

25 May 2007

## IOTC CIRCULAR 12/07

### SUBJECT: CONSERVATION AND MANAGEMENT MEASURES ADOPTED BY IOTC AT ITS ELEVENTH REGULAR SESSION

I have the honour to transmit to you the texts of five Resolutions adopted by the Commission at its 11<sup>th</sup> regular Session in Grand Baie, Mauritius.

Pursuant to Article IX.4 of the IOTC Agreement, the following Resolutions shall become binding on Members 120 days from the date of this notification, i.e. 22 September 2007.

- Resolution 07/01 To promote compliance by nationals of contracting parties and cooperating non-contracting parties with IOTC conservation and management measures
- Resolution 07/02 Concerning the establishment of an IOTC Record of Vessels Authorised to operate in the IOTC Area
- Resolution 07/03 Concerning the recording of catch by fishing vessels in the IOTC Area
- Resolution 07/04 Concerning registration and exchange of information on vessels fishing for tunas and swordfish in the IOTC Area
- Resolution 07/05 Limitation of fishing capacity of IOTC Contracting Parties and Cooperating non-Contracting Parties in terms of number of longline vessels targeting swordfish and albacore

The texts of the Resolutions follow herewith.

Yours sincerely

Alejandro Anganuzzi  
Executive Secretary

#### Attachments:

- 2007 IOTC Resolutions

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*R. Payet*

##### Cooperating non contracting parties

Indonesia *S. Suseno* Senegal *S. Ndaw*

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Uruguay *D. Gilardoni*

This message has been transmitted by email and fax.

## **RESOLUTION 07/01**

### **TO PROMOTE COMPLIANCE BY NATIONALS OF CONTRACTING PARTIES AND COOPERATING NON-CONTRACTING PARTIES WITH IOTC CONSERVATION AND MANAGEMENT MEASURES**

**The Indian Ocean Tuna Commission (IOTC),**

CONVINCED that illegal, unreported and unregulated (IUU) fishing compromises the objectives of the Agreement for the Establishment of the IOTC,

CONCERNED that some flag States do not comply with their obligations regarding jurisdiction and control according to international law in respect of fishing vessels entitled to fly their flag that carry out their activities in the IOTC Area of Competence, and that as a result these vessels are not under the effective control of such flag States,

AWARE that the lack of effective control facilitates fishing by these vessels in the Area of Competence in a manner that undermines the effectiveness of IOTC conservation and management measures, and can lead to IUU fishing activities,

CONCERNED that vessels that carry out activities in the Area of Competence which do not comply with the IOTC conservation and management measures are benefiting from the support provided by persons subject to the jurisdiction of Contracting Parties and Cooperating non-Contracting Parties (CPCs), including, *inter alia*, through participation in transshipment, transport and trade of illegally harvested catches or engagement on board or in the management of these vessels,

NOTING that the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing calls on States to take measures to discourage nationals subject to their jurisdiction from supporting and engaging in any activity that undermines the effectiveness of international conservation and management measures,

RECALLING that CPCs should cooperate in taking appropriate action to deter any activities which are not consistent with the objective of the Agreement,

DESIRING, as a first step, to enhance cooperation between CPCs through facilitating measures being taken against natural or legal persons, subject to their jurisdiction, that have engaged in IUU fishing activities;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

1. Without prejudice to the primacy of the responsibility of the flag State, the CPCs shall take appropriate measures, subject to and in accordance with their applicable laws and regulations:
  - (i) to investigate allegations and/or reports concerning the engagement of any natural or legal persons subject to their jurisdiction in the activities described, *inter alia*, in paragraph 1 of the *Resolution 06/01 on Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing in the IOTC Area*;
  - (ii) to take actions in response to any verified activities referred to in paragraph 1(i); and
  - (iii) to cooperate for the purpose of implementing the measures and actions referred to in paragraph 1(i).

To this end, relevant agencies of CPCs should cooperate to implement IOTC conservation and management measures and CPCs shall seek the cooperation of the industries within their jurisdiction.

