

IOTC-2024-CoC21-sCR07-IND [E]

2024 **Summary** Compliance Report for: India

Report date: 12 April 2024 - 16:15

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

1.1	Art. X Agreement (2023)	Report of Implementation	14/3/2024	N/C	N/C	L	N/C2	<p>Received 04.04.2024. 21 days after the deadline. Failed to meet the reporting deadline by more than 15 days. Failed to ensure compliance with the obligation for two or more consecutive years.</p> <p>STD: NO – Some section(s)/question(s) applicable NOT completed.</p>	Both the previous and current years, India had submitted the Report of Implementation. Since it was submitted late, the previous and current timeliness can be "L" and the previous and current status must be "P/C". Since India need Capacity building for compliance, it needs to be "C/B". The status must not be N/C and N/C2.
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1.2	Rules of Proc. (4.1) (2023)	Compliance Questionnaire	24/2/2024	N/C	N/C	L	N/C2	Received 04.04.2024. More than 1 month after the deadline. Failed to meet the reporting deadline by more than 15 days. Failed to ensure compliance with the obligation for two or more consecutive years. <u>STD</u> : YES – Section(s)/question(s) applicable completed.	Both the previous and current years, India had submitted the Compliance Questionnaire after the reporting deadline. Therefore, the previous and current timeliness should be "L" and the previous and current status must be "P/C".
1.3	SC04 (111) (2022)	National Scientific Report	19/11/2023	C	C	L	N/C1	Received 02.12.2023. Failed to implement and ensure compliance. Legislation: NO – Not provided. No provision in legislation for SC report, to provide report/data/information to RFMOs. <u>Standard</u> : YES – Report completed using the latest template report. <u>System/procedure</u> : NO – Not provided & not described for i ii & iii.	Since India submitted the report after the deadline, the current status should be "C" and "C/B"
1.4	Commission (S17 p. 52) (2023)	Response to Feedback letter	14/3/2024	N/C	N/C	C	N/C2	Received 14.03.2024. IOTC-2024-CoC21-FL07 Failed to implement and to ensure compliance of the same obligation for two or more consecutive years. <u>Legislation</u> : YES – Provided Office Order-Undertaking Deep Sea Fishing in Indian EEZ dated 03 08 2017. <u>Standard</u> : NO – Had 44 compliance issues – Has not provided responses specific to 42 requirements. Has declared: India is making all efforts to comply with all the IOTC measures. <u>System/procedure</u> : YES – Provided & described for i) ii), iii).	India had submitted the Response to Feedback letter and therefore, the current status should not be "N/C2", and the same must be "C" and "C/B"
1.5	Art. X & XI.2 Agreement (2023)	Transposition of CMMs into national legislation	14/3/2024	-/-	-/-	C	P/C	Received 02.03.2024. LEG: YES – Order F. No. 21002/12/2011-Fy (Ind)), only for deep-sea fishing. STD: Not applicable. SP: YES – Provided for "a", "b" and not provided for "c".	Amendments in legislation or bringing new legislation is a long process. CMMs are adopted every year and such a frequent changes in legislation may not be practically feasible. Administrative Orders issued by the Government for necessary compliance. Therefore, the current status must be "C" and "C/B"

2. Management Standards

2.1	Res. 19/04 (11.c & 17.c) (2023)	Certificates of registration & valid authorisation to fish/tranship on board (2)	14/3/2024	N/C	C	C	P/C	Received 02.03.2024. LEG: YES – Submitted - Order F. No. 21002/12/2011-Fy (Ind). Secretariat unable to identify the obligation certificate. STD: Not applicable SP: YES – Provided for "a" "b" and "c".	Indian tuna vessels in the IOTC RAV (four Government of India research vessels) are mandated to carry valid certificates of vessel registration and valid authorisation to conduct exploratory surveys. Further, these are research vessels, not undertaking commercial fishing or transshipment. Additionally, their registration and authorization has been granted by the Government of India. Therefore, the status must be "C" and "C/B"
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2.4	Res. 19/04 (20) (2023)	Fishing logbook on board, bound, consecutive numbered pages, 12 months recording (2)	14/3/2024	N/C	C	L	N/C1	<p>Received 25.03.2024. More than 10 Days after the deadline. LEG: Has provided a guideline instead of a legislation (Guidelines and T&Cs for Deep Sea Fishing 2014 INDIA), applicable in EEZ only, ABNJ not covered. STD: Has declared obliges FV to carry on board: bound logbook with consecutively numbered pages / original recordings for at least 12 months – No legislation provided for those requirements R19/04 (20). SP: YES – Provided & described for i) ii) & iii).</p>	Presently, there are only 4 Government of India research vessels in the IOTC RAV. All these Indian authorized fishing vessels mandatorily need to carry logbooks and report their catches under the Provisions in the Merchant Shipping Act, 1958. All the authorized Indian fishing vessels are carrying onboard bound logbooks with consecutively numbered pages. Therefore, the status must be "C".
2.5	Res. 19/04 (6) (2023)	Official authorisation to fish outside National Jurisdictions (ATF)	31/12/2023 (Since 15.02.2014)	L	P/C	N/C	N/C2	<p>Has four (research) vessels in the IOTC RAV. Failed to implement, monitor or ensure compliance with the same obligation for two or more consecutive years. Mandatory information, legislation, system / procedures not provided. Obs: Has declared - <i>India does not have a commercial tuna fishery fishing in the highseas. The Navy and Coastguard are monitoring the activities of fishing boats.</i></p>	India has only four (research) vessels in the IOTC RAV and these vessels undertake exploratory surveys exclusively with the Indian EEZ only and so far they are not doing any fishery survey or research activities outside the National jurisdiction. As and when the authorization for surveys and fishing beyond the national jurisdictions will be granted, the same would be shared with the IOTC. Hence, the status must be "C".
2.6	Res. 19/04 (3.b & c) (2023)	IMO number for eligible vessels	31/12/2023 (Since 01.01.2016)	C	C	L	P/C	<p>Received 01.03.2024. Six days after the deadline. Failed to meet reporting/submission deadlines by less than 15 days. Legislation: NO – Not provided. Standard: YES – All No IMO reported completely, for all (4) vessels on the e-RAV. System/procedure: YES – Provided & described for i), ii) and iii).</p>	Since India had provided the information regarding IMO numbers for all the vessels in the IOTC RAV, the status must be "C".
2.7a	Res. 15/01 (4) (2023)	Official national fishing logbooks	31/12/2023 (Since 15.02.2016)	P/C	P/C	L	N/C1	<p>Received 01.03.2024. Last update 24.04.2018 (LL). Vessels use paper fishing logbook. LEG: Merchant Shipping Act, 1958. Secretariat unable to identify provisions for fishing logbook/reporting of catch in Merchant Shipping Act. Guidelines for fishing operations in Indian exclusive economic zone 2014, applicable in EEZ only, ABNJ not covered. STD: YES – Information provided according to R15/01 (4, 5). SP: YES – Provided/described for i) ii) iii).</p>	India had provided the guideline for the fishing vessels. Besides, the Merchant Shipping Act, 1958 provides for reporting of catch by fishing vessels. Additionally, all Indian vessels including fishing vessels mandatorily need to carry logbooks and report their catches under the Provisions in the Merchant Shipping Act, 1958. Therefore, the status must be "C".

