

# IOTC-2024-CoC21-sCR03\_Rev1-CHN [E]

## 2024 **Summary** Compliance Report for: China

Report date: 15 April 2024 - 09:55

Note: Acronyms and definitions can be consulted last page of the Compliance Report.

Req. n°	Source (para n°) (year)	Information required	Deadline	Previous timeliness	Previous status	Current timeliness	Current status	Observations	CPC remarks
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## 1. Implementation obligations

## 2. Management Standards

2.9	Res. 17/07 (6) (2023)	MCS actions related to large-scale driftnets in IOTC Area	14/3/2024	C	C	C	P/C	<p><u>LEG</u>: YES – Submitted - "Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures Nongbanyu (2022) No.1".</p> <p><u>STD</u>: YES.</p> <p><u>SP</u>: NO – The "system or procedures" and "actions to be taken" provided and described do not specifically refer to the obligation of preparing and submitting the annual report on MCS actions related to large-scale driftnet fishing.</p>	Not Applicable. China is not operating driftnet fisheries in the Indian Ocean.
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2.22	Res 11/02 (6) (2023)	Reports observations of damaged data buoys	14/3/2024	C	C	C	P/C	<p><b>LEG:</b> Submitted - "Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures1 Nongbanyu2 (2022) No.1" and "Pelagic fisheries management regulations". No specific provision on the obligation to report any data buoys observed to be damaged/inoperable.</p> <p><b>STD:</b> YES. Nil report - No report received from flag vessels.</p> <p><b>SP:</b> YES – Provided/described for a), b) and c).</p>	The related regulation shall be completed in the next compliance year.
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### 3.Reporting on Vessels

3.6	Res. 19/04 (3) (2023)	List of Authorized vessels 24 metres in length overall or more (3)	15/4/2024 (Since 01.07.2003)	C	P/C	C	N/C2	<p>Received 11/01/2024. Vessels ≥ 24m: 97 in 2023.</p> <p><b>Failed to ensure compliance of the same obligation for two consecutive years.</b></p> <p><b>Legislation:</b> YES – Submitted - " Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures Nongbanyu (2022) No.1."</p> <p><b>Standard:</b> NO. Missing information [9 for CCm3, 14 for beneficial owners, 14 for company].</p> <p><b>System/procedure:</b> YES – Provided &amp; described for i) ii) iii). Based on legislation.</p>	China submitted the authorized vessel list in the e-MARIS firstly and later submitted it in e-RAV.
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### 4.Vessel Monitoring System

### 5.Mandatory statistical requirement – Flag State CPCs

5.8	Res. 15/02 (1 to 7), 18/05 (8), 18/07 (4), 19/02 (4, 22 & 24) (2022)	Catch & Effort – Longline fisheries	30/6/2023	C	C	C	P/C	<p>Received: 30.06.2023.</p> <p><b>Standard:</b> NO - 14 duplicate strata (grids) detected.</p>	China will verify all the data reported for 2022 as soon as possible and will resubmit the Catch & Effort data with the e-mail and in the e-MARIS.
5.11			30/6/2023	C	P/C	C	N/C2	Received: 30.06.2023.	

