

Report of the 17th Session of the Compliance Committee

By correspondence, 1-2 October 2020

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ACRONYMS

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| AIS | Automatic Identification Systems |
| CDS | Catch Documentation Scheme |
| CMM | Conservation and Management Measure (of the IOTC; Resolutions and Recommendations) |
| CoC | Compliance Committee of the IOTC |
| CPCs | Contracting Parties and Cooperating Non-Contracting Parties |
| DFAD | Drifting Fish Aggregation Device |
| EMS | Electronic Monitoring System |
| FAD | Fish Aggregation Device |
| FAO | Food and Agriculture Organization of the United Nations |
| IOTC | Indian Ocean Tuna Commission |
| IUU | Illegal, Unreported and Unregulated |
| MCS | Monitoring, control and Surveillance |
| SCAF | Standing Committee on Administration and Finance of the IOTC |
| VMS | Vessel Monitoring System |
| WPICMM | Working Party on the Implementation of Conservation and Management Measures |

HOW TO INTERPRET TERMINOLOGY CONTAINED IN THIS REPORT

The CoC17 Report has been written using the following terms and associated definitions so as to remove ambiguity surrounding how particular paragraphs should be interpreted.

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

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

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

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

Level 3: General terms to be used for consistency:

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

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

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

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EXECUTIVE SUMMARY***Opening of the Session***

Due to the COVID-19 pandemic the 17th Session of the Compliance Committee (CoC) of the Indian Ocean Tuna Commission (IOTC) was held by correspondence from 1-2 October 2020. The meeting involved the distribution of the normal CoC documents, an annotated agenda (IOTC-2020-CoC17-01b) and a Meeting Response Document (IOTC-2020-CoC17-MRD). The latter of these documents was distributed to credentialed Heads of Delegations on 25 September 2020 and the collection of interventions was closed at midnight on 2 October 2020.

Attendees comprised delegates of 23 Contracting Parties (Members), 1 Cooperating Non-Contracting Party, 5 Observers and 1 Invited Expert. The list of participants is provided at [Appendix 1](#). The meeting was chaired by the Chairperson, Ms. Anne-France Mattlet (France (OT)).

The following is a subset of the complete set of recommendations from the CoC17 to the Commission, which are provided at [Appendix 10](#).

Resolution 18/07 On Measures Applicable in Case of Non-Fulfilment of Reporting Obligations in the IOTC

CoC17.01 (Para 12) The CoC **RECOMMENDED** that CPCs (Bangladesh, China, Eritrea, European Union, India, Iran, Japan, Madagascar, Oman, Pakistan, Somalia, South Africa, Sudan, Tanzania and Yemen) that have failed to submit mandatory information and data for the 2019 reporting cycle (catch data for 2018) shall be reminded by the IOTC Secretariat to:

- i. provide a clear timeline as to when the missing mandatory information and data will be submitted,
- ii. as the case may be, when they will be a position to fulfil these obligations for which they have recurring non-compliance,
- iii. work closer with the IOTC Secretariat if they are encountering challenges in implementation/submission of mandatory information and data.

Resolution 15/02 Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) and Resolution 17/05 On the conservation of sharks caught in association with fisheries managed by IOTC

CoC17.03 (Para 17) The CoC **RECOMMENDED** that CPCs that have failed to submit mandatory information and data for the 2019 reporting cycle (catch data for 2018) work closer with the IOTC Secretariat if they are encountering challenges in implementation/submission of mandatory information and data.

Resolution 11/04 On a regional observer scheme

CoC17.08 (Para 29) The CoC **RECOMMENDED** that CPCs with observer coverage below the minimum level of 5% of operations/sets by gear type for those vessels covered by Resolution 11/04 to provide the Secretariat with an explanatory note, indicating the obstacles that prevent them from reaching the 5% coverage and the remedy actions they intend to implement.

Resolution 19/06 – On Establishing a Programme for Transshipment by Large-Scale Fishing Vessels

CoC17.10 (Para 37) The CoC **RECOMMENDED** that Oman provide the results of its investigations related to the possible infractions to the IOTC Secretariat before the 24th Session of the Commission.

Resolution 19/01 On an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock in the IOTC Area of Competence

CoC17.12 (Para 47) The CoC **RECOMMENDED** that, if necessary, 2019 and 2020 compliance status for the yellowfin tuna catch reductions required by Resolution 19/01 would be retrospectively modified accordingly.

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

CoC17.13 (Para 50) The CoC **RECOMMENDED** that during the discussions to be held at the 24th Session of the Commission that clarification is provided for paragraph 11b) in Resolution 16/02, so that the CoC is able to efficiently monitor compliance with this Resolution.

Resolution 15/03 On the vessel monitoring system (VMS) programme.

CoC17.14 (Para 52) The CoC **RECOMMENDED** that India and Iran establish a full-scale VMS and to submit their respective VMS implementation plans in 2021 to the CoC18.

Overview of the implementation of IOTC conservation and management measures - summary report on the level of compliance.

CoC17.16 (Para 65) The IOTC Secretariat **RECOMMENDED** that future amendments to the Rules of Procedure for the Compliance Committee take into consideration the inability of the IOTC Secretariat to provide meeting documents 30 days before the CoC.

Review of the IUU vessels list, the Draft IUU vessels list and of the information submitted by CPCs relating to illegal fishing activities in the IOTC area of competence – Resolution 18/03

WISDOM SEA REEFER

CoC17.22 (Para 93) The CoC **RECOMMENDED** the details of the carrier vessel, WISDOM SEA REEFER, which is in the current IOTC IUU Vessels list be updated to reflect the information in the Certificates of Registry issued by Mongolia.

CoC17.23 (Para 94) The CoC **RECOMMENDED** that the carrier vessel, UTHAIWAN (ex-WISDOM SEA REEFER) be deleted from the IOTC IUU Vessels List upon receipt of proof that the vessel has been scrapped.

CoC17.24 (Para 95) The CoC **RECOMMENDED** that Bangladesh and Thailand continue to keep the Compliance Committee updated on the scrapping process, including any follow up to relevant bodies (e.g. under the FAO Compliance Agreement).

AL WESAM 5

CoC17.25 (Para 97) The CoC **RECOMMENDED** the details of the vessel, AL WESAM 5, be updated to reflect the information in the Certificates of Registry issued by Cameroon.

COBIJA

CoC17.26 (Para 99) The CoC **RECOMMENDED** the details of the vessel (name, photos, flag, summary of actions), CAPE FLOWER, be updated to reflect the information in the IOTC Circular 2020-42.

Cooperation with other organisations

CoC17.39 (Para 144) The CoC **RECOMMENDED** that the Commission approve the Chairperson of the Commission to sign the Letter of Understanding with the Indian Ocean Memorandum of Understanding on Port State Control.

Proposal of a Terms of Reference for developing a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG)

CoC17.41 (Para 151) The CoC **ENDORSED** and **RECOMMENDED** that the Commission consider and, as appropriate, amend and endorse the Terms of Reference for developing a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG), provided in [Appendix 4](#).

1. OPENING OF THE SESSION

1. Due to the COVID-19 pandemic the 17th Session of the Compliance Committee (CoC) of the Indian Ocean Tuna Commission (IOTC) was held by correspondence from 1-2 October 2020. The meeting involved the distribution of the normal CoC documents, an annotated agenda (IOTC-2020-CoC17-01b) and a Meeting Response Document (IOTC-2020-CoC17-MRD). The latter of these documents was distributed to credentialed Heads of Delegations on 25 September 2020 and the collection of interventions was closed at midnight on 2 October 2020.
2. Attendees comprised delegates of 23 Contracting Parties (Members), 1 Cooperating Non-Contracting Party, 5 Observers and 1 Invited Expert. The list of participants is provided at [Appendix 1](#). The meeting was chaired by the Chairperson, Ms. Anne-France Mattlet (France (OT)).

2. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

3. The CoC **ADOPTED** the Agenda as provided at [Appendix 2](#). The documents presented to the CoC are listed at [Appendix 3](#).

3. ADMISSION OF OBSERVERS

4. Pursuant to Article VII of the Agreement establishing the IOTC, the CoC admitted the following observers, as defined in Rule XIV of the IOTC Rules of Procedure (2014):

Non-governmental organizations having special competence in the field of activity of the Commission.

- i. International Pole and Line Foundation (IPLNF),
- ii. International Seafood Sustainability Foundation (ISSF),
- iii. Stop Illegal Fishing (SIF),
- iv. The Pew Charitable Trusts (PEW),
- v. World Wide Fund for Nature (WWF).

Invited experts

- vi. Taiwan, Province of China.

4. REVIEW OF THE COUNTRY BASED COMPLIANCE REPORTS

4.1. REVIEW OF INDIVIDUAL CPC COMPLIANCE STATUS AGAINST IOTC CONSERVATION AND MANAGEMENT MEASURES

5. The CoC **NOTED** the country-based compliance reports (IOTC-2020-CoC17-CR01 to CR33) prepared by the IOTC Secretariat, were delivered as requested by the CoC15 (IOTC-2018-CoC15-R, paragraph 127).
6. The CoC **NOTED** that the Compliance Reports indicated an overall slight increase in the number of CPCs that had improved in their compliance level during the intersessional period of 2019/2020. The aim of these reports, which are based on the responses provided in the Compliance Questionnaires, the Reports of Implementation and the National Scientific Reports for the identification of areas of non-compliance, are to improve the understanding and implementation of IOTC Resolutions by all CPCs.
7. The CoC **NOTED** that the assessments of CPCs were also based on other documents relevant to this agenda item, including:
 - IOTC-2020-CoC17-FL01 to FL33 – Response to Feedback Letters,
 - IOTC-2020-CoC17-04a – Report on establishing a Programme for Transshipment by Large-Scale Fishing Vessels,
 - IOTC-2020-CoC17-05 - Implementation of reporting obligations of nominal catch data,
 - IOTC-2020-CoC17-07b - Summary report on possible infractions observed under the regional observer programme,
 - IOTC-2020-CoC17-9 - Summary of compliance with the drifting fish aggregating devices management plans.
8. The CoC **NOTED** that some CPCs (Bangladesh, Eritrea, Madagascar, Korea, Rep of, Philippines, Sierra Leone, Somalia and Yemen) are failing to provide some of their mandatory reports (Implementation Report,

Compliance Questionnaire, National Report to the Scientific Committee and Response to Feedback Letter) required by Commission for the IOTC Secretariat to prepare the country-based Compliance Reports.

4.2. COMMENTS BY CPCs ON INDIVIDUAL COMPLIANCE REPORT OF EACH CPC WITH FOCUS ON NON-COMPLIANCE, INFORMATION PROVIDED IN CPCs REPORT OF IMPLEMENTATION AND RESPONSES TO THE FEEDBACK LETTER ISSUED IN 2019

Resolution 18/07 On Measures Applicable in Case of Non-Fulfilment of Reporting Obligations in the IOTC

9. The CoC **NOTED** the report IOTC–2020–CoC17–05_Rev1 prepared by the IOTC Secretariat, which presented the status of implementation of Resolution 18/07.
10. The CoC **NOTED** that 13 CPCs submitted the complete suite of information in accordance with Resolution 18/07 for zero catches.
11. The CoC **NOTED** that 4 CPCs (France (OT), Philippines, Liberia and Senegal) did not operate any fishing vessel in the IOTC Area in 2018 and, therefore, were not assessed for this requirement for 2018.

Recommendation/s

12. The CoC **RECOMMENDED** that CPCs (Bangladesh, China, Eritrea, European Union, India, Iran, Japan, Madagascar, Oman, Pakistan, Somalia, South Africa, Sudan, Tanzania and Yemen) that have failed to submit mandatory information and data for the 2019 reporting cycle (catch data for 2018) shall be reminded by the IOTC Secretariat to:
 - i. provide a clear timeline as to when the missing mandatory information and data will be submitted,
 - ii. as the case may be, when they will be in a position to fulfil these obligations for which they have recurring non-compliance,
 - iii. work closer with the IOTC Secretariat if they are encountering challenges in implementation/submission of mandatory information and data.
13. The CoC **RECOMMENDED** that the Secretariat write to the concerned CPCs reminding them of their obligations as CPCs and to notify those which continue to have compliance issues with this measure, that may be due to capacity limitations, that support is available to build capacity for them to meet their reporting obligations.

