

# IOTC-2024-CoC21-sCR13-MDG [E]

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

Report date: 11 April 2024 - 15:04

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

Req. n°	Source (para n°) (year)	Information required	Deadline	Previ- ous timeli- ness	Previ- ous status	Current timeli- ness	Current status	Observations	CPC remarks
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## 1. Implementation obligations

## 2. Management Standards

2.3	Res. 19/04 (19.a & b) (2023)	Marking of gears (2)	14/3/2024	C	C	N/C	N/C1	<p><b>LEG:</b> NO – Has declared <i>Application text currently being developed for fishing gear.</i></p> <p><b>STD:</b> NO – Passive fishing gears NOT marked.</p> <p><b>SP:</b> YES – Provided/described for i) ii) iii).</p>	
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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	C	C	C	P/C	<p><b>LEG:</b> Submitted - <i>Loi 2015/053 portant code la pêche et de l'aquaculture - Article 57</i> . <b>Submitted legislation without all provisions identified for fishing logbook requirements.</b></p> <p><b>STD:</b> NO – Has provision for logbook onboard. <b>Provision not identified in legislation for: logbook bound, with consecutively numbered pages, original recordings for at least 12 months.</b></p> <p><b>SP:</b> YES – Provided &amp; described for i) ii) &amp; iii), based on legislation.</p>
2.7b	Res. 15/01 (4) (2023)	Coastal data recording system	31/12/2023 (Since 15.02.2016)	-/-	-/-	N/C	N/C1	<p><b>Failed to ensure compliance with the obligation.</b></p> <p><b>LEG:</b> YES – Submitted - " Law-n°2018-026 Code Fishing Aquaculture".</p> <p><b>STD:</b> NO- No implementation of data/catch recording system for vessel below 24m operating in EEZ.</p> <p><b>SP:</b> NO – Not provided for i) ii) iii). NO system / procedure to implement this binding reporting measure.</p>
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><b>LEG:</b> YES – Provided - "<i>Law number 2015-053 relating to the Fishing Code</i>". The legal reference provided entitled "Fishing Agreement Protocol", makes reference to an incomplete document that may not be yet approved or in force.</p> <p><b>STD:</b> YES.</p> <p><b>SP:</b> NO – Not provided/described for b) and c).</p>

## 3.Reporting on Vessels

3.8	Res. 14/05 (1) (2023)	List of foreign vessels licensed in EEZ	15/2/2024	C	C	C	N/C1	<p>Received 15.02.2024.</p> <p><b>Has failed to provide any information showing that it has system or procedures.</b></p> <p><b>LEG:</b> Submitted - <i>Law 2015-053 on fishing and aquaculture - Article 37</i>.</p> <p><b>STD:</b> YES – Information provided according to R14/05 (1). Foreign flag vessels (2 EUR, 10 SYC; 1 MUS, 4 TZA, 11 FRAOT, 10 JPN) licensed to fish.</p> <p><b>SP:</b> NO – Not provided for i) ii) iii). NO system / procedure to implement this binding reporting measure.</p>
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3.9	Res. 14/05 (6) (2023)	Foreign vessels denied a licence	15/2/2024	C	C	C	N/C1	Received 15.02.2024. <b>Failed to provide any information showing that it has a system or procedures.</b> <u>LEG</u> : Submitted - Law 2015-053 on fishing and aquaculture - Article 37. <u>STD</u> : YES – Information provided according to R14/05 (6). Foreign vessels not denied license. <u>SP</u> : NO – Not provided for i) ii) iii). NO system / procedure to implement this binding reporting measure.
3.10	Res. 14/05 (3&5) (2023)	Access Agreement information	14/3/2024 (Since 26.02.2015)	C	C	C	N/C1	Received 23.02.2024. <b>Has failed to provide any information showing that it has a system or procedures.</b> <u>LEG</u> : Submitted - Law 2015-053 on fishing and aquaculture - Article 37. <u>STD</u> : YES – Information provided according to R14/05 (3, 5). Agreement with EU. <u>SP</u> : NO – Not provided for i) ii) iii). NO system / procedure to implement this binding reporting measure.

## 4. Vessel Monitoring System

## 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 – Coastal Fisheries	30/6/2023	N/C	N/C	N/C	N/C2	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> Madagascar requested assistance following cessation of world bank project. <u>LEG</u> : YES – Submitted “Loi-n°2018-026 Code Pêche Aquaculture”. <u>STD</u> : NO - Mandatory data not provided. <u>SP</u> : YES – Provided & described for i) ii) iii).
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	N/C	N/C2	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <u>Standard</u> : NO - Mandatory data not provided.

