

SUMMARY REPORT ON THE IOTC RECORD OF AUTHORISED VESSELS

PREPARED BY: IOTC SECRETARIAT, 16 APRIL, 2016

This document has been prepared in response to a request by the United Kingdom (Overseas Territory), following the sightings of two purse seiners, in the IOTC area, that are no longer authorised to harvest IOTC species. Both vessels were authorised to operate in the IOTC area for the period 01 January 2015 to 31 December 2015. The vessels were subsequently deleted from the IOTC Record of Authorised Vessels on 12 February 2016.

1 The IOTC Record of Authorised Vessels (IOTC Resolution 15/04)

The IOTC Record of Authorised Vessels was established by the Commission on 1 July 2003, via Resolution 02/05 *Concerning the establishment of an IOTC record of vessels authorised to operate in the IOTC area of competence* (superseded by Resolution 05/02, then Resolution 07/02, then Resolution 13/02, then Resolution 14/04, then Resolution 15/04).

1. The Commission shall maintain an IOTC Record of fishing vessels that are:
 - a) 24 metres in length overall or above; or
 - b) in case of vessels less than 24 meters, those operating in waters outside the Economic Exclusive Zone of the Flag State; and that are authorised to fish for tuna and tuna-like species in the IOTC area of competence (hereinafter referred to as “authorised fishing vessels”, or AFVs).

As of 21 March 2016, there were 5,931 fishing vessels, registered to 27 flag States, in the IOTC Record of Authorised Vessels (RAV). The majority (57%) of these vessels have a length overall of less than 24 metres. Longline vessel is the dominant category (36%), followed by multipurpose vessels (23%) and gillnet vessels (22%). Just over 80% of all the vessels are registered to four IOTC Members: Sri Lanka (24%), Indonesia (23%), I. R. Iran (22%) and Maldives (14%).

5. Each CPC shall promptly notify, after the establishment of their initial IOTC Record, the IOTC Executive Secretary of any addition to, any deletion from and/or any modification of the IOTC Record at any time such changes occur.

The IOTC Record of Authorised Vessels is maintained by the staff of the Secretariat, who routinely carries out modifications (addition, deletion or updates) at the request of Members and Cooperating Non-Contracting Parties (CPCs) with vessels in the Record. Depending on the workload of the staff or the nature of the modifications (e.g. number of records to be modified, completeness of information, etc.), amendments to the RAV can be effected within an hour or, at the latest, normally within two working days of receiving a request. The process for modifying the RAV starts with acknowledging and referencing the request for modification. If required, follow-ups are conducted with the concerned State, for example, for seeking clarifications on the information provided when it is not at the IOTC standard. Once the modification has been completed, a notice of completion is sent to the flag State. The purpose of the notice of completion is two-fold: (i), it advises the concerned flag State that the modification has been completed and, (ii) it also prompts the flag State to verify the modification.

6. The IOTC Executive Secretary shall maintain the IOTC Record, and take any measure to ensure publicity of the Record through electronic means, including placing it on the IOTC website, in a manner consistent with confidentiality requirements noted by CPCs.

The IOTC Record of currently Authorised Vessels is available in the IOTC website at <http://www.iotc.org/vessels/current>. A more comprehensive version of the RAV, which includes historical records on vessels that are no longer authorised is also available in the IOTC website at <http://www.iotc.org/vessels/date>. The RAV can be interrogated online or the content can be downloaded as a CSV file. Due to the importance of the RAV as a fisheries monitoring, control and surveillance (MCS) tool, the Secretariat does its utmost to ensure that it is kept up to date and as complete as possible.

While the Secretariat does its maximum to ensure the veracity of the information posted in the RAV, it is ultimately the responsibility of the flag State to ensure that the information pertaining to vessels in their fleet are correct and kept current.

2 Some issues with the information to be provided for the RAV

Paragraph 2 of Resolution 15/04 indicates that there are between 17 to 19 information fields that flag States have to provide for vessels that are to be included in the RAV. However, not all these fields would be available for all vessels included in the RAV; for example, not all vessels are eligible for certain fields (e.g. IMO number/international radio call sign) or not all vessels have historical records (e.g. previous name(s) and previous flag(s)). While some of the fields (e.g. vessel name and registration number) are straight forward and are not open to ambiguity as to what information the flag State should provide, others are more prone to interpretation (e.g. time period(s) authorised for fishing and/or transshipping). To exacerbate the problem, the Commission has not addressed these issues over the many years that the RAV has been in existence.

When the RAV database was “closed” on 21 March 2016, to produce this document, there were 2,330 vessels in the record whose authorisation period had lapsed. While some authorisations have recently lapsed, others had lapsed as far back as ten years ago (e.g. January 2006). Beside vessels with outdated authorisation period, there are also some 1,436 vessels currently in the RAV without an end date for their authorisation period. The approach that the Secretariat has adopted is, that all vessels in the RAV are authorised (albeit some with outdated authorisation period) until a specific request is received from the concerned flag State requesting a modification (deletion or update) for the concerned vessel(s).

