

Report of the 20th Session of the Indian Ocean Tuna Commission

La Reunion, France, 23–27 May 2016

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IOTC 2016. Report of the 20th Session of the Indian
Ocean Tuna Commission. La Reunion, 23–27 May 2016.
IOTC–2016–S20–R[E]: 170pp.

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ACRONYMS

AFAD	Anchored fish aggregating device
SB _{MSY}	Spawning or ‘adult’ equilibrium biomass at MSY
B _{MSY}	Biomass which produces MSY
CMM	Conservation and Management Measure (of the IOTC; Resolutions and Recommendations)
CNCP	Cooperation Non-Contracting Party, of the IOTC
CoC	Compliance Committee of the IOTC
CPs	Contracting Parties
CPCs	Contracting Parties and Cooperating non-Contracting Parties
DFAD	Drifting fish aggregating device
EEZ	Exclusive Economic Zone
FAD	Fish aggregating device
FAO	Food and Agriculture Organization of the United Nations
F _{MSY}	Fishing mortality at MSY
HCR	Harvest control rule
ICRU	Improved Cost Recovery Uplift
IOC	Indian Ocean Commission
IOTC	Indian Ocean Tuna Commission
ISSF	International Seafood Sustainability Foundation
IUU	Illegal, unreported and unregulated
LRP	Limit reference point
LSTLV	Large-scale tuna longline vessel
MPF	Meeting participation fund, of the IOTC
MSC	Marine stewardship council
MSE	Management Strategy Evaluation
NGO	Non-Governmental Organisation
OIG	Office of the Inspector General
OPRT	Organisation for the Promotion of Responsible Tuna Fisheries
OT	Overseas Territories
PEW	PEW Charitable Trust
RFMO	Regional Fisheries Management Organisation
SC	Scientific Committee of the IOTC
SCAF	Standing Committee on Administration and Finance, of the IOTC
SIOFA	Southern Indian Ocean Fisheries Agreement
SWIOFC	Southwest Indian Ocean Fisheries Commission
TCAC	Technical Committee on Allocation Criteria, of the IOTC
TRP	Target referent point
UNCLOS	United Nations Convention on the Law of the Sea
VMS	Vessel Monitoring System
WPEB	Working Party on Ecosystems and Bycatch, of the IOTC
WPM	Working Party on Methods, of the IOTC
WPTmT	Working Party on Temperate tunas, of the IOTC
WPTT	Working Party on Tropical Tunas, of the IOTC
WWF	World Wide Fund for Nature (a.k.a World Wildlife Fund)

CONTRACTING PARTIES OF THE INDIAN OCEAN TUNA COMMISSION

THIRTY-TWO (32) AS OF 27 MAY 2016

AUSTRALIA**BELIZE** (withdrawal will take effect on 31 December 2016)**CHINA****COMOROS****ERITREA****EUROPEAN UNION****FRANCE(OT)****GUINEA** (withdrawal will take effect on 31 December 2017)**INDIA****INDONESIA****IRAN, ISLAMIC REPUBLIC OF****JAPAN****KENYA****KOREA, REPUBLIC OF****MADAGASCAR****MALAYSIA****MALDIVES****MAURITIUS****MOZAMBIQUE****OMAN****PAKISTAN****PHILIPPINES****SEYCHELLES****SIERRA LEONE****SOMALIA****SOUTH AFRICA, REP. OF****SRI LANKA****SUDAN****UNITED REPUBLIC OF TANZANIA****THAILAND****UNITED KINGDOM(OT)****YEMEN****COOPERATING NON-CONTRACTING PARTIES OF THE INDIAN OCEAN TUNA COMMISSION**

FOUR (4) AS OF 27 MAY 2016

BANGLADESH**DJIBOUTI****LIBERIA****SENEGAL**

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EXECUTIVE SUMMARY

The 20th Session of the Indian Ocean Tuna Commission (IOTC) was held in La Reunion, France, from 23–27 May 2016, Chaired by Dr Ahmed Al-Mazrouai (Oman). A total of 178 delegates attended the Session, composed of 135 delegates from 26 Contracting Parties (Members) of the Commission, 6 delegates from 4 Cooperating Non-Contracting Parties, 32 delegates from 12 Observers (including 9 invited experts) and 5 delegates from the FAO.

The Commission adopted the IOTC IUU Vessels List as provided in [Appendix XIa](#). ([para. 57](#)).

The Commission granted the status of Cooperating Non-Contracting Party until the close of the 21st Session in 2017 to Bangladesh, Djibouti, Liberia and Senegal. ([paras. 64-77](#)).

The Commission adopted the budget for, and the scheme of contributions for 2017 and indicative for 2018 as outlined in [Appendix XIII](#) and [Appendix XIVa](#), respectively ([para. 105](#)).

The Commission adopted 12 Conservation and Management Measures in 2016, consisting of 12 Resolutions and 0 Recommendations, as follows:

- [Resolution 16/01](#) *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock*
- [Resolution 16/02](#) *On harvest control rules for skipjack tuna in the IOTC area of competence*
- [Resolution 16/03](#) *On the second performance review follow-up*
- [Resolution 16/04](#) *On the implementation of a Pilot Project in view of Promoting the Regional Observer Scheme of IOTC*
- [Resolution 16/05](#) *On vessels without nationality*
- [Resolution 16/06](#) *On measures applicable in case of non-fulfilment of reporting obligations in the IOTC*
- [Resolution 16/07](#) *On the use of artificial lights to attract fish*
- [Resolution 16/08](#) *On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids*
- [Resolution 16/09](#) *On establishing a Technical Committee on Management Procedures*
- [Resolution 16/10](#) *To promote the implementation of IOTC Conservation and Management Measures*
- [Resolution 16/11](#) *On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing*
- [Resolution 16/12](#) *Working Party on the Implementation of Conservation and Management Measures (WPICMM)*

1. Opening of the session

1. The 20th Session of the Indian Ocean Tuna Commission (IOTC) was held in La Reunion, France, from 23–27 May 2016, chaired by Dr Ahmed Al-Mazrouai (Oman). A total of 178 delegates attended the Session, composed of 135 delegates from 26 Contracting Parties (Members) of the Commission, 6 delegates from 4 Cooperating Non-Contracting Parties, 32 delegates from 12 Observers to the Commission (including 9 invited experts) and 5 delegates from the FAO. The list of participants is provided at [Appendix I](#).
2. Opening remarks were made by M. Stefaan Depypere on behalf of the European Union and local authorities of La Réunion. On behalf of the Government of the Rep. of France, Ms Costes, vice-president of the Conseil régional de La Réunion, and M. Sorain, préfet of La Réunion, gave the inaugural addresses ([Appendix II](#)), welcomed participants to La Reunion and declared the 20th Session of the IOTC open. The Chairperson of the Commission, Dr Ahmed Al-Mazrouai (Oman), welcomed the participants ([Appendix II](#)).
3. Mr Arni Mathiesen, the Assistant Director General of the Department of Fisheries, Food and Agriculture Organization of the United Nations (FAO) made opening remarks ([Appendix II](#)).

2. Letter of Credentials

4. The Commission **NOTED** paper IOTC–2016–S20–03b which provided the Commission with an opportunity to consider the ‘*Letters of Credentials*’ received by the IOTC Executive Secretary for the 20th Session of the Commission, as required in the IOTC Rules of Procedure (2014).
5. The Commission **NOTED** the statement made by Mauritius and the corresponding statement made by the United Kingdom (OT) on sovereignty, as well the statement by the FAO Legal Counsel, in line with the position of the United Nations Secretary General, that this is a bilateral matter. The subsequent statements made during the course of the proceedings, are provided in [Appendix V](#).
6. The FAO Legal Counsel, on behalf of the FAO Secretariat, further stated that Mauritius and the United Kingdom (OT) are both Members of the IOTC according to the instruments of acceptance of the IOTC Agreement deposited with the Director General of the FAO in 1994 and 1997, respectively, and which do not contain any correction, restriction or reservation in relation to this matter. The FAO Legal Counsel stated that Mauritius and the United Kingdom (OT), as far as possible, should not to raise this matter in this forum and avoid disruption of the technical proceedings, given that the IOTC is not an appropriate forum to discuss issues of sovereignty.

3. Admission of Observers

7. The Commission **RECALLED** its agreement made in 2012 that meetings of the Commission and 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 IOTC Rules of Procedure (2014).
8. Pursuant to Article VII of the Agreement establishing the IOTC, the Commission admitted the following observers, in accordance with Rule XIV of the IOTC Rules of Procedure (2014):
 - a. 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. Russian Federation
 - ii. United States of America
 - b. 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)
 - ii. Southwest Indian Ocean Fisheries Commission (SWIOFC)
 - c. 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. Greenpeace International (GI)
 - ii. International Pole and Line Foundation (IPNLF)
 - iii. International Seafood Sustainability Foundation (ISSF)

- iv. Marine Stewardship Council (MSC)
- v. Organisation for the promotion of responsible tuna fisheries (OPRT)
- vi. PEW Charitable Trusts (PEW)
- vii. Stop Illegal Fishing
- viii. US-Japan Research Institute
- ix. The Earth Institute
- x. World Wide Fund for Nature (a.k.a World Wildlife Fund, WWF)

Invited experts

- d. 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. Adoption of the Agenda and arrangements for the session

- 9. The Commission **ADOPTED** the agenda provided at [Appendix III](#). The documents presented to the Commission are listed in [Appendix IV](#).
- 10. The Commission **NOTED** the statement made by the Republic of Mauritius and the corresponding statements made by the United Kingdom (OT) and France (OT), as provided in [Appendix V](#).

5. Update on the implementation of decision of the Commission in 2015 (S19)

- 11. The Commission **NOTED** the paper IOTC–2016–S20–04 which provided updates to each of the decisions of the Commission in 2015, for action by CPCs or the IOTC Secretariat in the intersessional period.

6. Report of the 18th Session of the Scientific Committee (SC18)

- 12. The Commission **NOTED** the report of the 18th Session of the Scientific Committee (SC) (IOTC–2015–SC18–R) which was presented by the Chair of the SC, Dr Hilario Murua (EU). A total of 71 delegates and other participants (62 in 2014) attended the Session, comprised of 51 delegates (53 in 2014) from 18 Contracting Parties (22 in 2014), 3 delegates from 2 Cooperating Non-Contracting Parties (0 in 2014), and 17 observers, including 2 invited experts (11 observers in 2014).
- 13. The Commission **CONSIDERED** the list of recommendations made by the SC18 ([Appendix VI](#)) from its 2015 report (IOTC–2015–SC18–R) that related specifically to the Commission. The Commission **ENDORSED** the list of recommendations as its own, while taking into account the range of issues outlined in this Report (S20) and incorporated within Conservation and Management Measures adopted during the Session and as adopted for implementation as detailed in the approved annual budget and Program of Work.
- 14. The Commission **NOTED** some minor improvements in the quantity of fisheries statistics available to the SC and its Working Parties in 2015 but reiterated its concerns about the lack of fisheries data from some gears and fleets for target and bycatch species. Specifically, many fisheries statistics are missing or incomplete for some industrial and artisanal fisheries.
- 15. The Commission **NOTED** the substantial work underway to develop management procedures and harvest strategies for IOTC stocks and **REQUESTED** the SC to develop a work plan reflecting key elements to be agreed and developed, including roles and responsibilities of each of the Commission, Scientific Committee, Compliance Committee and other subsidiary bodies, and also including decision points on these elements for the Commission.
- 16. The Commission **NOTED** the progress towards development of harvest strategies for key stocks, including the adoption of limit and target reference points for a number of stocks, and **REQUESTED** that the SC provide advice to the 21st Session of the IOTC on the feasibility of reporting stock status in relation to the agreed limit reference points.

6.1 Status of the stocks

- 17. The Commission **NOTED** that the lack of fisheries data are especially a concern for shark species for which very few data is available to the SC and its Working Parties and reiterated the mandatory obligation to report these information through resolutions 15/01, 15/02 and 13/06.

6.1.1 Yellowfin tuna

18. The Commission **NOTED** that, based on the assessment carried out in 2015, yellowfin stock biomass is below the level that will support the MSY and that fishing mortality is above the level that will produce the MSY. Thus, on the weight-of-evidence available in 2015, the yellowfin tuna stock is determined to be overfished and subject to overfishing.
19. The Commission **NOTED** that there is a very high risk of continuing to exceed the biomass MSY-based reference point if catches increase further or are maintained at current levels (2014) until 2017 (>99% risk that $SB_{2017} < SB_{MSY}$), and similarly a very high risk that $F_{2017} > F_{MSY}$ ($\approx 100\%$). The modelled probabilities of the stock achieving levels consistent with the Commission's current management objective (e.g. $SB > SB_{MSY}$) are 50% for a future constant catch at 80% of current catch levels by 2024.
20. The Commission **NOTED** the following management advice provided by the SC *"Projections show that current levels of catch would exacerbate the decline of this stock in the short term. The modelled probabilities of the stock achieving levels consistent with the interim target reference points (i.e. $SB > SB_{MSY}$ and $F < F_{MSY}$) in 2024 are 50% for a future constant catch at 80% of the catch levels in 2014. If the Commission wishes to recover the stock to levels above the interim target reference points with 50% probability by 2024, the Scientific Committee recommends that catches be reduced by 20% of current levels"*.
21. The Commission **NOTED** concerns about the status of yellowfin and **AGREED** that management measures should be taken urgently to reduce the fishing pressure on the stock. The Commission also **DISCUSSED** the possibility of an update to the yellowfin stock assessment in 2016 to follow the status of the stock closely.
22. The Commission **NOTED** the advice of the Chair of the SC, that it would be premature to conduct another stock assessment on yellowfin in 2016.

6.1.2 Skipjack Tuna

23. The Commission **NOTED** that no new assessment was conducted in 2015 and that therefore, the status of the stock is considered to be as it was determined in 2014, that is, that current fishing mortality is below that which would produce MSY (i.e. not subject to overfishing), and that the size of the spawning biomass is considered to be above the one producing the MSY (i.e. not overfished).

6.1.3 Bigeye Tuna

24. The Commission **NOTED** that no new stock assessment was carried out for bigeye tuna in 2014 or 2015, thus, stock status is determined on the basis of the 2013 assessment and other indicators presented in 2015. On the weight-of-evidence available in 2015, the bigeye tuna stock is determined to be **not overfished** and is **not subject to overfishing**. The Commission further **NOTED** that, if catch remains below the estimated MSY levels, then immediate management measures are not required.

6.1.4 Albacore Tuna

25. The Commission **NOTED** that no new assessments have been conducted since 2014, when the stock was found to be **not overfished** and **not subject to overfishing**, although the considerable uncertainty in the assessments conducted lead to the recommendation from the Scientific Committee to exercise caution and reduce fishing mortality or cap total catch levels.

6.1.5 Swordfish

26. The Commission **NOTED** that no new stock assessment was carried out for swordfish in 2014 or 2015, thus, stock status is determined on the basis of the 2013 assessment and other indicators presented in 2015. On the weight-of-evidence available in 2015, the swordfish stock is determined to be **not overfished** and is **not subject to overfishing**. The Commission further **NOTED** that, if catch remains below the estimated MSY levels, then immediate management measures are not required.
27. The Commission further **NOTED** that if the swordfish in the southwest Indian Ocean is considered to be a separate stock, assessments conducted indicate that such a stock would be **not subject to overfishing**, but **overfished**.

6.1.6 Other Billfish

28. The Commission **NOTED** the new assessment of the striped marlin in 2015, that indicates that the stock has been subject to overfishing for some years, and that as a result, the stock biomass is well below the B_{MSY} level and

shows signs of a slow rebuilding despite the declining effort trend, and that therefore the stock has been determined to remain as **overfished** and **subject to overfishing**.

29. No new assessment took place for blue marlin, that remain classified as **overfished** but **not subject to overfishing**. Black marlin and Indo-Pacific sailfish are assumed **to be subject to overfishing**, but **not yet overfished**

6.1.7 *Neritic Tunas*

30. The Commission **NOTED** that there were new assessments of three stocks of neritic tunas. Longtail assessment indicated a very high probability that the stock will be overfished and subject to overfishing in 2016 and it further **NOTED** the recommendation of the Scientific Committee to reduce catches by 30%. Spanish mackerel was found to be **overfished** and **subject to overfishing**. Kawakawa is considered to be **not overfished** and **not subject to overfishing**, but the Commission also **NOTED** the conclusion of the Scientific Committee that if current catches are maintained there is a very high probability that the stock will be reduced below the MSY levels and that catches will exceed the MSY levels.

6.1.8 *Sharks*

31. The Commission **NOTED** the standing of catch statistics for the main species of sharks, by major fisheries (gears), and **EXPRESSED** concern over the lack of information submitted by CPCs on total catches, discards, catch and effort and size data of sharks in the IOTC database, despite their mandatory reporting status.
32. The Commission strongly **ENCOURAGED** CPCs comply with IOTC data requirements as requested per Resolution 15/01 and 15/02, given the gaps in available information in the IOTC database and the importance of basic fishery data in order to assess the status of stocks and for the provision of sound management advice.

6.2 General comments and consideration of other recommendations made by the Scientific Committee in 2015

6.2.1 *Regional Observer Scheme*

33. The Commission **NOTED** with concern the low level of reporting to the IOTC Secretariat of both the observer trip reports and the list of accredited observers since the start of the ROS in July 2010. The Commission **NOTED** that capacity building activities continue to be supported via the Commission's annual budget, to improve compliance with the implementation of observer schemes by CPCs for their fleets and of reporting to the IOTC Secretariat as per the provisions contained within Resolution 11/04 on a Regional Observer Scheme.
34. The Commission **NOTED** that CMM proposal IOTC–2016–S20–PropH will provide a discussion point for this agenda item, and which proposes the implementation of a pilot project in view of promoting the regional observer scheme of IOTC.

6.2.2 *Chairs and Vice-Chairs*

35. The Commission **NOTED** the re-elected and newly elected Chairs and Vice-Chairs for each of the IOTC Working Parties and the SC, as listed in [Appendix VIII](#).

7. Report of the 3rd Session of the Technical Committee on Allocation Criteria (TCAC03)

36. The Commission **NOTED** the report of the 3rd Session of the Technical Committee on Allocation Criteria (IOTC–2016–TCAC03–R), which was presented by the Chair of the Commission, Mr Ahmed Al-Mazouri (Oman), and which was held on Kish Is. Islamic Republic of Iran, from 21 to 23 February 2016, Chaired by an independent Chairperson, Mr Don MacKay. A total of 59 delegates attended the Session (82 in 2013), comprised of 52 (69 in 2013) delegates from 21 (23 in 2013) Contracting Parties (Members), 1 (1 in 2013) delegate from 1 (1 in 2013) Cooperating Non-Contracting Party, 4 (9 in 2013) delegates from 4 (5 in 2013) observer organisations and 2 (3 in 2013) invited experts.
37. The Commission **NOTED** the recommendations of TCAC-03-R, provided at [Appendix IX](#) of the TCAC03 report, and **THANKED** South Africa for its generous offer to host the 4th Session of the Technical Committee on Allocation Criteria (TCAC04) in 2017. The exact dates and meeting venue will be confirmed and communicated by the IOTC Secretariat at a later date.

8. Report of the 13th Session of the Compliance Committee (CoC13)

38. The Commission **NOTED** the report of the 13th Session of the Compliance Committee (CoC) (IOTC–2016–CoC13–R) which, in the absence of the Chair and the Vice-Chair of the CoC, was presented by the Secretariat. A total of 64 delegates attended the Session, composed of 50 delegates from 24 Contracting Parties (Members) of the Commission, 4 delegate from 2 of the 4 Cooperating Non-Contracting Parties and 10 delegates from 6 Observers (including 3 invited experts).
39. The Commission **NOTED** the statements made by the Republic of Mauritius and the corresponding statements made by the United Kingdom (OT) and France (OT), as provided in [Appendix V](#).
40. The Commission **CONSIDERED** the list of recommendations made by the CoC13 ([Appendix VIII](#)) from its 2016 report (IOTC–2016–CoC13–R) that related specifically to the Commission and **ENDORSED** the list of recommendations as its own, while taking into account the range of issues outlined in this Report (S20) and incorporated within Conservation and Management Measures adopted during the Session, as detailed in the approved annual budget and Program of Work.

8.1 Summary report on the level of compliance

41. The Commission **NOTED** that there has been no improvement in the levels of compliance of some CPCs in 2015, and that there are still many CPCs not meeting their obligations to provide information under the various CMMs, especially with regards to mandatory statistics. 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 and to monitor the catch and capacity of fleets actively fishing for tuna and tuna-like species under the mandate of IOTC.

8.2 Reports of implementation

42. The Commission **NOTED** that there was little change in the overall level of compliance with the requirement to provide mandatory statistics for IOTC species (Resolutions 15/02) and the submission of mandatory statistics for sharks (Resolution 05/05). The Commission further **NOTED** the decrease in the level of implementation of the regional observer scheme (Resolution 11/04).
43. The Commission **EXPRESSED** concern that not all CPC who had submitted their national reports of implementation for 2015, had representatives or the relevant persons available to enable CoC to review their respective national status of compliance. Owing to the full agenda and tight schedule of the plenary, it was not possible to evaluate these reports within this year's Annual Meeting, which is especially worrying taking into account that some of the compliance shortcomings of these CPCs are serious.
44. The Commission **NOTED** that concerning certain issues raised about the Mauritian Compliance Report at the level of the Compliance Committee, Mauritius explained that it was compliant as regards to most of the issues, except for a few in respect of which necessary remedial measures were being undertaken.
45. The Commission **URGED** those CPCs (Eritrea, Guinea, Sierra Leone, Sudan, Yemen and Djibouti) who have not submitted their national 'Reports of Implementation' for 2015, to 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.
46. The Commission **REMINDED** CPCs of their obligations 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.

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

47. The Commission **NOTED** that the number of CPCs that have achieved progress in their compliance level during the intersessional period of 2015/2016 was equal in part to the number of CPCs whose compliance levels slipped during the same period. The development of the compliance report, 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.
48. **NOTING** that nine CPCs (Contracting Parties: Belize, Eritrea, Guinea, Sierra Leone, Sudan, Vanuatu and Yemen; CNCP: Bangladesh and Djibouti) were not present at CoC13 the Commission **STRESSED** that attendance by all CPCs at each CoC meeting is essential to the effective operation of the Commission.

49. The Commission **AGREED** that the ‘letter of feedback on compliance issues’ would be sent by the IOTC Chairperson following the Commission meeting and would include an expression of concern given the CPCs absence from the IOTC meetings. The letter shall highlight areas of non-compliance to relevant CPCs.
50. The Commission **NOTED** the presence of delegates from India, Bangladesh and Djibouti at the 20th Session of the Commission, and the late submission of the Report of Implementation by India.

8.4 Deliberations in relation to Resolution 11/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area.*

8.4.1 IOTC IUU Vessels List - 2015 review

51. The Commission **AGREED** that the following vessels shall remain on the IOTC IUU Vessels List as no further information was provided to the CoC13 during its deliberations:

Vessel Name	Flag
• ANEKA 228	Unknown
• ANEKA 228; KM.	Unknown
• CHI TONG	Unknown
• FU HSIANG FA 18	Unknown
• FU HSIANG FA NO. 01	Unknown
• FU HSIANG FA NO. 02	Unknown
• FU HSIANG FA NO. 06	Unknown
• FU HSIANG FA NO. 08	Unknown
• FU HSIANG FA NO. 09	Unknown
• FU HSIANG FA NO. 11	Unknown
• FU HSIANG FA NO. 13	Unknown
• FU HSIANG FA NO. 17	Unknown
• FU HSIANG FA NO. 20	Unknown
• FU HSIANG FA NO. 21	Unknown
• FU HSIANG FA NO. 211	Unknown
• FU HSIANG FA NO. 23	Unknown
• FU HSIANG FA NO. 26	Unknown
• FU HSIANG FA NO. 30	Unknown
• FULL RICH	Unknown
• GUNUAR MELYAN 21	Unknown
• HOOM XIANG 101	Unknown
• HOOM XIANG 103	Unknown
• HOOM XIANG 105	Unknown
• HOOM XIANG II	Unknown
• KIM SENG DENG 3	BOLIVIA
• KUANG HSING 127	Unknown
• KUANG HSING 196	Unknown
• KUNLUN (TAISHAN)	Equatorial Guinea
• MAAN YIH HSING	Unknown

•	OCEAN LION	Unknown
•	SAMUDERA PERKASA 11	Unknown
•	SAMUDRA PERKASA 12	Unknown
•	SHUEN SIANG	Unknown
•	SIN SHUN FA 6	Unknown
•	SIN SHUN FA 67	Unknown
•	SIN SHUN FA 8	Unknown
•	SIN SHUN FA 9	Unknown
•	SONGHUA	Unknown
•	SRI FU FA 168	Unknown
•	SRI FU FA 18	Unknown
•	SRI FU FA 188	Unknown
•	SRI FU FA 189	Unknown
•	SRI FU FA 286	Unknown
•	SRI FU FA 67	Unknown
•	SRI FU FA 888	Unknown
•	TIAN LUNG NO.12	Unknown
•	YI HONG 106	Bolivia
•	YI HONG 116	Bolivia
•	YI HONG 16	Unknown
•	YI HONG 3	Unknown
•	YI HONG 6	Bolivia
•	YONGDING	Equatorial Guinea
•	YU FONG 168	Unknown
•	YU MAAN WON	Unknown

8.4.2 *Provisional IUU Vessels List*

52. The Commission **AGREED** that the following vessels shall be kept on the IOTC Provisional IUU Vessels List, as permitted under Resolution 11/03 para. 14.

•	Vessel Name	Flag
•	BENAIHA	India
•	BOSIN	India
•	CARMAL MATHA	India
•	DIGNAMOL 1	India
•	DIGNAMOL II	India
•	GREESHMA 1	India
•	KING JESUS	India
•	ST MARY'S NO.1	India
•	ST MARY'S NO.2	India
•	BEO HINGIS	India

- JOSHVA India
- JOSHVA NO.1 India
- SACRED HEART India
- VACHANAM India
- WISDOM India
- Unknown (NAHAM 4/DER HORNG 569) Unknown (OMAN /BELIZE)

53. The Commission further **AGREED** that each vessel shall be considered individually. Where no information is received by the Secretariat for any individual vessel within 90 days following the close of the 20th Session of the Commission, that vessel shall immediately be placed on the IOTC IUU vessels list. Where information from India is received within the 90 day deadline, the intersessional vessel listing procedures as detailed in Resolution 11/03 shall apply to each vessel, and the information provided by India shall clearly show that it has taken effective action in response to IUU with respect to each vessel, its owner and master, and has imposed sanctions of adequate severity.
54. In agreeing to retain BENAIAH, BOSIN, CARMAL MATHA, DIGNAMOL 1, DIGNAMOL II, GREESHMA 1, KING JESUS, ST MARY'S NO.1 and ST MARY'S NO.2 on the Provisional IUU list for a second year, the Commission **NOTED** that in respect of these 9 vessels, an exception to the procedures specified in Res 11/03 has occurred and that this exception shall in no way set a precedent.
55. The Commission **NOTED** that Mauritius stated that as regards alleged illegal activities in the Chagos Archipelago waters, all the statements it had made earlier during the meeting concerning its sovereignty over the Chagos Archipelago are reiterated.
56. The Commission **NOTED** the statement made by the United Kingdom (OT), as provided in [Appendix XIc](#).

8.4.3 General discussion

57. The Commission **ADOPTED** the IOTC IUU Vessels List as provided in [Appendix XIa](#) and the Provisional IOTC IUU Vessels list as provided in [Appendix XIb](#). All CPCs shall be required to take the necessary measures regarding the IUU Vessels List in accordance with para. 16 of Resolution 11/03.
58. Some CPCs **NOTED** that the Commission has been inconsistent in applying the procedures laid out in IOTC Resolution 11/03, for the IUU listing process. The Commission **REMINDED** flag States of their obligations under Resolution 11/03 to provide information in response to proposed IUU listing.

8.5 Review of progress made on elaborating a proposal for an IOTC High Seas Boarding and Inspection Scheme

59. The Commission **NOTED** the progress made by the informal Working Group to elaborate a proposal for an IOTC High Seas Boarding and Inspection Scheme.
60. While **NOTING** that some CPCs do not consider this work as a priority, the Commission **ENCOURAGED** the members of the informal Working Group to continue to hold virtual discussions during the next intersessional period (2016/2017) and to report the results of its work to the next Compliance Committee and Commission meetings.

8.6 Proposal for a feasibility study to strengthen the IOTC vessel monitoring system measure

61. In recognition of the recommendations from the First and Second Performance Review panels to develop an integrated MCS system, including strengthening existing MCS tools, the Commission **CONSIDERED** a proposal for a feasibility study on possible options to strengthen the IOTC VMS measure. The Commission **ENDORSED** the Terms of Reference which was presented in document IOTC-2016-S20-Inf06 Rev_1, and which is provided in [Appendix IXb](#).
62. The Commission **AGREED** for the Secretariat to seek extra-budgetary funds to engage an independent consultant to conduct the study and to make available the results of the study for the next Commission meeting.

8.7 Applications for Cooperating Non-Contracting Party status

63. The Commission **RECALLED** that Rule IX.2 of the IOTC Rules of Procedure (2014), which is linked to Appendix III, paragraph 1, states that:

“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.”

8.7.1 Liberia

64. The Commission **NOTED** the application for Cooperating Non-Contracting Party status by Liberia (IOTC–2016–CoC13–CNCP01), which was received before the deadline of 90 days prior the commencement of the session (received on 08th February 2016).
65. The Commission **GRANTED** the status of Cooperating Non-Contracting Party until the close of the 21st Session in 2017 to Liberia, based on the understanding that Liberia will attend the CoC and Commission meetings in 2017, and remain exclusively engaged in transshipment activities.

8.7.2 Djibouti

66. The Commission **NOTED** the application for Cooperating Non-Contracting Party status by Djibouti (IOTC–2016–CoC13–CNCP02), which was received before the deadline of 90 days prior the commencement of the session (received on 14th February 2016).
67. The Commission **NOTED** that Djibouti was not present at the CoC13 and had not submitted all the required data in its application for renewal of its Cooperating Non-Contracting Party status. The Commission **ENCOURAGED** Djibouti to participate more fully in the work of the Commission.
68. The Commission **GRANTED** the status of Cooperating Non-Contracting Party until the close of the 21st Session in 2017 to Djibouti, based on the understanding that Djibouti will attend the CoC and Commission meetings in 2017.

8.7.3 Panama

69. The Commission **NOTED** the application for Cooperating Non-Contracting Party status by Panama (IOTC–2016–CoC13–CNCP03), which was received before the deadline of 90 days prior the commencement of the session (received on 18th February 2016).
70. The Commission **RECALLED** its decision that, applications for CNCP status shall no longer be considered, unless the State submitting the application is present at the Compliance Committee and Commission meetings to present its application and respond to questions from CPCs.
71. The Commission **NOTED** the absence of Panama at both the CoC13 and S20, and **AGREED** not to grant the CNCP status to Panama.

8.7.4 Senegal

72. The Commission **NOTED** the application for Cooperating Non-Contracting Party status by Senegal (IOTC–2016–CoC13–CNCP04), which was received before the deadline of 90 days prior the commencement of the session (received on 18th February 2016).
73. The Commission **NOTED** the presence of Senegal at both the CoC13 and S20 and Senegal’s continued commitment to participate in the IOTC process.
74. The Commission **GRANTED** the status of Cooperating Non-Contracting Party until the close of the 21st Session in 2017 to Senegal, based on the understanding that Senegal will attend the CoC and Commission meetings in 2017.

8.7.5 Bangladesh

75. The Commission **NOTED** the application for Cooperating Non-Contracting Party status by Bangladesh (IOTC–2016–CoC13–CNCP05), which was received before the deadline of 90 days prior the commencement of the session (received on 22nd February 2016).
76. The Commission **NOTED** that Bangladesh was not present at the CoC13 and had not submitted all the required data in its application for renewal of its Cooperating Non-Contracting Party status. The Commission **ENCOURAGED** Bangladesh to participate more fully in the work of the Commission.
77. The Commission **GRANTED** the status of Cooperating Non-Contracting Party until the close of the 21st Session in 2017 to Bangladesh, based on the understanding that Bangladesh will attend the CoC and Commission meetings in 2017.

8.7.6 General comments on CNCP applications

78. Some CPs **NOTED** the difficulties for some CNCPs to participate in the work of CoC13 and that the Commission has been lenient in applying decisions taken at previous Sessions. The Commission **URGED** the concerned CNCPs to do their best endeavours to attend both the Compliance Committee and Commission meetings.

9. Report of the 13th Session of the Standing Committee on Administration and Finance (SCAF13)

79. The Commission **NOTED** the report of the 13th Session of the Standing Committee on Administration and Finance (SCAF) (IOTC–2016–SCAF13–R), which was presented by the future Vice-Chairperson, Mr Hussain Sinan (Maldives), in the absence of the Chairperson of the Committee Mr Benjamin Tabios (Philippines). A total of 63 individuals attended the Session, comprised of 51 delegates from 24 Contracting Parties, 2 delegates from 1 Cooperating Non-Contracting Party, and 11 observers, including 3 invited experts.
80. The Commission **ENDORSED** the list of recommendations made by the SCAF13 ([Appendix XII](#)) in its 2016 report (IOTC–2016–SCAF13–R) that related specifically to the Commission, while taking into account the range of issues outlined in this Report (S20) and incorporated within Conservation and Management Measures adopted during the Session, as detailed in the approved annual budget and Program of Work.

9.1 Member contributions

81. The Commission **NOTED** that as of the reporting date (23 May 2016), seven (7) Contracting Parties had contributions that were in arrears by two (2) years or more: Eritrea, Guinea, I.R. Iran, Pakistan, Sierra Leone, Sudan and Yemen. The financial position of the Commission is a shared responsibility of all Contracting Parties (Members) and the level of unpaid contributions merits immediate attention from those concerned.
82. The Commission **NOTED** that the cumulative total of outstanding contribution payments has remained constant between 2014 and 2015 (US\$1,962,795 as of 31 December 2014 and US\$1,963,494 as of 31 December 2015). Twelve (12) Contracting Parties (Members) have significant payments in arrears. The Commission **NOTED** the statement by the I.R. Iran ([Appendix XIVb](#)), and further **NOTED** the statement by Pakistan that arrears in its contribution to the Commission will be cleared in the next three weeks.

9.2 Program of work and budget estimates

83. The Commission **NOTED** that the Program of Work for the IOTC Secretariat is based on the assumption that the nature and extent of the activities undertaken by the IOTC Secretariat will remain within the current scope. Any new activities agreed to during the 20th Session of the Commission (S20) that are likely to have budgetary consequences, will require an amendment of the figures presented to, and endorsed by the Commission.
84. The Commission **ENDORSED** the IOTC Secretariat's Program of Work for the financial period 01 January 2017 to 31 December 2017, as outlined in paper IOTC–2016–SCAF13–05.

9.3 Discussions related to FAO matters

Selection and appointment of the Secretary and implications for the future

85. The Legal Counsel of FAO presented the Organization's views in respect the procedure for the selection and appointment of the Secretary by election, which had been developed by IOTC under Article 8 of the Agreement. Under this provision, the Secretary is appointed by the Director-General with the approval of the Commission or, in the event of appointment between regular sessions of the Commission, with the approval of the Members of the Commission. He informed the Members of FAO's proposal to follow the FAO standard procedures for the selection and appointment of senior staff members for the recruitment of the new Executive Secretary. The Organization was prepared to include two representatives of the IOTC Members in an FAO interview panel, to be chaired by one of the Deputy Directors-General of FAO.
86. The Legal Counsel explained that, in FAO's view, the selection and appointment procedure by election was inappropriate for a professional appointment. This procedure did not allow for the implementation of criteria or reference checks that are normally implemented in professional appointments. In addition, through that election, the FAO Secretariat was in practice excluded from the appointment process, while, at the same time, FAO remained accountable for the work, conduct and performance of the Executive Secretary. In addition, it turned out that this situation undermined the independence and neutrality and multilateral nature of a statutory body of an organization of the United Nations System, as had been the case with IOTC. This was confirmed by the fact that an election procedure along the lines of that developed by IOTC was virtually unknown throughout the United Nations System, as evidenced by some inter-agency consultations, and a number of examples provided.

Members noted the procedure adopted by the IOTC for the selection of the Executive Secretary had been incorporated into the Commission's Rules of Procedure, had previously been used for the selection of several Executive Secretaries who were subsequently appointed by the FAO, and was endorsed by the FAO as the process to be used to fill the current vacancy.

87. The Commission **NOTED** a number of Members objected to the decision of the FAO Secretariat not to use the current selection and appointment procedures in place, as set out in the IOTC Rules of Procedure.—Other countries, while acknowledging that the IOTC Agreement provided for the appointment of the Executive Secretary with the approval of the Commission and recognizing that the participation of representatives of Members in the interview/selection panel had its merits, requested clarifications regarding the proposed new procedure *inter alia* relating to the decision-making process, including the involvement of the Members, the composition of the interview/selection panel, the review process of the applications and the funding of the representatives' participation.

Several members requested clarifications regarding the proposed new procedure, and raised concern about the participation of representatives of members in the interview/selection panel. In particular, members questioned how two members could be selected and whether this process might cause inequitable representation, noting developing State members in particular may have difficulty participating and that more than two members may be interested in participating. The Commission agreed not to nominate two members to participate in the interview/selection panel.

88. The FAO Legal Counsel confirmed that the use of the current selection and appointment procedures was not an option. The FAO Legal Counsel reassured the Commission that FAO would ensure continuity in the Secretariat.

A majority of members noted that the use of any procedures other than the current selection and appointment procedures would constitute a departure by the IOTC from its Rules of Procedure and, therefore, members' treaty obligations.

89. In response to the statement from the FAO Legal Counsel, the Commission issued the following statement on behalf of the majority of CPs:

'We thank the representatives of the FAO for coming to this Commission meeting to discuss the issue of recruitment of the Executive Secretary of the IOTC.

Having listened to the information you have provided, we acknowledge the FAO's concern about reputational risk and need for professional leadership at IOTC Secretariat and note the FAO's view that to achieve these there is a need for change to the established recruitment process.

However, in seeking to address these issues the FAO has disregarded the agreed, legitimate rules established by this Commission and you have asked this Commission to join you in disregarding our own rules of procedure. The requirement of the FAO that the Commission adopt an administrative procedure on which it has not been properly consulted, and to which the FAO has not sought, and will not seek, agreement, is of very significant concern. We do not take departure from our agreed Rules of Procedure lightly. It sends the wrong signal to member States and the rest of the world about the IOTC's commitment to the rules and measures it has passed. Therefore, we see it as of utmost importance that members here agree on whether, and how, we change the rules and to what end we do so.

As such, we thank you for your proposal on a way forward but cannot accept the imposition of the FAO's process over the rules and procedures that this Commission has legitimately adopted. This position is one we hold in relation to both the issue of recruitment, and in relation to management of the Commission website.

The IOTC is open to considering an amendment to its rules of procedure, in accordance with the procedures for amendment set out in Article VI.3 of the Rules of Procedure, to provide for a process that better meets the interests of the FAO while maintaining the Commission's right and ability to be involved and have a say in the recruitment of its own staff, according to Article VIII.1 of the IOTC Agreement. We invite the FAO to consult with us in the coming months on the development of amendments to the current rules of procedure and note that any proposal to amend the rules of procedure would need to be made by a contracting party and would need to be available for all CPCs' consideration at least 60 days before the next annual session of the Commission. In this regard, the upcoming FAO COFI meeting is a good opportunity and we request the arrangement of a meeting between the Director-General of the FAO and IOTC representatives attending the meeting, to discuss this issue.

We thank the interim Executive Secretary for meeting the functions and responsibilities associated with the role, as outlined in the IOTC Agreement and Rules of Procedure, including fulfilling his administrative responsibility to the FAO and remaining responsive to the Commission and its members on all other matters.'

90. **NOTING** the above statement, the Commission **AGREED** to suspend further discussions on the selection of the Executive Secretary until after the proposed meeting during COFI, in Rome, July 2016.
91. The Representative of the Legal Counsel took the opportunity to note that within the IOTC there has been increased and systematic reliance on meetings of heads of delegation, in the absence of a representative of the Organization. The Representative of the Legal Counsel informed the Commission that reliance on such meetings was not in line with procedures and practices of FAO and of the United Nations.

Possible arrangements for a future audit

92. The Commission **NOTED** the statement by the Legal Counsel of FAO, who informed the Commission of the options available for the conduct of an audit of IOTC. He noted that there would be a need for the Commission to define precisely the scope of the audit. In particular, it would be necessary to establish whether it should be a financial review, or whether it should address broader issues related to the operation and administration of the Commission.
93. The audit could be performed by the Office of the Inspector-General of FAO and, in particular, through the audit unit of this Office, or by the External Auditor of FAO, who is currently the Auditor General of the Philippines. In the case of an audit by the External Auditor of FAO, a request for this special examination would have to be made by the Finance Committee of FAO. The report on the special examination by the External Auditor would be issued to the Finance Committee of FAO and made available to the IOTC. Depending on the decisions taken by IOTC, the FAO Secretariat would be ready to assist the IOTC Secretariat and the IOTC Chairman to take this matter further.
94. In view of the single audit principle of the organizations of the United Nations System, the audit would be carried out either by the Office of the Inspector-General or the External Auditor. Organizations of the United Nations System should rely on the oversight structures established by their Governing Bodies.’

The Commission requested the FAO and IOTC Secretariat to initiate the process for undertaking an audit.

Migration of the IOTC website

95. The Commission **EXPRESSED** concern regarding the proposal for the migration of the IOTC website under the FAO domain and, in particular, the lack of transparency in terms of operational autonomy of the IOTC website hosted by FAO and the risk to lose confidentiality, and on Members **REQUESTED** that the issue of migration should be submitted by FAO for approval by the IOTC Members.
96. The Commission **NOTED** the statement by the FAO Legal Counsel that included technical, operational and legal considerations. The Legal Counsel of FAO explained the legal basis for migrating the IOTC.org website under the FAO.org domain as part of an organization wide policy that all FAO web presence be consolidated with fao.org as the sole website of the Organization. The IOTC having no legal personality, as acknowledged in the 2nd Performance Review, was not in a position to own a website and the information therein and that it was not legally correct to state that the website was the property of the Commission. FAO Secretariat explained that no interruption of services would occur as a result of the switch between www.iotc.org / and www.fao.org/iotc and that the current website would not be decommissioned until the new one is finalized and covers all required functionalities. It informed that the old website could be maintained until the users of the IOTC website were satisfied that the website fao.org/iotc was fully functional. The FAO Secretariat reassured the Commission that the IOTC team would maintain full control over the content and workflow of the website and that the same, if not a higher degree of confidentiality, would be maintained.
97. A number of CPCs queried the need for the move and expressed concerns with data confidentiality and security. Members **NOTED** that the FAO had not provided a sufficient response to Members’ queries around the technical and security aspects of the proposed migration. Some Members further noted that the website is an operational tool of the Commission and should not be subject to FAO management.

