non-Contracting Party by Djibouti	23 March 2015
IOTC-2015-CoC12-CNCP04	Request for the status of Cooperating Non-Contracting Party by Liberia	23 March 2015
<i>Compliance Reports – Members</i>		
IOTC-2015-CoC12-CR01 Rev_2	Australia	07 April 2015
IOTC-2015-CoC12-CR02 Rev_1	Belize	07 April 2015
IOTC-2015-CoC12-CR03	China	07 April 2015
IOTC-2015-CoC12-CR04	Comoros	07 April 2015
IOTC-2015-CoC12-CR05	Eritrea	07 April 2015
IOTC-2015-CoC12-CR06	European Union	07 April 2015
IOTC-2015-CoC12-CR07	France (territories)	09 April 2015
IOTC-2015-CoC12-CR08	Guinea	07 April 2015
IOTC-2015-CoC12-CR09	India	08 April 2015
IOTC-2015-CoC12-CR10 Rev_2	Indonesia	07 April 2015
IOTC-2015-CoC12-CR11	Iran, Islamic Republic of	07 April 2015
IOTC-2015-CoC12-CR12	Japan	07 April 2015
IOTC-2015-CoC12-CR13	Kenya	07 April 2015
IOTC-2015-CoC12-CR14	Korea, Republic of	07 April 2015
IOTC-2015-CoC12-CR15	Madagascar	07 April 2015
IOTC-2015-CoC12-CR16	Malaysia	07 April 2015
IOTC-2015-CoC12-CR17	Maldives	07 April 2015
IOTC-2015-CoC12-CR18	Mauritius	07 April 2015
IOTC-2015-CoC12-CR19 Rev_2	Mozambique	07 April 2015
IOTC-2015-CoC12-CR20 Rev_1	Oman	07 April 2015
IOTC-2015-CoC12-CR21	Pakistan	07 April 2015
IOTC-2015-CoC12-CR22	Philippines	07 April 2015
IOTC-2015-CoC12-CR23	Seychelles	07 April 2015
IOTC-2015-CoC12-CR24	Sierra Leone	07 April 2015
IOTC-2015-CoC12-CR25	Somalia	07 April 2015
IOTC-2015-CoC12-CR26	Sri Lanka	08 April 2015
IOTC-2015-CoC12-CR27	Sudan	08 April 2015
IOTC-2015-CoC12-CR28	Tanzania, United Republic of	08 April 2015
IOTC-2015-CoC12-CR29	Thailand	08 April 2015
IOTC-2015-CoC12-CR30	United Kingdom (territories)	08 April 2015
IOTC-2015-CoC12-CR31	Vanuatu	08 April 2015
IOTC-2015-CoC12-CR32	Yemen	08 April 2015
<i>Compliance Reports – Cooperating non-Contracting Parties</i>		
IOTC-2015-CoC12-CR33	Djibouti	08 April 2015

Document	Title	Availability
IOTC-2015-CoC12-CR34	Senegal	08 April 2015
IOTC-2015-CoC12-CR35	South Africa	08 April 2015
Implementation Reports – Members		
IOTC-2015-CoC12-IR01 Rev_1	Australia	23 March 2015
IOTC-2015-CoC12-IR02	Belize	23 March 2015
IOTC-2015-CoC12-IR03	China	23 March 2015
IOTC-2015-CoC12-IR04	Comoros	23 March 2015
IOTC-2015-CoC12-IR05	Eritrea	Expected: 27 March 2015
IOTC-2015-CoC12-IR06	European Union	23 March 2015
IOTC-2015-CoC12-IR07	France (territories)	13 April 2015
IOTC-2015-CoC12-IR08	Guinea	Expected: 27 March 2015
IOTC-2015-CoC12-IR09	India	Expected: 27 March 2015
IOTC-2015-CoC12-IR10	Indonesia	23 March 2015
IOTC-2015-CoC12-IR11	Iran, Islamic Republic of	23 March 2015
IOTC-2015-CoC12-IR12	Japan	23 March 2015
IOTC-2015-CoC12-IR13	Kenya	23 March 2015
IOTC-2015-CoC12-IR14	Korea, Republic of	23 March 2015
IOTC-2015-CoC12-IR15	Madagascar	23 March 2015
IOTC-2015-CoC12-IR16	Malaysia	23 March 2015
IOTC-2015-CoC12-IR17	Maldives	23 March 2015
IOTC-2015-CoC12-IR18	Mauritius	23 March 2015
IOTC-2015-CoC12-IR19	Mozambique	23 March 2015
IOTC-2015-CoC12-IR20	Oman	23 March 2015
IOTC-2015-CoC12-IR21	Pakistan	Expected: 27 March 2015
IOTC-2015-CoC12-IR22	Philippines	23 March 2015
IOTC-2015-CoC12-IR23	Seychelles	23 March 2015
IOTC-2015-CoC12-IR24	Sierra Leone	Expected: 27 March 2015
IOTC-2015-CoC12-IR25 Rev_1	Somalia	23 March 2015
IOTC-2015-CoC12-IR26	Sri Lanka	23 March 2015
IOTC-2015-CoC12-IR27	Sudan	Expected: 27 March 2015
IOTC-2015-CoC12-IR28	Tanzania, United Republic of	23 March 2015
IOTC-2015-CoC12-IR29	Thailand	23 March 2015
IOTC-2015-CoC12-IR30	United Kingdom (territories)	23 March 2015
IOTC-2015-CoC12-IR31	Vanuatu	Expected: 27 March 2015

