

Rules of Procedures 2023 - Appendix V

Compliance Questionnaire for the year 2024 (CoC22)

Deadline for submission: 23/1/2025

READING NOTES:

- The questionnaire is composed of 5 sections reporting on the implementation of IOTC Resolutions.
- Answers provided by CPCs are presented in **blue text**.
- A red dash ("–") indicates that no answer was provided.
- Some requirements have submission(s) deadline post CQ submission date. At the time of submission of the CQ, they may have not been submitted as individual requirement and they will appear blank in the CQ. However, the assessment will be available in the Compliance Report CoC22.

All sections/questions applicable of the Compliance Questionnaire (CQ) Report must be completed.

Consult the Assessment criteria at the end of the Compliance Questionnaire report (For C, P/C, NC1, NC2).

Reporting CPC: Madagascar

Date of submission: 21 January 2025 - 22:06

You can consult your previous Compliance questionnaire for CoC 21 in e-MARIS Campaign CoC21 Assessment.

User Manual

[e-MarIs Quick Start series: e-MARIS REPORTS: Compliance Questionnaire](#)

Section 1 – Implementation obligations

1.1 Scientific committee



Report of the Scientific Committee SC04 – National scientific report

Information required: National Scientific Report in 2023 - Deadline: 17/11/2024

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. The 2024 national scientific report for the annual session of the Scientific Committee in 2024 provided to the IOTC Secretariat ?

- YES - CPC scientific report is submitted in 11/11/2024

3. The 2024 national scientific report for the annual session of the Scientific Committee in 2024 completed using the latest template report as directed by the Circular ?

- YES - It is completed using the latest template report

National scientific report ?

Yes 12 November 2024 - 11:41

Comments/remarks about the submission and the implementation of this requirement ?

Any additional information(s) / remark(s) on the completion of Section 1 of the Compliance Questionnaire ?

None

Section 2 – Flag State Controls

2.1 Authorised vessels

Resolution 19/04 Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence



Information required: List of authorised vessels 24 metres in length overall or more in 2024 - Deadline: 23/1/2025

1. Did you submit the data/report/information of this reporting obligation ?

YES - Submitted

2. A list of authorised vessels exists - vessels 24 metres in length overall or more ?

- YES

3. All the mandatory information have been provided in the e-RAV application for all authorized vessels 24 metres in length overall or more ?

- YES – Complete

4. Mandatory information not fully provided or missing:

Information required: Template of the official authorisation to fish outside national jurisdictions in 2024 - Deadline: 23/1/2025

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. National flag vessels registered on the IOTC Record of Authorised Vessels are issued authorisations to fish (ATF) outside National Jurisdiction for species managed by the IOTC:

- YES - National flag vessels registered on the IOTC Record of Authorised Vessels are issued authorisations to fish (ATF) outside National Jurisdiction - both for high sea and for EEZs of other countries only

3. The template of the official authorisation to fish outside National Jurisdictions, with associated information required, has been reported to the IOTC Secretariat:

- Reasons: -
- Reasons: -

- YES - Complete

Last date reporting: 06/06/2023

4. The information concerning the official authorisation to fish outside National Jurisdictions has been updated/changed in 2024 and we submit the updated information to the IOTC Secretariat:

- YES - We submit the updated information below

5. All the mandatory information on the template of the official authorisation to fish outside National Jurisdictions have been provided to the IOTC Secretariat:

- YES - Complete

Mandatory information are not fully provided or missing :

- Reasons: -

2.2 Chartering agreements



Resolution 19/07 On Vessel Chartering in the IOTC Area of Competence

Information required: Start, suspension, resumption and termination of the fishing operations under the chartering agreement in 2024

1. Did you submit the data/report/information of this reporting obligation ?

- [NIL Report / Not Applicable - No chartered vessel and no chartering agreement in 2024](#)

2. Reporting on start, suspension, resumption and termination of charter agreements signed in 2024 : -

Charter 1

CPC involved: -

Start date: -

Suspension date FROM: - - Suspension date TO: -

Resumption: - - Termination date: -

Charter 2

CPC involved: -

Start date: -

Suspension date FROM: - - Suspension date TO: -

Resumption: - - Termination date: -

Information required: Information on the particulars of the charter agreements and detail of vessels (chartering CP) in 2024

1. Did you submit the data/report/information of this reporting obligation ?

- [NNIL Report / Not Applicable - No chartered vessel and no chartering agreement in 2024](#)

2. You have chartering agreements signed in 2024 ? -

3. The information of the charter agreements signed in 2024 , (as Chartering CP) reported to the IOTC Secretariat ? -

4. The information of the charter agreements signed in 2024 is reported within 15 days, or, in any case, prior to 72 hours before commencement of fishing activities under a Charter agreement ? -

Date of signature of the agreement(s): -

Date of commencement of fishing: -

Date of reporting: -

5. Chartering agreements have been signed with the following countries ?

-

6. For the chartered vessel(s) in 2024 under the charter agreement(s) :

Number of charter agreements ? -

Number of charter vessels ? -

Information required: Consent, measures, agreement implementation of IOTC CMMs (flag CPC) in 2024

1. Did you submit the data/report/information of this reporting obligation ?

- [NIL Report / Not Applicable - No chartered vessel and no chartering agreement as flag CPC in 2024](#)

2. The information of the charter agreements signed (as Flag CP) reported to the IOTC Secretariat ? -

-

3. The information of the charter agreements signed is reported within 15 days, or, in any case, prior to 72 hours before commencement of fishing activities under a Charter agreement ?

-

Date of signature of the agreement(s) ? -

Date of commencement of fishing ? -

Date of reporting ? -

4. Chartering agreements signed with the following countries ?

-

5. For the chartered vessel(s) under the charter agreement(s):

Number of charter agreements ? –
 Number of charter vessels ? –

2.3 Active vessels

Resolution 10/08 Concerning a Record of Active Vessels Fishing for Tunas and Swordfish in the IOTC Area



Information required: List of active vessels in 2024 - Deadline: 15/2/2025

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. List of vessels active provided to the IOTC Secretariat ?

- YES - The list of vessels active is provided and uploaded below

What criteria/information you are using to establish the List of Active Vessels?

- Issuance of Fishing license in EEZ

The List of Active Vessels includes the following categories of vessels ?

- Flag Vessels registered on the IOTC Record of Authorised Vessels

3. For national vessels - number of active vessels ?

Number of active vessels $\geq 24m$: 0

Number of active vessels $< 24m$: 5

Additional information on the implementation of this obligation:

Vessels are not eligible to IMO number as they do not fish outside the EEZ and are less than 24 meters

2.4 List of vessels fishing for yellowfin tuna

Resolution 21/01 on an interim plan for rebuilding the Indian ocean yellowfin tuna stock in the IOTC area of competence



2.5 Control of domestic vessels

Resolution 19/04 Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence



Information required: Vessels to carry on board authorisation to fish and/or tranship and certificate of vessel registration in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the obligation for valid certificates of vessel registration and valid authorisation to fish and/or tranship to be on board national vessels:

- YES - CPC has systems / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations
- At sea inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations

Describe: For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure the vessel registration and the authorisation to fish and/or tranship are on board national vessels. The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

Response to non-compliance with this measure is implemented by the FMC by enforcing:

- A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine
- Other sanctions (specify below)

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

- A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) The provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized..

3. All documents, valid certificates of vessel registration and valid authorisation to fish and/or tranship, were found to be on board national vessels inspected in 2024 ?

- Reasons -
- Reasons -

- YES - Complete - Implemented by :

For

- National legislation, obliges national vessels to carry on board authorisation to fish and/or tranship and certificate of vessel registration
- Authorisation to Fish (ATF) outside national jurisdictions, obliges national vessels to carry on board authorisation to fish and/or tranship and certificate of vessel registration

National legislation with provision of documents onboard ?

Yes the 15 January 2025 - 12:00

Reference of laws, regulations and administrative instructions in force related to this requirement:

Act No 2015-053 laying down the Fishing Code on Fisheries and Aquaculture

Act No 2018-026 recasting some provisions provided for in the Code on Fisheries and Aquaculture

Comments/remarks about submission and implementation of this requirement:

NONE

Information required: Fishing vessels to be marked in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance, by persons/vessels, with the obligation for national vessel marking ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations

Describe :

For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure compliance with the obligation for fishing vessel marking.

The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below)..

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

Response to non-compliance with this measure is implemented by the FMC by enforcing:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of

26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued. Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. All national fishing vessels are marked (e.i FAO Standard Specification for the Marking and Identification of Fishing vessels) ?