2. To assist with the implementation of this Resolution, CPCs shall submit reports subject to the national laws of confidentiality to the IOTC Secretariat and other CPCs on the actions and measures taken in accordance with paragraph 1, in a timely fashion.

3. These provisions shall be applicable from 1 July 2008. CPCs may voluntarily decide to implement these provisions prior to this date.

**RESOLUTION 07/02**  
**CONCERNING THE ESTABLISHMENT OF AN IOTC RECORD OF VESSELS AUTHORISED TO**  
**OPERATE IN THE IOTC AREA**

**The Indian Ocean Tuna Commission (IOTC),**

RECALLING that IOTC has been taking various measures to prevent, deter and eliminate the IUU fisheries conducted by large-scale tuna fishing vessels,

FURTHER RECALLING that IOTC adopted the *Resolution 01/06. Recommendation Concerning the IOTC Bigeye Tuna Statistical Document Programme* at its 2001 meeting,

FURTHER RECALLING that IOTC adopted the *Resolution 01/02 Relating to Control of Fishing Activities* at its 2001 meeting,

NOTING that large-scale fishing vessels are highly mobile and easily change fishing grounds from one ocean to another, and have high potential to operate in the IOTC Area without timely registration with the Commission,

RECALLING that the FAO Council adopted on 23 June 2001 an International Plan of Action aiming to prevent, to deter and to eliminate illegal, unregulated and unreported fishing (IPOA), that this plan stipulates that the regional fisheries management organization should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing and in particular to establish records of vessels authorized and records of vessels engaged in IUU fishing,

RECOGNIZING the need to take further measures to effectively eliminate the IUU large scale tuna fishing vessels;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

1. The Commission shall establish and maintain an IOTC Record of fishing vessels that are:
  - a) larger than 24 metres in length overall, or
  - b) in case of vessels less than 24m, those operating in waters outside the economic exclusive zone of the flag state,and that are authorised to fish for tuna and tuna-like species in the IOTC Area (hereinafter referred to as 'authorized fishing vessels', or AFVs). For the purpose of this Resolution, AFVs that are not entered into the Record are deemed not to be authorised to fish for, retain on board, tranship or land tuna and tuna-like species.
2. Each Contracting Party, and Cooperating non-Contracting Party (hereinafter referred to as "CPCs") shall submit electronically, where possible, to the Secretary by 1 July 2003 for those vessels referred to 1.a) and 1 July 2006 for those vessels referred to 1.b), the list of its AFVs that are authorised to operate in the IOTC Area. This list shall include the following information:
  - Name of vessel(s), register number(s);
  - IMO number if available
  - Previous name(s) (if any);
  - Previous flag(s) (if any);
  - Previous details of deletion from other registries (if any);
  - International radio call sign(s) (if any);
  - Operating port
  - Type of vessel(s), length and gross tonnage (GT);
  - Name and address of owner(s) and operator(s);
  - Gear(s) used;
  - Time period(s) authorised for fishing and/or transhipping.

CPCs shall indicate, when initially submitting their list of vessels according to this paragraph, which vessels are newly added or meant to replace vessels currently on their list submitted to IOTC pursuant to the *Resolution 01/02 Relating to Control of Fishing Activities*.

The initial IOTC record shall consist of all the lists submitted under this paragraph.

