

## Report of the Fifteenth Session of the Indian Ocean Tuna Commission

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Colombo, Sri Lanka 18–22 March 2011

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**BIBLIOGRAPHIC ENTRY**

IOTC 2011. Report of the Fifteenth Session of the Indian Ocean Tuna Commission. Colombo, Sri Lanka, 18–22 March 2011. *IOTC–2011–S15–R[E]*: 110 pp.

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**AS OF 22<sup>ST</sup> MARCH 2011**

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**MOZAMBIQUE**  
**SENEGAL**  
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## EXECUTIVE SUMMARY

The Fifteenth Session of the Indian Ocean Tuna Commission (IOTC) was held in Colombo, Sri Lanka, from 18 to 22 March 2011. Representatives of 24 Members of the Commission, 3 Cooperating non-Contracting Parties, 7 Observers and invited experts attended the Session.

The Commission adopted a resolution on the development of a compendium of resolutions and recommendations which recognises the desirability of improving the coherence and accessibility of its recommendations and resolutions. Noting that the complexity of this work may have many implications, such as those of a legal, procedural or practical nature, the Resolution creates a Working Group of interested Contracting Parties and Cooperating non-Contracting Parties to consider the development of a Compendium of IOTC Resolutions and Recommendations.

The Commission also adopted a resolution on the prohibition of fishing on data buoys. This Resolution prohibits fishing vessels from setting gear on or near, or interacting with data buoys in any manner other than to untangle fishing gear that has accidentally become entangled with data buoys.

The Commission adopted a revised resolution on establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence. This Resolution introduced amendments to Resolution 09/03, by including an option to add vessels to the IOTC IUU Vessels List during the inter sessional period of the IOTC.

The Commission adopted a revised resolution on a regional observer scheme which introduced amendments to a previous resolution to extend the period for providing of observer trip reports to the Secretariat from 90 to 150 days.

The Commission adopted a resolution on establishing a programme for transshipment by large-scale fishing vessels. The resolution introduced amendments to a previous resolution on establishing a programme for transshipment by large-scale fishing vessels, by establishing a procedure for the consideration of cases of presumed IUU activities reported by observers participating in the IOTC at-sea Transshipment Programme.

Concerning the recording of catch by fishing vessels in the IOTC area of competence, the Commission adopted a recommendation that consolidates components of other resolutions concerning the recording of catch by longline and purse seine fishing vessels in the IOTC area of competence, as well as setting agreed minimum standards for data requirements for all pole-and-line and gillnet 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).

The Commission agreed to the replenishment of the special fund to support the participation of representatives from developing states in meetings of the Commission or its subsidiary bodies. Accumulated savings from previous years are to be used to replenish the fund, as well as to start the execution of sampling programmes in artisanal fisheries, as requested in the Regional Observer Scheme adopted in 2009.

The Commission reiterated its deep concerns and desire to see the end of the ongoing issue of piracy off the coast of Somalia.

The Commission approved the 2011–2012 Program of Work and Budget of the Secretariat, and the schedule of contributions.

The Commission renewed the status of Cooperating non-Contracting Party of Maldives, Senegal, and South Africa, and, for the first time, granted the status to Mozambique.

The following Conservation and Management Measures were adopted by the Commission:

- Resolution 11/01 *Development of a Compendium of Resolutions and Recommendations*
- Resolution 11/02 *On the Prohibition of Fishing on Data Buoys*
- Resolution 11/03 *Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing in the IOTC Area of Competence*
- Resolution 11/04 *On a Regional Observer Scheme*
- Resolution 11/05 *On Establishing a Programme for Transshipment by Large-Scale Fishing Vessels*
- Recommendation 11/06 *Recording of Catch by Fishing Vessels in the IOTC Area of Competence*

## 1. OPENING OF THE SESSION

1. The Fifteenth Session of the Indian Ocean Tuna Commission (IOTC) was held in Colombo, Sri Lanka, from 18 to 22 March 2011, Chaired by Mr Rondolph Payet. Delegates from 24 Members of the Commission, 3 Cooperating non-Contracting Parties, 7 Observers and invited experts attended the Session. The list of participants is provided at [Appendix I](#).
2. On behalf of the Government of Sri Lanka, Dr Damitha de Zoysa, Secretary, Ministry of Fisheries and Aquatic Resources Development of the Democratic Socialist Republic of Sri Lanka welcomed the participants to Colombo and declared the meeting open ([Appendix II](#)).
3. The Executive Secretary, Mr Alejandro Anganuzzi and the Chair Mr Rondolph Payet, joined in welcoming participants to the Fifteenth Session of the Indian Ocean Tuna Commission ([Appendix III](#) and [Appendix IV](#)) and expressed, on behalf of all participants, their deepest condolences for the situation in Japan following the recent earthquake and subsequent tsunami.
4. The Inaugural address was given by the Hon. Dr Rajitha Senaratne, Minister of Fisheries and Aquatic Resources Development of the Democratic Socialist Republic of Sri Lanka ([Appendix V](#)).

## 2. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

5. The Commission adopted the Agenda provided at [Appendix VI](#). The documents presented to the Commission are listed in [Appendix VII](#).

## 3. ADMISSION OF OBSERVERS

6. Pursuant to Article VII of the Agreement establishing the IOTC, the Commission admitted observers from Mozambique, International Seafood Sustainability Foundation (ISSF), Marine Stewardship Council (MSC), Shark Advocates International (SAI), Southwest Indian Ocean Fisheries Commission (SWIOFC), United Arab Emirates (UAE), United States of America (USA), the Organization for the Promotion of Responsible Tuna Fisheries (OPRT), as well as invited experts from Taiwan, Province of China.

## 4. UPDATE ON THE KOBE PROCESS

7. The Secretariat presented an update on the Kobe process and outlined the Secretariat's proposed involvement in 2011. The Commission was informed that the Secretariat had participated in all of the workshops related to the Kobe process in 2010. The Executive Secretary participated in the Workshop on Management (Brisbane, Australia), as well as the Workshop on Monitoring Control and Surveillance and Scientific Advice (Barcelona, Spain) with the Compliance Officer. The Data Coordinator and the Stock Assessment Expert attended the Workshop on Scientific Advice, and the Chairman of the Scientific Committee and Working Party on Ecosystems and Bycatch attended the Workshop on Bycatch (Brisbane, Australia).
8. The Commission **noted** that reports of each of the workshops held in 2010 can be found at the website: [www.tuna-org.org](http://www.tuna-org.org). The Secretariat informed the Commission that there were many recommendations of a technical nature that arose from the 2010 Kobe II Workshops, addressed primarily to the Kobe III meeting, which is scheduled to be held from 11 to 15 July 2011, in La Jolla, USA.
9. The Commission **noted** the Secretariat's commitment to keep CPCs informed of the Kobe process via the distribution of IOTC Circulars.
10. The Commission was informed that each tuna RFMO was expected to send two or three technical persons involved in bycatch issues to the Joint Bycatch Working Group to be held in conjunction with the Kobe III meeting in La Jolla, California from 11 to 15 July, 2011. The

Commission **agreed** that if possible, the Chairperson of the Scientific Committee and the Chairperson of the Working Party on Ecosystems and Bycatch should attend the Working Group.

11. The Commission **noted** the information provided by the USA relating to the Kobe III meeting which will be run in tandem with the Technical Working Group on Bycatch. The USA confirmed that financial assistance is available for one individual from each developing coastal state to attend the meetings and that interested countries should consult the meeting website: [www.tuna-org.org](http://www.tuna-org.org).
12. The Commission **noted** information provided by Korea that a preparatory workshop for the Kobe III meeting, will be held from 19 to 21 April 2011, in Seoul, Korea. The focus of the preparatory meeting will be on catch documentation and port state measures. Further information is available at: [www.tuna-org.org](http://www.tuna-org.org), and funding for developing coastal states to attend the workshop is available.

## 5. REPORT OF THE THIRTEENTH SESSION OF THE SCIENTIFIC COMMITTEE

13. The report of the Thirteenth Session of the Scientific Committee (IOTC–2010–SC13–R) held in Victoria, Seychelles from 6 to 10 December 2010, was presented by the Chair of the Scientific Committee, Dr Francis Marsac. Delegates from 14 Members, 1 Cooperating non-Contracting Party and 4 observers attended the session. The Commission **noted** the report and considered the following issues.

### *National Reports*

14. The Commission **noted** the concern expressed by the Scientific Committee regarding the limited submission of national reports to the Scientific Committee, noting that less than half, *i.e.* 15 of 32 CPCs, had submitted a report for the 2010 meeting. The Commission stressed the importance of the submission of national reports by all CPCs and endorsed the new template agreed to by the Scientific Committee in 2010.

### *On data*

15. The Commission **noted** some minor improvements in the quantity of fisheries statistics available in 2010 but reiterated its concerns about the lack of fisheries data from some gears and fleets for target and bycatch species. Specifically, the Commission **noted** that many fisheries statistics are missing or incomplete for some industrial and artisanal fisheries, and **urged** all CPCs to improve their data collection and reporting to the IOTC, especially taking into account that the Commission has started the process of developing a quota allocation system.

### *Status of the stocks*

16. The Commission **noted** the latest advice from the Scientific Committee on the following species and species groups, and the stock status summary for IOTC species as shown in [Appendix VIII](#).
17. Albacore tuna: No new stock assessment was carried out in 2010 and the most recent assessment (2008) is considered preliminary. However, the available stock status information indicates that the condition of the stock is not likely to change markedly over the next two to three years and if the price of albacore tuna remains low compared to other tuna species, no immediate management action should be required on the part of the Commission. However, new information and estimation for the Indonesian longline fishery has increased the known total catch to levels above those considered sustainable (MSY from the 2008 assessment). A new albacore tuna stock assessment should be carried out in 2011.
18. Bigeye tuna: Revised stock assessments were carried out in 2010. The results suggest that the stock is probably not overfished, and overfishing is probably not occurring (relative to MSY reference points). However, the stock is near full exploitation, and the possibility of overfishing cannot be ruled out on the basis of the estimated uncertainty, and the continuing observed decline in catch-per-unit-effort (CPUE). The changes imposed on the operation of the purse seine fleets by the security situation (piracy) in the western Indian Ocean has increased the fishing effort

around fish aggregating devices (FADs). This has led to an increase in the catches of juveniles which could have a negative effect on the outlook for the stock. Given the uncertainty on estimated MSY values and the levels of error in the nominal catch data, catches should be kept at or below 102,000 t. This catch level should ensure catches do not exceed MSY levels.

19. Skipjack tuna: No stock assessment has been carried out for this species in the Indian Ocean in recent years. However, in 2008 and 2009, a review of a range of stock status indicators and exploitation rates suggest that the stock should be closely monitored. Although there is no scientific basis for urgent concern about the status of the population of skipjack tuna and the recent catches are considered to be sustainable, taking into account (i) the Precautionary Approach for fishery management, (ii) the rapid development of some artisanal and semi-industrial fleets and (iii) that the catches could not be increased continuously; some management options should be considered. A skipjack tuna stock assessment should be carried out in 2011.
20. Yellowfin tuna: The stock of yellowfin tuna has recently become overexploited or is very close to being overexploited. Management measures should be continued that allow an appropriate control of fishing pressure to be implemented. At this moment, the effect of time-area closures cannot be directly translated into management quantities of direct effect on the status of the stock, such as catches or fishing mortality, so their possible effect on the future evolution of the stock cannot be evaluated. Catches of yellowfin tuna in the Indian Ocean should not increase beyond 300,000 t in order to bring the stock to biomass levels that could sustain catches at the MSY level in the long term. If recruitment continues to be lower than average, catches below 300,000 t would be needed to maintain stock levels.
21. Swordfish—Indian Ocean-wide: Revised stock assessments were carried out in 2010. The results suggest that the Indian Ocean stock as a whole is probably not overfished, and overfishing is probably not occurring (relative to MSY reference points). If the recent declines in effort continue, and catch remains below the estimated MSY of 29,000 t, then there is no urgent need to introduce management actions to the Indian Ocean as a whole. However, continued monitoring is required to manage the uncertainty.
22. Swordfish—Southwest Indian Ocean: The potentially high levels of depletion in the southwest remain a special concern. The preliminary assessment for this sub-region confirms that the pessimistic indicators are consistent with a sub-population that has experienced overfishing for several recent years and remains currently overfished. Catches in the southwest Indian Ocean should be maintained at levels at or below those observed in 2008 (6,426 t), until either i) there is clear evidence that substantial rebuilding is occurring (through recruitment or immigration), or ii) further analyses indicate that the current assessment is inappropriate.
23. Sailfish and Marlin: No quantitative stock assessments are currently available for any of these species in the Indian Ocean and only preliminary stock indicators can be used. Aspects of the biology, productivity and fisheries for these species combined with the lack of data on which to base a more formal assessment is a cause for considerable concern.
24. Neritic tunas: No quantitative stock assessments have been carried out for any of the six neritic tuna species under the IOTC mandate. Thus, the stock status for each species remains uncertain. The Scientific Committee noted that neritic tuna species are relatively productive with high fecundity and rapid growth, making them more resilient to overfishing than other tuna species.
25. Sharks: No quantitative stock assessment is currently available for any shark species in the Indian Ocean. In general, the life history characteristics and biology of sharks make them vulnerable to overfishing. As there was no improvement in the available catch statistics for sharks in 2010, the stock status for all species remains highly uncertain and stock indicators need to be developed as a matter of urgency. Noting this uncertainty, the Scientific Committee agreed that Resolution 08/04 concerning the recording of the catch by longline fishing vessels in the IOTC area, be amended in order to improve data collection and statistics on sharks that would allow the development of stock status indicators.

26. Marine turtles: Six species of marine turtles inhabit the Indian Ocean and likely interact with the fisheries for tuna and tuna-like species. The International Union for Conservation of Nature (IUCN) has classified the olive ridley turtle as vulnerable, the green and loggerhead turtles as endangered and the hawksbill and leatherback turtles as critically endangered. Limited data on marine turtle bycatch in IOTC longline and purse seine fisheries have been reported to the IOTC with only 2 of the 32 CPCs (28 Members and 4 Cooperating non-Contracting Parties) fully reporting marine turtle interactions in 2009 (Australia and South Africa. The European Union partially reported marine turtle bycatch). Resolution 09/06 *on marine turtles* includes an evaluation requirement (para.9) by the Scientific Committee in time for the 2011 meeting of the Commission (para.10). However, given the lack of reporting of marine turtle interactions by CPCs to date, such an evaluation could not be undertaken.
27. Seabirds: Sixteen species of seabirds have been reported as caught in longline fisheries within the IOTC area of competence. The current IUCN threat status for each of these range from *critically endangered* to *least concern*. Limited data on seabird bycatch in IOTC longline and purse seine fisheries have been reported to the IOTC with only 2 of the 32 CPCs (28 Members and 4 Cooperating non-Contracting Parties) fully reporting seabird interactions in 2009 (Australia and South Africa. The European Union partially reported seabird bycatch). Resolution 10/06 *on reducing the incidental bycatch of seabirds in longline fisheries* includes an evaluation requirement (para.8) by the Scientific Committee in time for the 2011 meeting of the Commission. However, given the lack of reporting of seabird interactions by CPCs to date, such an evaluation could not be undertaken.

#### ***Regional observer scheme***

28. The Commission **noted** that in 2010 the Scientific Committee reviewed the state of implementation of the Regional Observer Scheme, noting that most countries are still in the initial phases of implementation. Minimum data requirements were adopted as well as an observer report template that will be reviewed and revised as necessary.

#### ***Other matters***

29. The Commission **noted** the lack of compliance by most CPCs in data gathering and reporting, and the Scientific Committee's recommendation that the Commission considers developing a Monitoring Scheme to verify if CPCs are taking all necessary steps to comply with IOTC Resolutions and other obligations relevant to the work of the Scientific Committee, by identifying areas in which further work is needed and recommending actions to be taken to address non-compliance.

#### ***Comments of the Commission and consideration of the recommendations made by the Scientific Committee***

30. The Commission addressed the list of recommendations made by the Scientific Committee ([Appendix IX](#)) in its 2010 report that related specifically to the Commission or concerned the work of the Secretariat. The Commission **endorsed** the list of recommendations, noting the following:
  31. The Commission **requests** all CPCs to submit their national report to the Scientific Committee, following the new template, at the next Session of the Scientific Committee.
  32. The Commission **endorsed** the Scientific Committee's revised procedure and timeline for the submission of documents to its annual meeting.
  33. The Commission expressed concern that data and statistics for gillnet fisheries are still poor, while those fisheries are catching approximately 14% of the total catch in the Indian Ocean. The Commission **noted** that these fisheries are also believed to have substantial impacts on bycatch species and associated ecosystems.

34. The Commission **reminded** CPCs of the importance of timely reporting of data and **requests** that each CPC review the data reporting requirements contained in IOTC Conservation and Management Measures.
35. The Commission **requests** that all CPCs improve compliance with the various statistical reporting requirements and deadlines in order for the necessary analyses and assessments to be completed, on which the advice of the Scientific Committee will be based.
36. The Commission **noted** that stock assessments for some species rely on longline fisheries standardized CPUE series, in particular from Japan. Due to the decreasing effort of this fleet during the last few years, the Commission **requests** that alternative CPUE series for other fleets are used by the Scientific Committee and its Working Parties in stock assessments.
37. The Commission expressed its concern regarding the new information and catch estimates of albacore at levels exceeding the maximum sustainable yield and **requests** that a new assessment be undertaken in 2011.
38. The Commission **noted** the provision by the Scientific Committee of the Kobe II matrix for bigeye tuna and swordfish, and recognized that it is a useful and necessary tool for management. The Commission **requests** that such matrices be provided for all stock assessments by the species Working Parties, in particular for yellowfin tuna, and for these to be included in the report of the Scientific Committee in 2011 and all future reports.
39. The Commission recognized the added value of the Indian Ocean Tuna Tagging Programme, and expressed its satisfaction that the data were used for both the assessment of yellowfin tuna and bigeye tuna in 2010. However, the Commission expressed its concern regarding the low reporting rate of the tags by the longline and pole-and-line fleets.
40. The Commission recognized that piracy activities in the western Indian Ocean, have had substantial negative consequences on the activities of some fleets, as well as the level of observer coverage in these areas. The Commission **requests** that the Scientific Committee assess the effect of piracy on fleet operations and subsequent catch and effort trends.
41. The Commission expressed its disappointment that the Working Party on Neritic Tuna has not yet held its first meeting. The Commission **noted** that neritic tuna are an important species for many coastal countries, as a source of revenue and food. The Commission **requests** that the Working Party on Neritic Tuna hold its first meeting in 2011, if possible in conjunction with another Working Party meeting to minimise travel requirements.
42. The Commission **requests** that the Secretariat attend the Circle Hook symposium that will be held in May in Miami and report the key findings to the Scientific Committee.
43. The Commission **endorsed** the development of a Management Strategy Evaluation (MSE) in the framework of IOTC and **requests** that this process be continued in 2011.
44. The Commission **requests** that an Ecological Risk Assessment (ERA) approach be applied to the various shark species considered at risk by fishing activities in the Indian Ocean, and for the Working Party on Ecosystems and Bycatch to undertake appropriate analyses under the guidance of relevant experts.
45. The Commission **requests** the Scientific Committee in its 2011 Session, to evaluate the data provision needs for longline, purse seine, gillnet and pole-and-line gear types, notably regarding information relating to the vessel characteristics and the definition of the pole-and-line 'fishing event'. The evaluation is requested in order to ensure that consistent and uniform information is collected to assist the IOTC to fulfil its mandate. The Scientific Committee should make appropriate recommendations to the 2012 Commission meeting.
46. The Commission **requests** that the Scientific Committee provide clear advice outlining alternative management approaches which would provide effective protection of a possible southwest Indian Ocean swordfish stock.

47. The Commission **reiterates the request** that the Scientific Committee should evaluate the time-area closure established in Resolution 10/01 *for the conservation and management of tropical tunas stocks in the IOTC area of competence*, in terms of its impacts on the stocks of tuna and tuna-like species.

## 6. REPORT OF THE EIGHTH SESSION OF THE COMPLIANCE COMMITTEE

48. The report of the Eighth Session of the Compliance Committee (IOTC–2011–CoC8–R), held in Colombo, Sri Lanka from 14 to 16 and 19 March 2011, was presented by the Chair of the Compliance Committee, Mr Roberto Cesari. Delegates from 24 Members, 3 Cooperating non-Contracting Parties and 7 observers attended the session. The Commission **noted** the report and considered the following issues.
49. In response to concerns about the clarity of the current Country Based Compliance Report template, the Committee agreed to propose to the Commission, a modified template for use in preparing reports for the next Committee meeting.
50. Following discussions on the implementation of IOTC Conservation and Management Measures by each CPC, the Committee recommended to the Commission that letters outlining areas of non-compliance be developed and distributed to relevant CPCs and for these letters to be based on the list of issues identified during the meeting.
51. The Committee's deliberations in relation to Resolution 09/03 *On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area*, concluded with the Committee recommending that the Commission consider delisting both the *Parsian Shila*—taking into account the oversight nature of the infringement and noting that vessels listed on the IOTC IUU Vessels List should not engage in any fishing activities while they are on the list and that flag states should ensure that this is enforced—and the *Rwad 1*—considering that Oman provided enough evidence showing the vessel is not engaged in IUU activities, from the IOTC IUU Vessels List.
52. The Committee recommended that the Commission consider delisting the *Lingsar 08* from the IOTC IUU Vessels List during the inter-sessional period, if Indonesia were to provide documentation certifying a change of ownership.
53. As no further information was provided to the Compliance Committee during its deliberations, the Committee recommended that the vessel *Hoom Xiang II* remain on the IUU list.
54. The Committee recommended that the *Suratha*, *Lakshani*, *Sulara 3*, *Chandra Kala*, *Lek Sauro*, *Madu Kumari 2*, *Anuka Putha 1*, *Sudeesa Marine 5*, *Rashmi*, *Chmale* and the *Randika Putha 1*, be retained on the provisional IOTC IUU Vessels List, which will be forwarded to the Commission for its consideration in conjunction with the additional information tabled by Sri Lanka at the Plenary of the fifteenth Session of the IOTC.
55. Similarly, the Committee recommended that the *Payam* be retained on the provisional IOTC IUU Vessels List, which will be forwarded to the Commission for its consideration, in conjunction with additional concrete evidence tabled by Iran concerning the actions and measures to be taken by Iran, at the Fifteenth Session of the IOTC, for a decision on the possible listing of this vessel on the IOTC IUU Vessels List.
56. The Committee recommended that the Commission provide guidance concerning the status of the information provided by observers participating in the IOTC at sea transshipment program, in particular, the confidentiality rules to be applied, and the procedure to be followed upon receiving information from observers regarding irregular activities by fishing vessels involved in transshipment operations.
57. The Committee received four applications for the status of Cooperating Non-Contracting Party and recommended that the Commission considers renewing the status of the Maldives, South Africa and Senegal, while for the first time, considers granting the status to Mozambique.

***Comments of the Commission and consideration of the recommendations made by the Compliance Committee***

58. The Commission addressed the list of recommendations made by the Compliance Committee ([Appendix X](#)) in its 2011 report that related specifically to the Commission or concerned the work of the Secretariat. The Commission **endorsed** the list of recommendations, noting the following:
59. The Commission **noted** that Reports of Implementation were provided by 21 Members (Australia, Belize, China, Comoros, European Union, France Territories, India, Indonesia, I.R. Iran, Japan, Republic of Korea, Malaysia, Mauritius, Oman, Pakistan, Philippines, Seychelles, Sri Lanka, Tanzania, Thailand and the United Kingdom (Overseas Territories)) and one Cooperating Non-Contracting Party (Maldives), which is a substantial improvement from the 13 reports provided the previous year (12 Members and one Cooperating Non-Contracting Party).
60. The Commission **adopted** the draft Compliance Report template, as presented in [Appendix XI](#). The Secretariat, in collaboration with the parties that developed the draft template, will produce intersessionally, a final Compliance Report template, which will contain all the major reporting requirements of the existing IOTC Conservation and Management Measures.
61. The Commission **noted** that IOTC Resolution 10/09 (para.4) establishes the procedure to be followed by the Compliance Committee in assessing compliance with IOTC measures by CPCs. It was recalled that the provisions in paragraph 4.2. of IOTC Resolution 10/09, call for “*The Chairman of the Compliance Committee, assisted by the Secretariat of IOTC, to identify, select and transmit the significant non compliance issues to each concerned CPC and submit them for discussion in the Compliance Committee meeting at least 30 days in advance.*”
62. The Commission **agreed** that a mechanism to assess compliance with IOTC measures by CPCs should be established, and that as a first step would involve the submission of feedback letters highlighting areas requiring further attention, to each Head of Delegation, which could serve as the basis for review of progress at the next meeting of the Compliance Committee.
63. The Commission **noted** concerns raised by some CPCs that many coastal states are not yet able to fully implement many of the conservation and management measures adopted by the Commission. As such, many of their vessels would be considered illegally fishing within their own Exclusive Economic Zones by virtue of their non-compliance. It was noted by certain Members that if a majority of members could not implement all of the legally binding requirements, then there could be valid reasons and such cases would need to be examined with an open mind and with flexibility to accommodate special circumstances. In doing so, an examination of the root causes of compliance gaps needs to be undertaken, and then to seek ways to fill gaps by implementing adequate capacity building and support programmes.

***Deliberations in relation to Resolution 09/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area.***

***Parsian Shila***

64. The Commission **agreed** to the delisting of the fishing vessel *Parsian Shila* from the IOTC IUU Vessels List.

***Rwad 1***

65. The Commission **agreed** to the delisting of the fishing vessel *Rwad 1* from the IOTC IUU Vessels List.
66. The Commission **agreed** that Oman shall formally notify the Secretariat, before the vessel returns to its fishing activities, when the fish found onboard the fishing vessel *Rwad 1* are destroyed.

***Lingsar 08***

67. The Commission **noted** the additional evidence presented at the meeting by Indonesia on the fishing vessel *Lingsar 08*. The Commission expressed concern regarding the late presentation of this information, stressing the need for CPCs to strictly comply with the 30 day deadline when presenting information on IUU matters to the Commission. Notwithstanding this, the Commission agreed to make a special case and **agreed** that the fishing vessel *Lingsar 08* be delisted from the IOTC IUU Vessels List.

***Hoom Xiang II***

68. The Commission **agreed** to maintain the fishing vessel *Hoom Xiang II* on the IOTC IUU Vessels List.
69. The Commission **noted** Malaysia's statement that it had revoked the fishing license of the vessel *Hoom Xiang II*, and that the vessel is no longer flagged to Malaysia.
70. The Commission **noted** that Malaysia had no information concerning the fate of the *Hoom Xiang II*. In light of this information, the Commission **agreed** to list the flag of the vessel as 'Unknown' in the IOTC IUU Vessels List, and **requested** that Malaysia advise the Commission on the whereabouts of the vessel should it become known.