Improved Cost Recovery Uplift (ICRU)

98. The Commission **NOTED** that FAO historically considers IOTC as a project, in accordance with the Organization’s Financial Regulations and that the assessed contributions are placed in a Trust Fund, administered in conformity with the IOTC and FAO Financial Regulations.

99. The Commission **NOTED** that one Member recalled the current cost recovery arrangement of 4,5% applied to IOTC, according to the financial regulation, and was of the view that as no services were provided by FAO, cost recoveries from the IOTC budget were not justified.⁷
100. The Commission **NOTED** the information provided by the FAO Legal Counsel, who made a general presentation on the issue of recovery of indirect and direct costs. He recalled the underlying principle to FAO's policies for the recovery of indirect and direct costs which is that all extra-budgetary contributions must not involve, directly or indirectly, costs for the Regular Programme of the Organization. This was a principle strictly applied in all organizations of the United Nations System, with particular reference to those with a core-budget financed by assessed contributions. He provided general information on ICRU (Increased Cost Recovery Uplift), which had been adopted by decision of the FAO Conference of 2011, in which all IOTC Members were represented and participated. He provided general information on the new cost recovery policy approved by the Finance Committee and the FAO Council in 2015 which came into effect on 1 January 2016, under which costs currently covered under ICRU would be treated and recovered as Direct Support Costs. He recommended that the Commission, either through its Chairperson or its Secretary, should make a request for a determination of costs under the new policy. The Legal Counsel of FAO laid particular emphasis on the fact that it was essential that this matter be addressed in its proper forum, i.e. through the Headquarters of FAO and its Governing Bodies, in which some IOTC Members participated, and where decisions binding upon the Secretariat and all programmes and statutory bodies of the Organization were taken by the membership of FAO.
101. The Commission expressed concern that against the FAO Committee on Constitutional and Legal Matters that recommended to increase autonomy of Article XIV Bodies, FAO is increasingly imposing new financial costs that do not correspond to tangible activities for the IOTC and, therefore, not being extra-budgetary contributions to FAO to be applicable to the IOTC annual budget. Moreover, the Commission pointed out that the IOTC budget should be entirely decided and approved in the IOTC Annual Meeting.
- 10. Applications for membership in accordance with article iv.2 of the Agreement, and for acquisition of the Cooperating Non-Contracting Party (CNCP) status**
102. The Commission **NOTED** paper IOTC–2016–S20–06 which provided the Commission with an opportunity to consider the applications for Contracting Party (Members) status in accordance with Article IV.2 of the Agreement, and for acquisition of the Cooperating Non-Contracting Party (CNCP) status, in accordance with Rule IX of the IOTC Rules of Procedure (2014). The Commission **NOTED** that no applications for membership has been received since S19.
103. The Commission **GRANTED** the status of Cooperating Non-Contracting Party (CNCP) until the close of the 21st Session in 2017 to the following countries, based on the understanding that they will attend the CoC and Commission meetings in 2017:
- Bangladesh
 - Liberia
 - Djibouti
 - Senegal

11. Programme of work and budget of the Commission for the ensuing financial period

104. The Commission **NOTED** paper IOTC–2016–S20–07 which provided the Commission with an opportunity to further revise the Programme of work and budget for 2017, based on decisions made during the 20th Session of the Commission, including those adopted via Conservation and Management Measures.
105. The Commission **ADOPTED** the budget for, and the scheme of contributions for 2017 and indicative for 2018 as outlined in [Appendix XIII](#) and [Appendix XIVA](#) respectively, taking into consideration comments noted during the 20th Session, and those outlined throughout Section 9 of this Report.

12. Performance Review of the IOTC

12.1 Progress on the implementation of the recommendations of the 1st Performance Review Panel (Resolution 09/01 on the performance review follow-up)

106. The Commission **NOTED** paper IOTC–2016–S20–08 which outlined the current status of implementation for each of the recommendations arising from the report of the 1st Performance Review Panel provided at [Appendix XV](#).

12.2 Report of the 2nd IOTC Performance Review Panel

107. The Commission **NOTED** that CMM proposal IOTC–2016–S20–PropU will provide a discussion point for this agenda item, which proposes the creation of a Technical Committee on the Performance Review to address the recommendations of the Performance Review Panel Report in an appropriate formation.
108. The Commission **NOTED** the statement from Mauritius and **RECALLED** the statements from the United Kingdom (OT) and France (OT).
109. The Commission **NOTED** paper IOTC-2016-S20-05 which provides the Commission with an opportunity to consider the cost and benefit of the IOTC within and outside of the FAO. The Commission also **NOTED** the paper (IOTC-2016-S20-Inf01) on cost benefit analysis produced during the Review panel.
110. The Commission **NOTED** the following general comments by the FAO Legal Counsel on the 2nd Performance Review:
111. The Legal Counsel informed the Members that FAO fully acknowledged that the IOTC Agreement, negotiated between 1991 and 1993, and which came into force in 1996, should be modernized, in order to reflect recent developments in the Law of the Sea and modern trends in fisheries management.
112. Second, he observed that the 2nd Performance Review Report suggested that a fisheries commission established under the framework of FAO, as an organization of the United Nations System, was inherently ineffective and inefficient. He indicated that FAO had negotiated with one Member arrangements designed to allow that all fishing effort in the IOTC area be brought under the purview of the Agreement, and that such arrangements could be renegotiated or improved. More generally, he indicated that FAO took issue with this overall suggestion, insofar as there were also many advantages from being placed and operating under the United Nations System in terms of, *inter alia*, openness, publicity of proceedings, transparency, multilateralism, sovereign equality among Members, possibility of benefitting from a worldwide global regime of privileges and immunities. Any potential constraints should be balanced against those advantage of a general policy nature. Furthermore, there were a number of UN programmes and funds which operated under optimum conditions of efficiency.
113. Third, the Legal Counsel of FAO reiterated that the matter of removal of IOTC from the framework of FAO and the UN was clearly a matter for the IOTC Members to decide upon and FAO would not interfere with their decision. The FAO Secretariat, and presumably the Governing Bodies of FAO, as was the case in the past, would only press for a solution, which would ensure full clarity and certainty in the future legal relationship between FAO and the Commission and avoid any potential liabilities for the Organization.
114. The Commission **NOTED** that the FAO representatives could not elaborate and clarify on the legal rights of FAO Director-General, recurrently evoked during FAO presentations, notably regarding the application of the mentioned rights in the case of IOTC. In addition, it was also pointed out that the advantages for the IOTC to remain linked to FAO, repeatedly underlined by FAO, risk not to correspond to tangible benefits for the IOTC, being in some cases disadvantages by the creation of bureaucratic workload, time consuming and the establishment of unjustified costs.

13. Proposal for amendments to the Rules of Procedure (2014) and the Financial Regulations (1999) of the Commission

115. The Commission **DEFERRED** further discussion on possible amendments of the Rules of Procedure and Financial Regulations to a future session of the Commission, and **RECOMMENDED** that proposal for amendments be submitted by a CPC.

14. Update on the IOTC Management Strategy Evaluation process

14.1 Outcomes of the 3rd Management Procedure Dialogue workshop

116. The Commission **NOTED** the Report of the Third Management Procedures Dialogue, presented by the Chair of the Scientific Committee, where the current status and results of the MSE work on skipjack, albacore, yellowfin and bigeye were reviewed and discussed.
117. **NOTING** that the MPD needs to focus on presenting the results of ongoing MSE work to the Commission to allow decisions needed prior to the adoption of a management procedure, the Commission **ENDORSED** the recommendation of the Scientific Committee on the modification to the Management Procedures Dialogue process to the performance of alternative management procedures against different objectives.

15. Conservation and Management Measures

118. The Commission **NOTED** with appreciation that all proposals for new or revised Conservation and Management Measures (CMMs) were provided to the IOTC Secretariat prior to the 30 day pre-meeting deadline. The submission of proposals at least 30 days prior to the Session gives all CPCs an opportunity to thoroughly review the proposals. In doing so, CPCs are able to carry out internal consultations with institutions that would be responsible for implementing the proposed measures. Submission 30 days before the Session also allows CPCs time to discuss contentious issues before the commencement of the Session, thereby improving efficiency during Plenary.
119. The Commission **NOTED** its previous decision that the 30 day rule shall continue to be strictly applied for all future Sessions unless otherwise agreed. Specifically, no proposals for new or revised Conservation or Management Measures shall be accepted by the IOTC Secretariat for the Commission's consideration, if received after the 30 day deadline, unless agreed by the Commission. All proposals from Members should include, as part of their Explanatory Statements, any budgetary consequences, as well as consideration of the feasibility of implementation by CPCs.

15.1 Current Conservation and Management Measures that require action by the Commission in 2016

120. The Commission **NOTED** paper IOTC–2016–S20–11 which outlined previous decisions of the Commission contained in IOTC Conservation and Management Measures, on which the Commission agreed to action at the 20th Session in 2016.
121. The Commission **NOTED** Resolution 15/11, which calls on CPCs to implement a limitation on their fishing capacity targeting tropical tunas, swordfish and albacore stocks, while allowing for the inclusion of vessels under construction during specific reference years, and those proposed by the developing coastal States in their fleet development plans.

Para 10 of the Resolution states:

Para 10. This Resolution is applicable during the years 2015 and 2016. The Commission shall review its implementation at the 2016 IOTC Session.

122. The Commission **AGREED** to extend the applicability of the Resolution for an additional year and that the Commission shall review its implementation at the 2017 IOTC Session.

15.2 Review of objections received under Article IX.5 of the IOTC Agreement

123. The Commission **NOTED** paper IOTC–2016–S20–12 which aimed to provide the Commission with an opportunity to review the 'Objections' received at previous Sessions of the Commission that remain in effect, and consider how such a review process should be carried out.
124. The Commission **NOTED** that at present there is one CPC (India) with an Objection in place/active, for the following Resolution:

- Resolution 13/06 *On a scientific and management framework on the Conservation of sharks species caught in association with IOTC managed fisheries*

125. The Commission **NOTED** India's comment, which stated that there has been no change in India's policy since its objection to Resolution 13/06 and that its objection to this resolution still stands.

15.3 Proposals for Conservation and Management Measures adopted by the Commission

126. The Commission **CONSIDERED** and **ADOPTED** 12 proposals (12 Resolutions and 0 Recommendations) as Conservation and Management Measures as detailed below:

15.3.1 On an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock

127. The Commission **ADOPTED** Resolution 16/01 *On an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock* ([Appendix XVI](#)). This Resolution introduces a scheme for reduction of catches of yellowfin (from 2014 levels), by fishery, for all fishing vessels targeting tuna and tuna like species in the Indian Ocean of 24 meters overall length and over, and those under 24 meters if they fish outside the EEZ of their flag State, within the IOTC area of competence.
128. The Commission **AGREED** that the provisions of paragraph 7 of Resolution 15/08 are now superseded by paragraph 3b of this resolution, which limits the number of Fish Aggregating Devices (FADs) at no more than 425 active instrumented buoys and that 850 instrumented buoys may be acquired annually per vessel.

15.3.2 *On harvest control rules for skipjack tuna in the IOTC area of competence (TBC)*

129. The Commission **ADOPTED** Resolution 16/02 *On harvest control rules for skipjack tuna in the IOTC area of competence* ([Appendix XVII](#)). This Resolution for a Harvest Control Rule (HCR) for IO SKJ draws on SC recommendations, including the new guidance on reference points in cases where MSY-based reference points are difficult to estimate. This Resolution introduces a new point as safety limit for the Harvest Control Rule being fixed at 0.10.B0. In addition, it uses the biomass limit reference point of 20% of the unfished level (BLIM = 0.2B0) and the target biomass reference point of 40% of the unfished level (BTARG = 0.4B0), consistent with the SC advice that reference points based on depletion level should be used for stocks where MSY-based reference points cannot be robustly estimated.

One member, while supportive of the harvest control rule, indicated it could not agree to paragraph 11 of the measure.

15.3.3 *On the second performance review follow-up*

130. The Commission **ADOPTED** Resolution 16/03 *On the second performance review follow-up* ([Appendix XVIII](#)). This Resolution endorses the Panel review recommendations and establishes mechanisms to enable the deliberation of these recommendations, including the creation of a Technical Committee on the Performance Review to address all recommendations of the Performance Review Panel Report in an appropriate formation.

15.3.4 *On the implementation of a pilot project in view of promoting the Regional Observer Scheme of IOTC*

131. The Commission **ADOPTED** Resolution 16/04 *On the implementation of a pilot project in view of promoting the Regional Observer Scheme of IOTC* ([Appendix XIX](#)). This Resolution creates a pilot project aiming to enhance the implementation of the Resolution 11/04 on a Regional Observer Scheme and to raise the level of compliance to the implementation of Resolutions 15/01 and 15/02, respectively on the recording of size frequency and catch and effort data by fishing vessels in the IOTC area of competence and on mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating non-Contracting parties (CPCs).

15.3.5 *Vessels without nationality*

132. The Commission **ADOPTED** Resolution 16/05 *Vessels without nationality* ([Appendix XX](#)). The Resolution has two main objectives: First, the Resolution makes it clear that vessels without nationality that are fishing in the IOTC Area of Competence are engaged in IUU fishing. A vessel without nationality is not subject to the regulation of any flag State regulation and is, by definition, unregulated. Secondly, the Resolution encourages Members and CNCPs to take effective action against vessels without nationality.

15.3.6 *On measures applicable in case of non-fulfilment of reporting obligations in the IOTC*

133. The Commission **ADOPTED** Resolution 16/06 *On measures applicable in case of non-fulfilment of reporting obligations in the IOTC* ([Appendix XXI](#)), which requires CPCs to include information in their Annual Reports (*Report of Implementation*) on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches.

15.3.7 *On the use of artificial lights to attract fish*

134. The Commission **ADOPTED** Resolution 16/07 *On the use of artificial lights to attract fish* ([Appendix XXII](#)). This Resolution prohibits fishing vessels and other vessels including support, supply and auxiliary vessels flying the flag of an IOTC a CPC from using, installing or operating surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species beyond territorial waters.

15.3.8 *On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids*

135. The Commission **ADOPTED** Resolution 16/08 *On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids* ([Appendix XXIII](#)). This Resolution prohibits the use of aircrafts and unmanned aerial vehicles as fishing aids on flagged fishing vessels, support and supply vessels CPCs.

15.3.9 *On establishing a technical committee on management procedures dialogue*

136. The Commission **ADOPTED** Resolution 16/09 *On establishing a technical committee on management procedures dialogue* ([Appendix XXIV](#)). This Resolution aims at enhancing the dialogue and mutual understanding between the Scientific Committee and the Commission on matters relating to management procedures, and the decision making response of the Commission in relation to management procedures, The

Resolution addresses the priorities identified in Resolutions 14/03 On enhancing the dialogue between fisheries scientists and managers, and 15/10 On target and limit reference points and a decision framework or any subsequent resolutions addressing Management Strategy Evaluation and Management Procedures. This Resolution supersedes Resolution 14/03 On enhancing the dialogue between fisheries scientists and managers.

15.3.10 To promote the implementation of IOTC Conservation and management measures

137. The Commission **ADOPTED** Resolution 16/10 *To promote implementation of IOTC Conservation and managements measures* ([Appendix XXV](#)). This Resolution clarifies the timing of proposals submission to the Commission. This Resolution also mandates that the Commission shall maintain a special fund for capacity building in order to ensure compliance with CMMs adopted by the IOTC. This Resolution supersedes 12/10 *To promote implementation of conservation and management measures* already adopted by IOTC.

15.3.11 On the port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing

138. The Commission **ADOPTED** Resolution 16/11 *On the port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing* ([Appendix XXVI](#)). The objective of this amendment to Resolution 10/11 is to ensure the gradual uptake leading to full utilization of the e-PSM application by all CPCs.

15.3.12 Working Party on the Implementation of Conservation and Management Measures (WPICMM)

139. The Commission **ADOPTED** Resolution 16/12 *Working Party on the Implementation of Conservation and Management Measures (WPICMM)* ([Appendix XXVII](#)). This Resolution establishes a Working Party on the Implementation of Conservation and Management Measures (WPICMM), to (i.) alleviate the technical discussions, workload and time pressures on the Compliance Committee, and permit it to focus on higher level compliance implementation strategies in its work for the Commission, (ii.) enhance the technical capacity of Contracting Party (Member) and Cooperating Non-Contracting Party (CNCP) (collectively termed CPCs) to understand and implement IOTC Conservation and Management Measures (CMMs), and (iii.) prioritise implementation issues and develop operational standards for use by CPCs.

15.4 Proposals for Conservation and Management Measures not endorsed by the Commission

140. The Commission considered the following proposals as Conservation and Management Measures, but consensus could not be reached and the proposals were either withdrawn or deferred until the next Session.

15.4.1 On the conservation and management of neritic tunas in the IOTC Area of Competence

141. The Commission **CONSIDERED** a proposal on the conservation and management of neritic tunas in the IOTC Area of Competence (IOTC–2016–S20–Prop E), and while there was some support from CPCs, agreement could not be reached on the proposal, which was subsequently deferred until the next meeting of the Commission.

15.4.2 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence

142. The Commission **CONSIDERED** a proposal to strengthen the current resolution on establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area of competence (IOTC–2016–S20–Prop O). Despite revisions to the proposal, based on feedback received during the meeting, agreement could not be reached and the proposal was deferred until the next meeting of the Commission.

15.4.3 Concerning the conservation of sharks caught in association with fisheries managed by the IOTC

143. The Commission **CONSIDERED** two proposals concerning the conservation of sharks caught in association with fisheries managed by the IOTC (IOTC–2016–S20–Prop C, & IOTC–2016–S20–Prop D), but agreement could not be reached and the proposals were deferred and withdrawn, respectively. For the Resolution regarding size data, some CPCs considered that some elements of the proposals were in contradiction to the recommendations of the Scientific Committee. However, CPCs should explore with the Secretariat practical arrangements to better reflect compliance, when it is not feasible for some CPC, notably due to legal constraints, to report all catch data. With regard to the Resolution on prohibition of removal of shark fins at sea, some CPCs highlighted that removal of shark fins at sea has no relationship with stock management of sharks, that fishermen use their carcasses in totality and that prohibition of the removal of shark fins at sea would have practical implementation and safety issues for some fleets and may degrade the quality of the product in some cases.

15.4.4 Transshipment in the IOTC area of competence by large-scale tuna fishing vessels and carrier vessels

144. The Commission **CONSIDERED** a proposal to revise the current resolution on at-sea transshipments in the IOTC Area of competence by large-scale tuna longline fishing vessels and carrier vessels (IOTC–2016–S20–Prop Q), but agreement could not be reached and the proposal was withdrawn.

15.4.5 Limiting fishing capacity in the IOTC area of competence

145. The Commission **CONSIDERED** a proposal on limiting the fishing capacity in the IOTC area of competence (IOTC–2016–S20–Prop S), but agreement could not be reached and the proposal was withdrawn. Some CPCs considered that the details of the proposal should be discussed more fully during the next meeting of the Technical Committee on Allocation Criteria (TCAC).

15.4.6 On the limitation of the use of supply vessels

146. The Commission **CONSIDERED** a proposal on the limitation of the use of supply vessels (IOTC–2016–S20–Prop R), but agreement could not be reached and the proposal was withdrawn. Some CPCs felt that the proposal lacked any evidence supported by the Scientific Committee, while other CPCs preferred that discussions on the limitations on fishing capacity should not be focused on only one fishing gear. However, the limitation of the use of supply vessels was included in the adopted Resolution 16/01.

15.4.7 Procedures on a fish aggregating devices (FADs) management plan, including a limitation on the number of FADs, more detailed specifications of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species

147. The Commission **CONSIDERED** a proposal on limiting the maximum number of instrumented buoys active and followed by any purse seine vessel (IOTC–2016–S20–Prop M and IOTC–2016–S20–Prop L merged), but agreement could not be reached and the proposal was withdrawn. Some CPCs expressed concern that the proposal lacked scientific evidence, and felt that the proposal should first be discussed by the Working Party on FADs, and then by the Scientific Committee. However, the limitation of the number of FADs was included in the adopted Resolution 16/01.

15.4.8 On the conservation and management of IOTC species

148. The Commission **CONSIDERED** a proposal on the conservation and management of IOTC species (IOTC–2016–S20–Prop G), which detailed two options with the main objective of decreasing the fishing pressure on Yellowfin Tuna (*Thunnus albacares*), and which will also benefit the status of the following overfished stocks: Striped Marlin (*Tetrapturus audax*), Black Marlin (*Makaira indica*), Blue Marlin (*Makaira nigricans*), Indo-Pacific Sailfish (*Istiophorus platypterus*), Longtail Tuna (*Thunnus tonggol*) and Narrow-based Spanish Mackerel (*Scomberomorus Commerson*) in the IOTC Area of competence. Following discussions with CPCs, the proposal was split into three individual proposals with catch reduction measures specific to the following species: Prop-G-A (Yellowfin tuna), Prop-G-B (billfish species), and Prop-G-C (neritic tunas). The proposal to reduce catches of Yellowfin tuna (Prop-A) was eventually withdrawn, in favour of the adoption of (IOTC–2016–S20–PropF) that included some principles of this proposal; while the proposals for Prop-G-B and Prop-G-C, were deferred until the next meeting of the Commission, despite the Scientific Committee recommendations to decrease the current level of catches of some of these species.

16. Other Business

16.1 Cooperation with other organisations and institutions

16.1.1 Draft MoU between the IOTC and CMS

149. The Commission **NOTED** paper IOTC–2016–S20–13 which provided the Commission with an opportunity to consider a revised draft Memorandum of Understanding (MoU) between the FAO (on behalf of IOTC) and the Convention on the Conservation of Highly Migratory Species of Wild Animals (CMS).

One member clarified that it understood it was not intended that the proposed MoU would be legally binding and that the document was not intended to be signed by, or to involve, the FAO.

150. The Commission **AGREED** that further consultation between IOTC members and with CMS Parties was required before approval of the revised draft Memorandum of Understanding (MOU) between FAO (on behalf

of IOTC) and the Convention of Highly Migratory Species of Wild Animals (CMS), and **NOTED** that a process of consultation by correspondence will be initiated by the IOTC Secretariat following the closure of S20.

151. The Representative of the Legal Counsel recalled that the IOTC is a statutory body of FAO, which operates under, and in accordance with the rules and policies established by the Governing Bodies of FAO and that the IOTC Agreement does not vest the Commission with legal personality. With no legal personality, the IOTC draws the Organization's legal and administrative capacity, and the Organization acts on behalf of the IOTC in all its legal and administrative matters.
152. The Commission **NOTED** that there are MOUs signed between the IOTC and other organisations, including the FAO, in spite of the Legal Office's position that the IOTC does not have the legal personality to enter into such agreements. Moreover, it was recalled that this position is also in contradiction with the conclusions of the S08, held in Seychelles in 2003 where it was stated in paragraph 54 of the meeting report: *"The Members considered that the Commission had a legal capacity to take Decisions with a view to attaining its objectives. This capacity is reflected namely in the provisions of Article XV of the IOTC Agreement and Rule XIII which empowered the Commission to enter into agreements with other organizations and institutions. It was noted, furthermore, that the Secretariat, while preserving the links that exist between IOTC and FAO, could respond to only one authority, which was the Commission itself."*

The Commission therefore agreed the IOTC Secretariat should be the signatory to this Memorandum of Understanding and instructed the Executive Secretary to prepare an amended version for intersessional consideration. One member suggested the draft Memorandum of Understanding and, if necessary, any future documents of similar intent, could be re-named a 'Declaration of Intent', or another name that indicated the document was not legally binding.

16.1.2 Draft MoU between the IOTC and OFCF

153. The Commission **NOTED** paper IOTC–2016–S20–14 which provided the Commission with an opportunity to consider a draft Memorandum of Understanding (MoU) between the FAO (on behalf of IOTC) and the Overseas Fishery Cooperation Foundation (OFCF) of Japan.
154. The Commission **AGREED** to endorse the draft Memorandum of Understanding between the FAO (on behalf of IOTC) and the Overseas Fishery Cooperation Foundation (OFCF) of Japan.

16.2 Areas Beyond National Jurisdiction (ANBJ) Project

155. The Commission **NOTED** the report on progress of the Common Oceans ANBJ Tuna Project. The Project, with FAO as an implementing agency and financial support from the Global Environmental Facility, reunites 19 partners including all tuna RFMOs, that provide substantial support to the project and IOTC amongst them, as well as governments, NGOs and private sector organizations. Structured in three basic components, the Project aims at facilitating and accelerating existing initiatives from the tuna RFMOs and, in some cases, at supporting innovative approaches to tuna fisheries management.
156. The Commission **NOTED** the Project's pledge for support to contribute to further development of management procedures for IOTC species, compliance-related capacity building activities and the study on the feasibility of a Regional VMS.

16.3 Indonesia statement on IOTC Area of Competence

157. The Commission **NOTED** the statement by Indonesia regarding the IOTC Area of Competence in [Appendix V](#).

16.4 Date and Place of the 21st and 22nd Sessions of the Commission and of its subsidiary bodies for 2017 and 2018

158. The Commission was unanimous in its thanks to the European Union for hosting the 20th Session of the Commission and commended the local authorities of La Réunion on the warm welcome, the excellent facilities and assistance provided to the IOTC Secretariat in the organisation and running of the Session.

16.4.1 21st Session of the Indian Ocean Tuna Commission and its subsidiary bodies: Hosting

159. The Commission **THANKED** Indonesia for its generous offer to host the 21st Session of the Commission (S21), the 14th Session of the Compliance Committee (CoC14) and the 14th Session of the Standing Committee on Administration and Finance (SCAF14), in Yogyakarta, Indonesia in May 2017. The exact dates and meeting venue will be confirmed and communicated by the IOTC Secretariat at a later date.

16.4.2 22nd Session of the Indian Ocean Tuna Commission and its subsidiary bodies: Hosting

160. The Commission **THANKED** Thailand for its generous offer to host the 22nd Session of the Commission (S22), the 15th Session of the Compliance Committee (CoC15) and the 15th Session of the Standing Committee on Administration and Finance (SCAF15), in May 2018. The exact dates and meeting venue will be confirmed and communicated by the IOTC Secretariat at a later date.

16.4.3 IOTC meetings calendar

161. The Commission **ADOPTED** the schedule of meetings for its subsidiary bodies for 2017 and 2018 as detailed in [Appendix XXVIII](#), and for the IOTC website to be updated accordingly.

17. Review of the Draft and Adoption of the report of the 20th Session of the Commission

162. The report of the 20th Session of the Indian Ocean Tuna Commission (IOTC–2016–S20–R) was **ADOPTED** by correspondence on the 31 January 2017.

APPENDIX I

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APPENDIX II

OPENING ADDRESSES

Opening speech for the 20th Session of the Indian Ocean Tuna Commission,

on behalf of Mr Karmenu VELLA, EU Commissioner for Environment, Maritime Affairs and Fisheries by Mr Stefaan DEPYPERE, Director of International Affairs and Markets in the Directorate-General for Maritime Affairs and Fisheries.

Mr Dominique Sorain, Préfet de La Réunion

Ms Yolaine Costes, Vice-présidente du Conseil régional de La Réunion

Dr Ahmed Mohammed Al-Mazroui, IOTC Chairperson,

Mr Arní Mathiesen, Assistant Director-General of the FAO,

Dear Delegates and Observers,

Ladies and Gentlemen,

On behalf of the Commissioner Vella who regrets not to be able to welcome you personally, I would like to warmly welcome distinguished delegates to the 20th Session of the Indian Ocean Tuna Commission in La Reunion, France, Outermost Region of the European Union. The European Union is very pleased to host the members, co-operating non-members, observers, the secretariat and all participants of the 2016 Annual Session of the Indian Ocean Tuna Commission.

We also welcome the Republic of South Africa that will attend an IOTC Annual Meeting for the first time as a Contracting Party. We were all looking forward to South Africa becoming a full Member of the IOTC, we are certain that the presence of South Africa will strengthen our organisation.

I sincerely hope that you all will enjoy your stay in La Reunion and Saint Denis in particular and trust that despite the heavy agenda of the meeting, you will have the opportunity to enjoy European, French and La Reunion cultures and way of life during your stay on this beautiful island. This meeting is an opportunity to stress the European Union's full involvement as a coastal Contracting Party and its desire to help strengthen the IOTC as a vital organisation in the Indian Ocean fisheries.

Mesdames, Messieurs,

C'est avec ce sentiment d'appartenance aux nations côtières de l'Océan indien que l'Union européenne réaffirme son ferme engagement en contribuant à la gestion durable des ressources halieutiques que nous partageons avec les autres membres de la CTOI.

La Commission des Thons de l'Océan indien, fête cette année son vingtième anniversaire, pendant ces vingt ans les membres de notre organisation ont réalisé un travail solide sous la ligne directrice d'une gestion durable de la pêche thonière et espèces apparentées ainsi que la préservation des écosystèmes marins de l'Océan indien. Toutefois, il serait hasardeux de ne pas le mentionner, le niveau de conformité de la CTOI reste relativement précaire, notamment pour certains aspects liés à la prise et la transmission de données des captures, pièce fondamentale pour la gestion durable des stocks, ainsi que pour la surveillance des activités de pêche, facteur déterminant pour assurer une pêche responsable.

Ladies and Gentlemen,

As indicated in the two Performance Reviews undertaken in IOTC, the text of the Agreement has become obsolete over time, and needs updating. We should therefore be able to launch the reform and create a new text more tailored to the new challenges of a tuna RFMO and in alignment with modern principles of responsible and sustainable fisheries agreed in the international fishing fora conducted by the United Nations. We should take into account the lessons learned and shared experience not only within IOTC but also in other tuna RFMO.

Moreover, the Indian Ocean Tuna Commission has some distinctive characteristics among regional fisheries management organisations. One of them is the fact that artisanal and coastal fishing represents more than 50% of the tuna and tuna-like catches. In this context, the resources managed by the IOTC are in some cases the basis for local livelihoods ensuring food security in some coastal communities and a determinant factor for the development of many countries in the Indian Ocean dependant on fisheries.

This is a fact that we take into consideration in the management of the Indian Ocean fisheries. However, the principles of responsible fisheries and the application of the legislation conducting to sustainable fisheries should be applied by all segments of the existing fishing fleets within the IOTC, otherwise conservation and management measures will not be effective and fair. In other words, we should set some rational management guidelines but we definitively can't have different rules and exceptions for those who are exploiting the same stocks.

Mesdames, Messieurs,

Une autre caractéristique spécifique de la CTOI concerne son cadre institutionnel, unique parmi les ORPG thonières qui souvent nous crient des difficultés au niveau de la gestion de la Commission, notamment à cause de certaines distorsions injustifiables qui compliquent l'administration effective et efficiente du secrétariat et du budget de notre organisation. Administration qui, comme vous le savez, dépendent très peu des décisions des Parties contractuelles, malgré le coût excessif payé pour assurer la gestion de notre organisation. Nous devons être capables de résoudre de façon définitive ces difficultés.

En outre, l'Union européenne appuie les travaux entrepris par tous les participants à cette réunion et dans ce même contexte, nous soutenons l'adoption de mesures de conservation basées sur l'avis scientifique, notamment celui du Comité Scientifique qui est un garant de la gestion durable des stocks.

Nous devons aussi être en mesure d'améliorer les mesures de gestion, contrôle et surveillance de façon à répondre aux exigences d'une pêche responsable et à renforcer la lutte contre la Pêche illicite, non déclarée et non reportée. De notre part nous sommes engagés à poursuivre nos efforts et nos appuis à la mise en œuvre des projets scientifiques déterminants mais aussi à renforcer les capacités des États de la CTOI notamment en matière d'application du cadre réglementaire et des exigences de du secteur de la pêche.

To conclude Ladies and Gentlemen,

On behalf of the Commissioner Vella I would like to stress our willingness to work constructively and co-operatively with all IOTC Contracting Parties this week, in order to finish on a successful and positive note on Friday.

Thank for your attention and hard work to the IOTC.

Opening Address by Madame Yolaine Costes

Discours de Madame Yolaine Costes Vice-présidente du Conseil régional de La Réunion

Monsieur le Préfet de La Réunion, Monsieur le Président de la CTOI (Dr. Ahmed Al Mazroui) Monsieur le Directeur-général adjoint de la FAO (M. Arni Mathiesen) Monsieur le Directeur des affaires internationales à la DG Mare – Commission européenne (M. Stefaan Depypere), Mesdames et Messieurs les représentants des délégations étrangères,

Mesdames et Messieurs,

Permettez-moi, tout d'abord, d'excuser l'absence du Président Didier ROBERT, retenu par d'autres obligations et de vous souhaiter, en son nom et au nom des élus du Conseil régional, la bienvenue dans notre île.

La Réunion, région européenne, est fière d'accueillir, pour la première fois, les représentants des pays membres de la CTOI.

En tant qu'élue en charge des questions maritimes et de la pêche au Conseil régional, je suis particulièrement heureuse d'intervenir à l'occasion de la 20ème session plénière et je tiens à saluer tout particulièrement les délégations étrangères et les représentants des différents pays et organisations présentes aujourd'hui.

Je tiens également à remercier tous ceux qui ont permis l'organisation de ce rendez-vous : je sais que cette 20ème session plénière a fait l'objet d'une préparation intensive, des mois durant, à travers notamment des propositions de résolutions.

La CTOI est une organisation et un outil irremplaçable et je veux lui rendre hommage aujourd'hui pour le travail très important qui a été réalisé depuis 20 ans. Un travail et un engagement dont nous attendons encore beaucoup pour les années à venir.

La conviction qui est la mienne, Monsieur le Président de la CTOI, est que le contexte de défis qui est le nôtre aujourd'hui garantit évidemment à cette organisation un rôle de premier plan pour les années à venir.

Mesdames et messieurs

La pêche : c'est notre ressource commune.

Elle occupe une place essentielle dans l'activité et l'économie de nos territoires, mais il est incontestable aussi que notre océan, soumis à une pression croissante ces dernières années, s'est transformé.

Plus vite que nous ne le pensions, plus profondément que nous ne l'avions estimé.

La préservation des ressources est non seulement un élément décisif pour l'avenir de notre pêche, mais également pour nourrir nos populations.

C'est pourquoi nous devons être autant déterminés à lutter plus

efficacement contre la pêche illicite non déclarée et non réglementée, qu'à assurer un développement durable de nos pêcheries.

Il s'agit d'une question vitale pour l'avenir économique de notre bassin et qui nous impose de mettre en commun nos moyens pour corriger les pressions particulièrement anormales qui s'exercent sur notre milieu marin.

Il ne s'agit pas simplement d'expliquer que nous avons évidemment tout à perdre à ne rien faire. Il s'agit surtout et avant tout de voir le défi environnemental comme un défi économique.

La préservation de notre ressource n'est pas une limite à la croissance mais elle est un facteur de croissance.

L'excellence environnementale de notre développement participera de notre performance globale. Elle constituera même, un avantage compétitif stratégique pour nos filières de pêche.

Cet objectif s'inscrit bien entendu dans une approche plus globale d'innovation et de développement durable pour notre pêche. La pêche réunionnaise s'est d'ailleurs engagée depuis de nombreuses années à répondre à ce défi en développant des méthodes inventives qui concilient performance économique et efficacité écologique.

Dans ce cadre le conseil régional de La Réunion apporte son soutien financier, aux côtés de l'Europe, pour mieux connaître les populations des espèces pélagiques exploitées, en valorisant les compétences et les expertises locales.

De même, plusieurs actions encouragent le développement de programmes de recherche et d'innovation visant à améliorer les techniques de pêche sélectives, en réduisant ses impacts sur l'environnement.

Une pêche économiquement productive et écologiquement responsable, voilà la feuille de route que nous devons tracer pour les années à venir.

Sans préjuger du résultat des négociations, je souhaiterais vous livrer dès aujourd'hui quelques orientations, que je considère comme fondamentales.

Tout d'abord la connaissance de la ressource :

L'avenir de la pêche, c'est d'abord la question du renouvellement de la ressource. Toute politique des pêches qui se veut responsable doit donc intégrer la contrainte de la ressource et disposer de données de capture fiables et incontestables.

Cette exigence de transparence est la condition de notre crédibilité internationale. Elle nécessite une amélioration de notre politique de suivi et de contrôle en la matière.

Il n'est plus acceptable en effet de laisser le champ libre à des navires qui ne feraient pas l'objet d'un suivi aussi rigoureux que les nôtres et dont la participation à la gestion durable des pêcheries n'est pas garantie.

Transparence et contrôle : Sur ces deux points, notre démarche devra demeurer ferme dans ses objectifs et effective dans sa mise en œuvre.

Comme le dit un proverbe méditerranéen : « la différence entre un désert et un jardin n'est pas l'eau mais l'homme ».

Transposé au monde de la mer, le constat est évidemment le même et souligne avant tout notre responsabilité collective pour éviter de transformer notre océan en un désert.

Transparence, responsabilité, voilà des principes essentiels à une gestion durable des ressources. Je constate d'ailleurs qu'un certain nombre de propositions vont très clairement dans ce sens et il faut évidemment s'en réjouir.

Il nous faut veiller également à ce que les efforts demandés en matière de réductions des captures soient équitables en termes de prélèvement et harmonisés en termes de technique de pêche.

Il serait en effet totalement injustifié de pénaliser des flottilles de pêche dont l'activité et les niveaux de capture sont sans commune mesure avec les plus grosses unités qui exercent dans la zone et qui sont la cause principale de la dégradation des stocks.

Il est très clair que cet effort ne devra pas être laissé à la charge d'une pêche côtière et artisanale essentielle aux populations riveraines, pas plus qu'il ne devra être supporté par des flottes dans des segments dont les niveaux de captures sont finalement très limités.

C'est pourquoi cette orientation devra s'inscrire dans une logique de proportionnalité et de graduation selon les flottes et les techniques de pêche mises en œuvre.

Il convient enfin, de mettre en avant et de valoriser les efforts réalisés par nos professionnels en matière de gestion, de sélectivité.

Là aussi, il serait paradoxal que les professionnels engagés dans une plus grande sélectivité des activités de pêche voient leurs possibilités de pêche diminuées alors mêmes qu'ils ont su engager des initiatives très positives en la matière.

Transparence, responsabilité, équité et crédibilité : la position de la CTOI sera d'autant plus forte et respectée qu'elle sera irréprochable dans l'application de ces principes.

Mesdames et Messieurs,

Les quelques orientations que je viens de vous décrire constituent, à ce stade, la contribution de la Région Réunion aux évolutions que nous croyons nécessaires à l'économie de la pêche dans l'océan Indien.

Je sais évidemment qu'une négociation multilatérale est toujours un exercice difficile, que la défense des intérêts nationaux peut en modifier profondément les équilibres.

Mais je sais aussi que la CTOI, c'est de la gouvernance, c'est le sens du compromis. A ce titre, nous devons tous être convaincus que le souci d'une gestion durable de la ressource, loin d'exclure la prise en compte de la dimension humaine, sociale, et économique de la pêche, l'implique très fortement.

Car ce n'est pas la richesse qui manque dans notre océan, c'est le partage. C'est la juste régulation de nos ressources.

C'est pourquoi il nous faut parvenir à une politique des pêches plus solidaire. Plus loyale aussi.

C'est le sens de la négociation de ces prochains jours. C'est le sens du débat que nous devons engager afin de tracer un nouveau modèle pour notre pêche : celui d'un développement durable, garant de sa compétitivité de demain, conciliant performance économique et efficacité écologique.

Je sais que nous plaçons tous beaucoup d'espoir dans cette 20^e session de la CTOI. Et je formule le vœu que les éléments de solution qu'elle dégagera soient à la hauteur de ces attentes.

Je vous remercie.

Discours de M. le préfet de la Réunion à l'occasion de l'ouverture de la plénière de la Commission des Thons de l'Océan Indien (CTOI)

Monsieur le directeur de la Commission européenne,

Monsieur le président de la CTOI,

Monsieur le directeur général adjoint de la FAO,

Madame la vice-présidente de la région,

Mesdames et messieurs les chefs de délégation,

Mesdames et messieurs,

Au nom de l'État français, je voudrais vous souhaiter la bienvenue à La Réunion à l'occasion de la vingtième session de la Commission des Thons de l'Océan Indien. Nous sommes très honorés que notre île ait été choisie pour accueillir cet événement majeur pour l'organisation duquel les élus et les services de l'État, mais aussi les partenaires privés, se sont mobilisés afin de vous accueillir au mieux. J'espère que ces journées de travail intenses seront aussi l'occasion pour vous de découvrir les richesses de ce territoire.

C'est pour la France en général et pour l'île de la Réunion en particulier un grand honneur, qui vient consacrer les efforts entrepris localement depuis plusieurs années déjà pour donner à cette partie de l'océan Indien la place qui lui revient dans les négociations internationales.

La partie de l'océan Indien où nous nous situons, qui comprend l'archipel des Mascareignes (Réunion, Maurice, Rodrigues), Madagascar, les Comores et le canal du Mozambique est une zone stratégique en prise directe avec les enjeux de la mondialisation, que ce soit au niveau du transport maritime, des activités halieutiques ou encore de la recherche et où beaucoup de choses restent à faire.

Je m'emploie avec mes services à animer une coopération régionale permettant de faire porter auprès d'instances telles que la vôtre la voix des acteurs de la région. Cette activité porte manifestement ses fruits puisqu'en plus d'accueillir votre session plénière cette semaine, la Réunion va accueillir très prochainement l'assemblée constitutive de l'Accord Pour les Pêcheries du Sud de l'Océan Indien (APSOI) dont le secrétariat permanent sera basé ici même à Saint Denis.

La filière pêche constitue le premier poste d'exportation à la Réunion, et la pêche thonière y joue un rôle prépondérant, qu'il s'agisse de la pêche tropicale à la senne pratiquée par des unités de gros tonnage, de la pêche palangrière pratiquée par des unités de taille moyenne ou de la petite pêche côtière pratiquée par des barques : tous ont à voir avec les mesures de la CTOI ! On comprend dès lors mieux pourquoi la France est l'un des pays les plus impliqués dans le fonctionnement de la CTOI, dont elle est un des principaux contributeurs.

