

Report of the 21st Session of the Compliance Committee

In person & by videoconference, 5 to 7 May and 9 May 2024

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ACRONYMS

AIS	automatic identification system
CDS	catch documentation scheme
CMM	conservation and management measure (of the IOTC; Resolutions and Recommendations)
CoC	Compliance Committee of the IOTC
CPC	Contracting Party (or “Member”) and cooperating non-Contracting Party
DFAD	drifting fish aggregation device
EMS	electronic monitoring system
FAD	fish aggregation device
FAO	Food and Agriculture Organization of the United Nations
GIES	FAO’s Global Information Exchange System
IOTC	Indian Ocean Tuna Commission
IUU	illegal, unreported and unregulated
MCS	monitoring, control and surveillance
OT	Overseas Territory
ROS	Regional Observer Scheme
SCAF	Standing Committee on Administration and Finance of the IOTC
VMS	vessel monitoring system
WGEMS	Working Group on Electronic Monitoring Standards
WPICMM	Working Party on the Implementation of Conservation and Management Measures

HOW TO INTERPRET TERMINOLOGY CONTAINED IN THIS REPORT

The CoC20 Report has been written using the following terms and associated definitions so as to remove ambiguity surrounding how particular paragraphs should be interpreted.

Level 1: From a subsidiary body of the Commission to the next level in the structure of the Commission:

RECOMMENDED, RECOMMENDATION: Any conclusion or request for an action to be undertaken, from a subsidiary body of the Commission (Committee or Working Party), which is to be formally provided to the next level in the structure of the Commission for its consideration/endorsement (e.g. from a Working Party to the Scientific Committee; from a Committee to the Commission). The intention is that the higher body will consider the recommended action for endorsement under its own mandate, if the subsidiary body does not already have the required mandate. Ideally this should be task specific and contain a timeframe for completion.

Level 2: From a subsidiary body of the Commission to a CPC, the IOTC Secretariat, or other body (not the Commission) to carry out a specified task:

REQUESTED: This term should only be used by a subsidiary body of the Commission if it does not wish to have the request formally adopted/endorsed by the next level in the structure of the Commission. For example, if a Committee wishes to seek additional input from a CPC on a particular topic, but does not wish to formalise the request beyond the mandate of the Committee, it may request that a set action be undertaken. Ideally this should be task specific and contain a timeframe for the completion.

Level 3: General terms to be used for consistency:

AGREED: Any point of discussion from a meeting which the IOTC body considers to be an agreed course of action covered by its mandate, which has not already been dealt with under Level 1 or level 2 above; a general point of agreement among delegations/participants of a meeting which does not need to be considered/adopted by the next level in the Commission’s structure.

NOTED/NOTING: Any point of discussion from a meeting which the IOTC body considers to be important enough to record in a meeting report for future reference.

Any other term: Any other term may be used in addition to the Level 3 terms to highlight to the reader of an IOTC report, the importance of the relevant paragraph. However, other terms used are considered for explanatory/informational purposes only and shall have no higher rating within the reporting terminology hierarchy than Level 3, described above (e.g. **CONSIDERED; URGED; ACKNOWLEDGED**).

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EXECUTIVE SUMMARY

Opening of the Session

The Twenty-first Session of the Compliance Committee (CoC21) of the Indian Ocean Tuna Commission (IOTC) was held in person and by videoconference on 5 to 7 May and 9 May 2024.

Attendees comprised delegates of 26 Contracting Parties (Members), one Cooperating non-Contracting Party, and nine Observers, including Invited Experts. The list of participants is provided at [Appendix 1](#). The meeting was chaired by Mr Indra Jaya (IDN), the Chairperson of the Compliance Committee.

The following is a subset of the complete set of recommendations from the CoC21 to the Commission, which are provided at [Appendix 7](#).

- CoC21.03 ([Para. 21](#)) The CoC21 **RECOMMENDED** that the Commission endorse the *Guidance and recommendations for preparing IOTC Resolutions and Recommendations*, as amended by the CoC21, as a stand-alone document.
- CoC21.04 ([Para. 40](#)) The CoC21 **RECOMMENDED** the Commission to urge CPCs for a broader and active participation in both CDS and VMS WG.
- CoC21.07 ([Para. 103](#)) The CoC21 **RECOMMENDED** that the Commission (S28) create an ad-hoc Working Group to improve the procedures outlined in the Rules of Procedures (Appendix V), notably paragraphs 4, 5 and 6. This ad-hoc Working Group should be convened virtually once or twice before the end of 2024, with the objective of presenting any clarifications and proposed changes to the RoP to the WPICMM for discussion. Based on the conclusions drawn from WPICMM's deliberations, a formal proposal for amending the RoP may be presented at the Commission annual session in 2025.
- CoC21.12 ([Para. 155](#)) The CoC21 **RECOMMENDED** that the Commission approve that the vessels included in the Provisional IUU Vessel List (Appendix 5) be included in the IUU Vessel List.
- CoC21.13 ([Para. 163](#)) The CoC21 **RECOMMENDED** that the Commission consider accepting Liberia's request to renew its Cooperating non-Contracting Party status.
- CoC21.15 ([Para. 182](#)) The CoC21 **RECOMMENDED** the SCAF21 and Commission (S28) consider to allocate a dedicated budget for the e-PSM, e-MARIS and the e-RAV applications, starting from the 2026 financial year.
- CoC21.17 ([Para. 184](#)) The CoC21 **RECOMMENDED** that the Commission (S28) consider making the use of e-MARIS mandatory, while recognising the need to streamline procedures for reporting.

1. OPENING OF THE SESSION

1. The Twenty-first Session of the Compliance Committee (CoC) of the Indian Ocean Tuna Commission (IOTC) was held with in person attendance, and by video-conference, from 5 to 7 May and 9 May 2024.
2. Attendees comprised delegates of 26 Contracting Parties (Members), one Cooperating non-Contracting Party, and 9 Observers, including Invited Experts. The list of participants is provided at [Appendix 1](#). The meeting was chaired by Mr Indra Jaya (IDN), the Chairperson of the Compliance Committee.

2. LETTERS OF CREDENTIALS

3. The CoC21 **NOTED** that letters of credentials had been received from the following CPCs: Australia, Bangladesh, China, Comoros, European Union, France (OT), Indonesia, India, Iran, Japan, Kenya, Korea (Republic of), Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Seychelles, South Africa, Sri Lanka, Tanzania, Thailand, United Kingdom, Yemen and Liberia.
4. The CoC21 **NOTED** that two (2) CPCs, Somalia and Sudan, have not provided credentials.
5. The CoC21 **FURTHER NOTED** that letters of Credentials had been received from 15 Observers, including Invited Experts.

3. ADMISSION OF OBSERVERS

6. Pursuant to Article VII of the Agreement establishing the IOTC, the CoC21 admitted the following observers, as defined in Rule XIV of the IOTC Rules of Procedure (2023):

Members or Associate Members of the FAO

- i. United States of America (USA)

Intergovernmental Organisations

- ii. Southern Indian Ocean Fisheries Agreement (SIOFA)

Non-governmental organizations having special competence in the field of activity of the Commission.

- iii. International Seafood Sustainability Foundation (ISSF)
- iv. The Pew Charitable Trusts (PEW)
- v. The Shark Project International (SPI)
- vi. Shark Trust
- vii. Sustainable Fisheries and Communities Trust (SFACT)
- viii. World Wide Fund for Nature (WWF)

Invited Experts

- ix. Taiwan, Province of China.

4. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

7. Oman **REQUESTED** to debrief, under Agenda Item “Any other business”, the CPCs about the report presented to the WPDCS19 describing the changes in the national fisheries data collection and statistics system that explained the sharp increase of the 2020 reported catches of tuna and tuna like species, in particular, yellowfin tuna.
8. The CoC21 **ADOPTED** the Agenda provided at [Appendix 2](#). The documents presented to the CoC21 are listed at [Appendix 3](#).

5. REPORT OF WORKING PARTY ON THE IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES (WPICMM07)

9. The CoC21 **NOTED** document [IOTC-2024-CoC21-11](#), presenting the progress of the Working Party on the Implementation of Conservation and Management Measures.

10. The CoC21 **NOTED** [IOTC-2024-WPICMM07-R](#) with a consolidated set of recommendations in its Appendix 4, presented in [Appendix 6](#) of this report.

5.1. REVIEW OF THE IOTC GLOSSARY OF TERMS AND DEFINITIONS.

11. The CoC21 **NOTED** document [IOTC-2024-CoC21-12a](#), presenting the glossary of terms and definitions as agreed upon by the S27 and the WPICMM07, intended to be used by Members as a guideline when drafting proposals for Resolutions for the Commission.

12. The CoC21 **NOTED** that there are four (4) terms from the Glossary pending discussions, namely, *Landing, Large-Scale Tuna Vessel, Limit Reference Point* and *Fish Aggregating Device*.

13. The CoC21 **NOTED** the potential need to revise some of the definitions agreed at the WPICMM07, notably, *bycatch, support vessel* and *VMS*.

14. The CoC21 **NOTED** the potential need to revise the definition of *fishing* to also refer to Resolution 18/03 paragraph 1.d) and definition of *fishing related activities* to also refer to Resolution 18/03 paragraph 1.e) to ensure consistency with the two CMMs; Resolution 16/11 and Resolution 18/03.

