

Report of the 19th Session of the Compliance Committee

In person (limited) & by videoconference, 8 to 10 & 12 May 2022

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ACRONYMS

| | |
|--------|--|
| AIS | automatic identification system |
| CDS | catch documentation scheme |
| CMM | conservation and management measure (of the IOTC; Resolutions and Recommendations) |
| CoC | Compliance Committee of the IOTC |
| CPC | Contracting Party (or “Member”) and cooperating non-Contracting Party |
| 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 |
| OT | Overseas Territory |
| SCAF | Standing Committee on Administration and Finance of the IOTC |
| VMS | vessel monitoring system |
| WGEMS | Working Group on Electronic Monitoring Standards |
| WPICMM | Working Party on the Implementation of Conservation and Management Measures |

HOW TO INTERPRET TERMINOLOGY CONTAINED IN THIS REPORT

The CoC19 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 an 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 19th Session of the Compliance Committee (CoC) of the Indian Ocean Tuna Commission (IOTC) was held in person to a limited extent and by videoconference from 8 to 10 & 12 May 2022.

Attendees comprised delegates of 25 Contracting Parties (Members), and 11 Observers, including Invited Experts. The list of participants is provided at [Appendix 1](#). The meeting was chaired by Mr Indra Jaya (IDN), the Vice-Chairperson of the Compliance Committee (Indonesia).

The following is a subset of the complete set of recommendations from the CoC19 to the Commission, which are provided at [Appendix 9](#).

Review of the implementation of IOTC Conservation and Management Measures (CMMs) together with associated reports and identification of challenges encountered in the implementation of IOTC CMMs

The CoC19 **EXPRESSED** concern on the decline in compliance overall and **NOTED** the continued low level of compliance in particular with Resolutions 15/02 and 17/05 and the importance of both this information and the information in the Scientific Report for stock assessments and management.

Global review of selected CMMs

CoC19 ([Para.22](#)) The CoC19 **RECOMMENDED** that:

- The IOTC Secretariat work with the concerned CPCs to provide missing information for the Record of Authorised Vessels;
- The IOTC Secretariat remove from the current Record of Authorised Vessels those vessels whose periods of authorisation have elapsed over two years; and
- The IOTC Secretariat provide within six months an analysis highlighting problems and possible solutions on the implementation of Resolution 19/04 to guide CPCs on its possible review.

Review of CPCs Compliance Reports together with associated reports.

CoC19 ([Para.55](#)) The CoC19 **RECOMMENDED** that the Commission (S26) provide guidance on the interpretation of paragraphs 2 and 5 of Resolution 12/04 in order to reach a common understanding.

Presentations by CPCs of the results of their analyses of their ongoing Electronic Monitoring System (EMS) pilot projects.

CoC19 ([Para.61](#)) The CoC19 **RECOMMENDED** that the Commission review the WGEMS objectives and ToR and provide advice regarding the need to expand its role to consider and provide advice on the use of EMS for compliance purposes.

Review of information related to IUU fishing activities in the IOTC Area of Competence

CoC19 ([Para.107](#)) The CoC19 **RECOMMENDED** that vessels IND.TN.15.MM.4569 (NOVA) and IND.TN.15.MM.5707 (YONA) be placed on the Provisional IUU Vessels List.

Review of the Draft IUU Vessels List – Res. 18/03

CoC19 ([Para.125](#)) The CoC19 **RECOMMENDED** that the case for the vessel IMUL-A-0195-TCO (MANGALA) be deferred to the Commission (S26).

CoC19 ([Para.126](#)) The CoC19 **RECOMMENDED** that the case of the vessels ISRAR 1, ISRAR 2 and ISRAR 3 be deferred to the Commission (S26) in the light of further information to be provided to the Commission (S26) by Oman.

Progress on the legal scrubbing of IOTC Resolutions.

CoC19 ([Para.141](#)) The CoC19 **RECOMMENDED** that the Commission consider adopting the results of the legal scrubbing in two packages of Resolutions over its Sessions in 2023 and 2024.

Activities by the IOTC Secretariat in support of capacity building for developing CPCs – Res. 16/10

CoC19 ([Para.152](#)) The CoC19 **RECOMMENDED** that the Commission (S26) consider making the use of electronic Port State Measures (ePSM) application a mandatory tool.

CoC19 ([Para.153](#)) The CoC19 **RECOMMENDED** that the Commission (S26) endorse WPICMM05's recommendations that the e-MARIS application enter into implementation for the next compliance assessment of the 2023 Compliance Committee meeting (CoC20) and that those CPCs encountering problems be allowed to continue using the paper system for Compliance Committee 20.

Report of the Working Party on the Implementation of Conservation and Management Measures (WPICMM05)

CoC19 ([Para.165](#)) The CoC19 **RECOMMENDED** that the Commission clarify paragraph 14 of Resolution 21/01 to read that over-catch be allowed to be split over two years.

Assessment of the Implementation of IOTC Resolution 11/04.

CoC19 ([Para.166](#)) The CoC19 **RECOMMENDED** that the Commission (S26) approve that Resolution 11/04 not be assessed for the year 2021 at CoC20.

Review of the Terms of Reference for a comparative assessment of existing systems of sanctions and incentives in other organisations

CoC19 ([Para.167](#)) The CoC19 **RECOMMENDED** that the Commission (S26) approve the Terms of Reference for a comparative Assessment of Existing System of Sanctions proposed in [IOTC-2022-WPICMM05-03 Add2 Rev1](#).

Reports of the Working Groups on Catch Documentation Scheme (CDS) and Vessels Monitoring System (VMS)

CoC19 ([Para.172](#)) The CoC19 **RECOMMENDED** the Commission endorse the recommendations of both the CDSWG and the VMSWG.

Review of requests for access to and/or the renewal of the status of Cooperating Non-Contracting Party - Appendix III of the IOTC Rules of Procedure

CoC19 ([Para.180](#)) The CoC19 **RECOMMENDED** the Commission reinstate the status of Cooperating non-Contracting Party of the IOTC to Liberia.

1. OPENING OF THE SESSION

1. Due to the COVID-19 pandemic, the 19th Session of the Compliance Committee (CoC) of the Indian Ocean Tuna Commission (IOTC) was held with limited in person attendance for Heads of Delegation and Alternates for Members only, and by videoconference for other participants, from 8 to 10 and 12 May 2022.
2. Attendees comprised delegates of 25 Contracting Parties (Members) and 11 Observers, including Invited Experts. No Cooperating Non-Contracting Party attended. The list of participants is provided at [Appendix 1](#). The meeting was chaired by Mr Indra Jaya (Indonesia), the Vice-Chairperson of the Compliance Committee.

2. LETTERS OF CREDENTIALS

3. The CoC19 **NOTED** that letters of Credentials had been received from the following Members: Australia, Bangladesh, China, Comoros, European Union, France (OT), India, Indonesia, Iran, Japan, Kenya, Korea (Republic of), Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Philippines, Seychelles, Somalia, Sri Lanka, Tanzania, Thailand and United Kingdom.
4. The CoC19 **ALSO NOTED** no letter of Credentials had been received from Senegal, the only Cooperating Non-Contracting Party.
5. The CoC19 **FURTHER NOTED** that letters of Credentials had been received from 13 Observers, including Invited Experts.
6. The CoC19 **NOTED** the statements on sovereignty from Mauritius, United Kingdom and France (OT), which is found in [Appendix 4](#).

3. ADMISSION OF OBSERVERS

7. Pursuant to Article VII of the Agreement establishing the IOTC, the CoC19 admitted the following observers, as defined in Rule XIV of the IOTC Rules of Procedure (2014):

Members or Associate Members of the FAO

- i. Liberia

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

- ii. Blue Marine Foundation
- iii. International Pole and Line Foundation (IPNLF),
- iv. International Seafood Sustainability Foundation (ISSF),
- v. The Pew Charitable Trusts (PEW),
- vi. Shark Advocates International,
- vii. Shark Guardian
- viii. Sharkproject International,
- ix. Sustainable Fisheries and Communities Trust
- x. World Wide Fund for Nature (WWF).

Invited experts

- xi. Taiwan, Province of China.

4. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

8. The CoC19 **ADOPTED** the Agenda as provided at [Appendix 2](#). The documents presented to the CoC19 are listed at [Appendix 3](#).

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

5.1. GLOBAL REVIEW OF SELECTED CONSERVATION AND MANAGEMENT MEASURES

9. The CoC19 **NOTED** report [IOTC-2022-CoC19-03_Rev1](#), 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 decreased from 73.4 percent for 2020, to 69.9 percent for 2021.

10. The CoC19 **NOTED** that there have been two very difficult years, but that the level of compliance is a crucial element.
11. The CoC19 **EXPRESSED** concern on the decline in compliance overall and **NOTED** the continued low level of compliance in particular with Resolutions 15/02 and 17/05 and the importance of both this information and the information in the Scientific Report for stock assessment and management.
12. The CoC19 **ENCOURAGED** CPCs to inform the IOTC Secretariat when they need capacity support to improve their level of compliance with Resolutions.
13. The CoC19 **NOTED** that in the past fishing capacity had been provided and **REQUESTED** the IOTC Secretariat report on effective fishing capacity of the vessels on the RAV for consideration by the future Compliance Committee meetings.

Record of Authorised Vessels – Resolution 19/04

14. The CoC19 **NOTED** an overall decrease in compliance rates, due mainly to the new reporting requirements of Resolution 19/04, in particular to information on beneficial owners, companies and photographs.
15. CoC19 **RECALLED** that WPICMM05 had requested CPCs with vessels in the IOTC Record of Authorised Vessels, to provide to the IOTC Secretariat 45 days (by 24 March 2022) before the Compliance Committee meeting, (i) missing information for beneficial owner and company, or to provide information to the IOTC Secretariat to explain any impediment and (ii) the definition of beneficial owner if defined in their national law.
16. The CoC19 **NOTED** that only one CPC (European Union) provided the information requested.
17. The CoC19 **NOTED** that Resolution 19/04 does not provide a definition for beneficial owner, and **FURTHER NOTED** that the IOTC Secretariat could therefore not provide a definition to the satisfaction of all CPCs.
18. The CoC19 **NOTED** that in accordance with paragraph 5 of Resolution 19/04 the Secretariat does not add a new vessel unless all mandatory information is provided and **FURTHER NOTED** that information, such as length, is missing from some of those vessels already on the Record.
19. The CoC19 **NOTED** that information is provided on the period of authorization, but when that elapses, the vessel remains on the Record of Authorised Vessels and **FURTHER NOTED** low compliance in the case of IMO number due to fact vessels not eligible for IMO numbers.
20. The CoC19 **REQUESTED** that CPCs request the IOTC Secretariat to remove vessels from the Record of Authorised Vessels, particularly if the period of authorisation becomes invalid, as it does not have the authority to remove them.
21. The CoC19 **INVITED** the Commission to consider that Resolution 19/04 be reviewed.

Recommendation/s

22. The CoC19 **RECOMMENDED** that:
 - a. The IOTC Secretariat work with the concerned CPCs to provide missing information for the Record of Authorised Vessels;
 - b. The IOTC Secretariat remove from the current Record of Authorised Vessels those vessels whose periods of authorisation have elapsed over two years; and
 - c. The IOTC Secretariat provide within six months an analysis highlighting problems and possible solutions on the implementation of Resolution 19/04 to guide CPCs on its possible review.

5.2. REVIEW OF CPC'S COMPLIANCE REPORTS TOGETHER WITH ASSOCIATED REPORTS

23. The CoC19 **NOTED** that the assessments of CPCs were based on the following documents relevant to this agenda item, including:
 - a. [IOTC-2022-CoC19-CR01-31](#) - CPC-based Compliance Reports
 - b. [IOTC-2022-CoC19-CQ01-31](#) - Compliance Questionnaires

- c. [IOTC-2022-CoC19-FL01-31](#) –Response to Feedback Letters
- d. [IOTC-2022-CoC19-IR01-31](#) - Implementation Reports
- e. [IOTC-2022-CoC19-04a](#) - Report on Transshipment Resolution 21/02 – Secretariat’s Report
- f. [IOTC-2022-CoC19-05](#) - Implementation of reporting obligations of nominal catch data (IOTC Resolution 18/07)
- g. [IOTC-2022-CoC19-10](#) - Summary of compliance with the drifting fish aggregating devices management plans

24. The CoC19 **NOTED** the Secretariat’s helpful production of the reporting guidelines and **FURTHER NOTED** the large number of reporting requirements.
25. The CoC19 **NOTED** that the introduction of eMARIS is likely to increase compliance generally and the rate of reporting.
26. The CoC19 **NOTED** the low rate of compliance and repeated non-compliance of some CPCs and **REQUESTED** the IOTC Secretariat contact CPCs (Sudan, Yemen) with a view to receiving information.
27. The CoC19 **NOTED** that the Secretariat would not be able to conduct follow up with Senegal as it has indicated that it will not be seeking to request the renewal of its CNCP status.
28. The CoC19 **NOTED** that CPCs have had 15 days to provide remarks to the IOTC Secretariat on their draft Compliance Reports before their publication on the IOTC website and **FURTHER NOTED** that most CPCs submitted their comments on the last day of the deadline.
29. The CoC19 **REQUESTED** CPCs provide their remarks on the draft Compliance Reports as early as possible, to allow for clarifications and adjustments where necessary.
30. The CoC19 **EXPRESSED CONCERN** that several CPCs have not submitted Implementation Reports, Compliance Questionnaires, National Reports to the Scientific Committee or responses to Feedback Letters, all of which are essential elements for assessing compliance.
31. The CoC19 **NOTED** that some CPCs stressed that the non-submission of compulsory reports linked to the Compliance and Scientific processes jeopardizes the ability of the Commission to reach its goals. The CoC19 **URGED** all the CPCs in that situation to comply with their obligations as thoroughly as possible.
32. The CoC19 **NOTED** supplementary information provided by China, Mauritius, Seychelles and the United Kingdom and **AGREED** the IOTC Secretariat revise the assessments of these elements.
33. The CoC19 **NOTED** the final table of assessment of CPCs presented in Appendix 9.

Implementation Report

34. The CoC19 **NOTED** that five CPCs (Eritrea, Oman, Sudan, Yemen, Senegal) did not submit an Implementation Report, three CPCs submitted after the deadline and 23 CPCs within the deadline.

Compliance Questionnaire

35. The CoC19 **NOTED** that four CPCs (Eritrea, Sudan, Yemen, Senegal) did not submit a Compliance Questionnaire, ten CPCs submitted after the deadline and 17 CPCs within the deadline

Feedback Letter – S17

36. The CoC **NOTED** that eight CPCs (Eritrea, India, Kenya, Oman, Pakistan, Somalia, Sudan, Yemen) did not submit responses to a Feedback Letter, three CPCs submitted responses after the deadline and 17 CPCs within the deadline, and **FURTHER NOTED** that three CPCs were not issued with a Feedback Letter in 2021. The CoC19 **INDICATED** that Feedback letters submitted during the Compliance Committee meeting do not allow a thorough assessment of the response.
37. The CoC19 **NOTED** the importance of the responses to their Feedback Letters in the compliance process and **FURTHER NOTED** that a lack of a response to a Feedback Letter may reflect a lack of interest in compliance by the CPC concerned.
38. The CoC19 **REQUESTED** the IOTC Secretariat remind CPCs that have not submitted feedback letter to date, to do so.