Surtout, l'encadrement des activités de pêche thonière dans les eaux sous souveraineté française est une préoccupation majeure de l'État à la Réunion et cela, à plusieurs titres. Il s'agit en effet de lutter contre la pêche illégale bien sûr, mais aussi d'exercer notre souveraineté dans des zones très étendues et enfin, de permettre de répondre en toute transparence de l'activité de nos différents navires. Nous mettons pour cela en œuvre des moyens importants (navires

de haute mer, aéronefs) et des technologies modernes (balises VMS, surveillance radar des zones), sous le contrôle opérationnel d'un centre régional de surveillance des pêches (le CROSS Réunion). Nous attachons beaucoup d'importance à ce que nos actions s'inscrivent dans le cadre de coopérations multilatérales impliquant des pays aux niveaux de développement variés comme la Commission de l'Océan Indien et son projet Smart Fish qui comprend un volet consacré aux thonidés. La nature des propositions qui vont être débattues cette semaine, largement consacrées au renforcement des outils de contrôle, me laissent à penser que les services de l'État à la Réunion sont en phase avec les objectifs de la CTOI.

Enfin je n'oublie pas qu'accueillir une session plénière de la CTOI à la Réunion, c'est l'accueillir au sein de l'Union Européenne, et je sais toute l'importance que revêt la politique commune des pêches, qui s'applique ici, et l'importance qu'elle accorde à une approche raisonnée de la gestion des stocks, basée sur le respect des écosystèmes et l'attente d'un niveau de biomasse raisonnable

Ainsi, je souhaite que les débats qui auront lieu durant cette semaine se déroulent dans des conditions optimales et que des accords satisfaisant l'ensemble des parties tout en permettant de garantir une pêche durable puissent être adoptés.

Je terminerai en vous rappelant que j'aurai l'honneur et le plaisir de vous recevoir à la préfecture ce soir à 19h30 heures pour une réception officielle.

Je vous remercie de votre attention

Address by the Chairman of the Commission,

M. Stephaan Depypere, directeur affaires internationales et marchés, DG Mare, Commission Européene

M. Arni Mathiesen, directeur-général adjoint, département des pêches et l'aquaculture, FAO

Mme Yolaine Costes, Vice-présidente de la region Reunion

M. Dominique Sorain, préfet de la Reunion Your Excellency Mr/Ms

Distinguished representatives of the Food and Agriculture Organization of the United Nation

Our distinguished executive Secretary Interim Mr. Alejandro Anganuzzi

Distinguished delegates of the member states of the Indian Ocean Tuna Commission

Distinguished NGOs and Observers

Ladies and Gentlemen

It is my great honor and my pleasure to stand before you all during the opening ceremony of the 20th session of our commission in this beautiful Island La Reunion.

First let me start by presenting my warm thanks to the European Union and France for hosting this meeting in this beautiful Island and making tremendous efforts to offer to the participant's enjoyable working conditions while taking advantage of pleasant climate and being close and in the heart of our Indian Ocean.

Ladies and Gentlemen

The Indian Ocean Tuna Commission, as you are all aware of, was first approved by the Council of the Food and Agriculture Organization of the United Nations (FAO) in November 1993, and became, a fully recognized and functional Organization in March 1996 after its agreement entered into force, thanks to all those who contributed and took the initiatives to establish this organization. There are currently 32 members working within the Organization, among which 28 are Contracting Parties and 4 Cooperating Non-contracting Parties.

Twenty years since its establishment, the IOTC has experienced considerable progress and development in relation, particularly to its structure and capacity, the number of members, the budget and finance, and most importantly its activities.

The Organization's main objective stands strong towards the promotion of the cooperation between its members with the focus on ensuring the conservation and optimum utilization of the resources stocks under its mandate.

Certainly, IOTC gives all of us the forum to discuss and reach the best results for our nations individually and I am work with you to achieve fair and equitable rights to the utilization of these resources . This constitutes a very important issue for all the Parties but should, in no way, undermine our obligation and our collective efforts towards the sustainability of these resources.

I am very confident that we all are aware that Tuna and Tuna like species, not only fish species (in simple way), in this part of the world, they represent an important component of the food security for most of the people in the Indian Ocean Region. Fishing activities are as important for our respective economies as they contribute to create jobs, ensure livelihoods for a large portion of the coastal populations, and constitute a way of living for them. These resources are also very important for the industry as they contribute to distribute fish products to a wide range of consumers around the world. Therefore, they deserve not only a very special attention from all of us, but sincere, objective and innovative initiatives from all of us in the Indian Ocean Tuna Commission to ensure sustainable levels of the resources and equitable benefits for all the Parties.

Let's develop a workable Paradigm for our region.

I am fully confident that not one of us is willing to jeopardize the sustainability of these resources because then we put at risk the future of our next generations and the future of the fishing industry.

There are lots of challenges in front of us, including but not limited to, the status of the resources, the compliance issues, and the issue of Illegal Unreported Unregulated fisheries, the capacity building, and others.

In this annual commission meeting, we will be examining lots of agenda points, including review of the activities and efforts, review the status of the stocks, panoramic and close overview on the fishing activities and its correlation with the status of the stocks, review of our organization activities and set plans, and prospective actions. Yet, the main work is actually all year round. To give an example, the record of the active conservation and management measures shows that we have 47 resolutions and 3 recommendations. Certainly, they are not enough and for sure the status of fish stocks is inversely correlated with the fishing capacity among other parameters.

However, I strongly believe that we have good and concrete base if we can reach a certain satisfactory level of compliance. It is my belief that there is a significant improvement over the years in the compliance of the country members with regard to the management policy undertaken by the Commission. We still have a long way to go, but we have to think positive too.

There are many good initiatives that this organization has taken to tackle some of the challenges and time is not enough to highlight them all; however, I would like to refer to the Management Procedures Dialogue which has been implemented for the third continuous year. Within this arrangement, the scientists can have close communication with fisheries managers and can get good opportunity to pass or inject their recommendations, precisely those of management nature. The managers on the other hand can be closer to scientists and get better understanding of the scientific recommendations and better apprehension of the status of the stock of interests to the IOTC.

I am confident that you distinguished members have left you family, friends and work and come here to contribute collectively to the achievement of good results for your people and for the sustainability of these resources.

I look forward to launching the undertaking of our meeting and hard work, and hand on hand we can reach what we came here for. I also wish you a pleasant stay in La Reunion.

Finally, let me again thank the European Union and France for hosting this meeting, the IOTC secretariat for the good work in the preparation of this meeting, as well as the Interpreters who will be working with us during the coming days

And Thank you all for your attention

Address by the Food and Agriculture Organization of the United Nations (FAO) – FI-ADG, Mr Arni Mathiesen

Mr. Chairman, Distinguished Hosts, Excellences, Friends, Colleagues, Ladies and Gentlemen,

It is an honour for me to have the opportunity to address you here on this magnificent island of La Réunion, so rich in history and blessed by nature. A heritage that we need to protect in its beauty and diversity as well as in its ability to provide sustenance to our peoples.

Tunas and tuna-like species have brought countless benefits for centuries to the communities around the Indian Ocean, in terms of food security, trade and sustenance for their growth.

The current value of tunas in the world has been estimated by a recent analysis at about 42 billion USD per year for the seven major species. And this does not include the secondary benefits brought about from all economic activities associated with the production and distribution of tuna fishery products, benefits that reach hundreds of thousands of communities around the world.

But these resources and the livelihoods that they support can be at risk if we do not take decisive action when the sustainability of their utilization is compromised. The scientific community has warned us that yellow fin tuna, one of the key species in the tuna world, shows signs of being overfished and is still subject to overfishing in the Indian Ocean. It will be with a renewed sense of urgency that IOTC Members will work this week to agree upon sufficient measures to rectify the situation.

We are encouraged by the important progress that IOTC has achieved in recent years in a number of different areas, from steps towards an effective implementation of the precautionary approach via harvest control rules, to innovative approaches to promote better compliance, and expand the capacity of the countries in the Indian Ocean to participate fully in the management process.

The international community celebrated last week the foreseen entry into force of FAO's Port State Measures Agreement, a landmark agreement that will contribute to fight effectively illegal, unregulated and unreported fishing throughout the world. IOTC has shown the way by adopting many of its provisions more than five years ago.

But there is room for improvement in all areas of the fisheries management processes of the IOTC, and FAO is committed and prepared to assist its members, as it has done since the first steps towards the creation of the Commission were taken 30 years ago.

FAO is part of the efforts of its members to support RFMOs in their natural evolution to make them more effective and efficient. I have on earlier occasions told you about increased commitment on the behalf of FAO to support and work with the RFMOs. Our commitment is demonstrated by the presence at this session of some of the most senior officials of the organization. However, the proof of the pudding is in the eating. That is to say in our activities and implementation.

The activities of FAO in fisheries and aquaculture continue to support countries to achieve sustainable development goals through a number of initiatives: the Blue Growth Initiative, integrates sustainable utilization of aquatic resources into socio-economic concerns and economic planning for sustainable growth, a number of international instruments that complement and expand the scope of the Code of Conduct for Responsible Fisheries, such as the FAO Voluntary Guidelines for small-scale fisheries, CSF Tenure Guidelines, FAO Flag State Performance Guidelines as well as the GEF FAO Common Oceans, ABNJ Tuna and Deep Sea projects. That through a large number of partners, seeks new solutions for better management and conservation of biodiversity in the high seas. In general the emphasis for this biennium is on implementation.

Looking to the future, taking account of discussions at our Regional Conferences as well as present activities. We can see greater emphasis on climate change issue, joining together reactions to climate change, food and nutrition security and Ocean issues. Nutrition, following up on the ICN2 conference in Rome, is closely aligned to this emphasis.

We can also see in this context and using the above mentioned tools and instruments, an emphasis on SIDS, small scale fisheries communities and the realities and risks of migration. If applied correctly with the needed resource support our work can make a big difference.

Our own, FAO Strategic Framework and Strategic Objectives aligns through an integrated Programme of Work and Budget with the SDGs. Where FAO leads work on over 20 indicators including three through the Fisheries and Aquaculture Department.

I mentioned earlier the Port State Measures Agreement and its entry into force. It has taken considerable time to get this very important instrument to where it is now. We were very happy to see the DG of FAO with other global statesmen take the lead in getting the required number of ratifications of PSMA this month. I would like to take this opportunity to acknowledge the DG as well as the FAO Legal Department for their role in this achievement. Indeed the DG has decided to invite the parties to the agreement to a special event, a celebratory ceremony, in the afternoon of the first day of COFI, 11 July this year, to mark this achievement. Now we need to encourage more countries to sign up.

Mr. Chairman, excellences, ladies and gentlemen. Before I close I would like to take the opportunity to thank you all for your past cooperation. At the same time as expressing the wish that we will be fortunate enough to increase and deepen our future cooperation with the aim of making it even more successful. There is certainly a need and I believe we can make a big difference in improving people's lives around the Globe.

Thank you for your patience.

APPENDIX III

AGENDA FOR THE 20TH SESSION OF THE INDIAN OCEAN TUNA COMMISSION

Date: 23–27 May 2016

Location: La Reunion, France

Venue: Exposition and Congress Centre "Auguste Legros"

Time: 09:00 – 17:00 daily

Chairperson: Dr Ahmed Mohammed Al-Mazroui (Oman);

Vice-Chairpersons: Mr Jeongseok Park (Rep. of Korea) and Mr Saut Tampubolon (Indonesia)

1. **OPENING OF THE SESSION** (Host & Chairperson)
2. **LETTER OF CREDENTIALS** (IOTC Secretariat)
3. **ADMISSION OF OBSERVERS** (Chairperson)
4. **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION** (Chairperson & IOTC Secretariat)
5. **UPDATE ON THE IMPLEMENTATION OF DECISIONS OF THE COMMISSION IN 2015 (S19)** (IOTC Secretariat)
6. **REPORT OF THE 18TH SESSION OF THE SCIENTIFIC COMMITTEE (SC18)** (SC Chairperson)
7. **REPORT OF THE 3rd SESSION OF THE TECHNICAL COMMITTEE ON ALLOCATION CRITERIA (TCAC03)** (TCAC Chairperson)
8. **REPORT OF THE 13TH SESSION OF THE COMPLIANCE COMMITTEE (CoC13)** (CoC Chairperson)
9. **REPORT OF THE 13TH SESSION OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE (SCAF13)** (SCAF Chairperson)
10. **APPLICATIONS FOR MEMBERSHIP IN ACCORDANCE WITH ARTICLE IV.2 OF THE AGREEMENT, AND FOR ACQUISITION OF THE COOPERATING NON-CONTRACTING PARTY STATUS** (Chairperson)
11. **PROGRAMME OF WORK AND BUDGET OF THE COMMISSION FOR THE ENSUING FINANCIAL PERIOD** (Chairperson & IOTC Secretariat)
12. **PERFORMANCE REVIEW OF THE IOTC**
 - 12.1 Progress on the implementation of the recommendations of the 1st Performance Review Panel (Resolution 09/01 on the performance review follow-up) (Chairperson & IOTC Secretariat)
 - 12.2 Report of the 2nd IOTC Performance Review Panel (Chairperson of the PRIOTC02 & IOTC Secretariat)
13. **PROPOSAL FOR AMENDMENTS TO THE RULES OF PROCEDURE (2014) AND THE FINANCIAL REGULATIONS (1999) OF THE COMMISSION** (Chairperson)
14. **UPDATE ON THE IOTC MANAGEMENT STRATEGY EVALUATION PROCESS** (Chairperson)
 - 14.1 Management Strategy Evaluation: Albacore and Skipjack tuna (Chairperson/Vice-Chairperson of the WPM)
 - 14.2 Outcomes of the 3rd Management Procedure Dialogue workshop (IOTC Secretariat)
15. **CONSERVATION AND MANAGEMENT MEASURES** (Chairperson & Contracting Parties)

Noting that in 2014, *The Commission RECALLED its previous decision that the 30 day rule shall continue to be strictly applied for all future Sessions unless otherwise agreed. Specifically, no proposals for new or revised Conservation or Management Measures shall be accepted by the Secretariat for the Commission's consideration, if received after the 30 day deadline. (para 111, S18 report).*

- 15.1 Current Conservation and Management Measures that require action by the Commission in 2016 and 2017 (Chairperson & IOTC Secretariat)
- 15.2 Review of objections received under Article IX.5 of the IOTC Agreement (Chairperson)
- 15.3 Proposals for Conservation and Management Measures (Contracting Parties)

16. OTHER BUSINESS (Chair)

- 16.1 Cooperation with other organisations and institutions (Chairperson)
- 16.2 Date and place of the 21th and 22st Sessions of the Commission and of its subsidiary bodies for 2016 and 2017 (Chairperson)

17. REVIEW OF THE DRAFT AND ADOPTION OF THE REPORT OF THE 20th SESSION OF THE COMMISSION (Chairperson)

APPENDIX IV
LIST OF DOCUMENTS

LIST OF DOCUMENTS FOR THE 20TH SESSION OF THE COMMISSION

Document No.	Title	Availability
IOTC-2016-S20-01a	Provisional agenda for the 20 th Session of the Commission	✓ 1 January 2016
IOTC-2016-S20-01b	Provisional annotated agenda and schedule for the 20 th Session of the Commission	✓ 22 April 2016
IOTC-2016-S20-02	Draft: List of documents for the 20 th Session of the Commission	✓ 14 April 2016
IOTC-2016-S20-03a	Draft: List of participants for the 20 th Session of the Commission	✓ 23 April 2016
IOTC-2016-S20-03b	Letters of Credentials: 20 th Session of the Commission	✓ 12 April 2016
IOTC-2016-S20-04	Implementation of decisions of the Commission in 2015 (IOTC Secretariat)	✓ 12 April 2016
IOTC-2016-S20-05	Cost and benefit of the Indian Ocean Tuna Commission (IOTC) within and outside of the Food and Agriculture Organisation (FAO) (Chairperson & IOTC Secretariat)	✓ 12 April 2016
IOTC-2016-S20-06	Applications for membership in accordance with article IV.2 of the Agreement, and for acquisition of the Cooperating Non-Contracting Party status (Chairperson & IOTC Secretariat)	✓ 12 April 2016
IOTC-2016-S20-07	Programme of work and budget of the Commission for the ensuing financial period (Chairperson & IOTC Secretariat)	✓ 12 April 2016
IOTC-2016-S20-08	Update on progress regarding Resolution 09/01 – on the performance review follow-up (Chair and IOTC Secretariat)	✓ 12 April 2016
IOTC-2016-S20-09	Proposal for amendments to the Rules of Procedure (2014) of the Commission (Oman, Chairperson & IOTC Secretariat)	✓ 12 April 2016
IOTC-2016-S20-10	Proposal for amendments to the Financial Regulations (1999) of the Commission (Chairperson & IOTC Secretariat)	✓ 12 April 2016
IOTC-2016-S20-11	Conservation and Management Measures requiring action by the Commission in 2016 (IOTC Secretariat)	✓ 12 April 2016
IOTC-2016-S20-12	Review of objections received under Article IX.5 of the IOTC Agreement (IOTC Secretariat)	✓ 12 April 2016
IOTC-2016-S20-13	Memorandum of Understanding (MoU) between the IOTC and the Convention on the Conservation of Highly Migratory Species of Wild Animal (CMS)	✓ 15 April 2016
IOTC-2016-S20-14	Memorandum of Understanding (MoU) between the IOTC and the Overseas Fishery Cooperation Foundation (OFCF) of Japan	✓ 23 April 2016
<i>Committee Reports and other meeting Reports</i>		
IOTC-2015-SC18-R	Report of the 18 th Session of the IOTC Scientific Committee	✓ 31 December 2015
IOTC-2016-TCAC03-R	Report of the 3 rd Session of the IOTC Technical Committee on Allocation Criteria	✓ 29 February 2016

Document No.	Title	Availability
IOTC–2016–CoC13–R	Report of the 13 th Session of the IOTC Compliance Committee	✓ 19 May 2016
IOTC–2016–SCAF13–R	Report of the 13 th Session of the IOTC Standing Committee on Administration and Finance	✓ 21 May 2016
IOTC–2016–PRIOTC02–R	Report of the 2 nd IOTC Performance Review Panel	✓ 11 February 2016
IOTC–2016–MPD03–R	Report of the 3 rd Management Procedures Dialogue	✓ 24 May 2016
<i>Conservation and Management Measures – Proposals</i>		
IOTC–2016–S20–PropA	To promote the implementation of IOTC Conservation and Management Measures (Japan – Revision of Resolution 14/01 and 12/10)	18 April 2016
IOTC–2016–S20–PropB	On harvest control rules for skipjack tuna in the IOTC area of competence (Maldives, Kenya, Mauritius, Tanzania & Mozambique – New Proposal)	✓ 22 April 2016
IOTC–2016–S20–PropC	Concerning the conservation of sharks caught in association with fisheries managed by IOTC (Maldives – Revision of Resolution 05/05)	✓ 22 April 2016
IOTC–2016–S20–PropD	On the conservation of sharks caught in association with fisheries managed by the IOTC (European Union – Revision of Resolution 05/05)	✓ 13 April 2016
IOTC–2016–S20–PropE	On the conservation and management of neritic tunas in the IOTC area of competence (Tanzania – New Proposal)	✓ 23 April 2016
IOTC–2016–S20–PropF	On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock (Kenya – New Proposal)	✓ 22 April 2016
IOTC–2016–S20–PropG	On the conservation and management of IOTC species (European Union – New proposal)	✓ 13 April 2016
IOTC–2016–S20–PropH	On the implementation of a pilot project in view of promoting the regional observer scheme of IOTC (European Union – New proposal)	✓ 13 April 2016
IOTC–2016–S20–PropI	On Establishing a Technical Committee on Management Procedures (Maldives – New Proposal)	✓ 22 April 2016
IOTC–2016–S20–PropJ	On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids (Mauritius – New proposal)	✓ 13 April 2016
IOTC–2016–S20–PropK	On the use of artificial lights to attract fish (Mauritius – Revision of Resolution 15/07)	✓ 13 April 2016
IOTC–2016–S20–PropL	Procedures on a fish aggregating devices (FADs) management plan, including a limitation on the number of FADs, more detailed specifications of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species (Maldives – Revision of Resolution 15/08)	✓ 22 April 2016
IOTC–2016–S20–PropM	Procedures on a fish aggregating devices (FADs) management plan, including a limitation on the number of FADs, more detailed specifications of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species (Mauritius – Revision of Resolution 15/08)	✓ 13 April 2016
IOTC–2016–S20–PropN	Vessels without Nationality (Australia – New Proposal)	✓ 22 April 2016
IOTC–2016–S20–PropO	On the list of vessels presumed to have carried out IUU fishing (United Kingdom(OT))	✓ 22 April 2016

Document No.	Title	Availability
IOTC–2016–S20–PropP	On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing (European Union – Revision of Resolution 10/11)	✓ 13 April 2016
IOTC–2016–S20–PropQ	Transshipment in the IOTC area of competence by large-scale tuna fishing vessels and carrier vessels (Indonesia – Revision of Resolution 14/06)	✓ 28 March 2016
IOTC–2016–S20–PropR	On the limitation on the use of supply vessels (Mauritius – New proposal)	✓ 13 April 2016
IOTC–2016–S20–PropS	Limiting fishing capacity in the IOTC area of competence (European Union – Revision of Resolution 15/11)	✓ 13 April 2016
IOTC–2016–S20–PropT	On penalties applicable in case of non-fulfilment of reporting obligations in the IOTC (European Union – New proposal)	✓ 13 April 2016
IOTC–2016–S20–PropU	On the second performance review follow-up (European Union – Revision of Resolution 09/01)	✓ 13 April 2016
IOTC–2016–S20–PropV	Working Party on the Implementation of Conservation and Management Measures (WPICMM) (Seychelles – New proposal)	✓ 20 April 2016
Information papers		
IOTC–2016–S20–INF01	EU input to FAO cost benefit study	
IOTC–2016–S20–INF02	ISSF Side Event ABNJ Presentation	23 May 2016
IOTC–2016–S20–INF03	ISSF Side Event AFMA Presentation	23 May 2016
IOTC–2016–S20–INF04	ISSF Side Event IOTC Sec Presentation	23 May 2016
IOTC–2016–S20–INF05	ISSF Side Event SPC Presentation	23 May 2016
NGO Statements		
IOTC–2016–S20–NGO01	ISSF Position Statement 2016	✓ 14 April 2016
IOTC–2016–S20–NGO02	IPNLF Position Statement 2016	✓ 20 April 2016
IOTC–2016–S20–NGO03	EU seafood industry Position Statement 2016	✓ 04 May 2016
IOTC–2016–S20–NGO04	Combined NGO Position Statement 2016	✓ 04 May 2016
IOTC–2016–S20–NGO05	PEW Position Statement (2016)	✓ 18 May 2016
IOTC–2016–S20–NGO06	Greenpeace Position Statement (2016)	✓ 18 May 2016
IOTC–2016–S20–NGO07	WWF Position Statement (2016)	✓ 19 May 2016
IOTC–2016–S20–NGO08	IGFA Position Statement (2016)	✓ 20 May 2016
IOTC–2016–S20–NGO09	Shark advocates intl, Project AWARE, Shark Trust and Humane Society Intl Position statement (2016)	✓ 25 May 2016

APPENDIX V

STATEMENTS OF MAURITIUS, THE UNITED KINGDOM (OT), FRANCE (OT) AND INDONESIA REGARDING ISSUES OF SOVEREIGNTY

Mauritius (First statement)

‘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 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.

The Government of the Republic of Mauritius further reiterates that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC) as it is not a “coastal State situated wholly or partly within the Area [of competence of the Commission]”. Nor can the so-called “BIOT”, “UK (OT)”, “UK (I.O. Territories)” or “UK (territories)” claim to be a member of the IOTC on the basis of Article IV of the IOTC Agreement.

In the light of the foregoing, the delegation of the Republic of Mauritius strongly objects to the ‘Letter of Credentials’ of the UK delegation or the so-called “United Kingdom (OT)” delegation received by the Executive Secretary. It also requests that the ‘Letter of Credentials’ of the UK delegation or the so-called “United Kingdom (OT)” delegation should not be uploaded on the meeting pages of the IOTC website.’

United Kingdom (OT) (First statement)

‘The Government of the United Kingdom has no doubt about its sovereignty of the Chagos Archipelago, which has been British since 1814, and which it administers as the British Indian Ocean Territory. No international tribunal, including the Arbitral Tribunal constituted under Annex VII to the UN Convention on the Law of the Sea (UNCLOS), has ever called the UK’s sovereignty of the Territory into doubt.

Whilst the United Kingdom does not recognise the Republic of Mauritius’ claim to sovereignty of the Chagos Archipelago, it has repeatedly undertaken to cede it to Mauritius, when no longer required for defence purposes. We maintain that commitment, though it is for the UK alone to determine when this condition is met. In the meantime, these defence purposes contribute significantly towards global security, and are central to efforts at countering regional threats, including those from terrorism and piracy.

The Agreement for the Establishment of the Indian Ocean Tuna Commission provides that IOTC membership shall be open, inter alia, to FAO members that are situated wholly or partly within the IOTC’s Area of Competence. As the British Indian Ocean Territory is situated wholly within the IOTC’s Area of Competence, there can therefore be no doubt that the United Kingdom, as the State with sovereignty over BIOT as aforementioned, is entitled to be a member of IOTC.’

Mauritius (Second statement)

‘The Government of the Republic of Mauritius reiterates that it does not recognize the so-called “British Indian Ocean Territory” (“BIOT”), “UK (OT)”, “UK (I.O. Territories)” or “UK (territories)” and that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius, a position on which no international judge or arbitrator has expressed a contrary view. In the arbitral proceedings initiated in December 2010 by the Republic of Mauritius against the United Kingdom under the United Nations Convention on the Law of the Sea, two of the arbitrators concluded that the United Kingdom does not have sovereignty over the Chagos Archipelago.

The Government of the Republic of Mauritius reaffirms that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC). Nor can the so-called “BIOT” claim to be a member of the IOTC.

The delegation of the Republic of Mauritius therefore reiterates its strong objection to the ‘Letter of Credentials’ of the UK delegation or the so-called “United Kingdom (OT)” delegation received by the Executive Secretary. It also maintains that the ‘Letter of Credentials’ of the UK delegation or the so-called “United Kingdom (OT)” delegation should not be uploaded on the meeting pages of the IOTC website.’

Mauritius statement (Agenda item 4 ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION)

The Government of the Republic of Mauritius states that this is not a bilateral matter as the UK/“UK(OT)” seeks to exercise a right which it does not have before a multilateral forum, it is clearly not a bilateral matter.

The Government of the Republic of Mauritius reiterates that the Chagos Archipelago, including Diego Garcia, and the Island of Tromelin form an integral part of the territory of the Republic of Mauritius.

The Government of the Republic of Mauritius reaffirms that it does not recognize the so-called “British Indian Ocean Territory” which the United Kingdom purported to create by illegally excising the Chagos Archipelago from the territory of Mauritius prior to its accession to independence, 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.

The Government of the Republic of Mauritius further reiterates that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC) as it is not a “coastal State situated wholly or partly within the Area [of competence of the Commission]”. Nor can the so-called “BIOT” “UK (OT)”, “UK (I.O. Territories)” or “UK (territories)” claim to be a member of the IOTC on the basis of Article IV of the IOTC Agreement.

Moreover, the Government of the Republic of Mauritius reaffirms that it does not recognize the validity of the inclusion of the Island of Tromelin in the French Southern and Antarctic Lands (TAAF) or the Scattered Islands/Iles Eparses.

The Government of the Republic of Mauritius strongly objects to the use of terms such as “United Kingdom (Overseas Territories)”, “United Kingdom (OT)”, “UK (OT)”, “UK (I.O. Territories)”, “United Kingdom (territories)” and “UK (Terr)” in documents which have been circulated for this meeting, in so far as these terms purport to refer to the Chagos Archipelago as a British territory or to imply that the United Kingdom or the so-called “BIOT”, “UK (OT)”, “UK (I.O. Territories)” or “UK (territories)” is entitled to be a member of the IOTC.

The Government of the Republic of Mauritius also objects to the use of terms such as “France (Terr)”, “France (IO Territories)”, “France (Overseas Territories)” and “France (OT)” in the documents which have been circulated for this meeting, in so far as these terms purport to refer to the Island of Tromelin as a French territory.

On 20 December 2010, the Republic of Mauritius initiated proceedings 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’) which the United Kingdom purported to establish on 1 April 2010 around the Chagos Archipelago. The Arbitral Tribunal constituted under Annex VII to UNCLOS to hear the dispute delivered its Award on 18 March 2015. The Tribunal ruled 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 cannot be enforced. Any reference to or consideration given by the IOTC, including this meeting, to the purported ‘MPA’ in disregard of the Award will be in contradiction with the Tribunal’s ruling and international law. The Government of the Republic of Mauritius urges the Commission to ensure compliance with the Award of the Arbitral Tribunal constituted under Annex VII to UNCLOS.

In the light of the foregoing, the delegation of the Republic of Mauritius has no objection to the adoption of the draft agenda, subject to:

- (a) there being no discussions at this meeting on the ‘MPA’ purportedly established by the United Kingdom around the Chagos Archipelago which has been held to be illegal under international law; and*
- (b) the Republic of Mauritius reserving its right to object to the consideration of any documents purportedly submitted by the United Kingdom, including in respect of the so-called “BIOT” which is not recognized by the*

Government of the Republic of Mauritius, and any other documents submitted by the Secretariat or any other party in relation to the so-called “BIOT”.

Should any document which purports to refer to the Chagos Archipelago as the so-called “BIOT” or as a British territory be considered, such consideration as well as any action or decision that may be taken on the basis of such document cannot and should not be construed in any way whatsoever as implying that the United Kingdom has sovereignty or analogous rights over the Chagos Archipelago or that the United Kingdom or the so-called “BIOT” is entitled to be a member of the IOTC.

Further, any consideration of any document which purports to use terms such as “France (Terr)”, “France (IO Territories)”, “France (Overseas Territories)” and “France (OT)” as well as any action or decision that may be taken on the basis of such document, cannot and should not be construed in any way whatsoever as implying that the Island of Tromelin is part of the French Southern and Antarctic Lands (TAAF) or the Scattered Islands/Iles Eparses or is a French territory.

The Republic of Mauritius also reserves all its rights under international law, including under Article XXIII of the Agreement for the Establishment of the Indian Ocean Tuna Commission.

In 2015, the SmartFish II project (Implementation of a Regional Fisheries Strategy for the ESA-IO region – phase II) took the initiative to launch activities between IOC and the French Southern and Antarctic Lands (TAAF) on regional scientific observer missions and data sharing, without the prior approval of the IOC Council of Ministers.

The Government of the Republic of Mauritius objects to the initiatives taken by the EDF-funded SmartFish II project and has already requested the Indian Ocean Commission secretariat to stop all initiatives between the IOC and TAAF, and to remove all communications and publications relating thereto from circulation.

The Government of 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).

The Government of the Republic of Mauritius reiterates that the Island of Tromelin forms an integral part of the territory of the Republic of Mauritius.

This statement of the delegation of the Republic of Mauritius is to apply to all the agenda items of the Commission meeting.

United Kingdom (OT) (Statement in response to the statement of Mauritius under Agenda item 4 ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION).*The UKs previous statement applies.*

As regards the BIOT MPA, it is clear that that the recent Arbitral Tribunal Award does not have the effect of rendering the Marine Protected Area (MPA) illegal. The Tribunal found that there had been no improper motive in its creation; and explicitly stated that it took no view on the substance of the MPA. One of our purposes in creating the MPA was to preserve the Indian Ocean’s fish stocks, and safeguard their importance for the economy and food security of the region. With regards to Mauritius’ previous point regarding individual judges, while they are entitled to their own views, this was not a Tribunal finding and has no legal effect. The Tribunal’s finding was actually more narrow: that the United Kingdom should have consulted the Republic of Mauritius more fully about the establishment of the MPA, so as to give due regard to its rights. As the Tribunal notes in its Final Observation, it is open to both Parties to enter into such negotiations now, and to do so without reference to matters of sovereignty, under a “sovereignty umbrella”.

The UK has made extensive efforts to engage the Republic of Mauritius about conservation matters and is pleased that consultations continue in this regard. The UK has no present intent to modify the MPA, but has made clear its commitment to give due regard to Mauritius’ rights as part of these consultations, which it approaches with an open mind. The United Kingdom regrets the use of this important multilateral forum by the Republic of Mauritius to address a bilateral matter. In the context of ongoing bilateral discussions which started last year and to which the United Kingdom is fully committed, this only serves to distract from the important work of IOTC members towards Conservation and Management of resources in the IOTC Area and other matters considered by this Commission.

UK thanks the FAO for the recognition of these matters as a bilateral issue and would reassure the Commission that the UK does not intend to repeat its position each time Mauritius intervenes, but note that our position will remain as set out previously and that we would be grateful for this to be indicated in the record of the meeting.

France(OT) (Statement in response to the statement of Mauritius under Agenda item 4 ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION).

France protests against the statement by Mauritius, which ignores the fact that Tromelin Island is a French territory on which France consistently exerts full sovereignty.

Therefore, France has sovereign or jurisdiction rights conferred by international law in the Exclusive Economic Zone adjacent to the island of Tromelin. The meetings of the Indian Ocean Tuna Commission are not the place to discuss issues of territorial sovereignty.

Mauritius statement (Agenda item 6 REPORT OF THE 18TH SESSION OF THE SCIENTIFIC COMMITTEE (SC18))

'The statements made by the Mauritius delegation at the last Scientific Committee meeting are reiterated.'

United Kingdom (OT) statement in response to the statement from Mauritius (Agenda item 6 REPORT OF THE 18TH SESSION OF THE SCIENTIFIC COMMITTEE (SC18))

'The previous statements made by the United Kingdom (OT), and FAO Legal Counsel, during the Commission S20 are reiterated.'

Mauritius statement (Agenda item 8 REPORT OF THE 13TH SESSION OF THE COMPLIANCE COMMITTEE (CoC13))

'All the statements made by the Mauritius delegation at the meeting of the Compliance Committee held last week and the earlier statements made since the start of the Commission meeting are reiterated.

Since the United Kingdom and France purport to assert under the Agreement for the Establishment of the Indian Ocean Tuna Commission and in this multilateral forum rights which they does not have over the Chagos Archipelago and the Island of Tromelin respectively, the Republic of Mauritius considers that it is entitled to raise issues relating to its sovereignty over the Chagos Archipelago and the Island of Tromelin in this forum. These are no doubt multilateral and not bilateral matters.

The UN Secretary-General paid an official visit to Mauritius from 8 to 10 May 2016. It is not the understanding of the Republic of Mauritius that the UN had taken the position that the Chagos Archipelago issue is a bilateral matter during that visit.

The Republic of Mauritius reserves all its rights under international law, including under Art. XXIII of the Agreement for the Establishment of the Indian Ocean Tuna Commission.

The Republic of Mauritius also reserves its rights to reply at a later stage to the statement/position made/taken by the representative of the FAO and any other statement/position he may take during this meeting.'

United Kingdom (OT) statement in response to the statement from Mauritius (Agenda item 8 REPORT OF THE 13TH SESSION OF THE COMPLIANCE COMMITTEE (CoC13))

'The previous statements made by the United Kingdom (OT), and FAO Legal Counsel, during the Commission S20 are reiterated.'

France (OT) statement in response to the statement from Mauritius (Agenda item 8 REPORT OF THE 13TH SESSION OF THE COMPLIANCE COMMITTEE (CoC13))

'The previous statements made by France (OT) are reiterated.'

Statement by Indonesia

TO THE 20TH IOTC COMMISSION MEETING
LA-REUNION, FRANCE 23-27 MAY 2016

In accordance with the Article II of IOTC Agreement regarding area of competence stated that area of competence of the Commission shall be the Indian Ocean (define for the purpose of this Agreement as being FAO Statistical Areas 51 and 57 as shown on the map set out in Annex A to this Agreement) and Adjacent Sea, north of the Antarctic Convergence, in so far as it is necessary to cover such seas for the purpose of conserving and managing stocks that migrate into or out on the Indian Ocean, Indonesia would like to make its statement to this commission as follow:

Republic of Indonesia acknowledge that the said Area of Competence covers Indonesia Exclusive Economic Zone of Indian Ocean as sovereign right of the Republic of Indonesia, and consequently, all measures adopted and to be adopted by this Commission, are only applied to Indonesia Exclusive Economic Zone of Indian Ocean, excluding territorial waters, archipelagic waters and internal waters of the Republic of Indonesia at the Indian Ocean, as these territorial waters, archipelagic waters and internal waters are sovereignty right of the Republic of Indonesia.

For scientific purposes, Republic of Indonesia will provide data and information of those species under IOTC mandate that were taken from the territorial waters, archipelagic waters and internal waters as sovereignty right of the Republic of Indonesia to IOTC Scientific Committee.

APPENDIX VI

RECOMMENDATIONS OF THE 18TH SESSION OF THE SCIENTIFIC COMMITTEE (23–27 NOVEMBER 2015) TO THE COMMISSION

Note: paragraphs allusions refer to paragraphs in the Report of the 18th Session of the Scientific Committee (IOTC–2015–SC18–R)

STATUS OF TUNA AND TUNA-LIKE RESOURCES IN THE INDIAN OCEAN AND ASSOCIATED SPECIES

Tuna – Highly migratory species

SC18.01 ([para. 121](#)) The SC **RECOMMENDED** that the Commission note the management advice developed for each tropical and temperate tuna species as provided in the Executive Summary for each species, and the combined Kobe plot for the three species assigned a stock status in 2015 ([Fig. 4](#)):

- Albacore (*Thunnus alalunga*) – [Appendix VIII](#)
- Bigeye tuna (*Thunnus obesus*) – [Appendix IX](#)
- Skipjack tuna (*Katsuwonus pelamis*) – [Appendix X](#)
- Yellowfin tuna (*Thunnus albacares*) – [Appendix XI](#)

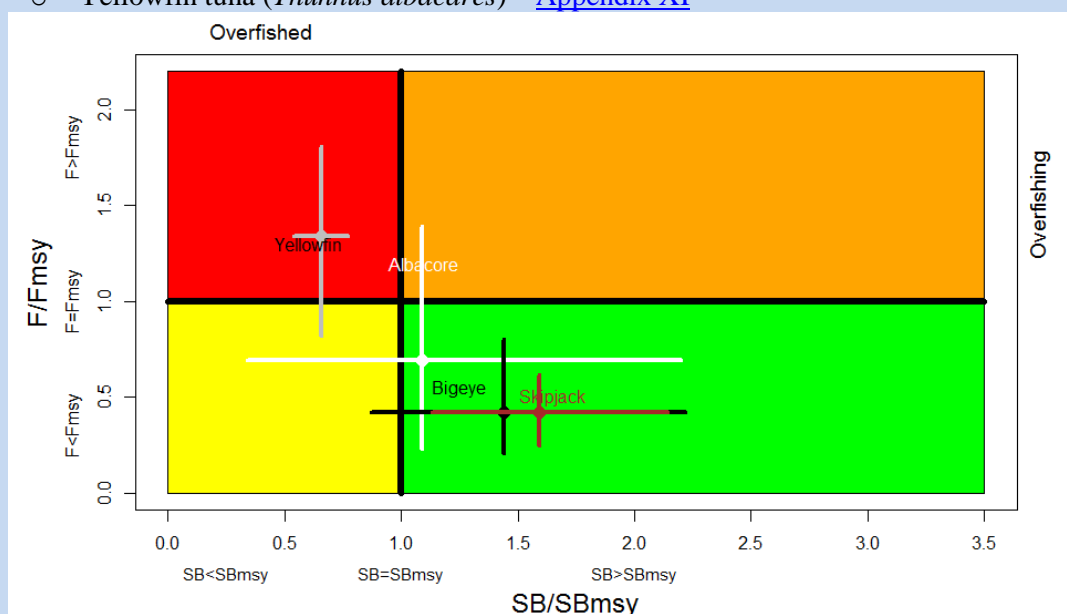


Fig. 4. Combined Kobe plot for bigeye tuna (black: 2013), skipjack tuna (brown: 2014), yellowfin tuna (grey: 2015) and albacore (white: 2014) showing the estimates of current stock size (SB) and current fishing mortality (F) in relation to the interim target spawning stock size and interim target fishing mortality. Cross bars illustrate the range of uncertainty from the model runs. Note that for skipjack tuna, the estimates are highly uncertain as F_{MSY} is poorly estimated, and as suggested for stock status advice it is better to use B_0 as a biomass reference point and $C(t)$ relative to C_{MSY} as a fishing mortality reference point.

Billfish

SC18.02 ([para. 123](#)) The SC **RECOMMENDED** that the Commission note the management advice developed for each billfish species under the IOTC mandate, as provided in the Executive Summary for each species, and the combined Kobe plot for the three species assigned a stock status in 2015 ([Fig. 5](#)):

- Swordfish (*Xiphias gladius*) – [Appendix XII](#)
- Black marlin (*Makaira indica*) – [Appendix XIII](#)
- Blue marlin (*Makaira nigricans*) – [Appendix XIV](#)
- Striped marlin (*Tetrapturus audax*) – [Appendix XV](#)
- Indo-Pacific sailfish (*Istiophorus platypterus*) – [Appendix XVI](#)

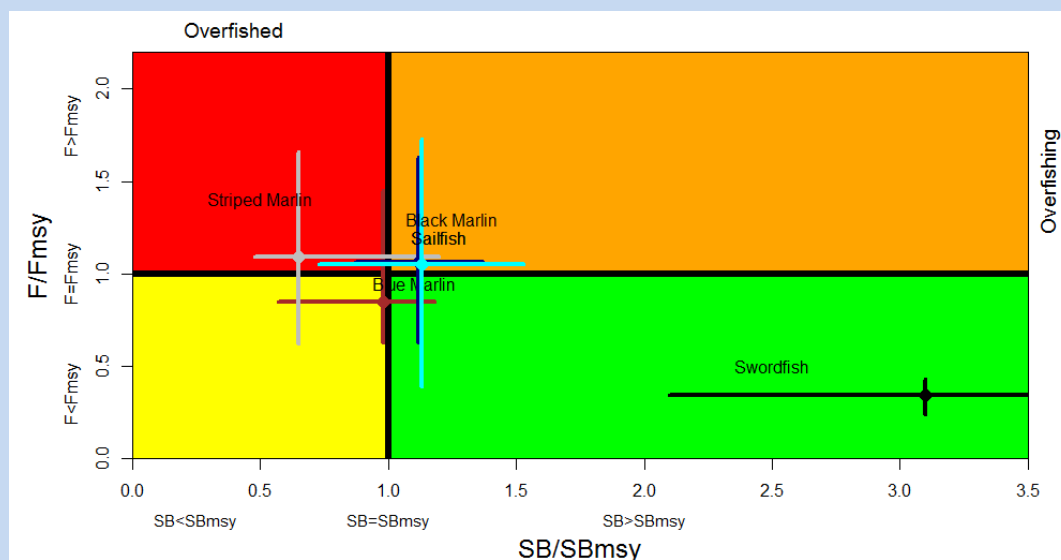


Fig. 5. Combined Kobe plot for swordfish (black: 2014), black marlin (light blue: 2014), blue marlin (brown: 2013), striped marlin (grey: 2015) and Indo-Pacific sailfish (black: 2015) showing the estimates of current stock size (SB or B, species assessment dependent) and current fishing mortality (F) in relation to the interim target spawning stock size and interim target fishing mortality. Cross bars illustrate the range of uncertainty from the model runs.