3. Each CPC shall promptly notify, after the establishment of the initial IOTC Record, the IOTC Secretary of any addition to, any deletion from and/or any modification of the IOTC Record at any time such changes occur.
4. The IOTC Secretary shall maintain the IOTC Record, and take any measure to ensure publicity of the Record and through electronic means, including placing it on the IOTC website, in a manner consistent with confidentiality requirements noted by CPCs.
5. The flag CPCs of the vessels on the record shall:
  - a) authorise their AFVs to operate in the IOTC Area only if they are able to fulfil in respect of these vessels the requirements and responsibilities under the IOTC Agreement and its conservation and management measures;
  - b) take necessary measures to ensure that their AFVs comply with all the relevant IOTC conservation and management measures;
  - c) take necessary measures to ensure that their AFVs on the IOTC Record keep on board valid certificates of vessel registration and valid authorisation to fish and/or tranship;
  - d) ensure that their AFVs on the IOTC Record have no history of IUU fishing activities or that, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, their AFVs are not engaged in or associated with IUU fishing;
  - e) ensure, to the extent possible under domestic law, that the owners and operators of their AFVs on the IOTC Record are not engaged in or associated with tuna fishing activities conducted by AFVs not entered into the IOTC Record in the IOTC Area;
  - f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the AFVs on the IOTC Record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them.
6. CPCs shall review their own internal actions and measures taken pursuant to paragraph 5, including punitive and sanction actions and in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission at its 2003 meeting and annually thereafter. In consideration of the results of such review, the Commission shall, if appropriate, request the flag CPCs of AFVs on the IOTC record to take further action to enhance compliance by those vessels to IOTC conservation and management measures.
7.
  - a) CPCs shall take measures, under their applicable legislation, to prohibit the fishing for, the retaining on board, the transhipment and landing of tuna and tuna-like species by the AFVs which are not entered into the IOTC Record.
  - b) To ensure the effectiveness of the IOTC conservation and management measures pertaining to species covered by Statistical Document Programs:
    - i) Flag CPCs shall validate statistical documents only for the AFVs on the IOTC Record,
    - ii) CPCs shall require that the species covered by Statistical Document Programs caught by AFVs in the IOTC Area, when imported into the territory of a Contracting Party be accompanied by statistical documents validated for the vessels on the IOTC Record and,
    - iii) CPCs importing species covered by Statistical Document Programs and the flag States of vessels shall co-operate to ensure that statistical documents are not forged or do not contain misinformation.
8. Each CPC shall notify the Secretary of any factual information showing that there are reasonable grounds for suspecting AFVs not on the IOTC Record to be engaged in fishing for and/or transhipment of tuna and tuna-like species in the IOTC Area.

9. a) If a vessel mentioned in paragraph 8 is flying the flag of a CPC, the Secretary shall request that Party to take measures necessary to prevent the vessel from fishing for tuna and tuna-like species in the IOTC Area.
- b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-Contracting Party without cooperating status, the Secretary shall compile such information for future consideration by the Commission.
10. The Commission and the CPCs concerned shall communicate with each other, and make the best effort with FAO and other relevant regional fishery management bodies to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature in a timely manner so as to avoid adverse effects upon tuna resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU AFVs from the Indian Ocean to other oceans.
11. Paragraph 1 of the *Resolution 01/02 Relating to Control of Fishing Activities* adopted at the 2001 Commission meeting is no more effective when this resolution is entered into force, while paragraph 2,3,4 and 5 of the said Resolution shall stand as they are.
12. Paragraph 1 b) shall apply initially to longline and purse seine fishing vessels.
13. *Resolution 05/02 Concerning the establishment of an IOTC record of vessels authorised to operate in the IOTC area* is superseded by this Resolution.

## RESOLUTION 07/03

### CONCERNING THE RECORDING OF CATCH BY FISHING VESSELS IN THE IOTC AREA

#### The Indian Ocean Tuna Commission (IOTC),

TAKING NOTE of the results of the Inter-sessional Meeting on an Integrated Control and Inspection Scheme held in Yaizu, Japan from 27 to 29 March 2001;

CONSIDERING the provisions set forth in *Resolution 01/05 Mandatory Statistical Requirements for IOTC Members*, and in particular the requirements set out for surface fisheries/purse-seine fleets adopted by the Commission in 2001;

CONSIDERING the deliberations of the 9<sup>th</sup> Session of the IOTC Scientific Committee held in Victoria, Seychelles from 6 to 10 November 2006 where it agreed that a standardised logbook would be advantageous and agreed on the minimum data requirements for all purse-seine and bait boat fleets operating in the IOTC Area of Competence, in order to harmonize data gathering and provide a common basis for scientific analysis for all IOTC Contracting Parties and Cooperating non-Contracting Parties (CPCs);

