

21 March 2006

IOTC CIRCULAR: 11/06

**REGARDING THE CURRENT IOTC IUU VESSEL LIST
SITUATION DE LA LISTE DE NAVIRES INN DE LA CTOI**

Dear Sir/ Madame

Please find attached a communication from the authorities of Japan in response to IOTC Circular 08/06 on the IOTC List of Vessels Presumed to Have Carried Out IUU Fishing in the IOTC Area.

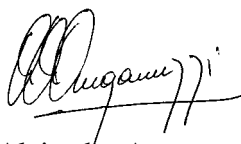
I would appreciate receiving your views and comments on this matter.

Madame, Monsieur

Veillez trouver ci-joint une communication des autorités du Japon en réponse à la Circulaire 08/06 CTOI concernant la Liste des navires soupçonnés d'avoir pratiqué des activités de pêche INN dans la zone de compétence de la CTOI.

Je souhaiterais recevoir votre opinion et vos commentaires à ce sujet.

Yours sincerely / Cordialement,



Alejandro Anganuzzi
Executive Secretary

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IOTC Chairperson: E. Spencer

Attachments: Letter from Fisheries Agency, Japan dated 15 March 2006



FISHERIES AGENCY

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Mr. John Spencer
Chairperson
Indian Ocean Tuna Commission

15 March, 2006

Dear Mr. Spencer;

I refer to your letter circulated as "IOTC CIRCULAR: 08/06" dated 27 February 2006 regarding the current IOTC IUU VESSEL LIST.

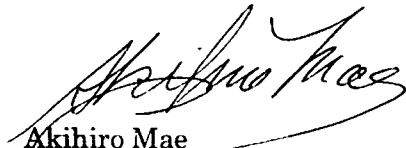
Because of the following reasons, I would like to ask you to postpone the decision on this matter until the next annual meeting of the Commission.

1. There are twelve fishing vessels on the current IOTC IUU VESSEL LIST. However, the letter from the authority of Thailand attached to your letter did not specify the name of vessels on the IUU VESSEL LIST it wanted to delete. The record of authorized vessels on the IOTC web site indicates that previous names of these six vessels are unknown and all of them were flagged to Equatorial Guinea, while no vessel with current/previous flag of Equatorial Guinea is included in the IUU VESSEL LIST.
2. Letters from three fishing companies in Thailand to the authority of Thailand state that the previous owner or operator has no further legal, beneficial interest, or in control of, the vessels. However, there is no explanation on relationship between the previous owner/operator and a Singapore based company which is the current owner or operator of these six vessels based on information on the record of authorized vessels on the IOTC web site.
3. Letters from three fishing companies in Thailand to the authority of Thailand are simple statements of the private companies and further information is necessary to consider the possibility of deleting the vessels from the IUU VESSEL LIST. Supporting evidence and documents presented by these companies referred to in the letter from the authority of Thailand (fourth paragraph) might facilitate our deliberations on this issue.
4. Based on the paragraph 3 of the IOTC Resolution 03/01, Thailand will submit to the Commission a fleet development plan which includes the type, size and origin of the vessels. Therefore, I understand the next annual meeting will be the best place to consider and decide, if necessary, on this issue. Since this is a matter which needs a careful consideration by members of the Commission based on mutual understandings, it is desirable to avoid taking steps described in Article VI-2 of the Agreement before our discussions on this issue are exhausted. On top of that, the members of the Commission have never discussed whether a decision to delete vessels from the IUU list can be made by intersessional voting.

Although it is preferred to consider this issue at the next annual meeting as I mentioned above, my vote will be negative, if you, as the chairperson of the Commission proceed as you indicated in the circular communication. because of lack of information necessary to the deletion of these six vessels from the IUU LIST.

Please circulate this letter to all the members of the Commission for their consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Akihiro Mae', written in a cursive style.

Akihiro Mae
Japanese Commissioner to IOTC