***Suratha, Lakshani, Sulara 3, Chandra Kala, Lek Sauro, Madu Kumari 2, Anuka Putha 1, Sudeesa Marine 5, Rashmi, Chmale, and Randika Putha 1.***

71. The Commission **noted** the new information presented by Sri Lanka concerning the actions undertaken by its government against vessels under its flag involved in IUU activities in the Chagos archipelago, including the fishing vessels *Suratha, Lakshani, Sulara 3, Chandra Kala, Lek Sauro, Madu Kumari 2, Anuka Putha 1, Sudeesa Marine 5, Rashmi, Chmale, and the Randika Putha 1.*
72. The United Kingdom (OT) indicated that infringements by Sri Lankan vessels within its EEZ is a recurring problem and that, since 2002, a total of 63 Sri Lankan flagged fishing vessels have been apprehended illegally fishing in the Chagos archipelago. The Commission **noted** that the ship owners of all vessels have pleaded guilty of IUU activities.
73. The unique circumstances of Sri Lanka, including the inability to implement effective fisheries management in the past was considered during the Commission's deliberations on the listing of vessels on the IOTC IUU Vessels List. It was noted that the Government of Sri Lanka is working on, and is committed to, addressing the governance issues in the intersessional period. Given this, the majority of CPCs agreed that the information provided by Sri Lanka to the Commission represented enough proof of commitment by the government of Sri Lanka towards fighting IUU activities by vessels under its flag. In light of this, most CPCs agreed that the vessels should not be added to the IOTC IUU Vessels List.
74. The Commission **agreed** on the severity of the cases under consideration. Notwithstanding the lack of consensus, the Commission **agreed** not to list the 11 vessels flagged to Sri Lanka in the IOTC IUU Vessels List. However, the Commission also **noted** that this case should not represent a precedent, and that, if any similar case is brought before the Commission in the future, there will be a strict application of the provisions of the relevant Resolutions. In addition, the Commission **requested** Sri Lanka to report every month, through the IOTC Secretariat, information on the whereabouts of each vessel; as well as communicating the final decision from the Sri Lankan Court and fate of each fishing vessel, where applicable. The Commission further **agreed** that, in the case that any of these vessels is involved in IUU activities in the future, it shall be automatically listed in the IOTC IUU Vessels List.
75. The European Union, noting the position taken by the majority of the Members, reluctantly accepted not to oppose the decision not to add these vessels to the IOTC IUU Vessels List, pointing out the risks created by this precedent to the sustainability of the stocks and the negative contribution to the image of the IOTC.

### *Payam*

76. The Commission considered the new information provided by Iran on the vessel *Payam* and on the actions being implemented by Iran to address the issue of IUU activities by its fleet of gillnetters.
77. The majority of the CPCs agreed that the sanctions imposed on the vessel by Mozambique (USD\$40,000 fine), as well as by Iran (suspension of license), were adequate, and that Iran was taking effective actions to address the issue.
78. In that respect, the Commission **agreed** that the *Payam* should not be added to the IOTC IUU Vessels List. However, the Commission **requested** Iran to transmit its National Legislation on the use of gillnets and submit a management plan for its gillnet fishing vessels—both should be provided to the IOTC Secretariat for circulation to CPCs within three months of the end of the 2011 Session of the Commission—focusing on how to prevent the use of gillnets longer than 2.5 km on the high seas. The Commission also **noted** that this decision should not represent a precedent, and that, if any similar case is brought before the Commission in the future, there will be a strict application of the provisions of the relevant Resolutions.

### *IUU Vessels List for 2011*

79. The Commission **adopted** the IUU Vessels List as provided in [Appendix XII](#).

### *Presumed IUU fishing activities reported by observers under the IOTC Transshipment Programme*

80. The Commission **endorsed** the recommendation from the Compliance Committee to establish a procedure for the consideration of cases of presumed IUU activities reported by observers participating in the at-sea transshipment monitoring programme.

### *Applications for Cooperating non-Contracting Party status*

81. Following the recommendations of the Compliance Committee, the Commission **granted** the status of Cooperating non-Contracting Party until the close of the Sixteenth Session in 2012 to the Maldives, Mozambique, Senegal and South Africa.
82. The Commission **expressed** its satisfaction in seeing Mozambique for the first time becoming a Cooperating non-Contracting Party and it noted Mozambique's wish to soon become a full Member of the Commission.

### *Update on progress regarding Resolution 09/01 - On the performance review follow-up*

83. The Commission **noted** the update on progress regarding Resolution 09/01 *on the Performance Review follow-up* (IOTC-2011-S15-CoC64Rev1), thanking the Compliance Committee for this information.

## **7. REPORT OF THE EIGHTH SESSION OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE (SCAF)**

84. The report of the Eighth Session of the Standing Committee on Administration and Finance (IOTC-2011-SCAF8-R) was presented by the Chair of the Committee, Mr Geoffrey Nanyaro. Delegates from 24 Members, 3 Cooperating non-Contracting Party and 7 observers attended the Session. The Commission **noted** the report and considered the following issues.

### *Comments of the Commission and consideration of the recommendations made by the Standing Committee on Administration and Finance*

85. The Commission addressed the list of recommendations made by the Standing Committee on Administration and Finance ([Appendix XIII](#)) in its 2011 report that related specifically to the Commission or concerned the work of the Secretariat. The Commission **endorsed** the list of recommendations, noting the following:

86. The Commission **agreed** to replenish the Meeting Participation Fund to its initial level of USD\$200,000, through the allocation of funds from the IOTC accumulated funds.
87. The Commission **noted** that additional information was required by the Commission on matters relating to the FAO contribution to the activities of the Commission, the FAO entitlement fund and on the possibilities of external audits of FAO funds, requesting that the Chair write to FAO to seek clarification on these various issues.
88. The Commission thanked the Secretariat for the work conducted during 2010, and **approved** the IOTC Secretariat's Programme of Work for 2011 and for 2012, and adopted the budget for the year 2011 and the indicative budget for 2012, and the scheme of contributions for the Members as listed in [Appendix XIV](#) and [Appendix XV](#) respectively.

## **8. REPORT OF THE TECHNICAL COMMITTEE ON ALLOCATION CRITERIA**

89. The report of the Technical Committee on Allocation Criteria (IOTC-2011-SS4-R), held in Nairobi from 16 to 18 February, 2011, was presented by the Chair of the Committee, Mr Rondolph Payet. Delegates from 21 Members, 1 Cooperating non-Contracting Party and 4 observers attended the session. The Commission **noted** the report and considered the following issues.
90. The Chair **recalled** that the Commission, in Resolution 10/01 adopted in March 2010 in Busan, Korea, agreed that: "*A technical committee meeting shall be held prior to the Commission Plenary session in 2011 to discuss on allocation criteria for the management of the tuna resources of the Indian Ocean and recommend an allocation quota system or any other relevant measures. CPCs are encouraged to submit proposals one month prior to the meeting.*" (para.12); and "*The Commission shall adopt an allocation quota system or any other relevant measure for the yellowfin and bigeye tunas at its plenary session in 2012.*" (para.13).
91. The Chair informed the Commission that five Members presented proposals on allocation for the consideration of the meeting, including the European Union, Indonesia, the Islamic Republic of Iran, the Republic of Korea and Seychelles.
92. The Commission **noted** that the process of establishing allocation criteria is complex and the Technical Committee was unable to complete the task in the short time available for the meeting. Nevertheless, progress was made based on the common ground in the positions expressed at the meeting, including an agreement on basic principles that could guide further developments of an approach to allocation.
93. The Commission **noted** that the overriding goal is to adopt a conservation measure that would ensure the sustainability of the resources involved, if necessary and on the basis of scientific advice, other management measures will be available to the Commission to achieve that goal, while discussions on a quota allocation system continue.
94. The Chair advised the Commission that the Technical Committee had agreed that further intersessional work is required, including convening another Technical Meeting before the IOTC Session in 2012. Parties were encouraged to conduct intersessional consultations with the goal of working towards a unique revised proposal that could be supported by all Parties. These further developments would be accompanied by examples that would facilitate the understanding of the consequences of the different formulations to all participants in the allocation process.
95. The Commission **endorsed** the request from the Technical Committee that the Secretariat prepares, for the next meeting of the Committee, a document on the availability, completeness and quality of catch data for all fleets in IOTC database.
96. The Commission **noted** the information supplied by the Secretariat on alternative conservation and management measures implemented in other tuna RFMOs, as requested by the Technical Committee.

97. The Commission **accepted** the generous offer by the Maldives to host the next meeting of the Technical Committee in January 2012.

*Comments of the Commission and consideration of the recommendations made by the Technical Committee on Allocation Criteria*

98. The Commission addressed the guiding principles for a possible allocation process agreed to by the Technical Committee on Allocation Criteria ([Appendix XVI](#)) in its 2011 report. The Commission **endorsed** the guiding principles, noting the following.
99. The Commission **noted** that the implementation of a quota system will rely on the capacity of each CPC to estimate catches, close to real-time and as accurately as possible, for the species and fisheries concerned.
100. In this regard, the Commission **encouraged** CPCs to work towards streamlining their statistical systems to make sure that estimates of catches as per the required resolution and time frame can be produced in the near future.
101. The Commission **invited** CPCs to work with the Secretariat to achieve these objectives, where required.
102. The Commission **noted** that the implementation of a quota system may take several years, and the Commission may need to consider alternative management measures until such a time that a quota system is in place. In this regard, the Commission **recalled** that paragraph 13 of IOTC Resolution 10/01 states that “*The Commission shall adopt an allocation quota system or any other relevant measure for the yellowfin and bigeye tunas at its plenary session in 2012*”.
103. The Commission **agreed** that the Technical Committee on Allocation Criteria while devoting most of its efforts to develop a mechanism for quota allocation shall also consider appropriate alternative management measures. In this regard the Commission stressed the need for all IOTC CPCs to work intersessionally towards achieving this objective as soon as possible.
104. The Commission **noted** paper IOTC–2011–S15–05 outlining the recommendations of the Indian Ocean Marine Affairs Cooperation (IOMAC).
105. The Commission **requests** that the Scientific Committee provide advice to the Commission that adds to the information currently available or already requested of the Scientific Committee regarding the take of juvenile yellowfin tuna, bigeye tuna and other species, and on alternative management measures, including an assessment of the impact of current purse seine activities, including the size/fishing capacity (and gear types i.e. mesh size etc.) of vessels, and the potential implications that may arise for tuna and tuna-like species. Such advice should include options for capping purse seine effort and use in conjunction with drifting FADs in the Indian Ocean.

## 9. CONSERVATION AND MANAGEMENT MEASURES

106. The Commission **noted** a point of order concerning the late presentation of most of the proposals submitted to the Commission for the present Session. It was recalled that Rule IV para.3 of the IOTC Rules of Procedure states that “*The Secretary shall send a provisional agenda with comments, including any proposal by members, not less than thirty days before the session*”. In addition, it was recalled that the Commission in 2008 reiterated the need for Members to submit all management proposals at least 30 days prior to the Commission meeting (IOTC–2008–S12–R; para.60). The Commission **noted** that 10 out of the 14 management proposals before the Commission were not submitted on time, while noting that a proposal to amend the Resolution *on establishing a program for transshipment by large-scale fishing vessels* was based on the discussion held during the Eighth Session of the Compliance Committee.
107. The Commission acknowledged the exceptional circumstances as outlined by the concerned CPCs and **agreed** to consider all management proposals before it for the current Session.
108. The Commission **agreed** that Members shall make every possible effort to present management proposals according to the agreed timeline, in order to allow all CPCs sufficient time for internal

consultations with the institutions that would be responsible for implementing the proposed measures.

109. The Commission **agreed** that the 30 day rule shall be strictly applied for all future Sessions. Specifically, no proposals shall be accepted by the Secretariat for the Commissions consideration, if received after the 30 day deadline.

#### **Proposals for Conservation and Management Measures adopted by the Commission**

110. The Commission considered and **adopted** six proposals as conservation and management measures:

##### ***Development of a Compendium of Resolutions and Recommendations***

111. The Commission **adopted** Resolution 11/01 on the *Development of a Compendium of Resolutions and Recommendations* ([Appendix XVII](#)). This Resolution recognises the desirability of improving the coherence and accessibility of its recommendations and resolutions. Noting that the complexity of this work may have many implications, such as those of a legal, procedural or practical nature, the Resolution creates a Working Group that would guide the development of a Compendium of IOTC Resolutions and Recommendations.

##### ***On the Prohibition of Fishing on Data Buoys***

112. The Commission **adopted** Resolution 11/02 *On the Prohibition of Fishing on Data Buoys* ([Appendix XVII](#)). This Resolution prohibits fishing vessels from setting gear on or near, or interacting with data buoys in any manner other than to untangle fishing gear that has accidentally become entangled with data buoys. In adopting this resolution, Japan clarified its position that it would not block the adoption of the resolution, but a question remained as to whether IOTC could adopt such a resolution in a legally binding manner.

##### ***On Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing in the IOTC Area of Competence***

113. The Commission **adopted** Resolution 11/03 *On Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing in the IOTC Area of Competence* ([Appendix XVII](#)). This Resolution introduced amendments to Resolution 09/03 *On Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unreported Fishing in the IOTC Area*, by including an option to add vessels to the IOTC IUU Vessels List during the intersessional period of the IOTC.

##### ***On a Regional Observer Scheme***

114. The Commission **adopted** Resolution 11/04 *On a Regional Observer Scheme* ([Appendix XVII](#)). This Resolution introduced amendments to Resolution 10/04 *On a Regional Observer Scheme* to extend the period for providing observer trip reports to the Secretariat from 90 to 150 days.

##### ***On Establishing a Programme for Transshipment by Large-Scale Fishing Vessels***

115. The Commission **adopted** Resolution 11/05 *On Establishing a Programme for Transshipment by Large-Scale Fishing Vessels* ([Appendix XVII](#)). This Resolution introduced amendments to Resolution 08/02 *On Establishing a Programme for Transshipment by Large-scale Fishing Vessels*, by establishing a procedure for the consideration of cases of presumed IUU activities reported by observers participating in the IOTC at-sea Transshipment Programme.

#### **Proposals for Conservation and Management Measures endorsed as a Recommendation by the Commission**

##### ***Concerning the Recording of Catch by Fishing Vessels in the IOTC area of Competence***

116. The Commission **adopted** Recommendation 11/06 *Concerning the Recording of Catch by Fishing Vessels in the IOTC Area of Competence* ([Appendix XVII](#)). This Recommendation consolidates Resolution 08/04 *Concerning the Recording of Catch by Longline Fishing Vessels in the IOTC Area* and Resolution 10/03 *Concerning the Record of Catch by Fishing Vessels in*

*the IOTC Area*, but does not supersede them, as well as setting agreed minimum standards for data requirements for all pole-and-line and gillnet 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 CPCs. Some CPCs indicated that they would not be in a position to implement the proposal.

**Proposals for Conservation and Management Measures not endorsed by the Commission**

117. The Commission considered the following proposals as conservation and management measures, but consensus could not be reached:

***On a Catch Documentation Scheme***

118. The Commission considered a proposal *on a catch documentation scheme* (IOTC–2011–S15–PropA add1), but no consensus could be reached. The proposal aimed to support the implementation of the IOTC Conservation and Management Measures by providing a scheme to identify the origin of tunas and tuna-like species and other species of fish taken by vessels fishing for tunas and tuna-like species within the IOTC area of competence.

***On a Catch Documentation Programme***

119. The Commission considered a proposal on a *catch documentation programme* for tropical tuna (IOTC–2011–S15–PropF add1), but no consensus could be reached. Several Members noted that this proposed programme was different from the programme that they have recently implemented to comply with the EU–IUU regulations (notably Council Regulation (EC) No. 1005/2008), and applying only to the three tropical tuna species, therefore creating difficulties and confusion in the CPCs currently exporting fish to the EU market. Some Members expressed their interest in discussing an IOTC Catch Documentation Scheme draft Resolution modelled in the EU IUU regulation and certification, considering their familiarity with this system. The EU will likely propose in 2012 a draft Resolution along these lines, including a section addressing the concerns expressed for artisanal fisheries.

***For the Conservation and Management of Swordfish in the IOTC Area of Competence***

120. The Commission considered a proposal *for the conservation and management of swordfish in the IOTC area of competence* (IOTC–2011–S15–PropH rev1), but no consensus could be reached. This proposal aimed to establish for all vessels over 24 meters length, and under 24 meters if they fish outside their EEZ, either a closure of a defined area, from 1<sup>st</sup> August to 1<sup>st</sup> September, or a reduction in fishing effort by 30% in relation to active capacity expressed in vessel numbers deployed in 2009 from 1<sup>st</sup> July to 30 September each year in the whole of the IOTC area of competence. The proposed closure area was defined by the following coordinates: 25°–35° South and 30°–55° East. CPCs agreed that greater representation at the Working Party on Billfish, especially by the main fleets targeting swordfish such as the Spanish longline fleet, should attend the next meeting to ensure the most complete data sets are available for analysis.

***On the Conservation of Oceanic Whitetip Shark Caught in Association with Fisheries in the IOTC Area of Competence***

121. The Commission considered a proposal *on the conservation of Oceanic Whitetip shark caught in association with fisheries in the IOTC area of competence* (IOTC–2011–S15–PropI), but no consensus could be reached. The proposal aimed to prohibit the retention onboard, transshipment, landing, storing, selling or offering for sale any part or whole carcass of oceanic whitetip sharks in any fishery. The proposal also called for CPCs to record through their observer programs the number of discards and releases of oceanic whitetip sharks with indication of status (dead or alive) and report it to the IOTC.

***On the Conservation of Hammerhead Sharks (Family Sphyrnidae) Caught in Association with Fisheries in the IOTC Area of Competence***

122. The Commission considered a proposal *on the conservation of Hammerhead Sharks caught in association with fisheries in the IOTC area of competence* (IOTC–2011–S15–PropJ rev1), but no

consensus could be reached. This proposal aimed to prohibit the retention onboard, transshipment, landing, storing, selling or offering for sale any part or whole carcass of hammerhead sharks, taken in the IOTC area of competence. The proposal also called for CPCs to release, to the extent possible, any hammerhead sharks when brought alongside the vessel. Some coastal states could not agree to the proposal given the high artisanal catches of these shark species.

***Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by IOTC***

123. The Commission considered a proposal *on the conservation of shark caught in association with fisheries managed by IOTC* (IOTC–2011–S15–PropL), but no consensus could be reached. The proposal included a ban on the use of wire trace. Several Members noted that this proposal which called for fins to be landed attached, either naturally or by other means, was not operationally feasible at this point in time and that no scientific justification for the ban on wire trace was provided to the Fifteenth Session of the Commission.

## **10. PROGRESS IN IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PERFORMANCE REVIEW PANEL**

124. The Secretariat presented document IOTC–2011–S15–06 which outlined the current status of implementation for each of the recommendations arising from the report of the Performance Review Panel, provided at [Appendix XVIII](#).
125. The Commission made several changes to the document before **agreeing** that the Secretariat and Chair of each of the three Committee's should further develop the status table by including a work plan with proposed timelines and priorities. The Secretariat was tasked with ensuring the revised table is provided to the respective Committee's in advance of their next Sessions, in accordance with the rules of procedure.
126. The Commission **agreed** that each of the Committee's should carry out a comprehensive evaluation of the status and priority of each of the recommendations from the Performance Review, and for a revised document to be provided to the Commission at its next Session.

## **11. ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSON OF THE COMMISSION FOR THE NEXT BIENNIUM**

127. The Commission thanked the Chair, Mr Rondolph Payet for his Chairmanship over the two past biennia.
128. The Commission considered candidates for the positions of Chair and Vice-Chair of the Commission. Mr Daroomalingum Mauree, from Mauritius, was nominated and **elected** as Chair, and Ms Anna Willock from Australia and Mr Shingo Ota, from Japan, were nominated and **elected** as Vice-Chairs of the Commission.

## **12. ANY OTHER MATTERS**

***Process for the appointment of the Executive Secretary***

129. The Commission **noted** that the term of the current Executive Secretary is due to end in March 2013. The Secretariat presented paper IOTC–2011–S15–09, outlining the process for the appointment of the Executive Secretary to the Commission as outlined in both the IOTC Rules of Procedure, and the revised procedure and terms of reference agreed to by the Commission at its Seventh Session, held in Victoria, Seychelles, 2–6 December 2002.
130. The Commission **adopted** the Terms of Reference and rules of procedure for selecting and appointing a new Executive Secretary at the Commission meeting in 2012, for commencement in 2013, provided at [Appendix XIX](#).

*Piracy at sea*

131. The Commission **recognized** the severe impact of piracy acts on humanitarian, commercial and fishing vessels off the coast of Somalia and noted that the range of the attacks extended towards almost all of the western Indian Ocean, notably toward Kenya and Seychelles, with attacks being reported in their respective EEZ.
132. The Commission therefore **agreed** to issue a new Statement on the issue of piracy ([Appendix XX](#)), calling once again on the international community to give all its support to ensure the safety of all fishing vessels and their crew in the region from acts of piracy.

**13. DATE AND PLACE OF THE FOURTEENTH SESSION OF THE SCIENTIFIC COMMITTEE AND THE SIXTEENTH SESSION OF THE COMMISSION**

133. The Commission was unanimous in its thanks to Sri Lanka for hosting the Fifteenth Session of the Commission and commended Sri Lanka on the warm welcome, the excellent facilities and assistance provided to the Secretariat in the organization and running of the Session.
134. The Commission **agreed** that the Fourteenth Session of the Scientific Committee will take place in early December 2011 in the Seychelles.
135. Following an invitation from Australia to host the Sixteenth Session of the Commission, it was **agreed** to organize the next Session in Fremantle, Western Australia, in 2012. The exact dates and meeting location will be confirmed and communicated by the Secretariat at a later date.

**14. ADOPTION OF THE REPORT**

136. The report of the Fifteenth Session of the Indian Ocean Tuna Commission was **adopted** on the 21 April 2011.

## APPENDIX I LIST OF PARTICIPANTS

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**APPENDIX II**  
**OPENING ADDRESS BY DR DAMITHA DE ZOYSA, SECRETARY, MINISTRY OF FISHERIES AND AQUATIC RESOURCES DEVELOPMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

Hon. (Prof.) G L Peiris, Minister of External Affairs  
Hon. (Dr.) Rajitha Senaratne, Minister of Fisheries and Aquatic Resources Development  
Hon. Basil Rajapakse, Minister of Economic Development  
Hon. Susantha PUNCHINILAME, Deputy Minister of Fisheries and Aquatic Resources Development  
Mr Alijandro Anganuzi, Secretary General IOTC  
Distinguished delegates from IOTC member countries  
Honoured Guests, Ladies and Gentlemen

I am extremely happy to associate myself with this meeting and wish to thank my cabinet colleague, Dr Rajitha Senaratne, Minister of Fisheries and Aquatic Resources Development, for inviting me to officiate this 15<sup>th</sup> Session of the IOTC, hosted by Sri Lanka for the first time. In fact, we would not have been able to have a meeting of this magnitude, if not for the excellent leadership given by His Excellency the President, who himself was once Minister of Fisheries.

As an island nation we are blessed with vast expanse of sea around our country rich in fish stocks. Our people have sailed the oceans for trade for centuries, and have fished the oceanic waters around us for thousands of years. Our sister maritime nations too possess similar history, background and experience in this field as Sri Lanka does. In this context, I think this is a very important, crucial meeting for Sri Lanka, and for all maritime nations in the region, as it is focused towards sustaining a valuable marine resource, namely tuna, which accounts for nearly US\$ 9 billion annual global trade, for posterity and for our future generations.

Under the leadership of our President and his vision “Mahinda Chintana”, the entire country is making steady progress. You can witness it yourself if you travel to remote areas of the country, especially the North and the East. In fact, North and East which accounts for more than half of the country’s coast line were key areas of fish production till the 70s, producing about half of country’s fish output. We witnessed a drastic drop in production from these areas as a result of the unsettled conditions over the last three decades with much loss of income and livelihood to the people in these areas. Our government is now doing all what it could to redevelop these areas through improved infrastructure and restoring the agriculture and fishery sectors to former glory that they enjoyed and beyond.

Tuna industry has developed globally since the 70s. Fleets have expanded at a rapid rate and have become very efficient due to technological developments. In contrast, even today, our fleets are of humble nature. Our catching sector largely consists of small ‘clusters’ of artisanal fleets, totaling around 3,150 ‘Multi day’ boats generally based in rural locations with often inadequate infrastructure and processing facilities. We have a bounden duty towards our people to ensure that they benefit from the seas around us. At present, per capita intake of seafood in Sri Lanka is only around 31gms per day and we hope to see that figure doubling to 60gms by 2013. Therefore, there is a great need for increased catching capacity mainly to make available greater volume of seafood to our population. To achieve this we have to increase our fish production to 686,000 metric tonnes by 2013 from the present level of approximately 485,000 tonnes per annum, an ambitious plan indeed. While pursuing this target we have to be mindful of issues such as sustainability, traceability and regulations. They all must be addressed first.

The very high level of participation at this 15<sup>th</sup> session of the Commission meeting, with almost 250 delegates and observers from over 35 countries, shows the importance the Member countries and associates attached to the meeting. I have no doubt that, during the five days of meeting sessions all the current issues related to tuna resource management in the Indian Ocean will be addressed in an efficient and fair manner primarily with the a view to enriching the food security, or rather “fish security” of our populations and safeguarding our tuna resources for the posterity. I wish the meeting all success and our friends from overseas a pleasant and enjoyable stay in Sri Lanka and in this historic capital city of the country. Thank you.

### **APPENDIX III**

## **OPENING ADDRESS OF MR ANGANUZZI, EXECUTIVE SECRETARY OF THE INDIAN OCEAN TUNA COMMISSION**

Hon. Prime Minister of the Democratic Socialist Republic of Sri Lanka, Mr D M Jayaratne  
Hon. Minister for Fisheries and Aquatic Resources Development, Rajitha Senaratne  
Hon. Minister of External Affairs, (Prof) G L Peiris  
Hon. Minister of Economic Development, Basil Rajapakse  
Hon. Deputy Minister of Fisheries and Aquatic Resources Development, Susantha Punchinilame  
Deputy Minister of Fisheries Comoros  
Secretary, Ministry of Fisheries and Aquatic Resources Development, Dr Damitha de Zoysa  
Mr Rondolph Payet, Chairman of IOTC  
Distinguished Guests, Ladies and gentlemen

This a special occasion for me, that marks my return to the place where, fifteen years ago, I had the privilege to work towards bringing into existence the Indian Ocean Tuna Commission. The almost two years that I spent in Sri Lanka, were marked by difficult moments, but also very special memories that will remain forever with my family. Today, I have the pleasure to see a Sri Lanka, that is leaving behind the dark hours of the war, and looks at the future with hope.

Tuna fisheries will play an important role in securing a better future not only for Sri Lanka, but also for other countries in the region. For this reason, as observers of this process from its beginning, it is with satisfaction that we see the increasing engagement from the countries of the region in the IOTC process. This has been clear as during the recent Technical Workshop on Allocation Criteria where there was a lively and constructive debate on the most difficult issue facing an RFMO.

The Indian Ocean Tuna Commission is unique amongst tuna RFMOs, for its diversity of cultures, economic situations and development aspirations. It has the highest proportion of catches for the main species coming from artisanal fisheries, and, on the other hand, a large proportion of the catches come from areas beyond national jurisdiction. This diversity of experiences creates challenges that require a clear understanding and a constructive debate between all stakeholders. If that does not happen, a way forward will be difficult to find, and the IOTC process itself will be at risk with negative consequences for all.