2.7b	Res. 15/01 (4) (2023)	Coastal data recording system	31/12/2023 (Since 15.02.2016)	-/-	-/-	C	N/C1	Received 01.03.2024. Has failed to implement and ensure compliance with the obligation. <i>Data/catch recording systems based on <u>Catch Assessment Surveys of artisanal/cosatal fisheries based on sample surveys "sampling in space and time, (for vessels < 24m operating inside EEZ) is implemented for all coastal fisheries since [NO SPECIFIC ISHERIES AND DATE PROVIDED].</u></i> Legislation: NO information provided on provision in legislation of data recording system for vessels below 24m operating inside the EEZ. Standard: YES – Information provided according to R15/01 (4, 5). System/procedure: YES – Provided/described for i) ii) iii).	India have a well established system for data recording by coastal fishery which is being detailed in the National Report submitted to the IOTC Scientific Committee. The submission of data segregated date-wise is not specified under Res. 15/01. The Paragraph 435W of the Merchant Shipping Act, 1958 specifies the data submission by Indian fishing vessels. Therefore, the Status must be "C"
2.8	Res. 17/07 (2) (2023)	Ban on large-scale driftnets in IOTC Area (2)	14/3/2024	N/C	N/C	L	N/C2	Received 25.03.2024. Submitted 11 days after the deadline. Failed to meet reporting/submission deadlines by less than 15 days. LEG: Submitted by the terms and conditions of ATF. Includes general provision mandating Indian companies to comply with various requirements of the IOTC. However, it does not include specific provision on the obligation. SP: YES – Provided/described for a), b) and c).	The terms and Conditions of ATF specifies obligation of Indian vessels to comply with all the CMMs of the IOTC. Therefore, the status must be "C".
2.9	Res. 17/07 (6) (2023)	MCS actions related to large-scale driftnets in IOTC Area	14/3/2024	N/C	N/C	L	N/C2	Received 25.03.2024. Submitted 11 days after the deadline. Failed to meet reporting/submission deadlines by less than 15 days. LEG: NO - Submitted by the terms and conditions of ATF, which includes general provision mandating Indian companies to comply with various requirements of the IOTC. However, the obligation is applicable to CPCs, not companies. SP: NO – Provided/described for a) and b), but not for c).	India, as a CPC in the IOTC ensures compliance to this Resolution through the terms and references mandatory for Indian fishing vessels operators, if any. Therefore, the status must be "C".
2.21	Res. 18/07 (1) (2023)	Report actions taken to implement reporting obligations & improve data collection of catches	14/3/2024	N/C	N/C	C	N/C2	Failed to ensure compliance for two or more consecutive years.	India, in its National Report and Report of Implementation had listed the actions taken to implement reporting obligations for all IOTC fisheries; including shark species caught in association with IOTC fisheries. Further, India need Capacity Building to improve the compliance. Therefore, the status must be "C" and "C/B".

