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United Nations



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INSPECTION OF VESSELS GUIDE

FOR FISHERIES INSPECTORS
TO **CONTRAVENTIONS** OF THE
INDIAN OCEAN TUNA COMMISSION
RESOLUTIONS



INSPECTION OF VESSELS
GUIDE
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INDIAN OCEAN TUNA COMMISSION
RESOLUTIONS

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ABSTRACT

This guide is related to the enforcement of the Conservation and Management Measures of the Indian Ocean Tuna Commission and has been prepared to assist fisheries inspectors with action related to monitoring and enforcement. Its purposes are to facilitate the completion of inspection reports while implementing port State measures or conducting at-sea inspection and to identify actions to be taken by the inspecting authority.

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ABBREVIATIONS AND ACRONYMS

AFV	authorised fishing vessels
AIS	automatic identification system
ATF	authorisation to fish
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMM	conservation and management measure
CMS	Convention on the Conservation of Migratory Species of Wild Animals
CNCP	cooperating non-contracting party
CPC	contracting party and cooperating non-contracting party
DFAD	drifting fish aggregating device
EEZ	exclusive economic zone
FAD	fish aggregating device
FAO	Food and Agriculture Organization of the United Nations
FMC	fisheries monitoring centre
FV	fishing vessel
GPS	global positioning system
IOTC	Indian Ocean Tuna Commission
IUU	illegal, unregulated and unreported (fishing)
LJFL	lower jaw fork length
LSTLV	large-scale tuna longline vessel
LOA	length overall (of vessel)
MCS	monitoring, control and surveillance
PSM	port State measure
RAV	record of authorised vessels
VMS	vessel monitoring system

GLOSSARY OF TERMS

Coastal State fishing licence	A licence issued by a contracting party and cooperating non-contracting party (CPC) to a foreign flag vessel to fish in its exclusive economic zone (EEZ).
Contravention	Any failure to comply with a prescription contained in an IOTC Resolution.
Court	A court of law in the context of prosecution. A “tribunal” is used as a term to describe any other formal institution that has the power to determine a sanction for non-compliance, e.g. a compounding committee.
Fisheries inspector	A person mandated and appointed to monitor compliance with and/or to enforce fisheries legislation.
Fisheries officer	See Fisheries inspector.
Fishing	Searching for, attracting, locating, catching, taking or harvesting fish or any activity which can reasonably be expected to result in the attracting, locating, taking or harvesting of fish. ¹
Fishing-related activities	Any operation in support of, or in preparation for, fishing, including landing, packaging, processing, transshipment or transport of fish and/or fish products that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear, food and other supplies at sea. ²
Inspection	The routine activity of monitoring or checking compliance.
Investigation	The process of gathering evidence to present to a court or tribunal where there is a reasonable belief that a contravention has taken place. An investigation can follow after the detection of non-compliance during an inspection (in which case the inspection “becomes” an investigation) or can follow from a search which resulted in evidence of non-compliance.
Offence	An obligation of which the failure to comply with is criminalised in domestic law and could therefore lead to a prosecution and possible conviction.

¹ Definition taken from the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

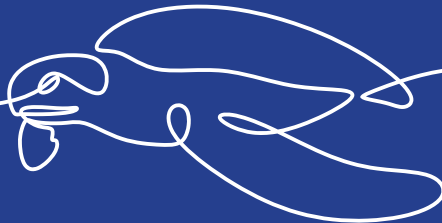
² Definition taken from the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.



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1

**INTRODUCTION
TO THE GUIDE**



1.1 PURPOSES OF THIS GUIDE

This Guide is related to the enforcement of the Indian Ocean Tuna Commission (IOTC) conservation and management measures (CMMs). The purposes of this Guide are to assist inspectors in the completion of inspection reports while implementing port State measures (PSM) or conducting at sea inspection and to identify actions to be taken by the inspecting authority.

Such actions can include:

- prosecution; and/or
- compounding/administrative fine; and/or
- reporting the contravention to the IOTC; and/or
- requesting that the vessel be put on the IOTC list of illegal, unreported and unregulated (IUU) vessels (hereafter referred to as the “list of IUU vessels”)³

This Guide will not look at the obligations of IOTC contracting parties and co-operating non-contracting parties (CPCs), but will examine the prescriptions (in the form of obligations and contraventions) CPCs must impose on the regulated community, as determined by the Resolutions, and how these prescriptions can be monitored and enforced. We look at the contraventions that are binding on the regulated community from the perspective of the fisheries inspector.

Although this Guide is about contraventions committed by the regulated community, and not the obligations of CPCs, there are contraventions that must be reported to the IOTC. These will be reflected in the Guide [Figure 1](#)).

³ Resolution 18/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence.

INSPECTION OF VESSELS GUIDE

FOR FISHERIES INSPECTORS TO CONTRAVENTIONS
OF THE INDIAN OCEAN TUNA COMMISSION RESOLUTIONS



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Figure 1 – Carrier vessels are also covered by the Resolutions

1.2 HOW TO USE THIS GUIDE

The first section of Part A of this Guide very briefly describes the requirement to incorporate the IOTC resolutions into domestic legislation. While it is not the primary purpose of this Guide, the table of contraventions in Part B can also be used to verify if the domestic legislation is adequate to regulate the prescriptions that should be imposed on the regulated community.

The second section of Part A serves as background and a reminder on gathering, preserving and presenting evidence. It includes some tips, guidelines and best practices. This should be kept in mind when using the tables in Part B.

The third section of Part A looks at the activities constituting IUU fishing, as listed in Resolution 18/03 on the list of IUU vessels. The intention is to link the resolutions in the table of contraventions that follow in Part B to these IUU activities.

There are three annexes to Part A. Annex A contains two examples of Boarding Inspection/Search at Sea templates and Annex C contains an Evidence Chain of Custody Record form. Neither of these are officially prescribed but can be used and adapted by CPCs should they find them useful. Annex B is the existing Check List for compliance to the IOTC CMMs.

Part A therefore serves as background to Part B, the purpose of which is to serve as a practical tool for a fisheries inspector during an inspection or search. The table of contraventions can be used to determine whether a contravention has taken place, and if so, what evidence needs to be gathered to prove the contravention. The case studies in Part C are an illustration of the practical application of this.

A Glossary of Terms is provided at the beginning of this Guide. These definitions will apply throughout, save where a Resolution gives another meaning.

Some of the above definitions will be repeated in the text and tables in relation to a specific resolution where the term is formally defined. Some resolutions also contain definitions that are specific to that resolution, and those definitions are reflected in the tables, but not in the Glossary of Terms.

Icons⁴ are used as illustrations; these are found in [Figure 2](#) – below.

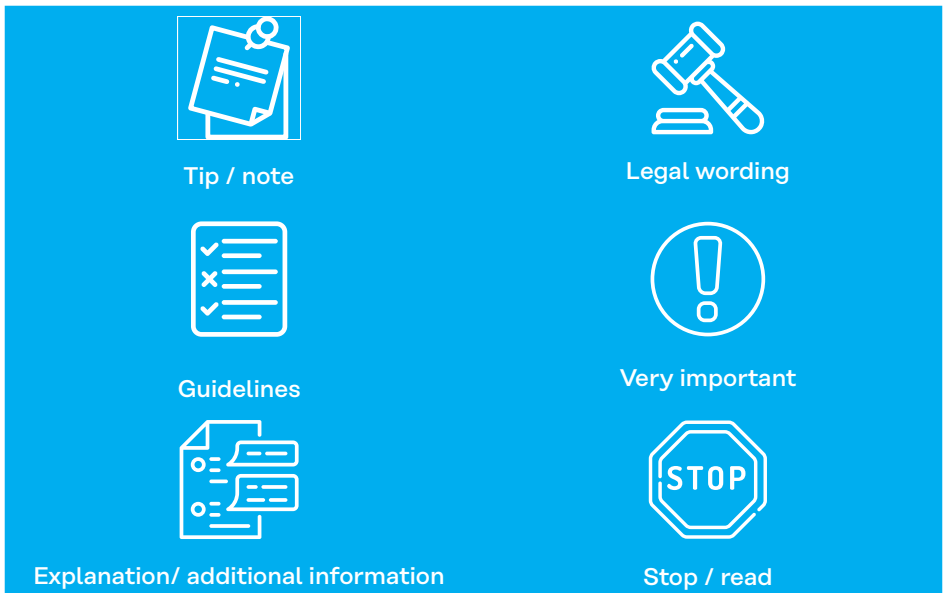


Figure 2 – Icons used in this Guide

⁴ The icons were sourced from www.flaticon.com.

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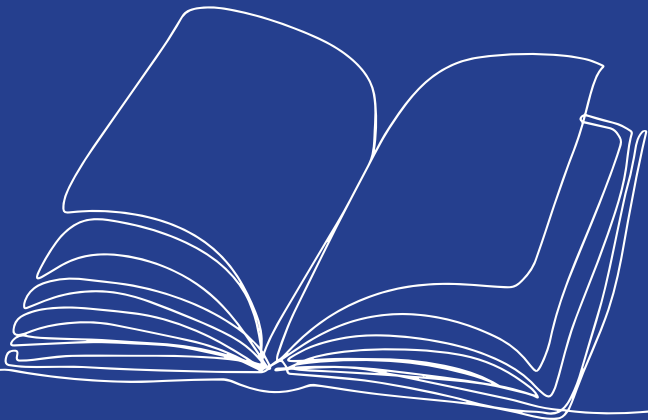
PART A -

**BACKGROUND, EVIDENCE AND
ILLEGAL UNREPORTED AND
UNREGULATED FISHING**



2

**INCORPORATION OF IOTC
RESOLUTIONS INTO DOMESTIC
LEGISLATION**



2.1 THE DOMESTICATION OF THE IOTC RESOLUTIONS

“Each Member of the Commission shall ensure that such action is taken, under its national legislation, including the imposition of adequate penalties for violations, as may be necessary to make effective the provisions of this Agreement and to implement conservation and management measures...”

Article X.1 of the Agreement for the Establishment of the Indian Ocean Tuna Commission

The obligations in terms of IOTC Resolutions are binding on the CPCs, and do not directly bind the regulated community – the fishers and fishing companies. Often an IOTC Resolution determines that *“CPCs shall require vessels to ...”*. The Resolution therefore requires national implementing measures to give domestic effect to these obligations, and to make the prescriptions binding on the regulated community.

This can be done in a variety of ways:

- through existing legislative provisions that provide for general adherence to the prescriptions in the resolutions by the regulated community; or
- through legislation or legislative amendments; or
- through adding such prescriptions as licence conditions.

Each of the above has advantages and disadvantages.

An “automatic” incorporation via an existing legislative provision (e.g. *“All measures prescribed by resolutions of regional fisheries management organisations are binding on all persons engaged in fishing or fishing related activities”*) is a convenient way of doing this, but Resolutions are drafted in terminology that creates obligations for the CPCs (as it should be – it is based on an agreement between countries) and the challenge is to translate these for the regulated community.

New legislation and/or legislative amendments are a long and often resource intensive process⁵, while adding the prescriptions in the resolutions as licence conditions (and the failure to comply with licence conditions is an offence in terms of most, if not all, domestic legislation⁶), has the limitation that it is only binding on the legal industry, and is not binding on vessels without such an authorisation.⁷

2.2 DO ALL INTERNATIONAL AND REGIONAL AGREEMENTS REQUIRE DOMESTICATION?

The short answer is “no”, but this also depends on the particular country’s existing fisheries legislation. The PSM Agreement is a good example. If the country’s legislation allows for boarding and inspection of vessels, for refusing entry into ports, and for sharing information (as most, if not all fisheries legislation provide for), the implementation of the Agreement is based rather on effective implementation, and does not necessarily require legislative amendments or other measures.

⁵ This will vary from country to country, and also depends on whether such legislation is made by the legislative or the executive branch of government. In many instances it is a combination of the two processes. Enactments by the legislature is a long process, whereas instruments such as Regulations or Decrees that are issued by the executive branch of government can be a fairly quick process.

⁶ An example is section 70(1)(e) of The Fisheries and Marine Resources Act 27 of 2007 of Mauritius: “Any person who fails to comply with any terms or conditions imposed ... shall, on conviction, be liable to...”

⁷ Another drawback is that the inclusion (or not) as well as the formulation of the condition is at the discretion of the licensing authority.

2.3 WHAT IS THE RELEVANCE OF THIS GUIDE?



As was stated above, the purpose of this Guide is to provide a tool for fisheries inspectors to detect contraventions during inspections and investigations, and to gather evidence, but it can also serve the additional purpose of a checklist against which to measure whether a particular country's legislation or other management measure effectively incorporates the IOTC Resolutions into the domestic legal and management framework.

Legislative amendments that clearly set out the obligations binding on the regulated community and provides for enforcement measures in the case of non-compliance remains the ideal way to incorporate the IOTC Resolutions into domestic legislation. For assistance in this regard, see the IOTC Legislative Framework⁸ that contains draft provisions for the incorporation of IOTC Resolutions into national legislative frameworks.



In the next part we will have a look at the gathering of evidence during an inspection or investigation. This will serve as background to the table of contraventions, which will list the contraventions and potential evidence.

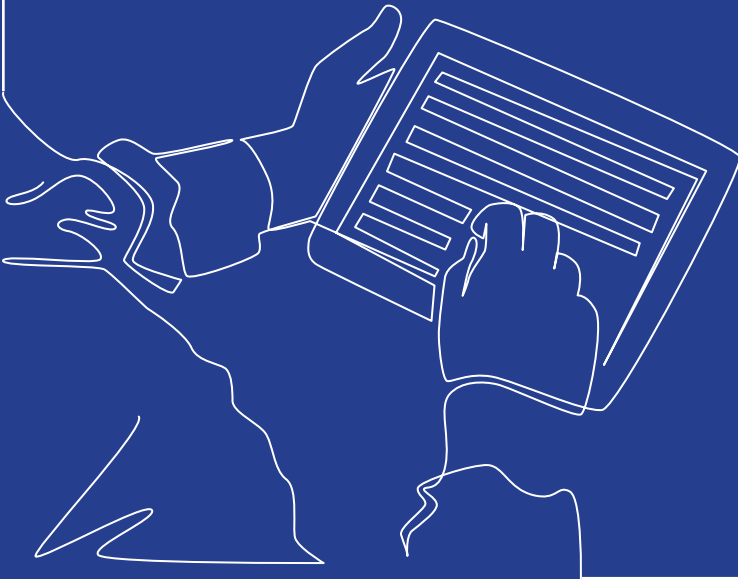
⁸ <https://www.iotc.org/compliance/capacity-building-compliance>.

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3

GATHERING EVIDENCE



3.1 WHAT IS EVIDENCE?

Evidence simply consists of all the information that can assist in establishing the facts in question.

The purposes of gathering evidence are firstly to determine whether there are grounds for taking enforcement action, and if so, secondly to present the evidence to a court or tribunal to decide whether guilt has been established. Once guilt has been determined, the court or tribunal must decide what the appropriate sanction is for the non-compliance. Following a conviction in a criminal court this can be a fine or imprisonment (or both) and the forfeiture of the instruments (e.g. the vessel or the fishing gear) or objects of the offence (e.g. the fish caught without a licence). Where administrative enforcement is applied, the sanction can be the issuance of an administrative fine by a compounding committee, or the suspension or revocation of the fishing licence.

In the IOTC context gathering evidence also serves the purpose of facilitating the reporting of the contravention to the IOTC for potential inclusion on the list of IUU vessels. We will discuss this in a bit more detail in the next section.

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Figure 3 – Holds and containers are also to be inspected

3 - LEGAL PILLARS AND COOPERATION FOR EVIDENCE GATHERING

Evidence can be gathered during an inspection or a search at sea (Figure 3). There is an existing template for a Port Inspection Report which is in the form of a Check-list to Compliance with the IOTC Conservation and Management Measures (<https://www.iotc.org/compliance/reporting-templates>) and to assist in the documentation of an inspection or search at sea, this Guide developed a template that is attached as Annex A1. This template is broadly based on the template used in one of the case studies below. In addition, Annex A2 contains an at sea inspection report that was developed as part of a proposed IOTC resolution on a regional high seas boarding and inspection scheme. These are not officially prescribed forms, but can be used and adapted by CPCs should they find it useful.⁹ Both are included as they have different approaches and structures, and the one might be more appropriate than the other for a specific country. The Check-list is attached as Annex B.

Evidence can take the form of oral evidence (testimony), documentary evidence (documents) or real evidence (objects). More recently, evidence gathered by electronic means has been categorised as a fourth category of types of evidence (Figure 4).

⁹ An electronic copy is available on request at IOTC-Secretariat@fao.org. Note that the IOTC does not have a high sea boarding and inspection scheme.

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Figure 4 – The main categories of types of evidence.

Let's have a short look at how each of these categories of evidence applies in fisheries.

3.2 ORAL EVIDENCE

Oral evidence is testimony before a court or tribunal and will be based on an affidavit (a statement made under oath, also sometimes referred to as a "sworn statement"). Such a statement is an individual report by an inspector (or any other witness) and will usually be based on contemporaneous notes made by the inspector during an inspection or search, and on the inspection report, where applicable.

Taking notes during an inspection or a search in a notebook is a simple but crucial tool in documenting evidence. It will serve as a basis for completing the inspection report or drafting a statement. As it will be a contemporaneous recording, it can also serve to refresh the inspector's memory at a later stage, such as during a prosecution or other legal proceedings. The use of a camera is equally important (we will revisit this aspect below).

3 - LEGAL PILLARS AND COOPERATION FOR EVIDENCE GATHERING

During oral evidence, a witness provides an oral version to the court or tribunal, either under oath or affirmation. The alleged transgressor will get an opportunity to test the credibility and truthfulness of the evidence via cross-examination.

3.3 DOCUMENTARY EVIDENCE

Where a document is produced with the purpose that a court or other tribunal take cognisance of the content of the document, it serves as documentary evidence. Typically, the following documentary evidence will be collected:

- fishing licenses
- logbook (Figure 5)
- observer records

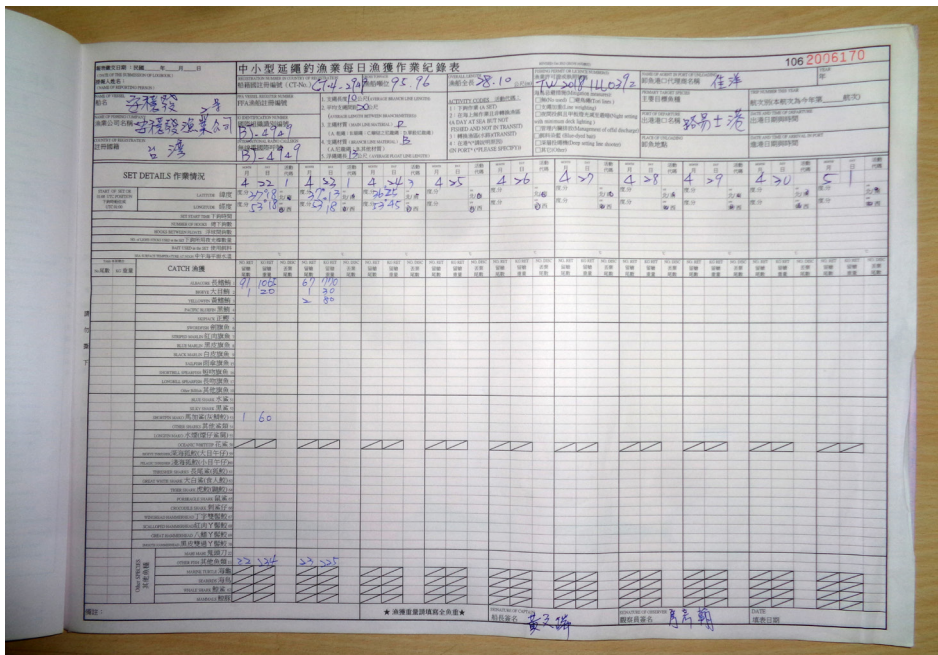


Figure 5 – Logbooks are a source of documentary evidence

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Other documents that can become evidence include the inspection report, statements made by inspectors or other witnesses, and the outcomes of scientific or forensic investigations. The last category can include the result of a formal identification of species, the outcome of DNA analysis or a forensic report on the validity or authenticity of a fishing licence.

Ideally the original document must be provided in court but sometimes this is not possible. Licences, logbooks and other records are usually copied or photographed, as the originals need to remain on board.



If you suspect that a licence or other document has been forged, tampered with or otherwise altered, it is good practice to seize the original document, as it needs to be forensically tested. In such a case, provide the master of the vessel with a receipt for the seizure of the document as well as a copy of the original.

3.4 REAL EVIDENCE

Real evidence consists of tangible or material objects presented to court, such as the tools used in the commission of the offence (also referred to as the instrumentalities of the offence, e.g. the vessel and illegal fishing gear), and the objects of the offence (e.g. the fish). As it is often either impossible or impracticable to produce such evidence to a court (the vessel cannot be brought to court, and the fish is a perishable product), this type of evidence is often presented via photographic images of the instrumentality or object in question.



Where the outlay of a vessel or the characteristics of the fishing gear is highly relevant to a matter, the court or other tribunal can perform an inspection of a vessel and/or gear (if it is still available, e.g. the vessel is detained in port). This is referred to as an inspection *in loco*. All observations made during such an inspection form part of the case record.

3.5 PHOTOGRAPHIC EVIDENCE

We referred to photographic evidence under the heading of real evidence above. There is, however, some academic dispute as to whether photographs are real or documentary evidence, and the same applies to video recordings made by an electronic device. In some cases, such as infrared footage taken by a drone, it might even be characterised as electronic evidence.



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Figure 6 – Inspectors can take photographs as evidence

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This uncertainty is, however, not of any real relevance in practice. What is important is that photographs (including digital photographs) are admissible where the photographer can verify the accuracy of such photographs, or where there is evidence that the photograph is a true likeness of the items shown in it.¹⁰

Photographs are very useful in “painting the picture” to a court or tribunal; otherwise they will have to rely only on an oral description of the contravention. Photographs (or at least digital photographs) do not fade with time, as memory does, and can serve as a permanent record of evidence (Figure 6).



Whether you photograph documentation or gear or fish on board, or fishing activity at sea, ensure that you take some wide-angle photographs to provide perspective before zooming in to photograph the detail.

It is also important to protect the integrity of photographic and video recordings.

¹⁰ Fisheries or other legislation often specifically provide for the admissibility of photographs.

3 - LEGAL PILLARS AND COOPERATION FOR EVIDENCE GATHERING



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Box 1 | Guidelines for digital photographs**Guidelines for digital photographs**

To avoid a claim that digital photographs have been manipulated in some way, here are a few guidelines to follow:

- As soon as possible after the photographs have been taken, make a work copy, and store the original photographs; only use the work copy.
- Ideally the original set of photographs should be left on the memory stick/disc, which should be removed from the camera, and sealed and stored as an exhibit; if that is not possible (e.g. where you used your mobile phone camera), retain the original set of photographs on your phone.
- From your work copy, select the photographs you want to print and present as evidence; if there are only a few photographs, include all of them, but if you have taken many photographs, you will select the most relevant, clear and appropriate ones.
- Photographs should ideally not be inserted in your statement (as your statement will not necessarily become evidence handed in to court) but should be put in a separate photo album (which will be handed in to court).
- Mark the photographs as e.g. A, B, C, but do not put a description of what it depicts under the photograph. This is best done on a separate page (“A: Gear on aft deck”). This is because you as photographer need to identify the photographs without reference to the description.
- Do not in any way alter the photographs you want to include in the photo album of printed photographs. If there is a need to alter them (e.g. enlarging part of a photograph), first display the original photograph, and then the enlarged version, clearly indicating that the second photograph is an enlarged portion of the previous photograph.
- As was indicated above, you will sometimes not use all the photographs in the photo album – make it clear in your statement accompanying the photo album that you have used selected photographs, and that the full set of photographs is available should any other party to the proceedings wish to study it. If not, you can be accused of “hiding” evidence.
- Include in your accompanying affidavit a statement that the photographs have not been manipulated or altered in any way, except where it has been noted in the album (e.g. where you have enlarged a portion of a photograph).
- For court purposes, make several copies of your photo album. Each party must get a copy to be able to follow the testimony based on the photographs.