Document	Title	Availability
IOTC–2015–CoC12–IR32	Yemen	Expected: 27 March 2015
<i>Implementation Reports – Cooperating non-Contracting Parties</i>		
IOTC–2015–CoC12–IR33	Djibouti	Expected: 27 March 2015
IOTC–2015–CoC12–IR34	Senegal	Expected: 27 March 2015
IOTC–2015–CoC12–IR35	South Africa	Expected: 27 March 2015
<i>Information Documents</i>		
IOTC–2015–CoC12–INF01	Indicative Schedule of the 12 th Session of the Compliance Committee	15 April 2015
IOTC–2015–CoC12–INF02	How to progress compliance issues	30 March 2015
IOTC–2015–CoC12–INF03	Information on IUU activities	09 April 2015
IOTC–2015–CoC12–INF04	Statement of Indonesia	21 April 2015

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

Statement by the Republic of Mauritius

The Government of the Republic of Mauritius reaffirms, as it has, at previous meetings of this Committee, drawn the attention of the Committee to the fact that it initiated proceedings in December 2010 against the United Kingdom under Article 287 of, and Annex VII to, the United Nations Convention on the Law of the Sea (UNCLOS) to challenge the legality of the ‘marine protected area’ (‘MPA’) that the United Kingdom purported to establish on 1 April 2010 around the Chagos Archipelago which forms an integral part of the territory of the Republic of Mauritius.

The Arbitral Tribunal constituted under Annex VII to UNCLOS to hear the dispute delivered its Award on 18 March 2015. In relation to the merits of the dispute, the Tribunal declared that in establishing the ‘MPA’ around the Chagos Archipelago, the United Kingdom breached its obligations under Articles 2(3), 56(2) and 194(4) of UNCLOS.

Since the ‘MPA’ purportedly established by the United Kingdom around the Chagos Archipelago has been held to be in breach of international law, it is legally invalid. As a consequence, any action taken by the IOTC, including its Scientific Committee and Working Parties, in respect of the aforesaid ‘MPA’ is not in conformity with international law, not legally valid and should accordingly not even be included on the agenda of the Commission and its subsidiary bodies.

The Government of the Republic of Mauritius strongly objects to the reference made to the said ‘MPA’ in the documents submitted by the United Kingdom to this Committee.

The Republic of Mauritius wrote on 17 April 2015 to the Executive Secretary of the IOTC to request that the ‘MPA’ purportedly established by the UK around the Chagos Archipelago which has been held to be legally invalid should not be the subject of any discussions at this meeting.

In the light of the foregoing, the delegation of the Republic of Mauritius has no objection to the adoption of the agenda, provided there are no discussions at this meeting on the said ‘MPA’.

Statement by the UK (OT)

The UK believes that establishing a Marine Protected Area continues to be the best way to protect the marine life around BIOT from the serious overfishing that takes place elsewhere in the Indian Ocean. We’re therefore pleased that the recent UNCLOS Arbitral Tribunal found no improper motive in its creation.

We are considering the recent ruling carefully, including how we can work with Mauritius to explore the compatibility of any licensed fishing by Mauritian owned and flagged vessels with our desire to protect this delicate environment. To that end, we have already repeated the offer made at Ministerial level during and in the run-up to the litigation, to discuss conservation matters of mutual interest in BIOT, under a “sovereignty umbrella”.

We have no doubt about UK sovereignty over the British Indian Ocean Territory which was ceded to Britain in 1814. Pleased to see that position is not changed by the recent award.

The UK is committed to working with others to ensure proper conservation management of the BIOT Marine Protected Area.

Following the reply by the delegate from the UK (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 of 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.

APPENDIX VA
STATEMENTS OF MAURITIUS AND FRANCE (OT)

Statement by the Republic of Mauritius

Insofar as the Report of Implementation submitted by France for the year 2014 is concerned, the delegation of the Republic of Mauritius reiterates that the Island of Tromelin forms an integral part of the territory of the Republic of Mauritius.

The Republic of Mauritius does not recognize the validity of the inclusion of the Island of Tromelin in the French Southern and Antarctic Lands (TAAF) nor the jurisdiction which France claims over the waters surrounding the Island of Tromelin.

The Republic of Mauritius reaffirms that it has full and complete sovereignty over the Island of Tromelin, including its maritime zones.

Insofar as the Report of Implementation submitted by France for the year 2014 is concerned, the delegation of the Republic of Mauritius reiterates that the Island of Tromelin forms an integral part of the territory of the Republic of Mauritius.

The Republic of Mauritius does not recognize the validity of the inclusion of the Island of Tromelin in the French Southern and Antarctic Lands (TAAF) nor the jurisdiction which France claims over the waters surrounding the Island of Tromelin.

The Republic of Mauritius reaffirms that it has full and complete sovereignty over the Island of Tromelin, including its maritime zones.

The following reply was made by France (OT):

Tromelin is a French Territory on which France exercises its full sovereignty, including its EEZ.

APPENDIX VB
STATEMENT BY FRANCE (OT)

France protests against the statement by Mauritius, which ignores the fact that Tromelin Island is a French territory on which France has consistently exercised its full sovereignty. Thus, France has sovereign rights or jurisdiction under International Law in the Exclusive Economic Zone adjacent to the island of Tromelin.

The Indian Ocean Tuna Commission is not the place to discuss issues of territorial sovereignty. For the record, the final declaration of the IOC Summit in 1999 put on record that in the absence of a consensus among some Member States concerning sovereignty over certain islands in the Indian Ocean and the delimitation and control of the EEZ, and pending the outcome of ongoing consultations, these control areas will be co-managed by the countries claiming them. The ratification process by France of this process of co-management is ongoing, in agreement with Mauritius".

