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Commission des Thons de l'Océan Indien

IOTC-2021-VMSWG02-R[E]

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# Report of the Second Meeting of the Vessel Monitoring System Working Group

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Held by video-conference, 17 September 2021

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**DISTRIBUTION:**

Participants in the Meeting  
IOTC CPCs  
Chairperson IOTC  
Chairperson IOTC Compliance Committee  
Chairperson IOTC Scientific Committee

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## HOW TO INTERPRET TERMINOLOGY CONTAINED IN THIS REPORT

The VMSWG01 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 Contracting Party or Cooperating Non-Contracting Party (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 formalize 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 the 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**).

## Table of Contents

1. OPENING OF THE MEETING .....	5
2. INTRODUCTION OF MEMBERS .....	5
3. ADOPTION OF THE AGENDA .....	5
4. REVIEW OF PROGRESS AND WORK PLAN.....	5
5. SCOPE AND APPLICATION OF VMS.....	5
5.1 Feedback of participants on the consultant’s report.....	5
5.2 Finalise scope and application of the VMS.....	5
6. METHOD FOR ENSURING REAL TIME OR NEAR REAL TIME POSITION REPORTING	6
6.1 Report from the European Union and Seychelles on how the transmission of VMS data works in practice.....	6
7. DEVELOP POSSIBLE FUNDING MODELS AND OPTIONS FOR FUNDING THE IOTC VMS	6
8. CONSIDER IMPROVEMENTS THAT CAN BE MADE TO RESOLUTION 15/03 .....	7
9. ELECTION OF A VICE-CHAIRPERSON OF THE VMS WORKING GROUP .....	7
10. OTHER BUSINESS .....	7
 Appendix 1 List of Participants .....	 8

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## 1. OPENING OF THE MEETING

1. The meeting was held online, via Zoom, on 17 September 2021.
2. The List of Participants is provided in [Appendix 1](#). A total of 23 participants (6 Member States and 4 Invited Experts) attended the meeting. The second meeting of the Vessel Monitoring System Working Group (VMSWG02) was chaired by Mr Stephen Ndegwa (KEN).

## 2. INTRODUCTION OF MEMBERS

3. VMSWG02 **NOTED** each participant presented him or herself.

## 3. ADOPTION OF THE AGENDA

4. VMSWG02 **ADOPTED** the Agenda, [IOTC-2021-VMSWG02-01](#), without amendment.

## 4. REVIEW OF PROGRESS AND WORK PLAN

5. VMSWG02 **NOTED** the paper, [IOTC-2021-VMSWG02-02](#), on the Status of Progress and the Work Plan, which presented the expected calendar for addressing different agenda items.
6. VMSWG02 **RECALLED** that a hybrid system would cater for those CPCs who preferred a shared decentralised or a partially centralised system.
7. VMSWG02 **APPRECIATED** that the IOTC-2021-VMWG02-02 provides a running sheet of the items that need to be addressed in VMSWG02 and in VMSWG03 scheduled for 13 December 2021.

## 5. SCOPE AND APPLICATION OF VMS

### 5.1 Feedback of participants on the consultant's report

8. VMSWG02 **NOTED** that the consultant's report ([IOTC-2019-WPICMM02-VMS Study](#)) clearly indicates that it is important to consider why a VMS is needed and also indicates that a clear objective has not been established, and **FURTHER NOTED** that the consultant's report had provided four objectives.
9. VMSWG02 **AGREED** that the scope and application of the VMS should be in line with the objectives.
10. VMSWG02 **NOTED** that there are cases where VMS would serve to monitor vessels which repeatedly enter the exclusive economic zone (EEZ) of coastal States illegally.

### 5.2 Finalise scope and application of the VMS

11. VMSWG02 **NOTED** that a clear objective had not been presented by the Commission and **RECALLED** that VMSWG01 had agreed to use the scope defined in paragraph 1 of Resolution 15/03 in the first instance ( [IOTC-2021-VMSWG01-R](#), para 12 ).
12. VMSWG02 **NOTED** that the scope in Resolution 15/03 is narrower than the scope indicated in the consultant's report.
13. VMSWG02 **RECALLED** that VMSWG in point 1 of its ToR is tasked with providing advice on the consultant's report that does include a proposal for objectives.
14. VMSWG02 **NOTED** that the 1995 United Nations Fish Stocks Agreement (UNFSA) may provide a good starting point for formulating the objectives.