15. The CoC21 **AGREED** to defer discussions on these terms and definitions to the intersessional period and within the relevant technical Working Groups and the WPICMM, due to their technical nature.

5.2. REVIEW OF THE GUIDE FOR DRAFTING PROPOSALS FOR RESOLUTIONS AND RECOMMENDATIONS FOR THE COMMISSION.

16. The CoC21 **NOTED** document [IOTC-2024-CoC21-12b](#), presenting the *Guidance and recommendations for preparing IOTC Resolutions and Recommendations*.

17. The CoC21 **NOTED** that the three step process outlined in Appendix 1 of document [IOTC-2024-CoC21-12b](#) may impose additional burden on the IOTC Secretariat due to time constraints and lack of in-house legal expertise.

18. The CoC21 **AGREED** to delete page 1 of Appendix 1 of document [IOTC-2024-CoC21-12b](#).

Recommendation/s

19. The CoC21 **RECOMMENDED** the Commission to endorse the consolidated set of recommendations adopted by the WPICMM07 ([Appendix 6](#)).

20. The CoC21 **RECOMMENDED** that the Commission endorse the Glossary of terms agreed by the WPICMM07, with the exception of *bycatch, fishing, fishing related activities, support vessel* and *VMS*.

21. The CoC21 **RECOMMENDED** that the Commission endorse the *Guidance and recommendations for preparing IOTC Resolutions and Recommendations*, as amended by the CoC21, as a stand-alone document.

6. REPORTS OF THE WORKING GROUPS ON CDS AND VMS

22. The CoC21 **NOTED** document [IOTC-2024-CoC21-11](#), presenting the progress of the Catch Documentation Scheme and the Vessel Monitoring Systems Working Groups, and the CDS Strategy (version 4), document [IOTC-2024-WPICMM07-REF02](#).

6.1. CATCH DOCUMENTATION SCHEME

23. The CoC21 **NOTED** the slow progress of the CDS Working Group.

24. The CoC21 **NOTED** that delays from the donor agency in recruiting relevant consultants led to the postponement of further discussions by the CDS Working Group until after the Commission meeting in 2024.

25. The CoC21 **NOTED** that the recruitment process for CDS consultant is still ongoing and expected to be concluded by the end of this month or beginning of the next.

26. The CoC21 **NOTED** that the consultancy would be financed by the ECOFISH Project under the management of the Indian Ocean Commission (IOC) and **FURTHER NOTED** the challenges encountered in identifying suitable candidates.

27. The CoC21 **REQUESTED** broader participation and engagement from CPCs in the Working Group.

6.2. AN IOTC VESSEL MONITORING SYSTEM

28. The CoC21 **EXPRESSED CONCERNS** on the low participation and slow progress of the VMS Working Group.
29. The CoC21 **NOTED** that delays from the donor agency in recruiting relevant consultant led to the postponement of further discussions by the VMS Working Group until after the Commission meeting in 2024.
30. The CoC21 **NOTED** the concerns expressed by certain CPCs regarding data confidentiality, that will impede the transmission of sensitive data to third parties.
31. The CoC21 **NOTED** the challenges faced by one CPC regarding data confidentiality due to their national regulation, for the transmission of data to third parties.
32. The CoC21 **NOTED** the view by a CPC that the frequency of transmission for VMS data should be increased to an hourly basis.
33. The CoC21 **NOTED** the clarifications provided by the chair of the VMSWG regarding challenges that require ongoing attention, which includes the low participation of CPCs, challenges associated with incorporating small vessels ranging from 12 to 24 meters in length overall and that are listed in the RAV within the scope of the proposed Resolution due to the lack of power onboard and the high number of units leading to increased data transmission costs, necessary funding for its implementation and, internet bandwidth requirements at the IOTC's headquarters.
34. The CoC21 **NOTED** that the VMSWG agreed to meet upon completion of the consultants' work and **FURTHER NOTED** that certain regulatory aspects could be handled in parallel to the proposed Pilot Project.
35. The CoC21 **AGREED** to defer discussions regarding potential funding to the Commission for further consideration.
36. The CoC21 **NOTED** that a number of CPCs expressed their preference for a VMS Pilot Project to be limited to vessels of 24 meters of length overall and above. The CoC21 **NOTED** a number of VMS implementation issues raised by CPCs.
37. The CoC21 **NOTED** that involvement in the VMS Pilot Project is voluntary, as stated in the Terms of Reference developed.
38. The CoC21 **NOTED** the potential value of the VMS Pilot Project in assessing the feasibility of implementing VMS in small vessels and addressing any issues or additional sensitivities that may arise in the future.
39. The CoC21 **AGREED** to adhere to the scope defined by the VMS Working Group for the VMS Pilot Project.

Recommendation/s

40. The CoC21 **RECOMMENDED** the Commission to urge CPCs for a broader and active participation in both the CDS and VMS Working Groups.

7. REVIEW OF THE IMPLEMENTATION OF IOTC CONSERVATION AND MANAGEMENT MEASURES

7.1. GLOBAL REVIEW OF SELECTED CONSERVATION AND MANAGEMENT MEASURES

41. The CoC21 **NOTED** document [IOTC-2024-CoC21-03 Rev1](#), prepared by the IOTC Secretariat, which summarised the level of compliance by CPCs with IOTC Resolutions adopted by the Commission and **FURTHER NOTED** that the current level of compliance of the Commission has decreased from 65 percent for 2022, to 56 percent for 2023.
42. The CoC21 **EXPRESSED CONCERNS** regarding the continuous decline in the Commission's compliance rate and **NOTED** that its likely causes for this year could be linked to the challenges in the utilization of e-MARIS to report obligations with applicable CMMs, the reporting of system and procedures, the implementation of the newly adopted Rules of Procedure, and as in previous years the transposition of CMMs into national law and its subsequent reporting.
43. The CoC21 **NOTED** IOTC Circular 2023-54 informing on the *Revised Compliance Assessment Criteria* that would be used during the assessments and **FURTHER NOTED** that only one CPC requested clarifications from the IOTC Secretariat in response to the IOTC Circular 2023-54.

44. The CoC21 **NOTED** that CPCs faced challenges in utilizing e-MARIS, which impacted their compliance rates and **FURTHER NOTED** the need for CPCs and the IOTC Secretariat to assess the current e-MARIS framework to streamline data reporting.
45. The CoC21 **NOTED** that the IOTC Secretariat has conducted two regional trainings on e-MARIS.
46. The CoC21 **NOTED** the recurrent low level of compliance with Resolution 15/02 (*Mandatory Statistical Reporting Requirements*) and Resolution 22/04 (*Regional Observer Scheme*).
47. The CoC21 **NOTED** the continued low level of compliance with the size frequency requirement for all fisheries.
48. The CoC21 **NOTED** that some port States are not providing port inspection reports, are not reporting the change of their designated ports to the IOTC Secretariat and did not inspect/monitor at least 5% of landings and transshipments in port during 2023.
49. The CoC21 **NOTED** that the e-PSM application, mandatory since 2022, is equipped with a tool that allows port States to conduct inspection on board vessels with a tablet and that all port States using e-PSM have been trained and provided with tablets, allowing CPCs to comply with the three (3) days deadline to submit inspection reports.
50. The CoC21 **RECALLED** that, as agreed during previous sessions of the CoC, reports on the implementation of certain Resolutions by CPCs are directly incorporated into CPCs individual compliance reports to avoid duplication, with the exception of certain reports of significant relevance for the CoC, such as the report on nominal catch (Resolution 18/07).

7.2. REVIEW OF CPC'S COMPLIANCE REPORTS TOGETHER WITH ASSOCIATED REPORTS

Compliance Reports

51. The CoC21 **NOTED** that the assessments of CPCs were based on the following documents relevant to this agenda item, including:
 - a) [IOTC CIRCULAR 2023-54](#) – Revised Compliance Assessment Criteria – Appendix V, IOTC Rules of Procedure (2023).
 - b) [IOTC-2024-CoC21-sCR01-30](#) - CPC-based Compliance Reports.
 - c) [IOTC-2024-CoC21-FL01-30](#) – Response to Feedback Letters.
 - d) [IOTC-2024-CoC21-IR01-30](#) - Implementation Reports.
 - e) [IOTC-2024-CoC21-04a](#) - Report on Transshipment Resolution 22/02 – Secretariat's Report.
 - f) [IOTC-2024-CoC21-05](#) - Implementation of reporting obligations of nominal catch data (IOTC Resolution 18/07).2
 - g) [IOTC-2024-CoC21-08](#) - Summary of compliance with the drifting fish aggregating devices management plans.
52. Noting the ongoing work of CPCs and the IOTC Secretariat to apply the amended Rules of Procedure and make associated compliance assessments, the CoC21 **NOTED** that this year's compliance reports would not necessarily be an accurate baseline for CPCs' respective compliance status. Instead, it provides a starting point for future refinement of the compliance process, including reporting and assessment.
53. The CoC21 **NOTED** that according to the Rules of Procedure the process can be reviewed by the Compliance Committee after the compliance assessment process has been completed in full once, and **FURTHER NOTED** the necessity of holding an *ad hoc* Working Group to undertake this task during the intersessional period.
54. The CoC21 **NOTED** the request from the IOTC Secretariat to provide the template, which was not provided for in the Rules of Procedure for the CoC, and was of a voluntary nature, for the Provisional Compliance Report (pCR) for CoC21 to reflect which requirements were being contested and any corrective actions being proposed by CPCs.