[n.b. *Original statement made in French. The above is a translation*]

APPENDIX VC
STATEMENT BY THE REPUBLIC OF MAURITIUS

The Mauritius delegation stated that the words ‘en accord with Mauritius’ mentioned in Appendix V(b) were extremely unclear and that the agreement on co-management of Tromelin was concluded without prejudice to the sovereignty of Mauritius over Tromelin.

APPENDIX VI
STATEMENTS BY MAURITIUS AND UK (OT)

Statement by the Republic of Mauritius

The Mauritian delegation notes the letter dated 21 April 2015 from Mr Hayes. The Mauritian Delegation reserves its right to reply to the contents of this letter at a later stage and stresses that this should not be construed in any way as an admission on the part of the Republic of Mauritius to any averment made therein, especially the alleged interpretation of the award of the Arbitral Tribunal.

As regards the initial statement made at the adoption of agenda stage for this meeting, reference has been made to a letter dated 17 April 2015, the Mauritian delegation wishes to bring an amendment to the statement by referring to a Note Verbale dated 07 April 2015.

The Mauritian delegation has also objected on 21.04.15 to item 7.2 of the agenda. The Mauritian delegation maintains its position that since the 'MPA' purportedly established by the UK around the Chagos Archipelago has been held to be legally invalid by an Arbitral Tribunal set up under Annex VII to UNCLOS, any action taken by the IOTC in respect of the purported 'MPA' is, and should be regarded as, ipso facto null and void and the 'MPA' should not be the subject of any discussions at the level of the IOTC.

As regards the statement made yesterday by the UK representative that the UK has a different understanding of the Award, we should point out that in establishing the 'MPA', the Arbitral Tribunal has held that the UK has violated international law – reference is here made to para. 547(B) of the Award at page 215 of the award attached to the Note Verbale dated 07 April 2015 which has been circulated to all members:

In the light of the above, the Mauritian delegation firmly believes that:

- a. since the 'MPA' purportedly established by the UK around the Chagos Archipelago has been held to be legally invalid by an Arbitral Tribunal set up under Annex VII to UNCLOS, any action taken by the IOTC in respect of the purported 'MPA' is, and should be regarded as, ipso facto null and void.
- b. the IOTC and any of its instances cannot have discussions on an 'MPA' which has been declared illegal.

In keeping with the principles of international law, the Mauritian delegation urges the IOTC should uphold the Award of the Arbitral Tribunal.

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 Chagos Archipelago.

In Part 4 of the report mentioned at item 7.2 of the Agenda, entitled "Reporting of vessels in transit through BIOT waters for potential breach of IOTC Conservation and Management Measures", the UK states that it has submitted the report in compliance with recommendation 115 of the Eleventh Session of the Compliance Committee. It also invites feedback from other Contracting Parties and Cooperating non-Contracting Parties (CPCs) on the status of implementation of recommendations 113-115 of the 11th Compliance Committee meeting. Recommendations 113-115 are referred to. The Mauritian delegation believes that the activities mentioned in that report relate to the MPA as on page 2 reference is clearly made to it:

"As part of the Standard Operating Procedures adopted by the BIOT Administration, the Senior Fisheries Protection Officer (SFPO) will board and inspect vessels encountered by the BIOT Patrol Vessel (BPV) while patrolling the BIOT Marine Protected Area (MPA)."

The Mauritian delegation:

- a. reaffirms that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of Mauritius under both Mauritian law and international law; and

- b. reiterates that the Republic of Mauritius does not recognize the so-called "BIOT" and that the Chagos Archipelago was illegally excised from the territory of Mauritius prior to its accession to independence;
- c. state that consideration by the Compliance Committee of the UK document or any document related to which we object cannot, and should not, be construed as implying that the UK has sovereignty or analogous rights over the Chagos Archipelago.

Statement by the UK (OT)

UK reiterated its position was that provided in the statement in Appendix IV, and as further elaborated in the letter of 21 April from BIOT Commissioner, Peter Hayes.

Please also refer to IOTC Circular 2015-043 and 2015-045,

APPENDIX VII
STATEMENTS BY MAURITIUS AND UK (OT)

Statement by the Republic of Mauritius

The Mauritian delegation:

- a. reaffirms that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of Mauritius under both Mauritian law and international law; and
- b. reiterates that the Republic of Mauritius does not recognize the so-called "BIOT" and that the Chagos Archipelago was illegally excised from the territory of Mauritius prior to its accession to independence;

state that consideration by the Compliance Committee of the UK document or any document related to which we object cannot, and should not, be construed as implying that the UK has sovereignty or analogous rights over the Chagos Archipelago.

Statement by the UK (OT)

UK reiterated its position was that provided in the statement in Appendix IV, and as further elaborated in the letter of 21 April from BIOT Commissioner, Peter Hayes.

Please also refer to IOTC Circular 2015-043 and 2015-045.

