

Review of the draft of the glossary of terms and definitions which should be used by Members when drafting proposals for Resolutions for the Commission.

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PURPOSE

To provide participants at the Working Party on the Implementation of Conservation and Management Measures (WPICMM) with the opportunity to review the draft of the glossary of definitions and key terms used in IOTC Resolutions. which should be used by Members when drafting proposals for Resolutions for the Commission.

BACKGROUND

The background of the work on the Glossary was presented in several past meetings of the [WPICMM](#) and the [CoC](#). It can be consulted in the meeting document [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](#).

At its [7th Session the WPICMM07](#) **NOTED** the following:

[IOTC-2024-WPICMM07-R](#), paragraph 67. The WPICMM07 **NOTED** that although agreement in principle was also reached on one term, Fish Aggregating Device, the WPICMM07 considered it prudent to ensure that the agreed definition is aligned with that of the FAD Working Group.

Paragraph 68. The WPICMM07 **NOTED** that consensus could not be reached on three terms: Limit Reference Point, Landing and Large-scale tuna vessel, and **AGREED** to leave the former pending until the Scientific Committee provide guidance, and the latter two remains pending until further discussions are held.

At its [7th Session the WPICMM07](#) **RECOMMENDED** the following, which was endorsed by the Commission ([CoC21](#)):

[IOTC-2024-WPICMM07-R](#), paragraph 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 additional agreed terms and definitions of the Glossary, with a view to endorse them.

At its [21st Session the Compliance Committee](#) made the following recommendation, which was endorsed by the Commission ([S28](#)):

[IOTC-2024-CoC21-R](#), paragraph 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.

DISCUSSION

Following the recommendation of the Compliance Committee (CoC21) and the work of the WPICMM07, the pending definitions are:

- Bycatch, fishing, fishing related activities, landing, large-scale tuna vessel, support vessel and vessel monitoring system (VMS),
- Fish aggregating device (Considered by FAD WG),
- Limit reference points (Consideration by the Scientific Committee).

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At its [6th Meeting the IOTC Working Group on FADs](#) agreed the following:

[IOTC-2024-WGFAD06-R](#), paragraph 14. The WGFAD **AGREED** that the FAD definition discussed by WPCMM07 and currently used in Resolution 24/02 meets the needs of the IOTC Commission for management purposes and could therefore be used to draft proposals for IOTC Resolutions for the Commission. However, the WGFAD **CONDISERED** and **AGREED** that a more detailed definition is needed for scientific purposes and **NOTED** that this definition is already used in the IOTC 3DA Form, meeting the needs of the Scientific Committee.

For the definition of *Limit reference points*, the below information is brought to the attention of the WPICMM08:

- 1) A definition exists in the [Glossary Of Scientific Terms, Acronyms And Abbreviations](#).

Limit reference point (LRP). A Limit Reference Points indicates the limit beyond which the state of a fishery and / or a resource is not considered desirable.

- 2) The Working Party on Methods (WPM) decided to utilise the [MSE Glossary](#) developed by the [Joint Tuna RFMO Management Strategy Evaluation \(MSE\) Working Group](#) in 2018.

The second meeting was held June 13th-15th at the University of Washington in Seattle (USA). The report of this meeting can be downloaded [here](#). A [glossary of terms](#) commonly used in MSE was compiled by the working group to improve consistency and clarity of communication in tRFMO MSE processes. This glossary is available for use by others with appropriate acknowledgement.

A definition is established and available in [IOTC-2019-WPM10-R - Report of the 10th Session of the IOTC Working Party on Methods](#), the report of the WPM10 was endorsed by the [22nd Scientific committee in 2019](#). The SC22 report is available [HERE](#).

The definition of *Limit reference points* is:

Limit Reference Point - A level of biomass below, or fishing mortality above, which an actual value would be considered undesirable, and which management action should seek to avoid.

To continue the work on the Glossary, this document present in Annex 1, Part A – Agreed terms and definitions endorsed by S27 and S28, for which no action is required, and Part B –Terms and definitions to be agreed and pending, which shall be reviewed by the WPICMM08 and to provide recommendations to the [Compliance Committee in 2025](#) (CoC22).

Annex 1

Draft glossary of terms and definitions.

This glossary was developed for the purpose of information in implementation of conservation and management measures by CPCs. Nothing in this glossary shall prejudice the rights and obligations of CPCs.

In case of any inconsistency between this glossary and existing resolutions/IOTC Agreement/other binding instruments, the latter shall legally prevail.

