

## Summary of Legal Reference for IOTC Conservation and Management Measures

In response to the request of the IOTC compliance questionnaire to CoC18, Japan would like to submit a summary of relevant laws, regulations and administrative instructions in force as follows, in accordance with paragraph 2, Article 11 of the Agreement for the establishment of the Indian Ocean Tuna Commission.

- **2.8.1 Setting any gear type for targeted fishing of mobulid rays**  
It is prohibited by Article 43 and Appended Table 4 (Re: Article 23) of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)
- **2.8.2 Retain onboard, tranship, land, store mobulid rays**  
It is prohibited by Article 43 and Appended Table 4 (Re: Article 23) of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)
- **2.8.3 Gaff, lift by the gill slits/spiracles, punch holes through the bodies**  
It is prohibited by Appended Table 4 (Re: Article 23) of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)
- **2.8.4 Retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, Indo-pacific Sailfish smaller than 60 cm LJFL**  
It has not been prohibited yet. We started the process to modify the Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries in order to put this prohibition into force.
- **2.8.5 Use of large-scale driftnets on the high seas in the IOTC area**  
It is prohibited by Appended Table 1 (Re: Article 2, 87 and 101) of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)
- **2.8.6 Prohibition of fishing on data buoys**  
It is prohibited by (28), paragraph 2 of the Notice of Director General of Resources Management Department of Fisheries Agency (for operators of large-scale PS fishing vessels) (Notice of Fisheries Agency No. 1701 of 2 December, 2020) and by (27), paragraph 2 of the Notice of Director General of Resources Management Department of Fisheries Agency (for operators of LL fishing vessels which operate in the IOTC area) (Notice of Fisheries Agency No. 1701 of 2 December, 2020)
- **2.8.7 Taking on board data buoys**  
It is prohibited by (28), paragraph 2 of the Notice of Director General of Resources Management Department of Fisheries Agency (for operators of large-scale PS fishing vessels) (Notice of Fisheries Agency No. 1701 of 2 December, 2020) and by (27), paragraph 2 of the Notice of Director General of Resources Management

Department of Fisheries Agency (for operators of LL fishing vessels which operate in the IOTC area) (Notice of Fisheries Agency No. 1701 of 2 December, 2020)

- **2.8.8 Catching and retention of thresher sharks**  
It is prohibited by Appended Table 4 (Re: Article 23) of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)
- **2.8.9 Catching and retention of oceanic whitetip sharks**  
It is prohibited by Appended Table 4 (Re: Article 23) of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)
- **2.8.10 Setting purse seine net around cetaceans**  
It is prohibited by Appended Table 4 (Re: Article 23) of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)
- **2.8.11 Setting purse seine net around whale sharks**  
It is prohibited by Appended Table 4 (Re: Article 23) of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)
- **2.8.12 All longline vessels carry line cutter and de-hooker onboard**  
It is ensured by (19), paragraph 2 of the Notice of Director General of Resources Management Department of Fisheries Agency (for operators of LL fishing vessels which operate in the IOTC area) (Notice of Fisheries Agency No. 1701 of 2 December, 2020)
- **2.8.13 All purse seine vessels carry dip nets onboard**  
It is ensured by (20), paragraph 2 of the Notice of Director General of Resources Management Department of Fisheries Agency (for operators of large-scale PS fishing vessels) (Notice of Fisheries Agency No. 1701 of 2 December, 2020)
- **2.8.14 Submerged artificial lights for the purpose of aggregating tuna and tuna-like species beyond territorial waters**  
It is prohibited by Appended Table 4 (Re: Article 23) of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)
- **2.8.15 Using aircrafts and unmanned aerial vehicles as fishing aids for fishing vessels, support and supply vessels**  
It is prohibited by (20), paragraph 2 of the Notice of Director General of Resources Management Department of Fisheries Agency (for operators of large-scale PS fishing vessels) (Notice of Fisheries Agency No. 1701 of 2 December, 2020)

- **2.8.16 Sharks landed fresh: the removal of shark fins on board vessels, the landing, retention on-board, transshipment and carrying of shark fins which are not naturally attached to the shark carcass until the first point of landing**  
Not Applicable for Japan, because Japanese fresh-tuna LL vessels have not operated in the IOTC area.

- **2.8.17 Sharks landed frozen: CPCs that do not apply sub-paragraph 3 a) for all sharks shall require their vessels to not have on board fins that total more than 5% of the weight of sharks on board, up to the first point of landing**

It is ensured by article 53 of Ministerial Ordinance on the Permission, Regulation, Etc. of Fisheries (Ordinance of the Ministry of Agriculture and Forestry No. 5 of January 22, 1963)

- **2.8.18 Retention of target tuna species (YFT/SKJ/ BET) on board for purse seiners, except fish considered unfit for human consumption**

It is ensured by (22), paragraph 2 of the Notice of Director General of Resources Management Department of Fisheries Agency (for operators of large-scale PS fishing vessels) (Notice of Fisheries Agency No. 1701 of 2 December, 2020)

**2.8.19 Retention of non target species (other tunas, rainbow runner, dolphinfish, triggerfish, billfish, wahoo, and barracuda) on board for purse seiners, except fish considered unfit for human consumption**

It is ensured by (22), paragraph 2 of the Notice of Director General of Resources Management Department of Fisheries Agency (for operators of large-scale PS fishing vessels) (Notice of Fisheries Agency No. 1701 of 2 December, 2020)

## DFAD Management Plan for Japanese tuna purse seine fishing vessels

### Fisheries Agency of Japan (FAJ)

#### 1. Objective

This document describes Drifting Fish Aggregating Devices (DFAD) Management Plan to be applied to Japanese tuna purse seine fishing vessels, in accordance with paragraph 12 of IOTC Resolution 19/02. The objective of the plan is to ensure that the use of DFAD by Japanese tuna purse seine fishing vessels is managed in a manner consistent with the conservation and management measures and data collection requirements of the IOTC.