- Reasons -
- Reasons -

- YES - Complete - Implemented by :

4. National legislation obliges vessels to be marked with ?

National legislation with provision of documents onboard ?

Yes the 15 January 2025 - 12:48

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Act No 2015-053 laying down the Fishing Code on Fisheries and Aquaculture

Act No 2018-026 recasting some provisions provided for in the Code on Fisheries and Aquaculture Decree n°2016-1492 of 06

December 2016 laying down the general reorganization of the maritime fishing activities

Comments/remarks about submission and implementation of this requirement ?

NONE

Information required: Passive fishing gears to be marked in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance, by persons/vessels, with the obligation to mark passive fishing gears ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe :

For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure compliance with the obligation to mark passive fishing gears.

The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

- Established by national regulation implemented by Government

c. Actions in relation to potential infringements

- Fine

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued. Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized..

3. All passive fishing gears used by national fishing vessels are marked ?

- Reasons -
- Reasons -
-

- YES - Complete - Implemented by :

4. National legislation obliges gears to be marked with ?

- International Radio Call Sign (IRCS).

Other: -

National legislation with provision of gears marked ?

Yes the 15 January 2025 - 13:04

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Act No 2015-053 laying down the Fishing Code on Fisheries and Aquaculture

Act No 2018-026 recasting some provisions provided for in the Code on Fisheries and Aquaculture

Comments/remarks about submission and implementation of this requirement ?

NONE

Information required: Vessels to carry on board bound national fishing logbook with consecutively numbered pages in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures to monitor and to ensure persons/vessels compliance with the obligation for fishing vessels/persons to keep fishing national logbook on board, bound, with consecutively numbered pages and original kept on board at least 12 months ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Procedures defined under the fisheries MCS scheme implemented by Government Agencies
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port

Describe :

- Inspections onboard at port prior to fishing trips
- Inspections on fishing vessels operating in the waters under national jurisdiction.
- Verification of catch documents against fish holds capacity.
- Inspection and control of fish unloaded at port

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

- Ascertain of infringements of regulations
- Ascertain of breaches of the provisions of protocol for fisheries agreement
- Submission of statements of offences to the administrative authorities and/or submission of documents regarding offences to the legal authorities.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe:

Article 93 of the Code on Fisheries and Aquaculture provides that: - Any person who fails to comply with the rules on keeping logbooks shall be liable to a fine for the industrial fisheries and the artisanal fisheries. Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

For catch monitoring, using a Log book is a mandatory requirement. The original logbook shall be submitted to the FMC at the latest three (03) working days after each trip. However, if the vessel intends to make a new trip two (02) days after the previous one, the logbook shall be submitted before leaving;

3. All national fishing logbooks were found to be bound on board national fishing vessels ?

- Reasons: -
- Reasons: -
-
-

- YES - Complete - The national legislation obliges national fishing vessels to carry on board national fishing logbooks

4. All national fishing logbooks were found to be on board with consecutively numbered pages ?:

- Reasons: -
- Reasons: -

- YES - Complete

-

•

YES - Complete - The national legislation obliges national fishing vessels to carry on board national fishing logbooks, with consecutively numbered pages.

5. All national fishing logbook were found to be on board with the original recordings contained in the fishing logbooks for a period of at least 12 months ?

- Reasons : -
- Reasons : -

- YES - Complete

National legislation with provision for: i) Logbooks to be carried onboard and bound? ii) Logbooks with consecutively numbered pages? iii) Logbooks with original recordings for at least 12 months on board ?

Yes the 17 January 2025 - 13:21

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Standard Protocol of the Fisheries Agreement Article 21

Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC Area of Competence



Information required: Template of official fishing logbooks in 2024 - Deadline: 23/1/2025

1 . Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. The information concerning the official fishing logbook has been updated/changed and submit the updated information:

- NO - We have NOT updated the official fishing logbook in 2024

4. CPCs with paper official fishing logbook:

a. If paper fishing logbook is not in one of the two languages of the IOTC, the complete field description of the logbook in one of the two languages of the IOTC is reported to the IOTC Secretariat:

- YES

Additional information:

5. CPCs with electronic fishing logbook system:

a. The copy of the applicable regulations implementing the electronic logbook system is reported to the IOTC Secretariat:

- All flag vessels use paper fishing logbook on board

Additional information:

b. The set of screen captures of the electronic logbook system is reported to the IOTC Secretariat:

- All flag vessels use paper fishing logbook on board

Additional information:

c. The name of the certified software of the electronic logbook system has been reported to the IOTC Secretariat:

- All flag vessels use paper fishing logbook on board

Additional information:

d. If electronic fishing logbook is not in one of the two languages of the IOTC, the complete field description of the logbook in one of the two languages of the IOTC is reported to the IOTC Secretariat:

- Yes - The electronic fishing logbook was provided in one of the two languages of the IOTC

Additional information:

–

Information required: Data recording system for vessels below 24m operating inside the EEZ in 2024 - Deadline: 23/1/2025

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. The data/catch recording systems for vessels less than 24 metres of developing CPCs operating inside the EEZ is implemented at the standard of the Resolution 15/01:

– Reasons: –

- YES - Partial - Not all coastal fisheries / fishing gears / vessels below 24m fishing EEZ are covered

Reasons : The implementation of this obligation was initiated in 2019 in three regions out of 13 in Madagascar. This partial implementation is due to financial reasons. Five regions are involved in data collection on coastal fisheries, which will be gradually increased depending on available funds.

– The –

– Information: –

– Remarks: –

– Remarks: –

– Remarks: –

3. Implementation of the data recording system for coastal fisheries (EEZ), for which coastal fisheries/fishing gears, the system is implemented (since 2016):

- Coastal longline
- Coastal gillnet
- Coastal handline

Other types of coastal fisheries/fishing gears:

–

4. Describe your coastal data recording system for the fisheries/fishing gears checked above:

- Catch Assessment Surveys of artisanal/cosatal fisheries based on sample surveys “sampling in space and time”
- Simplified data/catch recording forms used by field samplers at landing site/port

Other: –

Resolution 23/01 - On management of anchored fish aggregating devices (AFADs) – Marking of anchored fish aggregating devices.



Obligation: AFADs to be marked in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation?

- NIL Report / Not Applicable - CPC has NO AFADs fishery fishing for tuna and tuna like species under the IOTC mandate in 2024 .

2. A system or procedures exist to monitor and to ensure compliance with the obligation for vessels to only use AFADs permanently marked with a Unique National Identification (UNI) number : ?

–

a. System or procedures to monitor compliance with IOTC binding measure

–

Describe : –

b. System or procedures to respond to instances of non-compliance

–

Describe: –

c. Actions in relation to potential infringements

Describe: -

2. All anchored Fish Aggregating Devices are marked ?

- Reasons : -

- Number of AFADs marked: -

- Number of AFADs marked: -

3. Anchored Fish Aggregating Devices are marked, the national legislation obliges AFADs to be marked clearly and permanently with a Unique National Identification (UNI) number that identifies either the CPC or the vessel(s) that the AFAD belongs to ?

- Format of the Unique National Identification (UNI): -

AFAD marked provision in national legislation / ATF T&C ?

No the -

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Comments/remarks about your submission and the implementation of this requirement ?

2.6 Vessel Monitoring System

Resolution 15/03 On the vessel monitoring system (VMS) programme



Information required: Adoption of VMS for all vessels ≥ 24 m and < 24 m fishing on the high seas / VMS report on implementation and technical failure in 2023 - Deadline: 30/6/2024

1. A system or procedures exist to monitor and to ensure compliance with the obligation for persons/vessels to install & operate a satellite-based vessel monitoring system (VMS):

- YES - CPC has systems AND procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- National monitoring, control and surveillance (MCS) & enforcement system in place with adequate assets, human resources & budget for implementation
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers

Describe: -

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe: -

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Fine

Describe: -

Adoption VMS for all vessels ≥ 24 m and < 24 m fishing high seas

2. The national satellite-based vessel monitoring system has been adopted by law:

- Yes – Adopted by law.

Year: -

Report on the progress of implementation of VMS

3. VMS Reporting - Report on the progress of implementation and technical failures ?

- YES - Report submitted and data provided below

4. Total number of national vessels equipped with VMS ?

Vessels 24 m in length overall or above: 0

Vessels less than 24 m operating outside the flag State EEZ: 5

National Fisheries Monitoring Centre (FMC) exists?

- Yes

Technical failures recorded ?

- NO - No technical failures in 2023
number 0

National legislation with provision of requirements/obligation under Resolution 15/03 ?

