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# Report of the Intersessional Meeting on an Integrated Control and Inspection Scheme

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Yaizu, Japan, 27-29 March 2001



**REPORT OF THE INTERSESSIONAL MEETING**  
on an  
**INTEGRATED CONTROL AND INSPECTION SCHEME**

**Yaizu, Japan, 27-29 March 2001**

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**INDIAN OCEAN TUNA COMMISSION**  
**VICTORIA, 2001**

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## ABSTRACT

*The Intersessional Meeting on the Establishment of a Control and Inspection Scheme was held in Yaizu, Japan 27-29 March 2001. Representatives of 16 Members of the Commission, one State eligible to attend sessions of the Commission and from one intergovernmental organization attended the Session.*

*The Meeting first examined relevant international instruments, existing Control and Inspection schemes and the outcome of the adoption by COFI of the IPOA on IUU fishing. Three Members then presented proposals for elements such a scheme might address.*

*The Meeting reached consensus on the general principles a Control and Inspection scheme should contain, but deferred to a later time consideration as to whether such a scheme should be binding on Contracting and Cooperating Parties, pending clarification of legal issues.*

*There was consensus that the principle of flag State responsibilities is an essential element of the Control and Inspection Scheme, as well as on some of the actions that this might encompass. There was full support for the idea of a phased approach to implementation, starting from minimum requirements applicable to all vessels, with a pragmatic and adaptive application of different control tools.*

*In discussing compliance and enforcement, at-sea inspection did not garner wide support, but it was recognized that at-port inspections were necessary, while taking due care to avoid discrimination or practices that could lead to loss of quality of the catch. There was consensus on the principle that observer programmes constitute a valuable tool for monitoring fisheries even in the absence of any enforcement role and it was agreed that Vessel Monitoring Systems (VMS) are a valuable element to be incorporated in later phases of the Scheme.*

*There was agreement that a clear procedure to follow in the case of a potential violation needs to be developed, in accordance to international agreements, but more work is needed to define what constitutes a violation and the degrees of severity of potential violations.*

*There was a consensus that special consideration needs to be given to developing nations and that active cooperation should be established to facilitate the implementation of the Control and Inspection Scheme. There was also agreement concerning the establishment of a Control and Inspection Committee, although the specific terms of reference will be formulated in the future.*

*In relation to Other Matters, Japan introduced a revised version of the draft Resolution Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Bigeye Tuna in the IOTC Area of Competence, that had been presented at the Fifth Session of the IOTC. This version was revised after further consultation with other contracting parties. The Meeting agreed that the action plan has merit but should be deferred for further consideration.*



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## **INTRODUCTION**

1. During the Fifth Session of the IOTC, the outline of a Control and Inspection Scheme was introduced. The Commission recognized that this proposal could not be properly addressed in the time available and it was agreed that an intersessional meeting would be held in Japan during 2001 to study the content and implementation of such a scheme.
2. The Intersessional Meeting on the Establishment of a Control and Inspection Scheme was held in Yaizu, Japan 27-29 March 2001. Representatives of 16 Members of the Commission, one State eligible to attend sessions of the Commission and from one intergovernmental organization attended the Session. The list of participants is attached as Appendix II.

### **OPENING OF THE MEETING**

3. On behalf of the Government of Japan, Mr. Komatsu welcomed the participants to Yaizu and declared the meeting open. His speech is reproduced in Appendix I. The Chairperson of the Commission, Mme Nita Chowdhury (India), was unable to attend the Meeting. In consequence, the meeting was chaired by the Vice-Chairperson present, Mr. M. Komatsu (Japan).

### **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION**

4. The Commission adopted the Agenda as presented in Appendix III to this report. The documents available for the meeting are listed in Appendix IV.

### **Admission of Observers**

5. Pursuant to Article VII of the IOTC Agreement, the Commission noted the presence of an observer from the Islamic Republic of Iran, entitled to attend as a Member of FAO, and admitted one intergovernmental organization, the South-Pacific Forum Fisheries Agency (FFA) as observer.

