



# Report of the 21st Session of the Indian Ocean Tuna Commission

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Yogyakarta, Indonesia, 22–26 May 2017

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## ACRONYMS

AFAD	Anchored fish aggregating device
SB <sub>MSY</sub>	Spawning or 'adult' equilibrium biomass at MSY
B <sub>MSY</sub>	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 <sub>MSY</sub>	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
TCMP	Technical Committee on Management Procedures
TCPR	Technical Committee on Performance Review
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
WPICMM	Working party on the Implementation of Conservation and Management Measures
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)

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**CONTRACTING PARTIES OF THE INDIAN OCEAN TUNA COMMISSION****THIRTY-ONE (31) AS OF 26 MAY 2017**

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**AUSTRALIA**  
**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****THREE (3) AS OF 26 MAY 2017**

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

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### EXECUTIVE SUMMARY

The 21<sup>st</sup> Session of the Indian Ocean Tuna Commission (IOTC) was held in Yogyakarta, Indonesia, from 22–26 May 2017, Chaired by Dr Ahmed Al-Mazrouai (Oman). A total of 209 delegates attended the Session, composed of 76 delegates from 26 Contracting Parties (Members) of the Commission, 4 delegates from 3 Cooperating Non-Contracting Parties, 30 delegates from 17 Observers to the Commission (including 8 invited experts) and 3 delegates from the FAO..

The Commission added 15 vessels to the IOTC IUU Vessels List, bringing the total number of vessels listed to 69 vessels ([Appendix 11](#)).

The Commission granted the status of Cooperating Non-Contracting Party, until the close of the 22<sup>nd</sup> Session in 2018, to Bangladesh, Liberia and Senegal.

The Commission adopted a budget of USD3 905 655 for the 2018 calendar year ([Appendix 12](#)), and a corresponding scheme of contributions ([Appendix 13](#)).

The Commission adopted eight Conservation and Management Measures ([Appendix 7](#)), as follows:

- Resolution 17/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC Area of Competence.*
- Resolution 17/02 *Working Party on the implementation of Conservation and Management Measures (WPICMM).*
- Resolution 17/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area of competence.*
- Resolution 17/04 *On a ban on discards of Bigeye tuna, Skipjack tuna, Yellowfin tuna, and non-targeted species caught by vessels in the IOTC Area of Competence.*
- Resolution 17/05 *On the conservation of sharks caught in association with fisheries managed by the IOTC.*
- Resolution 17/06 *On establishing a programme for transshipment by large-scale fishing vessels*
- Resolution 17/07 *On the prohibition to use large-scale driftnets in the IOTC Area.*
- Resolution 17/08 *Proposal for amendment of 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.*

The next meeting of the Commission is scheduled to be held during May 2018 in Bangkok Thailand (date to be confirmed).

## 1. Opening of the session

1. The 21st Session of the Indian Ocean Tuna Commission (IOTC) was held in Yogyakarta, Indonesia, from 22–26 May 2017, chaired by Dr Ahmed Al-Mazrouai (Oman). A total of 209 delegates attended the Session, composed of 76 delegates from 26 Contracting Parties (Members) of the Commission, 4 delegates from 3 Cooperating Non-Contracting Parties, 30 delegates from 17 Observers to the Commission (including 8 invited experts) and 3 delegates from the FAO. The list of participants is provided at [Appendix 1](#).
2. Opening remarks were made by Mr. Sjarief Widjaja, Director General of Capture Fisheries, Ministry of Marine Affairs and Fisheries, Indonesia; Mr. Ahmed Mohammed Al-Mazroui, IOTC Chairperson; Mr Arni Mathiesen, the Assistant Director General of the Department of Fisheries, Food and Agriculture Organization of the United Nations (FAO); a keynote speech was made by H.E. Minister Susi Pudjiastuti, Minister of Marine Affairs and Fisheries, on behalf of the Government of the Republic of Indonesia.

## 2. Letter of Credentials

3. The Commission noted paper IOTC-2017-S21-03b which provided the Commission with an opportunity to consider the ‘Letters of Credentials’ received by the IOTC Executive Secretary for the 21st Session of the Commission, as required in the IOTC Rules of Procedure (2014).
4. The Commission noted the statements made by Mauritius and the United Kingdom (OT) on sovereignty. These and subsequent statements made during the course of the proceedings, are provided in [Appendix 2a](#).

## 3. Admission of Observers

5. 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).
6. 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. *Members and Associate Members of the Organization that are not Members of the Commission.*
    - Russian Federation
    - United States of America
  - b. *Intergovernmental organizations having special competence in the field of activity of the Commission.*
    - Indian Ocean Commission (IOC)
    - Southwest Indian Ocean Fisheries Commission (SWIOFC)
    - Agreement on the Conservation of Albatrosses and Petrels (ACAP)
  - c. *Non-governmental organizations having special competence in the field of activity of the Commission.*
    - Fédération des Pêcheurs Artisans de l’Océan Indien (FPAOI)
    - Forum Fisheries Agency (FFA)
    - Greenpeace International (GI)
    - Institute for Sustainable Development and International Relations (IDDRI)
    - International Pole and Line Foundation (IPNLF)
    - International Seafood Sustainability Foundation (ISSF)
    - Marine Stewardship Council (MSC)
    - PEW Charitable Trusts (PEW)
    - Stop Illegal Fishing
    - Sustainable Fisheries Partnership (SFP)
    - The Earth Island Institute
    - World Wide Fund for Nature (a.k.a World Wildlife Fund, WWF)
  - d. *Invited consultants and experts.*
    - Taiwan, Province of China

## 4. Adoption of the Agenda and arrangements for the session

7. The Commission **ADOPTED** the agenda provided at [Appendix 3](#). The documents presented to the Commission are listed in [Appendix 4](#).
8. 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 2b](#).



## 5. Accession of the Democratic People's Republic of Korea to the IOTC agreement

9. The Commission recalled IOTC Circular 2017-054, which contained a Note Verbale from FAO, seeking advice from the Commission on the accession of the Democratic People's Republic of Korea to the IOTC Agreement. FAO, as a depositary of the IOTC Agreement, had indicated to the Commission that the Democratic People's Republic of Korea did not currently fulfil the conditions for eligibility to become an IOTC Member, as set forth by the IOTC Agreement in its Article IV.
10. The Commission REQUESTED the Chairperson to write to the FAO Legal Counsel confirming that the IOTC Members concur with FAO's assessment on the non-eligibility of the Democratic People's Republic of Korea to become a Member, and requesting the FAO to take the appropriate action according to that assessment.

## 6. Update on the appointment of the Executive Secretary

### 6.1 Appointment of an Executive Secretary according to the exceptional procedure agreed at the FAO Council

11. The IOTC Chairperson reminded the Commission about the exceptional procedure used for the selection of the Executive Secretary. Under the instruction of the FAO Council, this involved the recruitment process being facilitated by FAO under its rules and procedures, with two representatives from the Commission (the Chairperson and the Head of Delegation from the European Union) participating on the interview panel and subsequent selection panel deliberations. Mr Anders Jessen (EU) further described the details of the process that led to the identification of the preferred candidate.
12. The Commission unanimously **APPROVED** the appointment of Dr Christopher O'Brien as Executive Secretary and **REQUESTED** the Chairperson to inform FAO accordingly, so as to expedite the recruitment of Dr O'Brien.

### 6.2 Consultation towards the development of a proposal for a permanent procedure to select the Executive Secretary

13. The Commission expressed its concern with the exceptional procedure used to select the new IOTC Executive Secretary and recalled that the FAO Council agreed to engage the IOTC in a consultation leading to a permanent process to be adopted by the end of 2018.
14. The Independent Chair of the FAO Council, Mr Wilfred Ngirwa, informed the Commission about the steps proposed for the development of a permanent process. Under the decision of the FAO Council of December 2016, a new long term procedure will likely have to be considered by one or more of the Council's Committees, before being referred to the FAO Council in December 2018. Furthermore, any decisions made by the Council will relate not only to the IOTC but also other Article XIV bodies of the FAO Constitution, as there will be a requirement of consistency in the procedure. Overall, there will be a need for the procedure to be acceptable to all concerned committees of the FAO Council. He also informed the Commission that FAO will be an active participant in the process.
15. The Commission did not agree to the permanent process proposed by the FAO, noting it was inconsistent with the Commission's Rules of Procedures.
16. The Commission **AGREED** to form a small group to draft a proposal for the above mentioned permanent process that would include consideration of FAO's concerns. A draft terms of reference and an outline of the process to be undertaken in order to submit a document to the FAO Council was developed during the meeting and **ENDORSED** by the Commission, and is provided in [Appendix 5](#).

## 7. Update on the implementation of decisions of the Commission in 2016 (S20)

17. The Commission noted the paper IOTC-2017-S21-04 which provided updates to each of the decisions of the Commission in 2016, for action by CPCs or the IOTC Secretariat in the intersessional period.

## 8. Report of the 19th Session of the Scientific Committee (SC19)

### 8.1 Presentation of the Scientific Committee Report and recommendations for endorsement of the Commission

18. The Commission noted the report of the 19th Session of the Scientific Committee (SC) (IOTC-2016-SC19-R) which was presented by the Chair of the SC, Dr Hilario Murua (EU). A total of 65 delegates and other participants (71 in 2015) attended the Session, comprised of 51 delegates (51 in 2015) from 21 Contracting Parties (18 in 2015), 1 delegate from 1 Cooperating Non-Contracting Party (3 in 2015), and 13 observers, including 2 invited experts (17 observers in 2015).

19. The Commission noted that the IOTC Meeting Participation Fund supported 67 CPC scientists participate in IOTC Working Parties and the Scientific Committee in 2016 and **AGREED** that this fund should be continued to enable CPC scientists to participate more fully in the IOTC scientific process.
20. The Commission noted that 9 Contracting Parties and 3 Cooperating Non-Contracting Parties did not submit a National Report to the Scientific Committee in 2016, and issues with lack of data and poor quality data persist. The Commission strongly **RECOMMENDED** that CPCs take immediate steps to review, and where necessary, improve their performance with respect to the provision of data through improved compliance with Resolutions 15/01 *On the recording of catch and effort data by fishing vessels in the IOTC area of competence*, and 15/02 *Mandatory statistical reporting requirements for IOTC contracting parties and cooperating non-contracting parties*.
21. The Commission **ENDORSED** the Chairpersons and Vice-Chairpersons elected by the Scientific Committee and its subsidiary bodies for the coming years, as listed in Appendix VII of the 2016 Scientific Committee Report.
22. The Commission noted the status summaries (2011-2015) for species of tuna and tuna-like species under the IOTC mandate, as well as other species impacted by IOTC fisheries ([Appendix 6](#)) and considered the recommendations made by the SC19 in its 2016 report (IOTC-2016-SC19-R, Appendix XXXVII) 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 (S21) 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.

## 8.2 On the status of tropical and temperate tunas

23. The Commission noted that the current status of tropical and temperate tunas is as follows:

### **Bigeye tuna**

A bigeye assessment was carried out in 2016. The stock is not overfished and not subject to overfishing. If catch remains below the estimated MSY levels estimated for the current mix of fisheries, then immediate management measures are not required.

### **Yellowfin tuna**

A yellowfin assessment was carried out in 2016. The stock is overfished and subject to overfishing. The stock status is driven by unsustainable catches of yellowfin tuna taken over the last four years, and the relatively low recruitment levels estimated by the model in recent years. The Commission has an interim plan for the rebuilding of this stock (Resolution 16/01), with catch limitations beginning January 1 2017. The possible effect of this measure can only be assessed once estimates of abundance in 2017 would be available at the 2019 assessment.

### **Skipjack tuna**

A skipjack assessment was carried out in 2014. The stock is not overfished and not subject to overfishing. The adoption of Resolution 16/02 requires that an estimate of spawning biomass relative to virgin spawning biomass from future skipjack assessments is used to parameterise the Harvest Control Rule (HCR). The next assessment for skipjack will be conducted in 2017, at which time the HCR will be applied and a total allowable catch for skipjack will be established for 2018. No additional management measures are required at this time, however continued monitoring and improvement in data collection, reporting and analysis (including fishery indicators) is required to reduce the uncertainty in assessments.

### **Albacore tuna**

An albacore assessment was carried out in 2016. The stock is not overfished and not subject to overfishing. A precautionary approach to the management of albacore tuna should be applied by capping total catch levels to MSY levels.

## 8.3 Consideration of management measures to tropical and temperate tunas

24. The Commission **ADOPTED** Resolution 17/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC Area of Competence ([Appendix 7](#)).
25. The Commission noted the following statement from Seychelles: “A number of compromises were made to reach a consensus, which include: 1) changing the number of FADs from 300 to 350 and 2) move to a gradual reduction of supply vessels to accommodate the concerns of some CPCs.”

26. The Commission noted the statement from the Republic of Korea on the final revision of IOTC-2017-S21-PropE as given in [Appendix 8a](#).
27. The Commission also noted the statement from the European Union on the final revision of IOTC-2017-S21-PropE as given in [Appendix 8b](#).
28. The Commission **ADOPTED** Resolution 17/08 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 ([Appendix 7](#)).
29. The Commission noted the statements made by the Republic of Mauritius, the United Kingdom(OT) and France (OT). These and subsequent statements are provided in [Appendix 2c](#).

#### 8.4 On the Working Party of Ecosystems and Bycatch and the status of sharks

30. The Commission noted the current status of the following sharks:

##### **Blue shark**

A stock assessment for blue shark was carried out in 2016, however, the population status remains uncertain. 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.

##### **Oceanic whitetip shark**

No quantitative stock assessment is currently available for oceanic whitetip shark. The population status remains uncertain. A precautionary approach to the management of oceanic whitetip shark should be considered by the Commission, noting that recent studies suggest that longline mortality at haulback is high (50%) in the Indian Ocean, while mortality rates for interactions with other gear types such as purse seines and gillnets may be higher.

31. The Commission noted that although a number of CPCs are currently incorporating a ban on the retention of oceanic whitetip sharks into national legislation in accordance with Resolution 13/06, it is currently too early for the Scientific Committee to be able to evaluate impacts of the retention ban and provide this advice to the Commission.

#### 8.5 Consideration of management measures related to ecosystems, bycatch and sharks

32. The Commission **ADOPTED** Resolution 17/07 On the prohibition to use large-scale driftnets in the IOTC Area ([Appendix 7](#)).
33. The Commission noted the following statement from Japan: “Although Japan does not consider that there is enough scientific justification to prohibit large-scale drift nets within EEZs, Japan does not block consensus. Japan stresses, however, that this does not prejudice the future position of Japan on the same subject in other oceans”.
34. The Commission **ADOPTED** Resolution 17/05 On the conservation of sharks caught in association with fisheries managed by the IOTC ([Appendix 7](#)).
35. The Commission **ADOPTED** Resolution 17/04 On a ban on discards of Bigeye tuna, Skipjack tuna, Yellowfin tuna, and non-targeted species caught by vessels in the IOTC Area of Competence ([Appendix 7](#)).
36. The Commission **AGREED** to defer IOTC-2017-S21-PropC *On the conservation of Mobula and Manta rays caught in association with fisheries in the IOTC Area of competence*. Three CPCs did not agree with this proposal. Those CPCs noted that there was no scientific recommendation from the SC to support this proposal and that there were practical difficulties associated with avoiding Mobula and manta rays during setting of the purse seine nets. Furthermore, the proposed measure also needed to consider the impact of others such as gillnets and longlines. These matters were not resolved during the session. One CPC highlighted the need for data be collected and submitted to the SC.

#### 8.6 On the status of neritic tunas

37. The Commission noted that the current status of neritic tunas is as follows:

##### **Kawakawa**

An assessment for kawakawa was carried out in 2015. The stock is not overfished and not subject to overfishing. The 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 2013 catch levels

**Longtail**

A longtail assessment was carried out in 2016. The stock is overfished and subject to overfishing. Catches should be reduced by approximately 10% of 2014 levels which corresponds to catches somewhat below MSY in order to recover the stock to levels above the MSY references points

**Indo-Pacific king mackerel**

An assessment of Indo-Pacific king mackerel was carried out in 2016. The stock status is uncertain. A precautionary approach to the management of Indo-Pacific king mackerel should be considered by the Commission, by ensuring that catches are reduced to levels below the current estimates of MSY

**Narrowed-Barred Spanish mackerel**

An assessment of narrowed-barred Spanish mackerel was carried out in 2016. The stock appears to be overfished and subject to overfishing. Catches should be reduced by at least 30% of current levels which corresponds to catches below MSY in order to recover the stock to levels above the MSY references points.

**Bullet tuna**

No quantitative stock assessment is currently available for bullet tuna. The population status remains uncertain. A precautionary approach to the management of bullet tuna should be considered by the Commission, by the ensuring that future catches do not exceed current catches

**Frigate tuna**

No quantitative stock assessment is currently available for frigate tuna. The population status remains uncertain. A precautionary approach to the management of bullet tuna should be considered by the Commission, by the ensuring that future catches do not exceed current catches

38. The Commission noted that IOTC-2017-S21-PropL *On the conservation and management of IOTC Kawakawa, Longtail Tuna and Spanish Mackerel* was withdrawn. There was only limited agreement with this proposal, due largely to the uncertainty on the status of the stocks as a result of a general lack of data on catches, as well as concern by one CPC that the proposal could set an unacceptable precedent for allocation by seeking to cap catches. The Commission encouraged CPCs to improve the data collection and submission. The Commission encouraged Coastal States catching neritic tunas to propose and present to next year's Commission meeting possible management measures to recover the over-exploited IOTC neritic stocks, in response to the recommendation of the SC.

**8.7 On the status of billfish**

39. The Commission noted that the current status of billfish is as follows:

**Swordfish**

A swordfish assessment was carried out in 2014. The stock is not overfished and not subject to overfishing. The most recent catches (41,760 t in 2015) are 2,360 t above the MSY level (39,400 t). Hence catches in 2017 should be reduced to less than MSY (39,400 t).

**Striped Marlin**

A striped marlin assessment was carried out in 2015. The stock is overfished and subject to overfishing. Precautionary approach to the management of striped marlin should be considered by the Commission to reduce catches below 4,000 t thereby ensuring the stock may rebuild to sustainable levels.

**Blue Marlin**

A blue marlin assessment was carried out in 2016. The stock is not overfished but subject to overfishing. In order to achieve Commission objectives, catches would have to be reduced by 24% compared to the average catch of 2013-2015, to a maximum value of 11704 t.

**Black Marlin**

A black marlin assessment was carried out in 2016. The stock is overfished and subject to overfishing. The maximum catch limit should be lower than MSY of 9932 t.

**Indo-Pacific sailfish**

An Indo-Pacific sailfish assessment was carried out in 2015. The stock is not overfished but subject to overfishing. The same management advice for 2016 (catches below a MSY of 25,000 t) is kept for 2017

40. The Commission noted that the development of a MSE of swordfish is considered as a high priority in the revised WPM Program of Work, and that possible funding has been identified to begin this activity.

**8.8 Consideration of management measures related to Billfish**

41. The Commission noted that IOTC-2017-S21-PropJ *On the conservation and management of IOTC Billfish* was withdrawn. There was only limited agreement with this proposal, even after a gear or management-based approach was explored. Some CPCs highlighted that implementation and effectiveness of this measure could be limited due to billfish being taken as bycatch by many CPCs; furthermore some billfish species are difficult to identify. Some CPCs expressed their concern that the proposal could set an unacceptable precedent for allocation by seeking to cap catches.

**8.9 Matters affecting all species****8.9.1 Consideration of management measures related to all species**

42. The Commission **AGREED** to defer IOTC-2017-S21-PropN *On the Allocation of Fishing Opportunities for IOTC species*. This proposal included allocation principles and their criteria, that received support of the majority of coastal States. Some CPCs noted their concerns with elements of both the procedure and substance of the proposal. In particular, that the technical elements of the proposal were not discussed by the Technical Committee on Allocation Criteria. There was debate on the extent to which the proposal reflected international legal principles.
43. The invited experts informed the Commission that the distant-water fishing fleets they represent also shared the concerns of the CPCs as mentioned above.
44. The Commission **AGREED** to continue its deliberations on allocation according to the following plan: (1) Feedback by CPCs on the latest version of IOTC-2017-S21-PropN is to be received by the IOTC Secretariat within 40 days of the end of S21, then to be provided to the proponents of proposal; (2) The Technical Committee on Allocation Criteria (TCAC) will meet as soon as possible, preferably within three (3) months, to continue its deliberations on, inter alia, the above proposal; and (4) The IOTC Secretariat to consider requesting FAO legal support for the TCAC meeting.
45. The coastal States in support of the proposal noted their preference for this proposal to be the basis for the discussions on allocation during the next TCAC meeting.
46. The Commission noted the generous offer from South Africa to host the TCAC and TCPR meetings in the 3rd or 4th week of October 2017, with the final dates to be confirmed (after taking into account the existing commitments CPCs might have).
47. The Commission noted the statements made by Mauritius, the United Kingdom (OT) and France (OT) during the discussion of this agenda item and listed in [Appendix 2c](#).

**8.9.2 A pilot project for the IOTC Regional Observer Scheme**

48. The Commission recalled that in 2016 it adopted Resolution 16/04 *On the implementation of a pilot project in view of promoting the Regional Observer Scheme of IOTC* and requested the Secretariat to develop a comprehensive plan for a Regional Observer Scheme Pilot project, as part of a long-term, holistic strategy for supporting the implementation of the Regional Observer Scheme.
49. The Commission noted the presentation on the pilot project given by the Chair of the Scientific Committee and **ENDORSED** the framework as outlined in IOTC-2017-S21-10.
50. Furthermore the Commission accepted that the Project Steering Committee will be required to advise the Secretariat on a range of critical matters relating to the implementation of the project.
51. The Commission encouraged CPCs, especially those that are likely to be participating in and benefitting directly from the project, to support the initiative further with co-funding. The Commission also **AGREED** that project activities would begin with the current funding available and that a budget for subsequent phases be prepared for the S22.
52. The Commission **REQUESTED** nominations from members that want to participate in the Pilot Project Steering Committee to be sent to the Secretariat.



## 9. Development of management procedures

### 9.1 Report of the Technical Committee on Management Procedures

53. The Commission noted the Chair's report (IOTC-2017-TCMP-01-R) from the 1st meeting of the Technical Committee on Management Procedures (TCMP) and **ENDORSED** its recommendations in principle.
54. The Commission noted in particular, the intention of the TCMP to add elements of the data collection process to the Management Procedure, and the need for the Working Party on Data Collection and Statistics to be involved in this.
55. The Commission noted that, although it was not reflected in the Chair's report, the schedule of work for the development of Management Procedures for key species in the IOTC area was presented to the TCMP and that the feedback provided was incorporated into the version presented to the Commission.
56. The Commission **AGREED** that when establishing a catch limit for skipjack tuna using the Harvest Control Rule (HCR) adopted in Resolution 16/02, the following procedure will be applied: after the review of the assessment of skipjack tuna by the SC, the result of the assessment will be used by the SC in the calculation of a catch limit using the adopted HCR. The Secretariat will then notify to CPC's of the new catch limit for skipjack tuna that will apply for 2018.
57. The Commission acknowledged the need for capacity building to improve understanding of Management Procedure concepts and their application by CPCs; and to improve the communication of information between scientists and managers. To accommodate these elements, the Commission **AGREED** that the TCMP meeting could be increased to two (2) days.

### 9.2 Schedule of work for the development of management procedures for key species in the IOTC Area

58. The Commission noted the presentation by Australia on the schedule of work for the development of management procedures for key species in the IOTC Area (IOTC-2017-S21-14). The schedule provides information on when and how the Commission ought to be engaged in the management procedures process, and was developed with inputs from CPC's, relevant IOTC working parties, the Scientific Committee, and uses, as its basis, the work plan of the Scientific Committee.
59. The Commission **ENDORSED** the schedule that was revised during S21 (provided in [Appendix 9](#)), noting it is a 'living document' to guide the work of the Commission and its subsidiary bodies in the future. The Commission also **REQUESTED** that a budget for implementation of the schedule be reviewed by the SCAF in 2018.

## 10. Report of the 14th Session of the Compliance Committee (CoC14)

60. The Commission noted the report of the 14<sup>th</sup> Session of the Compliance Committee (CoC) (IOTC-2017-CoC14-R), which was presented by the newly elected Chairperson of the Compliance Committee, Mr Hosea Mbilinyi (United Republic of Tanzania). A total of 83 delegates attended CoC14, comprising 71 delegates from 23 Contracting Parties (Members) of the Commission, 3 delegates from 2 of the 4 Cooperating Non-Contracting Parties and 12 delegates from 8 Observers (including 4 invited experts).
61. The Commission noted the statements made by the Republic of Mauritius, and the corresponding statements made by the United Kingdom (OT) and France (OT), which reiterated earlier statements, as provided in [Appendix 2d](#).

### 10.1 Summary report on the level of compliance

62. The Commission noted the marginal improvement in the levels of compliance of some CPCs in 2016, especially with regards to mandatory statistics. The Commission encouraged all CPCs and the IOTC Secretariat of the need to respect the 15 days deadlines set in the IOTC Rules of Procedure (2014) to finalise the Compliance Reports. The Commission **AGREED** to allow an additional seven days following the deadline for CPCs to finalise their comments on the draft Compliance Reports.

### 10.2 The IOTC Record of Authorised Vessels

63. Noting the lack of some of the mandatory information required to be submitted for the inclusion of vessels into the IOTC Record of Authorised Vessels, the Commission **RECOMMENDED** that the IOTC Secretariat shall not register new vessels without LOA on the IOTC Record of Authorised Vessels.
64. The Commission further **RECOMMENDED** that Resolution 15/04 be revised next year to introduce a clear procedure and criteria to determine when a vessel shall, or shall not, be included in the IOTC Record of Authorized Vessels.

### 10.3 Review of reference fishing capacity and fleet development plans

65. The Commission noted that the trends in overall fishing capacity in 2016 reflected a decrease in fishing pressure, relative to 2006 / 2007 baselines ([Appendix 10](#)) . The Commission further noted its concerns over the implementation of fleet development plans.
66. The Commission **RECOMMENDED** that the IOTC Secretariat analyse the fleet development plans submitted in relation to Resolution 15/11, notably those introducing new vessels/capacity, and for CPCs to provide information on the reasons why they have not been able to implement their fleet development plans and to detail a way forward.

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

67. The Commission noted that the introduction of compliance reports aimed to improve understanding and implementation of IOTC CMMs by all CPCs, but that substantial differences exist in the degree of compliance by each CPC.
68. The Commission **RECOMMENDED** that IOTC should work further on a scheme for the assessment of compliance that develops a structured approach for cases of infringements and better reflects critical compliance issues and partial compliance.
69. The Commission noted that one CPC indicated that it will put forward a proposal at the 2018 Commission meeting to improve the compliance assessment process, in line with the above recommendation.

### 10.5 IOTC regional observer programme for at-sea transshipments

70. The Commission noted the increase in the numbers of both at-sea transshipments and carrier vessels participating in the programme in 2016 which were registered to non-IOTC CPCs (Kiribati, Panama and Singapore).
71. The Commission **RECOMMENDED** that concerns about carrier vessels flagged to non-CPCs that are involved in at-sea transshipment operations in the IOTC area of competence be addressed by submitting a proposal to amend Resolution 14/06 for this purpose.

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

72. The Commission noted that not all CPCs had submitted their national reports of implementation for 2016. 27 national 'Reports of Implementation' were provided by CPCs (25 Members and two Cooperating Non-Contracting Party), up from 26 in 2016.
73. The Commission **RECOMMENDED** those CPCs who have not submitted their national 'Reports of Implementation' for 2016 (Eritrea, Guinea, India, Sierra Leone, Sudan, Yemen, Bangladesh and Djibouti), 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.
74. The Commission **RECOMMENDED** that the 'Letter of Feedback on compliance issues' be sent to CPC's by the IOTC Chairperson following the Commission meeting; and this letter will also reflect the Commission's concerns, if the CPC was not participating in relevant IOTC meetings.
75. The Commission noted that many CPCs are failing to provide nominal catch data and **RECOMMENDED** that the feedback letter also remind these CPCs of the serious consequences of not providing these data under Resolution 16/06 (i.e. this may result in the Commission prohibiting those CPCs from retaining the concerned species in future).
76. The Commission **RECOMMENDED** that the responses to the feedback letters should be made available to all CPCs at future Compliance Committee meetings.
77. The Commission **REQUESTED** that the IOTC Secretariat reach out to Country Representatives to the FAO or the FAO Representatives in country, to better understand the reasons for the lack of engagement by certain CPCs with the Commission; and, where possible, for the IOTC Secretariat to undertake missions to assist these CPCs.