From the point of view of the Secretariat, this has been yet another year of intense work, in its customary role of facilitator of the work of the IOTC Members. More so than ever as the previous Session of the Commission resulted in a number of new initiatives that have re-energized the Commission's activities. The work of the Secretariat has extended beyond the traditional scientific support, as we continue to work with Member states and other regional initiatives to promote better compliance. The Secretariat has provided services to Member States, especially developing coastal States, to assist in improving the level of compliance of all parties, and to promote a better understanding of the requirements for an effective participation in the IOTC process. In what we hope will constitute a model for future assistance, we have worked closely with officials from coastal Member States providing constant feedback on a range of issues from technical support on implementation issues to advice on legal and institutional frameworks. But, maintaining sustainability of the tuna fisheries requires more than sound scientific advice and effective compliance.

Numerous challenges are ahead for Members and the Secretariat, from the renewed threat of piracy to the dangers of misinformation in the markets about the condition of the stocks. As usual, we will be at the service of the Members, with the hope of bringing a modest contribution to a process that we believe in, a process that aims at achieving a sustainable utilization of resources and the protection of the ecosystems.

In closing, I would like to express my gratitude to the staff of the local organizing committee who has worked long hours to ensure the success of this meeting. This has been already a long week, and their efforts have been much appreciated. Let us hope that we can enjoy another week of constructive work.

Thank you very much.

## **APPENDIX IV**

### **OPENING ADDRESS OF MR PAYET, CHAIRPERSON OF THE INDIAN OCEAN TUNA COMMISSION**

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Hon. Minister for Fisheries, Rajitha Senaratne  
Hon. (Prof) G L Peiris, Honorable Minister of External Affairs  
Hon. Basil Rajapakse, Minister of Economic Development  
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Mr Alejandro Anganuzzi, Executive Secretary of IOTC  
All Protocols observed  
Distinguished Guests  
Distinguished Representatives of Members  
Invited observers  
Ladies and gentlemen

Let me wish you all a very good morning and welcome to Colombo, Republic of Sri Lanka for the 15<sup>th</sup> Session of the Indian Tuna Ocean Commission, despite of most of you have been here since the last few days for the Compliance Committee, which I understand was very momentous.

On your behalf, I would like to express our deepest thanks to the Government of the Republic of Sri Lanka for the kind hosting of this Commission meeting. The Government of Sri Lanka has provided us, in this exquisite location and by the sea, excellent facilities for us to do our work. I'm happy to note the presence of almost all of our members that have gathered here to take stock of progress and discuss the future management of this common and shared resource.

It is therefore a great honour for me to be addressing you today on the occasion of the opening of the 15<sup>th</sup> Session of the IOTC. It is in fact my last session as your Chair and I would like to take this opportunity to extend to all of you my deepest appreciation and hopefully for the past sessions I have served you in an even-handed manner. I shall endeavour to offer same during this session.

This 15<sup>th</sup> Session of the Indian Ocean Tuna Commission is again taking place against the backdrop of a series of international and regional fisheries concerns. This is reflected in the need for us to seriously look at compliance, stock management issues and improving the efficiency of the organisation.

In this regard, we should not in the game of finger pointing but to work as a team to address the issues facing the stocks of the Indian Ocean. Moreover members of this Commission must take their responsibility seriously – this Commission is as good as its members. We may not be able to change what others have done, but we can certainly change ourselves, focus on the future so that we bring change. Each one of these sectors be it industrial or artisanal have huge role to play in management of the tuna stocks and should be given equal attention, and neither of them should be overlooked or given a carte blanche. In fact both sectors approximately harvest 50 % of the tuna resources. There is Chinese's saying that goes follows: The best time to plant a tree was 20 years ago. The next best time is now. Let us not lose this opportunity to make a difference in future of our children in working together as one team despite our differences.

On the aspirations of coastal states we have to be careful that we are not over zealous on how far we expand these fisheries despite being legitimate. What I would like to see is that as the coastal countries fisheries grow, the distant water fishing nations should provide the development space through a fleet reduction programme. Even then, this is not carte blanche for coastal states to exponentially increase fishing capacity beyond the limits of the stocks as laid down by the Scientific Committee.

This commission should look at ways to facilitate this development due to the transboundary nature of these stocks as now there are clearly more players at the table, and I would call on the distant water fishing nations to be considerate towards these aspirations.

On other matters, as some of you may recall, the Performance Review of the IOTC looked at number of areas where improvements may be required. It notes the IOTC Agreement is out-dated, as it does not take account of modern principles for fisheries management. The absence of concepts such as the precautionary approach and an ecosystem based approach to fisheries management are considered to be major weaknesses. The limitation on participation to this RFMO, deriving from IOTC's legal status as an Article XIV of the FAO body, conflicts with provisions of United Nations Fish Stocks Agreement (UNFSA) and prevents major fishing players in the Indian Ocean from discharging their obligations to cooperate in the work of the Commission. It has been more than two years since this was discussed and I believe it should be revisited to discuss a way forward.

The Performance Review also considered the poor participation of coastal states in IOTC meetings and this was addressed through a special fund to assist countries to participate and contribute to the IOTC process. Equally we have reinforced the compliance committee so that it has more time to deliberate on the issues. My view of compliance is that countries should be taken to task and they should indicate clearly improvements rather than business as usual. This commission should not entertain mediocrity. If there are areas that assistance are required, this Commission, through its secretariat, should facilitate assistance to the countries in meeting these goals. Business as usual should no longer be our target.

Ladies and Gentlemen we have a very difficult task ahead of us. We need to take decisions consistent with the advice of the Scientific Committee. Furthermore, as a Commission we need to make a difference and ensure we take decisions in support of sustainable use, conservation and management of the Indian Ocean tuna resources. We have started the process to establish a quota system. I would urge this Commission not to abandon this process. It will certainly take longer than anticipated and a painful journey but the rewards are high.

I would like to welcome the NGO's, which have a keen interest in this organisation, also need to play a greater role in ensuring the effectiveness of this organisation. I would also like to call upon all partners to join hands with us in assisting the coastal states in the Indian Ocean to meet their obligations under this organisation. It is no longer good enough to sit on the wall and criticise. That said, I would however like to thank those who are already contributing significantly to the process of the IOTC.

Finally let me thank Mr. Alejandro Anganuzzi and all his staff for past year's work, which is commendable. I would also like to take this opportunity to officially welcome on board our new Deputy Executive Secretary, Dr. David Wilson.

I look forward to working with all of you in an evenhanded and fair manner to achieve the desired results. I hope you can count on me to guide you to achieve these results.

Last but not least I would like on your behalf to extend our deepest sympathy to people of Japan following the devastating earthquake that hit the North – East of Japan the triggered a massive tsunami with waves over 3 meters which resulted in loss of lives and material damage.

Our hearts go out to the entire Japanese community especially to the families of those who have lost their lives. You are in our prayers and we stand by you as you go through this difficult period. I propose we keep a minute of silence in recognition of tragedy in Japan.

Thank you and enjoy yourself in enchanting Colombo. We cannot be in any better location to do our work.

**APPENDIX V**  
**OPENING ADDRESS BY THE HONOURABLE DR RAJITHA SENARATNE,**  
**MINISTER OF FISHERIES AND AQUATIC RESOURCES DEVELOPMENT OF THE**  
**DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

Hon. D M Jaratne, Prime Minister of the Democratic Socialist Republic of Sri Lanka  
Hon. (Prof) G L Peiris, Honorable Minister of External Affairs  
Hon. Basil Rajapakse, Minister of Economic Development  
Hon. Susantha Punchinilame, Deputy Minister of Fisheries and Aquatic Resources Development  
Dr Damitha de Zoysa, Secretary, Ministry of Fisheries and Aquatic Resources Development  
Mr Alejandro Anganuzzi, Secretary General IOTC  
Excellencies (IOTC Member countries)  
Invited Guests  
Ladies and Gentlemen

It gives me great pleasure to associate myself with this 15<sup>th</sup> Session of the Indian Ocean Tuna Commission or the IOTC. I am very happy to note the presence of nearly 250 delegates and observers from nearly 35 countries with us this morning. This shows the importance the countries attach to this meeting and their tuna resources.

From time immemorial, nations sitting in or bordering the Indian Ocean region have treated our marine resources with respect, taking what we need and not more from the vast sea areas we are endowed with. Most in the region were sea faring nations and they had the ability to fish to cater for their needs.

However, things changed with population growth, industrialization, technological developments and the growth of market economies. Technological developments in fishing in the 60s and 70s gave rise to “killing machines” which were able to hunt fish with much speed and efficiency in any ocean, taking thousands of tons in one run and doing many such runs in a month. I have been told that even now much improved so called Super Seinners are being designed and built in many parts of the world to hunt the already depleted fish stocks in our oceans. When we consider the fact that more than 75% of the marine stocks are over fished and another 12% are fully utilized as per the Food and Agriculture Organization, it is difficult to fathom the gluttonous behavior of some of our friends in the fishing industry.

In contrast, even today, our fleets are of more humble in nature. Our catching sector largely consisting of small ‘clusters’ of artisanal fleets, totaling around 3,150 ‘Multi day’ boats, generally based in rural locations with often unsuitable infrastructure and processing facilities. We have a bounden duty towards our people to ensure that they benefit from the seas around us. At present, per capita intake of seafood in Sri Lanka is only around 31gms per day and we hope to see that figure double to 60gms by 2013. Therefore, the need for increased catching capacity is mainly to make available greater volume of seafood to our population. To achieve this we have to increase our fish production to 686,000 metric tonnes by 2013 from the present level of close to 400,000 tonnes, an ambitious plan indeed, while mindful of issues such as sustainability, traceability and regulation must all first be addressed.

We are a nation in a hurry. The country has lost years of development and billions of dollars as a result of decades of terrorism. Our population is trying to rise as one nation putting aside pet differences. Under the leadership of our President and his vision “Mahinda Chintana”, the entire country is making steady progress. You can witness it yourself if you travel to remote areas of the country, especially the North East. In fact, North and East which accounts for more than half of the country’s coast line were key areas of fish production in the 70s, producing about half of country’s fish production. We witnessed a drastic drop in production from these areas as a result of the unsettled conditions in these areas over the last three decades with much loss of income and livelihood to the people in these areas. Our government is now doing all what it can redevelop these areas through improved infrastructure and reestablishing the agricultural and fisheries sectors to former glory or even a higher pedestal.

However, we have problems and hurdles to overcome. The recession in the developed world has affected very much. We have lost tens of thousands of jobs as a result of losing EU GSP status. However, we have no qualms about these and we have adjusted our marketing strategies to absorb these unexpected shocks and to minimize the negative effects on our people. Many of our exporting companies have gone bankrupt. In spite of all these odds, if we were to develop our nation, we need catch up growth in all sectors of the economy, very much so in the fisheries sector, country's third most important contributor to economic growth, second only to agriculture and tourism.

WE are living in an era of uncertainties. In spite of technological developments in food production, gone are the days of unchallenged food security. A few decades ago when some scientists predicted future "food wars" nobody took their statements seriously. There were also predictions of "water Wars" in times to come. I read somewhere that a Canadian scientists has predicted that there will be no room for commercial marine fisheries by 2050!

Looking at the rapid rate of degradation and destruction in the environment around us and the apparent depletion of marine fish resources the urgency of some solid plan of action cannot be overestimated. In this context this meeting is much relevance to us in the Indian Ocean zone, which holds a much cherished tuna resource, only second to the Western and Central Pacific by volume, but qualitatively I believe, even richer. I have no doubt five days of meeting sessions will address all the current issues related to tuna resource management in the Indian Ocean in an efficient, fair manner primarily with the a view to enriching the food security, or rather "fish security" of our populations and safeguarding our tuna resources for posterity. I wish the meeting all the success and our friends from overseas a pleasant, enjoyable stay in Sri Lanka and in this historic capital city of the country.

Thank you.

## **APPENDIX VI**

### **AGENDA OF THE FIFTEENTH SESSION OF THE INDIAN OCEAN TUNA COMMISSION**

- 1. Opening of the Session**
- 2. Adoption of the agenda and arrangements for the Session** (IOTC–2011–S15–01rev2)
- 3. Admission of observers**
- 4. Update on the Kobe process**
- 5. Report of the 13<sup>th</sup> Session of the Scientific Committee** (IOTC–2010–SC–R)
- 6. Report of the Compliance Committee** (IOTC–2011–CoC8–R)
- 7. Report of the Standing Committee on Administration and Finance** (IOTC–2011–SCAF8–R)
- 8. Report of the Technical Committee on Allocation Criteria** (IOTC–2011–SS4–R)
  - IOMAC Recommendations (IOTC–2011–S15–05)
  - Information on management options for tuna and tuna-like species adopted in other tropical tuna RFMOS (IOTC–2011–S15–Inf01)
- 9. Conservation and Management Measures**
  - PropA On a Catch Documentation Scheme (Submitted by Japan)
  - PropB On a Regional Observer Scheme (Submitted by Japan)
  - PropC On the Prohibition of Fishing on Data Buoys (Submitted by Belize)
  - PropD concerning the Recording of Catch and Effort Data by Pole-and-Line fishing vessels in the IOTC Area of competence. (Submitted by the EU)
  - PropE concerning the Recording of Catch and Effort Data by Gillnet fishing vessels in the IOTC Area of competence. (Submitted by the EU)
  - PropF On an IOTC tropical tunas – yellowfin, bigeye and skipjack -catch Documentation Programme. (Submitted by the EU)
  - PropG On the Recording of Catch by Longline Fishing Vessels in the IOTC Area of Competence. (Submitted by the EU)
  - PropH For the Conservation and Management of Swordfish in the IOTC Area of competence. (Submitted by the EU)
  - PropI On the Conservation of Oceanic Whitetip Shark caught in Association with fisheries in the IOTC Area of competence. (Submitted by the EU)
  - PropJ On the Conservation of Hammerhead Sharks (family Sphyrnidae) caught in Association with fisheries in the IOTC Area of Competence. (Submitted by the EU)
  - PropK On establishing a List of Vessels presumed to have carried out Illegal, Unregulated and Unreported fishing in the IOTC area of competence. (Submitted by the EU)
  - PropL Concerning the conservation of sharks caught in association with fisheries managed by IOTC. (Submitted by Australia)
  - PropM On the recording of catch by fishing vessels in the IOTC Area of competence. (Submitted by Australia)
  - PropN On establishing a programme for transshipment by large-scale fishing vessels. (Submitted by Japan)
- 10. Progress in implementation of the recommendations of the Performance Review Panel** (IOTC–2011–S15–06)
- 11. Election of the Chairperson and vice-Chairperson of the Commission for the next biennium**
- 12. Any other matters**
  - Proposal for a Statement of IOTC on piracy in the western part of the IOTC area of competence (IOTC–2011–S15–04)
  - Process for the election of the Executive Secretary

**13. Date and Place of the 14<sup>th</sup> Session of the Scientific Committee and the 16<sup>th</sup> Session of the Commission**

**14. Adoption of the report**

## APPENDIX VII

### LIST OF DOCUMENTS / LISTE DES DOCUMENTS

Reference / Référence	Title / Titre
<i>Session</i>	
IOTC-2011-S15-01rev2	[E] Draft agenda of the Commission – 15 <sup>th</sup> Session [F] Ordre du jour provisoire de la Commission – 15e Session
IOTC-2011-S15-02	[E + F] List of documents / Liste des documents
IOTC-2011-S15-03	[E + F] List of participants / Liste des participants
IOTC-2011-S15-04	[E] Proposal for a Statement of IOTC on piracy in the western part of the IOTC area of competence [F] Proposition de déclaration de la CTOI sur la piraterie dans la zone de compétence de la CTOI.
IOTC-2010-SC13-R	[E] Report of the Thirteenth Session of the Scientific Committee [F] Rapport de la Treizième Session du Comité Scientifique
IOTC-2011-CoC8-R	[E] Report of the Eighth Session of the Compliance Committee [F] Rapport de la huitième Session du Comité d'Application
IOTC-2011-SCAF8-R	[E] Report of the Eighth Session of the Standing Committee on Administration and Finance [F] Rapport de la huitième Session du Comité Permanent d'Administration et des Finances
IOTC-2011-SS4-R	[E] Report of the Technical Committee on Allocation Criteria [F] Rapport du Comité Technique sur les Critères d'Allocation
IOTC-2011-S15-05	[E] IOMAC recommendations [F] Recommandations IOMAC
IOTC-2011-S15-06	[E] Update on progress regarding Resolution 2009/01 <i>on the performance review follow-up</i> [F] Informations sur les progrès concernant la résolution 09/01 - <i>sur les suites à donner à l'évaluation des performances</i>
IOTC-2011-S15-07	[E] Additional information from Sri Lanka on the IOTC IUU provisional list [F] Informations complémentaires du Sri Lanka concernant la Proposition de Liste INN de la CTOI
IOTC-2011-S15-08	[E] Additional information from IR of Iran on the IOTC IUU provisional list [F] Informations complémentaires de la R.I. d'Iran concernant la Proposition de Liste INN de la CTOI
IOTC-2011-S15-09	[E] Extracts of the IOTC rules of procedure regarding the appointment of the Executive Secretary. [F] Extraits du règlement intérieur de la CTOI concernant la nomination du Secrétaire Exécutif.
IOTC-2011-S15-10	[E] Review compendium resolutions [F] Élaboration d'un recueil des résolutions et recommandations de la CTOI
IOTC-2011-S15-11	[E] Certificate of sale Lingsar 08 (Indonesia) [F] Certificat de vente du Lingsar 08 (indonésie)
IOTC-2011-S15-Inf01	[E] Information on management options for tuna and tuna-like species adopted in other tropical tuna RFMOS [F] Informations sur les options de gestion des thons et des espèces apparentées adoptées par d'autres ORGP-thons
IOTC-2011-S15-Inf02	[E] Fleet Development Plan Maldives
IOTC-2011-S15-Inf03	[E] Fleet Development Plan Iran

Reference / Référence	Title / Titre
<b>Conservation and Management Measure Proposals / Propositions de mesures de conservation et de gestion</b>	
IOTC-2011-S15-PropA & Add1	[E] On a Catch Documentation Scheme (Submitted by Japan) [F] Sur un Programme de Documentation des Captures (Soumis par le Japon)
IOTC-2011-S15-PropB, rev1	[E] On a Regional Observer Scheme (Submitted by Japan) [F] Sur un Programme Régional d'Observateurs (Soumis par le Japon)
IOTC-2011-S15-PropC	[E] On the Prohibition of Fishing on Data Buoys (Submitted by Belize) [F] Sur l'interdiction de la pêche sur les bouées océanographiques (Soumis par Belize)
IOTC-2011-S15-PropD	[E] concerning the Recording of Catch and Effort Data by Pole-and-Line fishing vessels in the IOTC Area of competence. (Submitted by the EU) [F] Concernant l'enregistrement des données des prises et effort par les canneurs dans la zone de compétence de la CTOI. (Soumis par l'UE)
IOTC-2011-S15-PropE	[E] concerning the Recording of Catch and Effort Data by Gillnet fishing vessels in the IOTC Area of competence. (Submitted by the EU) [F] Concernant l'enregistrement des données des prises et effort par les fileyeurs dans la zone de compétence de la CTOI. (Soumis par l'UE)
IOTC-2011-S15-PropF	[E] On an IOTC tropical tunas – yellowfin, bigeye and skipjack –catch Documentation Programme. (Submitted by the EU) [F] Concernant un programme CTOI de documentation des captures de thons tropicaux –albacore, patudo et listao. (Soumis par l'UE)
IOTC-2011-S15-PropG	[E] On the Recording of Catch by Longline Fishing Vessels in the IOTC Area of Competence. (Submitted by the EU) [F] Concernant l'enregistrement des données des prises et effort par les palangriers dans la zone de compétence de la CTOI. (Soumis par l'UE)
IOTC-2011-S15-PropH, rev1	[E] For the Conservation and Management of Swordfish in the IOTC Area of competence. (Submitted by the EU) [F] Pour la conservation et la gestion des stocks d'espadon dans la zone de compétence de la CTOI. (Soumis par l'UE)
IOTC-2011-S15-PropI	[E] On the Conservation of Oceanic Whitetip Shark caught in Association with fisheries in the IOTC Area of competence. (Submitted by the EU) [F] Sur la conservation des requins océaniques capturés de façon accessoire dans les pêcheries de la zone de compétence de la CTOI. (Soumis par l'UE)
IOTC-2011-S15-PropJ, rev1	[E] On the Conservation of Hammerhead Sharks (family Sphyrnidae) caught in Association with fisheries in the IOTC Area of Competence. (Submitted by the EU) [F] Sur la conservation des requins marteaux (famille des <i>Sphyrnidae</i> ) capturés de façon accessoire dans les pêcheries de la zone de compétence de la CTOI. (Soumis par l'UE)
IOTC-2011-S15-PropK, rev1	[E] On establishing a List of Vessels presumed to have carried out Illegal, Unregulated and Unreported fishing in the IOTC area of competence. (Submitted by the EU) [F] Visant à l'établissement d'une liste de navires présumés avoir exercé des activités de pêche illégales, non réglementées et non déclarées dans la zone de compétence de la CTOI (Soumis par l'UE)
IOTC-2011-S15-PropL	[E] Concerning the conservation of sharks caught in association with fisheries managed by IOTC. (Submitted by Australia) [F] Concernant la conservation des requins capturés en relation avec les pêcheries gérées par la CTOI (Soumis par l'Australie)

Reference / Référence	Title / Titre
IOTC-2011-S15-PropM	<p>E] On the recording of catch by fishing vessels in the IOTC Area of competence. (Submitted by Australia)</p> <p>[F] Concernant l'enregistrement des données des prises et effort par les navires de pêche dans la zone de compétence de la CTOI. (Soumis par l'Australie)</p>
IOTC-2011-S15-PropMrev1, rev2	<p>E] On the recording of catch by fishing vessels in the IOTC Area of competence. (Submitted by Australia and EU)</p> <p>[F] Concernant l'enregistrement des données des prises et effort par les navires de pêche dans la zone de compétence de la CTOI. (Soumis par l'Australie et l'UE)</p>
IOTC-2011-S15-PropN	<p>[E] On Establishing A Programme For Transshipment By Large-Scale Fishing Vessels</p> <p>[F] Établissant un programme pour les transbordements des grands navires de pêche</p>

## APPENDIX VIII

### STOCK STATUS SUMMARY FOR THE IOTC SPECIES

Stock	Indicators	Prev. Asm <sup>1</sup>	2010 Asm <sup>2</sup>	Stock status comments	Advice to Commission
<i>Major stocks: These are the main stocks under exploitation by industrial and artisanal fisheries throughout the Indian Ocean, both in the high seas and in the EEZ of coastal countries. These stocks are the ones that have received, in general, the highest fishing pressure in the region.</i>					
Albacore <i>Thunnus alalunga</i>	Average catch 2005–2009: 39,100 t Catch 2009: 40,700 t MSY: 28,260 t – 34,415 t F <sub>2007</sub> /F <sub>MSY</sub> : 0.48–0.91 B <sub>2007</sub> /B <sub>0</sub> : > 1	2007		Stock size and fishing pressure were considered to be within acceptable limits in 2008. Since then, a revision of the catch data for recent years has resulted in much higher catch estimates over the past five years compared with the historical average. Mean weight and catch rates of albacore have been stable for over 20 years.	Stock status is uncertain and should be closely monitored to assess the impact of recent changes in catch levels.
Bigeye tuna <i>Thunnus obesus</i>	Average catch 2005–2009: 114,600 t Catch 2009: 102,200 t MSY: 114,000 t (95,000 t – 183,000 t) F <sub>2009</sub> /F <sub>MSY</sub> : 0.79 (0.50 – 1.22) SB <sub>2009</sub> /SB <sub>MSY</sub> : 1.20 (0.88 – 1.68)	2008	2009	The stock is probably not overfished, and overfishing is probably not occurring. However, the stock is probably near full utilization, and the possibility of overfishing cannot be ruled out given the existing uncertainty, and the continuing observed decline in catch rates.	Bigeye catches in the Indian Ocean should be kept at or lower than the 2009 level of 102,000 t.
Skipjack tuna <i>Katsuwonus pelamis</i>	Average catch 2005–2009: 502,200 t Catch 2009: 440,600 t MSY: – F <sub>2009</sub> /F <sub>MSY</sub> : – SB <sub>2009</sub> /SB <sub>MSY</sub> : –			Skipjack is a highly productive species and robust to overfishing. However, this does not exclude completely the possibility for skipjack to become overfished. Recent trends in certain fisheries suggest that the situation of the stock should be closely monitored.	Stock status is uncertain and should be closely monitored.
Yellowfin tuna <i>Thunnus albacares</i>	Average catch 2005–2009: 371,200 t Catch 2009: 288,100 t MSY: 320,000 <sup>3</sup> (258–347,000 t) <sup>4</sup> F <sub>2009</sub> /F <sub>MSY</sub> : 0.99 <sup>3</sup> (0.85 – 1.39) <sup>4</sup> SB <sub>2009</sub> /SB <sub>MSY</sub> : 1.11 <sup>3</sup> (0.93 – 1.25) <sup>4</sup>	2008	2009	Stock is likely to be currently in, or approaching, an overfished state and overfishing has probably been occurring in recent years. If fishing effort displaced because of the piracy problem returns to traditional fishing areas an increase in catches could be expected.	Yellowfin catches in the Indian Ocean should not increase beyond 300,000 t in order to bring the stock to biomass levels that could sustain catches at the MSY level in the long term. If recruitment continues to be lower than average, catches below 300,000 t would be needed to maintain stock levels.
Swordfish <i>Xiphias gladius</i>	Average catch 2005–2009: 27,100 t Catch 2009: 22,100 t MSY: 29,000 t (19,000 t–46,000 t) F <sub>2008</sub> /F <sub>MSY</sub> : 0.79 (0.58–0.84) SB <sub>2008</sub> /SB <sub>MSY</sub> : 1.31 (1.13–1.46)	2007	2008	The overall stock size and fishing pressure are estimated to be within acceptable limits and the overall level of reduction in stock size probably does not represent a conservation risk. If the southwestern region is analysed as containing a separate stock, results indicate that a substantive decline took place in that area, although recent declines in catch and effort might have brought fishing pressure to sustainable levels.	If the recent declines in effort continue, and catch remains below MSY, then there is no need to introduce restrictive management actions in the Indian Ocean as a whole. Catches in the southwest region should not exceed 2008 levels of 6,400t

<sup>1</sup> This indicates the last year taken into account for assessments carried out before 2010

<sup>2</sup> This indicates the last year taken into account for assessments carried out in 2010

<sup>3</sup> Results obtained with a steepness of the stock-recruitment relationship of 0.8