The issue of outdated authorisation period seems to indicate that some States does not carry out regular checks on their list of authorised vessels in the RAV. It is also the experience of the Secretariat that these types of records often get updated when there is a situation that hampers normal operation of a vessel (e.g. denials of request to access foreign ports and/or foreign fishing licence in a third State).

3 Issues highlighted by the United Kingdom (Overseas Territory)

To investigate the issue brought to the fore in the document IOTC-2016-CoC13-12a, the Secretariat has analysed information in the RAV database by looking at different scenarios surrounding deletion and re-authorisation of vessels in the record. Three categories of different scenarios were clearly identified, and these are elaborated in the below sub-sections.

3.1 Length of time between last authorised period and deletion date

Up to the 21 March 2016, a total of 5,452 vessels have been deleted from the IOTC RAV. The difference between the date of the last authorisation period and the date of deletion ranges from one day, to a maximum 4,975 days (or around 13.6 years). Table 1, below, provides the details of the number of vessels, by flag, that have been deleted from the RAV.

In reconciling the list of deleted vessels in the RAV against the Record of Active Vessels, we concluded that there are 73 occasions on which vessels that have been deleted from the RAV have been reported as active in the years following their deletion. This comprises of 57 reports made by CPCs identified as the last flag State of the vessels, in the RAV. The other 16 reports were submitted by CPCs who have either licensed some of these vessels or have received port calls from these vessels. Looking at the figures from a size class (length overall) category, we further found that 35 of the vessels reported, (20 by their last flag States and 15 by third parties) are vessels of 24 metres length overall or above. By default, all vessels of 24 metres length overall or above, which are targeting IOTC species are required to be included in the IOTC RAV.

Table 1. Vessels deleted from the IOTC Record of Authorised Vessels

CPCs	No. of vessels	Minimum Days	Maximum Days	Average Days	Years
Australia	96	1	983	75	2.69
Belize	26	1	94	5	
China	104	1	1530	179	4.19
EU-France	371	1	86	48	
EU-Italy	11	1	1	1	
EU-Portugal	16	1	1	1	
EU-Spain	96	1	85	6	
EU-United Kingdom	4	1	1	1	
France (Territories)	1	1	1	1	
Guinea	3	1	1	1	
India	69	1	1	1	
Indonesia	306	1	2665	768	7.30
Iran	14	1	1	1	
Japan	382	1	1808	21	4.95
Kenya	2	1	1	1	
Korea, Republic of	126	1	4975	934	13.63
Madagascar	3	1	1	1	
Malaysia	66	1	1	1	
Maldives	322	1	1347	598	3.69
Mauritius	8	1	43	23	
Oman	51	1	989	76	2.71
Philippines	17	1	1	1	
Sengal	2	2078	2290	2184	6.27
Seychelles	31	1	507	30	
South Africa	22	1	1	1	
Sri Lanka	3235	1	246	91	
Tanzania	7	1	1	1	
Thailand	17	1	1	1	
Vanuatu	44	1	2131	808	5.84
Grand Total	5452	1	4975		

3.2 Fishing vessels that are re-authorised as a result of reflagging

There are 55 instances where fishing vessels have been deleted from the IOTC RAV and which have subsequently been added again as a result of reflagging. Table 2, below, provide details of the flag States involved in reflagging vessels. As can be seen in Table 2, some vessels are reauthorized within a day of their deletion from the RAV, whereas in other circumstance we find vessels being reauthorized by as many as 1,944 days (5.3 years) after they had been deleted from the RAV by their previous flag State.

While the mechanisms at national levels operate independently of the IOTC RAV, the database does not allow for a vessel to have overlap in authorisation periods. Therefore, the minimum number of days that can exist between any two records for the same vessel is one day. In instances where there are overlaps when the information is

initially submitted by the new flag State, the Secretariat consults with the concerned parties so that a compromise may be reached to prevent overlaps.

Table 2. Instances of fishing vessels that have been re-authorized as a result of reflagging.

CPCs	No. of Instances	Minimum Days	Maximum Days	Average Days	Years
China	9	371	1944	1158.56	5.33
EU-Spain	1	131	131	131.00	
Indonesia	2	1	74	37.50	
Iran	2	1	364	182.50	1.00
Korea, Republic of	9	1	79	21.56	
Madagascar	1	1694	1694	1694.00	4.64
Seychelles	22	1	695	63.86	1.90
Sri Lanka	1	197	197	197.00	
Tanzania	5	1	131	27.00	
Thailand	3	58	58	58.00	
Grand Total	55	1	1944		

3.3 Re-authorized vessels

Some CPCs request the Secretariat to activate and de-activate the authorisation period(s) of vessels in their fleet, as a function of national procedures. In some cases this is linked with the actual authorisation that is issued by CPCs and in other cases it seems to be linked to licences issued in a particular year/fishing season. Table 3, below, provide details of instances where vessels have been deleted from the IOTC RAV and re-authorized at a later date by the same flag State.