3.6 EVIDENCE GATHERED BY ELECTRONIC MEANS

This is sometimes also referred to as “computer generated evidence”, or simply “electronic evidence”, and would for example include evidence on the position of a vessel as determined by a vessel monitoring system (VMS) or global positioning system (GPS) device (Figure 7). As the traditional rules on the admissibility of evidence evolved in a period where such technology did not exist, it would be difficult to convince a court to accept such evidence, or to rely on the accuracy of such evidence based on the traditional rules of admissibility. Most countries therefore have legislation (either provisions in fisheries legislation, or other dedicated legislation), allowing for the admissibility of electronic evidence.

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Figure 7 – Vessel Monitoring Systems can be effective evidence

3 - LEGAL PILLARS AND COOPERATION FOR EVIDENCE GATHERING

In evaluating the evidential weight of electronic evidence, the court will usually look at the following factors:¹¹

- the reliability in the manner in which the information was generated, stored or communicated;
- the reliability of the manner in which the integrity of the information was maintained; and
- the manner in which the originator (the person who made the recording or who developed the programme) was identified

What the above means in practice is that the following questions need to be addressed in the accompanying statement:

- Was there any risk that the device or information has been tampered with in such a way that would affect the accuracy of the information?
- How was the information downloaded?
- How was the information stored?
- Who recorded or downloaded the information?



Where the position of a vessel is a crucial element of a contravention, for example whether the vessel was inside the EEZ or a marine protected area, it is of utmost importance to verify the position not only with your instruments, such as GPS, but more importantly, on the vessel's instruments. Ultimately you want to prove not only that the vessel was in the particular area, but that the master *knew* he or she was in the area.

3.7 THE CHAIN OF CUSTODY

The chain of custody is very important when handling evidence: it protects the integrity of the exhibits. If an object is seized or a sample is taken, and it is necessary to identify, test or analyse such an object or sample, it is crucial to prove that the identified object or sample tested was the same as that which was confiscated or

¹¹ Adapted from Van Rooyen, Marga. 2018. *Evidential Aspects of Law Enforcement*. Juta. pp. 186-187.

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taken during the inspection, search or investigation, and that it had not been tampered with in any way. The same principles would apply to real evidence produced as an exhibit at court (Figure 8).



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Figure 8 – These shark fins must be subject to chain of custody

The final aim or objective of the process of protecting the “chain of custody” or “chain of evidence” is a clearly documented path that stipulates the course of the exhibit from the time it is seized or when the sample is taken, to the time of formal identification or testing, or delivery to a court or tribunal.

Box 2 | Guidelines when taking and handling samples or exhibits**Guidelines when taking and handling samples or exhibits**

A few guidelines to follow when taking and handling samples or exhibits in order to protect the chain of custody:

- If an object is seized or a sample is taken, the master of the vessel, or a senior crew member appointed by him or her, must be present to witness the process.
- If a sample is taken it must be sealed with a tamper-proof seal, or in a forensic bag, and clearly marked.
- If the fisheries inspector has the necessary expertise to identify the object (e.g. species of fish), this must be done in the presence of the master or his or her representative and explained to the master or his or her representative.
- If an object is seized from a suspect who is also arrested at the same time, the object must be transported to the police station within sight of the suspect. If the object(s) must be counted or weighed, this should be done in the presence of the accused at the police station. If a suspect is uncooperative or refuses to witness the process, note on your statement that he or she was given the opportunity, but refused. Proceed within sight of the suspect.
- Objects seized must be bagged and sealed after counting and/or weighing has taken place. A forensic bag or uniquely numbered tamper-proof seal is ideal for the purpose.
- If you are in a position where forensic bags or seals are not available, you can improvise. For example, use a plastic tag clearly identifying the contents and attach that with a cable tie to the bag or container used for the sample or object, or attach a label with the necessary information to seal the bag or container. The person sealing the bag or container must also put his or her signature on the label, as well as the date. This is not ideal as it is not tamper-proof, but still provides some degree of integrity and proper identification of the item or sample.
- If the evidence is a perishable item that must be stored in a freezer or cold storage facility, ensure that a permanent waterproof marker is used.
- Big consignments of fish products that cannot be handled in the above way should be tagged or marked and kept in a clearly defined area in the cold storage room.

- Access to the area where exhibits are kept must be strictly controlled and monitored to avoid the possibility of tampering (or an allegation of tampering).
- An exhibit register must be kept. Enter the details of the seized item(s) into the register:
 - the date and time;
 - name of the person who hands it in;
 - person/master/vessel from which it was seized;
 - a short description of the items; and
 - markings/seal numbers.
- The name of every person who handles the items until such time as it is examined or identified by an expert or is required for court purposes, must be entered into the exhibit register and the person must sign the register.
- If an expert must break the seal to conduct the identification or analysis, and should the items (or a random sample) be retained for court purposes, the expert witness must seal the items or samples again and note that on their statement, as well as the new seal numbers and other identification marks.



As much as possible of the whole process described above should be photographed.

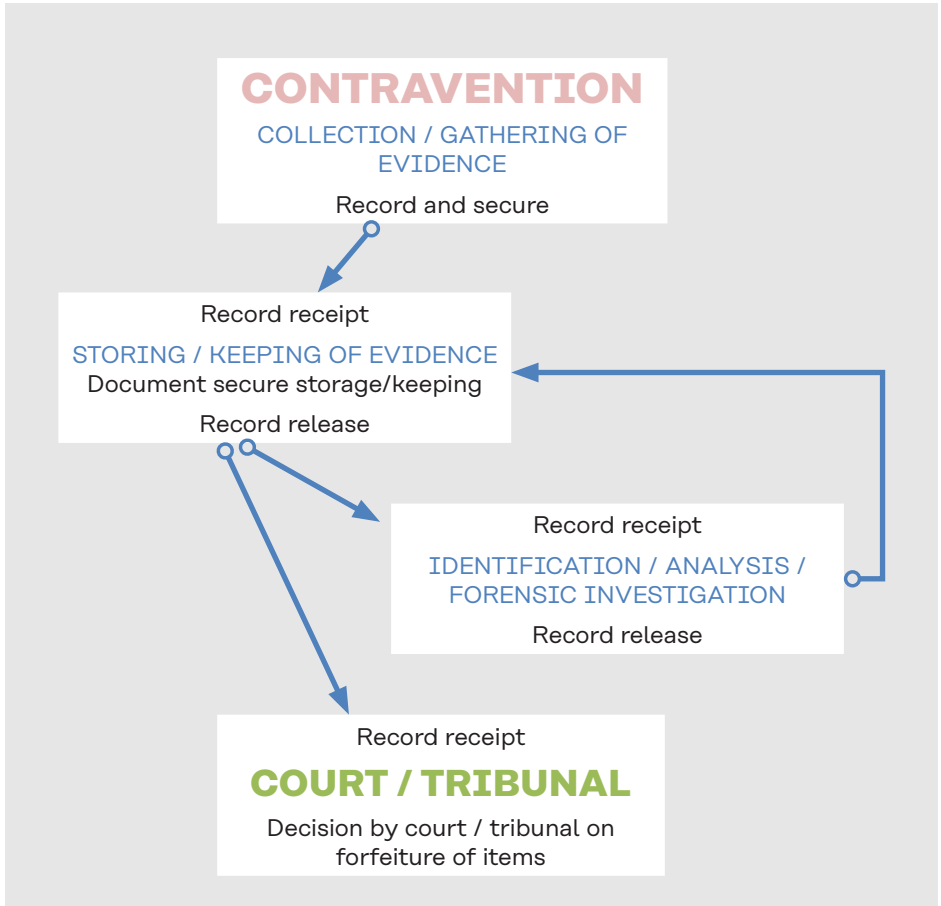
Ideally the process should be documented in a standard operating procedure (SOP) that all inspectors must follow. A standard form for documenting the process ensures that the correct process is followed. An example of such a form is attached as Annex C to this Guide. This is not an officially prescribed form but it can be used and adapted by CPCs should they find it useful.¹²

A secure and clearly documented process often convinces the other parties to admit to the correctness of the chain of evidence or identification or result of the analysis. Such a formal admission in a court or tribunal eliminates the necessity for evidence to be presented on the procedure and identification or analysis.

A cycle of evidence is presented in [Figure 9](#).

¹² An electronic copy is available on request at IOTC-Secretariat@fao.org.

3 - LEGAL PILLARS AND COOPERATION FOR EVIDENCE GATHERING



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Figure 9 – Cycle of evidence after a contravention

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4

LIST OF IUU VESSELS



4.1 WHICH CONTRAVENTIONS NEED TO BE REPORTED?

Evidence is also required to report contraventions to the IOTC in terms of Resolution 18/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence*. The measures in this Resolution apply to vessels, together with their owners, operators and masters that undertake fishing or fishing related activities for species covered by the IOTC Agreement or by the IOTC Conservation and Management Measures within the IOTC Area of Competence.¹³

4.2 WHAT EVIDENCE NEEDS TO BE PRODUCED?

The Resolution requires "*information*" on IUU activities to be submitted. In section 3.1 above evidence was defined as all the information that can assist to establish the facts in question. In this Resolution the term "*information*" is defined as "*suitably and sufficiently documented data which is capable of being presented as evidence to the Compliance Committee and/or Commission of any facts in issue*" [emphasis added].¹⁴

This information, or evidence, includes the following:¹⁵

- *reports regarding the alleged IUU fishing activity from CPCs relating to IOTC Conservation and Management Measures in force;*
- *trade information obtained on the basis of relevant trade statistics such as those from statistical documents and other national or international verifiable statistics; and*
- *any other information obtained from other sources and/or gathered from the fishing grounds such as:*
 - *information gathered from inspections undertaken in port or at sea; or*
 - *information from coastal States including VMS transponder or automatic identification system (AIS) data, surveillance data from satellites or airborne or seaborne assets; or*
 - *IOTC programmes, except where such a programme stipulates that*

¹³ Paragraph 2 of Resolution 18/03.

¹⁴ Paragraph 1 of Resolution 18/03.

¹⁵ Paragraph 6 of Resolution 18/03.

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- information gathered is to be kept confidential; or
- information and intelligence collected by third parties either provided directly to a CPC or via the IOTC Executive Secretary.¹⁶



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Figure 10 – These detached fins may be produced as evidence

¹⁶ Pursuant to paragraph 7 which provides for a process whereby the IOTC Executive Secretary can transmit such information from third parties to the flag State of the vessel concerned and other CPCs and request an investigation into the allegations.

4.3 CONTRAVENTIONS CONSTITUTING IUU FISHING

The first column in the table below lists the activities constituting IUU fishing according to Resolution 18/03. The second column lists the resolutions (as contained in Part B of this Guide) that create some of these contraventions (in some instances there is no applicable resolution – however, the activity may be covered by domestic legislation or other measures) (Figure 10 & Figure 11).

For the purposes of Resolution 18/03 a vessel is presumed to have engaged in IUU fishing activities when a CPC has provided information that such a vessel has, within the IOTC Area and in relation to species covered by the IOTC Agreement or by IOTC Conservation and Management Measures, engaged in activities as set out in the table below.¹⁷



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Figure 11 – This vessel should be on the Record of Authorised Vessels

¹⁷ Paragraph 4 of Resolution 18/03.

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Activities constituting IUU activities and the applicable Resolutions are presented in [Table 1](#).

Table 1 – Activities constituting illegal, unreported and unregulated fishing and applicable Resolutions

Activity constituting IUU fishing	Applicable Resolution
<i>Engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance with, nor recorded in the Active list of vessels</i>	<i>Resolution 19/04 Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence</i>
<i>Engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable, unless that vessel is flagged to a CPC</i>	<i>Currently no specific IOTC measure</i>
<i>Failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports</i>	<i>Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence</i> <i>Resolution 17/05 On the conservation of sharks caught in association with fisheries managed by the IOTC</i> <i>Resolution 18/05 On management measures for the conservation of the billfishes: striped marlin, black marlin, blue marlin and indo-pacific sailfish</i> <i>Resolution 18/02 On management measures for the conservation of blue shark caught in association with IOTC fisheries</i>
<i>Taken or landed undersized fish in contravention of IOTC Conservation and Management Measures</i>	<i>Resolution 18/05 On management measures for the conservation of the billfishes: Striped marlin, black marlin, blue marlin and indo-pacific sailfish</i>
<i>Engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures</i>	<i>Currently no specific IOTC measure</i>

Activity constituting IUU fishing	Applicable Resolution
<i>Used prohibited fishing gear in contravention of IOTC Conservation and Management Measures</i>	<p><i>Resolution 19/02 Procedures on a fish aggregating devices management plan</i></p> <p><i>Resolution 17/07 On the prohibition to use large-scale driftnets in the IOTC area</i></p> <p><i>Resolution 16/07 On the use of artificial lights to attract fish</i></p> <p><i>Resolution 16/08 On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids</i></p> <p><i>Resolution 11/02 On the prohibition of fishing on data buoys</i></p>
<i>Transhipped fish to, or otherwise participated in joint operations with, support or re-supply vessels that are not included on the IOTC Record of Authorised Vessels or not on the Record of Vessels Authorised to Receive Transhipments At-Sea in the IOTC Area</i>	<p><i>Resolution 19/04 Concerning the IOTC Record of vessels authorised to operate in the IOTC area of competence</i></p> <p><i>Resolution 19/06 On establishing a programme for transhipment by large-scale fishing vessels¹⁸</i></p>
<i>Engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel)</i>	<p><i>Note:</i></p> <p><i>This is covered by the domestic legislation of the member countries, and by way of its inclusion here constitutes IUU fishing without any need for a resolution in this regard. Some Resolutions do however cover some activities in contravention of coastal State laws, for example paragraph 11 in Resolution 19/06 which determines that transhipment by Large Scale Fishing Vessels under the jurisdiction of CPCs are subject to prior authorisation of the coastal State concerned.¹⁹</i></p>
<i>Engaged in fishing or fishing related activities whilst being without nationality</i>	<i>Resolution 16/05 On vessels without nationality</i>
<i>Engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration</i>	<i>Resolution 19/04 Concerning the IOTC Record of Vessels Authorised to Operate in the IOTC Area of Competence</i>

¹⁸ Superseded by Resolution 22/02

¹⁹ Superseded by Resolution 22/02

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Activity constituting IUU fishing	Applicable Resolution
<i>Engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures</i>	<p><i>Resolution 19/03 On the conservation of mobulid rays caught in association with fisheries in the IOTC area of competence</i></p> <p><i>Resolution 17/05 On the conservation of sharks caught in association with fisheries managed by the IOTC</i></p> <p><i>Resolution 13/04 On the conservation of cetaceans</i></p> <p><i>Resolution 13/05 On the conservation of whale sharks (Rhincodon typus)</i></p> <p><i>Resolution 12/04 On the conservation of marine turtles</i></p> <p><i>Resolution 12/06 On reducing the incidental bycatch of seabirds in longline fisheries</i></p> <p><i>Resolution 12/09 On the conservation of thresher sharks (family Alopiidae) caught in association with fisheries in the IOTC area of competence</i></p> <p><i>Resolution 16/11 On port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing</i></p> <p><i>Resolution 15/03 On the vessel monitoring system (VMS) programme</i></p> <p><i>Resolution 19/05 On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna, and non-targeted species caught by purse seine vessels in the IOTC area of competence</i></p>

DEFINITIONS APPLICABLE TO THE ABOVE RESOLUTIONS

<i>Fishing</i>	<i>Searching for, attracting, locating, catching, taking or harvesting fish or any activity which can reasonably be expected to result in the attracting, locating, taking or harvesting of fish.</i>
<i>Fishing related activities</i>	<i>Any operation in support of, or in preparation for, fishing, including landing, packaging, processing, transshipment or transport of fish and/or fish products that have not been previously landed at a port, as well as the provisioning of personnel, fuel, gear, food and other supplies at-sea.</i>
<i>Information</i>	<i>Suitably and sufficiently documented data which is capable of being presented as evidence to the Compliance Committee and/or Commission of any facts in issue.</i>
<i>Master</i>	<i>Any person holding the most responsible position at any given time on-board a fishing vessel.</i>
<i>Operator</i>	<i>The natural or legal person who is responsible for taking commercial decisions regarding the management and operation of a vessel and includes a charterer of the vessel.</i>
<i>Owner</i>	<i>The natural or legal person registered as the owner of a vessel.</i>
	<i>Note: The singular also includes the plural.</i>

PART B -

**REGISTER OF CONTRAVENTIONS
OF THE IOTC RESOLUTIONS**

B

5

REGISTER OF CONTRAVENTIONS



5.1 GUIDE TO INTERPRETATION

The Resolutions are grouped according to subject matter (e.g. species-specific resolutions or gear-specific resolutions), and within each group in reverse chronological order. The table has the following headings and content:

Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected	CPC reporting obligations and additional remarks
<p>The purpose of this column is that the fisheries inspector can see the subject matter it deals with at a glance.</p> <p>Short title (e.g. "cetaceans" or "fish aggregating devices").</p> <p>Resolution The number and title of the Resolution.</p> <p>Summary of obligations and prohibitions A list of the main (not all) obligations and prohibitions, or category of obligations and prohibitions, contained in the Resolution.</p>	<p>This will indicate to whom the obligation or prohibition applies (e.g. "All Fishing Vessels on the IOTC List of Authorised Vessels"), as well as if there are any exclusions or exemptions (e.g. "It does not apply to vessels flagged to the CPC of less than 24 metres in length fishing exclusively in the EEZ" or "It is not binding on Country X").</p> <p>Note that the condition that it must be in the area of IOTC is not listed, as this will apply to all Resolutions.</p>	<p>The contraventions are listed as prohibited conduct – it lists the action (e.g. "encircling a whale shark") or omission (e.g. "failure to report") that is forbidden.</p> <p>In some instances, there are specific application or exclusions relating to that particular contravention that are also indicated.</p>	<p>This column lists possible sources of evidence that can prove the contravention. Keep in mind the tips and good practices discussed from page 5 in Part A.</p> <p>Where there are specific evidentiary provisions, such as a presumption, it is also noted.</p>	<p>This links back to the reporting requirements in Resolution 18/03 on the list of IUU vessels as was discussed above. The column also contains additional remarks to indicate whether there might be a contravention of laws falling outside the fisheries regime (e.g. "Note that mobulid rays are listed on Appendix II of Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)" or "Note that this contravention also constitutes the offence of corruption"). In such a case additional enforcement action might be required – in many cases by a different government agency. Fisheries inspectors are therefore reminded to also report the matter to the appropriate agency.</p>

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Some Resolutions contain extensive lists of definitions. These are reflected below following each table. Some Resolutions do not have a separate section on definitions but define some terms in the text of the Resolution. These are also included in the definitions. Commonly used terms or acronyms (such as “CPC” or authorisation to fish (ATF) are not defined here again (unless specifically contained in a list of definitions in the Resolution). These terms are defined in the list of Acronyms above.

5.2 SPECIES-SPECIFIC RESOLUTIONS

MOBULID RAYS



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Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>MOBULID RAYS</p> <p>Resolution 19/03 On the conservation of mobulid rays caught in association with fisheries in the IOTC area of competence</p> <p>Prohibition on intentionally setting any gear type for targeted fishing of mobulid rays.</p> <p>Obligation to ensure prompt release alive and unharmed of mobulid rays as soon as they are seen in the net, on the hook or on deck.</p> <p>Various other obligations, including reporting obligations.</p>	<p>Application:</p> <p>All fishing vessels (FV) flying the flag of a CPC and on the IOTC Record of FVs or authorised to fish for tuna and tuna like species managed by the IOTC.</p> <p>Exclusions:</p> <p>Some exclusions apply to subsistence or artisanal fishing; some obligations only apply to artisanal fishing or to recreational and sport fishing as highlighted in the next column.</p>	<p>Contraventions applicable to all fisheries</p> <p>Failure to keep on board all necessary equipment for the release of mobulid rays in accordance with the handling guidelines in Annex I (see below).</p> <p>Contraventions applicable to commercial fisheries:</p> <p>Intentionally setting any gear type for targeted fishing of mobulid rays if the animal is sighted prior to the commencement of the set.</p> <p>Retaining onboard, transshipping, landing, storing any part or whole carcass of mobulid rays.</p> <p>Failure to promptly release alive and unharmed, to the extent practicable, mobulid rays as soon as they are seen in the net, on the hook or on deck in a manner that will result in the least possible harm to the individuals captured (and implementing the procedures in Annex I).</p> <p>Failure to surrender the whole mobulid ray to the responsible authority at the point of landing, where such mobulid ray was unintentionally caught and frozen as part of a purse seine vessels operation (only applies to purse seine vessels).</p>	<p>Observer recorded information.</p> <p>Photographs of the incident if observed.</p> <p>GPS/Radar/VMS/AIS data on position, course and speed of vessel.</p> <p>Photographs or copies of:</p> <ul style="list-style-type: none"> logbooks with focus on catch and coordinates of position where catch was made; and freezer and storage logs. <p>Photographs of fish on board clearly indicating:</p> <ul style="list-style-type: none"> where the fish was found (deck/hold); close-up photographs that will enable identification of species based on the photographs; and of any gear type for targeted fishing of mobulid rays found onboard. 	<p><u>General obligation to report to the IOTC</u></p> <p>As per Resolution 18/03.</p> <p><u>Additional remarks</u></p> <p>Note that mobulid rays are listed on Appendix II of CITES.</p>

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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>MOBULID RAYS</p>		<p>Contraventions applicable to artisanal fisheries: <i>Failure to report the accidental catch of a mobulid ray unintentionally caught by artisanal fishing to the authorities at the point of landing and using such mobulid ray for any purpose other than local consumption.</i></p> <p>Validity <i>This derogation expired on 1 January 2022.</i></p> <p>Contraventions applicable to recreational and sport fishing: <i>Failure to release alive, or to retain on board, tranship, land, store, sell or offer for sale any part or whole carcass of mobulid rays caught by recreational or sport fishing.</i></p>	<p><i>Interview with master/crew on the incident, including:</i></p> <ul style="list-style-type: none"> • why specimens of mobulid rays were not released; • why specimens of mobulid rays were retained on board; • why specimens of mobulid rays unintentionally caught were not surrendered to the responsible authority at the point of landing; and • why the necessary equipment for the release of mobulid rays were not kept on board. <p>Note: <i>See the particular prescriptions that apply to artisanal, recreational and sport fishing in the previous column and adapt the questions accordingly.</i></p> <p><i>Where practicable, seizure of the carcass.</i></p> <p><i>Inspection report / statement of fisheries inspector on all aspects above.</i></p>	

DEFINITIONS (as defined in the Resolution)	
<i>Artisanal fishing</i>	<i>Fisheries other than longline or surface fisheries (i.e. purse seines, pole & line, gillnet fisheries, hand-line and trolling vessels), registered in the IOTC Record of Authorised Vessels.</i>
<i>Subsistence fishery</i>	<i>A fishery where the fish caught are consumed directly by the families of the fishers rather than being bought by middle(wo)men and sold at the next larger market.</i>

ANNEX 1 (RESOLUTION 19/03)

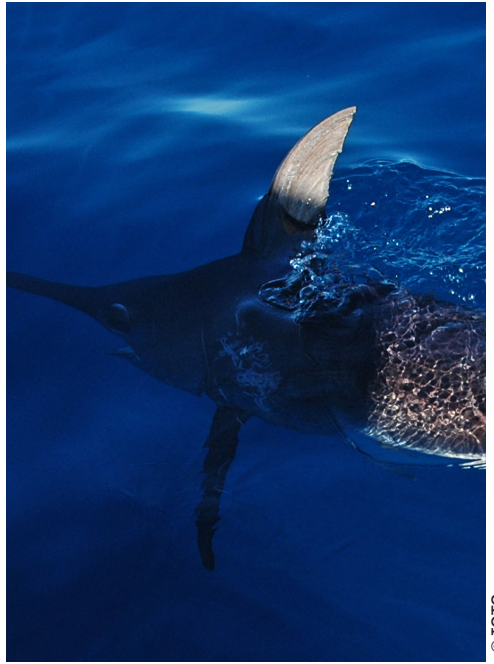
Live release handling procedures

1. Prohibit the gaffing of rays.
2. Prohibit the lifting of rays by the gill slits or spiracles.
3. Prohibit the punching of holes through the bodies of rays (e.g. to pass a cable through for lifting the ray).
4. Rays too large to be lifted safely by hand shall be, to the extent possible, brailed out of the net using best available method such as those recommended in document [IOTC-2012-WPEB08-INF07](#).
5. Large rays that cannot be released safely before being landed on deck, shall be returned to the water as soon as possible, preferably utilizing a ramp from the deck connecting to an opening on the side of the boat, or if no such ramp is available, lowered with a sling or net.