2.23	Res 11/02 (2) (2023)	Prohibition from intentionally fishing within 1 nautical mile of or interacting with data buoy	4/1/2024 (Since 2011)	N/C	N/C	L	N/C2	Date received (02.03.2024). Failed to meet reporting/submission deadlines by less than 15 days. <u>LEG:</u> Submitted – Banned by " <i>Guidelines and T&C for Deep Sea Fishing of 2014</i> ". General provision requiring companies to adhere to various requirements of the IOTC; however, there is no specific provision regarding this obligation. <u>STD:</u> YES. <u>SP:</u> YES – Provided/described for a), b) and c).	The Guidelines and T&C for Deep Sea Fishing of 2014 requires fishing companies and fishers adhere to all resolutions/ requirements of the IOTC. This implies that such vessels need to comply with this Resolution (Res 11/02) also. Besides, there is no commercial purse seine tuna fishing and deployment of data buoy for tuna fisheries in India. Therefore, the status must be "C".
2.24	Res 11/02 (3) (2023)	Prohibition from taking on board data buoys	4/1/2024 (Since 2011)	N/C	N/C	L	N/C2	Date received (02.03.2024). Failed to meet reporting/submission deadlines by less than 15 days. <u>LEG:</u> Submitted – Banned by " <i>Guidelines and T&C for Deep Sea Fishing of 2014</i> ". General provision requiring companies to adhere to various requirements of the IOTC; however, there is no specific provision regarding this obligation. <u>STD:</u> YES. <u>SP:</u> YES – Provided/described for a), b) and c).	The Guidelines and T&C for Deep Sea Fishing of 2014 requires fishing companies and fishers adhere to all resolutions/ requirements of the IOTC. This implies that such vessels need to comply with this Resolution (Res 11/02) also. Therefore, the status must be "C".
2.27	Res. 19/03 (2) (2023)	Prohibition of intentionally setting any gear type on mobulid rays	29/12/2023 (Since 2019 (All gears))	N/C	N/C	N/A	N/C2	Received 01.03.2024. <u>LEG:</u> YES – Submitted - Order F. No. 21002/12/2011-Fy (Ind), only for deep-sea fishing. <u>STD:</u> Not applicable. <u>SP:</u> YES – Provided for "a" "b" and "c".	The Guidelines and T&C for Deep Sea Fishing requires fishing companies and fishers adhere to all resolutions/ requirements of the IOTC.
2.28	Res. 19/04 (11&12) (2023)	Report on review of flag State internal actions & measures, punitive actions and sanctions on flag vessels on the RAV	14/3/2024	N/C	N/C	C	N/C2	Failed to ensure compliance for two or more consecutive years.	The Guidelines and T&C for Deep Sea Fishing requires authorized fishing vessels and fishers to adhere to all resolutions/ requirements of the IOTC. Further, Indian vessels in the IOTC RAV (4 Government of India research vessels) have no history of IUU fishing activities and are not engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence. These vessels strictly comply with all provisions in the paragraphs 11 and 12 of Res 19/04. Therefore, the status must be "C" for both the years.

3. Reporting on Vessels

3.1	Res. 10/08 (1) (2023)	List of Active vessels	15/2/2024	N/C	N/C	L	N/C2	Received 02.03.2024. More than 15 days after deadline. Failed to ensure compliance for two or more consecutive years.	India had submitted this information to the IOTC after the deadline. Therefore, the status should be "C"
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3.6	Res. 19/04 (3) (2023)	List of Authorized vessels 24 metres in length overall or more (3)	12/4/2024 (Since 01.07.2003)	P/C	P/C	N/C	N/C2	Last update received 18.04.2019. Vessels \geq 24m: 4. Failed to ensure compliance of the same obligation for two or more consecutive years. <u>Legislation:</u> YES – Submitted - " Office Order-Undertaking Deep Sea Fishing in Indian EEZ dated 03 08 2017." Standard: NO - Missing information for 4 vessels [4 vessels without authorised to date and GT, 1 portside photograph]. System/procedure: NO – Not provided & not described for i) ii) iii).	India had submitted the details of authorised vessels to the IOTC. Therefore, the status must be "C"
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4. Vessel Monitoring System

4.1	Res. 15/03 (1) (2023)	Adoption VMS for all vessels > 24 m, and for vessels < 24 m fishing outside flag State's EEZ	30/6/2023 (Since 01.07.2007)	L	P/C	N/C	N/C2	Received 24.10.2023. LEG: NO - Not submitted - Not provided in two or more consecutive years - Has provided reference Merchant Shipping Act, 1958 and Rules framed thereunder. Secretariat unable to identify provision for VMS. STD: NO. SP: YES - Provided & described for i ii & iii. Obs: CoC20 CR remarks: While several coastal states in India have installed vessel Tracking System & Automatic Identification System, a full-fledged VMS is under planning & will be implemented once necessary regulatory approvals are received from other concerned Ministries/Departments within the Government system.	There are Rules framed under the provisions of Merchant Shipping Act, 1958 regarding the Radio-telecommunication, distress, safety and monitoring requirements of Indian vessels. Further India started an ambitious programme to install satellite based transponders with two-way communication system for all Indian fishing vessels. Therefore, the status must be "C" and "C/B".
4.2	Res. 15/03 (12) (2022)	VMS report on implementation & technical failures	30/6/2023	C	P/C	N/C	N/C2	Received 24.10.2023. More than 3 months after the deadline. LEG: NO - Not submitted in two or more consecutive years - Has provided reference <i>Merchant Shipping Act, 1958 and Rules framed thereunder and Marine Fisheries Regulation Acts of respective coastal States (provinces)</i> . Secretariat unable to identify provision for VMS. STD: NO - Missing information [<i>Number of vessels above 24 metres in length overall equipped with a satellite-based vessel monitoring device</i>]. SP: YES - Provided & described for i ii & iii. Obs: <i>India is contemplating a system to establish satellite based VMS for all its fishing vessels irrespective of size and area of operation. This system is at validation level.</i>	The Paragraphs 291, 292 etc. of Merchant Shipping Act, 1958 has details regarding the communication equipment requirements of Indian vessels. There are Rules framed under the MS Act 1958. Further India started an ambitious programme to install satellite transponders with two-way communication system for all Indian fishing vessels. Therefore, the status must be "C" and "C/B".

