



The information in this report is presented as it was received from the Member. The circulation of this report, the designations employed therein, and the presentation of material in this publication and its lists do not imply the expression of any opinion nor any recognition whatsoever on the part of the Indian Ocean Tuna Commission (IOTC) or the Food and Agriculture Organization (FAO) of the United Nations concerning the legal, constitutional or development status of any country, territory, city or sea area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Reporting of vessels in transit through BIOT waters for potential breach of IOTC Conservation and Management Measures.

17th Session IOTC Compliance Committee, 2020

1. Introduction

Vessels in transit through British Indian Ocean Territory (BIOT) waters are requested to provide a transit report, details of the procedure for doing this are given in previous reports.

Between the start of March 2020 and the end of February 2021, 359 transit reports from 342 different vessels were received from various flag States (Table 1). 12 vessels reported more than one transit report, with one vessel reporting five transits over this time. As reporting is voluntary, it is likely that the actual number of vessels transiting is higher. However, in general, the number of reports received has decreased significantly from last year, particularly from the Sri Lankan fleet, submitting only 153 transit reports compared to last year's 491 reports. This could be attributed to the Global Pandemic but there is no evidence to support this.

Table 1: A breakdown of vessels submitting transit reports to the BIOT Authority by flag and vessel type between March 2019 and February 2020.

Flag State	Type of Vessel					Percentage of Totals
	CV	LL	MU	PS	Total	
CHN		37			37	10.31%
ESP				6	6	1.67%
FRA				9	9	2.51%
KEN		1			1	0.28%
KOR		1		4	5	1.39%
LKA		75	78		153	42.62%
SYC		60		2	62	17.27%
TWN	11	71	4		86	23.96%
Grand Total	11	245	82	21	359	100.00%
Percentage of Totals	3.06%	68.25%	22.84%	5.85%	100.00%	

CV – Carrier Vessel; LL – Longline; MU – Multipurpose vessels; PS – Purse Seine; SP – Support and TW - Trawler
 CHN – China; TWN – Taiwan, Province of China; ESP – Spain; FRA – France; LKA – Sri Lanka; JPN - Japan; and SYC – Seychelles. .

Once the transit reports are received, the name and corresponding identifying marks are cross-checked against the IOTC Record of Authorized Vessels (RAV) Seventy-Seven reports were received for vessels that had an IOTC number but the authorisation to fish for tuna and tuna-like species had expired at the time of transit (Table 2).

Table 2: List of those vessels transiting BIOT that were not currently authorized to fish for tuna and tuna-like species in the IOTC area at the time of transit.