55. The CoC21 **AGREED** to focus on CPCs' individual compliance review solely on compliance issues pertaining to the Non-Compliant Category 2 (N/C2), leaving to the discretion of each CPC to raise additional comments on other compliance issues assessed as partially compliant (P/C) or as Non-Compliant Category 1 (N/C1).
56. The CoC21 **AGREED** to have the possibility to contest any pertinent compliance assessments, but not to alter their compliance status during the CoC meeting, and agreed that the Final Compliance Report (fCR) of each CPC will include a notation specifying which assessments were contested by the CPC during the CoC meeting and through CPC remarks, and the tables for pCR (CoC21) finalised.
57. The CoC21 **NOTED** that CPCs are required to provide a detailed plan of action for all their compliance issues assessed as N/C2, within the three months period following the Compliance Committee.
58. CoC21 **NOTED** during Compliance Report presentations of multiple CPCs, that the Compliance Reports contained errors that rendered the respective CPCs as N/C2, N/C1 and P/C under various Resolutions/obligations that in fact did not apply to them, and **FURTHER NOTED** that some CPCs insisted that their Compliance Reports contained some mistakes in the pCR, and these have been communicated to the IOTC Secretariat.

Implementation Reports

59. The CoC21 **NOTED** that four CPCs (Kenya, Somalia, Sudan, Yemen) did not submit an Implementation Report, and six CPCs submitted Implementation Report after the deadline (Comoros, Liberia, India, Oman, Pakistan, South Africa).

Compliance Questionnaires

60. The CoC21 **NOTED** that three CPCs (Somalia, Sudan, Yemen) did not submit a Compliance Questionnaire and five CPCs submitted a Compliance Questionnaire after the deadline (Kenya, Comoros, India, Oman, Pakistan).

Response to Feedback Letters – S17

61. The CoC21 **NOTED** that six CPCs (Kenya, Liberia, Pakistan, Somalia, Sudan, Yemen) did not submit responses to the Feedback Letter, and three CPCs (Comoros, Oman, South Africa) did not meet the submission deadline.
62. The CoC21 **NOTED** that two CPCs were not issued with a Feedback Letter in 2023.
63. The CoC21 **NOTED** that the new Rules of Procedure do not include provision relating to Feedback Letter and **FURTHER NOTED** that no Feedback Letter will be issue for CoC22.

Compliance issues related to deadlines

64. The CoC21 **NOTED** that it was not appropriate to include timeliness for non-essential obligations in the same way as for mandatory data requirements and reports.
65. The CoC21 **AGREED** that the repetition of P/C should not motivate the change from P/C compliance status to N/C2.
66. The CoC21 **NOTED** that for certain CPCs, data collection and reporting within such stringent timelines are not workable for inherent reasons.
67. The CoC21 **NOTED** that some CPCs had compliance issues related to timeliness due to internal processes.

Compliance issues related to legislation

68. The CoC21 **NOTED** the challenges faced by certain CPCs in transposing newly adopted Resolutions into domestic law on an annual basis.
69. The CoC21 **NOTED** that some CPCs have a legislative system allowing them to implement and enforce IOTC Resolutions directly without the need for separate national transposition of IOTC Resolutions or they have existing legal provisions that are broad enough to allow their implementation.

70. The CoC **NOTED** that paragraph 5.c)ii)1. of Appendix V of the IOTC Rules of Procedure requires each CPC to provide supporting documents demonstrating that it has adopted binding measures that implement each obligation only where the obligation applies to the CPC.
71. The CoC21 **NOTED** that some CPCs are currently in the process of enacting new legislation aimed at addressing the outstanding issues related to the transposition of CMMs into national legislation.
72. The CoC21 **AGREED** to consider to recommend the Commission urge CPCs to provide to the Commission with their laws, regulations and/or administrative instructions in force (including terms and conditions of flag State Authorisation to Fish having force of law) relating to the conservation and management of stocks covered by the Agreement and to inform the Commission of any amendment or repeal of such laws, regulations and administrative instructions, in compliance with the Article XI.2 of the IOTC Agreement.

Compliance issues related to data standards

Regional Observer Scheme (Resolution 22/04)

73. The CoC21 **NOTED** that the Covid19 special circumstances impeded the normal implementation of the Regional Observer Scheme by some CPCs during 2022, as well as that the low observer coverage had been persisting even before the Covid19.
74. The CoC21 **NOTED** the request from two CPCs to exempt all CPCs from the obligation to comply with the Regional Observer Scheme during 2022, due to the special circumstances created by Covid 19.
75. The CoC21 **AGREED** that the requirements related to the Regional Observer Scheme should not have been assessed for 2022.

Record of Authorised Vessels (Resolution 19/04)

76. The CoC21 **NOTED** that some CPCs encountered difficulties in obtaining an IMO number for their vessels and **FURTHER NOTED** the challenges encountered and substantial progress made by Sri Lanka due to their large fleet.
77. The CoC21 **NOTED** the need for clear definition on beneficial ownership.
78. The CoC21 **NOTED** that several CPCs have updated the e-RAV to complete their vessel records during 2024.
79. The CoC21 **NOTED** that Maldives retained vessels in the RAV despite their authorisations having expired for two years due to tuna export requirements and **FURTHER NOTED** their commitment to reviewing the current delisting timeframe.

Regional Observer Programme to monitor transshipments (Resolutions 22/02 and 23/05)

80. The CoC21 **NOTED** the significant participation in the ROP of carrier vessels flagged to Non-Contracting Parties, especially Panama, and **FURTHER NOTED** that the FAO Voluntary Guidelines for Transshipments endorsed by the FAO Committee on Fisheries in 2022 reads that only the carrier vessels entitled to fly the flag of a Contracting Party or a Cooperating Non-Contracting Party of a RFMO should be authorized to conduct transshipment activities.
81. The CoC21 **NOTED** that this has been an ongoing issue for many years and **FURTHER NOTED** that Panama has been approached on multiple occasions to become a CNCP, with the most recent communication received during CoC20, on their commitment to apply for CNCP status.
82. The CoC21 **NOTED** that Panama is not a coastal State of the IOTC and **FURTHER NOTED** that its membership should be looked into very carefully.
83. The CoC21 **NOTED** the efforts made by the IOTC Secretariat in contacting Panama and **REQUESTED** the Secretariat to continue to actively encourage Panama's candidacy as a CNCP.

IOTC IUU Vessel List (Resolution 18/03)

84. The CoC21 **NOTED** the need to discuss intersessionally whether having vessels listed in the IUU Vessel List automatically signifies being not compliant with Resolution 18/03.

Reporting of mandatory statistics (Resolutions 15/02, 17/05 & 18/07)

85. The CoC21 **NOTED** the need to address challenges encountered by most CPCs in collecting, processing and reporting mandatory statistics.

86. The CoC21 **NOTED** that some of the primary recurring issues encountered in data reporting included incorrect level of disaggregation or aggregation of data, inaccurate completion of available IOTC templates, data errors, unavailability of observers due to the Covid 19, delays in the provision of observer reports, lack of capacity, rotation of personnel and the complexity of artisanal fisheries.

87. The CoC21 **NOTED** that the Islamic Republic of Iran and Seychelles have developed new systems for data reporting that would facilitate the submission of data to the IOTC Secretariat. The CoC21 **ALSO NOTED** the challenges in data collection that the I.R. of Iran is facing due to the use of a different calendar, and **RECOMMENDED** that Iran should proceed with submitting preliminary data on the due date and submit final data two (2) months after the due date.

88. The CoC21 **NOTED** that Kenya, Mozambique and Tanzania are in the process of introducing new data sampling systems and mechanisms for their coastal fisheries.

89. Concerns were **EXPRESSED** regarding the level of compliance of Oman, notably with regards to the reporting of mandatory statistics, and Oman was **REQUESTED** again to accept a support mission on data collection and statistics to facilitate the work of the IOTC.

90. The CoC21 **NOTED** that Oman, although respectfully declining again this support mission, has accepted to interact in the coming months with the IOTC Secretariat on these matters and shall also attend the next capacity building activity (Western Regional Workshop) to improve the reporting of mandatory data and statistics, to take place in Kenya, end of May 2024.

91. The CoC21 **NOTED** that, following the first report presented to the WPDCS19, Oman has started to prepare a retrospective analysis on yellowfin tuna catches whose preliminary feedback is expected to be presented to the WP on Tropical Tunas Data Preparatory Meeting (end of June) and its preliminary conclusions will be presented to the WPDCS20 and evaluated at the SC27, in coordination with the Compliance Committee.

92. The CoC21 **NOTED** that Seychelles has encountered problems for the collection of size frequency data for its coastal fisheries due to catches being landed early in the morning or immediately transferred to fish processing plants or awaiting trucks, therefore, limiting access to landed catch and **FURTHER NOTED** that Seychelles is revising its sampling protocol to be in line with IOTC Standards by June 2024.