Scientific national report – SC04

39. The CoC19 **NOTED** that seven (Eritrea, Kenya, Mozambique, Senegal, Somalia, Sudan, Yemen) CPCs did not submit their national scientific report, one CPC submitted its national scientific report after the deadline and 23 CPCs within the deadline. The CoC19 **NOTED** the importance of the scientific report for stock assessment and fisheries management and **REQUESTED** CPCs to provide their scientific reports.

On an Interim Plan for Rebuilding the Indian Ocean Yellowfin Tuna Stock in the IOTC Area of Competence - Resolution 21/01 & 19/01

40. The CoC19 **NOTED** that the IOTC had assessed China as partially compliant with respect to Resolution 19/01 (item 2.19 in the Compliance Report) and that this was due to two fleets being considered together.

41. The CoC19 **NOTED** concerns with respect to the sharp increased catch of yellowfin tuna by some CPCs.

Recommendation/s

42. The CoC19 **RECOMMENDED** that item 2.19 in China's Compliance Report not be assessed and a revised version of China's Compliance Report be produced.

On vessel chartering in the IOTC Area of Competence – Resolution 19/07

43. The CoC19 **NOTED** that South Africa had not provided information on its charter agreements and because it did not attend the CoC19, **REQUESTED** the IOTC Secretariat follow up with South Africa.

Record of Authorised Vessels, gear marking – Resolution 19/04

44. The CoC19 **NOTED** the lack of standardized guidelines for the implementation of gear marking.

45. The CoC19 **NOTED** the proposal that this requirement not be assessed and **FURTHER NOTED** it would be a dangerous precedent if exemption is given in marking of gears merely because of the lack of standardized guidelines.

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

46. The CoC19 **NOTED** paper [IOTC-2022-CoC19-05](#) on nominal catch data Resolution 18/07 prepared by the Secretariat.

47. The CoC19 **NOTED** the importance of the zero catch matrix required under Resolution 18/07 for data collection, stock assessment and fisheries management and **FURTHER NOTED** the efforts CPCs will make to comply with this requirement.

On Management Measures for the Conservation of the Billfishes: Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish – Resolution 18/05; On the conservation of whale sharks – Resolution 13/05; On reducing the incidental bycatch of seabirds in longline fisheries – Resolution 12/06; On the Conservation of marine turtles – 12/04

48. The CoC19 **NOTED** that bycatch data has been affected by the impossibility of deploying observers in 2020, due to COVID-19.

Reporting of mandatory statistics – Resolutions 15/02, 17/05 & 18/05

49. The CoC19 **NOTED** the recurrent low level of compliance with Resolution 15/02 (Catch statistics), Resolution 17/05 (Catch statistics on sharks) and Resolution 18/05 (Conservation of billfishes), especially so for coastal fisheries.

50. The CoC19 **NOTED** that some CPCs had not complied with this element for several years, which exceeds the COVID-19 period and **APPRECIATED** that one CPC (Comoros) fully compliant with these requirements.

51. The CoC19 **NOTED** the update from the European Union on its internal review of the nominal catch data for 2018 and **ALSO NOTED** that while preliminary findings will be further assessed, the internal review is still ongoing, and the European Union would approach the IOTC secretariat to exchange relevant information about the process before the results of the internal review is finalized.

On the Conservation of marine turtles – 12/04

52. The CoC19 **NOTED** that the IOTC Secretariat had prepared a reporting template based on the FAO Guidelines but does consider other information if a CPC does not follow the reporting template.

53.The CoC19 **NOTED** the request by some CPCs that the requirement on Resolution 12/04 of reporting on implementation of FAO Guidelines not be assessed.

54.The CoC19 **NOTED** that paragraphs 2 and 5 of Resolution 12/04 can be interpreted in different ways.

Recommendation/s

55.The CoC19 **RECOMMENDED** that the Commission (S26) provide guidance on the interpretation of paragraphs 2 and 5 of Resolution 12/04 in order to reach a common understanding.

5.3. PRESENTATIONS BY CPCs OF THE RESULTS OF THEIR ANALYSES OF THEIR ONGOING ELECTRONIC MONITORING SYSTEM (EMS) PILOT PROJECTS

56.The **NOTED** the following feedback from Australia, China, European Union, Japan, Kenya, Malaysia, Maldives, Seychelles and Sri Lanka:

- a. Electronic monitoring systems are a valuable tool for the collection of scientific data that can complement observer and port sampling data and have a positive impact on compliance.
- b. Technical issues were found in relation to the length of video recordings, and noted that the financial implications may result in this technology being prohibitive for individual operators.
- c. Scientific data through electronic monitoring systems has successfully been collected on purse seiners and longliners.
- d. Issues have been identified in applying EMS to long-distance fishing vessels.
- e. At least one CPC that has started electronic monitoring would also like to be part of the EMS working group and requested other CPCs to share their experiences in implementing EMS.
- f. Where EMS has been installed work has been done to improve the software and recordings.
- g. EMS has gradually been expanded to include various aspects of compliance, such as protection of endangered species.
- h. At least one CPC would hope to make EMS a legal requirement if successful for the different fleets.
- i. At least one CPC found some vessels have problems with power and have to turn off the EMS, and that remote training on EMS has limited effectiveness.

57.The CoC19 **NOTED** Sri Lanka’s continued need for support from the IOTC Secretariat on their pilot EMS project.

58.The CoC19 **NOTED** that CPCs will further share their experiences and results in the EMS Working Group.

59.The CoC19 **NOTED** the present mandate of the EMS Working Group on scientific information and **FURTHER NOTED** that several countries had highlighted the usefulness of EMS for compliance matters.

60.The CoC19 **NOTED** the statements and commitments made by CPCs under agenda items 5.2 and 5.3, as presented in [Appendix 6](#).

Recommendation/s

61.The CoC **RECOMMENDED** that the Commission review the WGEMS objectives and ToR and provide advice regarding the need to expand its role to consider and provide advice on the use of EMS for compliance purposes.

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

62.The CoC19 **NOTED** paper [IOTC–2022–CoC19–07a](#) on vessels in transit prepared by the United Kingdom.

63.The CoC19 **NOTED** just three out of 684 vessels reporting transit had an expired authorisation to fish for tuna and tuna-like species, and **FURTHER NOTED** this is an improvement compared to 77 last year.

64.The CoC19 **NOTED** seven vessels in transit were not on the current or historical IOTC Record of Authorised Vessels (RAV) and had no IOTC number at time of transit, and **FURTHER NOTED** that this is an improvement on last year where 76 vessels were not registered at the time of transit.

65.The CoC19 **NOTED** that of the 40 vessels inspected, 38 were found to be in breach of IOTC CMMs: the most common being not authorised, followed by the lack of gear markings.

66. The CoC19 **NOTED** with concern the number of vessels not registered on the Record of Authorised Vessels and **FURTHER NOTED** that those vessels not on the RAV and not compliant with other conservation and management measures might be considered for the draft list of IUU vessels for CoC20.
67. The CoC19 **NOTED** that one CPC invited Sri Lanka to improve its authorization system to avoid situations where vessels not yet on the RAV are in a condition to fish and **STRESSED** that in the future vessels in this condition should be IUU listed. Sri Lanka indicated that progress on improving the VMS and the legal system had been made in this regard.
68. The CoC19 **NOTED** the usefulness to the Maldives of information in this paper and **FURTHER NOTED** that UK is updating its COVID protocols to allow the full resumption of boarding and inspection of vessels, so vessels can be taken into custody in port when necessary.
69. The CoC19 **NOTED** paper [IOTC-2022-CoC19-07b](#) on possible infractions observed under the Regional Observer Programme in 2021.
70. The CoC19 **NOTED** a total of ten possible infractions were recorded in 2021 - three related to fishing logbooks (2020: 20; 2019: 33), four related to marking of fishing vessels (2020: 19; 2019: 51) and three related to Authorisation to Fish (2020: 20; 2019: 22) and **FURTHER NOTED** responses were received on all cases.
71. The CoC19 **RECALLED** the [WPICMM05](#)'s revised assessment regarding vessel ISRAR1, flagged to Oman, and its possible infraction (see [IOTC-2022-WPICMM05-04 Add2 Rev1](#)), and its request to Oman to provide further evidence for discussion at CoC19 on the result of their investigations and the actions they will have taken.
72. The CoC19 **NOTED** that the possible infraction might have been due to a misunderstanding between the two numbers to be found on the licence and **FURTHER NOTED** Oman's request to the vessel to replace its licence at their offices to resolve the misunderstanding.
73. The CoC19 **REQUESTED** Oman continue to provide updates to the WPICMM and to the Compliance Committee.
74. The CoC19 **NOTED** the information provided in paper [IOTC-2022-CoC19-07c](#) on a project to estimate illegal fishing in the Indian Ocean basin by Australia's national science agency (CSIRO).
75. The CoC19 **NOTED** the project is intended to be cost-efficient in assessing the incidence of IUU with three techniques: surveys, assessment of public documents and interviews with key informants.
76. The CoC19 **NOTED** that interviews with scientific observers should be treated with caution and **FURTHER NOTED** that feedback from observers involved with the IOTC transshipment programme may result in bias towards the transshipment programme.
77. The CoC19 **NOTED** that this risk would be considered in the methodology of the project.
78. The CoC19 **NOTED** that the survey is principally concerned with unauthorised fishing, having only one question relating to unreported and unregulated fishing.
79. The CoC19 **REQUESTED** the Regional Observer Programme consortium share the survey designed for observers active on the high seas of the Indian Ocean with the observers of the IOTC Regional Observer Programme, and **FURTHER REQUESTED** CPCs to encourage their observers to cooperate with the initiative.
80. The CoC19 **NOTED** paper [IOTC-2022-CoC19-07d Rev1](#) that describes several incidences of alleged illegal fishing activities that took place in the IOTC Area, and **FURTHER NOTED** papers , [IOTC-2022-CoC19-07d Add1](#) and [IOTC-2022-CoC19-07d Add2](#) with complementary information from the United Kingdom and China, respectively.

Vessels IMULA-0633-CHW, IMULA-0740-KLT, IMULA-0778-KLT

81. The CoC19 **NOTED** the actions that Sri Lanka has taken against the vessels involved in these incidences and **FURTHER NOTED** that the United Kingdom was satisfied with the action taken with respect to IMULA-0633-CHW, IMULA-0740-KLT, IMULA-0778-KLT.

Vessels IMULA0248KLT and IMULA0947MTR

82. The CoC19 **NOTED** that Sri Lanka had already taken some action against IMULA0248KLT and IMULA0947MTR and **FURTHER NOTED** that the United Kingdom is satisfied to date.
83. The CoC19 **REQUESTED** Sri Lanka provide updates on flag State actions against IMULA0248KLT and IMULA0947MTR to the UK and to the Compliance Committee in the intersessional period.

Vessel IMULA0524KLT

- 84.The CoC19 **NOTED** that Sri Lankan vessel IMULA0524 KLT had previously been sanctioned but had been found non-compliant.
- 85.The CoC19 **NOTED** that the case against IMULA0524KLT is now closed and that Sri Lanka had already applied sanctions and **FURTHER NOTED** that the United Kingdom is satisfied that these are adequate.
- 86.The CoC19 **REQUESTED** that Sri Lanka update the United Kingdom and the CoC intersessionally when VMS is installed and vessel IMULA0524KLT is released.
- 87.The CoC19 **NOTED** the increased communication from Sri Lanka regarding innocent passage and **FURTHER NOTED** the future introduction of VMS on all vessels.

IND.TN.15.MM.4569 (NOVA) and IND.TN.15.MM.5707 (YONA)

- 88.The CoC19 **NOTED** that India has not provided any information in writing to the IOTC Secretariat on the incidences related to these vessels that have been caught twice fishing illegally and **FURTHER NOTED** additional Indian vessels have been found fishing illegally within the 70-day period before the Commission meeting.
- 89.The CoC19 **NOTED** regarding vessel IND.TN.15.MM.4569 (NOVA) that India has imposed a fine on the vessel and **FURTHER NOTED** India’s verbal assurance that the vessel has been impounded and legal proceedings are being pursued.
- 90.The CoC19 **NOTED** India’s verbal assurance regarding vessel IND.TN.15.MM.4569 (NOVA) that it will not release the vessel until VMS has been installed.
- 91.The CoC19 **NOTED** that vessels IND.TN.15.MM.4569 (NOVA) and IND.TN.15.MM.5707 (YONA) have been observed fishing illegally together more than once (in February 2022 and in March 2022) and **FURTHER NOTED** a demonstrated lack of flag State controls, and repeated infractions by owner and skipper.
- 92.The CoC19 **NOTED** India’s follow-up actions against its vessels to prevent future infractions and **FURTHER NOTED** the forthcoming proposal for a high seas boarding scheme.

Vessel MATSUEI MARU 3

- 93.The CoC19 **NOTED** that Japan is investigating vessel MATSUEI MARU 3 and **FURTHER NOTED** its commitment to keeping the CoC updated intersessionally.
- 94.The CoC19 **NOTED** concern from some CPCs that personal data was made publicly available in documents related to this case and **FURTHER NOTED** that if the vessel is later prosecuted this information may prejudice legal proceedings.
- 95.The CoC19 **REQUESTED** that in the future, information relating to personal data shall only be accessible to the Secretariat, to the flag CPC and to the inspection CPC.

Vessels HONGDONGFISHERY12 and LEXMAR009

- 96.The CoC19 **NOTED** the response of Panama on the incidences related to the vessels which were purportedly under its flag.
- 97.The CoC19 **NOTED** that vessel LEXMAR009 is still flagged to Panama according to the Global Integrated Shipping Information System of the International Maritime Organisation.
- 98.The CoC19 **REQUESTED** the IOTC Secretariat contact Panama to ascertain whether the vessel LEXMAR009 is still flagged to Panama.
- 99.The CoC19 **NOTED** the uncertainties regarding the flag of vessels LEXMAR 009 and HONGDONGFISHERY 12 in the light of the initial information transmitted to the IOTC Secretariat, which appeared to indicate that the vessels were without nationality, within the definition of IOTC Resolution 16/05.
100. The CoC19 **REQUESTED** the IOTC Secretariat to continue investigations into the flagging of vessels LEXMAR 009 and HONGDONGFISHERY 12, by liaising with Panama and cross-referencing the information made available, in particular via the International Maritime Organization's Integrated Global Maritime Intelligence System.
101. The CoC19 **AGREED** that vessels LEXMAR 009 and HONGDONGFISHERY 12 would be included in the draft IOTC IUU list, for its 20th session in 2023, if there is no new element to contradict the hypothesis of the lack of nationality, in accordance with IOTC Resolutions 18/03 and 16/05.