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BILLFISHES



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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>BILLFISHES</p> <p>Resolution 18/05 On Management Measures for the Conservation of the Billfishes: Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish</p> <p>Prohibition on retaining on board any of the above species smaller than 60 cm lower jaw fork length (LJFL).</p> <p>Obligation to return to the sea any of the above.</p> <p>Obligation to record catches.</p>	<p><u>Application:</u> General; no exclusions.</p>	<p>Retaining on board, transhipping, or landing any of the species Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish smaller than 60 cm Lower Jaw Fork Length (LJFL).</p> <p>Failure to return to the sea any Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish smaller than 60 cm LJFL in a manner that maximizes post-release survival potential (without compromising the safety of the crew).</p> <p>Exception The unintentional catching of small fish and freezing of such fish in purse seine operations, provided such fish are not sold.</p> <p>Failure to record catches of Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish in accordance with Resolution 15/01 (or any resolution superseding it).</p>	<p>Observer recorded information. Photographs or copies of:</p> <ul style="list-style-type: none"> logbooks with focus on catch and coordinates of position where catch was made; and freezer and storage logs. <p>Photographs of fish on board clearly indicating:</p> <ul style="list-style-type: none"> where the fish was found (deck/hold); measurement of fish (where possible, of each undersized specimen); the measuring process; and close-up identification of species based on the photographs. <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> why undersize specimens were not returned to the sea; why undersize specimens were retained on board; and why catches were not recorded in the logbook. <p>Where practicable, seizure of the undersized fish.</p> <p>Inspection report/statement of fisheries inspector on all aspects above.</p>	<p>General obligation to report contraventions to the IOTC</p> <p>As per Resolution 18/03 (paragraph 4(d)).</p>

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SHARKS



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Resolution & Main Measures/ Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>SHARKS</p>				
<p>Resolution 17/05 On the Conservation of Sharks Caught in Association with Fisheries Managed by the IOTC</p> <p>Obligation to retain all parts of a shark caught on board.</p> <p>Prohibition on removal of shark fins on board.</p> <p>Prohibition on landing, retention on-board, transhipment and carrying of shark fins which are not naturally attached to the shark carcass until the first point of landing.</p> <p>Prohibition on purchasing or selling of shark fins removed on-board, retained on-board, transhipped or landed in contravention of this Resolution.</p>	<p><u>Application:</u></p> <p>All vessels flying the flag of a CPC and on the IOTC</p> <p>Record of Authorised Vessels or authorised to fish for tuna or tuna-like species managed by the IOTC.</p>	<p>Failure to retain all parts of the vessel caught on board first landing (except the head, guts and skins).</p> <p>Removing shark fins on board a vessel.</p> <p>Landing, retention on-board, transhipment and carrying of shark fins which are not naturally attached to the shark carcass until the first point of landing, alternatively having on board fins that total more than 5% of the weight of sharks on board up to the first point of landing.</p> <p><u>Exception</u></p> <p>Shark fins may be partially sliced through and folded against the shark carcass to facilitate on-board storage.</p> <p>Purchasing, offering for sale or sale of shark fins removed on-board, retained on-board, transhipped or landed in contravention of this Resolution.</p>	<p>Observer-recorded information.</p> <p>Photographs or copies of:</p> <ul style="list-style-type: none"> logbooks with focus on catch and coordinates of position where catch was made; and freezer and storage logs. <p>Photographs of fish on board clearly indicating:</p> <ul style="list-style-type: none"> where the fish was found (deck/hold); that fins have been removed from the carcass (where possible, of each specimen); shark fins (removed from the carcass); and weighing of shark fins and sharks on board, clearly indicating the weight. <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> why all parts of the sharks were not retained on board; and why shark fins were re-moved. <p>Where practicable, seizure of the carcasses and fins.</p> <p>Inspection report/statement of fisheries inspector on all aspects above.</p>	<p>General obligation to report contraventions to the IOTC</p> <p>As per Resolution 18/03.</p> <p><u>Additional remarks</u></p> <p>Many of the shark species occurring in the Indian Ocean are listed on CITES, and some prohibited by the IOTC (as per the Resolutions reflected in Part B).</p>

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CETACEANS



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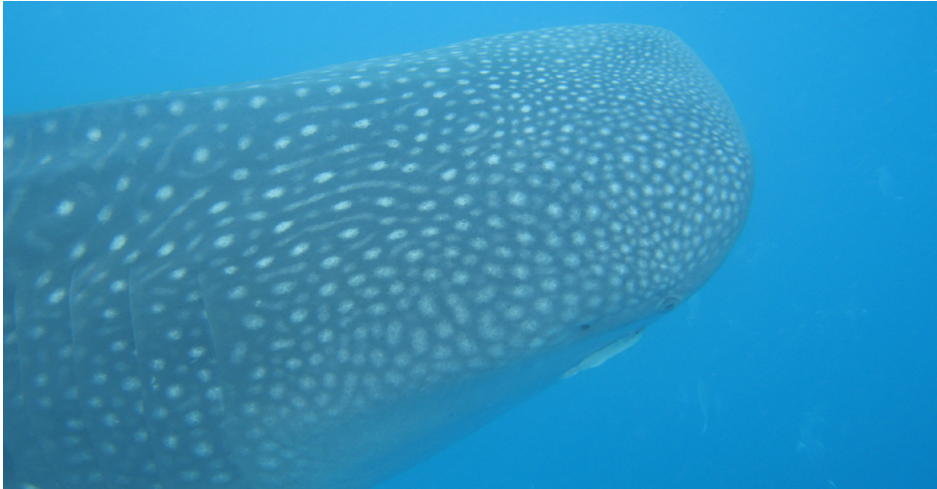
Resolution & Main Measures/ Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>CETACEANS</p> <p>Resolution 13/04 On the Conservation of Cetaceans</p> <p>Prohibition on intentionally setting a purse seine net around a cetacean.</p> <p>Obligation to ensure safe release of a cetacean if unintentionally encircled.</p> <p>Obligation to report the incident of encirclement or other interactions with cetaceans.</p>	<p><u>Application:</u></p> <p>All vessels flying the flag of a CPC and on the IOTC</p> <p>Record of Authorised Vessels or authorised to fish for tuna or tuna-like species managed by the IOTC.</p> <p><u>Exclusions:</u></p> <p>Not applicable to artisanal fisheries operating exclusively in their respective EEZ.</p>	<p>Intentionally setting a purse seine net around a cetacean if the animal is sighted prior to the commencement of the set.</p> <p>Failure by the master to take all reasonable steps to ensure the safe release of a cetacean if unintentionally encircled in a purse seine net (while taking into consideration the safety of the crew).</p> <p>Failure to follow the best practice guidelines for the safe release and handling of cetaceans.</p> <p>Failure to report the incident to the relevant authority of the flag State where a cetacean is unintentionally encircled, with the following details:</p> <ul style="list-style-type: none"> species (if known); number of individuals; description of the interaction, including how and why the incident occurred; location of the encirclement; 	<p>Observer recorded information.</p> <p>Photographs of the incident if observed.</p> <p>GPS/Radar/VMS/ATS data on position, course and speed of vessel.</p> <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> why a purse net was set around a cetacean; why all reasonable steps were not taken to ensure the safe release of a cetacean; and why the incident/interaction was not reported to the flag State. <p>Inspection report / statement of fisheries inspector on all aspects above.</p> <p>Follow-up: Obtain a statement from the flag State authorities on the lack of reporting, or failure to report details as prescribed.</p>	<p>General obligation to report contraventions to the IOTC</p> <p>As per Resolution 18/03. Additional remarks</p> <p>All cetaceans are listed on CITES (either on Appendix I or Appendix II).</p>

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Resolution & Main Measures/ Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>CETACEANS</p>		<ul style="list-style-type: none"> • steps taken to ensure safe release; and • assessment of the life status of the animal on release (including whether the cetacean was released alive but subsequently died). <p><i>In the case of other gear types used for fishing tuna and tuna like species, failure to report interactions with cetaceans to the relevant authority of the flag State with the information as listed above.</i></p>		

WHALE SHARKS



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Resolution & Main Measures/ Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and general remarks
<p>WHALE SHARKS</p> <p>Resolution 13/05 On the conservation of whale sharks (Rhincodon typus)</p> <p>Prohibition on setting a purse seine net around a whale shark.</p> <p>Obligation to ensure safe release if encircled.</p> <p>Obligation on master to report incidents.</p>	<p>Application:</p> <p>All FVs flying the flag of a CPC and on the IOTC Record of FVs.</p> <p>All FVs authorised to fish for tuna and tuna-like species on the high seas.</p> <p>Exclusions:</p> <p>Artisanal fisheries operating exclusively in the EEZ.</p>	<p>Intentionally setting a purse seine net around a whale shark if sighted prior to the commencement of the set.</p> <p>In the event of the whale shark being unintentionally encircled, failure of the master of the vessel to take all reasonable measures to ensure its safe release (following best practice guidelines).</p> <p>Failure of the master to report the incident to the relevant authority of the flag State, with the following details:</p> <ul style="list-style-type: none"> • number of individuals; • description of interaction; • location of encirclement; • steps taken to ensure release; and • assessment of life status of animal on release. 	<p>Observer recorded information.</p> <p>Photographs of the incident if observed.</p> <p>GPS/Radar/VMS/AIS data on position, course and speed of vessel.</p> <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> • why a purse net was set around a whale shark; • why all reasonable steps were not taken to ensure the safe release of a whale shark; and • why the incident was not reported to the flag State. <p>Inspection report/statement of fisheries inspector on all aspects above.</p> <p>Follow-up:</p> <p>Obtain a statement from the flag State authorities on the lack of reporting, or failure to report details as prescribed.</p>	<p><u>General obligation to report contraventions to the IOTC</u></p> <p>As per Resolution 18/03.</p> <p><u>Additional remarks</u></p> <p>Note that whale sharks are listed on Appendix II of CITES.</p>

MARINE TURTLES



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DEFINITIONS	
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS (or Bonn Convention)	Convention on the Conservation of Migratory Species of Wild Animals

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Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>MARINE TURTLES</p> <p>Resolution 12/04 On the conservation of marine turtles</p> <p>Obligation to bring aboard and foster its recovery before safely returning it to the water, any captured marine turtle which is comatose or inactive.</p> <p>Obligation to keep on board equipment for the release of marine turtles.</p> <p>Obligation to record all incidents involving marine turtles in the logbook and to report it to the authority.</p> <p>Obligation to avoid catching and safely releasing all marine turtles, in accordance with prescribed guidelines.</p>	<p>Application: All FVs on the IOTC</p> <p>Record of FVs / All vessels targeting species covered by the IOTC Agreement.</p> <p>Exclusions: None.</p>	<p>All vessels targeting species covered by the IOTC Agreement</p> <p>Failure to bring aboard, if practicable, as soon as possible and foster its recovery, including aiding in its resuscitation, before safely returning it to the water, any captured marine turtle which is comatose or inactive.</p> <p>Failure to keep on board all the necessary equipment for the release of marine turtles.</p> <p>Gillnet vessels that fish for species covered by the IOTC Agreement</p> <p>Failure to record all incidents involving marine turtles during fishing operations in the logbook.</p> <p>Failure to report such incidents to the appropriate authorities of the CPC.</p> <p>Longline vessels that fish for species covered by the IOTC Agreement</p> <p>Failure to carry line cutters and de-hookers.</p> <p>Failure to appropriately handle and promptly release marine turtles caught or entangled in accordance with IOTC Guidelines.</p>	<p>Observer recorded information.</p> <p>Photographs of the incident if observed.</p> <p>Photographs or copies of the logbook (showing reporting of incidents or lack thereof).</p> <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> • why a comatose or inactive turtle was not brought on board and resuscitated; • why the necessary equipment for the release of marine turtles were not kept on board; and • why the incident was not reported to the CPC. <p>Note the different contraventions relating to gillnet, longline and purse seine vessels, and adjust questions accordingly.</p> <p>Inspection report / statement of fisheries inspector on all aspects above.</p> <p>Follow-up: Obtain a statement from the CPC authorities on the lack of reporting, or failure to report details as prescribed.</p>	<p>General obligation to report contraventions to the IOTC</p> <p>As per Resolution 18/03.</p> <p><u>Additional remarks</u></p> <p>Marine turtles are listed on CITES and Convention on the Conservation of Migratory Species of Wild Animals (CMS).</p>

Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>MARINE TURTLES</p>		<p>Failure to appropriately handle and promptly release marine turtles caught or entangled in accordance with IOTC Guidelines.</p> <p>Failure to follow the handling guidelines in the IOTC Marine Turtle Identification Cards.</p> <p>Failure to record all incidents involving marine turtles during fishing operations in their logbooks.</p> <p>Failure to report such incidents to the appropriate authorities of the CPC.</p> <p>Purse seine vessels that fish for species covered by the IOTC Agreement</p> <p>Failure to avoid encirclement of marine turtles.</p> <p>Failure to take practicable measures to safely release any marine turtle that is encircled or entangled in accordance with the guidelines in the IOTC Marine Turtle Identification Cards.</p> <p>Failure to release all marine turtles observed entangled in fish aggregating devices (FAD) or other fishing gear.</p>		

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Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>MARINE TURTLES</p>		<p><i>Failure, where a marine turtle is entangled in the net, to stop net roll as soon as the turtle comes out of the water.</i></p> <p><i>Failure to assist the recovery of the turtle before returning it to the water.</i></p> <p><i>Failure to carry and employ dipnets (where appropriate) to handle marine turtles.</i></p> <p><i>Failure to record all incidents involving marine turtles during fishing operations in their logbooks.</i></p> <p><i>Failure to report such incidents to the appropriate authorities of the CPC.</i></p>		

SEABIRDS



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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>SEABIRDS</p> <p>Resolution 12/06 On reducing the incidental bycatch of seabirds in longline fisheries</p> <p>Obligation on longline vessels to use at least two of the three prescribed mitigation measures.</p>	<p><u>Application:</u> All longline vessels.</p> <p><u>Exclusions:</u> None.</p>	<p>Failure by longline vessels to use at least two of the three mitigation measures in Table 1:</p> <ul style="list-style-type: none"> • Night setting with minimum deck lighting; • Bird-scaring lines (Tori lines), and • Line weighting. <p><u>Application:</u> South of 25 degrees South latitude.</p> <p>Failure to conform to the minimum technical standards for mitigation measures as in Table 1 (see below).</p>	<p>Observer recorded information. Photographs of the incident if observed. GPS/Radar/VMS/AIS data on position, course and speed of vessel.</p> <p>Check Tori lines and line weighting against the specifications set out in Table 1 below regarding lengths and weights. Take photographs of the process.</p> <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> • why the required mitigation measures were not implemented; and • why the mitigation measures did not comply with the technical standards. <p>Inspection report/statement of fisheries inspector on all aspects above.</p>	<p><u>General obligation to report</u> <u>the IOTC</u> As per Resolution 18/03. <u>Additional remarks</u> Some species listed on CITES and CMS.</p>

Mitigation	Description	Specification
Night setting with minimum deck lighting	No setting between nautical dawn and before nautical dusk. Deck lighting to be kept to a minimum.	Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date. Minimum deck lighting should not breach minimum standards for safety and navigation.
Bird-scaring lines (Tori lines)	Bird-scaring lines shall be deployed during the entire longline setting to deter birds from approaching the branch line.	For vessels greater than or equal to 35 m: <ol style="list-style-type: none"> 1. Deploy at least 1 bird-scaring line. Where practical, vessels are encouraged to use a second tori pole and bird scaring line at times of high bird abundance or activity; both tori lines should be deployed simultaneously, one on each side of the line being set. 2. Aerial extent of bird-scaring lines must be greater than or equal to 100 m. 3. Long streamers of sufficient length to reach the sea surface in calm conditions must be used. 4. Long streamers must be at intervals of no more than 5m. For vessels less than 35 m: <ul style="list-style-type: none"> • Deploy at least 1 bird-scaring line. • Aerial extent must be greater than or equal to 75 m. • Long and/or short (but greater than 1 m in length) streamers must be used and placed at intervals as follows: <ol style="list-style-type: none"> 1. Short: intervals of no more than 2 m. 2. Long: intervals of no more than 5 m for the first 55 m of bird scaring line. Additional design and deployment guidelines for bird-scaring lines are provided in Annex I of this Resolution.
Line weighting	Line weights to be deployed on the snood prior to setting.	Greater than a total of 45 g attached within 1 m of the hook; or Greater than a total of 60 g attached within 3.5 m of the hook; or Greater than a total of 98 g weight attached within 4 m of the hook.

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THRESHER SHARKS



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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and available)	CPC reporting obligations and additional remarks
<p>THRESHER SHARKS</p> <p>Resolution 12/09 On the conservation of thresher sharks (family Alopiidae) caught in association with fisheries in the IOTC area of competence</p> <p>Prohibition on retaining, landing, storing, selling or offering for sale any part or whole carcass of thresher sharks.</p> <p>Obligation to release alive all caught thresher sharks.</p>	<p><u>Application:</u> All FVs on the IOTC Record of Authorised Vessels.</p> <p><u>Exclusions:</u> None.</p>	<p>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.</p> <p><u>Exception</u> Collection of biological examples by scientific observers that are dead at haulback as part of an IOTC approved research project.</p> <p>Failure to promptly release unharmed, to the extent practicable, thresher sharks when brought along side for taking on board the vessel.</p> <p><u>Recreational and sport fishing</u> Failure to release alive all caught thresher sharks of all the species of the family Alopiidae.</p> <p>Retaining on board, transshipping, landing, storing, selling or offering for sale specimens of thresher sharks of all the species of the family Alopiidae.</p> <p>Failure to have equipped with instruments to release alive thresher sharks (only applicable to recreational and sport fishing where there is a high risk of catching thresher sharks).</p>	<p>Observer recorded information.</p> <p>Photographs or copies of:</p> <ul style="list-style-type: none"> logbooks with focus on catch and coordinates of position where catch was made; and freezer and storage logs. <p>Photographs of fish on board clearly indicating:</p> <ul style="list-style-type: none"> where the fish was found (deck/hold); and close-up photographs that will enable identification of species based on the photographs. <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> why specimens of thresher sharks were retained on board; why thresher sharks were not released; and why there were no equipment on board to release thresher sharks (in the case of recreational and sport fishing). <p>Where practicable, seizure of the carcasses.</p> <p>Inspection report/statement of fisheries inspector on all aspects above.</p>	<p>General obligation to report contraventions to the IOTC</p> <p>As per Resolution 18/03. Additional remarks</p> <p>Thresher sharks were listed to Appendix II of CITES in 2017.</p>

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BLUE SHARKS



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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and available)	CPC reporting obligations and additional remarks
<p>BLUE SHARK</p> <p>Resolution 18/02 On management measures for the conservation of blue shark caught in association with IOTC fisheries</p> <p>Obligation to record the catch of blue shark (<i>Prionace glauca</i>.)</p>	<p><u>Application:</u> General.</p> <p><u>Exclusions:</u> None.</p>	<p>Failure by vessels to record the catch of blue shark (<i>Prionace glauca</i>) in accordance with Resolution 15/01 (or any Resolution superseding it).</p>	<p>Observer recorded information. Photographs or copies of the logbook (showing absence of recording of catch). Photographs of fish on board clearly indicating:</p> <ul style="list-style-type: none"> • where the fish was found (deck/hold); and • close-up photographs that will enable identification of species based on the photographs. <p>Interview with master/crew on the incident, providing an opportunity to explain the failure to record the catch.</p> <p>Inspection report/statement of fisheries officer on all the aspects above.</p>	<p>General obligation to report contraventions to the IOTC. As per Resolution 18/03.</p>

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5.3 GEAR-SPECIFIC RESOLUTIONS

FISH AGGREGATING DEVICES



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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>FISH AGGREGATING DEVICES</p> <p>Resolution 19/02 Procedures on a Fish Aggregating Devices Management Plan</p> <p>Limitation of 300 instrumented buoys followed at any one time.</p> <p>Limitation of 500 instrumented buoys per purse seine vessel at any one time.</p> <p>Obligation to enter activation of instrumented buoy into the logbook.</p> <p>Activation of instrumented buoy may only take place on board a vessel.</p> <p>Obligation to record and declare activities.</p>	<p><i>Application:</i> All purse-seine vessels and fishing on Drifting Fish Aggregating Devices (dFADs), flagged to a CPC, equipped with instrumented buoys for the purpose of aggregating target tuna species.</p>	<p>Any vessel other than a purse seiner or associated supply or support vessels deploying a dFAD.</p> <p>The use of any other buoy, other than an instrumented buoy, on dFADs (e.g. a radio buoy).</p> <p>More than 300 instrumented buoys followed by any purse seine vessel at any one time.</p> <p>More than 500 instrumented buoys (buoys in stock and operation buoys) per purse seine vessel at any one time.</p> <p>Making an instrumented buoy operational when not physically present on board the purse seine vessel to which it belongs or its associated supply or support vessel.</p> <p>Failure to enter the activation of an instrumented buoy in the logbook.</p> <p>Failure to record the following details in the logbook:</p> <ul style="list-style-type: none"> • Unique identification number; and • Date, time and geographical coordinates if its deployment. 	<p>Observer recorded information.</p> <p>Photographs of the incident if observed.</p> <p>GPS/Radar/VMS/AIS data on position, course and speed of vessel.</p> <p>Check and count the buoys.</p> <p>Photograph the process.</p> <p>Copies of photographs or copies of logbook / FAD logbook entries (see details and data elements that must be recorded in the previous column).</p> <p>Verification of telecommunications bills.</p> <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> • why the limitations on buoys were not adhered to; • the presence of any buoy other than an instrumented buoy; • the activation of any buoy not present on the vessel; • why the activation was not entered in the logbook, or failure to record the prescribed details; • why notification or submissions were not made to the CPC; and • why the specific data elements were not recorded. 	<p>General obligation to report contraventions to the IOTC</p> <p>As per Resolution 18/03.</p>

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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>FISH AGGREGATING DEVICES</p>		<p>Failure by a purse seine vessel to declare to its CPC the number and unique identifier of the instrumented buoy before and after each fishing trip.</p> <p>Failure to annually submit the number of buoys lost and transferred by grid area, month strata and dFAD type.</p> <p>Failure to record fishing activities in association with FADs using the specific data elements found in Annex III (dFAD) and Annex IV (AFAD) in the FAD logbook.</p> <p>Failure to use non-entangling designs and materials in the construction of FADs.</p>	<p>Inspection report / statement by fisheries inspector on all the aspects above.</p> <p>Follow-up: Obtain a statement from the CPC authorities on the lack of notification or submissions.</p>	

DEFINITIONS	
<i>Fish Aggregating Device (FAD)</i>	<i>A permanent, semi-permanent or temporary object, structure or device of any material, man-made or natural, which is deployed and/or tracked, for the purpose of aggregating target tuna species for consequent capture.</i>
<i>Drifting Fish Aggregating Devices (dFADs)</i>	<i>A FAD not tethered to the bottom of the ocean.</i>
<i>Anchored Fish Aggregating Devices (AFADS)</i>	<i>A FAD tethered to the bottom of the ocean.</i>
<i>Instrumented Buoy</i>	<i>A buoy with a clearly marked unique identification number identifying its owner and equipped with a satellite tracking system to monitor its position.</i>
<i>Operational buoy</i>	<i>Any instrumented buoy, previously activated, switched on and deployed at sea on a drifting FAD or log, which transmits position and other information such as eco-sounder estimates.</i>
<i>Activation (of a buoy)</i>	<i>The act of initialising satellite communication service (by the supplier company at the request of the vessel owner or manager).</i>
<i>Deactivation (of a buoy)</i>	<i>The act of cancelling satellite communications service (by the supplier at the request of the vessel owner or manager).</i>
<i>Buoy owner</i>	<i>Any legal or natural person, entity or branch, who is paying for the communication service for the buoy associated with a FAD, and/or who is authorised to receive information from the satellite buoy, as well as to request its activation and/or deactivation.</i>
<i>Reactivation</i>	<i>The act of re-enabling satellite communications services by the buoy supplier company at the request of the buoy owner or manager.</i>
<i>Buoy in stock</i>	<i>An instrumented buoy acquired by the owner which has not yet been made operational.</i>