<sup>4</sup> Range for steepness values of 0.6, 0.7, 0.8 and 0.9

Stock	Indicators	Prev. Asm <sup>1</sup>	2010 Asm <sup>2</sup>	Stock status comments	Advice to Commission
<b>Billfish (other than swordfish)</b> : This category includes species that are not directly targeted by most fleets, but are caught as by-catch of the main industrial fisheries. They could be important, however, for localised small-scale and artisanal fisheries (e.g. sailfish in the northern Arabian Sea and the Persian Gulf) or as targets in recreational fisheries (e.g. marlins)					
Blue marlin <i>Makaira nigricans</i>	Average catch 2005–2009: 9,350 t Catch 2009: 8,583 t			No quantitative stock assessment is currently available for any of these species in the Indian Ocean and only preliminary stock indicators can be used. Aspects of the biology, productivity and fisheries for these species combined with the lack of data on which to base a more formal assessment is a cause for considerable concern.	Stock status is uncertain
Black marlin <i>Makaira indica</i>	Average catch 2005–2009: 5,069 t Catch 2009: 5,410 t				Stock status is uncertain
Striped marlin <i>Tetrapturus audax</i>	Average catch 2005–2009: 2,780 t Catch 2009: 2,500 t				Stock status is uncertain
Indo-Pacific Sailfish <i>Istiophorus platypterus</i>	Average catch 2005–2009: 24,768 t Catch 2009: 23,220 t				Stock status is uncertain
<b>Neritic tunas</b> : These are important species for small-scale and artisanal fisheries in the region, almost always caught in the EEZs of IO coastal states. They are caught only occasionally by industrial fisheries, almost never in the high seas. Catches are often reported as aggregates of various species, therefore making it difficult to obtain for stock assessment analyses.					
Bullet tuna <i>Auxis rochei</i>	Average catch 2005–2009: 4,302 t Catch 2009: 4,317 t			No quantitative stock assessment is currently available for bullet tuna in the Indian Ocean, therefore the stock status is uncertain. Catches of bullet tuna are variable but relatively low compared to the other neritic species. The reasons for this are not clear: it may be problem related to reporting, or it may be a normal fluctuation in the fishery. Bullet tuna is a relatively productive species with high fecundity and rapid growth and this makes it relatively resilient and less prone to overfishing. Nevertheless, bullet tuna appears to be an important prey species for other pelagic species including the commercial tunas.	Stock status is uncertain
Frigate tuna <i>Auxis thazard</i>	Average catch 2005–2009: 33,240 t Catch 2009: 33,550 t			No quantitative assessment is available. No reliable indicators	Stock status is uncertain
Narrow-barred Spanish mackerel <i>Scomberomorus commerson</i>	Average catch 2005–2009: 110,800 t Catch 2009: 108,600 t			No quantitative assessment is available. No reliable indicators	Stock status is uncertain
Kawakawa <i>Euthymus affinis</i>	Average catch 2005–2009: 119,900 t Catch 2009: 129,850 t			No quantitative assessment is available. Catches have been relatively stable for the past 10 years.	Stock status is uncertain
Longtail tuna <i>Thunnus tonggol</i>	Average catch 2005–2009: 103,800 t Catch 2009: 122,400 t			No quantitative assessment is available. No reliable indicators	Stock status is uncertain
Indo-Pacific king mackerel <i>Scomberomorus guttatus</i>	Average catch 2005–2009: 38,000 t Catch 2009: 42,330 t			No quantitative assessment is available. No reliable indicators	Stock status is uncertain
<b>Sharks</b> : Although they are not part of the original list of species under the IOTC mandate, sharks are frequently caught in association with other species as by-catch, and often they are as much a target as tuna for some fleets. As such, IOTC Members and Cooperating non-Contracting Parties are expected to report information at the same level of detail as for regular IOTC species, although there is still insufficient information for formal assessments, The following are the main species caught in tuna fisheries, but the list is not exhaustive.					
Blue shark <i>Prionace glauca</i>	Average catch 2005–2009: Uncertain Catch 2009: Uncertain			No quantitative assessment is available. No reliable indicators	Stock status is uncertain
Silky shark <i>Carcharhinus falciformis</i>	Average catch 2005–2009: Uncertain Catch 2009: Uncertain			No quantitative assessment is available. No reliable indicators	Stock status is uncertain
Oceanic whitetip	Average catch 2005–2009: Uncertain			No quantitative assessment is available. No reliable indicators	Stock status is uncertain

Stock	Indicators	Prev. Asm <sup>1</sup>	2010 Asm <sup>2</sup>	Stock status comments	Advice to Commission
shark <i>Carcharhinus longimanus</i>	Catch 2009: Uncertain				
Shortfin mako <i>Isurus oxyrinchus</i>	Average catch 2005–2009: Uncertain Catch 2009: Uncertain			No quantitative assessment is available. No reliable indicators	Stock status is uncertain
Scalloped hammerhead shark <i>Sphyrna lewini</i>	Average catch 2005–2009: Uncertain Catch 2009: Uncertain			No quantitative assessment is available. No reliable indicators	Stock status is uncertain

Key to the colour coding		
	Stock overfished ( $SB_{year}/SB_{MSY}$ less than 1)	Stock not overfished ( $SB_{year}/SB_{MSY}$ larger or equal to 1)
Stock being overfished ( $F_{year}/F_{MSY}$ larger or equal to 1)		
Stock not being overfished ( $F_{year}/F_{MSY}$ less than 1)		

## APPENDIX IX

### RECOMMENDATIONS OF THE THIRTEENTH SESSION OF THE SCIENTIFIC COMMITTEE

(Note: paragraphs allusions refer to paragraphs in the Report of the 13th Session of the Scientific Committee)

#### 16.2. RECOMMENDATIONS TO THE COMMISSION – GENERAL

1. The SC congratulated the Secretariat on the work conducted during 2010 and continues to strongly support the reinforcement of the Secretariat as indicated in previous years and as recommended by the IOTC Performance Review Panel in 2009.

##### ON BILLFISH

2. The SC recommended that the Commission consider appropriate Conservation and Management Measures to control and/or reduce effort on the swordfish stock in the south–west Indian Ocean. (paragraph 39)

##### ON BYCATCH DATA

3. The SC urged all CPCs to comply with data collection and reporting requirements as outlined in the relevant Resolutions relating to ecosystems and bycatch. The SC stressed that this recommendation is made by the WPEB and endorsed the SC every year since 2006 and, therefore, asked the Commission to consider appropriate mechanisms to encourage members to comply with reporting requirements, and to provide historical data. (paragraph 48)
4. The SC recommended that the actions described in Table 1, Table 2, Table 3 and Table 4 on sharks, seabirds, marine turtles and marine mammals respectively, be taken by CPCs to improve the standing of the data on non–tuna species held by the Secretariat. (paragraph 49)

##### ON SHARKS

5. The SC recalled its previous advice that the fins to body ratio requirement has no clear scientific basis as a conservation measure for sharks in the Indian Ocean, rather it appears to be aimed at slowing down the rate of fishing or to deter finning. (paragraph 55)
6. Consensus was not reached as to replace the current 5% fin to body ratio rule by the landing of sharks with fins naturally attached. The majority of the SC members agreed that the best way to reduce or avoid the practice of shark finning, ensure accurate catch statistics, and facilitate the collection of biological information is to ensure that all sharks are landed with fins naturally attached to the trunk. (paragraph 57)
7. The SC encouraged IOTC to take the lead in introducing innovative measures for discussion at this joint TRFMO technical working group. (paragraph 59)
8. Although the SC could not reach consensus on a single approach, the SC proposed three options to be envisaged by the Commission to progress on this issue (paragraph 65).
  - **Option 1:** The list of shark species contained in Resolution 08/04, requiring mandatory reporting in longline logbooks, be revised to include eight additional species and species groups as follows:

Under Resolution 08/04	Under new proposal	
	Common name	Scientific name
Blue shark	Blue shark	<i>Prionace glauca</i>
Mako shark	Mako sharks	<i>Isurus</i> spp.
Porbeagle	Porbeagle	<i>Lamna nasus</i>
	Great white shark	<i>Carcharodon carcharias</i>
	Crocodile shark	<i>Pseudocarcharias kamoharai</i>
	Thresher sharks <sup>5</sup>	<i>Alopias</i> spp.
	Tiger shark	<i>Galeocerdo cuvier</i>

<sup>5</sup> As per IOTC Resolution 2010/12, catch of Thresher sharks have to be reported but not kept (*i.e.* released if alive or discarded if dead)

	Oceanic whitetip shark	<i>Carcharhinus longimanus</i>
	Other Requiem sharks	<i>Carcharhinus</i> spp.
	Hammerhead Sharks	<i>Sphyrna</i> spp.
Other sharks	Other sharks	
	Pelagic stingray	<i>Pteroplatytrygon violacea</i>

- **Option 2:** A second list of shark species to be included in Resolution 08/04 as a separate section requesting CPCs to report on these additional species/groups on a voluntary basis until CPCs have the capacity to better train crew to identify these shark species/groups. This option would not require changing the current logbook:

Under Resolution 08/04	Under new proposal	
<i>No list to be recorded on a voluntary basis in the current Resolution</i>	Common name	Scientific name
	Great white shark	<i>Carcharodon carcharias</i>
	Crocodile shark	<i>Pseudocarcharias kamoharai</i>
	Thresher sharks <sup>6</sup>	<i>Alopias</i> spp.
	Tiger shark	<i>Galeocerdo cuvier</i>
	Oceanic whitetip shark	<i>Carcharhinus longimanus</i>
	Other Requiem sharks	<i>Carcharhinus</i> spp.
	Hammerhead Sharks	<i>Sphyrna</i> spp.
	Pelagic stingray	<i>Pteroplatytrygon violacea</i>

- **Option 3:** The list of shark species contained in Resolution 08/04, requiring mandatory reporting in longline logbooks, to be revised to include eight additional species and species groups, as in option 1, EXCEPT for CPCs having a sufficient observer coverage that would be absolve of reporting on this new extended list.
9. The SC noted requests made by several coastal states for technical support in obtaining training materials to improve shark identification, and recommended that the identification cards under current development by the Secretariat are finalized and circulated in 2011. (paragraph 67)
  10. The SC recommended that shark assessment experts be identified by the Secretariat for participation at the next WPEB and for consideration to be given to funding their attendance. (paragraph 69)
  11. The SC recommended that the remaining CPCs provide updates on the progress of developing or implementing NPOA–sharks at the WPEB in 2011. (paragraph 72).
  12. The SC recommended that the IOTC should continue to collaborate with the CMS MoU on sharks (paragraph 75).

#### ON SEABIRDS

13. The SC, with the exception of Japan, China and Korea, agreed that in the absence of any scientific information on the effectiveness of line shooters in reducing incidental mortality of seabirds, line shooters should be removed from the list of accepted seabird bycatch mitigation measures in Table 1 of Resolution 10/06 on reducing the incidental bycatch of seabirds in longline fisheries. (paragraph 84)
14. The SC agreed that a revisited line weighting regime should be pushed forward as an efficient mitigation measure but recommended that more experiments are conducted in order to assess the impact on target species. (paragraph 89)
15. The SC, with the exception of Japan, Korea and China, recommended that in the absence of any scientific observation on the effectiveness of offal discharge management in reducing the incidental mortality of seabirds, that it could be removed from the list of mitigation measures in Table 1 of the Resolution 10/06. (paragraph 91)
16. From the above (paragr.84, 87 and 91), the SC will recommend a major revision of the current Resolution 10/06 on reducing the incidental bycatch of seabirds in longline fisheries once line weighting options are assessed. (paragraph 92).
17. The SC urged the Secretariat to complete the seabird identification card project for the consideration of the WPEB in 2011 (paragraph 95).

<sup>6</sup> As per IOTC Resolution 2010/12, catch of Thresher sharks have to be reported but not kept (*i.e.* released if alive of discarded if dead)

18. The SC encouraged the CPCs to develop systems, such as retention of carcasses for later identification, or establish photo identification processes, to improve identification of seabirds to species level, and recommended for this to be reflected in paragraph 7 of Resolution 10/06. (paragraph 97).
19. The SC noted that 4 CPCs have developed and implemented NPOA–seabirds and that 1 is in the process of finalizing its NPOA–seabird (Appendix VIII). (paragraph 100).

#### ON MARINE TURTLES

20. The SC recommended that the IOTC Secretariat, its CPCs and IOSEA, increase cooperation, in particular with regard to reviewing and exchanging available information on tuna fisheries–marine turtle interactions and mitigation, and that the Secretariat should attend the International Symposium on ‘Circle Hooks in Research, Management and Conservation’ to be held in Miami, USA from 4–6 May 2011, and to report to be to the WPEB in 2011 (paragraph 103).
21. The SC recommended that distant water fishing nations should join the IOSEA MoU, which had initially been directed toward Indian Ocean coastal countries. (paragraph 104).
22. The SC recommended that the marine turtle identification sheets be finalized by the Secretariat before the next Session of the WPEB, in cooperation with other relevant organizations. (paragraph 105).
23. The SC recommended that more marine turtle experts should participate at the next Session of the WPEB (paragraph 106).
24. The SC recommended that marine mammal experts, for example from NGOs and IGOs with an interest in the Indian Ocean such as International Whaling Commission, to be encouraged to participate in future meetings of the WPEB (paragraph 109).

#### ON DATA COLLECTION AND STATISTICS

25. The SC endorsed the recommendations from the WPDCS, as presented in Appendix IV of the WPDCS Report. In particular, the SC expressed some concerns about the timeliness of reporting of statistics from some CPCs and the quality of datasets for some fisheries. The SC reiterated its concerns that late reporting compromises the use of catches from recent years for stock assessment and provision of advice to the Commission based on the most recent information. The SC expressed further concern that some parties have failed to address recommendations for a number of years, recommending that these issues are brought to the attention of the Compliance Committee. (paragraph 137).
26. The SC agreed on the usefulness of implementing a scoring system to assess the quality of the statistics available at the IOTC, as proposed by the WPDCS, encouraging the IOTC Secretariat to continue with this work (...).The SC requested the Secretariat to present a first attempt to the next meeting of the WPDCS or, if time allows, to the next meeting of the WPTT. (paragraph 139).
27. The SC endorsed the minimum data requirements for gillnet and pole–and–line fisheries. In order to complete this work, the SC recommended that this minimum requirement are translated into proposal of Resolutions for the recording of catch by gillnet and pole–and line fisheries in the IOTC area for presentation at the next meeting of the Commission. (paragraph 141).

#### ON PROGRESS IN ADDRESSING RECOMMENDATIONS OF THE KOBE II WORKSHOPS AND OF THE PERFORMANCE REVIEW PANEL

28. Regarding bycatch, the SC strongly endorsed the proposed concept of a Bycatch Joint Working Group, and recommended the Secretariat and WPEB make all efforts to expedite its formation. The SC fully supported participation that would facilitate better coordination and avoidance of duplication between t–RFMOs. However, the SC reminded that such a Bycatch Joint Working Group will not replace or undermine the work of the WPEB of the IOTC..The SC strongly endorsed the proposal made that a Bycatch officer should be hired as a permanent staff member of the Secretariat of each of the 5 tuna RFMOs, and developed ToR for such an officer to be recruited at the IOTC Secretariat (Appendix IX). This specialist should attend, with the Chairman of the WPEB, future Kobe Bycatch meetings, and meetings of the Bycatch Joint Working Group. (paragraph 149).
29. The SC strongly supported the recommendation to increase the IOTC staff resource and the proposal of the Secretariat for a budget for the 2011–2012 biennium that would include additional professional staff

(paragraph 151).

#### ON THE REGIONAL OBSERVER SCHEME

30. The SC endorsed the recommendation of the technical workshop that a list of accredited scientific observers should be submitted to the Secretariat and recommended that CPCs do so within the best delays (paragraph 244).
31. The SC examined the Observer Trip Report Template produced by the technical workshop, however, recognizing the difficulties for some CPCs to fill all the data fields as required, the SC recommended that this template report should be used until it is revised at the next Session of the WPDCS in 2011 (paragraph 245).

#### ON THE SCHEDULE OF MEETINGS FOR 2011

32. The SC agreed to the following schedule of working party meetings for 2011 and recommended that it be put before the Commission for endorsement at its 15th Session (paragraph 253).
33. The SC recommended that, together with the Working Party on methods, the tripartite meeting on the MSE process with scientists, managers and representatives from the industry is organized. (paragraph 255).
34. For 2012, the SC recommended that the WPB, WPEB, WPTT, WPDCS and WPTe meet. (paragraph 256).
35. The SC recommended that its Fourteenth Session be held from 12th to 17th December 2011 (6 days) in Seychelles and asked the Commission to consider holding its annual session not more than three months after this time in order to be able to receive the most up-to-date advice and implement management measures in a timely fashion (paragraph 257).

#### ON OTHER MATTERS

36. The SC recommended that the Commission considers developing a Monitoring Scheme to verify if CPCs are taking all necessary steps to comply with IOTC Resolutions and other obligations relevant to the work of the Scientific Committee, by identifying areas in which further work is needed and recommending actions to be taken to address non-compliance. (paragraph 275).

### 16.3. RECOMMENDATIONS TO THE COMMISSION – ON THE STATUS OF THE STOCKS

#### **TUNAS**

##### ALBACORE TUNA (*Thunnus alalunga*)

The SC acknowledged the preliminary nature of the albacore tuna assessment in 2008, but noting the available stock status information considers that the status of the stock of albacore is not likely to change markedly over the next 2–3 years and if the price of albacore remains low compared to other tuna species, no immediate action should be required on the part of the Commission. However, new information and estimation for the Indonesian longline fishery has increase the total catch at levels above the estimated MSY.

The SC recommended that a new albacore tuna assessment be presented to the Scientific Committee at the latest in 2011.

##### BIGEYE TUNA (*Thunnus obesus*)

Given the uncertainty on estimated MSY values and the levels of error in the nominal catch data for bigeye, the SC recommended that catches are kept at a level not above the catch estimated at the moment of the assessment for 2009, *i.e.* 102,000 t. This value should give low probability of catches exceeding MSY.

##### SKIPJACK TUNA (*Katsuwonus pelamis*)

Given the limited nature of the work carried out on the skipjack in 2010, no management advice is provided for the stock.

YELLOWFIN TUNA (*Thunnus albacares*)

The SC considers that the stock of yellowfin has recently become overexploited or is very close to be so. Management measures should be continued that allow an appropriate control of fishing pressure to be implemented.

At this moment, the effect of time–area closures cannot be directly translated into management quantities of direct effect on the status of the stock, such as catches or fishing mortality, so their possible effect on the future evolution of the stock cannot be evaluated.

The SC recommends that catches of yellowfin tuna in the Indian Ocean should not increase beyond 300,000 t in order to bring the stock to biomass levels that could sustain catches at the MSY level in the long term. If recruitment continues to be lower than average, catches below 300,000 t would be needed to maintain stock levels.

The SC recommends that the situation of this stock is closely monitored.

SOUTHERN BLUEFIN TUNA (*Thunnus maccoyii*)

Manage by the CCSBT.

**BILLFISH**

SWORDFISH (*Xiphias gladius*)

If the recent declines in effort continue, and catch remains substantially below the estimated MSY of 29,000 t, then there is probably no urgent need to introduce restrictive management actions to the Indian Ocean as a whole. However, continued monitoring is required to manage the uncertainty.

It is recommended that catches in the south west should be maintained at levels at or below those observed in 2008 (6,426 t), until either *i*) there is clear evidence that substantial rebuilding is occurring (through recruitment or immigration) or *ii*) further analyses indicate that the current assessment is inappropriate.

BLACK MARLIN (*Makaira indica*)

No quantitative stock assessment is currently available for black marlin in the Indian Ocean, and due to a lack of fishery data for several gears, only preliminary stock indicators can be used. Therefore the stock status is uncertain. However, aspects of the biology, productivity and fisheries for this species combined with the lack of data on which to base a more formal assessment is a cause for considerable concern. Research emphasis on improving indicators and exploration of stock assessment approaches for data poor fisheries are warranted.

BLUE MARLIN (*Makaira nigricans*)

No quantitative stock assessment is currently available for blue marlin in the Indian Ocean, and due to a lack of data for several gears, only preliminary stock indicators can be used. . Therefore the stock status is uncertain. However, aspects of the biology, productivity and fisheries for this species combined with the lack of data on which to base a more formal assessment is a cause for considerable concern. Research emphasis on improving indicators and exploration of stock assessment approaches for data poor fisheries are warranted.

STRIPED MARLIN (*Tetrapturus audax*)

No quantitative stock assessment is currently available for striped marlin in the Indian Ocean, and due to a lack of fishery data for several gears, only preliminary stock indicators can be used. Therefore the stock status is uncertain. However, aspects of the biology, productivity and fisheries for this species combined with the lack of data on which to base a more formal assessment is a cause for considerable concern. Research emphasis on improving indicators and exploration of stock assessment approaches for data poor fisheries are warranted.

INDO–PACIFIC SAILFISH (*Istiophorus platypterus*)

No quantitative stock assessment is currently available for Indo–Pacific sailfish in the Indian Ocean, and due to a paucity of data there a no stock indicators that are considered to be reliable, therefore the stock status is uncertain. However, aspects of the biology, productivity and fisheries for this species combined with the lack of data on which to base a more formal assessment is a cause for considerable concern. Research emphasis on improving indicators and exploration of stock assessment approaches for data poor fisheries are warranted.

## ***NERITIC TUNAS***

### **BULLET TUNA (*Auxis rochei*)**

No quantitative stock assessment is currently available for bullet tuna in the Indian Ocean, therefore the stock status is uncertain. The SC notes the catches of bullet tuna are typically variable but relatively low compared to the other neritic species. The reasons for this are not clear: it may be problem related to reporting, or it may be a normal fluctuation in the fishery. Bullet tuna is a relatively productive species with high fecundity and rapid growth and this makes it relatively resilient and less prone to overfishing. Nevertheless, bullet tuna appears to be an important prey species for other pelagic species including the commercial tunas.

The SC recommended that bullet tuna be reviewed at the first meeting of the IOTC Working Party on Neritic Tunas.

### **FRIGATE TUNA (*Auxis thazard*)**

No quantitative stock assessment is currently available for the frigate tuna in the Indian Ocean, therefore the stock status is uncertain. This species is a relatively productive species with high fecundity and rapid growth and this makes it relatively resilient and not prone to overfishing. Nevertheless, frigate tuna appears to be an important prey species for other pelagic species including the commercial tunas.

The SC recommended that frigate tuna be reviewed at the first meeting of the IOTC Working Party on Neritic Tunas.

### **INDO-PACIFIC KING MACKEREL (*Scomberomorus guttatus*)**

No quantitative stock assessment is currently available for the Indo-Pacific king mackerel in the Indian Ocean, therefore the stock status is uncertain. This species is a relatively productive species with high fecundity and rapid growth and this makes it relatively resilient and not prone to overfishing.

The SC recommended that indo-pacific king mackerel be reviewed at the first meeting of the IOTC Working Party on Neritic Tunas.

### **KAWAKAWA (*Euthynnus affinis*)**

No quantitative stock assessment is currently available for kawakawa in the Indian Ocean, therefore the stock status is uncertain. The SC notes that catches have been relatively stable for the past 10 years.

The SC recommended that kawakawa be reviewed at the first meeting of the IOTC Working Party on Neritic Tunas.

### **LONGTAIL TUNA (*Thunnus tonggol*)**

No quantitative stock assessment is currently available for longtail tuna in the Indian Ocean, therefore the stock status is uncertain. The SC notes the catches of longtail tuna are increasing.

The SC recommended that longtail tuna be reviewed at the first meeting of the IOTC Working Party on Neritic Tunas.

### **NARROW-BARRED SPANISH MACKEREL (*Scomberomorus commerson*)**

No quantitative stock assessment is currently available for narrow-barred Spanish mackerel tuna in the Indian Ocean, therefore the stock status is uncertain. The SC notes that Spanish mackerel is a relatively productive species with high fecundity and this makes it relatively resilient and less prone to overfishing.

The SC recommended that narrow-barred Spanish mackerel be reviewed at the first meeting of the IOTC Working Party on Neritic Tunas.

## ***SHARKS***

The SC recommended that mechanisms are developed by the Commission to encourage CPCs to comply with their reporting requirement on sharks.

The SC agreed that three options should be considered for amendment of Resolution 08/04 *concerning the recording of the catch by longline fishing vessels in the IOTC area* in order to improve data collection and statistics on sharks that would allow the development of stock status indicators.

### ***MARINE TURTLES***

The SC recommended that mechanisms are developed by the Commission to encourage CPCs to comply with their reporting requirement on marine turtles. The SC also recalled its recommendation from 2009 that Resolution 09/06 does apply to leatherback turtles in its entirety, and that the term 'hard-shelled' should be removed from Resolution 09/06 when the resolution is revised.

### ***SEABIRDS***

The SC recommended that mechanisms are developed by the Commission to encourage CPCs to comply with their reporting requirement on seabirds.

The SC recommended that a major revision of the Resolution 10/06 *on reducing the incidental bycatch of seabirds in longline fisheries* should be considered, in the near future, once its impact is examined. Such revision may include the removal of the use of line shooters and offal management from the list of seabird mitigation measures.

## APPENDIX X

### RECOMMENDATIONS OF THE EIGHTH SESSION OF THE COMPLIANCE COMMITTEE

*Note: Appendix reference refer to the Report of the Eighth Session of the Compliance Committee (IOTC-2011-CoC8-R)*

#### *Overview of the implementation of IOTC Conservation and Management Measures*

CoC8.01 (para 8): The Committee **recommended** that a revised Compliance Reporting template (Appendix IV) be adopted for use in preparing reports for the next Compliance Committee meeting.

#### *Country based compliance reports*

CoC8.02 (para 19): The Committee **recommended** that the Commission agree to the development and distribution of letters of concern, highlighting areas of non-compliance to relevant CPCs.

CoC8.03 (para 20): The Committee **recommended** that to maintain transparency in the process, each letter of concern should also be circulated via an IOTC circular.

CoC8.04 (para 21): The Committee **recommended** that the Commission note the list of issues identified by the Chair of the Committee during the Compliance Committee meeting.

CoC8.05 (para 22): The Committee **recommended** that the Commission consider endorsing the template, provided at Appendix VI, for use in developing letters of concern.

#### *Deliberations in relation to Resolution 09/03 On establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area.*

CoC8.06 (para 25): The Committee **recommended** that the Commission consider delisting the *Parsian Shila* from the IOTC IUU list, taking into account the administrative oversight nature of the infringement, noting that vessels listed on the IOTC IUU list should not engage in any fishing activities while they are on the list and that flag states should ensure that this is enforced.

CoC8.07 (para 27): The Committee **recommended** that the Commission consider delisting the *Rwad 1* from the IOTC IUU list, considering that Oman provided enough evidence showing that the vessel is not engaged in IUU activities.

CoC8.08 (para 28): The Committee **recommended** that Oman send an official letter to the Malaysian authority responsible, requesting clarification on the origin of the fish found onboard the *Rwad 1*. In addition, the Committee request notification of when the fish are destroyed.

CoC8.09 (para 31): The Committee **recommended** that the Commission consider delisting the *Lingsar 08* from the IOTC IUU list during the inter-sessional period, if Indonesia were to provide documentation certifying a change of ownership.

CoC8.10 (para 33): As no further information was provided to the Compliance Committee during its deliberations, the Committee **recommended** that the vessel [*Hoom Xiang II*] remain on the IUU list.