	Res. 15/02 (1 to 7), 18/05 (8), 18/07 (4), 19/02 (4, 22 & 24) (2022)	Size Frequency – Longline fisheries						<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <b>Standard:</b> NO - Less than 1 fish/mt for some IOTC species (MLS, SFA).	China will verify all the data reported for 2022 as soon as possible and will resubmit the Size Frequency data with the e-mail and in the e-MARIS.
5.16	Res. 12/04 (3) (2022)	Data on interactions with marine turtles	30/6/2023	C	C	C	N/C1	<b>Failed to ensure compliance of the obligation.</b> <b>Standard:</b> NO - No data submitted.	In the newly revised <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No.1</i> , which are corresponding regulations on protecting sea turtles. In March 2022, a Hawksbill turtle was caught and released alive by observer SU SHIWEN in vessel XINSHIJI 72 which has been described in detail in observer reports and the 2023 National Report.
5.17	Res. 12/06 (1 & 2) (2022)	Data on seabirds interactions (2)	30/6/2023	P/C	P/C	N/C	N/C2	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <b>Standard:</b> NO - No data submitted.	In the newly revised <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No.1</i> , which are corresponding regulations on the protection of seabirds. Mitigation measures on the Chinese LL fleet are being implemented according to the management measures, bird-scaring lines, night-setting, and/or line weighting. Most of China's tuna LL fleets are operating in the tropical areas of IOTC waters and there are no interactions with seabirds. No seabird mortality in the tropical water was observed by LL observers onboard. The frozen longliners operating in the water south of 25°S might interact with seabirds, as observed by observers in previous years. In 2022, no seabird was observed by five Chinese observers in the Indian Ocean area which has been described in detail in the 2023 National Report.
5.18	Res. 13/04 (7) (2022)	Data on interactions with Cetaceans	30/6/2023	P/C	P/C	N/C	N/C2	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <b>Standard:</b> NO - No data submitted.	China manages such issues through regulations that cover the conservation of Cetaceans. In the newly revised <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No.1</i> , which are corresponding regulations on protecting Cetaceans. In 2022, no Cetaceans were observed by five Chinese observers in the Indian Ocean area which has been described in detail in the 2023 National Report.
5.19	Res 13/05 (7) (N/A)	Data on interactions with Whale Sharks	30/6/2023	P/C	P/C	N/C	N/C2	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <b>Standard:</b> NO - No data submitted.	China manages such issues through regulations that cover the conservation of whale sharks. In the newly revised <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No.1</i> , which are corresponding regulations on protecting whale sharks. In 2022, no whale sharks were observed by five Chinese observers in the Indian Ocean area which has been described in detail in the 2023 National Report.
5.20			30/6/2023	C	C	C	N/C1	<b>Failed to ensure compliance of the obligation.</b>	

	Res 19/03 (8) (2022)	Data on interactions with mobulid rays						<b>Standard:</b> NO - No data submitted.	China manages such issues through regulations that cover the conservation of mobulid rays. In the newly revised <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No. 1</i> , which are corresponding regulations on the protection of mobulid rays. It shall prohibit retaining on board, transshipping and landing the Indian Ocean bigeye thresher sharks, whitetip sharks and mobulid rays. In 2022, no mobulid rays was observed by five Chinese observers in the Indian Ocean area which has been described in detail in the 2023 National Report.
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## 6. Implementation of mitigation measures and bycatch of non-IOTC species

6.16	Res 18/05 (9) (2022)	Information on actions taken domestically to monitor catches & manage fisheries of Striped Marlin, Black Marlin, Blue Marlin and Indo-pacific Sailfish	19/11/2023 (SC)	C	C	C	N/C1	<p>Received 19.11.2023.</p> <p><b>Monitoring actions are:</b> Electronic National Fishing Logbook on board; Paper National Fishing Logbook on board; Implementation of landing declaration for monitoring and control purpose of unloading operations; Observer on board national fishing vessels; Field sampler / Observer in port/landing site. China has submitted the catch and effort data of Striped Marlin, Black Marlin, Blue Marlin, and Indo-pacific Sailfish to the IOTC secretariat by 29 June. China manages such issues through regulations that cover the conservation of Striped Marlin, Black Marlin, Blue Marlin and Indo-pacific Sailfish. In the newly revised <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No. 1</i>, which are corresponding regulations on the protection of Striped Marlin, Black Marlin, Blue Marlin and Indo-pacific Sailfish. For details, refer to Article 5 of the Annex.</p> <p><b>Management actions are:</b> Modify fishing practices and/or fishing gears to reduce juvenil catches.</p> <p><b>Legislation:</b> YES - Submitted - "<i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No. 1 - X. Bycatch Species - 6. Indian Ocean Sailfish and Marlin</i>".</p> <p><b>Standard:</b> YES – Actions reported in NR to SC.</p> <p><b>System/procedure:</b> NO – Not provided &amp; not described for i) ii) &amp; iii).</p> <p><b>OBS:</b> Has declared in NR: "<i>China has been monitoring marlin catch by logbooks and observer programs. As marlins are not the main target species of Chinese LL fisheries, the catch level is low especially in recent years (see Table 2i-2n)</i>".</p>	China manages such issues through regulations that cover the conservation of Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish. For details, refer to <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No.1</i> . The <i>Notification</i> requirements all tuna production enterprises and their fishing vessels are required to abide by the above regulatory measures, strictly regulate fishing activities, and timely and accurately submit relevant data. Any violations may constitute non-compliance, and serious violations may be added to the list of IUU fishing vessels. This Ministry will seriously investigate and deal with all violations in accordance with the law. Requirements for monitoring and ensuring compliance by vessels and personnel are set out in articles 5 and 10 of the annex to the notification for Indian Ocean Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish. At the same time, China has been monitoring marlin catches through logbooks and observer programs. The annual catches, related data observed in the port sampling program, and Unloading/Transshipment-related data have been described in detail in the 2023 National Report.
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## 7. Illegal, Unreported and Unregulated (IUU) Vessels