APPENDIX VIII

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 2007-2014	Reference capacity at 2014 (A+B)	Active capacity in 2014	Capacity to be added under Fleet Development Plan					
						2015	2016	2017	2018	2019	> 2020
Australia	(GRT)	3,312		3,312	856						
Belize	(GT)		3,200	3,200	125						
China	(GT)	27,216	2,059	29,275	16,922						
Comoros	(GT)		110	110					6000	6000	4000
Eritrea											
European Union	(GT)	101,233	10,824	112,057	81,122						
Guinea	(GRT)	1,439		1,439							
India	(GRT)	32,950	6,000	38,950	(12,379)	1,800	1,250	1,250	1,100	600	600
Indonesia	(GT)	124,011	83,284	207,295	39,484	6,270					
Iran	(GT)	83,524	121,779	205,303	99,963	4,100	6,650	10,200	10,200	7,850	4,400
Japan	(GT)	91,076		91,076	33,164						
Kenya	(GT)										
Korea, Republic of	(GT)	15,274		15,274	8,062						
Madagascar	(GT)	263	4307	4,570	178	1,181					
Malaysia	(GRT)	2,299	15,334	17,633	4314						
Maldives	(GT)		924	924	16,715	68	68	68	68	45	45
Mauritius	(GRT)	1,931	29,654	31,585	8,589	5,331	5,331	5,331			
Mozambique	(GT)		15,000	15,000	520	15,000	15,000	15,000	15,000	15,000	19,800
Oman	(GT)	3,126	9,464	12,590	1,321	1,146					5,730
Pakistan	(GT)		40,000	40,000	(1,130)	10,000					
Philippines	(GRT)	10,304		10,304	2,164						
Seychelles	(GT)	41,735	169,684	211,419	40,639	18,556	18,556				
Sierra Leone											
Somalia											
Sri Lanka	(GT)	18,436	83,671	102,107	40,062	71,227					
Sudan											
Tanzania	(GT)				1,535						
Thailand	(GT)	13,771	24,250	38,021	2,448						
U. K. (I.O. Territories)	(GT)										
Vanuatu	(GT)		25,875	25,875							
Yemen											
Djibouti											
Senegal	(GRT)	1,250									
South Africa	(GT)	3,013	3,056	6,069	782						
Total	(GRT + GT)	576,163	648,475	1,223,388	412,474	134,679	46,855	31,849	32,368	29,495	34,575
Difference relative to 2006 Baseline				212%	72%	338%					

N.B. Estimates of capacity, figures in brackets, for CPCs that have not reported their active vessels list for 2014 are based on their list of authorised vessels on 20 March 2015.

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 2007-2014	Reference capacity at 2014 (A+B)	Active capacity in 2014	Capacity to be added under Fleet Development Plan					
					2015	2016	2017	2018	2019	>2020
Australia	10		10							
Belize		7	7	1	1					
China	67		67	36						
Comoros										
Eritrea										
European Union	51	13	64	39						
Guinea	3		3							
India	70	48	118	(45)	12	7	7	6	5	5
Indonesia	1,201	689	1,890	458	57					
Iran	992	321	1,313	1,228	5	9	14	14	10	4
Japan	227		227	53						
Kenya										
Korea, Republic of	38		38	14						
Madagascar	2	124	126	7	34					
Malaysia	28	107	135	6						
Maldives		41	41	342	3	3	3	3	2	2
Mauritius	8	35	23	7	2	2	2			
Mozambique		5	5	2	5	5	5	5	5	33
Oman	24	58	82	3	7					
Pakistan		120	120	(10)	30					
Philippines	18		18	4						
Seychelles	34	104	138	37	11	11				
Sierra Leone										
Somalia										
Sri Lanka	1,001	680	1,681	1,610	315					
Sudan										
Tanzania				3						
Thailand	9	110	119	2						
U. K. (I.O. Territories)										
Vanuatu		48	48							
Yemen										
Djibouti										
Senegal	3		3							
South Africa	13	10	23	4						
Total	3,799	2,520	6,299	3,911	482	37	31	28	22	44

N.B. Estimates of number of vessels, figures in brackets, for CPCs that have not reported their active vessels list for 2014 are based on their number of authorised vessels on 20 March 2015.

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 2008-2014	Reference capacity at 2014 (A+B)	Active capacity in 2014	Capacity to be added under Fleet Development Plans					
						2015	2016	2017	2018	2019	>2020
Australia	(GRT)				856						
Belize	(GT)	1,620		1,620	349						
China	(GT)		3,389	3,389	3,390						
Comoros	(GT)		110	110		880	660	660	440	440	110
Eritrea											
European Union	(GT)	21,922	3,546	25,468	11,628	1,286					2143
Guinea	(GRT)										
India	(GRT)										
Indonesia	(GT)										
Iran	(GT)										
Japan	(GT)										
Kenya	(GT)										
Korea, Republic of	(GT)										
Madagascar	(GT)										
Malaysia	(GRT)				582						
Maldives	(GT)										
Mauritius	(GRT)		2,400	2,400		2,000	1,600	2,000			
Mozambique	(GT)		3,000	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											
Somalia											
Sri Lanka	(GT)		6,402	6,402		4,263					
Sudan											
Tanzania	(GT)										
Thailand	(GT)				2,577						
U. K. (I.O. Territories)	(GT)										
Vanuatu	(GT)										
Yemen											
Djibouti											
Senegal	(GRT)					1,251	2,085				
South Africa	(GT)		4,274	4,274	164						
Total	(GRT+GT)	24,078	23,121	47,199	19,546	12,680	7,345	5,660	3,440	3,440	18,453
Difference relative to 2007 Baseline				196%	81%						489%

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 2008-2014	Reference capacity at 2014 (A+B)	Active capacity in 2014	Capacity to be added under Fleet Development Plans					
					2015	2016	2017	2018	2019	>2020
Australia				4						
Belize	10		10	3						
China		10	10	11						
Comoros		1	1		8	6	6	4	4	1
Eritrea										
European Union	72	17	89	45	15					25
Guinea										
India										
Indonesia										
Iran										
Japan										
Kenya										
Korea, Republic of										
Madagascar										
Malaysia				5						
Maldives										
Mauritius		6			5	4	5			
Mozambique		5			5	5	5	5	5	27
Oman										
Pakistan										
Philippines										
Seychelles	1		1							
Sierra Leone										
Somalia										
Sri Lanka		44	44		17					
Sudan										
Tanzania										
Thailand				4						
U. K. (OT)										
Vanuatu										
Yemen										
Djibouti										
Senegal					3	5				
South Africa		6	6	1						
Total	83	89	161	73	53	20	16	9	9	53