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LARGE-SCALE DRIFTNETS



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DEFINITIONS

<i>Large-scale Driftnets</i>	<i>Gillnets or other nets or a combination of nets that are more than 2, 5 kilometres in length whose purpose is to enmesh, entrap, or entangle fish by drifting on the surface of, or in, the water column.</i>
<i>Configured (to use large-scale drifting nets)</i>	<i>Having on board assembled gear that collectively would allow the vessel to deploy and retrieve large-scale driftnets.</i>

Resolution & Main Measures/ Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>LARGE-SCALE DRIFTNETS Resolution 17/07 On the prohibition to use large-scale driftnets in the IOTC area Prohibition on the use of large-scale driftnets on the high seas. Prohibition on the use of large-scale driftnets (as from 1 January 2022).</p>	<p><u>Application:</u> All vessels registered on the IOTC Record of Authorised Vessels that use driftnets for the purpose of targeting tuna and tuna-like species. <u>Exceptions:</u> Does not apply to Pakistan (objection received). Resolution 12/12 remains binding on Pakistan.</p>	<p>Use of large-scale driftnets (see definition below) on the high seas. Configured to use large-scale driftnets on the high seas. As from 1 January 2022 Use of large-scale driftnets anywhere (therefore including the EEZs).</p>	<p>Observer recorded information. Photographs of the incident of use of large-scale driftnets if observed. GPS/Radar/VMS/AIS data on position, course and speed of vessel. Photographs of prohibited gear on deck/gear deployed. Measurement of gear: Keep in mind that "configured" to use means having on board assembled gear that collectively retrieve a large-scale driftnet. This process must be photographed. Interview with master/crew on the incident, including: <ul style="list-style-type: none"> • why large-scale driftnets were used or configured to use on the high seas. Any large-scale driftnets used or configured to use on the high seas must be seized as evidence. Depending on the seriousness of the incident and practicalities, the vessel (with the gear on board) may be seized. Inspection report/statement by fisheries inspector on all the aspects above. <u>Evidentiaryonus</u> Vessels configured (see definition below) to use large-scale driftnets will be presumed to use large-scale driftnets.</p>	<p><u>General obligation to report contraventions to the IOTC</u> As per Resolution 18/03.</p>

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ARTIFICIAL LIGHTS



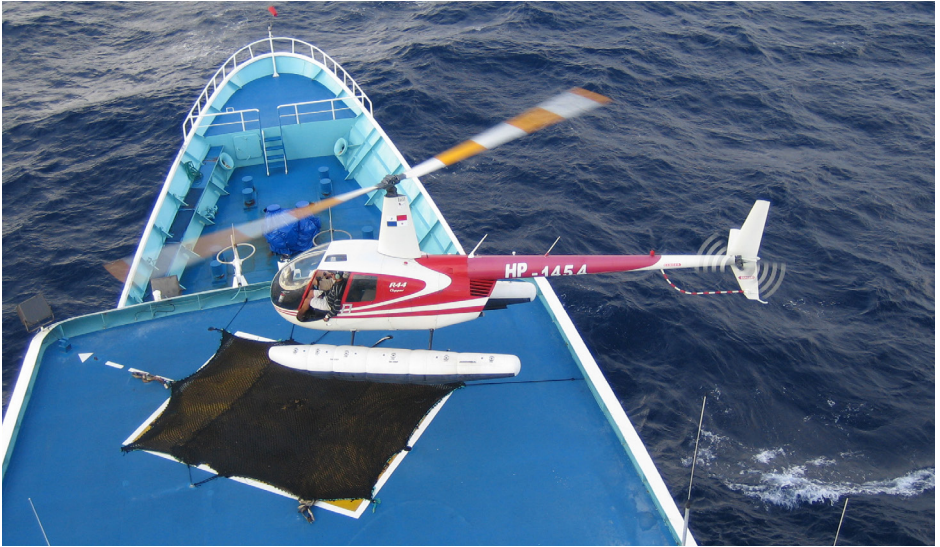
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Resolution & Main Measures/ Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>ARTIFICIAL LIGHTS Resolution 16/07 On the use of artificial lights to attract fish</p> <p>Prohibition on the use of artificial lights for the purpose of aggregating tuna and tuna-like species beyond territorial waters.</p> <p>Intentionally conducting fishing activities around or near any vessel or dFAD equipped with artificial lights.</p>	<p><u>Application:</u> Fishing vessels and other vessels including support, supply and auxiliary vessels flying the flag of a CPC.</p> <p><u>Exceptions:</u> Does not apply to territorial waters.</p> <p><u>Exclusions:</u> Navigation lights and lights necessary to ensure safe working conditions.</p>	<p>Using, installing or operating surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species.</p> <p>Intentionally conducting fishing activities around or near any vessel or dFAD equipped with artificial lights for the purpose of attracting tuna or tuna-like species.</p>	<p>Observer recorded information.</p> <p>Photographs of the incident if observed, showing:</p> <ul style="list-style-type: none"> • use of lights during fishing; and • clearly indicating distance of fishing activities in relation to vessel or dFAD equipped with artificial lights. <p>GPS/Radar/VMS/AIS data on position, course and speed of vessel.</p> <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> • why artificial lights were used; and • why fishing was conducted around or near a vessel or dFAD equipped with artificial lights. <p>Depending on the seriousness of the incident, the vessel may be seized.</p> <p>Inspection report/statement by fisheries inspector on all the aspects above.</p>	<p><u>General obligation to report contraventions to the IOIC</u></p> <p>As per Resolution 18/03.</p>

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AIRCRAFT AND UNMANNED AERIAL VEHICLES



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Resolution & Main Measures/ Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>AIRCRAFT AND UNMANNED AERIAL VEHICLES</p> <p>Resolution 16/08 On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids.</p> <p><i>Prohibition on the use of aircraft and unmanned aerial vehicles as fishing aids.</i></p>	<p><i>Application:</i> Fishing vessels, support and supply vessels.</p> <p><i>Exclusions:</i> Aircraft and unmanned aerial vehicles used for scientific and monitoring, control and surveillance (MCS) purposes.</p>	<p><i>Using aircrafts or unmanned aerial vehicles as fishing aids.</i></p>	<p><i>Observer recorded information.</i></p> <p><i>Photographs of the incident if observed.</i></p> <p><i>GPS/Radar/ VMS/AIS data on position, course and speed of vessel.</i></p> <p><i>Interview with master/crew on the incident, including:</i></p> <ul style="list-style-type: none"> • <i>why aircraft or unmanned aerial vehicles were used.</i> <p><i>Depending on the seriousness of the incident, the vessel may be seized.</i></p> <p><i>Inspection report/statement by fisheries inspector on all the aspects above.</i></p>	<p><u>General obligation to report contraventions to the IOFC</u></p> <p>As per Resolution 18/03.</p>
DEFINITIONS				
Aircraft	A contrivance used for navigation of, or flight in the air and specifically includes, but is not limited to, planes, helicopters, and any other device that allows a person to fly or hover above the ground.			
Unmanned aerial vehicle	Any device capable of flying in the air which is remotely, automatically or otherwise piloted without an occupant, including but not limited to drones.			

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DATA BUOYS

Resolution & Main Measures/ Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>DATA BUOYS</p> <p>Resolution 11/02 On the prohibition of fishing on data buoys</p> <p>Prohibition from fishing within one nautical mile of or interacting with a data buoy.</p> <p>Prohibition on taking on board a data buoy.</p> <p>Obligation to remove fishing gear that become entangled with a data buoy.</p>	<p>Application:</p> <p>General: All fishing vessels.</p> <p>Exclusions:</p> <p>None.</p>	<p>Intentionally fishing within one nautical mile of or interacting with a data buoy, which includes but is not limited to:</p> <ul style="list-style-type: none"> encircling the buoy with fishing gear; tying up to or attaching the vessel or any gear, part or portion of the vessel to a data buoy or its mooring; or cutting a data buoy anchor line. <p>Taking on board a data buoy while engaged in fishing for tuna and tuna-like species (unless specifically authorised or requested to do so by the Member or owner responsible for that buoy).</p> <p>In the event of entanglement, failure to remove entangled fishing gear with as little damage to the data buoy possible.</p>	<p>Observer recorded information.</p> <p>Photographs of the incident if observed, or of data buoy on board.</p> <p>GPS/Radar/VMS/ AIS data on position, course and speed of vessel.</p> <p>Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> why the fishing activity was conducted within one nautical mile of a data buoy; why a data buoy was taken on board; and why entangled fishing gear were not removed. <p>Where practicable, seizure of the data buoy on board.</p> <p>Inspection report/ statement of fisheries inspector on all the aspects above.</p>	<p>General obligation to report contraventions to the IOTC.</p> <p>As per Resolution 18/03.</p>

5.4 VESSELS

RECORD OF VESSELS



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Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>RECORD OF VESSELS Resolution 19/04 Concerning the IOTC Record of Vessels Authorised to Operate in the IOTC Area of Competence All authorised fishing vessels (AFV) to be entered on IOTC Record. All AFVs to carry on board certificates of vessel registration and authorisation to fish, as well as other required documentation. Obligation on AFVs not to engage with fishing vessels not on the IOTC Record. Obligation to mark fishing vessels and gear. Obligation to keep fishing logbooks.</p>	<p><u>Application:</u> All fishing vessels 24m in length or above. Vessels less than 24 m operating in waters outside the EEZ of the flag state that are authorised to fish for tuna and tuna like species.</p>	<p>Failure to be entered on the IOTC Record. <u>Exclusion:</u> Vessels less than 24 m operating inside the EEZ of the flag state. Failure by AFVs to have on board valid certificates of vessel registration and valid authorisation to fish and/or tranship. Owners and operators of AVF engaging in or associated with tuna fishing activities by vessels not entered into the IOTC Record. Failure by fishing vessels to carry on board documents issued and certified by the competent authority:</p> <ul style="list-style-type: none"> license, permit or authorisation to fish, and conditions attached to such ATF; vessel name; port in which registered and the number(s) under which registered; international call sign; names and addresses of owner and where relevant, the charterer; overall length; and engine power, in KW/horsepower (where appropriate). <p>Photographs clearly depicting vessel and gear, marker buoy and FAD markings. Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> why the required documents or authorisations are not on board/have not been obtained; why the fishing vessel and gear were not marked/ not clearly marked; and why fishing logbooks were not kept. 	<p>IOTC Record of Vessels. Copies or photographs of:</p> <ul style="list-style-type: none"> certificate of vessel registration; authorisation to fish and/ or tranship; and recordings in logbooks. <p>Copies or photographs of documents relating to:</p> <ul style="list-style-type: none"> vessel name; port in which registered and the number(s) under which registered; international call sign; names and addresses of owner and where relevant, the charterer; overall length; and engine power, in KW/ horsepower (where appropriate). <p>Photographs clearly depicting vessel and gear, marker buoy and FAD markings. Interview with master/crew on the incident, including:</p> <ul style="list-style-type: none"> why the required documents or authorisations are not on board/have not been obtained; why the fishing vessel and gear were not marked/ not clearly marked; and why fishing logbooks were not kept. 	<p><u>General obligation to report contraventions to the IOTC.</u> As per Resolution 18/03.</p>

Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>RECORD OF VESSELS</p>		<p>Failure to appropriately mark each gear (e.g. the ends of nets, lines and gear in the sea shall be fitted with flag or radar reflector buoys by day and light buoys by night sufficient to indicate their position and extent).</p> <p>Failure to clearly mark marker buoys and similar objects floating and on the surface with the letter(s) and/or number(s) of the vessel to which they belong.</p> <p>Failure to clearly mark fish aggregating devices with the letter(s) and/or number(s) of the vessel to which they belong.</p> <p>Failure by AFVs to keep a bound fishing national logbook with consecutively numbered pages.</p> <p>Failure to keep original recordings in fishing logbooks on board the AFV for at least 12 months.</p>	<p>Depending on the seriousness of the incident, the vessel may be seized.</p> <p>Inspection report / statement by fisheries inspector on all the aspects above.</p> <p><u>Evidentiary provision</u></p> <p>All fishing vessels, including auxiliary, supply and support vessels not entered into the IOTC record are deemed not to be authorised to fish for, retain on board, tranship or land tuna or tuna-like species or supporting any fishing activity or set of FADs.</p>	

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VESSELS WITHOUT NATIONALITY



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DEFINITIONS

Vessel without nationality

A vessel that, under international law, is not entitled to fly the flag of any State or, as referred to in Article 92 of UNCLOS, sails under the flag of two or more States, using them according to convenience.

Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>VESSELS WITHOUT NATIONALITY</p> <p>Resolution 16/05 On vessels without nationality</p> <p>Prohibition on vessels without nationality engaging in fishing or fishing related activities.</p>	<p>Application: General.</p>	<p>Vessels without nationality engaging in fishing or fishing related activities.</p> <p>Vessels without nationality landing and transshipping fish.</p> <p>Vessels without nationality gaining access to port services (except where such access is essential to the safety or health of the crew or the safety of the vessel).</p>	<p>Photographs of vessel and fishing activity where observed.</p> <p>GPS/Radar/VMS/AIS data on position, course and speed of vessel.</p> <p>Certificate of vessel registration.</p> <p>Verification of certificate with flag State authorities.</p> <p>Interview with master/ crew on the incident, allowing an opportunity to explain the absence of nationality.</p> <p>Depending on the seriousness of the event, the vessel may be seized.</p> <p>Inspection report / statement by fisheries inspector on all the aspects above.</p>	<p>General obligation to report contraventions to the IOTC</p> <p>As per Resolution 18/03.</p>

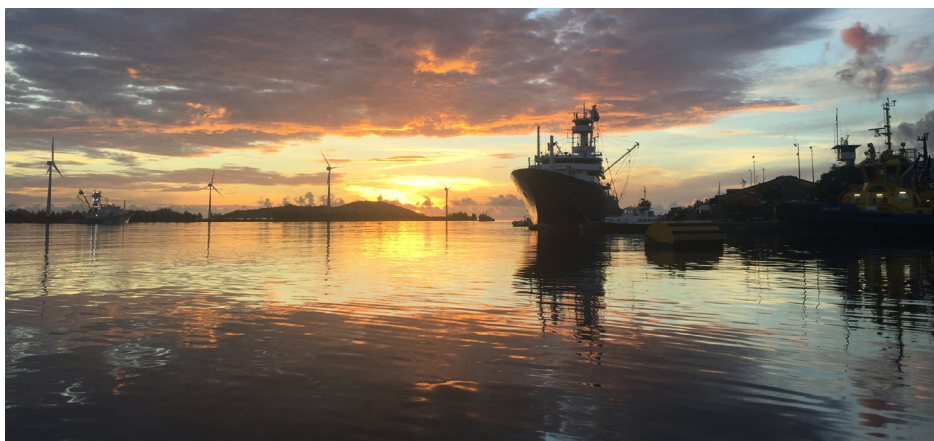
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5.5 PORT STATE MEASURES



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DEFINITIONS

Vessel

Any vessel, ship of another type or boat used for, equipped to be used for, or intended to be used for, fishing or fishing related activities.

Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and general remarks
<p>PORT STATE MEASURES</p> <p>Resolution 16/11 On port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing</p> <p>Obligation on vessels to cooperate with the port State in inspections carried out in terms of this Resolution.</p>	<p>Application: Vessels entitled to fly the flag of a CPC.</p>	<p>Failure by vessel to cooperate with the port State in inspections carried out in terms of this Resolution.</p>	<p>Ideally the inspection should be recorded with audio visual equipment. PSM Inspection report. Statements by fisheries inspectors, setting out in detail conduct of non-cooperation.</p>	<p>General obligation to report <u>contravaentions</u> to the <u>IOTC</u>. As per Resolution 18/03.</p>

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5.6 RECORDING OF CATCH AND EFFORT DATA

Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and general remarks
<p>RECORDING OF CATCH AND EFFORT DATA</p> <p>Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence</p> <p>Obligation to keep, complete and submit the logbook, with the required information.</p>	<p><u>Application:</u> All purse seine, longline, gillnet, pole and line, handline and trolling fishing vessels over 24 metres in length and those under 24 metres if they fish outside the EEZs of their flag States.</p> <p><u>Exception:</u> For vessels less than 24 metres from developing CPCs to be implemented progressively (start date was 1 July 2016).</p>	<p>Failure to keep an official bound paper or electronic logbook.</p> <p>Failure by the Master of the fishing vessel to complete the logbook (as described above).</p> <p>Failure by the Master to submit the logbook to flag State administration.</p> <p>Failure by the Master to submit the part of the logbook corresponding to the activity deployed in the coastal State to the coastal State administration where the vessel has fished in that coastal State's EEZ.</p>	<p>Photographs of fish and gear on board that affords proof of fishing activity.</p> <p>Photographs or copies of logbooks.</p> <p>Required information as per Annex I:</p> <p>Information on vessel, trip and gear configuration for purse seine, longline, gillnet and pole and line (once for each trip, unless the gear configuration changes during the trip).</p> <p>Required information as per Annex II:</p> <p>Information for purse seine, longline, gillnet and pole and line operations and catch (for each set/shot/operation of the fishing gear).</p> <p>Required information as per Annex III:</p> <p>Specifications for handline and trolling gears.</p> <p>Interview with master-crew on the incident, including:</p> <ul style="list-style-type: none"> • why a logbook was not kept; • why a logbook was not completed with the required information; and • why the logbook was not submitted as required. <p>Inspection report/statement of fisheries inspector on all the aspects above.</p> <p>Follow-up: Obtain a statement from the CPC authority and/or coastal State authority on the failure to submit the logbook, or absence of required information in the logbook.</p>	<p><u>General obligation to report</u> <u>contraventions to the IOTC</u> As per Resolution 18/03.</p>

5.7 VESSEL MONITORING SYSTEMS



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Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected	CPC reporting obligations and additional remarks
<p>VMS Resolution 15/03 On the vessel monitoring system (VMS) programme</p> <p>Obligation by fishing vessels not yet equipped with VMS to report daily on position of fishing activities.</p> <p>Obligation to ensure that the vessel monitoring device(s) on board vessels are fully operational at all times.</p> <p>Prohibition against switching off a vessel monitoring device.</p> <p>Obligation to repair or replace the vessel monitoring device in the event of a technical failure or non-operation.</p>	<p><u>Application:</u> All vessels 24 metres overall or above in length and those less than 24 metres if they fish outside the EEZs of their flag States for species covered by the IOTC Agreement.</p> <p><u>Exception</u> For vessels less than 24 metres from developing CPCs to be implemented progressively (start date was 1 July 2016²⁰).</p>	<p>Failure by fishing vessels not yet equipped with VMS to report to the fisheries monitoring centre (FMC) at least daily by email, facsimile, telex or telephone, message or radio information including:</p> <ul style="list-style-type: none"> vessel identification; current geographical position of vessel; date and time of fixing of the said position; geographic position at the beginning of the fishing operation; and geographic position at the end of the fishing operation. <p>Failure by the Master/owners/licenseses of fishing vessels subject to VMS to ensure that the vessel monitoring device(s) on board their vessels are fully operational at all times, and to ensure that:</p> <ul style="list-style-type: none"> VMS reports and messages are not altered in any way; Antennae connected to the device(s) are not obstructed in any way; Power supply of the device(s) are not interrupted in any way; and The device(s) are not removed from the vessel. <p>Switching off of a vessel monitoring device (may be switched off when in port for more than a week, but only with approval by the flag State).</p>	<p>Interview with the master and/or crew and/or owners and/or licensees and/or representatives on the failure to report, or the reasons why the device was not functional.</p> <p>Where a device is physically inspected and there is any evidence of that is has been interfered with, photograph the device, and take close-up photographs of the following:</p> <ul style="list-style-type: none"> the seal; power feed; cables leading in and out of the device; routing of the cables; and the antenna. <p>Take close-up photographs of any signs of tampering such as:</p> <ul style="list-style-type: none"> broken seals; scratch marks on the screws sealing the unit; evidence of cable junctions being removed; any signs of paint on the antenna or connectors; and any signs that it has been recently worked on.²⁰ 	<p><u>General obligation to report contraventions to the IOTC</u></p> <p>As per Resolution 18/03.</p> <p><u>Additional remarks</u></p> <p>When the Flag State has not received for 12 hours data transmissions (which must be at least every 4 hours) or has reasons to doubt the correctness of the data transmissions, it shall as soon as possible notify the master or the owner or the representative thereof. If this situation occurs more than two times within a period of one year in respect of a particular vessel, the Flag State of the vessel shall investigate the matter, including having an authorised official check the device in question, in order to establish whether the equipment has been tampered with.</p>

²⁰ Adapted from IOTC, 2013. Procedures for the implementation of the Indian Ocean Tuna Commission Port State Measures: 63-66.

Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected	CPC reporting obligations and additional remarks
<p>VMS</p>		<p>Failure to repair or replace the device within one month in the event of a technical failure or non-operation.</p> <p>Commencing on a fishing trip with a defective device.</p> <p>Failing to repair or replace a device as soon as a vessel enters port where such a device stopped functioning or had a technical failure during a fishing trip lasting more than a month.</p> <p>Failure by the master, owner or their representative to immediately communicate the event and time of a technical failure or non-functioning of the device to the FMC of the Flag State.</p> <p>In the event of a technical failure or non-functioning, failure by the master, owner or their representative to communicate with the FMC of the Flag State every 4 hours by email, facsimile, telex or telephone message or radio information including:</p> <ul style="list-style-type: none"> • vessel identification; • current geographical position of vessel; and • date and time of fixing of the said position. 	<p>Inspection report/ statement by fisheries inspector on all the aspects above.</p> <p>Follow-up:</p> <p>Obtain a statement from the person at the FMC setting out all non-compliance in detail:</p> <ul style="list-style-type: none"> • non-functioning of the device; • any failure to provide information to the FMC; • failure to provide the required information; • failure to provide the information at the prescribed intervals; and • failure to communicate the event and time of a technical failure or non-functioning of the device. 	<p>The outcome of this investigation shall be forwarded to the IOTC Secretariat within 30 days of its completion.</p>

5.8 BYCATCHES AND DISCARDS



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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected	CPC reporting obligations and additional remarks
<p>DISCARDS</p> <p>Resolution 19/05 On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna, and non-targeted species caught by purse seine vessels in the IOTC area of competence</p> <p>Obligation to retain on board and land all bigeye tuna, skipjack tuna and yellowfin tuna caught.</p> <p>Obligation to retain on board and land all non-targeted species caught.</p> <p>Obligation to record discards.</p>	<p><u>Application:</u></p> <p>All purse seine vessels targeting bigeye tuna, skipjack tuna and yellowfin tuna.</p> <p><u>Exclusions:</u></p> <p>Vessels using other gear types targeting tuna and tuna like species (but these vessels must be encouraged to release non-targeted species alive and retain and land dead non-targeted species).</p>	<p>Failure by purse seine vessels to retain on board and land all bigeye tuna, skipjack tuna and yellowfin tuna caught.</p> <p><u>Exclusions:</u></p> <p>Fish considered unfit for human consumption (see definition below).</p> <p>Failure by purse seine vessels to retain on board and land non-targeted species or species group (see definition below).</p> <p><u>Exclusion:</u></p> <p>Fish considered unfit for human consumption (see definition below) and/or fish species prohibited from retention, consumption or trade through domestic legislation or international obligations.</p> <p>Discarding any targeted or non-targeted species caught by purse seiners after the point in the set when the net is fully pursed and more than one half of the net has been retrieved.</p> <p><u>Exceptions:</u></p> <p>Species unfit for human consumption (see definition below); and</p> <p>Species caught during the final set of a trip and there is insufficient storage capacity, provided there was an attempt to release the species alive and no further fishing is undertaken after the discard.</p>	<p>Observer recorded information.</p> <p>Photographs or copies of logbook entries with the following details:</p> <ul style="list-style-type: none"> • estimated tonnage and species composition of discarded fish; and • estimated tonnage and species composition of retained fish from that set. <p>Interview with master/crew on the incident, allowing an opportunity to explain:</p> <ul style="list-style-type: none"> • why fish were discarded/not retained on board; and • why discards were not recorded. <p>Inspection report/statement by fisheries inspector on the aspects above.</p>	<p><u>General obligation to report contraventions to the IOTC</u></p> <p>As per Resolution 18/03.</p>

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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected	CPC reporting obligations and additional remarks
<p>DISCARDS</p>		<p><i>Failure to make efforts to release targeted and non-targeted species if equipment malfunctions affect the process of pursuing and retrieving the net in such a way that the above rule cannot be complied with.</i></p> <p><i>Failure to record the event of discarding in the logbook with the following details:</i></p> <ul style="list-style-type: none"> • estimated tonnage and species composition of discarded fish; and • estimated tonnage and species composition of retained fish from that set. 		