IOTC No.	Expiry date of IOTC ATF*	Vessel name	Callsign	Flag	Type	BIOT Entry date
17282	31 Dec 2019	IMULA0808CHW ¹	UNK	LKA	MU	02 Mar 2020
67007	22 Jan2020	Yu Feng No67 ¹	BH3089	TWN	CV	03 Mar 2020
17166	31 Dec 2019	IMULA0862CHW ¹	Null	LKA	LL	04 Mar 2020
16699	31 Dec 2019	IMULA0776CHW ¹	4SF4828	LKA	LL	05 Mar 2020
16870	31 De 2019	IMULA0728NBO ¹	4SF5036	LKA	MU	06 Mar 2020
16112	31 Dec 2019	IMULA0678CHW ² (IMULA0676CHW)	4SF4228	LKA	MU	11 Mar 2020
17006	31 Dec 2019	IMULA0691CHW ¹	Null	LKA	MU	13 Mar 2020
16891	31 Dec 2019	IMULA0775CHW ¹	4SF4684	LKA	LL	18 Mar 2020
900080 035	22 Jan2020	Yuan Tai No 806 ¹	BZIR	TWN	CV	25 Mar 2020
16112	31 Dec 2019	IMULA0676CHW ¹	4SF4228	LKA	LL	27 Mar 2020
15918	31 Dec 2019	IMULA0694CHW ¹	4SF3485	LKA	LL	27 Mar 2020
900070 039	22 Jan2020	Ho Yuan ¹	BI2039	TWN	CV	01 Apr 2020
17168	22 Jan 2020	IMULA0888CHW ¹	4SF5386	LKA	MU	02 Apr 2020
16699	22 Jan2020	IMULA0776CHW ¹	4SF4828	LKA	LL	04 Apr 2020
17159	22 Jan 2020	IMULA0779CHW ¹	4SF4973	LKA	LL	07 Apr 2020
125574	22 Jan2020	Hung Fu No. 88 ¹	BI2543	TWN	LL	07 Apr 2020
17082	22 Jan 2020	IMULA0843CHW ¹	4SF5375	LKA	MU	11 Apr 2020
16629	22 Jan 2020	IMULA0737CHW ¹	4SF4590	TWN	MU	08 May 2020
16942	22 Jan2020	IMULA0715NBO ¹	4SF5334	LKA	MU	15 May 2020
16753	22 Jan 2020	IMULA0733NBO ¹	4SF5256	LKA	MU	16 May 2020
16251	31 Dec 2019	IMULA0693NBO ¹	4SF4084	LKA	MU	21 May 2020
17228	22 Jan2020	IMULA0907CHW ¹	4SF5529	LKA	LL	28 May 2020
17073	22 Jan 2020	IMULA0847CHW ¹	4SF5391	LKA	LL	28 May 2020
16629	22 Jan 2020	IMULA0737CHW ¹	4SF4590	LKA	LL	28 May 2020
17285	22 Jan 2020	IMULA0870CHW ¹	4SF5415	LKA	MU	28 May 2020
17155	22 Jan 2020	IMULA0758NBO ¹	4SF5614	LKA	MU	29 May 2020
16875	22 Jan 2020	IMULA0817CHW ¹	4SF4905	LKA	LL	01 Jun 2020
16234	22 Jan 2020	NFSea Glory No6 ¹	S7TG	SYC	LL	02 Jun 2020
17148	22 Jan 2020	Shin Shuen Far ¹	BJ4908	TWN	LL	07 Jun 2020
900051 667	22 Jan 2020	Shin Shuen Far No16 ¹	BG3667	TWN	LL	10 Jun 2020
17169	22 Jan 2020	IMULA0834CHW ¹	4SF5310	LKA	LL	10 Jun 2020
654	22 Jan 2020	Indian Star ¹	S7SI	SYC	LL	12 Jun 2020
645	22 Jan 2020	XIN SHI JI 37 ¹	BZUY8	CHN	LL	12 Jun 2020
12601	22 Jan2020	IMULA0552NBO ¹	4SF5527	LKA	LL	14 Jun 2020
10593	22 Jan 2020	IMULA0391CHW ¹	4SF2318	LKA	LL	14 Jun 2020

IOTC No.	Expiry date of IOTC ATF*	Vessel name	Callsign	Flag	Type	BIOT Entry date
900070 349	31 Dec 2019	Hung Sheng No 212 ¹	BI2349	TWN	LL	15 Jun 2020
900070 543	22 Jan 2020	Hung Fu No88 ³	BI2543	TWN	LL	15 Jun 2020
17424	22 Jan 2020	IMULA0885CHW ¹	Null	LKA	LL	16 Jun 2020
16942	22 Jan 2020	IMULA0715NBO ¹	4SF5334	LKA	LL	16 Jun 2020
17410	22 Jan 2020	IMULA0924CHW ¹	Null	LKA	LL	16 Jun 2020
15761	22 Jan 2020	IMULA0686NBO ¹	4SF3158	LKA	MU	16 Jun 2020
8366	22 Jan 2020	Shang Jyi ¹	5ZZM	KEN	LL	17 Jun 2020
17260	22 Jan 2020	NF Helcules ¹	S7QX	SYC	LL	17 Jun 2020
17260	22 Jan 2020	NF Poloway 101 ¹	S7JH	SYC	LL	17 Jun 2020
829	22 Jan 2020	Xi Shi Ji 86 ¹	BZVY8	CHN	LL	17 Jun 2020
900061 093	22 Jan 2020	Home Sheen ¹	BH3093	TWN	LL	18 Jun 2020
900061 239	22 Jan 2020	Wen Hao No168 ¹	BH3239	TWN	LL	18 Jun 2020
15882	22 Jan 2020	Neptune 2 ¹	S7LV	SYC	LL	20 Jun 2020
900051 694	22 Jan 2020	Shin Shuen Far No668 ¹	BG3694	TWN	LL	20 Jun 2020
15788	22 Jan 2020	Neptune 1 ¹	S7LU	SYC	LL	20 Jun 2020
17258	22 Jan 2020	IMULA0741NBO ¹	4SF5489	LKA	MU	20 Jun 2020
900061 200	22 Jan 2020	CHIEN CHYANG ¹	BH3200	TWN	LL	23 Jun 2020
3675	22 Jan 2020	CHUN YING NO. 212 ¹	S7VT	SYC	LL	23 Jun 2020
16956	22 Jan 2020	NF Alpha Gold No666 ¹	S7WG	SYC	LL	23 Jun 2020
16836	22 Jan 2020	NF Alpha Gold No66 ¹	S7LQ	SYC	LL	23 Jun 2020
900061 364	22 Jan 2020	Hwa Mao No.203 ¹	BH3364	TWN	LL	23 Jun 2020
144	22 Jan 2020	Ashuneyu ¹	S7PX	SYC	LL	24 Jun 2020
1730	22 Jan 2020	Golden Full No 168 ¹	S7JY	SYC	LL	24 Jun 2020
17310	22 Jan 2020	Alpha Golden No6 ¹	S7JQ	SYC	LL	24 Jun 2020
900070 512	22 Jan 2020	Shye Chan 6 ¹	BI2512	TWN	LL	24 Jun 2020
15909	22 Jan 2020	NF Dafa No8 ¹	S7JB	SYC	LL	24 Jun 2020
650	22 Jan 2020	Evergold No1 ¹	S7OG	SYC	LL	25 Jun 2020
900070 251	22 Jan 2020	Chen Wei No3 ¹	BI2251	TWN	LL	25 Jun 2020
16294	22 Jan 2020	Indian Tuna No9 ¹	S7LM	SYC	LL	25 Jun 2020
900051 730	06 Mar 2020	Jaho Fong ¹	BG3730	TWN	LL	26 Jun 2020