Yes the 24 June 2024 - 10:59

Reference of laws, regulations and administrative instructions in force related to this requirement:**Comments/remarks about your submission and the implementation of this requirement ?**

Madagascar has not issued fishing licenses for tuna for national vessels in 2022..

2.7 Transshipment

Resolution 24/05 On establishing a programme for transshipment by large-scale fishing vessels

2.8 Compliance of flag vessels

Resolution 16/07 On the use of artificial lights to attract fish**Prohibition to: Use surface or submerged artificial lights to attract fish in 2024 - Deadline: 23/1/2025****1. Did you implement the obligation ?**

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the prohibition i) from using/installing/operating surface/submerged artificial lights beyond territorial waters and ii) from intentionally conducting fishing activities around/near any vessel/DFAD equipped with artificial lights :

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators

Describe :

For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, VMS, aerial and maritime patrols. These enable the FMC to continuously monitor the national fleets to ensure compliance with the prohibition from using surface or submerged artificial lights to attract fish.

The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

The response to non-compliance with the prohibition from using surface or submerged artificial lights to attract fish is implemented through the FMC by enforcing:

- A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Fine

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

- A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

2. The use of submerged artificial lights for the purpose of aggregating tuna and tuna-like species beyond territorial waters ?

– Since: –

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since : 01/01/2017

– Reasons: –

Information :

NONE

Provision for Prohibition to: Use surface or submerged artificial lights to attract fish in national legislation / ATF T&C ?

No the –

Reference of laws, regulations and administrative instructions in force related to this requirement ?

- 1) Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18
- 2) Protocol of the Fisheries Agreement for Malagasy flagged vessels - Article 21

Comments/remarks about your submission and the implementation of this requirement ? NONE

Resolution 16/08 On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids



Prohibition to: Use aircrafts and unmanned aerial vehicles in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the prohibition from using aircrafts and unmanned aerial vehicles as fishing aids:

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe : For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, VMS, aerial and maritime patrols. These enable the FMC to continuously monitor the national fleets to ensure compliance with the prohibition from using aircrafts and unmanned aerial vehicles as fishing aids. The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

The response to non-compliance with the prohibition from using aircrafts and unmanned aerial vehicles as fishing aids is implemented through the FMC by enforcing:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. The use of aircrafts and unmanned aerial vehicles as fishing aids ?

– Since: –

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since : 01/01/2017

– Reasons: –

Information :

NONE

Provision for Prohibition to: Use aircrafts and unmanned aerial vehicles - National legislation & ATF T&C ?

Yes the 15 January 2025 - 12:43

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Protocol of the Fisheries Agreement Article 21

Comments/remarks about your submission and the implementation of this requirement ?

NONE

Resolution 11/02 Prohibition of fishing on data buoys**Prohibition from: Intentionally fish within 1 nautical mile of or interact with data buoy in 2024 - Deadline: 23/1/2025****1. Did you implement the obligation ?**

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the prohibition of fishing vessels from intentionally fishing/interacting with data buoy:

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators

Describe : –

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government

Describe:

The response to non-compliance with the prohibition of fishing vessels from intentionally fishing/interacting with data buoy is implemented through the FMC by enforcing:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries

and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. Intentionally fishing within 1 nautical mile of or interacting with data buoy:

- Is banned by national legislation

Since: 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2012

– Reasons: –

Additional information on the implementation of this obligation :

NONE

National legislation and ATF T&C with provision to prohibit fishing vessels from intentionally fishing within one nautical mile of or interacting with a data buoy in the IOTC area of competence - Resolution 11/02 (2) ?

Yes the 05 January 2025 - 18:03

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Protocole d'accord de pêche - Article 21

Comments/remarks about your submission and the implementation of this requirement ?

NONE

Prohibition from: Taking on board a data buoy in 2024 - Deadline: 23/1/2025**1. Did you implement the obligation ?**

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the prohibition of fishing vessels to take onboard data buoy :

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Registration/licensing procedures - Mandatory information on owners/operators which identifies beneficial owners & operators

Describe :

For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure compliance with the prohibition of fishing vessels to take onboard data buoy.

- The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

The response to non-compliance with the prohibition of fishing vessels to take onboard data buoy is implemented through the FMC by enforcing:

- A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

- A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.
- Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.
- Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.
- The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. Taking on board a data buoy:

- Is banned by national legislation

Since 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since 01/01/2012

– Reasons –

Additional information on the implementation of this obligation :

NONE

National legislation and ATF T&C with provision to prohibit fishing vessels from taking on board a data buoy while engaged in fishing for tuna and tuna-like species in the IOTC area of competence - Resolution 11/02 (3) ?

Yes the 15 January 2025 - 12:50

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Protocol of the Fisheries Agreement Article 21

Comments/remarks about your submission and the implementation of this requirement ?

NONE

Resolution 19/03 On the conservation of Mobulid rays caught in association with fisheries in the IOTC Area of Competence



Prohibition to: intentionally setting any gear type on Mobulid rays in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the *Prohibition of intentionally setting any gear type on Mobulid rays*:

- **YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements**

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe :

For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure compliance with the Prohibition of intentionally setting any gear type on Mobulid rays.

- The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

The response to non-compliance with the Prohibition of intentionally setting any gear type on Mobulid rays is implemented through the FMC by enforcing:

- The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

- The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.
Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.
Article 88: Any person who fishes, catches, transports, destroys, retains or sells any protected and endangered species, corals, marine mammals, seabirds, freshwater and marine turtles and/or aquatic organisms listed on a regulatory list shall be liable to a fine between 30.000.000 Ariary and 60.000.000 Ariary.

3. The Prohibition of intentionally setting any gear type on Mobulid rays:

- Is implemented (ban) by national legislation

Since: 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2020

– Resaons: –

National legislation and ATF T&C with provision to prohibit all flagged vessels from intentionally setting any gear type for targeted fishing of mobulid rays in the IOTC Area of Competence - Resolution 19/03 (2) ?

Yes the 15 January 2025 - 12:53

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Article 18 Code on Fisheries and Aquaculture

Protocol of the Fisheries Agreement - Article 21

Comments/remarks about your submission and the implementation of this requirement ?

NONE

Resolution 17/05 On the conservation of sharks caught in association with fisheries managed by IOTC



Prohibition to: fin sharks in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the *Prohibition of shark finning* :

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe :

For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure compliance with the prohibition of shark finning.

The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

The response to non-compliance with the prohibition of shark finning is implemented through the FMC by enforcing:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Forfeiture of property such as vessel, gear, and fish
- Fine
- Other sanctions (specify below)

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. Sharks landed fresh: the removal of shark fins on board vessels, the landing, retention on-board, transshipment and carrying of shark fins which are not naturally attached to the shark carcass until the first point of landing:

- Is implemented (ban) by national legislation

Since: 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2018

– Reasons: –

Additional information on the implementation of this obligation :

–

4. Sharks landed frozen: CPCs that do not apply sub-paragraph 3 a) for all sharks shall require their vessels to not have on board fins that total more than 5% of the weight of sharks on board, up to the first point of landing:

- Is implemented (ban) by national legislation

Since: 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 03/02/2016

– Reasons: –

Additional information on the implementation of this obligation :

–

National legislation and ATF T&C With provision for Prohibition of shark finning ?

Yes the 15 January 2025 - 16:19

Reference of laws, regulations and administrative instructions in force related to this requirement ?

–

Resolution 12/09 On the conservation of thresher sharks (family *Alopiidae*) caught in association with fisheries in the IOTC area of competence



Prohibition to: retain onboard, tranship, land, store, sell thresher sharks of all the species of the family *Alopiidae* in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ? 1. Avez-vous mis en œuvre l'obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of flag vessels with the prohibition from retaining on board, transshipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family *Alopiidae*:

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe : For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure compliance with the prohibition from retaining on board, transshipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family Alopiidae. The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established in national law implemented by Government
- Established by national regulation implemented by Government

Describe:

- Established in national law implemented by Government
- Established by national regulation implemented by Government

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine
- Other sanctions (specify below)

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries Penal provisions

Article 88: Any person who fishes, catches, transports, destroys, retains or sells any protected and endangered species, corals, marine mammals, seabirds, freshwater and marine turtles and/or aquatic organisms listed on a regulatory list shall be liable to a fine between 30.000.000 Ariary and 60.000.000 Ariary.

3. Retaining on board, transshipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family Alopiidae ?

- Is implemented (ban) by national legislation

Since: 28/03/2014

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2014

– Raisons: –

National legislation and ATF T&C With provision for the prohibition from retaining on board, transshipping, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks of all the species of the family Alopiidae ?

