

## **IOTC Agreement – Article X**

### **Report of Implementation for the year 2016**

**DEADLINE FOR SUBMISSION OF THE REPORT 17 MARCH 2017**

Reporting CPC: MADAGASCAR

Date of submission: 05/04/2017

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

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

- Resolution 16/01 On an Interim Plan for Rebuilding the Indian Ocean Yellowfin tuna Stock in the IOTC area of competence

This resolution is not relevant to Madagascar as it does not have a purse seine fleet. In addition, yellowfin catch by its longline vessels did not exceed 5,000 tons in 2014.

**The report on methods for achieving the YFT catch reductions has already been provided to the IOTC Secretariat:**

Yes

Date of reporting (DD/MM/YYYY): [Click here to enter text](#)

No

Additional information:

[Click here to enter text.](#)

- Resolution 16/02 On harvest control rules for Skipjack tuna in the IOTC area of competence.

[Click here to enter text](#)

- Resolution 16/03 On the second performance review follow-up

Madagascar supports the implementation of the Ad hoc Technical Committee.

- Resolution 16/04 On the implementation of a Pilot project in view of promoting the Regional observer scheme of IOTC

Madagascar already has an operational observer program for the monitoring of its fishing vessels, observers trained by the IOTC take part in it.

- Resolution 16/05 On vessels without nationality

Madagascar has the Fisheries and Aquaculture Code Act No. 2015-053 of 02/12/15 as well as legal and operational schemes that allow to control, monitor and punish stateless vessels operating within Malagasy jurisdiction.

- Resolution 16/06 On measures applicable in case of non fulfilment of reporting obligations in the IOTC

*“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;”*

Actions taken to implement their reporting obligations for all IOTC fisheries (in terms of Resolutions 15/01 and 15/02), including shark species caught in association with IOTC fisheries, and in particular the steps taken to improve their data collection for direct and incidental catches.

*Note: where applicable, please report actions separately for artisanal (coastal), and industrial IOTC fisheries:*

- **Action(s) to improve data collection that facilitate improvements in compliance in terms of IOTC mandatory reporting obligations (e.g. development or improvements in the implementation of logbooks, port-based sampling or related fisheries surveys, national observer scheme, vessel registry, electronic data capture, VMS, or on-board electronic monitoring):**

IOTC industrial fisheries:

Each shipowner is required to send (as hard copy or electronic file) to the Fisheries Directorate and the Unité Statistique Thonière d’Antsiranana the original fishing log duly signed by the captain, at the end of each fishing trip.

Renewal of fishing license is subject to the submission of fishing logs.

These fishing logs are then forwarded to the statistics service for input and storage.

Provisions of the Fisheries and Aquaculture Code Act No. 2015-053 set the obligation to submit fishing logs, in particular in Articles 12, 30, 56, 57, 59, 86, 122, 148 and 172.

- **Action(s) to improve data processing and reporting systems that facilitate submission of data to the IOTC Secretariat (e.g., development of fisheries databases and data dissemination systems, development of automated routines to process and extract IOTC data submissions, steps to minimise data entry errors):**

Deal with data from fishing logs in real time.

- **Action(s) to improve the quality and accuracy of data submitted to the IOTC Secretariat (e.g., steps to improve data validation, improvements in sampling coverage, frame**

**surveys, etc.; coherence of data with alternative fisheries datasets, comparability of data from previous years):**

Confrontation and validation of data results with other bodies holding data (USTA, CSP) at the end of fishing trips.

Additional information:

[Click here to enter text.](#)

- Resolution 16/07 On the use of artificial lights to attract fish  
Malagasy-flagged vessels have not used artificial lights to attract fish so far.  
However, with the IOTC's technical assistance, Madagascar will draft the implementing legislation on tuna fisheries for the Fisheries and Aquaculture Code Act No. 2015-053 of 02/12/15, as well as the transposition of new IOTC resolutions. This activity will be undertaken this year.
- Resolution 16/08 On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids  
Malagasy-flagged vessels have not used aircrafts and unmanned aerial vehicles as fishing aids so far.  
However, with the IOTC's technical assistance, Madagascar will draft the implementing legislation on tuna fisheries for the Fisheries and Aquaculture Code Act No. 2015-053 of 02/12/15, as well as the transposition of new IOTC resolutions. This activity will be undertaken this year.
- Resolution 16/09 On establishing a Technical Committee on Management Procedures  
Madagascar supports the implementation of the Technical Committee on Management Procedures.
- Resolution 16/10 To promote implementation of IOTC Conservation and Management Measures  
Madagascar supports the creation of the special fund for capacity building and hopes that related activities we are granted will continue.
- Resolution 16/11 On Port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing

Madagascar adopted Law No. 2016-043 of 14/01/17 authorizing its accession to the Agreement on Port State Measures.