Tuna and seerfish – Neritic species

SC18.03 (para. 124) The SC **RECOMMENDED** that the Commission note the management advice developed for each neritic tuna (and mackerel) species under the IOTC mandate, as provided in the Executive Summary for each species, and the combined Kobe plot for the three species assigned a stock status in 2015 (Fig. 6):

- Bullet tuna (*Auxis rochei*) – [Appendix XVII](#)
- Frigate tuna (*Auxis thazard*) – [Appendix XVIII](#)
- Kawakawa (*Euthynnus affinis*) – [Appendix XIX](#)
- Longtail tuna (*Thunnus tonggol*) – [Appendix XX](#)
- Indo-Pacific king mackerel (*Scomberomorus guttatus*) – [Appendix XXI](#)
- Narrow-barred Spanish mackerel (*Scomberomorus commerson*) – [Appendix XXII](#)

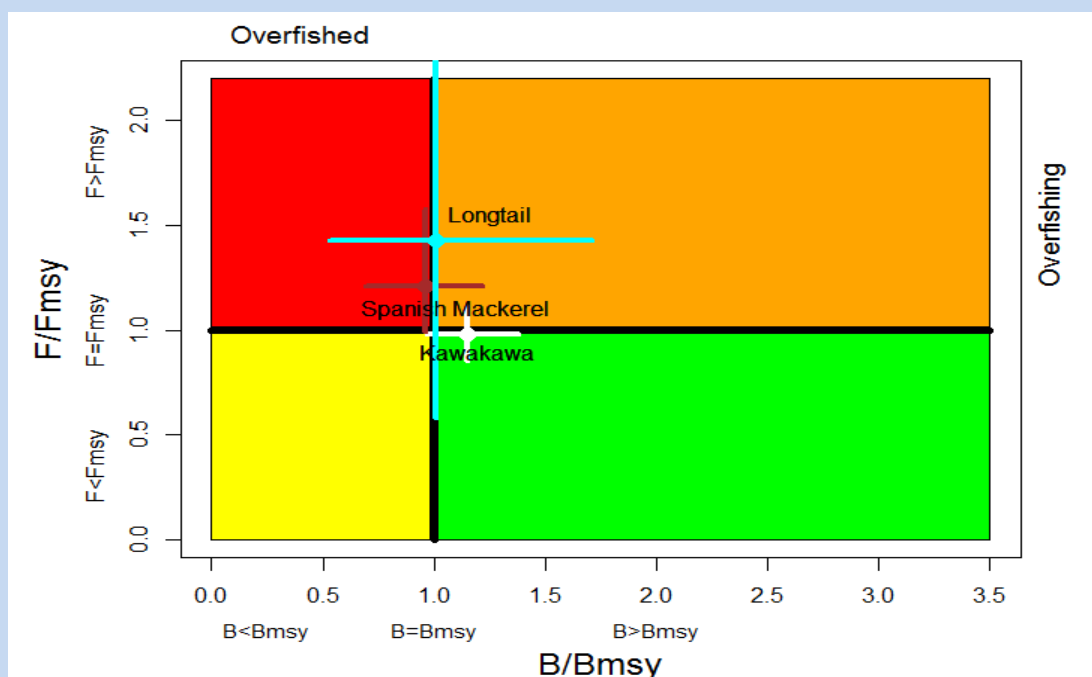


Fig. 6. Combined Kobe plot for kawakawa (white: 2015), longtail tuna (blue: 2015) and narrow-barred Spanish mackerel (brown: 2015), showing the estimates of current stock size (B) and current fishing mortality (F) in relation to interim target spawning stock size and interim target fishing mortality. Cross bars illustrate the range of

uncertainty from the model runs. Status of Marine Turtles, Seabirds and Sharks in the Indian Ocean

Sharks

- SC18.04 ([para. 125](#)) The SC **RECOMMENDED** that the Commission note the management advice developed for a subset of shark species commonly caught in IOTC fisheries for tuna and tuna-like species:
- Blue shark (*Prionace glauca*) – [Appendix XXIII](#)
 - Oceanic whitetip shark (*Carcharhinus longimanus*) – [Appendix XXIV](#)
 - Scalloped hammerhead shark (*Sphyrna lewini*) – [Appendix XXV](#)
 - Shortfin mako shark (*Isurus oxyrinchus*) – [Appendix XXVI](#)
 - Silky shark (*Carcharhinus falciformis*) – [Appendix XXVII](#)
 - Bigeye thresher shark (*Alopias superciliosus*) – [Appendix XXVIII](#)
 - Pelagic thresher shark (*Alopias pelagicus*) – [Appendix XXIX](#)

Marine turtles

- SC18.05 ([para. 126](#)) The SC **RECOMMENDED** that the Commission note the management advice developed for marine turtles, as provided in the Executive Summary encompassing all six species found in the Indian Ocean:
- Marine turtles – [Appendix XXX](#)

Seabirds

- SC18.06 ([para. 127](#)) The SC **RECOMMENDED** that the Commission note the management advice developed for seabirds, as provided in the Executive Summary encompassing all species commonly interacting with IOTC fisheries for tuna and tuna-like species:
- Seabirds – [Appendix XXXI](#)

GENERAL RECOMMENDATIONS TO THE COMMISSION

National Reports from CPCs

- SC18.07 ([para. 18](#)) **NOTING** that the Commission, at its 15th Session, expressed concern regarding the limited submission of National Reports to the SC, and stressed the importance of providing the reports by all CPCs, the SC **RECOMMENDED** that the Commission note that in 2015, 26 reports were provided by CPCs (26 in 2014, 28 in 2013) ([Table 2](#)).
- SC18.08 ([para. 19](#)) The SC **RECOMMENDED** that the Compliance Committee and Commission note the lack of compliance by 8 Contracting Parties (Members) and 3 Cooperating Non-Contracting Parties (CNCs), that did not submit a National Report to the Scientific Committee in 2015, noting that the Commission agreed that the submission of the annual reports to the Scientific Committee is mandatory ([Table 2](#)).

Report of the 5th Session of the Working Party on Neritic Tunas (WPNT05)

- SC18.09 ([para. 29](#)) The SC **RECOMMENDED** that a workshop is organised by the IOTC Secretariat in collaboration with WWF-Pakistan to analyse the datasets collaboratively using a meta-analysis based approach. WWF Pakistan have offered to provide support specifically for the north western Indian Ocean countries but additional funding will be needed for the participation of other CPCs. This workshop would also include training for people in data poor assessment approaches, as well as possibly focus on basic data for assessments, like CPUE and how to standardise such data.
- SC18.10 ([para. 33](#)) **NOTING** the current stock status of several neritic tunas and the continued increase in catch and effort, the SC **RECOMMENDED** that a precautionary approach to the management of neritic tunas is taken by the Commission.

Report of the 13th Session of the Working Party on Billfish (WPB13)

- SC18.11 ([para. 36](#)) The SC **RECOMMENDED** that the Chairperson and Vice-Chairperson continue to work in collaboration with the IOTC Secretariat and the African Billfish Foundation to find a suitable funding source and lead investigator to undertake the project outlined in the Report of the WPB13. The aim of the project is to enhance data recovery from sports and other recreational fisheries in the western Indian Ocean region, from which alternative abundance indices could be developed for marlins and I.P. sailfish. The Chairperson shall circulate the concept note to potential funding bodies on behalf of the WPB. A similar concept note could be developed for other regions in the IOTC area of competence at a

later date.

Report of the 11th Session of the Working Party on Ecosystems and Bycatch (WPEB11)

Pakistan shark bycatch in gillnet fisheries

- SC18.12 ([para. 39](#)) **NOTING** that gillnets are regularly being used with lengths in excess of 4,000 m (and up to 7,000 m) within and occasionally beyond the EEZ of Pakistan and other IOTC CPCs in the region, and that those used within the EEZ may sometimes drift onto the high seas in contravention of Resolution 12/12, the SC **RECOMMENDED** that the Commission should consider if a ban on large scale gillnets should also apply within IOTC CPC EEZ. This would be especially important given the negative ecological impacts of large scale drifting gillnets in areas frequented by marine mammals and turtles.

Review of seabird mitigation measures in Resolution 12/06

- SC18.13 ([para. 41](#)) The SC **RECOMMENDATION** that CPCs bring data to the WPEB meeting in 2016, as the Commission via Resolution 12/06 required the WPEB and SC to undertake this task in 2015, which has not been possible due to insufficient data, and that a collaborative analysis of the impacts of Resolution 12/06 be undertaken during the WPEB meeting, if feasible. CPC review papers and datasets should include the following information/data from logbooks and/or observer schemes, where appropriate and should cover the period 2011 to 2015:

- Total effort south of 25°S by area and time, at the finest scale possible
- Observed effort south of 25°S by area and time, at the finest scale possible
- Observed seabird mortality rates south of 25°S by area and time, at the finest scale possible
- Descriptions of fleet structure /target species by time and area, and an indication of observer coverage per fleet/target species for effort south of 25°S
- Data on which seabird bycatch mitigation measures were used, on a set-by-set/cruise basis if possible or per vessel, or at the finest scale possible
- Descriptions of the specifications of seabird bycatch mitigation measures used according to the fields in the Regional Observer Scheme manual and in relation to the specifications given in Res 12/06

Shark fin to body weight ratio and wire leaders/traces

- SC18.14 ([para. 47](#)) **NOTING** that the Commission, at its 19th Session, considered a range of proposals on sharks which included matters relevant to the shark fin to body weight ratio and wire leaders/traces, the SC **RECALLED** its previous advice to the Commission as follows:

- The SC **RECOMMENDED** the Commission consider, that the best way to encourage full utilisation of sharks, to ensure accurate catch statistics, and to facilitate the collection of biological information, is to revise the IOTC Resolution 05/05 *concerning the conservation of sharks caught in association with fisheries managed by IOTC* such that all sharks must be landed with fins attached (naturally or by other means) to their respective carcass. However, the SC **NOTED** that such an action would have practical implementation and safety issues for some fleets and may degrade the quality of the product in some cases. The SC **RECOMMENDED** all CPCs to obtain and maintain the best possible data for IOTC fisheries impacting upon sharks, including improved species identification.
- On the basis of information presented to the SC in previous years, the SC **RECOGNISED** that the use of wire leaders/traces in longline fisheries may imply targeting of sharks. The SC therefore **RECOMMENDED** to the Commission that if it wishes to reduce catch rates of sharks by longliners it should prohibit the use of wire leaders/traces.

Marine Turtles: Review of Resolution 12/04 on the conservation of marine turtles

- SC18.15 ([para. 50](#)) The SC reiterated its **RECOMMENDATION** from 2013 and 2014, that at the next revision of IOTC Resolution 12/04 *on the conservation of marine turtles*, the measure is strengthened to ensure that where possible, CPCs report annually on the total estimated level of incidental catches of marine turtles, by species, as provided at [Table 3](#).

TABLE 3. Marine turtle species reported as caught in fisheries within the IOTC area of competence.

Common name	Scientific name
Flatback turtle	<i>Natator depressus</i>
Green turtle	<i>Chelonia mydas</i>

Hawksbill turtle	<i>Eretmochelys imbricata</i>
Leatherback turtle	<i>Dermochelys coriacea</i>
Loggerhead turtle	<i>Caretta caretta</i>
Olive ridley turtle	<i>Lepidochelys olivacea</i>

Marine mammals

SC18.16 (para. 53) The SC reiterated its previous **RECOMMENDATION** that depredation events be incorporated into Resolution 15/01 at its next revision, so that interactions may be quantified at a range of spatial scales. Depredation events should also be quantified by the regional observer scheme.

Status of development and implementation of National Plans of Action for seabirds and sharks, and implementation of the FAO guidelines to reduce marine turtle mortality in fishing operations

SC18.17 (para. 55) The SC **RECOMMENDED** that the Commission note the current status of development and implementation of National Plans of Action (NPOAs) for sharks and seabirds, and the implementation of the FAO guidelines to reduce marine turtle mortality in fishing operations, by each CPC as provided at [Appendix V](#), recalling that the IPOA-Seabirds and IPOA-Sharks were adopted by the FAO in 1999 and 2000, respectively, and required the development of NPOAs. Despite the time that has elapsed since then, very few CPCs have developed NPOAs, or even carried out assessments to ascertain if the development of a Plan is warranted. Currently only 16 of the 37 IOTC CPCs have an NPOA-Sharks (8 more in development), while only 6 CPCs have an NPOA-Seabirds (2 more in development). A single CPC has determined that an NPOA-Sharks is not needed, and 5 have similarly determined that an NPOA-Seabirds is not needed. Currently only 9 of the 37 IOTC CPCs have implemented the FAO guidelines to reduce marine turtle mortality in fishing operations (2 more in progress), and two CPCs (European Union, France (OT)) have implement a full NPOA in 2015.

Report of the 6th Session of the Working Party on Methods (WPM06)

Proposal for a Technical Committee on Management Procedures

SC18.18 (para. 59) **NOTING** with concern the lack of adequate communication of the IOTC MSE process between the Scientific Committee and the Commission to date, the SC **RECOMMENDED** that the Commission consider the following draft outline to establish a formal communication channel for the science and management dialogue to enhance decision making. Possible adjustments to the mechanisms of communication between the Commission and the IOTC Scientific Committee could include the following:

- The progress of the MSE process will benefit from having communication between the Scientific Committee and the Commission more formally structured, for example, through a dedicated Technical Committee on Management Procedures (MP) that would serve as an effective two-way channel for scientists to communicate the results of the ongoing MSE work. The Technical Committee would require that specific terms of reference (in line with the priorities identified in Resolution 14/03), roles and responsibilities of both fisheries managers and scientists, and possible interactions and feedback, are developed and clarified. The Technical Committee on MP could meet in conjunction with the annual Commission Session, to facilitate full attendance by CPCs.
- The Technical Committee on MP would augment the ability of the Scientific Committee to communicate the progress of the MSE process.
- The Technical Committee on MP would focus on the presentation of results and exchange of information necessary for the Commission to consider possible adoption of harvest strategies, utilizing standard formats for the presentation of results to facilitate understanding of the material by the non-technical audience.
- It would be advisable that the agenda of the Technical Committee on MP place an emphasis on the elements of each MP that require a decision by the Commission. To facilitate such decisions, wherever necessary, interim choices should be offered to the Commission, noting that these choices can be modified at a later stage in the review. The MSE is an iterative process that allows for adjustments as the work, and the understanding of the elements involved, progresses.

Report of the 11th Session of the Working Party on Data Collection and Statistics (WPDCS11)

SC18.19 (para. 72) The SC **RECOMMENDED** the Commission develop penalty mechanisms through the IOTC Compliance Committee to improve compliance by CPCs that do not currently comply with the

submission of basic fishery data requirements as stated in Resolution 15/01 and 15/02.

Resolution 15/02 Mandatory statistical requirements for IOTC Members and Cooperating Non-Contracting Parties (CPC's)

- SC18.20 ([para. 78](#)) **NOTING** that the units of effort requested for longliners in IOTC Resolution 15/02 and 11/04 are not consistent as the former requests numbers of hooks and the latter numbers of sets, the SC **RECOMMENDED** that provisions in Resolution 15/02 are amended to include a requirement for longline fleets to report effort in terms of both number of hooks and number of sets, and that reporting of effort in terms of number of sets is also requested from surface purse seine fleets in addition to the current requirements to report effort as fishing days.

Further analysis of length frequency data from longline fleets and likely impacts on the assessments (Taiwan,China)

- SC18.21 ([para. 79](#)) The SC **RECOMMENDED** further analysis to fully understand the recent changes in length composition reported by Taiwan,China – in particular whether there have been changes to the sampling protocols and selection of fish for sampling – and that the decline in the number of samples of small specimens of tropical tunas in particular may originate from high grading of catch onboard Taiwan,China longliners following the implementation of quotas on the Taiwan,China longline fleet in the Indian Ocean (i.e. only large specimens from the catch measured for length).

Report of the 17th Session of the Working Party on Tropical Tunas (WPTT17)

Report of the 2nd CPUE workshop on longline fisheries

- SC18.22 ([para. 83](#)) **NOTING** the advice from the WPTT that differences between the Japan and Taiwan,China longline CPUE indices were examined and attributed to either low sampling coverage of logbook data (between 1982–2000) or misreporting across oceans (Atlantic and Indian oceans) for bigeye tuna catches between 2002–04 for Taiwan,China, the SC **RECOMMENDED** the 1) development of minimum criteria (e.g. 10% using a simple random stratified sample) for logbook coverage to use data in standardisation processes; and 2) identifying vessels through exploratory analysis that were misreporting, and excluding them from the dataset in the standardisation analysis.

- SC18.23 ([para. 84](#)) The SC **RECOMMENDED** that:
- more credence should be given to CPUE indices based on operational data, since analyses of these data can take more factors into account, and analysts are better able to check the data for inconsistencies and errors.
 - Taiwan,China fleets provide all available logbook data to data analysts, representing the best and most complete information possible. This stems from the fact that the dataset currently used by scientists from Taiwan,China is incomplete and not updated with logbooks that arrive after finalisation.
 - that vessel identity information for the Japanese fleets for the period prior to 1979 should be obtained either from the original logbooks or from some other source, to the greatest extent possible to allow estimation of catchability change during this period and to permit cluster analysis using vessel level data. During this period there was significant technological change (e.g. deep freezers) and targeting changes (e.g. yellowfin tuna to bigeye tuna).
 - examining operation level data across all longline fleets (Rep. of Korea, Japan and Taiwan,China) will give us a better idea of what is going on with the fishery and stock especially if some datasets have low sample sizes or effort in some years, and others have higher sample sizes and effort, so we have a representative sample covering the broadest areas in the Indian Ocean. This will also avoid having no information in certain strata if a fleet were not operating there, and avoid combining two indices in that case.
 - that continued work on joint analysis of operational catch and effort data from multiple fleets be undertaken, to further develop methods and to provide indices of abundance for IOTC stock assessments.

Summary discussion of matters common to Working Parties (capacity building activities – stock assessment course; connecting science and management, etc.)

Meeting participation fund

- SC18.24 ([para. 98](#)) The SC **RECOMMENDED** that the IOTC Rules of Procedure (2014), for the administration

of the Meeting Participation Fund be modified so that applications are due not later than 60 days, and that the full Draft paper be submitted no later than 45 days before the start of the relevant meeting. The aim is to allow the Selection Panel to review the full paper rather than just the abstract, and provide guidance on areas for improvement, as well as the suitability of the application to receive funding using the IOTC MPF. The earlier submission dates would also assist with Visa application procedures for candidates.

Capacity building activities

SC18.25 ([para. 99](#)) The SC **AGREED** that, while external funding is helping the work of the Commission, funds allocated by the Commission to capacity building are still too low, considering the range of issues identified by the SC and its Working Parties, and **RECOMMENDED** that the Commission consider allocating more funds to these activities in the future.

SC18.26 ([para. 100](#)) The SC **RECOMMENDED** that Commission further increases the IOTC Capacity Building budget line so that capacity building training on data analysis and applied stock assessment approaches, with a priority being data poor approaches, can be carried out in 2016.

IOTC species identification guides: Marine mammal and Best practice guidelines for the safe release and handling of encircled cetaceans

SC18.27 ([para. 102](#)) The SC **RECOMMENDED** that the Commission allocate funds in its 2016/2017 budget, to produce and print the IOTC best practice guidelines for the safe release and handling of encircled cetaceans. The guidelines could be incorporated into a set of IOTC cetacean identification cards: “Cetacean identification for Indian Ocean fisheries”.

IOTC Secretariat staffing

SC18.28 ([para. 106](#)) **NOTING** the very heavy and constantly increasing workload on the IOTC Secretariat, and the current staffing capacity to respond to requests for assistance by countries, the SC strongly **RECOMMENDED** that at least three (3) additional staff (Science/Data) be hired to join the IOTC Secretariat to work on tasks including but not limited to 1) science and capacity building to improve understanding of IOTC processes; and 2) data quality/exchange improvement, to commence work by 1 January 2017. Funding for these new positions should come from both the IOTC regular budget and from external sources to reduce the direct financial burden on the IOTC membership.

Chairpersons and Vice-Chairpersons of the SC and its subsidiary bodies

SC18.29 ([para. 107](#)) The SC **RECOMMENDED** that the Commission note and endorse the Chairpersons and Vice-Chairpersons for the SC and its subsidiary bodies for the coming years, as provided in [Appendix VII](#).

Implementation of the Regional Observer Scheme

SC18.30 ([para. 138](#)) **NOTING** that training of observers and crew is long-term and necessarily meticulous work that should be done in a recurrent way in order to optimise the efficiency of observers, the SC **RECOMMENDED** that the IOTC Secretariat increases its effort in training observers, including species identification. This would only be possible if the Commission were to increase staffing at the IOTC Secretariat and allocate specific funding for the Regional Observer Scheme implementation.

Resolution 11/04 On a regional observer scheme

SC18.31 ([para. 145](#)) **NOTING** that the objective of the Regional Observer Scheme contained in Resolution 11/04, and the rules contained in Resolution 12/02 *On data confidentiality policy and procedures* makes no reference to the data collected not being used for compliance purposes, the SC **RECOMMENDED** that at the next revision of Resolution 11/04, it be clearly stated that the data collected within the Regional Observer Scheme shall not be used for compliance purposes.

Progress on the Implementation of the Recommendations of the Performance Review Panel

SC18.32 ([para. 151](#)) The SC **RECOMMENDED** that the Commission note the updates on progress regarding Resolution 09/01 *on the performance review follow-up*, as provided at [Appendix XXXIII](#).

Program of work and schedule of Working Party and Scientific Committee meetings

Consultants

SC18.33 ([para. 157](#)) **NOTING** the highly beneficial and relevant work done by IOTC stock assessment consultants in 2015 and in previous years, the SC **RECOMMENDED** that the engagement of consultants be continued for each coming year based on the Program of Work. Consultants will be hired to supplement the skill set available within the IOTC Secretariat and CPCs. The draft budget provided in [Table 5](#), shall be incorporated into the overall IOTC Science budget for the consideration of the Commission.

Schedule of meetings for 2016 and 2017

SC18.34 ([para. 160](#)) The SC **RECOMMENDED** that the Commission discuss the merits of moving the annual Scientific Committee meeting to February each year. This would allow the species working parties to be moved later in the year, thus ensuring that the most recent data is available for assessment purposes. If the Commission were to approve a February date, it may wish to fix its own meeting date in June each year, thus allowing sufficient consultation time between the Scientific Committee and the Commission meeting.

Review of publication deadlines for IOTC data summaries and other datasets for use by Working Parties

SC18.35 ([para. 165](#)) The SC **RECOMMENDED** that the reporting deadline for stock assessment inputs (index of abundance, catch reconstructions, size data, etc.) be 45 days prior to the meeting in which the species is to be assessed.

Review of the Draft, and Adoption of the Report of the 18th Session of the Scientific Committee

SC18.36 ([para. 175](#)) The SC **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from SC18, provided at [Appendix XXXVII](#).

APPENDIX VII

STOCK STATUS SUMMARY FOR THE IOTC SPECIES: 2015

Table 1. Status summary for species of tuna and tuna-like species under the IOTC mandate, as well as other species impacted by IOTC fisheries.

Stock	Indicators	Prev ¹	2010	2011	2012	2013	2014	2015	Advice to the Commission
Albacore <i>Thunnus alalunga</i>	Catch 2014: 40,981 t Average catch 2010–2014: 38,181 t MSY (1,000 t) (80% CI): 47.6 (26.7–78.8) F _{MSY} (80% CI): 0.31 (0.21–0.42) SB _{MSY} (1,000 t) (80% CI): 39.2 (25.4–50.7) F ₂₀₁₂ /F _{MSY} (80% CI): 0.69 (0.23–1.39) SB ₂₀₁₂ /SB _{MSY} (80% CI): 1.09 (0.34–2.20) SB ₂₀₁₂ /SB ₁₉₅₀ (80% CI): 0.21 (0.11–0.33)	2007							If catch remains below the estimated MSY levels, then immediate management measures are not required. However, continued monitoring and improvement in data collection, reporting and analysis is required to reduce the uncertainty in assessments. Click here for full stock status summary: Appendix VIII
Bigeye tuna <i>Thunnus obesus</i>	Catch 2014: 100,231 t Average catch 2010–2014: 102,214 t MSY (1,000 t) (range): 132 (98–207) F _{MSY} (range): n.a. (n.a.–n.a.) SB _{MSY} (1,000 t) (range): 474 (295–677) F ₂₀₁₂ /F _{MSY} (range): 0.42 (0.21–0.80) SB ₂₀₁₂ /SB _{MSY} (range): 1.44 (0.87–2.22) SB ₂₀₁₂ /SB ₁₉₅₀ (range): 0.40 (0.27–0.54)	2008							If catch remains below the estimated MSY levels, then immediate management measures are not required. However, continued monitoring and improvement in data collection, reporting and analysis is required to reduce the uncertainty in assessments. Click here for full stock status summary: Appendix IX
Skipjack tuna <i>Katsuwonus pelamis</i>	Catch 2014: 432,467 t Average catch 2010–2014: 402,229 t MSY (1,000 t) (80% CI): 684 (550–849) F _{MSY} (80% CI): 0.65 (0.51–0.79) SB _{MSY} (1,000 t) (80% CI): 875 (708–1,075) C ₂₀₁₃ /C _{MSY} (80% CI): 0.62 (0.49–0.75) SB ₂₀₁₃ /SB _{MSY} (80% CI): 1.59 (1.13–2.14) SB ₂₀₁₃ /SB ₁₉₅₀ (80% CI): 0.58 (0.53–0.62)								If catch remains below the estimated MSY levels, then immediate management measures are not required. However, continued monitoring and improvement in data collection, reporting and analysis is required to reduce the uncertainty in assessments. Click here for full stock status summary: Appendix X
Yellowfin tuna <i>Thunnus albacares</i>	Catch 2014: 430,327 t Average catch 2010–2014: 373,824 t MSY (1,000 t) (80% CI): 421 (404–439) F _{MSY} (80% CI): 0.165 (0.162–0.168) SB _{MSY} (1,000 t) (80% CI): 1,217 (1,165–1,268) F ₂₀₁₄ /F _{MSY} (80% CI): 1.34 (1.02–1.67) SB ₂₀₁₄ /SB _{MSY} (80% CI): 0.66 (0.58–0.74) SB ₂₀₁₄ /SB ₁₉₅₀ (80% CI): 0.23 (0.21–0.36)	2008						94% *	If the Commission wishes to recover the stock to levels above the interim target reference points with 50% probability by 2024, the Scientific Committee recommends that catches be reduced by 20% of current (2014) levels. Click here for full stock status summary: Appendix XI

Billfish: These are the billfish stocks being exploited by industrial and artisanal fisheries throughout the Indian Ocean, both on the high seas and in the EEZ of coastal states. The marlins and sailfish are not usually targeted by most fleets, but are caught and retained as byproduct by the main industrial fisheries. They are important for localised small-scale and artisanal fisheries or as targets in recreational fisheries.

Stock	Indicators	Prev ¹	2010	2011	2012	2013	2014	2015	Advice to the Commission
Swordfish <i>Xiphias gladius</i>	Catch 2014: 34,822 t Average catch 2010–2014: 28,494 t MSY (1,000 t) (80% CI): 39.40 (33.20–45.60) F _{MSY} (80% CI): 0.138 (0.137–0.138) SB _{MSY} (1,000 t) (80% CI): 61.4 (51.5–71.4) F ₂₀₁₃ /F _{MSY} (80% CI): 0.34 (0.28–0.40) SB ₂₀₁₃ /SB _{MSY} (80% CI): 3.10 (2.44–3.75) SB ₂₀₁₃ /SB ₁₉₅₀ (80% CI): 0.74 (0.58–0.89)	2007							Given current stock status, if catch remains below the estimated MSY levels, then immediate management measures to reduce catch are not required. However, continued monitoring and improvement in data collection and reporting are required to reduce the uncertainty in assessments. Click here for full stock status summary: Appendix XII
Black marlin <i>Makaira indica</i>	Catch 2014: 14,400 t Average catch 2010–2014: 11,962 t MSY (1,000 t) (80% CI): 10.2 (7.6–13.8) F _{MSY} (80% CI): 0.25 (0.08–0.45) B _{MSY} (1,000 t) (80% CI): 37.8 (14.6–62.3) F ₂₀₁₃ /F _{MSY} (80% CI): 1.06 (0.39–1.73) B ₂₀₁₃ /B _{MSY} (80% CI): 1.13 (0.73–1.53) B ₂₀₁₃ /B ₁₉₅₀ (80% CI): 0.57 (0.37–0.76)								A precautionary approach to the management of black marlin should be considered by the Commission, to reduce catches below MSY estimates (~10,000 t), thereby ensuring the stock does not fall below B _{MSY} , and become overfished. Click here for full stock status summary: Appendix XIII
Blue marlin <i>Makaira nigricans</i>	Catch 2014: 14,686 t Average catch 2010–2014: 13,190 t MSY (1,000 t) (80% CI): 11.70 (8.02–12.40) F _{MSY} (80% CI): 0.49 (n.a.) B _{MSY} (1,000 t) (80% CI): 23.70 (n.a.) F ₂₀₁₁ /F _{MSY} (80% CI): 0.85 (0.63–1.45) B ₂₀₁₁ /B _{MSY} (80% CI): 0.98 (0.57–1.18) B ₂₀₁₁ /B ₁₉₅₀ (80% CI): 0.48 (n.a.)								A precautionary approach to the management of blue marlin should be considered by the Commission, to reduce catches below MSY estimates (~11,000 t), thereby ensuring the stock does not remain below B _{MSY} (overfished). Click here for full stock status summary: Appendix XIV
Striped marlin <i>Tetrapturus audax</i>	Catch 2014: 4,001 t Average catch 2010–2014: 4,112 t MSY (1,000 t) (80% CI): 5.22 t (5.18–5.59) F _{MSY} (80% CI): 0.62 (0.59–1.04) B _{MSY} (1,000 t) (80% CI): 8.4 t (5.40–8.90) F ₂₀₁₄ /F _{MSY} (80% CI): 1.09 (0.62–1.66) B ₂₀₁₄ /B _{MSY} (80% CI): 0.65 (0.45–1.17) B ₂₀₁₄ /B ₁₉₅₀ (80% CI): 0.24 (n.a.–n.a.)								A precautionary approach to the management of striped marlin should be considered by the Commission. If the Commission wishes to recover the stock to a level above MSY based reference points with 50% probability by 2024, the Scientific Committee recommends that catches should not exceed 4,000 t. Click here for full stock status summary: Appendix XV
Indo-Pacific Sailfish <i>Istiophorus platypterus</i>	Catch 2014: 30,674 t Average catch 2010–2014: 29,143 t MSY (1,000 t) (80% CI): 25.00 (17.20–36.30) F _{MSY} (80% CI): 0.26 (0.15–0.39) B _{MSY} (1,000 t) (80% CI): 87.52 (56.30–121.02) F ₂₀₁₄ /F _{MSY} (80% CI): 1.05 (0.63–1.63) B ₂₀₁₄ /B _{MSY} (80% CI): 1.13 (0.87–1.37) B ₂₀₁₄ /B ₁₉₅₀ (80% CI): 0.57 (0.44–0.69)								A precautionary approach to the management of I.P. sailfish should be considered by the Commission, to reduce catches below MSY estimates (~25,000 t), thereby ensuring the stock does not fall below B _{MSY} , and become overfished. Click here for full stock status summary: Appendix XVI

Neritic tunas and mackerel: These six species have become as important or more important as the three tropical tuna species (bigeye tuna, skipjack tuna and yellowfin tuna) to most IOTC coastal states with a total estimated catch of 623,242 t being landed in 2013. They are caught primarily by coastal fisheries, including small-scale industrial and artisanal fisheries. They are almost always caught within the EEZs of coastal states. Historically, catches were often reported as aggregates of various species, making it difficult to obtain appropriate data for stock assessment analyses.

Stock	Indicators	Prev ¹	2010	2011	2012	2013	2014	2015	Advice to the Commission
Bullet tuna <i>Auxis rochei</i>	Catch 2014: 8,117 t Average catch 2010–2014: 8,952 t MSY (1,000 t) (80% CI): unknown F _{MSY} (80% CI): unknown B _{MSY} (1,000 t) (80% CI): unknown F ₂₀₁₄ /F _{MSY} (80% CI): unknown B ₂₀₁₄ /B _{MSY} (80% CI): unknown B ₂₀₁₄ /B ₀ (80% CI): unknown								A precautionary approach to the management of bullet tuna should be considered by the Commission, by ensuring that future catches do not exceed current catches (average 2010–2014). The stock should be closely monitored. Mechanisms need to be developed by the Commission to improve current statistics by encouraging CPCs to comply with their recording and reporting requirements, so as to better inform scientific advice. Click here for full stock status summary: Appendix XVII
Frigate tuna <i>Auxis thazard</i>	Catch 2014: 97,980 t Average catch 2010–2014: 97,930 t MSY (1,000 t) (80% CI): unknown F _{MSY} (80% CI): unknown B _{MSY} (1,000 t) (80% CI): unknown F ₂₀₁₄ /F _{MSY} (80% CI): unknown B ₂₀₁₄ /B _{MSY} (80% CI): unknown B ₂₀₁₄ /B ₀ (80% CI): unknown								A precautionary approach to the management of frigate tuna should be considered by the Commission, by ensuring that future catches do not exceed current catches (average 2010–2014). The stock should be closely monitored. Mechanisms need to be developed by the Commission to improve current statistics by encouraging CPCs to comply with their recording and reporting requirements, so as to better inform scientific advice. Click here for full stock status summary: Appendix XVIII App18
Kawakawa <i>Euthynnus affinis</i>	Catch 2014: 162,854 t Average catch 2010–2014: 156,066 t MSY (1,000 t) (80% CI): 152 [125–188]** F _{MSY} (80% CI): 0.56 [0.42–0.69]** B _{MSY} (1,000 t) (80% CI): 202 [151–315]** F ₂₀₁₃ /F _{MSY} (80% CI): 0.98 [0.85–1.11]** B ₂₀₁₃ /B _{MSY} (80% CI): 1.15 [0.97–1.38]** B ₂₀₁₃ /B ₁₉₅₀ (80% CI): 0.58 [0.33–0.86]**								Although the stock status is classified as not overfished and not subject to overfishing, the K2MSM showed that there is a 96% probability that biomass is below MSY levels and 100% probability that F>F _{MSY} by 2016 and 2023 if catches are maintained at the current levels. The modelled probabilities of the stock achieving levels consistent with the MSY reference points (e.g. SB > SB _{MSY} and F<F _{MSY}) in 2023 are 100% for a future constant catch at 80% of current catch levels in 2014, thus if the Commission wishes to recover the stock to levels above the MSY reference points, the Scientific Committee recommends that catches should be reduced by 20% of current levels. Click for a full stock status summary: Appendix XIX
Longtail tuna <i>Thunnus tonggol</i>	Catch 2014: 147,587 t Average catch 2010–2014: 158,393 t MSY (1,000 t) (80% CI): 122 (106–173) F _{MSY} (80% CI): 0.55 (0.48–0.78) B _{MSY} (1,000 t) (80% CI): 221 (189–323) F ₂₀₁₃ /F _{MSY} (80% CI): 1.43 (0.58–3.12) B ₂₀₁₃ /B _{MSY} (80% CI): 1.01 (0.53–1.71) B ₂₀₁₃ /B ₁₉₅₀ (80% CI): 0.41 (n.a.)							25% *	There is a continued high to very high risk of exceeding MSY-based reference points by 2016, even if catches are reduced to 90% of the current (2013) levels (100% risk that B ₂₀₁₆ <B _{MSY} , and 87% risk that F ₂₀₁₆ >F _{MSY}) or are reduced to 70% of the current levels (76% probability B<B _{MSY} and 82% probability F>F _{MSY}). If the Commission wishes to recover the stock to levels above the MSY reference points, the Scientific Committee recommends catches should be reduced by 30% of current levels which corresponds to catches slightly below to MSY in order to recover the status of the stock in conformity with the decision framework described in Resolution 15/10. Click for a full stock status summary: Appendix XX

Indo-Pacific king mackerel <i>Scomberomorus guttatus</i>	Catch 2014: 45,953 t Average catch 2010–2014: 44,621 t MSY (1,000 t) (80% CI): 43 [35.8–52.9]** F _{MSY} (80% CI): 0.42 [0.34–0.52]** B _{MSY} (1,000 t) (80% CI): 82.8 [60.3–131.1]** F ₂₀₁₃ /F _{MSY} (80% CI): 1.05 [0.91–1.27]** B ₂₀₁₃ /B _{MSY} (80% CI): 1.01 [0.80–1.20]** B ₂₀₁₃ /B ₁₉₅₀ (80% CI): 0.52 [0.34–0.74]**								A precautionary approach to the management of IP king mackerel should be considered by the Commission, by ensuring that future catches do not exceed preliminary estimates of MSY. The stock should be closely monitored. Mechanisms need to be developed by the Commission to improve current statistics by encouraging CPCs to comply with their recording and reporting requirement, so as to better inform scientific advice. Click for a full stock status summary: Appendix XXI
Narrow-barred Spanish mackerel <i>Scomberomorus commerson</i>	Catch 2014: 153,425 t Average catch 2010–2014: 149,774 t MSY (1,000 t) (80% CI): 127.7 [95.8–183.6]** F _{MSY} (80% CI): 0.33 [0.21–0.56]** B _{MSY} (1,000 t) (80% CI): 321 [174–693]** F ₂₀₁₃ /F _{MSY} (80% CI): 1.21 [0.99–1.58]** B ₂₀₁₃ /B _{MSY} (80% CI): 0.96 [0.69–1.22]** B ₂₀₁₃ /B ₁₉₅₀ (80% CI): 0.53 [0.30–1.04]**								There is a continued high to very high risk of exceeding MSY-based reference points by 2023, even if catches are reduced to 80% of the current (2013) levels (67% risk that B ₂₀₂₃ <B _{MSY} , and 99% risk that F ₂₀₂₃ >F _{MSY}). The modelled probabilities of the stock achieving levels consistent with the MSY reference levels (e.g. SB > SB _{MSY} and F<F _{MSY}) in 2023 are 98 and 79%, respectively, for a future constant catch at 70% of current catch level. If the Commission wishes to recover the stock to levels above the MSY reference points, the Scientific Committee recommends that catches should be reduced by 20-30% of current levels which corresponds to catches below to MSY in order to recover the status of the stock. Click for a full stock status summary: Appendix XXII

Sharks: Although sharks are not part of the 16 species directly under the IOTC mandate, sharks are frequently caught in association with fisheries targeting IOTC species. Some fleets are known to actively target both sharks and IOTC species simultaneously. As such, IOTC Contracting Parties and Cooperating Non-Contracting Parties are required to report information at the same level of detail as for the 16 IOTC species. The following are the main species caught in IOTC fisheries, although the list is not exhaustive.

Stock	Indicators	Prev ¹	2010	2011	2012	2013	2014	2015	Advice to the Commission
Blue shark <i>Prionace glauca</i>	Reported catch 2014 : 30,012 t Not elsewhere included (nei) sharks 2014: 39,820 t Average reported catch 2010–2014: 28,888 t Not elsewhere included (nei) sharks 2010–14: 46,543 t MSY (1,000 t) (80% CI): Unknown F _{MSY} (80% CI): Unknown SB _{MSY} (1,000 t) (80% CI): Unknown F ₂₀₁₄ /F _{MSY} (range): (0.44–4.84) SB ₂₀₁₄ /SB _{MSY} (range): (0.83–1.75) SB ₂₀₁₄ /SB ₀ (range): Unknown								A precautionary approach to the management of blue shark should be considered by the Commission, by ensuring that future catches do not exceed current catches. The stock should be closely monitored. Mechanisms need to be developed by the Commission to improve current statistics by encouraging CPCs to comply with their recording and reporting requirement on sharks, so as to better inform scientific advice. Click for a full stock status summary: Appendix XXIII
Oceanic whitetip shark <i>Carcharhinus longimanus</i>	Reported catch 2014 : 5,383 t Not elsewhere included (nei) sharks 2014: 39,820 t Average reported catch 2010–2014: 2,398 t								A precautionary approach to the management of these sharks should be considered by the Commission. Mechanisms need to be developed by the Commission to encourage CPCs to comply with their recording and reporting requirement on sharks, so as to better inform scientific advice. Click for a full stock status

	Not elsewhere included (nei) sharks 2010–14: 46,543 t MSY (range): unknown								summary: <ul style="list-style-type: none"> ○ Oceanic whitetip sharks – Appendix XXIV ○ Scalloped hammerhead sharks – Appendix XXV ○ Shortfin mako sharks – Appendix XXVI ○ Silky sharks – Appendix XXVII ○ Bigeye thresher sharks – Appendix XXVIII ○ Pelagic thresher sharks – Appendix XXIX
Scalloped hammerhead shark <i>Sphyrna lewini</i>	Reported catch 2013: 42 t Not elsewhere included (nei) sharks ² : 39,820 t Average reported catch 2009–2013: 89 t Not elsewhere included (nei) sharks ² : 46,543 t MSY (range): unknown								
Shortfin mako <i>Isurus oxyrinchus</i>	Reported catch 2014 : 1,683 t Not elsewhere included (nei) sharks 2014: 39,820 t Average reported catch 2010–2014: 1,538 t Not elsewhere included (nei) sharks 2010–14: 46,543 t MSY (range): unknown								
Silky shark <i>Carcharhinus falciformis</i>	Reported catch 2014 : 2,901 t Not elsewhere included (nei) sharks 2014: 39,820 t Average reported catch 2010–2014: 4,088 t Not elsewhere included (nei) sharks 2010–14: 46,543 t MSY (range): unknown								
Bigeye thresher shark <i>Alopias superciliosus</i>	Reported catch 2014 : 0 t Not elsewhere included (nei) sharks 2014: 39,820 t Average reported catch 2010–2014: 159 t Not elsewhere included (nei) sharks 2010–14: 46,543 t MSY (range): unknown								
Pelagic thresher shark <i>Alopias pelagicus</i>	Reported catch 2014 : 0 t Not elsewhere included (nei) sharks 2014: 39,820 t Average reported catch 2010–2014: 122 t Not elsewhere included (nei) sharks 2010–14: 46,543 t MSY (range): unknown								

This indicates the last year taken into account for assessments carried out before 2010. *Estimated probability that the stock is in the respective quadrant of the Kobe plot (shown below), derived from the confidence intervals associated with the current stock status. ** Range of plausible models.