CPCs are encouraged to propose new or revised resolutions taking into consideration the consistency in use of terms, given the content of IOTC Agreement and existing resolutions as well as this glossary.

Part A – Agreed terms and definitions endorsed by S27 or S28 (not action required).

Key terms	Definitions	Endorsed
Aircraft	Any machine or craft capable of self-sustained movement through the atmosphere that can derive support from the atmosphere from the reactions of the air, other than reactions of the air against the earth's surface, including helicopters and unmanned or remotely operated airborne devices. ²	S27
Authorised vessel	Any vessel that is: a) 24 meters in length overall or above; or b) in the case of vessels less than 24 meters in length overall, those operating outside areas under the national jurisdiction of the flag State, and is authorised by the flag State to fish for tuna and tuna-like species or to carry out fishing related activities in the IOTC Area of Competence." ³	S27
Coastal fisheries or fishery	Any fishery, including artisanal fisheries, where the fishing activity is undertaken by a vessel below 24 m LOA that is not required to be registered on the IOTC Record of Authorised Vessels, targets or catches tuna and tuna-like species and operates exclusively in the waters under the jurisdiction of the flag State. ⁴	S27
CPCs	Contracting Parties and Cooperating Non-Contracting Parties of IOTC	S27
Discards	Part of the catch that are returned to the sea dead or alive.	S28
Fishing logbook	A paper based or electronic record of any data related to fishing or fishing related activities, required by the flag State and filled out by the captain/master/crew of the vessel.	S28

² Amended to align the definition with that used in Annex 7 of the ICAO Chicago Convention. To replace definition in preamble of Res. 16/08 (prohibition on use of aircraft etc as fishing aids).

³ This term will apply to “vessels” as defined in this glossary, including those carrying out fishing or related activities; this is consistent with Res. 15/04 (Record of Authorised Vessels). Res. 15/04 provides “in case of vessels less than 24 meters, those operating in waters outside the Economic Exclusive Zone of the Flag State”. This is problematic because (a) waters outside the EEZ could include territorial waters of the flag State, so “areas beyond national jurisdiction” is preferable because it reflects more accurately the intent of the members; and (b) the correct term is Exclusive Economic Zone. WPICMM01-03 noted that the it is the flag State that must give the authorisation and this is included.

⁴ It was proposed that the definition should include artisanal fisheries, and that “coastal fisheries” should be used throughout resolutions rather than “artisanal fisheries”. The term ‘coastal fisheries’ is used only once in an operative paragraph of an IOTC Resolution (Res. 15/02, [4], Mandatory statistical reporting requirements). The far more commonly used term is ‘artisanal fishery’, but with different qualifications, e.g. “for subsistence” or “for the purpose of local consumption”, “operating exclusively in their respective EEZs”. The revised definition would include such fisheries but not be limited to them and in addition would clarify that a fishing activity undertaken by a vessel of 24 metres in length overall or above and operating exclusively in the waters under the jurisdiction of the flag State is NOT coastal fishery.

Key terms	Definitions	Endorsed
Flag State	The State which has granted to a vessel the right to fly its flag and has issued a registration to that effect, provided the vessel is only registered in one State.	S28
Fishing vessel	Any vessel used, equipped to be used, of a type normally used or intended to be used for fishing. ⁵	S28
Fishing Gear	Any physical device or part thereof or combination of items that may be placed on or in the water or on the seabed with the intended purpose of capturing or controlling for subsequent capture or harvesting marine organisms, but does not include fish aggregating devices.	S28
Harvest control rule	A pre-agreed rule that determines management action in response to changes in indicators of stock status (or any other agreed) in relation to agreed reference points.	S28
IOTC, or “Commission”	The Indian Ocean Tuna Commission established in 1993 at the 105th Session of the Council of the Food and Agriculture Organization of the United Nations under Article XIV of the FAO Constitution. ^{6]}	S28
IOTC Conservation and Management Measure	As specified in Article IX of the Agreement, CMMs consist of Resolutions, which are binding on Members, subject to Article IX para 5 of the IOTC Agreement, and Recommendations, which are non-binding, subject to Article IX para 8 of the Agreement.	S28
IOTC Agreement	The 1993 Agreement for the establishment of the Indian Ocean Tuna Commission.	S28
IOTC Area of Competence	The area of competence of the Indian Ocean Tuna Commission as defined in Article II of, and Annex A to, the IOTC Agreement.	S28
IOTC Record of Authorised Vessels	“The IOTC record of vessels authorised to operate in the IOTC Area of Competence”, established under Resolution 19/04, or any superseding Resolution.	S28
IUU fishing activity	Any activity defined as an illegal, unreported or unregulated (IUU) fishing activity in Resolution 18/03 or any superseding Resolution. ⁷	S28