Vessels FU YUAN YU 7617, FU YUAN YU 7618 and FU YUAN YU 7619

102. The CoC 19 **NOTED** the additional information provided in document [IOTC-2022-CoC19-07d Add2](#), which provide the results of an investigation conducted by the Bureau of Fisheries of China into the activities of three vessels in the IOTC Area.
103. The CoC19 **NOTED** the three vessels conducted transit activities and **FURTHER NOTED** China's statement that they will ensure that their fishing vessels in transit/innocent passage shall fully comply with transit/innocent passage requirements of the relevant coastal CPC, including solving the problem of language communication during transit/innocent passage.
104. The CoC19 **NOTED** that one CPC encouraged coastal CPCs to provide their regulation on transit and/or innocent passage to the IOTC Secretariat, including notice form and contact details.
105. The CoC19 **NOTED** that one CPC requested the IOTC Secretariat to circulate the information on regulations regarding transit and innocent passage to all CPCs.
106. The CoC19 **NOTED** that one CPC suggested that if a coastal CPC had not provided their regulation on transit and/or innocent passage to the IOTC Secretariat, the alleged case related to transit and/or innocent passage should be handled bilaterally between the concerned coastal and flag States, regardless the type of fisheries the alleged fishing vessels are involved in.

Recommendation/s

107. The CoC19 **RECOMMENDED** that vessels IND.TN.15.MM.4569 (NOVA) and IND.TN.15.MM.5707 (YONA) be placed on the Provisional IUU Vessel List.

7. REVIEW OF THE 2021 DRAFT ILLEGAL, UNREPORTED AND UNREGULATED VESSELS LIST – RESOLUTION 18/03

108. The CoC19 **NOTED** the information provided in document [IOTC-2022-CoC19-08](#), which will assist it in its deliberations for recommending a Provisional IUU Vessels List for consideration by the Twenty-sixth Session of the Commission and **FURTHER NOTED** document [IOTC-2022-CoC19-08 Add1](#), which provided additional information from the United Kingdom.

7.1. VESSELS AVEMARIYA AND LITTLESHA (IND)

109. The CoC19 **NOTED** that India had not responded to the United Kingdom's request for clarifications on vessel AVEMARIYA and on vessel LITTLESHA and **FURTHER NOTED** that in accordance with Resolution 18/03 the vessels would pass automatically to IOTC's Provisional IUU Vessels List.
110. The CoC19 **AGREED** that vessels AVEMARIYA and LITTLESHA be included in the Provisional IOTC IUU Vessels List.

7.2. VESSELS IMUL-A-0195-TCO (MANGALA) AND IMUL-A-0560-KLT (LKA)

111. The CoC19 **NOTED** that both the United Kingdom and France (OT) had nominated vessel IMUL-A-0195-TCO (MANGALA).
112. The CoC19 **NOTED** the actions taken by Sri Lanka against the two Sri Lankan vessels, as provided in Annex 3 of paper [IOTC-2022-CoC19-08](#).
113. The CoC19 **NOTED** that, with respect to IMUL-A-0195-TCO (MANGALA), although the case is not concluded, and it is therefore too early to determine if sanctions of adequate severity have been imposed, the United Kingdom is confident that the actions initiated to date by Sri Lanka, and reported at least 15 days prior to the CoC19, in accordance with the procedure set out in Resolution 18/03, would continue to be pursued. The United Kingdom would therefore defer a decision to list this vessel until 2023 and not seek to place it on the Provisional IUU list in 2022.
114. The CoC19 **NOTED** regarding the case of IMUL-A-0195-TCO (MANGALA) that a new infraction had been recorded on 24 April 2021 by France (OT).
115. The CoC19 **NOTED** regarding the case of IMUL-A-0195-TCO (MANGALA), that France (OT) underlined the actions taken by Sri Lanka and recalled that, according to Resolution 18/03, the vessel should be included on the Provisional IUU list in 2022, considering the irrefutable evidence of IUU fishing.

116. The CoC19 **NOTED** that one CPC indicated that, according to Resolution 18/03 para 14c and 14d, the vessel should be included in the Provisional IUU Vessels List until sanctioned or proven innocent.
117. The CoC19 **NOTED** that regarding the vessel IMUL-A-0560-KLT, the United Kingdom accepted that the case was concluded and that sanctions of adequate severity had been imposed. The United Kingdom would not seek to recommend that this vessel be placed on the Provisional IUU list. The CoC19 **REQUESTED** that Sri Lanka update the United Kingdom and the CPC intersessionally when VMS is installed and the vessel is released.
118. The CoC19 **AGREED** that the vessel IMUL-A-0560-KLT not be included in the IOTC Provisional IUU Vessels List.

7.3. VESSELS ISRAR 1, ISRAR 2 AND ISRAR 3 (OMN)

119. The CoC19 **NOTED** Oman's objection to the cross-listing of ISRAR 1, ISRAR 2 and ISRAR 3 and **FURTHER NOTED** the information provided by Oman in support of not cross-listing the three Omani vessels from the IUU Vessels List of the International Commission for the Conservation of Atlantic Tunas (ICCAT).
120. The CoC19 **NOTED** that some CPCs expressed their view that the unverifiable information provided by Oman did not satisfy the provisions of paragraph 14 of Resolution 18/03 and that therefore the vessels are eligible to be placed on the IUU Vessels List.
121. The CoC19 **NOTED** that Oman would seek further information and provide it to the Commission (S26).
122. The CoC19 **NOTED** that one CPC stressed the special responsibility of Oman considering their recent alleged high increase of catches of yellowfin tuna and their objection to Resolution 21/01.

7.4. VESSEL KM. SAMUDERA PASIFIK No. 18 (IDN)

123. The CoC19 **NOTED** Indonesia's request to delete vessel KM. SAMUDERA PASIFIK No 18 from the current IOTC IUU Vessels list. The CoC19 **FURTHER NOTED** that Indonesia provided information indicating that the fishing permit of the KM. SAMUDERA PASIFIK No. 18 has been revoked since 2014 and that the vessel is no longer under Indonesian flag.
124. The CoC19 **NOTED** the view that, because the vessel was still on ICCAT's IUU Vessels list, and until it is removed, the Commission could not remove the vessel from IOTC's IUU Vessels list.

Recommendation/s

125. The CoC19 **RECOMMENDED** that the case for the vessel IMUL-A-0195-TCO (MANGALA) be deferred to the Commission (S26).
126. The CoC19 **RECOMMENDED** that the case of the vessels ISRAR 1, ISRAR 2 and ISRAR 3 be deferred to the Commission (S26) in the light of further information to be provided to the Commission (S26) by Oman.
127. The CoC19 **RECOMMENDED** that the Commission approve that the vessels included in the Provisional IOTC IUU Vessels List ([Appendix 5](#)) be included in the IOTC IUU Vessels List.

8. REVIEW OF RECOMMENDATIONS REQUIRING INTERSESSIONAL ACTIONS, FROM COC18 AND THE 25TH ANNUAL SESSION

128. The CoC19 **NOTED** paper [IOTC–2022–CoC19–09 Rev1](#), prepared by the IOTC Secretariat, and the progress made in relation to the implementation of the recommendations and requests from CoC18.
129. The CoC19 **NOTED** the extremely low-level of responses received in relation to the reminders sent to CPCs with regards to submission of missing information and data for the 2019 reporting cycle, and feedback on challenges to implement the IOTC Resolutions on port State measures and the regional observer scheme.
130. The CoC19 **NOTED** the extremely low number of CPCs who have provided feedback and comments on the legal scrubbing document (see item 10 below).
131. The CoC19 **NOTED** that all actions had been implemented.

9. REQUEST FOR INTERPRETATION OF PARAGRAPH 18B OF RESOLUTION 21/01, PARAGRAPH 16C OF RESOLUTION 19/01 AND PARAGRAPH 3.C.III OF RESOLUTION 18/01

132. The CoC19 **NOTED** paper [IOTC-2022-CoC19-14](#), prepared by Tanzania, which presents its position on this agenda item.
133. The CoC19 **NOTED** that there was no need to provide an interpretation of those paragraphs.

134. The CoC19 **NOTED** support for Tanzania's position, in view of its status as a developing coastal State and in the condition that the supply vessel was already in the RAV under a different flag.
135. The CoC19 **NOTED** that new proposals exist for a revised resolution on an interim plan for rebuilding the yellowfin stock in paper [IOTC-2022-S26-PropJ](#) and [IOTC-2022-S26-PropM](#) and **INVITED** Tanzania to provide a text to the proponents of the proposals that could be considered by the Commission (S26) during its deliberations on the proposed revisions.

10. PROGRESS ON THE LEGAL SCRUBBING OF IOTC RESOLUTIONS

136. The CoC19 **NOTED** paper [IOTC-2022-CoC19-13](#), prepared by the IOTC Secretariat, which presents the result of the legal scrubbing of IOTC Resolutions in its Annex 1.
137. The CoC19 **NOTED** that only four CPCs (Australia, European Union, Japan and Maldives) provided inputs on the legal scrubbing of IOTC Resolutions.
138. The CoC19 **NOTED** that it was unclear what the Commission (S26) is expected to do during its session with this document.
139. The CoC19 **NOTED** the requests of some CPCs for additional time for considering the legally scrubbed Resolutions and **FURTHER NOTED** the disappointment of some CPCs in these requests for more time, three years after the presentation of the result of the legal scrubbing.
140. The CoC19 **REQUESTED** CPCs to use the conclusions of the legal scrubbing when proposing new resolutions or amendments to existing Resolutions.

Recommendation/s

141. The CoC19 **RECOMMENDED** that the Commission consider adopting the results of the legal scrubbing in two packages of Resolutions over its Sessions in 2023 and 2024.

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

142. The CoC19 **NOTED** paper [IOTC-2022-CoC19-11 Rev2](#), prepared by the IOTC Secretariat, which provided information on the activities undertaken by the IOTC Secretariat in support of implementation of CMMs adopted by the IOTC.
143. The CoC19 **NOTED** the continued implementation of capacity building activities by the IOTC Secretariat to improve compliance with CMMs and strengthen the implementation of port State measures.
144. The CoC19 **NOTED** expressions of gratitude from several CPCs to the IOTC Secretariat on its capacity building activities.

ePSM application

145. The CoC19 **NOTED** the implementation of a training programme for port State CPCs, in accordance with paragraph 3 of Resolution 16/11 and the increasing use of the IOTC ePSM application by port State CPCs.
146. The CoC19 **NOTED** the success of the ePSM application and **FURTHER NOTED**, in line with paragraph 3.3 of Resolution 16/11, that the trial period of three years has passed.

eMARIS application

147. The CoC19 **NOTED**, in response to the recommendations of CoC15, the progress made by the IOTC Secretariat towards the development of the e-MARIS application
148. The CoC19 **RECALLED** the recommendation of the WPICMM05 that all CPCs wishing to participate in the Pilot Training 2 of e-MARIS contact the IOTC Secretariat.
149. The CoC19 **CONSIDERED** making a recommendation to S26 on the mandatory use of the eMARIS application and define a period for implementation, according to the WPICMM05's Recommendation.
150. The CoC19 **NOTED** the potential usefulness of eMARIS in improving CPCs' compliance rates and **EXPRESSED SUPPORT** for its use.

Online Record of Authorised Vessels

151. The CoC19 **NOTED** that roll-out is planned for March 2023 and that training will then be conducted for CPCs having vessels on the IOTC Record of Authorised Vessels.

Recommendation/s

152. The CoC19 **RECOMMENDED** that the Commission (S26) consider making the use of electronic Port State Measures Application (ePSM) a mandatory tool.

153. The CoC19 **RECOMMENDED** that the Commission (S26) endorse WPICMM05's recommendations that the e-MARIS application enters into implementation for the next compliance assessment of the 2023 Compliance Committee meeting (CoC20) and that those CPCs encountering problems be allowed to continue using the paper system for Compliance Committee 20.

12. PROPOSAL TO AMEND APPENDIX V OF THE IOTC RULES OF PROCEDURE (TERMS OF REFERENCE AND RULES OF PROCEDURE FOR THE COMPLIANCE COMMITTEE)

154. The CoC19 **NOTED** document [IOTC-2022-S26-05](#) prepared by the European Union, that presents a proposal to amend Appendix V of the IOTC Rules of Procedure.

155. The CoC19 **NOTED** the feedback provided by different CPCs on the draft proposal.

156. The CoC19 **NOTED** the broad support for the proposal from CPCs, as well as the importance of a positive compliance culture in the IOTC, which includes identifying serious compliance issues and what the drivers are, so that appropriate measures may be taken and **FURTHER NOTED** the inclusion of the right to reply with a view to the continuous improvement of CPCs' implementation and compliance with their obligations.

157. The CoC19 **NOTED** possible implications of the scheme on the workload of the IOTC Secretariat.

158. The CoC19 **NOTED** that Maldives would provide comments in writing on the proposal in advance of the Commission (S26) meeting.

13. REPORT OF WORKING PARTY ON THE IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES (WPICMM05)

159. The CoC19 **NOTED** document [IOTC-2022-CoC19-12](#) presenting the progress of the Working Party on the Implementation of Conservation and Management Measures.

160. The CoC19 **NOTED** [IOTC-2022-WPICMM05-R_Rev1](#) with a consolidated set of recommendations in its Appendix 6 and **ENDORSED** the recommendations.

13.1. REVIEW OF THE ADVICE OF WPICMM05 ON THE INTERPRETATION OF PARAGRAPH 14A OF RESOLUTION 21/01, IN RELATION TO THE YELLOWFIN TUNA ALLOCATED CATCH LIMITS FOR 2022

161. The CoC19 **RECALLED** that the [WPICMM05 IOTC-2022-WPICMM05-R_Rev1](#) (para 114) recommended the Compliance Committee and the Commission clarify paragraph 14 of Resolution 21/01 to read that over-catch be allowed to be split over two years.

13.2. ASSESSMENT OF THE IMPLEMENTATION OF RESOLUTION 11/04

162. The CoC19 **NOTED** no objection that Resolution 11/04 not be assessed for the year 2021 at CoC20.

13.3. REVIEW OF THE TERMS OF REFERENCE FOR A COMPARATIVE ASSESSMENT OF EXISTING SYSTEMS OF SANCTIONS AND INCENTIVES IN OTHER ORGANISATIONS

163. The CoC19 **NOTED** no objection to the Terms of Reference for a comparative Assessment of Existing System of Sanctions proposed in [IOTC-2022-WPICMM05-03_Add2_Rev1](#).

Recommendation/s

164. The CoC19 **RECOMMENDED** the Commission endorse the recommendations of the WPICMM05.

165. The CoC19 **RECOMMENDED** that the Commission clarify paragraph 14 of Resolution 21/01 to read that over-catch be allowed to be split over two years

166. The CoC19 **RECOMMENDED** that the Commission (S26) approve that Resolution 11/04 not be assessed for the year 2021 at CoC20.

167. The CoC19 **RECOMMENDED** that the Commission (S26) approve the Terms of Reference for a comparative Assessment of Existing System of Sanctions proposed in [IOTC-2022-WPICMM05-03 Add2 Rev1](#).

14. REPORTS OF THE WORKING GROUPS ON CDS AND VMS

168. The CoC19 **NOTED** document [IOTC-2022-CoC19-12](#) presenting the progress of the Catch Documentation Scheme and the Vessel Monitoring Systems Working Groups.