4.3	Res. 15/03 (2) (2022)	VMS implementation plan	30/6/2023 (Since 30.04.2016)	L	P/C	N/C	N/C2	<p>Received 24.10.2023. No VMS implementation plan provided. Has declared: <i>All 4 IOTC RAV are having reporting and monitoring system onboard. Besides, the Govt of India is contemplating a system for installation of satellite based VMS for its tuna vessels.</i></p> <p>LEG: NO - Not submitted - Not provided in two or more consecutive years - Has provided reference <i>Merchant Shipping Act, 1958 and Rules framed thereunder.</i></p> <p>STD: NO - Missing VMS implementation plan.</p> <p>SP: YES - Provided & described for i ii & iii.</p> <p>Obs: <i>India is contemplating a system to establish satellite based VMS for all its fishing vessels irrespective of size and area of operation. This system is at validation level.</i></p>	The Paragraphs 291, 292 etc. of Merchant Shipping Act, 1958 has details regarding the communication equipment requirements of Indian vessels. Further India started an ambitious programme to install satellite based transponders with two-way communication system for all Indian fishing vessels. Therefore, the status must be "C" and "C/B".
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5. Mandatory statistical requirement – Flag State CPCs

5.1	Res. 15/02 (1 to 7), 18/05 (8), 18/07 (4), 19/02 (4, 22 & 24) (2022)	Nominal Catches – Costal Fisheries	30/6/2023	C	P/C	L	N/C2	<p>Received: 29.12.2023. More than 6 months after the deadline. Failed to ensure compliance of the same obligation for two or more consecutive years.</p> <p>Legislation: NO – Not submitted. Has submitted legislations but none with provision related to this requirement for catch/fisheries statistics.</p> <p>Standard: NO - Aggregated catches of billfish and sharks species; gear and area information not compiled.</p> <p>System/procedure: YES – Provided & described for i) ii) iii).</p> <p>Obs: <i>Legislation and System/procedure assessments are valid for 5.1 to 5.20.</i></p>	Paragraph 435W of Merchant Shipping Act 1958 mandates the submissions of Fishery data by Indian fishing boats. The status must be "C" and "C/B" for both the years.
5.4	Res. 15/02 (1 to 7), 18/05 (8), 18/07 (4), 19/02 (4, 22 & 24) (2022)	Nominal catch – Discards	30/6/2023	C	P/C	L	N/C2	<p>Received: 29.12.2023.</p> <p>Failed to ensure compliance of the same obligation for two or more consecutive years.</p> <p>Standard: NO - Data submitted in several forms.</p>	There are no reported discards in Indian tuna fishery. This information had been furnished in the mandatory data submission formats of the IOTC. Therefore, the status must be "C" and "C/B".
5.5	Res. 15/02 (1 to 7), 18/05 (8), 18/07 (4), 19/02 (4, 22 & 24) (2022)	Nominal catch – Report on zero catches matrix	30/6/2023	C	P/C	L	N/C2	<p>Received: 29.12.2023. More than 6 months after the deadline. Failed to ensure compliance of the same obligation for two or more consecutive years.</p> <p>Standard: NO - Some species (SKH & BILL) aggregated in RC, unclear for DR.</p>	This information had been furnished in the mandatory data submission formats of the IOTC. Therefore, the status must be "C" and "C/B".

5.6	Res. 15/02 (1 to 7), 18/05 (8), 18/07 (4), 19/02 (4, 22 & 24) (2022)	Catch & Effort – Coastal fisheries	30/6/2023	L	N/C	L	N/C2	Received: 29.12.2023. More than 6 months after the deadline. Failed to ensure compliance of the same obligation for two or more consecutive years. Standard: NO - Incomplete information; no month , effort and area details.	This information had been furnished in the mandatory data submission formats of the IOTC. Therefore, the status must be "C" and "C/B".
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	Received: 29.12.2023. Standard: NO - missing effort information.	This information had been furnished in the mandatory data submission formats of the IOTC. Therefore, the status must be "C" and "C/B".
5.9	Res. 15/02 (1 to 7), 18/05 (8), 18/07 (4), 19/02 (4, 22 & 24) (2022)	Size Frequency – Coastal fisheries	30/6/2023	L	N/C	N/C	N/C2	Failed to ensure compliance of the same obligation for two or more consecutive years. Standard: NO – No data provided.	This information had been furnished in the mandatory data submission formats of the IOTC. Therefore, the status must be "C" and "C/B".
5.11	Res. 15/02 (1 to 7), 18/05 (8), 18/07 (4), 19/02 (4, 22 & 24) (2022)	Size Frequency – Longline fisheries	30/6/2023	C	C	C	P/C	Received: 29.12.2023. Standard: NO - No detailed of shark species in RC forms provided to quantify SF sharks data.	India had submitted the size frequency data by longline fisheries along with nominal catch, catch and effort data etc. Therefore, the status must be "C" and "C/B".
5.17	Res. 12/06 (1 & 2) (2022)	Data on seabirds interactions (2)	30/6/2023	L	C	L	N/C1	Received: 29.12.2023. More than 6 months after the deadline. STD: YES - NIL report in DI form.	The information had been submitted after the deadline. India does not have a tuna fishery fishing south of 25 degree south. This had been reflected in India's national report to the IOTC SC. Also please consult India's Report of Implementation. Status must be "C" and "C/B".
5.18	Res. 13/04 (7) (2022)	Data on interactions with Cetaceans	30/6/2023	L	C	L	N/C1	Received: 29.12.2023. More than 6 months after the deadline. STD: YES - NIL report in DI form.	All cetaceans are protected under the Indian Wildlife (Protection) Act and there were no interaction with cetaceans in Indian tuna fishery. This had been reflected in India's national report to the IOTC SC. Also please consult India's Report of Implementation. Status must be "C"
5.19	Res 13/05 (7) (N/A)	Data on interactions with Whale Sharks	30/6/2023	L	C	L	N/C1	Received: 29.12.2023. More than 6 months after the deadline. STD: YES - NIL report in DI form.	Whale sharks are protected under the Indian Wildlife (Protection) Act and there were no interaction with whale sharks in Indian tuna fishery. This had been reflected in India's national report to the IOTC SC. Further India does not have a tuna purse seine fishery. Also please consult Indias Report of Implementation. Status must be "C"