# 8. Transshipments

8.4	Res. 22/02 (31) (2023)	Report on results of investigations on possible infractions	15/11/2024	C	C	C	P/C	<p><b>LEG:</b> NO - Submitted "The Fishery Law of the People's Republic of China". However, this law only mandates operators to comply with resolutions made by RFMOs. It does not encompass the obligation of China to report on results of the investigation to the IOTC Secretariat.</p> <p><b>STD:</b> YES – Provided results of investigation for all the possible infractions notified.</p> <p><b>SP:</b> Provided &amp; described for a) b) &amp; c).</p>	As submitted in other requirements, it is regulated in the national legislation <i>Notification by the General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures Nongbanyu (2022) No.1 that 'China Overseas Fisheries Association (COFA) shall cooperate with the fisheries authority, to complete publicity, implementation of various regulatory measures, and make organizational and coordinating work, assist in completing the compliance and implementation work and the compliance report for each ocean, give full play to the self-discipline of the guild coordinating role, to strengthen the guiding, organizing and reminding of distant water fishery enterprise, constantly to raise the level of organizational degree and self-discipline of the industry.</i>
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# 9. Observers

9.1	Res. 11/04 (9) (2022)	Regional Observer Scheme (2) (No. of vessels monitored and coverage by gear type)	19/11/2023	-/-	-/-	C	N/C1	<p>Received 19.11.2023. <b>ROS sea:</b> Implemented LL. <b>ROS Coastal:</b> Not Applicable.</p> <p><b>LEG:</b> Submitted - <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No.1 - VII. Transshipment and Accepting Observers. Article 4.</i></p> <p><b>STD:</b> NO - Protocols description supporting ROS at sea NOT submitted.</p> <p><b>SP:</b> YES – Provided &amp; described for i) ii) &amp; iii).</p>	There were five observer trips conducted in 2022. The No. of hooks monitored and coverage by gear type data (2018–2022) have been described in detail in the China 2023 National Report.
9.2	Res. 11/04 (2) (2022)	5% Mandatory, at sea (All vessels) (2)	19/11/2023 (Since 2013)	-/-	-/-	C	P/C	<p>Received 19.11.2023.</p> <p><b>LEG:</b> Submitted - <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No.1 - VII. Transshipment and Accepting Observers. Article 4.</i></p> <p><b>STD:</b> NO – SEC received 4 trip reports and estimated 3,31% coverage for 2022. CHN indicated that there were five observer trips conducted in 2022. The No. of hooks monitored and coverage is 2,013,450 hooks and 5.26%.</p> <p><b>SP:</b> YES – Provided &amp; described for i) ii) &amp; iii).</p>	There were five observer trips conducted in 2022. The No. of hooks monitored and coverage is 2,013,450 hooks and 5.26%, described in detail in the China 2023 National Report. China provided 4 observers' data to the IOTC secretariat by 29 June (SONG XINGLONG, ZHENG WEI, GENG SHILING, SU SHIWEN) which detailed the number of fishing vessels and fishing effort sampled, as well as the coverage achieved by gear type by the provisions of this Resolution. Since the fifth observer (CAO ZHANWEI) returned to land after July 2023, the observer information was submitted to the IOTC secretariat in November 2023. Considering that information and data from observers are sent individually, and to ensure that the Secretariat receives information and data from all observers, we will resubmit the information and data of the five observers with the e-mail and in the e-MARIS.
9.4		Observer reports		-/-	-/-	C	P/C	Received 19.11.2023.	

	Res. 11/04 (11) (2022)		19/11/2023 (150 days after trip)			<p><u>LEG</u>: Submitted - <i>Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures, Nongbanyu (2022) No.1 - VII. Transshipment and Accepting Observers. Article 4.</i></p> <p><u>STD</u>: NO – SEC received 4 observer trip reports, one of them provided after 150 days deadline.</p> <p><u>SP</u>: YES – Provided &amp; described for i) ii) &amp; iii).</p>	<p>There were five observer trips conducted in 2022. The No. of hooks monitored and coverage is 2,013,450 hooks and 5.26%, described in detail in the China 2023 National Report. China provided 4 observers' data to the IOTC secretariat by 29 June (SONG XINGLONG, ZHENG WEI, GENG SHILING, SU SHIWEN) which detailed the number of fishing vessels and fishing effort sampled, as well as the coverage achieved by gear type by the provisions of this Resolution. Since the fifth observer (CAO ZHANWEI) returned to land after July 2023, the observer information was submitted to the IOTC secretariat in November 2023. Considering that information and data from observers are sent individually, and to ensure that the Secretariat receives information and data from all observers, we will resubmit the information and data of the five observers with the e-mail and in the e-MARIS.</p>
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## 10. Statistical document programme