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, that

1. Each flag CPC shall ensure that all purse-seine vessels flying its flag and authorized to fish species managed by IOTC be subject to a data recording system. Within the IOTC Area of Competence, all purse-seine vessels over 24 metres length and those under 24 metres if they fish outside the EEZs of their flag States shall keep a bound or electronic logbook to provide data for use by Working Parties and the Scientific Committee that includes, as a minimum requirement, the information and data in the logbook set forth, for illustrative purposes, in Annex I.
2. The logbook data shall be provided by the fishing masters to the flag State administration, as well as to the coastal State administration where the vessel has fished in that coastal State's EEZ. The flag State and the States which receive this information shall provide all the data for any given year to the IOTC Secretariat and the Scientific Committee by June 30<sup>th</sup> of the following year on an aggregated basis. The confidentiality rules set out in *Resolution 98/02 Data Confidentiality Policy and Procedures* for fine-scale data shall apply.
3. With regard to all longline vessels over 24 metres length and those under 24 metres if they fish outside the EEZ of their flag State, CPCs commit to adopt at the 2008 Annual Session a minimum standard for logbooks for the same purposes, based on a model to be elaborated by the IOTC Scientific Committee at its 10<sup>th</sup> Session.

**Annex I. LOGBOOK TEMPLATE// Annexe I.MODÈLE DE FICHES DE PÊCHE**

DEPART / SALIDA / DEPARTURE			ARRIVEE / LLEGADA / ARRIVAL						NAVIRE / BARCO / VESSEL			PATRON / PATRON / MASTER			FEUILLE HOJA / SHEET N°						
PORT / PUERTO / PORT DATE / FECHA / DATE HEURE / HORA / HOUR LOCH / CORREDERA / LOCH			PORT / PUERTO / PORT DATE / FECHA / DATE HEURE / HORA / HOUR LOCH / CORREDERA / LOCH																		
DATE FECHA DATE	POSITION (chaque calée ou midi)  POSICION (cada lance o mediada)  POSITION (each set or midday)	CALEE LANCE SET			CAPTURE ESTIMEE ESTIMACION DE LA CAPTURA ESTIMATED CATCH									ASSOCIATION ASSOCIACION ASSOCIATION			COMMENTAIRES OBSERVATIONES COMMENTS		COURANT CORRIENTE CURRENT		
		Portant / Positivo / Successful Nul / Nulo / Nil	Heure / Hora / Time préciser/especificar/specify TU+	N° Cuve / Cuba / Well	1		2		3		AUTRE ESPECE préciser le/les nom(s)  OTRA ESPECIE dar el/los nombre(s)  OTHER SPECIES give name(s)			REJETS préciser le/les nom(s)  DESCARTES dar el/los nombre(s)  DISCARDS give name(s)			Banc libre/Banco libre/Free school Epave / Objeto / Log N (naturelle/natural), A (artificielle/artificial) Bateau d'assistance Barco de apoyo / Supply Balise / Baliza / Beacon Requin Baleine Tiburon Ballena / Shark Whale Baleine / Ballena / Whale	Route/Recherche, problèmes divers, type d'épave (naturelle/artificielle, balisée, bateau), prise accessoire, taille du banc, autres associations, ...  Ruta/Busca, problemas varios, tipo de objeto (natural/artificial, con baliza, barco), captura accesoria, talla del banco, otras asociaciones, ...  Steaming/Searching, miscellaneous problems, log type (natural/artificial, with radio beacon, vessel), by catch, school size, other associations, ...	T° Mer / Mar / Sea	Direction / Direccion / Direccion Degrés / Grados / Degree	Vitesse / Velocidad / Speed Nœuds / Nudos / Knots
					Taille Talla Size	Capture Captura Catch	Taille Talla Size	Capture Captura Catch	Taille Talla Size	Capture Captura Catch	Nom Nombre Name	Taille Talla Size	Capture Captura Catch	Nom Nombre Name	Taille Talla Size	Capture Captura Catch					
Une calée par ligne / Uno lance cada línea / One set by line																					