## **BACKGROUND**

### **a) Relevant international agreements**

6. The item was introduced by the Legal Adviser from FAO. He drew attention to the main provisions of the 1982 UN Convention on the Law of the Sea concerning fishing for tuna, namely article 64 and articles 116 to 119 to which the preamble to the IOTC Agreement refer in particular. He also summarised the principal provisions of the 1993 FAO Compliance Agreement and the 1995 UN Fish Stocks Agreement, especially insofar as they concerned the introduction of control and inspection schemes. China and Japan expressed concerns about certain provisions of the UN Fish Stocks Agreement relating to boarding and inspection on the high seas.

7. The Legal Advisor further drew attention to the fact that the South East Atlantic Fisheries Organization (SEAFO) Agreement would be opened for signature in Windhoek in mid-April 2001, with FAO acting as depositary. Finally, he drew attention to the progress being made with respect to the formation of an agreement for the establishment of a South West Indian Ocean Fisheries Commission, which would deal with non-tuna species. However, he pointed out that negotiations were still at a determining stage.

### **b) Existing control and inspection schemes**

8. The Secretary introduced this item. He drew attention to a number of schemes that already existed in other regions including the Atlantic, Pacific and Indian Oceans and presented a table setting out in a comparative manner the points of similarity. The meeting thanked the Secretary for providing this table and requested that it be revised to include information on schemes to promote compliance by non-contracting parties with conservation measures adopted by regional fisheries bodies. It was also requested that the membership of these organizations to be added to the table. Some further information was provided to assist in filling out parts of the table. The revised table is included in Appendix V.



### **c) Outcomes of COFI and the IPOA on IUU fishing**

9. The Legal Adviser from FAO introduced this item. The International Plan of Action on Illegal Unregulated and Unreported Fishing was adopted at the twenty-fourth Session of the FAO Committee on Fisheries (COFI) and will be transmitted to the FAO Council at its meeting in June 2001 for formal endorsement.

10. He emphasised the voluntary nature of the Plan of Action and its close link to the Code of Conduct for Responsible Fisheries, within the framework of which it had been negotiated. This IPOA is subject to the application clauses found in the Code. He drew attention to the provisions having relevance to the work of this meeting, namely those concerning Control and Inspection.

11. The Chairman also added some comments on the International Plan of Action, adopted at the recent session of COFI and which was chaired by him. He drew attention to several of the political difficulties faced by some of the countries present at the negotiations, pointing out that, while in many respects a compromise document, the International Plan of Action made significant progress in tackling many key areas involving IUU fishing.

### **d) Presentation of proposals tabled by contracting parties**

12. At the invitation of the Chairperson, Australia, Japan and the European Community presented documents outlining proposals for the establishment of a Control and Inspection Scheme for consideration by the Commission. It was agreed that specific details would be discussed under the appropriate Agenda items.

13. The EC introduced its proposal by recognizing the special situation of IOTC, where consideration of these issues is in the initial stages. Therefore it considered advisable to develop a flexible provisional scheme that would include, initially, a minimum set of arrangements that could be expanded in the future. Implementation of suitable arrangements will facilitate the adoption of management measures by the Commission by ensuring compliance by all parties.

14. The EC listed the main elements of the proposal which include: 1) registration and authorization of vessels; 2) a set of requirements for all vessels; 3) implementation of observer programmes; 4) communication of information on activities of fishing vessels, 5) port State measures and 6) a scheme to promote compliance by non-contracting parties. A number of universal elements would be applicable for vessels of over a certain size, although the size threshold could vary for different purposes. Other elements (e.g. observer programmes) would be applicable only in cases where they prove to be the most effective solution.