IOTC No.	Expiry date of IOTC ATF*	Vessel name	Callsign	Flag	Type	BIOT Entry date
900061 501	06 Mar 2020	Yu You ¹	BH3501	TWN	LL	26 Jun 2020
5389	06 Mar 2020	Yang Ta Hsiang ¹	BI2482	TWN	LL	26 Jun 2020
900061 115	06 Mar 2020	Yuan Tai ¹	BH3115	TWN	LL	26 Jun 2020
1333	31 Mar 2020	Tai Hong No.2 ¹	BZZO5	CHN	LL	01 Jul 2020

¹Licence had expired at time of transit but vessel later to be found authorised within transit date.

²Reported as IMULA0678CHW on transit report but showing up on RAV as IMULA0676CHW.

³Hung Fu No88 and Chen Fa No1 have the same call sign on RAV

It should be noted that ten of the vessels not on the RAV reported to have small amounts of bigeye, yellowfin and skipjack tuna on board, whereas the remaining vessel had no fish at all.

- IMULA0775CHW
- IMULA0694CHW
- IMULA0888CHW
- IMULA0776CHW
- IMULA0779CHW
- IMULA0843CHW
- IMULA0737CHW
- IMULA0541NBO
- IMULA0715NBO
- IMULA0924CHW

A number of other vessels were not on the RAV at time of transit but were subsequently included when checked at a later date, with the authorisation being valid at time of transit. This highlights the issue of Member States not submitting their list authorised vessels on time to the Secretariat.

In addition, eighteen vessels that reported transit were not on the current or historical RAV and had no IOTC number (Table 3) at time of transit (although Six have since been registered). This may be due to fact that the names were difficult to read or, in the case of Sri Lankan vessels, no IMUL number was included or the IRCS was still pending, making it difficult to search for. The vessels included four from Taiwan, province of China, seven Sri Lankan, three Seychellois, and three Chinese, whilst some of these vessels would not have been targeting tuna, six did report having tuna on board (yellowfin and bigeye tuna).

Table 3: Those vessels with no IOTC number recorded.

Vessel name	Callsign	Flag	Type	Entry date
IMULA0154PTM	Null	LKA	MU	12 March 2020
Angolo Puth 3	Null	LKA	MU	07 November 2020
CHANGRONG NO.1	BZZW3	TWN	LL	18 February 2021
CHANGRONG NO.5	BZYE8	TWN	LL	18 February 2021

Vessel name	Callsign	Flag	Type	Entry date
Jingfeng No.4	BZZW7	CHN	LL	21 February 2021
Jinsheng 7	BZSX4	CHN	LL	21 February 2021
Changrong 4	BZZW6	CHN	LL	21 February 2021
Ho Hsin Hsing 601	BG3740	TWN	MU	31 March 2021
IMULA0588CHW	4SF2290	LKA	LL	05 March 2021
NF Dafa No168	S7WB	SYC	LL	19 June 2020
IMULA0541NBO	Null	LKA	LL	02 June 2020
Hung Fu No. 88	BI2643	TWN	LL	24 May 2020
Vessels since registered				
IMULA0773NBO	Null	LKA	MU	07 August 2020
FV NoddyBird	S7QR	SYC	LL	10 February 2021
Golden Rich 178	S7LT	SYC	LL	19 March 2021
NF Expert Tuna	S7OP	SYC	LL	24 June 2020
IMULA0777CHW	4SF4753	LKA	LL	28 May 2020
IMULA0711CHW	4SF4211	LKA	LL	28 May 2020