**Instructions for filling the logbook form (EU purse seine and baitboats template)  
Notice explicative pour utiliser la fiche de pêche (senneurs et canneurs, modèle UE)**

**EN-TÊTE / CABECERA / HEADING**

**DEPART / SALIDA / DEPARTURE**

- ✓ Port / Puerto / Port
- ✓ Date / Fecha / Date
- ✓ Heure / Hora / Hour
- ✓ Loch / Corredera / Loch

**ARRIVEE / LLEGADA / ARRIVAL**

- ✓ Port / Puerto / Port
- ✓ Date / Fecha / Date
- ✓ Heure / Hora / Hour
- ✓ Loch / Corredera / Loch

**NAVIRE / BARCO / VESSEL**

**PATRON / PATRON / MASTER**

**FEUILLE / HOJA / SHEET N°**

*Remplir l'information correspondante au départ et au retour. Le loch au départ et au retour permettent d'estimer la distance parcourue par le navire pendant sa marée, et donc indirectement la surface prospectée. Les feuilles seront numérotées de 1 à n pour chaque marée.*

*Fill in the corresponding information at departure and arrival of the boat. Loch at departure and arrival allows to estimate the distance run during the trip, and indirectly the prospected surface. Sheets will be numbered from 1 and following for each trip.*

**DONNÉES SUR LA PÊCHE / DATOS SOBRE LA PESCA / FISHING DATA**

*Toute les informations concernant les activités, captures, incidents, ... qui se sont produits pendant la marée doivent être reportées aussi précisément que possible.*

*All information regarding activities, catches, incidents, ... which occurred during the trip should be reported as precisely as possible.*

**DATE/FECHA/DATE**

*Remplir au moins une ligne par jour, même s'il n'y a pas eu d'activité de pêche (cape, avarie, ...).*

*Fill in at least one line by day, even in case of no fishing activities.*

**POSITION (chaque calée ou midi)/POSICION (cada lance o mediadia)/POSITION (each set or midday)**

*Utiliser une ligne différente pour chaque calée (y compris les calées nulles), et noter la position de cette calée. S'il n'y a pas eu de pêche, noter la position aux environs de midi. Si nécessaire, les informations sur la calée peuvent utiliser plusieurs lignes sans changer les informations générales (date, position, ...).*

*Use one line for each set (including negative ones), and note its position. If no set have been made, note the position around midday. If necessary, information for one set can use several lines, without changing the general information (date and position).*

**CALEE / LANCE .SET**

- ✓ Portant / Positivo / Successful
- ✓ Nul / Nulo / Nil

*Cocher la case correspondante selon que le coup est nul ou portant.*

*Tick the corresponding column according that the set was positive or not.*

- ✓ Heure / Hora / Time : Préciser / Especificar / Specify (TU+ ?)

*Mettre l'heure de début de la calée ; préciser le cas échéant l'heure utilisée par le bord (TU+ ??).*

*Indicate the time at the beginning of the set ; if necessary, precise the time used on board (TU+ ??).*

- ✓ N° Cuve / Cuba / Well

*Indiquer le numéro de la/les cuve(s) où la capture sera stockée.*

*Indicates the well number where the catch will be stored.*

**CAPTURE ESTIMEE / ESTIMACION DE LA CAPTURA / ESTIMATED CATCH**

- ✓ ALBACORE / RABIL / YELLOWFIN
  - Taille / Talla / Size
  - Capture / Captura / Catch
- ✓ LISTAO / LISTADO / SKIPJACK
  - Taille / Talla / Size

- Capture / Captura / Catch
- ✓ PATUDO / PATUDO / BIGEYE
- Taille / Talla / Size
- Capture / Captura / Catch