### 10.7 Identification of possible infractions under the Regional observer programme (Resolution 14/06)

78. The Commission noted that a total of 474 possible infractions were recorded in 2016 (compared to 301 in 2015). The Commission also noted that these possible infractions were recorded and communicated to the concerned fleets participating in the at-sea Transshipment Programme by the IOTC Secretariat, and most of those possible infractions were sufficiently addressed or explained by the CPCs and the Invited Experts.

79. The Commission **RECOMMENDED** that Oman provide the results of investigations of possible infractions identified by the IOTC Observers.

**10.8 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.***

**10.8.1 IOTC IUU Vessels List - 2016 review**

80. The Commission **AGREED** that the following vessels shall remain on the IOTC IUU Vessels List, as no further information was provided to the CoC14 during its deliberations:

	Vessel name	Flag
1	ANEKA 228	Unknown
2	ANEKA 228; KM.	Unknown
3	CHI TONG	Unknown
4	FU HSIANG FA 01	Unknown
5	FU HSIANG FA 02	Unknown
6	FU HSIANG FA 06	Unknown
7	FU HSIANG FA 08	Unknown
8	FU HSIANG FA 09	Unknown
9	FU HSIANG FA 11	Unknown
10	FU HSIANG FA 13	Unknown
11	FU HSIANG FA 17	Unknown
12	FU HSIANG FA 20	Unknown
13	FU HSIANG FA 21	Unknown
14	FU HSIANG FA 211	Unknown
15	FU HSIANG FA 23	Unknown
16	FU HSIANG FA 26	Unknown
17	FU HSIANG FA 30	Unknown
18	FU HSIANG FA 18	Unknown
19	FULL RICH	Unknown
20	GUNUAR MELYN 21	Unknown
21	HOOM XIANG 101	Unknown
22	HOOM XIANG 103	Unknown
23	HOOM XIANG 105	Unknown
24	HOOM XIANG II	Unknown
25	KIM SENG DENG 3	Bolivia

	Vessel name	Flag
26	KUANG HSING 127	Unknown
27	KUANG HSING 196	Unknown
28	KUNLUN (TAISHAN)	Equatorial Guinea
29	MAAN YIH HSING	Unknown
30	OCEAN LION	Unknown
31	SAMUDERA PERKASA 11	Unknown
32	SAMUDERA PERKASA 12	Unknown
33	SHUEN SIANG	Unknown
34	SIN SHUN FA 6	Unknown
35	SIN SHUN FA 67	Unknown
36	SIN SHUN FA 8	Unknown
37	SIN SHUN FA 9	Unknown
38	SONGHUA	Unknown
39	SRI FU FA 168	Unknown
40	SRI FU FA 18	Unknown
41	SRI FU FA 188	Unknown
42	SRI FU FA 189	Unknown
43	SRI FU FA 286	Unknown
44	SRI FU FA 67	Unknown
45	SRI FU FA 888	Unknown
46	TIAN LUNG NO.12	Unknown
47	YI HONG 3	Unknown
48	YONGDING	Equatorial Guinea
49	YU FONG 168	Unknown
50	YU MAAN WON	Unknown

81. The Commission further **AGREED** that the details of four vessels on the IUU Vessels List shall be updated in accordance to new information that has been provided by Thailand to the CoC14:

	Vessel name	Flag
1	ABUNDANT 1 (YI HONG 6)	Unknown
2	ABUNDANT 3 (YI HONG 16)	Unknown
3	ABUNDANT 9 (YI HONG 116)	Unknown
4	ABUNDANT 12 (YI HONG 106)	Unknown



### 10.8.2 Provisional IUU Vessels List

82. The Commission **AGREED** that the following vessels shall be added onto the IOTC IUU Vessels List, as permitted under Resolution 11/03 para. 14. The Complete IOTC IUU Vessels List is provided in Appendix 12.

	Vessel name	Flag			
1	ABUNDANT 6 (YI HONG 86)	Unknown	8	SACRED HEART	India
2	BENAIHAH	India	9	SHALOM	India
3	BEO HINGIS	India	10	SHENG JI QUN 3	Unknown
4	CARMAL MATHA	India	11	SHUN LAI (HSIN JYI WANG NO. 6)	Unknown
5	DIAGNAMOL 1	India	12	VACHANAM	India
6	EPHRAEEM	India	13	WISDOM	India
7	KING JESUS	India	14	YUTUNA NO. 1	Unknown
			15	YUTUNA 3 (HUNG SHENG NO. 166)	Unknown

83. The Commission further **REQUESTED** the Chair of the Commission to express the concerns of the Commission to India over the lack of information at hand during COC14 and S21 deliberations relating to the cases of the vessels removed from the IOTC Provisional IUU Vessels List.
84. The Commission noted that India eventually provided information on actions that it had taken against the vessels on the IOTC Provisional IUU Vessels List, but it was unable to consider the information, which had been received after the conclusion of the 14<sup>th</sup> Session of the Compliance Committee and on the eve of the Commission's consideration of the IOTC Provisional IUU Vessels List.
85. The Commission noted the statement of Mauritius, as provided in [Appendix 2d](#).
86. The Commission noted that the United Kingdom (OT), reiterated its statements of earlier, as provided in [Appendix 2d](#).

### 10.8.3 General discussion on the IUU vessels listing process

87. The Commission expressed its disappointment that India had not provided its information earlier, as foreseen in the procedures for the review of IUU vessels listing, and **RECOMMENDED** that the Chair of the Commission write to India and express the Commission concerns about its delayed response and engagement to these serious matters.
88. The Commission **ADOPTED** the IOTC IUU Vessels List as provided in [Appendix 11](#). All CPCs shall be required to take the necessary measures regarding the IUU Vessels List in accordance with paragraph 16 of Resolution 11/03.

## 10.9 Activities by the IOTC Secretariat in support of capacity building for developing CPCs – Resolution 16/10

89. The Commission noted the efforts of the IOTC Secretariat to assist CPCs to improve their compliance levels through targeted, in-country missions, including the initiative to develop facilities to enable CPCs to implement port State measures more effectively.
90. The Commission **RECOMMENDED** that the IOTC Secretariat continue with its capacity building activities and strengthen activities that would allow CPCs to address the issues of mandatory statistics and the implementation of the Regional Observer Scheme.

## 10.10 Applications for Cooperating Non-Contracting Party status

91. 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.”

***Liberia***

92. The Commission noted the application for Cooperating Non-Contracting Party (CNCP) status by Liberia (IOTC-2017-CoC14-CNCP01), which was received before the deadline of 90 days prior the commencement of the session (received on 6 February 2017).
93. The Commission **GRANTED** the status of CNCP until the close of the 22<sup>nd</sup> Session in 2018 to Liberia, based on the understanding that Liberia will attend the CoC and Commission meetings in 2018, and remain exclusively engaged in transshipment activities, in accordance to its CNCP application.

***Djibouti***

94. The Commission noted the application for CNCP status by Djibouti (IOTC-2017-CoC14-CNCP02), which was received before the deadline of 90 days prior the commencement of the session (received on 8 February 2018).
95. The Commission also noted that Djibouti was not present at the CoC14 and at S21, and had not submitted all the required data in its application for renewal of its CNCP status.
96. 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 has fulfilled all the requirements.
97. The Commission **AGREED** not to grant CNCP status to Djibouti. The Commission however, invited Djibouti to consider submitting an application for CNCP status in 2018.

***Senegal***

98. The Commission noted the application for CNCP status by Senegal (IOTC-2017-CoC14-CNCP03), which was received before the deadline of 90 days prior the commencement of the session (received on 14 February 2017).
99. The Commission also noted, the presence of Senegal at both the CoC14 and S21, and Senegal's continued commitment to participate in the IOTC process.
100. The Commission **GRANTED** the status of CNCP until the close of the 22<sup>nd</sup> Session in 2018 to Senegal, based on the understanding that Senegal will attend the CoC and Commission meetings in 2018.

***Bangladesh***

101. The Commission noted the application for CNCP status by Bangladesh (IOTC-2017-CoC14-CNCP04), which was received before the deadline of 90 days prior the commencement of the session (received on 16 February 2017).
102. However, while Bangladesh had submitted all the required data in its application, the Commission noted it was not present at the CoC14. The Commission encouraged Bangladesh to participate more fully in the work of the Commission.
103. The Commission **GRANTED** the status of Cooperating Non-Contracting Party until the close of the 22<sup>nd</sup> Session in 2018 to Bangladesh, based on the understanding that Bangladesh will attend the CoC and Commission meetings in 2018. The Commission further informed Bangladesh, that failure to participate in both the CoC and Commission meetings in the future, will result in the CNCP application status being rejected.

**10.11 List of recommendations made by the CoC14**

104. The Commission **ENDORSED** the list of recommendations made by the CoC14 in its 2017 report (IOTC-2017-CoC14-R, Appendix VIII).

**10.12 Issues related to fishing capacity (Res. 15/11)**

105. The Commission noted the divergence of views on the issue of transfer of capacity. Some CPCs were of the opinion that Resolution 15/11 did not make allowance for the transfer of fishing capacity, while other CPCs were of the opinion that the absence of any expressed prohibition within the Resolution, meant that transfer of capacity between CPCs should not be seen as undermining Resolution 15/11.
106. The Commission was of the opinion that the text of paragraph 5 of Resolution 15/11 was ambiguous and needed to be redrafted in much clearer language should this Resolution be amended in the future.
107. The Commission also noted that the extension of the applicability Resolution 15/11 needed to be reviewed, and **RECOMMENDED** that the WPICMM discuss this.

### 10.13 Issues related to the implementation of Resolution 16/01

108. The Commission noted that some CPCs have, to date, not confirmed their 2014 yellowfin tuna catches, as requested by IOTC Resolution 16/01.
109. The Commission also noted that one CPC which has confirmed its 2014 yellowfin tuna catch, has readjusted its catch to just below the threshold to which the yellowfin tuna catch reduction would become applicable to it, and invited the CPC clarify for the Commission the circumstances that has resulted in the downward adjustment of its 2014 catches.
110. The Commission invited those CPCs that are subject to yellowfin catch reduction from this year and that have not informed the Commission on the catch reduction and methods that they will apply to achieve the required catch reductions, to do so as soon as possible.

### 10.14 Issues related to the reporting of Nominal Catches (Res. 16/06)

111. The Commission noted that some CPCs are failing to provide their nominal catch data to the IOTC Secretariat and that failure do so in the future data submissions may result in the Commission prohibiting those CPCs from retaining the concerned species in future, as permitted under IOTC Resolution 16/06.
112. The Commission urged all CPCs to provide their nominal catch data, as required by IOTC Resolutions 15/02, 15/05 and 05/05.

### 10.15 Issues related to the submission of data for recreational fisheries

113. Noting that only one CPC is providing data relevant to the IOTC for its sports and recreational fisheries, the Commission urged CPCs to report these components to the IOTC Secretariat. There was a discussion about the interpretation of data reporting requirements, including those in accordance with IOTC Resolution 15/02.
114. Where required, the Commission **RECOMMENDED** that the IOTC Secretariat assist CPCs to recover and report data sets for the sport and recreational fisheries.

### 10.16 Consideration of management measures related to compliance

115. The Commission **ADOPTED** Resolution 17/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area of competence ([Appendix 7](#)).
116. With a view to further reducing IUU fishing, the Commission **REQUESTED** that the Technical Committee on the Performance Review consider, and report back to the Commission, on the matter of sharing and cross-listing of IUU lists with other RFMOs in order to combat IUU activities globally.
117. The Commission **ADOPTED** Resolution 17/06 *On establishing a programme for transshipment by large-scale fishing vessels* ([Appendix 7](#)).
118. The Commission **ADOPTED** Resolution 17/02 *Working party on the implementation of Conservation and Management Measures (WPICMM)* ([Appendix 7](#)).
119. The Commission **AGREED** to defer IOTC-2017-S21-PropG *Working party on socio-economic aspect of the fisheries in the IOTC Area of Competence* (Seychelles). The Commission noted the dearth of information available on the social and economic aspects of tuna fisheries in general, and expressed its desire to begin to collect relevant social and economic information, and use it when both developing and evaluating IOTC management measures. To this end the Commission **REQUESTED** the Secretariat to implement a scoping study to identify what types of social and economic data are most relevant to CPCs and IOTC, and how these data can be obtained. This is expected to include information about the past and present socio-economic conditions and indicators in IOTC fisheries of CPCs including *inter alia* the socio-economic contribution to the fisheries, respective economic dependence on fish stocks, economic and social importance of the fishery, contribution to national food security needs, domestic consumption, income from exports and employment.
120. Some CPCs suggested that CPCs might include statements on social and economic impacts when submitting future management measure proposals.
121. The Commission noted the statements made by the Republic of Mauritius, and the corresponding statements made by the United Kingdom (OT) and France (OT), which reiterated their earlier statements, as provided in [Appendix 2](#).

## 11. Report of the 14th Session of the Standing Committee on Administration and Finance (SCAF14)

122. The Commission noted the report of the 14<sup>th</sup> Session of the Standing Committee on Administration and Finance (SCAF) (IOTC-2017-SCAF14-R), which was presented by the Vice-Chairperson, Mr Hussain Sinan (Maldives). A total of 94 individuals attended the Session, comprised of 71 delegates from 25 Contracting Parties, 1 delegate from 1 Cooperating Non-Contracting Party, and 6 observers, including 4 invited experts.
123. The Commission **ENDORSED** the list of recommendations made by the SCAF14 in its 2017 report (IOTC-2017-SCAF14-R, Appendix XII) that relate specifically to the Commission, while taking into account the range of issues outlined in this Report (S21). The Commission acknowledged that the SCAF14 budget did not contain specific provisions for any of the Conservation and Management Measures adopted during the Session.

### 11.1 Budget of the Commission and schedule of contributions

124. The Commission noted that as of the reporting date (8 May 2017), seven (7) Contracting Parties: Eritrea, Guinea, I.R. Iran, Kenya, Mozambique, Sudan and Yemen, had contributions that were in arrears by two (2) years or more. 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.
125. The Commission noted that Kenya and Mozambique expressed their commitment to clear their outstanding contribution payments.
126. The Commission noted that the cumulative total of outstanding contribution payments has increased from US\$1,963,494 as of 31 December 2015, to US\$ 2,318,898 as of 31 December 2016, i.e. an increase of US\$355,404 (18%) overall. 15 members had contribution payments in arrears totalling US\$ 2,318,898 (according to the Financial Regulations V.3) as of 31 December 2016.
127. The Commission noted that contributions from Iran, India and Pakistan are in the process of payment, and that FAO will receive them in due course.
128. The Commission **ENDORSED** the IOTC Secretariat's Program of Work for the financial period 1 January 2018 to 31 December 2018, as outlined in paper IOTC-2017-SCAF14-05.
129. The Commission **ADOPTED** the budget for 2018 and indicative budget for 2019 ([Appendix 12](#)), and the schedule of contributions for 2018 as provided in [Appendix 13](#).
130. The Commission noted that offers of European Union funding for various projects being managed by the Secretariat have time limits and **REQUESTED** that the Secretariat move quickly to conclude any outstanding contract negotiations and signature requirements.
131. The Commission acknowledged the generous support from the European Union, China and Australia for a range of capacity development activities undertaken in 2016.

### 11.2 Schedule of meetings

132. The Commission **ADOPTED** the schedule of meetings for its subsidiary bodies for 2018 and 2019 as detailed in [Appendix 14](#).

## 12. Performance Review of the IOTC

133. The Commission noted paper IOTC-2017-S21-08\_Rev1 which outlined the progress on the implementation of the recommendations arising from the report of the 2nd Performance Review Panel (Appendix A of the aforementioned report), and **RECOMMENDED** that this be discussed at the TCPR meeting.

## 13. Conservation and Management Measures

### 13.1 Current Conservation and Management Measures that require action by the Commission in 2017 and 2018

134. The Commission noted paper IOTC-2017-S21-11 which outlined previous decisions of the Commission contained in IOTC Conservation and Management Measures, on which the Commission agreed to action at the 21st<sup>th</sup> Session in 2017.
135. The Commission noted 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), which

calls for the development of a FAD marking scheme, and recalled that the Compliance Committee had been requested to undertake this task.

136. The Commission **AGREED** to extend the applicability of the Resolution 15/08 for an additional year, and **REQUESTED** the Compliance Committee to complete this task and provide a draft FAD marking scheme for its consideration at S22. The Commission noted the statements made by the Republic of Mauritius, and the corresponding statements made by the United Kingdom (OT) and France (OT), which reiterated their earlier statements, as provided in [Appendix 2c](#).
137. The Commission noted Resolution 15/11 (*On the implementation of a limitation of fishing capacity of contracting parties and cooperating non-contracting parties*), which required the Commission to review the implementation of Resolution 15/11 at its annual sessions since 2015.
138. The Commission **AGREED** to extend the applicability of Resolution 15/11 for an additional year; however, the Commission also **AGREED** that Resolution 15/11, as it currently stands, may not be extended beyond 2018. Some CPCs highlighted that they would work to table a resolution proposal on capacity in 2018.
139. The Commission noted Resolution 12/06 (*On reducing the incidental bycatch of seabirds in longline fisheries*), which called for an analysis of the impact of the measures on seabird bycatch to be prepared by S20 (2016).
140. The Commission acknowledged that there was little information available in 2016 for the SC to fully review the effectiveness of the mitigation measures outlined in Resolution 12/06, and **AGREED** to extend the due date until such a time that more information is available.
141. The Commission noted Resolution 12/12 (*To prohibit the use of large-scale driftnets on the high seas in the IOTC area*), which called for a periodic assessment, starting in 2013, of the need to strengthen measures relating to this resolution.
142. The Commission also noted that Resolution 17/07 (*On the prohibition to use large-scale driftnets in the IOTC area*) superseded Resolution 12/12, and an assessment is now required to take place in 2023.

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

143. The Commission noted paper IOTC-2017-S21-12 which provided the Commission with an opportunity to review objections received under Article IX.5 of the IOTC Agreement.
144. The Commission noted that India has an objection in place/active, for Resolution 13/06 On a scientific and management framework on the Conservation of sharks species caught in association with IOTC managed fisheries.
145. The Commission further noted that Australia has an objection in place/active, for Resolution 16/02 *On harvest control rules for Skipjack tuna in the IOTC area of competence*.

### 13.3 Proposals for Conservation and Management Measures adopted by the Commission

146. The Commission **ADOPTED** eight Conservation and Management Measures (8 Resolutions and 0 Recommendations) as listed below and reproduced in [Appendix 7](#):
  - Resolution 17/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC Area of Competence*.
  - Resolution 17/02 *Working party on the implementation of Conservation and Management Measures (WPICMM)*.
  - Resolution 17/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area of competence*.
  - Resolution 17/04 *On a ban on discards of Bigeye tuna, Skipjack tuna, Yellowfin tuna, and non-targeted species caught by vessels in the IOTC Area of Competence*.
  - Resolution 17/05 *On the conservation of sharks caught in association with fisheries managed by the IOTC*.
  - Resolution 17/06 *On establishing a programme for transshipment by large-scale fishing vessels*.
  - Resolution 17/07. *On the prohibition to use large-scale driftnets in the IOTC Area*.
  - Resolution 17/08 *Proposal for amendment of 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*.



## 14. Other Business

### 14.1 Cooperation with other organisations and institutions

#### 14.1.1 Cooperation with other tuna RFMOs, including the Kobe process

147. The Executive Secretary informed the Commission that IOTC had participated in several meetings involving personnel from other tuna RFMOs, including a working group on MSE (at ICCAT), a meeting on implementation and operationalising of the Ecosystem Approach to Fisheries Management (facilitated by the ABNJ Tuna Project), and a meeting of tuna RFMO compliance personnel that aimed to strengthen cooperation on MCS matters. The Commission **AGREED** that such joint activities should continue, and noted that a major meeting of the Kobe Process was expected to be held in 2018.

#### 14.1.2 The Overseas Fishery Cooperation Foundation

148. The Commission acknowledged its long term partnership with the Overseas Fishery Cooperation Foundation of Japan (OFCF). Since 2002 IOTC and OFCF have collaborated to strengthen data collection, reporting and dissemination. To date, around 20 countries have received assistance. The Commission noted that OFCF is generously offering to extend the current MOU with IOTC for another year and **REQUESTED** the Secretariat to work with OFCF to achieve this end.

#### 14.1.3 FAO ANBJ Tuna Project

149. The Commission noted the update on the Common Oceans ABNJ Tuna Project. The Project, with FAO as an implementing agency and financial support from the Global Environmental Facility, brings together 19 partners including all tuna RFMOs, that provide substantial support to the project including IOTC, as well as governments, NGOs and private sector organizations. Most recently, the project supported IOTC participation at the meetings mentioned above (14.1.1), in addition to work on the Bigeye MSE and capacity development activities.

150. The Commission also noted that development of a second phase of the ABNJ Project is underway and encouraged CPCs to contribute inputs to the development process. The Commission also **ENDORSED** ongoing collaboration with the ABNJ Tuna Project.

#### 14.1.4 Cooperation between IOTC and the Convention on the Conservation of Migratory Species of Wild Animals

151. The Commission **REQUESTED** the Secretariat develop a 'Letter of Intent' to describe the specific nature of cooperation between IOTC and the Convention on the Conservation of Migratory Species of Wild Animals. The Commission **AGREED** that this will be circulated to all CPCs for final approval prior to signature by the IOTC Executive Secretary. The Commission noted the statements made by the Republic of Mauritius, and the corresponding statement made by France (OT), which reiterated their earlier statements, as provided in [Appendix 2e](#).

### 14.2 Migration of the IOTC website to the FAO Domain

152. The Commission noted IOTC-2017-S21-05 on the migration of the IOTC website into the FAO domain. An IT expert was sent by the Secretariat to FAO Headquarters to discuss the requirements of FAO and convey the functionality requirements of IOTC members. The above document provides the responses to the Commission's questions at S20 about the migration of the website.

153. The Commission also noted that, due to the complex functionality of the IOTC website, there appear to be no immediate plans from FAO to move the site into the FAO domain. Notwithstanding this situation, the Commission reiterated its strong desire for the IOTC website to remain outside the FAO domain.

### 14.3 Date and Place of the 22nd and 23rd Sessions of the Commission and of its subsidiary bodies for 2018 and 2019

154. The Commission was unanimous in its thanks to Indonesia for hosting the 21<sup>st</sup> Session of the Commission and commended the local authorities of Yogyakarta on the warm welcome, the excellent facilities and assistance provided to the IOTC Secretariat in the organisation and running of the Session.

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

#### **14.4 A statement by Indonesia on human rights**

156. The Commission noted the statement on allocation and human rights in the fisheries sector made by Indonesia ([Appendix 15](#)).

#### **15. Election of the chairperson and the vice-chairpersons of the Commission**

157. The Commission noted that the first term of the current chairperson, Dr Ahmed Al-Mazrouai (Oman), was due to expire at the closing of the current session. The Commission unanimously **AGREED** to renew Dr Ahmed Al-Mazrouai (Oman) as the Chairperson of the Commission for the next biennium.

158. The Commission noted that the first term of vice-chairperson, Mr Saut Tampubolon (Indonesia), was due to expire at the closing of the current session. The Commission unanimously **AGREED** to renew Mr Saut Tampubolon (Indonesia) as vice-chairperson of the Commission for the next biennium.

159. The Commission noted that vice-chairperson, Mr Jeongseok Park (Rep. Of Korea), is unable to continue his duties. The Commission called for nominations for the position of vice-chairperson of the Commission, and unanimously **ELECTED** Ms Jung Re Kim (Rep. Of Korea) as a vice-chairperson of the Commission for the next biennium.

#### **16. Review of the Draft and Adoption of the report of the 21st Session of the Commission**

160. The report of the 21<sup>st</sup> Session of the Indian Ocean Tuna Commission (IOTC–2017–S21–R) was **ADOPTED** on 26 May 2017.

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## APPENDIX 2.

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

#### (a) Relating to Agenda Item 2: Letters of credentials

##### Statement by the Republic of Mauritius

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” 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.

##### Statement by the United Kingdom (OT)

###### With regard to Sovereignty

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 our 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.

###### With regard to the right to participate at IOTC

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. As such we are full members of the IOTC and have every right to be here.

##### Reply by the Republic of Mauritius

The Government of the Republic of Mauritius reiterates that it does not recognize the so-called “British Indian Ocean Territory” (“BIOT”) 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.



### **Reply by the United Kingdom (OT)**

#### **With regard to IOTC as a forum to raise bilateral issues**

The United Kingdom regrets the continued use of this important multilateral forum by the Republic of Mauritius to address a bilateral matter. This only serves to distract from the important work of IOTC members to manage fisheries resources, combat the regional IUU threat and other matters considered by this Commission.

The UK notes the statement from the FAO at the IOTC meeting in May 2016 recognising that this is a bilateral matter between Mauritius and the United Kingdom and that the FAO Secretariat would not express any views on the question. The FAO Secretariat went on to state that “The United Kingdom and Mauritius are both Parties to the IOTC Agreement and Members of the IOTC and that the instruments of acceptance of the IOTC Agreement of 1994 and 1995 and none of the instruments contains any declaration, restriction or reservation on the matter. The IOTC is not a forum to discuss issues of sovereignty.” The FAO Secretariat requested both Members not to raise the matter in this forum and to avoid disruption of technical proceedings.

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.

### **(b) Relating to Agenda Item 4: Adoption of the agenda and arrangements for the session**

#### **Statement by the Republic of Mauritius**

The Republic of Mauritius is of the view that the Chagos Archipelago and Tromelin Island issues are no doubt multilateral and not bilateral matters. The Republic of Mauritius also reiterates that this is not its understanding that the UN had taken the position that the Chagos Archipelago issue is a bilateral matter during the visit of the former UN Secretary-General to Mauritius last May. It is not the intention of the delegation of Mauritius to disrupt in any way the proceedings of the Commission and the above are relevant matters before this forum.

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” (“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, 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 dismemberment of the territory of Mauritius prior to independence is a matter of direct interest to all members of the United Nations which has historically played a central role in addressing decolonization.

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” 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 rejects the sovereignty claim of France over the Island of Tromelin as well as France’s claim to any sovereign right or jurisdiction over the Exclusive Economic Zone adjacent to the Island of Tromelin. Further, 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) or the Scattered Islands/Iles Eparses. The Government of the Republic of Mauritius reaffirms that the Republic of Mauritius has full and complete sovereignty over the Island of Tromelin, including its maritime zones.

The Government of the Republic of Mauritius strongly objects to the use of terms such as “United Kingdom (Overseas Territories)”, “United Kingdom (OT)” and “UK (OT)” 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” 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 (Territories)”, “France (Overseas Territories)” and “France (OT)” in 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 refer to the Island of Tromelin as a French territory or use terms such as "France (Territories)", "France (Overseas Territories)" and "France (OT)", as well as any action or decision that may be taken on the basis of any such document, cannot and should not be construed in any way whatsoever as implying that France has sovereignty or analogous rights over the Island of Tromelin or 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.

This statement is applicable to all agenda items under which the Chagos Archipelago and the Island of Tromelin are dealt with.

#### **Statement by France (OT)**

France declares that it does not recognize the Mauritian declaration as having any legal value because it disregards the fact that the island of Tromelin is a French territory over which France exercises consistently full sovereignty. Thus, France enjoys sovereign rights or jurisdiction conferred to it by international law in the Exclusive Economic Zone adjacent to the island of Tromelin. The meetings of the Indian Ocean RFMOs are not the place to discuss issues of territorial sovereignty, but France stresses that it will continue to have a constructive dialogue with the Republic of Mauritius on this subject.

#### **Statement by the United Kingdom (OT)**

UK position will remain as set out previously.

#### **With regard to the Marine Protected Area**

The British Indian Ocean Territory Marine Protected Area (MPA), which the UK declared in 2010, is highly valued by scientists from many countries. They consider it a global reference site for marine conservation in an ocean which is heavily overfished.

The UNCLOS Tribunal was clear that it took no view on the substantive quality or nature of the MPA. Its concern was confined to the manner in which it was established. The Tribunal found that the UK needed to have further consultation with Mauritius about the establishment of the MPA in order to have due regard to its rights and interests. We began implementation of the Tribunal's Award with a series of bilateral talks but Mauritius have refused to engage on this following their insistence on being given a date for sovereignty transfer.