Yes the 15 January 2025 - 16:29

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Ordinance n° 12665-2014 of 28 March 2014 regulating the conservation of thresher sharks of the family Alopiidae caught in association with fisheries - Article 2

Resolution 13/06 On a scientific and management framework on the conservation of shark species caught in association with IOTC managed fisheries



Prohibition to: retain onboard, tranship, land, store, sell oceanic whitetip sharks in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of Madagascar flag vessels with the prohibition on oceanic whitetip sharks :

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe : For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure compliance with prohibition on oceanic whitetip sharks. The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

The response to non-compliance with the prohibition on oceanic whitetip sharks is implemented through the FMC by enforcing: :
 A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
 B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
 B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries. The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. Retaining onboard, transhipping, landing or storing any part or whole carcass of oceanic whitetip sharks:

- Is implemented (ban) by national legislation

Since: 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2014

– Raisons: –

National legislation and ATF T&C With provision for prohibition on oceanic whitetip sharks ?

Yes the 15 January 2025 - 16:30

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Protocol of the Fisheries Agreement Article 21

Additional information on the implementation of this obligation ?

AUCUNE.

Resolution 19/03 On the conservation of mobulid rays caught in association with fisheries in the IOTC area of competence



Prohibition to: retain onboard, tranship, land, store mobulid rays in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of Madagascar flag vessels with the prohibition of retaining onboard, transhipping, landing, storing, any part or whole carcass of mobulid rays caught in the IOTC Area of Competence :

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe :

For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor Madagascar flag vessels to ensure compliance with the prohibition of retaining onboard, transhipping, landing, storing, any part or whole carcass of mobulid rays caught in the IOTC Area of Competence.

The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

The response to non-compliance with the prohibition of retaining onboard, transhipping, landing, storing, any part or whole carcass of mobulid rays caught in the IOTC Area of Competence is implemented through the FMC by enforcing : :

- A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.

Article 88: Any person who fishes, catches, transports, destroys, retains or sells any protected and endangered species, corals, marine mammals, seabirds, freshwater and marine turtles and/or aquatic organisms listed on a regulatory list shall be liable to a fine between 30.000.000 Ariary and 60.000.000 Ariary.

3. Retaining onboard, transshipping, landing, storing, any part or whole carcass of mobulid rays caught in the IOTC Area of Competence:

- Is implemented (ban) by national legislation

Since: 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2020

– Reasons: –

National legislation and ATF T&C With provision for the prohibition of retaining onboard, transshipping, landing, storing, any part or whole carcass of mobulid rays caught in the IOTC Area of Competence ?

Yes the 15 January 2025 - 16:36

Reference of laws, regulations and administrative instructions in force related to this requirement ?

- Protocol of the Fisheries Agreement Article 21
- Act No 2015-053 laying down the Fishing Code on Fisheries and Aquaculture Article 18

Additional information on the implementation of this obligation ?

NONE

Prohibition to: gaff, lift by the gill slits/spiracles, punch holes through the bodies of mobulid rays in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of Madagascar flag vessels with:

- The prohibition to gaff, lift by the gill slits/spiracles, punch holes through the bodies of mobulid rays
- The obligation to release alive, implement of live release handling procedures of mobulid rays
- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe :

For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND

THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure compliance with the prohibition to gaff, lift by the gill slits/spiracles, punch holes through the bodies of mobulid rays & the obligation to release alive, implement of live release handling procedures of mobulid rays. The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

The response to non-compliance with the prohibition to gaff, lift by the gill slits/spiracles, punch holes through the bodies of mobulid rays & the obligation to release alive, implement of live release handling procedures of mobulid rays is implemented through the FMC by enforcing :

- A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine
- Other sanctions (specify below)

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the

- A) A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of
- C) 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued. Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.
- Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries. The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized..

3. Gaffing, lifting by the gill slits/spiracles, punching holes through the bodies of mobulid rays:

- Is implemented (ban) by national legislation

Since: 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2020

– Reasons: –

Additional information on the implementation of this obligation:

NONE

4. The obligation to release alive, implement live release handling procedures of mobulid rays:

- Is required by national legislation

Since: 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2020

– Reasons: –

Additional information on the implementation of this obligation:

NONE

National legislation and ATF T&C With provision on :

- The prohibition to gaff, lift by the gill slits/spiracles, punch holes through the bodies of mobulid rays
- The obligation to release alive, implement of live release handling procedures of mobulid rays ?

Yes the 15 January 2025 - 16:51

Reference of laws, regulations and administrative instructions in force related to this

requirement ? [Protocol of the Fisheries Agreement Article 21](#)

Additional information on the implementation of this obligation ?

NONE

Resolution 12/04 On the conservation of marine turtles



Obligation: Longline vessels to carry and employ line cutters and de-hookers on board in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of Madagascar longline vessels with the obligation to carry and employ line cutters and de-hookers on board:

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations
- Registration/licensing procedures - Prior assessment of vessel's history of compliance & ability to comply with national & IOTC obligations

Describe: –

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe: –

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish

Describe: –

3. The obligation for all Madagascar flag longline vessels to carry and employ line cutters and de-hookers on board:

- Is required/implemented by national legislation

Since: 28/03/2014

- Is required/implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2014

– Reasons: –

National legislation and ATF T&C With provision of the obligation to carry and employ line cutters and de-hookers on board ?

Yes the 15 January 2025 - 17:18

Reference of laws, regulations and administrative instructions in force related to this requirement ?

[Ordinance N° 12666/2014 on regulations for the conservation of sea turtles caught in association with fisheries Article 3](#)

Additional information on the implementation of this obligation ?

–

Resolution 23/07 On reducing the incidental bycatch of seabirds in longline fisheries

Obligation: Longline vessels to use mitigation measures south of 25°S in 2024 - Deadline: 23/1/2025

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance with the obligation, for all longline vessels and persons, to use at least two of the three mitigation measures ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- MCS strategy, policy, plan implemented by enforcement Government agencies
- Maintain national records of all vessels & current beneficial owners/owners/operators authorized to undertake fishing subject to CPC jurisdiction
- Flag State regular inspections are conducted to verify compliance of vessels with the IOTC obligations

Describe : -

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government
- Established in administrative orders implemented by Government

Describe: -

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe: -

3. The obligation for all longline vessels to use at least two of the three mitigation measures ?

- Is required/implemented by national legislation

Since: 28/03/2014

- Is required/implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2014

- Reasons: -

National legislation and ATF T&C ?

Yes the 15 January 2025 - 17:30

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Ordinance n°12667-2014 of 28 March 2014 on regulations for the reduction of incidental catch of seabirds. - Article 2

Additional information on the implementation of this obligation ?

NONE

Resolution 18/05 On Management Measures for the Conservation of the Billfishes: Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish



**Prohibition to: Retain on board, tranship, land, striped marlin, black marlin, blue marlin, indo-pacific sailfish smaller than 60 cm lower jaw fork length in 2024 -
Deadline: 23/1/2025**

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to monitor and to ensure compliance of flag vessels with the prohibition to retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, and Indo-pacific Sailfish smaller than 60 cm Lower Jaw Fork Length:

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe : For the above selected items, the procedure to monitor compliance by flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: ATF issuance, inspections, logbook, observers, maritime patrols. These enable the FMC to continuously monitor the Malagasy fleets to ensure compliance of flag vessels with the prohibition to retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, and Indo-pacific Sailfish smaller than 60 cm Lower Jaw Fork Length. The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to instances of non-compliance

- Established by national regulation implemented by Government

Describe:

The response to non-compliance with the prohibition to retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, and Indo-pacific Sailfish smaller than 60 cm Lower Jaw Fork Length is implemented through the FMC by enforcing :

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) The provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Actions in relation to potential infringements

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe:

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. The prohibition to retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, and Indo-pacific Sailfish smaller than 60 cm Lower Jaw Fork Length:

- Is implemented (ban) by national legislation

Since: 03/02/2016

- Is implemented by terms & conditions of authorisation to fish (ATF) with force of law

Since: 01/01/2019

– Resaons: –

National legislation and ATF T&C With provision for Prohibition to: Retain on board, tranship, land, striped marlin, black marlin, blue marlin, indo-pacific sailfish smaller than 60 cm lower jaw fork length ?

Yes the 15 January 2025 - 16:26

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Protocol of the Fisheries Agreement Article 21

Additional information on the implementation of this obligation ?

