

IOTC Agreement – Article X

Report of Implementation for the year 2023 (CoC21)

Deadline for submission: 14/3/2024

READING NOTES:

- This report is composed of 5 sections reporting on the implementation of IOTC Resolutions.
- Answers provided by CPCs are presented in **blue text**.
- A red dash ("-") indicates that no answer was provided.
- Sections in **light grey** are for requirements that do not apply to your CPC

Reporting CPC: European Union

Date of submission: 14 March 2024 - 12:31

You can consult your previous Implementation Report by [clicking here](#).

Notes:

- All dates in the Implementation report must be in the following format => dd/mm/yyyy
- All laws, regulations and administrative instructions in force must be uploaded in the requirement 1.5 named "Transposition of IOTC Conservation and Management Measures into national legislation".

PART A – LEGAL OBLIGATION

Articles X & XI.2 of the IOTC Agreement - Legal obligation – Transposition of IOTC CMMs into national legislation

Transposition of IOTC CMMs into national legislation

Reporting obligation CR N°1.5, IR

Legal obligation: Provide information on the status of the transposition of all the CMM obligations/reporting requirements into the national legislation.

1. A system or procedures exist to implement this binding obligation to transpose IOTC Resolutions in national legislation:

a. System or procedures to implement this binding obligation - transposition of CMM :

The EU also transpose into EU legislation the CMM adopted by the IOTC. A big IOTC transposition was adopted in 2022 and include all the CMM adopted up to the annual meeting of 2021: Regulation (EU) 2022/2343 of the European Parliament and of the Council of 23 November 2022 laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007: <http://data.europa.eu/eli/reg/2022/2343/oj>. This regulation is updated every few years to incorporate newer adopted provisions at the IOTC level.

In the meantime, according to Article 216 (2) of the Treaty on the Functioning of the European Union, the agreements concluded by the Union are binding both on the institutions of the Union and on its Member States. EU Member States and EU Operators in the Indian Ocean have been officially notified of this Resolution and must comply with its provisions. EU Member States are bound to take the necessary direct measures designed to ensure compliance with the provisions of the IOTC measures in question by their vessels and, as appropriate, their nationals. It means that provisions adopted in the IOTC are directly implementable even if not yet transposed into an fully-fledged EU legislation.

Finally, an annual EU regulation is adopted every year to clarify the fishing opportunity available to the EU fleet and other "limits" applicable. Catch limit attributed to the EU for yellowfin tuna, bigeye tuna and FADs limit are contained in Council Regulation (EU) 2024/257 of 10 January 2024 fixing for 2024, 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2023/194. This regulation can be quickly amended during the year.

b. System or procedures to respond to non-compliance with this binding obligation - non transposition of CMMs :

NO - No system / procedure

No specific system to answer to non-compliance of the national/ European administration itself on this requirement.

c. Action taken in relation to non-compliance with this binding obligation - non transposition of a CMM :

NO - No action

No specific actions designed to answer to non-compliance of the national/ European administration itself on this requirement.

2. All obligations of IOTC Conservation and Management Measures (CMMs) are fully transposed in the national legislation:

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YES – All Resolutions are fully transposed into European Union legislation –

If NO, specify which Resolutions have not yet been transposed in your legislation:

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Attach National Legislation

a. Attach the laws, regulations and administrative instructions in force and ATF T&C with force of law, related to the IOTC Conservation and Management Measures:

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b. Comments/remarks about your submission and the implementation of IOTC Conservation and Management Measures: Regulation (EU) 2022/2343 of the European Parliament and of the Council of 23 November 2022 laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007. Regulation publicly available in 24 language online: <http://data.europa.eu/eli/reg/2022/2343/oj>.

Provide additional information on the implementation of this obligation:

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PART B – Actions taken, under national legislation, in the previous year to implement CMMs adopted by the Commission

Actions taken to implement Resolution 23/01

1. Describe the actions taken, under national legislation, in the previous year to implement conservation and management measure "Resolution On Management of Anchored Fish Aggregating Devices (AFADs)"

CPC has transposed the CMM 23/01 into domestic legislation ?

NO - The transposition process in domestic legislation of the CMM 23/01 has started but still ongoing.

2023 Anchored FADs management plan

1. A system or procedures exist to monitor and to ensure compliance with the obligation for vessels implementation of the DFADs management plan:

YES - European Union has systems & procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements.

a. System or procedures to monitor compliance with this binding measure are :

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b. System or procedures to respond to instances of non-compliance are :

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c. Actions in relation to potential infringements are :

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2. DFADs management plans reported for following year(s):

AFAD currently being approved at national level. A new submission will follow shortly

3. Reporting/Updating the 2024 DFADs management plan:

AFAD management plan:

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4. The 2024 DFADs management plan is prepared in accordance with the Guideline (Annex I or II):

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Actions taken to implement Resolution 23/03

1. Describe the actions taken, under national legislation, in the previous year to implement conservation and management measure "" adopted by the Commission at its 27th Session (S27):

Resolution 23/03 has entered into force only on 1st January 2024. Provisions contained in Resolution 23/03 are of a voluntary nature that therefore do not entail a transposition into EU legislation.

However, the EU is still reflecting on how to apply this measure and hopes that the Compliance Committee and Annual Meeting could be place for discussion and best practices exchanges with other CPCs on their own implementation of this resolution.

European Union has transposed the CMM 23/03 into domestic legislation ?

NO - The CMM 23/03 has not been transposed in domestic legislation.

Actions taken to implement Resolution 23/04

1. Describe the actions taken, under national legislation, in the previous year to implement conservation and management measure "" adopted by the Commission at its 27th Session (S27):

The catch limit established in resolution 23/04 have been transposed into EU legislation and are established in table 2 of annex IJ of Council Regulation (EU) 2024/257 of 10 January 2024 fixing for 2024, 2025 and 2026 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2023/194 (<http://data.europa.eu/eli/reg/2024/257/oj>).

The BET catch limit has been turned into a hard quota and has been distributed at the European level among the four EU Member States fishing in the IOTC. Then, at national level for the Member State that have two fleets, the quota is attributed between purse seiners and non-purse seiners vessels. In general, the quota uptake is monitored on a monthly basis throughout the year. Inspections at port as well as crosschecks of logbooks, catch and landing declarations and sales notes can help to control the quota for BET. Moreover, analysis of quantities of BET can be conducted thanks to the biannual reports on imports of BET. Other elements of the resolution are directly applicable to EU Member States. According to Article 216 (2) of the Treaty on the Functioning of the European Union, the agreements concluded by the Union are binding both on the institutions of the Union and on its Member States. EU Member States and EU Operators in the Indian Ocean have been officially notified of this Resolution and must comply with its provisions. EU Member States are bound to take the necessary direct measures designed to ensure compliance with the provisions of the IOTC measures in question by their vessels and, as appropriate, their nationals. In addition, Article 21(2.b) of the Treaty of the European Union, foresees that the Union shall work to consolidate and support inter alia the principles of international law.

European Union has transposed the CMM 23/04 into domestic legislation ?

YES - The CMM 23/04 has force of law in domestic legislation.

Actions taken to implement Resolution 23/05

1. Describe the actions taken, under national legislation, in the previous year to implement conservation and management measure "" adopted by the Commission at its 27th Session (S27):

No change applicable to the EU as CPC or to the EU operators compared to resolution 22/02. No additional actions to report.

European Union has transposed the CMM 23/05 into domestic legislation ?

YES - The CMM 23/05 has force of law in domestic legislation.

At sea transshipments – CPCs reports participating in the ROP

1. A system or procedures exist to monitor and to ensure compliance of Large Scale Tuna Longline Fishing Vessels (LSTLVs), that are 24 metres length overall and above, with the obligations of the IOTC regional observer programme (ROP) to monitor transhipment at sea:

NO – NIL Report / Not Applicable - Flag LSTLVs did not tranship at sea in 2022

a. System or procedures to monitor compliance with this binding measure are:

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b. System or procedures to respond to non-compliance with this binding measure are:

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c. Actions in relation to potential infringements are:

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2. I have participated in the IOTC regional observer programme (ROP) to monitor transhipment at sea in 2022:

NO - NIL report - Flag LSTLVs did not tranship at sea in 2022

3. The report on the list of LSTLVs & the quantities transhipped in 2022, and the report on the assessment of observer reports in 2022, is reported to the IOTC Secretariat:

4. If YES, provide information on:

Number of LSTLVs having transhipped at sea in 2022: –
 Quantities transhipped at sea (kg) in 2022: –

Report on transhipments in foreign ports**1. FOR ALL CPCs:****1.1. A system or procedures exist to monitor and to ensure compliance of Tuna Fishing Vessels (LSTVs) with the obligations of the IOTC regional observer programme - transhipments in foreign ports :**

NO – NIL Report / Not Applicable - Flag LSTVs did not tranship in foreign ports in 2023

a. System or procedures to monitor compliance with this binding measure are:

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 No later than 15 days after the transhipment, the master of a Union fishing vessel concerned shall complete the IOTC transhipment declaration and transmit it to its flag Member State in one of the official languages of the IOTC, along with the vessel's number in the IOTC record of fishing vessels. The master of a Union carrier vessel shall also, within 24 hours after the transhipment, complete and transmit to the competent port state authorities the IOTC transhipment declaration in one of the official languages of the IOTC. Member States shall submit to the European Commission information for the preceding calendar year, containing the information on actions taken to implement their reporting obligations for all IOTC fisheries. This include a aggregated report on transhipment in port.

b. System or procedures to respond to non-compliance with this binding measure are:

–
 No specific system to answer to non-compliance of the national/ European administration itself on this requirement.

c. Actions in relation to potential infringements are:

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 No specific actions designed to answer to non-compliance of the national/ European administration itself on this requirement.

1. 2. Flag LSTVs have transhipped in foreign ports in 2023:

YES - Flag LSTVs have transhipped in foreign ports in 2023

1.3. The report on the list of LSTVs & the quantities transhipped in foreign ports in 2023, provided to the IOTC Secretariat:

– – YES - Complete

Any comments/remarks about your submission and the implementation of this requirement:

Nil report for EU-Portugal and EU-Italy

Comments/remarks about your submission and the implementation of this requirement:

2. FOR MALDIVES ONLY:**2.1. A system or procedures exist to monitor and to ensure compliance of Flag Pole and line fishing vessel(s) and collector vessel(s) with the obligations of the IOTC regional observer programme - transhipments in port for Maldives:**

a. System or procedures to monitor compliance with this binding measure are:

b. System or procedures to respond to non-compliance with this binding measure are:

c. Actions in relation to potential infringements are:

2. 2. Flag Pole and line fishing vessel(s) and collector vessel(s) have transhipped in 2023:**2.3. The reports on the list of Pole and line fishing vessel(s) and collector vessel(s) & the quantities transhipped in 2023, reported to the IOTC Secretariat:****Actions taken to implement Resolution 23/06****1. Describe the actions taken, under national legislation, in the previous year to implement conservation and management measure "" adopted by the Commission at its 27th Session (S27):**

Provisions are encompassed in Regulation (EU) 2022/2343 of the European Parliament and of the Council of 23 November 2022 laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007
<http://data.europa.eu/eli/reg/2022/2343/oj>

European Union has transposed the CMM 23/06 into domestic legislation?