Mauritius suggests that the Marine Protected Area ('MPA') established within the Territory in 2010 by the UK has been ruled to be "illegal" by that same Arbitral Tribunal. That is not the case. The Tribunal's Final Observation is: "In concluding that the declaration of the MPA was not in accordance with the provisions of the Convention, the Tribunal has taken no view on the substantive quality or nature of the MPA or the importance of environmental protection. The Tribunal's concern has been with the manner in which the MPA was established, rather than its substance. It is now open to the Parties to enter into the negotiations that the Tribunal would have expected prior to the proclamation of the MPA, with a view to achieving a mutually satisfactory arrangement for protecting the marine environment, to the extent necessary under a "sovereignty umbrella"."

The Award does not have the effect of rendering the MPA illegal. It explicitly states that the Tribunal takes no view on the substance of the MPA, a measure that preserves the Indian Ocean's fish stocks, and safeguards their importance for the economy and food security of the region.



The Tribunal's finding was far 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, as the term "sovereignty umbrella" denotes. The Government of the United Kingdom has made extensive efforts to engage the Republic of Mauritius about conservation matters and, following the Award, has begun bilateral consultations with the Republic of Mauritius. We remain committed to working with the Republic of Mauritius to explore all aspects of its interests in relation to the MPA.

### **Reply by the Republic of Mauritius**

In reply to the statement made by the distinguished delegate from the United Kingdom under the earlier agenda item about bilateral talks and an offer of joint stewardship, Mauritius wishes to make a statement to be also inserted in the report:

The UK have held three rounds of discussions on the implementation of the Award delivered by the Arbitral Tribunal in the case brought by Mauritius against the UK under the UN Convention on the Law of the Sea (UNCLOS) to challenge the legality of the 'marine protected area' ('MPA') purportedly established by the UK around the Chagos Archipelago. Hardly, any progress has been made in these three rounds of discussions in view of the differing interpretations of the Award by Mauritius and the UK. Mauritius has conveyed to the UK that in view of the Award of the Arbitral Tribunal, the purported 'MPA' is illegal and cannot be enforced; the UK does not share this view. The UK's interpretation of the Award is very narrow.

Following the understanding reached last September in New York between Mauritius and the UK with the President of the UN General Assembly to defer, at the UK's request, the consideration of item 87 of the agenda of the current session of the UN General Assembly until June 2017, Mauritius has engaged in talks with the UK, which are aimed at the completion of the decolonisation process of Mauritius and the exercise of full sovereignty by Mauritius over the Chagos Archipelago. Since the outcome of these talks could impact on the discussions on the implementation of the Award delivered in the case brought by Mauritius against the UK under UNCLOS, Mauritius has indicated to the UK that it would be more appropriate to have such discussions at a later stage.

The UK's proposal relating to the joint environmental stewardship of the outer islands of the Chagos Archipelago is unacceptable to Mauritius as it does not address the very objective of the talks between Mauritius and the UK, namely the completion of the decolonisation process of Mauritius and the exercise of full sovereignty by Mauritius over the Chagos Archipelago. Mauritius has made it clear to the UK that it cannot accept any proposal which does not fit into an agreed time bound framework for the return of the Chagos Archipelago to the effective sovereign control of Mauritius.

Mauritius reserves its right to reply to any statement made subsequently in connection with the above.

## **(c) Agenda Items 8 and 13: Proposals for Conservation and Management Measures**

### **Statement by the Republic of Mauritius para 47**

Regarding IOTC-2017-S21-Prop A – On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence (United Kingdom (Overseas Territories), Australia and Seychelles)

*At first instance*

The statements made by the Republic of Mauritius under earlier agenda items 2, 4 and 10 are reiterated.

The Republic of Mauritius does not condone IUU fishing and has adopted measures to combat it. The Government of the Republic of Mauritius reaffirms that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius and that it does not recognize the so-called "British Indian Ocean Territory" ("BIOT").

The Government of the Republic of Mauritius wishes to point out that the adoption of this resolution 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.

*At a later stage*

Mauritius did not contribute to this proposal. Should it be the case that any item was highlighted by Mauritius on the proposal by Mauritius, it was not and should not be construed in any way whatsoever as Mauritius contributing to this proposal or that Mauritius has or is acknowledging that the United Kingdom or so-called "BIOT" has sovereignty or analogous right over the Chagos Archipelago. The United Kingdom or so-called "BIOT" is not entitled to be a member of the IOTC.

The earlier statements made by the Republic of Mauritius since the start of this meeting are reiterated.

The Government of the Republic of Mauritius wishes to point out that the adoption of this resolution 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.

*Upon presentation of the second revised draft*

The Government of the Republic of Mauritius reiterates the earlier statements made in relation to this proposal.

**IOTC-2017-S21-Prop N – On the allocation of fishing opportunities for IOTC species (Maldives and South Africa)**

Mauritius has serious concerns about the present proposal, as phrased. Reference is made to the statement made by the Republic of Mauritius at the Technical Committee on the Allocation of Quota Criteria at Nairobi, Kenya on 16-18 February 2011 (pages 2 & 3 of the report).

The Government of the Republic of Mauritius wishes to point out that the United Kingdom and France cannot and should not be granted any baseline allocation in respect of the Chagos Archipelago and the Island of Tromelin respectively. The baseline allocation for the Republic of Mauritius should take into account the maritime zones of the Republic of Mauritius around the Chagos Archipelago and the Island of Tromelin as well.

All statements made by the Republic of Mauritius previously are reiterated and apply to all matters under this agenda item.

*Upon reference by the Commission to the revised document on 25 May*

All the statements which have been made previously under the earlier items are reiterated, especially the one in relation to this item.

**IOTC-2017-S21-Prop P – On the prohibition to use large-scale driftnets in the IOTC area (France (Territories))**

The statements made by the Republic of Mauritius under agenda items 2 and 4 are reiterated.

The Government of the Republic of Mauritius reaffirms that the Island of Tromelin forms an integral part of the territory of the Republic of Mauritius and that it rejects the sovereignty claim of France over the Island of Tromelin.

The Government of the Republic of Mauritius wishes to point out that the adoption of this resolution cannot and should not be construed in any way whatsoever as implying that France has sovereignty or analogous rights over the Island of Tromelin or 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.

**Statement by the United Kingdom (OT)**

UK does not intend to repeat its position each time Mauritius intervenes, but note that our position will remain as set out previously. Furthermore, UK's respecting the Chair's desire to minimise interventions and the fact that we have not repeated our position each time Mauritius intervenes, including that on allocation, should not be taken as acquiescence to Mauritius' position. We would be grateful for this to be indicated in the record of the meeting.

**Statement by France (OT)**

In response to the statements by Mauritius, France (territories) reiterates its previous statement, made under agenda item number 4.

**(d) Relating to Agenda Item 10: Report of the 14<sup>th</sup> session of the Compliance Committee****Statement by the Republic of Mauritius****On the report of CoC14**

The caveat and qualifications made by Mauritius in all its earlier statements are reiterated.

**On the adoption of the List of IUU Vessels**

For the purpose of this agenda item including documents thereunder, the statements made by the Republic of Mauritius under agenda items 2 and 4 are reiterated. It is underlined that this is not a bilateral matter but a multilateral one, one which Mauritius is entitled to raise in this multilateral forum.

As mentioned at earlier meetings, the Government of the Republic of Mauritius does not condone IUU fishing and is not opposed to the adoption and implementation of measures against IUU fishing, provided that any such measures are taken in conformity with international law or implemented in adherence thereto, including the rights of the Republic of Mauritius under such law. It

has adopted via its legislation a number of measures to combat IUU fishing and is actively involved in many regional organisations for that purpose.

The Government of the Republic of Mauritius reaffirms that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius.

The Republic of Mauritius is the only State which has the lawful authority to take any action in respect of the Chagos Archipelago, including reporting of any breach of any conservation and management measure of the IOTC in the maritime zones of the Republic of Mauritius around the Chagos Archipelago.

The Government of the Republic of Mauritius does not recognize the legality under international law of any act that the United Kingdom or the so-called “BIOT” has purported, or is purporting, to take in respect of the Chagos Archipelago. This includes, but is not limited to, measures taken by the United Kingdom, co-called “UK-OT” or the so-called “BIOT” in respect of the marine environment of the Chagos Archipelago.

The Government of the Republic of Mauritius cannot therefore endorse any recommendation for the inclusion of vessels reported by the UK, UK-OT or the so-called “BIOT” on the List of IUU Vessels.

#### **Statement by the United Kingdom (OT)**

The UK does not intend to repeat its position each time Mauritius intervenes, but note that our position will remain as set out previously.

#### **Statement by France (OT)**

In response to the statements by Mauritius, France (territories) reiterates its previous statement, made under agenda item number 4.

### **(e) Relating to Agenda Item 14.1: Cooperation with other organizations and institutions**

#### **Statement by the Republic of Mauritius – para 151**

The statements made by the Republic of Mauritius under agenda items 2 and 4 are reiterated.

The Government of the Republic of Mauritius reaffirms that the Chagos Archipelago, including Diego Garcia, and the Island of Tromelin form an integral part of the territory of the Republic of Mauritius and that it rejects the sovereignty claims of the United Kingdom and France over the Chagos Archipelago and the Island of Tromelin respectively.

The Government of the Republic of Mauritius wishes to point out that it strongly objects to the purported extension of the application of the Convention on the Conservation of Migratory Species of Wild Animals by the United Kingdom and France to the Chagos Archipelago and the Island of Tromelin respectively.

In this regard, the conclusion of a Memorandum of Understanding between the IOTC and the Secretariat for the Convention on the Conservation of Migratory Species of Wild Animals cannot and should not be construed in any way whatsoever as implying that the United Kingdom and France have sovereignty or analogous rights over the Chagos Archipelago and the Island of Tromelin respectively. Further, any act or activity to be carried out as a consequence or in implementation of the Memorandum of Understanding should not be prejudicial to the sovereignty of the Republic of Mauritius over the Chagos Archipelago and the Island of Tromelin.

#### **Statement by France (OT)**

In response to the statements by Mauritius, France (territories) reiterates its previous statement, made under agenda item number 4.

### APPENDIX 3.

#### AGENDA FOR THE 21<sup>ST</sup> SESSION OF THE COMMISSION

**Date:** 22–26 May 2017

**Location:** Yogyakarta, Indonesia

**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. LETTERS OF CREDENTIALS** (IOTC Secretariat)
- 3. ADMISSION OF OBSERVERS** (Chairperson)
- 4. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION** (Chairperson & IOTC Secretariat)
- 5. ACCESSION OF THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA TO THE IOTC AGREEMENT** (Chairperson)
- 6. UPDATE ON THE APPOINTMENT OF THE EXECUTIVE SECRETARY** (Chairperson)
  - 6.1. Appointment of an Executive Secretary according to the exceptional procedure agreed at the FAO Council
  - 6.2. Consultation towards the development of a proposal for a permanent procedure to select the Executive Secretary
- 7. UPDATE ON THE IMPLEMENTATION OF DECISIONS OF THE COMMISSION IN 2016 (S20)** (IOTC Secretariat)
- 8. REPORT OF THE 19<sup>TH</sup> SESSION OF THE SCIENTIFIC COMMITTEE (SC19)** (SC Chairperson)
- 9. DEVELOPMENT OF MANAGEMENT PROCEDURES (TCMP01)**
  - 9.1. Report of the Technical Committee on Management Procedures (TCMP01) (Chairpersons of the TCMP)
  - 9.2. Schedule of work for the development of management procedures for key species in the IOTC
- 10. REPORT OF THE 14<sup>TH</sup> SESSION OF THE COMPLIANCE COMMITTEE (CoC14) (CoC Chairperson)**
  - 10.1. Adoption of the List of IUU Vessels
  - 10.2. Issues related to fishing capacity (Res.15/11)
  - 10.3. Issues related to the implementation of Res.16/01
  - 10.4. Requests for accession to the status of Cooperating non-Contracting Party
- 11. REPORT OF THE 14<sup>TH</sup> SESSION OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE (SCAF14)** (SCAF Chairperson)
  - 11.1. Programme of Work and Budget of the Commission (Chairperson & IOTC Secretariat)
  - 11.2. Schedule of meetings for 2018-2019
  - 11.3. Rescheduling of the Technical Committee on Allocation Criteria and the Technical Committee on the Performance Review
- 12. PERFORMANCE REVIEW OF THE IOTC**
  - 12.1. Progress on the implementation of the recommendations of the 2<sup>nd</sup> IOTC Performance Review Panel (Chairperson & IOTC Secretariat)
  - 12.2. Re-schedule of the Technical Committee on the Performance Review (Chairperson)
- 13. CONSERVATION AND MANAGEMENT MEASURES** (Chairperson & Contracting Parties)
  - 13.1. Current Conservation and Management Measures that require action by the Commission in 2017 and 2018 (Chairperson & IOTC Secretariat)
  - 13.2. Review of objections received under Article IX.5 of the IOTC Agreement (Chairperson)
  - 13.3. Proposals for Conservation and Management Measures (Contracting Parties)
- 14. OTHER BUSINESS** (Chair)
  - 14.1. Cooperation with other organisations and institutions (Chairperson)
    - 14.1.1. Cooperation with other tuna RFMOs, including Kobe process
    - 14.1.2. Overseas Fishery Cooperation Foundation
    - 14.1.3. FAO, including Common Oceans/ ABNJ Tuna Project
  - 14.2. Migration of the IOTC website
  - 14.3. Date and place of the 22<sup>th</sup> and 23<sup>rd</sup> Sessions of the Commission and of its subsidiary bodies for 2018 and 2019 (Chairperson)
- 15. ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS OF THE COMMISSION**
- 16. REVIEW OF THE DRAFT AND ADOPTION OF THE REPORT OF THE 21<sup>th</sup> SESSION OF THE COMMISSION** (Chairperson)

## APPENDIX 4.

### LIST OF DOCUMENTS

Document No.	Title	Availability
IOTC-2017-S21-01a	Provisional agenda for the 21 <sup>st</sup> Session of the Commission	25 April 2017 19 May 2017
IOTC-2017-S21-01b	Provisional annotated agenda and schedule for the 21 <sup>th</sup> Session of the Commission	
IOTC-2017-S21-02	Draft: List of documents for the 21 <sup>st</sup> Session of the Commission	24 April 2017 09 May 2017
IOTC-2017-S21-03a	Draft: List of participants for the 21 <sup>st</sup> Session of the Commission	
IOTC-2017-S21-04	Implementation of decisions of the Commission in 2016 (IOTC Secretariat)	18 May 2017
IOTC-2017-S21-05	On the migration of the IOTC website (IOTC Secretariat)	24 April 2017
IOTC-2017-S21-06	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)	18 May 2017
IOTC-2017-S21-07	Programme of work and budget of the Commission for the ensuing financial period (Chairperson & IOTC Secretariat)	20 May 2017
IOTC-2017-S21-08	Update on progress regarding Resolution 16/03 – on the performance review follow-up (Chair and IOTC Secretariat)	11 May 2017
IOTC-2017-S21-09	Transfer of Capacity between CPCs (IOTC Secretariat)	09 May 2017
IOTC-2017-S21-10	A Pilot Project for the IOTC Regional Observer Scheme (IOTC Secretariat on behalf of the Scientific Committee)	10 May 2017
IOTC-2017-S21-11	Conservation and Management Measures requiring action by the Commission in 2017 (IOTC Secretariat)	21 May 2017
IOTC-2017-S21-12	Review of objections received under Article IX.5 of the IOTC Agreement (IOTC Secretariat)	21 May 2017
IOTC-2017-S21-13	Principles for an amended procedure for the selection and appointment of the Executive Secretary of the IOTC (Australia)	24 April 2017
IOTC-2017-S21-14	Schedule of work for the development of management procedures for key species in the IOTC Area (Australia)	24 April 2017
IOTC-2017-S21-15	Schedule of meetings to be supported by the IOTC Secretariat in 2018 and 2019	20 May 2017
<b><i>Committee Reports and other meeting Reports</i></b>		
IOTC-2016-SC19-R	Report of the 19 <sup>th</sup> Session of the IOTC Scientific Committee	24 December 2016
IOTC-2017-CoC14-R	Report of the 14 <sup>th</sup> Session of the IOTC Compliance Committee	20 May 2017
IOTC-2017-SCAF14-R	Report of the 14 <sup>th</sup> Session of the IOTC Standing Committee on Administration and Finance	20 May 2017
IOTC-2017-TCMP01-R	Report of the 1 <sup>st</sup> Technical Committee on Management Procedures	Expected: 21 May 2017
<b><i>Conservation and Management Measures – Proposals</i></b>		
IOTC-2017-S21-PropA	On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence (United Kingdom (Overseas Territories), Australia, and Seychelles)	12 April 2017
IOTC-2017-S21-PropB	On establishing a programme for transshipment by large-scale fishing vessels (Indonesia)	19 April 2017
IOTC-2017-S21-PropC	On the conservation of Mobula and Manta rays caught in association with fisheries in the IOTC Area of competence (Maldives and Seychelles)	21 April 2017
IOTC-2017-S21-PropD	Amendments To Resolution 16/01: On An Interim Plan For Rebuilding The Indian Ocean Yellowfin Tuna (Mauritius)	21 April 2017
IOTC-2017-S21-PropE	On an interim plan for rebuilding the Indian Ocean Yellowfin tuna stock in the IOTC Area of Competence (Seychelles)	12 April 2017

Document No.	Title	Availability
IOTC-2017-S21-PropF	On a ban on discards of Bigeye tuna, Skipjack tuna, Yellowfin tuna, and non-targeted species caught by purse seine vessels in the IOTC Area of Competence (Seychelles)	21 April 2017
IOTC-2017-S21-PropG	Working party on socio-economic aspect of the fisheries in the IOTC Area of Competence (Seychelles)	21 April 2017
IOTC-2017-S21-PropH	Working party on the implementation of Conservation and Management Measures (WPICMM) (Seychelles)	21 April 2017
IOTC-2017-S21-PropI	Proposal to Amend 16/01: On an interim plan for rebuilding the Indian Ocean Yellowfin tuna stock in the IOTC Area of Competence (South Africa and Maldives)	21 April 2017
IOTC-2017-S21-PropJ	On the conservation and management of IOTC Billfish (European Union)	21 April 2017
IOTC-2017-S21-PropK	On the prohibition to use large-scale driftnets in the IOTC Area (European Union)	21 April 2017
IOTC-2017-S21-PropL	On the conservation and management of IOTC Kawakawa, Longtail Tuna and Spanish Mackerel (European Union)	21 April 2017
IOTC-2017-S21-PropM	On the conservation of sharks caught in association with fisheries managed by the IOTC (European Union)	21 April 2017
IOTC-2017-S21-PropN	On the allocation of fishing opportunities for IOTC species (Maldives and South Africa)	21 April 2017
IOTC-2017-S21-PropO	Proposal for amendment of 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 (France (Territories))	21 April 2017
IOTC-2017-S21-PropP	On the prohibition to use large-scale driftnets in the IOTC area (France (Territories))	21 April 2017
<b>Information papers</b>		
IOTC-2017-S21-INF01 (Add_1, Add_2)	Letter on sustainability of tuna stocks (ISSF et al.)	23 March 2017 03 May 2017
IOTC-2017-S21-INF02	Information provided by India related to the IUU vessels list	24 May 2017
<b>NGO Statements</b>		
IOTC-2017-S21-NGO01	ISSF Position Statement	03 May 2017
IOTC-2017-S21-NGO02	IPNL Policy Statement	05 May 2017

## **APPENDIX 5.**

### **TERMS OF REFERENCE FOR A SMALL DRAFTING GROUP ON AMENDMENTS TO THE IOTC RULES OF PROCEDURE ON THE SELECTION AND APPOINTMENT OF THE IOTC EXECUTIVE SECRETARY**

1. The Commission establishes a small drafting group to develop a proposal to amend the IOTC Rules of Procedure, particularly Appendix II, to modify the existing procedure for selection and appointment of the IOTC Executive Secretary.
2. The proposal prepared by the drafting group will take, as its basis, the principles set out in Annex 1 and will take into account the views of the UN Food and Agriculture Organization (FAO).
3. The drafting group shall comprise all interested IOTC CPCs and be facilitated by an IOTC CPC. Other IOTC CPCs may, at any time, choose to join the drafting group or provide input to the process via the facilitator.
4. The drafting group shall work electronically (by email) as far as possible, but may arrange meetings to progress its work as required. Meetings will be held in the region to facilitate developing coastal State attendance and mechanisms to reduce the financial burden of attendance by developing coastal States shall be considered.
5. The drafting group shall consult with the FAO, via the Chairperson of the Commission and the Independent Chair of the FAO Council (ICC) as appropriate.
6. An indicative work plan for the drafting group is as follows:
  - a) June-September 2017:
    - Initial draft amendments to be prepared by the facilitator and circulated to participants in the drafting group for comment.
    - During this time, there may be more than one round of consultation and comment, but participants will always be provided with a minimum of 2 weeks to provide comments on the draft amendments.
    - During this time, the drafting group participants may meet, if required and at a location to be determined (which should, as far as possible, facilitate participation by developing States), to discuss the draft amendments.
  - b) September-October 2017:
    - Once agreed by drafting group members, draft amendments to be circulated by the facilitator, on behalf of the drafting group, to the FAO for feedback.
  - c) November-December 2017:
    - Drafting group to further consider draft amendments and prepare revisions if required.
  - d) December 2017:
    - Draft amendments to be circulated by the facilitator (with the assistance of the Commission Chairperson and/or Secretariat), on behalf of the drafting group, to all IOTC CPCs for consideration.
  - e) February-March 2018:
    - Drafting group to finalise a proposal for amendment of the IOTC Rules of Procedure for submission by the facilitator 60 days before the 22nd Annual Session of the Commission, for the consideration of the 15th Session of the Standing Committee on Administration and Finance and the 22nd Annual Session of the Commission.
7. The IOTC Secretariat shall provide reasonable assistance to the drafting group, including assisting with meeting arrangements, as required.
8. If required, these terms of reference can be extended and/or modified at the 22nd Annual Session of the Commission.

## Annex 1: Principles

### *1. The Commission should have the final say on who is to be appointed as the Executive Secretary.*

- The Commission operates as an independent, specialised and regionally-focused body, which is entirely funded and driven by its members. Bodies established by a convention under Article XIV of the FAO Constitution are given this autonomy under the FAO Constitution, so that they are able to deliver the specialised technical functions required by their members.
- In addition, the responsibility of the Executive Secretary is to implement the policies and activities of the Commission, which are agreed by Commission members to give effect to their international obligations.
- Consistent with this, the Commission (as the collective of its members) must be able to select its own Executive Secretary.
- The formality of technically appointing the Executive Secretary needs to be done by the FAO Director-General, but members' approval of the appointment, as demonstrated by its selection of the person to be appointed, is a pre-requisite to the Director-General's appointment.<sup>1</sup>
- This is consistent with the existing procedure.<sup>2</sup>

### *2. The FAO Secretariat should have an opportunity to consider candidates for the Executive Secretary position and provide advice or recommendations to the Commission on those candidates.*

- Because the Commission is established by a convention under Art XIV of the FAO Constitution and because the Executive Secretary is, for administrative purposes, responsible to the FAO Director-General, the FAO bears some responsibility for ensuring the Executive Secretary is suitable for the role.
- The FAO Secretariat's role might include conducting background or reference checks and considering the suitability of candidates by reference to the qualifications and competencies set out in the Rules of Procedure.
- This could occur at the shortlisting stage (i.e. at the same time as Commission members consider all applications and rank their preferred candidates), or at the interview stage (i.e. for consideration at the same time as interviews are being conducted), or both if desired. However this process should not replace a Commission process to shortlist or interview candidates.
- Any such involvement by the FAO Secretariat must be as transparent as possible and the FAO Secretariat's advice should be shared with all Commission members (subject to any legal requirements for privacy or confidentiality).
- This type of role is not provided for in the existing procedure, but would address concerns raised by the FAO Secretariat about bearing liabilities, including reputational risks, arising from the activities of the Commission.<sup>3</sup>

### *3. All Commission members should be able to view all applications received and should be able to take part in the ranking process.*

- It follows from the principle that the Commission should have the final say in selecting an Executive Secretary that Commission members need to be closely involved in the selection process. This begins with receiving all of the applications that are submitted and being able to participate in the ranking process.
- As is already the case, applications could be received by the Commission Secretariat and distributed directly to members. Members could transmit their rankings back to the Secretariat. Members might consider whether to enlist the aid of an independent human resources consultant to undertake this process.
- If necessary, applications could also be distributed to the FAO Secretariat (e.g. to give effect to principle 2 above).
- This is consistent with the existing procedure.<sup>4</sup>

<sup>1</sup> Appendix O of the FAO Basic Texts sets out the 'Principles and Procedures which should Govern Conventions and Agreements Concluded under Articles XIV and XV of the Constitution, and Commission and Committees Established under Article VI of the Constitution'. Under the *Principles* it is open to the Commission to specify that its Executive Secretary shall be 'appointed by the Director-General after consultation with, or with the approval or concurrence of, the members of the [Commission]' (paragraphs 32 and 33). The Commission's selection of an Executive Secretary, using a selection procedure set out in the Rules of Procedure, can constitute this 'approval or concurrence', thereby fulfilling the prerequisite in the *Principles* so that the selected candidate can be appointed by the Director-General.

<sup>2</sup> Rules of Procedure, Appendix II, clause 6; see also IOTC Agreement, Article VIII.

<sup>3</sup> See IOTC Circular 2016-049; Report of the 20<sup>th</sup> Session of the Commission, paragraph 86.

<sup>4</sup> Rules of Procedure, Appendix II, clauses 2-3.



*4. Interviews should take place in conjunction with Annual Sessions of the Commission to ensure all Commission members have the opportunity to participate.*

- In order for the Commission to reach its decision, it is important that members are fully engaged in the process. The most effective way to ensure this is to conduct interviews at, or immediately prior to, the Annual Session, and at the same location.
- Interviews should be conducted by Heads of Delegation of Commission members. The FAO Secretariat may be provided with an opportunity to participate in the interview process, whether as an observer or with the same involvement as Heads of Delegation.
- This is consistent with the existing procedure,<sup>5</sup> although FAO Secretariat involvement would be a modification.

*5. The new Executive Secretary should be selected by Heads of Delegation of Commission members by consensus if possible, or through a voting procedure.*

- The principle that the Commission should have the final say in selecting an Executive Secretary requires that only Commission members participate in the process to make that selection.
- In all cases, the decisions of Heads of Delegation, and therefore the Commission, to select an Executive Secretary should be made by reference to the qualifications, requirements and competencies outlined in Appendix II of the IOTC Rules of Procedure (including any modification thereof). Candidates that do not meet these should not be selected and the Commission should take into account all information available, including any advice or recommendations provided by the FAO Secretariat, in determining this.
- Noting the Commission's strong practice of seeking to make decisions by consensus, it would be appropriate to require Heads of Delegation to endeavour to make their selection by consensus. However, as this may not always be possible, it is appropriate to retain a voting mechanism.
- The Commission might consider clarifying the method by which votes will be taken, the majority that is required and processes for dealing with ties or changes in the availability or interest of candidates, in order to reduce any perceived politicisation of the selection process.
- This is consistent with the existing procedure.<sup>6</sup>

*6. The terms of reference for the Executive Secretary should make it clear that the Executive Secretary's core responsibility is that owed to the Commission for implementing the Commission's policies and activities.*

- As noted, the Commission operates as an independent, specialised and regionally-focused body, which is entirely funded and driven by its members. It requires an Executive Secretary whose focus will be on implementing the policies and activities of the Commission, as decided by its members.
- Noting the Executive Secretary is also responsible, for administrative purposes, to the FAO Director-General, the Commission might consider whether it would be useful to clarify what this responsibility entails to help avoid any potential conflict with the Executive Secretary's responsibility to the Commission.
- This is consistent with the existing procedure.<sup>7</sup>

<sup>5</sup> Rules of Procedure, Appendix II, clause 4.

<sup>6</sup> IOTC Agreement, Article VI; Rules of Procedure, Appendix II, clause 5.

<sup>7</sup> Rules of Procedure, Appendix II, *Terms of reference*

## APPENDIX 6.

### STOCK STATUS SUMMARY FOR THE IOTC SPECIES: 2016

**Temperate and tropical tuna stocks:** the main stocks being targeted by industrial, and to a lesser extent, artisanal fisheries throughout the Indian Ocean, both on the high seas and in the EEZ of coastal states.