CoC8.11 (para 34): The Committee **recommended** that the Chair of the Committee write a letter to the Malaysian authority reminding them that it is the prime responsibility of the flag state to take actions against IUU activities.

CoC8.12 (para 41): The Committee **recommended** that the Suratha, Lakshani, Sulara 3, Chandra Kala, Lek Sauro, Madu Kumari 2, Anuka Putha 1, Sudeesa Marine 5, Rashmi, Chmale, and the Randika Putha 1, be retained on the provisional IOTC IUU list, which will be forwarded to the Commission for its consideration, in conjunction with the additional information tabled by Sri Lanka should constitute a basis for a decision on the possible listing of the vessels on the IOTC IUU list.

CoC8.13 (para 48): The Committee **recommended** that the *Payam* be retained on the provisional IOTC IUU list, which will be forwarded to the Commission for its consideration, in conjunction with concrete evidence of the actions and measures to be taken by Iran, at the 15<sup>th</sup> Session of the IOTC, for a decision on the possible listing of the *Payam*, on the IOTC IUU list.

***Presumed IUU fishing activities reported by observers under the IOTC Transshipment Programme***

CoC8.14 (para 59): The Committee **recommended** that the Commission provide guidance concerning the status of the information provided by observers participating in the IOTC at sea transshipment program, in particular, the confidentiality rules to be applied, and the procedure to be followed upon receiving information from observers regarding irregular activities by fishing vessels involved in transshipment operations.

***Review of Requests for Access to the Status of Cooperating Non-Contracting Party***

CoC8.15 (para 62): The Committee **recommended** that the Commission considers renewing the status of Maldives as a Cooperating non-Contracting Party.

CoC8.16 (para 66): The Committee **recommended** that the Commission considers granting Mozambique the status of Cooperating non-Contracting Party.

CoC8.17 (para 69): The Committee **recommended** that the Commission considers renewing the status of Senegal as a Cooperating non-Contracting Party.

CoC8.18 (para 72): The Committee **recommended** that the Commission considers renewing the status of South Africa as a Cooperating non-Contracting Party.

***Update on progress regarding Resolution 09/01 – On the performance review follow-up***

CoC8.19 (para 75): The Committee noted the status of implementation and **recommended** that the document, provided at Appendix VII, be forwarded to the Commission for its information.

**APPENDIX XI**  
**DRAFT – COUNTRY BASED COMPLIANCE REPORT – TEMPLATE**

**IOTC COMPLIANCE REPORT TEMPLATE**  
**PREPARED BY THE IOTC SECRETARIAT**

**Indian Ocean Tuna Commission**

**IOTC Compliance Report for XXXX**

**Date:**

**CoC XX**

N°	Res.	Information required	Deadline/ Remark	Observation from IOTC Secretariat	Status <sup>7</sup>	Observation from CPCs	Items of concern (current year)
<b>Implementation obligations</b>							
1	<b>Art. 10</b>	Implementation report (for current meeting)			<b>C</b>		
2	<b>10/09</b>	Compliance questionnaire			<b>N/C</b>		
3	<b>09/02</b>	Fleet Development Plan (FDP)	31.12.2009 [10 years]		<b>N/A</b>		
	<b>07/01</b>	Nationals			<b>L</b>		
	<b>09/05</b>	Driftnets			<b>PC</b>		
	<b>10/01</b>	Closure	> 45 days				
	<b>10/06</b>	Seabirds on LL					
	<b>09/06</b>	Marine turtles					
	<b>09/04</b>	Sampling programme	As soon as possible				
	<b>10/12</b>	Thresher sharks					
<b>Management Standards</b>							
	<b>01/02</b>	Management Standards (MS)					
		• Documents on					

<sup>7</sup> C = Compliant; N//C= Non-compliant; N/A = Not Applicable; L = Late; PC = Partially compliant

		board				
		• Marking of vessels and gears				
		• Logbook on board	> 24			
	<b>05/07</b>	Annual reporting				
<b>Reporting on Vessels</b>						
	<b>10/08</b>	Active vessels (year)	15.02	List (year)		
	<b>09/02</b>	Reference Capacity				
		• Tuna (2006)	31.12.2009	Number		
		• SWO/ALB (2007)	[24]	Number		
	<b>07/02</b>	Authorized vessels (year)	[24]	Number (year)		
	<b>10/07</b>	Foreign vessels licensed in EEZ	15.02	List (year)		
<b>VMS</b>						
	<b>06/03</b>	VMS on board	> 15 m			
	<b>10/01</b>	Summary of VMS record	Previous year			
<b>Reporting on Catch</b>						
	<b>10/02</b>	Nominal catch /species/gear	30.06			
		Catch/effort /species				
		• PS	30.06			
		• LL	30.12			
		• Coastal fisheries	30.06			
		Size frequency	30.06			
		FAD	30.06			
	<b>05/05</b>	By-catch of sharks				
	<b>09/06</b>	By-catch of sea turtles				
	<b>10/06</b>	By-catch of seabirds				
	<b>10/03</b>	PS – aggregated	30.06			

		logbook data				
	<b>08/04</b>	LL – aggregated logbook data	30.06			
<b>IUU Vessels</b>						
	<b>09/03</b>	IUU listing				
	<b>10/01</b>	Area closure PS				
		Area closure LL				
<b>Observers</b>						
	<b>08/02</b>	ROP – Transhipments				
	<b>10/04</b>	Regional Observer Scheme				
		• 5% Mandatory, at sea	[24]			
		• 5% Phasing in, at sea	2013 [< 24]			
		• 5 % Artisanal landings				
<b>Statistical document</b>						
	<b>01/06</b>	Bigeye tuna				
		1 <sup>st</sup> Semester report				
		2 <sup>nd</sup> Semester report				
		Annual report				
<b>Port inspection</b>						
	<b>05/03</b>	Port inspection programme	01.07			
	<b>10/11</b>	PSM – designated ports	31.12.10			
		PSM implementation	01.03.11			

**APPENDIX XII  
IOTC IUU VESSELS LIST**

<b>Current name of vessel (previous names)</b>	<b>Current flag (previous flags)</b>	<b>Date first included on IOTC IUU Vessels List</b>	<b>Lloyds/IMO number</b>	<b>Photo</b>	<b>Call sign (previous call signs)</b>	<b>Owner / beneficial owners (previous owners)</b>	<b>Operator (previous operators)</b>	<b>Summary of IUU activities</b>
<b>Ocean Lion</b>	Unknown (Equatorial Guinea)	June 2005	7826233	–				Contravention of IOTC Resolution 02/04, 02/05, 03/05.
<b>Yu Maan Won</b>	Unknown (Georgia)	May 2007						
<b>Gunuar Melyan 21</b>	Unknown	June 2008						
<b>Hoom Xiang 11</b>	Unknown (Malaysia)	March 2010		Yes. Refer to the report of the European Union		Hoom Xiang Industries Sdn. Bhd.		Contravention of IOTC Resolution 09/03

## APPENDIX XIII

### RECOMMENDATIONS OF THE EIGHTH SESSION OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE

*Note: Appendix reference refer to the Report of the Eighth Session of the Standing Committee on Administration and Finance (IOTC-2011-SCAF8-R)*

#### *Progress report of the Secretariat*

SCAF8.01 (para 13): The Committee noted the progress report of the Secretariat for 2010 and **recommended** that every effort be made to expedite the recruitment of new staff to the Secretariat, taking into account current delays in the FAO recruitment procedures.

SCAF8.02 (para 14): The Committee **recommended** that the Secretariat expedite the development of a new website for the IOTC, noting that the current website is cumbersome, difficult to navigate, and in some cases, provides out-dated information.

#### *Financial statement*

SCAF8.03 (para 22): The Committee **recommended** that the Commission consider developing and transmitting a letter of concern to FAO, outlining the IOTC's dissatisfaction with the fact that FAO did not send an official representative to the 15<sup>th</sup> Session of the IOTC.

#### *Programme of Work and Budget for 2011 and 2012*

SCAF8.04 (para 31): Noting the absence of a representative from FAO, the Committee **recommended** that the Commission consider requesting FAO provide a report at the next Session detailing its contribution to the Commission, and that the progress report of the Secretariat should also reflect the contributions received from FAO.

SCAF8.05 (para 32): Noting the increased workload of the Secretariat in relation to compliance activities, which is a direct function of the work assigned by the Commission in recent Conservation and Management Measures, the Committee **recommended** that a new professional post (Compliance Officer) be approved by the Commission, noting the terms of reference provided at Appendix III.

SCAF8.06 (para 33): The Committee **recommended** that the Commission determine if an audit of CPC contributions, both direct and indirect, would be possible, for presentation to the Committee at its next session.

SCAF8.07 (para 34): The Committee **recommended** that the Commission adopt the budget for and the scheme of contributions for 2011 as outlined in Appendix V and Appendix VI respectively.

**APPENDIX XIV**  
**BUDGET FOR 2011 AND INDICATIVE BUDGET FOR 2012 (IN USD)**

<b>Budget item description</b>	<b>2011</b>	<b>2012</b>
<b><u>Administrative Expenditures</u></b>		
Gross salary costs (before deductions)		
Professional		
Executive Secretary	160,836	168,878
Deputy Secretary	144,000	151,200
Data Coordinator	130,296	136,811
Fisheries Statistician	60,000	78,000
Compliance Coordinator	88,764	93,202
Compliance Officer	60,000	78,000
Stock Assessment Expert	95,376	100,145
Fisheries Expert	75,708	79,493
General Service		
Administrative Assistant	7,788	8,177
Compliance Assistant	6,432	6,754
Programme Assistant	6,696	7,031
Database Assistant	8,280	8,694
Bilingual Secretary	5,400	5,670
Driver	4,980	5,229
Overtime	5,000	5,250
Total Salary costs	919,556	965,534
Employer contributions to Pension Fund and health insurance	241,000	253,050
Employer contribution to FAO entitlement fund	237,612	249,493
<b>Total staff costs</b>	<b>1,338,168</b>	<b>1,390,076</b>
<b><u>Expenditure for Activities</u></b>		
Operating Expenditures		
Support Capacity Building	60,000	78,000
Consultants	48,825	51,266
Duty travel	230,000	241,500
Meetings	70,000	73,500
Interpretation	120,000	126,000
Translation	90,000	94,500
Equipment	25,000	26,250
General Operating Expenses	48,000	50,400
Printing	30,000	31,500
Contingencies	5,250	5,513
<b>Total Operating Expenditures</b>	<b>727,075</b>	<b>778,429</b>
<b>SUB-TOTAL</b>	<b>2,065,243</b>	<b>2,168,505</b>
Additional Contributions Seychelles	(12,500)	(12,500)
FAO Servicing Costs	92,936	97,583
<b>GRAND TOTAL</b>	<b>2,145,679</b>	<b>2,253,588</b>

**APPENDIX XV**  
**SCHEME OF CONTRIBUTIONS FOR 2011**

<b>Country</b>	<b>World Bank Classification in 2008<sup>8</sup></b>	<b>OECD Membership</b>	<b>Average catch for 2006–2008 (in metric tons)</b>	<b>Contribution (in USD)</b>
Australia	High	Yes	6,185	\$108,552
Belize	Middle	No	926	\$37,344
China	Middle	No	93,821	\$68,009
Comoros	Low	No	12,380	\$20,690
Eritrea	Low	No	751	\$16,851
European Union	High	Yes	242,371	\$498,375
France(Terr)	High	Yes	8,192	\$111,864
Guinea	Low	No	676	\$16,827
India	Middle	No	149,950	\$86,537
Indonesia	Middle	No	272,755	\$127,075
Iran, Islamic Republic of	Middle	No	167,929	\$92,472
Japan	High	Yes	48,744	\$178,794
Kenya	Low	No	2,010	\$17,267
Korea, Republic of	High	Yes	5,326	\$107,135
Madagascar	Low	No	12,108	\$20,600
Malaysia	Middle	No	23,244	\$44,711
Mauritius	Middle	No	1,833	\$37,644
Oman	High	No	34,224	\$109,641
Pakistan	Middle	No	29,026	\$46,620
Philippines	Middle	No	3,537	\$38,206
Seychelles	Middle	No	70,151	\$60,195
Sierra Leone	Low	No	Below 400 t	\$7,663
Sri Lanka	Middle	No	130,325	\$80,059
Sudan	Middle	No	Below 400 t	\$28,098
Tanzania	Low	No	3,576	\$17,784
Thailand	Middle	No	36,740	\$49,166
United Kingdom(Terr)	High	Yes	Below 400 t	\$89,403
Vanuatu	Middle	No	Below 400 t	\$28,098
			<b>Total</b>	<b>2,145,680</b>

<sup>8</sup> In 2008, the World Bank classified countries as low income if the per capita GNI was less than US\$975; as high income if it was higher than US\$11,906, and as middle income those countries with per capita GNI between US\$936 and US\$11,906.

**APPENDIX XVI**  
**RECOMMENDATIONS OF THE FOURTH SPECIAL SESSION ON ALLOCATION**  
**CRITERIA**

- SS4.1 (para 26): A quota allocation system should be structured around guiding principles (*e.g.* sustainable fisheries, equitable distribution of the benefits, *etc.*); the allocation criteria (*e.g.* catch history, socio-economic status, geographical location, *etc.*); and indicators that quantify each of the allocation criteria (*e.g.* catch by area or catch by flag, population size, human development indicators, size of the EEZ in the Indian Ocean, *etc.*). A formula that combines all these elements would be used to derive a baseline allocation.
- SS4.1 (para 27): This baseline would be adjusted according to defined correction factors (*e.g.* membership status, compliance status, *etc.*) in order to obtain a final allocation for each eligible CPC.
- SS4.1 (para 28): Rules of implementation could be defined to regulate the manner in which the allocation is placed into effect by each CPC (*e.g.* transfer (lease of quota), submission of a utilization plan, any additional monitoring requirements to ensure correct reporting of compliance with the allocation system).
- SS4.1 (para 29): The following is a non-exhaustive list of the elements of a quota allocation system that were discussed and received support. The allocation system should include principle such as:
- a. contribute to the sustainable utilization of the resource,
  - b. allocate fair and equitable fishing opportunities to all participants,
  - c. recognize the rights of both coastal states and distant water fishing nations,
  - d. take into account the aspirations of coastal states, including to develop further their fishing opportunities,
- and criteria such as:
- e. socio-economic factors, such as dependency of coastal state economies on tuna and tuna-like fisheries, and investments made in tuna sector,
  - f. the compliance record/status,
  - g. provide incentives for compliance with IOTC conservation and management measures

**APPENDIX XVII**  
**CONSERVATION AND MANAGEMENT MEASURES ADOPTED DURING THE**  
**SESSION**

**RESOLUTION 11/01**  
**REGARDING CONSOLIDATION OF IOTC RESOLUTIONS AND RECOMMENDATIONS**

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

RECOGNIZING the desirability of improving the coherence and accessibility of its recommendations and resolutions;

ALSO RECOGNIZING that the complexity of this work may have many implications, such as those of a legal, procedural or practical nature;

RESOLVES THAT:

1. A Working Group meeting of interested Contracting Parties and Cooperating non-Contracting Parties should be held [date to be decided] in [location to be decided] to consider the development of a Compendium of IOTC Resolutions and Recommendations.
2. The Working Group should consider the structure for such a Compendium as well as any overall issues entailed in reflecting the resolutions and recommendations in a Compendium, including how best to preserve their respective non-binding and binding nature.
3. The Working Group should determine if the draft Compendium is an appropriate structure for a future Compendium and whether it accurately reflects the IOTC recommendations and resolutions currently in force. The Working Group should recommend to the Commission alterations of an editorial nature to improve the structure and/or drafting of the text and remove inconsistencies and redundancies.
4. The Working Group should also identify issues raised by its review where further guidance is required from the Commission and make recommendations to the Commission on how these issues may be addressed.

The Working Group should also recommend to the Commission a process for the incorporation of new decisions taken by the Commission into the compiled text.

**RESOLUTION 11/02**  
**ON THE PROHIBITION OF FISHING ON DATA BUOYS**

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

AWARE that many nations, including CPCs of the Indian Ocean Tuna Commission (IOTC), operate and deploy data buoys throughout the IOTC area of competence and oceans worldwide to gather information used to make improved weather and marine forecasts, provide assistance to fisheries by generating data on sea surface and subsurface measurements, provide assistance to search and rescue efforts at sea, and collect critical data used to conduct research on meteorological and oceanographic topics and climate prediction;

KNOWING that highly migratory species, in particular tuna species, aggregate in the vicinity of data buoys;

RECOGNIZING that the World Meteorological Organization and the Intergovernmental Oceanographic Commission have determined that damage caused to data buoys by fishing vessels are significant problems in the Indian Ocean and worldwide;

CONCERNED that damage to data buoys results in significant loss of data critical to weather forecasting, to the study of marine conditions, to tsunami warnings, to support for search and rescue efforts at sea, and that Commission Members and non-members expend considerable time and resources to locate, replace and repair damaged or lost data buoys;

ALARMED that the loss of data critical to the study of marine conditions because of damage to data buoys undermines analyses by IOTC scientists seeking better understanding of tuna habitat use and the relationships between climate and tuna recruitment, as well as research by environmental scientists in general;

RECALLING UNGA resolution A/Res/64/72, paragraph 109, which "Calls upon States and regional fisheries management organizations or arrangements, working in cooperation with other relevant organizations, including the Food and Agriculture Organization of the United Nations, the Intergovernmental Oceanographic Commission and the World Meteorological Organization, to adopt, as appropriate, measures to protect ocean data buoy systems moored in areas beyond national jurisdiction from actions that impair their operation;"

ALSO RECALLING UNGA resolution A/Res/64/71, paragraph 172, which "Expresses its concern at the intentional or unintentional damage to platforms used for ocean observation and marine scientific research, such as moored buoys and tsunameters, and urges States to take necessary action and to cooperate in relevant organizations, including the Food and Agriculture Organization of the United Nations, the Intergovernmental Oceanographic Commission and the World Meteorological Organization, to address such damage;"

MINDFUL that several data buoy programs publish information on the internet describing the type and location of such buoys;

FURTHER NOTING the mandate given to the Commission to adopt generally recommended international minimum standards for the responsible conduct of fishing operations;

ADOPTS the following:

1. For the purposes of this measure, data buoys are defined as floating devices, either drifting or anchored, that are deployed by governmental or recognized scientific organizations or entities for the purpose of electronically collecting and measuring environmental data, and not for the purpose of fishing activities.
2. Contracting Parties and Cooperating Non-Contracting Parties (CPCs) shall prohibit their fishing vessels from intentionally fishing within one nautical mile of or interacting with a data buoy in the IOTC area of competence, which includes, but is not limited to, encircling the buoy with fishing gear; tying up to or attaching the vessel, or any fishing gear, part or portion of the vessel, to a data buoy or its mooring; or cutting a data buoy anchor line.

3. CPCs shall prohibit their fishing vessels from taking on board a data buoy while engaged in fishing for tuna and tuna-like species in the IOTC area of competence, unless specifically authorized or requested to do so by the Member or owner responsible for that buoy.
4. CPCs shall encourage their fishing vessels operating in the IOTC area of competence to keep watch for moored data buoys at sea and to take all reasonable measures to avoid fishing gear entanglement or directly interacting in any way with those data buoys.
5. CPCs shall require their fishing vessels that become entangled with a data buoy to remove the entangled fishing gear with as little damage to the data buoy as possible.
6. CPCs shall encourage their fishing vessels to report to them regarding any data buoys observed to be damaged or otherwise inoperable along with the date of observation, buoy location, and any discernable identifying information contained on the data buoy. CPCs shall notify the Secretariat of all such reports.
7. Notwithstanding paragraph 2, scientific research programs notified to the Commission may operate fishing vessels within one nautical mile of a data buoy so long as they do not interact with those data buoys as described in paragraph 2.

CPCs are encouraged to communicate to the Commission, through the Secretariat, the location of data buoy assets that they have deployed throughout the IOTC area.

**RESOLUTION 11/03**  
**ON ESTABLISHING A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT**  
**ILLEGAL, UNREGULATED AND UNREPORTED FISHING IN THE IOTC AREA**

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

RECALLING that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, to deter and eliminate illegal, unregulated and unreported fishing (IPOA–IUU). This plan stipulates that the identification of the vessels carrying out IUU activities should follow agreed procedures and be applied in an equitable, transparent and non discriminatory way;

RECALLING that the IOTC adopted Resolution 01/07 concerning its support of the IPOA–IUU;

RECALLING that IOTC has already adopted measures against IUU fishing activities and, in particular, against large–scale tuna longline vessels engaged in IUU fishing;

RECALLING that the IOTC adopted Resolution 07/01 to promote compliance by nationals of Contracting Parties and Cooperating Non–contracting Parties with IOTC conservation and management measures;

RECALLING ALSO that the IOTC adopted Resolution 07/02 to enhance the implementation of IOTC conservation and management measures through establishing a Record of fishing vessels authorised to operate in the IOTC Area of competence;

CONCERNED by the fact that IUU fishing activities in the IOTC area of competence continue, and these activities diminish the effectiveness of IOTC conservation and management measures;

FURTHER CONCERNED that there is evidence of a large number of vessel owners engaged in such fishing activities who have re–flagged their vessels to avoid compliance with IOTC management and conservation measures;

DETERMINED to address the challenge of an increase in IUU fishing activities by way of countermeasures to be applied in respect of the vessels engaged in IUU fishing, without prejudice to further measures adopted in respect of flag States under the relevant IOTC instruments;

CONSCIOUS of the need to address, as a matter of priority, the issue of large–scale fishing vessels conducting IUU fishing activities,

NOTING that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organisation (WTO) Agreement;

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

**Definition of IUU Fishing Activities**

1. For the purposes of this resolution, fishing vessels are presumed to have carried out illegal, unreported and unregulated fishing activities in the IOTC Area of competence, inter alia, when a Contracting Party or Cooperating non–Contracting Party (hereinafter referred to as “CPCs”) presents evidence that such vessels:
  - (a) Harvest tuna or tuna–like species in the IOTC Area of competence and are neither registered on the IOTC Record of Vessels authorised to fish for tuna and tuna–like species in the IOTC area of competence, in accordance with Resolution 07/02, nor recorded in the Active list of Vessels of IOTC, or
  - (b) Harvest tuna or tuna–like species in the IOTC Area of competence, when their flag state is without sufficient quotas, catch limit or effort allocation under IOTC conservation and management measures where applicable, or

- (c) Do not record or report their catches made in the IOTC Area of competence in accordance with IOTC reporting requirements, or make false reports, or
- (d) Take or land undersized fish in contravention of IOTC conservation measures, or
- (e) Fish during closed fishing periods or in closed areas in contravention of IOTC conservation measures, or
- (f) Use prohibited fishing gear in contravention of IOTC conservation measures, or
- (g) Tranship with, or participate in joint operations such as re-supplying or re-fuelling, vessels included in the IUU Vessels List, or
- (h) Harvest tuna or tuna-like species in the waters under the national jurisdiction of a coastal State in the IOTC Area of competence without authorisation and/or infringe the coastal state's laws and regulations, (this is without prejudice to the sovereign rights of coastal States to take measures against such vessels), or
- (i) Are without nationality and harvest tuna or tuna-like species in the IOTC Area of competence, or
- (j) Engage in fishing, including transshipping, re-supplying or re-fuelling, contrary to any other IOTC conservation and management measures.

#### **Information on Alleged IUU Fishing Activities**

2. CPCs shall transmit every year to the Secretary at least 70 days before the Annual Meeting, a list of the vessels presumed to have been carrying out IUU fishing activities in the IOTC Area of competence during the current and previous year, accompanied by evidence supporting the presumption of IUU fishing activity. The IOTC Reporting Form for Illegal Activity (Annex I) shall be used.
3. This list and evidence shall be based on information collected by CPCs from all relevant sources including but not limited to:
  - (a) Relevant resolutions of the IOTC, as adopted and amended from time to time;
  - (b) Reports from CPCs Parties relating to IOTC conservation and management measures in force;
  - (c) Trade information obtained on the basis of relevant trade statistics such as Food and Agriculture Organization of the United Nations (FAO) data, statistical documents and other national or international verifiable statistics; and
  - (d) Any other information obtained from port States and/or gathered from the fishing grounds that is suitably documented.

#### **Draft IUU Vessels List**

4. On the basis of the information received pursuant to paragraph 2, the Secretary shall draw up a Draft IUU Vessels List. This list shall be drawn up in conformity with Annex II. The Secretary shall transmit it together with the current IUU Vessels List as well as all the evidence provided to CPCs and to non-Contracting Parties whose vessels are included on these lists at least 55 days before the Annual Meeting. CPCs and non-Contracting Parties will transmit any comments to the Secretary at least 15 days before the Annual Meeting of the IOTC, including evidence showing that the listed vessels have neither fished in contravention to IOTC conservation and management measures nor had the possibility of fishing tuna and tuna-like species in the IOTC Area of competence.
5. The Flag State shall notify the owner of the vessels of their inclusion in the Draft IUU Vessels List and of the consequences that may result from their inclusion being confirmed in the IUU Vessels List adopted by the Commission.

6. Upon receipt of the Draft IUU Vessels list, CPCs shall closely monitor the vessels included in the Draft IUU Vessels List in order to determine their activities and possible changes of name, flag and or registered owner.

#### **Provisional IUU Vessels List**

7. On the basis of the information received pursuant to paragraph 2, the Secretary shall draw up a Provisional IUU Vessels List and transmit it two weeks in advance of the Commission Meeting to the CPCs and to the non-Contracting Parties concerned together with all the evidence and any comments provided. This list shall be drawn up in conformity with Annex II.
8. CPCs and non-Contracting Parties may at any time submit to the Secretary any additional information, which might be relevant to the establishment of the IUU Vessels List. The Secretariat shall circulate the information before the annual meeting to CPCs concerned, together with all the evidence provided.
9. The Compliance Committee shall examine each year the Provisional IUU Vessels List, as well as the information referred to in paragraphs 2, 3, 4, 7 and 8.
10. The Compliance Committee shall remove a vessel from the Provisional IUU Vessels List if the Flag State demonstrates that:
  - (a) The vessel did not take part in any IUU fishing activities described in paragraph 1, or
  - (b) It has taken effective action in response to the IUU fishing activities in question, including, inter alia, prosecution and imposition of sanctions of adequate severity. CPCs will report any actions and measures they have taken in accordance with Resolution 07/01, in order to promote compliance by vessels of CPCs with IOTC conservation and management measures.
11. Where Flag State evidence provided to support the details referred to in paragraphs 10a or 10b is submitted after the 15 day deadline referred to in paragraph 4 (including any submission of evidence made during the Compliance Committee's annual meeting) the vessel shall remain on the Provisional IUU List to allow consideration to occur by the relevant authorities inter-sessionally as described in paragraph 14. In cases where no evidence has been provided by the Flag State, the Compliance Committee shall recommend to the Commission that the vessel be included on the IOTC IUU Vessel list.
12. Following the examination referred to in paragraph 9, at each IOTC Annual meeting, the IOTC Compliance Committee shall:
  - a) Adopt a Provisional IUU Vessels List following consideration of the Draft IUU Vessels List and information and evidence circulated under paragraphs 4, 7 and 8.
  - b) Recommend to the Commission which, if any, vessels should be removed from the IUU Vessels List adopted at the previous IOTC Annual meeting, following consideration of that List, of the information and evidence circulated under paragraph 8 and the information supplied by Flag States in accordance with paragraph 19.