Resolution 15/02 Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) and Resolution 17/05 On the conservation of sharks caught in association with fisheries managed by IOTC

14. The CoC **NOTED** that most CPCs are failing to provide their mandatory statistics, as per the requirements of Resolution 15/02.
15. The CoC **NOTED** that several CPCs are failing to provide nominal catch data, as per the requirements of Resolution 15/02 and **EXPRESSED** its concern about the persistent low level of compliance by many CPCs. The CoC **ENCOURAGED** CPCs to continue to increase their efforts to comply with the requirements of Resolution 15/02 for mandatory statistics on IOTC species, as this is a measure with one of the lowest levels of compliance.
16. The CoC **NOTED** that many CPCs are failing to provide size frequency data, as per the requirements of Resolution 17/05 and **EXPRESSED** its concern about the persistent low level of compliance by many CPCs. The CoC **ENCOURAGED** CPCs to continue to increase their efforts to comply with the requirements of Resolution 17/05, for data on sharks.

Recommendation/s

17. The CoC **RECOMMENDED** that CPCs that have failed to submit mandatory information and data for the 2019 reporting cycle (catch data for 2018) work closer with the IOTC Secretariat if they are encountering challenges in implementation/submission of mandatory information and data.
18. The CoC **REITERATED** its earlier **RECOMMENDATION** for the Commission to **REQUEST** that the Scientific Committee to provide advice on the applicability of the IOTC requirements related to size frequency data (i.e. for each species measure one fish per metric ton), and if required, provide possible alternatives to ensure representative sampling.

19. The CoC **REITERATED** its earlier **RECOMMENDATION** for the Commission to **REQUEST** that the Working Party on Ecosystem and Bycatch and the Scientific Committee discuss and provide advice on the applicability of the IOTC requirement related to size frequency data on sharks when the fisheries do not retain sharks, and furthermore if CPCs should have to report any size data in such cases.

Resolution 16/11 On port State measures

20. The CoC **NOTED** the very low level of compliance (an average of 31% across all CPCs) with para 10.1 of Resolution 16/11 on port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing; “each CPC shall carry out inspections of at least 5% of landings or transshipments in its ports during each reporting year”.
21. The CoC **NOTED** that inspections in ports are a crucial measure for the effective management of the fisheries at regional level, to ensure an accurate reporting of catches and more generally to support the implementation of effective measures to promote the sustainable use and the long-term conservation of living marine resources.
22. The CoC **NOTED** this measure has been the focus of concerted capacity building efforts by the IOTC Secretariat. This measure is very important for combatting IUU fishing in the IOTC Area and **ENCOURAGED** CPCs to engage the IOTC Secretariat if further assistance is required to improve their implementation and reporting systems.

Recommendation/s

23. The CoC **RECOMMENDED** that CPCs carrying out less than 5% of inspection on landings or transshipments in their ports during each reporting year to provide the IOTC Secretariat with an explanatory note, indicating the obstacles that prevent them from reaching the goal and the remedy action they intend to deploy.
24. The CoC **RECOMMENDED** that the IOTC Secretariat compile this information with the aim of presenting it at the CoC18 in 2021.

Resolution 11/04 On a regional observer scheme - At sea observers

25. The CoC **NOTED** that there has been a slight increase on compliance with Resolution 11/04 but **FURTHER NOTED** there are still some problems with implementation; for example, some CPCs:
- Iran, Madagascar, Malaysia and Oman do not have an observer scheme;
 - Indonesia, Kenya, Korea, Rep. of, Maldives, Mauritius, Mozambique, Seychelles and Sri Lanka have coverage rate which is lower than 5%.
26. The CoC **NOTED** that a CPC is implementing Electronic Monitoring Systems (EMS), with independently verified data, rather than human observers operating primarily in the EEZ, in its national observer programme and **ALSO NOTED** that some CPCs had expressed strong concerns regarding the replacement of human observers with electronic systems, particularly on large scale vessels and indicated that, on these vessels, electronic observation should be complementary to human observers.
27. The CoC **FURTHER NOTED** the concerns expressed by some members with regards EMS as an alternative to human observer and **ALSO NOTED** that Resolution 11/04 does not allow to use e-monitoring instead of human observers and that replacing part or all of the human observers by e-monitoring might lead to non-compliance. The CoC **AGREED** to discuss the issue at the next Compliance Committee meeting (CoC18).
28. The CoC **URGED** Iran to establish an observer scheme, as soon as possible.

Recommendation/s

29. The CoC **RECOMMENDED** that CPCs with observer coverage below the minimum level of 5% of operations/sets by gear type for those vessels covered by Resolution 11/04 to provide the Secretariat with an explanatory note, indicating the obstacles that prevent them from reaching the 5% coverage and the remedy actions they intend to implement.

30. The CoC **RECOMMENDED** that the IOTC Secretariat compile this information with the aim of presenting it at the CoC18.

Resolution 19/06 – On Establishing a Programme for Transshipment by Large-Scale Fishing Vessels

31. The CoC **NOTED** the report IOTC–2020–CoC17–07a, prepared by the IOTC Secretariat, and report IOTC–2020–CoC17–07b prepared by the ROP Consortium. Both reports provide a description of the implementation of the IOTC regional observer programme in 2019.
32. The CoC **FURTHER NOTED** the report IOTC–2020–CoC17–07b, prepared by the IOTC Secretariat, which present a summary on possible infractions observed under the regional observer programme in 2019.
33. The CoC **EXPRESSED** its deep concerns with the lack of response from Oman in relation with two possible infractions observed under the regional observer programme in 2019 and **FURTHER NOTED** that in its Compliance Report, Oman did not provide the mandatory at sea transshipments reports.
34. The CoC **EXPRESSED** its deep concerns by the lack of participation of some fleets participating in the transshipment at sea programme in the meetings of the WPICMM and of the CoC, which are the two bodies responsible for reviewing the possible infractions.
35. The CoC **NOTED** that Indonesia will provide a report on the trial of their national at-sea transshipment programme in 2021 to the CoC18.
36. The CoC **NOTED** that the report on transshipments for Maldivian vessels has been compiled and will be submitted to the IOTC Secretariat shortly.

Recommendation/s

37. The CoC **RECOMMENDED** that Oman provide the results of its investigations related to the possible infractions to the IOTC Secretariat before the 24th Session of the Commission.
38. The CoC **RECOMMENDED** that the IOTC Secretariat prepare a paper on the results of investigations that have not been provided for the attention of the next session of the Commission (S24).

Resolution 19/02 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

39. The CoC **NOTED** the report IOTC–2020–CoC17–09_Rev1 and the report IOTC–2020–CoC17–09_Add1, prepared by the IOTC Secretariat. Both reports provide a description of the implementation of the Resolution 19/02 in 2019 and 2020.
40. The CoC **NOTED** that some of the DFAD management plans that have been submitted are missing some of the elements specified in the guideline of the Resolution 19/02.

Resolution 19/01 On an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock in the IOTC Area of Competence

41. The CoC **EXPRESSED** strong concerns over the range of compliance issues across some CPCs on Resolution 19/01 and that some CPCs did not comply with the yellowfin tuna catch reduction requirement in 2018.
42. The CoC **ALSO NOTED** the efforts of Maldives, Indonesia, South Africa and the European Union, to rebuild yellowfin tuna stock through collaborative efforts to develop management procedures.
43. The CoC **NOTED** that some Members are worried with the European Union data collection methods, especially regarding reporting discrepancies highlighted by the WPTT, WPDCS and the SC, as well as mandatory catch statistics reports from the European Union (in particular, that which belongs to EU-Spain) data reports for 2017 and 2018; they stressed the need for timely submission of harmonized datasets.
44. The CoC **NOTED** the clarification from the European Union on their compliance status with Resolution 19/01 and the catch-and-effort data for tropical tunas reported by the European Union for 2018 and **ALSO NOTED** the commitment made by the European Union to launch an internal review on its data collection method and to verify 2017 and 2018 data set in order to ensure complete and verifiable catch data collection and monitoring system and to provide the Indian Ocean Tuna Commission (IOTC) with the most accurate and reliable data both for scientific and regulatory purposes.

45. The CoC **REQUESTED** the European Union to inform the Secretariat by letter before next CoC about the timescale for the completion of this study internal review a short description of its content and its impact on the submission of the approved mandatory statistics.
46. The CoC **NOTED** the continued increase of yellowfin tuna catches by the gillnet fleet of Iran and **REQUESTED** that Iran reduces its yellowfin tuna catch in accordance with Resolution 19/01, for this fleet.

Recommendation/s

47. The CoC **RECOMMENDED** that, if necessary, 2019 and 2020 compliance status for the yellowfin tuna catch reductions required by Resolution 19/01 would be retrospectively modified accordingly.

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

48. The CoC **NOTED** that the recommended annual allowable catch limit of skipjack established for 2018 and 2019 (470,029 t) has been exceeded.
49. The CoC **FURTHER NOTED** that to date there is no allocation rule for skipjack.

Recommendation/s

50. The CoC **RECOMMENDED** that during the discussions to be held at the 24th Session of the Commission that clarification is provided for paragraph 11b) in Resolution 16/02, so that the CoC is able to efficiently monitor compliance with this Resolution.

Resolution 15/03 On the vessel monitoring system (VMS) programme

51. The CoC **NOTED** that, whereas it is an essential tool for ensuring implementation and control of IOTC CMMs, two CPCs (India and Iran) still have not submitted their plan for the implementation of a VMS.

Recommendation/s

52. The CoC **RECOMMENDED** that India and Iran establish a full-scale VMS and to submit their respective VMS implementation plans in 2021 to the CoC18.

Resolution 19/04 Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence

53. The CoC **NOTED** that all fishing vessels licensed by the Maldives have been listed in the IOTC Record of Authorised Vessels, irrespective of the length and the area of the operation, to respond to the requirements of countries importing IOTC species harvested by the Maldivian fleets.
54. The CoC **NOTED** that some CPCs have failed to transpose the requirements on fishing gear marking into their national legislation, in accordance to Article X of the IOTC Agreement.
55. The CoC **ENDORSED** the Terms of Reference for developing a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG), provided in [Appendix 4](#), to be presented at S24 for its consideration and possible adoption.
56. The CoC **NOTED** that the failure to mark fishing gear is a common and recurrent non-compliance issue.
57. The CoC **NOTED** that Sri Lanka will seek technical advice on guidelines for the marking of fishing gear.

Recommendation/s

58. The CoC **REQUESTED** Sri Lanka to require its fishing gears to be fitted with an indelible marking and liaise with other countries in the area or NGOs to find out how to achieve this and **RECOMMENDED** that Sri Lanka report at CoC18 in 2021 on the outcome of the exchanges and consultations undertaken.

4.3. OTHER MATERS ARISING FROM THE REVIEW OF COMPLIANCE REPORTS

59. The CoC **EXPRESSED** strong concern that some CPCs (Eritrea, Philippines, Sierra Leone, Sudan and Yemen) have continually not submitted mandatory reports and have also not attended consecutive CoC meetings. The CoC **FURTHER NOTED** that some of those CPCs have significant compliance issues.

60. The CoC **AGREED** that the individual compliance status of those Members will be summarised and constitute the content of the ‘Feedback Letters on compliance issues’, that will be addressed to the Heads of Delegation by the Chair of the Commission. The Feedback Letters will also highlight the importance of participating in CoC meetings, if applicable.
61. The CoC **NOTED** that only 18 CPCs out of the 28 CPCs who were issued with Feedback Letters at the last Session of the Commission provided a response.