15. In presenting its proposal, Australia noted that the Scheme should be consistent with IOTC resolutions. The overlap between the three proposals presented was noted, as were differences regarding, in particular, the establishment of an Control and Inspection Committee, for which it will be necessary to clearly define the objectives. Australia envisages the Control and Inspection Committee working in close cooperation with the Scientific Committee, which would have to be aware of the constraints identified by the Control and Inspection Scheme in discussing recommendations on management measures.

16. Australia also stressed the need for urgent progress on the establishment of the Scheme, as experience has shown that there is a tendency for fishing effort to move to areas with fewer controls.

17. In introducing its proposal, Japan observed that the Control and Inspection Scheme should ensure the effective implementation of management measures by both contracting and non-contracting parties. A large portion of the catch is still unreported, and it was emphasized that data collection and statistics need improvement. The responsibility for control and inspection, including at-sea inspections, should lie primarily with the flag state rather than with a third party. The proposal calls for an implementation in different stages of two main structural components: 1) A set of minimum-level arrangements, which

would be implemented as soon as possible, and 2) a set of arrangements for large-scale fishing vessels. These arrangements would contribute to the implementation of the provisions of the IPOA on IUU Fishing, in particular to combating the activities of the Flag of Convenience vessels. Japan further noted that special consideration should be given to the needs of developing countries by assisting them to build their capacity to implement the Control and Inspection Scheme.

18. It was noted that the establishment of a Control and Inspection Scheme should not be an impediment to access to resources of the Indian Ocean by developing countries. It was agreed that some measures should be applicable to small vessels .

19. There was full support for the idea of a phased approach to implementation, starting from minimum requirements applicable to all vessels, with a pragmatic and adaptive application of different control tools (e.g. VMS or observer programmes). The decision on the best tool to use in each case could be based on the cost/benefit ratio and physical constraints. It was also agreed that the question of inspections at sea should not be given a high priority.

20. Some Indian Ocean coastal States affirmed that inspection of small boats would be difficult to implement because of the high cost of patrol boats. In order to implement certain provisions of the Control and Inspection Scheme, capacity building activities might have to be considered. Effective implementation could be linked to the progress of the capacity building activities.

### **GENERAL DISCUSSION OF NEEDS AND PRINCIPLES**

21. There was a consensus that an effective Control and Inspection Scheme should embody a number of principles, namely:

- a) The Scheme needs to be consistent with the provisions of the IOTC Agreement and existing instruments of international law.
- b) The Scheme needs to underline the general duty to cooperate and a commitment to transparency.
- c) The Scheme should contribute to the improvement of data collection and statistics, giving due consideration to the capacity-building needs of developing nations.
- d) The Scheme should provide a means of ensuring compliance by both contracting and non-contracting parties, seeking to minimize the level of IUU fishing in the area under the mandate of IOTC.
- e) Implementation should follow a phased approach. The first phase, to be implemented as soon as possible, would consist of a minimum set of arrangements to be applied to all relevant vessels.
- f) The Scheme should, as appropriate, emphasize flag State responsibility in the implementation of all relevant elements, including the minimum level of requirements.
- g) The elements of the Control and Inspection Scheme should obtain the consensus of the contracting parties.

22. Although there was agreement that the Scheme should be applicable to both contracting and non-contracting parties, it was noted that the consideration of whether the Scheme should be binding on contracting parties and cooperating non-contracting parties should be deferred to a later stage, pending clarification of some legal issues raised by the interpretation of Article X of the IOTC Agreement.

23. The Commission recognized the importance of better defining the elements (several of which have already been incorporated in resolutions adopted by IOTC) that would be implemented in a first phase of a Control and Inspection Scheme and assigned the task of elaborating a set of minimum requirements that could be implemented as soon as possible to a drafting committee (see Appendix VI). These agreed minimum-level requirements reflect the discussions held under Agenda Items 4 through 7.

