

## SUMMARY REPORT ON POSSIBLE INFRACTIONS ROP 2022

Prepared by: IOTC Secretariat, 14 April 2023

### PURPOSE

This document summarizes the outcomes of the assessments conducted at the 6<sup>th</sup> meeting of the IOTC Working Party on the Implementation of Conservation and Management Measures (WPICMM06) with regards to the possible infractions detected under the Regional Observer Programme (ROP) in 2022, and updates the Committee on related recent developments.

IOTC-2023-WPICMM06-R - Paragraph 54. The WPICMM06 **REQUESTED** that the IOTC Secretariat prepare a summary paper on the outcomes of the assessments of the possible infractions, for the next Compliance Committee (CoC20).

IOTC-2023-WPICMM06-R - Paragraph 56. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider the outstanding cases on the outcomes of the assessments of possible infractions.

### BACKGROUND

Under component 10, sub-component 17.2 of its Work Plan, the WPICMM is tasked to review the list of Large-scale Tuna Longline Vessels (LSTLVs)/carrier vessels presumed to have committed infractions against IOTC Conservation and Management Measures (CMMs) under the at-sea transshipment programme and recommend actions.

In 2022, a total of 148 possible infractions (available at [IOTC-2023-WPICMM06-04](#)) were detected by the observers deployed on carrier vessels under the ROP and notified to the concerned seven fleets (China, Taiwan, Province of China, Japan, Malaysia, Mauritius, Oman and Seychelles) participating in the Programme. From the possible infractions communicated, all fleets with the exception of Oman provided a response to their possible infractions (available at [IOTC-2023-WPICMM06-04\\_Add2\\_Rev3](#)) prior to the WPICMM06. As result, the WPICMM06, in the conduct of its duties, reviewed the list of 148 possible infractions and assessed the results of investigation of 146 possible infractions provided by the fleets.

Subsequently to the WPICMM06, on 29 March 2023, Oman submitted to the IOTC Secretariat, the responses to their two outstanding possible infractions for the consideration of the Committee.

### OUTCOMES FROM THE WPICMM06

The outcomes of the assessment conducted by the WPICMM06 on the possible infractions observed under the ROP in 2022, can be summarized in accordance to timeliness, recurrence and assessment results as follows:

1. On the obligation of CPCs to report to the IOTC Secretariat the results of the investigation of possible violations of IOTC CMMs by their flagged LSTLVs/carrier vessels by 15 January 2023:
  - Three fleets (Japan, Malaysia and Taiwan, Province of China), provided their responses within the deadline.
  - Two fleets (China and Seychelles) provided some of their responses after the deadline.
  - One fleet (Mauritius) provided its responses after the deadline.
  - One fleet (Oman) did not provide any response to the WPICMM06.
2. On the recommendation made by the Compliance Committee at its 10<sup>th</sup> Session to identify repeated cases of infringements:

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- Only two fleets (China and Taiwan, Province of China), with one LSTLV each, had records of repeated possible infractions in 2022 and 2021.
  - Five fleets (China, Taiwan, Province of China, Malaysia, Mauritius and Seychelles), had possible repeated infractions in 2022.
3. On the assessment of the results of investigations provided by the concerned fleets:
- 107 responses pre-assessed as “appropriate action taken by the fleet” and no recommendation is required to be made to the Compliance Committee (CoC20)
  - 39 responses that were pre-assessed as “Not considered as a possible infraction” and no recommendation is required to be made to the Compliance Committee (CoC20)
  - 0 responses pre-assessed as “Fleet requested to provide further evidence” for discussion at next meeting of the Compliance Committee

### **RESPONSES RECEIVED FROM OMAN AFTER THE WPICMM06**

The two possible infractions were notified by the IOTC Secretariat to Oman on 08 February 2022. Two reminders were sent to Oman in January 2023. The results of the investigation on the possible infractions was received on 29 March 2023 from Oman (after the deadline of 15 January 2023 and after the WPICMM06). In follow-up to the request of the CoC20, additional evidence and information was provided by Oman to complement their responses. The updated responses are presented in Annex I.

### **RECOMMENDATION/S**

That the CoC20:

- 1) **NOTE** paper IOTC–2023–CoC20–08b, which summarizes the outcomes of the assessments of the possible infractions detected under the ROP in 2022.
- 2) **NOTE** that Oman has provided response to their possible infractions after the deadline of 15 January 2023 and after the WPICMM06.
- 3) **NOTE** that Oman has provided new information on their responses to the CoC20.
- 4) **REVIEW** the updated responses to the possible infractions communicated by Oman with a view to assess them.