YES - The CMM 23/06 has force of law in domestic legislation.

Report on Instances of cetaceans encircled, entangled in 2023

1. A system or procedures exist to implement this binding reporting obligation (Report on Instances of Cetaceans encircled):

YES - European Union has system / procedure to implement this binding reporting measure

a. System or procedures to implement this binding reporting obligation:

YES - System / procedure are described below

In conformity with their national law and with the provisions of this Regulation, Member States shall lay down rules on measures and sanctions against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy, and shall systematically:

(a) initiate proceedings in accordance with Article 85 of the Regulation (EU) 2023/2842;

(b) take appropriate measures when an infringement is detected; and

(c) apply sanctions against the natural or legal persons having committed or held liable for a breach of the rules of the common fisheries policy.

b. System or procedures to respond to non-compliance with this binding reporting obligation:

YES - System / procedure are described below

In conformity with their national law and with the provisions of this Regulation, Member States shall lay down rules on measures and sanctions against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy, and shall systematically:

(a) initiate proceedings in accordance with Article 85 of the Regulation (EU) 2023/2842;

(b) take appropriate measures when an infringement is detected; and

(c) apply sanctions against the natural or legal persons having committed or held liable for a breach of the rules of the common fisheries policy.

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

YES - Actions are described below

No specific actions pre-designed.

The overall level of sanctions shall be calculated in such way as to make sure that they effectively deprive those responsible of the economic benefit derived from their infringement. Those sanctions shall also be capable of producing results proportionate to the seriousness of such infringements, thereby effectively discouraging further offences of the same kind.

When determining these sanctions the Member States shall take into account, in particular, the gravity, nature and extent of the infringement, including the prejudice or the level of the damage to the fishing resources and the marine environment concerned, its duration or repetition, and the accumulation of simultaneous infringements. Member States may also take into account the economic situation of the offender to ensure the dissuasiveness of these sanctions.

REPORT ON INSTANCES FOR THE 3 CATEGORIES OF VESSEL

2. Cetaceans have been encircled by the purse seine nets as reported by European Union flag vessels in 2023:

a. Purse seine vessels:

NO - NIL Report - No encirclement instance of cetaceans caught by purse seine net reported by European Union flag purse seine vessels in 2023

b. Reporting instance by purse seine vessel:

For purse seine vessel, report the total number of instance in 2023:

0

Cetaceans species encircled:

None

c. Not applicable:

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3. Cetaceans have been entangled by gillnetters as reported by flag vessels in 2023:

a. Gillnetters vessel:

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b. Reporting instance by gillnet vessel

For gillnet vessel, report the total number of instance in 2023:

0

Cetaceans species entangled:

None

c. Not applicable:

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4. Cetaceans have been entangled in Fish Aggregating Devices, DFAD/AFAD, as reported by flag vessels in 2023:

a. Vessel fishing on DFAD or AFAD:

NO - NIL Report - No entanglement instance of cetaceans caught in Fish Aggregating Devices as reported by European Union flag fishing vessels in 2023

b. Reporting instance by vessel fishing on DFAD

For DFAD, report the total number of instances in 2023:

0

Cetaceans species entangled:

None

c. Reporting instance by vessel fishing on AFAD

For AFAD, report the total number of instances in 2023:

0

Cetaceans species entangled:

None

d. Not applicable: –

5. Reporting of cases:

European Union has national legislation for protecting cetaceans, the data on instances of cetaceans encircled/entangled have been provided to the IOTC Scientific Committee, Compliance Committee and Working Party on the Implementation of Conservation and Management Measures consideration • Nil Report - No encirclement / entanglement reported by European Union flag fishing vessels: purse seine, gillnetters, fishing on FAD, in 2023

Comments/remarks about your submission and the implementation of this requirement:

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Actions taken to implement Resolution 23/07

1. Describe the actions taken, under national legislation, in the previous year to implement conservation and management measure "" adopted by the Commission at its 27th Session (S27):

No operative changes in the resolution compared to the previous resolution.

The possibility to use the additional mitigation measure has been transmitted to the national authorities and operators.

Currently we are not aware that the fleet is intending to use hook shielding devices in the near future.

European Union has transposed the CMM 23/07 into domestic legislation?

YES - The CMM 23/07 has force of law in domestic legislation.

Longline vessels to use mitigation measures south of 25°S

1. A system or procedures exist to monitor and to ensure compliance with the obligation, for all European Union longline vessels, to use at least two of the three mitigation measures:

YES - European Union has systems & procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements.

a. System or procedures to monitor compliance with this binding measure are:

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Even if their role is not to verify compliance, onboard observers would note the use of mitigation measures in their report.

Inspections at port in landing port aim at controlling the gears and mitigation measures on board. European inspectors regularly carry out joint inspection in third-country port where EU vessels land. This has been the case with the Seychelles in recent years.

b. System or procedures to respond to non-compliance with this binding measure are:

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In conformity with their national law and with the provisions of this Regulation, Member States shall lay down rules on measures and sanctions against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy, and shall systematically:

(a) initiate proceedings in accordance with Article 85 of the Regulation (EU) 2023/2842;

(b) take appropriate measures when an infringement is detected; and

(c) apply sanctions against the natural or legal persons having committed or held liable for a breach of the rules of the common fisheries policy.

c. Actions in relation to potential infringements are:

The overall level of sanctions shall be calculated in such way as to make sure that they effectively deprive those responsible of the economic benefit derived from their infringement. Those sanctions shall also be capable of producing results proportionate to the seriousness of such infringements, thereby effectively discouraging further offences of the same kind.

When determining these sanctions the Member States shall take into account, in particular, the gravity, nature and extent of the infringement, including the prejudice or the level of the damage to the fishing resources and the marine environment concerned, its duration or repetition, and the accumulation of simultaneous infringements. Member States may also take into account the economic situation of the offender to ensure the dissuasiveness of these sanctions.

2. The obligation for all European Union longline vessels to use at least two of the three mitigation measures:

Is required/implemented by national legislation

Since the adoption of Resolution 12/06 by the IOTC. According to Article 216 (2) of the Treaty on the Functioning of the European Union, the agreements concluded by the Union are binding both on the institutions of the Union and on its Member States. EU Member States and EU Operators in the Indian Ocean have been officially notified of this Resolution and must comply with its provisions. EU Member States are bound to take the necessary direct measures designed to ensure compliance with the provisions of the IOTC measures in question by their vessels and, as appropriate, their nationals. In addition, Article 21(2.b) of the Treaty of the European Union, foresees that the Union shall work to consolidate and support inter alia the principles of international law.

Since 23 November 2022, transposed in Regulation (EU) 2022/2343 of the European Parliament and of the Council of 23 November 2022 laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007

<http://data.europa.eu/eli/reg/2022/2343/oj>

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Actions taken to implement Resolution 23/08

1. Describe the actions taken, under national legislation, in the previous year to implement conservation and management measure "" adopted by the Commission at its 27th Session (S27):

No obligation for CPC or operators contained in the resolution that requires transposition or implementation at this stage.

EU scientists and experts participated actively to the EMS WG.

In fact, all EMS already installed on board EU vessels are in line with the adopted standards. In case the EU chooses in the future to have official recognizance of its EMS coverage in line with paragraph 3 of the Resolution, the EU will submit the required data in accordance with this paragraph.

European Union has transposed the CMM 23/08 into domestic legislation?

NO - The CMM 23/08 has not been transposed in domestic legislation.

Actions taken to implement Resolution 23/09

1. Describe the actions taken in the previous year to implement conservation and management measure "" adopted by the Commission at its 27th Session (S27):

No obligation for CPC or operators contained in the resolution. EU scientists and experts participated actively to the FAD WG. The FAD WG is co-chaired by the HoD of the EU to the SC.

Actions taken to implement Resolution 23/10

1. Describe the actions taken in the previous year to implement conservation and management measure "" adopted by the Commission at its 27th Session (S27):

No obligation for CPC or operators contained in the resolution. The EU has already identified potential experts for the participation in the first meeting of the WPSE.

European Union has transposed the CMM 23/10 into domestic legislation?

NO - The CMM 23/10 has not been transposed in domestic legislation.

Part C – Actions taken, under national legislation, to implement CMMs adopted by the Commission in previous Sessions which have not been reported previously

1. Actions taken, under national legislation, to implement conservation and management measures adopted by the Commission in previous Sessions, and which have not been reported previously:

[No additional elements to report.](#)

2. We have taken actions, under national legislation, to implement conservation and management measures adopted by the Commission in previous Sessions:

[Yes](#)

Part D – Data and information reporting requirements for CPCs to be included in this report

Resolution 01/03 Establishing a scheme to promote compliance by non-contracting party vessels with resolutions established by IOTC – Observations of non-contracting parties, entities or fishing entities indicating fishing contrary to IOTC CMMs

Information required: Observations of non-contracting parties, entities or fishing entities indicating fishing contrary to IOTC CMM

1. A system or procedures exist to implement this binding reporting obligation: "*Report on observations of non-contracting parties, entities or fishing entities indicating fishing contrary to IOTC CMM*"

[NO – NIL Report / Not Applicable for 2023 – European Union has no observation of vessel fishing contrary to IOTC Conservation or Management Measures in the IOTC Area of Competence](#)

a. System or procedures to implement this binding reporting obligation :

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b. System or procedures to respond to non-compliance with this binding reporting obligation:

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c. Action to be taken in relation to non-compliance with this binding reporting obligation:

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2. Observation/Sightings report of Non-Contracting Party, Entity or fishing Entity vessels, indicating that there are grounds for believing that these vessels are fishing contrary to IOTC Conservation or Management Measures

[NO - NIL report for 2023 – European Union has no observation of vessel fishing contrary to IOTC Conservation or Management Measures in the IOTC Area of Competence](#)

Actions taken & additional information to report?