169. The CoC19 **NOTED** the low attendance and slow progress of both the CDSWG and the VMSWG and **FURTHER NOTED** that this might have been due to the COVID-19 pandemic.

170. The CoC19 **RECALLED** the request of the CDSWG06 to all CPCs for information on any impediments and possible solutions on the implementation of the CDS ([IOTC-2022-CDSWG06-R Rev1 para 24](#)).

171. The CoC19 **NOTED** the slow progress of the CDS and VMS Working Groups and **INVITED** the Chairs and the Members of the Working Groups to commit more efforts to the tasks that the Commission has conferred to them.

Recommendation/s

172. The CoC19 **RECOMMENDED** the Commission endorse the recommendations of both the CDSWG and the VMSWG.

15. REPORT ON THE DEVELOPMENT OF A SCHEME TO OPERATIONALISE THE FAO VOLUNTARY GUIDELINE FOR FISHING GEAR AND FISH AGGREGATING DEVICES IN THE IOTC AREA

173. The CoC19 **NOTED** document [IOTC-2022-CoC19-06](#) on the progress report on the development of a scheme to operationalize the FAO Voluntary Guidelines on the Marking of Fishing Gear and Fish Aggregating Devices (FAD) and **FURTHER NOTED** document [IOTC-2022-CoC19-06 Add1](#) presenting the results of the consultant's work.

174. The CoC19 **NOTED** that CPCs had been asked to provide comments in a month following WPICMM05, this period being a bit short and **FURTHER NOTED** that intersessional work will continue with a view to have the report discussed at the CoC20, for possible adoption at the S27 meeting.

175. The CoC19 **NOTED** that there appeared to be no CPC that had fully adopted and implemented the Voluntary Guidelines.

16. REVIEW OF REQUESTS FOR ACCESS TO AND/OR THE RENEWAL OF THE STATUS OF COOPERATING NON-CONTRACTING PARTY – APPENDIX III OF THE IOTC RULES OF PROCEDURE

176. The CoC19 **NOTED** paper [IOTC-2022-CoC19-CNCP01](#) on Liberia's request for its reinstatement as a CNCP of the IOTC.

177. The COC19 **NOTED** Liberia's request was made within the deadline and **FURTHER NOTED** its willingness to abide by all IOTC's rules and regulations.

178. The CoC19 **NOTED** Senegal did not intend to renew its status as a CNCP.

179. The CoC19 **REQUESTED** the IOTC Secretariat to contact Panama with a view to becoming a CNCP.

Recommendation/s

180. The CoC19 **RECOMMENDED** the Commission reinstate the status of Cooperating non-Contracting Party of the IOTC to Liberia.

17. REFLECTION ON AN IOTC HIGH SEAS BOARDING AND INSPECTION SCHEME

181. The CoC19 **NOTED** proposal [IOTC-2022-S26-PropD](#) on the European Union's reflections on a high seas boarding and inspection scheme.

182. The CoC19 **RECALLED** that the IOTC Secretariat had sent a request for advice from the FAO Legal Office and **NOTED** that feedback was received at the beginning of the CoC19 meeting.

183. The CoC19 **NOTED** that China would provide legal explanations at the Commission (S26) on their legal difficulties with accepting at sea boarding by third parties.

184. The CoC19 **NOTED** the need to give time to prepare operational documents and train officers on the implementation of the high seas boarding scheme and **FURTHER NOTED** that capacity building will be a critical element in its success.
185. The CoC19 **NOTED** that discussion is necessary on how to make the scheme inclusive of Taiwan, Province of China, which is not a CPC.
186. The CoC19 **NOTED** the importance of establishing links with SIOFA's scheme of inspection and **FURTHER NOTED** there may be difficulties in allowing SIOFA inspectors to conduct inspections if IOTC vessels are not bound by SIOFA rules and regulations.
187. The CoC19 **NOTED** significant support from CPCs for the proposal.

18. DATE AND VENUE OF NEXT MEETING

188. The CoC19 **NOTED** that the CoC is normally held one week before the meeting of the Commission and **FURTHER NOTED** the date of the Commission (S27) has not yet been set.

19. ELECTION OF A CHAIRPERSON AND VICE-CHAIRPERSON OF THE COMPLIANCE COMMITTEE, FOR THE NEXT BIENNIUM

189. The CoC19 **ELECTED** the present Vice-Chairperson Mr Indra Jaya (Indonesia) as the Chairperson for the next biennium.
190. Noting that no candidate was proposed from a CPC that is not coastal State, the CoC19 **ELECTED** Mr Zahor El Kharousy (Tanzania) as Vice-chairperson for the next biennium.

20. ANY OTHER BUSINESS

191. There was no other business.

21. ADOPTION OF THE REPORT OF THE 19TH SESSION OF THE COMPLIANCE COMMITTEE

192. The CoC19 **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC19, provided at [Appendix 9](#).
193. The report of the 19th Session of the Compliance Committee ([IOTC-2022-CoC19-R](#)) was adopted on 12 May 2022.

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APPENDIX 2
ADOPTED AGENDA

Date: 08 May – 10 May and 12 May, 2022

Location: Eden Blue Hotel (Seychelles) & Virtual

Time: 09:00 – 17:00 Seychelles Time

Chairperson: Vacant, **Vice Chairperson:** Prof. Dr. Indra Jaya

08 May – 10 May

1. Opening of the Session.
2. Letters of Credentials.
3. Admission of Observers.
4. Adoption of the Agenda and arrangements for the Session.
5. Review of the implementation of IOTC Conservation and Management Measures (CMMs) together with associated reports and identification of challenges encountered in the implementation of IOTC CMMs – Appendix V of the IOTC Rules of Procedure.
 - 5.1 Global review of selected CMMs.
 - 5.2 Review of CPCs Compliance Reports together with associated reports.
 - 5.3 Presentations by CPCs of the results of their analyses of their ongoing Electronic Monitoring System (EMS) pilot projects.
6. Review of information related to IUU fishing activities in the IOTC Area of Competence.
7. Review of the Draft IUU Vessels List – Res. 18/03.
8. Review of recommendations requiring intersessional actions, from CoC18 and the 25 Annual Session.
9. Request for interpretation of paragraph 18b of Resolution 21/01, paragraph 16c of Resolution 19/01 and paragraph 3.c.iii of Resolution 18/01.
10. Progress on the legal scrubbing of IOTC Resolutions.
11. Activities by the IOTC Secretariat in support of capacity building for developing CPCs – Res. 16/10.
12. Proposal to amend Appendix V of the IOTC Rules of Procedure (Terms of Reference and Rules of Procedure of the Compliance Committee).
13. Report of the Working Party on the Implementation of Conservation and Management Measures (WPICMM05):
 - 13.1 Review of the advice of WPICMM05 on the interpretation of paragraph 14a of Resolution 21/01, in relation to the yellowfin tuna allocated catch limits for 2022.
 - 13.2 Assessment of the Implementation of IOTC Resolution 11/04.
 - 13.3 Review of the Terms of Reference for a comparative assessment of existing systems of sanctions and incentives in other organisations.
14. Reports of the Working Groups on:
 - 14.1 Catch Documentation Scheme (CDS).
 - 14.2 An IOTC Vessels Monitoring System (VMS).
15. Report on the development of a scheme to operationalise the FAO Voluntary Guideline for Fishing Gears and FADs in the IOTC Area.
16. Review of requests for access to and/or the renewal of the status of Cooperating Non-Contracting Party - Appendix III of the IOTC Rules of Procedure.

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17. Reflection on an IOTC High Seas Boarding and Inspection scheme.
 18. Date and venue of next meeting.
 19. Election of a Chairperson and Vice-chairperson of the Compliance Committee, for the next biennium.
 20. Any Other Business

12 May

21. Adoption of the Report of the 19th Session of the Compliance Committee.

APPENDIX 3
FINAL LIST OF DOCUMENTS

**LIST OF DOCUMENTS FOR THE NINETEENTH SESSION OF THE
COMPLIANCE COMMITTEE**

LAST UPDATED: 12 MAY 2022

| 1. Meeting documents | Title |
|-----------------------------|---|
| IOTC-2022-CoC19-01a | Provisional Agenda for the Nineteenth Session of the Compliance Committee |
| IOTC-2022-CoC19-01b_Rev1 | Provisional Annotated Agenda for the Nineteenth Session of the Compliance Committee |
| IOTC-2022-CoC19-02_Rev2 | List of documents for the Nineteenth Session of the Compliance Committee |
| IOTC-2022-CoC19-03_Rev1 | Summary report on the level of compliance |
| IOTC-2022-CoC19-04a | Report on Transshipment Resolution 21/02 – Secretariat’s Report |
| IOTC-2022-CoC19-04b | A Summary of the IOTC Regional Observer Programme during 2021 – Contractor’s Report |
| IOTC-2022-CoC19-05 | Implementation of reporting obligations of nominal catch data (IOTC Resolution 18/07) |
| IOTC-2022-CoC19-06 | Progress reports on the development of a scheme to operationalise the FAO voluntary guidelines on the marking of fishing gear & FADs |
| IOTC-2022-CoC19-06_Add1 | Operationalisation of FAO Voluntary Guidelines for the Marking of Fishing Gear in the IOTC Area of Competence |
| IOTC-2022-CoC19-07a | Reporting of vessels in transit - United Kingdom |
| IOTC-2022-CoC19-07b | Summary report on possible infractions observed under the Regional Observer Programme in 2021 |
| IOTC-2022-CoC19-07c | Project to estimate illegal fishing in the Indian Ocean Basin - Australia |
| IOTC-2022-CoC19-07d_Rev1 | Complementary elements for discussion under item 6 of the agenda for the Compliance Committee |
| IOTC-2022-CoC19-07d_Add1 | Additional information from the United Kingdom concerning five vessels mentioned in document IOTC-2022-CoC19-07d |
| IOTC-2022-CoC19-07d_Add2 | Additional information from China |
| IOTC-2022-CoC19-08 | The IOTC Draft IUU Vessels List |
| IOTC-2022-CoC19-08_Add1 | Additional information from the United Kingdom concerning three vessels in the current IOTC IUU Vessels List and four vessels on the 2022 IOTC Draft IUU Vessels List |
| IOTC-2022-CoC19-09_Rev1 | Implementation of Recommendations from CoC18 & S25 |
| IOTC-2022-CoC19-09_Add1 | Advice from FAO LEG on adoption of a HSBIS |
| IOTC-2022-CoC19-10 | Summary of Compliance with the drifting Fish Aggregating Devices Management Plans |

| 1. Meeting documents | Title |
|---|--|
| IOTC-2022-CoC19-10_Add1 | Collection of drifting Fish Aggregating Devices Management Plans |
| IOTC-2022-CoC19-11_Rev2 | Summary report on Compliance Support Activities |
| IOTC-2022-CoC19-12 | Progress reports of the WPICMM, CDSWG & VMSWG. |
| IOTC-2022-CoC19-13 | Summary of the implementation process and the progress of the legal scrubbing of the IOTC Resolutions |
| IOTC-2022-CoC19-14 | Position of the United Republic of Tanzania on Compliance Committee's agenda point 9 |
| 2. Reference documents | |
| IOTC-2016-CoC13-14 | Review Of Progress Made On Elaborating A Proposal For An IOTC High Seas Boarding and Inspection Scheme |
| IOTC-2022-CoC19-Statement-01 | Mauritius Statement under Agenda item 2 of CoC19 |
| IOTC-2022-CoC19-Statement-02 | Mauritius Statement under Agenda item 4 of CoC19 |
| IOTC-2022-CoC19-Statement-03 | Mauritius Statement under Agenda item 6 of CoC19 |
| IOTC-2022-CoC19-Statement-04 | Mauritius Statement under Agenda item 7 of CoC19 |
| IOTC-2022-CoC19-Statement-05 | Note Verbale from United Kingdom of Great Britain and Northern Ireland |
| IOTC-2022-CoC19-Statement-06 | Statement by the Republic of France in response to the statements of the Republic of Mauritius |
| IOTC-2022-CoC19-Statement-07 | Mauritius Note Verbale |
| IOTC-2022-S26-PropD | On a high-seas boarding and inspection scheme (European Union) |
| IOTC-2022-WPICMM05-11 | Analyses of beneficial owners' information of authorised vessels |
| 3. Reports from other meetings | |
| IOTC-2021-CoC18-R | Report of the 18th Session of the Compliance Committee |
| IOTC-2021-SC24-NR | All National Reports to the Scientific Committee of the Indian Ocean Tuna Commission, 2021 |
| IOTC-2021-SC24-R | Report of the 24th Session of the IOTC Scientific Committee |
| IOTC-2022-CDSWG | Reports from meetings of the IOTC Catch Documentation Scheme Working Group (CDSWG) |
| IOTC-2022-VMSWG | Reports from meetings of the IOTC Vessel Monitoring System Working Group (VMSWG) |
| IOTC-2022-WPICMM05-R_Rev1 | Report of the Fifth Session of the IOTC Working Party on the Implementation of Conservation and Management Measures (WPICMM05) |
| IOTC-2022-WPICMM05-05_Rev1 | WPICMM Work Plan ENDORSED by WPICMM05 |
| IOTC-2022-S26-05 | Proposal to amend Appendix V of the IOTC Rules of Procedure (European Union) |
| 4. Requests for the Cooperating non-Contracting Party status | Request from |
| IOTC-2022-CoC19-CNCP01 | Liberia CNCP status request |

| 5. Compliance Reports | Members |
|----------------------------------|--|
| IOTC-2022-CoC19-CR01_Rev1 | Australia |
| IOTC-2022-CoC19-CR02_Rev1 | Bangladesh |
| IOTC-2022-CoC19-CR03_Rev2 | China |
| IOTC-2022-CoC19-CR04 | Comoros |
| IOTC-2022-CoC19-CR05 | Eritrea |
| IOTC-2022-CoC19-CR06 | European Union |
| IOTC-2022-CoC19-CR07 | France (OT) |
| IOTC-2022-CoC19-CR08 | India |
| IOTC-2022-CoC19-CR09 | Indonesia |
| IOTC-2022-CoC19-CR10 | Iran, Islamic Republic of |
| IOTC-2022-CoC19-CR11 | Japan |
| IOTC-2022-CoC19-CR12 | Kenya |
| IOTC-2022-CoC19-CR13 | Korea, Republic of |
| IOTC-2022-CoC19-CR14 | Madagascar |
| IOTC-2022-CoC19-CR15 | Malaysia |
| IOTC-2022-CoC19-CR16 | Maldives |
| IOTC-2022-CoC19-CR17_Rev1 | Mauritius |
| IOTC-2022-CoC19-CR18 | Mozambique |
| IOTC-2022-CoC19-CR19_Rev1 | Oman |
| IOTC-2022-CoC19-CR20 | Pakistan |
| IOTC-2022-CoC19-CR21 | Philippines |
| IOTC-2022-CoC19-CR22_Rev1 | Seychelles |
| IOTC-2022-CoC19-CR23 | Somalia |
| IOTC-2022-CoC19-CR24 | South Africa |
| IOTC-2022-CoC19-CR25 | Sri Lanka |
| IOTC-2022-CoC19-CR26 | Sudan |
| IOTC-2022-CoC19-CR27_Rev1 | Tanzania, United Republic of |
| IOTC-2022-CoC19-CR28 | Thailand |
| IOTC-2022-CoC19-CR29_Rev3 | United Kingdom |
| IOTC-2022-CoC19-CR30 | Yemen |
| 5.1 Compliance Reports | Cooperating non-Contracting Parties |
| IOTC-2022-CoC19-CR31 | Senegal |
| 6. Implementation Reports | Members |
| IOTC-2022-CoC19-IR01 | Australia |
| IOTC-2022-CoC19-IR02 | Bangladesh |
| IOTC-2022-CoC19-IR03 | China |
| IOTC-2022-CoC19-IR04 | Comoros |
| IOTC-2022-CoC19-IR05 | Eritrea (Not submitted) |
| IOTC-2022-CoC19-IR06 | European Union |