APPENDIX IX

IOTC PROVISIONAL IUU VESSELS LIST

IOTC IUU Vessels List (June 2014)

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
FU HSIANG FA NO. 01	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 02	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 06	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 08	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 09	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 11	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 13	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 17	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 20	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 21¹	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
FU HSIANG FA NO. 21¹	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03

¹ No information on whether the two vessels **FU HSIANG FA NO. 21** are the same vessels.

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
FU HSIANG FA NO. 23	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 26	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FU HSIANG FA NO. 30	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
FULL RICH	Unknown (Belize)	May 2013		Yes. Refer to report IOTC-2013-CoC10- 08a[E]	HMEK3	Noel International LTD (Noel International LTD)	Unknown	Contravention of IOTC Resolution 07/02
GUNUAR MELYN 21	Unknown	June 2008				Unknown	Unknown	Contravention of IOTC Resolution 07/02
HOOM XIANG 101	(Malaysia)	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
HOOM XIANG 103	(Malaysia)	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
HOOM XIANG 105	(Malaysia)	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
HOOM XIANG II	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
OCEAN LION	Unknown (Equatorial Guinea)	June 2005	7826233			Unknown	Unknown	Contravention of IOTC Resolution 02/04, 02/05, 03/05.
SHUEN SIANG	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 168	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 18	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 188	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03

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
SRI FU FA 189	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 286	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 67	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
SRI FU FA 888	Unknown	June 2014				Unknown	Unknown	Contravention of IOTC Resolution 11/03
YU MAAN WON	Unknown (Georgia)	May 2007				Unknown	Unknown	Contravention of IOTC Resolution 07/02

Provisional 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
BANAIAH	INDIA	Not Applicable		Yes. Refer to Annex 1	Not Available	Mr Raju S/O (Son of), John Rose of 11-4-137 Kalingarajapuram, Ezudesam China Thurai RAJU J S/O John Rose of K R Puram, Chinnathurai, Thoothoor PO, K K Dist, Tamilnadu	Mr Chris Lukaj	Fishing without a licence in the waters of the British Indian Ocean Territory
BOSIN	INDIA	Not Applicable		Yes. Refer to Annex 1	Not Available	Titus, S/O (son of) Sesaiyan of 111-9-170 Thoothoor (post) O.Kanyakumari District, Tamil Nadu, India	Titus, S/O (son of) Sesaiyan	Fishing without a licence in the waters of the British Indian Ocean Territory

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
CARMAL MATHA	INDIA	Not Applicable		Yes. Refer to Annex 1	Not Available	Antony J S/O (son of) Joseph of D No 111-7- 28. St Thomas Nagar, Thoothoor PO, KK Dist Tamilnadu	Mr Antony	Fishing without a licence in the waters of the British Indian Ocean Territory
DIGNAMOL 1	INDIA	Not Applicable		Yes. Refer to Annex 1	Not Available	Jelvis s/o Dicostan of 7/103 K R Puram, Thoothoor, KK Dist, Mamilnadu Mr SD. Jelvish, S/O Dikostan of 7/169 Wasol 2, Block Y, Yishming Block, , Thoothoor, Kanyakumam	Mr James Robert	Fishing without a licence in the waters of the British Indian Ocean Territory
DIGNAMOL II	INDIA	Not Applicable		Yes. Refer to Annex 1	Not Available	UNKNOWN	Mr F Britto	Fishing without a licence in the waters of the British Indian Ocean Territory
GREESHMA	INDIA	Not Applicable		Yes. Refer to Annex 1	Not Available	TITUS K. of S/O. Kastheen, 3/17B CHINNATHURAL, THOOTHOR POST, KANYAKUMARI DISTRICT, TAMILNADU	Mr T (Tony) Resolin	Fishing without a licence in the waters of the British Indian Ocean Territory
KING JESUS	INDIA	Not Applicable		Yes. Refer to Annex 1	Not Available	UNKNOWN	Bibi S. R. Paul Miranda S	Fishing without a licence in the waters of the British Indian Ocean Territory

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
ST MARY'S NO.1	INDIA	Not Applicable		Yes. Refer to Annex 1	Not Available	Mr Peter A S/O Antony Ad'Mai of St Thomas Nacer, Thoothoor PO, KK Dist, Tamilnadu Peter A. Fathers Name, ANTHONIADIMAI of 40 St Thomas Street, Thoothur, Kanyakuman District, Tamil Nadu, 629160	Mr Borgen	Fishing without a licence in the waters of the British Indian Ocean Territory
ST MARY'S NO.2	INDIA	Not Applicable		Yes. Refer to Annex 1	Not Available	Mr Peter A S/O Anthoniadimai of East Coastal road Thoothoor – PO KK Dist – Tamilnadu	Mr Babin Melbin	Fishing without a licence in the waters of the British Indian Ocean Territory
DULARI	SRI LANKA	Not Applicable		Yes. Refer to Annex 1	Not Available	Mr W.M.A. Ajantha Palin	Ivan Priyantha	Fishing without a licence in BIOT waters and possession of prohibited fishing gear.
IMASHA 2	SRI LANKA	Not Applicable		Yes. Refer to Annex 1	Not Available	Mr Gammanan Arachchige Pristan Tiran of St, Visenthi Road, Maggonna	UNKNOWN	Fishing without a licence and fishing with prohibited gear.
JANE	SRI LANKA	Not Applicable			Not Available	Mr Seetharathna Chamaka Lakmal De Silva	Mr Priyantha Hettiarachchi of Galpotha Karanaka, Goda, Beruwala Crew	Fishing without a licence in BIOT waters and possession of prohibited fishing gear.

