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

## 21<sup>st</sup> Session IOTC Compliance Committee, 2024

### 1. Introduction

Vessels in transit through BIOT/Chagos archipelago waters are requested to provide a transit report, details of the procedure for doing this are given in previous reports.

Between the start of March 2023 and the end of February 2024, 1087 transit reports from 651 different vessels were received from various flag States (**Error! Reference source not found.**). 259 vessels reported more than one transit, with seven vessels reporting five or more. As reporting is voluntary, it is likely that the actual number of vessels transiting is higher. However, in general, the number of reports received has continued to increase from last year, particularly from the Sri Lankan fleet, with 970 transit reports compared to last year's 901 reports.

**Table 1: A breakdown of vessels submitting transit reports by flag and vessel type between March 2023 and February 2024.**

Flag State	Type of Vessel						Percentage of Totals
	CV	LL	MU	PS	SJ	Total	
CHN		6				6	0.55%
DNK	1					1	0.09%
ESP				4		4	0.37%
FRA				1		1	0.09%
JPN	1					1	0.09%
KOR				2		2	0.18%
LKA		920	50			970	89.24%
MUS		2				2	0.18%
OMN		2				2	0.18%
SYC	3	23				23	2.12%
TWN		69			3	75	6.90%
<b>Total</b>	5	1022	50	7	3	1087	100.00%
<b>Percentage of Totals</b>	<b>0.46%</b>	<b>94.02%</b>	<b>4.60%</b>	<b>0.64%</b>	<b>0.28%</b>	<b>100.00%</b>	

CV – Carrier / Cargo Vessel; LL – Longline; MU – Multiday vessels; PS – Purse Seine; SJ – Squid Jigger; CHN – China; TWN – Taiwan, Province of China; DNK – Denmark; ESP – Spain; FRA – France; JPN – Japan; KOR – Republic of Korea; LKA – Sri Lanka; MUS- Mauritius; OMN – Oman; and SYC – Seychelles.

Once the transit reports are received, the name and corresponding identifying marks are cross-checked against the IOTC Record of Authorized Vessels (RAV). two reports were received for vessels that had an IOTC number but the authorisation to fish for tuna and tuna-like species had expired or had not been updated at the time of transit (Table 2), this is compared nine in 2022, three in 2021 and 77 in 2020. It should be emphasised that vessels do not need to be on the RAV to transit through the BIOT/Chagos archipelago and this is no indication that that they are IUU, they are reported here for information only.

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

IOTC No.	Expiry date of IOTC ATF	Vessel name	Callsign	Flag	Type	Entry date
11340	13/02/2014	Anjana-03	4SF4307	LKA	LL	12/03/2023
10282	13/02/2014	Sujani 4		LKA	MU	14/08/2023

In addition, 22 that reported transit were not on the current or historical RAV, had no IOTC number and were carrying gear capable of targeting tuna (Table 3). This is greater than 2022 where nine such vessels reported transit and 2021 when there were seven vessels but remains fewer than 2020 when 76 vessels reported. As above, this does not imply that they were IUU and it should be noted that two vessels reported carrying tuna onboard (shaded in table). It is reported here for information only.

**Table 3: Those vessels with no IOTC number recorded.**

Vessel name	Flag	Type	Entry date
Sayri 05	LKA	MU	29/03/2023
Saseth	LKA	MU	02/04/2023
Methuli	LKA	MU	02/04/2023
Viska Putha 7	LKA	LL	28/04/2023
Umayanga Putha 02	LKA	LL	15/05/2023
Tenori Duwa	LKA	LL	03/06/2023
Rosh Mishell 5	LKA	LL	21/07/2023
Lihini 01	LKA	LL	22/07/2023 and 16/01/2024
Rushin Putha 06	LKA	LL	06/08/2023
Rayaan Putha	LKA	LL	15/08/2023
Isuru Putha 01	LKA	MU	29/08/2023
Sayuri	LKA	MU	14/09/2023
Idusha02	LKA	LL	06/10/2023
Jinfeng 4	CHN	LL	08/11/2023
Jinfeng 2	CHN	LL	08/11/2023
Nadun	LKA	LL	12/11/2023
Lorenzo Putha 04	LKA	LL	27/12/2023
Seram Marine 1	LKA	LL	08/01/2024
Nadeeshani 01	LKA	LL	21/01/2024
St Anne 06	LKA	MU	29/01/2024
Win Marine 1	LKA	LL	06/02/2024
Weron Lantan 02	LKA	MU	16/02/2024