Compliance issues related to system and/or procedures

93. The CoC21 **NOTED** that paragraph 5.c)ii)2. of Appendix V of the IOTC Rules of Procedure required CPC to provide the system and procedures to monitor compliance and to respond to instances of non-compliance only for obligations that are addressed to vessels and persons, excluding officials of national administrations.

94. The CoC21 **AGREED** that, the IOTC Secretariat shall not require CPC to provide the internal systems and procedures in accordance with paragraph 5.c)ii)2. of Appendix V of the IOTC Rules of Procedure, and national laws & regulations, in accordance with paragraph 5.c)ii)1. of Appendix V of the IOTC Rules of Procedure, to implement reporting obligations that are addressed to CPCs.

Capacity building

95. The CoC21 **NOTED** the request from a number of CPCs to receive capacity building in order to improve their compliance with IOTC CMMs.

96. The CoC21 **NOTED** that India is conducting awareness programs to create a culture of compliance within the fishing community.

97. The CoC21 **NOTED** Iran's inability to access e-MARIS before 2024, and **FURTHER NOTED** their cooperation and submission of all reports provided to the IOTC Secretariat.

98. The CoC21 **NOTED** that many compliance issues are related to the use of e-MARIS and **FURTHER NOTED** the request of many CPCs for capacity building on the use of e-MARIS.
99. The CoC21 **NOTED** that Mozambique has requested support from the IOTC Secretariat to improve the reporting of mandatory data statistics.
100. The CoC21 **NOTED** the actions currently undertaken by Indonesia to comply with the obligation to report on mandatory data statistics, including the allocation of new staff and provision of capacity building.
101. The CoC21 **NOTED** the absence of some CPCs with low compliance rates, such as Somalia, Sudan and Yemen to the CoC and **FURTHER NOTED** the need to understand any reasons that may be affecting their participation in the Compliance Committee and compliance with their reporting obligations.
102. The CoC21 **REQUESTED** CPCs not represented at CoC21 to provide clarifications on the compliance issues highlighted in their compliance reports if they are present at the Commission (S28).

Recommendation/s

103. The CoC21 **RECOMMENDED** that the Commission urge CPCs to provide the Commission their laws, regulations and/or administrative instructions in force (including terms and conditions of flag State Authorisation to Fish having force of law) relating to the conservation and management of stocks covered by this Agreement and to inform the Commission of any amendment or repeal of such laws, regulations and administrative instructions, in compliance with the Article XI.2 of the IOTC Agreement.
104. The CoC21 **RECOMMENDED** that the Commission consider not assessing CPCs compliance with the obligation to comply with the Regional Observer Scheme during 2022, due to the special circumstances created by Covid 19.
105. The CoC21 **RECOMMENDED** that the Commission (S28) create an *ad hoc* Working Group to improve the procedures outlined in the Rules of Procedures (Appendix V), notably paragraphs 4, 5 and 6. This *ad-hoc* Working Group should be convened virtually once or twice before the end of 2024, with the objective of presenting any clarifications and proposed changes to the RoP to the WPICMM08, for discussions. Based on the conclusions drawn from WPICMM's deliberations, a formal proposal for amending the RoP may be presented at the Commission's annual session in 2025.
106. The CoC21 **RECOMMENDED** that the Commission consider requesting CPCs who had not attended the preceding Session of the Compliance Committee to provide clarifications on their compliance status during the Commission's session.

8. REVIEW OF INFORMATION RELATED TO IUU FISHING ACTIVITIES IN THE IOTC AREA OF COMPETENCE

Information received against seven vessels for notification of illegal activity to IOTC Secretariat.

107. The CoC21 **NOTED** paper [IOTC-2024-CoC21-06_Rev1](#), which provide contexts to the activities of seven vessels registered to India (4) and Sri Lanka (3), as reported by the United Kingdom.
108. The CoC21 **NOTED** that the United Kingdom declared that no evidence of investigation into the activities of the four (4) Indian flagged vessels was provided to them, however, only non-IOTC managed species were found on board. Sri Lanka did provide information on their investigations into their vessels, however, in all cases it was concluded there was not enough evidence for a conviction.
109. The CoC21 **NOTED** that no further action on these vessels is recommended by the United Kingdom.

Information received against three vessels for notification of illegal activity to IOTC Secretariat and recommend notification of activity to the flag State.

110. The CoC21 **NOTED** that paper [IOTC-2024-CoC21-06_Rev1](#) serves as notice to India for the activities of the two fishing vessels registered to India: IND-TN-15-MM-5661 (AKASH) and IND-TN-15-MM-322 (EMMANUEL). These vessels had been placed on the IUU Vessel List in 2023.
111. The CoC21 **NOTED** that India has not engaged collaboratively with the UK to tackle IUU fishing by its flag vessels and had not reported the details to the CoC21 on measures taken, as requested during CoC20.

112. The CoC21 **NOTED** that India is gathering information from the concerned state, on the actions taken against the IUU vessels and that India will provide details during the last day of the CoC21.
113. The CoC21 **EXPRESSED CONCERNS** regarding the lack of action taken by India in relation to the vessels currently listed in the IOTC IUU Vessels List.
114. The CoC21 **NOTED** that India, in coordination with the concerned state government is equipping all mechanized vessels with VMS to detect if they venture into non authorized areas or outside their own EEZ.
115. The CoC21 **NOTED** that India has acknowledged that IUU fishing has occurred and will address this issue during the intersessional period, hoping to improve the situation.
116. The CoC21 **NOTED** that paper [IOTC-2024-CoC21-06 Rev1](#), serves as notice to Sri Lanka for the activities of the fishing vessel, IMULA2352MTR (SENUDI 1), registered to Sri Lanka.
117. The CoC21 **NOTED** that Sri Lanka has sanctioned the vessel with one million Sri Lankan rupees and **FURTHER NOTED** that the sanctions imposed by Sri Lanka are based on the length of the vessel. Starting from 10.3 meters in length, to larger vessels, fines range from 1 to 100 million Sri Lankan rupees, as per the national legislation in place. The CoC21 further noted that the UK considered the actions taken by Sri Lanka to be adequate and that no further action on this vessel is recommended.
118. The CoC21 **NOTED** document [IOTC-2024-CoC21-06a](#), on vessels in transit prepared by the United Kingdom and **FURTHER NOTED** the objection of Mauritius to the document.
119. The CoC21 **NOTED** the statement on sovereignty from Mauritius ([Appendix 4](#)) and its objection to the presentation and CoC's consideration of the document.
120. The CoC21 **NOTED** the statements on sovereignty from the United Kingdom and France (OT) ([Appendix 4](#)).

9. REVIEW OF THE DRAFT 2024 ILLEGAL, UNREPORTED AND UNREGULATED VESSEL LIST – RESOLUTION 18/03

Change of details vessels in the IUU Vessels List and list of vessels for cross-listing

121. The CoC21 **NOTED** the need of cross-listing vessels from relevant RFMOs' IUU Vessels List, such as the ICCAT's IUU Vessels List, and **AGREED** to include the vessels proposed for cross-listing into the IOTC's Provisional IUU Vessels List for the Commission's consideration.
122. The CoC21 **REQUESTED** that the IOTC Secretariat ensure that information on the vessels proposed for cross-listing are up to date and reflect changes that may have been made by the original listing RFMO, at the time such changes occur.
123. The CoC21 **NOTED** the information provided by the European Union for updating the information for four vessels included in the IOTC IUU Vessels List and **AGREED** to reflect the changes for the following vessels:
- a. ZHI MING – change of name to “FREEDOM 7”;
 - b. FU LIEN No. 1 – change of flag and international radio call sign to “Unknown”;
 - c. YU FONG 168 - change of owner name to “Mr Jang Faa Sheng”, and
 - d. NEPTUNE - change of flag to “Unknown”.
124. The CoC21 **NOTED** the letter sent by Oman to ICCAT in relation to the IUU cross-listed vessels ISRAR 1, ISRAR 2 and ISRAR 3, and **FURTHER NOTED** the letter confirms the deregistration of these vessels from Oman's Register of Ships.
125. The CoC21 **NOTED** the latest changes to the ICCAT IUU Vessel List pertaining to vessels ISRAR 1, ISRAR 2 and ISRAR 3 and **AGREED** to reflect in the IOTC IUU Vessels List the change in the status of the flag and IRCS of the aforementioned vessels, as “Unknown”.
126. The CoC21 **NOTED** the updated information on the owner/operator, registration number and overall length of the Indian flagged vessel, IND-TN-15-MM-9070 (AVEMARIYA). The CoC21 **FURTHER NOTED**, as reported by the United Kingdom, that this vessel has continued to fish despite being on the IOTC IUU

Vessels List. Notwithstanding the verbal details provided by India on actions it has taken, the CoC21 reiterated its request made in paragraph 159 of the report of CoC20, namely, the CoC21 **REQUESTED** India:

- a) engages collaboratively with the United Kingdom to tackle IUU fishing by its flagged vessels, and report the details to the CoC22 on measures taken, during the intersessional period;
- b) noting the verbal assertion of India at CoC19 and S26 in 2022 to strengthen India's monitoring capability, India provide evidence to the CoC22 of the measures undertaken;
- c) in the absence of adequate controls to date, that among the actions taken by India against the vessels reported to it for IUU fishing, it installs VMS on those vessels and that India provides a plan for VMS installation to the Compliance Committee within six months of CoC21 and a progress report to the CoC22; and
- d) implements an awareness programme for fishermen in Tamil Nadu and report on the outcomes to the CoC22.