15. VMSWG02 **RECALLED** the report of the VMS Steering Group ( [IOTC-2019-CoC16-05a](#) ) that considered both the objective and scope of a VMS and highlighted the need for the Commission to agree the objective.
16. VMSWG02 **AGREED** to accept the offer by the EU, with the assistance of Seychelles, to draft a document with proposed objectives and to make it available to other participants by mid-October, and **FURTHER AGREED** that Members be given one month to provide comments on the proposal.
17. VMSWG02 **AGREED** that the scope be discussed during VMSWG03 once the objectives have been agreed in that meeting.
18. VMSWG02 **NOTED** the importance and usefulness of having buffer zones (EEZ/EEZ and/or EEZ/High Seas) for monitoring vessels' activities in the IOTC area of competence.

## 6. METHOD FOR ENSURING REAL TIME OR NEAR REAL TIME POSITION REPORTING

### 6.1 Report from the European Union and Seychelles on how the transmission of VMS data works in practice

19. VMSWG02 **NOTED** paper [IOTC-2021-VMSWG02-03](#), prepared by Seychelles, assessing delays between vessels' VMS reports and the receipt of same by the fisheries monitoring centre, but **FURTHER NOTED** it did not assess the risks associated with the data flow, given that this is largely covered by the consultant's report.
20. VMSWG02 **NOTED** that paper [IOTC-2021-VMSWG02-03](#) showed on average, 96.3% of the data reports were received by the Seychelles FMC within ten minutes of the position being fixed by the vessel location device (VLD).
21. VMSWG02 **NOTED** that paper [IOTC-2021-VMSWG02-03](#) deduced that the risk of delays of more than 10 minutes from the time the position is fixed by the VLD, to the time the coastal State receives the data, via the vessel's flag State FMC, is minimal.
22. VMSWG02 **NOTED** that tampering with VMS data by the flag State of a vessel is possible but it involves considerable effort and **FURTHER NOTED** that there are systems that distinguish between automatic and manual inputs.
23. VMSWG02 **NOTED** that even if the internet system goes down, data is still stored and hence there is no data gap.
24. VMSWG02 **NOTED** a presentation prepared by the EU that showed the model in use in the EU.
25. VMSWG02 **NOTED** that information goes first to the EU Commission's central node for communication to third parties and **FURTHER NOTED** that the average time from the vessel to the final destination is between three and four minutes.
26. VMSWG02 **NOTED** that the delays presented by EU (which has a very high volume of messages) and Seychelles (that has VMS on vessels smaller than 24m) are comparable and not significant.
27. VMSWG02 **AGREED** that risk of tampering in the case of Option 2 Shared Decentralised is negligible.

## 7. DEVELOP POSSIBLE FUNDING MODELS AND OPTIONS FOR FUNDING THE IOTC VMS

28. VMSWG02 **NOTED** there remains a number of uncertainties regarding objectives and scope, which make it difficult to consider different funding models.

29. VMSWG02 **NOTED** that the FFA applies fees to distant water fishing nations payable to coastal States as a part of access agreement but the model would not be transferable to the IOTC context where significant part of fishing operations occur in the high seas.
30. VMSWG02 **NOTED** that the simplest way is to fund through IOTC's regular budget, as is the case in other RFMOs.
31. VMSWG02 **NOTED** that when and if costs for VMS are included in the IOTC budget, there will be the service costs that will have to be made to the FAO for related expenses.
32. VMSWG02 **NOTED** that consideration should be given to the user pays principle, as some CPCs do not have vessels in the record of authorised vessels or in the list of active vessels.
33. VMSWG02 **REQUESTED** the Secretariat to provide a size breakdown of active vessels over the last few years, and **FURTHER REQUESTED**, if possible, to provide the number of vessels operating within the EEZ and in the high seas.

## 8. CONSIDER IMPROVEMENTS THAT CAN BE MADE TO RESOLUTION 15/03

34. VMSWG02 **NOTED** Attachment 2 of the consultant's report ([IOTC-2019-WPICMM02-VMS Study](#)) with proposals for amendments that might be made to Resolution 15/03 and **FURTHER NOTED** that at present there are too many uncertainties to consider the proposals in detail.
35. VMSWG02 **AGREED** that it would be premature to consider the proposals in this meeting.

## 9. ELECTION OF A VICE-CHAIRPERSON OF THE VMS WORKING GROUP

36. VMSWG02 **RECALLED** the position of Vice Chair was still vacant.
37. VMSWG02 **AGREED** to nominate Mr Johnny Louys (Seychelles) for the position of Vice Chair of the VMSWG.

## 10. OTHER BUSINESS

38. VMSWG02 **NOTED** that there was no other business.

## APPENDIX 1 LIST OF PARTICIPANTS

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