#### **IUU Vessels List**

13. Taking into account the recommendations and the Provisional IUU Vessels List adopted by the Compliance Committee, and the information provided under paragraph 2, 3, 4, 7 and 8, the Commission shall adopt the IOTC IUU Vessels List.
14. If the Commission is unable to decide, on the basis of the information provided under paragraphs 2, 3, 4, 7 and 8, whether or not a vessel should be included on the IOTC IUU Vessels List, the Commission may suspend its decision and request that supplementary information or evidence be submitted both by the relevant States, including the CPC that transmitted evidence on presumed IUU fishing activities by that vessel and the Flag State. The consideration of that vessel's inclusion on the IOTC IUU Vessels List shall continue inter-sessionally by electronic means as follows:

- a) Relevant CPC and the Flag State are invited to submit supplementary information or evidence to the IOTC Secretary within 90 days;
- b) Immediately following this period of 90 days, the Secretary will transmit the proposal to put the vessel on the IOTC IUU Vessels list to all CPCs, along with all the supplementary information or evidence received under paragraph 14(a);
- c) The CPCs will examine the proposal and supplementary information or evidence to put the vessel on the IOTC IUU Vessels List and notify the Secretary, within 30 days following this transmission, whether or not they support the vessel being included on the IOTC IUU Vessels List;
- d) At the end of the 30 days period, the Chairperson shall ascertain the outcome of the CPC's decision on the proposal in accordance with the following:
  - i) A majority of the Members of the Commission shall constitute the quorum.
  - ii) if A two-thirds majority of the Members of those which have expressed their position and cast affirmative or negative votes are in favour of putting the vessel on the IOTC IUU Vessels List, the vessel shall be included on this list.
  - iii) If the two-thirds majority of the Members of those which have expressed their position and cast affirmative or negative votes is not met, the vessel should remain in the Provisional IUU Vessels List.
- e) The Secretary shall communicate the result of the decision, along with a copy of the amended IOTC IUU Vessels List or the confirmed Provisional IOTC Vessel List, to all CPCs, the Flag State of the vessels (if is not a CPC), and any non-Contracting Party that may have an interest. The amended IOTC IUU Vessels List will have effect immediately after the Secretary communicates the result of the decision.

15. On adoption of the IOTC IUU Vessels List, the Secretary shall request CPCs, whose vessels appear on the list:

- a) To notify the owner of the vessel identified on the IUU Vessels List of its inclusion on the list and the consequences which result from being included on the list, as referred to in paragraph 16;
- b) To take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licences of these vessels, and to inform the Commission of the measures taken in this respect.

16. CPCs shall take all necessary measures, under their applicable legislation:

- a) So that the fishing vessels, the mother-ships and the cargo vessels flying their flag do not participate in any transshipment with vessels on the IUU Vessels list;
- b) So that IUU vessels that enter ports voluntarily are not authorized to land, tranship, refuel, re-supply, or engage in other commercial transactions;
- c) to prohibit the chartering of a vessel included on the IUU Vessels List;
- d) To refuse to grant their flag to vessels included in the IUU Vessels List, except if the vessel has changed owner and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel; or having taken into account all relevant facts, the Flag State determines that granting the vessel its flag will not result in IUU fishing;
- e) To prohibit the imports, landing or transshipment, of tuna and tuna-like species from vessels included in the IUU Vessels List;
- f) To encourage the importers, transporters and other sectors concerned, to refrain from transaction and transshipment of tuna and tuna-like species caught by vessels included in the IUU Vessels List;

g) To collect and exchange with other Contracting Parties or Co-operating non-Contracting Parties any appropriate information with the aim of detecting, controlling and preventing false import/export certificates for tunas and tuna-like species from vessels included in the IUU Vessels List.

17. The Secretary will take any necessary measure to ensure publicity of the IUU Vessels List adopted by IOTC pursuant to paragraph 12, in a manner consistent with any applicable confidentiality requirements, and through electronic means, including placing it on the IOTC website. Furthermore, the Secretary will transmit the IUU Vessels List to other regional fisheries management organisations for the purposes of enhanced co-operation between IOTC and these organisations in order to prevent, deter and eliminate illegal, unreported and unregulated fishing.
18. Without prejudice to the rights of Flag States and coastal states to take proper action consistent with international law, the CPCs should not take any unilateral trade measures or other sanctions against vessels provisionally included in the Draft IUU Vessels List, pursuant to paragraph 4, or which have been already removed from the IUU Vessels List, pursuant to paragraph 10, on the grounds that such vessels are involved in IUU fishing activities.

#### **Deletion from the IUU Vessels List**

19. A CPC whose vessel appears on the IUU Vessels List may request the removal of this vessel from the list during the inter-sessional period by providing the following information and supporting evidence:
  - a) It has adopted measures such that the vessel conforms with all IOTC conservation measures;
  - b) It is and will continue to assume effectively its responsibilities with respect to this vessel in particular as regards the monitoring and control of the fishing activities executed by this vessel in the IOTC Area of competence;
  - c) It has taken effective action in response to the IUU fishing activities in question including prosecution and imposition of sanctions of adequate severity;
  - d) The vessel has changed ownership and that the new owner can establish the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it and that the new owner has not participated in IUU fishing.

#### **Inter Sessional removal of vessels from the IUU Vessels List**

20. The CPC shall send its request for the removal of a vessel from the IUU Vessels List to the IOTC Secretary accompanied by the supporting information referred to in paragraph 19.
21. On the basis of the information received in accordance with paragraph 19, the Secretary will transmit the removal request, with all the supporting information to all CPCs within 15 days following the notification of the removal request.
22. The CPCs will examine the request to remove the vessel and notify the Executive Secretary of their conclusion to either remove the vessel from, or keep the vessel on, the IUU Vessels List, by mail within 30 days following the notification by the Secretary. At the end of the 30 day period, the Chairperson shall ascertain the outcome of the CPCs' decision on the proposal in accordance with the following:
  - i) A majority of the Members of the Commission shall constitute the quorum.
  - ii) if a two-thirds majority of the Members of those which have expressed their position and cast affirmative or negative votes are in favour of removing a vessel from the IOTC IUU Vessels List, the vessel shall be removed from this list.
  - iii) if the two-thirds majority of the Members of those which have expressed their position and cast affirmative or negative votes is not met, the vessel remains in the IOTC IUU Vessels List.

23. The Secretary shall communicate the result of the decision, along with a copy of the amended IOTC IUU Vessels List, to all CPCs, the Flag State of the vessels (if is not a CPC), and any non-Contracting Party that may have an interest. The amended IOTC IUU Vessels List will have effect immediately after the Secretary communicates the result of the decision.
24. Where the Commission decides to remove a vessel from the IUU Vessels list pursuant to paragraph 23, the Secretary will take the necessary measures to remove the vessel concerned from the IOTC IUU Vessels List, as published on the IOTC website. Moreover, the Secretary will forward the decision of removal of the vessel to other regional fishery management organisations.
25. Resolution 09/03 *On Establishing A List Of Vessels Presumed To Have Carried Out Illegal, Unregulated And Unreported Fishing In The IOTC Area* is superseded by this Resolution.

**ANNEX I**  
**IOTC REPORTING FORM FOR ILLEGAL ACTIVITY**

Recalling IOTC Resolution 11/03 *On establishing a list of vessels presumed to have carried out illegal, unregulated and unreported fishing in the IOTC area*, attached are details of illegal activity recorded in .....

**A. Details of Vessel**

*(Please detail the incidents(s) in the format below)*

<b>Item</b>	<b>Definition</b>	<b>Indicate</b>
a	Current Name of Vessel (Previous name/s, if any)	
b	Current Flag (previous flag/s, if any)	
c	Date first included on IOTC IUU Vessel List (if applicable)	
d	Lloyds IMO Number, if available	
e	Photo	
f	Call Sign (previous call sign, if any)	
g	Owner / Beneficial Owner/s (previous owner/s, if any)	
h	Operator (previous operator/s, if any) and Master/Fishing Master	
i	Date of alleged IUU fishing Activities	
j	Position of alleged IUU fishing Activities	
k	Summary of alleged IUU Activities (see section B for more detail)	
l	Summary of any Actions known to have been Taken in respect of the alleged IUU fishing activities	
m	Outcome of Actions Taken	

## B. Details of IOTC Resolution Elements Contravened

*(Indicate with a “X” the individual elements of IOTC Resolution 11/03 contravened, and provide relevant details including date, location, source of information. Extra information can be provided in an attachment if necessary.)*

<b>Item</b>	<b>Definition</b>	<b>Indicate</b>
a	Harvest tuna or tuna-like species in the IOTC Area of competence and are not registered on the IOTC Record of Vessels authorised to fish for tuna and tuna-like species in the IOTC Area of competence	
b	Harvest tuna or tuna-like species in the IOTC Area of competence, when their flag state is without sufficient quotas, catch limit or effort allocation under IOTC conservation and management measures where applicable	
c	Do not record or report their catches made in the IOTC Area of competence in accordance with IOTC reporting requirements, or make false reports	
d	Take or land undersized fish in contravention of IOTC conservation measures	
e	Fish during closed fishing periods or in closed areas in contravention of IOTC conservation measures	
f	Use prohibited fishing gear in contravention of IOTC conservation measures	
g	Tranship with, or participate in joint operations such as re-supplying or re-fuelling, vessels included in the IUU Vessels List	
h	Harvest tuna or tuna-like species in the waters under the national jurisdiction of a coastal State in the IOTC Area of competence without authorisation and/or infringes the coastal state’s laws and regulations	
i	Are without nationality and harvest tuna or tuna-like species in the IOTC Area of competence	
j	Engage in fishing or fishing related activities contrary to any other IOTC conservation and management measures	

## C. Associated Documents

*(List here the associated documents that are appended e.g. boarding reports, court proceedings, photographs)*

## D. Recommended Actions

<b>Recommended Actions</b>	<b>Indicate</b>
a Notification to IOTC Secretariat only. No further action is recommended.	
b Notification of illegal activity to IOTC Secretariat. Recommend notification of activity to flag state.	
c Recommended for inclusion on IOTC IUU list	

**ANNEX II**  
**INFORMATION TO BE INCLUDED IN ALL IOTC IUU VESSELS LISTS**

The Draft, Provisional and Final IUU Vessels Lists shall contain the following details:

1. name of the vessel and previous name/s, if any;
2. Flag of the vessel and previous flag/s, if any;
3. owner of the vessel and previous owner/s, including beneficial owners, if any;
4. operator of the vessel and previous operator/s, if any;
5. call sign of the vessel and previous call sign/s, if any;
6. Lloyds/IMO number, if available;
7. photographs of the vessel, where available;
8. date the vessel was first included on the IOTC IUU Vessels List;
9. summary of the activities which justify inclusion of the vessel on the List, together with references to all relevant supporting documents and evidences.

## **RESOLUTION 11/04**

### **ON A REGIONAL OBSERVER SCHEME**

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

TAKING INTO ACCOUNT the need to increase the scientific information, in particular to provide the IOTC Scientific Committee working material in order to improve the management of the tuna and tuna-like species fished in the Indian Ocean;

REITERATING the responsibilities of flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting IOTC conservation and management measures;

CONSIDERING the need for action to ensure the effectiveness of the IOTC objectives;

CONSIDERING the obligation of all IOTC Members and Co-operating Non-contracting Parties (hereinafter CPCs) to fully comply with the IOTC conservation and management measures;

AWARE of the necessity for sustained efforts by CPCs to ensure the enforcement of IOTC's conservation and management measures, and the need to encourage non-Contracting Parties (NCPs) to abide by these measures;

UNDERLINING that the adoption of this measure is intended to help support the implementation of conservation and management measures as well as scientific research for tuna and tuna-like species;

CONSIDERING the provisions set forth in Resolution 10/04 *on a Regional Observer Scheme*, adopted by the Commission;

CONSIDERING the deliberations of the 12<sup>th</sup> Session of the IOTC Scientific Committee held in Victoria, Seychelles from 30 November to 4 December 2009

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

#### **Objective**

1. The objective of the IOTC observer scheme shall be to collect verified catch data and other scientific data related to the fisheries for tuna and tuna-like species in the IOTC area.

#### **Observer Scheme**

2. In order to improve the collection of scientific data, at least 5 % of the number of operations/sets for each gear type by the fleet of each CPC while fishing in the IOTC Area of 24 meters overall length and over, and under 24 meters if they fish outside their EEZs shall be covered by this observer scheme. For vessels under 24 meters if they fish outside their EEZ, the above mentioned coverage should be achieved progressively by January 2013.
3. When purse seiners are carrying an observer<sup>9</sup> as stated in paragraph 1, this observer shall also monitor the catches at unloading to identify the composition of bigeye catches. The requirement for the observer to monitor catches at unloading is not applicable to CPCs already having a sampling scheme, with at least the coverage set out in paragraph 2.
4. The number of the artisanal fishing vessels landings shall also be monitored at the landing place by field samplers<sup>10</sup>. The indicative level of the coverage of the artisanal fishing vessels should progressively increase towards 5% of the total levels of vessel activity (i.e. total number of vessel trips or total number of vessels active).

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<sup>9</sup> Observer: a person that collects information on board fishing vessels. Observer programmes can be used for quantifying species composition of target species, bycatch, by-products and dead discards, collecting tag returns, etc.

<sup>10</sup> Field sampler: a person that collects information on land during the unloading of fishing vessels. Field sampling programmes can be used for quantifying catch, retained bycatch, collecting tag returns, etc.

5. CPCs shall:
  - a) Have the primary responsibility to obtain qualified observers. Each CPC may choose to use either deployed national or non-national of the flag State of the vessel on which they are deployed;
  - b) Endeavour that the minimum level of coverage is met and that the observed vessels are a representative sample of the gear types active in their fleet;
  - c) Take all necessary measures to ensure that observers are able to carry out their duties in a competent and safe manner;
  - d) Endeavour to ensure that the observers alternate vessels between their assignments. Observers are not to perform duties, other than those described in paragraphs 10 and 11 below;
  - e) Ensure that the vessel on which an observer is placed shall provide suitable food and lodging during the observer's deployment at the same level as the officers, where possible. Vessel masters shall ensure that all necessary co-operation is extended to observers in order for them to carry out their duties safely including providing access, as required, to the retained catch, and catch which is intended to be discarded.
6. The cost of the observer scheme in paragraph 2 and 3 shall be met by each CPC.
7. The sampling scheme referred in paragraph 4 will be covered by the Commission's accumulated funds and voluntary contribution on a provisional basis. The Commission will consider an alternative for the financing of this scheme.
8. If the coverage referred in paragraphs 2 and 3 is not met by a CPC, any other CPC may, subject to the consent of the CPC who has not met its coverage, place an observer to fulfill the tasks defined in the paragraphs 1 and 2 until that CPC provides a replacement or the target coverage level is met.
9. CPCs shall provide to the Executive Secretary and the Scientific Committee annually a report of the number of vessels monitored and the coverage achieved by gear type in accordance with the provisions of this Resolution.
10. Observers shall:
  - a) Record and report fishing activities, verify positions of the vessel;
  - b) Observe and estimate catches as far as possible with a view to identifying catch composition and monitoring discards, by-catches and size frequency;
  - c) Record the gear type, mesh size and attachments employed by the master;
  - d) Collect information to enable the cross-checking entries made to the logbooks (species composition and quantities, live and processed weight and location, where available); and
  - e) Carry out such scientific work (for example, collecting samples), as requested by the IOTC Scientific Committee.
11. The observer shall, within 30 days of completion of each trip, provide a report to the CPCs of the vessel. The CPCs shall send within 150 days at the latest each report, as far as continuous flow of report from observer placed on the longline fleet is ensured, which is recommended to be provided with 1°x1° format to the Executive Secretary, who shall make the report available to the Scientific Committee upon request. In a case where the vessel is fishing in the EEZ of a coastal state, the report shall equally be submitted to that Coastal State.
12. The confidentiality rules set out in the resolution 98/02 Data confidentiality policy and procedures for fine-scale data shall apply.
13. Field samplers shall monitor catches at the landing place with a view to estimating catch-at-size by type of boat, gear and species, or carry out such scientific work as requested by the IOTC Scientific Committee.
14. The funds available from the IOTC balance of funds may be used to support the implementation of this programme in developing States, notably the training of observers and field samplers.
15. The elements of the Observer Scheme, notably those regarding its coverage, are subject to review and revision, as appropriate, for application in 2012 and subsequent years. Basing on the experience of other Tuna RFMOs, the Scientific Committee will elaborate an observer working manual, a template to be used for reporting (including minimum data fields) and a training program.
16. This Resolution supersedes Resolution 10/04 *on a Regional Observer Scheme*.

**RESOLUTION 11/05**  
**ON ESTABLISHING A PROGRAMME FOR TRANSHIPMENT BY LARGE-SCALE FISHING**  
**VESSELS**

**The Indian Ocean Tuna Commission,**

TAKING ACCOUNT of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the conservation and management measures already adopted by IOTC;

EXPRESSING GRAVE CONCERN that organized tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transhipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to ensure the monitoring of the transhipment activities by large-scale longline vessels in the Convention area, including the control of their landings;

TAKING ACCOUNT of the need to collect catch data of such large scale long-line tuna to improve the scientific assessments of those stocks;

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

**SECTION 1. GENERAL RULE**

1. Except under the special conditions outlined below in Section 2 for transhipment operations at sea, all transhipment operations of tuna and tuna like species in the IOTC Area must take place in port.
2. The Flag Contracting Party, Cooperating non Contracting Party (CPCs) shall take the necessary measures to ensure that large scale tuna vessels (hereafter referred as the "LSTVs") flying their flag comply with the obligations set out in Annex 1 when transhipping in port.

**SECTION 2. PROGRAMME TO MONITOR TRANSHIPMENTS AT SEA**

3. The Commission hereby establishes a programme to monitor transhipment at sea which applies initially to large-scale tuna longline fishing vessels (hereafter referred to as the "LSTLVs") and to carrier vessels authorised to receive transhipments from these vessels at sea. The Commission shall at its 2010 Annual Meeting, review and, as appropriate, revise this Resolution.
4. The CPCs that flag LSTLVs shall determine whether or not to authorize their LSTLVs to tranship at sea. However, if the flag CPC authorizes the at-sea transhipment by its flag LSTLVs, such transhipment should be conducted in accordance with the procedures defined in Sections 3, 4 and 5, and annexes 2 and 3 below.

**SECTION 3. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSHIPMENTS-AT-SEA IN THE IOTC AREA**

5. The Commission shall establish and maintain an IOTC Record of Carrier Vessels authorized to receive tuna and tuna-like species at sea in the IOTC Area from LSTLVs. For the purposes of this Resolution, carrier vessels not entered on the record are deemed not to be authorized to receive tuna and tuna-like species in at-sea transhipment operations.
6. Each CPC shall submit, electronically where possible, to the IOTC Secretary by 1 July 2008 the list of the carrier vessels that are authorized to receive at-sea transhipments from its LSTLVs in the IOTC Area. This list shall include the following information:
  - i) The flag of the vessel
  - ii) Name of vessel, register number
  - iii) Previous name (if any)
  - iv) Previous flag (if any)
  - v) Previous details of deletion from other registries (if any)
  - vi) International radio call sign
  - vii) Type of vessels, length, gross tonnage (GT) and carrying capacity
  - viii) Name and address of owner(s) and operator(s)
  - ix) Time period authorised for transhipping

7. Each CPC shall promptly notify the IOTC Secretary, after the establishment of the initial IOTC Record, of any addition to, any deletion from and/or any modification of the IOTC Record, at any time such changes occur.
8. The IOTC Secretary shall maintain the IOTC Record and take measures to ensure publicity of the record and through electronic means, including placing it on the IOTC website, in a manner consistent with confidentiality requirements notified by CPCs for their vessels.
9. Carrier vessels authorized for at-sea transshipment shall be required to install and operate a Vessel Monitoring System (VMS).

#### **SECTION 4. AT-SEA TRANSHIPMENT**

10. Transshipments by LSTLVs in waters under the jurisdiction of the CPCs are subject to prior authorization from the Coastal State concerned. CPCs shall take the necessary measures to ensure that LSTLVs flying their flag comply with the following conditions:

##### **Flag State Authorization**

11. LSTLVs are not authorized to tranship at sea, unless they have obtained prior authorization from their Flag State.

##### **Notification obligations**

##### ***Fishing vessel:***

12. To receive the prior authorization mentioned in paragraph 11 above, the master and/or owner of the LSTLV must notify the following information to its Flag State authorities at least 24 hours in advance of an intended transshipment:
  - a) The name of the LSTLV and its number in the IOTC Record of Vessels,
  - b) The name of the carrier vessel and its number in the IOTC Record of Carrier Vessels authorized to receive transshipments in the IOTC area, and the product to be transhipped,
  - c) The tonnage by product to be transhipped,
  - d) The date and location of transshipment,
  - e) The geographic location of the tuna catches

13. The LSTLV concerned shall complete and transmit to its flag State, not later than 15 days after the transshipment, the IOTC transshipment declaration, along with its number in the IOTC record of fishing vessels, in accordance with the format set out in Annex 2.

##### ***Receiving carrier vessel:***

14. The master of the receiving carrier vessel shall complete and transmit the IOTC transshipment declaration to the IOTC Secretariat and the flag CPC of the LSTLV, along with its number in the IOTC Record of Carrier Vessels authorized to receive transshipment in the IOTC area, within 24 hours of the completion of the transshipment.
15. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an IOTC transshipment declaration, along with its number in the IOTC Record of Carrier Vessels authorized to receive transshipment in the IOTC area, to the competent authorities of the State where the landing takes place.

##### ***Regional Observer Programme***

16. Each CPC shall ensure that all carrier vessels transshipping at sea have on board an IOTC observer, not later than 1 January 2009, in accordance with the IOTC Regional Observer Programme in Annex 3. The IOTC observer shall observe the compliance with this Resolution, and notably that the transhipped quantities are consistent with the reported catch in the IOTC transshipment declaration.
17. Vessels shall be prohibited from commencing or continuing at-sea transshipping in the IOTC area without an IOTC regional observer on board, except in cases of „force majeure“ duly notified to the IOTC Secretariat.

#### **SECTION 5 GENERAL PROVISIONS**

18. To ensure the effectiveness of the IOTC conservation and management measures pertaining to species covered by Statistical Document Programs:
  - a) In validating the Statistical Document, Flag CPCs of LSTLVs shall ensure that transshipments are consistent with the reported catch amount by each LSTLV.
  - b) The Flag CPC of LSTLVs shall validate the Statistical Documents for the transhipped fish, after confirming that the transshipment was conducted in accordance with this Resolution. This confirmation shall be based on the information obtained through the IOTC Observer Programme.

- c) CPCs shall require that the species covered by the Statistical Document Programs caught by LSTLVs in the Convention area, when imported into the territory of a Contracting Party, be accompanied by statistical documents validated for the vessels on the IOTC record and a copy of the IOTC transshipment declaration.
19. The CPCs shall report annually before 15 September to the Secretary:
    - a) The quantities by species transhipped during the previous year.
    - b) The list of the LSTLVs registered in the IOTC Record of Fishing Vessels which have transhipped during the previous year.
    - c) A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from their LSTLVs.
  20. All tuna and tuna-like species landed or imported into the CPCs either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the IOTC transshipment declaration until the first sale has taken place.
  21. Each year, the Secretary shall present a report on the implementation of this Resolution to the annual meeting of the Commission which shall review compliance with this Resolution.
  22. The Secretariat shall, when providing CPCs with copies of all raw data, summaries and reports in accordance with paragraph 10 of Annex 3 to this Resolution, also indicate evidence indicating possible infraction of IOTC regulations by LSTLVs/carrier vessels flagged to that CPC. Upon receiving such evidence, each CPC shall investigate the cases and report the results of the investigation back to the Secretariat one month prior to the Compliance Committee meeting. The Secretariat shall circulate among CPCs the list of names and flags of the LSTLVs/Carrier vessels that were involved in such possible infraction as well as the response of the flag CPCs two weeks prior to the Compliance Committee meeting. The Compliance Committee shall examine the cases and decide whether there was any infraction.
  23. *Resolution 08/02 On establishing a programme for transshipment by large-scale fishing vessels* is superseded by this Resolution.

**ANNEX 1**  
**CONDITIONS RELATING TO IN-PORT TRANSHIPMENT BY LSTVS**

**General**

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

**Notification obligations**

**2 Fishing vessel:**

2.1 Prior to transshipping, 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 transshipment,
- e) the major fishing grounds of the tuna and tuna like species catches

2.2 The Captain of a LSTV shall, at the time of the transshipment, 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
- d) the geographic location of the tuna and tuna like species 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 2 not later than 15 days after the transshipment.

***Receiving vessel:***

3 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 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 LSTV shall include in its annual report each year to IOTC the details on the transshipments by its vessels.

**ANNEX 2  
IOTC TRANSHIPMENT DECLARATION**

<b>Carrier Vessel</b>	<b>Fishing Vessel</b>
Name of the Vessel and Radio Call Sign:	Name of the Vessel and Radio Call Sign:
Flag:	Flag:
Flag state license number:	Flag state license number:
National Register Number, if available:	National Register Number, if available:
IOTC Register Number, if available:	IOTC Register Number, if available:

Departure	Day	Month	Hour	Year	2_ 0_ _ _	Agent's name:	Master's name of LSTV:	Master's name of Carrier:
Return	_ _	_ _	_ _	from	_ _ _	Signature:	Signature:	Signature :
Transhipment	_ _	_ _	_ _	to	_ _ _			

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: |\_\_\_\_\_| kilograms

**LOCATION OF TRANSHIPMENT**

Species	Port	Sea	Type of product									
			Whole	Gutted	Headed	Filleted						

If transhipment effected at sea, IOTC Observer Name and Signature:

**ANNEX 3**  
**IOTC REGIONAL OBSERVER PROGRAMME**

1. Each CPC shall require carrier vessels included in the IOTC Record of Carrier Vessels authorised to receive transhipments in the IOTC Area and which tranship at sea, to carry an IOTC observer during each transhipment operation in the Convention area.
2. The Secretary shall appoint the observers and shall place them on board the carrier vessels authorized to receive transhipments in the IOTC Area from LSTLVs flying the flag of Contracting Parties and of Cooperating non-Contracting Parties that implement the IOTC observer program.

**Designation of the observers**

3. The designated observers shall have the following qualifications to accomplish their tasks:
  - a) sufficient experience to identify species and fishing gear;
  - b) satisfactory knowledge of the IOTC conservation and management measures;
  - c) the ability to observe and record information accurately;
  - d) a satisfactory knowledge of the language of the flag of the vessel observed.