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
KAVIDYA DUWA	SRI LANKA	Not Applicable		Yes. Refer to Annex 1	Not Available	Hewarathnasinghage Ranga Harshapriya. Silva of 53, Temple Road, Berwula, Sri Lanka	Mr. Kumara	Fishing without a licence and fishing with prohibited gear
NIRODA PUTHA	SRI LANKA	Not Applicable		Yes. Refer to Annex 1	Not Available	WADP PRAGEETH 83/1, ST MARIYA RO AD, KUDA PAYAGALA, PAYAGALA, SRI LANKA	Mr Ravindra Pri yashantha 12/20W Ganayar amba, Beruwala,	Fishing illegally in BIOT and possession of prohibit ed fishing gear.
OTTO II	SRI LANKA	Not Applicable		Yes. Refer to Annex 1	Not Available	Weththamury Suranga De Silva of 2/A/01/A, Thalavila Watta, Moragalla, Aluthgama	WAP Fernando	Fishing without a licence and fishing with prohibited gear
STEFANIA DUWA	SRI LANKA	Not Applicable		Yes. Refer to Annex 1	Not Available	Mr. S.A.D.A. Siriwardane and Ms. S.A.D. Depika Kumari of Bubulalanda, Kanandagoda, Beruwala	Mr. G. Danushka of Bbullantha, Beruwala	Fishing without a licence and fishing with prohibited gear
SULARA 2	SRI LANKA	Not Applicable		Yes. Refer to Annex 1	Not Available	Mr Nainaboaduge Sumith Fernando	UNKNOWN	Fishing without a licence and fishing with prohibited gear
THIWANKA 5	SRI LANKA	Not Applicable		Yes. Refer to Annex 1	Not Available	Mr G P T Weerasuriya	UNKNOWN	Fishing without a licence and fishing with prohibited gear
KUNLUN (TAISHAN)	EQUATORIAL GUINEA	Not Applicable	7322897	IOTC CIRCULAR 2015-004	3CAG	Stanley Management Inc	UNKNOWN	Contravention of IOTC Resolution 11/03

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
SONGHUA (YUNNAN)	EQUATORIAL GUINEA	Not Applicable	9319856	IOTC CIRCULAR 2015-004	3CAF	Eastern Holdings	UNKNOWN	Contravention of IOTC Resolution 11/03
YONGDING (JIANFENG)	EQUATORIAL GUINEA	Not Applicable	9042001	IOTC CIRCULAR 2015-004	3CAE	Stanley Management Inc	UNKNOWN	Contravention of IOTC Resolution 11/03
FU HSIANG FA 18	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
YI HONG 16	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
ANEKA 228	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
ANEKA 228; KM.	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
SAMUDERA PERKASA 11	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
SAMUDRA PERKASA 12	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
YI HONG 16	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03

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
KIM SENG DENG 3	BOLIVIA	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
YI HONG 106	BOLIVIA	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
YI HONG 116	BOLIVIA	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
YI HONG 6	BOLIVIA	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
CHI TONG	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
KUANG HSING 127	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
KUANG HSING 196	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
MAAN YIH HSING	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
SHUEN SIANG	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03

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
SIN SHUN FA 6	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
SIN SHUN FA 67	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
SIN SHUN FA 8	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
SIN SHUN FA 9	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
TIAN LUNG NO.12	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
YI HONG 3	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03
YU FONG 168	UNKNOWN	Not Applicable			Not Available	UNKNOWN	UNKNOWN	Contravention of IOTC Resolution 11/03

APPENDIX X

CoC: 2015 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). To date 15 CPCs have benefitted from CSMs and six CPCs have benefitted from follow-up CSMs.</p> <p>During the intersessional period, staff of the Secretariat have conducted CSMs in Comoros, India, Malaysia, Seychelles/Somalia, South Africa and Thailand, where a Compliance Action Plan have been developed with these CPCs.</p> <p>The Capacity Building activities planned for 2015/16 are detailed in the annual Programme of work and budget for the Secretariat. Refer: IOTC-2015-SCAF12-05.</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> <p>One CPC has applied unilateral actions against some CPCs for continued non-compliance.</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 14/05 (formerly 12/07) 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 as 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.</p> <p>It should be noted that there is a Project under the ABNJ Programme, on Tuna Traceability & CDS Best Practices. It would be advisable that the Working Party waits for the conclusion of this project so that it can be better guided in its work.</p> <p>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 years 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>The results of a study on options for a regional high-seas boarding and inspection scheme, for the IOTC Area, was presented the last Compliance Committee meeting (CoC11). However, CPCs were of the opinion that the further work is required to adapt the option for the IOTC Area. For this purpose, the Commission requested that an informal Working Group be constituted. Not much progress has been made by the Working Group in the intersessional period.</p>	Review annually at IOTC meetings.	High
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 2015.</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 of non-fulfilment of reporting obligations have so far not received the required support for adoption.</p> <p>There is a need to continue with 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>	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. The first phase of a project sponsored through the WB/IOC grant for <i>Global Partnership for Oceans</i> , has just been completed. The objective of the project is to develop a model legal framework to facilitate CPCs to efficiently transpose conservation and management measures adopted by the Commission into their national legislation.	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>	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 52% for 2010 to 82% for 2012, and down to 76% in 2013.	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>	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. Through the Compliance Support Mission, CPCs are becoming more conscious of their role in ensuring the effectiveness of the Commission.	Review annually at IOTC meetings	High