5 - REGISTER OF CONTRAVENTIONS

DEFINITIONS	
<i>Unfit for human consumption are fish that:</i>	<ul style="list-style-type: none"> • <i>is meshed or crushed in the purse seine; or</i> • <i>is damaged due to depredation; or</i> • <i>has died and spoiled in the net where a gear failure has prevented both the normal retrieval of the net and catch, and efforts to release the fish alive.</i>
<i>Unfit for human consumption does NOT include fish that:</i>	<ul style="list-style-type: none"> • <i>is considered undesirable in terms of size, marketability or species composition; or</i> • <i>is spoiled or contaminated as the result of an act or omission of the crew of the fishing vessel.</i>
<i>Non-target species or species groups</i>	<i>Other tunas, rainbow runner, dolphinfish, triggerfish, billfish, wahoo and barracuda.</i>

5.9 TRANSHIPMENT



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Resolution & Main Measures/ Elements	Application/ Exclusions	Contraventions	Evidence to be collected	CPC reporting obligations and additional remarks
<p>TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS</p> <p>Resolution 19/06 On Establishing a Programme for Transhipment by Large-scale Fishing Vessels²⁰</p> <p>Prohibition on the transhipment of tuna and tuna-like species and sharks caught in association with such species at any place except in port or under the programme in terms of this Resolution.</p> <p>Obligation on LSTVs vessels flying the flag of a CPC to comply with the obligations set out in Annex I when transhipping in port.</p> <p>Obligation on carrier vessels receiving tuna and tuna-like species from LSTVs in at-sea transhipment operations to be entered on the IOTC Record of Carrier vessels authorised to do so.</p>	<p>Application: General.</p>	<p>Transhipment of tuna and tuna-like species and sharks caught in association with such species at any place except in port.</p> <p>Exclusion:</p> <ul style="list-style-type: none"> Transhipments under the programme to monitor transhipments as per this Resolution. Failure by LSTVs vessels flying the flag of a CPC to comply with the obligations set out in Annex I (see below) when transhipping in port. <p>Exemption: Failure to conform to the criteria in Annex II during transhipment within the Maldives between pole and line fishing vessels and collector vessels flagged in the Maldives and registered on the IOTC Record of Authorised Vessels (and these vessels are exempted from reporting requirements in Annex I and III).</p> <p>Transhipment at sea of tuna and tuna-like species and sharks by vessels other than by LSTVs in terms of the programme to monitor transhipment at sea.</p> <p>Carrier vessels receiving tuna and tuna-like species and sharks from LSTVs in at-sea transhipment operations not entered on the IOTC Record of Carrier vessels authorised to do so.</p>	<p>Observer recorded information.</p> <p>Photographs of the incident if observed, clearly showing:</p> <p>transhipping activity; and</p> <p>markings on vessels.</p> <p>GPS/Radar/VMS/AIS data on position, course and speed of vessels.</p> <p>Photographs or copies of transhipment documents onboard.</p> <p>Interviews with master(s) or senior crew of the vessels involved, allowing an opportunity to explain why transhipment at sea was conducted or why the obligations or criteria were not followed.</p> <p>Depending on the seriousness of the event, the vessel may be seized.</p> <p>Inspection report/statement by fisheries inspector on all the aspects above.</p>	<p><u>General obligation to report contraventions to the IOTC</u></p> <p>As per Resolution 18/03.</p> <p><u>Additional remarks</u></p> <p>Note that where observer data also indicates possible contraventions by LSTVs or carrier vessels, this information will be supplied by the IOTC to the CPC, who is under an obligation to investigate and report back to the IOTC.</p>

²⁰ Superseded by Resolution 22/02

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Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected	CPC reporting obligations and additional remarks
<p>TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS</p>		<p>Failure by carrier vessels authorised for at-sea transhipment to install and operate VMS.</p> <p>Transhipment by LSTLVs in waters under the jurisdiction of a CPC without prior authorisation of the coastal State concerned.</p> <p>Transhipment by LSTLVs at sea without prior authorisation from their flag State.</p> <p>Failure by a LSTLV to, within 15 days after a transhipment, complete and transmit the IOTC transhipment declaration (with its number in the IOTC Record of Fishing Vessels) in the format set out in Annex III of this Resolution.</p> <p>The Master starting transhipment of the receiving carrier vessel without confirmation that the LSTLV is participating in the IOTC programme to monitor transhipment and has obtained prior authorisation from their flag State.</p> <p>Failure by the master of the receiving carrier vessel to complete and transmit the IOTC transhipment declaration (with its number in the IOTC Record of Carrier Vessels authorised to receive transhipment) to the IOTC Secretariat and the flag CPC of the LSTLV within 24 hours of the completion of the transhipment.</p>	<p>Follow-up:</p> <ul style="list-style-type: none"> Obtain observer data received from the IOTC Secretariat; and Obtain report/state-ments from flag CPC, coastal State, State where landing takes place and IOTC on authorisations, declarations and notifications (or lack thereof). <p><u>Evidentiary provision</u></p> <p>Carrier vessels not entered on the IOTC Record of Carrier vessels authorised to receive tuna and tuna-like species and sharks at sea from LSTLVs are deemed not to be authorised to receive tuna and tuna-like species and sharks in at-sea transhipment operations.</p>	<p>Various obligations on carrier vessels and LSTLVs relating to obtaining of authorisations and making of declarations before and after transhipment.</p>

Resolution & Main Measures/Elements	Application/ Exclusions	Contraventions	Evidence to be collected	CPC reporting obligations and additional remarks
<p>TRANSHIPMENT BY LARGE-SCALE FISHING VESSELS</p>		<p>Failure by the master of the receiving carrier vessel to complete and transmit the IOTC transhipment declaration (with its number in the IOTC Record of Carrier Vessels authorised to receive transhipment) to the competent authorities of the State where the landing takes place 48 hours before landing.</p> <p>Commencing or continuing at-sea transhipment without an IOTC regional (or national in the case of the vessels listed in Annex V) observer on board the carrier vessel (except in cases of "force majeure" duly notified to the IOTC Secretariat).</p> <p>Failure to be accompanied by the IOTC transhipment declaration until the first sale has taken place of all tuna and tuna-like species and sharks landed or imported into the CPCs either unprocessed or after having been processed and which are transhipped.</p> <p><i>Note.</i></p> <p>There are also various obligations on the captains of carrier vessels in relation to observers, as contained in Annex IV, but these are identical to the provisions in Resolution 16/04 (see the next table), save for the additional provisions below:</p> <ul style="list-style-type: none"> • failure by LSTLVs to allow observers to visit the vessel (if weather conditions permit); and • failure by LSTLVs to allow observers access to personnel and areas. 		

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DEFINITIONS	
<i>Port</i>	<i>Includes offshore terminals and other installations for landing, transhipping, packaging, processing, refuelling or resupplying.</i>
<i>Large scale tuna vessels (LSTVs)</i>	<i>Fishing vessels targeting tuna and tuna-like species that are over 24 m length overall (LOA) and are on the IOTC Record of Authorised Vessels.</i>
<i>Large scale tuna longline fishing vessels (LSTLVs)</i>	<i>Longline fishing vessels targeting tuna and tuna-like species that are over 24 m LOA and are on the IOTC Record of Authorised Vessels (this is not formally defined, but on the basis of the definition above.</i>

ANNEX I CONDITIONS RELATING TO IN PORT TRANSHIPMENT

General

1. Transhipment operations in port may only be undertaken in accordance with the procedures detailed below:

Notification obligations

2. Fishing vessel:
 - 2.1. Prior to transhipping, the Captain of the LSTV must notify the following information to the port State authorities, at least 48 hours in advance:
 - a) the name of the LSTV and its number in the IOTC record of fishing vessels;
 - b) the name of the carrier vessel, and the product to be transhipped;
 - c) The tonnage by product to be transhipped;
 - d) the date and location of transhipment; and
 - e) the major fishing grounds of the tuna and tuna-like species and sharks catches.
 - 2.2. The Captain of a LSTV shall, at the time of the transhipment, inform its flag State of the following;

- a) the products and quantities involved;
- b) the date and place of the transshipment;
- c) the name, registration number and flag of the receiving carrier vessel; and
- d) the geographic location of the tuna and tuna-like species and sharks catches.

2.3. The captain of the LSTV concerned shall complete and transmit to its flag State the IOTC transshipment declaration, along with its number in the IOTC Record of Fishing Vessels, in accordance with the format set out in Annex II not later than 15 days after the transshipment.

3. Receiving vessel:

Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the port State authorities of the quantities of tuna and tuna-like species and sharks transhipped to his vessel, and complete and transmit the IOTC transshipment declaration, to the competent authorities within 24 hours.

Landing State:

4. The master of the receiving carrier vessel shall, 48 hours before landing, complete and transmit an IOTC transshipment declaration, to the competent authorities of the landing State where the landing takes place.

5. The port State and the landing State referred to in the above paragraphs shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag CPC of the LSTV to ensure that landings are consistent with the reported catches amount of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.

6. Each flag CPC of the LSTVs shall include in its annual report each year to IOTC the details on the transshipments by its vessels.

ANNEX II

CONDITIONS RELATING TO TRANSHIPMENTS BETWEEN MALDIVIAN COLLECTOR VESSELS AND POLE AND LINE FISHING VESSELS

General requirements

1. The pole and line fishing vessel(s) involved shall be flagged in the Maldives and shall have a valid license to fish issued by the competent authorities of the Maldives.
2. The collector vessel(s) involved shall be flagged in the Maldives and shall have a valid license to operate issued by the competent authorities of the Maldives.
3. The vessel(s) involved shall not be authorized to fish or engage in fisheries related activities outside the area of national jurisdiction of the Maldives.
4. Transshipment operation shall only take place inside the atolls within the area of national jurisdiction of the Maldives.
5. The Collector Vessel(s) involved must be equipped and tracked by the competent authorities of the Maldives via a functional vessel monitoring system and shall also be equipped with an electronic observer system suitable for monitoring the transshipment activity. The requirement for monitoring through electronic observer system shall be achieved by 31 December 2019.
6. The fishing vessel(s) involved in the transshipment operation should be tracked by the competent authorities of the Maldives via a functional vessel monitoring system as required by the Resolution 15/03 *On the vessel monitoring system (VMS) programme*.

Reporting requirements

7. The flag State should report to the IOTC in its annual report each year the details on such transshipments by its vessels.
8. The data recording and reporting requirements set forth by the competent authorities of the Maldives for shore-based reporting or recording requirements shall also be applicable to transshipment operations between Maldivian collector vessels and pole and line fishing vessels.

5.10 OBSERVERS



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Resolution & Main Measures/Elements	Application/Exclusions	Contraventions	Evidence to be collected (where possible and applicable)	CPC reporting obligations and additional remarks
<p>OBSERVERS Resolution 16/04 On the implementation of a pilot project in view of promoting the regional observer scheme of IOTC</p> <p>Obligation on the Master to allow observers on board and to provide access to staff and equipment.</p> <p>Obligation to provide observers with accommodation and space to carry out their duties.</p> <p>Obstruction, intimidation, interference with, influencing, bribing or attempting to bribe an observer in the performance of his/her duties.</p>	<p><u>Application:</u> General.</p>	<p>Failure by the Master to allow observers to visit the vessel (if weather conditions permit).</p> <p>Failure of the master to allow observers to have access to vessel staff and to gear and equipment (but not interfering with equipment on board).</p> <p>Failure of the Master to allow access to the equipment listed below on a request basis:</p> <ul style="list-style-type: none"> • satellite navigation equipment (consultation only); • radar display viewing screens (consultation only); and • electronic means of communication. <p>Failure to provide observers with accommodation, including lodging, food and sanitary facilities equal to those of officers.</p> <p>Failure to provide observers with adequate space on the bridge or pilot house for clerical work.</p> <p>Failure to provide observers space on deck adequate for carrying out observer duties.</p> <p>Obstruction, intimidation, interference with, influencing, bribing or attempting to bribe an observer in the performance of his/her duties by the master, crew or vessel owner.</p>	<p>Observer recorded</p> <p>Information: A statement from the observer setting out the details will have to be obtained.</p> <p>Interview with master/senior crew on the incident, including:</p> <ul style="list-style-type: none"> • why the observer was refused access to vessel staff, gear and equipment; • why the observer was not provided with accommodation equal to those of officers; • why the observer was not provided with the required space. <p>Inspection report / statement of fisheries inspector on all aspects above.</p>	<p>General obligation to report contraventions to the IOTC</p> <p>As per Resolution 18/03.</p>

PART C -
CASE STUDIES



CASE STUDY 1

1

CASE STUDY 1²¹

Vessel	<p>FV X</p> <p>FLAG: CPC Flag State X</p> <p>IOTC record of authorised vessels (RAV): No</p> <p>GEAR: Gill nets and longlines</p> <p>SPECIES CAUGHT: Assorted reef species, pelagic species, reef shark species</p>
Contraventions	<p>Fishing without a licence in the waters of CPC Coastal State X</p> <p>Possession of illegal gear in the waters of CPC Coastal State X</p> <p>No logbook</p>
Detection	<p>The incident occurred on 00/00/00. The vessel was intercepted by the patrol vessel of the CPC Coastal State X in the vicinity of Area X. After the inspection the master was ordered to follow the patrol vessel back to port X. Vessel fled during escort to port for further investigation on 00/00/00.</p>
Evidence	<p>Detailed inspection report containing:</p> <ul style="list-style-type: none"> • summary • initial sighting detail • launching of workboat • boarding details <ul style="list-style-type: none"> • crew details • vessel registration and paperwork • interview with Captain • vessel inspection • list of violations <ul style="list-style-type: none"> • state ordinance violations • IOTC conservation and management measure (CMM) violations • SFPO actions • disembarkation and recovery • vessel records and history <p>Photographs showing:</p> <ul style="list-style-type: none"> • starboard view • stern view • bow showing vessel identification • port view with vessel identification • pelagic fish species in hold • fish in the hold. <p>[see copy of full report below]</p>
Outcome	<p>As the vessel fled, no further enforcement action could be taken.</p>

²¹ In this case study, based on a real event, the identity of countries, and details of dates, positions, vessels, persons and areas have been indicated with an “X” or “0”.

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Flag State Cooperation	<i>The CPC Flag State X did not initially provide details of vessel ownership, nor provided any indication of actions they may have taken.</i>
Elements of IOTC Resolution 11/03 contravened	<i>Item a: Harvesting of tuna or tuna-like species in the IOTC area of competence without being registered on the IOTC Record of vessels. Item h: Harvesting tuna and tuna-like species in the waters under the national jurisdiction of a coastal State in the IOTC area of competence without an ATF / infringes on coastal State's laws and regulations.</i>
IOTC decision	<i>The incident was reported to the IOTC in terms of paragraph 2 of Resolution 11/03 by the CPC Coastal State X. It requested that the vessel be included on the IOTC IUU list. The vessel was added to the 0000 provisional IUU list.</i>
Conclusions/ lessons	<i>A very thorough boarding report, which is provided below.</i>

INSPECTION REPORT

1. SUMMARY

Date of boarding	00/00/00
Patrol vessel	PV X
Fishing vessel name	FV X
Fishing vessel type	GN
Fishing vessel flag and homeport	Country X, Port X
Fishing vessel identification number	Number X
Fishing vessel identification type	Registration number
IOTC # (if registered)	Null
Vessel master name	Master X
SFPO	SFPO X
FPO(s)	FPO X
Outcome of boarding	<i>Detained but escaped during escort.</i>

2. INITIAL SIGHTING DETAILS

Date and time of first sighting	00/00/00 21:45
Sighted by	OOW Radar: Visual: x
Position of target	00 00 00 00 00 00 0E
Course	Var
Speed	Var
Range	8.5 nm
Bearing	340
Comments:	<p>At 2144 bright working lights are seen on X Area, at a range of 8.5 nm. Visual identification was made of two lights, suggesting a second vessel. The PV X continued its westerly course.</p> <p>2200 Radar target now with variable course and speed of 0.8kt. Position of target is on the south eastern edge of X Area at 00 00.0S 000 00.0E. PV X alters course to port to maintain distance and prevent them being alerted to our presence. The intention was to shadow the two targets during the night as per safety SOPs and due to potential danger to the PV X of fouling by deployed fishing gear. Targets now approximately 0.5nm apart with variable speeds of 0-4kts moving generally NW. This is behaviour indicative of fishing activity.</p> <p>00/00/00</p> <p>0240 Three more radar targets are detected, very close together and located approximately 6nm north of the two original targets, but still on the eastern X Area. Their behaviour is similar to the first two targets, with variable course and speed indicative of fishing activity. Bright working deck lights are visible.</p> <p>0635 PV X alters course to intercept the 4 radar targets closest.</p> <p>0705 At a range of 4nm, all five targets vessels increase speed and alter course to run west, and away from PV X. Targets now steaming at 7kts; The PV X increases to a speed of 9kts.</p> <p>0805 Positive visual identification of the closest four targets as Country X gillnet fishing vessels, now heading NW at speeds varying between 6.5 and 7 knots.</p> <p>Five vessel targets detected during the night, so all five have same details recorded for first sighting date, time and position for the purposes of this report as their individual identities was unknown at this stage.</p>
Fisheries Pennant and Sierra Quebec Three Raised	00/00/00 06:50
Target requested to stop and prepare for boarding	00/00/00 06:50
Response to request for boarding	No response

INSPECTION OF VESSELS GUIDEFOR FISHERIES INSPECTORS TO CONTRAVENTIONS
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Time workboat launched	00/00/00 06:50	
Workboat crew	Official X & FPO X	
Comments on approach to the FV:		
	<i>The vessel was ordered to slow down verbally and by hand gestures.</i>	
Photographic evidence collected (see Annex 1)	Port	
	Starboard	
	Stern	
	Fishing gear	
	Other	

4. BOARDING DETAILS

Date and time vessel boarded	00/00/00 09:25
Position vessel boarded	00 00.00S 000 00.00E
Boarding party team	Official X1; Official X2
Language spoken	X
Interpreter needed (Y/N)	Y
Name of interpreter (if applicable)	Official X2

a. Crew details

Vessel master name	Captain X
Vessel master nationality	Country X
Vessel master address	Address X
Vessel master date of birth	00/00/00
Number of crew	10
Vessel crew nationality	Country X

Any crew under 18? (Y/N). If 'Y', provide details.	N
Do any crew have health issues? (Y/N). If 'Y', provide details.	N
Observations:	
<i>Captain and crew presented various types of identification (fishermen's Id, driving licence, electoral cards). Identification was not provided by all crew, and it was not possible to determine the identification documents related to the crew present. Neither was it possible to determine if the individual who presented himself as the captain was indeed the captain of the vessel.</i>	
Photographic evidence collected (see Annex 1)	Crew ID
	Crew ID

b. Vessel registration and paperwork

Fishing licence present (Y/N)	N
Fishing licence number (if applicable)	Null
Fishing licence date of issue, expiry and issuing authority	Null
FV owner name (as per licence)	Null
FV owner details (as per licence)	Null
Fishing logbook present (Y/N)	Null
Fishing logbook number (if applicable)	Null
Issuing authority	Null
Date of last entry	Null
Position of last entry	Null
Other paperwork:	
<i>Registration document</i>	
Photographic evidence collected (see Annex 1)	Licence:
	Logbook:
	Other:

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Time of interview	09:25
Captain's rights read and understood?	Yes
FV port of departure	Country X (port not ascertained)
Date of departure	Not ascertained
Travelling to or from fishing grounds?	Neither
Amount of fish onboard (t)	1500 kg approx.
Fish onboard where caught?	X Bank
Fish onboard when caught?	Last 2 days
Fish onboard how caught?	Hand lines
Destination	Country X
Port of return	Country X (port not ascertained)
Anticipated date of return	Not ascertained
Comments:	
Language difficulties as no English and X dialect not the interpreters 1st language.	

d. Vessel inspection

Fishing gear type	Gillnet and Hand lines
Comments:	
<i>Baited hand lines located on decks.</i>	
Catch onboard (estimated t)	1500kg
IOTC species onboard (Y/N)	Y
Endangered species onboard (Y/N)	N
Description of catch:	
<i>Mixed reef species (jobfish, red snapper, emperors, giant trevally). Some small reef sharks (black/white tip).</i>	
Comments:	
<i>None</i>	
Photographic evidence collected (see Annex 1)	Gear
	Hatch
	Hold

5. LIST OF VIOLATIONS

a. Country legislation violations

Fishing without a licence	X
Fishing with prohibited gear	
Possession of prohibited gear	
Obstruction of a fisheries patrol officer	
Possession of sea cucumbers or molluscs	
Traversing or landing on an SNR	
Comments:	
<i>None</i>	

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Vessel not marked with name or callsign	
Fishing gear not marked with name or callsign	X
No VMS (if relevant, >15m)	X
VMS not tamperproof (if relevant, >15m)	X
No state issued logbook (if relevant, >24m)	
No state issued licence	X
Possession of driftnet over 2.5 km	
Not on the IOTC authorised list	X
Not on the IOTC Record Active Tuna/ Swordfish	X
No turtle de-hooker on board	X
Comments:	
<i>None.</i>	

6. SFPO ACTIONS

Vessel and master detained and escorted to Port X	X
FPN issued and catch and gear seized	
IOTC Reporting Form to be completed (Res: 11/03)	
Master given verbal warning and released	
No further action, vessel released	
Comments:	
<i>10:05 Informed that I was detaining his vessel for illegal fishing within Country X waters without a licence contrary to Section X of Ordinance X.</i>	
<i>The captain was ordered to follow the PV X back to Port X for further investigation.</i>	

7. DISEMBARKATION AND RECOVERY

Time FV disembarked	10:10
Time workboat recovered to the patrol vessel	13:10
Comments:	
<i>Escaped during escort to Port X (this vessel was being towed at last sighting).</i>	

8. VESSEL RECORDS AND HISTORY

Vessel on IOTC register (Y/N)	N
IOTC number (if applicable)	Null
Vessel on IOTC Record Active Tuna/ Swordfish (Y/N)	N
Vessel previously boarded (Y/N)	N <i>Inspection report ID:</i>
Master previously boarded (Y/N)	N <i>Inspection report ID:</i>
Owner previously boarded (Y/N)	N <i>Inspection report ID:</i>
Crew previously boarded (Y/N)	N <i>Inspection report ID:</i>
Comments:	
None.	