| 6. Implementation Reports | Members |
|------------------------------------|--|
| IOTC-2022-CoC19-IR07 | France (OT) |
| IOTC-2022-CoC19-IR08 | India |
| IOTC-2022-CoC19-IR09 | Indonesia |
| IOTC-2022-CoC19-IR10 | Iran, Islamic Republic of |
| IOTC-2022-CoC19-IR11 | Japan |
| IOTC-2022-CoC19-IR12 | Kenya |
| IOTC-2022-CoC19-IR13 | Korea, Republic of |
| IOTC-2022-CoC19-IR14 | Madagascar |
| IOTC-2022-CoC19-IR15 | Malaysia |
| IOTC-2022-CoC19-IR16 | Maldives |
| IOTC-2022-CoC19-IR17 | Mauritius |
| IOTC-2022-CoC19-IR18 | Mozambique |
| IOTC-2022-CoC19-IR19 | Oman (Not submitted) |
| IOTC-2022-CoC19-IR20 | Pakistan |
| IOTC-2022-CoC19-IR21 | Philippines |
| IOTC-2022-CoC19-IR22 | Seychelles |
| IOTC-2022-CoC19-IR23 | Somalia |
| IOTC-2022-CoC19-IR24 | South Africa |
| IOTC-2022-CoC19-IR25 | Sri Lanka |
| IOTC-2022-CoC19-IR26 | Sudan (Not submitted) |
| IOTC-2022-CoC19-IR27 | Tanzania, United Republic of |
| IOTC-2022-CoC19-IR28 | Thailand |
| IOTC-2022-CoC19-IR29_Rev1 | United Kingdom |
| IOTC-2022-CoC19-IR30 | Yemen (Not submitted) |
| 6.1 Implementation Reports | Cooperating non-Contracting Parties |
| IOTC-2022-CoC19-IR31 | Senegal (Not submitted) |
| 7. Compliance Questionnaire | Members |
| IOTC-2022-CoC19-CQ01_Rev1 | Australia |
| IOTC-2022-CoC19-CQ02 | Bangladesh |
| IOTC-2022-CoC19-CQ03_Rev1 | China |
| IOTC-2022-CoC19-CQ04_Rev1 | Comoros |
| IOTC-2022-CoC19-CQ05 | Eritrea (Not submitted) |
| IOTC-2022-CoC19-CQ06 | European Union |
| IOTC-2022-CoC19-CQ07 | France (OT) |
| IOTC-2022-CoC19-CQ08 | India |
| IOTC-2022-CoC19-CQ09 | Indonesia |
| IOTC-2022-CoC19-CQ10 | Iran, Islamic Republic of |
| IOTC-2022-CoC19-CQ11 | Japan |
| IOTC-2022-CoC19-CQ12 | Kenya |

| 7. Compliance Questionnaire | Members |
|---------------------------------------|---|
| IOTC-2022-CoC19-CQ13 | Korea, Republic of |
| IOTC-2022-CoC19-CQ14 | Madagascar |
| IOTC-2022-CoC19-CQ15 | Malaysia |
| IOTC-2022-CoC19-CQ16 | Maldives |
| IOTC-2022-CoC19-CQ17 | Mauritius |
| IOTC-2022-CoC19-CQ18 | Mozambique |
| IOTC-2022-CoC19-CQ19 | Oman |
| IOTC-2022-CoC19-CQ20 | Pakistan |
| IOTC-2022-CoC19-CQ21 | Philippines |
| IOTC-2022-CoC19-CQ22 | Seychelles |
| IOTC-2022-CoC19-CQ23 | Somalia |
| IOTC-2022-CoC19-CQ24 | South Africa |
| IOTC-2022-CoC19-CQ25 | Sri Lanka |
| IOTC-2022-CoC19-CQ26 | Sudan (Not submitted) |
| IOTC-2022-CoC19-CQ27 | Tanzania, United Republic of |
| IOTC-2022-CoC19-CQ28_Rev2 | Thailand |
| IOTC-2022-CoC19-CQ29_Rev2 | United Kingdom |
| IOTC-2022-CoC19-CQ30 | Yemen (Not submitted) |
| 7.1 Compliance Questionnaire | Cooperating non-Contracting Parties |
| IOTC-2022-CoC19-CQ31 | Senegal (Not submitted) |
| 8. Response to Feedback Letter | Members |
| IOTC-2022-CoC19-FL01 | Australia |
| IOTC-2022-CoC19-FL02 | Bangladesh |
| IOTC-2022-CoC19-FL03 | China |
| IOTC-2022-CoC19-FL04 | Comoros |
| IOTC-2022-CoC19-FL05 | Eritrea (Not submitted) |
| IOTC-2022-CoC19-FL06 | European Union |
| IOTC-2022-CoC19-FL07 | France (OT) - No Feedback Letter issued in 2021 |
| IOTC-2022-CoC19-FL08 | India |
| IOTC-2022-CoC19-FL09 | Indonesia |
| IOTC-2022-CoC19-FL10 | Iran, Islamic Republic of |
| IOTC-2022-CoC19-FL11 | Japan |
| IOTC-2022-CoC19-FL12 | Kenya |
| IOTC-2022-CoC19-FL13 | Korea, Republic of |
| IOTC-2022-CoC19-FL14 | Madagascar |
| IOTC-2022-CoC19-FL15 | Malaysia |
| IOTC-2022-CoC19-FL16 | Maldives |
| IOTC-2022-CoC19-FL17 | Mauritius |
| IOTC-2022-CoC19-FL18 | Mozambique |
| IOTC-2022-CoC19-FL19 | Oman |
| IOTC-2022-CoC19-FL20 | Pakistan (Not submitted) |
| IOTC-2022-CoC19-FL21 | Philippines |
| IOTC-2022-CoC19-FL22 | Seychelles |
| IOTC-2022-CoC19-FL23 | Somalia (Not submitted) |

| 8. Response to Feedback Letter | Members |
|--|--|
| IOTC-2022-CoC19-FL24 | South Africa |
| IOTC-2022-CoC19-FL25 | Sri Lanka |
| IOTC-2022-CoC19-FL26 | Sudan (Not submitted) |
| IOTC-2022-CoC19-FL27 | Tanzania, United Republic of |
| IOTC-2022-CoC19-FL28 | Thailand |
| IOTC-2022-CoC19-FL29 | United Kingdom - No Feedback Letter issued in 2021 |
| IOTC-2022-CoC19-FL30 | Yemen (Not submitted) |
| 8.1 Response to Feedback Letter | Cooperating non-Contracting Parties |
| IOTC-2022-CoC19-FL31 | Senegal -No Feedback Letter issued in 2021 |
| 9. Information Documents | Title |
| IOTC-2022-CoC19-INF01 | A Comparative Analysis of AIS Data with the Indian Ocean Tuna Commission Reported Transshipment Activity in 2019 |
| IOTC-2022-CoC19-INF02 | IOTC - Compendium of ACTIVE CMMs 17 December 2021 |
| IOTC-2022-CoC19-INF03_Rev2 | Systematic non-compliance of drifting fish aggregating devices (dFADs) with Resolution 19/02 'Procedures on a Fish Aggregating Devices (FADs) Management Plan' |
| IOTC-2022-CoC19-INF04 | Non-compliance with dFAD Biodegradability |
| IOTC-2022-CoC19-INF05 | WWF Position 19th Session of the Compliance |
| IOTC-2022-S26-INF04 | The Environmental Justice Foundation, Oceana, The Pew Charitable Trusts and WWF Policy Brief |
| 10. Publications | Title |
| IOTC CMMs I-Sheets | Conservation and Management Measures implementation sheets / Fiches de mise en œuvre des mesures de conservation et de gestion |
| IOTC CMMs manual A | Implementation of IOTC Conservation and Management Measures – Part A - Understanding IOTC and the international fisheries management framework (2022) |
| IOTC CMMs manual B | Implementation of IOTC Conservation and Management Measures – Part B - Implementation of IOTC CMMs entailing reporting obligations (2022) |
| IOTC PSM Guidelines | Guidelines on best practices for interagency cooperation at national level and regional cooperation (2021) |
| IOTC PSM Manual (2nd edition) | Procedures for the implementation of the Indian Ocean Tuna Commission Port State Measures (2022) |
| 11. Guidelines | Title |
| IOTC-Guide-2022_EN | Guide to IOTC data and information reporting requirements (2022) |
| IOTC-Reporting-Calendar-2022 | Calendar of IOTC data and information reporting requirements (2022) |

APPENDIX 4
STATEMENTS ON SOVEREIGNTY

19th Session of IOTC Compliance Committee
8-10 and 12 May 2022, Seychelles

Agenda Item 2: Letters of Credentials

Statement by the Republic of Mauritius

The Republic of Mauritius reiterates its long-standing position that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC) as a “coastal State situated wholly or partly within the Area [of competence of the Commission]” and wishes to place on record its objection to the participation of the United Kingdom in the 19th Session of the Compliance Committee as a coastal State purporting to represent the Chagos Archipelago.

In addition to the reasons provided in the past to support its stand, the Republic of Mauritius wishes to draw the attention of the Committee to the Judgment delivered on 28 January 2021 in the case of *Mauritius v. Maldives* by a Special Chamber of the International Tribunal for the Law of the Sea (ITLOS). This Judgment ruled that the Republic of Mauritius has undisputed sovereignty over the Chagos Archipelago, thereby further confirming that the United Kingdom cannot be recognized as a member of the IOTC as a coastal State.

In its Judgment, the Special Chamber also held that:

- (a) the determinations made by the International Court of Justice (ICJ) in its Advisory Opinion of 25 February 2019 on the *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965* have legal effect and clear implications for the legal status of the Chagos Archipelago;
- (b) the United Kingdom’s continued claim to sovereignty over the Chagos Archipelago is contrary to the determinations made by the ICJ that the detachment of the Chagos Archipelago by the United Kingdom from Mauritius was unlawful and that the United Kingdom’s continued administration of the Chagos Archipelago constitutes an unlawful act of a continuing character;
- (c) the fact that the time-limit of 22 November 2019 set by the UN General Assembly for the withdrawal of the United Kingdom’s administration from the Chagos Archipelago has passed without the United Kingdom complying with that demand further strengthens the Special Chamber’s finding that its claim to sovereignty over the Chagos Archipelago is contrary to the authoritative determinations made in the Advisory Opinion of the ICJ;
- (d) while the process of decolonization of the Republic of Mauritius has yet to be completed, the Republic of Mauritius’ sovereignty over the Chagos Archipelago can be inferred from the ICJ’s determinations;

- (e) the continued claim of the United Kingdom to sovereignty over the Chagos Archipelago cannot be considered anything more than “a mere assertion” and such assertion does not prove the existence of a dispute;
- (f) the Republic of Mauritius is to be regarded as the coastal State in respect of the Chagos Archipelago.

More recently, on 24 August 2021, the Universal Postal Union (UPU) adopted a resolution for the implementation of UN General Assembly Resolution 73/295. This resolution, *inter alia*, provides that:

- (a) the UPU formally acknowledges that, for the purposes of its activities, the Chagos Archipelago forms an integral part of the territory of the Republic of Mauritius;
- (b) the International Bureau of the UPU should cease the registration, distribution and forwarding of any and all postage stamps issued by the so-called “British Indian Ocean Territory” (“BIOT”);
- (c) the International Bureau of the UPU should ensure that UPU documentation does not include any references to the so-called “BIOT” or to the Chagos Archipelago as part of the member country of the UPU known as the “Overseas Territories of the United Kingdom of Great Britain and Northern Ireland”.

It is crystal clear that as a matter of international law, the Republic of Mauritius is the only State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones, as the coastal State. The so-called “BIOT” which the United Kingdom purported to create by illegally excising the Chagos Archipelago from the territory of the Republic of Mauritius prior to its accession to independence is an illegal entity. The United Kingdom is not in a position to claim any rights over the Chagos Archipelago and cannot therefore be a member of the IOTC as a coastal State.

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.

Agenda Item 4: Adoption of the Agenda and arrangements for the Session

Statement by the Republic of Mauritius

The Republic of Mauritius strongly objects to the references made in documents circulated for this meeting of the Compliance Committee to “British Indian Ocean Territory”, “BIOT” and “UK-BIOT” as well as to the ‘marine protected area’ (‘MPA’) purportedly established by the United Kingdom around the Chagos Archipelago.

The Republic of Mauritius wishes to recall that in its Judgment of 28 January 2021, the Special Chamber of the International Tribunal for the Law of the Sea (ITLOS) ruled that the Republic of Mauritius has undisputed sovereignty over the Chagos Archipelago and that the United Kingdom’s continued claim to sovereignty over the Chagos Archipelago is contrary to the determinations of the International Court of Justice (ICJ) to the effect that the detachment of the Chagos Archipelago from Mauritius was unlawful and that the United Kingdom’s continued administration of the Chagos Archipelago is an unlawful act of a continuing character. It also ruled that the Republic of Mauritius is to be regarded as the coastal State in respect of the Chagos Archipelago.

In the view of ITLOS, determinations made by the ICJ in an advisory opinion cannot be disregarded simply because the advisory opinion is not binding. The Special Chamber held that the determinations made by the ICJ in its Advisory Opinion of 25 February 2019 have legal effect and clear implications for the legal status of the Chagos Archipelago.

ITLOS further held that the UN General Assembly was entrusted by the ICJ to take necessary steps towards the completion of the decolonization of the Republic of Mauritius and that Resolution 73/295 which was adopted by the General Assembly on 22 May 2019 is also relevant to assessing the legal status of the Chagos Archipelago. ITLOS also considered that the time-limit of 22 November 2019 for the unconditional withdrawal of the United Kingdom’s colonial administration from the Chagos Archipelago was one of the modalities for ensuring the completion of the decolonization of the Republic of Mauritius.

In Resolution 73/295, the General Assembly has called upon the United Nations and all its specialized agencies as well as all other international, regional and intergovernmental organizations to recognize that the Chagos Archipelago forms an integral part of the Republic of Mauritius, to support the decolonization of the Republic of Mauritius as rapidly as possible, and to refrain from impeding that process by recognizing, or giving effect to any measure taken by or on behalf of, the so-called “British Indian Ocean Territory”.