## **FLAG STATE OBLIGATIONS**

24. There was consensus that the principle of flag State responsibilities is an essential element of the Control and Inspection Scheme. This principle would be translated into a number of actions that each flag state should undertake, including (but not limited to): registration of vessels, authorization to fish in the Indian Ocean, submission of information on the characteristics of registered vessels to IOTC, marking of gear and vessels and provision of information regarding catches and activities of the vessels while operating in the Indian Ocean to the flag State which will transmit such data to IOTC. Flag state responsibilities in other Control and Inspection activities are also discussed under the different sub-items of Agenda Item 5.

### **COMPLIANCE AND ENFORCEMENT**

#### **a) At-sea inspection**

25. There was not wide support for this element to be included in the Control and Inspection Scheme at this stage. It was noted that, in general, at-sea inspection has not proven to be a cost effective tool, in particular for tuna fisheries.

#### **b) In-port Inspection**

26. There was general consensus that in-port inspection is a central element in a Control and Inspection Scheme and that it could be, in particular, an effective tool to deal with IUU fishing by denying authorization to unload or tranship catches.

27. However, in the process of port inspection, care has to be exercised to prevent abuses that would result in a degradation of the quality of fish, harassment of the fishermen or undue delay of fishing operations. Furthermore, and in accordance with international law, port inspection should apply only to vessels that enter voluntarily into port.

28. There was agreement that port inspection should be non-discriminatory and should be applicable to all relevant fishing vessels in conformity with existing international law. However, it was noted that, in practice, vessels of contracting parties would benefit from the presumption that their activities were legitimate. Priority would then be given to inspect vessels from non-contracting parties as the burden of proof lies with them to demonstrate that they have conducted fishing operations in a manner that does not undermine the effectiveness of the management and conservation measures.

29. It was recognized that communication and cooperation between the flag state and the port state is an important element of the procedure to follow where there is reason to believe that there may have been a violation (see Agenda Item 5.d).

#### **c) Other control and inspection measures**

30. There was consensus on the principle that observer programmes constitute a valuable tool for monitoring fisheries even in the absence of any enforcement role and, in some cases, the only effective tool available. More discussion will be necessary to specify the cases in which they would be applicable and on the details of implementation in each case, such as recommended coverage rate or whether observers should only collect scientific data or also monitor compliance.

31. On the question of the responsibility for implementing an observer programme, there was general support for national programmes although, in some cases, regional coordination might be required. It was noted that, in any case, the information collected should adhere to a standard format to facilitate exchange and further analysis of the data collected.

32. It was agreed that Vessel Monitoring Systems (VMS) are also a valuable element to be incorporated in later phases of the implementation of the Control and Inspection Scheme. Discussion on the specifics of implementation, such as a definition of the category of vessels to which it would apply and the

procedures to exchange information, was deferred to a later stage. It was agreed that a “hailing” system could provide an interim solution where a State was not yet in a position to implement VMS monitoring. It was also agreed that this type of monitoring (hailing system) might be appropriate for small coastal craft.

33. Other elements were also briefly mentioned such as trade information schemes or concerted actions against non-contracting parties, but it was agreed that these options could be introduced in future stages.

#### **d) Infringement procedures**

34. It was agreed that more work is needed to define what constitutes a violation and the degrees of severity of potential violations. In general, these definitions will depend on the future management and conservation measures to be taken by the Commission and will be specific to the IOTC area of mandate.

35. However, there was agreement that a clear procedure to follow in the case of a potential violation needs to be developed, in accordance to international agreements. This procedure would include communication and cooperation between the coastal State identifying the violation and the flag State, followed by a communication to the Secretariat and all contracting parties, while the flag State takes the necessary actions to correct the situation.

36. It was noted that the penalty systems of the different contracting parties should be equally strict in dealing with infractions to ensure that illegal activities are effectively deterred, although the point was made that penalties that might be lenient for some parties could be extremely severe for less affluent countries.