## Annex I: results of investigation of possible infractions provided by Oman

**TO BE COMPLETED BY THE SECRETARIAT**

Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Oman	<input type="checkbox"/> VMS <input checked="" type="checkbox"/> Logbook <input type="checkbox"/> ATF :	SINAW 16	717 - Ibuki	08/02/2022	29/03/2023
Inspection comment:	The logbook pages were not consecutively numbered				
Photograph(s) attached:	File name: 717-21 page 13				

**TO BE COMPLETED BY THE FLEET**

Result of investigation:	<i>The employee in charge in the company was called and asked to come to the Ministry and bring copy of the logbook on the 20<sup>th</sup> September 2022 to take more details about the incident which was reported by IOTC observer. The copy was observed and noticed the missing page numbers. The Captain declared that the logbook pages were missing because there were mistakes in filling information and were removed and rewrite it on the next page.</i>
Action(s) the fleet taken	<i>Vessel was asked to come back to Oman for annual inspections and to inspect original logbook and a warning was issued to the vessel.</i>

**ASSESSMENT OF THE RESULTS OF THE INVESTIGATION***(by Secretariat)***Fleet has provided the following evidence(s) in its response:**

Fishing logbook was onboard & bound & with consecutive number.	<input type="checkbox"/>	Fishing logbook was completed properly.	<input type="checkbox"/>	Fishing logbook match the template provided by the flag State (Res. 15/01).	<input type="checkbox"/>	Scanned copy of the warning sent to the vessel operator	<input checked="" type="checkbox"/>
Written clarifications on the investigation carried out to the fishing company	<input checked="" type="checkbox"/>						
Comments:	<input checked="" type="checkbox"/>	No photographs or evidence of the new logbook provided to the IOTC Secretariat.					

**Fleet action(s) taken according to national legislation:**

Document describing sanction(s) imposed to the vessel/master/owner/operator.	<input type="checkbox"/>	Vessel ordered to port for the purpose of inspection / investigation.	<input checked="" type="checkbox"/>	Vessel/master/owner/operator has been given a warning.	<input checked="" type="checkbox"/>
Any other fleet action(s) taken:	<input type="checkbox"/>	<i>Specify:</i>			

**RESULTS OF THE ASSESSMENT***(By Secretariat)***Recommendation from the assessment to the WPICMM**

Appropriate action taken by fleet -> no recommendation to CoC.	<input type="checkbox"/>	Not considered as a possible infraction -> no recommendation to CoC.	<input type="checkbox"/>	Fleet requested to provide further evidence for discussion at next CoC.	<input type="checkbox"/>
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**TO BE COMPLETED BY THE SECRETARIAT**

Fleet:	Type of possible infraction:	Name of vessel	Deployment number and name of carrier vessel:	Date sent to fleet	Date of response
Oman	<input type="checkbox"/> VMS <input type="checkbox"/> Logbook <input checked="" type="checkbox"/> ATF :	SINAW 16	717 - Ibuki	08/02/2022	29/03/2023

Inspection comment:	The ATF presented to the observer did not correspond with the ATF template example provided by IOTC. The ATF provided a Registration No. "1696009" with no National Registration Number listed. The IOTC vessel list provides the NRN "252" while the letters "V252" were displayed on the bridge of the LSTLV				
Photograph(s) attached:	File name: 717-21 page 13				

**TO BE COMPLETED BY THE FLEET**

Result of investigation:	<i>Typing mistake new copy will be sent to the vessel</i>
Action(s) the fleet taken	<i>New ATF sent.</i>

**ASSESSMENT OF THE RESULTS OF THE INVESTIGATION***(by Secretariat)***Fleet has provided the following evidence(s) in its response:**

ATF was faxed to the vessel or provided after the inspection.	<input checked="" type="checkbox"/>	ATF was valid and signed by the fleet authorised officer (Resolution 19/04).	<input type="checkbox"/>	ATF match the template ATF provided to by the fleet (Resolution 19/04)	<input type="checkbox"/>		<input type="checkbox"/>
Comments:	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>National registration number corrected and in line with the IOTC RAV.</li> <li>Proof of submission of ATF to the vessel provided to the IOTC Secretariat.</li> <li>The ATF provided does not match the official template of the ATF submitted to the IOTC Secretariat.</li> </ul>					

**Fleet action(s) taken according to national legislation:**

Document describing sanction(s) imposed to the vessel/master/owner/operator.	<input type="checkbox"/>	Vessel ordered to port for the purpose of inspection / investigation.	<input type="checkbox"/>	Vessel/master/owner/operator has been given a warning.	<input type="checkbox"/>
Any other fleet action(s) taken:	<input type="checkbox"/>	<i>Specify:</i>			

**RESULTS OF THE ASSESSMENT***(By Secretariat)***Recommendation from the assessment to the WPICMM**

Appropriate action taken by fleet -> no recommendation to CoC.	<input type="checkbox"/>	Not considered as a possible infraction -> no recommendation to CoC.	<input type="checkbox"/>	Fleet requested to provide further evidence for discussion at next CoC.	<input type="checkbox"/>
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