Colour key	Stock overfished($SB_{year}/SB_{MSY} < 1$)	Stock not overfished ($SB_{year}/SB_{MSY} \geq 1$)
Stock subject to overfishing($F_{year}/F_{MSY} > 1$)		
Stock not subject to overfishing ($F_{year}/F_{MSY} \leq 1$)		
Not assessed/Uncertain		

APPENDIX VIII

2016/17: LIST OF CHAIRS, VICE-CHAIRS AND THEIR RESPECTIVE TERMS FOR THE COMMISSION AND SUBSIDIARY BODIES

Group	Chair / Vice-Chair	Chair	CPC/Affiliation	1 st Term commencement date	Term expiration date (End date is until replacement is elected)	Comments
Commission	Chair	Dr Ahmed Mohammed Al-Mazroui	Oman	01-May-15	End of Com. in 2017	1 st term
	Vice-Chairs	Mr Jeongseok Park	Rep. of Korea	10-May-13	End of Com. in 2017	2 nd term
		Mr Saut Tampubolon	Indonesia	01-May-15	End of Com in 2017	1 st term
CoC	Chair	Mr Herminio Tembe	Mozambique	04-May-13	End of CoC in 2017	2 nd term
	Vice-Chair	Mr Hosea Gonza Mbilinyi	Tanzania	04-May-13	End of CoC in 2017	2 nd term
SCAF	Chair	Dr Benjamin Tabios	Philippines	31-May-14	End of SCAF in 2018	2 nd term
	Vice-Chair	Hussain Sinan	Maldives	31-May-16	End of SCAF in 2018	1 st term
TCAC	Chair	Mr Don MacKay	Independent consultant	21-Feb-16	End of TCAC in 2016	1 st term
	Vice-Chair	n.a.	n.a.	n.a.	n.a.	n.a.
SC	Chair	Dr Hilario Murua	EU,Spain	27-Dec-15	End of SC in 2017	1 st term
	Vice-Chair	Dr Shiham Adam	Maldives	27-Dec-15	End of SC in 2017	1 st term
WPB	Chair	Dr Tsutomu Nishida	Japan	05-Sept-15	End of WPB in 2017	1 st term
	Vice-Chair	Dr Evgeny Romanov	EU,France	05-Sep-15	End of WPB in 2017	1 st term
WPTmT	Chair	Dr Zang Geun Kim	Korea, Rep. of	22-Sep-11	End of WPTmT in 2016	2 nd term
	Vice-Chair	Dr Takayuki Matsumoto	Japan	06-Sep-12	End of WPTmT in 2016	2 nd term
WPTT	Chair	Dr Shiham Adam	Maldives	19-Nov-14	End of WPTT in 2016	1 st term
	Vice-Chair	Dr Gorka Merino	EU,Spain	19-Nov-14	End of WPTT in 2016	1 st term
WPEB	Chair	Dr Rui Coelho	EU,Portugal	16-Sept-13	End of WPEB in 2017	2 nd term
	Vice-Chairs	Dr Reza Sharifar	I.R. Iran	11-Sept-15	End of WPEB in 2017	1 st term
		Dr Ross Wanless	South Africa	11-Sept-15	End of WPEB in 2017	1 st term
WPNT	Chair	Dr Farhad Kaymaram	I.R. Iran	29-May-15	End of WPNT in 2017	1 st term
	Vice-Chair	Dr Mathias Igulu	Tanzania	29-May-15	End of WPNT in 2017	1 st term
WPDCS	Chair	Dr Emmanuel Chassot	EU,France	02-Dec-14	End of WPDCS in 2017	2 nd term
	Vice-Chair	Mr Stephen Ndegwa	Kenya	22-Oct-15	End of WPDCS in 2016	1 st term
WPM	Chair	Dr Toshihide Kitakado	Japan	21-Oct-15	End of WPM in 2017	1 st term
	Vice-Chair	Dr Iago Mosqueira	EU,Spain	21-Oct-15	End of WPM in 2017	1 st term

APPENDIX IXA

RECOMMENDATIONS OF THE 13TH SESSION OF THE COMPLIANCE COMMITTEE (16–18 MAY 2016) TO THE COMMISSION

Note: Appendix reference refer to the Report of the 13th Session of the Compliance Committee (IOTC–2016–CoC13–R)

IOTC regional observer programme for at-sea transshipments

- CoC13.01 (Para 23) **NOTING** that there are 6 carrier vessels operating under the ROP that are flagged to non-CPCs of the IOTC (Singapore, Panama and Vanuatu), the CoC **RECOMMENDED** that if the Resolution 14/06 is to be amended in the future, it should take into account the concerns of carrier vessels flagged to non-CPCs that are involved in at-sea transshipment operations in the IOTC area of competence.
- CoC13.02 (Para 24) **NOTING** that India LSTLVs have conducted transshipments activities under the ROP in 2015 and the cost recovery mechanism the ROP is operating, the CoC **RECOMMENDED** that India inform officially the Commission of its participation in the IOTC ROP.

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

- CoC13.03 (Para 30) The CoC **NOTED** the importance of the fleet of Taiwan Province of China operating in the IOTC Area of competence, and **RECOMMENDED** that, in the future, information on that fleet is provided in the document dealing with capacity limitations.

National reports on the progress of implementation of Conservation and Management Measures (Article X.2 IOTC Agreement)

- CoC13.04 (Para 35) The CoC **RECOMMENDED** that those CPCs (Belize, Eritrea, Guinea, India, Sierra Leone, Sudan, Yemen, Bangladesh and Djibouti) 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.

Follow-up on individual compliance status

- CoC13.05 (Para 49) 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.

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

- CoC13.06 (Para 54) The CoC **RECOMMENDED** that Thailand should keep CPCs informed of progress of the legal actions being taken against these vessels and report back to the Commission via the IOTC Secretariat when the cases have been concluded. The IOTC Secretariat shall notify the Commission via Circulars following receipt of the reports from Thailand.
- CoC13.07 (Para 56) The CoC **RECOMMENDED** that Thailand should continue to keep CPCs informed of progress of Thailand's investigation and report back to the Commission via the IOTC Secretariat, the findings of the investigations, within 90 days of the end of the 20th Session of the Commission and every three month. The IOTC Secretariat shall, notify the Commission via a Circular following the receipt of the report from Thailand, of the findings of the investigations.

Identification of repeated possible infringements under the Regional observer programme

- CoC13.08 (Para 68) The CoC **RECOMMENDED** that India, which has not submitted any response to the possible infractions of IOTC regulations, identified under the Programme, 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 20th 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 India, as necessary. The IOTC Secretariat shall, at the end of the three (3) months, notify the Commission via a Circular, of the response provided.

Summary report on the IOTC record of authorised vessels

- CoC13.09 (Para 74) The CoC **RECOMMENDED** that the issues raised in paper IOTC–2016–CoC13–10 be considered in the context of one of the Recommendation of the first IOTC Performance Review Panel, which called for the development of a harmonised MCS system for the IOTC.

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

- CoC13.10 (Para 78) The CoC **RECOMMENDED** that the vessels listed in para 74 remain on the IOTC IUU Vessels List as no further information was provided to the CoC13 during its deliberations.
- CoC13.11 (Para 80) **NOTING** that India was not present during the CoC13 to discuss the proposed IUU listing for the vessels, GREESHMA, BOSIN, BENAI AH, CARMAL MARTA, DIGNAMOL I, DIGNAMOL II, KING JESUS, ST MARYS I, ST MARYS II, and **NOTING** that India did not respond to the IOTC Circular 2016-053 – 2016 Provisional IUU list, the CoC **RECOMMENDED** that the Commission IUU list the vessels, GREESHMA, BOSIN, BENAI AH, CARMAL MARTA, DIGNAMOL I, DIGNAMOL II, KING JESUS, ST MARYS I, ST MARYS II, at its 20th Session.
- CoC13. 12 (Para 85) **NOTING** that India was not present during the CoC13 to discuss the proposed IUU listing for the vessels, BEO HINGIS, and that India did not respond to the IOTC Circular 2016-053 – 2016 Provisional IUU list, the CoC **RECOMMENDED** that the Commission IUU list the vessels, BEO HINGIS, at its 20th Session.
- CoC13. 13 (Para 87) **NOTING** that India was not present during the CoC13 to discuss the proposed IUU listing for the vessels, JOSHVA, and that India did not respond to IOTC Circular 2016-053 – 2016 Provisional IUU list, the CoC **RECOMMENDED** that the Commission IUU list the vessel, JOSHVA, at its 20th Session.
- CoC13.14 (Para 89) **NOTING** that India was not present during the CoC13 to discuss the proposed IUU listing for the vessels, JOSHVA NO.1 and that India did not respond to IOTC Circular 2016-053 – 2016 Provisional IUU list, the CoC **RECOMMENDED** that the Commission IUU list the vessel, JOSHVA NO.1, at its 20th Session.
- CoC13. 15 (Para 91) **NOTING** that India was not present during the CoC13 to discuss the proposed IUU listing for the vessels, VACHANAM and that India did not respond to IOTC Circular 2016-053 – 2016 Provisional IUU list, the CoC **RECOMMENDED** that the Commission IUU list the vessel, VACHANAM, at its 20th Session.
- CoC13. 16 (Para 93) **NOTING** that India was not present during the CoC13 to discuss the proposed IUU listing for the vessels, SACRED HEART, and that India did not respond to IOTC Circular 2016-053 – 2016 Provisional IUU list, the CoC **RECOMMENDED** that the Commission IUU list the vessel, SACRED HEART, at its 20th Session.
- CoC13. 17 (Para 95) **NOTING** that India was not present during the CoC13 to discuss the proposed IUU listing for the vessels, WISDOM, and that India did not respond to IOTC Circular 2016-053 – 2016 Provisional IUU list, the CoC **RECOMMENDED** that the Commission IUU list the vessel, WISDOM, at its 20th Session.
- CoC13. 18 (Para 99) The CoC **RECOMMENDED** that the vessel formerly known as (NAHAM 4) at the moment she was seized be kept on the IOTC Provisional IUU Vessels List, in accordance with Paragraph 14 of IOTC Resolution 11/03.

Review of drifting FAD management plans – Resolution 15/08

- CoC13.19 (Para 107) The CoC **RECOMMENDED** that those CPCs whose DFAD Management Plans does not meet the standard set out in the guideline in Annex 1 of Resolution 15/08, to submit a revised DFAD Management Plan during the 2016/17 intersessional period.
- CoC13.20 (Para 108) Excluding Mauritius, the CoC **RECOMMENDED** that the WG on FADs starts its activities in coordination with similar groups in other RFMOs as soon as possible.

Update on progress regarding the performance review – compliance related issues

- CoC13.21 (Para 111) The CoC **RECOMMENDED** that the Commission note the current status of implementation for each of the recommendations arising from the Report of the First IOTC Performance Review Panel, relevant to the CoC, as provided in Appendix VII. These recommendations should be updated, following the endorsement by the Commission of the recommendations of the Second Performance review.

Harmonized Terms and Definitions for IOTC Conservation and Management Measures

- CoC13.22 (Para 114) The CoC **RECOMMENDED** that further work is undertaken in the future to ensure a harmonized set of Terms and Definitions is developed for the Commission and its subsidiary bodies.

Review of progress made on elaborating a proposal for an IOTC High Seas Boarding and Inspection Scheme

- CoC13.23 (Para 117) The CoC **RECOMMENDED** that a decision on the future work of the working group is considered by the Commission.

Activities by the IOTC Secretariat in support of capacity building for developing CPCs – Resolution 12/10

- CoC13.24 (Para 125) The CoC **RECOMMENDED** that the IOTC Secretariat continue with those capacity building activities and strengthen activities that would allow CPCs to address the issue of mandatory statistics and the implementation of the Regional Observer Scheme.

Review of requests for access to the status of Cooperating Non-Contracting Party – Appendix III of the IOTC Rules of Procedure (2014)

- CoC13.25 (Para 137) The CoC **RECOMMENDED** that the Commission considers renewing the status of Liberia as Cooperating Non-Contracting Party of the IOTC.
- CoC13.26 (Para 138) **NOTING** that Djibouti was not present during the CoC13 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–2016–CoC13–CNCP02) at its 20th Session, bearing in mind paragraph 82 of the Report of the 19th Session of the Commission.
- CoC13.27 (Para 139) **NOTING** that Panama was not present during the CoC13 to present their application for Cooperating Non-Contracting Party status, the CoC **RECOMMENDED** that the Commission consider the application by Panama for the status of Cooperating Non-Contracting Party of the IOTC (IOTC–2016–CoC13–CNCP03) at its 20th Session, bearing in mind paragraph 82 of the Report of the 19th Session of the Commission.
- CoC13.28 (Para 140) The CoC **RECOMMENDED** that the Commission consider renewing the status of Senegal as Cooperating Non-Contracting Party of the IOTC.
- CoC13.29 (Para 141) **NOTING** that Bangladesh was not present during the CoC13 to present their application for Cooperating Non-Contracting Party status, the CoC **RECOMMENDED** that the Commission consider the application by Bangladesh for the status of Cooperating Non-Contracting Party of the IOTC (IOTC–2016–CoC13–CNCP05) at its 20th Session, bearing in mind paragraph 82 of the Report of the 19th Session of the Commission.

Adoption of the report of the 13th Session of the Compliance Committee

CoC13.30 (Para 148) The CoC **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC13, provided at Appendix VIII.

APPENDIX IXB**PROPOSED TOR FOR AN IOTC OPTIONS PAPER FOR STRENGTHENING VMS**Rationale

1. In actioning the recommendations from the First and Second Performance Review panels to develop an integrated MCS system including strengthening existing MCS tools, IOTC20 tasks the Secretariat with contracting an independent consultancy with external funds to prepare a report identifying possible options to strengthen the IOTC VMS “the Report”.

Objective

2. To provide the Commission with a feasibility study with options to strengthen the IOTC VMS such that it provides an effective platform for the implementation and control of the fisheries management regime adopted by the Commission including monitoring and controlling the activities of fishing, support and supply vessels authorised to operate in the IOTC Area of Competence. The establishment of a regional or Commission VMS should also be considered taking into account a cost benefit analysis, including the national or private investments in VMS as well as national legislations, the technical and confidentiality requirements.

Report Guidelines

3. Outline the legal and institutional basis for VMS, including any multilateral arrangements already in place for VMS in the IOTC Area of Competence or by its members.
4. Describe the VMS being used by coastal States in the IOTC Area of Competence and those of distant water fishing nations,
5. comprising any limitations for VMS at the regional level and including, *inter alia*, related to satellite coverage, cost or capacity.
 - a. The description shall be of a general nature, but include at minimum, any constraints faced by States, the VMS technologies and systems current being used in the region
6. Review the VMS approaches used in the region and in other RFMOs, with a particular focus on tuna RFMOs and/or in areas beyond national jurisdiction.
7. Outline possible options to strengthen the IOTC VMS, including but not limited to:
 - a. Defining the target fleet or fleets, area and jurisdiction of the VMS
 - b. Describing the types of information that could be collected by the VMS (e.g. vessel position, speed, course, catch, etc)
 - c. Possible system architecture and, minimum standards and requirements, including on ensuring that VMS is operational all times, data reporting, rates of transmission, rules on polling, and data sharing
 - d. Confidentiality considerations
 - e. Responsibility for VMS
 - f. Costs and benefits
 - g. Technical issues. Is there justification to allow on/off switches to be connected to monitoring devices installed on board vessels *etc*
 - h. Analyse the main shortcomings of the current VMS programme and make recommendations to resolve them
 - i. Legal issues
 - j. Any other possible options that meet the objective of this study.

8. Make recommendations, based on the analysis undertaken, on the best option for the IOTC to strengthen its VMS program, and identify capacity needs of IOTC members and measures that can contribute to build their capacity.

Procedure

9. The Commission shall appoint a steering group that jointly with the IOTC Secretariat shall oversee the preparation of the Report and provide guidance during its development.
10. A draft of the consultant's report will be provided 60 days in advance of the 2017 Compliance Committee meeting and a presentation by the Consultant made during the session to answer any questions from CPCs.
11. The Compliance Committee shall be tasked to review the report and provide recommendations as appropriate based on the report for the Commission consideration at its meeting in 2017.

APPENDIX X

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- 2015	Reference capacity at 2015 (A+B)	Active capacity in 2015	Capacity to be added under Fleet Development Plan					
						2016	2017	2018	2019	2020	> 2020
Australia	(GT)	3,312		3,312	349						
Belize	(GT)		3,200	3,200							
China	(GT)	27,216	2,059	29,275	22,349						
Comoros	(GT)		110	110				6000	6000	4000	
Eritrea											
European Union	(GT)	101,233	10,824	112,057	78,751						
Guinea	(GRT)	1,439		1,439							
India	(GRT)	32,950	7,800	40,750	13,082	1,250	1,250	1,100	600	600	
Indonesia	(GT)	124,011	89,554	213,565	49,985						
Iran	(GT)	83,524	42,353	125,877	98,514	6,650	10,200	10,200	7,850	4,400	
Japan	(GT)	91,076		91,076	37,072						
Kenya	(GT)					3,000	3,340	4,400	1,410	4,400	13,750
Korea, Republic of	(GT)	23,002		23,002	18,841						
Madagascar	(GT)	263	709	972	178						
Malaysia	(GRT)	2,299	15,334	17,633	3885						
Maldives	(GT)		992	992	12,716	68	68	68	45	45	
Mauritius	(GT)	1,931	34,985	36,916	8,589	5,331	5,331				
Mozambique	(GT)		30,000	30,000	1,930	15,000	15,000	15,000	15,000	3,000	16800
Oman	(GT)	3,126	10,610	13,736	443						5,730
Pakistan	(GT)		50,000	50,000	1,130						
Philippines	(GRT)	10,304		10,304							
Seychelles	(GT)	41,735	188,240	229,975	47,132	18,556					
Sierra Leone											
Somalia											
South Africa	(GT)	3,013	3,056	6,069	966						
Sri Lanka	(GT)	18,436	62,998	81,434	38,485	3,720	3,919	5,773	5,737	6,384	
Sudan											
Tanzania	(GT)				1,535						
Thailand	(GT)	13,771	24,250	38,021	5,194						
U. K. (I.O. Territories)	(GT)										
Vanuatu	(GT)		25,875	25,875							
Yemen											
Djibouti											
Senegal	(GRT)	1,250		1,250							
Total	(GRT + GT)	583,891	602,949	1,186,840	441,126	53,575	39,108	42,541	36,642	22,829	36,280
Difference relative to 2006 Baseline				203%	76%						318%

N.B. Estimates of capacity, figures in brackets, for CPCs that have not reported their active vessels list for 2015 are based on their list of authorised vessels on 21 April 2016.

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- 2015	Reference capacity at 2015 (A+B)	Active capacity in 2015	Capacity to be added under Fleet Development Plan					
					2016	2017	2018	2019	2020	>2020
Australia	10		10	2						
Belize		8	8							
China	67		67	46						
Comoros							3	3	2	
Eritrea										
European Union	51	13	64	39						
Guinea	3		3							
India	70	60	130	52	7	7	6	5	5	
Indonesia	1,201	746	1,947	584						
Iran	992	326	1,318	1,195	9	14	14	10	4	
Japan	227		227	53						
Kenya					5	5	5	5	5	25
Korea, Republic of	38		38	20						
Madagascar	2	34	36	7						
Malaysia	28	107	135	10						
Maldives		44	44	360	3	3	3	2	2	
Mauritius	8	37	45	7	2	2				
Mozambique		10	10	9	5	5	5	5	5	28
Oman	24	65	89	1						35
Pakistan		150	150	10						
Philippines	18		18							
Seychelles	34	115	149	46	11					
Sierra Leone										
Somalia										
South Africa	13	10	23	6						
Sri Lanka	1,001	2,527	3,528	1,577	55	64	164	185	217	
Sudan										
Tanzania				3						
Thailand	9	110	119	9						
U. K. (I.O. Territories)										
Vanuatu		48	48							
Yemen										
Djibouti										
Senegal	3		3							
Total	3,799	4,410	8,209	4,036	97	100	200	215	240	88

N.B. Estimates of number of vessels, figures in brackets, for CPCs that have not reported their active vessels list for 2015 are based on their number of authorised vessels on 21 April 2016.

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

CPCs		A. Reference 2007	B. Planned FDPs 2007- 2015	Reference capacity at 2015 (A+B)	Active capacity in 2015	Capacity to be added under Fleet Development Plans					
						2016	2017	2018	2019	2020	>2020
Australia	(GRT)										
Belize	(GT)	1,620		1,620							
China	(GT)		3,389	3,389	2,250						
Comoros	(GT)		990	990		660	660	440	440	110	
Eritrea											
European Union	(GT)	21,922	4,832	26,754	9,164					2143	
Guinea	(GRT)										
India	(GRT)										
Indonesia	(GT)										
Iran	(GT)										
Japan	(GT)										
Kenya	(GT)					3,000	1,200	140	1,200	670	3880
Korea, Republic of	(GT)										
Madagascar	(GT)										
Malaysia	(GRT)										
Maldives	(GT)										
Mauritius	(GRT)		4,400	4,400		1,600	2,000				
Mozambique	(GT)		6,000	6,000		3,000	3,000	3,000	3,000	3000	13200
Oman	(GT)										
Pakistan	(GT)										
Philippines	(GRT)										
Seychelles	(GT)	536		536							
Sierra Leone											
Somalia											
South Africa	(GT)		4,274	4,274	164						
Sri Lanka	(GT)		2,239	2,239			59	59	341	341	
Sudan											
Tanzania	(GT)										
Thailand	(GT)										
U. K. (I.O. Territories)	(GT)										
Vanuatu	(GT)										
Yemen											
Djibouti											
Senegal	(GRT)		1,251	1,251		2,085					
Total	(GRT+GT)	24,078	27,375	51,453	11,578	10,345	6,919	3,639	4,981	6,264	17,080
Difference relative to 2007 Baseline				214%	48%						466%

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- 2015	Reference capacity at 2015 (A+B)	Active capacity in 2015	Capacity to be added under Fleet Development Plans					
					2016	2017	2018	2019	2020	>2020
Australia										
Belize	10		10							
China		10	10	7						
Comoros		9	9		6	6	4	4	1	
Eritrea										
European Union	72	32	104	41					25	
Guinea										
India										
Indonesia										
Iran										
Japan										
Kenya					5	2	2	2	2	10
Korea, Republic of										
Madagascar										
Malaysia										
Maldives										
Mauritius		11	11		4	5				
Mozambique		10	10		5	5	5	5	5	22
Oman										
Pakistan										
Philippines										
Seychelles	1		1							
Sierra Leone										
Somalia										
South Africa		6	6	4						
Sri Lanka		22	22			1	1	2	2	
Sudan										
Tanzania										
Thailand										
U. K. (OT)										
Vanuatu										
Yemen										
Djibouti										
Senegal		3	3			5				
Total	83	103	186	52	20	24	12	13	35	32

APPENDIX XIa
IOTC IUU VESSELS LIST (MAY 2016)

Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
ANEKA 228	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
ANEKA 228; KM.	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
CHI TONG	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
FU HSIANG FA 18	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
FU HSIANG FA NO. 01	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 02	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 06	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 08	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 09	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 11	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 13	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 17	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014

IOTC-2016-S20-R[E]

Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
FU HSIANG FA NO. 20	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 21¹	Unknown	Not Available	IOTC-2013-CoC10-07 Rev1	OTS 024 or OTS 089	Unknown	Unknown	Contravention of IOTC Resolution 07/02	May 2013
FU HSIANG FA NO. 21¹	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 23	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 26	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FU HSIANG FA NO. 30	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
FULL RICH	Unknown (Belize)	Not Available	IOTC-2013-CoC10-08a	HMEK3	Noel International LTD (Noel International LTD)	Unknown	Contravention of IOTC Resolution 07/02	May 2013
GUNUAR MELYN 21	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 07/02	June 2008
HOOM XIANG 101	Unknown (Malaysia)	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
HOOM XIANG 103	Unknown (Malaysia)	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
HOOM XIANG 105	Unknown (Malaysia)	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014

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

IOTC-2016-S20-R[E]

Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
HOOM XIANG II	Unknown (Malaysia)	Not Available	IOTC-S14-CoC13-Add1	No Info	Hoom Xiang Industries Sdn. Bhd.	Unknown	Contravention of IOTC Resolution 09/03	March 2010
KIM SENG DENG 3	BOLIVIA	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
KUANG HSING 127	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
KUANG HSING 196	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
KUNLUN (TAISHAN)	Equatorial Guinea	7322897	IOTC CIRCULAR 2015– 004	3CAG	Stanley Management Inc	Unknown	Contravention of IOTC Resolution 11/03	May 2015
MAAN YIH HSING	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
OCEAN LION	Unknown (Equatorial Guinea)	7826233	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 02/04, 02/05, 03/05.	June 2005
SAMUDERA PERKASA 11	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
SAMUDRA PERKASA 12	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
SHUEN SIANG	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014 and May 2015
SIN SHUN FA 6	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
SIN SHUN FA 67	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015

Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
SIN SHUN FA 8	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
SIN SHUN FA 9	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
SONGHUA (YUNNAN)	Unknown (Equatorial Guinea)	9319856	IOTC CIRCULAR 2015– 004	3CAF	Eastern Holdings	Unknown	Contravention of IOTC Resolution 11/03	May 2015
SRI FU FA 168	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
SRI FU FA 18	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
SRI FU FA 188	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
SRI FU FA 189	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
SRI FU FA 286	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
SRI FU FA 67	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
SRI FU FA 888	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
TIAN LUNG NO.12	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
YI HONG 106	Bolivia	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015

Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
YI HONG 116	Bolivia	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
YI HONG 16	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
YI HONG 3	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
YI HONG 6	Bolivia	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
YONGDING (JIANFENG)	Equatorial Guinea	9042001	IOTC CIRCULAR 2015– 004	3CAE	Stanley Management Inc.	Unknown	Contravention of IOTC Resolution 11/03	May 2015
YU FONG 168	Unknown	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
YU MAAN WON	Unknown (Georgia)	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 07/02	May 2007

APPENDIX XIb
PROVISIONAL IOTC IUU VESSELS LIST (MAY 2016)

Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities
BENAI AH	INDIA	Not Applicable	Yes. Refer to report IOTC-2015-CoC12-07	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 UK(OT).
BOSIN	INDIA	Not Applicable	Yes. Refer to report IOTC-2015-CoC12-07	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 UK(OT).
CARMAL MATHA	INDIA	Not Applicable	Yes. Refer to report IOTC-2015-CoC12-07	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 UK(OT).
DIGNAMOL 1	INDIA	Not Applicable	Yes. Refer to report IOTC-2015-CoC12-07	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 UK(OT).
DIGNAMOL II	India	Not Applicable	Yes. Refer to report IOTC-2015-CoC12-07	Not Available	Unknown	Mr F Britto	Fishing without a licence in the waters of the British Indian Ocean Territory

Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities
GREESHMA 1	India	Not Applicable	Yes. Refer to report IOTC-2015-CoC12-07	Not Available	TITUS K. of S/O. Kastheen, 3/17B CHINNATHURAI, 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 report IOTC-2015-CoC12-07	Not Available	Unknown	Bibi S. R. Paul Miranda S	Fishing without a licence in the waters of the British Indian Ocean Territory
ST MARY'S NO.1	India	Not Applicable	Yes. Refer to report IOTC-2015-CoC12-07	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 report IOTC-2015-CoC12-07	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
BEO HINGIS	INDIA	Not Applicable	Yes. Refer to report IOTC-2016-CoC13-07 Rev1	Not Available	Nasians. P S/O (son of) Peter.	hibu Stephen (Master)	Fishing without a licence and in possession of prohibited gear.
JOSHVA	INDIA	Not Applicable	Yes. Refer to report IOTC-2016-CoC13-07 Rev1	Not Available	Mr. Salvadason S/O Rayappan	A Shiji	Fishing without a license and possession of illegal gear
JOSHVA NO.1	INDIA	Not Applicable	Yes. Refer to report IOTC-2016-CoC13-07 Rev1	Not Available	Mr. Salvadason S/O Rayappan	A Shiji	Fishing without a license and possession of illegal gear

Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous owners)	Operator (previous operators)	Summary of IUU activities
SACRED HEART	INDIA	Not Applicable	Yes. Refer to report IOTC-2016-CoC13-07 Rev1	Not Available	Metlan s/o (son of) Paniyadim	P. Newton (Master)	Fishing without a license
VACHANAM	INDIA	Not Applicable	Yes. Refer to report IOTC-2016-CoC13-07 Rev1	Not Available	Satril T	J Robinson (Master)	Fishing without a license and use of prohibited gear
WISDOM	INDIA	Not Applicable	Yes. Refer to report IOTC-2016-CoC13-07 Rev1	Not Available	Lowerence	Lawrence V (Master)	Fishing without a license and use of prohibited gear
(NAHAM 4/DER HORNG 569)	Unknown (OMAN /BELIZE)	Not Applicable	Yes. Refer to report IOTC-2016-CoC13-07 Rev1	(A4D K6 / V3DG)	(Hsu Te Chuan/ Al Naham)	Tsai Chang Yen	Misrepresentation and fraudulent document Fishing log book not onboard during inspection

APPENDIX XIc**STATEMENT OF THE UNITED KINGDOM (OT) REGARDING ILLEGAL, UNIDENTIFIED AND UNREPORTED FISHING**

UK has stated its position with respect to the 15 vessels (flagged to India) recommended by the Compliance Committee for inclusion on the IUU vessels List. The UK recalls that 9 of these vessels have already been retained on the provisional IUU list since 2015 and have therefore already been subject to an intersessional process, during which India did not submit any information. Despite this, India has requested that all 15 vessels undergo an intersessional consideration process which will run for 3 months. During this period India has committed to submit evidence of the flag State actions it has taken in respect of each of the 15 of vessels and any nationals involved.

For the 9 vessels carried over from 2015, it is the UK's opinion that India's proposal is not compliant with the procedure specified in Resolution 11/03. However, despite our strong reservations regarding the fact the Commission will not have followed the correct process described in Resolution 11/03, in the spirit of cooperation, the UK will not object to India's proposal, subject to the following;

i) that the record of this meeting NOTES that in respect of the 9 vessels, an exception to the procedures specified in Res 11/03 has occurred and that this exception should in no way set a precedent. The UK would recall that the proposal O for the revision of 11/03, sought to ensure that the Commission could avoid precisely this type of situation, i.e. making exceptions to the prescribed IOTC process, consequent of interpretations of this process. UK welcomes assurance from India that they have committed to address such issues by contributing towards the revised proposal for 11/03 during the intersessional period.

ii) following any agreement in the record that the 15 Indian vessels be retained on the provisional list intersessionally, we request this Commission to agree to the inclusion of the following statement in the record, that we have already discussed and agreed with India, namely, that:

The Commission further AGREED that each vessel shall be considered individually. Where no information is received by the Secretariat for any individual vessel within 90 days following the close of the 20th Session of the Commission, that vessel shall immediately be placed on the IOTC IUU vessels list. Where information from India is received within the 90 day deadline, the intersessional vessel listing procedures as detailed in 11/03 shall apply to each vessel, and the information provided by India shall clearly show that it has taken effective action in response to IUU with respect to each vessel, its owner and master, and has imposed sanctions of adequate severity.

APPENDIX XII

RECOMMENDATIONS OF THE 13TH SESSION OF THE STANDING COMMITTEE ON
ADMINISTRATION AND FINANCE (19–20 MAY 2016) TO THE COMMISSION

Note: Appendix reference refer to the Report of the 13th Session of the Standing Committee on Administration and Finance (IOTC–2016–SCAF13–R)

Extra-budgetary funds (2015)

SCAF13-01 (Para. 16) The SCAF **RECOMMENDED** that this table be updated for the SCAF14, to include further breakdown of extra-budgetary contributions.

Financial status (of the IOTC)

SCAF13-02 (Para. 19) The SCAF **RECOMMENDED** that the Commission and CPCs express their concerns to FAO with regards to their desire for the Commission to be subject to an external audit, to ensure transparency in its financial transactions.

Financial statement and variations: Financial year 2016

SCAF13-03 (Para. 24) The SCAF **RECOMMENDED** that an analysis similar to that presented in document IOTC–2016–SCAF13-05 be part of the regular documents presented on the financial situation of the Commission.

SCAF13-04 (Para. 25) The SCAF **RECOMMENDED** that the 2016 IOTC Regular budget be amended to that provided in Appendix IV, noting that no change in the overall budget is made. The IOTC shall inform the FAO of the budget amendment accordingly.

SCAF13-05 (Para. 26) The SCAF **RECOMMENDED** that the budget line for contingency be strengthened by reallocating some of the savings made under other budget lines.

SCAF13-06 (Para. 27) The SCAF **RECOMMENDED** that the Commission develop and put in place a process by which grants that require co-funding or IOTC Secretariat time and resources are reviewed and approved by the Members.

SCAF13-07 (Para. 28) The SCAF **RECOMMENDED** that an analysis of the status of Membership contributions be presented in a separate document for future Sessions.

Membership of Sierra Leone

SCAF13-08 (Para. 33) The SCAF **RECOMMENDED** that the IOTC Secretariat and the FAO Legal Office continue to seek a formal letter from Sierra Leone outlining its intention in relation to its participation in the IOTC process.

SCAF13-09 (Para. 34) The SCAF **RECOMMENDED** that the IOTC Secretariat and the FAO continue with their efforts to recover past dues from Sierra Leone, and report any progress back to the Commission.

IOTC Meeting Participation Fund

SCAF13-10 (Para. 40) The SCAF **RECOMMENDED** that a document on the financial status of the MPF, including past expenditures and future projections, be made available for future Sessions.

Programme of Work and Budget Estimates for 2017 and tentatively for 2018

SCAF13-11 (Para. 49) The SCAF **RECOMMENDED** that the Commission endorse the IOTC Secretariat's *Program of Work* for the financial period 1 January to 31 December 2017, as outlined in paper IOTC–2016–SCAF13–09.

SCAF13-12 (Para. 50) The SCAF **RECOMMENDED** that the ICRU budget line be set to zero, reaffirming the intention of the Members not to pay for such costs in the future.

SCAF13-13 (Para. 51) The SCAF **RECOMMENDED** the appointment of an additional Compliance Officer and an additional Fisheries Officer (Data), as outlined in paper IOTC–2016–SCAF13–09.

SCAF13-14 (Para. 52) The SCAF **RECOMMENDED** that the Commission adopt the budget and the scheme of contributions for 2017 as outlined in Appendix V and Appendix VI respectively, while **NOTING** that the *Program of Work* for the IOTC Secretariat is based on the assumption that

the nature and extent of the activities undertaken by the IOTC Secretariat will remain within the current scope. Any new activities agreed to during the 20th Session of the Commission (S20) that are likely to have budgetary consequences, will require an amendment of the figures presented to, and endorsed by the Commission.

- SCAF13-15 (Para. 53) The SCAF **RECOMMENDED** that the IOTC Secretariat publish a final version of the Programme of Work and Budget for 2017 and tentatively for 2018, based on the amendments made during the SCAF13, and as adopted by the Commission during its 20th Session. The final Programme of Work and Budget shall be published on the IOTC website (iotc.org) for ease of reference and transparency.
- SCAF13-16 (Para. 54) The SCAF **RECOMMENDED** that the Commission instruct the IOTC Secretariat to fully utilise the annual Capacity Building budget line in accordance with the Commission's directives and reminding the IOTC Secretariat of the importance of raising the capacity of CPCs to be able to meet the binding requirements contained within IOTC Conservation and Management Measures.

IOTC Financial Regulations

- SCAF13-17 (Para. 56) The SCAF **RECOMMENDED** deferral of consideration of changes to the Financial Regulations to a future session of the SCAF, while acknowledging that some of the proposed changes clarify the procedure currently in use for the calculation of the Member's contributions.

Performance Review Update (Resolution 09/01 on the performance review follow-up)

- SCAF13-18 (Para. 58) The SCAF **RECOMMENDED** that the Commission note the current status of implementation for each of the recommendations arising from the Report of the First IOTC Performance Review Panel, relevant to the SCAF, as provided in Appendix VIII. These recommendations should be updated, following the endorsement by the Commission of the recommendations of the Second Performance review.

Review of the Draft and Adoption of the Report of the 13th Session of the Standing Committee on Administration and Finance

- SCAF13-19 (Para. 66) The SCAF **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from SCAF13, provided at Appendix IX.

APPENDIX XIII
PROPOSED BUDGET FOR 2017 AND INDICATIVE BUDGET FOR 2018 (IN US\$)

	Budget item description	2015 Actual Expenditures	2016	2017	2018
1	<u>Administrative Expenditures</u>				
1.1	Professional				
	Executive Secretary (D1)	134,872	173,907	161,303	163,907
	Deputy Executive Secretary (P5)	142,592	148,947	144,842	147,947
	Fishery Officer (Sci. Coord. P4)	0	0	0	57,654
	Fishery Officer (Data Coord. P4)	35,201	138,308	113,971	115,308
	Fishery Officer (Comp.Coord. P4)	110,444	118,114	112,417	114,114
	Fishery Officer (Stock Assess.P4)	97,558	131,308	113,971	116,308
	Fishery Officer (Compliance P4)	0	0	127,971	131,500
	Fishery Officer (Compliance P3)	122,876	130,685	81,917	95,779
	Fishery Officer (Statistics P3)	97,356	103,717	99,728	102,717
	Fishery Officer (Science P3)	88,456	101,258	98,363	102,258
	Administrative Officer (P3)	100,513	105,970	95,779	98,970
	Fishery Officer (Data P1)	0	0	60,000	91,000
1.2	General				
	Administrative Assistant	14,559	14,445	14,927	15,445
	Compliance Assistant	12,480	10,950	11,664	11,950
	Office Assistant	9,361	11,747	11,296	11,747
	Database Assistant	15,559	14,869	15,335	15,869
	Office Assistant	6,157	7,459	7,972	8,259
	Driver	7,941	8,165	7,274	7,465
	Overtime	1,971	6,000	5,000	5,000
	Total Salary costs	997,896	1,225,849	1,283,730	1,413,197
1.3	Employer Pension & Health	273,358	364,650	311,578	418,651
1.4	Employer FAO entitlement fund	544,433	531,582	535,118	607,582
1.5	Improved Cost Recovery Uplift	53,141	63,790	0	0
	Total staff costs	1,868,828	2,185,871	2,130,426	2,439,430
2	<u>Operating Expenditures</u>				
2.1	Capacity Building	13,614	115,000	125,000	125,000
2.2	Co-funding Science/Data grants	0	0	130,033	130,000
2.3	Co-funding Compliance grants	0	0	63,974	65,000
2.4	Consultants	156,945	110,000	174,900	155,000
2.5	Duty travel	146,414	190,000	134,105	135,000
2.6	Meetings	59,141	45,000	107,000	105,000
2.7	Interpretation	138,265	145,000	140,000	140,000
2.8	Translation	99,704	135,000	111,000	105,000
2.9	Equipment	16,098	29,000	30,459	30,000
2.10	General Operating Expenses	43,901	49,000	73,027	50,000
2.11	Printing	7,830	30,000	0	0
2.12	Contingencies	1,663	2,000	69,672	87,123
	Total Operating Expenditure	683,575	850,000	1,159,170	1,127,123
	SUB-TOTAL	2,552,403	3,035,871	3,289,596	3,566,553
3	Additional Contrib. Seychelles	-20,848	-20,100	-20,100	-20,100
4	FAO Servicing Costs	136,551	136,614	148,032	162,499
5	Deficit Contingency	0	375,051	150,000	pm
6	Meeting Participation Fund	144,641	150,000	200,000	200,000
	GRAND TOTAL	2,812,747	3,677,436	3,767,528	3,908,952
	Total change in budget year to year			2%	4%

APPENDIX XIVA
SCALE OF CONTRIBUTIONS FOR 2017 (IN US\$)

Country	World Bank Classification in 2014	OECD Membership	Average catch for 2012- 2014 (in metric tons)	Base Contribution	Operations Contribution	GNP Contribution	Catch Contribution	Total Contribution (in USD)
Australia	High	Yes	4,798	\$12,558	\$15,070	\$128,256	\$14,239	\$170,124
China	Middle	No	74,143	\$12,558	\$15,070	\$32,064	\$44,004	\$103,696
Comoros	Low	No	5,263	\$12,558	\$15,070	\$0	\$3,124	\$30,752
Eritrea	Low	No	217	\$12,558	\$0	\$0	\$129	\$12,687
European Union	High	Yes	184,516	\$12,558	\$15,070	\$128,256	\$549,079	\$704,964
France(Terr)	High	Yes	19,236	\$12,558	\$15,070	\$128,256	\$56,020	\$211,905
Guinea	Low	No	0	\$12,558	\$0	\$0	\$0	\$12,558
India	Middle	No	173,501	\$12,558	\$15,070	\$32,064	\$102,973	\$162,665
Indonesia	Middle	No	380,472	\$12,558	\$15,070	\$32,064	\$225,809	\$285,502
Iran, Islamic Republic of	Middle	No	221,950	\$12,558	\$15,070	\$32,064	\$131,727	\$191,419
Japan	High	Yes	15,973	\$12,558	\$15,070	\$128,256	\$47,401	\$203,285
Kenya	Middle	No	742	\$12,558	\$15,070	\$32,064	\$440	\$60,133
Korea, Republic of	High	Yes	12,899	\$12,558	\$15,070	\$128,256	\$38,277	\$194,161
Madagascar	Low	No	8,653	\$12,558	\$15,070	\$0	\$5,135	\$32,764
Malaysia	Middle	No	25,529	\$12,558	\$15,070	\$32,064	\$15,151	\$74,844
Maldives	Middle	No	115,747	\$12,558	\$15,070	\$32,064	\$68,696	\$128,388
Mauritius	Middle	No	3,491	\$12,558	\$15,070	\$32,064	\$2,072	\$61,764
Mozambique	Low	No	3,569	\$12,558	\$15,070	\$0	\$2,118	\$29,747
Oman	High	No	32,199	\$12,558	\$15,070	\$128,256	\$19,110	\$174,995
Pakistan	Middle	No	58,406	\$12,558	\$15,070	\$32,064	\$34,664	\$94,356
Philippines	Middle	No	1,640	\$12,558	\$15,070	\$32,064	\$974	\$60,666
Seychelles	High	No	66,882	\$12,558	\$15,070	\$128,256	\$39,695	\$195,579
Somalia	Low	No	0	\$12,558	\$0	\$0	\$0	\$12,558
South Africa	Middle	No		\$12,558	\$15,070	\$32,064	\$370	\$60,063
Sri Lanka	Middle	No	102,426	\$12,558	\$15,070	\$32,064	\$60,790	\$120,482
Sudan	Middle	No	34	\$12,558	\$0	\$32,064	\$20	\$44,642
Tanzania	Low	No	7,320	\$12,558	\$15,070	\$0	\$4,345	\$31,973
Thailand	Middle	No	13,892	\$12,558	\$15,070	\$32,064	\$8,245	\$67,938
United Kingdom(Terr)	High	Yes	4	\$12,558	\$0	\$128,256	\$11	\$140,826
Yemen	Middle	No	54,583	\$12,558	\$15,070	\$32,064	\$32,395	\$92,088
			Total	376,753	376,753	1,507,011	1,507,011	3,767,528

*Total contributions may vary from the sum of the four components by up to one dollar due to rounding

APPENDIX XIVB
STATEMENT FROM THE ISLAMIC REPUBLIC OF IRAN

Your Excellency Chairman,

Distinguished Members of the Commission

Responsible Fisheries Management is one of the most important and notable activities for all of us. Iran Fisheries Organization is pursuing this activity with the collaboration of other public and private organization in the coastal and non-coastal waters.