#### **SPECIAL CONSIDERATIONS TO DEVELOPING NATIONS**

37. There was a consensus that special consideration needs to be given to developing nations and that active cooperation should be established to facilitate the implementation of the Control and Inspection Scheme.

38. This cooperation would involve different priority areas, to be identified by the recipient nations, and would concentrate on building the capacity required for effective implementation of the Scheme. Two potential areas for cooperation are training at different levels in the national administrations (e.g.: to reinforce existing statistical systems) and, at a later stage, technical assistance to establish VMS systems.

39. Possible ways to make the necessary funds available were briefly discussed and a number of options identified. Bilateral arrangements could be established between donor and recipient countries through existing aid programmes. Alternatively, the budget of the Commission could be expanded to accommodate the additional expenditures, although this would result in increased level of contribution for all contracting parties. A third option would be the establishment of a trust fund outside of the regular budget of the Commission that would be dedicated to finance the relevant activities.

#### **ESTABLISHMENT OF A CONTROL AND INSPECTION COMMITTEE**

40. There was agreement concerning the establishment of a Control and Inspection Committee, although the specific terms of reference will be formulated in the future, after more information is made available on the models in place in other regional fisheries bodies. Initially, these terms of reference might include simply to further refine the Control and Inspection Scheme and to review compliance with existing regulations.

## **OTHER MATTERS**

### **a) Draft resolution proposed by Japan concerning an action plan to ensure the effectiveness of the conservation programme for bigeye Tuna in the IOTC Area of Competence**

41. Japan introduced a revised version of the draft Resolution Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Bigeye Tuna in the IOTC Area of Competence, that had been presented at the Fifth Session of the IOTC. This version was revised after further consultation with other contracting parties.

42. The Meeting agreed that the action plan has merit but deferred for further consideration.

### **ADOPTION OF THE REPORT**

43. The Meeting recommended to the Commission that work to develop a Control and Inspection Scheme should be pursued actively.

44. The Report was adopted on March 29<sup>th</sup>, 2001. The Chairperson thanked all the participants for their contribution to the successful outcome of this meeting.

**APPENDIX I**  
**OPENING REMARKS BY MR. MASAYUKI KOMATSU, COUNSELLOR OF THE**  
**FISHERIES AGENCY OF JAPAN**

Ladies and gentlemen, distinguished delegates,

Welcome to Yaizu. It is my great pleasure to be able to host the IOTC Intersessional Meeting on the Establishment of a Control and Inspection Scheme here in Yaizu, which is the prominent tuna and skipjack fishing port of Japan. I am Masayuki Komatsu, Counsellor of the Fisheries Agency of Japan. I would like to express my welcome to all the delegations.

As you are aware, the IOTC is a regional fishery management organization established with an aim of promoting conservation and optimal utilization of the tuna resources in the Indian Ocean. It was agreed by all the countries concerned to be established in 1996 after a long negotiation. As stipulated by the United Nations Convention on the Law of the Sea, highly migratory fish species like tuna should be managed under the regional fishery management organization with participation of the relevant nations and entities related with the species concerned, based upon the scientific grounds in a consistent manner regardless of inside or outside of EEZs. Based upon this basic principle, Japan intends to make efforts, together with other members of the IOTC, to achieve the sustainable utilization of highly migratory fish species in the Indian Ocean. I am glad that IOTC was established properly and is developing year by year.

In this regard, I would like to draw your attention that some states and organizations have been excluded from the negotiation process at the MHLC and the MHLC Convention fails to ensure an effective framework for the sustainable utilization of the highly migratory fish species in the Central and Western Pacific. Japan is deeply concerned about such a regional fishery management organization.

The world fishery stocks are under the serious over-exploited condition at present, from a standpoint of sustainable use. Tuna and skipjack stocks are one of these examples. Japan reduced the number of long distance longline vessels by 20% in 1999, namely, scrapping 132 vessels in line with the FAO International Plan of Action for the Management of Fishing Capacity. This action brought a serious and painful impact upon Yaizu as well. Thus, Japan strongly urges other states and entities that engage in long distance tuna longline fishing to undertake concerted actions in a similar manner.