Stock	Indicators	2011	2012	2013	2014	2015	2016	Advice to the Commission
Albacore <i>Thunnus alalunga</i>	Catch 2015: 35,068 t Average catch 2011–2015: 34,902 t MSY (1000 t) (80% CI): 38.8 (33.9–43.6) F <sub>MSY</sub> (80% CI): - SB <sub>MSY</sub> (1000 t) (80% CI): 30.0 (26.1–34.0) F <sub>2014</sub> /F <sub>MSY</sub> (80% CI): 0.85 (0.57–1.12) SB <sub>2014</sub> /SB <sub>MSY</sub> (80% CI): 1.80 (1.38–2.23) SB <sub>2014</sub> /SB <sub>1950</sub> (80% CI): 0.37 (0.28–0.46)							Although considerable uncertainty remains in the SS3 assessment, particularly due to the lack of biological information on Indian Ocean albacore tuna stocks, a precautionary approach to the management of albacore tuna should be applied by capping total catch levels to MSY levels (approximately 40,000 t).
Bigeye tuna <i>Thunnus obesus</i>	Catch 2015: 92,736 t Average catch 2011–2015: 101,515 t MSY (1,000 t) (80%): 104 (87–121) F <sub>MSY</sub> (80%): 0.17 (0.14–0.20) SB <sub>MSY</sub> (1,000 t) (80%): 525 (364–718) F <sub>2015</sub> /F <sub>MSY</sub> (80%): 0.76 (0.49–1.03) SB <sub>2015</sub> /SB <sub>MSY</sub> (80%): 1.29 (1.07–1.51) SB <sub>2015</sub> /SB <sub>0</sub> (80%): 0.38 (n.a. – n.a.)						83.7%	The stock status determination did not qualitatively change in 2016, but is somewhat less optimistic than in 2013. If catch remains below the estimated MSY levels estimated for the current mix of fisheries, then immediate management measures are not required. However, increased catch or increases in the mortality on immature fish will likely increase the probabilities of breaching reference levels in the future. Continued monitoring and improvement in data collection, reporting and analysis is required to reduce the uncertainty in assessments.
Skipjack tuna <i>Katsuwonus pelamis</i>	Catch 2015: 393,954 t Average catch 2011–2015: 394,320 t MSY (1,000 t) (80% CI): 684 (550–849) F <sub>MSY</sub> (80% CI): 0.65 (0.51–0.79) SB <sub>MSY</sub> (1,000 t) (80% CI): 875 (708–1,075) C <sub>2013</sub> /C <sub>MSY</sub> (80% CI): 0.62 (0.49–0.75) SB <sub>2013</sub> /SB <sub>MSY</sub> (80% CI): 1.59 (1.13–2.14) SB <sub>2013</sub> /SB <sub>0</sub> (80% CI): 0.58 (0.53–0.62)							The adoption of Resolution 16/02 requires that an estimate of SB/SB <sub>0</sub> from future skipjack assessments is used to parameterise the Harvest Control Rule (HCR). The next assessment for skipjack will be conducted in 2017, at which time the HCR will be applied and a total allowable catch for skipjack will be advised for 2018. No additional management measures are required at this time, however continued monitoring and improvement in data collection, reporting and analysis (including fishery indicators) is required to reduce the uncertainty in assessments.
Yellowfin tuna <i>Thunnus albacares</i>	Catch 2015: 407,575 t Average catch 2011–2015: 390,185 t MSY (1000 t) (80% CI): 422 (406–444) F <sub>MSY</sub> (80% CI): 0.151 (0.148–0.154) SB <sub>MSY</sub> (1,000 t) (80% CI): 947 (900–983) F <sub>2015</sub> /F <sub>MSY</sub> (80% CI): 1.11 (0.86–1.36) SB <sub>2015</sub> /SB <sub>MSY</sub> (80% CI): 0.89 (0.79–0.99) SB <sub>2015</sub> /SB <sub>0</sub> (80% CI): 0.29 (n.a.–n.a.)					94%	67.6%	The stock status determination did not change in 2016, but does give a somewhat more optimistic estimate of stock status than the 2015 assessment as a direct result of the use of more reliable information on catch rates of longline fisheries and updated catch up to 2015. The stock status is driven by unsustainable catches of yellowfin tuna taken over the last four (4) years, and the relatively low recruitment levels estimated by the model in recent years. The Commission has an interim plan for the rebuilding of this stock (Resolution 16/01), with catch limitations beginning January 1 2017. The possible effect of this measure can only be assessed once estimates of abundance in 2018 would be available at the 2019 assessment. The projections produced to advise on future catches are, in the short term, driven by the below average recruitment estimated for in recent years since these year classes have yet to reach maturity and contribute to the spawning biomass.

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

Stock	Indicators	2010	2011	2012	2013	2014	2015	2016	Advice to the Commission
Swordfish <i>Xiphias gladius</i>	Catch 2015: 41,760 t Average catch 2011–2015: 31,900 t MSY (1,000 t) (80% CI): 39.40 (33.20–45.60) F <sub>MSY</sub> (80% CI): 0.138 (0.137–0.138) SB <sub>MSY</sub> (1,000 t) (80% CI): 61.4 (51.5–71.4) F <sub>2013</sub> /F <sub>MSY</sub> (80% CI): 0.34 (0.28–0.40) SB <sub>2013</sub> /SB <sub>MSY</sub> (80% CI): 3.10 (2.44–3.75) SB <sub>2013</sub> /SB <sub>1950</sub> (80% CI): 0.74 (0.58–0.89)								The most recent catches (41,760 t in 2015) are 2,360 t above the MSY level (39,400 t). Hence catches in 2017 should be reduced to less than MSY (39,400 t). As the updated stock assessment is scheduled in 2017, more concrete advice after 2018 should be developed next year.
Black marlin <i>Makaira indica</i>	Catch 2015: 18,490 t Average catch 2011–2015: 15,276 t MSY (1,000 t) (80% CI): 9.932 (6.963–12.153) F <sub>MSY</sub> (80% CI): 0.211 (0.089–0.430) B <sub>MSY</sub> (1,000 t) (80% CI): 47.430 (27.435–100.109) F <sub>2015</sub> /F <sub>MSY</sub> (80% CI): 2.42 (1.52–4.06) B <sub>2015</sub> /B <sub>MSY</sub> (80% CI): 0.81 (0.55–1.10) B <sub>2015</sub> /B <sub>1950</sub> (80% CI): 0.30 (0.20–0.41)							80%	Current catches are considerably higher than MSY and the stock is overfished and currently subject to overfishing. Even with a 40% reduction in current catches, it is very unlikely to achieve the Commission objectives of being in the green zone of the Kobe Plot by 2025. Current catch levels are not sustainable and there is a need for urgent actions to decrease these catch levels. The SC recommends that the maximum catch limit should be lower than MSY (9,932t).
Blue marlin <i>Makaira nigricans</i>	Catch 2015: 15,706 t Average catch 2011–2015: 14,847 t MSY (1,000 t) (80% CI): 11.926 (9.232–16.149) F <sub>MSY</sub> (80% CI): 0.109 (0.076–0.160) B <sub>MSY</sub> (1,000 t) (80% CI): 113.012 (71.721 – 161.946) F <sub>2015</sub> /F <sub>MSY</sub> (80% CI): 1.18 (0.80–1.71) B <sub>2015</sub> /B <sub>MSY</sub> (80% CI): 1.11 (0.90–1.35) B <sub>2015</sub> /B <sub>1950</sub> (80% CI): 0.56 (0.44 – 0.71)							46,8%	Current catches are higher than MSY and the stock is currently subject to overfishing. In order to achieve the Commission objectives of being in the green zone of the Kobe Plot by 2025 with at least a 50% probability, the catches of blue marlin would have to be reduced by 24% compared to the average catch of 2013–2015, to a maximum value of 11,704 t.
Striped marlin <i>Tetrapturus audax</i>	Catch 2015: 4,410 t Average catch 2011–2015: 4,481 t MSY (1,000 t) (80% CI): 5.22 (5.18–5.59) F <sub>MSY</sub> (80% CI): 0.62 (0.59–1.04) B <sub>MSY</sub> (1,000 t) (80% CI): 8.4 (5.40–8.90) F <sub>2014</sub> /F <sub>MSY</sub> (80% CI): 1.09 (0.62–1.66) B <sub>2014</sub> /B <sub>MSY</sub> (80% CI): 0.65 (0.45–1.17) B <sub>2014</sub> /B <sub>1950</sub> (80% CI): 0.24 (n.a.–n.a.)						60%	60%	A precautionary approach to the management of striped marlin should be considered by the Commission to reduce catches below 4,000 t thereby ensuring the stock may rebuild to sustainable levels.
Indo-Pacific Sailfish <i>Istiophorus platypterus</i>	Catch 2015: 28,455 t Average catch 2011–2015: 28,543 t MSY (1,000 t) (80% CI): 25.00 (16.18–35.17) F <sub>MSY</sub> (80% CI): 0.26 (0.15–0.39) B <sub>MSY</sub> (1,000 t) (80% CI): 87.52 (56.30–121.02) F <sub>2014</sub> /F <sub>MSY</sub> (80% CI): 1.05 (0.63–1.63) B <sub>2014</sub> /B <sub>MSY</sub> (80% CI): 1.13 (0.87–1.37) B <sub>2014</sub> /B <sub>1950</sub> (80% CI): 0.56 (0.44–0.67)								The same management advice for 2016 (catches below a MSY of 25,000 t) is kept for the next year (2017).

**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. Neritic tunas and mackerels are caught primarily by coastal fisheries, including small-scale industrial and artisanal fisheries, and 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	2010	2011	2012	2013	2014	2015	2016	Advice to the Commission
Bullet tuna <i>Auxis rochei</i>	Catch 2015: 10,481 t Average catch 2011–2015: 8,987 t MSY (1,000 t) (80% CI): unknown F <sub>MSY</sub> (80% CI): unknown B <sub>MSY</sub> (1,000 t) (80% CI): unknown F <sub>2015</sub> /F <sub>MSY</sub> (80% CI): unknown B <sub>2015</sub> /B <sub>MSY</sub> (80% CI): unknown B <sub>2015</sub> /B <sub>0</sub> (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 2011–2015). 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.
Frigate tuna <i>Auxis thazard</i>	Catch 2015: 81,441 t Average catch 2011–2015: 94,657 t MSY (1,000 t) (80% CI): unknown F <sub>MSY</sub> (80% CI): unknown B <sub>MSY</sub> (1,000 t) (80% CI): unknown F <sub>2015</sub> /F <sub>MSY</sub> (80% CI): unknown B <sub>2015</sub> /B <sub>MSY</sub> (80% CI): unknown B <sub>2015</sub> /B <sub>0</sub> (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 2011–2015: 94,657 t). 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.
Kawakawa <i>Euthynnus affinis</i>	Catch 2015: 152,772 t Average catch 2011–2015: 158,817 t MSY (1,000 t) (80% CI): 152 [125–188] F <sub>MSY</sub> (80% CI): 0.56 [0.42–0.69] B <sub>MSY</sub> (1,000 t) (80% CI): 202 [151–315] F <sub>2013</sub> /F <sub>MSY</sub> (80% CI): 0.98 [0.85–1.11] B <sub>2013</sub> /B <sub>MSY</sub> (80% CI): 1.15 [0.97–1.38] B <sub>2013</sub> /B <sub>1950</sub> (80% CI): 0.58 [0.33–0.86]								Although the stock status is classified as not overfished and not subject to overfishing, the K2SM developed in 2015 showed that there is a 96% probability that biomass is below MSY levels and 100% probability that F>F <sub>MSY</sub> by 2016 and 2023 if catches are maintained at the 2013 levels. The modelled probabilities of the stock achieving levels consistent with the MSY reference points (e.g. SB > SB <sub>MSY</sub> and F<F <sub>MSY</sub> ) in 2023 are 100% for a future constant catch at 80% of 2013 catch levels, 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 2013 levels.

Stock	Indicators	2010	2011	2012	2013	2014	2015	2016	Advice to the Commission
Longtail tuna <i>Thunnus tonggol</i>	Catch 2015: 135,920 t Average catch 2011–2015: 157,313 t MSY (1,000 t) (80% CI): 143 (106–194) F <sub>MSY</sub> (80% CI): 0.39 (0.29–0.54) B <sub>MSY</sub> (1,000 t) (80% CI): 298 (197–545) F <sub>2014</sub> /F <sub>MSY</sub> (80% CI): 1.03 (0.88–1.26) B <sub>2014</sub> /B <sub>MSY</sub> (80% CI): 0.99 (0.78–1.19) B <sub>2014</sub> /B <sub>1950</sub> (80% CI): 0.50 (0.39–0.60)						25%		There is a continued high risk of exceeding MSY-based reference points by 2017 if catches are maintained at current (2014) levels (69% risk that B <sub>2017</sub> <B <sub>MSY</sub> , and 81% risk that F <sub>2017</sub> >F <sub>MSY</sub> ). If catches are reduced by 10% this risk is lowered to 27% probability B <sub>2017</sub> <B <sub>MSY</sub> and 39% probability F <sub>2017</sub> >F <sub>MSY</sub> . If the Commission wishes to recover the stock to levels above the MSY reference points, the Scientific Committee recommends catches should be reduced by approximately 10% of 2014 levels which corresponds to catches somewhat below MSY in order to recover the status of the stock in line with the decision framework described in Resolution 15/10.
Indo-Pacific king mackerel <i>Scomberomorus guttatus</i>	Catch 2015: 45,956 t Average catch 2011–2015: 45,485 t MSY (1,000 t) (80% CI): 46 [38.9–54.4] F <sub>MSY</sub> (80% CI): 0.52 [0.40–0.69] B <sub>MSY</sub> (1,000 t) (80% CI): 66.0 [45.9–107.9] F <sub>2014</sub> /F <sub>MSY</sub> (80% CI): 0.98 [0.85–1.14] B <sub>2014</sub> /B <sub>MSY</sub> (80% CI): 1.10 [0.84–1.29] B <sub>2014</sub> /B <sub>1950</sub> (80% CI): 0.55 [0.42–0.64]								A precautionary approach to the management of IP king mackerel should be considered by the Commission, by ensuring that catches are reduced to levels below the current estimated range 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.
Narrow-barred Spanish mackerel <i>Scomberomorus commerson</i>	Catch 2015: 152,798 t Average catch 2011–2015: 151,227 t MSY (1,000 t) (80% CI): 131.1 [98.7–178.8] F <sub>MSY</sub> (80% CI): 0.34 [0.21–0.56] B <sub>MSY</sub> (1,000 t) (80% CI): 326 [178–702] F <sub>2014</sub> /F <sub>MSY</sub> (80% CI): 1.21 [0.95–1.48] B <sub>2014</sub> /B <sub>MSY</sub> (80% CI): 0.95 [0.74–1.27] B <sub>2014</sub> /B <sub>1950</sub> (80% CI): 0.47 [0.37–0.63]								There is a continued high risk of exceeding MSY-based reference points by 2024, even if catches are reduced to 80% of the 2014 levels (53% risk that B <sub>2024</sub> <B <sub>MSY</sub> , and 97% risk that F <sub>2024</sub> >F <sub>MSY</sub> ). The modelled probabilities of the stock achieving levels consistent with the MSY reference levels (e.g. B > B <sub>MSY</sub> and F<F <sub>MSY</sub> ) in 2024 are 1 and 10%, 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 at least 30% of current levels which corresponds to catches below MSY in order to recover the status of the stock.

**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	2010	2011	2012	2013	2014	2015	2016	Advice to the Commission
Blue shark <i>Prionace glauca</i>	Reported Catch 2015: 30,054 t Not elsewhere included (nei) sharks 2015: 29,535 t Average reported catch 2011–2015: Not elsewhere included (nei) sharks 2011–2015: Unknown MSY (1,000 t) (80% CI): Unknown F <sub>MSY</sub> (80% CI): Unknown SB <sub>MSY</sub> (1,000 t) (80% CI): (0.44–4.84) F <sub>2014</sub> /F <sub>MSY</sub> (range): (0.83–1.75) SB <sub>2014</sub> /SB <sub>MSY</sub> (range): Unknown SB <sub>2014</sub> /SB <sub>0</sub> (range):								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.
Oceanic whitetip shark <i>Carcharhinus longimanus</i>	Reported Catch 2015: 211 t Not elsewhere included (nei) sharks 2015: 248 t Average reported catch 2011–2015: Not elsewhere included (nei) sharks 2011–2015: Unknown MSY (range):								A precautionary approach to the management of oceanic whitetip shark should be considered by the Commission, noting that recent studies suggest that longline mortality at haulback is high (50%) in the Indian Ocean, while mortality rates for interactions with other gear types such as purse seines and gillnets may be higher. 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.
Scalloped hammerhead shark <i>Sphyrna lewini</i>	Reported catch 2013: 52 t Not elsewhere included (nei) sharks 2015: 75 t Average reported catch 2011–2015: Not elsewhere included (nei) sharks 2011–2015: unknown MSY (range):								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.
Shortfin mako <i>Isurus oxyrinchus</i>	Reported Catch 2015 : 1,268 t Not elsewhere included (nei) sharks 2015: 1,447 t Average reported catch 2011–2015: Not elsewhere included (nei) sharks 2011–2015: unknown MSY (range):								

Stock	Indicators	2010	2011	2012	2013	2014	2015	2016	
Silky shark <i>Carcharhinus falciformis</i>	Reported Catch 2015 : 3,232 t Not elsewhere included (nei) sharks 2015: 3,707 t Average reported catch 2011–2015: Not elsewhere included (nei) sharks 49,785 2011–2015: unknown MSY (range):								
Bigeye thresher shark <i>Alopias superciliosus</i>	Reported Catch 2015 : 0 t Not elsewhere included (nei) sharks 2015: 94 t Average reported catch 2011–2015: Not elsewhere included (nei) sharks 49,785 2011–2015: unknown MSY (range):								
Pelagic thresher shark <i>Alopias pelagicus</i>	Reported Catch 2015 : 0 t Not elsewhere included (nei) sharks 2015: 69 t Average reported catch 2011–2015: Not elsewhere included (nei) sharks 49,785 2011–2015: unknown MSY (range):								

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 7. CONSERVATION AND MANAGEMENT MEASURES

### RESOLUTION 17/01

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

**Keywords:** Yellowfin tuna, Kobe Process, MSY, Precautionary Approach

#### **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, 12- 14 July 2011; considering the status of the stocks, each RFMO should consider a scheme for reduction of overcapacity 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 18<sup>th</sup> 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 the new yellowfin tuna stock assessment produced at the 19<sup>th</sup> Scientific Committee held in Seychelles mentions: “The stock status determination did not change in 2016, but does give a somewhat more optimistic estimate of stock status than the 2015 assessment, as a direct result of the use of more reliable information on catch rates of longline fisheries and updated catch up to 2015” and that “**Maximum Sustainable Yield (MSY)**: estimate for the whole

Indian Ocean is estimated at 422,000 t with a range between 406,000-444,000 t” and “the 2011-2015 average catches (390,185 t) were below the estimated MSY level.”

FURTHER NOTING that the estimated probability of the Indian Ocean yellowfin tuna stock to be in the red zone of the Kobe plot has decreased from 94% based on 2015 stock assessment to 67.6% based on the 2016 stock assessment and considering other applicable measures within Resolution 16/01, particularly the 23% reduction in the limit on the number of FADs deployed by tuna purse seiners from 550 to 425 per vessel per year, effective from 1<sup>st</sup> January 2017, and the supply vessel limitation could help this progressive improvement of the yellowfin tuna stock status.

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;

NOTING THAT Article V(2)(b) of the Agreement for the Establishment of the Indian Ocean Tuna Commission give full recognition to the special interests and needs of Members in the region that are developing countries, in relation to the conservation and management and optimum utilization of stocks covered by this Agreement and encouraging development of fisheries based on such stocks.

FURTHER NOTING THAT Article V(2)(d) requires the Commission to keep under review the economic and social aspects of the fisheries based on the stocks covered by this Agreement bearing in mind, in particular, the interests of developing coastal States. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States, especially Small Island Developing States.

RECOGNIZING FURTHER the interactions that occur between the fisheries for yellowfin, skipjack and bigeye tuna.

CONSIDERING paragraph 12 of Resolution 16/01 that allow the Commission to review this Interim Plan before 2019.

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 350 active instrumented buoys and 700 acquired annually instrumented buoys per purse seine vessel per year.
  - c. Supply vessels: Supply vessels shall be gradually reduced by 31<sup>st</sup> December 2022 as specified below in (i), (ii)(iii)(iv). Flag States shall submit plans for reducing the use of supply vessel to the Scientific Committee no later than 31<sup>st</sup> December 2017.
    - i. From 1<sup>st</sup> of January 2018 to 31<sup>st</sup> December 2019: 1 supply vessel in support of not less than 2 purse seiners, all of the same flag State.<sup>1</sup>

- ii. From 1<sup>st</sup> of January 2020 to 31<sup>st</sup> December 2022: 2 supply vessels in support of not less than 5 purse seiners, all of the same flag State.<sup>1</sup>
  - iii. No CPC is allowed to register any new or additional supply vessel on the IOTC Record of Authorized Vessels after 31<sup>st</sup> December 2017.
  - iv. Any further reduction as from 2022 shall be determined by the Commission in light of the advice of the Scientific Committee.
4. A single purse seine vessel shall not be supported by more than one single supply vessel of the same flag State at any point in time.
  5. Complementary to Resolution 15/08 [superseded by Resolution 17/08] 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/flag States shall report annually before the 1<sup>st</sup> of January for the coming year of operations which Purse seiners are served by each supply vessel. This information will be published on IOTC website so as to be accessible to all CPCs and is mandatory. In the light of assessments made available by the Working Group (WG) on dFADs and the Scientific Committee, the Commission shall update, if necessary the above limits in point b) and c).
  6. 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.
  7. 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
  8. 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.
  9. 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.
  10. 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.
  11. 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 2018, conduct a new assessment of the status of the Yellowfin stock using all available data.
  12. 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.
  13. 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.
  14. The measures contained within this Resolution shall be considered as interim measure and will be reviewed by the Commission no later than at its annual Session in 2019.

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<sup>1</sup> The subparagraphs (i) and (ii) shall not apply to flag States which use only one supply vessel.

15. The provisions of paragraphs 3, 4, 5 and 6 shall be applicable to Small Island Developing States, Least Developed Countries and Small Vulnerable Economies on catches of yellowfin reported for 2014 or 2015.
16. Nothing in this resolution shall pre-empt or prejudice future allocation.
17. This Resolution supersedes IOTC Resolution 16/01 *On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock*.

**RESOLUTION 17/02****WORKING PARTY ON THE IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES (WPICMM)**

**Keywords:** Conservation and Management Measures; Compliance Committee

**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:

1. Pursuant to Article XII.5 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.
2. The terms of reference for the WPICMM are those specified in **Annex I**.
3. This Resolution shall be incorporated within the IOTC Rules of Procedure as its next revision.
4. This Resolution supersedes IOTC Resolution 16/12 *Working Party on the Implementation of Conservation and Management Measures (WPICMM)*.

**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 composed by fisheries compliance officers (or other relevant officer) of the CPCs, scientists, fishers managers, fishing industry representatives, administrators and other interested stakeholders, in accordance with the IOTC Rules of Procedure.

**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;

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;

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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.
  21. The WPICMM would meet once a year, back to back with the meeting of the Compliance Committee, and shall report on its work to the Compliance Committee at its annual session.



**RESOLUTION 17/03****ON ESTABLISHING A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN THE IOTC AREA OF COMPETENCE****The Indian Ocean Tuna Commission (IOTC),**

RECALLING that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, to deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU). This plan stipulates that the identification of the vessels carrying out IUU activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way;

RECALLING that the IOTC adopted Resolution 01/07 [superseded by Resolution 14/01] concerning its support of the IPOA-IUU;

RECALLING that IOTC has already adopted measures against IUU fishing activities;

RECALLING that the IOTC adopted Resolution 07/01 to promote compliance by nationals of Contracting Parties and Cooperating Non-Contracting Parties with IOTC Conservation and Management Measures;

RECALLING ALSO that the IOTC adopted Resolution 07/02 [superseded by Resolution 13/02, then by Resolution 14/04, then by Resolution 15/04] to enhance the implementation of IOTC Conservation and Management Measures through establishing a Record of fishing vessels authorised to operate in the IOTC area of competence;

RECOGNISING that IUU fishing activities may be linked with serious and organised crime;

CONCERNED by the fact that IUU fishing activities in the IOTC area of competence continue, and these activities diminish the effectiveness of IOTC Conservation and Management Measures;

FURTHER CONCERNED that there is evidence of a large number of vessel owners engaged in such fishing activities who have re-flagged their vessels to avoid compliance with IOTC Conservation and Management Measures;

DETERMINED to address the challenge of an increase in IUU fishing activities by way of countermeasures to be applied in respect of the vessels engaged in IUU fishing, without prejudice to further measures adopted in respect of flag States under the relevant IOTC instruments;

CONSCIOUS of the need to address, as a matter of priority, the issue of large-scale fishing vessels conducting IUU fishing activities,

NOTING that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organisation (WTO) Agreement;

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

**Use of terms**

1. For the purpose of this Resolution:

- a) 'Owner' means the natural or legal person registered as the owner of a vessel;
- b) 'Operator' means the natural or legal person who is responsible for taking commercial decisions regarding the management and operation of a vessel and includes:
  - i. a charterer of the vessel;
- c) 'Master' means any person holding the most responsible position at any given time on-board a fishing vessel;
- d) '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, taking or harvesting of fish;
- e) 'fishing related activities' means any operation in support of, or in preparation for, fishing, including landing, packaging, processing, transshipment or transport of fish and/or fish products that have not been

previously landed at a port, as well as the provisioning of personnel, fuel, gear, food and other supplies at-sea;

- f) 'Information' means suitably and sufficiently documented data which is capable of being presented as evidence to the Compliance Committee and/or Commission of any facts in issue.
- g) the singular also includes the plural.

#### **Application of this measure**

- 2. This Resolution applies to vessels, together with their Owners, Operators and Masters that undertake fishing and fishing related activities, for species covered by the IOTC Agreement, or by IOTC Conservation and Management Measures, within the IOTC area of competence (IOTC Area).

#### **Objective**

- 3. This Resolution sets out rules and procedures for the maintenance and updating by the Commission of the system of lists of vessels considered to be involved in illegal, unreported and unregulated (IUU) fishing activities and which comprises:
  - a) the Draft IOTC IUU Vessel List (Draft IUU Vessel List);
  - b) the Provisional IOTC IUU Vessel List (Provisional IUU Vessel List); and
  - c) the IOTC IUU Vessel List (IUU Vessel List).

#### **Definition of IUU Fishing Activities**

- 4. For the purposes of this Resolution a vessel is presumed to have engaged in IUU fishing activities when a Contracting Party or Cooperating Non-Contracting Party (hereinafter referred to as “CPCs”) has provided information that such a vessel has, within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures:
  - a) engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 15/04, nor recorded in the Active list of vessels; or
  - b) engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable unless that vessel is flagged to a CPC ; or
  - c) failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports; or
  - d) taken or landed undersized fish in contravention of IOTC Conservation and Management Measures; or
  - e) engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures; or
  - f) used prohibited fishing gear in contravention of IOTC Conservation and Management Measures; or
  - g) transhipped fish to, or otherwise participated in joint operations with, support or re-supply vessels that are not included on the IOTC Record of Authorised Vessels or not on the Record of Vessels Authorised to Receive Transshipments At-Sea in the IOTC Area; or
  - h) engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel)<sup>2</sup>; or

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<sup>2</sup> For the purposes of this subparagraph, a vessel that is recorded on the IOTC Record of Authorised Vessels shall not be presumed to have engaged in IUU fishing activities when a Fish Aggregating Device (FAD) it has deployed has drifted into waters that are under the national jurisdiction of a coastal State without its permission or authorization. However, if the vessel retrieves or fishes on a FAD in a Coastal State's waters without its permission or authorization, the vessel is presumed to have engaged in IUU activities.