5.20	Res 19/03 (8) (2022)	Data on interactions with mobulid rays	30/6/2023	C	C	L	N/C1	Received: 29.12.2023. More than 6 months after the deadline. STD: YES - MOB retained, data provided in RC form.	India had provided the data on mobulid rays while submitting the mandatory statistical data as specified in Resolution 15/02. Therefore, the status must be "C"
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6. Implementation of mitigation measures and bycatch of non-IOTC species

6.1	Res. 17/05 (3) (2023)	Prohibition on shark finning	31/12/2023 (Since 03.10.2017)	N/C	N/C	N/A	N/C2	Failed to ensure compliance for two or more consecutive years.	Sharks finning is prohibited by Indian National Law, details of which is furnished in the National Report to the SC of IOTC. The removal of shark fins on board vessels are strictly banned and the landing, retention on-board, transshipment and carrying of shark fins which are not naturally attached to the shark carcass until the first point of landing are strictly prohibited under the law. Status must be "C" for both the years
6.2	Res. 12/09 (2) (2023)	Prohibition on thresher sharks - all species of family Alopiidae	31/12/2023 (Since 07.07.2010)	N/C	N/C	N/A	N/C2	Failed to ensure compliance for two or more consecutive years.	Indian authorized deep sea fishing vessels need to comply with all the restrictions under IOTC Resolutions. Therefore, the Status must be "C" for both the years
6.3	Res. 13/06 (3) (2023)	Prohibition on oceanic whitetip sharks	31/12/2023 (Since 14.08.2013)	Not As-sessed	Not As-sessed	N/A	P/C	Received 01.03.2024. LEG: YES – Submitted - Order F. No. 21002/12/2011-Fy (Ind), only for deep-sea fishing. STD: Not applicable. SP: YES – Provided for "a" "b" and "c".	Indian authorized deep sea fishing vessels need to comply with all the restrictions under IOTC Resolutions. Therefore, the Status must be "C" for both the years
6.4	Res. 19/03 (3) (2023)	Prohibition to retain on-board, tranship, land, store mobulid rays	31/12/2023 (Since 29.10.2019)	N/C	N/C	N/A	N/C2	Failed to ensure compliance for two or more consecutive years.	Indian authorized deep sea fishing vessels need to comply with all the restrictions under IOTC Resolutions. Status must be "C"
6.5	Res. 19/03 (5, Annex 1) (2023)	Prohibition to gaff, lift by the gill slits/spiracles, punch holes through the bodies. Obligation to release alive, implementation of live release handling procedures of mobulid rays	31/12/2023 (Since 29.10.2019)	N/C	N/C	N/A	N/C2	Failed to ensure compliance for two or more consecutive years.	Indian authorized deep sea fishing vessels need to comply with all the restrictions under IOTC Resolutions. Therefore, the Status must be "C" for both the years
6.6	Res. 12/04 (8) (2023)	Longliner carry & employ line cutters & de-hookers on board	31/12/2023 (Since 06.08.2009)	N/C	N/C	N/A	N/C2	Failed to ensure compliance for two or more consecutive years.	Indian authorized deep sea fishing vessels need to comply with all the restrictions under IOTC Resolutions. Status must be "C"