127. The CoC21 **NOTED** the information provided by India about the vessel AVEMARIYA that is currently under custody of the BIOT, as well as about the vessel MANJUMATHA for which further action cannot continue in India given the principle of double jeopardy.

128. The CoC21 **REQUESTED** that the IOTC Executive Secretary send an official letter to India as a reminder that the matter remains unresolved.

Request to delete vessels from the IUU Vessels List

129. The CoC21 **NOTED** the information provided in document [IOTC-2024-CoC21-07b](#), whereby a request is made to delete the vessel, CHOTCHAINAVEE 35, from the IOTC IUU Vessels List.

130. The CoC21 **NOTED** the judgement of Thailand's supreme court and its decision to drop charges on the vessel.

131. The CoC21 **NOTED** discrepancies between the Somali legislation at the time of the activities of the CHOTCHAINAVEE 35 and the results of the judgement of Thailand's Supreme Court and sought clarification from Somalia on whether the activities described (fishing with trawl gear in the 0-24 nautical miles) were in contradiction with the Somali legislation.

132. The CoC21 **NOTED** that vessel CHOTCHAINAVEE 35 is a stateless vessel and **FURTHER NOTED** that pursuant to paragraph 22 of Resolution 18/03 the removal of a vessel from the IUU Vessels List can only be made by the flag State.

133. The CoC21 **NOTED** the proponent for the deletion of the vessel CHOTCHAINAVEE 35 from the IUU Vessels List, acknowledged that the vessel could not be removed from the IOTC IUU Vessels List, in view of the fact that the vessel is currently listed as a stateless vessel.

134. Sri Lanka **INFORMED** the Compliance Committee that the court proceedings against the vessel IMUL-A-0730-KLT had already been completed, and that this has already been reported to the Compliance Committee through e-MARIS. The CoC21 **AGREED** that the delisting of the Sri Lanka vessel IMUL-A-0730-KLT currently on the IUU Vessels List should be addressed during the intersessional period.

Review of the Draft IUU Vessel List

135. The CoC21 **NOTED** the information provided in document [IOTC-2024-CoC21-07](#) containing the Draft IUU Vessels List, which the CoC21 should consider for recommending for the Provisional IUU Vessels List for consideration by the Commission (S28).

136. The CoC21 **NOTED** that there are three proponents, Australia, Seychelles and the United Kingdom, for the vessels included in the Draft IUU Vessels List.

137. The CoC21 **NOTED** that the vessel BELMETI, flagged to Indonesia, was provided by Australia for its potential inclusion in the Provisional IUU Vessels List.

138. The CoC21 **NOTED** that Indonesia has initiated investigations into the BELMETI, but no effective action has been taken by the flag State to date.

139. The CoC21 **NOTED** that Indonesia intends to take action in relation to the IUU activity, upon the completion of its investigations.
140. The CoC21 **AGREED** to include the vessel BELMETI in the Provisional IUU Vessels List, and **REQUESTED** that Indonesia provide further information, included intersessionally, on actions taken against the vessel owner/operator.
141. The CoC21 **NOTED** that the vessel IMUL-A-1053-TLE (HAMBAN TOTA EXPRESS), flagged to Sri Lanka was provided by Seychelles for its potential inclusion in the Provisional IUU Vessels List.
142. The CoC21 **NOTED** that this vessel had been apprehended and is currently being prosecuted by Seychelles.
143. The CoC21 **NOTED** that a CPC was of the opinion that it would be preferable to review the case against the vessel after the conclusion of the judicial case against it.
144. The CoC21 **AGREED** that this vessel should be included in the Provisional IUU Vessels List.
145. The CoC21 **NOTED** that ten vessels flagged to India were provided by the United Kingdom for their potential inclusion in the Provisional IUU Vessels List.
146. The CoC21 **NOTED** that the ten vessels flagged to India , IND-TN-15-MM-5477 (AVE MARIA), IND-TN-15-MM-7154 (ST ANNES), IND-TN-15-MM-3793 (ST MARYS), IND-TN-15-MM-8001 (SEA ANGEL), IND-TN-15-MM-8997 (ST ANTHONY), IND-TN-15-MM-5383 (MOTHER OF JESUS), IND-TN-15-MM-6756 (MARIYAL), IND-TN-15-MM-4683 (MANJUMATHA), IND-TN-15-MM-5344 (MAN JUMATHA) and IND-TN-15-MM-8696 (GODS GIFT), were submitted by the United Kingdom and **FURTHER NOTED** that neither the United Kingdom nor the IOTC Executive Secretary have received any information from India with regards to action taken against these vessels, as required by Resolution 18/03.
147. The CoC21 **NOTED** that India informed the Committee that it has initiated legal proceedings against the vessels, by imposing fines on five of them and **FURTHER NOTED** India's intention to provide additional information regarding the actions undertaken, to the IOTC Secretariat and Chairperson of the CoC.
148. The CoC21 **AGREED** that the ten vessels should be included into the Provisional IUU Vessels List.
149. The CoC21 **NOTED** that two vessels, IMUL-A0867-KLT (SAMPATH) and IMUL-A-2159-CHW (SANJANA PUTHA), flagged to Sri Lanka were provided by the United Kingdom for their potential inclusion in the IOTC Provisional IUU Vessels List.
150. The CoC21 **NOTED** that legal proceedings initiated by Sri Lanka for both vessels, are still ongoing.
151. The CoC21 **AGREED** to recommend both vessels be included in the Provisional IUU Vessels List.

Recommendation/s

152. The CoC21 **RECOMMENDED** that the vessels to be cross-listed be added to the IOTC Provisional IUU Vessels List.
153. The CoC21 **RECOMMENDED** that the flag and IRCS of the three vessels, ISRAR 1, ISRAR 2 and ISRAR 3, be changed on the IOTC IUU Vessels List to "Unknown", according to the updated information on the ICCAT's List of IUU vessels.
154. The CoC21 **RECOMMENDED** that for the vessel AVERMARIYA, the name and address of the owner/operator of the vessel, its registration number and overall length be changed on the IOTC IUU Vessels List from "UNKNOWN" to: Jerin Charles B/O Bosco of 111-9-149B, Jothi Illam, Thoothoor India; IND-TN-15-MM-9070, and 20.90 m, respectively.
155. The CoC21 **RECOMMENDED** that the Commission approve that the vessels included in the Provisional IUU Vessels List ([Appendix 5](#)) be included in the IOTC IUU Vessels List.

10. REVIEW OF RECOMMENDATIONS REQUIRING INTERSESSIONAL ACTIONS FROM CoC20

156. The CoC21 **NOTED** document [IOTC-2024-CoC21-09](#), prepared by the IOTC Secretariat, and the progress made in relation to the implementation of the recommendations and requests from CoC20.
157. The CoC21 **NOTED** that the majority of recommendations and requests had been implemented with the exception of two that are ongoing.

11. REVIEW OF REQUESTS FOR THE RENEWAL OF THE STATUS OF COOPERATING NON-CONTRACTING PARTY – APPENDIX III OF THE IOTC RULES OF PROCEDURE

158. The CoC21 **NOTED** paper [IOTC-2024-CoC21-CNCP01](#), on Liberia's request for the renewal of its CNCP status.
159. The CoC21 **RECALLED** Liberia confirmed its commitment to respect the Commission's Conservation and Management Measures.
160. The CoC21 **RECALLED** Liberia's commitment not to engage in harvesting activities but to operate carrier vessels in the IOTC Area of Competence.
161. The CoC21 **AGREED** to support Liberia's application for CNCP Status.
162. The CoC21 **REQUESTED** the IOTC Secretariat to continue actively engaging with Panama and to send a letter of invitation to Panama for becoming a CNCP of the IOTC.

Recommendation/s

163. The CoC21 **RECOMMENDED** that the Commission consider accepting Liberia's request to renew its Cooperating non-Contracting Party status.