- i) engaged in fishing or fishing related activities whilst being without nationality; or
- j) engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration; or
- k) engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures

#### **Submission of information on IUU Fishing Activities**

5. A CPC in possession of information that one or more vessels has engaged in IUU fishing activities within the IOTC Area within a 24 month period prior to the annual meeting of the Compliance Committee shall submit a list of such vessels to the IOTC Executive Secretary. Such submission shall be made at least 70 days before the annual meeting of the Compliance Committee using the IOTC Reporting Form for Illegal Activity (**Annex I**).
6. A list submitted by a CPC (the nominating CPC) in accordance with paragraph 5, shall be accompanied by information concerning the IUU fishing activity of each of the listed vessels including but not limited to:
  - a) reports regarding the alleged IUU fishing activity from CPCs relating to IOTC Conservation and Management Measures in force;
  - b) trade information obtained on the basis of relevant trade statistics such as those from statistical documents and other national or international verifiable statistics;
  - c) any other information obtained from other sources and/or gathered from the fishing grounds such as:
    - i. i) information gathered from inspections undertaken in port or at sea; or
    - ii. ii) information from coastal States including VMS transponder or AIS data, surveillance data from satellites or airborne or seaborne assets; or
    - iii. iii) IOTC programmes, except where such a programme stipulates that information gathered is to be kept confidential; or
    - iv. iv) information and intelligence collected by third parties either provided directly to a CPC or via the IOTC Executive Secretary pursuant to paragraph 7.
7. When the IOTC Executive Secretary receives information and intelligence from third parties indicating alleged IUU fishing activities, the IOTC Executive Secretary shall transmit the information to the flag State of the vessel and each CPC. Where the flag State of the vessel is a CPC, if requested by any other CPC through the IOTC Executive Secretary, it shall investigate the allegation and shall report the progress of the investigation to the IOTC Executive Secretary within 60 days. Where the flag State is not a CPC, if requested by any CPC the IOTC Executive Secretary shall request it to investigate the allegation and report the progress of the investigation to the IOTC Executive Secretary within 60 days. The IOTC Executive Secretary shall then, as soon as practicably possible, notify each CPC and the flag State of each vessel concerned, together with such compiled information as has been received. Where the alleged IUU activities occurred in the waters of a coastal State CPC of IOTC, the CPC concerned may seek to include the vessel on the draft IUU list (paragraph 6(c).iv). Where the alleged IUU activities occurred in areas beyond national jurisdiction within the IOTC Area any concerned CPC may seek to include the vessel on the draft IUU list.

#### **Draft IOTC IUU Vessel List**

8. On the basis of the information received pursuant to paragraphs 5, 6 and 7, the IOTC Executive Secretary shall draw up a Draft IUU Vessel List incorporating the information in the format set out in **Annex II**. The IOTC Executive Secretary shall then transmit the Draft IUU Vessel List together with the compiled information to each CPC and to the flag State of each vessel included on the Draft IUU Vessel List at least 55 days before the Annual Meeting of the Compliance Committee.
9. The flag State of a vessel included on the Draft IUU Vessel List shall be requested to:
  - a) notify the Owner, Operator and the Master of the vessel of the fact of its inclusion in the Draft IUU Vessel List and of the consequences that may result from its inclusion being confirmed in the IUU Vessel List adopted by the Commission, and

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- b) closely monitor the vessels included in the Draft IUU Vessel List in order to determine their activities and possible changes of use, name, flag and/or registered Owner.
10. The flag State of a vessel included on the Draft IUU Vessel List may transmit to the IOTC Executive Secretary at least 15 days before the Annual Meeting of the Compliance Committee, any comments and information about listed vessels and their activities, including information pursuant to Paragraph 9.a) and 9.b) and information showing that the listed vessels either have or have not:
- a) conducted fishing activities in a manner consistent with IOTC Conservation and Management Measures in force; or
  - b) conducted fishing activities in a manner consistent with the laws and regulations of a coastal State when fishing in the waters under the jurisdiction of that State, and with the law and regulations of the flag State and the Authorisation to Fish; or
  - c) conducted fishing activities exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures.
11. The IOTC Executive Secretary shall compile any new information received from CPCs and flag States regarding vessels on the Draft IUU Vessel List and, pursuant to paragraphs 22 and 23, those on the IUU Vessel List and circulate that information to all CPCs and to the flag States of vessels on the lists at least 10 days prior to the annual session of the Compliance Committee together with the completed checklist, **Annex III** and where applicable, **Annex IV**.
12. A CPC may at any time submit to the IOTC Executive Secretary any additional information regarding vessels on the Draft IUU list, which might be relevant to the establishment of the IUU Vessel List. If the IOTC Secretariat receive this information after the Draft IUU Vessel List has been circulated to CPCs, it will circulate the information to all CPCs and to the flag States of listed vessels as soon as practicable.

#### **Provisional IOTC IUU Vessel List**

13. The IOTC Compliance Committee shall each year at its Annual Meeting examine the Draft IUU Vessel List, as well as the information submitted, any comments received from the flag State of a vessel included on the Draft IUU Vessel List together with any additional information submitted by any CPC. If the IOTC Compliance Committee is satisfied that the documented information establishes that the vessel carried out IUU fishing activities, it shall include the vessel or vessels concerned in the Provisional IUU Vessel List.
14. The Compliance Committee shall not include a vessel in the Provisional IUU Vessel List if:
- a) the nominating CPC did not follow the provisions of paragraphs 5 and 6; or
  - b) on the basis of the information available, the Compliance Committee is not satisfied that the presumption of IUU fishing activities referred to in paragraph 4 has been established; or
  - c) the flag State of a vessel included in the Draft IUU Vessel List provides information that demonstrates that the vessel has at all relevant times complied with the rules of the flag State and with its authorisation to fish and:
    - i. that the vessel has conducted fishing activities in a manner consistent with the IOTC Agreement and Conservation and Management Measures; or
    - ii. that the vessel has conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or
    - iii. that the vessel has fished exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures; or
  - d) the flag State of a vessel included in the Draft IUU Vessel List provides information that demonstrates that effective action has been taken in response to the IUU fishing activities in question, including prosecution and imposition of sanctions of adequate severity to be effective in securing compliance and deterring further infringements. Every CPC shall report any actions and measures that it has taken in accordance with Resolution 07/01, in order to promote compliance with IOTC Conservation and Management Measures by vessels that fly its flag.

15. In cases where a flag State has not demonstrated the matters referred to in Paragraphs 14.c) or 14.d) or where a flag State has not provided any information under paragraph 10 or during the Compliance Committee meeting, the IOTC Compliance Committee shall include the vessel on the Provisional IUU List and recommend to the Commission that the vessel be included on the IUU Vessel List.
16. Following the examination referred to in paragraph 13 at each IOTC Annual meeting, the IOTC Compliance Committee shall submit the Provisional IUU Vessel List to the Commission for its consideration. If the Compliance Committee cannot agree as to whether a certain vessel shall be included in the Provisional IUU Vessel List, the List shall include the vessel and the Commission shall decide whether the vessel shall be included in the IUU Vessel List.

#### **IOTC IUU Vessel List**

17. The IOTC Compliance Committee shall each year examine the IUU Vessel List and the information circulated under paragraph 11 and shall recommend to the Commission which, if any, vessels should be added to or removed from the IUU Vessel List.
18. The Commission shall each year at its Annual Meeting review the IUU Vessel List as well as the Provisional IUU Vessel List, and the recommendations adopted by the IOTC Compliance Committee to amend the IUU Vessel List, together with the documented information provided under paragraphs 6, 10, 12, and 30. Based on its review, the Commission may decide to amend the IUU Vessel List by:
  - a) adding or removing vessels; and/or
  - b) rectifying any incorrect details, or inserting new details, about a vessel already included on the IUU Vessel List in accordance with paragraph 30.a).
19. The Commission, acting in accordance with paragraph 18, may amend the IUU Vessel List by consensus. In the absence of consensus, the Commission shall decide upon any proposed amendment by a vote. Voting may be conducted by a secret ballot if a member requests it and this request is seconded. If two thirds or more of the Contracting Parties present and voting support the proposed amendment it shall be considered approved and brought into effect. The outcome of any decision made by the Commission pursuant to this paragraph shall not affect any domestic prosecution or settlement of any sanctions by the nominating or flag States pursuant to Paragraphs 4 and 14.d).

#### **Action against IUU Vessels**

20. Following the adoption of the IUU Vessel List, the IOTC Executive Secretary shall request the flag State of every vessel that is included in the list:
  - a) to notify the Owner and Operator of the vessel of its inclusion on the list and the consequences which may result from its inclusion in the list;
  - b) to take all the necessary measures to prevent the vessel from undertaking IUU fishing activities, including withdrawing its fishing licence or the de-registering of the vessel, and to inform the Commission of the measures taken in this respect.
21. A CPC shall take all necessary measures, in accordance with its legislation:
  - a) to ensure that no vessel flying its flag, including any fishing vessel, support vessel, refuelling (supply) vessel, mother-ship or cargo vessel, provides assistance to a vessel included in the IUU Vessel List in any way, or engages in fishing processing operations with such a vessel or participates in transshipment or joint fishing operations with such a vessel, except for the purpose of rendering assistance where such a vessel, or any person on that vessel, is in danger or distress;
  - b) to refuse entry into its ports by any vessel included on the IUU Vessel List, except in case of *force majeure* or where the vessel, or any person on that vessel, is in danger or distress, unless vessels are allowed entry into port for the exclusive purpose of inspection and effective enforcement action;
  - c) to consider giving priority to the inspection of vessels on the IUU Vessel List, if such vessels are otherwise found in their ports;
  - d) to prohibit the chartering of a vessel included on the IUU Vessel List;

- e) to refuse to grant their flag to vessels included in the IUU Vessel List, except if the vessel has changed Owner and the new Owner has provided sufficient information demonstrating the previous Owner or Operator has no further legal, beneficial or financial interest in, or control of, the vessel; or having taken into account and documented all relevant facts, the flag State determines that granting the vessel its flag will not result in IUU fishing;
- f) to prohibit the import, landing or transshipment, of tuna and tuna-like species from vessels included in the IUU Vessel List;
- g) to encourage importers, transporters and other sectors concerned, to refrain from engaging in transactions, including transshipments, relating to tuna and tuna-like species caught by vessels included in the IUU Vessel List;
- h) to collect and exchange with other Contracting Parties or Cooperating Non-Contracting Parties any appropriate information with the aim of detecting, controlling and preventing false import/export certificates for tunas and tuna-like species from vessels included in the IUU Vessel List.

### **Vessel Delisting Procedures**

22. The flag State of a vessel included in the IUU Vessel List may request the removal of the vessel from the list at any time, including during the inter-sessional period, by providing information to the IOTC Executive Secretary to demonstrate that:
- a)
    - i) it has adopted measures such that the vessel Owner and all other nationals employed on that vessel that engage in fishing and fishing related activities within the IOTC Area for species covered by the IOTC Agreement comply with all IOTC Conservation and Management Measures; and
    - ii) it is effectively assuming and will continue to effectively assume its flag State responsibilities with regard to the monitoring and control of the fishing activities of this vessel; and
    - iii) it has taken effective action against the Owner, Operator and Master (where appropriate) in response to the IUU fishing activities that resulted in the vessel's inclusion in the IUU Vessel List including prosecution and imposition of sanctions of adequate severity; or
  - b) The vessel has changed ownership and that the new Owner can establish that the previous Owner no longer has any operational, legal, financial or real interests whether direct or indirect in the vessel or exercises control over it and that the new Owner has not participated in any IUU fishing activities in the preceding 5 years; or
  - c) The vessel has been sunk or scrapped; or
  - d) Any prosecution and/or sanctions regarding the vessel that conducted IUU fishing activities has been concluded by both the nominating CPC and the flag State of the vessel.
23. If a request for the removal of a vessel from the IUU Vessel List is received within 55 to 15 days before the annual Compliance Committee meeting, the request shall be considered at that meeting. The Compliance Committee shall examine the request along with any information provided under paragraph 22 and shall recommend to the Commission whether or not the vessel should be removed from the IUU Vessel List.
24. If a request is received more than 55 days before the annual Compliance Committee meeting, the request will be considered in accordance with the intersessional procedure outlined in paragraphs 25-28.
25. On the basis of the information received in accordance with paragraph 22, the IOTC Executive Secretary shall transmit the request for removal together with all the supporting information submitted and the checklist in **Annex IV** to all CPCs within 15 days following receipt of the request.
26. The Contracting Parties shall examine the request to remove the vessel and shall notify the IOTC Secretariat of their conclusion to either remove the vessel from, or keep the vessel on, the IUU Vessel List, within 30 days following the notification by the IOTC Executive Secretary.
27. At the end of the 30 day period, the IOTC Executive Secretary shall ascertain the outcome of the CPCs' decision on the proposal in accordance with the following:
- a) A Vessel Delisting Procedure shall be deemed valid only if at least 50% of the Contracting Parties with voting rights respond to the proposal;

- b) A proposal shall be considered to be have been approved if two thirds or more of the Contracting Parties with voting rights that respond indicate that they support the delisting of the vessel concerned from the IUU Vessel List, and it shall be delisted;
  - c) If fewer than two-thirds of the Contracting Parties with voting rights that respond are in favour of delisting the vessel from the IUU Vessels List it shall not be delisted and the request for delisting shall be considered by the next annual meeting of the Compliance Committee in accordance with the procedure outlined in paragraph 23.
28. The IOTC Executive Secretary shall communicate the result of every decision, along with a copy of the amended IUU Vessel List, to all CPCs, the flag State of the vessel (if not a CPC), and any Non-Contracting Party that may have an interest. The amended IUU Vessel List will have effect immediately after the result of the decision has been communicated.

#### **Publication of the IUU Vessel List**

29. The IOTC Executive Secretary will take any necessary measures to ensure publicity of the IUU Vessel List adopted by IOTC pursuant to paragraph 18, or as amended pursuant to paragraphs 22 to 27 or paragraph 30 in a manner consistent with any applicable confidentiality requirements, and through electronic means, including placing it on the IOTC website. Furthermore, the IOTC Executive Secretary shall transmit the IUU Vessel List as soon as possible to the FAO and to other regional fisheries management organisations for the purposes of enhanced co-operation between IOTC and these organisations in order to prevent, deter and eliminate IUU fishing.

#### **Change of details of vessels included on the IUU Vessels List**

30. A CPC with new or changed information for vessels on the IUU Vessel List in relation to the details in paragraphs 1 to 8 of Annex II shall, as soon as practicable, transmit such information to the IOTC Executive Secretary. The IOTC Executive Secretary shall communicate such information to all CPCs and:
- a) where the information indicates incorrect details were included at the time the vessel was added to the IUU Vessel List, refer the matter to the Commission for consideration pursuant to Paragraph 18.b);
  - b) where the information indicates a change in details since the vessel was added to the IUU Vessel List, seek to verify the information by reference to other information and, after verification, update the relevant details in the IUU Vessel List and re-publicise it in accordance with paragraph 29. If the Secretariat, after reasonable efforts, is unable to verify the information submitted by the CPC the IUU Vessel List will not be updated.

#### **General Provisions**

31. Without prejudice to the rights of flag States and coastal States to take action consistent with international law, CPCs shall not take any unilateral trade measures or other sanctions against vessels included in the Draft and/or Provisional IUU Vessel Lists, pursuant to paragraph 8 and 16 on the grounds that such vessels are involved in IUU fishing activities, or those vessels removed from the IUU vessels list by the Commission.
32. A summary of the timeframe for actions to be taken in respect of this Resolution is provided in **Annex V**
33. Resolution 11/03 *On Establishing A List Of Vessels Presumed To Have Carried Out Illegal, Unreported And Unregulated Fishing In The IOTC Area* is superseded by this Resolution.



## ANNEX I

### IOTC Reporting form for Illegal Activity

Recalling IOTC Resolution 17/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC Area*, attached are details of illegal activity recorded by [name of CPC, third party] in [area in which the activity took place] .....

#### A. Details of Vessel

(Please detail the incidents(s) in the format below)

Item	Definition	Indicate
a	Current Name of Vessel (Previous name/s, if any)	
b	Current Flag (previous flag/s, if any)	
c	Date first included on IOTC IUU Vessel List (if applicable)	
d	Lloyds IMO Number, if available	
e	Photo	
f	Call Sign (previous call sign, if any)	
g	Owner (previous Owner/s, if any)	
h	Operator (previous Operator/s, if any) and Master/Fishing Master	
i	Date of alleged IUU fishing activities	
j	Position of alleged IUU fishing activities	
k	Summary of alleged IUU activities (see section B for more detail)	
l	Summary of any actions known to have been taken in respect of the alleged IUU fishing activities	
m	Outcome of actions taken	

#### B. Details of IOTC Resolution Elements Contravened

(Indicate with a “X” the individual elements of IOTC Resolution 17/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)

That a vessel has, within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures:

Item	Definition	Indicate
a.	engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with Resolution 15/04, nor recorded in the Active list of vessels; or	
b.	engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable; or	
c.	failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports; or	
d.	taken or landed undersized fish in contravention of IOTC Conservation and Management Measures; or	
e.	engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures; or	
f.	used prohibited fishing gear in contravention of IOTC Conservation and Management Measures; or	
g.	transhipped fish to, or otherwise participated in joint operations with, support or re-supply vessels that are not included on the IOTC Record of Authorised Vessels or not	

Item	Definition	Indicate
	on the Record of Vessels Authorised to receive transshipments at-sea in the IOTC Area or	
h.	engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel); or	
i.	engaged in fishing or fishing related activities whilst being without nationality; or	
j	engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration; or	
k	engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures;	

### C. Associated Documents

*(List here the associated documents that are appended e.g. boarding reports, court proceedings, photographs)*

### D. Recommended Actions

Recommended Actions		Indicate
a	Notification to IOTC Secretariat only. No further action is recommended.	
b	Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag State.	
c	Recommended for inclusion on IOTC IUU list	

## ANNEX II

### Information to be included in all IOTC IUU vessels lists

The Draft IUU Vessel List, Provisional IUU Vessel List and the IUU Vessel List shall contain the following details:

1. Name of the vessel and previous name/s, if any;
2. Flag of the vessel and previous flag/s, if any;
3. Name and address of the Owner and Operator of the vessel and previous Owner and Operator, if any;
4. For legal entity the country of registration and registration number;
5. Callsign of the vessel and previous callsign, if any;
6. IMO number, if any, or unique vessel identifier (UVI), or if not applicable, any other vessel identifier;
7. Recent photographs of the vessel, where available;
8. Vessel length overall;
9. Date the vessel was first included on the IOTC IUU Vessel List, if applicable,
10. Summary of the alleged IUU fishing activities which justify inclusion of the vessel on the List, together with references to all relevant supporting documents information.
11. Summary of any actions known to have been taken in respect of the alleged IUU fishing activities and their outcomes.

## Annex III

## Checklist to be completed by the Secretariat for vessels to be included on the draft and Provisional IUU Lists

Vessel Name: \_\_\_\_\_

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
<b>For the Draft IUU Vessel List</b>						
IOTC Reporting form (Annex I) submitted at least 70 days before the Compliance Committee meeting with documented information	Nominating CPC	5, 6, 7, 8		If No, do not include on the Provisional IUU list (Para 17)		
At least 15 days before the Compliance Committee Meeting, Flag State has provided information that it has notified the Owners and Masters of a vessel of its inclusion on the Draft IUU Vessel List and the consequences thereof	Flag CPC	9, 10				
At least 15 days before the Compliance Committee Meeting, Flag State has provided information consistent with Paragraph 10	Flag CPC	10				
Additional information has been submitted, relevant to IUU listing	Nominating CPC or flag CPC	12				
<b>For Inclusion on the Provisional IUU Vessel List</b> (note that Secretariat will indicate if information has been provided, but will make no judgement as to its adequacy, which will be the responsibility of the Compliance Committee)						
Has the flag State of a vessel included in the Draft IUU Vessel List provided information that demonstrates that the vessel has at all relevant times complied with the rules of the flag State and with its authorisation to fish and:	Flag CPC	14.c)		<b>Aide Memoire to CoC:</b> Only where para 14.c) or 14.d) are satisfied, do not include on Provisional IUU list.		
(a) that the vessel has conducted fishing activities in a manner consistent with the IOTC Agreement and Conservation and Management Measures	Flag CPC	14.c)				
(b) that the vessel has conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or	Flag CPC	14.c)				

Action	Responsibility	Paragraph	Provided on time (Y/N)	Aide Memoire	Mark which applies	Comments
(c) that the vessel has fished exclusively for species that are not covered by the IOTC Agreement or IOTC Conservation and Management Measures	Flag CPC	14.c)				
Has the flag State provided information that demonstrates that effective action has been taken in response to IUU fishing activities (the CoC will decide if they are of adequate severity)	Flag CPC	14.d)				
Has the flag State provided information to show that it has taken any actions in accordance with 07/01	Flag CPC	14.d)				

**Annex IV****Checklist to be completed by the Secretariat for potential removal of vessels from the IOTC IUU Vessel List**

(Aide Memoire for the Commission for delisting a vessel: note that the Secretariat will indicate if information has been provided, but will make no judgement as to its adequacy, which will be the responsibility of the Compliance Committee / Commission, Paragraphs 17 and 27)

**Vessel Name:** \_\_\_\_\_

<b>Para 22, sub para</b>	<b>Action</b>	<b>Responsibility</b>	<b>Information Provided (Y/N)</b>	<b>Comments</b>	<b>Aide Memoire</b>
a)	i) It has adopted measures such that the vessel, Owner and all other nationals comply with all IOTC Conservation and Management Measures; and	Flag CPC			If paragraph a) or b) or c) is satisfied, the vessel may be removed from the IUU Vessels List pursuant to paragraph 27, else the vessel will remain on the list for re-examination by the Compliance Committee and Commission at its next Annual Session.
	ii) it is effectively assuming and will continue to effectively assume its flag State responsibilities with regard to the monitoring and control of the fishing activities of this vessel; and	Flag CPC			
	iii) it has taken effective action against the Owner and crew in response to the IUU fishing activities that resulted in the vessel's inclusion in the IUU Vessel List including prosecution and imposition of sanctions of adequate severity; or	Flag CPC			
b)	The vessel has changed ownership and that the new Owner can establish the previous Owner no longer has any operational, legal, financial or real interests whether direct or indirect in the vessel or exercises control over it and that the new Owner has not participated in any IUU fishing activities in the preceding 5 years; or	Flag CPC			
c)	The vessel has been sunk or scrapped.	Flag CPC			
d)	Any prosecution and sanctions regarding the vessel that conducted IUU fishing activities has been concluded by both the nominating CPC and the flag State of the vessel.	Flag CPC			

**Annex V**  
**A summary of the timeframe for actions to be taken in respect of this Resolution**

<b>Step</b>	<b>Timeframe</b>	<b>Actions to be taken</b>	<b>Responsibility</b>	<b>Paragraph</b>
1	70 days before CoC meeting (minimum)	Information transmitted to the IOTC Executive Secretary	CPCs	5, 6
2	55 days before CoC Meeting	Compilation of all information received on the alleged IUU fishing activities into the Draft IUU Vessel List together with the IUU Vessel List. Transmit the Draft IUU Vessel List to all CPCs and to flag States with vessels on the list (if not CPCs).	IOTC Executive Secretary	8
3	15 days before CoC meeting	Provide any information to the IOTC Executive Secretary regarding the alleged IUU fishing activities.	Flag States	10
4	10 days before CoC meeting	Transmit the Draft IUU Vessel List, and any additional information on vessels on the IUU Vessel List pursuant to paragraph 22 to all CPCs and to flag States with vessels on the list (if not CPCs).	IOTC Executive Secretary	11
5	Any time	Submit to the IOTC Executive Secretary any additional information relevant to the establishment of the IUU Vessels List	CPCs and flag States	12
6	As soon as practicable prior to CoC	Circulate additional information pursuant to paragraph 12.	IOTC Executive Secretary	12
7	CoC Meeting	Review the Draft IUU Vessel List including the information provided by the nominating CPC and the flag State, including information/clarification provided by either party during the meeting. Submit a Provisional IUU Vessel List and provide recommendations to the Commission.	All CPCs, except the flag State and nominating CPC	13-15
8	CoC Meeting	Examine the IUU vessel List and provide recommendations to the Commission regarding the removal of any vessels	All CPCs, except the flag State and nominating CPC	17
9	Commission meeting	Review the Provisional IUU Vessel List, including any new information/clarification provided by the nominating CPC and flag State during the session; Review the IUU Vessel List. Adopt the Final IUU Vessel List.	All CPCs, except the flag State and nominating CPC	17, 19
10	Immediately following the annual session	Publish the IUU Vessel List on the IOTC website and transmit the IUU Vessel List to the FAO, other RFMOs, CPCs and the flag State (if not a CPC).	IOTC Executive Secretary	29

## RESOLUTION 17/04

### ON A BAN ON DISCARDS OF BIGEYE TUNA, SKIPJACK TUNA, YELLOWFIN TUNA, AND NON-TARGETED SPECIES CAUGHT BY PURSE SEINE VESSELS IN THE IOTC AREA OF COMPETENCE

**The Indian Ocean Tuna Commission (IOTC),**

RECOGNISING the need for action to ensure the achievement of IOTC objectives to conserve and manage bigeye tuna, skipjack tuna and yellowfin tuna in the IOTC area of competence;

RECOGNISING that the international community has recognised both ethical concerns and policy regarding discards of species in several international instruments and statements, including United Nations General Assembly resolutions (A/RES/49/118 (1994); A/RES/50/25 (1996); A/RES/51/36 (1996); A/RES/52/29 (1997); A/RES/53/33 (1998); A/RES/55/8 (2000); and A/RES/57/142 (2002)), United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea (UNCLOS) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (United Nations Fish Stocks Agreement); The Rome Consensus on World Fisheries adopted by the FAO Ministerial Conference on Fisheries, Rome, 14–15 March 1995; the Code of Conduct for Responsible Fisheries, the FAO International Plan of Action (IPOA) on sharks; the Convention on Biological Diversity (CBD);

RECALLING that the United Nations Fish Stocks Agreement has underlined the importance of ensuring the conservation and optimum utilisation of highly migratory species through the action of regional fishery bodies such as the IOTC, and provides that “*States should minimize ... discards, ..., catch of non target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species ...*”;

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...*”;

RECALLING that the FAO Code of Conduct for Responsible Fisheries provides that “*States should take appropriate measures to minimize waste, discards...collect information on discards ...; ... take account of discards (in the precautionary approach) ...; develop technologies that minimize discards ...; use of selective gear to minimize discards*”;

RECALLING that the Commission adopted Resolution 12/01 *on the implementation of the precautionary approach*;

CONCERNED about the morally unacceptable waste and the impact of unsustainable fishing practices upon the oceanic environment, represented by the discarding of tunas and non-target species in the purse seine fishery for tunas in the Indian Ocean;

CONSIDERING the important volume of tuna and non-targeted species discarded in the purse seine fishery for tunas in the Indian Ocean;

CONSIDERING the Millennium Development Goals, particularly Goal Number 2 aims to “[End hunger](#), achieve food security and improved nutrition and promote sustainable agriculture”.

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

#### **RETENTION OF TARGETED TUNA SPECIES**

1. Contracting Parties and Cooperating Non-Contracting Parties shall require all purse seine vessels to retain on board and then land all bigeye tuna, skipjack tuna, and yellowfin tuna caught, except fish considered unfit for human consumption as defined in paragraph 4. b) (ii).



**RETENTION OF NON-TARGETED SPECIES**

2. Contracting Parties and Cooperating Non-Contracting Parties shall require all purse seine vessels to retain on board and then land, to the extent practicable, the following non-targeted species or species group; other tunas, rainbow runner, dolphinfish, triggerfish, billfish, wahoo, and barracuda, except fish considered unfit for human consumption as defined in paragraph 4. b) (ii), and/or species which are prohibited from retention through domestic legislations and international obligations.
3. Contracting Parties and Cooperating Non-Contracting Parties using other gear types not provided for in paragraph 1 and 2 of this resolution, which are targeting tuna and tuna like species in the IOTC area of competence should encourage their vessel to:
  - a) take all reasonable steps to ensure the safe release of non-targeted species taken alive, to the extent possible, while taking into consideration the safety of the crew.
  - b) retain on board and then land all dead non-targeted species except those considered unfit for human consumption as defined in paragraph 4. b ) (ii) and/or are prohibited from retention through domestic legislations and international obligations.
4. Procedures for the implementation of full retention requirements include:
  - a) No bigeye tuna, skipjack tuna, yellowfin tuna and non-targeted species referred to in paragraph 2 caught by purse seine vessels may be discarded after the point in the set when the net is fully pursed and more than one half of the net has been retrieved. If equipment malfunctions affect the process of pursing and retrieving the net in such a way that this rule cannot be complied with, the crew must make efforts to release the tunas and the non-targeted species as soon as possible.
  - b) The following two exceptions to the above rule shall apply:
    - i. Where it is determined by the captain of the vessel that tuna (bigeye tuna, skipjack tuna or yellowfin tuna) and the non-targeted species as listed in Para 2 caught are unfit for human consumption, the following definitions shall be applied:
      - "unfit for human consumption" are fish that:
        - is meshed or crushed in the purse seine; or
        - is damaged due to depredation; or
        - has died and spoiled in the net where a gear failure has prevented both the normal retrieval of the net and catch, and efforts to release the fish alive;
      - "unfit for human consumption" does not include fish that:
        - is considered undesirable in terms of size, marketability, or species composition; or
        - is spoiled or contaminated as the result of an act or omission of the crew of the fishing vessel.
    - ii. Where the captain of a vessel determines that tuna (bigeye tuna, skipjack tuna or yellowfin tuna) and the non-targeted species as listed in Para 2 were caught during the final set of a trip and there is insufficient storage capacity to accommodate all tuna (bigeye tuna, skipjack tuna or yellowfin tuna) and the non-targeted species caught in that set. This fish may only be discarded if:
      - the captain and crew attempt to release the tuna (bigeye tuna, skipjack tuna or yellowfin tuna) and the non-targeted species alive as soon as possible; and
      - no further fishing is undertaken after the discard until the tuna (bigeye tuna, skipjack tuna, and/or yellowfin tuna) and the non-targeted species on board the vessel has been landed or transhipped.