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

5.1. SUMMARY REPORT ON THE LEVEL OF COMPLIANCE

62. The CoC **NOTED** report IOTC–2020–CoC17–03_Rev3, prepared by the IOTC Secretariat, which summarised the level of compliance by CPCs with a number of resolutions adopted by the Commission and **FURTHER NOTED** that the average current level of compliance of the Commission has increased from 68 % for 2018, to 70.5 % for 2019.
63. The CoC **NOTED** that there is still more work to be done to improve compliance with Conservation and Management Measures.
64. The CoC **NOTED** that the IOTC Secretariat remains unable to meet the 30 days deadline for providing reports for the CoC due to the conflicts in the timelines for the different reports that CPCs are required to submit for assessment and it **ALSO NOTED** that this can be addressed in the amendment to the Rules of Procedure for the Compliance Committee currently under review by a CPC.

Recommendation/s

65. The IOTC Secretariat **RECOMMENDED** that future amendments to the Rules of Procedure for the Compliance Committee take into consideration the inability of the IOTC Secretariat to provide meeting documents 30 days before the CoC.

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

6.1. COMPLEMENTARY COMPLIANCE ELEMENTS FOR DISCUSSION

66. The CoC **NOTED** papers IOTC–2020–CoC17–07a, IOTC-2020-CoC17-07a_Add1 and IOTC-2020-CoC17-07a_Add2, prepared by the IOTC Secretariat, which outlines of five incidences of illegal fishing activities that took place in the waters of three CPCs, within the IOTC Area.

Information on the vessels, IMUL-A-0204-MTR (DINESH 03), IMUL-A-0868-CHW (CHAMARA PUTHA) and IMUL-A-0063-KMN

67. The CoC **NOTED** paper IOTC–2020–CoC17–07a, prepared by the IOTC Secretariat, which reports on the IUU fishing activities of these three vessels in the waters of the UK (“BIOT”).
68. The CoC **NOTED** the information provided by UK (“BIOT”) regarding the three fishing vessels, flagged to Sri Lanka, which outlines the activities of these vessels in the waters of the UK (“BIOT”).
69. The CoC **NOTED** the actions that Sri Lanka has taken against the vessels involved in these incidences and **FURTHER NOTED** the effectiveness of the bilateral relationship established between Sri Lanka and the UK (“BIOT”) with the objective of combatting IUU fishing activities.

Information on the vessel, YONG QING FA No. 666

70. The CoC **NOTED** paper IOTC–2020–CoC17–07a, prepared by the IOTC Secretariat, which reports on one vessel involved in IUU fishing activities in South African waters.
71. The CoC **NOTED** the information provided by South Africa regarding the fishing vessel YONG QING FA No. 666, Taiwan,China, which outlines the activity of this vessel in the waters of the South Africa.
72. The CoC **NOTED** the actions that South Africa has taken against the vessel YONG QING FA No. 666.
73. The CoC **NOTED** the report that Taiwan, China has provided (IOTC-2020-CoC17-07a_Add2) and the actions that Taiwan, China has taken on the vessel YONG QING FA No.666.

Information on the vessel, FFV PERINTIS JAYA 19

74. The CoC **NOTED** paper IOTC-2020-CoC17-07a_Add1, prepared by the IOTC Secretariat, which reports on one vessel involved in IUU fishing activities in the waters of Australia.
75. The CoC **NOTED** the information provided by Australia on the outcomes of the investigation and prosecution of the fishing vessel FFV PERINTIS JAYA 19, flagged to Indonesia.
76. The CoC **NOTED** the cooperation provided by the flag State of the fishing vessel, Indonesia, during the investigation.
77. The CoC **NOTED** that Indonesia will take actions against the vessel involved in this incident and **FURTHER NOTED** the effectiveness of the collaboration between Australia and Indonesia in combatting IUU fishing activities.

Recommendation/s

78. The CoC **RECOMMENDED** that South Africa keep CPCs informed on the progress and outcome of the legal proceedings against the owner and/or master of the vessel YONG QING FA No. 666.
79. Considering the report provided (IOTC-2020-CoC17-07a_Add2), the CoC **RECOMMENDED** that Taiwan,China, provides the missing information, especially timeframe and nature of the violation that was committed under its legal framework, to the Compliance Committee.
80. The CoC **RECOMMENDED** that CPCs continue to provide the Compliance Committee with information of actions they undertake to combat fishing practices that undermines the effectiveness of Conservation and Management Measures adopted by the IOTC.

6.2. REPORTING OF VESSELS IN TRANSIT THROUGH WATERS OF THE UK (“BIOT”) FOR POTENTIAL BREACH OF IOTC CONSERVATION AND MANAGEMENT MEASURES

81. The CoC **NOTED** paper IOTC-2020-CoC17-07c, prepared by the IOTC Secretariat, which provides information from the UK (“BIOT”) on vessels in transit through the waters of UK (“BIOT”) and **THANKED** the UK (“BIOT”) for its continued efforts in the reporting of activities that undermine Conservation and Management Measures adopted by the Commission.
82. The CoC **RECALLED** paragraphs 113-115 in the report of CoC11, whereby all concerned CPCs are encouraged to produce such reports.

Recommendation/s

83. The CoC **RECOMMENDED** that UK (“BIOT”) continue to provide information on activities that undermine Conservation and Management Measures adopted by the Commission to future meetings of the Compliance Committee.
84. The CoC **RECOMMENDED** that all CPCs provide the Compliance Committee with information on actions they undertake to combat fishing practices that undermine the effectiveness of CMMs adopted by the IOTC.

7. REVIEW OF THE IUU VESSELS LIST, THE DRAFT IUU VESSELS LIST AND OF THE INFORMATION SUBMITTED BY CPCs RELATING TO ILLEGAL FISHING ACTIVITIES IN THE IOTC AREA OF COMPETENCE – RESOLUTION 18/03

85. The CoC **NOTED** paper IOTC-2020-CoC17-08, prepared by the IOTC Secretariat, which includes both the current list of IUU Vessels and the list of vessels proposed for inclusion in the Provisional IOTC IUU Vessels List, in accordance with Paragraphs 16 and 17 of IOTC Resolution 18/03 *On establishing a list of vessels presumed to have carried out illegal, unregulated and unreported fishing in the IOTC Area*.
86. The CoC **NOTED** the information provided in document IOTC-2020-CoC17-08, which assisted it in its deliberations for recommending a Provisional IUU Vessels List for the consideration of the 24th Session of the Commission.
87. The CoC **CONSIDERED** the change of details for two vessels on the current IUU vessels list and if the five Sri Lankan vessels on the draft IUU Vessels List should be recommended for inclusion in the IUU vessels list.

7.1. IOTC IUU VESSELS LIST - REVIEW

WISDOM SEA REEFER

88. The CoC **NOTED** the information provided in paper IOTC–2020–CoC17–08, on the possible change of name and flag of the carrier vessel, WISDOM SEA REEFER.
89. The CoC **NOTED** the requests from Thailand to change the details of the vessels, WISDOM SEA REEFER.
90. The CoC **NOTED** the deletion of the carrier vessel, WISDOM SEA REEFER, from the Register of Ships of Honduras.
91. The CoC **NOTED** the information on the new registration of the vessel UTHAIWAN (ex-WISDOM SEA REEFER).
92. The CoC **NOTED** the information on the destination, Bangladesh, of the carrier vessel, UTHAIWAN (ex-WISDOM SEA REEFER), for scrapping.

Recommendation/s

93. The CoC **RECOMMENDED** the details of the carrier vessel, WISDOM SEA REEFER, which is in the current IOTC IUU Vessels List be updated to reflect the information in the Certificates of Registry issued by Mongolia.
94. The CoC **RECOMMENDED** that the carrier vessel, UTHAIWAN (ex-WISDOM SEA REEFER) be deleted from the IOTC IUU Vessels List upon receipt of proof that the vessel has been scrapped.
95. The CoC **RECOMMENDED** that Bangladesh and Thailand continue to keep the Compliance Committee updated on the scrapping process, including any follow up to relevant bodies (e.g. under the FAO Compliance Agreement).

AL WESAM 5

96. The CoC **NOTED** the request from Thailand to change the details of the vessels, AL WESAM 5, which is in the current IOTC IUU Vessels List be updated to reflect the information in the Certificates of Registry issued by Cameroon.

Recommendation/s

97. The CoC **RECOMMENDED** the details of the vessel, AL WESAM 5, be updated to reflect the information in the Certificates of Registry issued by Cameroon.

COBIJA

98. The CoC **NOTED** the information provided by Australia in IOTC Circular 2020-42 and referred to the CoC17 Meeting Response Document on the change of name and flag status of the vessel, CAPE FLOWER, on the current IOTC IUU Vessels List to 'COBIJA', now stateless.

Recommendation/s

99. The CoC **RECOMMENDED** the details of the vessel (name, photos, flag, summary of actions), CAPE FLOWER, be updated to reflect the information in the IOTC Circular 2020-42.

7.2. DRAFT IUU VESSELS LIST - CONSIDERATION OF NEW VESSELS TO ADD TO THE IOTC IUU VESSELS LIST

IMULA 0641 KLT (LAKNA DHEE), IMULA 0541 KLT (CHATHURANGA 02), IMULA 0096 KLT (NISANSALA 01) and IMULA 0195 TCO (MANGALA)

100. The CoC **NOTED** the information provided in document IOTC–2020–CoC17–08 in support of the proposed IUU listing for the vessels, IMULA 0641 KLT (LAKNA DHEE), IMULA 0541 KLT (CHATHURANGA 02), IMULA 0096 KLT (NISANSALA 01) and IMULA 0195 TCO (MANGALA), all flagged to Sri Lanka.
101. The CoC **FURTHER NOTED** that the UK ("BIOT"), the proponent for the listing of these vessels, is satisfied that the actions taken by Sri Lanka against the owners of these vessels subsequent to the circulation of the Draft IUU Vessels List, the details of which were included in IOTC Circular 2020-39 and during CoC17, are of adequate severity and proportionate to the offences committed. UK ("BIOT") requested that the four vessels are not included in the Provisional IUU Vessels List.

102. The CoC **NOTED** the effectiveness of the bilateral agreement established between UK (“BIOT”) and Sri Lanka to fight against IUU Fishing.

103. The CoC **NOTED** the actions taken by Sri Lanka against the four Sri Lankan vessels.

IMULA 0811 GLE

104. The CoC **NOTED** the information and evidence provided by the UK (“BIOT”) regarding the activities of the vessel, IMULA 0811 GLE in support of their nomination of the vessel to the draft IUU list and **ALSO NOTED** that the information was provided in compliance with Resolution 18/03.

105. The CoC **ACKNOWLEDGED** the commitment Sri Lanka has demonstrated to combating IUU fishing activities by its flagged vessels and for providing information about actions taken in respect of the vessel, IMULA 0811 GLE.

106. The CoC **NOTED** that the vessel IMULA 0811 GLE remains detained in port and also **NOTED** that the trial has not concluded (which itself is a not a requirement for taking effective action) and it remains unclear if effective sanctions have been imposed by the flag State.

Recommendation/s

107. The CoC **RECOMMENDED** that the vessel IMULA 0811 GLE is placed on the Provisional IUU Vessels List and **REQUESTED** Sri Lanka to provide an update prior to the 24th Session of the Commission on the outcomes of the trial held in September 2020.

108. Subject to information provided by Sri Lanka on the vessel IMULA 0811 GLE, and the Provisional IOTC IUU Vessels List ([Appendix 5](#)), the CoC **RECOMMENDED** that the Commission approve an IOTC IUU Vessels List.

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

109. The CoC **NOTED** paper IOTC–2020–CoC17–06, prepared by the IOTC Secretariat, which outlined the current status of implementation for each of the recommendations arising from the Report of the Second IOTC Performance Review Panel, relevant to the Compliance Committee.

110. The CoC **REVIEWED** and **UPDATED** the status table, for the following recommendations relevant to the work of the Compliance Committee:

- PRIOTC02.04a, PRIOTC02.04c and PRIOTC02.15a: changes related to the text under “UPDATE/STATUS”: delete “The proponent of the proposal invited CPCs to provide comments to the IOTC Secretariat on the proposal to amend Appendix V of the IOTC Rules of Procedure by the 1st March 2020. No comment has been received by the IOTC Secretariat.” and replace by “At the WPICMM03, the proponent of the proposal invited CPCs to provide comments to the IOTC Secretariat on the proposal to amend Appendix V of the IOTC Rules of Procedure by the 1st March 2020. Comments from one CPC (Japan) has been received by the IOTC Secretariat and by the proponent. In consideration of the low number of comments so far in 2020, CPCs are invited to provide comments to the IOTC Secretariat on the proposal by 31 December 2020.”
- PRIOTC02.14a and PRIOTC02.17a: Priority unchanged, status and timeline should be updated following review by CoC17 to reflect the outcome,
- PRIOTC02.14b: No change to timeline or priority, status could indicate that ‘CPCs may consider submitting proposals reflecting the suggested amendments to Resolutions.