NONE

2.9 Regional Observer Scheme

Resolution 22/04 On a Regional observer scheme



Obligation: Mandatory 5% observer coverage at sea (all vessels) in 2023 - Deadline: 17/11/2024

1. Did you implement the obligation ?

- 1. NIL Report / Not Applicable - No fishing vessel of 24 meters length overall and above in the Record of authorised vessels or active in 2023
- 2. NIL Report / Not Applicable - No fishing vessel under 24 meters operating outside the EEZ in the Record of authorised vessels or active in 2023

2. A system or procedures exist to implement the at sea observer scheme, and the binding obligation of minimum observer coverage of 5% as defined by the number of operations/sets ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe : –

b. System or procedures to respond to non-compliance with this binding obligation?

- Established in national law implemented by Government

Describe : –

c. Action to be taken in relation to non-compliance with this binding obligation ?

- Fine

Describe : –

Any documents on system/procedures ?

No the –

3. The number of vessels monitored and the coverage achieved by gear type, have been reported to the IOTC Secretariat & the IOTC Scientific Committee ?

- Nil Coverage (for all fishing gear/fishing vessels)

If coverage is below 5 %, please explain and provide additional information ?

Fishing license for 2023 has been issued in October. No observers have been deployed due to bad weather.

Type of fishing gear	No of fishing vessels observed/monitored	Fishing effort observed/monitored	Coverage in (%)	Secretariat estimated coverage
Purse seine	-	0	-	-
Longline	-	5	0	-
Gillnet	-	0	-	-
Pol & Line	-	0	-	-
Handline	-	0	-	-
Other fishing gear -	-	0	-	-

Report - number of vessels monitored & coverage achieved by gear type for the observer programme at sea ?

No the -

Comments/remarks about your submission and the implementation of this requirement:

-

National legislation with provisions to implement the at sea observer programme, and to implement the minimum coverage of 5% for observer programme at sea ?

No the -

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Protocol of the Fisheries Agreement Article 15

Information required: Mandatory 5% coverage of artisanal landings in 2023 - Deadline: 17/11/2024

1. Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to implement the coastal sampling scheme (monitoring coastal fishing vessels landings), and the binding obligation of minimum coverage of 5% of the total levels of vessel activity (i.e. total number of vessel trips or total number of active vessels) ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to implement this binding obligation ?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe : Catch monitoring is done by the Direction des études, de la statistique et de la planification at port or at landing sites and through logbooks..

b. System or procedures to respond to non-compliance with this binding obligation ?

- Established in national law implemented by Government

Describe :

Response to non-compliance with this measure is implemented by the FMC by enforcing :

A) the Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

c. Action to be taken in relation to non-compliance with this binding obligation ?

- Fine

Describe :

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions

Article 93: Any person [...] who fails to comply with the conditions for the embarkment or disembarkment of observers shall be liable to a fine between 150.000 Ariary and 210.000.000 Ariary for industrial fisheries and between 45.000.000 Ariary and 120.000.000 for artisanal fisheries.

Any documents on system/procedures ?

No the -

3. The coverage is at least 5 % of artisanal fishing vessels landings for all fishing gears ?

- Coverage is < 2 % (for all fishing gear/artisanal fishing vessels)

If coverage is below 5 %, please explain and provide additional information ?

-

Sampling schemes (coastal/artisanal vessel landings):

Type of fishing gear	Total number of vessel trips sampled	Total number of active vessels	Coverage achieved in (%)	Secretariat coverage estimated in (%)
Coastal purse seine	-	-	-	-
Coastal longline	43811	2634	6.01	-
Coastal Gillnet	417853	1838	0.44	-
Coastal Pol-and-Line	-	-	-	-
Coastal Handline	-	-	-	-

Coastal Line Trolling	38558	2819	7.31	-
Coastal Beach seine	-	-	-	-
Coastal Encircling gillnet	-	-	-	-
Coastal Ring net	-	-	-	-
Other fishing gear (Trawl etc...)	-	-	-	-

Report - number of vessels monitored & coverage achieved by gear type for sampling scheme coastal fisheries ?

No the -

Comments/remarks about your submission and the implementation of this requirement ?

-

National legislation with provision to implement the coastal sampling scheme (monitoring coastal fishing vessels landings), and to implement the minimum coverage of 5% for the coastal sampling scheme ?

No the -

Reference of laws, regulations and administrative instructions in force related to this requirement ?

-

Information required: At sea Observer reports in 2023 - Deadline: 17/11/2024

1. Did you submit the data/report/information of this reporting obligation ?

- 1 . NIL Report / Not Applicable - No fishing vessels of 24 meters length overall and above in the Record of authorised vessels or active in 2023
- 2 . NIL Report / Not Applicable - No fishing vessels under 24 meters operating outside the EEZ in the Record of authorised vessels or active in 2023

2. All observer reports have been provided to the IOTC Secretariat:

- - Total of vessel trips observed by fishing gear: - - Total number of observer reports provided by fishing gear: -

- - Total of vessel trips observed by fishing gear: - - Total number of observer reports provided by fishing gear: -

- Reasons: -

3. Observer reports submitted ?

No the -

2.10 Bigeye tuna Statistical Document Programme

Resolution 01/06 Concerning the IOTC bigeye tuna statistical document programme



Information required: 1st Semester 2024 report on import of frozen bigeye tuna - Deadline: 1/10/2024

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. A system for monitoring import, export, re-export of frozen BET exists:

- YES - A system exists for monitoring import, export, re-export of frozen BET.

3. Frozen Bigeye tuna were imported in the 1st semester 2024:

- NO – NO frozen bigeye tunas were imported in the 1st semester 2024

Total quantity of frozen bigeye tunas imported in the 1st semester (kg): 0

Specify from which country' vessels the frozen bigeye tuna were imported:

–

If country not in the list above, provide: –

1st semester import report submitted?

No the –

Information required: 2nd Semester 2023 report on import of frozen bigeye tuna - Deadline: 1/4/2024

1. Did you submit the data/report/information of this reporting obligation ?

- NIL Report / Not Applicable - CPC did not import frozen bigeye tunas during the 2nd semester 2023

2. Frozen Bigeye tuna were imported in the 2nd semester 2023:

–

Total quantity of frozen bigeye tunas imported in the 2nd semester (kg): –

Specify from which country' vessels the frozen bigeye tuna were imported:

–

Other Country?

–

2nd semester import report submitted ?

No the –

Information required: information on validation of statistical documents - national authorities and authorized officers in 2024 - Deadline: 23/1/2025

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. A system for validating export and re-export of frozen bigeye tunas exists:

- YES - A system exists for validating export and re-export of frozen bigeye tunas.

3. The Information on validation of statistical documents, the National authorities and authorized officers, is reported/updated in 2024 ?

2.1 REPORTING ON NEW INSTITUTIONS AND/OR NEW OFFICERS

- YES - The update for 2024 is provided in the table below for new institution(s) and / or officer(s).

2.2 REPORTING ON INSTITUTION AND/OR OFFICER NOT ANYMORE AUTHORISED

–

2.3 REPORTING ON CHANGE OF SEAL INSTITUTION

–

Comments/remarks about your submission and the implementation of this requirement ?

–

2.11 Interim plan for rebuilding the Yellowfin tuna stock

Resolution 19/01 On an interim plan for rebuilding the Indian Ocean yellowfin tuna stock in the IOTC area of competence

Information required: Purse seiners served by supply vessels in 2025 - Deadline: 1/1/2025

Objection received from India: not applicable to India. Resolution 18/01 remains binding on India. Resolution 19/01 remains binding on Indonesia, the Islamic Republic of Iran, Madagascar, Oman and Somalia. Resolution 19/01 entered into force on 28/12/2019

APPLIES ONLY TO INDONESIA, THE ISLAMIC REPUBLIC OF IRAN, MADAGASCAR, OMAN AND SOMALIA

1. Did you implement the obligation ?

- NIL Report / Not Applicable - CPC has no purse seiner (PS) and no supply vessel (SP) on the IOTC Record of authorised vessels

2. CPC has purse seiners (PS) / supply vessels (SP) on the IOTC Record of authorised vessels ?

–

3. The information on purse seiners served by each supply vessel is provided to the Secretariat ?

–

No the –

Any additional information(s) / remark(s) on the completion of Section 2 of the Compliance Questionnaire ?

None

Section 3 – Control by IOTC coastal States of activities of foreign vessels involved in IOTC fishery

3.1 Port inspection programme

Resolution 05/03 Relating to the establishment of an IOTC programme of inspection in port



Information required: List of foreign vessels landings in 2023 - Deadline: 1/7/2024

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. The list of foreign fishing vessels which have landed in 2023 and the details of catch composition submitted to the IOTC Secretariat ?