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Information required: information on the results of inspections of vessels of NCPs

1. A system or procedures exist to implement this binding reporting obligation: "*Prepare and report on information on the results of inspections of vessels of NCPs*"

[NO – NIL Report / Not Applicable for 2023 - no inspection conducted on NCP vessel by European Union](#)

a. System or procedures to implement this binding reporting obligation:

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b. System or procedures to respond to non-compliance with this binding reporting obligation:

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c. Action to be taken in relation to non-compliance with this binding reporting obligation:

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2. Reporting on inspections in ports of vessels of Non-Contracting Parties, Entities or fishing Entities:

[NO - NIL report 2023 - no inspection conducted on NCP vessel by European Union](#)

Resolution 01/06 Concerning the IOTC bigeye tuna statistical document programme

Information required: Annual report on the IOTC bigeye tuna statistical document programme in 2022

1. A system or procedures to monitor and to ensure compliance with export of frozen bigeye tuna exists:

[No – NIL Report / Not Applicable - European Union did not export frozen bigeye tuna in 2022](#)

a. System or procedures to monitor compliance with this binding measure are:

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b. System or procedures to respond to instances of non-compliance are:

c. Actions in relation to potential infringements are:

EXPORT:

2. Frozen bigeye tunas were exported in 2022:

[NO - Frozen Bigeye tuna were NOT exported](#)

Total quantity of frozen bigeye tunas exported in 2022 (kg):

Country' vessels from which the bigeye tunas were exported:

3. If you have exported bigeye tuna in 2022, report the result(s) of the examination between YOUR EXPORT European Union data and the IMPORT data declared by IMPORTING CPC(s):

[NO - NIL report - No frozen bigeye tuna were exported in 2022 - NO result of examination to report After analysis of the excel file below, the EU only appears as importer.](#)

When significant difference(s) were identified between European Union EXPORT data and the IMPORTING DATA from other CPCs, report the results of the examinations below:

Resolution 07/01 To promote compliance by nationals of CPCs with IOTC conservation and management measures

Information required: reports on actions and measures taken to investigate allegations and/or reports on IUU fishing involving nationals

1 - Reporting on actions and measures taken to investigate allegations and/or reports on IUU fishing involving nationals:

[NO - NIL report for 2023 – No European Union nationals engage in IUU fishing in the IOTC Area of Competence](#)

Resolution 11/02 Prohibition of fishing on data buoys

Information required: Report on observations of damaged data buoys in 2023

1. A system or procedures exist to monitor and to ensure compliance with the reporting any data buoys observed to be damaged/inoperable:

[NO – NIL Report / Not Applicable - No report received from flag vessels in 2023](#)

a. System or procedures to monitor compliance with this binding measure are:

[Onboard observers would note that information in their report. Moreover, any of those observation can be noted in the comments of the logbook by the captain of the vessel.](#)

b. System or procedures to respond to non-compliance with this binding reporting obligation:

[No possibility to assess whether this obligation was implemented or not. Moreover, the provisions is not written in a prescriptive way for the operators.](#)

c. Actions in relation to potential infringements are:

2. Reporting observations of damaged data buoys in 2023:

[NO – NIL Report / Not Applicable - No report received from flag vessels in 2023](#)

Resolution 22/04 On a Regional observer scheme

Information required: description of protocols supporting observer programs (all vessels at sea) and sampling schemes (artisanal vessels landings), the number of fishing vessels & of fishing effort sampled, the coverage achieved by gear type

1. A system or procedures exist to implement this binding reporting obligation:
- description of protocols supporting observer programs (all vessels at sea), and
 - sampling schemes (artisanal vessels landings), number of fishing vessels & of fishing effort sampled, coverage achieved by gear type.

For observer programs at sea:

[YES - European Union has system / procedure to implement this binding reporting measure](#)

For sampling schemes (Artisanal / coastal fisheries):

[YES - European Union has system / procedure to implement this binding reporting measure](#)

a. System or procedures to implement this binding reporting obligation:

[YES - System / procedure are described below, for both ROS at sea & coastal See EU scientific report](#)

b. System or procedures to respond to non-compliance with this binding reporting obligation:

[YES - System / procedure are described below, for both ROS at sea & coastal See EU scientific report](#)

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

[YES - Actions are described below, for both ROS at sea & coastal See EU scientific report](#)

2. European Union is implementing the regional observer scheme (ROS) at national level for:

[All fishing vessels of 24 meters length overall and above • All fishing vessels under 24 meters operating outside the EEZ](#)

3. The description of the protocols supporting observer programs (at sea) and sampling schemes (artisanal vessel landings), reported to the IOTC Scientific Committee:

[YES – Complete](#)

4. Describe the protocols supporting observer programs (at sea) and the sampling schemes (artisanal vessel landings):

a. Protocols - Observer programmes at sea: [See EU scientific report](#)

b. Protocols- Sampling schemes for artisanal vessel landings:

[See EU scientific report](#)

5. Complete the below table or upload your report on the coverage achieved by gear type, in the UPLOAD section:

- a. At sea - all fishing vessels of 24 meters length overall and above, and fishing vessels under 24 meters operating outside the EEZ:

Type of fishing gear	No of vessels and fishing effort monitored in 2022:	Coverage in 2022 (%)
Purse seine	15 (EU-ES) + 10 (EU-FRA) +1 (EU-ITA)	39.7% (EU-ES) + 27% (EU-FRA) of fishing operations by human observers. 100% coverage with EMS.
Longline	2 (EU-PRT) + 8 (EU-ESP) + 21 (EU-FRA)	0% (EU-PRT) + 5% (EU-ESP) + 14.7 (4+10.7 EU-FRA)
Gillnet	N/A	N/A
Baitboats	N/A	N/A
Handline	N/A	N/A

Comments/remarks about your submission and the implementation of this requirement:

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b. Sampling schemes (artisanal vessel landings):

Type of fishing gear	Total number of vessel trips or total number of active vessels in 2022:	Coverage in 2022 (%)
Coastal Purse seine	-	-
Longline	-	-
Gillnet	-	-
Baitboats	-	-
Handline	-	-
Line Trolling	-	-

Other type of fishing gear (Ringnet; Trawl; Beach Seine, etc...):

Type of fishing gear	Total number in 2022:	Coverage in 2022 (%)
-	-	-
-	-	-

Comments/remarks about your submission and the implementation of this requirement:

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Resolution 12/04 On the conservation of marine turtles

Reporting obligation: Report on progress of implementation of Resolution 12/04

1. A system or procedures exist to implement this binding reporting obligation:

YES - [European Union has system / procedure to implement this binding reporting measure](#)

a. System or procedures to implement this binding reporting obligation:

YES - System / procedure are described below

Member States shall submit to the Commission 75 days before the annual meeting of the IOTC information for the preceding calendar year, containing the information on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches. The Commission shall compile the information in a Union implementation report and send it to the IOTC Secretariat.

b. System or procedures to respond to non-compliance with this binding reporting obligation:

NO - No system / procedure

No specific system to answer to non-compliance of the national/ European administration itself on this requirement.

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

NO - No action

No specific actions designed to answer to non-compliance of the national/ European administration itself on this requirement.

2. Reporting the progress of implementation of Resolution 12/04:

YES - Reporting progress in section 3 below

3. Report on the requirements of the Resolution 12/04:

a. Collect (through logbooks and observer programs) and provide to the Scientific Committee all data on their vessels interactions with marine turtles,

Furnish information to the Scientific Committee on successful mitigation measures and other impacts on marine turtles (such as the deterioration of nesting sites & swallowing of marine debris):

Yes Following IOTC Resolution 12/04, all EU vessels are required to collect detailed data of any encounter with marine turtle during fishing activities. All interaction with marine turtles are transmitted through the EU Scientific Report and its annexes (EU-Member States scientific reports). Additionally, Point 2 of Annex XIII of [EU Regulation 2019/1241](#) states that "Member States shall take the necessary steps to collect scientific data on incidental catches of sensitive species" in Union water, including those situated in the Indian Ocean.

b. Require fishermen to bring aboard, if practicable, any captured hard shelled turtle that is comatose or inactive as soon as possible and foster its recovery, including aiding in its resuscitation, before safely returning it to the water.

Ensure that fishermen are aware of and use proper mitigation and handling techniques and keep on board all necessary equipment for the release of turtles:

Yes Adequate equipment for the disentanglement of turtles are made available onboard. Crews have been provided with proper training and they are able to operate correctly, in order to avoid unwanted catches and to release alive at sea turtles eventually caught. Manuals are regularly made available to the sector, containing instructions and information for a proper use of equipment and for identification of the various species of marine turtles. The IOTC identification guides and training are provided to the onboard observers for proper identification and handling of the sea turtles. In Mayotte and La Réunion, trainings and information [sessions](#) are also organized to raise awareness on marine turtles among EU coastal fishers.

c. For gillnet vessels: Require vessel to record all incidents involving marine turtles in the logbooks and report incidents to authorities of the CPC:

Yes N/A

d. For longline vessels

(a) Ensure that longline vessels carry line cutters & de-hookers to facilitate the handling and release of marine turtles caught or entangled

(b) Encourage use of whole finfish bait;

(c) Require vessel to record all incidents involving marine turtles in the logbooks and report incidents to authorities of the CPC.
Yes

[EU: EU Council Regulation \(EC\) No 520/2007](#) imposes to EU long liners "the development and putting in place of combinations of hook shapes, type of lures, depth and design of nets and fishing practices to minimize accidental catches or by-catches and mortality of sea turtles". Moreover, the same regulation requires "the presence on board of equipment necessary for releasing sea turtles caught accidentally or as by-catch, including tools for unhooking them or cutting the lines and landing nets". Obligation to carry line cutters and de-hookers is transposed under Article 21 of [Regulation \(EU\) 2022/2343](#) of the European Parliament and of the Council of 23 November 2022 laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007.

[France](#): Following IOTC Resolution 12/04, kits to extract hooks have been distributed to all long liners (in 2014). Leaflets to identify turtle species will be provided to all fishers in La Réunion and to the long liner fleet in the Indian Ocean. These leaflets are also to be distributed on vessels of other IOTC CPCs. Additionally, a care center for Turtle accidentally captured by long liners or other gears has been created in La Réunion.

[Spain](#): Spanish law ([Orden AAA/658/2014, Art. 19](#)) sets up measures to avoid the capture of marine turtles. It imposes that each vessel carry the necessary equipment to release marine turtles alive when they have been accidentally caught. Furthermore, any encounter with marine turtle must be recorded noting the date, position, the species, and if the turtle was released alive.

[Portugal](#): IPMA has provided guidance on how to safely handle and release the turtles, as well as ID guides.

e. For purse seine vessels:

(a) Ensure that vessels:

- (i) Avoid encirclement of marine turtles, if a marine turtle is encircled/ entangled, take measures to safely release the turtle.
- (ii) Release all marine turtles observed entangled in fish aggregating devices (FADs) or fishing gear.
- (iii) If a marine turtle is entangled in the net, stop net roll as soon as the turtle comes out of the water; disentangle the turtle without injuring it before resuming the net roll; and assist the recovery of the turtle before returning it to the water.
- (iv) Carry and employ dip nets to handle turtles.

(b) Encourage vessel to adopt FAD designs which reduce the incidence of entanglement of turtles;

(c) Require vessel to record incidents involving marine turtles in the logbooks and report incidents to authorities of the CPC.

Yes

Regarding EU purse seiners, EU [Council Regulation \(EC\) No 520/2007](#) defines some rules that they must follow. Purse seine vessels have “an obligation to avoid, where possible, encircling sea turtles”. Moreover, those vessels are required to adopt “all the measures necessary for releasing encircled or caught sea turtles” and, like every EU fishing vessels, they are subject to an “appropriate handling, including the recovery or prompt release of sea turtles caught accidentally or as by-catch”. To avoid these situations, EU vessels are subject to “the development and application of specifications for appropriate gear for minimizing by-catches of sea turtles”. Regarding the use of FADs, EU regulation requires the “adoption of all the measures necessary for monitoring fish-aggregating devices in which sea turtles could be caught, to release those taken and recover devices that are not used”. The “Requins” project has provided a [guide](#) for “Good practices to reduce the mortality of sharks and rays caught incidentally by the tropical tuna purse seiners”. This guide also include instruction for accidental catches of marine turtles.

