



SUMMARY OF COMPLIANCE WITH CHARTER AGREEMENTS

Prepared by: IOTC Secretariat, 7 April 2026

PURPOSE

This document summarises the information received from IOTC CPCs in accordance with Resolution 19/07 *On Vessel Chartering in the IOTC Area Of Competence* during 2025.

The paragraph 2 of the Resolution describes the objective of the measure.

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| <p>2. Charter agreements may be allowed, predominantly as an initial step in the fishery development of the chartering nation. The period of the chartering arrangement shall be consistent with the development schedule of the chartering nation. The chartering agreement shall not undermine IOTC Conservation and Management Measures.</p> |
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BACKGROUND

The measure that sets a framework under which Chartering Agreement should take place in the IOTC Area of Competence was adopted in 2018, at the Twenty-second Session of the Commission. The following year an amendment was made to it resulting in the current version of the Resolution.

Essentially, the measure sets out a number of provisions which shall be included in chartering agreements, a notification scheme to inform on commencement of fishing activities under the charter agreement, notifications of suspension, resumption and termination of a chartering agreement, reporting requirements related to catches, fishing effort and observer coverage achieved while a vessel is being chartered. Recognising the primary responsibility of the flag State of a chartered vessel, activities beyond waters under the jurisdiction of the charterer exclusive economic zone defaults automatically onto the flag State.

All catches taken by a chartered vessel is accrued to the chartering party. Therefore, in such instances where the Commission has set catch limits on individual IOTC species, the catch made by a charter vessel is counted against the fishing possibilities of the chartering party and not the flag State of the chartered vessel.

DISCUSSIONS

During 2025, four CPCs (the European Union, Kenya, Oman and Tanzania) entered into Chartering Agreements, either as the Chartering Party or the flag State Party. As required by Resolution 19/07, these were notified to CPCs by the Executive Secretary of the IOTC through [IOTC CIRCULAR 2025-31](#), [IOTC CIRCULAR 2025-36](#) and [IOTC CIRCULAR 2025-38](#).

The first circular (2025-31) informed of Kenya as the chartering Contracting Party and the European Union (EU-Spain) as the flag Contracting Party. The second circular (2025-36) informed of Oman as the chartering Contracting Party and Kenya as the flag Contracting Party. The last circular on the subject in 2025 (2025-38) informed of Oman as the chartering Contracting Party and Tanzania as the flag Contracting Party. In all cases of the three Chartering Agreements the conditions of paragraphs 4.1 and 4.2 of Resolution 19/07 were fulfilled by all concerned parties, with regards to the charter notification.

For the Charter Agreement between the European Union and Kenya, the European Union notified on the when fishing operation started, the period that the Agreement was suspended and the date of resumption, whereas the chartering Party, Kenya, failed to inform the Executive Secretary of any of this, as required by paragraph 6 of the Resolution. For the other Agreements, which involves Oman - Kenya, and Oman - Tanzania, the dates of start of fishing operations and termination date of the Agreements were provided, and it would seem that these Agreements were not suspended for any period of time. Without information to show to the contrary, only Kenya has not fully complied with the requirements of paragraph 6.

Generally, there seems to be a lack of consistency between the chartering parties of when fishing operations starts under their 2025 Charter Agreements. This is illustrated in the below table.

Non-reporting or discrepancy in the date of start of fishing operations

Date of start of fishing operations reported by the Charterer	Date of start of fishing operations reported by the Charteree
European Union – 29-09-2025	Kenya – Not reported
Kenya – 03-11-2025	Oman – 10-11-2025
Tanzania – 28-10-2025	Oman – 27-11-2025

In line with Paragraph 8 of the Resolution, the chartering Contracting Parties, Kenya and Oman in 2025, are required to submit by the 28 February each year, and for the previous calendar year, information of catches taken and fishing effort deployed by the chartered vessels, as well as the level of observer coverage achieved on the chartered vessels. At the time of preparing this document, both Kenya and Oman has defaulted on this obligation by more than 15 days, qualifying them for a assessment of *Non-compliant category 1*.

RECOMMENDATION/s

That the CoC23:

- **NOTE** document IOTC-2026-CoC23-08 *Summary of compliance with Chartering Agreement in the IOTC Area of Competence*.
- **RECOMMEND** Kenya submit all the relevant information required under paragraph 6 into the e-MARIS, as soon as possible.
- **RECOMMEND** that the two Chartering Contracting Parties, Kenya and Oman, submit the information required by paragraph 8, as soon as possible.