Obviously, responsible management of fisheries affairs needs to regional and international collaboration. This job, especially in marine environments with common and trans-boundary bio-resources is more important.

Expansion of experiences, technical knowhow and scientific advancements in marine ecosystems and translation of these achievements to management will work best with full-fledged regional cooperation and collaboration.

Iran believes that regional fisheries management bodies need to work on mutual help and support of member countries. Implementation of work plans and resolutions of RFMOs can be effective only with the full cooperation of members. It is obvious that Iran Fisheries Organization is trying to work in the framework of IOTC to accomplish this mission .

Distinguished Delegates !

Nowadays, Iran is one of the countries owing annual contribution to IOTC. The issue faced by Iran Fisheries Organization is not fisheries technical problem. Neither Iran had any disagreement with the administrative or financial policies of the IOTC.

The issue of funding and payment of Iran's annual contributions to the commission has been always discussed in our administration department and has remained an important issue. Day after day, with expansion of financial sanctions against Iran, financial problems are deepening. Iran Fisheries Organization has no choice and has no authority to resolve the issues emanating from financial sanctions .

As a consequence of the sanctions, Iran is unable to discharge it financial transfer and responsibilities toward specialized organizations that Iran has voluntarily become member.

Therefore, this overdue of payment must not be pictured as lack of credibility and responsibility of us toward IOTC goals, policies and work plans.

Despite sanctions, we have been actively participating in the programmers and hope to play a productive role in the regional management initiatives being worked out by IOTC. Iran requests FAO as a UN affiliated organization to reflect on these issues, and facilitate better conditions for Iran to play an active role within the framework of IOTC .

With respect to sanctions of P5+1 against Iran which is lifted recently, there is same hope that SWIFT Problems will be resolved soon.

However, we are trying to find possible ways for making the payment of annual contribution in the fastest time.

At the end, I would like to thank distinguished CPCs and IOTC Secretariat for your support and patience.

S.P. Mohebbi Nozar

Head of delegation for I.R.Iran

APPENDIX XV

2016: 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 THE IOTC AGREEMENT – REFORM	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN/ TIMELINE	PRIORITY
0. The IOTC Agreement needs to be revised or replaced to: 1) allow the full participation of all fishing players, 2) take into account modern principles for fisheries management.	<i>Commission</i>	Pending: No new developments have taken place in this area.		High
ON THE IOTC AGREEMENT – A LEGAL ANALYSIS	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN/ TIMELINE	PRIORITY
1. The final conclusion of the Panel is that the Agreement is outdated and there are many areas for improvement. The weaknesses and gaps identified are, or have a potential to be, major impediments to the effective and efficient functioning of the Commission and its ability to adopt and implement measures aimed at long-term conservation and sustainable exploitation of stocks, according to model fisheries management instruments. More fundamentally, these deficiencies are likely to prevent the Commission from achieving its basic objectives.	<i>Commission and Members</i>	Pending: No new developments have taken place in this area.		High
2. Consequently, the Panel recommends that the IOTC Agreement either be amended or replaced by a new instrument. The decision on whether to amend the Agreement or replace it should be made taking into account the full suite of the deficiencies identified.	<i>Commission and Members</i>	Pending: No new developments have taken place in this area.		High
ON CONSERVATION AND MANAGEMENT	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN/TIMELINE	PRIORITY
Data collection and sharing				
<i>The Panel identified a poor level of compliance by many IOTC Members with their obligations, notably those related to the statistical requirements on artisanal fisheries and sharks, and recommends that:</i>				
3. The timing of data reporting be modified to ensure that the most recent data are available to	<i>Scientific Committee</i>	Completed: Currently CPCs are required to submit information on their flag vessels by 30 th June every year.	Review annually at IOTC WP and SC	Medium

the working parties and the Scientific Committee.		The timeline for coastal CPCs who license foreign vessels has been brought forward to 15 th February every year. The timing of the Working Parties will be reviewed annually to ensure that assessments can be completed and results reported to the Scientific Committee each year.	meetings.	
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
5. The scheduling of meetings of the working parties and Scientific Committee be investigated based on the experience of other RFMOs. This should bear in mind the optimal delivery of scientific advice to the Commission.	<i>Scientific Committee</i>	Completed: Given the large number of meetings of other RFMOs, it is becoming increasingly difficult to find a schedule of meetings that would be better than the one currently in practice. However, the Working Parties and the Scientific Committee will annually review the timing of the Working Parties.	Review annually at IOTC WP and SC meetings.	Low
6. The Commission task the Scientific Committee with exploring alternative means of communicating data to improve timeliness of data provision.	<i>Scientific Committee</i>	Partially Completed & Ongoing: The Secretariat encourages members to utilise electronic means to expedite reporting. A study was commissioned for 2011 to determine the feasibility of reporting near real-time for various fleets. Outcome: Real time reporting not currently possible for most CPCs.	Review annually at IOTC WP and SC meetings.	Medium
7. Non-compliance be adequately monitored and identified at individual Member level, including data reporting.	<i>Compliance Committee</i>	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. There remains a need to setup a scheme of penalties and incentives.	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>	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.	Review annually at the Compliance Committee meeting	High

		<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 been conducting Compliance Support Missions (CSM). To date 17 CPCs have benefitted from CSMs and several CPCs have benefitted from follow-up CSMs.</p> <p>During the intersessional period, staffs of the Secretariat have conducted CSMs in Iran and the Maldives, where Compliance Action Plans have been developed with these CPCs. Follow-up Compliance Support missions were conducted in Kenya, Madagascar, Mauritius, Mozambique and Tanzania</p> <p>The Capacity Building activities planned for 2016/17 are detailed in the annual Programme of work and budget for the Secretariat. Refer: IOTC-2016-SCAF13-09.</p>		
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>	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.	Review annually at the Compliance Committee meeting	High
10. There is a need to improve the quality and quantity of the data collected and reported by the Members, including the information necessary for implementing the ecosystem approach. The most immediate emphasis should be placed on catch, effort and size frequency. The Panel also recommends that:	<i>Scientific Committee</i>	Ongoing: See below recommendation 11. Other sources and cooperative arrangements will continue (e.g. IOTC-OFCF Project) or might be available in the future (e.g. SWIOFC, COI, etc.). The Secretariat continues to collaborate with these initiatives.	Review annually at IOTC WP and SC meetings.	High
11. Support for capacity building be provided to developing States – the Commission should enhance funding mechanisms to build developing country CPCs' capacity for data collection, processing and reporting infrastructures, in accordance with the Commission requirements.	<i>Standing Committee on Administration and Finance</i>	Ongoing: In 2010 the Commission allocated USD\$400,000 for a range of projects related to capacity building in data collection and reporting. The Commission now allocates an annual Capacity Building budget line as part of its Regular Budget. Despite being 'saved' in 2015, in 2016 that amount has been increased and will be fully spent. A summary of current activities can be found on the IOTC website: http://iotc.org/about-iotc/capacity-building	Review annually at IOTC meetings.	High
12. A regional scientific observer programme to enhance data collection (also for non-target	<i>Scientific Committee</i>	Partially completed: Resolution 11/04 (superseding Res.09/04 and Res. 10/04) provides CPCs with the	Review annually at IOTC WP and SC	High

species) and ensure a unified approach be established, building on the experience of other RFMOs, Regional standards on data collection, data exchanged and training should be developed.		necessary framework for putting in place national scientific observer programmes. The Regional Observers Scheme commenced July 1 st 2010, and is based on national implementation. The Secretariat coordinated the preparation of standards for data requirements, training and forms. Implementation by CPCs has been limited to date. The IOTC Secretariat will commence training workshops in 2015 in several key CPCs requesting assistance (i.e. I.R. Iran and Sri Lanka).	meetings.	
13. Actions be taken so that fishing fleets, especially Maldives, Taiwan, Province of China and Yemen participate in data collection and reporting.	<i>Commission</i>	Partially Completed & Ongoing: Maldives became a Member in July 2011 and is complying with its mandatory data requirements. Taiwan, Province of China, submits data from its fishing fleet on a regular basis and complies with most of the IOTC mandatory data requirements. The Yemen became a Member in July 2012.		High
14. A relationship with Taiwan, Province of China be developed in order to have data access when needed, to all its fleet data as well as historical series, and address the problems deriving from the current legal framework.	<i>Commission and Members</i>	Partially Completed & Ongoing: Taiwan, Province of China, provides data from its fishing fleet on a regular basis and routinely allows access to historical data. It also continues to participate in the Regional Observer Programme to monitor transshipment at sea.		High
15. The Secretariat's capacity for data dissemination and quality assurance be enhanced, including through the employment of a fisheries statistician.	<i>Standing Committee on Administration and Finance via Scientific Committee Commission</i>	Partially Completed & Ongoing: The existing post of Data Analyst was converted to a Fisheries Statistician to join the Data Section of the Secretariat. The position was filled in September 2012. Further efforts continue to be made to improve data dissemination, including through an online data atlas, in addition to general improvements in the dissemination and access to IOTC datasets via the IOTC website.	Staffing needs to be assessed annually at IOTC meetings.	Medium
16. A statistical working party be established to provide a more efficient way to identify and solve the technical statistical questions.	<i>Scientific Committee</i>	Completed: The Working Party on Data Collection and Statistics (WPDCS) has been formed and will hold its 11 th Session in October 2015.	Annual 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>	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.	Review annually at the Compliance Committee meetings	Medium
<i>In relation to non-target species, the panel recommends that:</i> 18. The list of shark species for which data	<i>Commission</i>	Partially Completed & Ongoing: The Commission meetings in 2012, 2013 and 2014 considered several proposals in this regard, and Resolution 12/03 was subsequently adopted and then revised in 2013 as	The Commission to revisit in 2015, taking into account the SC17	Medium

collection is required in Recommendation 08/04 be expanded to include the five species identified by the Scientific Committee (blue shark, shortfin mako, silky shark, scalloped hammerhead, oceanic whitetip), and apply to all gear types.		Resolution 13/03. The Scientific Committee has identified several remaining gaps which will be considered at the S19 meeting.	recommendations.	
19. The Secretariat's capacity to provide support to developing States' Members should be enhanced.	<i>Commission and Standing Committee on Administration and Finance</i>	Ongoing: Former IOTC Resolution 10/05 (now contained within the IOTC Rules of Procedure (2014)) provides a mechanism for financial support to facilitate scientists and representatives from developing IOTC CPCs to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. Capacity building funds are used annually (2015 exception) in the IOTC Regular Budget for workshops to enhance understanding of the IOTC process among officials of member countries.	Review annually at IOTC meetings.	High
20. Cooperative capacity building efforts amongst Members and, as appropriate external organisations, should be encouraged.	<i>Members and Secretariat</i>	Ongoing: In November 2011, the first of a series of Capacity Building workshops was held in Chennai, India (17–18 November). The theme was 'Bridging the gap between IOTC science and management'. See also Recommendations 13 and 21. Support was received from the ACP Fish II Project for other workshops in 2012. Further workshops were undertaken in 2014 and 2015 in Thailand and South Africa.	Seek opportunities through other regional projects, and funding directly from CPCs.	High
21. Innovative or alternative means of data collection (e.g. port sampling) should be explored and, as appropriate, implemented.	<i>Scientific Committee</i>	Ongoing: The Secretariat has been implementing sampling programmes since 1999. The IOTC, in collaboration with others (i.e. OFCF, COI, BOBLME) has supported sampling programmes and other means of data collection since 2002. The Secretariat continues to work with CPCs to improve their data collection programs.	Review annually at IOTC WP and SC meetings.	Medium
22. Avenues to collect data from non-Members should be explored.	<i>Secretariat</i>	Ongoing: The activities of the IOTC–OFCF Project have not been limited to IOTC Members, and, in the past, have extended to important non-member fishing countries such as Yemen (now a Member). Participation at IOTC Working Party meetings by scientists from non-IOTC CPCs has been and will continue to be encouraged.	Review annually at IOTC WP and SC meetings.	Medium
Quality and provision of scientific advice				
23. For species with little data available, the Scientific Committee should be tasked with making use of more qualitative scientific	<i>Scientific Committee</i>	Partially Completed & Ongoing: The species Working Parties have been using informal analyses of stock status indicators when data are considered insufficient to conduct	To be considered at the WPM and others.	High

methods that are less data intensive.		<p>full assessments for some time. However, a formal system that reviews those qualitative indicators and provides a recommendation on the current status, based on the weight-of-evidence is currently being implemented.</p> <p>In 2013 and 2014, data poor approaches to determining stock status was applied to a range of billfish and neritic tuna species. The SC will consider in 2014, options to rank stock status determination using a 'tier' approach, which will assist in the interpretation of the level of uncertainty present in assessment methods applied.</p>	Review annually at IOTC WP and SC meetings.	
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 of 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
25. Confidentiality provisions and issues of accessibility to data by the scientists concerned needs to be clearly delineated, and/or amended, so that analysis can be replicated.	<i>Scientific Committee</i>	<p>Ongoing: Input, output and executable files for the assessment of major stocks are archived with the Secretariat to allow replication of analyses. Access to operational data under cooperative arrangements, and those subject to confidentiality rules is still limited. In some cases the Secretariat is bound by the domestic data confidentiality rules of Members and Cooperating Non-Contracting Parties. The SC recommended to include observer data under the confidentiality policy of IOTC, which was Adopted by the Commission in 2012 as Resolution 12/02.</p>	Review annually at IOTC WP and SC meetings.	Medium
26. The resources of the IOTC Secretariat should be increased. Even though some progress will be made with recruitment of the stock analysis expert, some additional professional staffing is required.	<i>Standing Committee on Administration and Finance on advice from Committees and the Commission</i>	<p>Ongoing: The Secretariat, on the advice of the Committees and Commission, continue to propose additional staffing requirements while keeping in mind overall budget expectations by the Commission.</p>	Review annually at IOTC meetings.	High

27. To enhance the quality of scientific advice and the technical soundness of the papers being considered by the Scientific Committee and its working parties, and to encourage publication of IOTC scientific papers in relevant journals, future consideration should be given to the establishment of a scientific editorial board within the Scientific Committee	<i>Scientific Committee</i>	Partially Completed & Ongoing: Guidelines for the presentation of stock assessment papers were revised and agreed to by the Scientific Committee in 2010 and 2012. The SC will again revise the guidelines in 2014, as a result of the Commission adoption Recommendation 14/07 <i>To standardise the presentation of scientific information in the annual Scientific Committee report and in Working Party reports.</i> The SC actively encourages national scientists to publish in peer reviewed journals, as is the case following the Tuna tagging Symposium held in 2012.	Review annually at IOTC WP and SC meetings.	Medium
28. An online IOTC Data Summary should be established	<i>Secretariat</i>	Ongoing: Online data summary, Phase I was launched in March 2015. Phase II, which will include a mapping component will be completed by the end of 2015.	Review at SCAF meeting.	Medium
29. Ongoing peer review by external experts should be incorporated as standard business practice of working parties and the Scientific Committee.	<i>Scientific Committee</i>	Pending: External experts (Invited Experts) are regularly invited to provide additional expertise at Working Party meetings, although this does not constitute a formal process of peer review. The Scientific Committee in 2010 and 2011, agreed that once stock assessment models were considered robust, that peer review would be advantageous and funds will be requested to undertake peer reviews of stock assessments. The Scientific Committee reviewed the processes for Invited Experts, Consultants and Peer review at its 14 th Session in 2011.	Review annually at IOTC WP and SC meetings.	Medium
30. New guidelines for the presentation of more user friendly scientific reports in terms of stock assessments should be developed. In this respect, Kobe plots are considered to be the most desirable method of graphical presentation, especially to non-technical audience.	<i>Scientific Committee</i>	Pending: External experts (Invited Experts) are regularly invited to provide additional expertise at Working Party meetings, although this does not constitute a formal process of peer review. The Scientific Committee, in 2010 and 2011, agreed that once stock assessment models were considered robust, that peer review would be advantageous and funds will be requested to undertake peer reviews of stock assessments. The Scientific Committee reviewed the processes for Invited Experts, Consultants and Peer review at its 14 th Session in 2011.	Review annually at IOTC WP and SC meetings.	Medium
31. A special fund to support the participation of scientists from developing States should be established.	<i>Standing Committee on Administration and Finance</i>	Completed: A Meeting Participation Fund was established via Resolution 10/05 and now integrated into the IOTC Rules of Procedure (2014, ROP). The ROP provides a funding mechanism to facilitate scientists and other representatives from developing IOTC CPCs to attend	Review annually at IOTC SCAF and Commission meetings. A procedure for supplying funds to the	High

		and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. Originally set at US\$200,000, the approved MPF budget for 2014 and 2015 was US\$60,000. Members have agreed that contributions shall be funded through the IOTC Regular Budget. In 2016 the Regular Budget incorporated US\$150,000 for the MPF and US\$200,000 in 2017.	MPF should be developed and presented at S19.	
32. The Commission should renew efforts to convene meetings of the Working Party on Neritic Tunas	<i>Commission</i>	Completed: The first Session of the WPNT took place in India, 14–16 November 2011. The 5 th Session will be held in Tanzania, May 2015.	Annual meeting.	High
Adoption of conservation and management measures				
33. As the IOTC has faced the management of the main targeted stock under its purview only through a regulation of the fishing effort; other approaches should be explored, such as those envisioned in Resolution 05/01, including catch limits, total allowable catch (TAC) or total allowable effort (TAE).	<i>Commission</i>	Partially Completed & Ongoing Resolution 10/01, superseded by Resolution 12/13 and again by Resolution 14/02 provides the starting point in the process of moving towards a total allowable catch limit. The first meeting of the Technical Meeting on Allocation Criteria was held in Nairobi, Kenya from 16–18 February 2011 and the Second meeting was held in Muscat, Oman from 18–20 February, 2013.	Annual meeting.	Very High
34. Within the system of the freezing of fishing effort in terms of number of vessels and correspondent capacity in gross tonnage, a deadline should be agreed for the implementation of fleet development plans.	<i>Commission</i>	Completed: Some CPCs have cited the global financial crisis as the reason for their inability to implement their fleet development plan and have therefore signalled to the Commission that their plan will be revised. A deadline of 31 st December, 2009, was set for submission of all revised or new fleet development plans. Resolution 15/11 supersedes 12/11.	Review annually at the CoC and Commission meeting.	Low/Medium
35. IOTC should consider developing a framework to take action in the face of uncertainty in scientific advice.	<i>Scientific Committee and Commission</i>	Partially Completed & Ongoing The Scientific Committee has agreed that the development of a Management Strategy Evaluation process be initiated to provide better advice that would incorporate explicit consideration of uncertainty.	Progress at WPM annual meeting.	High
36. IOTC should use the full range of decision making processes available to it under the Agreement.	<i>Commission</i>	Ongoing: For the first time in its history of adopting Conservation and Management Measures, the Commission took a vote on a proposed resolution during its 14 th Annual Session.	Annual meeting.	High
37. The IOTC Agreement needs to be amended or replaced in order to incorporate modern fisheries management principles, such as the precautionary approach.	<i>Commission and Members</i>	Partially Completed & Ongoing. The Commission addressed this matter through the adoption of Resolution 12/01 <i>on the implementation of the precautionary approach</i> . Some elements of Precautionary Approach were	–	High

		also adopted in Resolution 13/10 on <i>interim target and limit reference point and a decision framework</i> .		
38. Pending the amendment or replacement of the Agreement, the Commission should implement the precautionary approach as set forth in the UNFSA.	<i>Commission</i>	Pending: see also Recommendations 35 and 37.	For consideration at S17.	High
39. Measures to regulate shark fisheries should be considered by the Commission.	<i>Commission</i>	Partially Completed & Ongoing: Resolution 05/05 provides the framework for combating the practice of shark finning and Resolution 12/09 is aimed at the conservation of sharks of the family Alopiidae. Resolution 13/06 <i>on a scientific and management framework on the conservation of sharks species caught in association with IOTC managed species</i> .	For consideration at S18.	High
40. There is a need to develop and take into account modern principles for fisheries management, including ecosystem based approach, protection of marine biodiversity and reducing the harmful impacts of fishing on marine environment.	<i>Commission and Members</i>	Ongoing: Resolutions 10/06, 12/06, 12/04, 12/12, 13/04 and 13/05, are all aimed at encouraging fishing practices that protect marine biodiversity and reducing the harmful impacts of fishing on the marine environment or on species that are incidentally caught in association with IOTC species.	For further consideration at S19.	Medium
41. These concepts should be integrated in the IOTC Agreement.	<i>Commission and Members</i>	Pending. See Recommendations 1 and 2 above.		High
Capacity management				
42. IOTC should establish a stronger policy on fishing capacity to prevent or eliminate excess fishing capacity.	<i>Scientific Committee Commission</i>	Ongoing: The Commission has since 2003 adopted a series of Resolutions (03/01, 06/05, 07/05, 09/02, 12/11) with the objective of addressing the issue of fishing capacity. However, to date these resolutions have not resulted in a strong control on fishing capacity, and the concern remains that overcapacity might result from this lack of control. The Secretariat is actively involved in developing the global vessels record for vessels fishing for tuna and tuna-like species that would contribute to the assessment of existing fishing capacity. A second fishing capacity study was conducted in 2013.	See Recommendation 33, which has been agreed as the priority path in this regard.	Medium
43. Loopholes in the current systems of fishing capacity limitation, such as the establishment of fleet development plans and exemptions for vessels less than 24 meters, should be closed.	<i>Commission</i>	Partially Completed & Ongoing: Resolution 09/02, superseded by Resolution 12/11, and the decisions made at IOTC 14, establishing a new deadline to file fleet developments plans, aim at establishing firm capacity targets. The IOTC Scientific Committee has indicated that IOTC fisheries should not be managed via fishing capacity	See Recommendation 33, which has been agreed as the priority path in this regard.	Medium

		limitations, as they are inherently difficult to manage and highly uncertain due to variations in fishing power over time and among vessels.		
44. IOTC should endorse the recommendation of the Scientific Committee to create a Working Group on Fishing Capacity.	<i>Commission</i>	Partially completed & Ongoing: The first Working Party on Fishing Capacity was convened in 2009. In 2010 and all years since, as no new documents were presented, it was amalgamated into the Working Party on Tropical Tunas as a theme session. A review of compliance to Resolution 12/11 on fishing the capacity resolution to be included in the second performance review of the IOTC.	See Recommendation 33, which has been agreed as the priority path in this regard.	Medium
Compatibility of management measures				
45. IOTC Members should be invited to promptly implement IOTC conservation and management measures through their national legislation.	<i>Secretariat and Commission</i>	Ongoing: CPCs are reminded annually about the responsibility of integrating IOTC Conservation and Management Measures in their national legislation. The Secretariat is cooperating with CPCs by assisting in the assessment of the legal needs to effectively implement IOTC measures.	Annually review at CoC and Commission meetings.	Very high
Fishing allocations and opportunities.				
46. IOTC should explore the advantages and disadvantages of implementing an allocation system of fishing quota, expressed as TAC or TAE system. Such an investigation should include consideration of how significant catches by current non-Members would be accounted for.	<i>Commission</i>	Partially Completed & Ongoing: Resolution 10/01, superseded by Resolution 12/13 and again by Resolution 14/02 has begun the process of moving towards the implementation of a total allowable catch limit for IOTC species. The Technical Committee on Allocation Criteria met twice to discuss on proposed guidelines and methods to allocate future quota. No allocation criteria have been decided so far.	See Recommendation 33, which has been agreed as the priority path in this regard.	Medium
ON COMPLIANCE AND ENFORCEMENT	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN/TIMELINE	PRIORITY
Flag State duties				
47. Any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as flag States, drawing on the relevant provisions of the UNFSA.	<i>Commission and Members</i>	Pending.		High
Port State measures				
48. Any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as port States.	<i>Commission and Members</i>	Pending.		High
49. IOTC should explore the possible implementation of the FAO Model Scheme on Port State Measures.	<i>Commission</i>	Completed: Resolution 10/11 is inspired by the FAO Port State Measures Agreement. By adopting this resolution, IOTC CPCs have agreed to implement the conditions of	Review annually at the CoC meeting.	High

		<p>this agreement even before it becomes globally binding, and it became the first RFMO to do so. Implementation begun as of 1st March 2011. The Resolution applies only to the IOTC Area.</p> <p>An evaluation of legal needs and training for officials of coastal CPCs was organised by the Secretariat with the support of the ACP Fish II Programme.</p>		
50. The IOTC should duly note the outcome of the current process for establishment of a globally binding agreement on port State measures.	<i>Commission</i>	Completed: see Recommendation 49.		
Monitoring, Control and Surveillance				
51. IOTC should develop a comprehensive monitoring, control and surveillance (MCS) system through the implementation of the measures already in force, and through the adoption of new measures and tools such a possible on-board regional observers' scheme, a possible catch documentation scheme as well as a possible system on boarding and inspection.	<i>Compliance Committee</i>	<p>Ongoing: IOTC already has an extensive number of MCS related measures. However, the implementation of these measures are the duty and responsibility of the CPCs. Proposals to introduce a catch documentation scheme, especially for the major IOTC species, have until now not received the agreements of 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 to the 11th Session of the Compliance Committee (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</p>	Review annually at IOTC meetings.	High

		<p>informal Working Group be constituted.</p> <p>During the intersessional period three Members of the Working Group (the European Union, Japan and Seychelles) met in Seychelles to further refine the proposal for a High Seas Boarding and Inspection Scheme. Inputs on the proposal were also provided by Members (Australia, Mozambique and United Kingdom (OT)) who were not able to participate in the meeting.</p>		
Follow-up on infringements				
52. The current IUU resolution should be amended to allow the inclusion of vessels flagged to Members.	<i>Commission</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
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 2016.</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

55. Provisions for follow-up on infringement should be included in any amended/replaced Agreement.	<i>Commission and Members</i>	Pending:		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>	Ongoing: Since the 2011 Compliance Committee meeting, country-based reports have been prepared for this purpose on the basis of Resolution 10/09, which is now integrated into the IOTC Rules of Procedure, Appendix V.	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 project sponsored through the WB/IOC grant for <i>Global Partnership for Oceans</i> , is finishing in June 2016. The objective of the project was to develop a model legal framework to facilitate CPCs to efficiently transpose conservation and management measures adopted by the Commission into their national legislation. Additional legal support has been secured through EU grant.	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 a high of 82% for 2012, and has since been sliding. The compliance rate for 2015 was at 71%.	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
Market related measures				
61. As IOTC action in terms of measures relating to the exercise of rights and duties of its Members as market States are very weak, the non-binding market related measure should be transformed into a binding measure.	<i>Commission</i>	Partially Completed & Ongoing: Resolution 10/10 partially meets this requirement.	Review annually at IOTC meetings	Medium
62. The bigeye statistical document programme should be applied to all bigeye products (fresh and frozen). Catch documentation schemes for target species of high commercial value should be considered. Alternatively, expanding the scope of the current statistical document programme to address current loopholes should be considered.	<i>Commission</i>	Partially Completed & Ongoing: Proposals for a resolution to introduce a catch documentation scheme, especially for the major IOTC species, was not endorsed by CPCs at its 14 th , 15 th or 16 th annual Sessions. An adhoc working group has been set up to further the discussion outside the plenary.	Commission to consider proposals from CPCs at its annual session.	High
ON DECISION MAKING AND DISPUTE SETTLEMENT	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN/TIMELINE	PRIORITY
Decision making				
63. In order to improve the IOTC practices of decision making and adoption of measures, when every effort to achieve consensus has been exhausted, invoking the procedure of voting should be explored	<i>Commission</i>	Ongoing: Resolution 10/12 (superseded by Resolution 12/09) was voted upon by CPCs at the IOTC's 14 th Annual Session. It was the first time that the voting procedure was used in IOTC for the adoption of a resolution.	To be implemented as necessary.	High
64. Amending the objection procedure so that it is more rigorous, and in line with other RFMO Conventions, featuring restricted grounds for the bases to object is recommended.	<i>Commission and Members</i>	Pending.		High
Dispute settlement				
65. A provision on dispute settlement should be amended in line with the requirements of UNFSA.	<i>Commission and Members</i>	Pending.		High
ON INTERNATIONAL COOPERATION	RESPONSIBILITY	UPDATE/STATUS	WORKPLAN/TIMELINE	PRIORITY
Transparency				

66. The active vessels list should be made available on the IOTC website.	<i>Commission Secretariat</i>	Completed: Resolutions 07/02, 10/07 and 10/08. The lists of authorised and active vessels are hosted on the IOTC website.	Periodic revision.	High
67. The Commission, in consultation with the Scientific Committee, should review the availability of critical data sets used in development of scientific advice and take steps to assure that these data are held at the Secretariat and available for validation of analyses, subject to the appropriate confidentiality requirements.	<i>Commission</i>	Ongoing: See Recommendations on Data collection and sharing above.		
Relationship to cooperating non Members				
68. The legal framework of the IOTC Agreement should be amended or replaced in order to enable fishing players active in the area to discharge their obligations in line with the UNFSA.	<i>Commission and Members</i>	Pending: In the meantime, alternative ways of participation of active fishing fleets in the activities of the Commission are being pursued.		High
Relationship to non cooperating non Members				
69. Although the IOTC has strengthened its action towards non-Members in order to have all important fishing players included under its remit, diplomatic approaches should be made by IOTC Members to non-Members with active vessels in the area.	<i>Commission</i>	Ongoing: The Secretariat has been active in contacting relevant non-Members to encourage their participation. The Secretariat has also responded to queries, briefed representatives about membership from Bangladesh, DPR of Korea, United Arab Emirates, Singapore and Myanmar.		High
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
Cooperation with other RFMOs				
71. IOTC should establish mechanisms for a mutual recognition of IUU lists with other RFMOs.	<i>Commission</i>	Partially Completed & Ongoing: This issue is addressed in the Resolutions dealing with capacity transfers insofar as to vessels found on IUU lists of other tuna RFMOs should not be flagged by CPCs.	Review other RFMO IUU Lists upon request to add new vessels to the IOTC Record of Authorised Vessels.	High
72. IOTC should develop cooperative mechanisms, such as MoUs, to work in a coordinated manner on issues of common interest, in particular non-	<i>Commission</i>	Ongoing: The Secretariat is active in identifying opportunities for collaboration, for the consideration of the Commission. The KOBE process also facilitates the	Annual review	Medium

target species and an ecosystem approach with other RFMOs especially with SIOFA.		interaction of tRFMO's. In 2011 the first bycatch joint technical working group was held. MoUs have been signed with ICCAT and CCSBT for the implementation of the Regional Observer Programme. IOTC and WCPFC has a MoU to exchange information at the Secretariat level on matters of common interest. Further information is available via the IOTC Website: http://iotc.org/about-iotc/cooperation-other-organisations		
73. IOTC should annually agree on a Member attending other tuna RFMO meetings as an observer on its behalf and reporting back to the Commission on matters of interest	<i>Commission</i>	Ongoing : Pending annual financial approval by the Commission.	Annual review.	Low
Special requirements of developing States				
74. A specific fund to assist capacity building should be put in place.	<i>Standing Committee on Administration and Finance</i>	Ongoing . See also para. 11 above.	S19 will need to consider proposed budget lines for capacity building funds.	High.
75. Members, that are Parties of UNFSA, should make use of the part VII Fund, established under UNFSA.	<i>Members</i>	Ongoing : Regular reminders are sent to CPCs.	Annually for each IOTC meeting. Currently unknown to what degree CPCs are utilizing this fund. Feedback from delegates sought.	Medium
Participation				
76. Financial support, in particular for attendance in the scientific activities to developing States, is needed.	<i>Standing Committee on Administration and Finance</i>	Ongoing : See also para. 11 above.	Annually for each IOTC meeting.	High
77. The legal framework of the IOTC should be amended or replaced in order to enable fishing players active in the area to discharge their obligations in line with the UNFSA.	<i>Commission and Members</i>	Pending .	Commenced in 2014. Small working group of CPCs to lead.	High
ON FINANCIAL AND ADMINISTRATIVE ISSUES		UPDATE/STATUS	WORKPLAN/TIMELINE	PRIORITY
Availability of resources for RFMO activities –				

efficiency and cost-effectiveness				
78. The IOTC Agreement as well as financial management rules should be amended or replaced in order to increase Members' as well as Secretariat's control of all the budget elements, including staff costs of the budget. This would also improve transparency.	<i>Standing Committee on Administration and Finance Commission and Members</i>	Pending. See Recommendations 1 and 2.		High
79. Prior to the Commission assuming full control of the budget, the Commission meeting at which the budget is considered should be held as close as possible to the commencement of the financial year to which this budget relates and if possible in advance of that year.	<i>Commission</i>	Completed: The Commission has adopted a modified annual budget process to address this issue, with the budget for the next financial year adopted in the previous year (i.e. 2015 Session adopts the budget for 2016).		Medium
80. A fee system should be considered as a possible funding mechanism for possible new activities.	<i>Commission</i>	Pending: The IOTC Regional Observer Program (monitoring transshipment at sea) is fully funded by the participants through such a fee system.		Medium
81. The agreed external financial audit should be implemented as soon as possible, and should include a focus on whether IOTC is efficiently and effectively managing its human and financial resources, including those of the Secretariat.	<i>Standing Committee on Administration and Finance Commission</i>	Pending.		

APPENDIX XVI
RESOLUTION 16/01

**ON INTERIM PLAN FOR REBUILDING THE INDIAN OCEAN YELLOWFIN TUNA STOCK IN THE
IOTC AREA OF COMPETENCE**

The Indian Ocean Tuna Commission (IOTC),

CONSIDERING the objectives of the Commission to maintain stocks in perpetuity and with high probability, at levels not less than those capable of producing their maximum sustainable yield as qualified by relevant environmental and economic factors including the special requirements of developing States in the IOTC area of competence;

BEING MINDFUL of Article XVI of the IOTC Agreement regarding the rights of Coastal States and of Article 87 and 116 of the UN Convention of the Law of the Sea regarding the right to fish on the high seas;

RECOGNISING the special requirements of the developing states, particularly Small Island developing states in Article 24, of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA);

RECALLING that Article 5, of UNFSA entitles the conservation and management of highly migratory fish stocks are based on best scientific evidence available and with special reference to Resolution 15/10 for a stock where the assessed status places it within the red quadrant, and with an aim to end overfishing with a high probability and to rebuild the biomass of the stock in as short time as possible.

FURTHER RECALLING that Article 6, of UNFSA, requires the states to be cautious during the application of precautionary approach when information is uncertain, unreliable or inadequate and this should not be a reason for postponing or failing to take conservation and management measures;

CONSIDERING the recommendations adopted by the KOBE II, held in San Sebastian, Spain, June 23 – July 3 2009; implementing where appropriate a freeze on fishing capacity on a fishery by fishery basis and such a freeze should not constrain the access to, development of, and benefit from sustainable tuna fisheries by developing coastal States.

FURTHER CONSIDERING the recommendations adopted by the KOBE III, held in La Jolla, California, 11- 15 July 2011; considering the status of the stocks, each RFMO should consider a scheme for reduction of over capacity in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the high seas, by developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies; and Transfer of capacity from developed fishing members to developing coastal fishing members within its area of competence where appropriate.

FURTHER CONSIDERING the report by International Council for the Exploration of Sea and FAO Working Group on Fishing Technology and Fish Behaviour (2006), Gillnets are considered to be one of the least catch controllable and least environmentally sustainable gears;

FURTHER CONSIDERING the recommendations of the 18th Scientific Committee held in Bali, Indonesia, 23 – 27 November 2015 that the catches of yellowfin tuna have to be reduced by 20% of the 2014 levels to recover the stocks to levels above the interim target reference points with 50% probability by 2024.

NOTING THAT supply vessels contribute to the increase in effort and capacity of purse seiners and that the number of supply vessels has increased significantly over the years.

FURTHER CONSIDERING the discussions of the Working Party on Tropical Tuna held in Montpellier, France, 23 – 28 October 2015 on the limitations and the uncertainties in the stock assessment models due to the unavailability of standardized yellowfin tuna CPUE data;

FURTHER CONSIDERING the call by the United Nations General Assembly Resolution 70/75 upon the states to increase the reliance on scientific advice in developing, adopting and implementing conservation and management measures and to take into account the special requirements of developing states, including Small Island Developing States (SIDS) as highlighted in the SIDS Accelerated Modalities of Action (SAMOA) Pathway;

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

1. This resolution shall apply to all fishing vessels targeting tuna and tuna like species in the Indian Ocean of 24 meters overall length and over, and those under 24 meters if they fish outside the EEZ of their flag State, within the IOTC area of competence.
2. The CPCs will reduce their catch of yellowfin as follows:
3. Purse seine:
 - a. CPCs whose Purse seine catches of yellowfin reported for 2014 were above 5000 MT to reduce their Purse seine catches of yellowfin by 15 % from the 2014 levels.
 - b. The number of Fish Aggregating Devices (FADs) as defined in Resolution 15/08, paragraph 7, will be no more than 425 active instrumented buoys and 850 acquired annually instrumented buoys per purse seine vessel.
 - c. Supply vessels: The total number of supply vessels by CPC on the IOTC active list shall not exceed half of the number of Purse seine vessels reported per CPC on the IOTC active list for the same year. Complementary to Resolution 15/08 on "*Procedures on FADs Management Plan including a limitation on the number of FADs, more detailed specifications of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species*" and to Resolution 15/02 "*Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs)*", CPC shall report annually which Purse seiners are served by each Supply vessel.

In the light of assessments made available by the Working Group (WG) on FADs and the Scientific Committee, the Commission shall update, if necessary the above limits in point b) and c).

4. Gillnet: CPCs whose Gillnet catches of yellowfin reported for 2014 were above 2000 MT to reduce their Gillnet catches of yellowfin by 10 % from the 2014 levels.
5. Longline: CPCs whose Longline catches of yellowfin reported for 2014 were above 5000 MT to reduce their Longline catches of yellowfin by 10 % from the 2014 levels
6. CPCs' other gears: CPCs whose catches of yellowfin from other gears reported for 2014 were above 5000 MT to reduce their other gear catches of yellowfin by 5 % from the 2014 levels.
7. Flag States will determine appropriate methods for achieving these catch reductions, which could include capacity reductions, effort limits, *etc.*, and will report to the IOTC Secretariat in their Implementation Report, the measures they have taken ,
8. CPCs shall monitor the yellowfin tuna catches from their vessels in conformity with Resolution 15/01 "*On the recording of catch and effort data by fishing vessels in the IOTC area of competence*" and Resolution 15/02 "*Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs)*" and will provide a summary of most-recent yellowfin catches for the consideration of the IOTC Compliance Committee.
9. Each year, the Compliance Committee shall evaluate the level of compliance with the catch limits deriving from this Resolution and shall make recommendations to the Commission accordingly. The Scientific Committee via its Working Party on Tropical Tunas, shall in 2016, conduct a new assessment of the status of the Yellowfin stock using all available data.
10. The Scientific Committee via its Working Party on Tropical Tunas shall in 2018 undertake an evaluation of the effectiveness of the measures detailed in this Resolution, taking into account all sources of fishing mortality and possible alternatives aiming at returning and maintaining biomass levels at the Commission's target level. After consideration of the results of this evaluation, the Commission shall take corrective measures accordingly.
11. The Commission shall, based on the improved artisanal fishery data and the assessment of the state and impact of the artisanal fishery on the yellowfin stocks, take appropriate measures on the management of the artisanal yellowfin tuna fishery, at its Commission meeting in 2018.
12. The measures contained within this Resolution shall come into force from 1st January 2017; it shall be considered as interim measure and will be reviewed by the Commission no later than at its annual Session in 2019.
13. Nothing in this resolution shall pre-empt or prejudice future allocation mechanisms.