Signed:

Name: SFPO X

Position: SFPO

Date: 00/00/00

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CASE STUDY 2

2

CASE STUDY 2

<p>Vessel(s)</p>	<p><i>RENOWN REEFER / WISDOM SEA REEFER</i> <i>Type: Refrigerated Cargo Ship</i> <i>Flag: Unknown (Bolivia/Honduras)</i> <i>Group owner: Chainavee Coldstorage Co Ltd, Thailand</i> <i>Shipmanager and Operator: Wisdom Sea Reefer Line S.A., Panama</i> <i>DOC (Document of Compliance) Company and Technical Manager: Golden Arrow Marine SA, Thailand</i> <i>Registered Owner: Brilliant Reefer Line SA, Panama</i> <i>(above information from IHS Markit as reflected in documents submitted to the IOTC)</i></p> <p><i>IOTC RAV: NO</i></p> <p><i>The four vessels that transhipped to the vessel:</i> <i>CHAICHANACHOKE 8</i> <i>CHAINAVEE 54</i> <i>CHAINAVEE 55</i> <i>SUPPHERMNAVEE</i> <i>Flag: Unknown (Djibouti / Thailand)</i> <i>Owner: Marine Renown SARL</i> <i>(hereafter referred to as “the four fishing vessels”)</i> <i>IOTC RAV: No</i> <i>ATF: Puntland State of Somalia</i> <i>SPECIES CAUGHT: Tuna and tuna-like species</i></p>
<p>Contraventions</p>	<p><i>Fishing for tuna or tuna-like species in the IOTC area of competence without being registered on the IOTC RAVs and transhipping contrary to IOTC conservation and management measures during March-April 2017.</i></p>
<p>Detection</p>	<p><i>The four fishing vessels were sighted engaging in fishing activities in the Western Indian Ocean within Somali waters during March-April 2017 during Operation Atalanta by the European Union Naval Force. At that time they were registered to Djibouti (a Cooperating Non-Contracting Party). The vessels were sighted on 27 April 2017 transhipping to the Wisdom Sea Reefer (flagged to Honduras, which is not a CPC).</i></p>

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Evidence	<p><i>Sightings photographed during Operation Atalanta.</i></p> <p><i>SAT-AIS data available for Wisdom Sea Reefer and the four vessels. Data indicative of fishing and transshipment.</i></p> <p><i>The transshipment declaration and logbooks confirmed the above operation which started on 26 April and lasted until 30 April 2017. It also confirmed that they transhipped species falling under the management mandate of the IOTC to the amount of 14 444 kg.</i></p> <p><i>Documentary evidence in relation to the status of all the vessels concerned.</i></p>
Outcome	<p><i>The four vessels were delisted from the Djiboutian register on 1 June 2017.</i></p> <p><i>The Wisdom Sea Reefer applied for entry into port in Taiwan on 12 July 2017. It however abandoned its intention to enter into port. The competent authority of Taiwan (having been informed of the vessels alleged illegal activities by Thailand) then inspected the vessel at sea on the same date. The inspection revealed that one of the four vessels had its catch tonnage recorded at an amount exceeding the vessel's capacity. The total catch of the four vessels also exceeded the permitted maximum of the fishing licences issued by the Puntland State of Somalia. The Taiwanese authorities alerted various other countries about the alleged activities of the vessel, including Iran (possible destination), Honduras (flag State of the vessel), Djibouti (flag State of the four vessels), as well as other States in the region including the Philippines, Vietnam, Malaysia and Singapore.</i></p> <p><i>The vessel was detained by the competent authority in Malaysia around the end of July 2017, but no more detail on this was available.</i></p> <p><i>It was denied entry to port (under the name Renown Reefer) in Thailand on 15 December 2017, as reported by the Thailand competent authority to the IOTC. The Thailand authorities concluded that it was the same vessel based on the fact that it had the same IMO number and owners, as well as the same details of tonnage, built and engine number.</i></p> <p><i>The Cambodian authorities then reported that the vessel reported engine problems and requested entry into port. The vessel was inspected on 6 February 2018. There were no fish on board and the crew were new to the vessel and could not provide more information. They copied all certificates and documentation on board, as well as took photographs of the vessel, including the empty holds.</i></p>

<p>Flag State Cooperation</p>	<p><i>The authorities in Honduras confirmed that the Wisdom Sea Reefer appeared on their records of flagged vessels and initiated a formal investigation. After it was reflagged to Bolivia as the Renown Reefer in December 2017 (as confirmed by the Bolivian International Ships Registry), the Bolivian authorities deleted the vessel from their registry in January 2018 based on the information provided by the IOTC.</i></p> <p><i>In February 2018 the authorities in Honduras, after a formal enquiry, levied the vessel with a fine of 50 000 USD for contravention of their maritime laws.</i></p>
<p>Elements of IOTC Resolution 11/03 contravened²²</p>	<p><i>Item a: Harvesting of tuna or tuna-like species in the IOTC area of competence without being registered on the IOTC Record of vessels.</i></p> <p><i>Item g: Transhipped fish to, or otherwise participated in joint operations with, support or supply vessels that are not included on the IOTC RAVs or not on the Record of Vessels authorised to receive transhipments at-sea in the IOTC Area.</i></p> <p><i>Item j: Engage in fishing or related activities contrary to any other IOTC conservation and management measures.</i></p>
<p>IOTC decision</p>	
<p><i>The incident was reported to the IOTC by the Directorate-General for Maritime Affairs and Fisheries of the European Commission in terms of Resolution 11/03 in September 2017, superseded by Resolution 17/03, with updated report in January 2018. All the vessels were recommended for inclusion on the IOTC IUU list. All the vessels concerned were added to the list.</i></p>	
<p>Conclusions / lessons</p>	<p><i>A good example of how effective communication between States lead to effective port State and flag State action.</i></p>

²² Superseded by Resolution 17/03

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ANNEXES



ANNEX A1 BOARDING AND INSPECTION/ SEARCH AT SEA REPORT

BOARDING AND INSPECTION / SEARCH AT SEA REPORT

[template]

Inspecting Authority: [name of State authority]

Patrol vessel: [name of patrol vessel]

[Note: This template was developed based on the format of the template that was used in Case Study 1. It was however adapted to suit inspections or searches by any CPC. Additional requirements were added, including specific reference to the recording of evidence during every stage of the operation. Under Paragraph 5, the contraventions of Resolutions were listed under the headings for the reporting of IUU fishing in Resolution 18/03 to enable accurate reporting.]

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1. SUMMARY

Date of boarding	[DD/MM/YY]
Fishing vessel name	
Fishing vessel type	
Fishing vessel flag	
Fishing vessel homeport	
Fishing vessel identification number	
Fishing vessel identification type	
IOTC list of authorised vessels	[Yes /No / Unknown]
IOTC list of IUU vessels	[Yes /No / Unknown]
Vessel master name	
Senior Fisheries Inspector (lead)	
Fisheries Inspector(s) (team)	
Outcome of boarding	[no action taken / oral warning / written warning / detained / ordered to port / escorted to port]

2. INITIAL SIGHTING DETAILS

Date of first sighting	
Time of first sighting	
Position, speed and course of PV at time of first sighting	
Method of sighting	[visual / radar / infrared /drone / other]
Sighted by	
Position of target	
Course of target	
Speed of target	
Range of target	

Bearing of target	
Reason for boarding	<i>[routine inspection / suspicion of IUU activities / report received / request made / other]</i>
Flag signals raised	
Date target requested to stop and prepare for boarding	<i>(DD/MM/YY)</i>
Time target requested to stop and prepare for boarding	<i>[00:00]</i>
Method of communication with target	<i>[radio (indicate language(s) spoken) / flag signals / hand signs / verbal /other]</i>
Response to request for boarding	<i>[no response / stop and accommodate boarding / try and avoid boarding / increase speed / other]</i>
Comments:	
<i>[provide relevant details on the above with timelines – see case study 1 above as an example]</i>	
Evidence [photographs in attachment e.g. "See Annex 1"]	<i>[photographs of vessel / photographs or other records of instruments (relating to position, course, speed etc) / records of communication]</i>

3. LAUNCHING OF WORKBOAT

Date workboat launched	<i>DD/MM/YY</i>
Time workboat launched	<i>00:00</i>
Workboat crew	<i>[names of workboat crew]</i>
Comments on approach to the FV:	
<i>[actions by workboat crew and reaction of FV to boarding, e.g. FV ordered to slow down verbally and by hand gestures / FV accommodated boarding / FV attempted to avoid boarding]</i>	
Evidence [photographs in attachment e.g. "See Annex 2"]	<i>[photographs of port / starboard / stern / bow / any deployed fishing gear /crew on deck / other]</i>

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Date and time vessel boarded	DD/MM/YY
Time vessel boarded	00:00
Position vessel boarded	
Boarding party team	<i>[names of officials boarding vessel]</i>
Language spoken	
Interpreter needed (Y/N)	
Name of interpreter (if applicable)	
Comments on boarding:	
<i>[actions by boarding party and reaction of master and crew to boarding e.g. master and crew summoned / master cooperative /master uncooperative]</i>	
Evidence [photographs in attachment e.g. "See Annex 3"]	<i>[photographs of master / crew / deck]</i>

a. Crew details

Vessel master name	
Vessel master nationality	
Vessel master address	
Vessel master date of birth	
Number of crew	
Vessel crew nationality	
Any crew under 18? (Y/N). If 'Y', provide details.	
Is there any indication of unfair labour practices? (Y/N). If 'Y', provide details. (Y/N).	<i>[observation of conditions on board / complaints by crew]</i>
Do any crew have health issues? (Y/N). If 'Y', provide details.	
Additional observations: [e.g. type of ID presented / absence of ID documents / verification of status of Master etc]	
Evidence [photographs in attachment e.g. "See Annex 4"]	<i>[photographs of ID documents]</i>

b. Vessel registration and documentation

Fishing licence /ATF present (Y/N)	
Fishing licence /ATF number	
Fishing licence /ATF issuing authority	
Fishing licence /ATF date of issue	
Fishing licence /ATF date of expiry	
FV owner name (as per licence)	
FV owner details (as per licence)	
Fishing logbook present (Y/N)	
Fishing logbook number (if applicable)	
Issuing authority	
Date of last entry	
Position of last entry	
Other documentation	<i>[other documentation on board relating to the vessel, e.g. safety certificates]</i>
Additional comments / observations: [e.g. on validity and authenticity of ATF]	
Evidence [photographs in attachment e.g. "See Annex 5"]	<i>[photographs of licence / entries into logbook /other documents]</i>

INSPECTION OF VESSELS GUIDE**FOR FISHERIES INSPECTORS TO CONTRAVENTIONS
OF THE INDIAN OCEAN TUNA COMMISSION RESOLUTIONS****c. Interview with Master**

Time of interview	
Master's rights read and understood?	
FV port of departure	
Date of departure	<i>DD/MM/YY</i>
Travelling to or from fishing grounds?	
Amount of fish onboard (t)	
Fish onboard where caught?	
Fish onboard when caught?	
Fish onboard how caught?	
Destination	
Port of return	
Anticipated date of return	
Additional comments / observations: [language difficulties / demeanour /other]	

d. Vessel inspection

Fishing gear type	
Additional comments / observations: [any additional information on gear, stowage etc]	
Cath onboard (estimated tonnage in total)	
IOTC species onboard (Y/N). If "Y", indicate which species and what amount	
Endangered species onboard (Y/N). If "Y", indicate which species and what amount	
Description of catch: (with tonnage / amount per species where possible)	
Additional comments / observations: (any additional information on catch on board)	
Evidence [photographs in attachment e.g. "See Annex 6"]	<i>[photographs of gear, including close-up photographs of prohibited gear; measurements of gear; photographs of hatch and hold; photographs of fish, including close-up photographs to enable species identification; measurements of fish; samples of fish]</i>

5. LIST OF CONTRAVENTIONS

a. Country legislation contraventions

[Note: Some of the most common contraventions found in domestic legislation are listed below. The list is however by no means exhaustive and will also differ slightly from country to country. Ideally each CPC must populate this table with contraventions of their country specific legislation.]

Fishing without a licence/ATF	
Failure to comply with the conditions of a licence/ATF	
Fishing in a closed area / marine protected area	
Fishing with prohibited gear	
Possession of prohibited gear	
Failure to stow gear as prescribed	
Fishing/Possession of prohibited species	
Transhipping without authorisation	
Failure to comply with the conditions of an authorisation to tranship	
Obstruction/hindrance/assault of a fisheries inspector	
Other contravention of fisheries legislation	<i>[e.g. failure to notify authorities of entrance into the EEZ/ not keeping sharks in a whole state / undersize fish / fishing in the closed season etc]</i>
Possible contraventions of other legislation	<i>[e.g. marine pollution, labour legislation, CITES]</i>
Additional comments / observations: [any additional information on contraventions, including whether possible contraventions of other legislation were referred to the mandated agency for follow-up]	

b. IOTC CMM contraventions

It is proposed that the Check List on Compliance with IOTC Conservation and Management Measures as contained in Annex B first be completed. This will assist in marking the applicable Resolutions below.

[Note: Below the IUU activities in the reporting format from Resolution 18/03 are linked to the specific contraventions as were listed in Part B above. While this template was developed for at sea inspections or searches, contraventions committed in port were retained for the sake of completeness. Should more details of contraventions be required, refer back to Part B above.]

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Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
<p>Engaged in fishing or fishing related activities and is neither registered on the IOTC Record of Authorised Vessels in accordance, nor recorded in the Active list of vessels</p>	<p>Resolution 19/04 Concerning the IOTC Record of Vessels Authorised to Operate in the IOTC Area of Competence</p>	<p><i>Failure to be entered on the IOTC Record (exclusion:</i> <i>vessels less than 24 m operating inside the EEZ of the flag State).</i></p> <p><i>Failure by AFVs to have on board valid certificates of vessel registration and valid authorisation to fish and/or tranship.</i></p> <p><i>Failure by fishing vessels to carry on board documents issued and certified by the competent authority:</i></p> <ul style="list-style-type: none"> • <i>license, permit or authorisation to fish, and conditions attached to such ATF</i> • <i>vessel name</i> • <i>port in which registered and the number(s) under which registered</i> • <i>international call sign</i> • <i>names and addresses of owner and where relevant, the charterer</i> • <i>overall length</i> • <i>engine power, in KW/horsepower (where appropriate)</i> <p><i>Failure to appropriately mark each gear (e.g. the ends of nets, lines and gear in the sea shall be fitted with flag or radar reflector buoys by day and light buoys by night sufficient to indicate their position and extent.</i></p> <p><i>Failure to clearly mark marker buoys and similar objects floating and on the surface with the letter(s) and/or number(s) of the vessel to which they belong.</i></p> <p><i>Failure to clearly mark fish aggregating devices with the letter(s) and/or number(s) of the vessel to which they belong.</i></p> <p><i>Failure by AFVs to keep a bound fishing national logbook with consecutively numbered pages.</i></p> <p><i>Failure to keep original recordings in fishing logbooks on board the AFV for at least 12 months.</i></p>	

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
<p>Engaged in fishing or fishing related activities when its flag State is without quota, catch limit, or effort allocation under IOTC Conservation and Management Measures where applicable unless that vessel is flagged to a CPC</p>			
<p>Failed to record or report its catches in accordance with IOTC Conservation and Management Measures or has made false reports</p>	<p><i>Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC area of competence</i></p>	<p><i>Failure to keep an official bound paper or electronic logbook.</i></p> <p><i>Failure by the Master of the fishing vessel to complete the logbook.</i></p> <p><i>Failure by the Master to submit the logbook flag State administration.</i></p> <p><i>Failure by the Master to submit the part of the logbook corresponding to the activity deployed in the coastal State to the coastal State administration where the vessel has fished in that coastal State's EEZ.</i></p>	
	<p><i>Resolution 18/05 On Management Measures for the Conservation of the Billfishes: Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish</i></p>	<p><i>Failure to record catches of Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish in accordance with Resolution 15/01 (or any resolution superseding it).</i></p>	

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FOR FISHERIES INSPECTORS TO CONTRAVENTIONS OF THE INDIAN OCEAN TUNA COMMISSION RESOLUTIONS

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p><i>Resolution 18/02 On management measures for the conservation of blue shark caught in association with IOTC fisheries</i></p>	<p><i>Failure by vessels to record the catch of blue shark (<i>Prionace glauca</i>) in accordance with Resolution 15/01 (or any Resolution superseding it).</i></p>	
<p>Taken or landed undersized fish in contravention of IOTC Conservation and Management Measures</p>	<p><i>Resolution 18/05 On Management Measures for the Conservation of the Billfishes: Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish</i></p>	<p><i>Retaining on board, transhipping, or landing any of the species Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish smaller than 60 cm Lower Jaw Fork Length (LJFL).</i></p> <p><i>Failure to return to the sea any Striped Marlin, Black Marlin, Blue Marlin and Indo-Pacific Sailfish smaller than 60 cm Lower Jaw Fork Length (LJFL) in a manner that maximises post-release survival potential (without compromising the safety of the crew).</i></p> <p><i>Exception</i></p> <p><i>The unintentional catching of small fish and freezing of such fish in purse seine operations, provided such fish are not sold.</i></p>	
<p>Engaged in fishing or fishing related activities during closed fishing periods or in closed areas in contravention of IOTC Conservation and Management Measures</p>			

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
<p>Used prohibited fishing gear in contravention of IOTC Conservation and Management Measures</p>	<p>Resolution 19/02 Procedures on a Fish Aggregating Devices Management Plan</p>	<p><i>Any vessel other than a purse seiner or associated supply or support vessels deploying a dFAD.</i></p> <p><i>The use of any other buoy, other than an instrumented buoy, on dFADs (e.g. a radio buoy).</i></p> <p><i>More than 300 instrumented buoys followed by any purse seine vessel at any one time.</i></p> <p><i>More than 500 instrumented buoys (buoys in stock and operation buoys) per purse seine vessel at any one time.</i></p> <p><i>Making an instrumented buoy operational when not physically present on board the purse seine vessel to which it belongs or its associated supply or support vessel.</i></p> <p><i>Failure to enter the activation of an instrumented buoy in the logbook.</i></p> <p><i>Failure to record the following details in the logbook:</i></p> <ul style="list-style-type: none"> • <i>Unique identification number</i> • <i>Date, time and geographical coordinates if its deployment.</i> <p><i>Failure by a purse seine vessel to declare to its CPC the number and unique identifier of the instrumented buoy before and after each fishing trip.</i></p> <p><i>Failure to annually submit the number of buoys lost and transferred by grid area, month strata and dFAD type.</i></p> <p><i>Failure to record fishing activities in association with FADs using the specific data elements found in Annex III (dFAD) and Annex IV (AFAD) in the FAD logbook.</i></p> <p><i>Failure to use non-entangling designs and materials in the construction of FADs.</i></p>	

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Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p><i>Resolution 17/07 On the prohibition to use large-scale driftnets in the IOTC area</i></p>	<p><i>Use of large-scale driftnets on the high seas.</i></p> <p><i>Configured to use large-scale driftnets on the high seas.</i></p> <p><i>As from 1 January 2022</i></p> <p><i>Use of large-scale driftnets anywhere (therefore including the EEZs).</i></p>	
	<p><i>Resolution 16/07 On the use of artificial lights to attract fish</i></p>	<p><i>Using, installing or operating surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species.</i></p> <p><i>Intentionally conducting fishing activities around or near any vessel or dFAD equipped with artificial lights for the purpose of attracting tuna or tuna-like species.</i></p>	
	<p><i>Resolution 16/08 On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids</i></p>	<p><i>Using aircrafts or unmanned aerial vehicles as fishing aids.</i></p>	
	<p><i>Resolution 11/02 On the prohibition of fishing on data buoys</i></p>	<p><i>Intentionally fishing within one nautical mile of or interacting with a data buoy, which includes but is not limited to:</i></p> <ul style="list-style-type: none"> <i>• Encircling the buoy with fishing gear;</i> <i>• Tying up to or attaching the vessel or any gear, part or portion of the vessel to a data buoy or its mooring; or</i> <i>• Cutting a data buoy anchor line.</i> <p><i>Taking on board a data buoy while engaged in fishing for tuna and tuna-like species (unless specifically authorised or requested to do so by the Member or owner responsible for that buoy).</i></p> <p><i>In the event of entanglement, failure to remove entangled fishing gear with as little damage to the data buoy possible.</i></p>	

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
<p>Transhipped fish to, or otherwise participated in joint operations with, support or re-supply vessels that are not included on the IOTC Record of Authorised Vessels or not on the Record of Vessels Authorised to Receive Transhipments At-Sea in the IOTC Area</p>	<p><i>Resolution 19/04 Concerning the IOTC Record of Vessels Authorised to Operate in the IOTC Area of Competence</i></p>	<p><i>Owners and operators of AVF engaging in or associated with tuna fishing activities by vessels not entered into the IOTC Record.</i></p>	
	<p><i>Resolution 19/06 On Establishing a Programme for Transhipment by Large-scale Fishing Vessels²³</i></p>	<p><i>Transhipment of tuna and tuna-like species and sharks caught in association with such species at any place except in port.</i></p> <p><u><i>Exclusion</i></u></p> <p><i>Transhipments under the programme to monitor transhipments as per this Resolution.</i></p> <p><i>Failure by LSTVs vessels flying the flag of a CPC to comply with the obligations set out in Annex I when transhipping in port.</i></p> <p><u><i>Exemption</i></u></p> <p><i>Failure to conform to the criteria in Annex II during transhipment within the Maldives between pole and line fishing vessels and collector vessels flagged in the Maldives and registered on the IOTC Record of Authorised Vessels (and these vessels are exempted from reporting requirements in Annex I and III).</i></p> <p><i>Transhipment at sea of tuna and tuna-like species and sharks by vessels other than by LSTLVs in terms of the programme to monitor transhipment at sea.</i></p> <p><i>Carrier vessels receiving tuna and tuna-like species and sharks from LSTLVs in at-sea transhipment operations not entered on the IOTC Record of Carrier vessels authorised to do so.</i></p> <p><i>Failure by carrier vessels authorised for at-sea transhipment to install and operate VMS.</i></p>	

²³ Superseded by Resolution 22/02

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Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 19/06 On Establishing a Programme for Transshipment by Large-scale Fishing Vessels²⁴</p>	<p><i>Transshipment by LSTLVs in waters under the jurisdiction of a CPC without prior authorisation of the Coastal State concerned.</i></p> <p><i>Transshipment by LSTLVs at sea without prior authorisation from their flag State.</i></p> <p><i>Failure by a LSTLV to, within 15 days after a transshipment, complete and transmit the IOTC transshipment declaration (with its number in the IOTC Record of Fishing Vessels) in the format set out in Annex III of this Resolution.</i></p> <p><i>The Master starting transshipment of the receiving carrier vessel without confirmation that the LSTLV is participating in the IOTC programme to monitor transshipment and has obtained prior authorisation from their flag State.</i></p> <p><i>Failure by the master of the receiving carrier vessel to complete and transmit the IOTC transshipment declaration (with its number in the IOTC Record of Carrier Vessels authorised to receive transshipment) to the IOTC Secretariat and the flag CPC of the LSTLV within 24 hours of the completion of the transshipment.</i></p> <p><i>Failure by the master of the receiving carrier vessel to complete and transmit the IOTC transshipment declaration (with its number in the IOTC Record of Carrier Vessels authorised to receive transshipment) to the competent authorities of the State where the landing takes place 48 hours before landing.</i></p> <p><i>Commencing or continuing at-sea transshipment without an IOTC regional (or national in the case of the vessels listed in Annex V) observer on board the carrier vessel (except in cases of "force majeure" duly notified to the IOTC Secretariat).</i></p>	

²⁴ Superseded by Resolution 22/02

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 19/06 On Establishing a Programme for Transshipment by Large-scale Fishing Vessels²⁵</p>	<p><i>Failure to be accompanied by the IOTC transshipment declaration until the first sale has taken place of all tuna and tuna-like species and sharks landed or imported into the CPCs either unprocessed or after having been processed and which are transhipped.</i></p> <p>Note:</p> <p><i>There are also various obligations on the captains of carrier vessels in relation to observers, as contained in Annex IV, but these are identical to the provisions in Resolution 16/04 on observers (see below), save for the additional provisions below:</i></p> <p><i>Failure by LSTLVs to allow observers to visit the vessel (if weather conditions permit).</i></p> <p><i>Failure by LSTLVs to allow observers access to personnel and areas.</i></p>	
<p>Engaged in fishing or fishing related activities in waters that are under the national jurisdiction of a coastal State without the permission or authorisation of that State or in contravention of the laws and regulations of that State (without prejudice to the sovereign rights of the State concerned to undertake enforcement measures against such a vessel)</p>	<p>See 5(a) above</p>	<p>Note:</p> <p><i>If any contraventions under 5(a) above for country legislation contraventions were noted, this row must be marked with an "x".</i></p>	
<p>Engaged in fishing or fishing related activities whilst being without nationality</p>	<p>Resolution 16/05 On vessels without nationality</p>	<p><i>Vessels without nationality engaging in fishing or fishing related activities.</i></p> <p><i>Vessels without nationality landing and transhipping fish.</i></p> <p><i>Vessels without nationality gaining access to port services (except where such access is essential to the safety or health of the crew or the safety of the vessel).</i></p>	