As is well known, following proceedings initiated by Mauritius against the United Kingdom under Article 287 of, and Annex VII to, the United Nations Convention on the Law of the Sea (UNCLOS), the Arbitral Tribunal constituted under Annex VII to UNCLOS to hear the dispute ruled in its Award of 18 March 2015 that in establishing the ‘MPA’ around the Chagos Archipelago, the United Kingdom breached its obligations under Articles 2(3), 56(2) and 194(4) of UNCLOS.

In the light of the Award of the Arbitral Tribunal, the Advisory Opinion of the ICJ of 25 February 2019, UN General Assembly Resolution 73/295 and the Judgment of the Special

Chamber of ITLOS of 28 January 2021, it is clear that the ‘MPA’ purportedly established by the United Kingdom around the Chagos Archipelago is illegal and cannot be enforced. Any reference to or consideration given by the IOTC, including this meeting, to the purported ‘MPA’ will be in contradiction with international law.

Moreover, the Republic of Mauritius objects to the use of terms such as “France (OT)” and “France (Territories)” in documents which have been circulated for this meeting, in so far as these terms purport to refer to the Island of Tromelin as a French territory. The Republic of Mauritius reaffirms that it has full and complete sovereignty over the Island of Tromelin, including its maritime zones.

The Republic of Mauritius rejects the sovereignty claim of France over the Island of Tromelin as well as France’s claim to any sovereign right or jurisdiction over the Exclusive Economic Zone adjacent to the Island of Tromelin. Further, the Republic of Mauritius does not recognize the validity of the inclusion of the Island of Tromelin in the French Southern and Antarctic Lands (TAAF) or the Scattered Islands/Iles Eparses.

Subject to the foregoing, the Republic of Mauritius has no objection to the adoption of the draft agenda.

The Republic of Mauritius also reserves all its rights under international law, including under Article XXIII of the Agreement for the Establishment of the Indian Ocean Tuna Commission.

This statement also applies to other agenda items and to all documents circulated for this meeting.

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.

**Agenda Item 6: Review of information related to IUU fishing activities
in the IOTC Area of Competence**

Statement by the Republic of Mauritius

The Republic of Mauritius strongly objects to the disclaimer which the IOTC Secretariat has added to the document entitled “Reporting of vessels in transit through BIOT waters for potential breach of IOTC Conservation and Management Measures” (IOTC-2021-CoC19-07a) as it is inconsistent with UN General Assembly Resolution 73/295 which has recognized, in accordance with the Advisory Opinion of the International Court of Justice of 25 February 2019, that as a matter of international law, the Chagos Archipelago forms an integral part of the territory of the Republic of Mauritius.

The Republic of Mauritius wishes to recall that in Resolution 73/295, the UN General Assembly has also called upon the United Nations and all its specialized agencies as well as all other international, regional and intergovernmental organizations to recognize that the Chagos Archipelago forms an integral part of the Republic of Mauritius, to support the decolonization of the Republic of Mauritius as rapidly as possible, and to refrain from impeding that process by recognizing, or giving effect to any measure taken by or on behalf of, the so-called “British Indian Ocean Territory”.

Since the United Kingdom is not the coastal State in relation to the Chagos Archipelago and cannot lawfully take any action in respect of the Chagos Archipelago, including reporting on vessels in transit through the waters of the Chagos Archipelago, it would not be appropriate for the Committee to consider the above-mentioned document purportedly submitted by the United Kingdom and for the United Kingdom to be requested to present the document.

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.

Agenda Item 7: Review of the Draft IUU Vessels List – Res. 18/03

Statement by the Republic of Mauritius

The Republic of Mauritius reiterates that it does not condone IUU fishing and that it is not opposed to the adoption and implementation of any measure against IUU fishing provided that any such measure is taken or implemented in conformity with international law, including the rights of the Republic of Mauritius under such law.

However, for the reasons mentioned in its statements relating to items 2, 4 and 6, the Republic of Mauritius cannot endorse any recommendation for the inclusion on the IOTC IUU Vessels List of vessels reported by the “UK (OT)” or the United Kingdom purporting to act as the coastal State in relation to the Chagos Archipelago.

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.



Note Number: **OTD/005/2022**

The Overseas Territories Directorate of the Foreign, Commonwealth and Development Office presents its compliments to the Secretariat of the Indian Ocean Tuna Commission (IOTC) and Chair of the IOTC Compliance Committee from 8 to 12 May 2022. With reference to the four statements issued from the Ministry of Foreign Affairs, Regional Integration and International Trade of the Republic of Mauritius on 5 May, the United Kingdom wishes to reiterate its position on the British Indian Ocean Territory (BIOT) and membership of the IOTC.

The United Kingdom rejects the claims contained in these statements regarding BIOT. The United Kingdom's full position in respect to our continued sovereignty over BIOT is set out in the United Kingdom's submission to the report of the Secretary General (A/74/834) dated 18 May 2020. The United Kingdom has no doubt about its sovereignty over the territory of BIOT, which has been under continuous British sovereignty since 1814. Mauritius has never held sovereignty over the territory and we do not recognise its claim. However, we have a long-standing commitment, first made in 1965, to cede sovereignty of the territory to Mauritius when it is no longer required for defence purposes. We stand by that commitment.

The IOTC is not a forum to discuss issues of sovereignty. The United Kingdom regrets the continued use of this important multilateral forum by Mauritius to address a bilateral matter. This only serves to distract from the important work of IOTC members, including at this Compliance Committee.

Despite clear reservations, the United Kingdom participated fully in the advisory proceedings in good faith and out of respect for the International Court of Justice (ICJ). However, we do not share the Court's approach and have made known our views on the content of the Advisory Opinion, including the insufficient regard for significant material facts and legal issues. In any event, it is undisputed that the Advisory Opinion issued by the ICJ is not legally binding. The UN General Assembly, in its resolution 73/295, adopted following the Court's Advisory Opinion, does not and cannot create any legally binding obligations for UN Member States. Neither the non-binding Advisory Opinion nor the non-binding General Assembly resolution alter the legal situation that of a sovereignty dispute between the United Kingdom and Mauritius.

The United Kingdom also wishes to reiterate its position regarding the judgment delivered on 28 January 2021 by the Special Chamber of the International Tribunal for the Law of the Sea (ITLOS) formed to deal with the dispute concerning delimitation of a maritime boundary claimed by Mauritius to exist between Mauritius and Maldives in the Indian Ocean. The United Kingdom is not a party to these proceedings, which can have no effect for the United Kingdom or for maritime delimitation between the United Kingdom (in respect of BIOT) and the Republic of the Maldives.

The United Kingdom completely rejects Mauritius's claim that it does not respect the international rule of law. We have been a long-standing supporter of international courts and a staunch defender of human rights institutions and norms.

The United Kingdom is a full member of the IOTC. The United Kingdom deposited instruments of acceptance to the IOTC Agreement on 31st March 1995 and 22nd December 2020 and has been a party to the Agreement since it entered into force. The Agreement for the Establishment of the Indian Ocean Tuna Commission provides that IOTC membership shall be open, inter alia, to FAO members that are situated wholly or partly within the IOTC's Area of Competence. As BIOT is situated wholly within the IOTC's Area of Competence, there can therefore be no doubt that the United Kingdom, as the State with sovereignty over BIOT as aforementioned, is entitled to be a member of IOTC.

The United Kingdom has no doubt over its sovereignty over BIOT and remains concerned over Mauritius' continued stance. Nevertheless, the United Kingdom remains open to dialogue with Mauritius on matters of shared interest, including the marine protected area and implementation of the 2015 UN Convention on the Law of the Sea (UNCLOS) Arbitral Award.

The United Kingdom requests that this statement be annexed to the report of the Compliance Committee and posted on the IOTC's website.

The Overseas Territories Directorate of the Foreign, Commonwealth and Development Office avails itself of the opportunity to renew to the Secretariat of the Indian Ocean Tuna Commission the assurances of its highest consideration.

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE
LONDON

5 May 2022



19th Session of IOTC Compliance Committee - 8th June to 10th June 2022**Statement by the Republic of France in response to the statements by the Republic of Mauritius**

In a declaration during the 19th Meeting of IOTC Compliance Committee, Mauritius objects the sovereignty of France over the Island of Tromelin as well as sovereign right or jurisdiction over its Exclusive Economic Zone and rejects the inclusion of the Island of Tromelin in the French Southern and Atlantic Lands (TAAF) or the Scattered Islands (îles Eparses).

France does not recognize any legal value of the registration of this objection by the Republic of Mauritius submitted to the IOTC Secretariat, which fails to consider that the Island of Tromelin is a French territory over which France has constantly exercised full and total sovereignty.

France would like to point out that neither the Secretariat of this Agreement, nor the regional fisheries management organizations meetings of the Indian Ocean are the appropriate place to discuss territorial sovereignty issues.

This statement applies to other agenda items and to all documents circulated for this meeting. The Republic of France requests that this statement be annexed to the report of this meeting.



REPUBLIC OF MAURITIUS

MINISTRY OF FOREIGN AFFAIRS, REGIONAL INTEGRATION
AND INTERNATIONAL TRADE

No: 4/2022 (18570/46/142)

The Ministry of Foreign Affairs, Regional Integration and International Trade of the Republic of Mauritius presents its compliments to the Secretariat of the Indian Ocean Tuna Commission (IOTC) and has the honour to refer to the Note Verbale (No. OTD/005/2022) dated 5 May 2022 from the Overseas Territories Directorate of the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland

The Republic of Mauritius regrets the claims which the United Kingdom continues to make in that Note Verbale, and unequivocally rejects them. The Chagos Archipelago is and has always formed an integral part of the territory of the Republic of Mauritius, as authoritatively determined by the International Court of Justice in its Advisory Opinion of the International Court of Justice of 25 February 2019. This is confirmed by UN General Assembly Resolution 73/295, and the Judgment of the Special Chamber of the International Tribunal for the Law of the Sea of 28 January 2021.

In this regard, the Republic of Mauritius refers to the Note dated 6 May 2022 from the Legal Counsel of the Food and Agriculture Organization of the United Nations in relation to Agenda item 4 of the 26th Session of the Commission concerning the clarification of the status of the United Kingdom's membership of the IOTC. The Note makes it clear that the instrument of acceptance purportedly submitted by the United Kingdom on 31 March 1995 in respect of the so-called "British Indian Ocean Territory" is invalid, and that the United Kingdom is not and cannot be a member of the IOTC as a coastal State, since the Chagos Archipelago is an integral part of the territory of the Republic of Mauritius.

In light of that Note, the Republic of Mauritius invites the United Kingdom to withdraw its Note Verbale, and to take all steps necessary to bring itself in compliance with the relevant rules of international law. The Republic of Mauritius wishes to reiterate that it welcomes the United Kingdom's membership in the IOTC as a distant water fishing nation and stands prepared to cooperate with it on matters of mutual benefit. It is crystal clear, however, that as a matter of international law, the United Kingdom is not, and cannot be treated as, a coastal State in respect of the Chagos Archipelago for the purposes of membership of the IOTC.

The Ministry of Foreign Affairs, Regional Integration and International Trade of the Republic of Mauritius avails itself of this opportunity to renew to the Secretariat of the Indian Ocean Tuna Commission the assurances of its highest consideration.



Port Louis, 9 May 2022

**Secretariat
Indian Ocean Tuna Commission
Victoria
Seychelles**

APPENDIX 5
PROVISIONAL IOTC IUU VESSELS LIST 12 MAY 2022

The complete details of vessels listed are available at the following link:

[IOTC Provisional IUU Vessels List 12-05-2022 Rev1.pdf](#)

APPENDIX 6
STATEMENTS OF COMMITMENTS

CPCs' STATEMENTS ON AGENDA ITEM 4 (2019), AGENDA ITEMS 6 & 8 (2021) AND AGENDA ITEMS 5 & 7 (2022)

| REPORTS | COMMENTS AND COMMITMENTS OF THE CPC 2019 | COMMENTS AND COMMITMENTS OF THE CPC 2021 | COMMENTS AND COMMITMENTS OF THE CPC 2022 |
|------------|--|---|--|
| AUSTRALIA | Australia does not plan to bring the observer scheme into compliance at this stage, anticipating that it may change soon. | Australia had not completed the box for other sharks' catch and would ensure the mistake is not repeated. | Australia is committed to improved compliance and is going through a transformative process to modernize its data systems. Consequently, Australia expects that its non-compliant issues will be addressed by the next assessment. Australia shared its experience with electronic monitoring system. |
| BANGLADESH | Measures on sharks are to be adopted in 2019: a total ban on fishing and sanctions for non-compliance. 250 vessels are expected to be under VMS by October 2019. The unit in charge of the observation scheme should be reinforced by 3 to 4 people. | Bangladesh would provide zero catch data from 2022. Have deployed 200 enumerators to coastal zones in 2021 and will provide artisanal catch and effort data from 2022. | Bangladesh is introducing an electronic monitoring system that will improve its compliance with Resolution 15/02; this will be ready by June 2022. It further stated it would submit its zero catch report in accordance with Resolution 18/07. |
| CHINA | | China will give serious consideration to attending WPICMM meetings given their involvement in at sea transshipments. | China noted that due to Covid they could not send expert to gather data on size frequency of longliners, whale sharks and seabirds. China did not accept the partially compliant catch reduction assessment. China stated that it would in future report zero interaction on whale sharks and seabirds if that will be the case. China requested that item 2.19 on Resolution 19/01 should not be assessed and there was no objection. |
| COMOROS | Comoros have identified landing sites for sampling programs. The draft new fisheries regulation is currently under consideration by Parliament and is expected to be adopted in May 2019, and an awareness campaign on the handling and release of sharks is underway among fishermen. | | Comoros stated that it is drafting a ministerial decree to apply the missing prohibitions (19/03, 18/05, 11/02). Regarding terms and conditions of fishing licences have been submitted so should be compliant for the next year. |
| ERITREA | <i>ABSENT</i> | <i>ABSENT</i> | <i>ABSENT</i> In 2021 Eritrea communicated their decision to leave the organization at the beginning of 2023. |