All trips are monitored by observers, which record information on FADs designs and materials for verifying the compliance with the guidelines for NEFAD construction of resolution 19/02.

Article 10 of [Regulation \(EU\) 2022/2343](#) provides for the obligation to use non-entangling designs and materials for the construction of FADs.

EU-ESP regulation on the “Management of FADs” has forbidden the use of entangling FADs since the 30/06/2015 (Paragraph 10). EU-FRA and EU-ITA FAD management plan include a specific part with indications to reduce the impact of FADs on ecosystems. The precision is made that FADs should not be made of entangling material. Logbook entries for FAD deployment must include the verification that no entangling materials are part of the FAD (two entries: one for the surface part and one for the submerged part). When encountering other floating object, the presence and size of entangling material must be noted in the logbook. On this floating objects, the replacement of highly entangling materials (mesh > 6,5 cm) is encouraged.

f. CPCs to undertake research trials of circle hooks, use of whole finfish for bait, alternative FAD designs, alternative handling techniques, gillnet design and fishing practices and other mitigation methods which may improve the mitigation of adverse effects on turtles.

Yes The EU has financed multiple projects to understand the impact of fishing practices, in particular FADs. In 2014/2015, the CECOFAD project developed by three European institutes IEO, AZTI and IRD, funded by the EU, and in collaboration with EU industrial stakeholders, researched the effects of purse seine fishery using FADs. One of the objectives of this project was to know the composition of catches on FADs and to assess their impact on other maritime species (including accidental catches sea turtles). The project was later prolonged by CECOFAD2, which also assesses the impact of purse seiner vessels using dFADs. One of the most recent projects of the EU on dFADs is the [BIOFADs project](#), which tests designs and identifies options to mitigate impacts of drifting FADs on the ecosystem. Its aim was to identify suitable biodegradable materials for FAD construction to respond to resolution 19/02. On biodegradable FADs, the [SAREBIO project](#) also research alternative material in the deployment of FADs. The EU also provided research on the impact of other fishing gears and launched a [project](#) to evaluate the effects of hooks’ shape & size on the catchability, yields and mortality of target and bycatch species. This includes the evaluation of the implementation of circle hooks.

g. CPCs continue to undertake research and development to improve the mitigation of adverse affects on marine turtles & provide research outcomes to the Scientific Committee.

Yes All of the above projects are part of the EU’s effort to mitigate the negative impacts of tuna fishery in the Indian Ocean (including the adverse effects on marine turtles). The EU is regularly providing scientific papers to the SC and its working parties including on impact of fisheries on marine turtles.

h. Collaborate with the IOSEA and take into account the IOSEA MoU

Yes The EU is member of the IOSEA since 1983 and France has signed the IOSEA MoU.

Resolution 13/05 On the conservation of whale sharks (*Rhincodon typus*)

Information required: Report on Instances of whale sharks encircled in 2023

1. A system or procedures exist to implement this binding reporting obligation (Report on Instances of whale sharks encircled):

YES - European Union has system / procedure to implement this binding reporting measure

a. System or procedures to implement this binding reporting obligation:

YES - System / procedure are described below

Interactions should be reported by the captain of the vessel to its administration and observers on board in its report.

b. System or procedures to respond to non-compliance with this binding reporting obligation:

YES - System / procedure are described below

In conformity with their national law and with the provisions of this Regulation, Member States shall lay down rules on measures and sanctions against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy, and shall systematically:

(a) initiate proceedings in accordance with Article 85 of the Regulation (EU) 2023/2842;

(b) take appropriate measures when an infringement is detected; and

(c) apply sanctions against the natural or legal persons having committed or held liable for a breach of the rules of the common fisheries policy.

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

YES - Actions are described below

No specific actions pre-designed.

The overall level of sanctions shall be calculated in such way as to make sure that they effectively deprive those responsible of the economic benefit derived from their infringement. Those sanctions shall also be capable of producing results proportionate to the seriousness of such infringements, thereby effectively discouraging further offences of the same kind.

When determining these sanctions the Member States shall take into account, in particular, the gravity, nature and extent of the infringement, including the prejudice or the level of the damage to the fishing resources and the marine environment concerned, its duration or repetition, and the accumulation of simultaneous infringements. Member States may also take into account the economic situation of the offender to ensure the dissuasiveness of these sanctions.

2. Whale sharks have been encircled by the purse seine nets as reported European Union flagged vessels in 2023:

NO - NIL Report - No encirclement instance of whales shark by purse seine net reported by European Union purse seine fishing vessels in 2023

3. Report on instances of whale sharks encircled:

For purse seine vessel, total number of instance in 2023:

0

Data on instances of whale sharks encircled provided by European Union to the IOTC Scientific Committee consideration

Resolution 14/05 Concerning a record of licensed foreign vessels fishing for IOTC species in the IOTC area of competence and access agreement information

Information required: Access agreements information

1. A system or procedures exist to implement this binding reporting obligation: To prepare & submit the information on access agreements information

YES - European Union has system / procedure to implement this binding reporting measure

a. System or procedures to implement this binding reporting obligation:

YES - System / procedure are described below These information are submitted during the implementation report. 5. Member States shall submit to the Commission 75 days before the annual meeting of the IOTC information for the preceding calendar year, containing the information on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches. The Commission shall compile the information in a Union implementation report and send it to the IOTC Secretariat.

b. System or procedures to respond to non-compliance with this binding reporting obligation:

NO - No system / procedure No specific system to answer to non-compliance of the national/ European administration itself on this requirement.

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

NO - No action No specific system to answer to non-compliance of the national/ European administration itself on this requirement.

2. A system exist to sign Government to Government access agreement for foreign vessels to operate in your waters, within the IOTC Area:

YES – A system exists exist to sign Government to Government access agreement

3. Foreign vessels were licensed in 2023 under a Government to Government access agreement:

YES - Foreign vessels were licensed by European Union in 2023 under a Government (CPC) to Government (CPC) access agreement

4. CPC-to-CPC agreements in 2023 exist and information concerning these agreements submitted to the IOTC Secretariat:

YES – Complete –

5. For each CPC/CPC agreement:

a. Provide the information: the CPC involved, the start and end dates of the agreement, the number of vessels and the authorised gears in the below table and upload the information about these agreements in the UPLOAD section :

Agreement	CPC/CPC agreement with	Agreement start date	Agreement end date	Number of vessels	Gear authorized
1	-	-	-	-	-
2	-	-	-	-	-
3	-	-	-	-	-
4	-	-	-	-	-

b. Provide the information: the quota or catch limit, MCS measures, data reporting obligation concerning these agreements and complete the below table:

No	Stock/species covered	CPC's quota or catch limit:	Data reporting obligations of the agreement:	MCS measures required by the flag CPC & coastal CPC:
1	-	-	-	-
2	-	-	-	-
3	-	-	-	-
4	-	-	-	-

6. All the mandatory information has been provided to the IOTC Secretariat for all CPC/CPC access agreement:

Yes – Complete

Specify what mandatory information are not fully provided or missing (tick the appropriate boxes):

-

Specify the reasons for each not fully provided or missing requirement:

-

Resolution 16/05 – Sightings of vessels suspected or confirmed of being without nationality

Information required: Sightings of vessels suspected or confirmed of being without nationality

1. A system or procedures exist to implement this binding reporting obligation:

NO – NIL Report / Not Applicable for 2023 – no sighting of vessel without nationality

a. System or procedures to implement this binding reporting obligation:

YES - System / procedure are described below

Sightings of suspicious activities or vessels not authorised shall be reported by the vessel's captain to its national administration. Furthermore, the EU conducts surveillance activities in the IO which shall report suspicious activities.

b. System or procedures to respond to non-compliance with this binding reporting obligation:

NO - No system / procedure No possibility to assess whether this obligation was implemented or not.

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

NO - No action No possibility to assess whether this obligation was implemented or not, therefore sanctions are not an option.

2. Reporting on vessel without nationality that may be fishing in the high seas of the IOTC area of competence:

NO - NIL report for 2023 – no sighting of vessel without nationality

Resolution 16/08 On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids**Information required: Any occurrence of fishing operation undertaken with the aid of aircraft or unmanned aerial vehicle**

1. A system or procedures exist to implement this binding reporting obligation:

YES - European Union has system / procedure to implement this binding reporting measure

a. System or procedures to implement this binding reporting obligation:

YES - System / procedure are described below

Sightings of suspicious activities or vessels not authorised shall be reported by the vessel's captain to its national administration. Furthermore, the EU conducts surveillance activities in the IO which shall report suspicious activities.

b. System or procedures to respond to non-compliance with this binding reporting obligation:

NO - No system / procedure

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

NO - No action No possibility to assess whether this obligation was implemented or not, therefore sanctions are not an option.

2. Reporting occurrence of a fishing operation undertaken with the aid of aircraft or unmanned aerial vehicle in the IOTC area of competence: Nil report for 2023 – no occurrence of vessel fishing operation with the aid of aircraft or unmanned aerial vehicle

Resolution 17/07 On the prohibition to use large-scale driftnets in the IOTC area**Prohibition from: using large-scale driftnets in the entire IOTC area of competence**

1. A system or procedures to monitor and to ensure compliance with the obligation for fishing vessels to not use large scale driftnets in the IOTC area of Competence (High sea and ZEE):

–

a. System or procedures to monitor compliance with this binding measure are:

–

b. System or procedures to respond to instances of non-compliance are:

–

c. Actions in relation to potential infringements are:

–

2. Use of large scale driftnets is banned in the IOTC area of competence (high seas and EEZ):

– 08/06/1998

–

–

Additional information on the implementation of this obligation:

First time implemented through Council Regulation (EC) No 1239/98 of 8 June 1998 amending Regulation (EC) No 894/97 laying down certain technical measures for the conservation of fishery resources.

Nowadays integrated into Regulation (EU) 2019/1241.

Information required: Report on MCS actions related to large-scale driftnet fishing.

1. A system or procedures exist to implement this binding reporting obligation:

YES - European Union has system / procedure to implement this binding reporting measure

a. System or procedures to implement this binding reporting obligation:

– Member States shall submit to the Commission 75 days before the annual meeting of the IOTC information for the preceding calendar year, containing the information on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches. The Commission shall compile the information in a Union implementation report and send it to the IOTC Secretariat.

b. System or procedures to respond to non-compliance with this binding reporting obligation:

NO - No system / procedure No specific system to answer to non-compliance of the national/ European administration itself on this requirement.

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

NO - No action No specific actions designed to answer to non-compliance of the national/ European administration itself on this requirement.

Monitoring, control, and surveillance (MCS) actions:

2. Monitoring, control, and surveillance actions are applicable to:

Flag vessels • Foreign vessels

3. Monitoring, control, and surveillance actions are:

Controlling of flag vessels at licensing • Controlling of foreign vessels at licensing • Inspection at sea (EEZ) of foreign vessels • Inspection at sea (EEZ) of flag vessels • Inspection in port of flag vessels

Additional MCS actions in place:

Even if their role is not to verify compliance, onboard observers would note that information in their report.