111. The CoC **NOTED** with enthusiasm the advancement in the development of the e-MARIS application and looks forward to testing the application in November 2020.

112. Upon review of PRIOTC02.14a, related to the IOTC MCS scheme, the CoC **EXPRESSED** the importance of developing a comprehensive MCS scheme and **INVITED** the Chair of the VMS Working Group to provide an update on the work of the Working Group, as soon as possible.

Recommendation/s

113. The European Union **RECOMMENDED** that CPCs provide comments to the IOTC Secretariat on the proposal to amend Appendix V of the IOTC Rules of Procedure by the 31st December 2020.

114. The CoC **RECOMMENDED** that an updated document of IOTC-2020-CoC17-06 on progress regarding the performance review, based on the comments received during CoC17 be appended to the CoC17 report ([Appendix 6](#)).

9. REVIEW OF RECOMMENDATIONS REQUIRING INTERSESSIONAL ACTIONS FROM CoC16

9.1. IMPLEMENTATION OF RECOMMENDATIONS OF THE COMPLIANCE COMMITTEE AND COMMISSION MEETING IN 2019

115. The CoC **NOTED** paper IOTC–2020–CoC17–11, prepared by the IOTC Secretariat, which reported on the progress made, during the intersessional period, in relation to the recommendations for actions by the Chair of the Compliance Committee and the IOTC Secretariat.
116. The CoC **NOTED** with concern that neither Eritrea nor Sierra Leone answered the letter sent by the Chair of the Commission to ascertain their intentions with respect to their participation to IOTC in the future.
117. The CoC **FURTHER NOTED** that Eritrea and Sierra Leone have continuously failed to engage in the work of the Commission.
118. The CoC **CONSIDERED** the suggestion to recommend that the SCAF and the Commission would review the membership status of CPCs that have continuously failed to engage in the work of the Commission.
119. The European Union **EXPRESSED** its concerns regarding the number of number of CPCs that have repeatedly not engaged in the work of Commission, which raises question about their commitment towards the organisation, and **FURTHERMORE NOTED** that Eritrea and Sierra Leone failed to answer to the letter sent by the Chairperson of the Commission and, therefore, did not clarify their intentions with respect to their participation in the IOTC, in the future. The European Union **CONSIDERED** that the SCAF and the Commission should discuss this issue at their next physical meetings, given the systemic compliance issues.
120. Australia **NOTED** it understood the European Union’s request but **FURTHER NOTED** that the IOTC Agreement does not empower SCAF or the Commission to undertake a review of membership status of CPCs that have failed to engage in the work of the Commission, and so it could not support any suggestion to review membership status. However, Australia **AGREED** that compliance with IOTC resolutions was paramount and **EXPRESSED** its support for the Secretariat to accelerate efforts to engage with these CPCs in order to encourage full compliance.
121. The CoC **NOTED** that all the recommended actions from the Compliance Committee, for the Chairperson of the Compliance Committee and the IOTC Secretariat, had been fulfilled during the intersessional period.
122. The CoC **NOTED** the progress made in implementing the recommendations of CoC16 and S23.

Recommendation/s

123. The CoC **RECOMMENDED** that the Commission tasks the Executive Secretary to write to Eritrea and Sierra Leone expressing concern about the lack of reporting.
124. The CoC **RECOMMENDED** that the Executive Secretary make the SCAF aware that Eritrea and Sierra Leone continue to derive economic benefit from the fishery but have not demonstrated any compliance with IOTC resolutions in case this is material to the SCAF’s consideration of arrears.

10. ACTIVITIES BY THE IOTC SECRETARIAT IN SUPPORT OF CAPACITY BUILDING FOR DEVELOPING CPCs (RESOLUTION 16/10)

125. The CoC **NOTED** paper IOTC–2020–CoC17–10, prepared by the IOTC Secretariat, which informed on the activities undertaken by the IOTC Secretariat in support of implementation of CMMs adopted by the IOTC.
126. The CoC **NOTED** the efforts of the IOTC Secretariat to assist CPCs to improve their compliance level through targeted, in-country missions, including initiatives to develop facilities to enable CPCs to implement port State measures (e-PSM) more effectively and to transpose IOTC CMMs into national legislation, as required by Article X.2 of the IOTC Agreement. However, the COC **NOTED** there has not been much improvements on the reporting requirements for mandatory statistics, bycatch data and the Regional Observer Scheme.
127. The CoC **NOTED** the contributions of some CPCs in supporting the work of the IOTC Secretariat to provide support to some of the CPCs, which is aimed at helping them to increase their level of compliance.

128. The CoC **ACKNOWLEDGED** the good progress made by the IOTC Secretariat towards the work related to the development of the e-MARIS.

Recommendation/s

129. The CoC **RECOMMENDED** that the IOTC Secretariat continue with capacity building activities that would allow CPCs to address the issue of mandatory statistics and the implementation of the Regional Observer Scheme.

130. The CoC **RECOMMENDED** that the IOTC Secretariat explore the possibility of conducting capacity building activities remotely, taking into consideration the limitations imposed by the COVID 19 pandemic.

11. REVIEW OF THE RECOMMENDATIONS OF THE WORKING PARTY ON THE IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES

131. The WPICMM03 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM03.

132. The CoC **ENDORSED** the recommendations of the WPICMM03 ([Appendix 7](#)), except for recommendation WPICMM03.05, and proposed some changes to the recommendation WPICMM03.06.

WPICMM03.05 (Paragraph 19)

The WPICMM03 **RECOMMENDED** that further work on the definitions be conducted intersessionally, by email, using a phased approach under the facilitation of the IOTC Secretariat.

WPICMM03.06 (Paragraph 24)

The WPICMM03 **RECOMMENDED** that the Compliance Committee notes the completed task and considers the roadmap drafted by the WPICMM03 for consideration by the Commission.

Recommendation/s

133. The CoC **RECOMMENDED** that work on the glossary of definitions and key terms to be used in IOTC Resolutions be suspended and that the relevance of this exercise be reconsidered by the Compliance Committee once the work on the legal scrubbing is completed.

134. The CoC **RECOMMENDED** amendments to the timeline of the roadmap ([Appendix 8](#)) to conduct the legal scrubbing for consideration of the Commission for adoption.

12. REPORT AND DOCUMENTATION OF THE 3RD MEETING OF THE CATCH DOCUMENTATION SCHEME (CDS) WORKING GROUP (WG) AND TERMS OF REFERENCE FOR THE WORKING GROUP

135. The CoC **NOTED** that the Catch Documentation Scheme Working Group addressed the following matters prior to the Compliance Committee in 2020:

- A CDSWG chair was elected,
- A draft CDSWG ToR was developed.

136. The CoC **NOTED** paper IOTC-2020-CoC17-13, prepared by the IOTC Secretariat, which reports on the progress of a catch documentation scheme and the draft terms of reference for the CDS Working Group.

137. The CoC also **NOTED** the progress of work undertaken by the Catch Documentation Scheme Working Group during the intersessional period.

Recommendation/s

138. The CoC **ENDORSED** the Terms of Reference for the Catch Documentation Scheme Working Group and **RECOMMENDED** that the Commission consider and, as appropriate, amend and endorse the Terms of Reference, provided in [Appendix 9](#).

13. REVIEW OF REQUESTS FOR ACCESS TO THE STATUS OF COOPERATING NON-CONTRACTING PARTY – APPENDIX III OF THE IOTC RULES OF PROCEDURE (2014)

LIBERIA

139. The CoC **NOTED** the application for the renewal of Cooperating Non-Contracting Party status by Liberia (IOTC-2020-CoC17-CNCP02), which was received on 2nd March 2020.
140. The CoC **NOTED** the intention of Liberia to engage only in transshipment activities and its commitment to implement the Conservation and Management Measures of the IOTC.

SENEGAL

141. The CoC **NOTED** the application for the renewal of Cooperating Non-Contracting Party status by Senegal (IOTC-2020-CoC17-CNCP01), which was received on 28th February 2020.
142. The CoC **NOTED** the continued commitment of Senegal to participate in the IOTC process.

Recommendation/s

143. The CoC **RECOMMENDED** that the Commission renew the status of Liberia as Cooperating Non-Contracting Party of the IOTC.
144. The CoC **RECOMMENDED** that the Commission renew the status of Senegal as Cooperating Non-Contracting Party of the IOTC.

14. COOPERATION WITH OTHER ORGANISATIONS

LETTER OF UNDERSTANDING (LOU) BETWEEN THE INDIAN OCEAN MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL (IOMOU) AND THE INDIAN OCEAN TUNA COMMISSION (IOTC)

145. The CoC **NOTED** paper IOTC-2020-CoC17-12, prepared by the IOTC Secretariat, which provide a proposal for a Letter of Understanding (LoU) between the Indian Ocean Memorandum of Understanding on port State control (IOMoU) and the Indian Ocean Tuna Commission (IOTC).
146. The CoC **NOTED** that Member States situated outside the Indian Ocean are not legally bound to implement Resolution 16/11 measures concerning the port State. The LoU will not change this matter of fact. The CoC **ALSO NOTED** that, once validated the LoU, IOTC Member States would apply the LoU within the limit of their port and flag State status.¹
147. The CoC also **NOTED** that the objective of the Letter of Understanding is to raise awareness of inspectors under the different inspection regimes of the IOTC and the IOMoU, and to improve coordination and efficiency in the implementation of the respective inspection instruments.

Recommendation/s

148. The CoC **RECOMMENDED** that the Commission approve the Chairperson of the Commission to sign the Letter of Understanding with the Indian Ocean Memorandum of Understanding on Port State Control.

15. OTHER BUSINESS

15.1. PROPOSAL OF A TERMS OF REFERENCE FOR DEVELOPING A SCHEME TO OPERATIONALISE THE FAO VOLUNTARY GUIDELINES ON THE MARKING OF FISHING GEAR (VGMFG)

149. The CoC **NOTED** paper IOTC-2020-CoC17-14, prepared by the IOTC Secretariat, which present the draft Terms of Reference for developing a scheme to operationalise the *FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG)*.
150. The CoC **NOTED** that Indonesia has developed VGMFG for small-scale fisheries to reduce abandoned, lost, or discarded fishing gear (ALDFG). This pilot project has presented at the 32nd FAO Committee on Fisheries (COFI) meeting, in 2019.

Recommendation/s

¹ Japan reserves the right to comment on this at the annual meeting.

151. The CoC **ENDORSED** and **RECOMMENDED** that the Commission consider and, as appropriate, amend and endorse the Terms of Reference for developing a scheme to operationalise the *FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG)*, provided in [Appendix 4](#).

15.2. DATE AND PLACE OF THE 18TH AND 19TH SESSIONS OF THE COMPLIANCE COMMITTEE

152. The CoC **NOTED** that the decision on the date and venue of the 18th and 19th Sessions of the Compliance Committee in 2021 and 2022, respectively, would be decided during the 24th Session of the Commission.

16. ADOPTION OF THE REPORT OF THE 17TH SESSION OF THE COMPLIANCE COMMITTEE

153. The CoC **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC17, provided at [Appendix 10](#).

154. The report of the 17th Session of the Compliance Committee (IOTC–2020–CoC17–R) was adopted on 16 October 2020, by correspondence.