APPENDIX XVII
RESOLUTION 16/02

ON HARVEST CONTROL RULES FOR SKIPJACK TUNA IN THE IOTC AREA OF COMPETENCE

The Indian Ocean Tuna Commission (IOTC),

NOTING Article V, paragraph 2(c), of the IOTC Agreement is to adopt, in accordance with Article IX and on the basis of scientific evidence, Conservation and Management Measures to ensure the conservation of the stocks covered by the Agreement;

BEING MINDFUL of Article XVI of the IOTC Agreement regarding the rights of Coastal States, Article 87 and 116 of the UN Convention of the Law of the Sea regarding the right to fish on the high seas and of Article 24 of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) regarding recognition of the special requirements of developing states;

RECOGNISING [Resolution 12/01](#) *On the implementation of the precautionary approach* calls on the Indian Ocean Tuna Commission to implement and apply the precautionary approach, in accordance Article 6 of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA);

RECOGNISING the ongoing discussions on allocation and the need to avoid prejudicing future decision of the Commission;

FURTHER CONSIDERING the call by the United Nations General Assembly Resolution 70/75 upon the states to increase the reliance on scientific advice in developing, adopting and implementing conservation and management measures and to take into account the special requirements of developing states, including Small Island developing States as highlighted in the SIDS Accelerated Modalities of Action (SAMOA) Pathway;

CONSIDERING the recommendations adopted by the KOBE II, held in San Sebastian, Spain, June 23 – July 3 2009; implementing where appropriate a freeze on fishing capacity on a fishery by fishery basis and such a freeze should not constrain the access to, development of, and benefit from sustainable tuna fisheries by developing coastal States;

TAKING INTO ACCOUNT the need to have due regard for the interests of all Members concerned, in conformity with the rights and obligations of those Members under international law and in particular, to the rights and obligations for developing countries;

RECALLING Article 6, paragraph 3(b) of UNFSA that calls on States to implement the precautionary approach using the best scientific information available, using stock-specific reference points and outlining the action to be taken if they are exceeded;

FURTHER RECALLING that Article 7.5.3 of the FAO Code of Conduct for Responsible Fisheries also recommends the implementation of stock specific target and limit reference points, inter alia, on the basis of the precautionary approach;

ACKNOWLEDGING that implementing pre-agreed harvest strategies including harvest control rules is considered a critical component of modern fisheries management and international best practices for fisheries management;

FURTHER NOTING that a harvest control rule encompasses a set of well-defined, pre-agreed rules or actions used for determining a management action in response to changes in indicators of stock status with respect to reference points;

NOTING that the Scientific Committee at its 17th Session, recommended the Commission consider an alternative approach to identify biomass limit reference points, such as those based on biomass depletion levels, when the MSY-based reference points are difficult to estimate. In cases where MSY-based reference points can be robustly estimated, limit reference points may be based around MSY;

FURTHER NOTING that the Scientific Committee also recommended that in cases where MSY-based reference points cannot be robustly estimated, biomass limit reference points be set at 20% of unfished levels ($B_{\text{LIM}} = 0.2B_0$);

ACKNOWLEDGING that the IOTC Scientific Committee has initiated a Commission requested process leading to a management strategy evaluation (MSE) process to improve upon the provision of scientific advice on HCRs;

RECALLING obligations and agreements under Resolutions 12/02², 15/01³, 15/02⁴, and 15/10⁵;

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

Objectives

1. To maintain the Indian Ocean Tuna Commission skipjack tuna stock in perpetuity, at levels not less than those capable of producing maximum sustainable yield (MSY) as qualified by relevant environmental and economic factors including the special requirements of Developing Coastal States and Small Island Developing States in the IOTC area of competence and considering the general objectives identified in Resolution 15/10 (or any subsequent revision).
2. To use a pre-agreed harvest control rule (HCR) to maintain the skipjack tuna stock at, or above, the target reference point (TRP) and well above the limit reference point (LRP), specified in Resolution 15/10 (or any subsequent revision).

Reference Points

3. Consistent with paragraph 2 of Resolution 15/10, the biomass limit reference point, B_{lim} , shall be 20% of unfished spawning biomass⁶ (i.e. $0.2B_0$).
4. Consistent with paragraph 3 of Resolution 15/10, the biomass target reference point, B_{targ} , shall be 40% of unfished spawning biomass (i.e. $0.4B_0$).
5. The HCR described in paragraphs 6–12 seeks to maintain the skipjack tuna stock biomass at, or above, the target reference point while avoiding the limit reference point.

Harvest Control Rule (HCR)

6. The skipjack tuna stock assessment shall be conducted every three (3) years, with the next stock assessment to occur in 2017. Estimates of 7(a–c) shall be taken from a model-based stock assessment that has been reviewed by the Working Party on Tropical Tunas and endorsed by the Scientific Committee via its advice to the Commission.
7. The skipjack tuna HCR shall recommend a total annual catch limit using the following three (3) values estimated from each skipjack stock assessment. For each value, the reported median from the reference case adopted by the Scientific Committee for advising the Commission shall be used.
 - a) The estimate of current spawning stock biomass (B_{curr});
 - b) The estimate of the unfished spawning stock biomass (B_0);
 - c) The estimate of the equilibrium exploitation rate (E_{targ}) associated with sustaining the stock at B_{targ} .

2: 12/02: Data Confidentiality, policy and procedures

3: 15/01: On the recording of catch and effort data by fishing vessels in the IOTC Area of competence

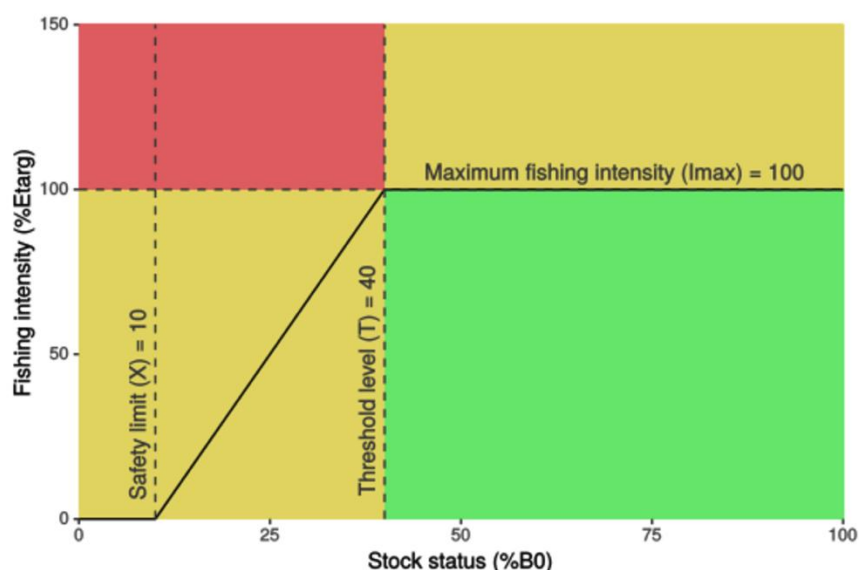
4: 15/02: Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non- Contracting Parties (CPCs)

5: 15/10: On Target and Limit Reference Points and a decision framework

6: The symbol B is used to refer to spawning biomass, the total mass of mature fish, i.e. B_0 , B_{lim} , B_{targ} and B_{curr} all refer to different levels of spawning biomass.

8. The HCR shall have five control parameters set as follows:
- Threshold level, the percentage of B_0 below which reductions in fishing mortality are required, $B_{\text{thresh}} = 40\%B_0$. If biomass is estimated to be below the threshold level, then fishing mortality reductions, as output by the HCR, will occur.
 - Maximum fishing intensity, the percentage of E_{targ} that will be applied when the stock status is at, or above, the threshold level $I_{\text{max}} = 100\%$. When the stock is at or above the threshold level, then fishing intensity (I) = I_{max}
 - Safety level, the percentage of B_0 below which non-subsistence catches are set to zero i.e. the non-subsistence⁷ fishery is closed $B_{\text{safety}} = 10\%B_0$.
 - Maximum catch limit (C_{max}), the maximum recommended catch limit = 900,000t. To avoid adverse effects of potentially inaccurate stock assessments, the HCR shall not recommend a catch limit greater than C_{max} . This value is based upon the estimated upper limit of the MSY range in the 2014 skipjack stock assessment.
 - Maximum change in catch limit (D_{max}), the maximum percentage change in the catch limit = 30%. To enhance the stability of management measures the HCR shall not recommend a catch limit that is 30% higher, or 30% lower, than the previous recommended catch limit.
9. The recommended total annual catch limit shall be set as follows:
- If the current spawning biomass (B_{curr}) is estimated to be at or above the threshold spawning biomass i.e., $B_{\text{curr}} \geq 0.4B_0$, then the catch limit shall be set at $[I_{\text{max}} \times E_{\text{targ}} \times B_{\text{curr}}]$
 - If the current spawning biomass (B_{curr}) is estimated to be below the threshold biomass i.e., $B_{\text{curr}} < 0.4B_0$, but greater than the safety level i.e., $B_{\text{curr}} > 0.1B_0$, then the catch limit shall be set at $[I \times E_{\text{targ}} \times B_{\text{curr}}]$. See Table 1 in Appendix 1 for values of fishing intensity (I) for specific B_{curr}/B_0 .
 - If the spawning biomass is estimated to be at, or below, the safety level, i.e. $B_{\text{curr}} \leq 0.1B_0$ then the catch limit shall be at 0 for all fisheries other than subsistence fisheries.
 - In the case of (a) or (b), the recommended catch limit shall not exceed the maximum catch limit (C_{max}) and shall not increase by more than 30% or decrease by more than 30% from the previous catch limit.
 - In the case of (c) the recommended catch limit shall always be 0 regardless of the previous catch limit.
10. The HCR described in 8(a-e) produces a relationship between stock status (spawning biomass relative to unfished levels) and fishing intensity (exploitation rate relative to target exploitation rate) as shown below (See Table 1 in **Appendix 1** for specific values):

⁷ A subsistence fishery is a fishery where the fish caught are consumed directly by the families of the fishers rather than being bought by middle-(wo)men and sold at the next larger market, per the FAO Guidelines for the routine collection of capture fishery data. FAO Fisheries Technical Paper. No. 382. Rome, FAO. 1999. 113p.



11. The catch limit shall by default, be implemented in accordance with the allocation scheme agreed for skipjack tuna by the Commission. In the absence of an allocation scheme, the HCR shall be applied as follows:
- If the stock is at or above the Threshold level (i.e., $B_{curr} \geq 0.4B_0$), then the HCR shall establish an overall catch limit.
 - If the stock falls below the Threshold level (i.e., $B_{curr} < 0.4B_0$), the fishing mortality reductions shall be implemented proportionally by CPCs for catches over 1 percent of the catch limit established by the HCR with due consideration to the aspirations and special requirements of Developing Coastal States and Small Island Developing States.
 - This paragraph shall not pre-empt or prejudice future allocation negotiations.

Review and exceptional circumstances

- The HCR, including the control parameters, will be reviewed through further Management Strategy Evaluation (MSE), but no later than 2021 (i.e. five years from its implementation). Subject to the result of that review the current HCR may be refined or replaced with an alternative HCR.
- In the case that the estimated spawning biomass falls below the limit reference point, the HCR will be reviewed, and consideration given to replacing it with an alternative HCR specifically designed to meet a rebuilding plan as advised by the Commission.
- The recommended total annual catch produced by the HCR will be applied continuously as set forth in paragraph 11 above, except in case of exceptional circumstances, such as caused by severe environmental perturbations. In such circumstances, the Scientific Committee shall advise on appropriate measures.

Scientific Advice

- The IOTC Scientific Committee shall:

- a) Include the LRP and TRP as part of any analysis when undertaking all future assessments of the status of the IOTC skipjack tuna stock.
- b) Undertake and report to the Commission a model-based skipjack tuna stock assessment every three (3) years, commencing with the next stock assessment in 2017.
- c) Undertake a programme of work to further refine Management Strategy Evaluation (MSE) for the IOTC skipjack tuna fishery as required in paragraph 12 including, but not limited to,
 - i. Refinement of operating model(s)/ used,
 - ii. Alternative management procedures,
 - iii. Refining performance statistics.

Final Clause

- 16. The Commission shall review this measure at its annual session in 2019, or before if there is reason and/or evidence to suggest that the skipjack tuna stock is at risk of breaching the LRP.

Appendix 1

Table 1. Values of fishing intensity for alternative levels of estimated stock status (B_{curr}/B_0) produced by the HCR

Stock status (B_{curr}/B_0)	Fishing Intensity (I)		Stock status (B_{curr}/B_0)	Fishing Intensity (I)
At or above 0.40	100%		0.24	46.7%
0.39	96.7%		0.23	43.3%
0.38	93.3%		0.22	40.0%
0.37	90.0%		0.21	36.7%
0.36	86.7%		0.20	33.3%
0.35	83.3%		0.19	30.0%
0.34	80.0%		0.18	26.7%
0.33	76.7%		0.17	23.3%
0.32	73.3%		0.16	20.0%
0.31	70.0%		0.15	16.7%
0.30	66.7%		0.14	13.3%
0.29	63.3%		0.13	10.0%
0.28	60.0%		0.12	6.7%
0.27	56.7%		0.11	3.3%
0.26	53.3%		0.10 or below	0%
0.25	50.0%			

APPENDIX XVIII
RESOLUTION 16/03
ON THE SECOND PERFORMANCE REVIEW FOLLOW-UP

The Indian Ocean Tuna Commission (IOTC),

CONSIDERING the course of action agreed at the meeting of the five Tuna Regional Fisheries Management Organisations (RFMOs) held in Kobe in January 2007, and in particular the commitment to undertake Performance Reviews of each Tuna RFMOs in order to strengthen the effectiveness of the Organisations;

TAKING NOTE of the decision taken by the IOTC at its 18th Session in June 2014 to undertake the 2nd IOTC Performance Review;

CONSIDERING the report of the 2nd IOTC Performance Review Panel (PRIOTC02) as analysed by the Commission at its 20th Session held in La Reunion (France) in May 2016;

RECOGNISING that a number of the recommendations arising from the PRIOTC02 report can be progressed by individual Contracting Parties, including through proposing draft Resolutions for consideration by the Commission, while other initiatives may benefit from consideration by relevant committees of the Commission;

FURTHER RECOGNISING that the PRIOTC02 recommended that the Agreement needs to be amended or replaced in order to incorporate modern fisheries management principles, such as the precautionary approach, ecosystem based approaches, inclusions of highly-migratory species caught in IOTC fisheries, protection of marine biodiversity, reducing the harmful impacts of fishing on marine environment and to allow the full participation of all fishing players.

NOTING that the weaknesses and gaps identified by PRIOTC02 are, or have a potential to be, major impediments to the effective and efficient functioning of the Commission and its ability to adopt and implement measures aimed at long-term conservation and sustainable exploitation of stocks, according to model fisheries management instruments and more fundamentally, these deficiencies are likely to prevent the Commission from achieving its basic objectives.

CONSIDERING the 24 recommendations put forth by the 2nd Performance Review Panel report to the 20th Session of the Commission in 2016;

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

1. The Commission endorses the recommendations of the Panel Report (**Annex I**).
2. To improve the functioning of the IOTC and to address its deficiencies, including the possible need to amend the IOTC Agreement, an ad-hoc Technical Committee (Terms of Reference in **Annex II**) will be set up with the objective of preparing a Program of Work with concrete actions on the recommendations, including priorities, proposed timelines, budgets, and a possible text of a new agreement. The Technical Committee shall complete its work by October 2019 in accordance with its Terms of Reference.
3. The draft Work Plan and the recommendations of the Technical Committee will be reviewed by the Scientific Committee, Compliance Committee and the Standing Committee on Administration and Finance. After this review, the Commission will consider the Work Plan.
4. A Performance Review of the IOTC shall be carried out every five (5) years in line with the recommendations of the Kobe process.
5. This Resolution supersedes Resolution 09/01 *On the performance review follow-up*.

ANNEX I

RECOMMENDATIONS ARISING FROM THE 2ND IOTC PERFORMANCE REVIEW PANEL(paragraph numbers refer to the Report of the 2nd IOTC Performance Review: IOTC-2016-PRIOTC02-R)

REFERENCE #	RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	TIMELINE	PRIORITY
PRIOTC02.01 (para. 81)	<p><i>Analysis of the IOTC Agreement against other international instruments</i></p> <p>NOTING para 80, the PRIOTC02 RECOMMENDED that the Commission establish an ad-hoc Working Party on the Modernisation of the IOTC Agreement, based on the following scope:</p> <p>a) Develop proposed language for the IOTC Agreement that takes into account modern principles of fisheries management;</p>	Commission & ad-hoc Working Party	Pending	TBD	TBD
	b) Develop a multi-year Program of Work that outlines the specific priority issues to be discussed using the legal analysis contained in Appendix III of this report to inform the working party deliberations;	Commission & ad-hoc Working Party	Pending	TBD	TBD
	c) Proposals to enable the participation of all fishing players with direct fishing interests in IOTC;	Commission & ad-hoc Working Party	Pending	TBD	TBD
	d) That all CPCs should participate in the Working Party and that funds be provided to support the participation of developing coastal States in the meetings;	Commission & ad-hoc Working Party	Pending	TBD	TBD
	e) That the working group meet at least annually and to the extent possible progress its work inter-sessionally using electronic means.	Commission & ad-hoc Working Party	Pending	TBD	TBD

PRIOTC02.02 (para. 86)	<p><i>Status of living marine resources</i></p> <p>The PRIOTC02 RECOMMENDED that:</p> <p>a) while continuing to work on improving data collection and reporting, the Scientific Committee should continue to utilise qualitative stock assessment methodologies for species where these is limited data available, including ecological risk based approaches, and support the development and refinement of data poor fisheries stock assessment techniques to support the determination of stock status.</p>	<i>Scientific Committee</i>	Pending	TBD	TBD
	<p>b) confidentiality provisions and issues of accessibility to data by the scientists involved needs to be clearly delineated, and/or amended if necessary, so that stock assessment analysis can be replicated.</p>	<i>Scientific Committee & Commission</i>	Pending	TBD	TBD
	<p>c) chairpersons and Vice-Chairpersons of the Scientific Committee and respective Working Parties, in conjunction with the IOTC Secretariat, develop guiding principles for the provision of papers to ensure that they are directly related to the Program of Work of the respective Working Party and/or Scientific Committee, as endorsed by the Commission, while still encouraging for new and emerging issues to be presented.</p>	<i>Scientific Committee & Working Party Chairs and Vice-Chairs</i>	Pending	TBD	TBD
	<p>d) ongoing peer review and input by external scientific experts should be incorporated as standard best practice for Working Parties and included in the Commission's regular budget.</p>	<i>Scientific Committee & Commission</i>	Pending	TBD	TBD

PRIOTC02.03 (para. 96)	<i>Data collection and reporting</i> The PRIOTC02 RECOMMENDED that: a) the Commission make further investments in data collection and targeted capacity building, which is necessary for further improvement in the provision and quality of data in support of the Commission's objectives, as well as to identify the sources of the uncertainty in data and work towards reducing that uncertainty.	<i>Commission</i>	Pending	TBD	TBD
	b) while there are budgetary implications, the IOTC Secretariat staffing dedicated to data collection and data capacity building activities should be increased from 3 to 5 full-time data staff.	<i>Commission</i>	Pending	TBD	TBD
	c) the IOTC Secretariat should facilitate discussions with coastal State non-CPCs and other non-CPCs fishing within the IOTC area of competence to formalise long-term strategies for data submission to the IOTC Secretariat, including all relevant historical data sets.	<i>IOTC Secretariat</i>	Pending	TBD	TBD
	d) steps to gain access to fine-scale data to be used in joint analysis, with sufficient protection of confidentiality, should be taken.	<i>IOTC Secretariat</i>	Pending	TBD	TBD
	e) where budgets and other resources permit, to encourage data preparatory meetings preceding stock assessment review meetings (Working Parties).	<i>Scientific Committee</i>	Pending	TBD	TBD
	f) innovative and/or alternative means of data collection and reporting should be explored and, as appropriate, implemented, including a move towards electronic data collection and reporting for all fleets.	<i>Scientific Committee</i>	Pending	TBD	TBD

PRIOTC02.04 (para. 102)	<p><i>Compliance with data collection and reporting requirements</i></p> <p>The Commission, through its Compliance Committee, needs to strengthen its compliance monitoring in relation to the timeliness and accuracy of data submissions. To that end, the PRIOTC02 RECOMMENDED that:</p> <p>a) the Commission review its compliance monitoring program conducted by the Compliance Committee, including identification of priority obligations (e.g. timely and accurate data reporting, catch and effort limits, accuracy of the supplied registered fishing vessel information, etc.).</p>	<i>Commission and Compliance Committee</i>	Pending	TBD	TBD
	<p>b) the compliance monitoring program review all priority obligations and undertake the compliance review by obligation and by CPCs and that the Commission publish a report of each CPCs compliance by obligation and CPC. The reports of all Compliance Missions should be appended to the compliance report of that relevant CPC and where the CPC has identified an action plan, that they not be assessed for that obligation.</p>	<i>Compliance Committee</i>	Pending	TBD	TBD

	c) the Commission develop a scheme of responses (in accordance with the IOTC Rules of Procedure (2014) Appendix V, para. 3b (iv)) to priority non-compliance areas, including the preparation of CPC Implementation Action Plans that outline how the CPC will, over time, implement its obligations and alternative responses to serious violations of IOTC CMMs taking into account the FAOs Voluntary Guidelines for Flag State Performance. Reforms to the compliance monitoring program should include the ability of developing CPCs to identify (though the preparation of an Implementation Action Plan) and seek assistance for obligations that they are currently non-compliant with, including for example requesting capacity assistance, capacity building, resources, etc., to enable, overtime, implement its obligations.	<i>Commission and Compliance Committee</i>	Pending	TBD	TBD
	d) to facilitate thorough reviews of compliance, the Commission should invest in the development and implementation of an integrated electronic reporting program. This should include automatic integration of data from CPCs into the IOTC Secretariat's databases and automatic cross-referencing obligations and reports for the various obligations, in particular related to the provision of scientific data.	<i>Commission and Compliance Committee</i>	Pending	TBD	TBD

PRIOTC02.05 (para. 104)	<p>Capacity building (Data Collection)</p> <p>The PRIOTC02 RECOMMENDED that:</p> <p>a) the Commission expand its current data support and data compliance missions and that the IOTC Secretariat should be granted increased autonomy to seek and attract external donor funds to support the work approved by the Commission, including supporting actions and/or capacity building initiatives from Compliance Missions that are applicable to more than two CPCs.</p>	<i>Commission</i>	Pending	TBD	TBD
	<p>b) the IOTC should continue the workshop series aimed at Connecting the IOTC Science and Management processes. The aims of the workshop series should be to: 1) improve the level of comprehension among IOTC CPCs on how the scientific process informs the management process for managing of IOTC species and ecosystem-based management; 2) increase the awareness of IOTC Contracting Parties to their obligations, as stipulated in the Commissions' Conservation and Management Measures which are based on rigorous scientific advice; 3) improve the decision making process within the IOTC; and 4) to provide direct assistance in the drafting of proposals for Conservation and Management Measures.</p>	<i>Commission & Secretariat</i>	Pending	TBD	TBD
PRIOTC02.06 (para. 106)	<p>Non-target species</p> <p>The PRIOTC02 RECOMMENDED that the Commission should continue to improve upon the requirements of data collection and reporting mechanisms of non-IOTC species that interact with IOTC fisheries.</p>	<i>Commission and Scientific Committee</i>	Pending	TBD	TBD

PRIOTC02.07 (para. 112)	<p><i>Quality and provision of scientific advice</i></p> <p>The PRIOTC02 RECOMMENDED that:</p> <p>a) the Scientific Committee should continue the good work undertaken since the PRIOTC01 and strive to make further improvements in the way it communicates information about stock status and future prospects for the stocks to the Commission.</p>	<i>Scientific Committee & Working Parties</i>	Pending	TBD	TBD
	<p>b) an independent peer review process (and budgeting mechanism) for stock assessments should be implemented if IOTC science is to be considered to be in line with best practice and to maintain a high standard of quality assurance.</p>	<i>Scientific Committee & Commission</i>	Pending	TBD	TBD
	<p>c) the Scientific Committee, through its Working Party on Ecosystems and Bycatch should pursue the application of ecosystem modelling frameworks.</p>	<i>Scientific Committee & Working Party on Ecosystems and Bycatch</i>	Pending	TBD	TBD
	<p>d) continue to develop and adopt robust target and limit reference points, and species or fishery specific harvest control rules through management strategy evaluations, noting that this process has commenced for several species and is specified in IOTC Resolution 15/10 <i>on target and limit reference points and a decision framework</i>. The mandated Resolution 14/03 <i>on enhancing the dialogue between fisheries scientists and managers</i>, will benefit from having communication between the Scientific Committee and the Commission more formally structured, facilitated dialogue to enhance understanding and inform decision making.</p>	<i>Scientific Committee & Commission</i>	Pending	TBD	TBD

	e) the Commission and its subsidiary bodies continue to ensure that meeting schedules and activities are rationalised so that the already heavy workload of those involved, and budgeting constraints, are taken into account.	<i>Commission & Scientific Committee</i>	Pending	TBD	TBD
	f) the Commission fully implements Resolution 12/01 <i>On the implementation of the precautionary approach</i> , so as to apply the precautionary approach, in accordance with relevant internationally agreed standards, in particular with the guidelines set forth in the UNFSA, and to ensure the sustainable utilisation of fisheries resources as set forth in Article V of the IOTC Agreement, including ensuring that a lack of information or increased uncertainty in datasets/stock assessment, is not used as a justification to delay taking management actions to ensure the sustainability of IOTC species and those impacted by IOTC fisheries.	<i>Commission</i>	Pending	TBD	TBD
	g) while there are budgetary implications, the IOTC Secretariat staffing dedicated to scientific analysis should be increased from 2 to 4 full-time science staff.	<i>Commission</i>	Pending	TBD	TBD
PRIOTC02.08 (para. 123)	<i>Adoption of Conservation and Management Measures</i> The PRIOTC02 RECOMMENDED that: a) the Commission acknowledge the inherent difficulty in managing small scale and data poor fisheries and continue efforts to adopt adequate fisheries management arrangements and to assist developing coastal States to overcome constraints to implement the CMMs.	<i>Commission</i>	Pending	TBD	TBD

	b) as the IOTC has faced the management of the main targeted stock under its purview only through a regulation of the fishing effort; other approaches should be explored, such as those envisioned in Resolutions 05/01 and 14/02, including catch limits, total allowable catch (TAC) or total allowable effort (TAE).	<i>Commission & Scientific Committee</i>	Pending	TBD	TBD
	c) the Science-Management Dialogue is strengthened to improve understanding of modern approaches to fisheries management, including the implementation of Harvest Strategies through the use of Management Strategy Evaluation. The Commission adopt a formal process of developing and implementing Harvest Strategies within a prescribed timeframe.	<i>Commission & Scientific Committee</i>	Pending	TBD	TBD
PRIOTC02.09 (para. 129)	<i>Fishing capacity management</i> The PRIOTC02 RECOMMENDED that: a) the IOTC should establish a stronger policy on fishing capacity to prevent or eliminate all excess fishing capacity, including options to freeze capacity levels as an interim measure, while alternative management measures are considered. As current capacity limits are generic and apply across all fleets and their ability to control catch of particular species is limited, therefore alternative management measures should be considered which may include spatial-temporal area closures, quota allocation, etc.	<i>Commission</i>	Pending	TBD	TBD
	b) the Commission undertake a formal process to develop transfer mechanisms to developing coastal States, and in particular the least developed among them, with a view to realising their fleet development aspirations within sustainable levels.	<i>Commission</i>	Pending	TBD	TBD

PRIOTC02.10 (para. 133)	Compatibility of management measures The PRIOTC02 RECOMMENDED that if needed, CPCs request assistance from other CPCs or PRIOTC02.01 (para. 81) the IOTC Secretariat to assist in the assessment of the legal needs to effectively implement IOTC CMMs, noting that this process has already commenced with a number of IOTC Contracting Parties.	<i>Secretariat & CPCs</i>	Pending	TBD	TBD
PRIOTC02.11 (para. 136)	Fishing allocations and opportunities The PRIOTC02 RECOMMENDED that the IOTC develop allocation criteria or any other relevant measures as a matter of urgency through the established Technical Committee on Allocation Criteria (TCAC) process, and that it include consideration of how catches by current non-CPCs would be accounted for. This process should not delay the development and adoption of other management measures, based on the advice of the Scientific Committee.	<i>Commission & Technical Committee on Allocation Criteria</i>	Pending	TBD	TBD
PRIOTC02.12 (para. 139)	Flag State duties The PRIOTC02 RECOMMENDED that any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as flag States, drawing on the relevant provisions of the UNFSA and take due note of the FAO Guidelines on flag State performance.	<i>Commission</i>	Pending	TBD	TBD
PRIOTC02.13 (para. 144)	Port State measures The PRIOTC02 RECOMMENDED that: a) since port State measures are critical for the control of fishing in the IOTC area and beyond, CPCs should take action to ratify the FAO Agreement on Port State Measures, and the Commission explore possible ways of including ports situated outside the IOTC area known to be receiving IOTC catches in applying port State measures established by the IOTC.	<i>Commission</i>	Pending	TBD	TBD

	b) the Commission, through its port State measures training, support the implementation, including support from FAO and other donors, of the requirements of the FAO PSMA and the IOTC Resolution 10/11 <i>On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing.</i>	<i>Commission</i>	Pending	TBD	TBD
PRIOTC02.14 (para. 149)	Monitoring, control and surveillance (MCS) The PRIOTC02 RECOMMENDED that: a) the IOTC should continue to 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 catch documentation scheme, noting the process currently being undertaken within the FAO.	<i>Commission & Compliance Committee</i>	Pending	TBD	TBD
	b) as a matter of priority review the IOTC monitoring, control and surveillance (MCS) measures, systems and processes, with the objective of providing advice and guidance on improving the integration of the different tools, identification of gaps and recommendations on how to move forward, taking into consideration the experiences of other RFMOs, and that the review should be used as a basis for strengthening MCS for the purpose of improving the ability of the Commission to deter non-compliance and IUU fishing.	<i>Commission & Compliance Committee</i>	Pending	TBD	TBD
PRIOTC02.15 (para. 153)	Follow-up on infringements The PRIOTC02 RECOMMENDED that: a) the IOTC should establish a scheme of responses to non-compliance in relation to CPCs obligations, and task the Compliance Committee to further develop a structured approach for cases of infringement.	<i>Commission & Compliance Committee</i>	Pending	TBD	TBD

	b) further develop an online reporting tool to facilitate reporting by CPCs and to support the IOTC Secretariat through the automation of identification of non-compliance.	<i>Commission & Compliance Committee</i>	Pending	TBD	TBD
	c) reasons for the non-compliance should be identified, including whether it is related to the measure itself, a need for capacity assistance or whether it is wilful or repeated non-compliance, and that the Compliance Committee provide technical advice on obligations where there are high level of CPCs non-compliance.	<i>Commission & Compliance Committee</i>	Pending	TBD	TBD
PRIOTC02.16 (para. 159)	<i>Cooperative mechanisms to detect and deter non-compliance</i> The PRIOTC02 RECOMMENDED that the Commission considers strengthening the intersessional decision making processes in situations where CPCs have not transmitted a response such that a decision can be taken for effective operational cooperative mechanisms and that the Commission encourages the CPCs to be more involved in decision making and for the Commission to collaborate to the greatest extent possible with other RFMOs.	<i>Commission</i>	Pending	TBD	TBD
PRIOTC02.17 (para. 163)	<i>Market-related measures</i> The PRIOTC02 RECOMMENDED that: a) the Commission considers strengthening the market related measure (Resolution 10/10 <i>Concerning market related measures</i>) to make it more effective.	<i>Commission</i>	Pending	TBD	TBD
	b) the Commission considers to invite key non-CPCs market States that are the main recipient of IOTC catches as observers to its meetings with the aim of entering into cooperative arrangements.	<i>Commission</i>	Pending	TBD	TBD

PRIOTC02.18 (para. 169)	<i>Fishing capacity</i> The PRIOTC02 RECOMMENDED that the Commission consider non-compliance with fishing capacity related measures as a priority in the scheme of responses to non-compliance, in order to ensure the sustainable exploitation of the relevant IOTC species.	<i>Commission & Compliance Committee</i>	Pending	TBD	TBD
PRIOTC02.19 (para. 175)	<i>Decision-making</i> The PRIOTC02 RECOMMENDED that intersessional processes be utilised (e.g. via formal or informal subsidiary bodies, or through facilitated electronic working groups) such that proposals brought to the Commission have been subject to debate and consideration by all CPCs.	<i>Commission</i>	Pending	TBD	TBD
PRIOTC02.20 (para. 198)	<i>Relationship to Non-Cooperating Non-Members (Non-CPCs)</i> The PRIOTC02 RECOMMENDED that the IOTC continue to strengthen its actions towards coastal State non-CPCs to have all such coastal States included under its remit, and that Contracting Parties take diplomatic missions to coastal State non-CPCs with active vessels in the IOTC area of competence.	<i>Commission</i>	Pending	TBD	TBD
PRIOTC02.21 (para. 204)	<i>Cooperation with other RFMOs</i> The PRIOTC02 RECOMMENDED that: a) the IOTC should further develop mutual recognition and possible exploration of cross-listings of IUU lists with other RFMOs to combat IUU activities globally.	<i>Commission & Compliance Committee</i>	Pending	TBD	TBD
	b) The IOTC should develop cooperative mechanisms, such as MoUs, to work in a coordinated manner on issues of common interest, in particular non-target species and an ecosystem approach with other RFMOs especially with SIOFA.	<i>Commission</i>	Pending	TBD	TBD

PRIOTC02.22 (para. 211)	<p><i>Special requirements of developing States</i></p> <p>The PRIOTC02 RECOMMENDED that:</p> <p>a) the continuation and optimisation of the IOTC Meeting Participation Fund indefinitely as part of the IOTC Regular Budget, and that the MPF is used to support participation of all eligible Contracting Parties in order to create a more balanced attendance to both science and non-science meetings of the Commission.</p>	<i>Commission</i>	Pending	TBD	TBD
	<p>b) the IOTC Secretariat in partnership with development agencies and organisations, should develop a five year regional fisheries capacity development program to ensure coordinated capacity building activities across the region.</p>	<i>Secretariat & Commission</i>	Pending	TBD	TBD
PRIOTC02.23 (para. 228)	<p><i>Availability of resources for IOTC activities & Efficiency and cost-effectiveness</i></p> <p>The PRIOTC02 RECOMMENDED that:</p> <p>a) the IOTC continue to strengthen its actions towards non-paying Contracting Parties including consideration of diplomatic missions to non-paying Contracting Parties to encourage payment and to explore other mechanisms to recover the outstanding contributions (debt), and collaborate with FAO to identify the difficulties faced in recovering outstanding contributions.</p>	<i>Commission</i>	Pending	TBD	TBD

	<p>b) consistent with best practice governance procedures, that the Commission:</p> <ul style="list-style-type: none"> i. Amend or replace the IOTC Financial Regulations (1999) as a matter of urgency in order to increase Contracting Parties' as well as the Secretariat's control of all the budget elements, including staff costs of the budget, consistent with best practice governance procedures. ii. A system of cost-recovery should be considered as a possible funding mechanism for new activities and/or ongoing activities. iii. An annual external financial audit of the organisation be implemented as soon as possible, and include a focus on whether IOTC is efficiently and effectively managing its human and financial resources, including those of the IOTC Secretariat. iv. Develop guidelines for the acceptance of extra-budgetary funds to undertake elements of the Commission's Program of Work, or those of its subsidiary bodies. v. Explore opportunities to improve efficiency concerning financial contributions, including extra-budgetary funds in support of the Commission's Program of Work, including the possibility of minimising project support costs. vi. Develop and implement staff development, performance and accountability evaluations and procedures, for inclusion within the IOTC Rules of Procedure (2014). 	<i>Commission & Standing Committee on Administration and Finance</i>	Pending	TBD	TBD
	<p>c) the Commission, as a matter of urgency, decide whether remaining inside the FAO structure (as an Article XIV body) provides the most suitable means to effectively deliver upon the IOTC Objectives.</p>		Pending	TBD	TBD

PRIOTC02.24 (para. 233)	FAO The PRIOTC02 RECOMMENDED that the IOTC would be more appropriate as an independent entity. As such, as a matter of the highest priority, the Commission should decide whether the IOTC should remain within the FAO framework or become a separate legal entity, and as necessary, begin consultations with the FAO on this matter.	<i>Commission</i>	Pending	TBD	TBD
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ANNEX II

TERMS OF REFERENCE - TECHNICAL COMMITTEE ON PERFORMANCE REVIEW

A Technical Committee is established with the following Terms of Reference:

1. To prepare a Work Plan with concrete actions on the recommendations of the Performance Review Panel Report, including priorities, proposed timelines, budgets.
2. To develop a new text of the IOTC Agreement with respect to the recommendations of the 2PRP and based on the following scope:
 - a) Develop proposed language for the IOTC Agreement that takes into account modern principles of fisheries management;
 - b) Develop a multi-year Program of Work that outlines the specific priority issues to be discussed using the legal analysis contained in this report to inform the Technical Committee deliberations;
 - c) Make proposals to enable the participation of all fishing players in IOTC;
 - d) That all CPCs, wishing so, should participate in this Technical Committee and that funds be provided to support the participation of developing coastal States in the meetings;
 - e) That the Technical Committee meets at least annually and to the extent possible progress on its work inter-sessionally using electronic means.
3. To make a recommendation to the Commission to decide whether the IOTC should remain within the FAO framework or become a separate legal entity, and as necessary as a matter of the highest priority, begin consultations with the FAO. If necessary and appropriate in order to adopt an Agreement as an independent legal identity, the Technical Committee can propose to terminate the IOTC Agreement in accordance to the Article XXII of the of the current Agreement.
4. To report and make recommendations, as appropriate, to the Commission on the progress regarding Resolution 09/01 *on the Performance Review follow-up*.
5. In developing proposed amendments to the current Agreement and producing draft recommendations, to take into account the input of IOTC Contracting Parties, Cooperating Non-Contracting Parties and other IOTC Fishing players.
6. The Technical Committee will carry out its work in accordance with the following Program of Work:

2016–17	2017–18	2018–19
Meet intersessionally to discuss proposed amendments to the Agreement, including draft text, and to produce a recommendation to the Commission to decide whether the IOTC should remain within the FAO framework or become a separate legal entity at the 2018 Annual Meeting.	Meet intersessionally to continue discussion of proposed amendments to the Agreement, and develop consolidated proposed Agreement texts that will serve as a negotiating text for future meeting(s).	Meet intersessionally to finalise, if possible, proposed amendments to the Agreement. Present the final proposed Agreement text for adoption.

APPENDIX XIX
RESOLUTION 16/04

**ON THE IMPLEMENTATION OF A PILOT PROJECT IN VIEW OF PROMOTING THE REGIONAL
OBSERVER SCHEME OF IOTC**

The Indian Ocean Tuna Commission (IOTC),

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

REITERATING the responsibilities of Flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting IOTC Conservation and Management Measures;

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

CONSIDERING the obligation of all IOTC Contracting Parties and Cooperating Non-Contracting Parties (hereinafter CPCs) to fully comply with the IOTC Conservation and Management Measures;

AWARE of the necessity for sustained efforts by CPCs to ensure the enforcement of IOTC's Conservation and Management Measures, and the need to encourage Non-CPCs to abide by these measures;

UNDERLINING that the adoption of this measure is intended to promote the implementation of the Resolution 11/04 *on a Regional Observer Scheme*;

CONSIDERING the deliberations of the 18th Session of the IOTC Scientific Committee held in Bali, Indonesia from 23-27 November 2015, notably that CPCs should comply with IOTC data requirements as requested per Resolution 15/01 and 15/02, respectively *on the recording of catch and effort data by fishing vessels in the IOTC area of competence* and *on mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting parties (CPCs)*, given the gaps in available information in the IOTC database and the importance of basic fishery data in order to assess the status of stocks and for the provision of sound management advice.

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

1. Create a pilot project aiming to enhance the implementation of the Resolution 11/04 *on a Regional Observer Scheme* and to raise the level of compliance to the implementation of Resolutions 15/01 and 15/02, respectively *on the recording of catch and effort data by fishing vessels in the IOTC area of competence* and *on mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating non-Contracting parties (CPCs)*.
2. This pilot project will be funded through IOTC budget and/or from voluntary contributions. The pilot project will be prepared taking into account the following elements:
 - a) Identification and selection of voluntary participatory Contracting Parties or Cooperating Non-Contracting Parties (CPCs). Participatory CPCs should indicate their vessels that will participate in the project.
 - b) Terms of Reference (ToR) and selection of scientific observers, according to provisions of the Resolutions 11/04, 15/01 and 15/02.
 - c) Definition of an Action Plan for the observers work, including indicatively, a working calendar and an area of activity.
 - d) Mid-term review and a final term review, the latter should include recommendation on how to expand the experiences and results of the pilot project to all IOTC area of competence.

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- e) Cooperation coordination mechanism between CPCs participating in the project.
 - f) Complementarity with the Regional Observer Scheme actions already in place.
3. The IOTC Scientific Committee will draft guidelines regarding the ToR and work of observers, and an indicative budget for approval by the Commission in 2017. This project will focus on developing states, with priority given to promote the implementation of the ROS to small island developing states (SIDS) and least developed countries (LDC).
 4. Contracting Parties will provide their comments and suggestions within one month after the IOTC Executive Secretary transmission of the draft project, following the Scientific Committee.
 5. The revised draft proposal, including a detailed budget, will be submitted to the Compliance Committee and to the Standing Committee on Administration and Finance for review, and submitted for consideration and approval at the annual meeting of the Commission in 2017.
 6. The pilot project will explore the possibilities offered by electronic observation and observation in port.
 7. The Scientific Committee will evaluate whether electronic observation or observation in port can be used to collect data matching IOTC standards. Scientific Committee will also propose minimum standards for the implementation of Electronic observation systems and how they can be used to increase levels of observer coverage for Indian Ocean fisheries.
 8. The pilot project will not preclude any Regional Observer Scheme's actions already implemented by Contracting Parties or Cooperating non-Contracting Parties and respective fleets.

Annex I
Minimal requirements for observers

Scientific observers

1. Without prejudice to whatever specific training and qualifications are recommended by the Scientific Committee, the designated observers shall have the following qualifications to accomplish their tasks:
 - a) a satisfactory knowledge of the IOTC Conservation and Management Measures;
 - b) the ability to observe and record information accurately;
 - c) a satisfactory knowledge of the language of the flag of the vessel observed;
 - d) sufficient experience to identify species and fishing gear;
 - e) proven training in security and survival at sea.
2. Observers shall:
 - a) record and report upon the fishing activities carried out;
 - b) observe and estimate catches and check consistency with entries made in the logbook;
 - c) note the position of the vessel when engaged in catching activity;
 - d) carry out scientific work such as collecting of IOTC mandatory statistical information and fulfilment of logbooks;
 - e) report the results of these duties on the fishing vessel in the observers report to the flag state fishing authority,
 - f) submit the observer report to Flag State authorities within 30 days from the end of the period of observation;
 - g) treat as confidential all information with respect to the fishing and transshipment operations of the fishing vessels and accept this requirement in writing as a condition of appointment as an observer;
 - h) comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned;
 - i) respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel.

Obligations of the Master

3. The Master shall allow observers to:
 - a) visit the fishing vessel, if weather conditions permit, and to have access to vessel staff and to the gear and equipment but not interfering with the equipment on-board;
 - b) have access to the equipment listed below, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties. This shall be done on a request basis. The equipment concerns
 - i) satellite navigation equipment; (consultation only)

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- ii) radar display viewing screens when in use; (consultation only)
 - iii) electronic means of communication;
 - c) Observers shall be provided with accommodation, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties;

Obligations of the Flag State

- 4. The Flag States shall ensure that masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.
- 5. No later than two months upon completion of a fishing trip, observer reports will be sent to the IOTC secretariat, who shall manage and keep record of the mentioned observer's reports in a manner consistent with IOTC confidentiality requirements, and will submit copies of the observer reports to the Scientific Committee.
- 6. Data collected in any Coastal State EEZ will also be provided to the Coastal State authorities within the same delays and conditions of the previous paragraph.