To differentiate between rolling authorisation periods and deleted records, the latter carries the same “AuthorisedFrom” and “AuthorisedTo” dates in the RAV database. Filtering out vessels that have previously been removed from the RAV, at least up to 21 March 2016, produces 434 instances of vessels that have been deleted and subsequently re-authorized. Of these, three anomalies were found, where subsequent records were found to have overlapping authorised periods for the previous and subsequent authorisation periods. A further 22 instances were recorded where there was only one day between the deletion date and the re-authorization date. These instances are not regular and it is highly unlikely that a flag State would request for deletion of a vessel only to re-authorise it the following day. So it is also thought that these instances are anomalies in the database, which would require further investigations. This, therefore, leaves us with the remaining 409 instances where the minimum number of days between deletion and re-authorization ranges from five days to 2,833 days (7.8 years).

Table 3. Vessels re-authorised by the same flag State.

CPCs	No. of Instances	Minimum Days	Maximum Days	Average Days	Years
Australia	10	25	1683	750.80	4.61
Belize	6	54	54	54.00	
China	4	705	2337	1521.00	6.40
EU-France	4	216	216	216.00	
EU-Portugal	13	22	2603	752.00	7.13
EU-SpainP	19	444	2730	1999.44	7.48
India	2	431	431	431.00	1.18
Indonesia	25	49	2594	1388.33	7.11
Japan	34	24	2770	842.27	7.59
Malaysia	6	521	521	521.00	1.43
Maldives	81	5	979	204.42	2.68
Mauritius	3	2833	2833	2833.00	7.76
Oman	2	580	580	580.00	1.59
Seychelles	5	13	1601	807.00	4.39
South Africa	56	161	2651	760.25	7.26
Sri Lanka	139	17	606	298.84	1.66
Grand Total	409	5	2833		

4 Discussions and conclusions

Based on the information provided in the paragraph 2, above, it is clear that Resolution 15/04 could be improved on. The high number of vessels (2,330) with out of date authorisation period gives rise to the question of whether these vessels are authorised or not. It can be argued that since the concerned CPCs had in the first place provided a specific period in which their vessels are authorised, the vessels with out of date authorisation period are no longer authorised, and consequently should be removed from the current Record of Authorised Vessels. However, the view of the Secretariat is that Resolution 15/04 does not provide it with the mandate for removing these vessels and this can only happen if instruction is received from the concerned CPCs. **For a more credible Record of Authorised Vessels, Resolution 15/04 can be improved on by providing the Secretariat with the mandate to remove vessels from the record if their authorisation periods have lapsed after a specified timeframe. The Secretariat should publish, periodically, in the IOTC website, a list of vessels that it has deleted from the IOTC RAV.**

It is unclear in Resolution 15/04 if CPCs are required to provide an end date for vessels that they request inclusion in the IOTC RAV. As mentioned above, there were 1,436 vessels with open-ended authorisation period in the database at 21 March 2016. Some of these vessels were first included in the record as far back as 2003. **This Resolution can be improved by clearly stating if an end date for an authorisation period is a mandatory field, or alternatively it should clearly state that vessels with open authorisation period should be considered authorised.**

The analyses conducted in sections 3, above, raises further questions on the issue of the authorisation status. In paragraph 3.1, we see that there were vessels whose stated authorisation period had lapsed for between 2 to 13 years before they were eventually retired from the RAV. **In light of the definition of Illegal, Unreported and Unregulated (IUU) fishing activities in the IOTC area of competence, this raises question over the status of the vessels, especially the ones reported as active in the years beyond their last authorisation period.**

In paragraph 3.2, we find that there are significant gaps in between authorisation period of vessels when there is a change of flag. There is currently no requirement for the new flag State to provide any information on where a newly re-flagged and re-authorised vessel had been operating between its deletion from the previous flag and its new authorisation date. **For transparency, CPCs should be required to provide this information. The Secretariat should publish, periodically, in the IOTC website, a list of vessels that CPCs have deleted from the IOTC RAV.**

In paragraph 3.3, we also find that there are significant gaps in between authorisation period of some vessels; as much as seven years in some instances. There is currently no requirement for CPCs to provide any information on these vessels between the deleted period and the re-authorisation. Especially when considered for vessels of 24 metres length overall or above, for which it is mandatory that they are included in the IOTC RAV if they are operating in the IOTC area, **CPCs should be required to provide information to show that these vessels were not active in the IOTC area during the concerned period.**