APPENDIX 1
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APPENDIX 2
ADOPTED AGENDA

Date: 24 September – 02 October, 2020

Location: By correspondence

Procedure: Refer to [IOTC Circular 2020-31](#)

Chair: Ms. Anne-France Mattlet, **Vice Chair:** Prof. Dr. Indra Jaya

1. Letters of Credentials / Admission of Observers.
2. Review of the country-based Compliance Reports together with associated reports and identification of challenges encountered in the implementation of IOTC CMMs – Appendix V of the IOTC Rules of Procedure.
3. Overview of the implementation of IOTC Conservation and Management Measures (CMMs).
4. Review of additional information related to IUU fishing activities in the IOTC Area of Competence.
5. Review of the Draft IUU Vessels List – Res. 18/03.
6. Update on progress regarding the Performance Review – Compliance related issues.
7. Review of recommendations requiring intersessional actions, from CoC16 and the 23rd Annual Session.
8. Activities by the IOTC Secretariat in support of capacity building for developing CPCs – Res. 16/10.
9. Reports of Working Party (WPICMM) and Working Groups on CDS and VMS.
10. Review of requests for access to/renewal of the status of Cooperating Non-Contracting Party - Appendix III of the IOTC Rules of Procedure.
11. Cooperation with other organisations:
 - 11.1. Indian Ocean Memorandum of Understanding (IOMoU) on Port State Control.
12. Other business
 - 12.1 Date and place of the 18th and 19th Sessions of the Compliance Committee.
 - 12.2. Adoption of the Report of the 17th Session of the Compliance Committee.

APPENDIX 3
FINAL LIST OF DOCUMENTS

| 1. Meeting documents | Title |
|--|--|
| IOTC-2020-CoC17-01a | Provisional Agenda for the Seventeenth Session of the Compliance Committee |
| IOTC-2020-CoC17-01a_Rev2 | Final Agenda for the Seventeenth Session of the Compliance Committee |
| IOTC-2020-CoC17-02_Rev8 | Final list of documents for the Seventeenth Session of the Compliance Committee |
| IOTC-2020-CoC17-03_Rev3 | Summary report on the level of compliance |
| IOTC-2020-CoC17-04a | Report on Transshipment Resolution 19/06 – Secretariat’s Report |
| IOTC-2020-CoC17-04b | A Summary of the IOTC Regional Observer Programme during 2019 – Contractor’s Report |
| IOTC-2020-CoC17-05_Rev1 | Implementation of reporting obligations of nominal catch data (IOTC Resolution 18/07) |
| IOTC-2020-CoC17-06 | Update on Progress Regarding Resolution 16/03 – On the Second Performance Review Follow-up |
| IOTC-2020-CoC17-07a | Complementary elements for discussion under item 4 of the agenda for the Compliance Committee |
| IOTC-2020-CoC17-07a_Add1 | Information from Australia |
| IOTC-2020-CoC17-07a_Add2 | Communication from the fleet of Taiwan,China concerning the vessel Yong Qing Fa No. 666 |
| IOTC-2020-CoC17-07b | Summary report on possible infractions observed under the Regional Observer Programme in 2019 |
| IOTC-2020-CoC17-07c | Reporting of vessels in transit through BIOT waters for potential breach of IOTC Conservation and Management Measures |
| IOTC-2020-CoC17-08 | The IOTC Draft IUU Vessels List |
| IOTC-2020-CoC17-9_Rev1 | Summary of Compliance with the drifting FADs Management Plans |
| IOTC-2020-CoC17-9 Add1 | Collection of drifting Fish Aggregating Devices Management Plans |
| IOTC-2020-CoC17-10_Rev1 | Summary report on Compliance Support Activities |
| IOTC-2020-CoC17-11 | Implementation of Recommendations relevant to the Compliance Committee |
| IOTC-2020-CoC17-12 | Draft LoU between IOTC and IOMOU |
| IOTC-2020-CoC17-13 | IOTC Catch Documentation Scheme - Progress report and Terms of Reference for the Working Group |
| IOTC-2020-CoC17-14 | Proposal of Terms of Reference for developing a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG) |
| 2. Reports from other meetings (Working Party/Working Groups) | |
| IOTC-2020-CDS WG meeting-R | Report of the 3rd Meeting of the Catch Documentation Scheme (CDS) Working Group (WG) |
| IOTC-2020-WPICMM03-R | Report of the Third Session of the Working Party on the Implementation of Conservation and Management Measures |
| IOTC-2020-WPICMM03-R_Rev1-Annex 4 | Revised draft roadmap for the implementation process for the legal scrubbing of IOTC resolutions |
| IOTC-2020-WPICMM03-Work Plan (Revised) | Work Plan of the IOTC Working Party on the Implementation of Conservation and Management Measures |
| 3. Requests for the Cooperating non-Contracting Party status | Request from |
| IOTC-2020-CoC17-CNCP01 | Senegal CNCP status renewal |
| IOTC-2020-CoC17-CNCP02 | Liberia CNCP status renewal |

| 4. Compliance Reports | Members |
|-------------------------------|--|
| IOTC-2020-CoC17-CR01 | Australia |
| IOTC-2020-CoC17-CR02 | Bangladesh |
| IOTC-2020-CoC17-CR03_Rev1 | China |
| IOTC-2020-CoC17-CR04 | Comoros |
| IOTC-2020-CoC17-CR05 | Eritrea |
| IOTC-2020-CoC17-CR06 | European Union |
| IOTC-2020-CoC17-CR07 | France (territories) |
| IOTC-2020-CoC17-CR08 | India |
| IOTC-2020-CoC17-CR09 | Indonesia |
| IOTC-2020-CoC17-CR10 | Iran, Islamic Republic of |
| IOTC-2020-CoC17-CR11_Rev1 | Japan |
| IOTC-2020-CoC17-CR12 | Kenya |
| IOTC-2020-CoC17-CR13 | Korea, Republic of |
| IOTC-2020-CoC17-CR14 | Madagascar |
| IOTC-2020-CoC17-CR15_Rev1 | Malaysia |
| IOTC-2020-CoC17-CR16 | Maldives |
| IOTC-2020-CoC17-CR17 | Mauritius |
| IOTC-2020-CoC17-CR18 | Mozambique |
| IOTC-2020-CoC17-CR19 | Oman |
| IOTC-2020-CoC17-CR20 | Pakistan |
| IOTC-2020-CoC17-CR21 | Philippines |
| IOTC-2020-CoC17-CR22 | Seychelles |
| IOTC-2020-CoC17-CR23 | Sierra Leone |
| IOTC-2020-CoC17-CR24 | Somalia |
| IOTC-2020-CoC17-CR25 | South Africa |
| IOTC-2020-CoC17-CR26 | Sri Lanka |
| IOTC-2020-CoC17-CR27 | Sudan |
| IOTC-2020-CoC17-CR28 | Tanzania, United Republic of |
| IOTC-2020-CoC17-CR29 | Thailand |
| IOTC-2020-CoC17-CR30 | United Kingdom (Territories) |
| IOTC-2020-CoC17-CR31 | Yemen |
| 4.1 Compliance Reports | Cooperating non-Contracting Parties |
| IOTC-2020-CoC17-CR32 | Liberia |
| IOTC-2020-CoC17-CR33 | Senegal |

| 5. Implementation Reports | Members |
|----------------------------------|----------------|
| IOTC-2020-CoC17-IR01 | Australia |
| IOTC-2020-CoC17-IR02 | Bangladesh |
| IOTC-2020-CoC17-IR03 | China |
| IOTC-2020-CoC17-IR04 | Comoros |

| 5. Implementation Reports | Members |
|-----------------------------------|--|
| IOTC-2020-CoC17-IR05 | Eritrea (Not submitted) |
| IOTC-2020-CoC17-IR06 | European Union |
| IOTC-2020-CoC17-IR07 | France (Territories) |
| IOTC-2020-CoC17-IR08 | India |
| IOTC-2020-CoC17-IR09 | Indonesia |
| IOTC-2020-CoC17-IR10 | Iran, Islamic Republic of |
| IOTC-2020-CoC17-IR11 | Japan |
| IOTC-2020-CoC17-IR12_Rev1 | Kenya |
| IOTC-2020-CoC17-IR13 | Korea, Republic of |
| IOTC-2020-CoC17-IR14 | Madagascar |
| IOTC-2020-CoC17-IR15 | Malaysia |
| IOTC-2020-CoC17-IR16 | Maldives |
| IOTC-2020-CoC17-IR17 | Mauritius |
| IOTC-2020-CoC17-IR18 | Mozambique |
| IOTC-2020-CoC17-IR19 | Oman |
| IOTC-2020-CoC17-IR20 | Pakistan |
| IOTC-2020-CoC17-IR21 | Philippines (Not submitted) |
| IOTC-2020-CoC17-IR22 | Seychelles |
| IOTC-2020-CoC17-IR23 | Sierra Leone (Not submitted) |
| IOTC-2020-CoC17-IR24 | Somalia |
| IOTC-2020-CoC17-IR25 | South Africa |
| IOTC-2020-CoC17-IR26 | Sri Lanka |
| IOTC-2020-CoC17-IR27 | Sudan (Not submitted) |
| IOTC-2020-CoC17-IR28 | Tanzania, United Republic of |
| IOTC-2020-CoC17-IR29 | Thailand |
| IOTC-2020-CoC17-IR30 | United Kingdom (Territories) |
| IOTC-2020-CoC17-IR31 | Yemen (Not submitted) |
| 5.1 Implementation Reports | Cooperating non-Contracting Parties |
| IOTC-2020-CoC17-IR32 | Liberia |
| IOTC-2020-CoC17-IR33 | Senegal |

| 6. Compliance Questionnaire | Members |
|------------------------------------|---------------------------|
| IOTC-2020-CoC17-CQ01 | Australia |
| IOTC-2020-CoC17-CQ02 | Bangladesh |
| IOTC-2020-CoC17-CQ03 | China |
| IOTC-2020-CoC17-CQ04 | Comoros |
| IOTC-2020-CoC17-CQ05 | Eritrea (Not submitted) |
| IOTC-2020-CoC17-CQ06 | European Union |
| IOTC-2020-CoC17-CQ07 | France (Territories) |
| IOTC-2020-CoC17-CQ08 | India |
| IOTC-2020-CoC17-CQ09 | Indonesia |
| IOTC-2020-CoC17-CQ10 | Iran, Islamic Republic of |
| IOTC-2020-CoC17-CQ11 | Japan |
| IOTC-2020-CoC17-CQ12 | Kenya |
| IOTC-2020-CoC17-CQ13 | Korea, Republic of |
| IOTC-2020-CoC17-CQ14 | Madagascar |
| IOTC-2020-CoC17-CQ15 | Malaysia |
| IOTC-2020-CoC17-CQ16 | Maldives |
| IOTC-2020-CoC17-CQ17 | Mauritius |

| 6. Compliance Questionnaire | Members |
|-------------------------------------|--|
| IOTC-2020-CoC17-CQ18 | Mozambique |
| IOTC-2020-CoC17-CQ19 | Oman |
| IOTC-2020-CoC17-CQ20 | Pakistan |
| IOTC-2020-CoC17-CQ21 | Philippines |
| IOTC-2020-CoC17-CQ22 | Seychelles |
| IOTC-2020-CoC17-CQ23 | Sierra Leone (Not submitted) |
| IOTC-2020-CoC17-CQ24 | Somalia (Not submitted) |
| IOTC-2020-CoC17-CQ25 | South Africa |
| IOTC-2020-CoC17-CQ26 | Sri Lanka |
| IOTC-2020-CoC17-CQ27 | Sudan (Not submitted) |
| IOTC-2020-CoC17-CQ28 | Tanzania, United Republic of |
| IOTC-2020-CoC17-CQ29 | Thailand |
| IOTC-2020-CoC17-CQ30 | United Kingdom (Territories) |
| IOTC-2020-CoC17-CQ31 | Yemen (Not submitted) |
| 6.1 Compliance Questionnaire | Cooperating non-Contracting Parties |
| IOTC-2020-CoC17-CQ32 | Liberia |
| IOTC-2020-CoC17-CQ33 | Senegal |