6.9	Res. 12/04 (5) (2023)	Report on progress of implementation of Res. 12/04 (2)	14/3/2024	N/C	N/C	L	N/C2	<p>Failed to implement, ensure compliance with the obligation for two or more consecutive years.</p> <p>The submission was pending, awaiting approval.</p> <p>LEG: Submitted The Wild Life Protection Act, 1972. No specific provision on the obligation to report on the <i>progress of implementation of the FAO Guidelines and R12/04</i>.</p> <p>STD: YES – All information provided according to paragraph 5, R12/04.</p> <p>SP: NO – Provided/described b) and c). For a), India declares to have no system to implement this binding reporting obligation.</p>	All the marine turtles of Indian seas are protected vide Wildlife (Protection) Act and the harming / harvest of turtles will lead to punitive actions against offenders. This progress had been detailed in India's NR to the IOTC SC. Indian fishing vessels are strictly following national legislation and FAO Guidelines for sea turtle conservation. Therefore, the status must be "C" for both the years
6.11	Res. 13/04 (8) (2023)	Instances of Cetaceans encircled (2)	14/3/2024 (For PS)	N/C	N/C	L	N/C2	<p>Received 25.03.2024. Submitted 11 days after the deadline. Failed to meet reporting/submission deadlines by less than 15 days.</p> <p>LEG: Provided. Implemented by national legislation Wildlife Protection Act. The Act has no specific provision on this obligation.</p> <p>STD: YES – Nil report.</p> <p>SP: contradictory response. Declares that India has NO system/procedure and below states the opposite for a), b) and c).</p>	All the cetaceans of Indian seas are protected vide Wildlife (Protection) Act and the harming / harvest of cetaceans will lead to punitive actions against offenders. This progress had been detailed in India's NR to the IOTC SC. Further, India have no tuna purse seine fishery and there were no instances in which cetaceans have been encircled by the purse seine nets. India does not flag foreign tuna vessels. Therefore, the status must be "C" for both the years.
6.12	Res 18/05 (5) (2023)	Prohibition to retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, Indo-pacific Sailfish smaller than 60 cm Lower Jaw Fork Length	31/12/2023 (Since 04.10.2018)	N/C	N/C	L	N/C2	<p>Date received (01.03.2024). Submitted 8 days after the deadline. Failed to meet reporting/submission deadlines by less than 15 days.</p> <p>Failed to ensure compliance with the same obligation for two or more consecutive years.</p> <p>LEG: YES – Submitted - " <i>Guidelines and T&C for Deep Sea Fishing of 2014</i>". General provision requiring companies to adhere to various requirements of the IOTC; however, there is no specific provision regarding this obligation.</p> <p>SP: YES – Provided/described for a), b) and c).</p>	Indian authorized deep sea fishing vessels need to comply with all the restrictions under IOTC Resolutions including those outlined in Resolution 18/05. Status must be "C" for both the years.
6.15	Res 18/02 (4) (2022)	Information on actions taken domestically to monitor catches of Blue Shark	19/11/2023 (SC)	L	C	C	P/C	<p>Received 24.10.2023. Monitoring action are: Observer on board national fishing vessels ; Field sampler/Observer in port/landing site.</p> <p>LEG: NO – Has provided reference: <i>Marine Fisheries Regulation Acts of the respective State (Provincial) Governments, not provided in two or more consecutive years.</i></p> <p>STD: YES – Monitoring actions reported in NR to SC.</p> <p>SP: YES - Provided & described for i) ii) & iii).</p>	Indian authorized deep sea fishing vessels need to comply with all the restrictions under IOTC Resolutions including those in Res 18/02. Additionally, there is no/sporadic report of blue sharks in Indian tuna fishery. Status must be "C"

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	L	N/C1	<p>Received 01.03.2024. More than 3 months after the deadline.</p> <p>LEG: NO – Not submitted.</p> <p>STD: YES – Monitoring and management actions reported in NR to SC. Monitoring actions: Field sampler / Observer in port; Management actions: Modify fishing practices fishing gears to reduce juvenil catches ; Reduction of fishing effort ; Reduction of fishing capacity.</p> <p>SP: Yes - Provided & described for i) ii) iii).</p>	Indian authorized deep sea fishing vessels need to comply with all the restrictions under IOTC Resolutions including the provisions in Res 18/05.. Status must be "C"
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7. Illegal, Unreported and Unregulated (IUU) Vessels

7.1	Res. 18/03 (5 & 18) (2023)	IUU listing	1/6/2023	N/C	N/C	N/C	N/C2	16 vessels listed on the IOTC IUU vessels list in three consecutive years: 1 vessel in 2021, 4 vessels in 2022 and 11 vessels in 2023.	Punitive action is taken by the authorities concerned as per the national legislation against the vessels listed in the IUU fishing vessels list. Report shall be communicated for de-listing as per the procedure.
7.2	Res. 07/01 (2) (2023)	Compliance by nationals	1/6/2023	N/C	N/C	N/C	N/C2	Nationals on 16 vessels listed on IOTC IUU vessels list in 2021, 2022 and 2023.	Punitive action taken against the IUU listed vessels are per the national legislation and the report shall be submitted for de-listing as per the procedure.

8. Transhipments

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	-/-	-/-	L	N/C1	<p>Received 01.03.2024.</p> <p>ROS at sea: Implemented on 4 research vessels of FSI.</p> <p>MRO coastal fisheries: No information provided.</p> <p>LEG: NO – Not submitted.</p> <p>STD: YES- Protocols description supporting ROS at sea/coastal provided.</p> <p>SP: YES – Provided & described for i) ii) & iii).</p> <p>Obs: Has declared: Coverage ROS at sea 100%. ROS Coastal: No information provided.</p>	Since the ROS had been implemented onboard 4 research vessels of Gol, the status must be "C" and "C/B". India had reported this in the National Reported submitted to the IOTC SC.
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9.2	Res. 11/04 (2) (2022)	5% Mandatory, at sea (All vessels) (2)	19/11/2023 (Since 2013)	-/-	-/-	L	N/C1	Received 01.03.2024. LEG: NO – Not submitted. STD: NO – Has declared 2022 Coverage > 5 %. ROS sea 100%. No observer report received. SP: YES – Provided & described for i) ii) & iii).	Since the ROS had been implemented (100% coverage) onboard 4 research vessels of GoI, the status must be "C" and "C/B". India had reported this in the National Reported submitted to the IOTC SC.
9.3	Res. 11/04 (4) (2022)	5 % Artisanal landings (2)	19/11/2023 (Since 2013)	-/-	-/-	L	N/C1	Received 01.03.2024. <u>ROS coastal fisheries:</u> No information provided. LEG: NO – Not submitted. STD: NO - Has declared coverage is > 5 % (for all fishing gear/artisanal fishing vessels). No information provided on No of vessel trips / No of active vessels, coverage. SP: YES – Provided & Described for i) ii) & iii).	Fish landings by Indian artisanal fishing vessels are scientifically recorded and monitored at the landing place by field samplers. This was explained in the National Reported submitted to the IOTC SC. The status must be "C"
9.4	Res. 11/04 (11) (2022)	Observer reports	19/11/2023 (150 days after trip)	-/-	-/-	N/C	N/C1	Received 01.03.2024. LEG: NO – Not submitted. STD: NO – No observer report provided. SP: YES – Provided & described for i) ii) & iii).	Since the ROS had been implemented onboard 4 research vessels of GoI, the status must be "C" and "C/B". India had reported this in the National Reported submitted to the IOTC SC.