**NON-RETENTION**

5. Where the captain of the vessel determines that fish should not be retained on board in accordance with Clause 4.b (i) and (ii), the captain shall record the event in the relevant logbook including estimated tonnage and species composition of discarded fish; and estimated tonnage and species composition of retained fish from that set.

**REVIEW**

6. The IOTC Scientific Committee, the IOTC Working Party on Tropical Tunas, and the IOTC Working Party on Ecosystems and Bycatch shall as a matter of priority:

- a) act on its recommendation in the Report of the 18th Session of the IOTC Scientific Committee and undertake work to examine the benefits of retaining non-targeted species catches, other than those prohibited via IOTC Resolution, and present its recommendations to the 22nd Annual Session of the Commission. The work should take into account all species that are usually discarded on all major gears (i.e., purse-seines, longlines and gillnets), and should look at fisheries that take place both on the high seas and in coastal countries and the feasibility of both retraining on-board and processing of the associated landings.

**IMPLEMENTATION**

7. This Resolution shall enter into force on 1<sup>st</sup> January 2018 and will be revised, according to the advice of the IOTC Scientific Committee resulting from the review of the IOTC Working Party on Tropical Tunas (for bigeye tuna, skipjack tuna and yellowfin tuna) and of the IOTC Working Party on Ecosystems and Bycatch (for non-target species).

8. This Resolution supersedes Resolution 15/06 *On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna and a recommendation for non-targeted species caught by purse seine vessels in the IOTC area of competence.*

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**RESOLUTION 17/05****ON THE CONSERVATION OF SHARKS CAUGHT IN ASSOCIATION WITH FISHERIES MANAGED BY THE IOTC**

**Keywords:** sharks, finning, naturally-attached fins, NEAFC, NAFO

**The Indian Ocean Tuna Commission (IOTC),**

RECOGNISING Resolution 12/01 *On the implementation of the precautionary approach* calls on IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) to apply the precautionary approach in accordance with Article V of the United Nations Fish Stocks Agreement;

CONCERNED by the continued failure of IOTC CPCs to submit complete, accurate and timely catch records for sharks in accordance with existing IOTC Resolutions;

RECOGNISING the need to improve the collection of species specific data on catch, discards and trade as a basis for improving the conservation and management of shark stocks and aware that identifying sharks by species is rarely possible when fins have been removed from the carcass;

RECALLING that United Nations General Assembly Resolution on Sustainable Fisheries, adopted annually by consensus, since 2007 (62/177, 63/112, 64/72, 65/38, 66/68, 67/79, 68/71, 69/109, 70/75 and A/RES/71/123 ) calls upon States to take immediate and concerted action to improve the implementation of and compliance with existing regional fisheries management organisation or arrangement measures that regulate shark fisheries and incidental catch of sharks, in particular those measures which prohibit or restrict fisheries conducted solely for the purpose of harvesting shark fins, and, where necessary, to consider taking other measures, as appropriate, such as requiring that all sharks be landed with fins naturally attached;

FURTHER RECALLING that the FAO International Plan of Action for Sharks calls on States to encourage full use of dead sharks, to facilitate improved species-specific catch and landings data and monitoring of shark catches and the identification and reporting of species-specific biological and trade data;

AWARE that despite regional agreements on the prohibition of shark finning, shark fins continue to be removed on board and the rest of the shark carcass discarded into the sea;

EMPHASISING the recent recommendations of IOTC and WCPFC Scientific Committees that the use of fin-to-carcass weight ratios is not a verifiable means of ensuring the eradication of shark finning and that it has proven ineffective in terms of implementation, enforcement and monitoring;

NOTING the adoption of Recommendation 10:2015 *on Conservation of Sharks Caught in Association with Fisheries Managed by the North-East Atlantic Fisheries Commission (NEAFC)* and Article 12 of the North-West Atlantic Fisheries Organisation (NAFO), which establish the fins attached policy as exclusive option for ensuring the shark finning ban in the NEAFC and NAFO fisheries;

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

1. This measure shall apply to all fishing vessels flying the flag of a Contracting Party or Cooperating Non-Contracting Party (CPC) and on the IOTC Record of Authorised Vessels, or authorised to fish for tuna or tuna-like species managed by the IOTC.
2. CPCs shall take the necessary measures to require that their fishermen fully utilise their entire catches of sharks, with the exception of species prohibited by the IOTC. Full utilisation is

defined as retention by the fishing vessel of all parts of the shark excepting head, guts and skins, to the point of first landing.

3. a) Sharks landed fresh: CPCs shall prohibit the removal of shark fins on board vessels. CPCs shall prohibit the landing, retention on-board, transshipment and carrying of shark fins which are not naturally attached to the shark carcass until the first point of landing.  
  
b) Sharks landed frozen: CPCs that do not apply sub-paragraph 3 a) for all sharks shall require their vessels to not have on board fins that total more than 5% of the weight of sharks on board, up to the first point of landing. CPCs that currently do not require fins and carcasses to be offloaded together at the point of first landing shall take the necessary measures to ensure compliance with the 5 % ratio through certification, monitoring by an observer, or other appropriate measures.  
c) CPCs are encouraged to consider to progressively implement the measures described in sub-paragraph 3 a) to all shark landings. Paragraph 3 will be revisited by the Commission in its 2019 Annual Meeting in light of recommendations from the Scientific Committee, using the best available science and case studies from other CPCs already prohibiting the removal of shark fins on board vessels.
4. In fisheries in which sharks are unwanted species, CPCs shall, to the extent possible, encourage the release of live sharks, especially juveniles and pregnant sharks that are caught incidentally and are not used for food and/or subsistence. CPCs shall require that fishers are aware of and use identification guides (e.g. *IOTC Shark and Ray Identification in Indian Ocean Fisheries*) and handling practices.
5. Without prejudice to paragraph 3, in order to facilitate on-board storage, shark fins may be partially sliced through and folded against the shark carcass, but shall not be removed from the carcass until the first point of landing.
6. CPCs shall report data for catches of sharks no later than 30 June of the following year, in accordance with IOTC data reporting requirements and procedures in Resolution 15/02 *mandatory statistical requirements for IOTC Members and Cooperating Non-Contracting Parties (CPC's)* (or any subsequent superseding resolution), including all available historical data, estimates and life status of discards (dead or alive) and size frequencies.
7. CPCs shall prohibit the purchase, offer for sale and sale of shark fins which have been removed on-board, retained on-board, transhipped or landed, in contravention to this Resolution.
8. The Commission shall develop and consider for adoption at its regular annual session in 2017 mechanisms to encourage CPCs to comply with their reporting requirement on sharks, notably on the most vulnerable shark species identified by the IOTC Scientific Committee.
9. The IOTC Scientific Committee shall request that the IOTC Working Party on Ecosystems and Bycatch continue its work on identifying and monitoring the status of sharks until such time as comprehensive assessments are possible for all relevant shark species/groups. In particular, the IOTC Working Party on Ecosystems and Bycatch will establish the Terms of Reference for the Commission to establish a long term-project on sharks in IOTC, with the aim to ensure the collection of data required for performing reliable stock assessments for key shark species. The project will include:
  - a) the identification of data gaps for key shark species in IOTC;
  - b) the collection of relevant data, including through direct contacts with CPC national administrations, research institutes and stakeholders;
  - c) any other activity that could contribute to improving the collection of data required for performing stock assessments of key shark species in IOTC.

The IOTC Scientific Committee will incorporate results of the project in its reports on sharks and based on progress achieved will propose a timeframe for performing stock assessment of key sharks species. CPCs are encouraged to contribute financially to the implementation of the project.

10. The IOTC Scientific Committee shall review annually the information reported by CPCs pursuant to this Resolution and, as necessary, provide recommendations to the Commission on ways to strengthen the conservation and management of sharks within IOTC fisheries.
11. CPCs shall undertake research to:
  - a) identify ways to make fishing gears more selective, where appropriate, including research into the effectiveness of prohibiting wire leaders;
  - b) improve knowledge on key biological/ecological parameters, life-history and behavioural traits, migration patterns of key shark species;
  - c) identify key shark mating, pupping and nursery areas; and
  - d) improve handling practices for live sharks to maximise post-release survival.
12. The Commission shall consider appropriate assistance to developing CPCs for the identification of shark species/ groups and the collection of data on their shark catches.
13. This Resolution supersedes Resolution 05/05 *concerning the conservation of sharks caught in association with fisheries managed by the IOTC*.

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**RESOLUTION 17/06****ON ESTABLISHING A PROGRAMME FOR TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS**

**The Indian Ocean Tuna Commission (IOTC),**

TAKING ACCOUNT of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the Conservation and Management Measures already adopted by the IOTC;

EXPRESSING GRAVE CONCERN that organized tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transhipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to ensure the monitoring of the transshipment activities by large-scale longline vessels in the IOTC area of competence, including the control of their landings;

TAKING ACCOUNT of the need to collect catch data of such large scale long-line tuna to improve the scientific assessments of those stocks;

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

**SECTION 1. GENERAL RULE**

1. Except under the programme to monitor transshipments at sea outlined below in Section 2, all transshipment operations of tuna and tuna-like species and sharks caught in association with tuna and tuna-like fisheries in the IOTC area of competence (hereinafter referred to as “tuna and tuna-like species and sharks”) must take place in port.
2. The flag Contracting Party, Cooperating Non-Contracting Party (CPCs) shall take the necessary measures to ensure that large scale tuna vessels (hereafter referred as the “LSTVs”) flying their flag comply with the obligations set out in **Annex I** when transshipping in port.

**SECTION 2. PROGRAMME TO MONITOR TRANSHIPMENTS AT SEA**

3. The Commission hereby establishes a programme to monitor transshipment at sea which applies only to largescale tuna longline fishing vessels (hereafter referred to as the “LSTLVs”) and to carrier vessels authorised to receive transshipments from these vessels at sea. No at-sea transshipment of tuna and tuna-like species and sharks by fishing vessels other than LSTLVs shall be allowed. The Commission shall review and, as appropriate, revise this Resolution.
4. The CPCs that flag LSTLVs shall determine whether or not to authorise their LSTLVs to tranship at sea. However, if the flag CPC authorises the at-sea transshipment by its flag LSTLVs, such transshipment shall be conducted in accordance with the procedures defined in Sections 3, 4 and 5, and **Annexes II** and **III** below.

**SECTION 3. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSHIPMENTS-AT-SEA IN THE IOTC AREA OF COMPETENCE**

5. The Commission shall establish and maintain an IOTC Record of Carrier Vessels authorised to receive tuna and tuna-like species and sharks at sea in the IOTC area of competence from LSTLVs. For the purposes of this Resolution, carrier vessels not entered on the record are

deemed not to be authorised to receive tuna and tuna-like species and sharks in at-sea transshipment operations.

6. Each CPC shall submit, electronically where possible, to the IOTC Executive Secretary the list of the carrier vessels that are authorised to receive at-sea transshipments from its LSTLVs in the IOTC area of competence. This list shall include the following information:
  - a) The flag of the vessel;
  - b) Name of vessel, register number;
  - c) Previous name (if any);
  - d) Previous flag (if any);
  - e) Previous details of deletion from other registries (if any);
  - f) International radio call sign;
  - g) Type of vessels, length, gross tonnage (GT) and carrying capacity;
  - h) Name and address of owner(s) and operator(s);
  - i) Time period authorised for transshipping.
7. Each CPC shall promptly notify the IOTC Executive Secretary, after the establishment of the initial IOTC Record, of any addition to, any deletion from and/or any modification of the IOTC Record, at any time such changes occur.
8. The IOTC Executive Secretary shall maintain the IOTC Record and take measures to ensure publicity of the record through electronic means, including placing it on the IOTC website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
9. Carrier vessels authorised for at-sea transshipment shall be required to install and operate a Vessel Monitoring System (VMS).

#### **SECTION 4. AT-SEA TRANSHIPMENT**

10. Transshipments by LSTLVs in waters under the jurisdiction of the CPCs are subject to prior authorisation from the Coastal State concerned. CPCs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the following conditions:

##### **Flag State Authorization**

11. LSTLVs are not authorised to tranship at sea, unless they have obtained prior authorisation from their flag State.

##### **Notification obligations**

##### ***Fishing vessel:***

12. To receive the prior authorisation mentioned in paragraph 11 above, the master and/or owner of the LSTLV must notify the following information to its flag State authorities at least 24 hours in advance of an intended transshipment:

- a) The name of the LSTLV, its number in the IOTC Record of Vessels, and its IMO number, if issued;
  - b) The name of the carrier vessel, its number in the IOTC Record of Carrier Vessels authorised to receive transhipments in the IOTC area of competence, and its IMO number, and the product to be transhipped;
  - c) The tonnage by product to be transhipped;
  - d) The date and location of transhipment;
  - e) The geographic location of the catches.
13. The LSTLV concerned shall complete and transmit to its flag State, not later than 15 days after the transhipment, the IOTC transhipment declaration, along with its number in the IOTC Record of Fishing Vessels, in accordance with the format set out in **Annex II**.

***Receiving carrier vessel:***

14. Before starting transhipment, the master of the receiving carrier vessel shall confirm that the LSTLV concerned is participating in the IOTC programme to monitor transhipment at sea (which includes payment of the fee in paragraph 13 of **Annex III**) and has obtained the prior authorisation from their flag State referred to in paragraph 11. The master of the receiving carrier vessel shall not start such transhipment without such confirmation.
15. The master of the receiving carrier vessel shall complete and transmit the IOTC transhipment declaration to the IOTC Secretariat and the flag CPC of the LSTLV, along with its number in the IOTC Record of Carrier Vessels authorised to receive transhipment in the IOTC area of competence, within 24 hours of the completion of the transhipment.
16. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an IOTC transhipment declaration, along with its number in the IOTC Record of Carrier Vessels authorised to receive transhipment in the IOTC area of competence, to the competent authorities of the State where the landing takes place.

***Regional Observer Programme:***

17. Each CPC shall ensure that all carrier vessels transhipping at sea have on board an IOTC observer, in accordance with the IOTC Regional Observer Programme in **Annex III**. The IOTC observer shall observe the compliance with this Resolution, and notably that the transhipped quantities are consistent with the reported catch in the IOTC transhipment declaration.
18. Vessels shall be prohibited from commencing or continuing at-sea transhipping in the IOTC area of competence without an IOTC regional observer on board, except in cases of “force majeure” duly notified to the IOTC Secretariat.
19. In the case of the eight Indonesian wooden carrier vessels listed on the IOTC Record of Authorised Vessel prior to 2015 and listed in **Annex IV**, a national observer programme may be used in place of an observer from the regional observer programme. National observers shall be trained to at least one of tuna-RFMO regional observer programme standards and will carry out all of the functions of the regional observer, including provision of all data as required by the IOTC regional observer programme and the reports equivalent to those prepared by the ROP Contractor. This provision shall only apply to the eight specific wooden carrier vessels



referenced in this paragraph as indicated in **Annex IV**. Replacement of those wooden carrier vessels are only permitted if the material of substitute vessel shall remain wooden and the carrying capacity or fish hold volume not larger than the vessel (s) being replaced. In such case, the authorisation of the replaced wooden vessel shall be immediately revoked.

20. The provision of Paragraph 19 will be implemented in consultation with the IOTC Secretariat as a two-year pilot project. The results of the project, including data collection, reports and the effectiveness of the project shall be examined in 2019 by the IOTC Compliance Committee on the basis of a report prepared by Indonesia and analysis by the IOTC Secretariat. This review shall include whether the programme offers the same level of assurances as those provided by ROP. It shall also explore the feasibility of obtaining an IMO number for the vessels concerned. The extension of the project or the integration of the project into ROP programme shall be subject to a new decision of the Commission.

## SECTION 5. GENERAL PROVISIONS

21. To ensure the effectiveness of the IOTC Conservation and Management Measures pertaining to species covered by Statistical Document Programs:
  - a) In validating the Statistical Document, flag CPCs of LSTLVs shall ensure that transhipments are consistent with the reported catch amount by each LSTLV;
  - b) The flag CPC of LSTLVs shall validate the Statistical Documents for the transhipped fish, after confirming that the transhipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the IOTC Observer Programme;
  - c) CPCs shall require that the species covered by the Statistical Document Programs caught by LSTLVs in the IOTC area of competence, when imported into the territory of a Contracting Party, be accompanied by statistical documents validated for the vessels on the IOTC record and a copy of the IOTC transhipment declaration.
22. The CPCs shall report annually before 15 September to the IOTC Executive Secretary:
  - a) The quantities by species transhipped during the previous year;
  - b) The list of the LSTLVs registered in the IOTC Record of Fishing Vessels which have transhipped during the previous year;
  - c) A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transhipment from their LSTLVs.
23. All tuna and tuna-like species and sharks landed or imported into the CPCs either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the IOTC transhipment declaration until the first sale has taken place.
24. Each year, the IOTC Executive Secretary shall present a report on the implementation of this Resolution to the annual meeting of the Commission which shall review compliance with this Resolution.
25. The IOTC Secretariat shall, when providing CPCs with copies of all raw data, summaries and reports in accordance with paragraph 10 of **Annex III** to this Resolution, also indicate evidence

indicating possible infraction of IOTC regulations by LSTLVs/carrier vessels flagged to that CPC. Upon receiving such evidence, each CPC shall investigate the cases and report the results of the investigation back to the IOTC Secretariat three months prior to the IOTC Compliance Committee meeting. The IOTC Secretariat shall circulate among CPCs the list of names and flags of the LSTLVs/Carrier vessels that were involved in such possible infractions as well as the response of the flag CPCs 80 days prior to the IOTC Compliance Committee meeting.

26. Resolution 14/06 *On establishing a programme for transshipment by large-scale fishing vessels* is superseded by this Resolution.

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**ANNEX I**
**Conditions relating to in-port transshipment by LSTVs**
**General**

1. Transshipment operations in port may only be undertaken in accordance with the procedures detailed below:

**Notification obligations**

2. Fishing vessel:
  - 2.1. Prior to transshipping, the Captain of the LSTV must notify the following information to the port State authorities, at least 48 hours in advance:
    - a) the name of the LSTV and its number in the IOTC record of fishing vessels;
    - b) the name of the carrier vessel, and the product to be transhipped;
    - c) the tonnage by product to be transhipped;
    - d) the date and location of transshipment;
    - e) the major fishing grounds of the tuna and tuna-like species and sharks catches.
  - 2.2. The Captain of a LSTV shall, at the time of the transshipment, inform its Flag State of the following:
    - a) the products and quantities involved;
    - b) the date and place of the transshipment;
    - c) the name, registration number and flag of the receiving carrier vessel;
    - d) the geographic location of the tuna and tuna-like species and sharks catches.
  - 2.3. The captain of the LSTV concerned shall complete and transmit to its flag State the IOTC transshipment declaration, along with its number in the IOTC Record of Fishing Vessels, in accordance with the format set out in **Annex II** not later than 15 days after the transshipment.
3. Receiving vessel:
 

Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the port State authorities of the quantities of tuna and tuna-like species and sharks transhipped to his vessel, and complete and transmit the IOTC transshipment declaration, to the competent authorities within 24 hours.

**Landing State:**

4. The master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit an IOTC transshipment declaration, to the competent authorities of the landing State where the landing takes place.
5. The port State and the landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag CPC of the LSTV to ensure that landings are consistent with the reported catches amount of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.
6. Each flag CPC of the LSTVs shall include in its annual report each year to IOTC the details on the transshipments by its vessels.

## ANNEX II

## IOTC Transhipment declaration

Carrier Vessel	Fishing Vessel
Name of the Vessel and Radio Call Sign:	Name of the Vessel and Radio Call Sign:
Flag:	Flag:
Flag State license number:	Flag State license number:
National Register Number, if available:	National Register Number, if available:
IOTC Register Number, if available:	IOTC Register Number, if available:

Day    Month    Hour    Year           Agent's name:    Master's name of LSTV:    Master's name of Carrier:

Departure        from

Return        to     Signature:    Signature:    Signature:

Transhipment   

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: \_\_\_\_\_ kilograms

## LOCATION OF TRANSHIPMENT

Species	Port	Sea	Type of product								
			Whole	Gutted	Headed	Filletted					

If transhipment effected at sea, IOTC Observer Name and Signature:

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**ANNEX III****IOTC Regional Observer Programme**

1. Each CPC shall require carrier vessels included in the IOTC Record of Carrier Vessels authorised to receive transshipments in the IOTC area of competence and which tranship at sea, to carry an IOTC observer during each transshipment operation in the IOTC area of competence.
2. The IOTC Executive Secretary shall appoint the observers and shall place them on board the carrier vessels authorised to receive transshipments in the IOTC area of competence from LSTLVs flying the flag of Contracting Parties and of Cooperating Non-Contracting Parties that implement the IOTC observer program.

**Designation of the observers**

3. The designated observers shall have the following qualifications to accomplish their tasks:
  - a) sufficient experience to identify species and fishing gear;
  - b) satisfactory knowledge of the IOTC Conservation and Management Measures;
  - c) the ability to observe and record information accurately;
  - d) a satisfactory knowledge of the language of the flag of the vessel observed.

**Obligations of the observer**

4. Observers shall:
  - a) have completed the technical training required by the guidelines established by IOTC;
  - b) not be, to the extent possible, nationals of the flag State of the receiving carrier vessel;
  - c) be capable of performing the duties set forth in point 5 below;
  - d) be included in the list of observers maintained by the IOTC Secretariat;
  - e) not be a crew member of an LSTLV or an employee of an LSTLV company.
5. The observer tasks shall be in particular to:
  - a) On the Fishing Vessel intending to tranship to the carrier vessel and before the transshipment takes place, the observer shall:
    - i. check the validity of the fishing vessel's authorisation or licence to fish tuna and tuna-like species and sharks in the IOTC area of competence;
    - ii. check and note the total quantity of catch on board, and the quantity to be transferred to the carrier vessel;
    - iii. check that the VMS is functioning and examine the logbook;
    - iv. verify whether any of the catch on board resulted from transfers from other vessels, and check documentation on such transfers;

- v. in the case of an indication that there are any violations involving the fishing vessel, immediately report the violations to the carrier vessel's master,
    - vi. report the results of these duties on the fishing vessel in the observers report.
  - b) On the Carrier Vessel:

Monitor the carrier vessel's compliance with the relevant Conservation and Management Measures adopted by the Commission. In particular the observers shall:

    - i. record and report upon the transshipment activities carried out;
    - ii. verify the position of the vessel when engaged in transshipping;
    - iii. observe and estimate products transhipped;
    - iv. verify and record the name of the LSTLV concerned and its IOTC number;
    - v. verify the data contained in the transshipment declaration;
    - vi. certify the data contained in the transshipment declaration;
    - vii. countersign the transshipment declaration;
    - viii. issue a daily report of the carrier vessels transshipping activities;
    - ix. establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information;
    - x. submit to the IOTC Secretariat the aforementioned general report within 20 days from the end of the period of observation;
    - xi. exercise any other functions as defined by the Commission.
6. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLVs and of the LSTLVs owners and accept this requirement in writing as a condition of appointment as an observer.
7. Observers shall 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.
8. Observers shall 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 set forth in paragraph 9 of this program.

#### **Obligations of the flag States of carrier vessels**

9. The responsibilities regarding observers of the flag States of the carrier vessels and their captains shall include the following, notably:
  - a) Observers shall be allowed access to the vessel personnel and to the gear and equipment;

- 
- b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 5:
    - i. Satellite navigation equipment;
    - ii. Radar display viewing screens when in use;
    - iii. Electronic means of communication.
  - c) Observers shall be provided 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; and
  - e) The flag States shall ensure that captains, 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.
10. The IOTC Executive Secretary, in a manner consistent with any applicable confidentiality requirements, shall provide to the flag State of the carrier vessel under whose jurisdiction the vessel transhipped and to the flag CPC of the LSTLV, copies of all available raw data, summaries, and reports pertaining to the trip four months prior to the IOTC Compliance Committee meeting.

#### **Obligations of LSTLV during transhipment**

- 11. Observers shall be allowed to visit the fishing vessel, if weather conditions permit it, and access shall be granted to personnel and areas of the vessel necessary to carry out their duties set forth in paragraph 5.
- 12. The IOTC Executive Secretary shall submit the observer reports to the IOTC Compliance Committee and to the IOTC Scientific Committee.

#### **Observer fees**

- 13. The costs of implementing this program shall be financed by the flag CPCs of LSTLVs wishing to engage in transhipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the IOTC Secretariat and the IOTC Executive Secretary shall manage the account for implementing the program.
- 14. No LSTLV may participate in the at-sea transhipment program unless the fees, as required under paragraph 13, have been paid.

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**ANNEX IV****Indonesian carrier vessels authorised to tranship at sea**

No	Name of Wooden Carrier Vessel	Gross Tonnage
1	Hiroyoshi 2	142
2	Hiroyoshi 17	171
3	Mutiara 36	189
4	Abadi jaya 101	174
5	Mutiara 12	120
6	Mutiara 18	92
7	Mutiara 20	102
8	Gemini	110



## RESOLUTION 17/07

### ON THE PROHIBITION TO USE LARGE-SCALE DRIFTNETS IN THE IOTC AREA

**Keywords:** large-scale driftnets, gillnets, EEZ, cetaceans, marine mammals

**The Indian Ocean Tuna Commission (IOTC),**

RECALLING that the United Nations General Assembly (UNGA) Resolution 46/215 calls for a global moratorium on large-scale high seas driftnet fishing and that IOTC Resolution 12/12 prohibits the use of large-scale driftnets on the high seas in the IOTC; and also that both texts recognize the negative impact of such fishing gears;

NOTING that a high number of vessels are engaged in large scale driftnet fishing in the Exclusive Economic Zones (EEZ) and offshore waters;

MINDFUL that large scale driftnet fisheries have a major impact in the ecosystems, the capacity to catch species of concern to the IOTC, and also that they are likely to undermine the effectiveness of IOTC Conservation and Management Measures;

TAKING INTO ACCOUNT the available scientific information and advice, in particular the IOTC Scientific Committee conclusions establishing that billfishes and Spanish mackerels are overexploited;

NOTING that large scale driftnets are regularly being used with lengths in excess of 4,000 m (and up to 7,000 m) within the EEZs and that those used within the EEZ may sometimes drift onto the high seas in contravention of Resolution 12/12;

Furthermore, NOTING that the Scientific Committee reiterated its previous recommendation that the Commission should consider whether a ban on large scale driftnets should also apply within the EEZs given the negative ecological impacts of large scale driftnets in areas frequented by marine mammals and turtles;

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

1. This Resolution applies to vessels registered on the IOTC Record of Authorised vessels that use driftnets for the purpose of targeting tuna and tuna-like species in the IOTC Area of competence.
2. The use of large-scale driftnets<sup>10</sup> on the high seas within the IOTC area of competence shall be prohibited. The use of large-scale driftnets in the entire IOTC area of competence shall be prohibited by 1 January 2022.
3. Each Contracting Party and Cooperating Non-Contracting party (hereinafter referred to as CPCs) shall take all measures necessary to prohibit their fishing vessels from using large-scale driftnets while on the high seas in the IOTC area of competence. They shall take all measures necessary to prohibit their fishing vessels from using large-scale driftnets in the entire IOTC area of competence by 1 January 2022.
4. A CPC-flagged fishing vessel will be presumed to have used large-scale driftnets in the IOTC area of competence if it is found operating in the IOTC area of competence and is configured<sup>11</sup> to use large-scale driftnets.
5. For the purposes of monitoring the implementation of this Resolution, CPCs must notify the Secretariat of any CPC-flagged vessel using large-scale driftnets in their EEZs before the 31st of December 2020.
6. CPCs shall include in their Annual Reports of implementation a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing in the IOTC area of competence.

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<sup>10</sup> "Large-scale driftnets" are defined as gillnets or other nets or a combination of nets that are more than 2.5 kilometres in length whose purpose is to enmesh, entrap, or entangle fish by drifting on the surface of, or in, the water column.

<sup>11</sup> "Configured" to use large-scale drift-nets meaning having on board assembled gear that collectively would allow the vessel to deploy and retrieve large-scale driftnets.