#### 2. Scope

##### (1) Vessel-types and support and tender vessels:

This Management Plan applies to DFAD used by Japanese tuna purse seine fishing vessels during their fishing operation in the Indian Ocean.

##### (2) DFAD numbers and/or DFAD's beacon numbers to be deployed:

Each vessel may deploy at maximum 150 sets of DFAD at any one time.

##### (3) Reporting procedures for DFAD deployment:

A vessel operator shall record information about deployment of DFADs in the FAD logbook (See attached) and submit it to the Japan Far Seas Purse Seine Fishing Association after each cruise. The Japan Far Seas Purse Seine Fishing Association shall submit it to FAJ after reviewing it.

##### (4) Incidental bycatch reduction and utilization policy:

The primary objective of this DFAD Management Plan is to reduce captures of non-target species associated with fishing on DFADs.

FAJ and Fisheries Research and Education Agency (FRA) have been carrying out a series of research activities in order to develop effective and practical methods for reduction of both juvenile bigeye and yellowfin tuna and non-target species catch in DFAD operation.

The more specific purposes of the research activities have been:

- To investigate effectiveness of larger mesh size nets;

- To develop simulation models visualizing under-water shapes of purse seine nets; and
- To evaluate new DFAD designs (sheet type) that potentially can avoid entanglements of non-target species such as sharks and sea turtles.

FAJ periodically holds consultation with scientists, industries and other experts to review the development of effective mitigation measures for juvenile bigeye and yellowfin tuna catch for further improvements of the measures.

#### (5) Consideration of interaction with other gear types

When a fishing operator finds other gear type vessels, the operator does not deploy DFADs near the vessels.

#### (6) Plans for monitoring and retrieval of lost DFADs:

The location of DFAD which is marked with the identified number is monitored by GPS. If the signal is lost, every effort is made to retrieve it. If it cannot be collected, the incident is recorded on FAD logbooks.

#### (7) Statement or policy on “DFADs ownership”:

Vessel operators monitor the location of DFAD through GPS. Each DFAD is marked with relevant information in order to identify the owner.

### **3. Institutional arrangement of the DFAD Management Plans:**

#### (1) Institutional responsibilities:

Vessel operators are responsible for implementation of this DFAD Management Plans including the FAD logbook control. The Japan Far Seas Purse Seine Association will guide and assist the implementation of this plan. The FAJ provides guidance for proper application of this plan, if necessary, through the Japan Far Seas Purse Seine Fishing Association.

#### (2) Application processes for DFAD and /or DFAD beacons deployment approval:

Vessel owners shall notify FAJ of the number of DFAD and beacons planned to deploy in advance. All actual deployment is recorded on the FADs logbook.

#### (3) Obligations of vessel owners and masters in respect of DFAD and /or DFAD beacons deployment and use:

Vessel operators and owners shall comply with requirements stipulated in this

Management Plan and IOTC management measures regarding DFAD operation

(4) DFAD and/or DFADs beacons replacement policy:

All replacement will be recorded on the FADs logbook. Old DFAD should be retrieved as practically as possible.

(5) Reporting obligation

Fishing operators and/or owners will report use of DFAD through the FADs logbook after each cruise to the Japan Far Seas Purse Seine Fishing Association. The Japan Far Seas Purse Seine Fishing Association will submit the logbook to the FAJ.

**4. DFADs construction specifications and requirements**

(1) DFAD design characteristics

DFAD design characteristics are sheet type and net type.

(2) DFAD marking and identifiers, including DFADs beacons

Vessel operators monitor the location of DFAD through GPS. Each DFAD is marked with relevant information in order to identify the owner.

(3) Lighting requirements

The GPS buoy has a function to light up when the vessel approaches.

(4) Radar reflectors

Radar reflectors are not installed in a DFAD.

(5) Visible distance

It depends on the ocean condition.

(6) Radio buoys (requirement for serial numbers)

No radio buoy is used on DFAD.

(7) Satellite transceivers (requirement for serial numbers)

A GPS buoy is installed in each DFAD.

**5. Applicable areas**

This Management Plan will be applied to fishing operation in the IOTC convention area.

All Japanese fishing vessels follow area/time closures adopted as the IOTC conservation and management measures.

#### **6. Applicable periods for the DFAD-MP**

This Management Plan will be applied for the entire period while Japanese purse seiners operate in the IOTC convention area. This plan may be modified if the IOTC conservation and management measures are amended.

#### **7. Means for monitoring and reviewing implementation of the DFAD-MP**

The Japan Far Seas Purse Seine Fishing Association will review the submitted logbook and will submit it to the FAJ. The FAJ provides guidance to the Japan Far Seas Purse Seine Fishing Association based on the information on the logbook, if necessary.

#### **8. DFAD logbook**

The format of FADs logbook is attached.

**DFAD Management Plan for Japanese tuna purse seine fishing vessels  
2021 Progress Report  
Fisheries Agency of Japan (FAJ)**

In accordance with paragraph 16 of IOTC Resolution 19/02, this progress report informs Japan's implementation states of the DFAD Management Plan in 2021 as follows:

- No Japanese purse sein fishing vessels operated in 2021.