²⁵ Superseded by Resolution 22/02

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Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
<p>Engaged in fishing or fishing related activities having intentionally falsified or concealed its markings, identity or registration</p>	<p><i>Resolution 19/04 Concerning the IOTC Record of Vessels Authorised to Operate in the IOTC Area of Competence</i></p>	<p><i>Failure to mark fishing vessels in such a way that it can be readily identified with generally accepted standards.</i></p>	
<p>Engaged in fishing or fishing related activities in contravention of any other binding IOTC Conservation and Management Measures</p>	<p><i>Resolution 19/03 On the conservation of mobulid rays caught in association with Fisheries in the IOTC Area of Competence</i></p>	<p><i>Intentionally setting any gear type for targeted fishing of mobulid rays if the animal is sighted prior to the commencement of the set.</i></p> <p><i>Retaining onboard, transshipping, landing, storing any part or whole carcass of mobulid rays.</i></p> <p><u><i>Exclusion</i></u></p> <p><i>The above do not apply to vessels carrying out subsistence fishing (but which may not sell or offer for sale any part or whole carcass of mobulid rays).</i></p> <p><i>Failure to promptly release alive and unharmed, to the extent practicable, mobulid rays as soon as they are seen in the net, on the hook or on deck in a manner that will result in the least possible harm to the individuals captured (and implementing the procedures in Annex I).</i></p> <p><u><i>Exclusion</i></u></p> <p><i>The above does not apply to vessels carrying out subsistence fishery.</i></p> <p><i>Failure to surrender the whole mobulid ray to the responsible authority at the point of landing, where such mobulid ray were unintentionally caught and frozen as part of a purse seine vessel's operation.</i></p> <p><u><i>Application</i></u></p> <p><i>Only applies to purse seine vessels.</i></p> <p><i>Failure to report the accidental catch of a mobulid ray unintentionally caught by artisanal fishing to the authorities at the point of landing and using such mobulid ray for any purpose other than local consumption.</i></p>	

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 19/03 On the conservation of mobulid rays caught in association with Fisheries in the IOTC Area of Competence</p>	<p><u>Application</u></p> <p>Only applies to artisanal fishing.</p> <p><u>Validity</u></p> <p>This derogation will expire on 1 January 2022.</p> <p>Failure to keep on board all necessary equipment for the release of mobulid rays in accordance with the handling guidelines in Annex I.</p> <p>Failure to release alive, or to retain on-board, tranship, land, store, sell or offer for sale any part or whole carcass of mobulid rays caught by recreational or sport fishing.</p> <p><u>Application</u></p> <p>Only applies to recreational and sport fishing.</p>	
	<p>Resolution 17/05 On the Conservation of Sharks Caught in Association with Fisheries Managed by the IOTC</p>	<p>Failure to retain all parts of a shark caught on board the vessel to the point of first landing (except the head, guts and skins).</p> <p>Removing shark fins on board a vessel.</p> <p>Landing, retention on-board, transhipment and carrying of shark fins which are not naturally attached to the shark carcass until the first point of landing, alternatively having on board fins that total more than 5% of the weight of sharks on board up to the first point of landing.</p> <p><u>Exception</u></p> <p>Shark fins may be partially sliced through and folded against the shark carcass to facilitate on-board storage.</p> <p>Purchasing, offering for sale or sale of shark fins removed on-board, retained on-board, transhipped or landed in contravention of this Resolution.</p>	

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FOR FISHERIES INSPECTORS TO CONTRAVENTIONS OF THE INDIAN OCEAN TUNA COMMISSION RESOLUTIONS

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 13/04 On the Conservation of Cetaceans</p>	<p><i>Intentionally setting a purse seine net around a cetacean if the animal is sighted prior to the commencement of the set.</i></p> <p><i>Failure by the master to take all reasonable steps to ensure the safe release of a cetacean if unintentionally encircled in a purse seine net (while taking into consideration the safety of the crew).</i></p> <p><i>Failure to follow the best practice guidelines for the safe release and handling of cetaceans.</i></p> <p><i>Failure to report the incident to the relevant authority of the flag State where a cetacean is unintentionally encircled, with the following details:</i></p> <ul style="list-style-type: none"> • <i>species (if known)</i> • <i>number of individuals</i> • <i>description of the interaction, including how and why the incident occurred</i> • <i>location of the encirclement</i> • <i>steps taken to ensure safe release</i> • <i>assessment of the life status of the animal on release (including whether the cetacean was released alive but subsequently died)</i> <p><i>In the case of other gear types used for fishing tuna and tuna like species, failure to report interactions with cetaceans to the relevant authority of the flag State with the information as listed above.</i></p>	

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 13/05 On the conservation of whale sharks (<i>Rhincodon typus</i>)</p>	<p><i>Intentionally setting a purse seine net around a whale shark if sighted prior to the commencement of the set.</i></p> <p><i>In the event of that the whale shark is unintentionally encircled, failure of the master of the vessel to take all reasonable measures to ensure its safe release (following best practice guidelines).</i></p> <p><i>Failure of the master to report the incident to the relevant authority of the flag State, with the following details:</i></p> <ul style="list-style-type: none"> • <i>number of individuals</i> • <i>description of interaction</i> • <i>location of encirclement</i> • <i>steps taken to ensure release</i> • <i>assessment of life status of animal on release</i> 	
	<p>Resolution 12/04 On the conservation of marine turtles</p>	<p><u><i>All vessels targeting species covered by the IOTC Agreement</i></u></p> <p><i>Failure to bring aboard, if practicable, as soon as possible and foster its recovery, including aiding in its resuscitation, before safely returning it to the water, any captured marine turtle which is comatose or inactive.</i></p> <p><i>Failure to keep on board all the necessary equipment for the release of marine turtles.</i></p> <p><u><i>Gillnet vessels that fish for species covered by the IOTC Agreement</i></u></p> <p><i>Failure to record all incidents involving marine turtles during fishing operations in the logbook.</i></p> <p><i>Failure to report such incidents to the appropriate authorities of the CPC.</i></p>	

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Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 12/04 On the conservation of marine turtles</p>	<p><u>Longline vessels that fish for species covered by the IOTC Agreement</u></p> <p>Failure to carry line cutters and de-hookers.</p> <p>Failure to appropriately handle and promptly release marine turtles caught or entangled in accordance with IOTC Guidelines.</p> <p>Failure to follow the handling guidelines in the IOTC Marine Turtle Identification Cards.</p> <p>Failure to record all incidents involving marine turtles during fishing operations in their logbooks.</p> <p>Failure to report such incidents to the appropriate authorities of the CPC.</p> <p><u>Purse seine vessels that fish for species covered by the IOTC Agreement</u></p> <p>Failure to avoid encirclement of marine turtles.</p> <p>Failure to take practicable measures to safely release any marine turtle that is encircled or entangled in accordance with the guidelines in the IOTC Marine Turtle Identification Cards.</p> <p>Failure to release all marine turtles observed entangled in FADs or other fishing gear.</p> <p>Failure, where a marine turtle is entangled in the net, to stop net roll as soon as the turtle comes out of the water.</p> <p>Failure to assist the recovery of the turtle before returning it to the water.</p> <p>Failure to carry and employ dipnets (where appropriate) to handle marine turtles.</p> <p>Failure to record all incidents involving marine turtles during fishing operations in their logbooks.</p> <p>Failure to report such incidents to the appropriate authorities of the CPC.</p>	

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 12/06 On reducing the incidental bycatch of sea-birds in longline fisheries</p>	<p><i>Failure by longline vessels to use at least two of the three mitigation measures in Table 1:</i></p> <ul style="list-style-type: none"> • <i>night setting with minimum deck lighting</i> • <i>bird-scaring lines (Tori lines)</i> • <i>line weighting</i> <p><u>Application:</u></p> <p><i>South of 25 degrees South latitude.</i></p> <p><i>Failure to conform to the minimum technical standards for mitigation measures as in Table 1 (see below).</i></p>	
	<p>Resolution 12/09 On the conservation of thresher sharks (family Alopiidae) caught in association with fisheries in the IOTC area of competence</p>	<p><i>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.</i></p> <p><u>Exception</u></p> <p><i>Collection of biological examples by scientific observers that are dead at haulback as part of an IOTC approved research project.</i></p> <p><i>Failure to promptly release unharmed, to the extent practicable, thresher sharks when brought along side for taking on board the vessel.</i></p> <p><u>Recreational and sport fishing</u></p> <p><i>Failure to release alive all caught thresher sharks of all the species of the family Alopiidae.</i></p> <p><i>Retaining on board, transshipping, landing, storing, selling or offering for sale specimens of thresher sharks of all the species of the family Alopiidae.</i></p> <p><i>Failure to have be equipped with instruments to release alive thresher sharks (only applicable to recreational and sport fishing where there is a high risk of catching thresher sharks).</i></p>	

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FOR FISHERIES INSPECTORS TO CONTRAVENTIONS OF THE INDIAN OCEAN TUNA COMMISSION RESOLUTIONS

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p><i>Resolution 16/11 On port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing</i></p>	<p><i>Failure by vessel to cooperate with the port State in inspections carried out in terms of this Resolution.</i></p>	
	<p><i>Resolution 15/03 On the vessel monitoring system (VMS) programme</i></p>	<p><i>Failure by fishing vessels not yet equipped with VMS to report to the FMC at least daily by email, facsimile, telex or telephone message or radio information including:</i></p> <ul style="list-style-type: none"> <i>• vessel identification;</i> <i>• current geographical position of vessel;</i> <i>• date and time of fixing of the said position;</i> <i>• geographic position at the beginning of the fishing operation; and</i> <i>• geographic position at the end of the fishing operation</i> <p><i>Failure by the Master / owners / licensees of fishing vessels subject to VMS to ensure that the vessel monitoring device(s) on board their vessels are fully operational at all times, and to ensure that:</i></p> <ul style="list-style-type: none"> <i>• VMS reports and messages are not altered in any way.</i> <i>• Antennae connected to the device(s) are not obstructed in any way.</i> <i>• Power supply of the device(s) are not interrupted in any way.</i> <i>• The device(s) are not removed from the vessel.</i> <p><i>Switching off of a vessel monitoring device (may be switched off when in port for more than a week, but only with approval by the flag State.</i></p> <p><i>Failure to repair or replace the device within one month in the event of a technical failure or non-operation.</i></p> <p><i>Commencing on a fishing trip with a defective device.</i></p>	

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 15/03 On the vessel monitoring system (VMS) programme</p>	<p><i>Failing to repair or replace a device as soon as a vessel enters port where such a device stopped functioning or had a technical failure during a fishing trip lasting more than a month.</i></p> <p><i>Failure by the master, owner or their representative to immediately communicate the event and time of a technical failure or non-functioning of the device to the FMC of the Flag State.</i></p> <p><i>In the event of a technical failure or non-functioning, failure by the master, owner or their representative to communicate with the FMC of the Flag State every 4 hours by email, facsimile, telex or telephone message or radio information including:</i></p> <ul style="list-style-type: none"> • <i>vessel identification;</i> • <i>current geographical position of vessel; and</i> • <i>date and time of fixing of the said position</i> 	
	<p>Resolution 19/05 On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna, and non-targeted species caught by purse seine vessels in the IOTC area of competence</p>	<p><i>Failure by purse seine vessels to retain on board and land all bigeye tuna, skipjack tuna and yellowfin tuna caught.</i></p> <p><u>Exclusion</u></p> <p><i>Fish considered unfit for human consumption.</i></p> <p><i>Failure by purse seine vessels to retain on board and land non-targeted species or species group.</i></p> <p><u>Exclusion</u></p> <p><i>Fish considered unfit for human consumption (see definition below) and/or fish species prohibited from retention, consumption or trade through domestic legislation or international obligations.</i></p> <p><i>Discarding any targeted or non-targeted species caught by purse seiners after the point in the set when the net is fully pursed and more than one half of the net has been retrieved.</i></p>	

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Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 19/05 On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna, and non-targeted species caught by purse seine vessels in the IOTC area of competence</p>	<p><u>Exceptions</u></p> <p>Species unfit for human consumption</p> <p>Species caught during the final set of a trip and there is insufficient storage capacity, provided there was an attempt to release the species alive and no further fishing is undertaken after the discard</p> <p>Failure to make efforts to release targeted and non-targeted species if equipment malfunctions affect the process of pursing and retrieving the net in such a way that the above rule cannot be complied with.</p> <p>Failure to record the event of discarding in the logbook with the following details-</p> <ul style="list-style-type: none"> • Estimated tonnage and species composition of discarded fish; and • Estimated tonnage and species composition of retained fish from that set. 	

Activity constituting IUU fishing	Applicable Resolution	Summary of Contraventions	Mark with "x"
	<p>Resolution 16/04 On the implementation of a pilot project in view of promoting the regional observer scheme of IOTC</p>	<p><i>Failure by the Master to allow observers to visit the vessel (if weather conditions permit).</i></p> <p><i>Failure of the master to allow observers to have access to vessel staff and to gear and equipment (but not interfering with equipment on board).</i></p> <p><i>Failure of the Master to allow access to the equipment listed below on a request basis:</i></p> <ul style="list-style-type: none"> • <i>satellite navigation equipment (consultation only);</i> • <i>radar display viewing screens (consultation only); and</i> • <i>electronic means of communication.</i> <p><i>Failure to provide observers with accommodation, including lodging, food and sanitary facilities equal to those of officers.</i></p> <p><i>Failure to provide observers with adequate space on the bridge or pilot house for clerical work.</i></p> <p><i>Failure to provide observers space on deck adequate for carrying out observer duties.</i></p> <p><i>Obstruction, intimidation, interference with, influencing, bribing or attempting to bribe an observer in the performance of his/her duties by the master, crew or vessel owner.</i></p>	

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6. SENIOR FISHERIES INSPECTOR ACTIONS

No further action, vessel released	
Master given verbal/written warning and released	
Vessel and master detained and ordered / escorted to port	
Vessel, gear and catch confiscated	
Master arrested /charged	
IOTC Reporting Form completed (Res: 11/03)	
Additional comments / observations: [detail of above actions, including confiscation order / exhibit register details / arrest details / communication with IOTC]	

7. DISEMBARKATION AND RECOVERY

Time FV disembarked	00:00
Time workboat recovered to the patrol vessel	00:00
Additional comments /observations: [e.g. vessel followed to port / vessel escaped during escort to port]	

8. VESSEL RECORDS AND HISTORY

Vessel on IOTC register (Y/N)	
IOTC number (if applicable)	
Vessel on IOTC Record of IUU vessels (Y/N)	
Year listed (if applicable)	
Vessel previously boarded (Y/N)	<i>Inspection report ID:</i>
Master previously boarded (Y/N)	<i>Inspection report ID:</i>
Owner previously boarded (Y/N)	<i>Inspection report ID:</i>
Crew previously boarded (Y/N)	<i>Inspection report ID:</i>
Additional comments / observations: [any aspect from the above that requires further explanation or highlighting]	

Signed: [signature]

Name: [name of senior fisheries inspector in charge of boarding]


Position: [title of senior fisheries inspector in charge of boarding]

Date: DD/MM/YY

INSPECTION OF VESSELS GUIDEFOR FISHERIES INSPECTORS TO CONTRAVENTIONS
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REPORT**

[template]

[Note: This template was developed as an annex to a proposed IOTC resolution on a regional high seas boarding and inspection scheme.]

 iotc ctoi	AT SEA INSPECTION REPORT All Times UTC	1. Inspection report no	2. CPC

Inspection Details

3 Date of Inspection		4 Time On		Time Off	
5 Position (Start)	Lat.		Long.		
Inspection Vessel		IRCS			
6 Senior Inspector			IOTC No.		
Second Inspector			IOTC No.		

Fishing Vessel Details

7 Vessel Name		8 IRCS	
9 Port of registry		10 IMO No.	
11 NRN		12 Flag State	
13 Type of vessel		14 Gear type	
15 Length Overall		Beam	
16 Gross Tonnage	On IOTC RAV		On document(s)
Masters Name			Nationality

Address			
Fishing Master Name		Nationality	
17 Owners Details			
18 Operators Details			
19 Charterers Details			

20. Marking of Fishing Vessel

Marks on the fishing vessel	Vessel name NRN IRCS Port of registration Flag State ATF				
	Other mark (specify):				
Type of marking	Marking displayed on vessel	Same as IOTC Record		Same as documents onboard	
Vessel name		Stern	Y <input type="checkbox"/> N <input type="checkbox"/>	Stern	Y <input type="checkbox"/> N <input type="checkbox"/>
		Port Side	Y <input type="checkbox"/> N <input type="checkbox"/>	Port Side	Y <input type="checkbox"/> N <input type="checkbox"/>
		Starboard Side	Y <input type="checkbox"/> N <input type="checkbox"/>	Starboard Side	Y <input type="checkbox"/> N <input type="checkbox"/>
NRN		Port Side	Y <input type="checkbox"/> N <input type="checkbox"/>	Port Side	Y <input type="checkbox"/> N <input type="checkbox"/>
		Starboard Side	Y <input type="checkbox"/> N <input type="checkbox"/>	Starboard Side	Y <input type="checkbox"/> N <input type="checkbox"/>
IRCS		Port Side	Y <input type="checkbox"/> N <input type="checkbox"/>	Port Side	Y <input type="checkbox"/> N <input type="checkbox"/>
		Starboard Side	Y <input type="checkbox"/> N <input type="checkbox"/>	Starboard Side	Y <input type="checkbox"/> N <input type="checkbox"/>
Other mark (specify):		Stern	Y <input type="checkbox"/> N <input type="checkbox"/>	Stern	Y <input type="checkbox"/> N <input type="checkbox"/>
		Port Side	Y <input type="checkbox"/> N <input type="checkbox"/>	Port Side	Y <input type="checkbox"/> N <input type="checkbox"/>
		Starboard Side	Y <input type="checkbox"/> N <input type="checkbox"/>	Starboard Side	Y <input type="checkbox"/> N <input type="checkbox"/>
External Markings Compliant?	Y <input type="checkbox"/> N <input type="checkbox"/>				
Inspector Comments					

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21. Flag State Authorisation to Fish (ATF)

Status in IOTC including any IUU vessel listing			
IOTC No.		Flag State Status	CP <input type="checkbox"/> CnCP <input type="checkbox"/> non-CPC <input type="checkbox"/>
Vessel on authorised list	Y <input type="checkbox"/> N <input type="checkbox"/>	Vessel on IUU list	Y <input type="checkbox"/> N <input type="checkbox"/>
Identifier Number		Issuing Authority	
Valid from/to		Area authorised	
Inspector Comments			

Fishing Logbook Information

22 Logbook is onboard	Y <input type="checkbox"/> N <input type="checkbox"/>	23 Logbook Page Numbers of fishing trip	
24 Departure Date		25 Departure Port	
26 Historical Logbooks onboard	Y <input type="checkbox"/> N <input type="checkbox"/>	27 Logbooks are bound with numbered pages	Y <input type="checkbox"/> N <input type="checkbox"/>
28 Production Logbook	Y <input type="checkbox"/> N <input type="checkbox"/>	29 Stowage Plan	Y <input type="checkbox"/> N <input type="checkbox"/>

30. Record of Fishing Gear

Purse Seine	Length of Net		Height of Net		FADS used	Y <input type="checkbox"/> N <input type="checkbox"/>	Supply Vessel	Y <input type="checkbox"/> N <input type="checkbox"/>	
Long Line	Number of hooks		Tori Lines	Y <input type="checkbox"/> N <input type="checkbox"/>	Line Weights	Y <input type="checkbox"/> N <input type="checkbox"/>	Deck Lighting	Y <input type="checkbox"/> N <input type="checkbox"/>	Type of Bait
Gill Net	Length of Net		Height of Net		Mesh Size		Material		
Pole & Line	No. of Poles								
Handline/Trolling	No. of Fishermen				Type of Bait				
Fishing logbook Compliant?			Y <input type="checkbox"/> N <input type="checkbox"/>						
Inspector Comments									

31. Examination of Fishing Gear

Gear Type			
Dimensions			
Attachments			
Gear Markings			
FAD's	<i>Marked with letter/number of vessel identification</i> Y <input type="checkbox"/> N <input type="checkbox"/> <i>Specify:</i>		
Driftnets	<i>Vessel found operating on the high seas in the IOTC Area and configured to use large-scale driftnets</i> Y <input type="checkbox"/> N <input type="checkbox"/>		
	Position:		Length of driftnet (m):
Inspector Comments			

39. Conservation Measures/Equipment

Line cutters onboard	Y <input type="checkbox"/> N <input type="checkbox"/> <input type="checkbox"/>	De-hookers onboard	Y <input type="checkbox"/> N <input type="checkbox"/> <input type="checkbox"/>	Dip-nets	Y <input type="checkbox"/> N <input type="checkbox"/> <input type="checkbox"/>
Shark fins onboard more than 5%	Y <input type="checkbox"/> N <input type="checkbox"/> <input type="checkbox"/>	Weight of shark (kg):		Weight of fins (kg):	%
Protected species onboard	Y <input type="checkbox"/> N <input type="checkbox"/> <input type="checkbox"/>	Family/Species		Quantity	
Inspector Comments					

INSPECTION OF VESSELS GUIDEFOR FISHERIES INSPECTORS TO CONTRAVENTIONS
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CMM Ref	Description	Finding of the inspectors
Inspector Comments		

39. Infringements/Serious Infringements

CMM Ref	Details	Actions/ measures to preserve evidence
Inspector Comments		

DATE AND SIGNATURE OF FISHERIES INSPECTOR(S)		
Comments by the master		
Acknowledgement and receipt of report	<i>I, the undersigned, Master of the vessel....., hereby confirm that a copy of this report has been delivered to me on this date. My signature does not constitute acceptance of any part of the contents of the report.</i>	
	Name	Date, signature and stamp

Fields description

Field No.	Data Field Description	Field Information
1.	Inspection report Number	Serial number of the report: [Country code]/[0001]/[Date]. Example: MOZ/0001/20/03/2013.
2	CPC	Name of the CPC of the inspection vessel (ISO 3166 3-alpha country/territory codes). Example: FRA
3	Date of Inspection	Date format: DDDMMYYYY
4	Time on / off	Time format HH.MM (24hrs)
5	Position	At the start of the inspection 000degs 00.00mns
6	IOTC Number	The inspectors IOTC Identity Card Number.
7	Vessel name	Name of the vessel as registered in relevant flag State documents.
8	IRCS	Vessel's international radio call sign (IRCS). Example: TTFC, MD66G, UDSF, CHDS.
9	Port of registry	The Port of registry of the vessel as displayed on the vessel.
10	IMO ship I/D	IMO/Lloyds Register identification number for vessels. "IMO" followed by the seven-digit number. Example: IMO1234567
11	NRN	The fishing number or other registration number displayed by the vessel.
12	Flag State	ISO 3166 3-alpha country/territory codes. Example: NZL for New Zealand.
13	Type of Vessel	International Standard Statistical Classification of Fishery Vessels (ISSCFV) codes, also known as FAO vessel type codes. Example; TO = trawler, LL = longliner.
14	Type of Gear	International Standard Statistical Classification of Fishing Gears (ISSCFG) codes, also known as FAO gear type codes. Example; PS = purse seine, LL = longline
15	Length	The length of the vessel in metres
16	GT	Gross Tonnage as recorded on the IOTC Record of Authorised Vessels and the vessels official documentation, for example the Certificate of Registry.