*Pour chacune des principales espèces de thons mentionnées, indiquer la capture estimée ainsi que la taille/poids moyen ou la gamme de taille/poids des poissons (par exemple 5-15 kg, 10kg, >30 kg, ...). Si la distinction entre espèces n'est pas connue, remplir à cheval sur les 3 colonnes.*

*For each of the main tuna species indicated, note the estimated catch as well as the average size/weight or size/weight range (for example, 5-15 kg, 10 kg, > 30 kg, ...). In case you cannot separate species, fill in on the 3 columns.*

- ✓ AUTRE ESPECE (préciser le/les nom(s))/OTRA ESPECIE (dar el/los nombre(s))/OTHER SPECIES (give name(s))
  - Nom / Nombre / Name
  - Taille / Talla / Size
  - Capture / Captura / Catch

*Remplir comme pour les espèces de thons, en précisant en plus le/les nom(s) de/des espèce(s) pêchées.*

*Fill in as for tuna species, indicating also the name(s) of the fished species.*

- ✓ REJETS (préciser le/les nom(s))/DESCARTES (dar el/los nombre(s))/DISCARDS (give name(s))
  - Nom / Nombre / Name
  - Taille / Talla / Size
  - Capture / Captura / Catch

*Remplir comme pour les espèces de thons, en précisant en plus le/les nom(s) de/des espèce(s) rejetées.*

*Fill in as for tuna species, indicating also the name(s) of the discarded species.*

#### **ASSOCIATION / ASSOCIACION / ASSOCIATION**

- ✓ Banc libre/Banco libre/Free school
- ✓ Epave / Objeto / Log : N (naturelle/natural), A (artificielle/artificial)
- ✓ Bateau d'assistance / Barco de apoyo / Supply
- ✓ Balise / Baliza / Beacon
- ✓ Requin Baleine / Tiburon Ballena / Shark Whale
- ✓ Baleine / Ballena / Whale

*Cocher la colonne correspondant au type d'association observé. Pour une pêche sur épave, préciser si elle est naturelle (N) ou artificielle (A), ainsi que si elle a ou non une balise. Indiquer également si on a travaillé en association avec un bateau d'assistance. Plusieurs associations sont bien sur possibles, et on peut signaler d'autres associations dans la rubrique « Commentaires ».*

*Tick the case corresponding to the association type observed. For log sets, indicates if the log is natural (N) or artificial (A), as well as if there bear or not a beacon. Indicates also if fishing was done in association with a supply. Of course, several associations are possible, and others than indicated may be mentioned in the "Comments" field.*

#### **COMMENTAIRES / OBSERVACIONES / COMMENTS**

*Route/Recherche, problèmes divers, type d'épave (naturelle ou artificielle, balisée, bateau), prise accessoire, taille du banc, autres associations, Steaming/Searching, miscellaneous problems, log type (natural or artificial, with radio beacon, vessel), by catch, school size, other associations,*

#### **T° Mer / Mar / Sea**

*Indiquer la température de la mer (au 1/10 de degré) si elle est disponible.*

*Indicates the sea surface temperature (1/10 degree) if known.*

#### **COURANT / CORRIENTE / CURRENT**

*Direction / Direccion / Direction (Degrés / Grados / Degree)*

*Vitesse / Velocidad / Speed (Nœuds / Nudos / Knots)*

*Indiquer la vitesse et la direction du courant si disponible.*

*Indicates the current speed and direction if known.*

**RESOLUTION 07/04**  
**CONCERNING REGISTRATION AND EXCHANGE OF INFORMATION ON VESSELS FISHING**  
**FOR TUNAS AND SWORDFISH IN THE IOTC AREA**

**The Indian Ocean Tuna Commission (IOTC),**

NOTING the Research Recommendation of the 7<sup>th</sup> Expert Consultations on Indian Ocean Tunas regarding the need to collect data on fishing effort;