Inspections at port in landing port aim at controlling the fishing gears onboard vessels. Europeans inspectors regularly carry out joint inspection in third-country port where EU vessels land. This has been the case with the Seychelles in recent years.

Furthermore, sightings of suspicious activities or vessels not authorised shall be reported by the vessel's captain to its national administration. Furthermore, the EU conducts surveillance activities in the IO which shall report suspicious activities.

Resolution 18/07 On measures applicable in case of non-fulfilment of reporting obligations in the IOTC**Information required: Report actions taken to implement reporting obligations & improve data collection of catches**

1. A system or procedures exist to implement this binding reporting obligation:

For industrial fisheries:

YES - European Union has system / procedure to implement this binding reporting measure

For artisanal/coastal fisheries:

YES - European Union has system / procedure to implement this binding reporting measure

a. System or procedures to implement this binding reporting obligation:

YES - System / procedure for Industrial fisheries are described below The European Commission has the obligation to fulfil this requirement.

b. System or procedures to respond to non-compliance with this binding reporting obligation:

NO - No system / procedure for Industrial fisheries Obligations lays on the European administration. There is no obligation for the operators here. No specific system to answer to non-compliance of the national/ European administration itself on this requirement.

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

NO - No action for Industrial fisheries Obligations lays on the European administration. No specific actions designed to answer to non-compliance of the national/ European administration itself on this requirement.

2. A system to collect fisheries data exists:

YES - A recording system to collect fisheries data exists

3. Mandatory data/statistics reported:

YES - Mandatory data/statistics reported

For Industrial fisheries:

–

For artisanal/coastal fisheries:

–

4. Action(s) to improve data collection that facilitate improvements in compliance in terms of IOTC mandatory reporting obligations:

a. Development or improvements in the implementation of logbooks:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

Article 15 of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, lays down the obligation for Masters of Community fishing vessels of 12 metres' length overall or more to be equipped with an electronic logbook. Article 14 establishes the obligation for EU vessels to complete paper logbooks if they are not subject to electronic logbook.

Measures taken and the implementation progress for Industrial IOTC fisheries:

Article 15 of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, lays down the obligation for Masters of Community fishing vessels of 12 metres' length overall or more to be equipped with an electronic logbook.

b. Port-based sampling or related fisheries surveys:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

Port sampling are carried out in the IOTC area by national scientific institutes and are regularly improved. Detailed information are provided in the EU scientific report.

Measures taken and the implementation progress for Industrial IOTC fisheries:

Port sampling are carried out in the IOTC area by national scientific institutes and are regularly improved. Detailed information are provided in the EU scientific report.

c. National observer scheme:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

In the context of the coastal longline fleet of La Réunion, fish are measured at landing place.

In the context of the artisanal fleet of La Réunion, inspectors from SIH are present in port under the programme ObsDEB and are measuring fish.

In the context of the coastal longline fleet of Mayotte, the sale notes of the cooperative COPEMAY and the logbooks are used to survey the level of catches, however not always at species level.

In the context of the artisanal fleet of Mayotte, the programme ObsDEB is ensured by the Parc naturel marin of Mayotte.

Details on the level of coverage is provided in the EU scientific report.

Measures taken and the implementation progress for Industrial IOTC fisheries:

There are national scientific observers on board purse seiners and longliners, as well as electronic observers on board purse seiners.

Coverage is well above the mandatory coverage level.

Detailed information are provided in the EU scientific report.

d. National Vessel registry:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

The EU Fleet Register is a database where **all** the fishing vessels flying the flag of an EU country have to be registered. Any changes in the status of a fishing vessel need to be registered by the member country in the Fleet Register.

The main objective of the Fleet Register is to enable any EU fishing vessel with key characteristics to be identified, with the aim of:

- Monitoring the implementation of capacity management countries
- Being a source of information for the officials of the European Commission and EU countries in charge of control and inspection
- Serving as an accurate source of statistical data on the European fishing fleet
- Serving as a reference database for vessels characteristics for other applications that manage information on fishing vessels

Measures taken and the implementation progress for Industrial IOTC fisheries:

The EU Fleet Register is a database where **all** the fishing vessels flying the flag of an EU country have to be registered.

e. Electronic data capture, VMS, or on-board electronic monitoring:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

The VMS coverage for EU flagged vessels operating in the IOTC area of competence is 100%.

Article 9 of COUNCIL REGULATION (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, provides that: **"2. Without prejudice to specific provisions contained in multiannual plans, a fishing vessel of 12 metres' length overall or more shall have installed on board a fully functioning device which allows that vessel to be automatically located and identified through the vessel monitoring system**

by transmitting position data at regular intervals. It shall also allow the fisheries monitoring centre of the flag Member State to poll the fishing vessel."

Measures taken and the implementation progress for Industrial IOTC fisheries:

The VMS coverage for EU flagged vessels operating in the IOTC area of competence is 100%.

All vessels are equipped with electronic logbook. The electronic and monitoring data are included in the electronic logbook onboard.

All purse seine vessels are equipped with electronic monitoring system. More details on the EU scientific report.

5. Action(s) to improve data processing and reporting systems that facilitate submission of data to the IOTC Secretariat:

a. Development of fisheries databases:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

Fishery statistics are derived from official national sources either directly by Eurostat for the EEA member countries.

The data are collected using internationally agreed concepts and definitions developed by the Coordinating Working Party on Fishery Statistics, comprising Eurostat and several other international organisations with responsibilities in fishery statistics.

The domain "Fisheries" contains data on catches by fishing region, on aquaculture production, on total production, on landings in EEA ports, on trade in fishery products, on the EEA fishing fleet.

Legislative framework: REGULATION (EU) 2017/1004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008.

More information can also be found on the Europa webpage for Fisheries sector: data collection: https://ec.europa.eu/fisheries/cfp/fishing_rules/data_collection_en

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The domain "Fisheries" contains data on catches by fishing region, on aquaculture production, on total production, on landings in EEA ports, on trade in fishery products, on the EEA fishing fleet.

Legislative framework: REGULATION (EU) 2017/1004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 May 2017 on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and repealing Council Regulation (EC) No 199/2008.

More information can also be found on the Europa webpage for Fisheries sector: data collection: https://ec.europa.eu/fisheries/cfp/fishing_rules/data_collection_en

b. Development of data dissemination systems:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

The European Commission organises regularly meetings with Member States and EU scientists aiming at identifying data transmission failure, their origin and potential solutions.

Data Transmission (DT) Monitoring Tool, for reporting data transmission issues, is used by two different groups of EU experts to evaluate on a yearly basis the EU data transmission failures to the end users, including IOTC. These groups are The Regional Coordination Group on Large Pelagic (RG-LP), as well as the Scientific, Technical and Economic Committee for Fisheries (STECF): <https://datacollection.jrc.ec.europa.eu/web/dcf/compliance>

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c. Frame surveys:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

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d. Coherence of data with alternative fisheries datasets:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

The European Commission organises regularly meetings with Member States and EU scientists aiming at identifying data transmission failure, their origin and potential solutions.

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e. Development of automated routines to process and extract IOTC data submission:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

The European Commission organises regularly meetings with Member States and EU scientists aiming at identifying data transmission failure, their origin and potential solutions.

Data Transmission (DT) Monitoring Tool, for reporting data transmission issues, is used by two different groups of EU experts to evaluate in a yearly basis the EU data transmission failures to the end users, including IOTC. These groups are The Regional Coordination Group on Large Pelagic (RG-LP), as well as the Scientific, Technical and Economic Committee for Fisheries (STECF): <https://datacollection.jrc.ec.europa.eu/web/dcf/compliance>

Measures taken and the implementation progress for Industrial IOTC fisheries:

The European Commission organises regularly meetings with Member States and EU scientists aiming at identifying data transmission failure, their origin and potential solutions.

Data Transmission (DT) Monitoring Tool, for reporting data transmission issues, is used by two different groups of EU experts to evaluate in a yearly basis the EU data transmission failures to the end users, including IOTC. These groups are The Regional Coordination Group on Large Pelagic (RG-LP), as well as the Scientific, Technical and Economic Committee for Fisheries (STECF): <https://datacollection.jrc.ec.europa.eu/web/dcf/compliance>

f. Steps to minimise data entry errors:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

The European Commission organises regularly meetings with Member States and EU scientists aiming at identifying data transmission failure, their origin and potential solutions.

Data Transmission (DT) Monitoring Tool, for reporting data transmission issues, is used by two different groups of EU experts to evaluate in a yearly basis the EU data transmission failures to the end users, including IOTC. These groups are The Regional Coordination Group on Large Pelagic (RG-LP), as well as the Scientific, Technical and Economic Committee for Fisheries (STECF): <https://datacollection.jrc.ec.europa.eu/web/dcf/compliance>

Measures taken and the implementation progress for Industrial IOTC fisheries:

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Data Transmission (DT) Monitoring Tool, for reporting data transmission issues, is used by two different groups of EU experts to evaluate in a yearly basis the EU data transmission failures to the end users, including IOTC. These groups are The Regional Coordination Group on Large Pelagic (RG-LP), as well as the Scientific, Technical and Economic Committee for Fisheries (STECF): <https://datacollection.jrc.ec.europa.eu/web/dcf/compliance>

6. Action(s) to improve the quality and accuracy of data submitted to the IOTC Secretariat:

a. Steps to improve data validation:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

Catch data are cross-checked using logbook data, landing data and sale notes, and revised several times over the year. Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

On the other hand, there is currently a process for the development of a Regional Database and Estimation System, RDBES. This is a regionally coordinated database platform and even if it currently only stores detailed commercial fisheries sampling data related to the North-East Atlantic Ocean, EU scientist are working towards the inclusion of large pelagic fisheries (including Indian Ocean). It addresses fishery management needs related to the European Union Common Fisheries Policy. The aims of the RDBES are: 1) To ensure that data can be made available for the coordination of regional fisheries data sampling plans, in particular for the EU DC-MAP Regional Coordination Groups (RCGs), 2) To provide a regional estimation system so that statistical estimates of quantities of interest can be produced from sample data in order to deliver data for ICES stock assessments and advice, 3) To increase the data quality, documentation of data and ensuring of approved estimation methods are used, 4) To serve and facilitate the production of fisheries management advice and status reports, 5) To increase the awareness of fisheries data collected by the users of the RDBES and the overall usage of these data.