## 11. Port inspection

# Current issues on the level of implementation by China of IOTC Conservation and Management Measures identified for discussion in the CoC21 in 2024

Having reviewed the 2024 Draft Compliance Report for China, the Chair of the Compliance Committee has identified the following significant repeated non-compliance issues for discussion.

## Repeated non-compliance issues

Requirement	Observations	Current status (2024)	Previous status (2023)
3.6	<p>Received 11/01/2024. Vessels <math>\geq</math> 24m: 97 in 2023.</p> <p><b>Failed to ensure compliance of the same obligation for two consecutive years.</b></p> <p><u>Legislation</u>: YES – Submitted - "Notification by General Office of Ministry of Agriculture and Rural Affairs on Completely Comply with International Tuna Measures Nongbanyu (2022) No.1."</p> <p><u>Standard</u>: NO. Missing information [9 for CCm3, 14 for beneficial owners, 14 for company].</p> <p><u>System/procedure</u>: YES – Provided &amp; described for i) ii) iii). Based on legislation.</p>	N/C2	P/C
5.11	<p>Received: 30.06.2023.</p> <p><b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b></p> <p><u>Standard</u>: NO - Less than 1 fish/mt for some IOTC species (MLS, SFA).</p>	N/C2	P/C
5.17	<p><b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b></p> <p><u>Standard</u>: NO - No data submitted.</p>	N/C2	P/C
5.18	<p><b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b></p> <p><u>Standard</u>: NO - No data submitted.</p>	N/C2	P/C
5.19	<p><b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b></p> <p><u>Standard</u>: NO - No data submitted.</p>	N/C2	P/C

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*Note: if the table above is empty, it means there were no repeated compliance issues identified this year.*



# Reading instructions

(1) Information is to be provided in the Report of Implementation

(2) 24 meters overall length and over, and under 24 meters if they fished outside their EEZ

(Year) = year reporting on/year assessed.

**LEG:** Legislation - Transposition of Commission decisions, Legislation or administrative orders.

**STD :** Standard - Reporting format, IOTC standard

**SP:** System or procedures - Provision of information on system or procedures a) to monitor and ensure compliance of vessels and persons OR b) to prepare and submit information, data, report to the Commission.

i) ii) iii) = a) b) c)

## Assessment

### Timeliness

- **C:** Compliant
- **L:** Late
- **N/A:** Not applicable
- **N/C:** Non compliant
- **P/C:** Partially compliant

### Compliance

- **C:** Compliant
- **C/B:** Capacity building
- **N/A:** Not applicable
- **N/C1:** Not compliant 1
- **N/C2:** Not compliant 2
- **P/C:** Partially compliant

## CoC/Commission recommendations

- **Additional info or address the issue:** Provide additional information or address the compliance issue within a given period of time, and at the latest before the following annual meeting.
- **Actions proposed by the CPC:** Actions proposed by the CPC and endorsed by the Commission.
- **Investigation by the CPC:** Completion of an investigation by the CPC regarding a compliance issue and reporting back to the Compliance Committee, where required.
- **Enhanced monitoring of fleet:** Enhanced monitoring of the fleet.
- **Amendments to national rules:** Amendments to domestic procedures, legislation or policy including penalties, where required.
- **Detailed plan and timeline:** Submit, within 3 months from the end of the Commission annual session, a detailed plan and timeline on how it intends to address the non-compliance of category 2 identified.
- **Capacity building or assistance:** Provision of capacity building or technical assistance for a specified amount of time.
- **Other remedies:** Other remedies.

## “Missing” values:

- “-/-”: no possible value (e.g.: no previous assessment possible because this is the first campaign in which the requirement is assessed);
- “None”: no value provided by the Secretariat (e.g. requirement assessed as Compliant, no text provided in “Observations”);
- “Not assessed”: for timeliness and compliance when no assessment has been made yet or the requirement is not assessable;
- “-”: no information provided by the CPC for this question (e.g. nothing entered in a text entry field, no boxes checked...);
- “Not Submitted”: the value will only be available after submission of the report (e.g. the “Report date”).