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	N/C	N/C2	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <b>Standard:</b> NO - Mandatory data not provided.
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	N/C	N/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 - Mandatory data not provided.
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	N/C	N/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 - Mandatory data not provided.

## 6. Implementation of mitigation measures and bycatch of non-IOTC species

6.9	Res. 12/04 (5) (2023)	Report on progress of implementation of Res. 12/04 (2)	14/3/2024	C	C	C	P/C	<b>LEG:</b> Not submitted. Indicates within system/procedures that is implemented through the “Law n°2015-053 of 02/03/16 relating to the Fisheries and Aquaculture Code” and “Law n°2018-026 of 12/26/18”, its regulations and decrees and terms and conditions fishing authorization (ADP) with the force of law (Registered in the Legal Obligation section below) and “Order No. 12666/2014 regulating the conservation of marine turtles captured by fisheries”. <b>STD:</b> YES – All information provided according to paragraph 5, R12/04. <b>SP:</b> Provided & described for a), b) and c). System/procedures and actions to be taken reported do not refer to the obligation to report on the progress of implementation of the FAO Guidelines and this Resolution.
6.15	Res 18/02 (4) (2022)	Information on actions taken domestically to monitor catches of Blue Shark	19/11/2023 (SC)	C	P/C	C	N/C2	Received 19.11.2023. IOTC-2023-SC26-NR14. <b>LEG:</b> Submitted - Loi-n°2018-026_Code_Pêche_Aquaculture. <b>STD:</b> NO – Reported in NR to SC. <b>No monitoring actions identified.</b> <b>SP:</b> YES – Provided & described for i) ii) iii).

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	P/C	L	N/C2	NR Received 19.11.2023 E-MARIS 22.02.2024. More than 3 months after the deadline. LEG: Submitted - "Loi-n°2018-026_Code_Pêche_Aquaculture". STD: YES – Monitoring and management actions reported in NR to SC. Monitoring actions: Paper Fishing Logbook; Implementation of landing declaration; Observer on board; Field sampler in port. Management actions: Releasing any specimen brought alive on-board. SP: YES – Provided & described for a) b) c).	
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## 7. Illegal, Unreported and Unregulated (IUU) Vessels

## 8. Transshipments

## 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	Received 23.02.2024. <u>ROS sea</u> : Not implemented, vessels not active in 2022. <u>ROS coastal</u> : Not implemented, No information for coastal ROS. <b>LEG</b> : NO - Regulatory text currently being developed for ROS. <b>STD</b> : NO – Protocol description ROS at sea. <b>No description for ROS coastal protocol.</b> SP: YES – Provided & described for i) ii) & iii).	
9.3	Res. 11/04 (4) (2022)	5 % Artisanal landings (2)	19/11/2023 (Since 2013)	-/-	-/-	N/C	N/C1	Received 22.02.2024. <b>LEG</b> : NO - <b>Regulatory text currently being developed for ROS.</b> <b>STD</b> : NO – No sampling programme conducted in 2022. SP: YES – Provided & described for i) ii) & iii). <i>Obs: Due to lack of financial resources, cannot cover 5% of 48,536 canoes along the coast.</i>	

## 10. Statistical document programme

10.3	Res. 01/06 (6) (2022)	Annual report (2021) (2)	14/3/2024	C	C	C	P/C	Received 08.03.2024. LEG: YES. Code of Fisheries and Aquaculture. STD: Report not submitted. SP: Partially – Provided for “a”, “b” and not for “c”.
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 22.02.2024. Last updated 2022. LEG: Submitted <i>Law 2015/053 on the fishing and aquaculture</i> . <b>Secretariat unable to identify provision for Resolution 01/06.</b> STD: YES – Information provided according to R01/06 (2, 3). Last updated 2022. SP: YES – Provided & described for i) ii) & iii).

## 11. Port inspection

11.2	Res. 16/11 (5.1 & 19.1a) (2023)	List of designated ports	31/12/2023 (Since 31.12.10)	C	C	C	P/C	LEG: NO – Not provided. STD: YES - Has designated 5 ports: Antsiranana, Mahajanga, Toamasina, Ehoala, Tulear. SP: YES – Provided & described for a), b) & c).
11.4	Res. 16/11 (5.1 & 19.1b) (2023)	Prior notification periods	31/12/2023 (Since 31.12.10)	C	C	C	P/C	LEG: NO – Not provided. STD: YES – Provided. Prior notification period established of 48h. SP: YES – Provided & described for a), b) & c).
11.5	Res. 16/11 (13.1) (2023)	Port inspection reports	31/12/2023 (3 days after inspection)	C	C	C	N/C1	<b>Failed to ensure compliance with the obligation.</b> LEG: NO – Not provided. STD: NO – Provided. Has declared for 2023: 46 port calls, no denial of entry in port, no denial of use of port, 46 foreign vessels inspected, 40 inspection reports submitted by e-PSM and 2 by email, 0 cases of non-compliance observed and reported. e-PSM data: 40 port calls, 44 inspection report submitted by e-PSM, 2 by email, 0 cases of non-compliance observed/reported. Using e-PSM and PIR tablet application for onboard inspection. 4 inspection reports out of 46, submitted within 3 days after the end of the inspection. SP: NO – Provided & described for a), but not for b) & c).