Measures taken and the implementation progress for Industrial IOTC fisheries:

Catch data are cross-checked using logbook data, landing data and sale notes, and revised several times over the year. Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

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b. Improvements in sampling coverage:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

On the other hand, there is currently a process for the development of a Regional Database and Estimation System, RDBES. This is a regionally coordinated database platform and even if it currently only stores detailed commercial fisheries sampling data related to the North-East Atlantic Ocean, EU scientist are working towards the inclusion of large pelagic fisheries (including Indian Ocean). It addresses fishery management needs related to the European Union Common Fisheries Policy. The aims of the RDBES are: 1) To ensure that data can be made available for the coordination of regional fisheries data sampling plans, in particular for the EU DC-MAP Regional Coordination Groups (RCGs), 2) To provide a regional estimation system so that statistical estimates of quantities of interest can be produced from sample data in order to deliver data for ICES stock assessments and advice, 3) To increase the data quality, documentation of data and ensuring of approved estimation methods are used, 4) To serve and facilitate the production of fisheries management advice and status reports, 5) To increase the awareness of fisheries data collected by the users of the RDBES and the overall usage of these data.

Measures taken and the implementation progress for Industrial IOTC fisheries:

Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

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are: 1) To ensure that data can be made available for the coordination of regional fisheries data sampling plans, in particular for the EU DC-MAP Regional Coordination Groups (RCGs), 2) To provide a regional estimation system so that statistical estimates of quantities of interest can be produced from sample data in order to deliver data for ICES stock assessments and advice, 3) To increase the data quality, documentation of data and ensuring of approved estimation methods are used, 4) To serve and facilitate the production of fisheries management advice and status reports, 5) To increase the awareness of fisheries data collected by the users of the RDBES and the overall usage of these data.

c. Frame surveys:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

On the other hand, there is currently a process for the development of a Regional Database and Estimation System, RDBES. This is a regionally coordinated database platform and even if it currently only stores detailed commercial fisheries sampling data related to the North-East Atlantic Ocean, EU scientist are working towards the inclusion of large pelagic fisheries (including Indian Ocean). It addresses fishery management needs related to the European Union Common Fisheries Policy. The aims of the RDBES are: 1) To ensure that data can be made available for the coordination of regional fisheries data sampling plans, in particular for the EU DC-MAP Regional Coordination Groups (RCGs), 2) To provide a regional estimation system so that statistical estimates of quantities of interest can be produced from sample data in order to deliver data for ICES stock assessments and advice, 3) To increase the data quality, documentation of data and ensuring of approved estimation methods are used, 4) To serve and facilitate the production of fisheries management advice and status reports, 5) To increase the awareness of fisheries data collected by the users of the RDBES and the overall usage of these data.

Measures taken and the implementation progress for Industrial IOTC fisheries:

Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

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d. Coherence of data with alternative fisheries datasets:

Yes

Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

On the other hand, there is currently a process for the development of a Regional Database and Estimation System, RDBES. This is a regionally coordinated database platform and even if it currently only stores detailed commercial fisheries sampling data related to the North-East Atlantic Ocean, EU scientist are working towards the inclusion of large pelagic fisheries (including Indian Ocean). It addresses fishery management needs related to the European Union Common Fisheries Policy. The aims of the RDBES are: 1) To ensure that data can be made available for the coordination of regional fisheries data sampling plans, in particular for the EU DC-MAP Regional Coordination Groups (RCGs), 2) To provide a regional estimation system so that statistical estimates of quantities of interest can be produced from sample data in order to deliver data for ICES stock assessments and advice, 3) To increase the data quality, documentation of data and ensuring of approved estimation methods are used, 4) To serve and facilitate the production of fisheries management advice and status reports, 5) To increase the awareness of fisheries data collected by the users of the RDBES and the overall usage of these data.

Measures taken and the implementation progress for Industrial IOTC fisheries:

Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

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the production of fisheries management advice and status reports, 5) To increase the awareness of fisheries data collected by the users of the RDBES and the overall usage of these data.

e. Comparability of data from previous years:

Yes
Measures taken and the implementation progress for artisanal (coastal) IOTC fisheries:

Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

On the other hand, there is currently a process for the development of a Regional Database and Estimation System, RDBES. This is a regionally coordinated database platform and even if it currently only stores detailed commercial fisheries sampling data related to the North-East Atlantic Ocean, EU scientist are working towards the inclusion of large pelagic fisheries (including Indian Ocean). It addresses fishery management needs related to the European Union Common Fisheries Policy. The aims of the RDBES are: 1) To ensure that data can be made available for the coordination of regional fisheries data sampling plans, in particular for the EU DC-MAP Regional Coordination Groups (RCGs), 2) To provide a regional estimation system so that statistical estimates of quantities of interest can be produced from sample data in order to deliver data for ICES stock assessments and advice, 3) To increase the data quality, documentation of data and ensuring of approved estimation methods are used, 4) To serve and facilitate the production of fisheries management advice and status reports, 5) To increase the awareness of fisheries data collected by the users of the RDBES and the overall usage of these data.

Measures taken and the implementation progress for Industrial IOTC fisheries:

Regional coordination groups may prepare draft regional sampling plans, which shall include procedures, methods, quality assurance and quality control for collecting and processing data.

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Resolution 19/02 - Procedures on a fish aggregating devices (FADs) management plan 19/02

Information required: 2024 DFAD management

1. A system or procedures exist to monitor and to ensure compliance with the obligation for vessels implementation of the DFADs management plan:

YES - European Union has systems & procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements.

a. System or procedures to monitor compliance with this binding measure are:

– Procedures are described in each DFADs management plan.

b. System or procedures to respond to instances of non-compliance are:

–

In conformity with their national law and with the provisions of this Regulation, Member States shall lay down rules on measures and sanctions against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy, and shall systematically:

(a) initiate proceedings in accordance with Article 85 of the Regulation (EU) 2023/2842;

(b) take appropriate measures when an infringement is detected; and

(c) apply sanctions against the natural or legal persons having committed or held liable for a breach of the rules of the common fisheries policy.

c. Actions in relation to potential infringements are:

–

No specific actions pre-designed.

The overall level of sanctions shall be calculated in such way as to make sure that they effectively deprive those responsible of the economic benefit derived from their infringement. Those sanctions shall also be capable of producing results proportionate to the seriousness of such infringements, thereby effectively discouraging further offences of the same kind.

When determining these sanctions the Member States shall take into account, in particular, the gravity, nature and extent of the infringement, including the prejudice or the level of the damage to the fishing resources and the marine environment concerned,

its duration or repetition, and the accumulation of simultaneous infringements. Member States may also take into account the economic situation of the offender to ensure the dissuasiveness of these sanctions.

2. DFADs management plans were implemented and reported for following year(s):

Yes for 2024 • Yes for 2023 • Yes for 2022 • Yes for 2021 • Yes for 2020 • Yes for 2019 • Yes for 2018

Additional information:

EU-ITA vessel is managed under the EU-FRA management plan.

3. Reporting the 2024 FADs management plan:

YES - The 2024 DFADs management plan is uploaded below

4. The 2024 FADs management plan has been prepared in accordance with the Guideline (Annex I or II):

YES – All sections are detailed

Information required: Report on progress of implementation of 2023 DFADs management plans

1. A system or procedures exist to implement this binding reporting obligation:

YES - European Union has system / procedure to implement this binding reporting measure

a. System or procedures to implement this binding reporting obligation:

YES - System / procedure are described below No later than 75 days before the IOTC annual meeting, Member States shall submit to the Commission, in accordance with Article 51(5), a report on the progress of the management plans of FADs, including reviews of the initially submitted management plans and reviews of the application of the principles of Annex V to CMM 19/02. The Commission shall send that information to the IOTC Secretariat no later than 60 days before the IOTC annual meeting.

b. Système ou procédures pour répondre au non-respect de cette obligation de déclaration contraignante:

YES - System / procedure are described below

In its regular package of infringement decisions, the European Commission pursues legal action against Member States for failing to comply with their obligations under EU law in accordance with article 258 of the Treaty on the Functioning of the European Union.

If the European Commission considers that a Member State has failed to fulfil an obligation under the Treaties, it shall deliver a reasoned opinion on the matter after giving the State concerned the opportunity to submit its observations. If the State concerned does not comply with the opinion within the period laid down by the Commission, the latter may bring the matter before the Court of Justice of the European Union.

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

YES - Actions are described below No specific actions pre-designed.

2. DFADs management plans were implemented and progress reports on the implementation reported for the years:

Yes for 2023 • Yes for 2022 • Yes for 2021 • Yes for 2020 • Yes for 2019 • Yes for 2018 • Yes for 2017 • Yes for 2016

Additional information:

The progress report for EU-Spain will be uploaded shortly

3. Reporting the progress report on implementation of the 2023 DFADs management plan for 2023:

European Union report of progress on implementation of 2023 FADs management plan is uploaded below

Resolution 19/04 Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence

Information required: Report on review of Flag State internal actions & measures, punitive actions and sanctions on flag vessels on the RAV

1. A system or procedures exist i) to review flag State internal actions, measures, punitive actions and sanctions, and ii) to monitor and to ensure compliance by vessels & persons with those obligations of Paragraphs 11 (Resolution 19/04):

YES - European Union has system / procedure to i) review flag State internal actions and ii) to monitor & to ensure compliance by vessels & persons with those obligations of Paragraphs 11, AND action in relation to potential infringements.

a. i) System / procedures to review flag State internal actions are:

– The EU regularly update its legislation to modernise it. It was the case of the EU framework for fishery control that was very recently amended. In 2018, the European Commission proposed to revise the EU fisheries control system to simplify it and ensure full compliance with the reformed common fisheries policy. At the end of May 2023, the two co-legislators, the European Parliament and the Council, agreed on a final deal, that they approved formally on 20 December 2023. The EU now operated under a revised set of rules, modernising the way fishing activities are controlled, for both EU vessels and those fishing in EU waters: Regulation (EU) 2023/2842 of the European Parliament and of the Council of 22 November 2023 amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 1967/2006 and (EC) No 1005/2008 and Regulations (EU) 2016/1139, (EU) 2017/2403 and (EU) 2019/473 of the European Parliament and of the Council as regards fisheries control

a. ii) System / procedures to monitor & to ensure ii) compliance by vessels/persons with the obligations of Paragraphs 11, are:

– No obligation for operators or vessels in this paragraph.

b. System or procedures to respond to instances of non-compliance with the binding measures of paragraph 11:

– No specific actions pre-designed.

c. Actions in relation to potential infringements of measures of paragraph 11:

– No specific actions pre-designed.

2. Paragraph 11.a):

Fulfil in respect of the vessels the requirements and responsibilities under the IOTC Agreement and its Conservation and Management Measures:

European Union has conducted a review of the internal actions & measures, punitive actions and sanctions for paragraphs 11.a) in 2022 and there is no update to provide for 2023.

If such a review has been conducted, list of measures with, for each the following details:

Measures:

–

Punitive Actions:

–

Sanctions:

–

Obligations have been translated into EU regulations. Please see Article 23 of Regulation (EU) 2022/2343 of the European Parliament and of the Council of 23 November 2022 laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007 and Article 7 of the Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy

3. Paragraph 11.b):

Ensure that AFVs comply with all the relevant IOTC Conservation and Management Measures:

European Union has conducted a review of the internal actions & measures, punitive actions and sanctions for paragraphs 11.b) in 2022 and there is no update to provide for 2023.

If such a review has been conducted, list of measures with, for each the following details:

Measures:

–

Punitive Actions:

–

Sanctions:

–

The EU is a leading actor in the fight against IUU. If IUU activities were to be detected, immediate actions shall be undertaken. Please see Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999.