| 7. Response to Feedback Letter | Members |
|---------------------------------------|--|
| IOTC-2020-CoC17-FL01 | Australia |
| IOTC-2020-CoC17-FL02 | Bangladesh |
| IOTC-2020-CoC17-FL03 | China- No Feedback Letter issued in 2019 |
| IOTC-2020-CoC17-FL04 | Comoros |
| IOTC-2020-CoC17-FL05 | Eritrea (Not submitted) |
| IOTC-2020-CoC17-FL06 | European Union |
| IOTC-2020-CoC17-FL07 | France (Territories) - No Feedback Letter issued in 2019 |
| IOTC-2020-CoC17-FL08 | India |
| IOTC-2020-CoC17-FL09 | Indonesia |
| IOTC-2020-CoC17-FL10 | Iran, Islamic Republic of |
| IOTC-2020-CoC17-FL11 | Japan |
| IOTC-2020-CoC17-FL12 | Kenya |
| IOTC-2020-CoC17-FL13 | Korea, Republic of |
| IOTC-2020-CoC17-FL14 | Madagascar (Not submitted) |
| IOTC-2020-CoC17-FL15 | Malaysia |
| IOTC-2020-CoC17-FL16 | Maldives |
| IOTC-2020-CoC17-FL17 | Mauritius |
| IOTC-2020-CoC17-FL18 | Mozambique |
| IOTC-2020-CoC17-FL19 | Oman |
| IOTC-2020-CoC17-FL20 | Pakistan |
| IOTC-2020-CoC17-FL21 | Philippines (Not submitted) |
| IOTC-2020-CoC17-FL22 | Seychelles |
| IOTC-2020-CoC17-FL23 | Sierra Leone (Not submitted) |
| IOTC-2020-CoC17-FL24 | Somalia (Not submitted) |
| IOTC-2020-CoC17-FL25 | South Africa |
| IOTC-2020-CoC17-FL26 | Sri Lanka |
| IOTC-2020-CoC17-FL27 | Sudan (Not submitted) |
| IOTC-2020-CoC17-FL28 | Tanzania, United Republic of |
| IOTC-2020-CoC17-FL29 | Thailand |
| IOTC-2020-CoC17-FL30 | United Kingdom (Territories) - No Feedback Letter issued in 2019 |

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|--|--|
| 7. Response to Feedback Letter | Members |
| IOTC-2020-CoC17-FL31 | Yemen (Not submitted) |
| 7.1 Response to Feedback Letter | Cooperating non-Contracting Parties |
| IOTC-2020-CoC17-FL32 | Liberia - No Feedback Letter issued in 2019 |
| IOTC-2020-CoC17-FL33 | Senegal - - No Feedback Letter issued in 2019 |
| 8. Information Documents | Title |
| IOTC-2020-CoC17-Inf01 | Indicative Schedule of the Seventeenth Session of the Compliance Committee |
| IOTC-2020-CoC17-Inf02 | Effort assessment foreign-flagged vessels in coastal State exclusive economic zones |
| IOTC-2020-CoC17-Inf03 | Automatic Identification System (AIS) usage by Spanish and French-flagged vessels |
| IOTC-2020-CoC17-Inf04 | Inconsistencies in tropical tuna catch calculations and reporting by Spain |
| IOTC-2020-CoC17-Inf05 | A Comparative Analysis of AIS Data with the Indian Ocean Tuna Commission Reported Transshipment Activity in 2018 |

APPENDIX 4

TERMS OF REFERENCE FOR DEVELOPING A SCHEME TO OPERATIONALISE THE FAO VOLUNTARY GUIDELINES ON THE MARKING OF FISHING GEAR (VGMFG)

The specific purpose of the Terms of Reference is to, bearing in mind the IOTC' objectives pursuant to Article V of the IOTC Agreement:

- 1) Assess the economic impact for operationalising the FAO VGMFG in the IOTC Area, bearing in mind that the vast disparity in development status among IOTC CPCs may necessitate a phased approach for operationalising the VGMFG.
- 2) Identify, through documented risk assessments, fishing gears and FADs² which are widely used in IOTC fisheries that can contribute to marine pollution through abandonment, becoming lost or are otherwise discarded. Such risk assessments methodology to be developed based on the guidelines provided in the Annex of the VGMFG.
- 3) Collate, for comparative purposes, the relevant IOTC regulations or administrative measures and international instruments/guidelines that pertain to the marking of fishing gears and FADs as identified for marking in the risk assessment that can contribute to marine pollution through abandonment, becoming lost or are otherwise discarded.
- 4) Assess existing IOTC measures to allow for the effective implementation, monitoring, control and enforcement of a fishing gears and FADs marking scheme in IOTC fisheries, including the removal and disposal, plus any other enforcement action related to unmarked fishing gears and FADs.
- 5) Consider how measures specified in para 4 may be improved and where a need is identified prepare draft proposals which shall be considered by the Commission for adoption in accordance with the mandate of the IOTC Agreement.
- 6) Review the purpose and the design of existing fishing gear markers relevant to IOTC fishing gears and FADs identified for marking, particularly in the light of practicality for placement on fishing gears and FADs, impact on fishing efficiency (catchability), affordability, safety of use, environmental impact, potential contribution to counteraction against IUU fishing activities and technological developments. In considering the affordability for marking of fishing gears and FADs consideration must be given to possible alternative and less expensive options for Developing Countries and Least Developed Countries (LDCs).
- 7) Consideration given to the design of existing fishing gears and FADs markers and how they may be improved to better meet requirements identified in para 6.
- 8) Consider the relationship between marking for licensing/authorisation and marking for visibility, location, options for avoidance and identification of ownership.
- 9) Review the practicality of identifying and separating areas and fisheries, bearing in mind the current lack of agreement of what constitutes artisanal, coastal and semi-industrial fisheries in terms of applying gear marking measures to fishing gears and FADs.
- 10) Raise awareness of:
 - a. the detriment to the environment, the safety of navigation, and the risk to life at sea, associated with poorly marked or abandoned fishing gears and FADs.
 - b. the benefits of the marking of fishing gears and FADs.
- 11) Consider and determine capacity-building requirements of CPCs for the attachment of markers to fishing gears and FADs.
- 12) In undertaking the above tasks, due considerations shall be given to initiatives which will be considered by the IMO, and especially in the context of the International Convention for the Prevention of Pollution from Ships (MARPOL), to streamline and standardise any requirements developed.

Publish a report of its findings and conclusions for consideration by the IOTC Working Party on the Implementation of Conservation and Management Measures, Compliance Committee, Standing Committee on Administration and Finance, and the Commission.

² FADs used for aggregating non-IOTC species shall be exempted.

APPENDIX 5
PROVISIONAL IOTC IUU VESSELS LIST

Provisional IOTC IUU Vessels List 20201016 / Liste Provisoire des navires INN de la CTOI 20201016

Available at the following link/Disponible au lien suivant : [IOTC Provisional IUU Vessels List 20201016.pdf](#)

APPENDIX 6

COC UPDATE ON PROGRESS REGARDING RESOLUTION 16/03 – ON THE PERFORMANCE REVIEW FOLLOW-UP

(Note: numbering and recommendations as per Appendix I of Resolution 16/03)

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS | TIMELINE | PRIORITY |
|--|---|--|--|------------------------|----------|
| PRIOTC02.04 (para. 102) | <p><i>Compliance with data collection and reporting requirements</i></p> <p>The Commission, through its Compliance Committee, needs to strengthen its compliance monitoring in relation to the timeliness and accuracy of data submissions. To that end, the PRIOTC02 RECOMMENDED that:</p> <p>a) the Commission review its compliance monitoring program conducted by the Compliance Committee, including identification of priority obligations (e.g. timely and accurate data reporting, catch and effort limits, accuracy of the supplied registered fishing vessel information, etc.).</p> | <i>Commission and Compliance Committee</i> | <p>Completed/Ongoing: The IOTC should further develop a scheme for the assessment of compliance of a structured approach for cases of infringements, better reflecting partial compliance and critical compliance issues. However, since the 2011 Compliance Committee meeting, country-based reports have been prepared for this purpose on the basis of Resolution 10/09, which is now integrated into the IOTC Rules of Procedure, Appendix V.</p> <p>A proposal to amend Appendix V of the IOTC Rules of Procedure (RoP) was submitted, for the consideration of the Commission (S23). The proposal aimed at improving the existing IOTC compliance assessment procedure. No agreement was reached to amend Appendix V, and the Commission encouraged Members to contribute to the further development of the text by providing comments to the authors of the proposal prior to WPICMM03.</p> <p>At the WPICMM03, the proponent of the proposal invited CPCs to provide comments to the IOTC Secretariat on the proposal to amend Appendix V of the IOTC Rules of Procedure by the 1st March 2020. Comments from one CPC (Japan) has been received by the Secretariat and by the proponent.</p> <p>In consideration of the low number of comments so far in 2020, CPCs are invited to provide comments to the IOTC</p> | Completed and ongoing. | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS | TIMELINE | PRIORITY |
|-------------|---|--|--|--|----------|
| | | | Secretariat on the proposal by 31 December 2020. | | |
| | b) the compliance monitoring program review all priority obligations and undertake the compliance review by obligation and by CPCs and that the Commission publish a report of each CPCs compliance by obligation and CPC. The reports of all Compliance Missions should be appended to the compliance report of that relevant CPC and where the CPC has identified an action plan, that they not be assessed for that obligation. | <i>Compliance Committee</i> | Ongoing: To be implemented in 2018 onwards for the concerned CPCs. | Completed and ongoing. Review annually at the Compliance Committee meeting. | High |
| | c) the Commission develop a scheme of responses (in accordance with the IOTC Rules of Procedure (2014) Appendix V, para. 3b (iv)) to priority non-compliance areas, including the preparation of CPC Implementation Action Plans that outline how the CPC will, over time, implement its obligations and alternative responses to serious violations of IOTC CMMs taking into account the FAOs Voluntary Guidelines for Flag State Performance. Reforms to the compliance monitoring program should include the ability of developing CPCs to identify (through the preparation of an Implementation Action Plan) and seek assistance for obligations that they are currently non-compliant with, including for example requesting capacity assistance, capacity building, resources, etc., to enable, overtime, implement its obligations. | <i>Commission & Compliance Committee</i> | Completed/Ongoing: The IOTC should further develop a scheme for the assessment of compliance of a structured approach for cases of infringements, better reflecting partial compliance and critical compliance issues, however, a scheme of response to priority non-compliance areas is done through the Feedback Letter issued during the Commission meeting and forms the basis for the Secretariat, together with concerned CPCs, to develop the Compliance Action Plan. A proposal to amend Appendix V of the IOTC Rules of Procedure (RoP) was submitted, for the consideration of the Commission (S23). The proposal aimed at improving the existing IOTC compliance assessment procedure. No agreement was reached to amend Appendix V, and the Commission encouraged Members to contribute to the further development of the text by providing comments to the authors of the proposal prior to WPICMM03. At the WPICMM03, the proponent of the proposal invited CPCs to provide comments to the IOTC Secretariat on the | Completed and ongoing. | High |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS | TIMELINE | PRIORITY |
|--|---|--|--|----------|----------|
| | | | proposal to amend Appendix V of the IOTC Rules of Procedure by the 1st March 2020. Comments from one CPC (Japan) has been received by the Secretariat and by the proponent. In consideration of the low number of comments so far in 2020, CPCs are invited to provide comments to the IOTC Secretariat on the proposal by 31 December 2020. | | |
| | d) to facilitate thorough reviews of compliance, the Commission should invest in the development and implementation of an integrated electronic reporting program. This should include automatic integration of data from CPCs into the IOTC Secretariat's databases and automatic cross-referencing obligations and reports for the various obligations, in particular related to the provision of scientific data. | <i>Commission & Compliance Committee</i> | Ongoing: Phase 2 (Construction Phase) of the application (<i>e-Maris</i>) started in July 2019 and is expected to result in a <i>Beta Release</i> with enough functionality to allow for the <i>Pilot testing</i> of the application in November 2020. | Ongoing | Medium |
| PRIOTC02.14 (para. 149) | <i>Monitoring, control and surveillance (MCS)</i> The PRIOTC02 RECOMMENDED that: a) the IOTC should continue to develop a comprehensive monitoring, control and surveillance (MCS) system through the implementation of the measures already in force, and through the adoption of new measures and tools such as a possible catch documentation scheme, noting the process currently being undertaken within the FAO. | <i>Commission & Compliance Committee</i> | Ongoing: The CDS Working Group (WG) has held three meetings during the intersessional period. A Terms of Reference for the WG was presented to CoC17 and was endorsed. The Terms of Reference will be presented to the Commission (S24) for its consideration. | Ongoing | Medium |
| | b) as a matter of priority review the IOTC monitoring, control and surveillance (MCS) measures, systems and processes, with the objective of providing advice and guidance on improving the integration of the different tools, identification of gaps and recommendations on how to move forward, taking into consideration the experiences of other RFMOs, and that the review should be used as a basis for strengthening MCS for the purpose of improving the | <i>Commission & Compliance Committee</i> | Ongoing: A comprehensive report which assesses the IOTC MCS framework delivered by an independent consultant in December 2018. The report also makes proposals for expanding, completing and/or strengthening the IOTC MCS framework. A workshop presenting the results of the study on Monitoring, Control and Surveillance (MCS) measures of the | Ongoing | Medium |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS | TIMELINE | PRIORITY |
|--|---|--|---|-------------------------|----------|
| | ability of the Commission to deter non-compliance and IUU fishing. | | IOTC was held in February 2019. CPCs may consider submitting proposals reflecting the suggested amendments to the Resolutions. | | |
| PRIOTC02.15 (para. 153) | <p><i>Follow-up on infringements</i></p> <p>The PRIOTC02 RECOMMENDED that:</p> <p>a) the IOTC should establish a scheme of responses to non-compliance in relation to CPCs obligations, and task the Compliance Committee to further develop a structured approach for cases of infringement.</p> | <i>Commission & Compliance Committee</i> | <p>Ongoing: Notably to be implemented through IOTC Resolution 18/07 <i>On measures applicable in case of non-fulfilment of reporting obligations in the IOTC</i> and Resolution 10/10 <i>On market related measures</i>.</p> <p>A proposal to amend Appendix V of the IOTC Rules of Procedure (RoP) was submitted, for the consideration of the Commission (S23). The proposal makes provision for establishing a framework of possible responses to non-compliance by CPCs to their obligations. No agreement was reached to amend Appendix V, and the Commission encouraged Members to contribute to the further development of the text by providing comments to the authors of the proposal prior to WPICMM03.</p> <p>At the WPICMM03, the proponent of the proposal invited CPCs to provide comments to the IOTC Secretariat on the proposal to amend Appendix V of the IOTC Rules of Procedure by the 1st March 2020. Comments from one CPC (Japan) has been received by the Secretariat and by the proponent.</p> <p>In consideration of the low number of comments so far in 2020, CPCs are invited to provide comments to the IOTC Secretariat on the proposal by 31 December 2020.</p> | Ongoing | High |
| | b) further develop an online reporting tool to facilitate reporting by CPCs and to support the IOTC | <i>Commission & Compliance Committee</i> | Ongoing: Phase 2 (Construction Phase) of the application (<i>e-Maris</i>) started in July 2019 and is expected to result in a | Review annually at IOTC | Medium |