NOTING the Report of the First Session of the Scientific Committee and its general recommendation on the need to make a comprehensive list of all vessels of all gears catching bigeye;

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

1. All Contracting Parties and Cooperating non-Contracting Parties (CPCs) with vessels fishing for tropical tunas, albacore and swordfish in the IOTC Area of Competence (hereinafter referred to as “the Area”), by 30 June every year:

- Shall submit to the Secretary a list of their respective vessels greater than 24 m LOA that have fished for tropical tunas, albacore and swordfish in the Area during the previous year;
- Shall submit to the Secretary a list of their respective vessels of less than 24 m LOA that have fished for tropical tunas, albacore and swordfish outside of their EEZ during the previous year.

2. These lists shall contain the following information for each vessel:

- Name and registration number;
- IMO number if available;
- Previous flag (if any);
- International radio call sign;
- Vessel type, length, and gross tonnage;
- Name and address of owner, and/or charterer, and/or operator;
- Main target species.

3. CPCs which issue licences to foreign flag vessels to fish for tunas and swordfish in the Area shall submit to the Secretary the same information on all vessels to which such licences have been issued, according to the same timetable.

4. The Secretary shall circulate this information annually, or upon request, to all CPCs.

5. The CPCs shall notify the Secretary of any information concerning fishing vessels not covered in paragraph 1 but known or presumed to be fishing for tunas and swordfish in the Area.

6. (a) The Secretary shall request the flag State of a vessel covered in paragraph 5 to take the measures necessary to prevent the vessel from fishing for tunas and swordfish in the Area.

(b) The Secretary shall compile for future consideration by the Commission information on vessels covered in paragraph 5 whose flag is not identified.

7. *IOTC Resolution 05/04 Concerning registration and exchange of information on vessels, including flag of convenience vessels, fishing for tropical tunas in the IOTC Area of competence is superseded by this Resolution.*

**RESOLUTION 07/05**  
**LIMITATION OF FISHING CAPACITY OF IOTC CONTRACTING PARTIES AND**  
**COOPERATING NON-CONTRACTING PARTIES IN TERMS OF NUMBER OF LONGLINE**  
**VESSELS TARGETING SWORDFISH AND ALBACORE**

**The Indian Ocean Tuna Commission (IOTC),**

RECOGNISING that the Scientific Committee has expressed concerns on the status of the swordfish stock in the IOTC Area;

TAKING NOTE in particular of the Scientific Committee's recommendation that a reduction in catches of swordfish by longline gear, eventually to the level of MSY, be started as soon as possible and that fishing effort should be reduced or, at least, that it should not increase further;

TAKING NOTE of the significant quantities of swordfish by-catch present in the longline fisheries targeting albacore;

CONSCIOUS of the further Scientific Committee recommendation that management measures focused on controlling and/or reducing effort in the fishery targeting swordfish in the Indian Ocean, and, in particular, in the South West Indian Ocean, be implemented;

AWARE that the issue of excess fishing capacity is of worldwide concern and is the subject of an International Plan of Action developed by the United Nations Food and Agriculture Organization;

NOTING that FAO International Plan of Action for the Management of the Fishing Capacity (IPOA) stipulates in its Objectives and Principles that States and Regional Fisheries Management Organisations confronted with an overcapacity problem which is undermining the achievement of long-term sustainability outcomes, should endeavour initially to limit at the present level and progressively reduce the fishing capacity applied to affected fisheries;

UNDERSTANDING that excess fishing capacity in a region makes it more difficult for Governments to agree on and implement effective conservation and management measures for the fisheries of that region;

RECALLING *Resolution 01/04 on Limitation of Fishing Effort of non-Members of IOTC whose Vessels Fish Bigeye Tuna* adopted at the Sixth Session;

RECALLING *Resolution 03/01 on the limitation of Fishing Capacity of Contracting Parties and Cooperating Non-Contracting Parties* adopted at the Eighth Session;

RECALLING *Resolution 05/01 on conservation and management measures for bigeye tuna* adopted at the Ninth Session;