- Resolution 16/12 Working Party on the Implementation of Conservation and Management Measures (WPICMM)

Madagascar supports the implementation of the Working Party on the Implementation of Conservation and Management Measures and confirms it will take part in it.

Note: <sup>a</sup> indicate that a template report exists for some of the requirements and can be downloaded at <http://www.iotc.org/compliance/reporting-templates>

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

- Madagascar adopted on 06/12/16 Decree No. 2016-1492 reorganizing marine fisheries activities, with a view to implement the Fisheries and Aquaculture Code Act No. 2015-053 of 02/12/15.
  
- Madagascar is preparing its Fleet Development Plan for the next ten years and will submit it shortly to the IOTC Secretariat.
  
- With the IOTC’s technical assistance, Madagascar will draft this year the implementing legislation for the Fisheries Code, as well as the transposition of IOTC resolutions into national legislation.

**Part C.** Data and information reporting requirements for CPCs to be included in this report (please refer to the section “Implementation Report due by 17 March 2016” of the *Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties*, available for download at <http://www.iotc.org/compliance/reporting-templates>).

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

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

**Nil report, specify the reason:**     No large scale longline vessels on the IOTC RAV  
 Do not export frozen big eye tuna

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

Yes                       **Date of reporting (DD/MM/YYYY):** [Click here to enter text.](#)  
 No

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

Yes                       No

Additional information:  
[Click here to enter text.](#)

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

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

a. Management in the fishing grounds (of flag vessels).

	<i>Scientific Observer boarding</i>	<i>Satellite-based vessel monitoring system</i>	<i>Daily or required periodic catch report</i>	<i>Entry/Exit report</i>
<b>Yes, No?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Note</b>	% <a href="#">Click here to enter text.</a>	% or number of vessels 100%	Method Report sent once a week to relevant authorities (CSP, Director of Fisheries of the Ministry of Fisheries)	Method Message sent via fax and/or Inmarsat

b. Management of transshipment (from the fishing grounds to the landing ports; of flag vessels)

	<b>Transshipment report</b>	<b>Port inspection</b>	<b>Statistical document program</b>
<b>Yes, No?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Note</b>	Method National vessels do not transship	Method Inspection of each vessel	Click here to enter text.

c. Management at landing ports (of flag vessels).

	<b>Landing inspection</b>	<b>Landing reporting</b>	<b>Cooperation with other Parties</b>
<b>Yes, No?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Note</b>	Method Click here to enter text.	Method Click here to enter text.	It includes cooperation with:  - the Ministry of Transport through the harbour master's office  - the FISHi Project

Additional information:

Click here to enter text.

- Resolution 10/10 Concerning market related measures

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

**Nil report, specify the reason(s):**  No landing from foreign vessels in national ports  
 No transshipment by foreign vessels in national ports  
 Do not import tuna and tuna-like fish products

**The report on import, landing or transshipment of tuna and tuna-like fish products landed or transhipped in port in 2016 have already been provided to the IOTC Secretariat:**

Yes       Date of reporting (DD/MM/YYYY): Click here to enter text.  
 No

**The report on import, landing or transshipment of tuna and tuna-like fish products landed or transhipped in port in 2016 is attached to the implementation report:**

Yes       No

Additional information:

Click here to enter text.

- Resolution 11/02 Prohibition of fishing on data buoys

CPCs are to notify the IOTC Secretariat of all reports of observations of damaged data buoys.

Nil Report

The report has already been provided to the IOTC Secretariat:

Yes  Date of reporting (DD/MM/YYYY): [Click here to enter text.](#)  
No

The report is attached to the implementation report:

Yes  No

Additional information:

Not applicable as Madagascar does not have any purse seiners.

- Resolution 11/04 On a Regional observer scheme

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

Type of gear	No of vessels monitored in 2015	Coverage in 2015 (%)
Purse seine	<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>
Longline	<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>
Gillnet	<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>
Bait Boat	<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>
Hand line	<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>
Insert other gear type <a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>
Insert other gear type <a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>
Insert other gear type <a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>
Insert other gear type <a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>

Additional information:

CSP/ Scientific Observer Program

- Resolution 12/04 On marine turtles



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

Report to the IOTC Secretariat sent by email on 03/12/16

- Resolution 12 /06 On Reducing the Incidental Bycatch of Seabirds in Longline Fisheries

CPCs shall provide to the Commission, as part of their annual reports, information on how they are implementing this measure and all available information on interactions with seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to include details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC Area of Competence.

None of the Malagasy-flagged longline vessels operate south of 25 degrees South, as reported to the Secretariat by email on 03/12/16.