Under such circumstances, it is our serious concern that illegal, unregulated and unreported (IUU) fishing including "flag of convenience" (FOC) fishing vessels are operating and undermining the conservation and management measures of IOTC. To abolish the IUU fisheries, the 24th FAO Committee on Fisheries recently adopted the International Plan of Action to combat IUU fishing. At the 4th annual session of the IOTC in 1999, a resolution against the FOC longliners was already adopted. Further actions and initiatives are expected in the future based upon this Plan of Action.

Meanwhile, OPRT (Organization for Promotion of Responsible Tuna Fishery) was established last December in Japan, with an objective of eliminating FOC tuna longline vessels. This initiative represents Japan's effort as a responsible fishing nation as well as the initiative as a responsible market nation.

The theme of this intersessional meeting is to develop an appropriate control and inspection scheme for the sustainable use of tuna stocks in the Indian Ocean. Japan hopes that the discussion will create a framework which fully reflects unique characteristics of the IOTC as an organization which has many developing nations of the Indian Ocean and is actively tackling with the conservation and management issues of the Indian Ocean tuna stocks. This framework needs to introduce data collection on catch and fishing vessels as well as to provide appropriate management of vessels and measures against IUU fishing including FOC vessels. In order to implement this type of control and inspection, full consideration is necessary to extend cooperation for the developing countries and Japan is willing to do so.

Other pending problems for the IOTC are, for example, the conservation and management measures of bigeye tuna as well as predation of longline caught fish. It is abundantly clear that, at least, freezing of fishing effort for bigeye is urgently needed as advised by the Scientific Committee. With respect to the predation of longline caught fish, it is estimated that about 30% of the fish hooked by longliners is eaten by marine mammals in particular false killer whales, sharks and other predators, which is equivalent to a loss of 30% of the total revenue. It is necessary to promote a survey of the actual situation of the damage, and that the IOTC should consider a proper management of the whole ecosystem including the cetaceans. The recent FAO Committee on Fisheries also agreed to conduct study and review on the interaction between marine mammals and fisheries. It is obvious that the need for such an approach is recognized globally as well as at the IOTC.

With respect to the stagnant low price of skipjack in the world market, very low price level of skipjack due to the global excess supply has been a serious problem for purse seine fishery, which most severely affected here Yaizu City because it is a base port for skipjack purse seine fishery. The problems faced by these purse seiners have not only the economic aspects of low price but also have other aspects which should be rectified for the sake of sustainable utilization of the resources; for example the problem of numerous catch of small size tuna by FADs operations. To deal with these problems, global initiative is required to reduce or curb excess fishing effort; in that context, it is especially desirable that such actions should be taken by the regional management organizations like the IOTC.

Finally, I hope that you will enjoy the spring season in Japan while you attend this meeting. This is the most comfortable time of the year in Japan when cherry blossoms bloom.

Thank you very much.

## **APPENDIX II**

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## **APPENDIX III**

### **AGENDA**

1. Adoption of the Agenda and arrangements for the meeting
2. Background
  - a. Relevant international agreements.
  - b. Existing international control and inspection schemes
  - c. Outcomes from COFI on IUU fishing
  - d. Presentation of proposals tabled by Contracting Parties
3. Control and inspection needs, goals and objectives for both members and non-members
4. Flag State obligations
5. Compliance and enforcement
  - a. At-sea control and inspection
  - b. In-port control and inspection
  - c. Other control and inspection management measures
  - d. Provisions for infringement procedures
6. Special consideration for developing countries.
7. Establishment of a Control and Inspection Committee, including
  - a. Terms of Reference.
8. Other matters
  - a. Draft resolution proposed by Japan concerning an action plan to ensure the effectiveness of the conservation program for bigeye tuna in the IOTC area of competence.
9. Adoption of Report.