4. Paragraph 11.c):

Ensure AFVs on the IOTC Record keep on board valid certificates of vessel registration and valid authorisation to fish and/or tranship:

European Union has conducted a review of the internal actions & measures, punitive actions and sanctions for paragraphs 11.c) in 2022 and there is no update to provide for 2023.

If such a review has been conducted, list of measures with, for each the following details:

Measures:

–

Punitive Actions:

–

Sanctions:

–

Obligations have been translated into EU regulations. Please see Article 23 of Regulation (EU) 2022/2343 of the European Parliament and of the Council of 23 November 2022 laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007 and Article 7 of the Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy

5. Paragraph 11.d):

Ensure AFVs on the IOTC Record have no history of IUU fishing activities or that AFVs are not engaged in or associated with IUU fishing:

European Union has conducted a review of the internal actions & measures, punitive actions and sanctions for paragraphs 11.d) in 2022 and there is no update to provide for 2023.

If such a review has been conducted, list of measures with, for each the following details:

Measures:

–

Punitive Actions:

–

Sanctions:

-

Obligations have been translated into EU regulations. Please see Article 23 of Regulation (EU) 2022/2343 of the European Parliament and of the Council of 23 November 2022 laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007 and Article 7 of the Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy

6. Paragraph 11.e):

Ensure under domestic law the owners/operators of AFVs on the IOTC Record are not engaged in/associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence:

European Union has conducted a review of the internal actions & measures, punitive actions and sanctions for paragraphs 11.e) in 2022 and there is no update to provide for 2023.

If such a review has been conducted, list of measures with, for each the following details:

Measures:

-

Punitive Actions:

-

Sanctions:

-

If IUU activities were to be detected, immediate actions shall be undertaken. Please see Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999.

7. Paragraph 11.f):

Ensure under domestic law the owners of the AFVs on the IOTC Record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them:

European Union has conducted a review of the internal actions & measures, punitive actions and sanctions for paragraphs 11.f) in 2022 and there is no update to provide for 2023.

If such a review has been conducted, list of measures with, for each the following details:

Measures:

-

Punitive Actions:

-

Sanctions:

-

Review of ownership of FV is done when registering vessels in the IOTC RAV. Those information are part of the minimum information for the fishing licences under Annex II of the Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy.

Information required: report on vessels engaged in fishing or transshipment and not on the IOTC Record of Authorised Vessels

1. A system or procedures exist to implement this binding reporting obligation:

NO – NIL Report / Not Applicable for 2023 – European Union has no factual information

a. System or procedures to implement this binding reporting obligation:

YES - System / procedure are described below Sightings of suspicious activities or vessels not authorised shall be reported by the vessel's captain to its national administration. Furthermore, the EU conducts surveillance activities in the IO which shall report suspicious activities.

b. System or procedures to respond to non-compliance with this binding reporting obligation:

NO - No system / procedure No possibility to assess whether this obligation was implemented or not.

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

NO - No action No possibility to assess whether this obligation was implemented or not, therefore sanctions are not an option.

2. Reporting factual information showing that there are reasonable grounds for suspecting vessels not on the IOTC Record to be engaged in fishing and/or transshipment of tuna and tuna-like species in the IOTC area of competence:

NO - Nil report for 2023 – European Union has no factual information

Additional information:

-

Resolution 21/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence

Information required: CPCs subject to catch reductions, over-catch, report on corrective actions taken to adhere to prescribed catch levels

1. A system or procedures exist to monitor and to ensure compliance with corrective actions taken by the CPC to adhere to the prescribed catch levels when subject to catch reductions due to over-catch:

YES - European Union has systems & procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements.

a. System or procedures to monitor compliance with this binding measure are:

—

EU control regulation:

Before the 15th of each month, each flag Member State shall notify the Commission or the body designated by it, by computer transmission of the aggregated data: for the quantities of each stock or group of stocks subject to TACs or quotas landed during the preceding month.

A Member State shall inform the Commission, without delay, when it establishes that the catches of a stock or group of stocks subject to a quota made by the fishing vessels flying its flag are deemed to have exhausted 80 % of that quota.

Each Member States shall establish the date from which the catches of a stock or group of stocks subject to a quota made by the fishing vessels flying its flag shall be deemed to have exhausted that quota. As from that date, the Member State concerned shall prohibit fishing either for the stock or group of stocks whose quota has been exhausted, in the relevant fishery or when carrying on board the relevant fishing gear in the geographical area where the maximum allowable fishing effort has been reached, by all or part of the fishing vessels flying its flag and in particular the retention on board, the transshipments, the relocations and the landings of fish taken after that date and shall decide on a date up to which transshipments, transfers and landings or final declarations of catches are permitted.

b. System or procedures to respond to instances of non-compliance are:

—

In its regular package of infringement decisions, the European Commission pursues legal action against Member States for failing to comply with their obligations under EU law in accordance with article 258 of the Treaty on the Functioning of the European Union.

If the European Commission considers that a Member State has failed to fulfil an obligation under the Treaties, it shall deliver a reasoned opinion on the matter after giving the State concerned the opportunity to submit its observations. If the State concerned does not comply with the opinion within the period laid down by the Commission, the latter may bring the matter before the Court of Justice of the European Union.

c. Actions in relation to potential infringements are:

—

EU Control Regulation:

In the case of overfishing of a quota, allocation or share of a stock or a group of stocks available to a Member State in a given year, the Commission shall, by means of implementing acts and after consulting the Member State concerned, operate deductions in the following year or years from the annual quota, allocation or share of the Member State which has overfished, by applying a multiplying factor. In the event that a multiplying factor is also applicable under a relevant international agreement on the Union share, the multiplying factor to be applied on the Member State quota deduction set pursuant to paragraph 2a shall be the highest of the two applicable multiplying factors.

2. CPC subject to yellowfin tuna catch reductions in 2022, due to over-catch in 2021:

YES - Subject to

If Yes, YFT catch declared and over-catch in 2021:

76751 t for all fleets. 75919 t for PS fleet subject to 19/01 / 1974 t

3. Our catch of yellowfin tuna in 2023 was reduced by the following percentage:

Attributed catches were reduced by 21% in comparison to 2014. Effective catches were reduced by 9.66% in comparison to 2021 and 25.04% in comparison to 2014

4. If the CPC is subject to catch reduction due to over-catch, report on corrective actions taken to adhere to prescribed catch levels:

The EU catch limit for YFT was reduced for the years 2022 and 2023. In 2022, the EU has correctly implemented the catch limits communicated by the IOTC Secretariat. With the deduction to the EU catch limit for 2023, the overfishing should be

corrected and the catch limit implemented in accordance with CMM 21/01.

Additional information:

–

Information required: Report on methods for achieving the YFT catch reductions

1. A system or procedures exist to monitor and to ensure compliance with the methods of YFT catch reductions adopted by European Union:

YES - European Union has systems & procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements.

a. System or procedures to monitor compliance with this binding measure are:

–

In its regular package of infringement decisions, the European Commission pursues legal action against Member States for failing to comply with their obligations under EU law in accordance with article 258 of the Treaty on the Functioning of the European Union.

If the European Commission considers that a Member State has failed to fulfil an obligation under the Treaties, it shall deliver a reasoned opinion on the matter after giving the State concerned the opportunity to submit its observations. If the State concerned does not comply with the opinion within the period laid down by the Commission, the latter may bring the matter before the Court of Justice of the European Union.

b. System or procedures to respond to instances of non-compliance are:

–

In its regular package of infringement decisions, the European Commission pursues legal action against Member States for failing to comply with their obligations under EU law in accordance with article 258 of the Treaty on the Functioning of the European Union.

If the European Commission considers that a Member State has failed to fulfil an obligation under the Treaties, it shall deliver a reasoned opinion on the matter after giving the State concerned the opportunity to submit its observations. If the State concerned does not comply with the opinion within the period laid down by the Commission, the latter may bring the matter before the Court of Justice of the European Union.

c. Actions in relation to potential infringements are:

–

EU Control Regulation:

In the case of overfishing of a quota, allocation or share of a stock or a group of stocks available to a Member State in a given year, the Commission shall, by means of implementing acts and after consulting the Member State concerned, operate deductions in the following year or years from the annual quota, allocation or share of the Member State which has overfished, by applying a multiplying factor. In the event that a multiplying factor is also applicable under a relevant international agreement on the Union share, the multiplying factor to be applied on the Member State quota deduction set pursuant to paragraph 2a shall be the highest of the two applicable multiplying factors.

2. The CPC is subject to yellowfin tuna catch reductions:

YES - Subject to

If Yes, overcatch:

–

3. The report on methods for achieving the yellowfin tuna catch reductions has been provided to the IOTC Secretariat:

Yes

4. The methods for achieving the yellowfin tuna catch reductions implemented at national level are:

–

Additional methods:

Quota, quota follow-up, quota deduction.

Information required: Report on plans/status of reducing the use of supply vessels

1. A system or procedures exist to monitor and to ensure compliance with the reduction of supply vessels in purse seine operations (Plan):

YES - European Union has systems & procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements.

a. System or procedures to monitor compliance with this binding measure are:

—

The EU respect the ratio prescribed by Resolution 21/01 and has never requested the possibility to register a new supply vessel in the RAV.

The Member States' Fishery Monitoring Centre (FMC) receive the position of all the EU flagged vessel in the IOTC area of competence.

The FMC works 24hours/day during all year.

The VMS system is regulated by EU regulation according to Regulation (EU) 2023/2842 of the European Parliament and of the Council of 22 November 2023 amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 1967/2006 and (EC) No 1005/2008 and Regulations (EU) 2016/1139, (EU) 2017/2403 and (EU) 2019/473 of the European Parliament and of the Council as regards fisheries control.

b. System or procedures to respond to instances of non-compliance are:

—

In conformity with their national law and with the provisions of this Regulation, Member States shall lay down rules on measures and sanctions against the natural person having committed or a legal person held liable for a breach of the rules of the common fisheries policy, and shall systematically:

(a) initiate proceedings in accordance with Article 85 of the Regulation (EU) 2023/2842;

(b) take appropriate measures when an infringement is detected; and

(c) apply sanctions against the natural or legal persons having committed or held liable for a breach of the rules of the common fisheries policy.

c. Actions in relation to potential infringements are:

—

The overall level of sanctions shall be calculated in such way as to make sure that they effectively deprive those responsible of the economic benefit derived from their infringement. Those sanctions shall also be capable of producing results proportionate to the seriousness of such infringements, thereby effectively discouraging further offences of the same kind.

When determining these sanctions the Member States shall take into account, in particular, the gravity, nature and extent of the infringement, including the prejudice or the level of the damage to the fishing resources and the marine environment concerned, its duration or repetition, and the accumulation of simultaneous infringements. Member States may also take into account the economic situation of the offender to ensure the dissuasiveness of these sanctions.