- YES – Foreign fishing vessels landed IOTC species my ports in 2023 , the data/information is provided and uploaded below

Report on the list of foreign vessels & the quantities landed in your ports submitted ?

Yes the 27 June 2024 - 16:53

Resolution 16/11 On Port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing



Information required: List of designated ports, Designated competent Authority, Prior notification periods in each port State CPC in 2024 - Deadline: 23/1/2025

1 . Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to implement this binding reporting obligation ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Control & enforcement regime over vessels with monitoring tools, VMS, logbooks/documentation & compliance observers
- In port inspection procedures (SOP) implemented by National MCS agencies include verification of IOTC obligations

Describe :

Implemented in accordance with FAO PSMA for the efficient jurisdiction of the State port and control on foreign flagged vessels. AREP procedures - Prior assessment of foreign vessel historical compliance and their capacity to comply with national measures and IOTC obligations, and verification of requests for port entry.

For the above selected items, the procedure to monitor compliance by foreign flagged vessels seeking entry to the port is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: VMS, Inspection, logbooks, observers. These enable the FMC to continuously monitor the foreign fleets seeking entry to a Malagasy port.

The implementation of these tools is governed by Act No 2015-053 of 03/02/16 on the Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18, its regulations and decrees and the terms and conditions of the Authorization to fish (ATF) with force of law (downloaded in the legal obligation below).

b. System or procedures to respond to non-compliance with this binding obligation?

- Established by national regulation implemented by Government

Describe :

Response to non-compliance with this measure is implemented by the FMC by enforcing :

- A) The Memorandum of Understanding between the Minister of Fisheries and the foreign owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- B) the provisions provided for in Articles VII, VIII and IX, Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries, Penal provisions of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

c. Action to be taken in relation to non-compliance with this binding obligation ?

–

Describe :

Deny the entry into a port

Deny the use of port facilities

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

- A) Decree 2017/164 on Madagascar adherence to the PSMA of 09/03/2017
- B) The Memorandum of Understanding between the Minister of Fisheries and the foreign owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.
- C) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued. Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries Penal provisions
Article 91: Is liable to a fine between 900.000 and 2.100.000.000 Ariary for industrial fishery and between 300.000.000 and 900.000.000 Ariary for artisanal fishery, any person who [...] fails to comply with international management and conservation measures. The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. The list of designated ports have been submitted to the IOTC Secretariat?

- YES - The list has already been submitted

4. The list of designated ports has been updated/changed in 2024 and we submit the updated information on the designated ports for:

4.1. NEW DESIGNATED PORTS

- NO - The list of designated port(s) has NOT been updated/changed in 2024 - No NEW designated port

4.2. UPDATE OF ALREADY DESIGNATED PORTS

- NO - The list of designated port(s) has NOT been updated/changed in 2024 - NO designated ports to update

4.3. PORTS NOT ANY MORE DESIGNATED

- NO - The list of designated port(s) has NOT been updated/changed in 2024 - NO designated ports to remove

5. CPC ports where foreign vessels can request entry are designated by national legislation ?

- NO – The port(s) are NOT designated by national legislation.

National legislation with provision for designation of port, designated competent authority, prior notification periods ?

No the –

Reference of laws, regulations and administrative instructions in force related to this requirement?

-
-

Information required: Port inspection reports AND Report of vessels engaged in IUU fishing following an inspection in 2024 - Deadline: 23/1/2025

1. Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. Number of calls made by foreign vessels ?

- Fishing vessels: 41 - Source e-PSM: -
- Carrier (reefer) vessels: 2 - Source e-PSM: -
- Supply vessels: 11 - Source e-PSM: -

3. Number of foreign vessels denied entry into CPC port(s) ?

- Fishing vessels: 0 - Source e-PSM: -
- Carrier (reefer) vessels: 0 - Source e-PSM: -
- Supply vessels: 0 - Source e-PSM: -

4. Number of foreign vessels denied use of CPC port(s) ?

- Fishing vessels: 0
- Carrier (reefer) vessels: 0
- Supply vessels: 0

5. Number of foreign vessels inspected ?

- Fishing vessels: 40
- Carrier (reefer) vessels: 2
- Supply vessels: 11

6. Number of inspection reports of foreign vessels submitted by e-PSM to the Secretariat ?

- Fishing vessels: 25 - Source e-PSM: -
- Carrier (reefer) vessels: 2 - Source e-PSM: -
- Supply vessels: 11 - Source e-PSM: -

7. Number of inspection reports of foreign vessels submitted by e-mail to the Secretariat ?

- Fishing vessels: 15
- Carrier (reefer) vessels: 0
- Supply vessels: 0

PIRs submitted: No the -

8. Number of cases brought against foreign vessels for undermining the coastal CPCs Fisheries Law and/or Fisheries Regulations ?

- Fishing vessels: 0
- Carrier (reefer) vessels: 0
- Supply vessels: 0

9. Number of cases reported to the IOTC Secretariat ?

- Fishing vessels: 0
- Carrier (reefer) vessels: 0
- Supply vessels: 0

10. There was clear grounds for believing that vessel(s) has engaged in IUU fishing or fishing related activities following an inspection in port ?

- NO - NO CLEAR GROUND for believing that vessels have engaged in IUU fishing or fishing related activities following an inspection in port

11. Following an inspection, we have communicated the findings to ?

- : -
- : -

- The IOTC Secretariat

- : -
 - : -
 - : - :

- Through the e-PSM application

- - e-PSM vessel file: -

Information required: at least 5% inspection of LAN or TRX in 2024 - Deadline: 23/1/2025

1 . Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to implement this binding obligation of monitoring/inspection of 5% of landings/transhipments of foreign vessels ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe :

For the above selected items, the procedure to monitor compliance by foreign flagged vessels is through the system, tools and staff used by the Fisheries Monitoring Center (FMC) of the MINISTRY OF FISHERIES AND THE BLUE ECONOMY. These are as follows: VMS, inspection, logbook, observers, maritime patrols. They enable the CSP to monitor at any time foreign fleets to ensure compliance with this measure.

The implementation of these tools is governed by Act No °2016/043 of 17/06/2017 on Madagascar adherence to PSMA, Decree 2021/276 of 10/03/2021 on the reorganisation of the FMC.

b. System or procedures to respond to non-compliance with this binding obligation?

- Established by national regulation implemented by Government

Describe :

Requirement to submit Advance request for port entry within 48 hours.

Systematic control on any foreign flagged vessel or vessel transporting fisheries products

c. Action to be taken in relation to non-compliance with this binding obligation ?

-

Describe :

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the:

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) The provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued. Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries Penal provisions

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. Number of foreign vessels callings in port(s) for the purpose of :

- Landing: 19 - Source e-PSM: -
- Transshipment: 11 - Source e-PSM: -
- Landing & transshipment: 1 - Source e-PSM: -

4. Number of foreign vessels offloading monitored into your port(s) for:

- Landing: 9 - Source e-PSM: -
- Transshipment: 1 - Source e-PSM: -
- Landing & transshipment: 1 - Source e-PSM: -

Have you monitored at least 5 % of the offloading?

- YES

Coverage of offloadings inspected / monitored : 49,09 % - Source e-PSM: -
Landing/transshipment monitoring forms submitted ?

No the -

5. The monitoring of landing and transshipment is implemented/conducted by:

- The designated competent authority of the Port State
- - : -
- - : -
- - : -
- - : -

Information required: Report on denial of entry into port in 2024 - Deadline: 23/1/2025**1 . Did you implement the obligation ?**

- YES - Implemented

2. A system or procedures exist to implement this binding obligation - to deny entry in port for foreign vessels ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented
- Control & enforcement regime over vessels include flag State inspection regimes at sea & in port
- Exchange information & coordinate activities among relevant national enforcement agencies relating to the verification of IOTC obligations

Describe : -

b. System or procedures to respond to non-compliance with this binding obligation?

- Established in national law implemented by Government
- Analysis of infringements & causes of non-compliance are investigated in accordance with organisational/operational procedures

Describe : -

c. Action to be taken in relation to non-compliance with this binding obligation ?

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe : -

3. Foreign vessels were denied entry into CPC port(s) in 2024 ?

- NO - NIL report - Foreign vessels were NOT denied entry into ports.