2. Observed breaches of IOTC CMMs

As part of the Standard Operating Procedures (SOPs) adopted by the BIOT Administration, the Senior Fisheries Protection Officer (SFPO) will board and inspect vessels encountered by the BIOT Patrol Vessel (BPV) while patrolling the BIOT Marine Protected Area (MPA). In particular those vessels that have not provided a transit report will be prioritised. Inspections are routine, the primary purpose being to look for any signs of illegal fishing in which case the vessel will be brought into port for further investigation. However, during an inspection, the SFPO will also check if there is a potential breach of any IOTC Conservation and Management Measures (CMMs). Due to the COVID-19 pandemic, The traditional method of boarding for inspection was deemed unsafe. Remote inspections from the BIOT patrol vessel work boat was conducted, limiting the possibility of checking in full the IOTC CMMs.

Table 4 provides a summary of the details of breaches of IOTC CMMs recorded by the BIOT SFPO since the CoC17 in 2020 up to the end of February 2021. An explanation of the requirements of the CMMs and the breaches observed is given in Section 3. The SFPO submits detailed inspection reports to the BIOT Administration, including the 'BIOT Reporting Form for Activity Not Compliant with IOTC Resolutions' which is submitted to the IOTC Secretariat.

All Ten vessels inspected by the SFPO in the current reporting period were found to be in breach of IOTC CMMs (Table 4). The most common violation being a lack of gear markings, amongst a range of other non-compliances. Seven vessels were reported to the flag State, Secretariat and the Compliance Committee for presumed IUU in BIOT Waters (IMULA0641KLT, IMULA 0541 KLT, IMULA0096KLT, IMULA 0204 MTR, IMULA0811GLE, IMULA0868CHW, IMULA0063KMN). Only three of these vessels were on the IOTC list of authorised fishing vessels at the time of inspection. None of the vessels could be checked for tuna and tuna like species due to the cessation of boarding due to the COVID-19 pandemic

Table 4 List of vessels inspected from March 2020 to February 2021 and their compliance with relevant CMMs. An 'X' indicates that the vessel was in a potential breach of that particular CMM.

Details of vessels inspected				Conservation and Management Measures, breaches shown as 'X'							
Vessel Name	Flag State	Date	Type	IOTC RAV	ATF	No VMS	VMS not proof-tamper-	No logbook	Vessel markings	Gear markings	IOTC Species if
IMULA0811GLE	LKA	19/04/2020	MU	X	X	UNK	UNK	UNK			UNK
IMULA0528KLT	LKA	21/04/2020	MU			UNK	UNK	UNK	X	X	UNK
IMULA0804CHW	LKA	22/04/2020	MU			UNK	UNK	UNK		X	UNK
IMULA0868CHW	LKA	22/04/2020	MU			UNK	UNK	UNK		X	UNK
IMULA0732CHW	LKA	23/04/2020	MU			UNK	UNK	UNK		X	UNK
IMULA0760CHW	LKA	23/04/2020	MU			UNK	UNK	UNK		X	UNK
IMULA1028TLF	LKA	20/08/2020	MU	X		UNK	UNK	UNK		X	UNK
IMULA0168PTM	LKA	20/12/2020	MU			UNK	UNK	UNK		X	UNK
IMULA0646CHW	LKA	20/12/2020	LL			UNK	UNK	UNK		X	UNK
IMULA0192NBO	LKA	15/01/2020	MU	X	X	UNK	UNK	UNK	X	X	UNK

3. Details of breaches of CMMs observed during inspection

IOTC Vessel List.

Requirement: Under Resolution 19/04 paragraphs 1 and 2, CPCs are required to register those vessels operating in waters outside their EEZs that are fishing for tuna and tuna-like species on the IOTC RAV. Vessels not on the RAV list are not permitted to fish for, retain on board, tranship or land tuna and tuna-like species in the IOTC area of competence.

Breach of CMM: Due to the COVID-19 Pandemic, vessels were not able to be safely boarded this season, Therefore, no full inspections were able to take place. Observations were duly made from the BPV Workboat accompanied by supporting photographic evidence. Vessels were checked with the most recently updated RAV at time of inspection, despite being previously registered.