**APPENDIX IV**  
**LIST OF DOCUMENTS**

**MEETING DOCUMENTS**

Provisional Agenda	IOTC/SS/01/01
Principles underpinning the establishment and operation of an integrated IOTC control and inspection scheme – Document submitted by Australia	IOTC/SS/01/02
EC Proposal for a Control and Inspection Scheme– Document submitted by the European Commission	IOTC/SS/01/03
Draft resolution proposed by Japan concerning an action plan to ensure the effectiveness of the conservation program for bigeye tuna in the IOTC area of competence	IOTC/SS/01/04
Control and Inspection Scheme for IOTC: development consideration. Document submitted by Japan	IOTC/SS/01/05
List of Documents	IOTC/SS/01/Inf.01
List of Participants	IOTC/SS/01/Inf.02
Proposal for the establishment of an integrated control scheme – Document IOTC/00/08	IOTC/SS/01/Inf.03
IPOA on IUU Fishing adopted by the Twenty-fourth Session of the FAO Committee on Fisheries	IOTC/SS/01/Inf.4

**DOCUMENTS AVAILABLE**

Report of the Fifth Session of the Indian Ocean Tuna Commission	IOTC/S/05/00[E]
Collection of Resolutions and Decisions of the Indian Ocean Tuna Commission	

## APPENDIX V

### SUMMARY TABLE SHOWING EXISTING CONTROL AND INSPECTION SCHEMES

RFB Regime	ICCAT	IATTC/ AIDCP	CCSBT	SPC/ FFA	NAFO	CCAMLR	NEAFC
Vessel register (governments)							
Authorization to fish (governments)							
Mandatory data requirements (governments)							
Mandatory data requirements flag State to RFB							
Vessel register flag State to RFB							
Vessel/gear marking to standard specifications							
System for reporting entry/exit from convention area							
VMS	Flag State					Flag State	
Scientific Observers			Coming				
Inspectors (shipborn)							
Boarding/Inspection procedure							Third party
Infringement procedure							
Compliance review panel							
Compliance committee				Working group		Authorized	
Port control measures				Also transshipment			
Schemes to promote compliance of non-cooperating parties including trade information scheme/trade measures							

#### **Membership of the regional fishery bodies.**

**IATTC:** Costa Rica; Guatemala; Panama; Ecuador; Japan; United States; El Salvador; Mexico; Vanuatu; France; Venezuela; Nicaragua.

**ICCAT:** United States; Japan; South Africa; Ghana; Canada; France; (St-pierre et Miquelon); Brasil; Maroc; Korea, Rep. of; Côte d'Ivoire; Angola; Russia; Gabon; Cap-Vert; Uruguay; São Tomé e Príncipe; Venezuela; Guinea Ecuatorial; Guinée-Conakry; United Kingdom (Bermuda); Libya; China, People's Rep. of; Croatia ; Communauté Européenne ; Tunisie ; Panama ; Trinidad & Tobago ; Namibie ; Barbados ; Honduras ; Algérie.

**SPC:** American Samoa, Cook Islands, Federated States of Micronesia (FSM), Fiji, French Polynesia, Guam, Kiribati, Marshall Islands, Nauru, New Caledonia, Niue, Northern Mariana Islands (CNMI), Palau, Papua New Guinea (PNG), Pitcairn Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu and Wallis and Futuna



**NEAFC:** Belgium; Denmark; Finland; France; Germany; Great Britain; Holland; IFS\*; Latvia; Norway; Poland; Portugal; Sweden; USSR;

**NAFO:** Bulgaria; Canada; Cuba; Denmark (in respect of the Faroe Islands and Greenland); Estonia; European Union (EU); France (Saint Pierre et Miquelon); Iceland; Japan; Korea, Republic of; Latvia; Lithuania; Norway; Poland; Romania; Russian Federation; Ukraine; United States of America