**Obligations of the observer**

4. Observers shall:
  - a) have completed the technical training required by the guidelines established by IOTC;
  - b) not be, to the extent possible, nationals of the flag State of the receiving carrier vessel;
  - c) be capable of performing the duties set forth in point 5 below;
  - d) be included in the list of observers maintained by the Secretariat of the Commission;
  - e) not be a crew member of an LSTLV or an employee of an LSTLV company.
5. The observer tasks shall be in particular to:
  - a) On the Fishing Vessel intending to tranship to the carrier vessel and before the transhipment takes place, the observer shall:
    - i. check the validity of the fishing vessel's authorisation or licence to fish tuna and tuna like species in the IOTC area;
    - ii. check and note the total quantity of catch on board, and the quantity to be transferred to the carrier vessel;
    - iii. check that the VMS is functioning and examine the logbook;
    - iv. verify whether any of the catch on board resulted from transfers from other vessels, and check documentation on such transfers;
    - v. in the case of an indication that there are any violations involving the fishing vessel, immediately report the violations to the carrier vessel master.
    - vi. report the results of these duties on the fishing vessel in the observer's report.
  - b) On the Carrier Vessel:

Monitor the carrier vessel's compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:

    - i. record and report upon the transhipment activities carried out;
    - ii. verify the position of the vessel when engaged in transshipping;
    - iii. observe and estimate products transhipped;
    - iv. verify and record the name of the LSTLV concerned and its IOTC number;
    - v. verify the data contained in the transhipment declaration;
    - vi. certify the data contained in the transhipment declaration;
    - vii. countersign the transhipment declaration;
    - viii. issue a daily report of the carrier vessel's transshipping activities;
    - ix. establish general reports compiling the information collected in accordance with this paragraph and provide the captain the opportunity to include therein any relevant information.
    - x. submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
    - xi. exercise any other functions as defined by the Commission.

6. Observers shall treat as confidential all information with respect to the fishing operations of the LSTLVs and of the LSTLVs owners and accept this requirement in writing as a condition of appointment as an observer;
7. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
8. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 9 of this program.

**Obligations of the Flag States of carrier vessels**

9. The responsibilities regarding observers of the flag States of the carrier vessels and their captains shall include the following, notably:
  - a) Observers shall be allowed access to the vessel personnel and to the gear and equipment;
  - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 5:
    - i. Satellite navigation equipment;
    - ii. Radar display viewing screens when in use;
    - iii. Electronic means of communication;
  - c) Observers shall be provided accommodation, including lodging, food and adequate sanitary facilities, equal to those of officers;
  - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
  - e) The flag States shall ensure that captains, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.
10. The Secretary, in a manner consistent with any applicable confidentiality requirements, shall provide to the flag State of the carrier vessel under whose jurisdiction the vessel transhipped and to the Flag CPC of the LSTLV, copies of all raw data, summaries, and reports pertaining to the trip two months prior to the Compliance Committee meeting.

**Obligations of LSTLV during transhipment**

11. Observers shall be allowed to visit the fishing vessel, if weather conditions permit it, and access shall be granted to personnel and areas of the vessel necessary to carry out their duties set forth in paragraph 5.
12. The Secretary shall submit the observer reports to the Compliance Committee and to the Scientific Committee.

**Observer fees**

- 13 The costs of implementing this program shall be financed by the flag CPCs of LSTLVs wishing to engage in transhipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the IOTC Secretariat and the IOTC Secretary shall manage the account for implementing the program;
- 14 No observer shall be assigned to a vessel for which the fees, as required under paragraph 13, have not been paid.

**RECOMMENDATION 11/06**  
**CONCERNING THE RECORDING OF CATCH AND EFFORT BY FISHING VESSELS IN**  
**THE IOTC AREA OF COMPETENCE**

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

RECALLING the commitment made by members under Article V of the IOTC Agreement to keep under review the conditions and trends of the stocks and to gather, analyse and disseminate scientific information, catch and effort statistics and other data relevant to the conservation and management of the stocks and to fisheries based on the stocks covered by the Agreement;

CONSIDERING the provisions set forth in Resolution 10/02 Mandatory Statistical Requirements for IOTC Members and Co-operating Non-Contracting Parties (CPCs), and in particular paragraph 3, which sets out the catch and effort reporting requirements for surface fisheries, longline and coastal fisheries;

ACKNOWLEDGING that the IOTC Science Committee has repeatedly stressed the importance of the timeliness and accuracy of data submissions for members;

ALSO RECALLING the outcomes of the 9th Session of the IOTC Scientific Committee held in Victoria, Seychelles from 6 to 10 November 2006 where it was agreed that a standardised logbook would be advantageous and agreed on the minimum 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);

FURTHER RECALLING the recommendations adopted by the KOBE II Workshop on Bycatch, held in Brisbane, Australia, 23–25 June 2010; in particular that RFMOs should consider adopting standards for bycatch data collection which, at a minimum, allows the data to contribute to the assessment of bycatch species population status and evaluation of the effectiveness of bycatch measures, and that the data should allow the RFMOs to assess the level of interaction of the fisheries with bycatch species;

ALSO CONSIDERING the deliberations of the 12th Session of the IOTC Scientific Committee held in Victoria, Seychelles from 30 November to 4 December 2009;

FURTHER CONSIDERING the deliberations of the 13th Session of the IOTC Scientific Committee held in Victoria, Seychelles from 6 to 10 December 2010, that recommended three options, one of which is mandatory reporting of a revised list of shark species in logbooks to improve the data collection and statistics on sharks in the IOTC Area of competence;

FURTHER CONSIDERING the works of the small task force created by the IOTC Scientific Committee during its 10th Session held in Seychelles in November 2007, to harmonise the various forms currently used by the fleets and the IOTC Scientific Committee agreement on the minimum standard requirements for all purse seine, longline and gillnet fleets as well as the produced logbook template;

RECOMMENDS in accordance with the provisions of the Agreement Establishing the IOTC, that:

- 1 Each flag CPC should ensure that all purse seine, longline, gillnet and pole and line fishing vessels flying its flag and authorized to fish species managed by IOTC be subject to a data recording system.
- 2 Within the IOTC Area of competence, all purse seine, longline, gillnet and pole and line fishing vessels over 24 metres length and those under 24 metres if they fish outside the EEZs of their flag States should 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 in Annex I and II.
- 3 The logbooks format consists of two parts, Annex I and Annex II, and logbook templates are provided for illustrative purposes only for all gears (Annex III, IV, V and VI):

Annex I includes information on vessel, trip and gear configuration, and need only be completed once for each trip, unless the gear configuration changes during the trip.

Annex II contains information of purse seine, longline, gillnet and pole and line operations and catch, which must be completed for each set of the fishing gear.

- 4 The logbook data should 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 should 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.
- 5 The Commission will review this recommendation at its 2012 annual meeting, taking into account the recommendations of the Scientific Committee, with the view of adopting a resolution to implement reporting requirements across all gear types.

## ANNEX I

**Record once per trip (unless gear configuration changes)**

### 1.1 REPORT INFORMATION

- 1) Date of the submission of logbook
- 2) Name of reporting person

### 1.2 VESSEL INFORMATION

- 1) Vessel name and/or registration number
- 2) IOTC number, where available
- 3) Call sign: if call sign is not available, other unique identifying code such as registration or fishing licence number should be used
- 4) Vessel size: gross tonnage and/or overall length (meters)

### 1.3 CRUISE INFORMATION

For multiday fishing operations record the

- 1) Departure date and port
- 2) Arrival date and port

### 1.4 OTHER REQUIRED INFORMATION

#### **Longline (Gear Configuration):**

- 1) Average branch line length (meters): straight length in meters between snap and hook (Figure 1)
- 2) Average float line length (meters): straight length in meters from the float to the snap
- 3) Average length between branch (meters): straight length of main line in meters between successive branch lines
- 4) Main line material classified into four categories:
  - a. Thick rope (Cremona rope)
  - b. Thin rope (PE or other materials)
  - c. Nylon braided
  - d. Nylon monofilament

#### **Purse Seine (Search Information):**

- 1) Days searched
- 2) Spotter plane used (Yes/No)

#### **Gillnet (Gear Configuration):**

- 1) Minimum and maximum fishing depth of assembled net (meters): record the maximum and minimum of the depth range fished
- 2) Mesh size of net (millimetres): record the size of the mesh size used during the trip
- 3) Height of assembled net (meters): height on assembled net in meters
- 4) Netting material: e.g. nylon braid, nylon monofilament, etc
- 5) Total length of net lost and not recovered (meters): record the total length lost during the trip

#### **Pole and line**

- 1) Activity: reported each day from the start of the trip to the end of the trip. Activities should include “a day fishing or search with bait onboard”, “no fishing – collecting bait”; “no fishing – in transit”; no fishing – gear breakdown”; no fishing – bad weather” and no fishing – in port

## ANNEX II

### Record once per set/shot/operation

#### 2.1 OPERATION

##### For longline:

- 1) Date of set (YYYY/MM/DD)
- 2) Position in latitude and longitude: either at noon (local time) position or position of start of gear, area code of operation (e.g. Seychelles EEZ, High seas, etc) may be optionally used
- 3) Local Time (24 hr) of starting setting the gear
- 4) Sea surface temperature at noon with one decimal point, if available (XX.X°C)
- 5) Number of hooks between floats: if there are different hooks counts between floats in a single set then record the most representative (average) number
- 6) Total number of hooks used in the set
- 7) Number of light-sticks used in the set
- 8) Type of bait used in the set

##### For purse seine:

- 1) Date of fishing activity (YYYY/MM/DD)
- 2) Position in latitude and longitude: for each set or at noon (local time) position
- 3) Details of the set or deployment of FAD: specify if the set was successful, nil, time, well
- 4) Type of school: FAD association (specify the type e.g. object, beacon, whale shark, whale, etc) and/or free swimming school
- 5) Sea surface temperature at noon with one decimal point, if available (XX.X°C)
- 6) Current speed (knots) and direction (degrees)

##### For gillnet:

- 1) Date of set (YYYY/MM/DD): record the date for each set of day at sea (for days without sets)
- 2) Total length of net (meters): length floatline used for each set in meters
- 3) Start fishing time: record the UCT time (24 hr) when starting each set
- 4) Start and end position in latitude and longitude: record start and end latitude and longitude that represent the area that your gear is set between. Record the latitude and longitude at noon for days with no set.
- 5) Depth at which net is set (meters): approximate depth at which the gillnet is set
- 6) Start Haul Time: record the UCT time (24 hr) when hauling starts
- 7) Finish Haul Time: record the UCT time (24 hr) when hauling ends

##### For Pole and Line

- 1) Date of fishing: record the day of fishing. Each fishing day should be recorded separately.
- 2) Number of fishermen: record the number of fishermen on the boat by fishing day (fishing event)
- 3) Number of fishing gears used: Record the number of fishing gears used during the day (fishing event)
- 4) Start fishing time: record the UCT time (24 hr) immediately after bait fishing is complete and the vessel heads to the ocean for fishing. For multiple days, the time at which search starts should be recorded
- 5) End fishing time: record the UCT time (24 hr) immediately after fishing is complete from the last school. This is the time that the captain decides to head home. On multiple days this is the time fishing stopped from the last school.
- 6) Position of the catch: record the latitude and longitude at the start of the fishing event, record

the latitude and longitude at noon for non-fishing days. Where information is recorded by day, record the average 1° x 1° area(s) where fishing took place.

7) Type of school: FAD associated and/or free school

## 2.2 CATCH

- 1) Catch weight (kg) or number by species per set/shot/fishing event for each of the species and form of processing in section 2.3:
  - a. For longline by number and weight;
  - b. For purse seine by weight;
  - c. For gillnet by weight;
  - d. For pole and line by weight or number

## 2.3 SPECIES

For Longline:

<b>Fish Species</b>	<b>Other Species</b>
Southern Bluefin Tuna ( <i>Thunnus maccoyii</i> )	Blue Shark ( <i>Prionace glauca</i> )
Albacore Tuna ( <i>Thunnus alalunga</i> )	Mako Sharks ( <i>Isurus</i> spp.)
Bigeye Tuna ( <i>Thunnus obesus</i> )	Porbeagle Shark ( <i>Lamna nasus</i> )
Yellowfin Tuna ( <i>Thunnus albacores</i> )	Oceanic Whitetip Shark ( <i>Carcharhinus longimanus</i> )
Skipjack Tuna ( <i>Katsuwonus pelamis</i> )	Hammerhead Sharks ( <i>Sphyrna</i> spp.)
Swordfish ( <i>Xiphius gladius</i> )	Other sharks
Striped marlin & blue marlin ( <i>Tetrapturus audax</i> & <i>Makaira indica</i> )Swordfish ( <i>Xiphius gladius</i> )	<b>Optional species to be recorded</b>
Black Marlin ( <i>Makaira mazara</i> )Striped marlin & blue marlin ( <i>Tetrapturus audax</i> & <i>Makaira indica</i> )	Thresher Sharks ( <i>Alopias</i> spp.)
Shortbilled spearfish ( <i>Tetrapturus angustirostris</i> )Black Marlin ( <i>Makaira mazara</i> )	Tiger Shark ( <i>Galeocerdo cuvier</i> )
Indo–Pacific Sailfish ( <i>Istiophorus platypterus</i> )Shortbilled spearfish ( <i>Tetrapturus angustirostris</i> )	Crocodile Shark ( <i>Pseudocarcharias kamoharai</i> )
Other bony fishesIndo–Pacific Sailfish ( <i>Istiophorus platypterus</i> )	Other Requiem sharks ( <i>Carcharhinus</i> spp.)
Other bony fishes	Great White shark ( <i>Carcharodon carcharias</i> )
	Pelagic stingray ( <i>Pteroplatytrygon violacea</i> )

For Purse Seine:

<b>Fish Species</b>	<b>Others Optional</b>
Albacore Tuna ( <i>Thunnus alalunga</i> )	Whale Shark ( <i>Rhincodon typus</i> )
Yellowfin Tuna ( <i>Thunnus albacores</i> )	Oceanic Whitetip Shark ( <i>Carcharhinus longimanus</i> )
Skipjack Tuna ( <i>Katsuwonus pelamis</i> )	Silky sharks ( <i>Carcharhinus falciformis</i> )
Bigeye Tuna ( <i>Thunnus obesus</i> )	Other sharks
Other fishes	

For Gillnet:

<b>Fish Species</b>	<b>Other Species</b>
Albacore Tuna ( <i>Thunnus alalunga</i> )	Blue Shark ( <i>Prionace glauca</i> )
Bigeye Tuna ( <i>Thunnus obesus</i> )	Mako Sharks ( <i>Isurus</i> spp.)
Longtail Tuna ( <i>Thunnus tonggol</i> )	Porbeagle Shark ( <i>Lamna nasus</i> )
Yellowfin Tuna ( <i>Thunnus albacores</i> )	Oceanic Whitetip Shark ( <i>Carcharhinus longimanus</i> )
Skipjack Tuna ( <i>Katsuwonus pelamis</i> )	Hammerhead Sharks ( <i>Sphyrna</i> spp.)
Frigate Tuna ( <i>Auxis thazard</i> )	Other sharks
Kawakawa ( <i>Euthynnus affinis</i> )	<b>Optional species to be recorded</b>
Narrow banded Spanish Mackerel ( <i>Scomberomorus comerson</i> )	Thresher Sharks ( <i>Alopias</i> spp.)
Indo–Pacific King Mackerel ( <i>Scomberomorus guttatus</i> )	Tiger Shark ( <i>Galeocerdo cuvier</i> )
Marlins ( <i>Tetrapturus</i> spp, <i>Makaira</i> spp)	Crocodile Shark ( <i>Pseudocarcharias kamoharai</i> )
Indo–Pacific Sailfish ( <i>Istiophorus platypterus</i> )	Other Requiem sharks ( <i>Carcharhinus</i> spp.)
Shortbilled spearfish ( <i>Tetrapturus angustirostris</i> )	Great White shark ( <i>Carcharodon carcharias</i> )
Swordfish ( <i>Xiphius gladius</i> )	
Other fishes	

For Pole and Line:

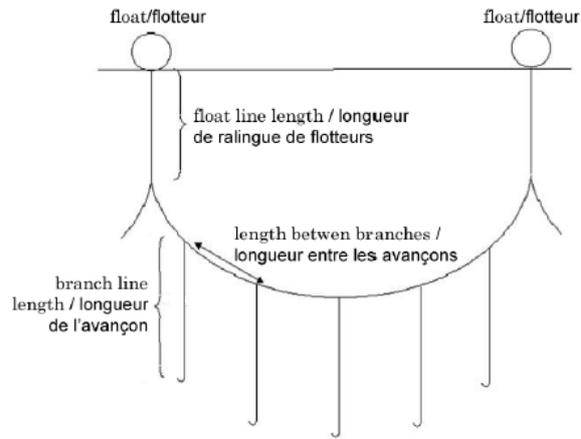
<b>Fish Species</b>
Skipjack Tuna ( <i>Katsuwonus pelamis</i> )
Yellowfin Tuna ( <i>Thunnus albacores</i> )
Bigeye Tuna ( <i>Thunnus obesus</i> )
Albacore Tuna ( <i>Thunnus alalunga</i> )
Frigate Tuna ( <i>Auxis thazard</i> )
Kawakawa ( <i>Euthynnus affinis</i> )
Longtail Tuna ( <i>Thunnus tonggol</i> )
Narrow banded Spanish Mackerel ( <i>Scomberomorus comerson</i> )
Other fishes

## 2.4 REMARKS

- 1) Discard Weight (kg) or number
  - a. For longline by number and weight
  - b. For purse seine estimate weight for each species
  - c. For gillnet by weight
  - d. For pole and line by weight or number
- 2) Any interactions with whale sharks (*Rhincodon typus*) and marine mammals are encouraged to be recorded
- 3) Discard of tuna, tuna–like fish and sharks, turtles and seabirds should be recorded in the remarks
- 4) Other information is also written in the remarks
- 5) Recall the Recommendation 10/13 *On the Implementation of a Ban on Discards of Skipjack Tuna, Yellow Fin Tuna, Bigeye Tuna and Non Targeted Species Caught by Purse Seiners*

**Note:** The species included in the logbooks are regarded as minimum requirement. Optionally other frequently caught shark and/or fish species should be added as required across different areas and fisheries.

Figure 1. Schematic diagram of longline gear / Diagramme schématique d'une palangre.



## ANNEX III – LOGBOOK TEMPLATE FOR TUNA LONGLINERS (FOR ILLUSTRATIVE PURPOSES ONLY)

CPCs NEED TO ENSURE THAT THE MINIMUM REQUIREMENTS SET OUT ABOVE ARE ADDED TO THE LOGBOOKS

Flag country / Pavillon			
Date reported / Date de déclaration †		Name of captain / Nom du capitaine	
Reporting person / Personne déclarante	Name / Nom	Phone / Téléphone	
Departure date / Date de départ †		Departure port / Port de départ	
Arrival date / Date d'arrivée †		Arrival port / Port d'arrivée	

Name of boat / nom du navire			
Vessel size / Taille du navire	GT (tons)/TB (tonnes)	LOA (m) / LHT (m)	
License number / Numéro de licence			
Call sign / Indicateur radio			
Number of crew / Effectif équipage			

† use YYYY/MMDD for dates / utilisez AAAAMM/JJ pour les dates

Gear configuration / configuration de l'engin	
Branch line length / Longueur des avancons (m)	
Float line length / longueur des ralingues de flotteurs (m)	
Length between branch lines / longueur entre les avancons (m)	
Target / cibles	1. Tuna/thons ( ) 2. Swordfish/espadon ( ) 3. Other/ autres ( )

Type of weight / type de poids
<input type="checkbox"/> whole / entier
<input type="checkbox"/> processed / transformé

In each set, catch should be given both in number and weight (in kg) in upper and lower row, respectively

Date †	Position				Time of setting setting gear (24hr) / heure de début de câble	SST °*	Number of hooks between floats / nombre d'hameçons entre flotteurs	Total number of hooks / nombre total d'hameçons	Tunas / thons					Billfishes / Poites-épée					Sharks / requins				Other / autres poissons	Remarks (discard or other information) / remarques (rejets ou autres informations)	
	Latitude		Longitude						southern bluefin / thon rouge	albacore / gomon	bigeye / paludo	yellowfin / albacore	skipjack / listao	Swordfish / espadon	Striped marlin / marlin rayé	blue marlin / marlin bleu	black marlin / marlin noir	Sailfish / volier	Shorbill spearfish / marlin à resbre court	Blue shark / Peau bleue	Porbeagle / requin lape	Mako / petite lape			Other / autres
	Degree / Degrés ‡	NS	Degree / Degrés ‡	EW																					
		N S		E W																					
		N S		E W																					
		N S		E W																					
		N S		E W																					

† for dates, use the YYYY/MM/DD format / pour les dates, utiliser le format AAAAMM/JJ  
‡ for positions, use the format: / pour les positions, utiliser le format: XX°XX'  
\*\* for SST, use a value with one decimal point / pour la SST, utiliser une valeur à une décimale

**ANNEX IV – LOGBOOK TEMPLATE FOR PURSE–SEINE VESSELS  
(FOR ILLUSTRATIVE PURPOSES ONLY)**

**CPCs NEED TO ENSURE THAT THE MINIMUM REQUIREMENTS SET OUT ABOVE ARE ADDED TO THE LOGBOOKS**

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 OBSERVACIONES COMMENTS		COURANT CORRIENTE CURRENT	
		Portant / Positivo / Successful Nul / Nulo / Nil	Heure / Hora / Time préciser/spécifier/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 Tiburón Ballena / Shark Whale Baleine / Ballena / Whale	Route/Recherche, problèmes divers, type d'épave (naturelle/artificielle, balisée, bateau), prise accessoire, taille du banc, autres associations, ...		T° Mer / Mar / Sea	Direction / Dirección / Dirección 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				Ruta/Busca, problemas varios, tipo de objeto (natural/artificial, con baliza, barco), captura accesoria, talla del banco, otras asociaciones, ...
Une calée par ligne / Uno lance cada línea / One set by line																						





## APPENDIX XVIII

### UPDATE ON PROGRESS REGARDING RESOLUTION 09/01 – ON THE PERFORMANCE REVIEW FOLLOW-UP

(NOTE: NUMBERING AND RECOMMENDATIONS AS PER APPENDIX I OF RESOLUTION 09/01)

ON THE IOTC AGREEMENT – A LEGAL ANALYSIS	RESPONSIBILITY	UPDATE/STATUS
<p>1. The final conclusion of the Panel is that the Agreement is outdated and there are many areas for improvement. The weaknesses and gaps identified are, or have a potential to be, major impediments to the effective and efficient functioning of the Commission and its ability to adopt and implement measures aimed at long-term conservation and sustainable exploitation of stocks, according to model fisheries management instruments. More fundamentally, these deficiencies are likely to prevent the Commission from achieving its basic objectives.</p>	<p><i>Commission and Members</i></p>	<p><b>Pending:</b> No new developments have taken place in this area.</p>
<p>2. Consequently, the Panel recommends that the IOTC Agreement either be amended or replaced by a new instrument. The decision on whether to amend the Agreement or replace it should be made taking into account the full suite of the deficiencies identified.</p>	<p><i>Commission and Members</i></p>	<p><b>Pending:</b> No new developments have taken place in this area.</p>
ON CONSERVATION AND MANAGEMENT	RESPONSIBILITY	UPDATE/STATUS
<p><b>Data collection and sharing</b></p>		
<p><i>The Panel identified a poor level of compliance by many IOTC Members. with their obligations, notably those related to the statistical requirements on artisanal fisheries and sharks, and recommends that:</i></p>		
<p>3. The timing of data reporting be modified to ensure that the most recent data are available to the working parties and the Scientific Committee.</p>	<p><i>Scientific Committee</i></p>	<p><b>Completed:</b> Currently CPCs are required to submit information on their flag vessels by 30<sup>th</sup> June every year. The same timeline is applicable for coastal CPCs who license foreign vessels. The timing of the Working Party on Tropical Tunas and the Working Party on Billfish are considered optimal so that assessments on the most recently available data can be completed and results reported to the Scientific Committee each year.</p>

<p>4. The deadline to provide data on active vessels be modified to a reasonable time in advance of the meeting of the Compliance Committee. This deadline is to be defined by the Compliance Committee.</p>	<p><i>Compliance Committee</i></p>	<p><b>Completed:</b> Resolutions 10/07 and 10/08 have modified the reporting date for active vessels, which is now in the month preceding the meeting of the Compliance Committee. Resolution 10/08 establishes February 15<sup>th</sup> as the new deadline for submission of the list of active vessels for the previous year.</p>
<p>5. The scheduling of meetings of the working parties and Scientific Committee be investigated based on the experience of other RFMOs. This should bear in mind the optimal delivery of scientific advice to the Commission.</p>	<p><i>Scientific Committee</i></p>	<p><b>Completed:</b> Given the large number of meetings of other RFMOs, it is becoming increasingly difficult to find a schedule of meetings that would be better than the one currently in practice. The Scientific Committee will continue to periodically review the timing of the Working Parties.</p>
<p>6. The Commission task the Scientific Committee with exploring alternative means of communicating data to improve timeliness of data provision.</p>	<p><i>Scientific Committee</i></p>	<p><b>Partially completed:</b> The Secretariat encourages members to utilise electronic means to expedite reporting. A study has been commissioned for 2011 to determine the feasibility of reporting near real-time for various fleets.</p>
<p>7. Non-compliance be adequately monitored and identified at individual Member level, including data reporting.</p>	<p><i>Compliance Committee</i></p>	<p><b>Ongoing:</b> Reports on compliance with data reporting requirements have been regularly reviewed by the Compliance Committee, as well as discussed at the species Working Parties, the Working Party on Data Collection and Statistics and the Scientific Committee. For the Compliance Committee meeting of 2011, country-based reports have been prepared for this purpose.</p>
<p>8. The causes of non-compliance be identified in cooperation with the Member concerned.</p>	<p><i>Compliance Committee</i></p>	<p><b>Ongoing:</b> The Terms of Reference of the Compliance Committee was revised in 2010 (Resolution 10/09) and provides for the assessment of compliance by CPCs. The Secretariat, via the Compliance Section, maintains contact with national officers to determine the reasons for non-compliance, in particular, concerning data reporting.</p>
<p>9. When the causes of non-compliance are identified and all reasonable efforts to improve the situation are exhausted, any Member or non-Member continuing to not-comply be adequately sanctioned (such as market related measures).</p>	<p><i>Compliance Committee</i></p>	<p><b>Ongoing:</b> Resolution 10/10 provides the necessary framework in which to apply market related measures, following an appropriate process. Reductions in future quota allocation have been proposed as deterrents for non-compliance.</p>
<p>10. There is a need to improve the quality and quantity of the data collected and reported by the Members, including the information necessary for implementing the ecosystem approach. The most immediate emphasis should be placed on catch, effort and size frequency. The Panel also recommends that:</p>	<p><i>Scientific Committee</i></p>	<p><b>Ongoing:</b> See below.</p>