Flag State Licence, Permit, Authorization to Fish

Requirement: Under IOTC Resolution 19/04 paragraph 17, it is required that fishing vessels carry on-board a state issued licence, permit or ATF.

Breach of CMM: In most cases the vessels indicated as non-compliant carried a flag State license but it only permitted the vessel to fish within their own EEZ (IMULA0192NBO, IMULA0528KLT, IMULA0868CHW) but not on the high seas. Vessels Licensed to fish HIS (IMULA0804CHW, IMULA0732CHW, IMULA0760CHW, IMULA0168PTM, IMULA0646CHW) Five vessels authorization dates had expired at the time of checking with DFAR records. Whilst eight had valid authorisation to fish the remaining two had no authorisation at all. (IMULA0811GLE, IMULA1028TLF) had at the time of breach and still do not have any recorded evidence of registry with IOTC or DFAR. This was checked utilising the RAV online.

VMS

Requirement: Under IOTC Resolution 15/03 paragraphs 1 and 8, all fishing vessels greater than 24m in overall length, or any vessel operating outside the EEZ of the flag State fishing for species covered by the IOTC agreement and within the IOTC area of competence require a VMS on board that is tamper resistant. Those not previously required under Resolution 06/03 should phase this in and ensure all their vessels are compliant by April 2019.

Breach of CMM: None of these vessels inspected above could be checked to see if there was a VMS present due to not boarding.

Logbook

Requirement: Under IOTC Resolution 19/04 paragraph 20, all fishing vessels greater than 24m in overall length, or any vessel operating outside the EEZ of the flag State fishing for species covered by the IOTC agreement and within the IOTC area of competence require a national fishing logbook.

Breach of CMM: None of these vessels inspected above could be checked to see if there was a logbook due to not boarding.

Vessel and Gear markings

Requirement: Resolution 19/04, Paragraph 18 requires that marker buoys and similar objects floating and, on the surface, and intended to indicate the location of fixed fishing gear, shall be clearly marked at all times with the letter(s) and/or number(s) of the vessel to which they belong. It is required that they are marked in such a way that they can be readily identified with generally accepted standards such as the FAO Standard Specification for the Marking and Identification of Fishing vessels.

Breach of CMM: All of the vessels appeared to be marked with the name of the vessel although in most cases the MU type of vessel did not have the callsign marked on, which is a requirement of the FAO Standard if Member States choose to adopt this. Only one of the vessels had the gear correctly marked, which demonstrates a negative trend on previous years. This is a relatively

simple measure which is becoming increasingly neglected and would aid the SFPO in their role to identify IUU gear left fishing within the BIOT EEZ.

4. For the attention of the Compliance Committee

This information paper is submitted in response to recommendations of the Compliance Committee¹ and for consistency of reporting covers the same time period as other reports, from March through to February. Ten vessel inspections were carried out and summarised in this report for 2020/21 (compared to 11 for 2019/20, 6 in 2017/18, 10 in 2016/7 and 22 in 2015/16). Nine were in breach of one or more IOTC CMMs in this reporting period (90%). This compares to 100% in 2018/19, 50% in 2017/18, 100% in 2016/17 and 73% in 2015/16. As with previous years, the most common breach was failure to mark gear. It should be noted that two of the vessels inspected were not on the RAV at time of inspection and are therefore not necessarily bound by the CMMs. Furthermore, there is some ambiguity over vessel markings. While the requirement to mark vessels is stated in Resolution 19/04, paragraph 18, the exact requirements are not given, only a suggestion that FAO standards should be followed. In both these cases the relevant Resolutions should be reviewed and improved to make them less open to interpretation. In addition, it is important that Member States submit their list of authorised vessels to the Secretariat, under Resolution 19/04, within time to ensure that they can be included on the RAV when the vessels are operational.

As in previous years we do not propose specific sanctions against individual vessels (except those on the draft IUU vessel list reported for illegally fishing in BIOT waters), but again raise this as an issue for the consideration of the Compliance Committee to consider what actions should be taken and to focus discussions on how compliance can be improved.

The BIOT Administration would welcome similar reports and feedback from other CPCs on the status of implementation of recommendations 113-115 of the 11th Compliance Committee meeting that further shed light on how widespread this problem is in other CPCs waters.

¹ In 2014, 2017, 2018 and 2019: Recommendation para 68 of IOTC–2019–CoC16–R.