12. ACTIVITIES BY THE IOTC SECRETARIAT IN SUPPORT OF CAPACITY BUILDING FOR DEVELOPING CPCs (RESOLUTION 16/10)

164. The CoC21 **NOTED** document [IOTC-2024-CoC21-10](#), prepared by the IOTC Secretariat, which provided information on the activities undertaken by the IOTC Secretariat in support of implementation of CMMs adopted by the IOTC.
165. The CoC21 **NOTED** the continued implementation of capacity building activities by the IOTC Secretariat to improve compliance with CMMs and strengthen the implementation of port State measures and **FURTHER NOTED** the appreciation from CPCs of the IOTC Secretariat's support activities.
166. The CoC21 **NOTED** the need for data and compliance support missions and **REQUESTED** the IOTC Secretariat to prioritise support to CPCs having greater difficulties with their compliance status.

e-PSM application

167. The CoC21 **NOTED** the implementation of training programmes for port State CPCs, in accordance with paragraph 3 of Resolution 16/11 and the increasing use of the IOTC e-PSM application by port State CPCs.
168. The CoC21 **NOTED** the cooperation initiative between IOTC and FAO to connect the two PSM information systems (e-PSM and the Global Information Exchange System) and **FURTHER NOTED** the progress to connect the two PSM information systems.
169. The CoC21 **NOTED** that the e-PSM application, being mandatory since 2022, is currently maintained under external funding without guaranty of extension, and **FURTHER NOTED** that to ensure availability and sustainability of the application, a dedicated budget for the operation, maintenance and hosting must be made available under the Commission's budget, and to **CONSIDER** making a recommendation to SCAF21 and S28 to allocate a dedicated budget for this purpose, starting from the 2026 financial year.

e-MARIS and e-RAV applications

170. The CoC21 **NOTED**, in accordance with the recommendations of CoC15, the progress made by the IOTC Secretariat towards the work related to the development and improvement of the e-MARIS application to support the IOTC Compliance process, and **FURTHER NOTED** the improvements implemented to facilitate reporting in e-MARIS.
171. The CoC21 **NOTED**, that the e-Maris and the e-RAV applications are currently maintained under external funding without guaranty of extension, and **FURTHER NOTED** that to ensure availability and sustainability of the applications, a dedicated budget for the operation, maintenance and hosting must be made available under the Commission's budget, and to **CONSIDER** making a recommendation to SCAF21 and S28 to allocate a dedicated budget for the e-MARIS and the e-RAV applications, starting from the 2026 financial year.

172. The CoC21 **NOTED** that considering the recommendations of the CoC20, endorsed by S27, e-MARIS was encouraged to be used while continuing to be voluntary for the 2024 campaign leading to CoC21 and that the use of e-MARIS become mandatory henceforth, while recognising that its voluntary nature may be extended if necessary and **CONSIDER** making a recommendation to the S28 on the mandatory use of e-MARIS for the 2025 Campaign – CoC22.
173. The CoC21 **NOTED** that for the operation, maintenance and hosting (including messaging) of the three applications (e-MARIS, e-RAV, e-PSM) an estimated budget of USD 40,000 /year is required and that the Standing Committee on Administration and Finance (SCAF21) and the Commission (S28) should consider to allocate the funds under the IOTC annual operational budget, starting from the 2026 financial year.
174. The CoC21 **NOTED** the significant importance and benefits of compliance and data support missions, and **EXPRESSED** gratitude for the generous financial support provided by donors.
175. The CoC21 **NOTED** various requests from CPCs for capacity building on data requirements, port State measures and on the use of available information systems.
176. The CoC21 **NOTED** the necessity of capacity building on e-MARIS and **FURTHER NOTED** the importance of securing funding for the sustained continuation of capacity building activities, along with the optimization and maintenance of e-MARIS.
177. The CoC21 **NOTED** the need to target capacity building activities to those areas where CoC has observed greater challenges, such as the Regional Observer Scheme.
178. The CoC21 **NOTED** the benefits and preference for physical over virtual capacity building, subject to availability of funds.
179. The CoC21 **ACKNOWLEDGED** the European Union's continued commitment to fund capacity building activities in the region and **NOTED** the European Union's invitation to CPCs to provide input on the capacity building needs.
180. The CoC21 **NOTED** the IOTC Secretariat's availability to support CPCs facing problems with the use of e-MARIS and **AGREED** to provide feedback to the IOTC Secretariat on potential improvements to streamline reporting through e-MARIS.

Recommendation/s

181. The CoC21 **RECOMMENDED** that the Commission (S28) consider securing funding for the sustained continuation of capacity building activities.
182. The CoC21 **RECOMMENDED** that the SCAF21 and Commission (S28) consider to allocate a dedicated budget for the e-PSM, e-MARIS and the e-RAV applications, starting from the 2026 financial year.
183. The CoC21 **RECOMMENDED** that the Commission (S28) endorse the collaboration and exchange of information between the e-RAV and the FAO Global Record of Fishing Vessels, Supply Vessels and Refrigerated Transport Vessels.
184. The CoC21 **RECOMMENDED** that the Commission (S28) consider making the use of e-MARIS mandatory, while recognising the need to streamline procedures for reporting.

13. DATE AND VENUE OF NEXT MEETING

185. The CoC21 **NOTED** that the CoC is normally held in the week before the meeting of the Commission and **FURTHER NOTED** that the date and venue of the 2025 Commission meeting (S29) will dictate when and where the next Compliance Committee meeting will take place.

14. ELECTION OF A CHAIRPERSON AND VICE-CHAIRPERSON OF THE COMPLIANCE COMMITTEE, FOR THE NEXT BIENNIUM

186. The CoC21 **SUPPORTED** the continuation of the current Chairperson, Mr Indra Jaya (Indonesia), as the Chairperson of the Compliance Committee for the next biennium.
187. The CoC21 **SUPPORTED** the continuation of the current Vice-Chairperson, Mr Zahor El Kharousy (United Republic of Tanzania), as the Vice-Chairperson of the Compliance Committee for the next biennium.

15. ANY OTHER BUSINESS

188. The CoC21 **NOTED** the brief presentation by Oman on the report presented to the WPDCS19, which describe the changes in the national fisheries data collection and statistics system that explained the sharp increase of the 2020 reported catches of tuna and tuna like species, in particular, yellowfin tuna. In this connection, Oman highlighted the most relevant points of the Report of WDCS19.

16. ADOPTION OF THE REPORT OF THE 21ST SESSION OF THE COMPLIANCE COMMITTEE

189. The CoC21 **RECOMMENDED** that the Commission consider the consolidated set of recommendations arising from CoC21, provided at [Appendix 7](#).

190. The report of the 21st Session of the Compliance Committee was adopted on 9th May 2024.

APPENDIX 1
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APPENDIX 2 Adopted Agenda

Date: 05 – 07 May and 09 May, 2024

Location: Swissotel Bangkok Ratchada, Thailand (Hybrid)

Time: 09:00 – 17:00 hrs

Chairperson: Prof Indra Jaya, **Vice-chairperson:** Mr Zahor El Kharousy

05 - 07 May

1. Opening of the Session.
2. Letters of Credentials.
3. Admission of Observers.
4. Adoption of the Agenda and arrangements for the Session.
5. Report of the Working Party on the Implementation of Conservation and Management Measures (WPICMM07).
 - 5.1 Review of the IOTC Glossary of terms and definitions.
6. Reports of the Working Groups on:
 - 6.1 An IOTC Catch Documentation Scheme (CDS).
 - 6.2 An IOTC Vessels Monitoring System (VMS).
7. Review of the implementation of IOTC Conservation and Management Measures (CMMs) together with associated reports and identification of challenges encountered in the implementation of IOTC CMMs – Appendix V of the IOTC Rules of Procedure.
 - 7.1 Global review of selected CMMs.
 - 7.2 Review of CPCs Compliance Reports together with associated reports.
8. Review of information related to presumed IUU fishing activities in the IOTC Area of Competence.
9. Review of new information on vessels included in the IOTC IUU Vessels List.
10. Review of the Draft IUU Vessels List – Res. 18/03.
11. Review of recommendations requiring intersessional actions, from CoC20.
12. Review of requests for the renewal of the status of Cooperating Non-Contracting Party - Appendix III of the IOTC Rules of Procedure.
13. Activities by the IOTC Secretariat in support of capacity building for CPCs – Res. 16/10.
14. Date and venue of next meeting.
15. Election of a Chairperson and Vice-chairperson of the Compliance Committee, for the next biennium.
16. Any Other Business.
 - Oman’s presentation to the WPDCS19

09 May

17. Adoption of the Report of the 21st Session of the Compliance Committee.

APPENDIX 3
FINAL LIST OF DOCUMENTS

1. Meeting documents	Title
IOTC-2024-CoC21-01a	Provisional Agenda for the 21st Session of the Compliance Committee
IOTC-2024-CoC21-01b	Provisional Annotated Agenda for the 21st Session of the Compliance Committee
IOTC-2024-CoC21-02	List of documents for the CoC21
IOTC-2024-CoC21-03_Rev1	Summary Report on the level of Compliance
IOTC-2024-CoC21-04a	Report on Transshipment Resolution 23/06 - Secretariat's report
IOTC-2024-CoC21-04b	A Summary of the IOTC Regional Observer Programme during 2023 – Contractor's Report
IOTC-2024-CoC21-05	Implementation of reporting obligations of nominal catch data – Resolution 18/07
IOTC-2024-CoC21-06 Rev1	Information related to presumed IUU fishing activities in the IOTC Area
IOTC-2024-CoC21-06a	Reporting of vessels in transit (United Kingdom)
IOTC-2024-CoC21-07	Review of the Draft IUU Vessels List
IOTC-2024-CoC21-07_Add1	Additional information from Australia
IOTC-2024-CoC21-07_Add2	Additional information from Indonesia
IOTC-2024-CoC21-07a_Rev1	Change of details vessels in the IUU Vessels List and list of vessels for cross-listing
IOTC-2024-CoC21-07b	Request to delete a vessel from the IUU Vessels List
IOTC-2024-CoC21-08	Summary of compliance with the drifting FAD Management Plan
IOTC-2024-CoC21-09	Implementation of Recommendations from CoC20
IOTC-2024-CoC21-10	Compliance Support Activities
IOTC-2024-CoC21-11	Working Groups' Reports
IOTC-2024-CoC21-12a	Terms and definitions of the draft Glossary to be used by Members when drafting proposals for IOTC Resolutions for the Commission
IOTC-2024-CoC21-12b	Guidance and recommendations for preparing IOTC Resolutions and Recommendations
2. Reference documents	
IOTC-2024-CoC21-Statement-01	Statement from Mauritius
IOTC-2024-CoC21-Statement-02	Statement from the United Kingdom
IOTC-2024-CoC21-Statement-03	Statements from France (OT)
IOTC-2024-WPICMM07-REF02	IOTC CDS Strategy v.4