RECALLING *Resolution 07/04 concerning the registration and exchange of information on vessels, fishing for tunas and swordfish in the IOTC area of competence* adopted at the 11th Session;

RECALLING *Resolution 06/05 on limitation of fishing capacity, in terms of number of vessels, of IOTC Contracting Parties and Cooperating non-Contracting Parties* adopted at the Tenth Session;

BELIEVING that it is important to limit fishing capacity in the IOTC Area of Competence in order to ensure that the tuna and tuna-like fisheries in the region are conducted at a sustainable level;

SEEKING TO ADDRESS the problem of excess capacity in the purse-seine and longline fleets operating in the IOTC Area of Competence by limiting capacity to a level which, in harmony with other agreed management measures and projected and actual levels of catch, will ensure that tuna and swordfish fisheries in the region are conducted at sustainable levels,

ADOPTS, in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

1. Contracting Parties and Cooperating Non-Contracting Parties (hereafter named CPCs) shall limit the number of their vessels, by gear type, of 24 m overall length and over, and under 24 metres if they fish

outside their EEZ, fishing for swordfish and albacore in the IOTC Area of Competence, to the number of their vessels notified to IOTC for 2007 in accordance with IOTC *Resolution 07/04 Concerning Registration And Exchange Of Information On Vessels, Fishing For Tunas and swordfish in the IOTC Area Of Competence*<sup>1</sup>

2. This limitation of number of vessels shall be commensurate with the corresponding overall tonnage expressed in GT (Gross Tonnage) and, where vessels are replaced, the overall tonnage shall not be exceeded.

3. In notifying their vessels fishing for swordfish in the area in 2007, the CPCs shall verify the effective presence and fishing activities of their vessels in the IOTC Area of Competence in 2007, through their VMS records, catch reports, port calls, or other means. The IOTC Secretariat shall have access to such information upon request.

4. In relation to paragraph 1, the Commission takes note of the interests of the Coastal States, in particular small island Developing States and Territories within the IOTC Area whose economies depend largely on fisheries, and recognises their rights and obligations in accordance with paragraph 3 and 4 of IOTC *Resolution 03/01 On the limitation of Fishing Capacity of Contracting Parties and Cooperating Non-Contracting Parties*. In particular the coastal states not targeting swordfish will continue to explore the resources in their EEZs and develop their capacity in accordance with their Fleet Development Plans, which include a reasonable programme for the phasing-in of the increase of their fleet.

5. Within the period of application of this Resolution, CPCs may change the number of their vessels, by gear type, provided that they can either demonstrate to the Commission, under the advice of the Scientific Committee that the change in the number of vessels, by gear type, does not lead to an increase of fishing effort on the fish stocks involved or where they are directly limiting catches using individual transferable quotas under a comprehensive national management plan which has been provided to the Commission.

6. CPCs shall ensure that where there is a proposed transfer of capacity to their fleet that the vessels to be transferred are on the IOTC Record of Vessels or on the Record of Vessels of other tuna Regional Fisheries Management Organisations. No vessels on the List of IUU Vessels of any Regional Fisheries Management Organisation may be transferred.

7. CPCs with less than ten active vessels targeting albacore in 2007 in the Area of Competence, are allowed to introduce a Fleet Development Plan to the Compliance Committee for review in 2008 at the 12<sup>th</sup> IOTC plenary Session. These Fleet Development Plans will be reviewed in 2009 by the Commission, in light of the Scientific Committee recommendations on the status of the albacore stock.

8. This Resolution is applicable during the years 2008, 2009 and 2010. The Commission shall review its implementation at the 2010 Session.

9. CPCs shall provide the Secretary, by 30 April 2008, with complete data on the presence of their active vessels targeted by this Resolution in the IOTC Area of Competence during the year 2007.

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<sup>1</sup> The Commission will take into account authorisation to construct vessels currently under administrative process, ongoing and already authorised constructions in the year 2007, and the Fleet Development Plans already notified to the Commission