60. Establishment of formal mechanisms of MCS (e.g. observers programmes) should be considered	<i>Compliance Committee</i>	Ongoing: Resolution 14/06 (superseding Resolutions 12/05, 11/05, 08/02 and 06/02) 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. Implementation remains pending for a number of CPCs.	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>	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. 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 .	Review annually at IOTC meetings	High

APPENDIX XI

CONSOLIDATED SET OF RECOMMENDATIONS OF THE 12TH SESSION OF THE COMPLIANCE COMMITTEE (20–22 APRIL 2015) TO THE COMMISSION

Overview of the implementation of IOTC Conservation and Management Measures

- CoC12.01 ([Para21](#)) **NOTING** that there are 5 carrier vessels operating under the ROP that are flagged to non-CPCs of the IOTC (Singapore and Panama), the CoC **RECOMMENDED** that the Resolution 14/06 be amended in the future to take into consideration the concerns of carrier vessels flagged to non-CPCs that are involved in at-sea transshipment operations in the IOTC area of competence
- CoC12.02 ([para. 28](#)) **NOTING** that the deadline for submitting Fleet Development Plans was at the end of 2009 for those CPCs who were part of the Commission at the time, the CoC **RECOMMENDED** that those CPCs that have expressed their desire to submit a Fleet Development Plan to do so as soon as possible.

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

- CoC12.03 ([para. 36](#)) The CoC **RECOMMENDED** that those CPCs (Eritrea, Guinea, India, Pakistan, Sierra Leone, Sudan, Yemen, Djibouti and South Africa) who have not submitted their national 'Reports of Implementation' for 2015, do so within 30 days after the end of the Commission meeting. 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 during the Commission meeting and then also via an IOTC Circular once each report is received.
- CoC12.04 ([para. 46](#)) 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. The development of 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' needs to be developed and funded appropriately.
- CoC12.05 ([para. 47](#)) The CoC **RECOMMENDED** that the IOTC Secretariat provide CPCs with the assessment criteria to understand the process of how the Compliance Reports are compiled, including information on the year being assessed for each requirement.
- CoC12.06 ([para. 48](#)) The CoC **RECOMMENDED** that when countries are requesting the renewal of their CNCP status they have to participate in the work of the CoC and the Commission.

Review of additional information related to IUU fishing activities in the IOTC area of competence

- CoC12.07 ([para. 52](#)) The CoC **RECOMMENDED** that the Commission consider adding the KUNLUN, SONGHUA and YOUNGDIN on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.
- CoC12.08 ([para. 55](#)) The CoC **RECOMMENDED** that the Commission consider adding the *FU HSIANG FA No. 18* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.
- CoC12.09 ([para. 58](#)) The CoC **RECOMMENDED** that the Commission consider adding the vessels *ANEKA 228*, *KM ANEKA 228*, *SAMUDERA PERKASA 11*, *SAMUDERA PERKASA 12* and *YI HONG 16* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.
- CoC12.10 ([para. 62](#)) The CoC **RECOMMENDED** that the Commission consider adding the vessels *KIM SENG DENG*, *YI HONG 106*, *YI HONG 116* and *YI HONG 6* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.
- CoC12.11 ([para. 65](#)) The CoC **RECOMMENDED** that the Commission consider adding the vessels *KUANG HGING 127*, *KUANG HGING 196*, *MAAN YIH HSING*, *SIN SHUN FA 67*, *SIN SHUN FA 8*, *SIN SHUN FA 9*, *TIAN LUNG NO.12* and *YI HONG 3* on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.
- CoC12.12 ([para. 67](#)) The CoC **RECOMMENDED** that the Islamic Republic of Iran provides to the IOTC Secretariat within two months from the end of the 19th Session of the Commission, for circulation to the Commission, a report on the actions and measures taken to control the two

vessels, including registration on the IOTC records of Authorised vessels, authorisation to fish issued to the vessels, installation of VMS on-board the two vessels and evidence of fishing logbook on-board.

CoC12.13 ([para. 70](#)) The CoC **RECOMMENDED** that the Commission consider adding the vessels CHI TONG and SHUEN SIANG on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

CoC12.14 ([para. 73](#)) The CoC **RECOMMENDED** that the Commission consider adding the vessel YU FONG No. 168 on the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

Reporting of vessels in transit through waters of the UK(OT) for potential breach of IOTC Conservation and Management Measures

CoC12.15 ([para. 76](#)) The CoC **RECOMMENDED** that paper IOTC–2015–CoC12–08b be deferred to the Commission (S19) due to the statement of Mauritius.

Identification of repeated possible infringements under the Regional observer programme

CoC12.16 ([para. 86](#)) The CoC **RECOMMENDED** that those CPCs identified in paper IOTC–2015–CoC12–08c and 8c Add1, a summary of possible infractions of IOTC regulations by large-scale fishing vessels (LSTLVs/carrier vessels), which have not submitted any response to the CoC, investigate and report back to the Commission via the IOTC Secretariat, the findings of their investigations, within three (3) months of the end of the 19th 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. The IOTC Secretariat shall, at the end of the three (3) months, notify the Commission via a Circular, of those CPCs who have not provided a response.