Mutual recognition of observers

- 7. The observers selected to participate in this pilot project will be recognised by all CPCs participating in the project.

APPENDIX XX
RESOLUTION 16/05
ON VESSELS WITHOUT NATIONALITY

The Indian Ocean Tuna Commission (IOTC),

RECOGNISING that vessels without nationality operate without governance and oversight;

CONCERNED that fishing in the IOTC area of competence by vessels without nationality undermines the objective of the IOTC Agreement and the work of the Commission;

NOTING Articles 92 and 94 of the United Nations Convention on the Law of the Sea (UNCLOS) relating to the status of ships and the duties of flag States;

RECALLING that the FAO Council has adopted an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated fishing (IUU fishing) and has recommended that States adopt measures consistent with international law in relation to fishing vessels without nationality involved in IUU fishing on the high seas;

REAFFIRMING IOTC Resolution 11/03 paragraph 1(i), which states that fishing vessels without nationality harvesting tuna or tuna-like species in the IOTC area of competence are presumed to have carried out IUU fishing;

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

1. A vessel without nationality is a vessel that, under international law, is not entitled to fly the flag of any State or, as referred to in Article 92 of UNCLOS, sails under the flag of two or more States, using them according to convenience.
2. Vessels without nationality that are fishing in the IOTC area of competence undermine the IOTC Agreement and the Conservation and Management Measures adopted by the Commission and are engaged in IUU fishing.
3. Contracting Parties (Members) and Cooperating Non-Contracting Parties (CNCs) are encouraged to take effective action in accordance with international law, including, where appropriate, enforcement action, against vessels without nationality that are engaging, or have engaged, in fishing or fishing related activities in the IOTC area of competence, and to prohibit the landing and transshipment of fish and fish products, and access to port services, by such vessels, except where such access is essential to the safety or health of the crew or the safety of the vessel.
4. Members and CNCs are encouraged to adopt necessary measures, including, where relevant, domestic legislation, to allow them to take the effective action referred to in paragraph 3 to prevent and deter vessels without nationality from engaging in fishing or fishing related activities in the IOTC area of competence.
5. Members and CNCs are encouraged to share information about vessels suspected to be without nationality to assist in clarifying the status of such vessels, and about the activities of vessels without nationality to inform decisions about action to prevent and deter such vessels from engaging in fishing or fishing related activities in the IOTC area of competence. Any sightings of fishing vessels that are suspected of, or confirmed as being, without nationality that may be fishing in the high seas of the IOTC area of competence shall be reported to the IOTC Secretariat as soon as possible by the appropriate authorities of the Member or CNC whose vessel or aircraft made the sighting. The IOTC Secretariat will circulate such information to all Members and CNCs as soon as practicable, and will provide a report to the Annual Session of the Compliance Committee of all such information provided.
6. Members and CNCs are encouraged to cooperate with all flag States to strengthen their legal, operational and institutional capacity to take action against their flagged vessels that have engaged in fishing or fishing related activities in the IOTC area of competence, including the imposition of adequate sanctions, as an alternative to de-flagging such vessels, thereby rendering such vessels without nationality.

APPENDIX XXI
RESOLUTION 16/06
ON MEASURES APPLICABLE IN CASE OF NON FULFILMENT OF REPORTING OBLIGATIONS IN
THE IOTC

The Indian Ocean Tuna Commission (IOTC),

GIVEN that following Article XI of the Agreement for the establishment of the IOTC, Contracting Parties agree to provide statistical and other data and information that the Commission may need for the purposes of this Agreement and that nominal catch data, Catch and effort data, size data and fish aggregating devices data should be submitted annually to the IOTC Secretariat by 30 June the year following the fishing activities;

RECALLING Resolutions by IOTC on the Deadlines, Procedures for Data Submission and Statistical Reporting Obligations, notably Resolutions 15/02, 15/01, 14/05, 12/04, 10/11, 11/04, 10/08 and 01/06;

RECOGNISING that funding is available from the Commission for developing CPCs to improve their data collection and submission capabilities;

TAKING INTO ACCOUNT that the Scientific Committee (IOTC–2015–SC18–R) noted with concern the lack of information submitted by CPCs on total catches, catch and effort and size data for various IOTC species, despite their mandatory reporting status, and requested that CPCs comply with IOTC data requirements, given the gaps in available information in the IOTC database and the importance of basic fishery data in order to assess the status of stocks and for the provision of sound management advice;

CONSIDERING that the Scientific Committee recommended that the Commission develop penalty mechanisms through the IOTC Compliance Committee to improve compliance by CPCs that do not currently comply with the submission of basic fishery data requirements as stated in Resolutions 15/01 and 15/02;

NOTING that incomplete reporting or no data reporting and that, despite the adoption of numerous measures intended to address the matter, lack of compliance with reporting obligations is still a problem for the Scientific Committee and for the Commission;

NOTING that Several stocks remain not assessed and some others are assessed with substantial uncertainty, which lead to important risks of depletion of some IOTC species and negative impact in the ecosystem;

FURTHER NOTING that, in order that all IOTC fisheries should be managed in line with the principles of the precautionary approach, it is necessary to take measures aimed at eliminating or reducing non-reporting and misreporting;

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

1. CPCs shall include information in their Annual Reports (*Report of Implementation*) on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches.
2. Actions taken by CPCs, as described in paragraph 1, shall be reviewed annually by IOTC Compliance Committee.
3. Following the review carried out by the Compliance Committee, the Commission at its annual session, according to the guidelines attached (**Annex I**), and after having given due consideration to the relevant information provided by the concerned CPCs in these cases, may consider to prohibit CPCs that did not report nominal catch data (exclusively), including zero catches, for one or more

species for a given year, in accordance with the Resolution 15/02, paragraph 2 (or any subsequent revision), from retaining such species as of the year following the lack or incomplete reporting until such data have been received by the IOTC Secretariat. Priority shall be given to situations of repeated non-compliance. Any CPC unable to meet these reporting obligations owing to engagement in civil conflict shall be exempt from this measure. The CPC concerned will work with the IOTC Secretariat to identify and implement possible alternative methods for data collection, using established FAO data collection methods.

ANNEX 1

Guidelines to facilitate the application of the paragraph 3

1. The Commission will follow the schedule and steps set forth below to guide application of paragraph 3 of this Resolution:

*Data review year**(starting in 2016 and annually thereafter)*

1. CPCs submit Total catch data to the IOTC Secretariat in accordance with the Resolution 15/02 and Scientific Committee template, including zero catches;
2. The IOTC Secretariat, in consultation with the Scientific Committee will include in the compliance report information detailing data submission status by species or stock (e.g. complete, incomplete, or missing) for each CPC;
3. Compliance Committee reviews the report on the basis of any other relevant information provided by the IOTC Executive Secretary, the Scientific Committee and CPCs. Based on this review, the Compliance Committee identifies in its report those CPCs that did not submit required data (i.e. data are missing or incomplete) and notifies them that they may be prohibited by the Commission from retaining the concerned species/stock from the relevant fishery as of the following year unless and until the data are provided to the Secretariat.
4. Compliance Committee also considers if any other actions consistent with this Resolution should be recommended.

Following the decision on retention prohibition

1. CPCs with a finding of "missing" or "incomplete" data submissions cannot retain those species;
2. Such CPCs should seek to rectify the situation by sending the missing data to the IOTC Executive Secretary as soon as feasible;
3. In consultation, as necessary and appropriate, with the Chairpersons of the Compliance Committee and the Commission, the IOTC Executive Secretary will review the new data submission in a timely manner to determine if it is complete. If the data appear to be complete, the Secretariat will promptly inform the CPC in question that it can resume retention of the concerned species/stock in the relevant fishery.
4. At the Annual Meeting following the intersessional provision of data and the decision to permit resumption of retention, the Compliance Committee reviews this decision and, if it considers that data are still incomplete, the Compliance Committee will again take the actions specified in the previous column, paragraphs 3 and 4.

APPENDIX XXII
RESOLUTION 16/07
ON THE USE OF ARTIFICIAL LIGHTS TO ATTRACT FISH

The Indian Ocean Tuna Commission (IOTC),

AWARE that the Commission is committed to adopt Conservation and Management Measures to reduce juvenile bigeye tuna and yellowfin tuna mortalities from fishing effort on Aggregating Devices;

RECALLING that the objective of the IOTC Agreement is to ensure, through appropriate management, the conservation and optimum utilisation of stocks covered by the mentioned Agreement and encouraging sustainable development of fisheries based on such stocks and minimising the level of bycatch;

RECOGNISING that all gears deployed to target resources under the competence of IOTC should be managed to ensure the sustainability of fishing operations;

MINDFUL of the call upon States, either individually, collectively or through regional fisheries management organisations and arrangements in the United Nations General Assembly Resolution 67/79 on Sustainable fisheries to collect the necessary data in order to evaluate and closely monitor the use of large-scale fish aggregating devices and others, as appropriate, and their effects on tuna resources and tuna behaviour and associated and dependent species, to improve management procedures to monitor the number, type and use of such devices and to mitigate possible negative effects on the ecosystem, including on juveniles and the incidental bycatch of non-target species, particularly sharks and marine turtles;

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

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

1. Fishing vessels and other vessels including support, supply and auxiliary vessels flying the flag of an IOTC Contracting Party or Cooperating Non-Contracting Party (collectively CPCs) are prohibited from using, installing or operating surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species beyond territorial waters. The use of lights on DFADs is also already prohibited.
2. CPCs shall prohibit their flagged vessels from intentionally conducting fishing activities around or near any vessel or DFAD equipped with artificial lights for the purpose of attracting tuna and tuna-like species under the mandate of the IOTC and in the IOTC area of competence.
3. DFADs equipped with artificial lights, which are encountered by fishing vessels operating in the IOTC area of competence, should as far as possible be removed and brought back to port.
4. Notwithstanding paragraph 1, CPCs whose fishing vessels currently use such artificial lights for the purpose of aggregating tuna and tuna-like species may continue to allow such vessels to use such lights until 31st December 2017. The CPC that wishes to apply this provision shall so report to the Secretariat within 120 days after the adoption of this resolution.
5. Navigation lights and lights necessary to ensure safe working conditions are not affected by this resolution.
6. This Resolution supersedes Resolution 15/07 *On the use of artificial lights to attract fish to drifting fish aggregating devices*.

APPENDIX XXIII
RESOLUTION 16/08

ON THE PROHIBITION OF THE USE OF AIRCRAFTS AND UNMANNED AERIAL VEHICLES AS FISHING AIDS

The Indian Ocean Tuna Commission (IOTC),

RECALLING that Article 5, paragraph c, of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA), establishes the application of the precautionary approach as a general principle for sound fisheries management;

NOTING that recommendations 37 and 38 of the Performance Review Panel, adopted by the Commission as Resolution 09/01, indicate that pending the amendment or replacement of the IOTC Agreement to incorporate modern fisheries management principles, the Commission should implement the precautionary approach as set forth in the UNFSA;

RECOGNISING the need to ensure the sustainability of fisheries for tunas and tuna-like species for food security, livelihoods, economic development, multispecies interactions and environmental impacts in its decisions;

CONSIDERING the resolution 12/01 on the implementation of the precautionary approach, in accordance with relevant internationally agreed standards, in particular with the guidelines set forth in the UNFSA, and to ensure the sustainable utilization of fisheries resources as set forth in article V of the IOTC agreement;

RECALLING that the objective of the IOTC Agreement is to ensure, through appropriate management, the conservation and optimum utilisation of stocks covered by the mentioned Agreement and encouraging sustainable development of fisheries based on such stocks;

RECOGNISING that all gears deployed to target resources under the competence of IOTC should be managed to ensure the sustainability of fishing operations;

GIVEN that “Aircraft” means a contrivance used for navigation of, or flight in the air and specifically includes, but is not limited to, planes, helicopters, and any other device that allows a person to fly or hover above the ground. “Unmanned aerial vehicle” means any device capable of flying in the air which is remotely, automatically or otherwise piloted without an occupant, including but not limited to drones;

RECOGNISING that the use of aircraft and unmanned aerial vehicle as fishing/searching aids significantly contribute to the fishing effort of tuna fishing vessels by increasing their fish detection capacity;

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

7. Contracting Parties and Cooperating Non-Contracting Party (collectively CPCs) shall prohibit their flagged fishing vessels, support and supply vessels from using aircrafts and unmanned aerial vehicles as fishing aids.
8. Notwithstanding paragraph 1, CPCs whose fishing vessels currently use aircrafts and unmanned aerial vehicles as fishing aids may continue to allow such vessels to use them until 31st December 2017. The CPC that wishes to apply this provision shall so report to the Secretariat within 120 days after the adoption of this resolution.
9. Any occurrence of a fishing operation undertaken with the aid of aircraft or any unmanned aerial vehicle in the IOTC area of competence shall be reported to the flag State and the IOTC Executive Secretary, for communication to the Compliance Committee.
10. Aircraft and unmanned aerial vehicles used for scientific and MCS purposes are not subject to the prohibition set out in paragraph 1 of this measure”.

APPENDIX XXIV
RESOLUTION 16/09

ON ESTABLISHING A TECHNICAL COMMITTEE ON MANAGEMENT PROCEDURES

The Indian Ocean Tuna Commission (IOTC),

HAVING responsibility for the sustainable utilisation of tuna and tuna-like species in the Indian Ocean;

RECOGNISING the need for action to ensure the achievement of IOTC objectives to conserve and manage tuna resources in the IOTC area of competence;

RECALLING Article 6, paragraph 3, of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA), on the strengthening of existing organisations and arrangements;

RECALLING that the IOTC Scientific Committee has initiated a process leading to a Management Strategy Evaluation process to improve upon the provision of scientific advice on Harvest Control Rules (HCRs);

FURTHER RECALLING that the IOTC has embarked upon a dialogue process as agreed in Resolution 14/03 *on enhancing the dialogue between fisheries scientists and managers*, which required that a series of three Science and Management Dialogue Workshops is held between 2014 and 2017;

NOTING the need, expressed by the Scientific Committee, to strengthen the communication on the MSE process between the Scientific Committee and the Commission, in order to facilitate consideration of the elements of the MSE that require endorsement by the Commission ;

RECOGNISING that the Scientific Committee RECOMMENDED that the Commission consider establishing a formal communication channel for the science and management dialogue to enhance decision-making through a dedicated Technical Committee on Management Procedures (SC18.18);

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

1. A Technical Committee on Management Procedures (TCMP) co-chaired by the Commission Chair (or designee) and the Scientific Committee Chair (or designee) and facilitated, if possible, by an independent expert, is established with the objective of addressing the priorities identified in Resolutions 14/03 *on enhancing the dialogue between fisheries scientists and managers*, and 15/10 *on target and limit reference points and a decision framework* or any subsequent resolutions addressing Management Strategy Evaluation and Management Procedures.
2. The objectives of the TCMP shall be to:
 - a. Enhance the decision making response of the Commission in relation to management procedures, including recommendations made by the Scientific Committee;
 - b. Enhance communication and foster dialogue and mutual understanding between the Scientific Committee and the Commission on matters relating to management procedures; and
 - c. Assist the Commission to obtain and promote the effective use of scientific resources and information.
3. The TCMP shall meet prior to and in conjunction with the annual Commission Session, to facilitate full attendance by CPCs.
4. The outcomes of the TCMP will be considered by the annual Commission Session under a standing agenda item for that purpose, as well as through the Commission's consideration of proposals relating to management procedures.
5. The TCMP shall focus on the presentation of results and exchange of information necessary for the Commission to consider possible adoption of Management Procedures. Standard formats for the presentation of results should be used, to facilitate understanding of the material by a non-technical audience.

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6. The agenda of the TCMP shall place emphasis on the elements of each Management Procedure that require a decision by the Commission. The adoption of Management Procedures is an iterative process that allows for adjustments as the work, and the understanding of the elements involved, progresses.
 7. The TCMP should undertake the following:
 - a. Identifying, evaluating, and discussing management procedures for the IOTC fisheries, which help meet the objectives of the IOTC Agreement, including socioeconomics, food security, etc., identified by the Commission, the ecosystem-based approach to fisheries and the precautionary approach for the consideration of the Commission. Specifically, consideration of the following:
 - i. Overarching management objectives to guide the development of management procedures for the IOTC fisheries;
 - ii. Target and Limit Reference Points with reference to Resolution 15/10 on interim target and limit reference points and a decision framework (or any subsequent revision);
 - iii. Harvest Control Rules (HCRs), including: the extent to which HCRs meet management objectives; the probabilities of achieving target reference points, avoiding limit reference points, or rebuilding; the risks to the fishery and the resource at these limit and target reference points; and allowing, in particular, the implementation of a precautionary approach as required by Resolution 15/10 on interim target and limit reference points and a decision framework (or any subsequent revision);
 - b. Considering current scientific advice relating to management procedures and the need for additional scientific advice to support the Commission's consideration of management procedures.
 - c. Specifications for the roles and responsibilities of the Commission and its subcommittees, particularly the Scientific Committee and working parties, and clarifications for possible interactions and feedback between them, for each step of the management procedure development process (e.g., from technical work to be developed in WP/SC to the decision making process in the Commission).
 - d. Considering data monitoring systems and management procedure implementation mechanisms to assure the effectiveness of any of the management procedures agreed.
 8. The need for a continuation of the Technical Committee on Management Procedures shall be reviewed no later than at the Annual Session of the Commission in 2019.
 9. This Resolution supersedes Resolution 14/03 *On enhancing the dialogue between fisheries scientists and managers*.

APPENDIX XXV
RESOLUTION 16/10

TO PROMOTE IMPLEMENTATION OF IOTC CONSERVATION AND MANAGEMENT MEASURES

The Indian Ocean Tuna Commission (IOTC),

RECOGNISING the desirability of improving the coherence, interpretation and accessibility of its Conservation and Management Measures;

CONCERNED that IOTC Contracting Parties and Cooperating Non-Contracting Parties (hereinafter referred to as “CPCs”), particularly developing CPCs, seem to find difficulties in implementing Conservation and Management Measures (CMMs) already adopted by the IOTC;

NOTING that among other things the major reasons for this situation seemed to be delivered from:

- Lack of human and financial capacity to implement CMMs;
- Frequent addition of new such measures and modifications to existing ones;
- Complicated structure of CMMs adopted by IOTC;
- Duplication of CMMs on one subject.

CONSIDERING that streamlining of IOTC work and enhancement of capacity building are necessary to drastically promote the implementation of CMMs;

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

SPECIAL FUND FOR CAPACITY BUILDING

1. The Commission shall maintain a special fund for capacity building in order to ensure compliance with CMMs adopted by the IOTC. This special fund shall be financed by voluntary contributions and via an IOTC Regular Budget component. The IOTC Secretariat shall contact international organizations, donor agencies and non-governmental organizations to seek voluntary financial contribution.
2. The Special Fund for Capacity Building shall be utilized, over the next five (5) years (2017–2021), focus on, inter alia, (i) to improve data collection in developing CPCs and (ii) to develop capacity in implementation of CMMs.
3. At its plenary meeting in 2021, the Commission shall decide the next priority areas for the period from 2022–2026.

ARRANGEMENT OF PROPOSALS TO BE SUBMITTED AND LIMITATION TO THE NUMBER OF PROPOSALS TO BE CONSIDERED

4. To further improve coordination in development process of proposals for new and/or revised CMMs to be considered at the Sessions of the Commission, Contracting Parties are encouraged to submit a provisional title, Contracting Party sponsorship and a focal point for the proposal (including the email address of the focal point), a minimum of 60 days prior to each annual Session so that all Contracting Parties are provided with an opportunity to identify proposals being developed by other CPCs, and as appropriate, cooperate in the development of proposals prior to the Session in which they are to be discussed. Where possible, duplication shall be avoided and consensus may be reached on contentious matters before the Session, thereby improving efficiency during Plenary. Whether such consultation is held or not, proposals shall be submitted 30 days before the Commission meeting. Except for proposals based on recommendations of the CoC and SCAF, proposals received after the deadline shall be considered by the Commission if agreed by the Commission.
5. The Commission may consider limiting the number of new proposals to be considered at one plenary meeting.

STREAMLINING OF RESOLUTIONS

6. The Commission shall consider streamlining existing CMMs by:
 - a) Abolishing outdated CMMs and incorporating key elements that remain to be fully implemented into a new CMM.
 - b) Combining multiple CMMs into a single CMM with multiple sections relating to a single broad subject area.
7. This Resolution supersedes Resolution 12/10 *Promote implementation of Conservation and Management Measures already adopted by IOTC*.

APPENDIX XXVI
RESOLUTION 16/11

ON PORT STATE MEASURES TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN THE INDIAN OCEAN TUNA COMMISSION (IOTC)

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

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

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

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

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

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

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

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

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

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

RECOGNISING recent achievements in developing a computerised communication system as provided for in Annex IV of *Resolution 10/11 On port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing* referred to as the e-PSM (electronic port State measures) application and the delivery of national training programme on the usage of this application;

ENSURING the uptake and gradual transition to full utilisation of the e-PSM application designed to facilitate compliance with this resolution;

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

PART 1

GENERAL PROVISIONS

1. *Use of terms*

For the purposes of this Resolution:

- a) “fish” means all species of highly migratory fish stocks covered by the IOTC Agreement;
- b) “fishing” means searching for, attracting, locating, catching, taking or harvesting fish or any activity which can reasonably be expected to result in the attracting, locating, catching, taking or harvesting of fish;
- c) “fishing related activities” means any operation in support of, or in preparation for, fishing, including the landing, packaging, processing, transshipping or transporting of fish that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear and other supplies at sea;
- d) “illegal, unreported and unregulated fishing” refers to the activities set out in paragraph 1 of the Resolution 09/03 ~~[superseded by Resolution 11/03]~~;
- e) “port” includes offshore terminals and other installations for landing, transshipping, packaging, processing, refuelling or resupplying; and
- f) “vessel” means any vessel, ship of another type or boat used for, equipped to be used for, or intended to be used for, fishing or fishing related activities.

2. *Objective*

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

3. *Application*

- 3.1 Each CPC shall, in its capacity as a port State, apply this Resolution in respect of vessels not entitled to fly its flag that are seeking entry to its ports or are in one of its ports, except for:
 - a) vessels of a neighbouring State that are engaged in artisanal fishing for subsistence, provided that the port State and the flag State cooperate to ensure that such vessels do not engage in IUU fishing or fishing related activities in support of such fishing; and
 - b) container vessels that are not carrying fish or, if carrying fish, only fish that have been previously landed, provided that there are no clear grounds for suspecting that such vessels have engaged in fishing related activities in support of IUU fishing.
- 3.2 This Resolution shall be applied in a fair, transparent and non-discriminatory manner, consistent with international law.
- 3.3 Each CPC may utilise the e-PSM system, available via the IOTC website, to implement this Resolution. A trial period of three years from 2016 will be provided to allow for the delivery of a complete training programme and further improvement and development. CPCs shall encourage all stakeholders (vessel representatives, port States and flag States) to utilise, to the greatest extent possible, the e-PSM application to comply with this Resolution and provide feedback and inputs contributing to its development until 1st January 2020. At the sixteenth session of the Compliance Committee the success of this application shall be evaluated and consideration shall be given to making the use of this application mandatory and defining a period for implementation. After this

date the possibility to submit an advance request for port entry manually in accordance with Article 6 will remain, should access to the Internet not be possible for any reason.

4. *Integration and coordination at the national level*

Each CPC shall, to the greatest extent possible:

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

PART 2

ENTRY INTO PORT

5. *Designation of ports*

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

6. *Advance request for port entry*

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

7. *Port entry, authorisation or denial*

- 7.1 After receiving the relevant information required pursuant to section 6, as well as such other information as it may require to determine whether the vessel requesting entry into its port has engaged in IUU fishing or fishing related activities in support of such fishing, each CPC shall decide whether to authorise or deny the entry of the vessel into its port and shall communicate this decision to the vessel or to its representative.
- 7.2 In the case of authorisation of entry, the master of the vessel or the vessel's representative shall be required to present the authorisation for entry to the competent authorities of the CPC upon the vessel's arrival at port.
- 7.3 In the case of denial of entry, each CPC shall communicate its decision taken pursuant to point 7.1, to the flag State of the vessel and, as appropriate and to the extent possible, relevant coastal States and IOTC Secretariat. The IOTC Secretariat may, if deemed appropriate to combat IUU fishing at global level, communicate this decision to secretariats of other RFMO's.

- 7.4 Without prejudice to point 7.1, when a CPC has sufficient proof that a vessel seeking entry into its port has engaged in IUU fishing or fishing related activities in support of such fishing, in particular the inclusion of a vessel on a list of vessels having engaged in such fishing or fishing related activities adopted by a regional fisheries management organisation in accordance with the rules and procedures of such organisation and in conformity with international law, the CPC shall deny that vessel entry into its ports.
- 7.5 Notwithstanding points 7.3 and 7.44, a CPC may allow entry into its ports of a vessel referred to in those points exclusively for the purpose of inspecting it and taking other appropriate actions in conformity with international law which are at least as effective as denial of port entry in preventing, deterring and eliminating IUU fishing and fishing related activities in support of such fishing.
- 7.6 Where a vessel referred to in points 7.4 or 7.5 is in port for any reason, a CPC shall deny such vessel the use of its ports for landing, transshipping, packaging, and processing of fish and for other port services including, *inter alia*, refuelling and resupplying, maintenance and drydocking. Points 9.2 and 9.3 of section 9 apply *mutatis mutandis* in such cases. Denial of such use of ports shall be in conformity with international law.

8. *Force majeure or distress*

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

PART 3

USE OF PORTS

9. *Use of ports*

- 9.1 Where a vessel has entered one of its ports, a CPC shall deny, pursuant to its laws and regulations and consistent with international law, including this Conservation and Management Resolution, that vessel the use of the port for landing, transshipping, packaging and processing of fish that have not been previously landed and for other port services, including, *inter alia*, refuelling and resupplying, maintenance and drydocking, if:
- a) the CPC finds that the vessel does not have a valid and applicable authorisation to engage in fishing or fishing related activities required by its flag State;
 - b) the CPC finds that the vessel does not have a valid and applicable authorisation to engage in fishing or fishing related activities required by a coastal State in respect of areas under the national jurisdiction of that State;
 - c) the CPC receives clear evidence that the fish on board was taken in contravention of applicable requirements of a coastal State in respect of areas under the national jurisdiction of that State;
 - d) the flag State does not confirm within a reasonable period of time, on the request of the port State, that the fish on board was taken in accordance with applicable requirements of a relevant regional fisheries management organisation; or
 - e) the CPC has reasonable grounds to believe that the vessel was otherwise engaged in IUU fishing or fishing related activities in support of such fishing, including in support of a vessel referred to in point 7.4, unless the vessel can establish:

- i. that it was acting in a manner consistent with relevant IOTC Resolutions; or
 - ii. in the case of provision of personnel, fuel, gear and other supplies at sea, that the vessel that was provisioned was not, at the time of provisioning, a vessel referred to in point 4 of paragraph 7.
- 9.2 Notwithstanding point 9.1, a CPC shall not deny a vessel referred to in that point the use of port services:
 - a) essential to the safety or health of the crew or the safety of the vessel, provided these needs are duly proven; or
 - b) where appropriate, for the scrapping of the vessel.
- 9.3 Where a CPC has denied the use of its port in accordance with this paragraph, it shall promptly notify the flag State and, as appropriate, relevant coastal States, IOTC or other regional fisheries management organisations and other relevant international organisations of its decision.
- 9.4 A CPC shall withdraw its denial of the use of its port pursuant to point 9.1 in respect of a vessel only if there is sufficient proof that the grounds on which use was denied were inadequate or erroneous or that such grounds no longer apply.
- 9.5 Where a CPC has withdrawn its denial pursuant to point 9.4, it shall promptly notify those to whom a notification was issued pursuant to point 9.3.

PART 4

INSPECTIONS AND FOLLOW-UP ACTIONS

- 10. *Levels and priorities for inspection*
 - 10.1 Each CPC shall carry out inspections of at least 5% of landings or transshipments in its ports during each reporting year.
 - 10.2 Inspections shall involve the monitoring of the entire discharge or transshipment and include a cross-check between the quantities by species recorded in the prior notice of landing and the quantities by species landed or transhipped. When the landing or transshipment is completed, the inspector shall verify and note the quantities by species of fish remaining on board.
 - 10.3 National inspectors shall make all possible efforts to avoid unduly delaying a vessel and ensure that the vessel suffers the minimum interference and inconvenience and that degradation of the quality of the fish is avoided.
 - 10.4 The port CPC may invite inspectors of other CPC to accompany their own inspectors and observe the inspection of landings or transshipment operations of fishery resources caught by fishing vessels flying the flag of another CPC.
- 11. *Conduct of inspections*
 - 11.1 Each CPC shall ensure that its inspectors carry out the functions set forth in **Annex II** as a minimum standard.
 - 11.2 Each CPC shall, in carrying out inspections in its ports:
 - a) ensure that inspections are carried out by properly qualified inspectors authorised for that purpose, having regard in particular to section 14;

- b) ensure that, prior to an inspection, inspectors are required to present to the master of the vessel an appropriate document identifying the inspectors as such;
- c) ensure that inspectors examine all relevant areas of the vessel, the fish on board, the nets and any other gear, equipment, and any document or record on board that is relevant to verifying compliance with relevant Conservation and Management Resolutions;
- d) require the master of the vessel to give inspectors all necessary assistance and information, and to present relevant material and documents as may be required, or certified copies thereof;
- e) in case of appropriate arrangements with the flag State of the vessel, invite the flag State to participate in the inspection;
- f) make all possible efforts to avoid unduly delaying the vessel to minimise interference and inconvenience, including any unnecessary presence of inspectors on board, and to avoid action that would adversely affect the quality of the fish on board;
- g) make all possible efforts to facilitate communication with the master or senior crew members of the vessel, including where possible and where needed that the inspector is accompanied by an interpreter;
- h) ensure that inspections are conducted in a fair, transparent and non-discriminatory manner and would not constitute harassment of any vessel; and
- i) not interfere with the master's ability, in conformity with international law, to communicate with the authorities of the flag State.

12. *Results of inspections*

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

13. *Transmittal of inspection results*

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

- a) the flag State of any vessel that transhipped catch to the inspected vessel;
- b) the relevant CPCs and States, including those States for which there is evidence through inspection that the vessel has engaged in IUU fishing, or fishing related activities in support of such fishing, within waters under their national jurisdiction; and
- c) the State of which the vessel's master is a national.

13.2 The IOTC Secretariat shall without delay transmit the inspection reports to the relevant regional fisheries management organisations, and post the inspection report on the IOTC website.

14. *Training of inspectors*

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

15. *Port State actions following inspection*

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

16. *Information on recourse in the port State*

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

PART 5

ROLE OF FLAG STATES

17. *Role of CPCs flag States*

- 17.1 Each CPCs shall require the vessels entitled to fly its flag to cooperate with the port State in inspections carried out pursuant to this Resolution.
- 17.2 When a CPC has clear grounds to believe that a vessel entitled to fly its flag has engaged in IUU fishing or fishing related activities in support of such fishing and is seeking entry to or is in the port of another State, it shall, as appropriate, request that State to inspect the vessel or to take other measures consistent with this Resolution.
- 17.3 Each CPC shall encourage vessels entitled to fly its flag to land, tranship, package and process fish, and use other port services, in ports of States that are acting in accordance with, or in a manner consistent with this Resolution. CPCs are encouraged to develop fair, transparent and non-discriminatory procedures for identifying any State that may not be acting in accordance with, or in a manner consistent with, this Resolution.

- 17.4 Where, following port State inspection, a flag State CPC receives an inspection report indicating that there are clear grounds to believe that a vessel entitled to fly its flag has engaged in IUU fishing or fishing related activities in support of such fishing, it shall immediately and fully investigate the matter and shall, upon sufficient evidence, take enforcement action without delay in accordance with its laws and regulations.
- 17.5 Each CPC shall, in its capacity as a flag State, report to other CPCs, relevant port States and, as appropriate, other relevant States, regional fisheries management organisations and FAO on actions it has taken in respect of vessels entitled to fly its flag that, as a result of port State measures taken pursuant to this Resolution, have been determined to have engaged in IUU fishing or fishing related activities in support of such fishing.
- 17.6 Each CPC shall ensure that measures applied to vessels entitled to fly its flag are at least as effective in preventing, deterring, and eliminating IUU fishing and fishing related activities in support of such fishing as measures applied to vessels referred to in point 3.1.

PART 6

REQUIREMENTS OF DEVELOPING STATES

18. *Requirements of developing States*

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

- b) monitoring, control, surveillance and compliance activities relevant to port State measures, including access to technology and equipment; and
- c) listing CPCs developing States with the costs involved in any proceedings for the settlement of disputes that result from actions they have taken pursuant to this Resolution.

PART 7

DUTIES OF THE IOTC SECRETARIAT

19. *Duties of the IOTC Secretariat*

19.1 The IOTC Secretariat shall without delay post on the IOTC website:

- a) the list of designated ports;
- b) the prior notification periods established by each CPC;
- c) the information about the designated competent authority in each port State CPC;
- d) the blank copy of the IOTC Port inspection report form.

19.2 The IOTC Secretariat shall without delay post on the secure part of the IOTC website copies of all Port inspection reports transmitted by port State CPCs.

19.3 All forms related to a specific landing or transshipment shall be posted together.

19.4 The IOTC Secretariat shall without delay transmit the inspection reports to the relevant regional fisheries management organisations.

20. This Resolution shall be applied to CPCs' ports within the IOTC area of competence. The CPCs situated outside the IOTC area of competence shall endeavour to apply this Resolution.

21. This Resolution supersedes Resolution 10/11 *on Port State Measures to prevent, deter and eliminate illegal, unreported and unregulated fishing*.

ANNEX I

Information to be provided in advance by vessels requesting port entry

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

ANNEX II

Port State inspection procedures

Inspectors shall:

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

ANNEX III

IOTC Port inspection report form

1. Inspection report no		2. Port State	
3. Inspecting authority			
4. Name of principal inspector		ID	
5. Port of inspection			
6. Commencement of inspection	YYYY	MM	DD HH
7. Completion of inspection	YYYY	MM	DD HH
8. Advanced notification received	Yes	No	
9. Purpose(s)	LAN	TRX	PRO OTH (specify)
10. Port and State and date of last port call	YYYY	MM	DD
11. Vessel name			
12. Flag State			
13. Type of vessel			
14. International Radio Call Sign			
15. Certificate of registry ID			
16. IMO ship ID, if available			
17. External ID, if available			
18. Port of registry			
19. Vessel owner(s)			
20. Vessel beneficial owner(s), if known and different from vessel owner			
21. Vessel operator(s), if different from vessel owner			
22. Vessel master name and nationality			
23. Fishing master name and nationality			
24. Vessel agent			
25. VMS	No	Yes: National	Yes: RFMOs Type:
26. Status in IOTC, including any IUU vessel listing			
Vessel identifier	RFMO	Flag State status	Vessel on authorised vessel list Vessel on IUU vessel list
27. Relevant fishing authorisation(s)			
Identifier	Issued by	Validity	Fishing area(s) Species Gear
28. Relevant transshipment authorisation(s)			
Identifier	Issued by	Validity	
Identifier	Issued by	Validity	
29. Transshipment information concerning donor vessels			
Name	Flag State	ID no	Species Product form Catch area(s) Quantity
30. Evaluation of offloaded catch (quantity)			
Species	Product form	Catch area(s)	Quantity declared Quantity offloaded Difference between quantity declared and quantity determined, if any
31. Catch retained onboard (quantity)			
Species	Product form	Catch area(s)	Quantity declared Quantity retained Difference between quantity declared and quantity determined, if any
32. Examination of logbook(s) and other documentation		Yes	No Comments
33. Compliance with applicable catch documentation scheme(s)		Yes	No Comments
34. Compliance with applicable trade information scheme(s)		Yes	No Comments

35. Type of gear used			
36. Gear examined in accordance with paragraph e) of Annex II	Yes	No	Comments
37. Findings by inspector(s)			
38. Apparent infringement(s) noted including reference to relevant legal instrument(s)			
39. Comments by the master			
40. Action taken			
41. Master's signature			
42. Inspector's signature			

ANNEX IV
Information systems on port State measures

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

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

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

ANNEX V
Guidelines for the training of inspectors

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

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

APPENDIX XXVII
RESOLUTION 16/12
WORKING PARTY ON THE IMPLEMENTATION OF CONSERVATION AND MANAGEMENT
MEASURES (WPICMM)

The Indian Ocean Tuna Commission (IOTC),

RECALLING the objective of the Agreement (Article V) is ‘*to adopt, in accordance with Article IX and on the basis of scientific evidence, Conservation and Management Measures, to ensure the conservation of the stocks covered by this Agreement and to promote the objective of their optimum utilisation throughout the Area*’;

RECOGNISING the annual level of illegal, unreported and unregulated (IUU) fishing in the IOTC area of competence is estimated to be in the order of many hundreds of dollars and the urgent need to better manage the tuna and tuna-like species under the IOTC mandate;

ALSO RECOGNISING the decision of the Commission to establish the necessary subsidiary bodies to monitor the implementation by CPCs with the Agreement and the Commission’s Conservation and Management Measures, assist CPCs to enhance their compliance capacity and conserve the harvesting levels of tuna and tuna-like species and their associated ecosystems at sustainable levels;

CONSIDERING the fact that the work of the Compliance Committee has increased to a level which can no longer be adequately addressed during its annual session, specifically the technical evaluation and planning elements for supporting CPC implementation of CMMs;

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

8. Pursuant to Article XII.1 of the Agreement, the Commission establishes a permanent Working Party on the Implementation of Conservation and Management Measures (WPICMM) which shall act as an advisory body to the Commission via the Compliance Committee.
9. The terms of reference for the WPICMM are those specified in **Annex I**.
10. This Resolution shall be incorporated within the IOTC Rules of Procedure as its next revision.

ANNEX I

TERMS OF REFERENCE FOR A WORKING PARTY ON THE IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES (WPICMM)

1. The procedures of the Working Party on the Implementation of Conservation and Management Measures (WPICMM) shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.

Objectives:

2. The objective of the (WPICMM) is to:
 - a) Alleviate the technical discussions, workload and time pressures on the Compliance Committee, and permit it to focus on higher level compliance implementation strategies in its work for the Commission;
 - b) Enhance the technical capacity of Contracting Party (Member) and Cooperating Non-Contracting Party (CNCP) (collectively termed CPCs) to understand and implement IOTC Conservation and Management Measures (CMMs);
 - c) Prioritise implementation issues and develop operational standards for use by CPCs.

Composition:

3. The WPICMM shall be constituted of fisheries compliance officers (or other relevant officer) of the CPCs at an operational decision-making level; each Contracting Party of the Commission shall have the right to appoint a representative and an alternate, if needed, both with suitable qualifications, who may be accompanied by experts and advisers.

Mandate:

4. Examine all aspects of CPCs technical implementation of CMMs and recommending ways to enhance the level of implementation;
5. Examine Monitoring, Control and Surveillance (MCS) technical matters in order to provide the Compliance Committee with options for strengthening MCS;
6. Review the reporting requirements contained within CMMs in order to harmonize and streamline;
7. Develop a methodology for the assessment of implementation by CPCs, for producing the Country Compliance Reports provided annually to the Compliance Committee and flag States;
8. Review and assess the effectiveness and practical aspects of implementation of CMMs adopted by the Commission in order to identify deficiencies and implementation constraints faced by CPCs, and to recommend options for amendments;
9. Propose actions to address deficiencies in implementation;
10. Development of minimum regional standards for implementation of CMMs;
11. Develop a harmonized assessment criteria to identify vessels presumed to have engaged in illegal, unreported and unregulated (IUU) fishing activities;
12. Monitor the development of, and recommend further actions for the IOTC list of vessels presumed to have engaged in illegal, unreported and unregulated (IUU) fishing activities, including where requested by the Compliance Committee or involved CPCs, a review of the evidence to be presented, where such evidence can be made available to the WPICMM;
13. Monitor the development of, and recommend actions for the list of Large Scale Tuna Longline Vessels (LSTLVs)/carrier vessels presumed to have committed infractions of IOTC CMMs, as recorded by observers deployed under the at-sea transshipment programme;

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14. Provide recommendations to the Compliance Committee to assist CPCs in the design and implementation of national MCS systems;
 15. Provide recommendations to the Compliance Committee to assist CPCs in the design and implementation of enforcement actions to ensure compliance with IOTC CMMs;
 16. Development of regional capacity building mechanisms to assist CPCs to meet the regional minimum terms and conditions or standards for implementation of the CMMs;
 17. Provide recommendations for the strengthening of the implementation of CMMs and capacity building activities, including compliance support missions, regional/national training courses and workshops, to be funded under the special fund for capacity building or extra budgetary contributions;
 18. Develop recommendations and guidelines for a schedule of sanctions for non-compliance with IOTC CMMs for consideration by the CPCs and the Commission.
 19. Review compliance with data reporting obligations by CPCs and recommend actions for implementation.
 20. Other tasks as assigned by the Compliance Committee or Commission.

APPENDIX XXVIII

SCHEDULE OF MEETINGS TO BE SUPPORTED BY THE IOTC SECRETARIAT IN 2017 AND 2018

Meeting	2017			2018		
	No.	Date	Location	No.	Date	Location
Technical Committee on Allocation Criteria (TCAC)	4 th	TBD	South Africa	5 th	TBD	TBD
Compliance Committee (CoC)	14 th	TBD	Indonesia	15 th	TBD	Thailand
Standing Committee on Administration and Finance (SCAF)	14 th	TBD	Indonesia	15 th	TBD	Thailand
Commission	21 st	TBD	Indonesia	22 st	TBD	Thailand
Working Party on Neritic Tunas (WPNT)	7 th	3–6 March (4d)	TBD	8 th	TBD	TBD
Working Party on Temperate Tunas (WPTmT)	-	-	-	7 th	TBD	TBD
Working Party on Ecosystems and Bycatch (WPEB)	13 th	6-10 September (5d)	Kenya	14 th	TBD	TBD
Working Party on Billfish (WPB)	15 th	12–16 September (5d)	Kenya	16 th	TBD	TBD
Working Party on Tropical Tunas (WPPT)	19 th	30 October – 3 November (5d)	TBD	20 th	TBD	TBD
Working Party on Methods (WPM)	8 th	5–7 November (3d)	TBD	9 th	TBD	TBD
Working Party on Data Collection and Statistics (WPDCS)	12 th	28–30 November (3d)	Seychelles	13 th	TBD	Seychelles
Scientific Committee (SC)	20 th	1–5 December (5d)	Seychelles	21 th	TBD	Seychelles