7. The Commission shall periodically assess whether additional measures should be adopted and implemented to ensure that large-scale driftnets are not used in the IOTC area of competence and to take into account the latest advice of the Scientific Committee. The first such assessment shall take place in 2023.
8. Nothing in this measure shall prevent CPCs from applying more stringent measures to regulate the use of large-scale driftnets.
9. This Resolution supersedes Resolution 12/12 *to prohibit the use of large-scale driftnets on the high seas in the IOTC area*.

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**RESOLUTION 17/08****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**

**Keywords:** FAD, active instrumented buoy.

**The Indian Ocean Tuna Commission (IOTC),**

BEARING IN MIND that the Agreement for the implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) encourages coastal States and fishing States on the high seas to collect and share, in a timely manner, complete and accurate data concerning fishing activities on, *inter alia*, vessel position, catch of target and non-target species and fishing effort;

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;

NOTING that the United Nations Food and Agricultural Organization (FAO) Code of Conduct for Responsible Fishing provides that States should compile fishery-related and other supporting scientific data relating to fish stocks covered by sub-regional or regional fisheries management organisations and provide them in a timely manner to the organisation;

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 the activities of supply vessels and the use of Fish Aggregating Devices (FAD) are an integral part of the fishing effort exerted by the purse seine fleet;

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 Fish Aggregating Devices (FADs);

RECALLING that Resolution 12/04 established that the Commission at its annual session in 2013 should consider the recommendations of the IOTC Scientific Committee as regards the development of improved FAD designs to reduce the incidence of entanglement of marine turtles, including the use of biodegradable materials, together with socio-economic considerations, with a view to adopting further measures to mitigate interactions with marine turtles in fisheries covered by the IOTC Agreement;

RECALLING that Resolution 13/08 [superseded by Resolution 15/08, then by Resolution 17/08] established procedures on a fish aggregating device (FAD) management plan, including 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;

NOTING that the IOTC Scientific Committee advised the Commission that only non-entangling FADs, both drifting and anchored, should be designed and deployed to prevent the entanglement of sharks, marine turtles and other species;

NOTING that the IOTC Scientific Committee advised the Commission to conduct an investigation of the feasibility and impacts of a temporary FAD closure as well as other measures in the context of Indian Ocean fisheries and stocks;

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;

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

1. This Resolution shall apply to CPCs having purse seine vessels and fishing on Drifting Fish Aggregating Devices (DFADs), equipped with instrumented buoys for the purpose of aggregating tuna target species, in the IOTC area of competence.
2. This Resolution defines an instrumented buoy as a buoy with a clearly marked reference number allowing its identification and equipped with a satellite tracking system to monitor its position. Other buoys, such as radio buoys used on DFADs, not meeting this definition, shall be gradually phased out by the 1<sup>st</sup> January 2017.
3. This Resolution sets the maximum number of instrumented buoys active and followed by any purse seine vessels at 350 instrumented buoys at any one time, the active number being calculated as the number of active buoys operated by a purse seine vessel. The number of instrumented buoys that shall be acquired annually for each purse seine vessel is set at no more than 700. An instrumented buoy is considered active when it has been switched on and then deployed. Activation of an instrumented buoy results in an entry in the logbook or the FAD logbook, which specifies the buoy number and the geographical coordinates of its activation. An instrumented buoy may be activated only when physically present on board the purse-seine vessel to which it belongs or its supply vessel.
4. A CPC may adopt a lower limit than the one set out in paragraph 3 for vessels flying its flag. Further, any CPC may adopt a lower limit for DFADs deployed in its EEZ than that stated in paragraph 3. The CPC shall review the adopted limit to ensure that such limit is not more than the limit fixed by the Commission.
5. CPCs shall ensure that as from the effective date of this Resolution, each of its purse seiners already in operation does not exceed the maximum number of instrumented buoys set in paragraph 3.
6. Notwithstanding the completion of any study undertaken at the request of the Commission including the study to be undertaken by the Working Group adopted at Resolution 15/09 in relation to FADs, the Commission may review the maximum number of instrumented buoys set out in paragraph 3.
7. The flag State shall ensure that no more than:
  - a) 350 instrumented buoys are active at sea at any one time in relation to each of its vessels through such measures as for example the verification of telecommunication bills; and
  - b) 700 instrumented buoys may be acquired annually by each of its fishing vessel.
8. CPCs shall require vessels flying their flag and fishing on DFADs to submit by 1 January 2016, the provisional purchase order for 2016 of instrumented buoys for their purse seine vessels under the confidentiality rules set by Resolution 12/02 (or any subsequent superseding Resolution).
9. CPCs shall require vessels flying their flag and fishing on DFADs to submit, by the end of 2016 the number of instrumented buoys activated, deactivated and active on each quarter during 2016 its purse seine vessel under the confidentiality rules set by Resolution 12/02 (or any subsequent superseding Resolution).
10. All CPCs shall ensure that all fishing vessels as referred to in paragraph 1 shall record fishing activities in association with FADs using the specific data elements found in **Annex I** (DFAD) and **Annex II** (AFAD) in the section of the “FAD-logbook”.
11. CPCs having vessels fishing on FADs shall submit, to the Commission, on an annual basis, Management Plans for the use of FADs by each of their purse seine vessels covered at paragraph 1. Due to their specificity in terms of users, number deployed, type of boat/vessel involved, fishing method and gear used and materials used in their construction, the Management Plans and Reporting Requirements for Drifting FADs (DFAD) and Anchored FADs (AFAD) shall be addressed separately for the purposes of this Resolution. The Plans shall at a minimum meet the Suggested Guidelines for Preparation for FAD Management Plans by each CPC as provided for DFADs in **Annex I** and AFADs in **Annex II**. For the purpose of this Resolution, the term Fish Aggregating Device means drifting (DFAD) or anchored floating or submerged objects (AFAD) deployed for the purpose of aggregating target tuna species.
12. The Management Plans shall be analysed by the IOTC Compliance Committee.
13. The Management Plans shall include initiatives or surveys to investigate, and to the extent possible minimise the capture of small Bigeye tuna and Yellowfin tuna and non-target species associated with fishing on FADs. Management Plans shall also include guidelines to prevent, to the extent possible, the loss or abandonment of

FADs. To reduce the entanglement of sharks, marine turtles or any other species, the design and deployment of FADs shall be based on the principles set out in **Annex III**, which will be applied gradually from 2014. 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**.

14. Starting in 2016, CPCs shall submit the data elements prescribed in **Annex I** and **Annex II** to the Commission, consistent with the IOTC standards for the provision of catch and effort data, and these data shall be made available for analysis to the IOTC Scientific Committee on the aggregation level set by Resolution 15/02 (or any subsequent superseding Resolution), and under the confidentiality rules set by Resolution 12/02 (or any subsequent superseding Resolution). The IOTC Scientific Committee will analyse the information, when available, and provide scientific advice on additional FAD management options for consideration by the Commission in 2016, including recommendations on the number of FADs to be operated, the use of biodegradable materials in new and improved FADs and the phasing out of FAD designs that do not prevent the entanglement of sharks, marine turtles and other species. When assessing the impact of FADs on the dynamic and distribution of targeted fish stocks and associated species and on the ecosystem, the IOTC Scientific Committee will, where relevant, use all available data on abandoned FADs (i.e. FADs without a beacon or which have drifted outside the fishing zone).
15. From January 2016, CPCs shall require all artificial FADs deployed or modified by their flagged fishing vessels in the IOTC area of competence to be marked in accordance with a detailed marking scheme, e.g. including FAD marking or beacon ID. The marking scheme shall be developed and considered for adoption by the Commission at its regular annual session in 2016, based on recommendations from the IOTC Scientific Committee as requested by the Commission. The marking scheme should take into account, as a minimum, the following:
  - a) All artificial FADs shall be marked with a unique identification number, based on a specific numbering system and format to be adopted by the Commission;
  - b) The marking should be easy to read before the vessel operator engages in any artificial FAD related activity (e.g. setting on the artificial FAD, retrieving the artificial FAD, servicing the artificial FAD, fishing on the artificial FAD), but if not visible for any reason, (time of day, weather, etc.), the vessel operator shall ensure to obtain the unique artificial FAD identifier as soon as feasible;
  - c) The marking should be easy to apply to the artificial FAD, but should be applied in such a manner that it will not become unreadable or disassociated with the artificial FAD.
16. Resolution 15/08 *Procedures on a fish aggregating devices (FADs) management plan, including more detailed specification of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species* is superseded by this Resolution.

## ANNEX I

### GUIDELINES FOR PREPARATION OF DRIFTING FISH AGGREGATING DEVICE (DFAD) MANAGEMENT PLANS

To support obligations in respect of the DFAD Management Plan (DFAD–MP) to be submitted to the IOTC Secretariat by CPCs with fleets fishing in the IOTC area of competence, associated to DFADs, DFAD–MP should include:

1. An objective
2. Scope:

Description of its application with respect to:

- vessel-types and support and tender vessels
- DFAD numbers and DFADs beacon numbers to be deployed
- reporting procedures for DFAD deployment

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- incidental bycatch reduction and utilisation policy
  - consideration of interaction with other gear types
  - plans for monitoring and retrieval of lost DFADs
  - statement or policy on “DFAD ownership”
3. Institutional arrangements for management of the DFAD Management Plans:
- Institutional responsibilities
  - application processes for DFAD and /or DFAD beacons deployment approval
  - Obligations of vessel owners and masters in respect of DFAD and /or DFAD beacons deployment and use
  - DFAD and/or DFADs beacons replacement policy
  - reporting obligations
4. DFAD construction specifications and requirements
- DFAD design characteristics (a description)
  - DFAD markings and identifiers, including DFADs beacons
  - Lighting requirements
  - radar reflectors
  - visible distance
  - radio buoys (requirement for serial numbers)
  - satellite transceivers (requirement for serial numbers)
5. Applicable areas
- Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.
6. Applicable period for the DFAD–MP
7. Means for monitoring and reviewing implementation of the DFAD–MP
8. DFAD logbook
- catch reporting from DFAD sets (consistent with the Standards for the provision of Catch and Effort Data) set out in Resolution 15/02), including:
    - a) Any visit on a DFAD\*
    - b) For each visit on a DFAD, whether followed or not by a set
      - i. position,
      - ii. date,
      - iii. DFAD identifier (i.e., DFAD Marking or beacon ID or any information allowing to identify the owner),
      - iv. DFAD type (drifting natural FAD, drifting artificial FAD),
      - v. DFAD design characteristics (dimension and material of the floating part and of the underwater hanging structure),
      - vi. type of the visit (deployment, hauling, retrieving, loss, intervention on electronic equipment).
    - c) If the visit is followed by a set, the results of the set in terms of catch and bycatch.

\* Other FADs encountered at–sea should be monitored in accordance with each CPCs’ domestic regulations.

## ANNEX II

## GUIDELINES FOR PREPARATION OF ANCHORED FISH AGGREGATING DEVICE (AFAD) MANAGEMENT PLANS

To support obligations in respect of the AFAD Management Plan (AFAD–MP) to be submitted to the IOTC Secretariat by CPCs with fleets fishing in the IOTC area of competence, associated to AFADs, AFAD–MP should include:

1. An objective
2. Scope:
 

Description of its application with respect to:

  - a) Vessel types
  - b) AFAD numbers and/or AFADs beacons numbers to be deployed (per AFAD type)
  - c) reporting procedures for AFAD deployment
  - d) distances between AFADs
  - e) incidental bycatch reduction and utilisation policy
  - f) consideration of interaction with other gear types
  - g) the establishment of inventories of the AFADs deployed, detailing AFAD identifiers, characteristics and equipment of each AFAD as laid down in point 4 of the present Annex, coordinates of the AFAD's mooring sites, date of set, lost and reset
  - h) plans for monitoring and retrieval of lost AFADs
  - i) statement or policy on “AFAD ownership”
3. Institutional arrangements for management of the AFAD Management Plans:
  - a) Institutional responsibilities
  - b) Regulations applicable to the setting and use of AFADs
  - c) AFAD repairs, maintenance rules and replacement policy
  - d) Data collection system
  - e) reporting obligations
4. AFAD construction specifications and requirements:
  - a) AFAD design characteristics (a description of both the floating structure and the underwater structure, with special emphasis on any netting materials used)
  - b) Anchorage used for mooring
  - c) AFAD markings and identifiers, including AFAD beacons if any
  - d) Lighting requirements if any
  - e) radar reflectors
  - f) visible distance
  - g) radio buoys if any (requirement for serial numbers)
  - h) satellite transceivers (requirement for serial numbers)
  - i) echo sounder
5. Applicable areas
  - a) Coordinates of mooring sites, if applicable
  - b) Details of any closed areas e.g., shipping lanes, Marine Protected Areas, reserves etc.

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6. Means for monitoring and reviewing implementation of the AFAD-MP

## AFAD logbook

- Catch reporting from AFAD sets (consistent with the Standards for the provision of Catch and Effort Data) set out in Resolution 15/02), including:
  - a) Any visit in a AFAD.
  - b) For each visit on a AFAD, whether followed or not by a set or other fishing activities, the,
    - i. position;
    - ii. date;
    - iii. AFAD identifier (i.e., FAD Marking or beacon ID or any information allowing to identify the owner).
  - c) If the visit is followed by a set or other fishing activities, the results of the set in terms of catch and bycatch.

### ANNEX III

#### PRINCIPLES FOR DESIGN AND DEPLOYMENT OF FADS

1. The surface structure of the FAD should not be covered, or only covered with non-meshed material.
2. If a sub-surface component is used, it should not be made from netting but from non-meshed materials such as ropes or canvas sheets.
3. To reduce the amount of synthetic marine debris, the use of natural or biodegradable materials (such as hessian canvas, hemp ropes, etc.) for drifting FADs should be promoted.



## APPENDIX 8.

### STATEMENTS FROM THE REPUBLIC OF KOREA AND EUROPEAN UNION REGARDING THE PROPOSED AMENDMENT TO RES.16/01

#### Republic of Korea

Korea would like to reserve its rights to object to this revised Resolution, which supersedes Resolution 16/01. As some CPCs have recognized, Korea made a painful compromise in 2016 accepting the catch reduction in yellowfin tuna despite its short history of purse seine operation in the Indian Ocean. Although the result was tremendously unsatisfactory, Korea did not opt for lodging an objection to the limits in the spirit of cooperation for the sustainability of resources in the Indian Ocean. As a result, a company had to give up their purse seine operation and withdrew their vessel from the Area, which then resulted in the vessel being idle and around 50 people risking their jobs. Had Korea known that it would be forced to make further sacrifice this year, Korea would have taken a different approach.

Korean purse seiners have just taken a baby step, and had not contributed to the decline of the yellowfin stock in the Indian Ocean and yet made the sacrifice by agreeing to be bound by the catch limits. And further decrease in FADs, which has already been reduced by 23% just last year, may result in the viability of the operation of the remaining Korean purse seiners being put into question in the near future. More often than not, distant water fishing nations in multilateral fisheries organizations are viewed as a villain standing in the way of sustainability for the profit of their industry. However, over the past years, the Korean government has been vigorously driving its policies for the sake of sustainability, imposing on the industry one of the strictest fisheries regulations in the world. Now, Korea has only a couple of purse seiners operating in the Indian Ocean, mainly in the waters of coastal states, contributing to the economy of those coastal states. Would allowing these two vessels to utilize the number of FADs outlined in the current Resolution in accordance with scientific advice really hurt the survival of the small island developing states and the sustainability of the stock?

This revision, Korea believes, is something that Korea can barely live with, and would like to make the following statement: The reduced figure in the number of FADs was arbitrary chosen by the proponents of the proposed amendment of the Resolution, not based on scientific advice. Therefore, it is still difficult for the Korean delegation to comprehend how the figure was calculated, and Korea strongly believes that this number must be subject to the review of the Scientific Committee and the Working Group on dFADs as stipulated by the revised Resolution and the one superseded by it. The proponents argue that they have made huge compromises but so have the CPCs who opposed to the proposal for reasons sufficiently expressed across the floor. Also, the rationale behind the addition of the new option of 2015 for the catch limit baseline was not sufficiently explained and this shall also need to be reviewed by the Scientific Committee.

#### European Union

The EU regrets that the Resolution 16/01 on an Interim Plan for rebuilding the Indian Ocean Yellowfin Tuna has been revisited before the end of its first year of implementation to add new provisions mainly driven by industry interests, after long and hard negotiations in the 2016 Annual Meeting that enabled the adoption of stringent measures contributing to the conservation and recovering of the yellowfin tuna stock.

Despite the fact that new proposed Resolution does not rely on any scientific evidence or recommendations of the Scientific Committee and the clear negative immediate impact on the conservation of the Indian Ocean Yellowfin stocks, the EU made considerable efforts to contribute to a compromise by accepting the possibility to allow the increase of catches in Coastal States, to reduce the number of FADs and supply vessels and to bear the burden to decrease Yellowfin catches, almost alone.

Social economic effects has been a recurring feature of this week's discussion but the loss of more than 300 employment posts of African fishers engaged in EU flagged vessel's operations and the damage to an investment of about 200 million euro in vessels and equipment have been marginalized.

The proposed Resolution targets specifically and exclusively the EU purse seine fleet. Moreover, the recurrent use of "flag state" references in the proposed Resolution leads to non-consistent treatment of the EU as a Contracting Party, which constraints the management of the EU fishing activities in IOTC.

The possibility to control the number of active supply vessels through the existing Sustainable Fishing Partnership Agreement the EU has in the region with key Coastal States has also been neglected and, in addition, the regular supply of fishing products to the processing industry in the region could be put in jeopardy.

The EU also regrets the way that discussions have been conducted, having not been given enough time to explore avenues for compromise.

In conclusion, the EU accepted a compromise and recommended not to proceed in a voting procedure in order to enhance cooperation among CPCs in this multilateral organisation. The EU hopes to see this spirit of compromise displayed by other CPCs in the future.

## APPENDIX 9.

### SCHEDULE OF WORK FOR THE TCMP

#### SCHEDULE OF WORK FOR THE DEVELOPMENT OF MANAGEMENT PROCEDURES FOR KEY SPECIES IN THE IOTC AREA

Management procedures (also known as ‘harvest strategies’) are widely acknowledged as being best practice for developing sustainable management measures that achieve agreed objectives for sustainably managing fishery resources. This is reflected in Resolution 15/10, which notes that the objectives of the Commission include ‘*to maintain stocks in perpetuity and with high probability, at levels not less than those capable of producing their maximum sustainable yield*’. Resolution 15/10 also sets out interim limit and target reference points and the Scientific Committee has been instructed to ‘*develop and assess, through the management strategy evaluation process, the performance of harvest control rules to achieve target reference points on average and avoid limit reference points with a high probability*’.

The development of management procedures for key IOTC species is now well underway. However, the process for developing candidate management procedures through the IOTC committees and sub-committees, and the adoption of management procedures by the Commission, is a complex and iterative process that will likely require several rounds of advice, consideration and review.

The 20<sup>th</sup> Session of the IOTC Commission noted the substantial work underway in developing management procedures for IOTC species and requested the development of a work plan reflecting the elements of management procedures to be developed and the roles and responsibilities of the Commission and its subsidiary bodies. To this end, Australia presented this schedule of work to the 7<sup>th</sup> meeting of the Working Party on Methods (IOTC-2016-WPM07-12) and the 19<sup>th</sup> Scientific Committee (IOTC-2016-SC19-INF04) and has revised it to account for feedback provided through those processes.

This schedule of work outlines the process that will need to be followed and the decisions that need to be made to develop management procedures for key IOTC species (at the stock or fishery level) in the IOTC area of competence. It provides a guide for the IOTC committees and sub-committees, as well as the Commission, to understand their roles and responsibilities in the process of developing and adopting management procedures. It also provides indicative timeframes for this work, which may be subject to changes to ensure consistency with the technical work plan implemented by the Scientific Committee, and to consider feedback from the regular dialogue established between scientists and managers through the Technical Committee on Management Procedures. These time frames are drawn from Resolution 15/10 but have been modified to take account of recent delays and shifts in the progression of management procedure development.<sup>12</sup> In this sense, the schedule of work is intended to be a ‘living’ document that the Commission owns and uses (including updating as required) to catalyse, track and confirm its ongoing commitment to the development of management procedures.

#### References:

- Resolution 12/01 On the implementation of the precautionary approach
- Resolution 15/10 On target and limit reference points and a decision framework
- Resolution 16/02 On harvest control rules for Skipjack tuna in the IOTC area of competence
- Resolution 16/09 On establishing a Technical Committee on Management Procedures

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<sup>12</sup> Resolution 15/10 provides some guidance on indicative timeframes for the Scientific Committee’s development of management procedures for key IOTC species. Management procedures for albacore and skipjack tuna were requested to be completed in 2015 for presentation to the Commission in 2016, while management procedures for yellowfin tuna, bigeye tuna and swordfish were requested to be completed by 2017 for presentation to the Commission in 2018. A harvest control rule was adopted for skipjack tuna in 2016 (Resolution 16/02). However, the indicative timeframes for completion of management procedures for other species are unlikely to be met due to uncertainty in funding and requisite decision points.

**Schedule of work for the development of management procedures for key species in the IOTC Area.** *A more detailed explanation of the roles of the Working Parties (WPs), Scientific Committee (SC), Technical Committee on Management Procedures (TCMP) and the Commission are provided at Annex 1.*

Year	Albacore	Skipjack	Yellowfin	Bigeye	Swordfish
2017	<b>WPs/SC:</b> Undertake MSE and provide advice on the performance of candidate MPs. Identify issues which might need specific guidance from the Commission, including how to interpret objectives, timelines and acceptable levels of risk.	<b>WPs/SC:</b> Apply HCR using results from 2017 stock assessment to calculate the total annual catch limit. Secretariat to advise CPCs of catch limit.	<b>WPs/SC:</b> Undertake MSE and provide advice on the performance of candidate MPs. Identify issues which might need specific guidance from the Commission, including how to interpret objectives, timelines and acceptable levels of risk.	<b>WPs/SC:</b> Undertake MSE and provide advice on the performance of candidate MPs. Identify issues which might need specific guidance from the Commission, including how to interpret objectives, timelines and acceptable levels of risk.	<b>WPs/SC:</b> Develop framework and seek funding for MSE. Advise TCMP and Commission on progress
2018	<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives  <b>Commission:</b> Consider work and advice from subsidiary bodies and provide direction to the WPs/SC on the need to undertake further MSE of candidate or alternative MPs  <b>WPs/SC:</b> Consider recommendations from the Commission and undertake MSE to provide advice on the performance of candidate MPs	<b>TCMP:</b> Provide advice to the Commission on any outstanding issues resulting from the application of the HCR if required  <b>Commission:</b> Provide direction to the WPs/SC on the need to refine the HCR and/or MSE  <b>WPs/SC:</b> Consider recommendations from the Commission and further refine the HCR through MSE as directed	<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives  <b>Commission:</b> Consider work and advice from subsidiary bodies and provide direction to the WPs/SC on the need to undertake further MSE of candidate or alternative MPs  <b>WPs/SC:</b> Consider recommendations from the Commission and undertake MSE to provide advice on the performance of candidate MPs	<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives  <b>Commission:</b> Consider work and advice from subsidiary bodies and provide direction to the WPs/SC on the need to undertake further MSE of candidate or alternative MPs  <b>WPs/SC:</b> Consider recommendations from the Commission and undertake MSE to provide advice on the performance of candidate MPs	<b>WPs/SC:</b> Develop initial operating model and undertake MSE to provide initial advice on the performance of candidate MPs. Identify issues which might need specific guidance from the Commission, including how to interpret objectives, timelines and acceptable levels of risk.

<b>2019</b>	<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives	<b>TCMP:</b> Provide advice to Commission on any outstanding issues resulting from the application of the HCR if required	<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives	<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives	<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives
<b>2019</b>	<b>Commission:</b> Consider work and advice from subsidiary bodies. Decision and adoption of an MP <u>or</u> provide direction to the WPs/SC on the need for further MSE of candidate or alternative MPs <b>WPs/SC:</b> Undertake MSE and provide advice on the performance of candidate MPs	<b>Commission:</b> Consider work and advice from subsidiary bodies and review Resolution 16/02.	<b>Commission:</b> Consider work and advice from subsidiary bodies. Decision and adoption of an MP <u>or</u> provide direction to the WPs/SC on the need for further MSE of candidate or alternative MPs <b>WPs/SC:</b> Undertake MSE and provide advice on the performance of candidate MPs	<b>Commission:</b> Consider work and advice from subsidiary bodies. Decision and adoption of an MP <u>or</u> provide direction to the WPs/SC on the need for further MSE of candidate or alternative MPs <b>WPs/SC:</b> Undertake MSE and provide advice on the performance of candidate MPs	<b>Commission:</b> Consider work and advice from subsidiary bodies and provide direction to the WPs/SC on the need to undertake further MSE of candidate or alternative MPs <b>WPs/SC:</b> Consider recommendations from the Commission and undertake MSE to provide advice on the performance of candidate MPs
<b>2020</b>	<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives <b>Commission:</b> Consider work and advice from subsidiary bodies. Decision and adoption of an MP <u>or</u> provide direction to the WPs/SC on the need for further MSE of candidate or alternative MPs until an MP is adopted.		<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives <b>Commission:</b> Consider work and advice from subsidiary bodies. Decision and adoption of an MP <u>or</u> provide direction to the WPs/SC on the need for further MSE of candidate or alternative MPs until an MP is adopted.	<b>TCMP:</b> Provide advice to Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives <b>Commission:</b> Consider work and advice from subsidiary bodies. Decision and adoption of an MP <u>or</u> provide direction to the WPs/SC on the need for further MSE of candidate or alternative MPs until an MP is adopted.	<b>TCMP:</b> Provide advice to the Commission on elements of candidate MPs that require a decision by the Commission, including the performance of candidate MPs against Commission objectives <b>Commission:</b> Consider work and advice from subsidiary bodies. Decision and adoption of an MP <u>or</u> provide direction to the WPs/SC on the need for further MSE of candidate or alternative MPs until an MP is adopted.

		<b>WPs/SC:</b> Apply HCR using results from 2020 stock assessment to calculate the total annual catch limit. Secretariat to advise CPCs of catch limit.			<b>WPs/SC:</b> Consider recommendations from the Commission and undertake MSE to provide advice on the performance of candidate MPs
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## Annex 1: Explanation of roles in the development of candidate Management Procedures

### Working Parties and Scientific Committee

The Scientific Committee (SC) and Working Parties (WPs) are responsible for undertaking the technical development of candidate management procedures (MPs), through formal Management Strategy Evaluation (MSE), and providing advice on candidate MPs to the Commission.

The Working Party on Methods (WPM) is the primary WP for the development of candidate MPs, but other WPs, such as the Working Party on Tropical Tuna (WPTT), Working Party on Temperate Tuna (WPTmT) and the Working Party on Billfish (WPB), may also contribute to MP development for relevant species. The Working Party on Data Collection and Statistics (WPDCS) is responsible for reviewing the quality of available fisheries data and statistics that underpin the development of MPs.

#### *'Undertake MSE'*

- This involves developing operating models and evaluating the performance of candidate management procedures, which include harvest control rules and the pre-specification of data inputs and analyses, against the Commission's objectives.

#### *'Identify issues which might need specific guidance from the Commission'*

- This involves the Scientific Committee requesting clarification from the Commission on how to translate qualitative provisions in some Resolutions, such as acceptable timelines or agreed levels of probability related to achieving management objectives. Similarly, questions about the types of input or output management measures to be considered, as well as acceptable year-to-year fluctuations in expected catches, might be raised for discussion during TCMP meetings and for possible decision by the Commission.

#### *'Provide advice on the performance of candidate MPs'*

- This involves using the agreed performance statistics and standardised figures and tables to communicate results from MSE. Advice from the SC and WPs to the Commission also includes advice on the appropriateness of limit reference points (LRP) and target reference points (TRP), as required under Resolution 15/10.

### Technical Committee on Management Procedures

Resolution 16/09 states that the objectives of the Technical Committee on Management Procedures (TCMP) include to

*'Enhance the decision making response of the Commission in relation to management procedures, including recommendations made by the Scientific Committee'* and to *'Enhance communication and foster dialogue and mutual understanding between the Scientific Committee and the Commission on matters relating to management procedures'*.

#### *'Provide advice to Commission'*

- This involves assisting the Commission to consider the elements of MPs that require a decision by the Commission, including identifying and evaluating candidate MPs that aim to meet the Commission's objectives.

#### *'On elements of candidate MPs that require a decision by the Commission'*

- Elements of the MPs to be considered include the overarching management objectives, target and limit reference points, harvest control rules, and the performance of MPs against management objectives.