CoC12.17 ([para. 87](#)) The CoC **RECOMMENDED** that the IOTC Secretariat work with the Contractor to request that a draft of the inspection report be provided to the fishing master of the LSTLVs to give the opportunity of the fishing master to provide comments on the inspection report and when there are comments, they are provided back to the observer for consideration for the final observer report.

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 – Resolution 11/03

CoC12.18 ([para. 90](#)) The CoC **RECOMMENDED** that the vessels listed in [para 89](#) remain on the IOTC IUU Vessels List as no further information was provided to the CoC12 during its deliberations.

CoC12.19 ([para. 95](#)) The CoC **RECOMMENDED** that the Commission retain the vessel SULARA 2 on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are satisfactorily concluded inter-sessionally, failing which they will be reviewed at the next CoC.

CoC12.20 ([para. 97](#)) The CoC **RECOMMENDED** that the Commission retain the vessel IMASHA 2 on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 12.

CoC12.21 ([para. 99](#)) The CoC **RECOMMENDED** that the Commission retain the vessel NIRODA PUTHA on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 14.

CoC12.22 ([para. 101](#)) The CoC **RECOMMENDED** that the Commission retain the vessel THIWANKA 5 on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels, as permitted under Resolution 11/03 para. 14.

CoC12.23 ([para. 103](#)) The CoC **RECOMMENDED** that the Commission defer the case of the vessel DULARI, flagged to Sri Lanka, to the next CoC.

- CoC12.24 ([para. 105](#)) The CoC **RECOMMENDED** that the Commission retain the vessel OTTO 2 on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 14.
- CoC12.25 ([para. 107](#)) The CoC **RECOMMENDED** that the Commission retain the vessel KAVIDYA DUWA on the IOTC Provisional IUU Vessels List, as provided under Resolution 11/03 para. 14, until the UK (OT) and the flag State court cases are concluded and until further information is provided, and in the absence of these requirements the vessel should be moved onto the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 14.
- CoC12.26 ([para. 109](#)) The CoC **RECOMMENDED** that the Commission defer the case of the vessel FV JANE, flagged to Sri Lanka, to the next CoC.
- CoC12.27 ([para. 111](#)) The CoC **RECOMMENDED** that the Commission defer the case of the vessel STEF ANIA DUWA, flagged to Sri Lanka, to the next CoC.
- CoC12.28 ([para. 113](#)) **NOTING** that India was not present during the CoC12 to discuss the proposed IUU listing for the vessels, GREESHMA, BOSIN, BENIAIAH, CARMAL MARTA, DIGNAMOL I, DIGNAMOL II, KING JESUS, ST MARYS I, ST MARYS II, the CoC **RECOMMENDED** that the Commission considers the proposed IUU listing for the vessels, GREESHMA, BOSIN, BENIAIAH, CARMAL MARTA, DIGNAMOL I, DIGNAMOL II, KING JESUS, ST MARYS I, ST MARYS II, at its 19th Session.
- CoC12.29 ([para. 114](#)) 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 2012).
- CoC12.30 ([para. 115](#)) The CoC **RECOMMENDED** that in November 2015, 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.

Review of FAD management plans

- CoC12.31 ([para. 123](#)) The CoC **RECOMMENDED** that the IOTC Secretariat provide a summary of compliance with the FADs management plans in a tabular format to the next CoC.

Update on progress regarding the performance review – compliance related issues

- CoC12.32 ([para. 126](#)) 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 XI](#).
- CoC12.33 ([para. 127](#)) The CoC **RECOMMENDED** that the Working Group on High Seas Boarding Scheme continue its work during the intersessional period and report the result of its work to the CoC13.

Review of unresolved compliance issues raised by CPC's at the 18th annual Session, or new compliance issues (CPCs)

- CoC12.34 ([para. 129](#)) The CoC **RECOMMENDED** that the issue pertaining to India related to the review of objections be addressed in the 19th Commission meeting.

Activities by the IOTC Secretariat in support of capacity building for developing CPCs

- CoC12.35 ([para. 133](#)) The CoC **RECOMMENDED** that the IOTC Secretariat continues with those capacity building activities and to include similar activities that would allow CPCs to address the issue of mandatory statistics.

Review of requests for access to the status of Cooperating Non-Contracting Party

- CoC12.36 ([para. 142](#)) The CoC **RECOMMENDED** that the Commission considers renewing the status of Senegal as Cooperating Non-Contracting Party of the IOTC:
- CoC12.37 ([para. 143](#)) The CoC **RECOMMENDED** that the Commission considers granting Bangladesh the status of Cooperating Non-Contracting Party for the first time:
- CoC12.38 ([para. 144](#)) The CoC **RECOMMENDED** that the Commission considers the application by Liberia for Cooperating Non-Contracting Party status of the IOTC at its 19th Session, pending the

submission of a written statement by Liberia that it will not engage in harvesting activities of tuna and tuna like species under the mandate of the IOTC.

CoC12.39 ([para. 145](#)) **NOTING** that Djibouti was not present during the CoC12 to present their application for Cooperating Non-Contracting Party status, the CoC **RECOMMENDED** that the Commission considers the application by Djibouti for the status of Cooperating Non-Contracting Party of the IOTC (IOTC–2015–CoC12–CNCP04) at its 19th Session.

How to progress on compliance issues

CoC12.40 ([para. 147](#)) The CoC **RECOMMENDED** that the concerned CPCs consider the development of a proposal on a Working Party on Compliance for S20

Adoption of the report of the 12th Session of the Compliance Committee

CoC12.41 ([para. 154](#)) The CoC **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC12, provided at [Appendix XI](#).