| REPORTS | COMMENTS AND COMMITMENTS OF THE CPC 2019 | COMMENTS AND COMMITMENTS OF THE CPC 2021 | COMMENTS AND COMMITMENTS OF THE CPC 2022 |
|----------------|---|--|---|
| EUROPEAN UNION | <p>The EU has set up a payback system for exceeding catches of a segment of its fleet.</p> <p>A programme for the observation of vessels over 10 metres in length and control in designated ports has been set up for some artisanal fisheries.</p> | <p>The EU had information missing from one purse seiner and would send this information to the Secretariat before the end of the year.</p> <p>The EU had signed an agreement with a private company and it expects to have catch and effort data within the next three months.</p> <p>The EU had signed an agreement with a private company and it expects to have shark data within the next three months.</p> <p>The EU would reach one fish per ton through a data coordination tool and a regional group.</p> <p>The EU have taken note of the missing elements in their FAD Management plan and these will be included in the plan next year.</p> | <p>The European Union noted that it had four fleet segments of four Member States. The EU stated that the discard (1DI) form for the Portuguese segment and the information pertaining to an Italian vessel will be submitted to the IOTC. The EU informed that an internal review of the two different methodologies used to report catch data was being conducted to assess its robustness and completeness. The preliminary internal analysis singled out data inconsistencies between the different methodologies and its conclusions would be made available to the IOTC. In addition to applying common standards, the EU noted that another software version for the reporting of catches was under development. The EU noted its having exceeded the number of active FADs (Resolution 19/02) due to satellite delays, which they found is a satisfactory explanation and noted it has proposed a revised FAD Resolution to address difficulties in its implementation. The EU is investigating the claims of IOTC-2022-CoC19-INF03_Rev2 and IOTC-2022-CoC19-INF04 as to whether the EU fleet is involved in the allegations. The EU shared its experience with its electronic monitoring system.</p> |
| FRANCE (TOM) | <p><i>No non-compliance</i></p> <p>The reporting table for resolution 18/07 was submitted after the deadline.</p> | | <p><i>No non-compliance issue.</i></p> |
| INDIA | <p>The VMS Plan will be provided as soon as possible.</p> | <p>India will continue to liaise with Secretariat on the more than 700 vessels identified as suspected of being unauthorised.</p> | <p>India submitted missing photographs for its vessels on the RAV and the response to the feedback letter on the second day of the CoC19 meeting. India would be providing explanations on different issues in the forthcoming response to feedback letter. India stated it had practical problems with catch & effort and size frequency data for coastal fisheries. India presented a request to consider factors relating to nominal catch, catch & effort and size frequency. India would provide its arguments relating to the assessment by the IOTC Secretariat in its response to the Feedback Letter in a timely manner so the CoC may consider the arguments formally. Regarding VMS, India had requested special consideration; the fleet has been instructed to install VMS and it should be complied with by the next assessment. Regarding Resolutions 18/03 and 07/01 three vessels are on the provisional IUU vessel list and they have applied</p> |

| REPORTS | COMMENTS AND COMMITMENTS OF THE CPC 2019 | COMMENTS AND COMMITMENTS OF THE CPC 2021 | COMMENTS AND COMMITMENTS OF THE CPC 2022 |
|-----------|--|---|---|
| | | | sanctions against those IUU vessels owner. India will share the action taken report by the last day of the CoC19. |
| INDONESIA | Indonesia plans to introduce electronic fishing logs in the near future and confirms the increase in IMO registrations of its vessels: 244 now have a number. A legal framework for the marking of gear will be put in place by the end of 2019. | Indonesia is updating its regulation to make it obligatory to provide catch & effort data and because of budgetary and staffing constraints will concentrate on logbooks for this data. Indonesia will consult the Secretariat and provide information to the Secretariat on the pilot project so the CoC can make a decision on its integration into the regional observer programme. Indonesia will provide comments on the EU's draft changes to Appendix V of the Rules of Procedure, in writing. | Indonesia stated that they are increasing the coverage of logbooks (electronic and simplified). Prohibition to retain billfishes 18/05 is still not incorporated into national legislation. Regarding IUU listing and compliance by nationals (18/03 & 17/01) Indonesia stated the actions taken and requested removal of vessel SAMUDERA PACIFIK No 18 from the IUU list. Indonesia is transforming the format of its observer reports (R19/06 & 21/01) so will be in a position to submit observer reports from its pilot project next year. To delete the vessel from the IOTC's IUU Vessel List, Indonesia will complete the process for delisting its vessel KM.SAMUDERA PASIFIK NO.18 in ICCAT. |
| IRAN | | | Iran stated that it was not possible to mark gears on some artisanal fisheries (Resolution 19/04). Regarding size frequency (R15/02) Iran had reported on coastal, gill net, longline and purse seine fisheries and regarding sharks (R17/05) since they are prohibited they are caught accidentally and released alive. Iran stated that it was going to train port samplers for length frequency of billfish (R18/05). FAO Guidelines (R12/04) are being translated into Persian and Iran has a national plan of action for turtles. Iran stated it had a plan for full implementation of VMS (R15/03), but due to international sanctions the project is stalled. |
| JAPAN | A problem was identified in the longline fleet observation reports, which led scientists to challenge the viability of the 2017 data. They will be transmitted as soon as the data is viable. | Japan had submitted less than one fish per ton only for bycatch species (marlins) and they will review their collection of data to improve this reporting. | Japan stated that size frequency for sharks (R17/05) of longline and purse seine fisheries was not totally covered in the past because observers were concentrated in tuna fisheries; in 2020 Covid affected the dispatch of observers, which should be resolved in the future. Japan will renew all its licences in May 2022 so in June all the necessary information shall be provided in accordance with R19/04. Japan shared its experience with electronic monitoring system. |

| REPORTS | COMMENTS AND COMMITMENTS OF THE CPC 2019 | COMMENTS AND COMMITMENTS OF THE CPC 2021 | COMMENTS AND COMMITMENTS OF THE CPC 2022 |
|------------|---|---|--|
| KENYA | <p>Kenya has signed the agreements on Port State Measures. The new Kenyan Constitution makes the IOTC texts directly applicable. Will try to improve catch data from its coastal fisheries.</p> <p>Shark data for 2018 are expected to be provided by 2020, and Kenya has committed to forwarding the proposed shark fishing ban to the IOTC.</p> | | <p>Kenya stated that since the Kenya Fisheries Act and the creation of the Kenya Fisheries Service, the Director General was only nominated in 2020 and it is undergoing restructuring, recruitment and training of personnel. Kenya acknowledged the support given by the Secretariat on compliance. Covid affected data collection. Kenya hopes to submit the Scientific Report and the response to the Feedback Letter within the period of the CoC19 meeting. The 6 purse seine vessels in the RAV did not fish in 2021 and they were also not licensed nor flagged by Kenya in 2021. Kenya committed to sending the response to Feedback Letter within the period of the CoC19 meeting.</p> |
| KOREA | <p>South Korea sent its report on the observation scheme on June 7. This delay explains why it could not be analysed by the Secretariat or included in Korea's compliance report.</p> | <p>Korea would ensure training and recruitment of observers to reach the 5% threshold.</p> <p>Korea will provide comments on EU's draft changes to Appendix V of the Rules of Procedure in writing to EU.</p> | <p>Republic of Korea will put every effort now that Covid is over to become compliant on data requirements (R15/02 & R17/05).</p> |
| MADAGASCAR | <p>Concerning artisanal catch data: to compensate for the scattering of tuna landing sites, Madagascar set up a pilot sampling project in 2016, which was strengthened in 2017 and 2018 and has now grown to include some 40 sites. Madagascar plan to cover 75% of potential landing sites in 2019. In parallel, a public institution, the Tuna Statistics Unit, is responsible for monitoring and receives funding from the Malagasy government, IRD and WWF. This unit is based on a network of collectors, local interviewers in charge of collecting the data, equipped with tablets. They themselves are monitored and controlled by the Statistical Unit. Madagascar noted, thanks to this data, that artisanal tuna catches</p> | | <p>Madagascar thanked the Secretariat for the support given and committed to improve compliance. Regarding R15/02 & R17/05 Madagascar has a pilot project on data collection for the artisanal fleet</p> |

| REPORTS | COMMENTS AND COMMITMENTS OF THE CPC 2019 | COMMENTS AND COMMITMENTS OF THE CPC 2021 | COMMENTS AND COMMITMENTS OF THE CPC 2022 |
|-----------|---|---|---|
| | <p>exceeded the catches of the mid-shore longline fleet in volume. Madagascar will send the catches for 2017 as soon as possible. A prohibition order on large driftnets is in preparation and should be implemented quickly: 6 Malagasy vessels started using these nets in 2018 but were suspended by the government, which must therefore formalize the ban.</p> | | |
| MALAYSIA | <p>The commercial fleet on the high seas and in the EEZ will be equipped with electronic fishing logs in 2019. Its use is a condition for obtaining the ATF.</p> | <p>Malaysia had difficulties in reaching one fish per ton because their catch had increased to 11,000 ton and had submitted data from 10cm whereas the requirement is 5cm, and Malaysia will resubmit the data.</p> | <p>Malaysia commented that there have changes in staffing and that IOTC species comprise only ten per cent of their catches. In 2018 Malaysia started EMS to address problems with posting observers.</p> |
| MALDIVES | <p>An observation programme at identified landing sites is being set up in collaboration with the World Bank.</p> | <p>Maldives had missed out “Others” in the zero catch matrix and would provide a corrected sheet before the end of the Compliance Committee meeting. Maldives would report on its pilot electronic monitoring system to the next Compliance Committee meeting. Maldives will provide comments on EU’s draft changes to Appendix V of the Rules of Procedure in writing to EU shortly after the CoC meeting.</p> | <p>Maldives commented that though there are 1021 on the RAV, in actual all but about 350 of those are only there from requirements from market states. VMS should be installed on all eligible vessels by the end of 2022. Maldives is ready to work with the Secretariat to improve size frequency and catch & effort data. Maldives will endeavour to report on transshipments and inspection report. Maldives will engage with the Secretariat to complete its information in the RAV. Maldives request a compliance support mission from the Secretariat. Maldives reported that EMS covered 15 vessels and a further five units vessels would be covered</p> |
| MAURITIUS | <p>Mauritius will transmit to the Secretariat before the end of the year the documents and information on Mauritian flagged vessels chartered to Mozambique. A training workshop for seafarers to identify shark species will be set up in 2019 and Mauritius will send its reports on Port State Measures before the end of 2019.</p> | | <p>Mauritius commented that it is difficult for Mauritius to measure one fish per tonne. Mauritius stated that it had submitted size frequency data on sharks on some fisheries. Mauritius declared that it was not subject to catch reductions so should be judged compliant. Mauritius declared that the section that was not completed in the Implementation Report because one of the sections was inappropriate. Mauritius declared that in fact it does not actually have a CPC-to-CPC agreement with Japan as declared in the implementation Report so requests compliance in this regard. Thus 2.15 and 3.10 would be reassessed. Mauritius</p> |

| REPORTS | COMMENTS AND COMMITMENTS OF THE CPC 2019 | COMMENTS AND COMMITMENTS OF THE CPC 2021 | COMMENTS AND COMMITMENTS OF THE CPC 2022 |
|------------|--|---|--|
| | | | declared that they have contacted operators and taken actions to limit the number of FADs active. |
| MOZAMBIQUE | Although one day late, Mozambique provided its size frequency data for coastal and longline fisheries as well as shark data. | | Mozambique commented that it is in the final stages of restructuring the ministry responsible for fisheries and MCS. The restructuring and Covid have affected Mozambique's compliance. Mozambique commits to submitting the Scientific Report for 2020 to the Secretariat during the present session. Welcome support from the Secretariat. Request that IOTC Secretariat consider the recently submitted terms & conditions for tuna licences. The main area that requires support from the IOTC Secretariat is that of data reporting. |
| OMAN | <i>ABSENT</i> | <p>Oman stated that the artisanal fleets are operating mainly within the EEZ and further state that they are at present developing a programme to differentiate those fishing for tuna and those fishing other species by having separate licences.</p> <p>Longline data should be included in the data with the next submission.</p> <p>Oman would try to improve their logbook collection and will provide the zero catch matrix as soon as possible.</p> | Oman commented that the pandemic affected compliance and the team dealing with IOTC reports was shifted to another department. Oman commits to improving its compliance with requirements. Oman stated that some IOTC Resolutions are not transposed into its national law, but they have included requirements in the terms and conditions of licences. Oman is implementing VMS and will solve the logbook issue. Sharp increases in the yellow fin catch corresponds to improved data collection and increased catches from the artisanal sector. . Oman would provide further information on vessels ISRAR 1, ISRAR2 and ISRAR3. |

| REPORTS | COMMENTS AND COMMITMENTS OF THE CPC 2019 | COMMENTS AND COMMITMENTS OF THE CPC 2021 | COMMENTS AND COMMITMENTS OF THE CPC 2022 |
|-------------|---|--|--|
| PAKISTAN | <i>ABSENT</i> | Pakistan stated that from next year (2022) it will be able to submit data according to IOTC standards, with the assistance of the FAO and WWF. | Pakistan was not available for comment. |
| PHILIPPINES | <i>ABSENT</i> | | Philippines commented that it had not had an active vessel since 2018, therefore they have not updated their vessel records in the RAV. Philippines has drafted a fisheries administrative order available for public consultation that covers sharks, marine mammals and sea turtles. Philippines has a plan of action in order to monitor catches of blue shark. House of Representatives approved a shark conservation and regulation act. Philippines commented that reporting on catches of billfishes is being reported to WCPFC but not to IOTC because it has no active vessel. Philippines has no further information on compliance by nationals since the vessel was no longer flagged to Philippines. Philippines is in the process of verifying its bigeye tuna imports from Japan. Philippines has not implemented an electronic monitoring system to date but are open to do so. |
| SEYCHELLES | | Seychelles will liaise with the Data Section of the Secretariat for improving its catch and effort data. Seychelles had introduced a requirement that vessels advise on their port entry so staff can be present outside working hours to sample their catches, with the aim of reaching at least one fish per ton, for size frequency. Seychelles would ensure that purse seine fleet report weight of shark rather than numbers. Seychelles would present findings on electronic monitoring systems to the next Working Party on Ecosystems and Bycatch. | Seychelles commented that the difficulties of compliance have been due to the internal restructuring. Some information such as 19/02 FAD management plan, has been submitted. Corrective actions 21/01 were not included in the IR that was an oversight. Reports for BET annual report, at-sea transshipments and in port transshipments have now been submitted. Has challenges regarding beneficial owners. Regarding 16/11 Seychelles will submit further reports and believe they will be compliant. Seychelles is in the process of implementing EMS and ERS from 2019, which if proved successful, full implementation will be considered. |
| SOMALIA | Project [name] should improve the quality and quantity of artisanal catch data. | <i>ABSENT</i> | Somalia committed to submitting the response to the Feedback Letter by 15 May 2022. Somalia requested a side meeting on how |

| REPORTS | COMMENTS AND COMMITMENTS OF THE CPC 2019 | COMMENTS AND COMMITMENTS OF THE CPC 2021 | COMMENTS AND COMMITMENTS OF THE CPC 2022 |
|--------------|--|--|--|
| | | | to improve compliance. Somalia has established a fisheries monitoring centre. |
| SOUTH AFRICA | | <i>ABSENT</i> | <i>ABSENT</i> |
| SRI LANKA | Sri Lanka is working on the establishment of an electronic fishing logbook. A pilot project on a new application should also make it possible to process the data collected by sampling. | | Sri Lanka with regard to 15/02 and 17/05 that a resubmission was requested and done to the IOTC Secretariat. On 18/07 Sri Lanka has corrected the data by resubmitting data on the correct form. Regarding 17/07 Sri Lanka has only banned gillnets on the high seas; for the EEZ, is prohibited in the conditions of the fishing licence, and a new regulation will be published in 2022. On 19/04 Sri Lanka is obtaining the radio call signs for vessels and for 2022 onwards Sri Lanka will be able to provide all information on beneficial owners, and only 2 per cent of vessels are owned by companies. Sri Lanka has sent several batches of photographs to the IOTC Secretariat that have yet to be published on the web site. Regarding 18/03 & 07/01 trial date has been postponed twice due to the Covid situation, Sri Lanka commits to report updates intersessionally on the progress of the legal action. Sri Lanka had not understood how to complete the BET annual report, has benefited from some training and will be able to submit the report. FAO had agreed to support Sri Lanka on its legislation and all IOTC Resolutions will be taken into consideration for a new and complete legislation. Regarding 15/03 Sri Lanka had installed VMS on all authorized vessels in 2015 and thereafter Sri Lanka has decided to install VMS on all multi day vessels potentially fishing outside the EEZ, whose process will be completed. |
| SUDAN | <i>ABSENT</i> | <i>ABSENT</i> | <i>ABSENT</i> |
| TANZANIA | A partnership with the World Bank's SWIOFish project has created data | Even though they only had one vessel on one trip in the period concerned Tanzania acknowledge they | Tanzania stated still facing challenges on collecting data in particular in the artisanal fisheries comprising around 60,000 |