### Commission

The Commission is ultimately responsible for guiding the MP process and making decisions on the adoption of MPs, drawing on the advice provided by subsidiary bodies.

#### *'Decision and adoption of an MP'*

- This involves considering a proposed MP, which may take the form of a conservation and management measure proposed by a Commission member, or endorsement of a candidate MP.

#### *'Consider work and advice from subsidiary bodies'*

- This involves the Commission considering advice from the SC and TCMP on the performance of MPs in achieving the Commission's objectives. In making decisions on adopting MPs, the Commission may also seek advice on compliance and implementation issues from the Compliance Committee.

#### *'Provide direction to the WPs/SC on the need for further MSE of candidate or alternative MPs'*

- This involves the Commission providing direction to the SC on the need to further refine candidate MPs or develop new candidate MPs through formal MSE. This advice will in turn assist the Commission in its consideration and adoption of MPs.

## APPENDIX 10.

### REFERENCE FISHING CAPACITY AND FLEET DEVELOPMENT PLANNING

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- 2016	Reference capacity at 2016 (A+B)	Active capacity in 2016	Capacity to be added under Fleet Development Plan					
						2017	2018	2019	2020	2021	> 2021
Australia	(GT)	3,312		3,312							
China	(GT)	27,216	2,059	29,275	25,773						
Taiwan, China	(GT)	114,985		114,985	64,727						
Comoros	(GT)								6,000	6,000	4,000
Eritrea											
European Union	(GT)	101,233	10,824	112,057	80,931						
Guinea	(GRT)	1,439		1,439							
India	(GRT)	32,950	9,050	42,000	(1,550)	1,250	1,100	600	600		
Indonesia	(GT)	124,011	89,554	213,565	19,941						
Iran	(GT)	83,524	49,003	132,527	106,074	10,200	10,200	7,850	4,400		
Japan	(GT)	91,076		91,076	31,540						
Kenya	(GT)		3,000	3,000	193	3,340	4,400	1,410	4,400	1,940	11,810
Korea, Rep. of	(GT)	23,002		23,002	17,693						
Madagascar	(GT)	263	709	972	178						
Malaysia	(GT)	2,299	15,334	17,633	1,295						
Maldives	(GT)		1,060	1,060	15,486	68	68	45	45		
Mauritius	(GT)	1,931	40,316	42,247	5,334	5,331					
Mozambique	(GT)		45,000	45,000	2,136	15,000	15,000	15,000	3,000	3,000	13,800
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	206,796	248,531	(68,547)						
Sierra Leone											
Somalia											
South Africa	(GT)	3,013	3,056	6,069	501						
Sri Lanka	(GT)	18,436	90,992	109,428	35,958	3,920	5,773	5,737	6,384		
Sudan											
Tanzania	(GT)				1,535						
Thailand	(GT)	13,771	39,250	53,021	200	7,500	11,250	6,750			
U. K. (OT)	(GT)										
Yemen											
Bangladesh	(GT)				(55,246)						
Djibouti											
Senegal	(GRT)	1,250		1,250							
Total	(GRT + GT)	698,876	666,613	1,365,489	536,411	46,609	47,791	37,392	24,829	10,940	35,340
Difference relative to 2006 Baseline				195%	77%						301%

N.B. Estimates of capacity, figures in brackets, for CPCs that have not reported their active vessels list for 2016 are based on their list of authorised vessels on 14th April, 2017.

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 2008- 2016	Reference capacity at 2016 (A+B)	Active capacity in 2016	Capacity to be added under Fleet Development Plan					
					2017	2018	2019	2020	2021	>2021
Australia	10		10							
China	67		67	54						
Taiwan, China	501		501	233						
Comoros								3	3	2
Eritrea										
European Union	51	13	64	31						
Guinea	3		3							
India	70	67	137	(4)	7	6	5	5		
Indonesia	1,201	746	1,947	263						
Iran	992	335	1,327	1,203	14	14	10	4		
Japan	227		227	46						
Kenya		5	5	1	5	5	5	5	5	20
Korea, Rep. of	38		38	18						
Madagascar	2	34	36	7						
Malaysia	28	107	135	10						
Maldives		47	47	372	3	3	2	2		
Mauritius	8	39	47	2	2					
Mozambique		15	15	11	5	5	5	5	5	23
Oman	24	65	89	1						35
Pakistan		150	150	10						
Philippines	18		18							
Seychelles	34	126	160	(82)						
Sierra Leone										
Somalia										
South Africa	13	10	23	3						
Sri Lanka	1,001	788	1,789	1,455	64	164	185	217		
Sudan										
Tanzania				3						
Thailand	9	170	179	1	30	35	35			
U. K. (OT)										
Yemen										
Bangladesh				(247)						
Djibouti										
Senegal	3		3							
Total	4,300	2,717	7,017	4,057	130	232	247	241	13	80

N.B. Estimates of number of vessels, figures in brackets, for CPCs that have not reported their active vessels list for 2016 are based on their number of authorised vessels on 14th April, 2017



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- 2016	Reference capacity at 2016 (A+B)	Active capacity in 2016	Capacity to be added under Fleet Development Plans					
						2017	2018	2019	2020	2021	>2021
Australia	(GRT)				349						
China	(GT)		3,389	3,389	4,434	1,500	3,000	3,000	1,500		
Taiwan, China	(GT)	36,299		36,299	15,818						
Comoros	(GT)					880	660	660	440	440	110
Eritrea											
European Union	(GT)	21,922	4,832	26,754	10,567				2143		
Guinea	(GRT)										
India	(GRT)										
Indonesia	(GT)										
Iran	(GT)										
Japan	(GT)										
Kenya	(GT)		3,000	3,000		1,200	140	1,200	670	1200	2680
Korea, Republic of	(GT)										
Madagascar	(GT)										
Malaysia	(GRT)										
Maldives	(GT)										
Mauritius	(GRT)		6,000	6,000	450	2,000					
Mozambique	(GT)		9,000	9,000		3,000	3,000	3,000	3000	3000	10200
Oman	(GT)										
Pakistan	(GT)										
Philippines	(GRT)										
Seychelles	(GT)	536		536							
Sierra Leone											
Somalia											
South Africa	(GT)		4,274	4,274	799						
Sri Lanka	(GT)		6,615	6,615		59	59	341	341		
Sudan											
Tanzania	(GT)										
Thailand	(GT)										
U. K. (OT)	(GT)										
Yemen											
Bangladesh	(GT)										
Djibouti											
Senegal	(GRT)		3,336	3,336							
Total	(GRT+ GT)	58,757	40,446	99,203	32,417	8,639	6,859	8,201	8,094	4,640	12,990
Difference relative to 2007 Baseline				169%	55%						308%

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- 2016	Reference capacity at 2016 (A+B)	Active capacity in 2016	Capacity to be added under Fleet Development Plans					
					2017	2018	2019	2020	2021	>2022
Australia				2						
China		10	10	13	5	10	10	5		
Taiwan, China	298		298	111						
Comoros					8	6	6	4	4	1
Eritrea										
European Union	72	32	104	44				25		
Guinea										
India										
Indonesia										
Iran										
Japan										
Kenya		5	5		2	2	2	2	2	8
Korea, Rep. of										
Madagascar										
Malaysia										
Maldives										
Mauritius		15	15	5	5					
Mozambique		15	15		5	5	5	5	5	17
Oman										
Pakistan										
Philippines										
Seychelles	1		1							
Sierra Leone										
Somalia										
South Africa		6	6	5						
Sri Lanka		51	51		1	1	2	2		
Sudan										
Tanzania										
Thailand										
U. K. (OT)										
Yemen										
Bangladesh										
Djibouti										
Senegal		8	8							
Total	371	142	513	180	26	24	25	43	11	26

**APPENDIX 11.**  
**IOTC IUU VESSELS LIST (MAY 2017)**

No.	Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
1	<b>KIM SENG DENG 3</b>	BOLIVIA	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
2	<b>KUNLUN (TAISHAN)</b>	EQUATORIAL GUINEA	7322897	IOTC CIRCULAR 2015-004	3CAG	Stanley Management Inc	Unknown	Contravention of IOTC Resolution 11/03	May 2015
3	<b>YONGDING (JIANFENG)</b>	EQUATORIAL GUINEA	9042001	IOTC CIRCULAR 2015-004	3CAE	Stanley Management Inc.	Unknown	Contravention of IOTC Resolution 11/03	May 2015
4	<b>BENAI AH</b>	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)	May 2017
5	<b>BEO HINGIS</b>	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 in the waters of the UK (OT)	May 2017
6	<b>CARMAL MATHA</b>	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)	May 2017

No.	Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
7	<b>DIGNAMOL 1</b>	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 8Block, Thoothoor, Kanyakumam	Mr James Robert	Fishing without a licence in the waters of the 11/03	May 2017
8	<b>EPHRAEEM</b>	INDIA	Not Applicable	Yes. Refer to report for this circular	Not Available	Not Available	Not Available	Fishing without a license, use of prohibited gear and no logbook in the waters of the UK (OT)	May 2017
9	<b>KING JESUS</b>	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 UK (OT)	May 2017
10	<b>SACRED HEART</b>	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 in the waters of the UK (OT)	May 2017
11	<b>SHALOM</b>	INDIA	Not Applicable	Yes. Refer to report for this circular	Not Available	Not Available	Not Available	Fishing without a license, use of prohibited gear and no logbook in the waters of the UK (OT)	May 2017
12	<b>VACHANAM</b>	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 in the waters of the UK (OT)	May 2017
13	<b>WISDOM</b>	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	May 2017

No.	Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
								gear in the waters of the UK (OT)	
14	<b>ABUNDANT 1 (YI HONG 06)</b>	UNKNOWN	Not Applicable	Yes. Refer to report for this circular	CPA 226	Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung, Taiwan, China	Mr. Hatto Daroi	Contravention of IOTC Resolution 11/03	May 2015
15	<b>ABUNDANT 12 (YI HONG 106)</b>	UNKNOWN	Not Applicable	Yes. Refer to report for this circular	CPA 202	Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung, Taiwan, China	Mr. Mendez Francisco Delos Reyes	Contravention of IOTC Resolution 11/03	May 2015
16	<b>ABUNDANT 3 (YI HONG 16)</b>	UNKNOWN	Not Applicable	Yes. Refer to report for this circular	CPA 201	Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung, Taiwan, China	Mr. Huang Wen Hsin	Contravention of IOTC Resolution 11/03	May 2015
17	<b>ABUNDANT 6 (YI HONG 86)</b>	UNKNOWN	Not Applicable	Yes. Refer to report for this circular	CPA 221	Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung,	Mr. Huang Wen Hsin	Contravention of IOTC Resolution 11/03	May 2017

No.	Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
						Taiwan, China			
18	<b>ABUNDANT 9 (YI HONG 116)</b>	UNKNOWN	Not Applicable	Yes. Refer to report for this circular	CPA 222	Huang Jia Yi C/O Room 18-E Tze Wei Commercial Building, No.8 6 Th Road Lin Ya District, Kaohsiung, Taiwan, China	Mr. Pan Chao Mao	Contravention of IOTC Resolution 11/03	May 2015
19	<b>ANEKA 228</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
20	<b>ANEKA 228; KM.</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
2`	<b>CHI TONG</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
22	<b>Fu Hsiang Fa 18</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
23	<b>FU HSIANG FA NO. 01</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
24	<b>FU HSIANG FA NO. 02</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
25	<b>FU HSIANG FA NO. 06</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
26	<b>FU HSIANG FA NO. 08</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
27	<b>FU HSIANG FA NO. 09</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
28	<b>FU HSIANG FA NO. 11</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014

No.	Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
29	<b>FU HSIANG FA NO. 13</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
30	<b>FU HSIANG FA NO. 17</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
31	<b>FU HSIANG FA NO. 20</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
32	<b>FU HSIANG FA NO. 21<sup>1</sup></b>	UNKNOWN	Not Available	IOTC-2013-CoC10-07 Rev1	OTS 024 or OTS 089	Unknown	Unknown	Contravention of IOTC Resolution 07/02	May 2013
33	<b>FU HSIANG FA NO. 21<sup>1</sup></b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
34	<b>FU HSIANG FA NO. 23</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
35	<b>FU HSIANG FA NO. 26</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
36	<b>FU HSIANG FA NO. 30</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
37	<b>FULL RICH</b>	UNKNOWN (BELIZE)	Not Available	IOTC-2013-CoC10-08a	HMEK3	Noel International LTD (Noel International LTD)	Unknown	Contravention of IOTC Resolution 07/02	May 2013
38	<b>GUNUAR MELYN 21</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 07/02	June 2008
39	<b>HOOM XIANG 101</b>	UNKNOWN (MALAYSIA)	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
40	<b>HOOM XIANG 103</b>	UNKNOWN (MALAYSIA)	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014

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

No.	Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
41	<b>HOOM XIANG 105</b>	UNKNOWN (MALAYSIA)	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
42	<b>HOOM XIANG II</b>	UNKNOWN (MALAYSIA)	Not Available	IOTC-S14-CoC13- Add1	No Info	Hoom Xiang Industries Sdn. Bhd.	Unknown	Contravention of IOTC Resolution 09/03	March 2010
43	<b>KUANG HSING 127</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
44	<b>KUANG HSING 196</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
45	<b>MAAN YIH HSING</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
46	<b>SAMUDERA PERKASA 11</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
47	<b>SAMUDRA PERKASA 12</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
48	<b>SHENG JI QUN 3</b>	UNKNOWN	Not Applicable	Yes. Refer to report for this circular	CPA 311	Chang Lin, Pao- Chun No. 161, San Min Rd. Yufu Village, Kaohsiung City, Taiwan, China	Mr. Chen, Chen-Tsai	Contravention of IOTC Resolution 11/03	May 2017
49	<b>SHUEN SIANG</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014 and May 2015
50	<b>SHUN LAI (HSIN JYI WANG NO. 6)</b>	UNKNOWN	Not Applicable	Yes. Refer to report for this circular	CPA 514	Lee Cheng Chung No. 5 Tze Wei Road, Kaoshing, Taiwan, China	Mr. Sun Han Min	Contravention of IOTC Resolution 11/03	May 2017
51	<b>SIN SHUN FA 6</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
52	<b>SIN SHUN FA 67</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015



No.	Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
53	<b>SIN SHUN FA 8</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
54	<b>SIN SHUN FA 9</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
55	<b>SRI FU FA 168</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
56	<b>SRI FU FA 18</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
57	<b>SRI FU FA 188</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
58	<b>SRI FU FA 189</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
59	<b>SRI FU FA 286</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
60	<b>SRI FU FA 67</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
61	<b>SRI FU FA 888</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	June 2014
62	<b>TIAN LUNG NO.12</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
63	<b>YI HONG 3</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
64	<b>YU FONG 168</b>	UNKNOWN	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 11/03	May 2015
65	<b>YUTUNA 3 (HUNG SHENG NO. 166)</b>	UNKNOWN	Not Applicable	Yes. Refer to report for this circular	CPA 212	Yen Shih Hsiung Room 11 .E. No.3 Tze Wei Forth Road, Kaohsiung, Taiwan. China	Mr. Lee, Shih-Yuan	Contravention of IOTC Resolution 11/03	May 2017

No.	Current name of vessel (previous names)	Current flag (previous flags)	Lloyds/ IMO number	Photo	Call sign (previous call signs)	Owner / beneficial owners (previous)	Operator (previous operators)	Summary of IUU activities	Date included on IOTC IUU Vessels List
66	<b>YUTUNA NO. 1</b>	UNKNOWN	Not Applicable	Yes. Refer to report for this circular	CPA 302	Tseng Ming Tsai Room 11-E, No. 3 Tze Wei Fort Road, Kaohsiung, Taiwan, China	Mr. Yen, Shih-Shiung	Contravention of IOTC Resolution 11/03	May 2017
67	<b>OCEAN LION</b>	UNKNOWN (EQUATORIA L GUINEA)	7826233	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 02/04, 02/05, 03/05.	June 2005
68	<b>Songhua (Yunnan)</b>	UNKNOWN (EQUATORIA L GUINEA)	9319856	IOTC CIRCULAR 2015-004	3CAF	Eastern Holdings	Unknown	Contravention of IOTC Resolution 11/03	May 2015
69	<b>YU MAAN WON</b>	UNKNOWN (GEORGIA)	Not Available	Not Available	No Info	Unknown	Unknown	Contravention of IOTC Resolution 07/02	May 2007

## APPENDIX 12.

### BUDGET FOR 2018 AND INDICATIVE BUDGET FOR 2019

		Actuals 2016	2017	2018	2019
<b>Professional</b>					
Science	Executive Secretary (D1)	-	161,303	163,907	168,824
	Science Manager (P5)	78,249	144,842	147,947	152,385
	Science Coordinator (P4)	-	0	57,654	115,000
	Stock Assessment Expert (P4)	17,688	113,971	116,308	119,797
Compliance	Fishery Officer (Science P3)	74,063	98,363	102,258	105,326
	Compliance Manager (P4->P5)	117,276	112,417	145,000	149,350
	Compliance Coordinator (P4)	-	127,971	131,500	135,445
	Compliance Officer (P3)	124,894	81,917	95,779	98,652
Data	Data Coordinator (P4)	91,778	113,971	115,308	118,767
	Statistician (P3)	101,488	99,728	102,717	105,799
Administration	Fishery Officer (Data P1)	-	60,000	91,000	93,730
	Administrative Officer (P3)	55,799	95,779	98,970	101,939
<b>General Service</b>					
	Administrative Assistant	14,630	14,927	15,445	15,908
	Compliance Assistant	11,721	11,664	11,950	12,309
	Office Assistant	9,692	11,296	11,747	12,099
	Database Assistant	14,630	15,335	15,869	16,345
	Office Assistant	8,604	7,972	8,259	8,507
	Driver	7,980	7,274	7,465	7,689
	Overtime	5,535	5,000	5,000	5,150
	<b>Total Salary Costs</b>	734,026	1,283,730	<b>1,444,083</b>	<b>1,543,022</b>
	Employer Pension and Health	205,518	311,578	418,651	<b>447,476</b>
	Employer FAO Entitlement Fund	408,450	535,118	607,582	771,511
	Adjustment entitlement fund	(25,620)			
	Improved Cost Recovery Uplift	43,239	0	0	0
	<b>Total staff costs</b>	<b>1,365,613</b>	<b>2,130,426</b>	<b>2,470,316</b>	<b>2,762,009</b>
<b>Operating Expenditures</b>					
	Capacity Building	59,028	125,000	125,000	125,000
	Co-funding Science/Data grants		130,033	100,000	60,000
	Co-funding Compliance grants		63,974	35,000	65,000
	Miscellaneous Contingencies <sup>1</sup>			60,000	
	Consultants	151,377	174,900	155,000	155,000
	Duty travel	98,721	134,105	135,000	150,000
	Meetings	68,182	107,000	105,000	120,000
	Interpretation	146,044	140,000	140,000	140,000
	Translation	107,673	111,000	105,000	110,000
	Equipment	31,652	30,459	30,000	20,000
	General Operating Expenses	53,582	73,027	75,000	80,000
	Printing	4,388	0	20,000	15,000
	Contingencies	4,956	69,672	10,000	10,000
	<b>Total OE</b>	<b>725,604</b>	<b>1,159,170</b>	<b>1,095,000</b>	<b>1,050,000</b>
	<b>SUB-TOTAL</b>	<b>2,091,217</b>	<b>3,289,596</b>	<b>3,565,316</b>	<b>3,812,009</b>
	Additional Contributions	-17,657	-20,100	-20,100	-20,100
	Seychelles				
	FAO Servicing Costs	93,403	148,032	160,439	<b>171,540</b>
	Deficit Contingency	-	150,000	-	-
	MPF	211,022	200,000	200,000	<b>200,000</b>
	<b>GRAND TOTAL</b>	<b>2,377,984</b>	<b>3,767,528</b>	<b>3,905,655</b>	<b>4,163,450</b>
				3.7%	6.5%

<sup>1</sup> This funding could be used for co-funding, MPF or deficit reduction contingencies.

**APPENDIX 13.**  
**SCALE OF CONTRIBUTIONS FOR 2018**

CPC	World Bank Classification in 2015	OECD Membership	Average catch for 2013-2015 ( in metric tons)	Base Contribution	Operations Contribution	GNP Contribution	Catch Contribution	Total Contribution (in USD)
Australia	High	Yes	4,881	\$13,468	\$16,274	\$132,958	\$14,689	\$177,389
China	Middle	No	71,610	\$13,468	\$16,274	\$33,240	\$43,100	\$106,081
Comoros	Low	No	5,832	\$13,468	\$16,274	\$0	\$3,510	\$33,252
Eritrea	Low	No	219	\$13,468	\$0	\$0	\$132	\$13,600
European Union	High	Yes	205,162	\$13,468	\$16,274	\$132,958	\$617,398	\$780,098
France(Terr)	High	Yes	0	\$13,468	\$0	\$132,958	\$0	\$146,426
India	Middle	No	175,804	\$13,468	\$16,274	\$33,240	\$105,810	\$168,791
Indonesia	Middle	No	363,291	\$13,468	\$16,274	\$33,240	\$218,652	\$281,633
Iran, Islamic Republic of	Middle	No	230,110	\$13,468	\$16,274	\$33,240	\$138,495	\$201,476
Japan	High	Yes	15,218	\$13,468	\$16,274	\$132,958	\$45,797	\$208,497
Kenya	Middle	No	975	\$13,468	\$16,274	\$33,240	\$587	\$63,568
Korea, Republic of	High	Yes	17,211	\$13,468	\$16,274	\$132,958	\$51,793	\$214,493
Madagascar	Low	No	8,655	\$13,468	\$16,274	\$0	\$5,209	\$34,950
Malaysia	Middle	No	22,312	\$13,468	\$16,274	\$33,240	\$13,429	\$76,410
Maldives	Middle	No	124,302	\$13,468	\$16,274	\$33,240	\$74,813	\$137,794
Mauritius	Middle	No	6,733	\$13,468	\$16,274	\$33,240	\$4,052	\$67,033
Mozambique	Low	No	2,903	\$13,468	\$16,274	\$0	\$1,747	\$31,488
Oman	High	No	34,370	\$13,468	\$16,274	\$132,958	\$20,686	\$183,386
Pakistan	Middle	No	58,753	\$13,468	\$16,274	\$33,240	\$35,361	\$98,342
Philippines	Middle	No	1,089	\$13,468	\$16,274	\$33,240	\$655	\$63,636
Seychelles	High	No	78,015	\$13,468	\$16,274	\$132,958	\$46,954	\$209,654
Somalia	Low	No	0	\$13,468	\$0	\$0	\$0	\$13,468
South Africa	Middle	No	495	\$13,468	\$16,274	\$33,240	\$298	\$63,279
Sri Lanka	Middle	No	130,958	\$13,468	\$16,274	\$33,240	\$78,819	\$141,800
Sudan	Middle	No	34	\$13,468	\$0	\$33,240	\$20	\$46,728
Tanzania	Low	No	8,927	\$13,468	\$16,274	\$0	\$5,373	\$35,114
Thailand	Middle	No	11,816	\$13,468	\$16,274	\$33,240	\$7,112	\$70,093
United Kingdom(Terr)	High	Yes	3	\$13,468	\$0	\$132,958	\$10	\$146,436
Yemen	Middle	No	46,128	\$13,468	\$16,274	\$33,240	\$27,763	\$90,744
			<b>Total</b>	<b>390,566</b>	<b>390,566</b>	<b>1,562,262</b>	<b>1,562,262</b>	<b>3,905,655</b>

## APPENDIX 14.

### SCHEDULE OF MEETINGS FOR 2018 AND 2019

Does not include workshops or other non-formal IOTC subsidiary bodies)

TBC = date/location to be confirmed

	2018		2019	
Meeting	Date	Location	Date	Location
Technical Committee on Allocation Criteria (TCAC)	TBC	TBC	TBC	TBC
Technical Committee on Management Procedures (TCMP)	Weekend prior to S22 1 day	TBC	Weekend prior S23 1 day	TBC
Compliance Committee (CoC)	Week prior to S22 3.5 days	TBC	Week prior to S23 3.5 days	TBC
Working Party on Implementation of Conservation and Management Measures (WPICMM)	TBC	TBC	TBC	TBC
Technical Committee on Performance Review (TCPR)	TBC	TBC	TBC	TBC
Standing Committee on Administration and Finance (SCAF)	Week prior to S22 1.5 day	TBC	Week prior to S23 1.5 days	TBC
<b>Commission (S22)</b>	<b>May TBC 5 days</b>	<b>Thailand</b>	<b>TBC</b>	<b>TBC</b>
Working Party on Neritic Tunas (WPNT)	20-23 Mar 4 days	Kenya?	TBC	TBC
Working Party on Temperate Tunas (WPTmT)	Jul TBC	Seychelles?	TBC	TBC
Working Party on Ecosystems and Bycatch (WPEB)	10-14 Sep 5 days	TBC	TBC	TBC
Working Party on Billfish (WPB)	3-8 Sep 5 days	TBC	TBC	TBC
Working Party on Tropical Tunas (WPTT)	16-20 Oct 5 days	TBC	TBC	TBC
Working Party on Methods (WPM)	22-23 Oct 2 days	TBC	TBC	TBC
Working Party on Data Collection and Statistics (WPDCS)	22-24 Nov 3 days	Seychelles	TBC	Seychelles
Scientific Committee (SC)	26-30 Nov 5 days	Seychelles	TBC	Seychelles

## **APPENDIX 15.**

### **STATEMENT FROM INDONESIA ON HUMAN RIGHTS IN FISHERIES**

Based on our experience in combatting Illegal Fishing since 2014, there are clear evidences that at least there are 8 (eight) fishery related crimes involved in IUUF, and one of it is the human right abuse of crews in the form of forced labor, slavery, human trafficking and child labor.

In addition to that, at the Compliance Committee Meeting last week, Thailand Delegation also addressed that there was a strong indication that slavery and human trafficking were occurred in the IUUF Vessels arrested by Thailand Authority. We are very concern with this issue and requesting IOTC members to strengthen a cooperation to eliminate this practice in the future.

As we have government representatives in this meeting, it is our obligation to protect our crews on-board wherever they are, because as human being like us, they need to be protected. Protection from such crime is a primary need from people like us in this meeting room.

**For that reason, Indonesia would like to make a statement to be noted at the Report of the 21<sup>st</sup> Session of the Indian Ocean Tuna Commission as following:**

*“Indonesia noted that this Commission is focusing its effort to ensure the conservation of tuna and tuna-like species in the Indian Ocean and promoting their optimum utilization, and the sustainable development of the fisheries, particularly the species covered by IOTC Agreement. We spent our time mostly to discuss and reach the consensus in the form of resolution relating to those species. We do all agree that those resolutions are substantially important to ensure the maintenance of the quality, diversity and availability of the stocks covered by the IOTC Agreement, in sufficient quantities for present and future generations, in the context of food security, poverty alleviation and sustainable development.*

*Since at the end the essence of tuna fisheries management covered the wellbeing of those who are involved, it is very important to incorporate human aspects in our broad consensus, particularly a human right of those who are working on-board at the IOTC area of competence. As a fellow human being who are sitting around, it is our common interest to see in the near future that this commission will incorporate the protection of human right on board in its resolution and shall close the room for infringement of the human right at the IOTC area of competence, since it is not less essential rather than the protection of tuna, bycatch and ecologically related species”.*

**In addition to that issue, we also would like to make other statement as follow:**

*“Indonesia also noted that the access to fishing in the high seas on highly migratory and straddling species, as in the IOTC area of competence, has shifted to the collective and more responsible management of these precious resources. One of the key components in the implementation of the management measure of this resource is the allocation of fishing opportunity, which translates in the form of amount of allowable catch or fishing capacity to access the resources. To date, however, the capacity to access this resource still not free from bias of the past activities. What have happened in the past is still carried on until today in terms of historical catch. Due to its long history of fishing, the Distant Water Fishing Nation (DWFN) has a better fishing history as well as catch record compare to the Coastal States (CS), which is relatively late in developing their fishing industry. The DWFN and CS should have fair and equitable fishing opportunity, free from bias of the past.*

*To free from this bias, coastal state should be provided with special consideration to maintain its economic needs of coastal fishing communities and **the special requirements of developing States** in accordance with the Article 119 UNCLOS 1982 and Article 24 Paragraph 1 on Recognition of the special requirements of developing States of the United Nation Fish Stock Agreement 1995, as well as Article 25 Paragraph 1(b) on Forms of cooperation with developing States of the United Nation Fish Stock Agreement 1995.”*

Once again, we want this statement to be noted at the report.

Thank you