⁵ There is some inconsistency in the use of “fishing vessel” within and among different resolutions. The key issues are whether the various definitions include vessels used for fishing or related activities and whether it is necessary to specify vessels used for commercial fishing. For example:

- Res. 15/04 (IOTC Record of Vessels authorised to operate in the IOTC Area): The title refers generically to Vessels, but the text refers to “fishing vessels” which, “for the purpose of the Resolution, include auxiliary, supply and support vessels”.
- Res. 16/07 (Use of artificial lights to attract fish) refers to “fishing vessels and other vessels including support, supply and auxiliary vessels “.
- Res. 16/11 (Port State Measures) does not use the term “fishing vessel”, and refers throughout to “vessel” which is defined as “any vessel, ship of another type or boat used for, equipped to be used for, or intended to be used for, fishing or fishing related activities”.

It is recommended to use the terms:

- “vessel” where a resolution is to be applied to those used for fishing or fishing related activities (e.g. Res. 15/04).
- “fishing vessel” where a resolution applies only to vessels used for fishing
- “vessel used for related activities” where a resolution applies only to vessels used for related activities.

In this case the suggestions to include “vessel, ship of another type or boat” as suggested would be unnecessary because they are already in the definition of “vessel”. (This language was included in the FAO Port State Measures Agreement to align with IMO definitions.)

A suggestion to restrict the definition to “commercial” vessels, as distinct from those used for sport fishing, would be inconsistent with the mandate of IOTC, which does not exclude sport fishing. In fact Resolutions such as 12/09 and 03/03 include responsibilities relating to sport fishing.

⁶ Added “or Commission” to the term.

⁷ IUU fishing “activity” is elaborated, mindful that Res. 18/03 (IUU Vessel List), paragraph 4 is titled “Definition of IUU Fishing Activities” and includes fishing and related activities. The definition explains the activities that give rise to a presumption of engaging in IUU fishing activities but it is not considered necessary to refer to “presumption” in the definition. The full term “IUU

Key terms	Definitions	Endorsed
Mobile transceiver unit	A device approved by the competent authority of the flag State which is installed on board a fishing vessel and is designed to automatically transmit, whether independently or in conjunction with another device or devices, information or data concerning position, fishing, catch and such other activities as may be required, and allows detection and identification of the fishing vessel at all times. ⁸ To be revised by VMS WG.	S28
IOTC Observer	An observer appointed pursuant to the IOTC Regional Observer Scheme under Resolution 11/04 and Resolution 19/06 and any superseding Resolution	S28
Legislation	Includes laws, regulations, orders, notices and any other instrument having the force of law in a country or regional economic integration organisation ⁹	S28
Master	Already defined in Resolution 18/03 – Paragraph 1.c) Means any person holding the most responsible position at any given time on-board a fishing vessel.	S28
Operator	Already defined in Resolution 18/03 – Paragraph 1.b) Means the natural or legal person who is responsible for taking commercial decisions regarding the management and operation of a vessel and includes a charterer of the vessel.	S28
Owner	Already defined in Resolution 18/03 – Paragraph 1.a) Means the natural or legal person registered as the owner of a vessel	S28
Port	Includes offshore terminals and other installations for landing, transshipping, packaging, processing, refuelling or resupplying. ¹⁰	S28
Target reference points	A benchmark which assesses the performance of management in achieving one or more operational management objectives and indicates the desirable status of a fishery or a resource.	S28
Tuna and tuna-like species	Unless otherwise specified, this refers to the species defined in Article II and listed in Annex B of the IOTC Agreement. ¹¹	S28
Transshipment	The direct transfer of any quantity of fish onboard from one vessel to another vessel regardless of the location of the event, without the fish being recorded as landed.	S28
Vessel	Any vessel, ship of another type or boat used, equipped to be used, or intended to be used for fishing or fishing related activities. ¹²	S28

fishing activity” should therefore be used in Resolutions, rather than “IUU fishing”, because the former embraces related activities as well.

⁸ VMS Steering Group to revise; includes some suggested amendments.

⁹ The definition is based on best practices, and includes all instruments having the force of law. It is a generic term that covers the use of various terms from country to country, such as “Act”, “Law” “Decree” etc and requires as a bottom line that the instrument has the *force of law*.