2. CPC has PS/SP vessels on the Record of authorized vessels:

YES - European Union has purse seiner (PS) and supply vessel (SP) on the IOTC Record of Authorised Vessels

3. The plan for reducing the use of supply vessel was provided for:

2018 • 2022 • 2021 • 2020 • 2019 • 2023

Information required: Gillnet, Report the level of implementation of paragraphs 21-23

1. A system or procedures exist to monitor and to ensure compliance with i) phasing out/convert gillnetters to other gears, ii) set gillnets at 2m depth, iii) increase observer coverage/ field sampling in gillnetters by 10% :

NO – NIL Report / Not Applicable - European Union has NO gillnet fishing vessels on the IOTC Record of authorized Vessels

a. System or procedures to monitor compliance with this binding measure are:

— —

b. System or procedures to respond to instances of non-compliance are:

— —

c. Actions in relation to potential infringements are:

— —

2. European Union has gillnet catch in 2023, has gillnet fishing vessels on the IOTC Record of authorised vessels, the gillnet fleet was active in the IOTC Area of Competence:

—

3. Report the level of implementation of paragraph 21 - Phasing out or convert gillnet fishing vessels to other gears:

a. Phasing out measures:

— —

— —

— —

— —

— —

b. Conversion progress:

Number of gillnet vessels converted in 2023:

0

Number of gillnet vessels converted since 2019:

0

Gillnet vessels converted for the following fishing gears:

4. Report the level of implementation of paragraph 22 - Set gillnets at 2m depth from the surface in gillnet fisheries:

--
--
--

5. Report the level of implementation of paragraph 23 - Increase observer coverage or field sampling in gillnet fishing vessels by 10% using alternative data collection methodologies (electronic or human):

-- %
-- %

Report of the previous session of the Commission - Response to letter of feedback on compliances issues

Information required: Response to the letter of feedback from the previous CoC

1. A system or procedures exist to implement this binding reporting obligation:

YES - [European Union has system / procedure to implement this binding reporting measure](#)

a. System or procedures to implement this binding reporting obligation:

YES - [System / procedure are described below](#) [The European Commission is in charge of following-up on compliance issues and submit the FL.](#)

b. System or procedures to respond to non-compliance with this binding reporting obligation:

NO - [No system / procedure](#) [The EU has been systematically complying with this obligation. If there was ever as unlikely failure to transmit the FL, we would adjust to prevent this from happening again.](#)

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

NO - [No action](#) [The EU has been systematically complying with this obligation. If there was ever as unlikely failure to transmit the FL, we would adjust to prevent this from happening again.](#)

2. The response to the feedback letter on compliances issues (from the 2023 CoC) has been provided to the IOTC Secretariat:

YES - [The responses to the feedback letter are uploaded in the section UPLOAD](#)

Date of submission of responses to the feedback letter:

[13.03.2024](#)

Number of repeated compliance issues:

[16](#)

Number of non repeated compliance issues:

[5](#)

Number of compliance issues responded:

[21](#)

Part E - Data and information reporting requirements for CPCs that have objected to some Resolutions

Resolution 12/12 To prohibit the use of large-scale driftnets on the high seas in the IOTC area

Prohibition from: using large-scale driftnets on the high seas.

APPLIES ONLY TO PAKISTAN

1. A system or procedures to monitor and to ensure compliance with the obligation for fishing vessels to not use large scale driftnets in the high sea:

-

a. System or procedures to monitor compliance with this binding measure are:

- -

b. System or procedures to respond to instances of non-compliance are:

- -

c. Actions in relation to potential infringements are:

- -

2. Actions taken to implement conservation and management measures in "Resolution 12/12 to prohibit the use of large-scale driftnets on the high seas in the IOTC area" adopted by the Commission:

-

3. Use of large-scale driftnets is banned on the high seas in the IOTC Area of competence:

- -

- -

- -

-

Information required: Report on MCS actions related to large-scale driftnet fishing.

APPLIES ONLY TO PAKISTAN

1. A system or procedures exist to implement this binding reporting obligation:

-

a. System or procedures to implement this binding reporting obligation:

- -

b. System or procedures to respond to non-compliance with this binding reporting obligation:

- -

c. Action to be taken in relation to non-compliance with this binding reporting obligation:

- -

2. Monitoring, control, and surveillance actions are applicable to:

-

3. Monitoring, control, and surveillance actions are:

-

Additional MCS actions in place:

-

Resolution 18/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence

Information required: Report on methods for achieving the YFT catch reductions

APPLIES ONLY TO INDIA

1. Actions taken to implement conservation and management measures in "Resolution 18/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence" adopted by the Commission:

-

2. A system or procedures exist to monitor and to ensure compliance with the methods of YFT catch reductions adopted by India:

a. System or procedures to monitor compliance with this binding measure are:

b. System or procedures to respond to instances of non-compliance are:

c. Actions in relation to potential infringements are:

3. CPC is subject to yellowfin tuna catch reductions:

If Yes, YFT over-catch:

4. The report on methods for achieving the yellowfin tuna catch reductions has been provided to the IOTC Secretariat:

5. The methods for achieving the yellowfin tuna catch reductions implemented at national level are:

Any method implemented and not listed above:



Information required: Report on plans/status of reducing the use of supply vessels

ONLY APPLICABLE TO INDIA

1. A system or procedures exist to monitor and to ensure compliance with the reduction of supply vessels in purse seine operations (Plan):

a. System or procedures to monitor compliance with this binding measure are:

b. System or procedures to respond to instances of non-compliance are:

c. Actions in relation to potential infringements are:

2. India has purse seiners (PS) and supply vessels (SP) on the IOTC Record of authorized vessels:

2. The plan for reducing the use of supply vessel was provided for:

Information required: Catch limits – Nominal catch of YFT in 2022

APPLIES ONLY TO INDIA

1. A system or procedures exist to monitor and to ensure compliance with the limit of catch of Yellowfin tuna (YFT):

a. System or procedures to monitor compliance with this binding measure are:

b. System or procedures to respond to instances of non-compliance are:

c. Actions in relation to potential infringements are:

2. CPC is subject to yellowfin tuna catch reductions:

3. The catch of yellowfin tuna in 2022 reported to the IOTC Secretariat and the reductions were:

Fishing gear	Baseline year	YFT catch of baseline year	YFT catch in 2022 (T)	Reduction (%)
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Purse seine	-	-	-	-
Longline	-	-	-	-
Gillnet	-	-	-	-
Pole and line	-	-	-	-

Resolution 19/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence

Information required: Report on methods for achieving the YFT catch reductions

APPLIES ONLY TO INDONESIA, THE ISLAMIC REPUBLIC OF IRAN, MADAGASCAR, OMAN AND SOMALIA

1. Actions taken to implement conservation and management measures in "Resolution 19/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence" adopted by the Commission:

-

2. A system or procedures exist to monitor and to ensure compliance with the methods of YFT catch reductions adopted by European Union:

-

a. System or procedures to monitor compliance with this binding measure are:

-

b. System or procedures to respond to instances of non-compliance are:

-

c. Actions in relation to potential infringements are:

-

3. The CPC is subject to yellowfin tuna catch reductions:

-

If Yes, overcatch:

-

4. The report on methods for achieving the yellowfin tuna catch reductions has been provided to the IOTC Secretariat:

-

5. The methods for achieving the yellowfin tuna catch reductions implemented at national level are:

-

Additional methods:

-

Information required: Purse seiners served by supply vessels in 2024

APPLIES ONLY TO INDONESIA, THE ISLAMIC REPUBLIC OF IRAN, MADAGASCAR, OMAN AND SOMALIA

1. Actions taken to implement conservation and management measures in "Resolution 19/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence" adopted by the Commission:

-

2. A system or procedures exist to monitor and to ensure compliance with operations of purse seiners served by supply vessel:

-

a. System or procedures to monitor compliance with this binding measure are:

-

b. System or procedures to respond to instances of non-compliance are:

-

c. Actions in relation to potential infringements are:

-

3. CPC has PS/SP vessels on the Record of authorised vessels:

-

4. The information on purse seiners served by each supply vessel in 2024 has been provided to the Secretariat:

-

Information required: Report on plans/status of reducing the use of supply vessels

ONLY APPLICABLE TO INDONESIA, THE ISLAMIC REPUBLIC OF IRAN, MADAGASCAR, OMAN AND SOMALIA

1. A system or procedures exist to monitor and to ensure compliance with the reduction of supply vessels in purse seine operations (Plan):

-

a. System or procedures to monitor compliance with this binding measure are:

-

b. System or procedures to respond to instances of non-compliance are:

-

c. Actions in relation to potential infringements are:

-

2. CPC has PS/SP vessels on the Record of authorised vessels:

-

3. The plan for reducing the use of supply vessel was provided for:

-

Information required: Catch limits – Nominal catch of YFT in 2022

APPLIES ONLY TO INDONESIA, THE ISLAMIC REPUBLIC OF IRAN, MADAGASCAR, OMAN AND SOMALIA

1. A system or procedures exist to monitor and to ensure compliance with the limit of catch of Yellowfin tuna (YFT) :

-

a. System or procedures to monitor compliance with this binding measure are:

-

b. System or procedures to respond to instances of non-compliance are:

-

c. Actions in relation to potential infringements are:

-

2. CPC is subject to yellowfin tuna catch reductions:

-

3. The catch of yellowfin tuna in 2022 reported to the IOTC Secretariat and the reductions were:

Fishing gear	Baseline year	YFT catch of baseline year	YFT catch in 2022 (T)	Reduction (%)
Purse seine	-	-	-	-
Longline	-	-	-	-
Gillnet	-	-	-	-
Pole and line	-	-	-	-

Information required: Gillnet, Report the level of implementation of paragraphs 20-22

APPLIES ONLY TO INDONESIA, THE ISLAMIC REPUBLIC OF IRAN, MADAGASCAR, OMAN AND SOMALIA

1. A system or procedures exist to monitor and to ensure compliance with i) phasing out/convert gillnetters to other gears, ii) set gillnets at 2m depth, iii) increase observer coverage/ field sampling in gillnetters by 10%:

-
- a. System or procedures to monitor compliance with this binding measure are:
 - -
- b. System or procedures to respond to instances of non-compliance are:
 - -
- c. Actions in relation to potential infringements are:
 - -
- 2. European Union has gillnet catch in 2023, has gillnet fishing vessels on the Record of authorised vessels, the gillnet fleet was active in the IOTC Area of Competence:
 -
- 3. Level of implementation of paragraph 20 - Phasing out or convert gillnet fishing vessels to other gears:
 - a. Phasing out measures:
 - -
 - -
 - -
 - -
 - -
 - b. Conversion progress:
 - Number of gillnet vessels converted in 2023:
0
 - Number of gillnet vessels converted since 2019:
0
 - Gillnet vessels converted for the following fishing gears:
 -
- 4. Level of implementation of paragraph 21 - Set gillnets at 2m depth from the surface in gillnet fisheries:
 - -
 - -
 - -
- 5. Level of implementation of paragraph 22 - Increase observer coverage or field sampling in gillnet fishing vessels by 10% using alternative data collection methodologies (electronic or human):
 - %
 - %