## 2. Observed breaches of IOTC CMMs

The Senior Fisheries Protection Officer (SFPO) will board and inspect vessels encountered by the patrol vessel while patrolling BIOT/Chagos archipelago waters. Those vessels that have not provided a transit report will be prioritised. Inspections are routine, the primary purpose being to look for any signs of illegal fishing where the vessel will be brought into port for further investigation. During an inspection, the SFPO will also check if there is a potential breach of any IOTC Conservation and Management Measures (CMMs).

Table 4 provides a summary of the details of potential breaches of IOTC CMMs recorded by the SFPO between March 2023 and February 2024 and the 20 vessel boardings that occurred. An explanation of the requirements of the CMMs and the breaches observed is given in Section 3. The SFPO submits detailed inspection reports which are compiled for this document.

Nineteen individual vessels were boarded, with one vessel boarded twice. Six of the 19 vessels inspected were on the current IOTC RAV. The remaining 13 were either not registered or their authorisation had expired, six of these were observed to have IOTC managed species on board. It was not always possible for the presence of IOTC species to be verified. All vessels inspected, regardless of their IOTC status, are included in Table 4. Five vessels have been reported to the flag State, Secretariat and the Compliance Committee for presumed IUU.

The predominant instances of non-compliance were associated with unmarked fishing gear, followed by failure to produce logbooks upon request, and then lack of Flag State ATF. Lack of or non-functioning VMS remains common on those vessels checked, but it should be noted that verification was not feasible for all vessels. Within Table 4, any blank cells either indicate compliance or that the requirement could not be checked by the SFPO and therefore should be classified as 'Unknown'.

**Table 4 List of vessels inspected from March 2023 to February 2024 and their compliance with relevant CMMs. An 'X' indicates that the vessel was in a potential breach of that particular CMM.**

Details of vessels inspected					CMM breaches shown as 'X'						
Vessel Name	Flag	Date	Type	IOTC RAV	ATF	No VMS	Not tamper-proof	No logbook	Vessel markings	Gear markings	IOTC Species
Mariyal - INDTN15MM6756 <sup>1</sup>	IND	02/03/2023	GN/LL	X	X			X	X		X
Emmanuel - INDTN15MM322	IND	02/03/2023	GN/LL	X	X			X			
Gods Gift - INDTN11MM8696 <sup>1</sup>	IND	02/03/2023	GN/LL	X	X	X	N/A	X		X	
Lourdhu Mariya - INDTN15MM4603	IND	02/03/2023	GN/LL	X	X			X			
St Antony - INDTN15MM8997	IND	25/04/2023	GN	X	X	X	N/A	X		X	
Ephraem 1 - INDTN15MM5271	IND	28/04/2023	GN	X	X	X	N/A	X	X	X	
Ephraem - INDTN15MM4779	IND	28/04/2023	GN	X	X	X	N/A	X	X	X	
Shehan 1 - IMULA0619CHW	LKA	10/05/2023	LL	Expired	X			X		X	X
Shanika Duwa - IMULA0603CHW	LKA	10/05/2023	LL							X	X
Namasha 05 - IMULA2009MTR	LKA	29/05/2023	MU							X	X
Sampath - IMULA0867KLT <sup>1</sup>	LKA	14/06/2023	MU	X		X	N/A			X	X
Rohana 7 – IMULA2264MTR	LKA	22/06/2023	LL							X	X
Madurajini – IMULA0881CHW	LKA	22/06/2023	LL							X	
Susantha – IMULA2147MTR	LKA	23/06/2023	LL					X		X	X
Malitha Putha – IMULA0813KLT	LKA	13/07/2023	MU							X	X
Manjumatha – INDTN15MM4683 <sup>1</sup>	IND	26/09/2023	GN	X	X	Not operational		X		X	X
Manju Matha – INDTN15MM5344 <sup>1</sup>	IND	26/09/2023	GN	X	X	Not operational		X		X	X
Ave Mariya – INDTN15MM9070	IND	30/11/2023 & 05/12/2023	GN	X	X	Not operational	X	X		X	
Senudi 1 – IMULA2352MTR	LKA	23/01/2024	LL	X	X	X	N/A	X		X	X