11.6	Res. 16/11 (10.1) (2023)	At least 5% inspection of LAN/TRX	31/12/2023 (Since 01.03.2011)	C	C	C	P/C	<p><b>LEG:</b> NO – Not provided.</p> <p><b>STD:</b> YES – Provided. Has declared for 2023: 26 port calls for the purpose of landing and 0 involving transshipment; 6 landing operations monitored. e-PSM data: 29 landing port calls + 2 submitted by e-mail, 6 landings monitored. Result: 19% landing operations monitored.</p> <p><b>SP:</b> YES – Provided &amp; described for a), b) &amp; c).</p>
11.7	Res. 16/11 (7.3) (2023)	Denial of entry in port	31/12/2023 (Since 01.03.2011)	C	C	C	P/C	<p><b>LEG:</b> NO – Not provided.</p> <p><b>STD:</b> YES – Nil report.</p> <p><b>SP:</b> YES – Provided &amp; described for a) b) c).</p>
11.8	Res. 16/11 (9.3) (2023)	Denial of use of port	31/12/2023 (Since 01.03.2011)	C	C	C	P/C	<p>Received 22.02.2024.</p> <p><b>LEG:</b> NO – Not provided.</p> <p><b>STD:</b> YES – Nil report.</p> <p><b>SP:</b> YES – Provided &amp; described for a) b) c).</p>
11.9	Res. 16/11 (9.4) (2023)	Withdrawal of denial of use of port	31/12/2023 (Since 01.03.2011)	C	C	C	P/C	<p><b>LEG:</b> NO – Not provided.</p> <p><b>STD:</b> YES – Nil report.</p> <p><b>SP:</b> YES – Provided &amp; described for a) b) c).</p>
11.10	Res. 16/11 (15.1) (2023)	Report vessel engaged in IUU fishing following an inspection	31/12/2023 (Depuis 01.03.2011)	C	C	C	N/C1	<p><b>LEG:</b> NO – Not provided.</p> <p><b>STD:</b> YES – Provided.</p> <p><b>SP:</b> NO – Provided &amp; described for a), but not for b) &amp; c).</p>

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

Having reviewed the 2024 Draft Compliance Report for Madagascar, 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)
5.1	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> Madagascar requested assistance following cessation of world bank project. <u>LEG</u> : YES – Submitted “ <i>Loi-n°2018-026 Code Pêche Aquaculture</i> ”. <u>STD</u> : NO - Mandatory data not provided. <u>SP</u> : YES – Provided & described for i) ii) iii).	N/C2	N/C
5.4	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <u>Standard</u> : NO - Mandatory data not provided.	N/C2	P/C
5.5	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <u>Standard</u> : NO - Mandatory data not provided.	N/C2	P/C
5.6	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <u>Standard</u> : NO - Mandatory data not provided.	N/C2	N/C
5.9	<b>Failed to ensure compliance of the same obligation for two or more consecutive years.</b> <u>Standard</u> : NO - Mandatory data not provided.	N/C2	N/C



6.15	<p>Received 19.11.2023. IOTC-2023-SC26-NR14.  LEG: Submitted - Loi-n°2018-026_Code_Pêche_Aquaculture.  STD: NO – Reported in NR to SC. <b>No monitoring actions identified.</b>  SP: YES – Provided &amp; described for i) ii) iii).</p>	N/C2	P/C
6.16	<p>NR Received 19.11.2023 E-MARIS 22.02.2024. More than 3 months after the deadline.  LEG: Submitted - "Loi-n°2018-026_Code_Pêche_Aquaculture".  STD: YES – Monitoring and management actions reported in NR to SC. Monitoring actions: Paper Fishing Logbook; Implementation of landing declaration; Observer on board; Field sampler in port. Management actions: Releasing any specimen brought alive on-board.  SP: YES – Provided &amp; described for a) b) c).</p>	N/C2	P/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”).