3. Reports from other meetings	
IOTC-2023-CoC20-R	Report of the 20th Session of the Compliance Committee
IOTC-2023-SC26-R	Report of the 26th Session of the IOTC Scientific Committee
IOTC-2024-CDSWG	Reports from meetings of the IOTC Catch Documentation Scheme Working Group (CDSWG)
IOTC-2024-VMSWG	Reports from meetings of the IOTC Vessel Monitoring System Working Group (VMSWG)
IOTC-2024-WPICMM07-R	Report of the 7th Session of the IOTC Working Party on the Implementation of Conservation and Management Measures (WPICMM07)
4. Requests for the Cooperating non-Contracting Party status	
	Request from
IOTC-2024-CoC21-CNCP01	Liberia CNCP renewal status request

5. Summary Compliance Reports	Members
IOTC-2024-CoC21-sCR01	Australia
IOTC-2024-CoC21-sCR02	Bangladesh
IOTC-2024-CoC21-sCR03_Rev1	China
IOTC-2024-CoC21-sCR04	Comoros
IOTC-2024-CoC21-sCR05	European Union
IOTC-2024-CoC21-sCR06	France (OT)
IOTC-2024-CoC21-sCR07	India
IOTC-2024-CoC21-sCR08	Indonesia
IOTC-2024-CoC21-sCR09	Iran, Islamic Republic of
IOTC-2024-CoC21-sCR10	Japan
IOTC-2024-CoC21-sCR11	Kenya
IOTC-2024-CoC21-sCR12	Korea, Republic of
IOTC-2024-CoC21-sCR13	Madagascar
IOTC-2024-CoC21-sCR14	Malaysia
IOTC-2024-CoC21-sCR15	Maldives
IOTC-2024-CoC21-sCR16	Mauritius
IOTC-2024-CoC21-sCR17	Mozambique
IOTC-2024-CoC21-sCR18	Oman
IOTC-2024-CoC21-sCR19	Pakistan
IOTC-2024-CoC21-sCR20	Philippines
IOTC-2024-CoC21-sCR21	Seychelles
IOTC-2024-CoC21-sCR22	Somalia
IOTC-2024-CoC21-sCR23	South Africa
IOTC-2024-CoC21-sCR24	Sri Lanka

5. Summary Compliance Reports	Members
IOTC-2024-CoC21-sCR25	Sudan
IOTC-2024-CoC21-sCR26	Tanzania, United Republic of
IOTC-2024-CoC21-sCR27	Thailand
IOTC-2024-CoC21-sCR28	United Kingdom
IOTC-2024-CoC21-sCR29	Yemen
5.1. Summary Compliance Reports	Cooperating non-Contracting Parties
IOTC-2024-CoC21-sCR30	Liberia

6. Implementation Reports	Members
IOTC-2024-CoC21-IR01	Australia
IOTC-2024-CoC21-IR02	Bangladesh
IOTC-2024-CoC21-IR03	China
IOTC-2024-CoC21-IR04	Comoros
IOTC-2024-CoC21-IR05	European Union
IOTC-2024-CoC21-IR06	France (OT)
IOTC-2024-CoC21-IR07	India (LATE)
IOTC-2024-CoC21-IR08	Indonesia
IOTC-2024-CoC21-IR09	Iran, Islamic Republic of
IOTC-2024-CoC21-IR10_Rev1	Japan
IOTC-2024-CoC21-IR11	Kenya (NOT SUBMITTED)
IOTC-2024-CoC21-IR12	Korea, Republic of
IOTC-2024-CoC21-IR13	Madagascar
IOTC-2024-CoC21-IR14	Malaysia
IOTC-2024-CoC21-IR15	Maldives
IOTC-2024-CoC21-IR16	Mauritius
IOTC-2024-CoC21-IR17	Mozambique
IOTC-2024-CoC21-IR18	Oman (LATE)
IOTC-2024-CoC21-IR19	Pakistan
IOTC-2024-CoC21-IR20	Philippines
IOTC-2024-CoC21-IR21	Seychelles
IOTC-2024-CoC21-IR22	Somalia (NOT SUBMITTED)
IOTC-2024-CoC21-IR23	South Africa
IOTC-2024-CoC21-IR24_Rev1	Sri Lanka
IOTC-2024-CoC21-IR25	Sudan (NOT SUBMITTED)
IOTC-2024-CoC21-IR26	Tanzania, United Republic of
IOTC-2024-CoC21-IR27	Thailand

6. Implementation Reports	Members
IOTC-2024-CoC21-IR28	United Kingdom
IOTC-2024-CoC21-IR29	Yemen (NOT SUBMITTED)
6.1. Implementation Reports	Cooperating non-Contracting Parties
IOTC-2024-CoC21-IR30	Liberia
7. Response to Feedback Letter	Members
IOTC-2024-CoC21-FL01	Australia
IOTC-2024-CoC21-FL02	Bangladesh
IOTC-2024-CoC21-FL03	China
IOTC-2024-CoC21-FL04	Comoros
IOTC-2024-CoC21-FL05	European Union
IOTC-2024-CoC21-FL06	France (OT) (No FL issued)
IOTC-2024-CoC21-FL07	India
IOTC-2024-CoC21-FL08	Indonesia
IOTC-2024-CoC21-FL09	Iran, Islamic Republic of
IOTC-2024-CoC21-FL10	Japan
IOTC-2024-CoC21-FL11	Kenya (NOT SUBMITTED)
IOTC-2024-CoC21-FL12	Korea, Republic of
IOTC-2024-CoC21-FL13	Madagascar
IOTC-2024-CoC21-FL14	Malaysia
IOTC-2024-CoC21-FL15	Maldives
IOTC-2024-CoC21-FL16	Mauritius
IOTC-2024-CoC21-FL17	Mozambique
IOTC-2024-CoC21-FL18	Oman (LATE)
IOTC-2024-CoC21-FL19	Pakistan (NOT SUBMITTED)
IOTC-2024-CoC21-FL20	Philippines
IOTC-2024-CoC21-FL21	Seychelles
IOTC-2024-CoC21-FL22	Somalia (NOT SUBMITTED)
IOTC-2024-CoC21-FL23	South Africa
IOTC-2024-CoC21-FL24	Sri Lanka
IOTC-2024-CoC21-FL25	Sudan (NOT SUBMITTED)
IOTC-2024-CoC21-FL26	Tanzania, United Republic of
IOTC-2024-CoC21-FL27	Thailand
IOTC-2024-CoC21-FL28	United Kingdom (No FL issued)
IOTC-2024-CoC21-FL29	Yemen (NOT SUBMITTED)
7.1. Response to Feedback Letter	Cooperating non-Contracting Parties
IOTC-2024-CoC21-FL30	Liberia (NOT SUBMITTED)

APPENDIX 4
STATEMENTS ON SOVEREIGNTY

21st Session of IOTC Compliance Committee
5-7 and 9 May 2024, Swissotel Bangkok Ratchada, Thailand

Agenda Item 2: Letters of Credentials

Statement by the Republic of Mauritius

The long-standing position of the Republic of Mauritius as regards the United Kingdom's purported membership of the Indian Ocean Tuna Commission as a "coastal State situated wholly or partly within the Area [of competence of the Commission]" remains unchanged.

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.

21st Session of IOTC Compliance Committee
5-7 and 9 May 2024, Swissotel Bangkok Ratchada, Thailand

Agenda Item 7.2: Review of CPCs Compliance Reports together with associated reports

Statement by the Republic of Mauritius

The Republic of Mauritius reiterates the statements which it made with regard to the Chagos Archipelago and the Island of Tromelin at the 19th Session of the Compliance Committee held from 8-10 and 12 May 2022 in Seychelles and which are annexed to the report of that meeting (Document IOTC-2022-CoC19-R[E], Appendix 4).

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.

21st Session of IOTC Compliance Committee
5-7 and 9 May 2024, Swissotel Bangkok Ratchada, Thailand

Agenda Item 8: Review of information related to presumed IUU fishing activities
in the IOTC Area of Competence

Statement by the Republic of Mauritius

The Republic of Mauritius strongly objects to the disclaimer which the IOTC Secretariat has added to the document entitled “Reporting of vessels in transit through BIOT/Chagos archipelago waters for potential breach of IOTC Conservation and Management Measures” (IOTC-2024-CoC21-06a) as it is inconsistent with UN General Assembly Resolution 73/295 and the legal advice provided by the FAO Legal Counsel on 6 May 2022 in relation to Agenda item 4 of the 26th Session of the Commission.