10. Statistical document programme

10.4	Res. 01/06 (2&3) (2023)	Information on authorised institutions and personnel	31/12/2023 (Since 01.07.2002)	C	C	C	N/C1	Received 01.03.2024. Last update 12.05.2015. LEG: No legislation provided with provision for Resolution 01/06. STD: YES – Information provided according to R01/06 (2, 3). No update in 2023. SP: YES – Provided/described for i) ii) iii).	Administrative Orders are already shared with regard to information on authorized institution a personnel for Resolution 01/06. Status must be changed to "C"
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11. Port inspection

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

Having reviewed the 2024 Draft Compliance Report for India, 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)
1.1	<p>Received 04.04.2024. 21 days after the deadline. Failed to meet the reporting deadline by more than 15 days. Failed to ensure compliance with the obligation for two or more consecutive years. STD: NO – Some section(s)/question(s) applicable NOT completed.</p>	N/C2	N/C
1.2	<p>Received 04.04.2024. More than 1 month after the deadline. Failed to meet the reporting deadline by more than 15 days. Failed to ensure compliance with the obligation for two or more consecutive years. STD: YES – Section(s)/question(s) applicable completed.</p>	N/C2	N/C
1.4	<p>Received 14.03.2024. IOTC-2024-CoC21-FL07 Failed to implement and to ensure compliance of the same obligation for two or more consecutive years. Legislation: YES – Provided <i>Office Order-Undertaking Deep Sea Fishing in Indian EEZ dated 03 08 2017.</i> Standard: NO – Had 44 compliance issues – Has not provided responses specific to 42 requirements. Has declared: India is making all efforts to comply with all the IOTC measures. System/procedure: YES – Provided & described for i) ii), iii).</p>	N/C2	N/C
2.5	<p>Has four (research) vessels in the IOTC RAV. Failed to implement, monitor or ensure compliance with the same obligation for two or more consecutive years. Mandatory information, legislation, system / procedures not provided. Obs: Has declared - <i>India does not have a commercial tuna fishery fishing in the highseas. The Navy and Coastguard are monitoring the activities of fishing boats.</i></p>	N/C2	P/C

2.7a	Received 01.03.2024. Last update 24.04.2018 (LL). Vessels use paper fishing logbook. LEG: Merchant Shipping Act, 1958. Secretariat unable to identify provisions for fishing logbook/reporting of catch in Merchant Shipping Act. Guidelines for fishing operations in Indian exclusive economic zone 2014, applicable in EEZ only, ABNJ not covered. STD: YES – Information provided according to R15/01 (4, 5). SP: YES – Provided/described for i) ii) iii).	N/C1	P/C
2.8	Received 25.03.2024. Submitted 11 days after the deadline. Failed to meet reporting/submission deadlines by less than 15 days. LEG: Submitted by the terms and conditions of ATF. Includes general provision mandating Indian companies to comply with various requirements of the IOTC. However, it does not include specific provision on the obligation. SP: YES – Provided/described for a), b) and c).	N/C2	N/C
2.9	Received 25.03.2024. Submitted 11 days after the deadline. Failed to meet reporting/submission deadlines by less than 15 days. LEG: NO - Submitted by the terms and conditions of ATF, which includes general provision mandating Indian companies to comply with various requirements of the IOTC. However, the obligation is applicable to CPCs, not companies. SP: NO – Provided/described for a) and b), but not for c).	N/C2	N/C
2.21	Failed to ensure compliance for two or more consecutive years.	N/C2	N/C
2.23	Date received (02.03.2024). Failed to meet reporting/submission deadlines by less than 15 days. LEG: Submitted – Banned by " <i>Guidelines and T&C for Deep Sea Fishing of 2014</i> ". General provision requiring companies to adhere to various requirements of the IOTC; however, there is no specific provision regarding this obligation. STD: YES. SP: YES – Provided/described for a), b) and c).	N/C2	N/C
2.24	Date received (02.03.2024). Failed to meet reporting/submission deadlines by less than 15 days. LEG: Submitted – Banned by " <i>Guidelines and T&C for Deep Sea Fishing of 2014</i> ". General provision requiring companies to adhere to various requirements of the IOTC; however, there is no specific provision regarding this obligation. STD: YES. SP: YES – Provided/described for a), b) and c).	N/C2	N/C
2.27	Received 01.03.2024. LEG: YES – Submitted - Order F. No. 21002/12/2011-Fy (Ind), only for deep-sea fishing. STD: Not applicable. SP: YES – Provided for "a" "b" and "c".	N/C2	N/C
2.28	Failed to ensure compliance for two or more consecutive years.	N/C2	N/C