| REPORTS | COMMENTS AND COMMITMENTS OF THE CPC 2019 | COMMENTS AND COMMITMENTS OF THE CPC 2021 | COMMENTS AND COMMITMENTS OF THE CPC 2022 |
|----------------|---|--|--|
| | reporting forms for coastal fisheries. Tanzania will submit 2017 data after the meeting. A national shark conservation plan is being developed. Tanzania informs that the law on fisheries will be passed in 2020 | must report zero catch and will do their best to report. Tanzania will cross-check its catch and effort data and submit. Tanzania will provide letter on the two vessels now de-flagged (BAROON and LABIKO). | vessels. Tanzania is developing a fishery data system. Regarding 17/05 sharks Tanzania has been able provide some data on sharks in the Scientific Report, is developing a national plan of action on sharks and is preparing a protocol on shark data. Hopefully by next year, Tanzania will be able to provide information data to IOTC standards. |
| THAILAND | | | Thailand informed that it has improved its data collection scheme. Thailand commented that they have started to measure size frequency at coastal fisheries landing sites and expect to report size frequency data for 2021. Thailand commented that they have sent information that only two vessels rather than three vessels might be on the RAV. |
| UNITED KINGDOM | | <i>No non-compliance</i> | The United Kingdom stated that some matters of non compliance are due to the changed status of the UK within the IOTC. The United Kingdom stated that the terms and conditions specified in its authorization to fish provides sufficient legal background to impose IOTC Resolutions 16/07, 16/08, 11/02 and 18/05. The UK has now submitted the reports concerning BET of resolution 01/06, with exception of the annual report, and requested that it be changed to Compliant for the assessment. New information on authorization will be sent shortly. On the contradictions between the BET report and the compliance questionnaire, the UK will provide a response shortly. |
| YEMEN | <i>ABSENT</i> | <i>ABSENT</i> | <i>ABSENT</i> |
| REPORTS | | | |
| LIBERIA | <i>No non-compliance</i> | <i>No non-compliance</i> | |
| SENEGAL | Vessel(s) to be in the IOTC area in 2020 | Senegal will provide information on the IUU vessel MARIO 11, which has been de-registered from Senegal, for S25. | <i>ABSENT</i> Senegal has not renewed its status as CNCP. |

APPENDIX 7

INDIVIDUAL CPCs LEVEL OF COMPLIANCE BETWEEN 2010 AND 2021.

Compliance Rate = number of requirements compliant / number of requirements applicable.

| CPCs / year | Compliance rate | | | | | | | | | | | | Trend |
|---------------------------|-----------------|------|------|------|------|------|------|------|------|------|------|------|-------|
| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Australia | 47% | 85% | 78% | 84% | 85% | 88% | 93% | 96% | 96% | 97% | 95% | 77% | ↓ |
| Bangladesh | | | | | | 10% | 9% | 16% | 39% | 27% | 32% | 29% | ↓ |
| China | 55% | 74% | 76% | 85% | 96% | 90% | 88% | 96% | 100% | 96% | 90% | 82% | ↓ |
| Comoros | 29% | 43% | 79% | 55% | 61% | 75% | 96% | 85% | 91% | 72% | 58% | 73% | ↑ |
| Eritrea | 0% | 0% | 0% | 7% | 7% | 8% | 8% | 8% | 6% | 5% | 6% | 6% | ↔ |
| European Union | 71% | 73% | 80% | 83% | 88% | 83% | 88% | 77% | 77% | 75% | 71% | 79% | ↑ |
| France (OT) | 61% | 55% | 72% | 77% | 80% | 90% | 100% | 100% | 100% | 100% | 100% | 100% | ↔ |
| India | 29% | 24% | 32% | 38% | 23% | 9% | 6% | 39% | 64% | 73% | 88% | 76% | ↓ |
| Indonesia | 13% | 7% | 47% | 45% | 62% | 60% | 68% | 73% | 77% | 75% | 74% | 81% | ↑ |
| Iran, Islamic Republic of | 11% | 52% | 60% | 65% | 69% | 75% | 76% | 71% | 70% | 56% | 73% | 73% | ↔ |
| Japan | 82% | 97% | 93% | 93% | 91% | 97% | 92% | 95% | 85% | 70% | 95% | 92% | ↓ |
| Kenya | 3% | 8% | 31% | 66% | 71% | 66% | 49% | 42% | 39% | 71% | 76% | 64% | ↓ |
| Korea, Republic of | 77% | 84% | 92% | 89% | 96% | 97% | 91% | 95% | 95% | 93% | 91% | 88% | ↓ |
| Liberia | | | | | | 100% | 100% | 100% | 100% | 100% | 92% | | |
| Madagascar | 13% | 18% | 22% | 75% | 81% | 66% | 81% | 65% | 74% | 61% | 77% | 73% | ↓ |
| Malaysia | 11% | 26% | 17% | 40% | 57% | 56% | 75% | 74% | 79% | 80% | 79% | 87% | ↑ |
| Maldives | 3% | 33% | 50% | 57% | 79% | 78% | 76% | 69% | 72% | 79% | 82% | 87% | ↑ |
| Mauritius | 15% | 48% | 54% | 69% | 80% | 81% | 88% | 81% | 82% | 89% | 92% | 91% | ↓ |
| Mozambique | | 47% | 58% | 72% | 82% | 80% | 89% | 92% | 81% | 85% | 71% | 61% | ↓ |
| Oman, Sultanate of | 10% | 11% | 27% | 33% | 53% | 57% | 78% | 58% | 45% | 32% | 44% | 32% | ↓ |
| Pakistan | 0% | 11% | 5% | 7% | 5% | 6% | 19% | 53% | 53% | 58% | 57% | 37% | ↓ |
| Philippines | 18% | 52% | 48% | 61% | 80% | 67% | 79% | 60% | 67% | 73% | 87% | 78% | ↓ |
| Senegal | 0% | 0% | 50% | 60% | 56% | 67% | 75% | 75% | 100% | 100% | 80% | 40% | ↓ |
| Seychelles | 36% | 47% | 41% | 56% | 74% | 73% | 72% | 78% | 70% | 73% | 80% | 80% | ↔ |

| CPCs / year | Compliance rate | | | | | | | | | | | | Trend |
|------------------------------|-----------------|------------|------------|------------|------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------|
| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | |
| Somalia | | | | | 80% | 71% | 73% | 44% | 48% | 17% | 23% | 20% | ↓ |
| South Africa | 38% | 48% | 64% | 54% | 65% | 76% | 77% | 87% | 85% | 92% | 88% | 78% | ↓ |
| Sri Lanka | 5% | 18% | 47% | 51% | 60% | 74% | 77% | 82% | 87% | 90% | 86% | 76% | ↓ |
| Sudan | 0% | 0% | 0% | 6% | 6% | 6% | 6% | 6% | 23% | 5% | 4% | 5% | ↑ |
| Tanzania | 0% | 7% | 4% | 45% | 60% | 56% | 63% | 54% | 62% | 82% | 73% | 80% | ↑ |
| Thailand | 28% | 38% | 43% | 44% | 45% | 68% | 66% | 85% | 84% | 92% | 91% | 98% | ↑ |
| United Kingdom | 86% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 91% | ↓ |
| Yemen | | | 0% | 3% | 3% | 2% | 2% | 2% | 2% | 5% | 6% | 6% | ↔ |
| Commission (All CPCs) | 25% | 38% | 46% | 54% | 59% | 57.5% | 62.1% | 66.6% | 68.2% | 69.7% | 73.4% | 69.9% | ↓ |

Cells in green indicate CPCs that have benefited from the Compliance Support Mission (CSM) and follow up of CSM. Cells in orange indicate CPCs that have benefited from the DATA - Compliance Support Mission

APPENDIX 8**CONSOLIDATED SET OF RECOMMENDATIONS ARISING FROM WPICMM05**

- WPICMM05.01 (Para. 15) The WPICMM05 **RECOMMENDED** that Compliance Committee 19 review and endorse the Terms of Reference recorded in Appendix 3.
- WPICMM05.02 (Para. 42). The WPICMM05 **RECOMMENDED** that Compliance Committee 19 endorse the Work Plan reviewed by the WPICMM05 (Appendix 4).
- WPICMM05.03 (Para. 53) The WPICMM05 **RECOMMENDED** the Compliance Committee consider and discuss the assessment criteria for partial compliance with 9.2 and 9.3, as well as whether assessment would be waived for Compliance Committee 20.
- WPICMM05.04 (Para. 63) The WPICMM05 **NOTED** that the European Union will present an updated proposal to the Compliance Committee and **RECOMMENDED** that the Compliance Committee consider it in its deliberations.
- WPICMM05.05 (Para. 70) The WPICMM05 **RECOMMENDED** that the Compliance Committee and the Commission provide feedback to the VMSWG.
- WPICMM05.06 (Para. 74) The WPICMM05 **RECOMMENDED** that the Compliance Committee endorse the draft Terms of Reference
- WPICMM05.07 (Para. 83) The WPICMM05 **RECOMMENDED** that the Compliance Committee consider that the submission of a proposal for an IOTC CDS strategy be postponed to 2023.
- WPICMM05.08 (Para. 84) The WPICMM05 **RECOMMENDED** that the Compliance Committee and the Commission provide feedback to the CDSWG.
- WPICMM05.09 (Para. 91) The WPICMM05 **RECOMMENDED** that the e-MARIS application will have entered into implementation for the next compliance assessment of the 2023 Compliance Committee meeting (CoC20) and **FURTHER RECOMMENDED** that those CPCs encountering problems be allowed to continue using the paper system for Compliance Committee 20.
- WPICMM05.10 (Para. 97) The WPICMM05 **RECOMMENDED** that report IOTC–2022–WPICMM05–11 and a summary of impediments be presented to Compliance Committee 19 to give CPCs an opportunity for further comment and **FURTHER RECOMMENDED** the Compliance Committee reconsider the application of Resolution 19/04 with respect to the information on beneficial owners.
- WPICMM05.11 (Para. 101) The WPICMM05 **ENDORSED** the proposals of the legal scrubbing and **RECOMMENDED** Compliance Committee 19 be presented the version of the legal scrubbing, where suggested changes opposed by CPC are removed.
- WPICMM05.12 (Para. 114) The WPICMM05 **RECOMMENDED** the Compliance Committee and the Commission clarify paragraph 14 of Resolution 21/01 to read that over-catch be allowed to be split over two years.
- WPICMM05.13 (Para. 123) The WPICMM05 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM05, provided at Appendix 6.

APPENDIX 9

CONSOLIDATED SET OF RECOMMENDATIONS OF THE 19TH SESSION OF THE COMPLIANCE COMMITTEE (8 TO 10 & 12 2022) TO THE COMMISSION

- CoC19.01 (Para.22) The CoC19 **RECOMMENDED** that:
- a. The IOTC Secretariat work with the concerned CPCs to provide missing information for the Record of Authorised Vessels;
 - b. The IOTC Secretariat remove from the current Record of Authorised Vessels those vessels whose periods of authorisation have elapsed over two years; and
 - c. The IOTC Secretariat provide within six months an analysis highlighting problems and possible solutions on the implementation of Resolution 19/04 to guide CPCs on its possible review.
- CoC19.02 (Para.42) The CoC19 **RECOMMENDED** that item 2.19 in China's Compliance Report not be assessed and a revised version of China's Compliance Report be produced.
- CoC19.03 (Para.55) The CoC19 **RECOMMENDED** that the Commission (S26) provide guidance on the interpretation of paragraphs 2 and 5 of Resolution 12/04 in order to reach a common understanding.
- CoC19.04 (Para.61) The CoC19 **RECOMMENDED** that the Commission review the WGEMS objectives and ToR and provide advice regarding the need to expand its role to consider and provide advice on the use of EMS for compliance purposes.
- CoC19.05 (Para.107) The CoC19 **RECOMMENDED** that vessels IND.TN.15.MM.4569 (NOVA) and IND.TN.15.MM.5707 (YONA) be placed on the Provisional IUU Vessel List.
- CoC19.06 (Para.125) The CoC19 **RECOMMENDED** that the case for the vessel IMUL-A-0195-TCO (MANGALA) be deferred to the Commission (S26).
- CoC19.07 (Para.126) The CoC19 **RECOMMENDED** that the case of the vessels ISRAR 1, ISRAR 2 and ISRAR 3 be deferred to the Commission (S26) in the light of further information to be provided to the Commission (S26) by Oman.
- CoC19.08 (Para.127) The CoC19 **RECOMMENDED** that the Commission approve that the vessels included in the Provisional IOTC IUU Vessels List (Appendix 5) be included in the IOTC IUU Vessels List.
- CoC19.09 (Para.141) The CoC19 **RECOMMENDED** that the Commission consider adopting the results of the legal scrubbing in two packages of Resolutions over its Sessions in 2023 and 2024.
- CoC19.10 (Para.152) The CoC19 **RECOMMENDED** that the Commission (S26) consider making the use of electronic Port State Measures Application (ePSM) a mandatory tool.
- CoC19.11 (Para.153) The CoC19 **RECOMMENDED** that the Commission (S26) endorse WPICMM05's recommendations that the e-MARIS application enter into implementation for the next compliance assessment of the 2023 Compliance Committee meeting (CoC20) and that those CPCs encountering problems be allowed to continue using the paper system for Compliance Committee 20.
- CoC19.12 (Para.164) The CoC19 **RECOMMENDED** the Commission endorse the recommendations of the WPICMM05.
- CoC19.13 (Para.165) The CoC19 **RECOMMENDED** that the Commission clarify paragraph 14 of Resolution 21/01 to read that over-catch be allowed to be split over two years.
- CoC19.14 (Para.166) The CoC19 **RECOMMENDED** that the Commission (S26) approve that Resolution 11/04 not be assessed for the year 2021 at CoC20.
- CoC19.15 (Para.167) The CoC19 **RECOMMENDED** that the Commission (S26) approve the Terms of Reference for a comparative Assessment of Existing System of Sanctions proposed in [IOTC-2022-WPICMM05-03 Add2 Rev1](#).

- CoC19.16 (Para.172) The CoC19 **RECOMMENDED** the Commission endorse the recommendations of both the CDSWG and the VMSWG.
- CoC19.17 (Para.180) The CoC19 **RECOMMENDED** the Commission reinstate the status of Cooperating non-Contracting Party of the IOTC to Liberia.
- CoC19.18 (Para.192) The CoC19 **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC19, provided at [Appendix 9](#).