4. Number of foreign vessels denied entry into CPC port(s) in 2024 ?**5. Reason(s) for denial of entry in port(s) ?**

- Specify: -

5. The denial of entry was communicated to ?

- - Flag: -
- - Country: -
- - Date: -

6. The denial of entry in port for foreign vessels requesting entry in ports is established/required by national legislation:

- YES - Denial of entry in port is established/required by national legislation.

National legislation ?

Yes the 16 January 2025 - 12:13

Reference of laws, regulations and administrative instructions in force related to this requirement ?

Article 9 of the AMREP: Port entry, authorization or denial : Based on the relevant required information, each Party shall decide whether to authorize or deny the entry of the vessel into its port and shall communicate this decision to the vessel or to its representative. Where the suspected vessel is in port for any reason, each Party shall deny such vessel the use of its ports in accordance in conformity with international law.

Information required: Report on denial of use of port AND report on withdrawal of a denial of use of port in 2024 - Deadline: 23/1/2025

1 . Did you implement the obligation ?

- YES - Implemented

2. A system or procedures exist to implement this binding reporting obligation - to deny use of port ?

- YES - CPC has system / procedures to monitor compliance with this binding measure, AND to take action in relation to potential infringements

a. System or procedures to monitor compliance with IOTC binding measure?

- IOTC binding measures, for vessels/persons, monitored and controlled by government fisheries administration with institutional procedures implemented

Describe : -

b. System or procedures to respond to non-compliance with this binding obligation?

- Established in national law implemented by Government

Describe : Requirement to submit Advance request for port entry within 48 hours. Systematic control on any foreign flagged vessel or vessel transporting fisheries products.

c. Action to be taken in relation to non-compliance with this binding obligation ?

- Suspend/cancel/revoke a licence/ATF
- Forfeiture of property such as vessel, gear, and fish
- Fine

Describe :

Measures for potential offences, when proved, may be taken by the Minister and the FMC as per the

A) The Memorandum of Understanding between the Minister of Fisheries and the national owner on the commercial industrial fishery for tunas and tuna-like species in the Malagasy EEZ.

B) the provisions provided for in Articles VII, VIII and IX of the Act No 2015-053 of 03/02/16 laying down the Fishing Code on Fisheries and Aquaculture and Act No 2018-026 of 26/12/18 recasting some provisions provided for therein, notwithstanding the withdrawal of the fishing licence(s) issued.

Chapter 4, Application of sanctions and penalties - Section 2 Marine Fisheries - Penal provisions.

Article 91: Any person [...] who fails to comply with the provisions of international conservation and management measures shall be liable to a fine between 900.000 Ariary and 2.100.000.000 Ariary for industrial fisheries and between 300.000.000 Ariary and 900.000.000 for artisanal fisheries.

The above-mentioned offences result in seizure of catches on board or the proceeds of their sale. Moreover, the court may order seizure of the vessel. For repeated offender, fishing gears and any other means used shall be automatically seized.

3. Foreign vessels were denied use of port(s) in 2024 ?

- NO - NIL report - Foreign vessels were NOT denied use of port.

If YES, the denials of use were withdrawn ?

-

4. Number of foreign vessels denied use of ports in 2024 ?

Additional information - specify reason(s) for denial of use of port ?

-

5. The denial of use and/or the withdrawal was communicated to ?

- Flag: -
- Country: -
- Date: -
- : -
- : -

6. The denial of use of port and withdrawal for foreign vessels requesting entry in ports are established/required by national legislation:

- YES – Denial of use in port AND withdrawal are established/required by national legislation.

National legislation submitted ?

No the -

Reference of laws, regulations and administrative instructions in force related to this requirement?

Act No 2015-053 laying down the Fishing Code on Fisheries and Aquaculture Article 70

3.2 Foreign vessels licensed

Resolution 14/05 Concerning a record of licensed foreign vessels fishing for IOTC species in the IOTC area of competence and access agreement information

Information required: list of foreign vessels licensed in EEZ in 2024 - Deadline: 15/2/2025

1 . Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. Foreign vessels were licensed in 2024 ?

- YES - Foreign flag vessels licensed to fish in EEZ.

3. The list of licensed foreign fishing vessels (in 2024) has been reported to the IOTC Secretariat ?

- Reasons: -
- No vessels missing: -

- YES Complete

No Vessels issued licenses: 66

Specify to which foreign vessels flag country you have issued license:

- Spain (EU)
- European Union
- France (EU)
- Italy (EU)
- Mauritius
- Seychelles
- Korea_Republic of
- Tanzania
- Japan

–

4. All the mandatory information is provided to the IOTC Secretariat for all foreign fishing vessels licensed by Madagascar in 2024?

- YES – Complete

5. Number of licenses issued to foreign fishing vessels in 2024 ?

Foreign fishing vessels ≥ 24m:

- Number of licenses issued: 81
- Number of vessels: 57

Foreign fishing vessels < 24m:

- Number of licenses issued: 9
- Number of vessels: 9

Information required: foreign vessels denied a license in 2024 - Deadline: 15/2/2025

1 . Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. Foreign vessels were denied a license in 2024 ?

- NO - Foreign vessels were NOT denied license following application for license to fish in EEZ.

3. Number of licenses denied to foreign fishing vessels ?

Foreign fishing vessels ≥ 24m:

- Number of licenses denied: 0

Foreign fishing vessels < 24m:

- Number of licenses denied: 0

Information required: Official coastal State fishing License in 2024 - Deadline: 23/1/2025

1 . Did you submit the data/report/information of this reporting obligation ?

- YES - Submitted

2. The template of the official coastal State fishing License with information required concerning these licenses submitted to the IOTC Secretariat ?

- Yes – Complete

If No or Partially, please specify the reasons; if Yes or Partially, specify the date of last declaration:

–

3. The information concerning the official coastal State fishing License has been updated/changed and we submit the updated information to the IOTC Secretariat ?

- YES - We submit the updated information below

Template official coastal State fishing license submitted?

Yes the 28 February 2024 - 17:22

4. All the mandatory information on official coastal State fishing License have been provided to the IOTC Secretariat ?

- Yes – Complete

Any additional information(s) / remark(s) on the completion of Section 3 of the Compliance Questionnaire ?

None

Section 4 – Responsibility of all CPCs

4.1 Control of nationals

Resolution 24/09 To promote compliance by nationals of contracting parties and cooperating non-contracting parties with IOTC conservation and management measures



Information required: Compliance by nationals at previous session in 2024

1 - Vessels have been listed on the IOTC IUU vessels list at the previous session of the Commission with natural or legal persons under my jurisdiction?

- **NO - No vessels have been listed on the IOTC IUU vessels list at previous sessions of the Commission.**

Consult the Implementation Report for more information

Any additional information(s) / remark(s) on the completion of Section 4 of the Compliance Questionnaire ?

None

Section 5 – Flag State Controls (Data)

Mandatory statistical reporting requirements for IOTC CPCs - All Mandatory statistical requirements - Flag State CPCs in 2023 - Deadline: 30/6/2024

Resolution 18/07 on Measures Applicable in Case of Non-Fulfilment of Reporting Obligations in the IOTC.

Information required: Zero Catch Matrix (Species presence in the catch)

1. Submit in e-MARIS (IOTC statistical data management system) the zero catches matrix data for the following species?
IOTC SPECIES:

- YES - Complete for all IOTC fisheries for IOTC SPECIES

SHARK SPECIES:

- YES - Complete for IOTC fisheries for SHARKS SPECIES.

Data forms submitted ? Yes the 27 June 2024 - 17:39

Comments/remarks about submission zero catches matrix data - ALL FISHERIES, and the implementation of this requirement ?

–

Resolution 12/04 13/05 23/06 23/07 – Interactions with Endangered, Threatened and Protected species (ETP) – Surface & Longline fisheries



Information required: Interactions with Endangered, Threatened and Protected (ETP) species – Surface & Longline Fisheries

1. Submit in e-MARIS (IOTC statistical data management system) Interactions with ETP species for the following species ?

1.1 For interactions ETP species - Surface fisheries

- NO - NIL Report / Not Applicable - No fishing vessel registered on the IOTC Record of Authorised Vessel in 2023.

for –

1.2 For interactions ETP species - Longline fisheries

- YES - Complete for all longline fisheries.

for –

Data forms submitted ? Yes the 30 June 2024 - 23:35

Comments/remarks about data submission and the implementation of this requirement ?