¹⁰ Revised as suggested to implements definition in Res. 16/11 (Port State Measures).

¹¹ Language clarified as suggested to indicate exceptions (“otherwise specified”).

¹² Minor amendments as suggested (deletion of used “for”). This adopts the definition of “vessel” in Res. 16/11 (Port State Measures), which applies to vessels used for fishing or related activities. As noted under the definition of “fishing vessel”, reference can be made more specifically to “fishing vessel” or “vessel used for related activities” as the context requires. This will address the errors made by referring to “fishing vessel” when the context relates to vessels used for fishing or related activities. e.g. Res. 18/03 (IUU Vessel List) defines “master” in relation to a fishing vessel, but the resolution covers vessels used for fishing or related activities.

Part B –Terms and definitions to be agreed and pending.

Key terms	Definitions		WPICMM08 proposal or Recommendation to CoC22
Bycatch	Part of the catch of a fishing unit taken incidentally in addition to the target species toward which fishing effort is directed]	PENDING To be further discussed	
Fishing	Already defined in Resolution 16/11 – Paragraph 1.b) “fishing” means searching for, attracting, locating, catching, taking or harvesting fish or any activity which can reasonably be expected to result in the attracting, locating, catching, taking or harvesting of fish.	PENDING To be further discussed	
Fishing related activities, or related activities	Already defined in Resolution 16/11 – Paragraph 1.c) “Fishing related activities” means any operation in support of, or in preparation for, fishing, including the landing, packaging, processing, transshipping or transporting of fish that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear and other supplies at sea.	PENDING To be further discussed	
[Fish aggregating device]	Already defined in Resolution 24/02 – Paragraph 1.a) “Fish Aggregating Device (FAD)” means a permanent, semi-permanent or temporary object, structure or device of any material, man-made or natural, which is deployed and/or tracked, and may aggregate fish.	Considered by FAD WG.	WGFAD06 : IOTC-2024-WGFAD06-R, paragraph 14. The WGFAD AGREED that the FAD definition discussed by WPCMM07 and currently used in Resolution 24/02 meets the needs of the IOTC Commission for management purposes and could therefore be used to draft proposals for IOTC Resolutions for the Commission. However, the WGFAD CONDISERED and AGREED that a more detailed definition is needed for scientific purposes and NOTED that this definition is already used in the IOTC 3DA Form, meeting the needs of the Scientific Committee.
[Landing]	Two suggestions: 1. The transfer of fish or fish products from any vessel to land, including transfer onto an artificial structure or a vessel at a port or shoreline where landing is recorded and reported, excluding transshipment. 2. All transfers of any quantity of fish onboard from a vessel, other than transshipment,	PENDING To be further discussed	

Key terms	Definitions		WPICMM08 proposal or Recommendation to CoC22
	including transfers of fish to a port facility, transfers of fish from one vessel to another through a port facility or other means of transportation, and transfers of fish from a vessel to a container, truck, train, aircraft, or another means of transportation.		
[Large-scale tuna vessel]	[Any large-scale fishing vessel equipped to deploy gear used for fishing for tuna. ¹³]	PENDING To be further discussed	
[Limit reference points]	[Boundaries which are intended to constrain harvesting within safe biological limits within which the stocks can produce maximum sustainable yield.]	PENDING To be consulted with the Scientific Committee.	<p>For information of the WPICMM08</p> <p>A definition exists in the Glossary Of Scientific Terms, Acronyms And Abbreviations:</p> <p><i>Limit reference point (LRP). A Limit Reference Points indicates the limit beyond which the state of a fishery and / or a resource is not considered desirable.</i></p> <p>The Working Party on Methods decided to utilise the MSE Glossary developed by the Joint Tuna RFMO MSE WG in 2018:</p> <p><i>Limit Reference Point - A level of biomass below, or fishing mortality above, which an actual value would be considered undesirable, and which management action should seek to avoid.</i></p>
Support vessel	Any vessel used, equipped to be used or intended to be used for purse seine fishing related activities, including any vessel other than a craft carried on board a fishing vessel that is not equipped with operational fishing gear and that facilitates, assists or prepares purse seine fishing activities including supply vessels.	PENDING To be further discussed	
Vessel monitoring system	A satellite based reporting system capable of monitoring the position of vessels.	PENDING To be further discussed	

¹³ The definition was revised to refer to a vessel “equipped to deploy” gear, rather than just transporting (carrying) it.