| REFERENCE # | RECOMMENDATION | RESPONSIBILITY | UPDATE/STATUS | TIMELINE | PRIORITY |
|--|--|--|---|---------------------------------------|----------|
| | Secretariat through the automation of identification of non-compliance. | | <i>Beta Release</i> with enough functionality to allow for the <i>Pilot testing</i> of the application in November 2020. | meetings | |
| | c) reasons for the non-compliance should be identified, including whether it is related to the measure itself, a need for capacity assistance or whether it is wilful or repeated non-compliance, and that the Compliance Committee provide technical advice on obligations where there are high level of CPCs non-compliance. | <i>Commission & Compliance Committee</i> | Completed/Ongoing: A scheme of response to non-compliance areas is done through the Feedback Letter issued during the Commission meeting and forms the basis for the Secretariat, together with concerned CPCs, to develop the Compliance Action Plan. This will be further addressed by the WPICMM to enhance the technical capacity of CPCs. | Completed and ongoing. | High |
| PRIOTC02.17 (para. 163) | Market-related measures The PRIOTC02 RECOMMENDED that: a) the Commission considers strengthening the market related measure (Resolution 10/10 <i>Concerning market related measures</i>) to make it more effective. | <i>Commission & Compliance Committee</i> | Ongoing: The CDS Working Group (WG) has held three meetings during the intersessional period. A Terms of Reference for the WG was presented to CoC17 and was endorsed. The Terms of Reference will be presented to the Commission (S24) for its consideration. | Ongoing | High |
| PRIOTC02.18 (para. 169) | Fishing capacity The PRIOTC02 RECOMMENDED that the Commission consider non-compliance with fishing capacity related measures as a priority in the scheme of responses to non-compliance, in order to ensure the sustainable exploitation of the relevant IOTC species. | <i>Commission & Compliance Committee</i> | Ongoing: A scheme of response to non-compliance areas is done through the Feedback Letter issued during the Commission meeting. | Review annually at the IOTC meetings. | High |
| PRIOTC02.21 (para. 204) | Cooperation with other RFMOs The PRIOTC02 RECOMMENDED that: a) the IOTC should further develop mutual recognition and possible exploration of cross-listings of IUU lists with other RFMOs to combat IUU activities globally. | <i>Commission & Compliance Committee</i> | Ongoing: Provisions for cross-listing of vessels on the IUU lists of seven other RFMO/Bs have been incorporated in IOTC Resolution 18/03. | Completed and ongoing. | High |

APPENDIX 7**CONSOLIDATED SET OF RECOMMENDATIONS ARISING FROM WPICMM03**

- Paragraph 4. The WPICMM03 **RECOMMENDED** that the IOTC observers continue to report on VMS, including provision of photographs of VMS units.
- Paragraph 5. The WPICMM03 **RECOMMENDED** that the ROP observers should stop highlighting VMS units fitted with switches, as a possible infraction. Other VMS anomalies, such as switched off, should be reported and highlighted.
- Paragraph 14. The WPICMM03 **RECOMMENDED** that the IOTC Secretariat be tasked to develop a ToR for the evaluation and formulation of CPCs national MCS programme, taking into account cost-effectiveness and budget constraints.
- Paragraph 18. The WPICMM03 **RECOMMENDED** that 23 definitions be deferred for further work and two be deferred to the VMS Working Group.
- ~~Paragraph 19. The WPICMM03 **RECOMMENDED** that further work on the definitions be conducted intersessionally, by email, using a phased approach under the facilitation of the Secretariat (Appendix 3).~~
- Paragraph 24. The WPICMM03 **RECOMMENDED** that the Compliance Committee notes the completed task and considers the roadmap drafted by the WPICMM03 (Appendix 4) for consideration by the Commission.
- Paragraph 32. The WPICMM03 **RECOMMENDED** that the IOTC Secretariat prepare a paper on the outcomes of the assessments of the possible infractions presented to the WPICMM03, for the next Compliance Committee (CoC17).
- Paragraph 33. The WPICMM03 **FURTHER RECOMMENDED** that the IOTC Secretariat prepare a paper on the results of investigation that have not been provided (Oman and Seychelles) for WPICMM03 and information concerning two LSTLVs that require the concerned fleet (Taiwan, Province of China) to provide further evidence, for the next Compliance Committee (CoC17).
- Paragraph 35. The WPICMM03 **RECOMMENDED** the procedure and the assessment form (Appendix 5) to conduct the assessments of possible infractions detected under the Regional Observer Programme, be submitted to the Compliance Committee for its consideration and potential endorsement.
- Paragraph 38. The WPICMM03 **RECOMMENDED** the revised workplan as provided through the link in Appendix 6 be submitted to the Compliance Committee for its consideration and potential endorsement.
- Paragraph 54. The WPICMM03 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM03, provided at Appendix 8.

APPENDIX 8**REVISED DRAFT ROADMAP FOR THE IMPLEMENTATION PROCESS FOR THE LEGAL SCRUBBING OF IOTC RESOLUTIONS****(REVISED ANNEX 4 OF IOTC-2020-WPICMM03-R)**

- CPCs send their comments on Annex 1 and 2 of the consultant report, IOTC-2020-WPICMM03 *REPORT - Legal Scrub of IOTC Resolutions and Recommendations*, on the legal scrubbing of IOTC Resolutions by 31st of January 2021.
- Secretariat will incorporate first round of comments. Secretariat to circulate a consolidated draft with the comments made by the CPCs by means of a circular within 10 working days.
- CPCs send their comments on the second draft by 15th March 2021.
- Secretariat will incorporate second round of comments. Secretariat to circulate a consolidated version of the legal scrubbing of IOTC Resolutions as a meeting document for consideration by the Compliance Committee (2021-CoC18).
- The Compliance Committee (2021-CoC18) considers proposing a final consolidated text for potential adoption by the Commission (2021 - S25). This final text should only include the Resolutions adopted or amended by the Commission before 2020.

APPENDIX 9

TERMS OF REFERENCE FOR THE CATCH DOCUMENTATION SCHEME WORKING GROUP

Purpose

1. The Catch Documentation Scheme Working Group (CDSWG) will be open to all Commission members and cooperating non-members, as well as observers and external experts with relevant expertise. The Catch Documentation Working Group (CDSWG) was established with the principal task of guiding the development/proposing a blueprint and timeline (strategy) for IOTC CDS (IOTC CDS strategy).

Objective

2. The objectives of the IOTC CDS strategy are, through introduction of CDS, to contribute to following:

- a. Certification, verification and validation of products legality with a view of eliminating illegally caught products trade and ensure products traceability to final market destination.
- b. Provision of scientific information for fisheries management.

Principle Responsibilities

3. In devising the strategy, the CDSWG shall consider the following:

(I) Reference documents and schemes

- a. The *Voluntary Guidelines for Catch Documentation Schemes* developed by the FAO in 2017 and the report *Developing a comprehensive MCS system and an electronic Catch Documentation Scheme for IOTC* developed by a consultant in 2018 (consultant report).
- b. Existing and proposed catch documentation schemes in other RFMOs/Organisations (including ICCAT, CCSBT and CCAMLR) and in Commission members.

(II) Basic design

- a. Core components of CDS in the 3rd Meeting of the CDSWG Report (10-11 February 2020) to be further addressed in CDSWG ToRs:
 - i) Basic CDS design options 1-3 (as described in p82-86 of the consultant report)
 - ii) Species to be covered by IOTC CDS, taking into account stock status, IUU risk, level of international trade and the difficulty of implementation
 - iii) In the first instance, the CDS could cover tropical tunas (bigeye tuna, yellowfin tuna and skipjack tuna), then other IOTC species step by step.
 - iv) Design of an electronic system
 - v) Need for special consideration to artisanal fleets

(III) Operational and administrative issues

- a. The resources that would be required to implement and operate a CDS. This will necessarily include consideration of financial aspects of the IOTC, of capacity building, training programs and associated costs.
- b. Operational issues of data collection, submission, handling, analysis, reconciliation and dissemination, taking into account practical feasibility of relevant stakeholders (e.g. fishing vessels)
- c. The roles and responsibilities for certification and verification of all appropriate stakeholders (e.g. flag State authority, the IOTC Secretariat), within the framework of existing international law.
- d. Opportunities to utilize emerging technology to increase efficiency and decrease costs, with particular reference to electronic transmission of data and required forms.
- e. The integration of CDS with the overall monitoring, control and surveillance (MCS) and management framework of the IOTC, including other data reporting obligations and national/regional programs (e.g. EU IUU Regulation) and avoiding duplication of work.

(IV) Timeline

- a. Possible timeline for implementation, with prioritization and/or step-by-step approach as necessary

Reporting

4. The CDSWG shall report progress to the CoC with a view to presenting the IOTC CDS strategy proposal to IOTC in 2022 that would be considered for adoption by the Commission. Once the strategy is adopted by the Commission, the CDSWG shall consider further specifics of CDS documentation and process including the preparation of draft CDS Resolution and associated forms, in accordance with the strategy as adopted.

5. The CDSWG may present relevant recommendations as it deems necessary to achieve the objectives of the IOTC CDS strategy, to the Commission and relevant subsidiary bodies.