–

Resolution 15/02 – Nominal catches / Retained catches – All Fisheries



Information required: Annual retained catches on board – Coastal/surface/longline fisheries

1. Submit in e-MARIS (IOTC statistical data management system) annual retained catches for the following species ?

1.1 For annual retained catches onboard - Coastal fisheries

IOTC SPECIES :

- YES - Complete for all coastal fisheries and all fishing gears for IOTC SPECIES

- For :

- ALB-Albacore Germon
- BET-Bigeye tuna Thon obèse(=Patudo)
- KAW- Kawakawa Thonine orientale
- SKJ Skipjack tuna Listao

SHARK SPECIES :

- YES - Complete for all coastal fisheries and all fishing gears for SHARKS SPECIES

- For

- SPN - Hammerhead sharks nei
- FAL - Silky shark

1.2 For annual retained catches onboard - Surface fisheries

IOTC SPECIES :

- NO - NIL Report / Not Applicable - No purse seine, bait boat, gillnet, handline & troll line fishing vessel registered on the IOTC Record of Authorised Vessel in 2023 .

- For -

SHARK SPECIES :

- NO - NIL Report / Not Applicable - No purse seine, bait boat, gillnet, handline & troll line fishing vessel registered on the IOTC Record of Authorised Vessel in 2023 .

- Pour -

1.3 For Retained catches onboard - Longline fisheries

IOTC SPECIES :

- YES - Complete for all longline fisheries (LL) and all fishing gears (LL) for IOTC SPECIES

- For

- ALB-Albacore Germon
- BET-Bigeye tuna Thon obèse(=Patudo)
- MLS-Striped marlin Marlin rayé
- SFA Indo-Pacific sailfish Voilier indo-pacifique
- SKJ Skipjack tuna Listao
- SWO-Swordfish Espadon
- YFT-Yellowfin tuna Albacore

SHARK SPECIES :

- YES - Complete for all longline fisheries (LL) and all fishing gears (LL) for SHARKS SPECIES

- For

- BSH - Blue shark

Data forms submitted ? Yes the 28 June 2024 - 12:20

Comments/remarks about data submission and the implementation of this requirement ?

Resolution 15/02 – Nominal catches / Discarded catches – All Fisheries



Information required: Catch discarded – IOTC species, sharks, turtles, seabirds, cetaceans, whale sharks, mobulids - All fisheries

1. Submit in e-MARIS (IOTC statistical data management system) discarded catches data for the following species ?

IOTC SPECIES :

- YES - Complete for all IOTC fisheries and all fishing gears for IOTC SPECIES

- For -

SHARK SPECIES :

- YES - Complete for IOTC fisheries and all fishing gears for SHARKS SPECIES

- For -

MARINE TURTLE SPECIES :

- Nil Report for fishing logbook - No interactions with marine turtles reported by flag vessels through fishing logbooks in 2023

- For -

SEABIRDS SPECIES :

- NO – NIL Report / Not Applicable - Nil Report for fishing logbook - No interactions with seabirds reported by flag vessels through fishing logbooks in 2023 .

- For -

CETACEANS SPECIES :

- NO – NIL Report / Not Applicable - Nil Report for fishing logbook - No interactions with cetaceans reported by flag vessels through fishing logbooks in 2023

- For -

WHALE SHARK:

- NO – NIL Report / Not Applicable - Nil Report for fishing logbook - No interactions with whale sharks reported by flag vessels through fishing logbooks in 2023

MOBULID :

- NO – NIL Report / Not Applicable - Nil Report for fishing logbook - No interactions with mobulid rays reported by flag vessels through fishing logbooks in 2023

- For -

Data forms submitted ? Yes the 27 June 2024 - 18:49

Comments/remarks about data submission and the implementation of this requirement ?

Resolution 15/02 – Catch and Effort Geo-referenced – All Fisheries



Information required: Catch and effort – Coastal/surface/longline Fisheries

1. Submit in e-MARIS (IOTC statistical data management system) Catch and Effort data for the following species/fisheries ?

1.1 Catch and Effort Geo-referenced - Coastal fisheries

IOTC SPECIES :

- YES - Complete for all coastal fisheries and all fishing gears for IOTC SPECIES

- For -

SHARK SPECIES :

- YES - Complete for all coastal fisheries and all fishing gears for IOTC SPECIES

- For -

1.2 Catch and Effort Geo-referenced - Surface fisheries

IOTC SPECIES :

- NO - NIL Report / Not Applicable - No Purse Seine, Bait boat, Gillnet fishing, handline & troll ligne vessel registered on the IOTC Record of Authorised Vessel in 2023 .

- For -

SHARK SPECIES :

- NO - NIL Report / Not Applicable - No Purse Seine, Bait boat, Gillnet fishing, handline & troll ligne vessel registered on the IOTC Record of Authorised Vessel in 2023 .

- For -

1.3 Catch and Effort Geo-referenced - Longline fisheries

IOTC SPECIES :

- YES - Complete for all longline fisheries (LL) for IOTC SPECIES

- For -

SHARK SPECIES :

- YES - Complete for all longline fisheries (LL) for SHARKS SPECIES

- For -

Information required: FAD – Days at sea (Effort) by support vessels

1. Submit in e-MARIS (IOTC statistical data management system) Catch and Effort data for the following species/fisheries ?

1.4 FAD – Days at sea (Effort) by supply vessels

- NO - NIL Report / Not Applicable - No Purse seiner / Supply vessel registered on the IOTC Record of Authorised Vessels in 2023 . Not fishing on DFADs.

Number of supply vessel(s) registered on the IOTC Record of Authorised Vessels in 2024 ?

-

Data forms submitted ? Yes the 28 June 2024 - 12:59

Comments/remarks about data submission and the implementation of this requirement ?

-

Resolution 15/02 – Size frequencies Geo-referenced – All Fisheries



Information required: Size Frequencies Geo-referenced – Coastal/surface/longline fisheries

1. Submit in e-MARIS (IOTC statistical data management system) Size Frequencies data for the following species/fisheries ?

1.1 Size Frequency Geo-referenced - Coastal fisheries

IOTC SPECIES

- NO (Explain the reasons in the free text box comments/remarks, below)

- For -

SHARKS SPECIES

- NO (Explain the reasons in the free text box comments/remarks, below)

- For -

1.2 Size frequency Geo-referenced - Surface fisheries**IOTC SPECIES**

- NO - NIL Report / Not Applicable - No Purse Seine, Bait boat, Gillnet fishing, handline & troll ligne vessel registered on the IOTC Record of Authorised Vessel in 2023 .

- For -

SHARKS SPECIES

- NO - NIL Report / Not Applicable - No Purse Seine, Bait boat, Gillnet fishing, handline & troll ligne vessel registered on the IOTC Record of Authorised Vessel in 2023 .

- For -

1.3 Size frequency geo-referenced - Longline fisheries**IOTC SPECIES**

- NO (Explain the reasons in the free text box comments/remarks, below)

- For -

SHARKS SPECIES

- NO (Explain the reasons in the free text box comments/remarks, below)

- For -

Data forms submitted ? No the -

Comments/remarks about data submission and the implementation of this requirement ?

For 2023, no action to measure size frequencies in Madagascar, nor for coastal fisheries nor for longline fisheries.

Resolution 19/02 – FAD – Set on DFAD by type - Drifting floating objects (DFOB) related activities**Resolution 15/02 – FAD – Number & characteristics of supply vessels****Resolution 23-01 - Anchored Fish Aggregating Devices (AFADs) - AFAD related activities****Information required: Data collection for AFADs****1. Submit in e-MARIS (IOTC statistical data management system) AFAD related activities data ?**

- NO – NIL Report / Not Applicable - CPC has NO AFADs fishery fishing for tuna and tuna like species under the IOTC mandate in 2023.

Data forms submitted ? No the -

Comments/remarks about data submission and the implementation of this requirement ?

-



Resolution 19/02 – Number of active FADs

VOLUNTARY

UN Fish Stocks Agreement (UNFSA) - Fishing Craft Statistics

Information required: Fishing Craft Statistics

1. Submit in e-MARIS (IOTC statistical data management system) the fishing craft statistics ?

- YES - Partially for some vessels.

Data forms submitted ? Yes the 20 January 2025 - 14:05

Comments/remarks about data submission and the implementation of this requirement ?

Fishing Craft Statistics for small-scale or traditional fisheries have yet to be included in this form.

VOLUNTARY

Articles V of the IOTC Agreement - Fish prices

Information required: Fish prices

1. Submit in e-MARIS (IOTC statistical data management system) the fish prices ?

- YES - Complete for all fisheries.

Data forms submitted ? Yes the 30 June 2024 - 23:41

Comments/remarks about data submission and the implementation of this requirement ?

Any additional information(s) / remark(s) on the completion of Section 5 of the Compliance Questionnaire ?

None