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

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

With the IOTC's technical assistance, Madagascar will draft this year the implementing legislation on tuna fisheries for the Fisheries and Aquaculture Code Act No. 2015-053 of 16/12/15, as well as the transposition of existing IOTC resolutions, among which is the ban on large-scale driftnets.

- Resolution 13/04 On the conservation of cetaceans

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

**Not applicable (No PS vessels on the IOTC RAV in 2016);**

**No encirclement reported by flag vessels in 2016,**

**Encirclement reported by flag vessels in 2016 (Complete the table below):**

Name of the species	Number of instances of encirclement
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

Click here to enter text.

Click here to enter text.

Additional information:

Madagascar does not have any purse seiners in its fleet.

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

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

**Not applicable (No PS vessels on the IOTC RAV in 2016);**

**No encirclement reported by flag vessels in 2016,**

**Encirclement reported by flag vessels in 2016 (Complete the table below):**

Name of the species	Number of instances of encirclement
Whale sharks ( <i>Rhincodon typus</i> )	Click here to enter text.

Additional information:

Madagascar does not have any purse seiners in its fleet.

- Resolution 14/05 Concerning A Record Of Licensed Foreign Vessels Fishing For IOTC Species In The IOTC Area Of Competence And Access Agreement Information

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

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

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

Additional information:

The existing Government to Government agreement is between Madagascar and the European Union. It covers the period from 01/01/2015 to 31/12/18.

The list of authorized foreign vessels for 2016 was forwarded to the IOTC Secretariat on 02/03/17.

- Resolution 14/06 On establishing a programme for transshipment by large-scale fishing vessels  
(Report of flag vessels transshipping in foreign ports)

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

**Nil report, specify the reason(s):**  No LSTVs on the RAV  
 Flag LSTVs do not tranship in foreign ports

**The details on transshipment in ports for 2016 have already been provided to the IOTC Secretariat:**

Yes  **Date of reporting (DD/MM/YYYY):** [Click here to enter text.](#)  
No

**The details on transshipment in ports for 2016 are attached to the implementation report:**

Yes  No

Additional information:

No national vessels undertake transshipments at sea or in foreign ports.

- Resolution 15/04 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence.

CPCs shall review their own internal actions and measures taken pursuant to paragraph 7, including punitive actions and sanctions and, in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission annually. In consideration of the results of such review, the Commission shall, if appropriate, request the flag CPCs of AFVs on the IOTC Record to take further action to enhance compliance by those vessels with IOTC Conservation and Management Measures.

The flag CPCs of the vessels on the record shall:

- take measures to ensure that their AFVs comply with all the relevant IOTC Conservation and Management Measures;  
Describe the measures:  
Obligations provided for in Article 92 of the Fisheries and Aquaculture Code Act No. 2015-053 of February 3rd 2015: non-compliance with international conservation and management measures constitutes an offence and requires the offender to pay a fine.
- take measures to ensure that their AFVs on the IOTC Record keep on board valid certificates of vessel registration and valid authorisation to fish and/or tranship;  
Describe the measures:  
Obligations provided for in Articles 5, 10, 11, 18 and 92 of the Fisheries and Aquaculture Code Act No. 2015-053 of February 3rd 2015.
- ensure that their AFVs on the IOTC Record have no history of IUU fishing activities or that, if those vessels have such a history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels; the parties of the IUU incident have officially resolved the matter and sanctions have been completed; or that having taken into account all relevant facts, their AFVs are not engaged in or associated with IUU fishing;  
Describe the measures:

Denial to issue a fishing licence to such vessels (Art. 40 of the Fisheries and Aquaculture Code Act No. 2015-053 of 03/02/15)

- ensure, to the extent possible under domestic law, that the owners and operators of their AFVs on the IOTC Record are not engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence;

Describe the measures:

Article No. 25 of the Fisheries and Aquaculture Code Act No. 2015-053 of 03/02/15:

Every Malagasy vessel fishing within the waters under Malagasy jurisdiction:

- must be registered in Madagascar or purchased with a loan, pursuant to the applicable legislation and regulation, by a physical person of Malagasy nationality or a legal person under Malagasy law
- must be chartered by a physical person of Malagasy nationality or a legal person under Malagasy law.

- take measures to ensure, to the extent possible under domestic law, that the owners of the AFVs on the IOTC Record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them;

Describe the measures:

Control of each vessel before the beginning of the trip.

- Resolution 15/08 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

From 2015 on, CPCs shall submit to the Commission, 60 days before the Annual Meeting, a report on the progress of the management plans of FADs, including reviews of the initially submitted Management Plans, and including reviews of the application of the principles set out in Annex III.

**Not applicable (No PS vessels on the IOTC RAV in 2016);**

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

Yes

Date of reporting (DD/MM/YYYY): [Click here to enter text.](#)

No

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

Yes

No

Additional information:

Madagascar does not have any purse seiners in its fleet.