**CCAMLR** – Members: Argentina ; New Zealand; Australia; Norway; Belgium; Poland; Brazil; Russian Federation; Chile; South Africa; European Community; Spain; France; Sweden; Germany; Ukraine; India; United Kingdom of Great Britain and Northern Ireland; Italy; United States of America; Japan; Uruguay; Korea; Republic of  
States party to the Convention but not Members of the Commission: Bulgaria; Namibia; Canada; Netherlands; Finland; Peru; Greece

## APPENDIX VI

### SUMMARY ELEMENTS FOR CONTROL AND INSPECTION SCHEME

#### Introductory note

The purpose of the present table is to assist members of IOTC to ascertain the area in which there exists common ground and to identify possible future priorities. It has to be emphasised that the table is preliminary in nature and is not intended to do more than to provide an indication of how discussion ended up on a number of items not specifically addressed in the report as whole, or on which there was considered the need for further discussion.

It follows that the document does not commit any member to any particular course of action; rather, it is aimed at providing a basis for determining where next to focus attention. It is also recognized that nothing in these elements in any way affects the sovereignty of a State in waters under its jurisdiction or on vessels flying its flag.

The table was prepared by an open ended drafting group, which was established by the chairman. He invited Mr Liu Xiaobing of China to chair this open ended drafting group.

It was agreed that the Commission should apply in a phased manner, and subject to further consideration, the measures recommended for consideration in the table. It was also agreed that the size of vessels to be subject to the proposal under consideration, as set out in this table, would need to be considered further, as each phase was considered in detail.

It is recognised that the implementation by developing States of the elements set out in this table may require technical assistance. This might require the establishment of trust funds aimed at assisting developing States in IOTC.

Regime	Notes	IOTC Resolution
Flag State vessel register	These requirements are implied by the obligation placed on the flag State to report statistical data to IOTC.	98/04
Authorization to fish delivered by flag State		
Mandatory requirements for data reporting to Government	These requirements are implied by the obligation placed on the flag State to report statistical data to IOTC.	98/01
Mandatory requirements for flag State to report statistical data to IOTC	These requirements are implied by the obligation placed on the flag State to report statistical data to IOTC.	98/01
Mandatory requirements flag State to report vessel register to IOTC	See flag State register.	98/04
Mandatory requirements for vessel marking	Internationally/regionally agreed standards should apply.	
Mandatory requirements for gear marking	Internationally/regionally agreed standards should apply.	
Satellite VMS	VMS reporting is seen as the preferred manner to establish that a fishing vessel is active in the Convention area.	
Reporting of entry/exit from Convention area (Hailing system)	In a phased approach to implementation, a hailing system could be used by States not yet able to monitor vessels by satellite VMS.	

*Continued*

Observers	Observers should have no enforcement role; An observer can generally only be placed on a large fishing vessel; In particular situations, observers may be the most cost-effective way of verifying the implementation of certain measures.	
Infringement procedures	This element needs to be developed and agreed upon.	
Port State control measures	Implementation details need to be developed and agreed upon.	
Scheme to promote compliance by non-cooperating parties, including: trade information schemes and trade measures	The specifics need to be developed at a later stage.	

**Summary table showing elements common to the IPOA on IUU fishing and to the documents tabled at the Meeting**

	<b>IUU IPOA</b>	<b>Australia</b>	<b>EC</b>	<b>Japan</b>
<b>MCS</b>				
<b>Fishing Vessel Registration</b>				
<b>Record of Fishing Vessels</b>				
<b>Authorization to Fish</b>				
<b>Data collection and statistics/observer programmes</b>				
<b>Hailing system</b>				
<b>Boarding and inspection</b>				
<b>Trade related measures</b>				
<b>Port State measures</b>				
<b>Compliance</b>				
<b>Sanctions</b>				
<b>Special consideration to developing States</b>				