In Resolution 73/295, the UN General Assembly has recognized, in accordance with the Advisory Opinion of the International Court of Justice of 25 February 2019, that as a matter of international law, the Chagos Archipelago forms an integral part of the territory of the Republic of Mauritius. It has also called upon the United Nations and all its specialized agencies as well as all other international, regional and intergovernmental organizations to recognize that the Chagos Archipelago forms an integral part of the Republic of Mauritius, to support the decolonization of the Republic of Mauritius as rapidly as possible, and to refrain from impeding that process by recognizing, or giving effect to any measure taken by or on behalf of, the so-called “British Indian Ocean Territory”.

In her legal advice, the FAO Legal Counsel stated that “the FAO and the Depositary recognize that *“the Chagos Archipelago forms an integral part of the territory of Mauritius.”*” She also made it clear that the United Kingdom is not entitled to be a member of the IOTC as a coastal State.

Since the United Kingdom is not the coastal State in relation to the Chagos Archipelago and cannot lawfully take any action in respect of the Chagos Archipelago, including reporting on vessels in transit through the waters of the Chagos Archipelago, it would not be appropriate for

the Committee to consider the above-mentioned document purportedly submitted by the United Kingdom and for the United Kingdom to be requested to present the document.

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.

21st Session of IOTC Compliance Committee
5-7 and 9 May 2024, Swissotel Bangkok Ratchada, Thailand

Agenda Item 10: Review of the Draft IUU Vessels List – Res. 18/03

Statement by the Republic of Mauritius

The Republic of Mauritius reiterates that it does not condone IUU fishing and that it is not opposed to the adoption and implementation of any measure against IUU fishing provided that any such measure is taken or implemented in conformity with international law, including the rights of the Republic of Mauritius under such law.

However, since the Republic of Mauritius is the only State which is lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones, it cannot endorse any recommendation for the inclusion on the IOTC IUU Vessels List of vessels reported by the United Kingdom purporting to act as the coastal State in relation to the Chagos Archipelago.

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.

21st Session of the Compliance Committee**5-7 and 9 May 2024, Swissotel Ratchada, Bangkok, Thailand****Statement by the United Kingdom**

The United Kingdom reiterates that the exercise of sovereignty of the BIOT/Chagos archipelago is a bilateral matter, and that this is not the appropriate forum for a discussion about the UK's coastal State status in the IOTC.

21st Session of the IOTC Compliance Committee – 5-7 May 2024**Statement of the Republic of France in response to the statement of the Republic of Mauritius**

In response to the statements by the Republic of Mauritius, the Republic of France reiterates the statements which it made with regard to the Island of Tromelin at the 19th Session of the Compliance Committee held from 8-10 and 12 May 2022 in Seychelles and which are annexed to the report of that meeting (Document IOTC-2022-CoC19-R[E], Appendix 4). The Republic of France requests that this statement be annexed to the report of this meeting.

APPENDIX 5
PROVISIONAL IUU VESSELS LIST 9 MAY2024

The complete details of vessels listed are available at the following link:

[Provisional IUU Vessels List for 2024](#)

APPENDIX 6
RECOMMENDATIONS FROM WPICMM07

CONSOLIDATED SET OF RECOMMENDATIONS ARISING FROM WPICMM07

WPICMM07.01 (Para. 34) The WPICMM07 **ENDORSED** the assessments conducted by the IOTC Secretariat and **RECOMMENDED** these assessments to be endorsed by the Compliance Committee (CoC21).

WPICMM07.02 (Para. 69) The WPICMM07 **RECOMMENDED** the Compliance Committee to review the Guidance and Recommendations for Preparing IOTC Resolutions and Recommendations (Annex 2 of the Legal scrubbing of IOTC Resolutions, IOTC-2020-WPICMM03), and the agreed terms and definitions of the Glossary, with a view to endorse them.

WPICMM07.03 (Para. 81) The WPICMM07 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM07, provided at Appendix 4.

APPENDIX 7**CONSOLIDATED SET OF RECOMMENDATIONS OF THE 21ST SESSION OF THE COMPLIANCE COMMITTEE (05 – 7 MAY & 9 MAY 2024) TO THE COMMISSION**

- CoC21. 01 ([Para. 19](#)) The CoC21 **RECOMMENDED** the Commission to endorse the consolidated set of recommendations adopted by the WIPCOMM07 (Appendix 8).
- CoC21. 02 ([Para. 20](#)) The CoC21 **RECOMMENDED** that the Commission endorse the Glossary of terms agreed by the WIPCOMM07, with the exception of bycatch, fishing, fishing related activities, support vessel and VMS.
- CoC21. 03 ([Para. 21](#)) The CoC21 **RECOMMENDED** that the Commission endorse the Guidance and recommendations for preparing IOTC Resolutions and Recommendations, as amended by the CoC21, as a stand-alone document.
- CoC21. 04 ([Para. 40](#)) The CoC21 **RECOMMENDED** the Commission to urge CPCs for a broader and active participation in both CDS and VMS WG.
- CoC21. 05 ([Para. 87](#)) The CoC21 **NOTED** that the Islamic Republic of Iran and Seychelles have developed new systems for data reporting that would facilitate the submission of data to the IOTC Secretariat. The CoC21 **ALSO NOTED** the challenges in data collection that the I.R. of Iran is facing due to the use of a different calendar, and **RECOMMENDED** that Iran should proceed with submitting preliminary data on the due date and submit final data two (2) months after the due date.
- CoC21. 06 ([Para. 103](#)) The CoC21 **RECOMMENDED** that the Commission urge CPCs to provide the Commission their laws, regulations and/or administrative instructions in force (including terms and conditions of flag State Authorisation to Fish having force of law) relating to the conservation and management of stocks covered by this Agreement and to inform the Commission of any amendment or repeal of such laws, regulations and administrative instructions, in compliance with the Article XI.2 of the IOTC Agreement.
- CoC21. 07 ([Para. 104](#)) The CoC21 **RECOMMENDED** that the Commission consider not assessing CPCs compliance with the obligation to comply with the Regional Observer Scheme during 2022, due to the special circumstances created by Covid 19.
- CoC21. 08 ([Para. 105](#)) The CoC21 **RECOMMENDED** that the Commission (S28) create an ad-hoc Working Group to improve the procedures outlined in the Rules of Procedures (Appendix V), notably paragraphs 4, 5 and 6. This ad-hoc Working Group should be convened virtually once or twice before the end of 2024, with the objective of presenting any clarifications and proposed changes to the RoP to the WIPCOMM for discussion. Based on the conclusions drawn from WIPCOMM's deliberations, a formal proposal for amending the RoP may be presented at the Commission annual session in 2025.
- CoC21. 09 ([Para. 106](#)) The CoC21 **RECOMMENDED** that the Commission consider requesting CPCs who had not attended the preceding Session of the Compliance Committee to provide clarifications on their compliance status during the Commission's session.
- CoC21. 10 ([Para. 152](#)) The CoC21 **RECOMMENDED** that the vessels to be cross-listed from ICCAT's IUU Vessel List be added to the IOTC Provisional IUU Vessels List.
- CoC21. 11 ([Para. 153](#)) The CoC21 **RECOMMENDED** that the flag and IRCS of the three vessels, ISRAR 1, ISRAR 2 and ISRAR 3, be changed on the IOTC IUU Vessels List to "Unknown", according to the updated information on the ICCAT's List of IUU vessels.
- CoC21. 12 ([Para. 154](#)) The CoC21 **RECOMMENDED** that the name and address of the owner/operator of the vessel, its registration number and overall length be changed on the IOTC IUU Vessels List from UNKNOWN to: Jerin Charles B/O Bosco of 111-9-149B, Jothi Illam, Thoothoor India; IND-TN-15-MM-9070 and 20.90 m, respectively.

- CoC21. 13 ([Para. 155](#)) The CoC21 **RECOMMENDED** that the Commission approve that the vessels included in the Provisional IUU Vessel List (Appendix 5) be included in the IUU Vessel List.
- CoC21. 14 ([Para. 163](#)) The CoC21 **RECOMMENDED** that the Commission consider accepting Liberia’s request to renew its Cooperating non-Contracting Party status.
- CoC21. 15 ([Para. 181](#)) The CoC21 **RECOMMENDED** that that the Commission (S28) consider securing funding for the sustained continuation of capacity building activities.
- CoC21. 16 ([Para. 182](#)) The CoC21 **RECOMMENDED** the SCAF21 and Commission (S28) consider to allocate a dedicated budget for the e-PSM, e-MARIS and the e-RAV applications, starting from the 2026 financial year.
- CoC21. 17 ([Para. 183](#)) The CoC21 **RECOMMENDED** that the Commission (S28) endorse the collaboration and exchange of information between the e-RAV and the FAO Global Record of Fishing Vessels, Supply Vessels and Refrigerated Transport Vessels.
- CoC21. 18 ([Para. 184](#)) The CoC21 **RECOMMENDED** that the Commission (S28) consider making the use of e-MARIS mandatory, while recognising the need to streamline procedures for reporting.