3.1	Received 02.03.2024. More than 15 days after deadline. Failed to ensure compliance for two or more consecutive years.	N/C2	N/C
3.6	Last update received 18.04.2019. Vessels ≥ 24m: 4. Failed to ensure compliance of the same obligation for two or more consecutive years. <u>Legislation:</u> YES – Submitted - " <i>Office Order-Undertaking Deep Sea Fishing in Indian EEZ dated 03 08 2017.</i> " <u>Standard:</u> NO - Missing information for 4 vessels [4 vessels without authorised to date and GT, 1 portside photograph]. <u>System/procedure:</u> NO – Not provided & not described for i) ii) iii).	N/C2	P/C
4.1	Received 24.10.2023. <u>LEG:</u> NO - Not submitted - Not provided in two or more consecutive years - Has provided reference Merchant Shipping Act, 1958 and Rules framed thereunder. Secretariat unable to identify provision for VMS. <u>STD:</u> NO. <u>SP:</u> YES - Provided & described for i ii & iii. <u>Obs:</u> CoC20 CR remarks: While several coastal states in India have installed vessel Tracking System & Automatic Identification System, a full-fledged VMS is under planning & will be implemented once necessary regulatory approvals are received from other concerned Ministries/Departments within the Government system.	N/C2	P/C
4.2	Received 24.10.2023. More than 3 months after the deadline. <u>LEG:</u> NO - Not submitted in two or more consecutive years - Has provided reference <i>Merchant Shipping Act, 1958 and Rules framed thereunder and Marine Fisheries Regulation Acts of respective coastal States (provinces)</i> . Secretariat unable to identify provision for VMS. <u>STD:</u> NO - Missing information [<i>Number of vessels above 24 metres in length overall equipped with a satellite-based vessel monitoring device</i>]. <u>SP:</u> YES - Provided & described for i ii & iii. <u>Obs:</u> <i>India is contemplating a system to establish satellite based VMS for all its fishing vessels irrespective of size and area of operation. This system is at validation level.</i>	N/C2	P/C
4.3	Received 24.10.2023. No VMS implementation plan provided. Has declared: <i>All 4 IOTC RAV are having reporting and monitoring system onboard. Besides, the Govt of India is contemplating a system for installation of satellite based VMS for its tuna vessels.</i> <u>LEG:</u> NO - Not submitted - Not provided in two or more consecutive years - Has provided reference <i>Merchant Shipping Act, 1958 and Rules framed thereunder.</i> <u>STD:</u> NO - Missing VMS implementation plan. <u>SP:</u> YES - Provided & described for i ii & iii. <u>Obs:</u> <i>India is contemplating a system to establish satellite based VMS for all its fishing vessels irrespective of size and area of operation. This system is at validation level.</i>	N/C2	P/C
5.1	Received: 29.12.2023. More than 6 months after the deadline. Failed to ensure compliance of the same obligation for two or more consecutive years. <u>Legislation:</u> NO – Not submitted. Has submitted legislations but none with provision related to this requirement for catch/fisheries statistics. <u>Standard:</u> NO - Aggregated catches of billfish and sharks species; gear and area information not compiled. <u>System/procedure:</u> YES – Provided & described for i) ii) iii). <u>Obs:</u> <i>Legislation and System/procedure assessments are valid for 5.1 to 5.20.</i>	N/C2	P/C

5.4	Received: 29.12.2023. Failed to ensure compliance of the same obligation for two or more consecutive years. Standard: NO - Data submitted in several forms.	N/C2	P/C
5.5	Received: 29.12.2023. More than 6 months after the deadline. Failed to ensure compliance of the same obligation for two or more consecutive years. Standard: NO - Some species (SKH & BILL) aggregated in RC, unclear for DR.	N/C2	P/C
5.6	Received: 29.12.2023. More than 6 months after the deadline. Failed to ensure compliance of the same obligation for two or more consecutive years. Standard: NO - Incomplete information; no month , effort and area details.	N/C2	N/C
5.9	Failed to ensure compliance of the same obligation for two or more consecutive years. Standard: NO – No data provided.	N/C2	N/C
6.1	Failed to ensure compliance for two or more consecutive years.	N/C2	N/C
6.2	Failed to ensure compliance for two or more consecutive years.	N/C2	N/C
6.4	Failed to ensure compliance for two or more consecutive years.	N/C2	N/C
6.5	Failed to ensure compliance for two or more consecutive years.	N/C2	N/C
6.6	Failed to ensure compliance for two or more consecutive years.	N/C2	N/C

6.9	<p>Failed to implement, ensure compliance with the obligation for two or more consecutive years. The submission was pending, awaiting approval. LEG: Submitted The Wild Life Protection Act, 1972. No specific provision on the obligation to report on the <i>progress of implementation of the FAO Guidelines and R12/04</i>. STD: YES – All information provided according to paragraph 5, R12/04. SP: NO – Provided/described b) and c). For a), India declares to have no system to implement this binding reporting obligation.</p>	N/C2	N/C
6.11	<p>Received 25.03.2024. Submitted 11 days after the deadline. Failed to meet reporting/submission deadlines by less than 15 days. LEG: Provided. Implemented by national legislation Wildlife Protection Act. The Act has no specific provision on this obligation. STD: YES – Nil report. SP: contradictory response. Declares that India has NO system/procedure and below states the opposite for a), b) and c).</p>	N/C2	N/C
6.12	<p>Date received (01.03.2024). Submitted 8 days after the deadline. Failed to meet reporting/submission deadlines by less than 15 days. Failed to ensure compliance with the same obligation for two or more consecutive years. LEG: YES – Submitted - " <i>Guidelines and T&C for Deep Sea Fishing of 2014</i>". General provision requiring companies to adhere to various requirements of the IOTC; however, there is no specific provision regarding this obligation. SP: YES – Provided/described for a), b) and c).</p>	N/C2	N/C
7.1	<p>16 vessels listed on the IOTC IUU vessels list in three consecutive years: 1 vessel in 2021, 4 vessels in 2022 and 11 vessels in 2023.</p>	N/C2	N/C
7.2	<p>Nationals on 16 vessels listed on IOTC IUU vessels list in 2021, 2022 and 2023.</p>	N/C2	N/C

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”).