Meetings

6. The CDSWG shall operate, to the extent possible, electronically. Face to face meetings, where necessary, should take place back-to-back with other meetings.

APPENDIX 10

CONSOLIDATED SET OF RECOMMENDATIONS OF THE 17TH SESSION OF THE COMPLIANCE COMMITTEE (1 - 2 OCTOBER 2020) TO THE COMMISSION

Comments by CPCs on the Compliance Report of each CPC with focus on non-compliance, information provided in CPCs' Report of Implementation and responses to the Feedback Letters issued in 2019.

Resolution 18/07 On Measures Applicable in Case of Non-Fulfilment of Reporting Obligations in the IOTC

CoC17.01 (Para 12) The CoC **RECOMMENDED** that CPCs (Bangladesh, China, Eritrea, European Union, India, Iran, Japan, Madagascar, Oman, Pakistan, Somalia, South Africa, Sudan, Tanzania and Yemen) that have failed to submit mandatory information and data for the 2019 reporting cycle (catch data for 2018) shall be reminded by the IOTC Secretariat to:

- i. provide a clear timeline as to when the missing mandatory information and data will be submitted,
- ii. as the case may be, when they will be a position to fulfil these obligations for which they have recurring non-compliance,
- iii. work closer with the IOTC Secretariat if they are encountering challenges in implementation/submission of mandatory information and data.

CoC17.02 (Para 13) The CoC **RECOMMENDED** that the Secretariat write to the concerned CPCs reminding them of their obligations as CPCs and to notify those which continue to have compliance issues with this measure, that may be due to capacity limitations, that support is available to build capacity for them to meet their reporting obligations.

Resolution 15/02 Mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs) and Resolution 17/05 On the conservation of sharks caught in association with fisheries managed by IOTC.

CoC17.03 (Para 17) The CoC **RECOMMENDED** that CPCs that have failed to submit mandatory information and data for the 2019 reporting cycle (catch data for 2018) work closer with the IOTC Secretariat if they are encountering challenges in implementation/submission of mandatory information and data.

CoC17.04 (Para 18) The CoC **REITERATED** its earlier **RECOMMENDATION** for the Commission to **REQUEST** that the Scientific Committee to provide advice on the applicability of the IOTC requirements related to size frequency data (i.e. for each species measure one fish per metric tonne), and if required, provide possible alternatives to ensure representative sampling.

CoC17.05 (Para 19) The CoC **REITERATED** its earlier **RECOMMENDATION** for the Commission to **REQUEST** that the Working Party on Ecosystem and Bycatch and the Scientific Committee discuss and provide advice on the applicability of the IOTC requirement related to size frequency data on sharks when the fisheries do not retain sharks, and furthermore if CPCs should have to report any size data in such cases.

Resolution 16/11 On port State measures.

CoC17.06 (Para 23) The CoC **RECOMMENDED** that CPCs carrying out less than 5% of inspection on landings or transshipments in their ports during each reporting year to provide the IOTC Secretariat with an explanatory note, indicating the obstacles that prevent them from reaching the goal and the remedy action they intend to deploy.

CoC17.07 (Para 24) The CoC **RECOMMENDED** that the IOTC Secretariat compile this information with the aim of presenting it at the CoC18 in 2021.

Resolution 11/04 On a regional observer scheme - At sea observers.

CoC17.08 (Para 29) The CoC **RECOMMENDED** that CPCs with observer coverage below the minimum level of 5% of operations/sets by gear type for those vessels covered by Resolution 11/04 to provide the Secretariat with an explanatory note, indicating the obstacles that prevent them from reaching the 5% coverage and the remedy actions they intend to implement.

CoC17.09 (Para 30) The CoC **RECOMMENDED** that the IOTC Secretariat compile this information with the aim of presenting it at the CoC18.

Resolution 19/06 – On Establishing a Programme for Transshipment by Large-Scale Fishing Vessels.

CoC17.10 (Para 37) The CoC **RECOMMENDED** that Oman provide the results of its investigations related to the possible infractions to the IOTC Secretariat before the 24th Session of the Commission.

CoC17.11 (Para 38) The CoC **RECOMMENDED** that the IOTC Secretariat prepare a paper on the results of investigations that have not been provided for the attention of the next session of the Commission (S24).

Resolution 19/01 On an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock in the IOTC Area of Competence

CoC17.12 (Para 47) The CoC **RECOMMENDED** that, if necessary, 2019 and 2020 compliance status for the yellowfin tuna catch reductions required by Resolution 19/01 would be retrospectively modified accordingly.

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

CoC17.13 (Para 50) The CoC **RECOMMENDED** that during the discussions to be held at the 24th Session of the Commission that clarification is provided for paragraph 11b) in Resolution 16/02, so that the CoC is able to efficiently monitor compliance with this Resolution.

Resolution 15/03 On the vessel monitoring system (VMS) programme.

CoC17.14 (Para 52) The CoC **RECOMMENDED** that India and Iran establish a full-scale VMS and to submit their respective VMS implementation plans in 2021 to the CoC18.

Resolution 19/04 Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence

CoC17.15 (Para 58) The CoC **REQUESTED** Sri Lanka to require its fishing gears to be fitted with an indelible marking and liaise with other countries in the area or NGOs to find out how to achieve this and **RECOMMENDED** that Sri Lanka report at CoC18 in 2021 on the outcome of the exchanges and consultations undertaken.

Overview of the implementation of IOTC conservation and management measures - summary report on the level of compliance.

CoC17.16 (Para 65) The IOTC Secretariat **RECOMMENDED** that future amendments to the Rules of Procedure for the Compliance Committee take into consideration the inability of the IOTC Secretariat to provide meeting documents 30 days before the CoC.

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

CoC17.17 (Para 78) The CoC **RECOMMENDED** that South Africa keep CPCs informed on the progress and outcome of the legal proceedings against the owner and/or master of the vessel YONG QING FA No. 666.

CoC17.18 (Para 79) Considering the report provided (IOTC-2020-CoC17-07a_Add2), the CoC **RECOMMENDED** that Taiwan,China, provides the missing information, especially timeframe and nature of the violation that was committed under its legal framework, to the Compliance Committee.

CoC17.19 (Para 80) The CoC **RECOMMENDED** that CPCs continue to provide the Compliance Committee with information of actions they undertake to combat fishing practices that undermines the effectiveness of Conservation and Management Measures adopted by the IOTC.

Reporting of vessels in transit through waters of the UK (“BIOT”) for potential breach of IOTC conservation and management measures.

CoC17.20 (Para 83) The CoC **RECOMMENDED** that UK (“BIOT”) continue to provide information on activities that undermine Conservation and Management Measures adopted by the Commission to future meetings of the Compliance Committee.

CoC17.21 (Para 84) The CoC **RECOMMENDED** that all CPCs provide the Compliance Committee with information on actions they undertake to combat fishing practices that undermine the effectiveness of CMMS adopted by the IOTC.

IOTC IUU Vessels List – Review.

WISDOM SEA REEFER

CoC17.22 (Para 93) The CoC **RECOMMENDED** the details of the carrier vessel, WISDOM SEA REEFER, which is in the current IOTC IUU Vessels list be updated to reflect the information in the Certificates of Registry issued by Mongolia.

CoC17.23 (Para 94) The CoC **RECOMMENDED** that the carrier vessel, UTHAIWAN (ex-WISDOM SEA REEFER) be deleted from the IOTC IUU Vessels List upon receipt of proof that the vessel has been scrapped.

CoC17.24 (Para 95) The CoC **RECOMMENDED** that Bangladesh and Thailand continue to keep the Compliance Committee updated on the scrapping process, including any follow up to relevant bodies (e.g. under the FAO Compliance Agreement).

AL WESAM 5

CoC17.25 (Para 97) The CoC **RECOMMENDED** the details of the vessel, AL WESAM 5, be updated to reflect the information in the Certificates of Registry issued by Cameroon.

COBIJA

CoC17.26 (Para 99) The CoC **RECOMMENDED** the details of the vessel (name, photos, flag, summary of actions), CAPE FLOWER, be updated to reflect the information in the IOTC Circular 2020-42.

Draft IUU vessels list - Consideration of new vessels to add to the IOTC IUU Vessels List - IMULA 0811 GLE

CoC17.27 (Para 107) The CoC **RECOMMENDED** that the vessel IMULA 0811 GLE is placed on the Provisional IUU Vessels List and **REQUESTED** Sri Lanka to provide an update prior to the 24th Session of the Commission on the outcomes of the trial held in September 2020.

CoC17.28 (Para 108) Subject to information provided by Sri Lanka on the vessel IMULA 0811 GLE, and the Provisional IOTC IUU Vessels List ([Appendix 5](#)), the CoC **RECOMMENDED** that the Commission approve an IOTC IUU Vessels List.

Update on progress regarding the Performance Review – Compliance related issues.

CoC17.29 (Para 113) The European Union **RECOMMENDED** that CPCs provide comments to the IOTC Secretariat on the proposal to amend Appendix V of the IOTC Rules of Procedure by the 31st December 2020.

CoC17.30 (Para 114) The CoC **RECOMMENDED** that an updated document of IOTC-2020-CoC17-06 on progress regarding the performance review, based on the comments received during CoC17 be appended to the CoC17 report. ([Appendix 6](#))

Implementation of recommendations of the compliance committee and commission meeting in 2019.

CoC17.31 (Para 123) The CoC **RECOMMENDED** that the Commission tasks the Executive Secretary to write to Eritrea and Sierra Leone expressing concern about the lack of reporting.

CoC17.32 (Para 124) The CoC **RECOMMENDED** that the Executive Secretary make the SCAF aware that Eritrea and Sierra Leone continue to derive economic benefit from the fishery but have not demonstrated any compliance with IOTC resolutions in case this is material to the SCAF's consideration of arrears.

Activities by the IOTC Secretariat in support of capacity building for developing CPCS (Resolution 16/10)

CoC17.33 (Para 129) The CoC **RECOMMENDED** that the IOTC Secretariat continue with capacity building activities that would allow CPCs to address the issue of mandatory statistics and the implementation of the Regional Observer Scheme.

CoC17.34 (Para 130) The CoC **RECOMMENDED** that the IOTC Secretariat explore the possibility of conducting capacity building activities remotely, taking into consideration the limitations imposed by the COVID 19 pandemic.

Review of the recommendations of the Working Party on the Implementation of Conservation and Management Measures.

CoC17.35 (Para 133) The CoC **RECOMMENDED** that work on the glossary of definitions and key terms to be used in IOTC Resolutions be suspended and that the relevance of this exercise be reconsidered by the Compliance Committee once the work on the legal scrubbing is completed.

CoC17.36 (Para 134) The CoC **RECOMMENDED** amendments to the timeline of the roadmap (Appendix 8) to conduct the legal scrubbing for consideration of the Commission for adoption.

Report and documentation of the 3rd meeting of the Catch Documentation Scheme (CDS) Working Group (WG) and Terms of Reference for the Working Group.

CoC17.37 (Para 138) The CoC **ENDORSED** the Terms of Reference for the Catch Documentation Scheme Working Group and **RECOMMENDED** that the Commission consider and, as appropriate, amend and endorse the Terms of Reference, provided in [Appendix 9](#).

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

CoC17.38 (Para 143) The CoC **RECOMMENDED** that the Commission renew the status of Liberia as Cooperating Non-Contracting Party of the IOTC.

CoC17.39 (Para 144) The CoC **RECOMMENDED** that the Commission renew the status of Senegal as Cooperating Non-Contracting Party of the IOTC.

Cooperation with other organisations

CoC17.40 (Para 148) The CoC **RECOMMENDED** that the Commission approve the Chairperson of the Commission to sign the Letter of Understanding with the Indian Ocean Memorandum of Understanding on Port State Control.

Proposal of a Terms of Reference for developing a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG)

CoC17.41 (Para 151) The CoC **ENDORSED** and **RECOMMENDED** that the Commission consider and, as appropriate, amend and endorse the Terms of Reference for developing a scheme to operationalise the *FAO Voluntary Guidelines on the Marking of Fishing Gear (VGMFG)*, provided in [Appendix 4](#).