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17	<i>Owner(s) details</i>	<i>Name of individual(s) or company(ies) that own the vessel, address, tel, fax, email.</i>
18	<i>Operator(s) details</i>	<i>Name of individual(s) or company(ies) that operate the vessel, if different from the Owners.</i>
19	<i>Charterers details</i>	<i>Name of the charterer of the vessel if not the owner of operator.</i>
20	<i>External I/D</i>	<i>The external markings on the vessel, record as seen, should be clearly visible.</i>
21	<i>Authorisations</i>	<p><i>Vessel Identifier - Numeric or alphanumeric identification of the fishing license/permit/authorisation.</i></p> <p><i>Issued by - Name of the relevant authority/agency/government department from flag State, coastal State and/or regional fisheries management organisation (RFMO) issuing the fishing license/permit/authorisation.</i></p> <p><i>Validity - Date by which the fishing license/permit/authorisation starts and expires (date format: DDMMYYYY).</i></p> <p><i>Fishing area(s) - Relevant geographical/statistical area where the vessel is authorised to operate (e.g. FAO 77, NAFO 3M, ICES 11b).</i></p> <p><i>Species - ASFIS 3-alpha codes (also known as FAO species codes) (e.g., BET Bigeye tuna, SWO for swordfish).</i></p> <p><i>Gear - ISSCFG code (also known as FAO gear codes) for the gear authorised/licensed to be used by the vessel (e.g. PS for Purse seine). Details of the record of the fishing vessels authorisation to fish as issued by the authorising authority and as registered on the IOTC website</i></p>
22	<i>Logbook onboard</i>	<i>Is a fishing logbook being maintained for the current voyage?</i>
23	<i>Logbook page numbers</i>	<i>The page numbers as recorded on the logbook page for the current fishing voyage.</i>
24	<i>Departure date</i>	<i>The date of departure from port for the current voyage.</i>
25	<i>Departure Port</i>	<i>The port of departure for the current voyage.</i>
26	<i>Historical Logbook</i>	<i>Fishing logbook details for previous voyages on board.</i>
27	<i>Logbooks are bound with numbered pages</i>	<i>The fishing logbook should be correctly bound with pages number sequentially.</i>
28	<i>Production logbook</i>	<i>A record of all fish retained on board and subject to some form of processing.</i>
29	<i>Stowage plan</i>	<i>A plan of the fish holds showing the location of individual species.</i>
30	<i>Record of Fishing Gear</i>	<i>Details of the fishing gear in use for the current voyage as recorded in the fishing logbook.</i>

31	<i>Examination of fishing gear</i>	<i>Record the outcomes of the inspection of fishing gear in use and any other fishing gear found on board.</i>
32	<i>Species (FAO)</i>	<i>Species recorded in the fishing logbook listed by ASFIS 3-alpha codes (also known as FAO species codes).</i>
33	<i>Declared Live weight or number of fish</i>	<i>The recorded live weight or number of fish retained of that species.</i>
34	<i>Determined live weight or number of fish</i>	<i>The actual live weight or number of fish retained on board as determined by the inspectors.</i>
35	<i>Difference %</i>	<i>The difference between the declared and assessed figures express as a percentage of the declared figure.</i>
36	<i>Conversion Factor</i>	<i>The Conversion Factor used to convert processed weight to live weight if applicable.</i>
37	<i>Discards</i>	<i>A record of any discards required by CMMs.</i>
38	<i>VMS</i>	<i>Complete this section for ALL VMS equipment carried on board.</i>
39	<i>Conservation Measures</i>	<i>Details of equipment carried and records of any protected species retained on board.</i>
39	<i>Infringements</i>	<i>Description of violation(s) found as perceived by inspector(s). Clear mention of the relevant legal instrument and measures taken to preserve evidence.</i>

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FOR FISHERIES INSPECTORS TO CONTRAVENTIONS
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ANNEX B CHECK-LIST: COMPLIANCE WITH IOTC CONSERVATION AND MANAGEMENT MEASURES



Food and Agriculture
Organization of the
United Nations



iotc ctoi

CHECK-LIST

COMPLIANCE WITH IOTC CONSERVATION AND MANAGEMENT MEASURES

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 iotc ctot	Check-list Compliance with IOTC Conservation and Management Measures				
Fishing logbook(s)				<i>Resolution 19/04</i>	
Fishing logbook is onboard	<input type="checkbox"/> Y <input type="checkbox"/> N	Original recording of fishing logbook is onboard for the last 12 months			<input type="checkbox"/> Y <input type="checkbox"/> N
Has been filled by the captain / set	<input type="checkbox"/> Y <input type="checkbox"/> N	Includes information on	<input type="checkbox"/> Vessel <input type="checkbox"/> trip <input type="checkbox"/> gear configuration <input type="checkbox"/> vessel operation & catch	Fishing logbook is bound	<input type="checkbox"/> Y <input type="checkbox"/> N
<i>Logbook data was provided by the fishing master to the flag State administration <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/></i> <i>and to the coastal State administration <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/></i> <i>(where the vessel has fished in that coastal State's EEZ)</i>					
Longliners				<i>Resolution 15/01</i>	
Logbook contains the primary species	<input type="checkbox"/> SBF <input type="checkbox"/> ALB <input type="checkbox"/> BET <input type="checkbox"/> YFT <input type="checkbox"/> SKJ <input type="checkbox"/> SWO <input type="checkbox"/> BUM <input type="checkbox"/> BLM <input type="checkbox"/> SFA <input type="checkbox"/> MLS <input type="checkbox"/>				
Catch recorded in number & weight / species / set & form of processing	<input type="checkbox"/> Y <input type="checkbox"/> N	Discard of tuna, tuna-like fish, sharks recorded in remarks			<input type="checkbox"/> Y <input type="checkbox"/> N
Gillnet				<i>Resolution 15/01</i>	
Logbook contains the primary species	<input type="checkbox"/> SBF <input type="checkbox"/> ALB <input type="checkbox"/> BET <input type="checkbox"/> YFT <input type="checkbox"/> SKJ <input type="checkbox"/> LOT <input type="checkbox"/> FRI <input type="checkbox"/> KAW <input type="checkbox"/> COM <input type="checkbox"/> GUT <input type="checkbox"/> SWO <input type="checkbox"/> SFA <input type="checkbox"/> BIL <input type="checkbox"/>				
Catch is recorded in weight / species / set & form of processing	<input type="checkbox"/> Y <input type="checkbox"/> N	Discard of tuna, tuna-like fish, sharks recorded in remarks			<input type="checkbox"/> Y <input type="checkbox"/> N
Pole and line				<i>Resolution 15/01</i>	
Logbook contains the primary species	<input type="checkbox"/> ALB <input type="checkbox"/> BET <input type="checkbox"/> YFT <input type="checkbox"/> SKJ <input type="checkbox"/> FRZ <input type="checkbox"/> KAW <input type="checkbox"/> <input type="checkbox"/> COM <input type="checkbox"/> LOT <input type="checkbox"/>				
Catch recorded in number & weight / species / set & form of processing	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>	Discard of tuna, tuna-like fish, sharks recorded in remarks			<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>
Documents onboard				<i>Resolution 19/04</i>	
Certificate of registration onboard	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>	Issued by competent authority	<input type="checkbox"/> Y <input type="checkbox"/> N	ID no.:	
Documents show	<input type="checkbox"/> Vessel name <input type="checkbox"/> Port & registration number <input type="checkbox"/> IRCS <input type="checkbox"/> <input type="checkbox"/> Name/addresses of owner (or charter) <input type="checkbox"/> Length of vessel <input type="checkbox"/> Engine power <input type="checkbox"/>				

Marking of fishing gears (Longliners)				<i>Resolution 19/04</i>		
Fishing gear marked at day with flag and radar reflector	Y <input type="checkbox"/> N <input type="checkbox"/>	Fishing gear marked at night with light buoys	Y <input type="checkbox"/> N <input type="checkbox"/>	Buoys marked with letter/number of vessel identification	Y <input type="checkbox"/> N <input type="checkbox"/>	
Driftnets (All vessels)				<i>Resolution 17/07</i>		
The vessel is found operating on the high seas in the IOTC Area and is configured to use large-scale driftnets	Y <input type="checkbox"/> N <input type="checkbox"/>	Position of the vessel:				
The driftnets and related fishing equipment are stowed / secured in such a manner that they are not readily available to be used for fishing					Y <input type="checkbox"/> N <input type="checkbox"/>	
Marking of FADs (Purse Seiner)				<i>Resolution 19/04</i>		
The vessel carries FADs?	Y <input type="checkbox"/> N <input type="checkbox"/>	FADs are marked with letter/number of vessel identification			Y <input type="checkbox"/> N <input type="checkbox"/>	
Vessel Monitoring System				<i>Resolution 15/03</i>		
VMS device is installed onboard the fishing vessel	Y <input type="checkbox"/> N <input type="checkbox"/>	The positions of the FV are received by the national FMC	Y <input type="checkbox"/> N <input type="checkbox"/>	The device is located in a sealed unit and protected by official seals	Y <input type="checkbox"/> N <input type="checkbox"/>	
The antennae connected to the satellite monitoring device(s) are not obstructed		Y <input type="checkbox"/> N <input type="checkbox"/>	The power supply of the satellite monitoring device(s) is not interrupted			Y <input type="checkbox"/> N <input type="checkbox"/>
Vessel monitoring device(s) are not removed from the vessel	Y <input type="checkbox"/> N <input type="checkbox"/>	The technical failure has been communicated to the flag State and/or the Secretariat		Y <input type="checkbox"/> N <input type="checkbox"/>	Date:	
If technical failure, the vessel has communicated to the FMC of the flag State the vessel identification, the date & positions every 4 hours			Y <input type="checkbox"/> N <input type="checkbox"/>	By email <input type="checkbox"/> facsimile <input type="checkbox"/> telex <input type="checkbox"/> telephone message <input type="checkbox"/> radio <input type="checkbox"/>		
If technical failure, the device was repaired or replaced within one month			Y <input type="checkbox"/> N <input type="checkbox"/>	Date of repair:		

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Marking of fishing vessel (all vessels)			Resolution 19/04		
Identification marks on the fishing vessel	<input type="checkbox"/> National registration number <input type="checkbox"/> Fishing authorisation <input type="checkbox"/> IRCS <input type="checkbox"/> Vessel name				
	<input type="checkbox"/> Port of registration <input type="checkbox"/> Other mark (specify):				
Type of marking	Marking on vessel		Same as IOTC Record		
Vessel name	Stern		Y <input type="checkbox"/> N <input type="checkbox"/>		
	Port Side		Y <input type="checkbox"/> N <input type="checkbox"/>		
	Starboard Side		Y <input type="checkbox"/> N <input type="checkbox"/>		
National registration number	Port Side		Y <input type="checkbox"/> N <input type="checkbox"/>		
	Starboard Side		Y <input type="checkbox"/> N <input type="checkbox"/>		
IRCS	Port Side		Y <input type="checkbox"/> N <input type="checkbox"/>		
	Starboard Side		Y <input type="checkbox"/> N <input type="checkbox"/>		
Other mark (specify):	Stern		Y <input type="checkbox"/> N <input type="checkbox"/>		
	Port Side		Y <input type="checkbox"/> N <input type="checkbox"/>		
	Starboard Side		Y <input type="checkbox"/> N <input type="checkbox"/>		
IMO number (all vessels)			Resolution 19/04		
If eligible, the vessel has an IMO number	Y <input type="checkbox"/> N <input type="checkbox"/>	IMO number:			
At sea transhipment (LSTLVs)			Resolution 19/06 ²³		
The vessel has transhipped at sea	Y <input type="checkbox"/> N <input type="checkbox"/>	Date	Position:	Name of receiving vessel	
The vessel is authorised to tranship by its flag State	Y <input type="checkbox"/> N <input type="checkbox"/>	The transhipment is conducted under Resolution 19/06 with an IOTC observer onboard the carrier vessel			Y <input type="checkbox"/> N <input type="checkbox"/>

²³ Superseded by Resolution 22/02

Marine Turtles (all vessels)							<i>Resolution 12/04</i>	
The logbook contains information on incidental catches of marine turtles (details on species, location of capture, conditions, actions taken on board and location of release)							Y <input type="checkbox"/>	N <input type="checkbox"/>
The vessel carries line cutters	Y <input type="checkbox"/> N <input type="checkbox"/>	The vessel carries de-hookers	Y <input type="checkbox"/> N <input type="checkbox"/>	The vessel is using whole finfish bait	Y <input type="checkbox"/> N <input type="checkbox"/>	The vessel carries dip-nets	Y <input type="checkbox"/> N <input type="checkbox"/>	
Sharks fins (all vessels)								
Shark on board are fully utilised (carcass and fins present on board)	Y <input type="checkbox"/> N <input type="checkbox"/>	Shark fresh: Fins are not attached to the body	Y <input type="checkbox"/> N <input type="checkbox"/>	Weight of shark (kg):	Weight of fins (kg):			
		Shark frozen: Fins onboard total not more than 5% of the weight of sharks onboard	Y <input type="checkbox"/> N <input type="checkbox"/>	Weight of shark (kg):	Weight of fins (kg):	%		
Billfish								
Striped marlin, black marlin, blue marlin, Indo-Pacific sailfish) (all vessels)							<i>Resolution 18/05</i>	
The fishing vessel has billfish smaller than 60 cm Lower Jaw Fork Length on board	Y <input type="checkbox"/> N <input type="checkbox"/>	Weight (kg)	Specie		Specie		Specie	
Thresher sharks (all vessels)				<i>Resolution 12/09</i>				
The fishing vessel has thresher sharks of the family Alopiidae on board	Y <input type="checkbox"/> N <input type="checkbox"/>	Weight (kg)	PTH		BTH		ALV	
Oceanic whitetip sharks (all vessels)							<i>Resolution 13/06</i>	
The fishing vessel has oceanic whitetip sharks on board	Y <input type="checkbox"/> N <input type="checkbox"/>	Weight (kg)			Number			

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Oceanic whitetip sharks (all vessels)		<i>Resolution 19/03</i>			
The fishing vessel has mobulid rays on board	Y <input type="checkbox"/> N <input type="checkbox"/>	Weight (kg)		Number	
Cetaceans (Purse Seiner)		<i>Resolution 13/04</i>			
The FV has intentionally set a purse seine around a cetacean	Y <input type="checkbox"/> N <input type="checkbox"/>	Date		Position of the vessel:	
Whale sharks (Purse Seiner)		<i>Resolution 13/05</i>			
The FV has intentionally set a purse seine around a whale shark	Y <input type="checkbox"/> N <input type="checkbox"/>	Date		Position of the vessel:	
Sea birds (Longliners)		<i>Resolution 12/06</i>			
For vessels fishing south of 25°S the longline vessel use at least two mitigation measures		<input type="checkbox"/> Night setting with minimum deck lighting <input type="checkbox"/> Bird-scaring lines (Tori Lines) <input type="checkbox"/> Weighted branch lines			
Conformity of mitigation measures to the minimum technical standards		<i>(Annex 1 of Resolution 12/06)</i>			
The vessel has not set line between nautical dawn & before nautical dusk. The deck was lighted at a minimum	Y <input type="checkbox"/> N <input type="checkbox"/>	Bird-scaring line was deployed during longline setting to deter birds from approaching branch line		Y <input type="checkbox"/> N <input type="checkbox"/>	
Data buoys (All vessels)		<i>Resolution 11/02 On the prohibition of fishing on data buoys</i>			
The FV has fished intentionally within 1 nautical mile of or interacted with a data buoy	Y <input type="checkbox"/> N <input type="checkbox"/>	Date(s) and position(s) of the vessel:			
	Y <input type="checkbox"/> N <input type="checkbox"/>	Date(s) and position(s) of the vessel:			

ABBREVIATIONS AND ACRONYMS

ALC	Automatic location device
ATF	Authorisation to fish
ETA	Estimated time of arrival
ETD	Estimated time of departure
FAD	Fisheries Aggregation Device
FMC	Fisheries monitoring centre
FV	Fishing vessel
IOTC	Indian Ocean Tuna Commission
IRCS	International radio call sign
MCS	Monitoring, control and surveillance
VMS	Vessel monitoring system

INSPECTION OF VESSELS GUIDE**FOR FISHERIES INSPECTORS TO CONTRAVENTIONS
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The table below shows the official alphanumeric codes (also called “3-alpha”) for the species under the mandate of the IOTC, and others. The English and Scientific names are taken from the FAO taxonomy.

Code	English Name	Scientific Name
ALB	Albacore tuna	<i>Thunnus alalunga</i>
BET	Bigeye tuna	<i>Thunnus obesus</i>
BFT	Bluefin tuna	<i>Thunnus thynnus thynnus</i>
BIL	Marlins, sailfishes, spear fish	<i>Xiphoidei NEI*</i>
BIP	Indo-Pacific Bonito	<i>Sarda orientalis</i>
BLM	Black Marlin	<i>Makaira indica</i>
BLT	Bullet tuna	<i>Auxis rochei</i>
BLZ	Indo-Pacific Blue Marlin	<i>Makaira mazara</i>
COM	Narrow barred Spanish Mackerel	<i>Scomberomorus commersoni</i>
DOT	Dogtooth tuna	<i>Gymnosarda unicolor</i>
FRI	Frigate tuna	<i>Auxis thazard</i>
FRZ	Frigate and Bullet tunas	<i>Auxis spp.</i>
GUT	Indo-Pacific king mackerel	<i>Scomberomorus guttatus</i>
KAW	Kawakawa	<i>Euthynnus affinis</i>
KGX	Seerfishes NEI*	<i>Scomberini NEI*</i>
LOT	Longtail tuna	<i>Thunnus tonggol</i>
MAR	Marlins NEI*	
MLS	Striped Marlin	<i>Tetrapturus audax</i>
OBL	Billfishes, unclassified	
OTH	Others NEI*	<i>Scombridae and Xiphoidei</i>
RSK	Requiem sharks	<i>Carcharinidae</i>
SBF	Southern Bluefin tuna	<i>Thunnus maccoyii</i>

SFA	Indo-Pacific Sailfish	<i>Istiophorus platypterus</i>
SHK	Shark	
SKJ	Skipjack	<i>Katsuwonus pelamis</i>
SSP	Short-billed spearfish	<i>Tetrapterus angustirostris</i>
STS	Streaked seerfish	<i>Scomberomorus lineolatus</i>
SWO	Swordfish	<i>Xiphias gladius</i>
TUN	Tunas and Bonitos NEI*	<i>Thunnini and Sardini NEI*</i>
WAH	Wahoo	<i>Acanthocybium solandri</i>
YFT	Yellowfin tuna	<i>Thunnus albacares</i>

*NEI: not elsewhere included

OTHER SPECIES CODES

The table below shows the official alphanumeric codes (also called “3-alpha”) for other species. The English and Scientific names are taken from the FAO taxonomy.

Code	Scientific name	English name	French name
ALV	<i>Alopias vulpinus</i>	Thresher	Renard
PTH	<i>Alopias pelagicus</i>	Pelagic thresher	Renard pélagique
BTH	<i>Alopias superciliosus</i>	Bigeye thresher	Renard à gros yeux

ANNEX C EVIDENCE CHAIN OF CUSTODY RECORD**EVIDENCE CHAIN OF
CUSTODY RECORD**

[form]

[Note: This form was developed to ensure that the correct chain of custody is followed when seizing or collecting evidence. While it is focussed on evidence seized or collected from a vessel, it can easily be adapted to apply to any evidence seized or collected, irrespective of where it was found.]

EVIDENCE CHAIN OF CUSTODY RECORD	
CASE NUMBER	
A. DATE AND TIME OF SEIZURE / COLLECTION	
DATE OF SEIZURE / COLLECTION	
TIME OF SEIZURE / COLLECTION (time started & time completed)	
B. PLACE OF SEIZURE / COLLECTION	
NAME OF VESSEL	
REGISTRATION NUMBER OF VESSEL	
MASTER OF VESSEL	
POSITION OF VESSEL (name of port or location at sea)	
DESCRIPTION OF LOCATION ON VESSEL WHERE EVIDENCE WAS FOUND OR SEIZED	
C. COLLECTED / SEIZED BY	
TITLE/ RANK AND NAME OF FISHERIES INSPECTOR (OR OTHER OFFICIAL)	
SIGNATURE OF FISHERIES INSPECTOR (OR OTHER OFFICIAL)	

<i>FROM:</i> (print name)	<i>RELEASE SIGNATURE:</i>
<i>TO:</i> (print name)	<i>RECEIPT SIGNATURE:</i>

<i>DATE</i>	
<i>TIME</i>	
<i>LOCATION</i>	
<i>DESCRIPTION OF ITEM</i>	
<i>MARKING OF ITEM</i>	

<i>FROM:</i> (print name)	<i>RELEASE SIGNATURE:</i>
<i>TO:</i> (print name)	<i>RECEIPT SIGNATURE:</i>

<i>DATE</i>	
<i>TIME</i>	
<i>LOCATION</i>	
<i>DESCRIPTION OF ITEM</i>	
<i>MARKING OF ITEM</i>	

INSPECTION OF VESSELS GUIDE**FOR FISHERIES INSPECTORS TO CONTRAVENTIONS
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FROM:
(print name)

RELEASE SIGNATURE:

TO:
(print name)

RECEIPT SIGNATURE:

DATE

TIME

LOCATION

*DESCRIPTION OF
ITEM*

*MARKING OF
ITEM*

FROM:
(print name)

RELEASE SIGNATURE:

TO:
(print name)

RECEIPT SIGNATURE:

DATE

TIME

LOCATION

*DESCRIPTION OF
ITEM*

*MARKING OF
ITEM*

<i>FROM:</i> (print name)	<i>RELEASE SIGNATURE:</i>
<i>TO:</i> (print name)	<i>RECEIPT SIGNATURE:</i>

<i>DATE</i>	
<i>TIME</i>	
<i>LOCATION</i>	
<i>DESCRIPTION OF ITEM</i>	
<i>MARKING OF ITEM</i>	

<i>FROM:</i> (print name)	<i>RELEASE SIGNATURE:</i>
<i>TO:</i> (print name)	<i>RECEIPT SIGNATURE:</i>

<i>DATE</i>	
<i>TIME</i>	
<i>LOCATION</i>	
<i>DESCRIPTION OF ITEM</i>	
<i>MARKING OF ITEM</i>	

INSPECTION OF VESSELS GUIDE**FOR FISHERIES INSPECTORS TO CONTRAVENTIONS
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DATE OF DISPOSAL	
PLACE OF DISPOSAL	
GROUNDS FOR DISPOSAL <i>(as provided for by legislation / in terms of court order)</i>	
IF BY COURT ORDER, PROVIDE CASE NUMBER	
IF PROVIDED FOR BY LEGISLATION, NAME OF FISHERIES MANAGER (OR OTHER OFFICIAL) AUTHORISING THE DISPOSAL	
IF PROVIDED FOR BY LEGISLATION, SIGNATURE OF FISHERIES MANAGER (OR OTHER OFFICIAL) AUTHORISING THE DISPOSAL	
METHOD OF DISPOSAL <i>(released alive/sold/donated/destroyed/handed back to person from whom it was seized/other)</i>	
IN THE CASE OF FISH OR FISH PRODUCTS, SAMPLE RETAINED? (Y/N) <i>(where fish is disposed of prior to the prosecution or administrative enquiry, it is good practice to retain a random sample should it be required for court purposes e.g. where the identification of the species might be put in dispute. Where this is done, complete a new evidence chain of custody record for such a sample)</i>	
NAME OF FISHERIES INSPECTOR (OR OTHER OFFICIAL) RESPONSIBLE FOR DISPOSAL	
SIGNATURE OF FISHERIES INSPECTOR (OR OTHER OFFICIAL) RESPONSIBLE FOR DISPOSAL	
NAME OF FISHERIES INSPECTOR (OR OTHER OFFICIAL) WITNESSING THE DISPOSAL	
SIGNATURE OF FISHERIES INSPECTOR (OR OTHER OFFICIAL) WITNESSING THE DISPOSAL	

<i>IF SOLD, DONATED OR HANDED BACK, NAME AND CAPACITY OF PERSON RECEIVING THE ITEMS</i>	
<i>IF SOLD, DONATED OR HANDED BACK, ADDRESS, E-MAIL AND CELL NUMBER OF PERSON RECEIVING THE ITEMS</i>	
<i>IF SOLD, DONATED OR HANDED BACK, SIGNATURE OF PERSON RECEIVING THE ITEMS</i>	
<i>IF SOLD, AMOUNT PAID FOR PURCHASE</i>	
<i>IF SOLD, NAME OF FINANCIAL OFFICER OF FISHERIES DEPARTMENT</i>	
<i>IF SOLD, SIGNATURE OF FINANCIAL OFFICER OF FISHERIES DEPARTMENT ACKNOWLEDGING RECEIPT OF AMOUNT</i>	
I. ADDITIONAL INFORMATION / COMMENTS:	

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THE WORLD BANK



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