**GN – Gillnet; N/A – Not applicable; Not operational – VMS unit was present onboard however it did not appear to be in working order. <sup>1</sup>Being recommended for IUU listing this year.**

The Ave Mariya - INDTN15MM9070 had repeat inspections during this period and was detained and found guilty of illegal fishing. It already features on the IOTC IUU list has been inspected on two separate occasions prior to this reporting period. Emmanuel is also currently on the IOTC IUU list, although not at the time of inspection. This continues to demonstrate a lack of actions from the Indian Authorities with regards to its IUU vessels.

### 3. Details of breaches of CMMs observed during inspection

#### IOTC Vessel List.

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

**Breach of CMM:** Boardings and inspections were conducted and accompanied by supporting photographic evidence. Vessels were checked with the most recently updated RAV at time of inspection. For various vessels it was not possible to determine if there were IOTC species on board or had gear capable of targeting IUU species. Only six of the 19 vessels inspected by the SFPO were registered on the RAV despite it being confirmed that 11 of the vessel inspections resulted in the identification of IOTC species on board.

#### Flag State Licence, Permit, Authorization to Fish

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

**Breach of CMM:** Of those vessels boarded to check for licenses, only seven could produce an ATF when requested.

#### VMS

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

**Breach of CMM:** Of the 19 vessels that were boarded, 10 appeared to have a functioning VMS unit installed, which is an increase on the previous reporting period. Three vessels had a non-functioning VMS unit, reasons given for this included battery problems or technical failure. There were six occasions where no VMS unit could be produced.

#### Logbook

**Requirement:** Under IOTC Resolution 19/04 paragraph 20, all fishing vessels greater than 24m in overall length, or any vessel operating outside the EEZ of the flag State fishing for species covered

by the IOTC agreement and within the IOTC area of competence require a national fishing logbook, bound and with consecutively numbered pages.

**Breach of CMM:** Thirteen of the vessels boarded did not produce a logbook when requested.

### **Vessel and Gear markings**

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

**Breach of CMM:** Sixteen of the vessels did not have correct gear markings and three had obscured or non-compliant vessel markings.

## 4. For the attention of the Compliance Committee

This information paper is submitted in response to previous recommendations from the Compliance Committee and for consistency of reporting covers the same period as other reports, from March through to February. Nineteen vessels were inspected over this period, one on two separate occasions, and summarised in this report (compared to 59 in 2022/23, 40 in 2021/22, 10 in 2020/21, 11 for 2019/20, 6 in 2017/18, 10 in 2016/7 and 22 in 2015/16, although note that during 2021 and 2022 vessels were not physically boarded).

All vessels inspected were found to be in breach of at least one of the IOTC CMMs. This compares to a potential 100% in 2022/23 if all vessels were considered to be targeting IOTC managed species, 90% in 2021/22, 90% in 2020/21, 100% in 2018/19, 50% in 2017/18, 100% in 2016/17 and 73% in 2015/16, although these figures should be interpreted with care.

Vessel registration aside, as with previous years, the most common breach was failure to mark gear. It is noted that IOTC-2023-WPICMM06-12<sup>1</sup> continues looks at the issue of gear marking in more detail and how the uptake of gear markings, following the FAO voluntary guidelines as advocated in the CMM, is continuing to progress.

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

It is encouraging that the number of vessels registered on the RAV continues to be high (just 24 not on the RAV or with out-of-date registrations from 1087 Transit reports submitted) and that the number of reports submitted continues to increase.

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<sup>1</sup> Progress on the IOTC scheme to operationalise the FAO voluntary guidelines on the marking of fishing gear. IOTC Secretariat, 28 January 2023.