<p>11. Support for capacity building be provided to developing States – the Commission should enhance funding mechanisms to build developing country CPCs’ capacity for data collection, processing and reporting infrastructures, in accordance with the Commission requirements.</p>	<p><i>Standing Committee on Administration and Finance and Finance</i></p>	<p><b>Ongoing:</b> Currently, the only funding available continues to be through the externally–funded IOTC–OFCF programme. Other sources and cooperative arrangements might be available in the future (e.g. SWIOFP, COI, etc.). The Secretariat continues to collaborate with these initiatives.</p>
<p>12. A regional scientific observer programme to enhance data collection (also for non–target species) and ensure a unified approach be established, building on the experience of other RFMOs, Regional standards on data collection, data exchanged and training should be developed.</p>	<p><i>Scientific Committee</i></p>	<p><b>Completed:</b> Resolution 10/04 provides CPCs with the necessary framework for putting in place a scientific observer programme. The Regional Observers Scheme commenced July 1<sup>st</sup> 2010, and is based on national implementation. The Secretariat coordinated the preparation of standards for data requirements, training and forms.</p>
<p>13. Actions be taken so that fishing fleets, especially Maldives, Taiwan, Province of China and Yemen participate in data collection and reporting.</p>	<p><i>Commission</i></p>	<p><b>Partially completed:</b> Maldives became a Cooperating non–Contracting Party to the IOTC at its 14<sup>th</sup> annual meeting and will be considered for CPC status at the 2011 meeting. Taiwan, Province of China, submits data from its fishing fleet on a regular basis. The fleets of Maldives and Taiwan,China comply with most of the IOTC mandatory data requirements. The security situation in Yemen continues to prevent a more direct joint working arrangement with national scientists on data collection issues.</p>
<p>14. A relationship with Taiwan, Province of China be developed in order to have data access when needed, to all its fleet data as well as historical series, and address the problems deriving from the current legal framework.</p>	<p><i>Commission and Members</i></p>	<p><b>Ongoing:</b> Taiwan, Province of China, submits data from its fishing fleet on a regular basis and routinely allows access to historical data. It also continues to participate in the Regional Observer Programme to monitor transshipment at sea.</p>
<p>15. The Secretariat’s capacity for data dissemination and quality assurance be enhanced, including through the employment of a fisheries statistician.</p>	<p><i>Standing Committee on Administration and Finance via Scientific Committee</i>  <i>Commission</i></p>	<p><b>Ongoing:</b> The existing post of Data Analyst was converted to a Fisheries Statistician to join the Data Section of the Secretariat.</p>
<p>16. A statistical working party be established to provide a more efficient way to identify and solve the technical statistical questions.</p>	<p><i>Scientific Committee</i></p>	<p><b>Completed:</b> The Working Party on Data Collection and Statistics resumed its annual meeting in 2009.</p>
<p>17. The obligation incumbent to a flag State to report data for its vessels be included in a separate Resolution from the obligation incumbent on Members to report data on the vessels of third countries they licence to fish in their exclusive economic zones (EEZs).</p>	<p><i>Compliance Committee</i></p>	<p><b>Completed:</b> Resolutions 10/07 and 10/08 address the reporting requirements of flag and coastal States responsibilities, with regards to vessels that are active in the IOTC Area.</p>

<p><i>In relation to non–target species, the panel recommends that:</i></p> <p>18. The list of shark species for which data collection is required in Recommendation 08/04 be expanded to include the five species identified by the Scientific Committee (blue shark, shortfin mako, silky shark, scalloped hammerhead, oceanic whitetip), and apply to all gear types.</p>	<p><i>Commission</i></p>	<p><b>Partially completed:</b> In 2010, the majority of the Working Party on Ecosystems and Bycatch recommended a list of eleven species or species–groups for inclusion in Resolution 08/04. All of these species or groups are considered easily identifiable by fishers. It is noted here that although silky shark is perhaps the most important shark bycatch species in tropical tuna fisheries, it is not easily identified by fishers, since it is readily confused with similar species. The Commission meeting in 2011 will be considering several proposals in this regard.</p>
<p>19. The Secretariat’s capacity to provide support to developing States’ Members should be enhanced.</p>	<p><i>Commission and Standing Committee on Administration and Finance</i></p>	<p><b>Ongoing:</b> Resolution 10/05 provides a mechanism for financial support to facilitate scientists and representatives from IOTC Members and Cooperating non–Contracting Parties who are developing States to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. The Secretariat has also collaborated directly and indirectly with other regional initiatives including but not limited to the OFCF, SWIOFP, ACP II and COI.</p>
<p>20. Cooperative capacity building efforts amongst Members and, as appropriate external organisations, should be encouraged.</p>	<p><i>Members and Secretariat</i></p>	<p><b>Ongoing:</b> See Recommendations 13 and 21.</p>
<p>21. Innovative or alternative means of data collection (e.g. port sampling) should be explored and, as appropriate, implemented.</p>	<p><i>Scientific Committee</i></p>	<p><b>Ongoing:</b> The Secretariat has been implementing sampling programmes since 1999. The IOTC–OFCF Programme has supported sampling programmes and other means of data collection since 2002.</p>
<p>22. Avenues to collect data from non–Members should be explored.</p>	<p><i>Secretariat</i></p>	<p><b>Ongoing:</b> The activities of the IOTC–OFCF Project have not been limited to IOTC members, and, in the past, have extended to important non–member fishing countries such as Yemen and Maldives.</p>

Quality and provision of scientific advice		
23. For species with little data available, the Scientific Committee should be tasked with making use of more qualitative scientific methods that are less data intensive.	<i>Scientific Committee</i>	<b>In progress:</b> The species Working Parties have been using informal analyses of stock status indicators when data are considered insufficient to conduct full assessments for some time. However, a formal system that reviews those qualitative indicators and provides a recommendation on the current status, based on the weight-of-evidence has yet to be developed.
24. More emphasis should be given to adherence to data collection requirements.	<i>Compliance Committee</i>	<b>In progress:</b> The Working Party on Data Collection and Statistics and the species Working Parties evaluate the availability and quality of data, and makes recommendations to the Scientific Committee on how to improve data quality. The Compliance Committee receives a report on the timeliness and completeness of the reporting of the data required by the various Resolutions of the Commission for each country.
25. Confidentiality provisions and issues of accessibility to data by the scientists concerned needs to be clearly delineated, and/or amended, so that analysis can be replicated.	<i>Scientific Committee</i>	<b>Ongoing:</b> Input, output and executable files for the assessment of major stocks are archived with the Secretariat to allow replication of analyses. Access to operational data under cooperative arrangements, and those subject to confidentiality rules is still limited. In some cases the Secretariat is bound by the domestic data confidentiality rules of Members and Cooperating non-Contracting Parties.
26. The resources of the IOTC Secretariat should be increased. Even though some progress will be made with recruitment of the stock analysis expert, some additional professional staffing is required.	<i>Standing Committee on Administration and Finance on advice from Committees and the Commission</i>	<b>Pending:</b> The Commission declined the request for additional staff in 2010. The Secretariat will propose a budget for the 2011 and 2012 that includes additional professional staff, as recommended by the Scientific Committee.
27. To enhance the quality of scientific advice and the technical soundness of the papers being considered by the Scientific Committee and its working parties, and to encourage publication of IOTC scientific papers in relevant journals, future consideration should be given to the establishment of a scientific editorial board within the Scientific Committee	<i>Scientific Committee</i>	<b>Partially completed:</b> Not yet discussed by the Scientific Committee. However, guidelines for the presentation of stock assessment papers were revised and agreed to by the Scientific Committee in 2010.
28. An online IOTC Data Summary should be established	<i>Secretariat</i>	<b>Pending:</b> Budgetary provisions to be renewed for 2011.

<p>29. Ongoing peer review by external experts should be incorporated as standard business practice of working parties and the Scientific Committee.</p>	<p><i>Scientific Committee</i></p>	<p><b>Pending:</b> External experts are regularly invited to provide additional expertise, although this does not constitute a formal process of peer review. The Scientific Committee in 2010, agreed that once stock assessment models were considered robust, that peer review would be advantageous and funds will be requested to undertake peer reviews of stock assessments.</p>
<p>30. New guidelines for the presentation of more user friendly scientific reports in terms of stock assessments should be developed. In this respect, Kobe plots are considered to be the most desirable method of graphical presentation, especially to non-technical audience.</p>	<p><i>Scientific Committee</i></p>	<p><b>Partially completed:</b> All recent stock assessment results have been presented using the Kobe plot, and the species Working Parties are progressing in presenting the Kobe matrix. The 2010 Scientific Committee report includes Kobe Matrices for both bigeye tuna and swordfish. The stock status table at the front of the Scientific Committee report was also revised in 2010 to reflect the Kobe plot format.</p>
<p>31. A special fund to support the participation of scientists from developing States should be established.</p>	<p><i>Standing Committee on Administration and Finance</i></p>	<p><b>Completed:</b> A Meeting Participation Fund was established via Resolution 10/05. The Resolution provides a funding mechanism to facilitate scientists and other representatives from IOTC Members and Cooperating non-Contracting Parties (CPCs) who are developing States to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. The fund is financed, initially, by accumulated funds, with no provisions for long-term support yet agreed.</p>
<p>32. The Commission should renew efforts to convene meetings of the Working Party on Neritic Tunas</p>	<p><i>Commission</i></p>	<p><b>Pending:</b> Programmed for 2011/2012. Depended on resources of the Secretariat and availability of data.</p>
<p><b>Adoption of conservation and management measures</b></p>		
<p>33. As the IOTC has faced the management of the main targeted stock under its purview only through a regulation of the fishing effort; other approaches should be explored, such as those envisioned in Resolution 05/01, including catch limits, total allowable catch (TAC) or total allowable effort (TAE).</p>	<p><i>Commission</i></p>	<p><b>In progress:</b> Resolution 10/01 provides the starting point in the process of moving towards a total allowable catch limit. The first meeting of the Technical Meeting on Allocation Criteria was held in Nairobi, Kenya from 16–18 February 2011. A further meeting in early 2012 was proposed and will be considered by the Commission in 2011.</p>
<p>34. Within the system of the freezing of fishing effort in terms of number of vessels and correspondent capacity in gross tonnage, a deadline should be agreed for the implementation of fleet development plans.</p>	<p><i>Commission</i></p>	<p><b>Completed:</b> Some CPCs have cited the global financial crisis as the reason for their inability to implement their fleet development plan and have therefore signalled to the Commission that their plan will be revised. A deadline of 31<sup>st</sup> December, 2010, was set for submission of all revised or new fleet development plans.</p>

35. IOTC should consider developing a framework to take action in the face of uncertainty in scientific advice.	<i>Scientific Committee and Commission</i>	<b>In progress:</b> The Scientific Committee has agreed that the development of a Management Strategy Evaluation process be initiated to provide better advice that would incorporate explicit consideration of uncertainty.
36. IOTC should use the full range of decision making processes available to it under the Agreement.	<i>Commission</i>	<b>Ongoing:</b> For the first time in its history of adopting conservation and management measures, the Commission took a vote on a proposed resolution during its 14 <sup>th</sup> Annual Session.
37. The IOTC Agreement needs to be amended or replaced in order to incorporate modern fisheries management principles, such as the precautionary approach.	<i>Commission and Members</i>	<b>Pending.</b>
38. Pending the amendment or replacement of the Agreement, the Commission should implement the precautionary approach as set forth in the UNFSA.	<i>Commission</i>	<b>Pending:</b> see also Recommendation 35.
39. Measures to regulate shark fisheries should be considered by the Commission.	<i>Commission</i>	<b>In progress:</b> Resolution 05/05 provides the framework for combating the practice of shark finning and Resolution 10/12 is aimed at the conservation of sharks of the family Alopiidae. A number of proposals will be considered by the Commission at its 2011 meeting.
40. There is a need to develop and take into account modern principles for fisheries management, including ecosystem based approach, protection of marine biodiversity and reducing the harmful impacts of fishing on marine environment.	<i>Commission and Members</i>	<b>Ongoing:</b> Resolutions 09/05, 09/06 and 10/06 are all aimed at encouraging fishing practices that protect marine biodiversity and reducing the harmful impacts of fishing on the marine environment or on species that are incidentally caught in association with IOTC species.
41. These concepts should be integrated in the IOTC Agreement.	<i>Commission and Members</i>	<b>Pending.</b>
<b>Capacity management</b>		
42. IOTC should establish a stronger policy on fishing capacity to prevent or eliminate excess fishing capacity.	<i>Working Party on Fishing Capacity Scientific Committee Commission</i>	<b>Ongoing:</b> The Commission has since 2003 adopted a series of Resolutions (03/01, 06/05, 07/05 and 09/02) with the objective of addressing the issue of fishing capacity. However, to date these resolutions have not resulted in a strong control on fishing capacity, and the concern remains that overcapacity might result from this lack of control. The Secretariat is actively involved in developing the global vessels record for vessels fishing for tuna and tuna-like species that would contribute to the assessment of existing fishing capacity.

43. Loopholes in the current systems of fishing capacity limitation, such as the establishment of fleet development plans and exemptions for vessels less than 24 meters, should be closed.	<i>Working Party on Fishing Capacity Commission</i>	<b>Partially completed:</b> Resolution 09/02, and the decisions made at IOTC 14, establishing a new deadline to file fleet developments plans, aim at establishing firm capacity targets.
44. IOTC should endorse the recommendation of the Scientific Committee to create a Working Group on Fishing Capacity.	<i>Commission</i>	<b>Completed:</b> The first Working Party on Fishing Capacity was convened in 2009. In 2010 as no new documents were presented, it was amalgamated into the Working Party on Tropical Tunas as a theme session.
<b>Compatibility of management measures</b>		
45. IOTC Members should be invited to promptly implement IOTC conservation and management measures through their national legislation.	<i>Secretariat and Commission</i>	<b>Ongoing:</b> CPCs are reminded annually about the responsibility of integrating IOTC conservation and management measures in their national legislation. The Secretariat is cooperating with CPCs by assisting in the assessment of the legal needs to effectively implement IOTC measures.
<b>Fishing allocations and opportunities.</b>		
46. IOTC should explore the advantages and disadvantages of implementing an allocation system of fishing quota, expressed as TAC or TAE system. Such an investigation should include consideration of how significant catches by current non-Members would be accounted for.	<i>Commission</i>	<b>In progress:</b> Resolution 10/01 has begun the process of moving towards the implementation of a total allowable catch limit for IOTC species. A Technical Meeting on Allocation Criteria has discussed proposed guidelines and methods to allocate future quota.
<b>ON COMPLIANCE AND ENFORCEMENT</b>	<b>RESPONSIBILITY</b>	<b>UPDATE/STATUS</b>
<b>Flag State duties</b>		
47. Any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as flag States, drawing on the relevant provisions of the UNFSA.	<i>Commission and Members</i>	<b>Pending.</b>
<b>Port State measures</b>		
48. Any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as port States.	<i>Commission and Members</i>	<b>Pending.</b>
49. IOTC should explore the possible implementation of the FAO Model Scheme on Port State Measures.	<i>Commission</i>	<b>Completed:</b> see Recommendation 50.

50. The IOTC should duly note the outcome of the current process for establishment of a globally binding agreement on port State measures.	<i>Commission</i>	<b>Completed:</b> Resolution 10/11 is inspired by the FAO Port State Measures Agreement. By adopting this resolution, IOTC CPCs have agreed to implement the conditions of this agreement even before it becomes globally binding, and it became the first RFMO to do so.
<b>Monitoring, Control and Surveillance</b>		
51. IOTC should develop a comprehensive monitoring, control and surveillance (MCS) system through the implementation of the measures already in force, and through the adoption of new measures and tools such a possible on-board regional observers' scheme, a possible catch documentation scheme as well as a possible system on boarding and inspection.	<i>Compliance Committee</i>	<b>In progress:</b> IOTC already has an extensive number of MCS related measures. However, the implementation of these measures are the duty and responsibility of the CPCs. Proposals to introduce a catch documentation scheme, especially for the major IOTC species, have until now been rejected by CPCs. Resolution 10/04 – observers and field samplers are required monitor the unloading of catches.
<b>Follow-up on infringements</b>		
52. The current IUU resolution should be amended to allow the inclusion of vessels flagged to Members.	<i>Commission</i>	<b>Completed:</b> Resolution 09/03, which supersedes Resolution 06/03, was adopted for this purpose.
53. IOTC should explore options concerning the possible lack of follow-up on infringements by CPCs.	<i>Compliance Committee</i>	<b>Ongoing:</b> The Compliance Committee, under its revised terms of reference, will be in a better position to assess such cases.
54. IOTC should establish a sanction mechanism for non-compliance, and task the Compliance Committee to develop a structured approach for cases of infringement.	<i>Compliance Committee</i>	<b>In progress:</b> The Compliance Committee, under its revised terms of reference, shall develop a scheme of incentives and sanctions and a mechanism for their application to encourage compliance by all CPCs.
55. Provisions for follow-up on infringement should be included in any amended/replaced Agreement.	<i>Commission and Members</i>	<b>Completed:</b> The Compliance Committee, under its revised terms of reference, will be in a position to follow up on matters concerning each individual CPC.
<b>Cooperative mechanisms to detect and deter non-compliance</b>		
56. A structured, integrated approach to evaluate the compliance of each of the Members against the IOTC Resolutions in force should be developed by the Compliance Committee.	<i>Compliance Committee</i>	<b>In progress:</b> For the Compliance Committee meeting of 2011, country-based reports have been prepared for this purpose.
57. CPCs should be reminded of their duty to implement in their national legislations the conservation and management measures adopted by IOTC.	<i>Compliance Committee</i>	<b>Ongoing:</b> CPCs are reminded annually about the responsibility of integrating IOTC conservation and management measures in their national legislation. The Reports of Implementation, mandated in the IOTC Agreement, provide a mechanism to monitor progress of implementation at the national level.

58. The requirement to present national reports on the implementation of IOTC measures should be reinforced.	<i>Compliance Committee</i>	<b>Ongoing:</b> Reminders are sent to CPCs prior to the Commission meeting and a template has been developed by the Secretariat to facilitate the preparation of national reports on implementation of IOTC measures. Compliance with this requirement will be assessed in the country-based compliance reports.
59. The sense of accountability within IOTC seems to be very low; therefore more accountability is required. There is probably a need for an assessment of the performance of CPCs.	<i>Compliance Committee</i>	<b>Ongoing:</b> The revised terms of reference of the Compliance Committee will facilitate this assessment in the form of the country reports prepared for the 2011 session.
60. Establishment of formal mechanisms of MCS (e.g. observers programmes) should be considered	<i>Compliance Committee</i>	<b>Ongoing:</b> Resolution 08/02 provides for an observer programme to monitor at sea transshipments, but by placing observers only on carrier vessels. Resolution 10/04 establishes a Regional Observer Scheme that includes observers on board vessels, and port sampling for artisanal fisheries.
<b>Market related measures</b>		
61. As IOTC action in terms of measures relating to the exercise of rights and duties of its Members as market States are very weak, the non-binding market related measure should be transformed into a binding measure.	<i>Commission</i>	<b>Completed:</b> Resolution 10/10 meets this requirement.
62. The bigeye statistical document programme should be applied to all bigeye products (fresh and frozen). Catch documentation schemes for target species of high commercial value should be considered. Alternatively, expanding the scope of the current statistical document programme to address current loopholes should be considered.	<i>Commission</i>	<b>In progress:</b> A proposal for a resolution to introduce a catch documentation scheme, especially for the major IOTC species, was not endorsed by CPCs at its 14 <sup>th</sup> Annual Session. A revised proposal will be considered during the 15 <sup>th</sup> session in 2011.
<b>ON DECISION MAKING AND DISPUTE SETTLEMENT</b>	<b>RESPONSIBILITY</b>	<b>UPDATE/STATUS</b>
<b>Decision making</b>		
63. In order to improve the IOTC practices of decision making and adoption of measures, when every effort to achieve consensus has been exhausted, invoking the procedure of voting should be explored	<i>Commission</i>	<b>Ongoing:</b> Resolution 10/12 was voted upon by CPCs at the IOTC's 14 <sup>th</sup> Annual Session. It was the first time that the voting procedure was used in IOTC for the adoption of a resolution.
64. Amending the objection procedure so that it is more rigorous, and in line with other RFMO Conventions, featuring restricted grounds for the bases to object is recommended.	<i>Commission and Members</i>	<b>Pending.</b>

<b>Dispute settlement</b>		
65. A provision on dispute settlement should be amended in line with the requirements of UNFSA.	<i>Commission and Members</i>	<b>Pending.</b>
<b>ON INTERNATIONAL COOPERATION</b>	RESPONSIBILITY	UPDATE/STATUS
<b>Transparency</b>		
66. The active vessels list should be made available on the IOTC website.	<i>Commission Secretariat</i>	<b>Completed:</b> Resolutions 07/02, 10/07 and 10/08. The lists of authorised and active vessels are hosted on the IOTC website.
67. The Commission, in consultation with the Scientific Committee, should review the availability of critical data sets used in development of scientific advice and take steps to assure that these data are held at the Secretariat and available for validation of analyses, subject to the appropriate confidentiality requirements.	<i>Commission</i>	<b>Ongoing:</b> See Recommendations on Data collection and sharing above.
<b>Relationship to cooperating non Members</b>		
68. The legal framework of the IOTC Agreement should be amended or replaced in order to enable fishing players active in the area to discharge their obligations in line with the UNFSA.	<i>Commission and Members</i>	<b>Pending:</b> In the meantime, alternative ways of participation of active fishing fleets in the activities of the Commission are being pursued.
<b>Relationship to non cooperating non Members</b>		
69. Although the IOTC has strengthened its action towards non-Members in order to have all important fishing players included under its remit, diplomatic approaches should be made by IOTC Members to non-Members with active vessels in the area.	<i>Commission</i>	<b>Ongoing:</b> The Secretariat has been active in contacting relevant non-Members to encourage their participation. Recent examples include the Maldives and Mozambique. The Secretariat has also responded to queries, briefed representatives about membership from the DPR of Korea, United Arab Emirates, Republic of Yemen and Somalia.
70. When non-cooperation is identified and all reasonable efforts to improve the situation are exhausted, any non-Members continuing not to cooperate should be adequately sanctioned by, for example, market related measures.	<i>Compliance Committee</i>	<b>Ongoing:</b> Resolution 10/10 provides the necessary framework in which to apply market related measures. Actions are to be taken by the Compliance Committee, under its revised terms of reference.

<b>Cooperation with other RFMOs</b>		
71. IOTC should establish mechanisms for a mutual recognition of IUU lists with other RFMOs.	<i>Commission</i>	<b>Partially completed:</b> This issue is addressed in the Resolutions dealing with capacity transfers insofar as to vessels found on IUU lists of other tuna RFMOs should not be flagged by CPCs.
72. IOTC should develop cooperative mechanisms, such as MoUs, to work in a coordinated manner on issues of common interest, in particular non–target species and an ecosystem approach with other RFMOs especially with SIOFA.	<i>Commission</i>	<b>Ongoing:</b> The Secretariat is active in identifying opportunities for collaboration, for the consideration of the Commission.
73. IOTC should annually agree on a Member attending other tuna RFMO meetings as an observer on its behalf and reporting back to the Commission on matters of interest	<i>Commission</i>	<b>Ongoing:</b> Pending annual financial approval by the Commission.
<b>Special requirements of developing States</b>		
74. A specific fund to assist capacity building should be put in place.	<i>Standing Committee on Administration and Finance</i>	<b>Complete.</b> A Meeting Participation Fund was established via Resolution 10/05.
75. Members, that are Parties of UNFSA, should make use of the part VII Fund, established under UNFSA.	<i>Members</i>	<b>Ongoing:</b> Regular reminders are sent to CPCs.
<b>Participation</b>		
76. Financial support, in particular for attendance in the scientific activities to developing States, is needed.	<i>Standing Committee on Administration and Finance</i>	<b>Partially completed:</b> A Meeting Participation Fund was established via Resolution 10/05. The Resolution provides a funding mechanism to facilitate scientists and other representatives from IOTC Members and Cooperating non–Contracting Parties (CPCs) who are developing States to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. The fund is financed, initially, by accumulated funds, with no provisions for long–term support yet agreed.
77. The legal framework of the IOTC should be amended or replaced in order to enable fishing players active in the area to discharge their obligations in line with the UNFSA.	<i>Commission and Members</i>	<b>Pending.</b>

ON FINANCIAL AND ADMINISTRATIVE ISSUES		UPDATE/STATUS
<b>Availability of resources for RFMO activities –efficiency and cost–effectiveness</b>		
<p>78. The IOTC Agreement as well as financial management rules should be amended or replaced in order to increase Members’ as well as Secretariat’s control of all the budget elements, including staff costs of the budget. This would also improve transparency.</p>	<p><i>Standing Committee on Administration and Finance</i></p> <p><i>Commission and Members</i></p>	<p><b>Pending.</b></p>
<p>79. Prior to the Commission assuming full control of the budget, the Commission meeting at which the budget is considered should be held as close as possible to the commencement of the financial year to which this budget relates and if possible in advance of that year.</p>	<p><i>Commission</i></p>	<p><b>Completed:</b> The meeting of the Commission has moved back towards the beginning of the financial year, thus reducing the difficulties of operating without a budget.</p>
<p>80. A fee system should be considered as a possible funding mechanism for possible new activities.</p>	<p><i>Commission</i></p>	<p><b>Pending:</b> The IOTC Regional Observer Program (monitoring transshipment at sea) is fully funded by the participants through such a fee system.</p>
<p>81. The agreed external financial audit should be implemented as soon as possible, and should include a focus on whether IOTC is efficiently and effectively managing its human and financial resources, including those of the Secretariat.</p>	<p><i>Standing Committee on Administration and Finance</i></p> <p><i>Commission</i></p>	<p><b>Pending.</b></p>

## **APPENDIX XIX**

### **SELECTION PROCESS FOR THE EXECUTIVE SECRETARY OF THE COMMISSION**

#### **Issues on the selection of a new Executive Secretary**

1. The Commission noted that the current Executive Secretary, Mr Alejandro Anganuzzi, is scheduled to reach the limit of three terms in the post by March 2013. Therefore, the Commission decided that, in order to ensure the continuity in the activities of the Secretariat and to allow for a proper planning of the transfer of the responsibilities to the new Secretary, the process for the selection of the new Secretary be started during the inter-sessional period following the Fifteenth Session of the Commission.
2. The Commission further agreed to follow the procedure described below for the selection process of the new Executive Secretary:
  - a) The vacancy announcement (including required qualifications) to be advertised through international means, including FAO website and the Commission's website by April 29<sup>th</sup> 2011;
  - b) Applications to be received by the Secretariat with a deadline of June 15<sup>th</sup> and distributed to Members by June 30<sup>th</sup> 2011;
  - c) Five candidates are to be classed in order of preference by Members on a point score of five to one by September 15<sup>th</sup>. This ranking transmitted by each Member to the Secretariat, collated, and the ranking of all qualified candidates conveyed to all other Members as soon as possible;
  - d) The three candidates with the greatest number of points are to be invited to the Sixteenth Session of the Commission in 2012 for interview by Heads of Delegation;
  - e) The new Secretary to be elected by the Commission;
  - f) The Director General of FAO to be informed of the decision of the Commission in order to proceed to the appointment of the new Executive Secretary.
3. Annex I contains a description of required and desired qualifications for candidates to the post of Executive Secretary.

## **ANNEX I**

#### **Qualifications and benefits**

- (a) The incumbent should have university level qualifications, preferably at post-graduate level, in fisheries biology, fisheries science, fisheries economics or related field. He/she should have at least ten years of experience in fisheries management, policy formulation, preferably including bilateral and international relations. He/she should have the ability to exercise a high degree of professional initiative. The incumbent should also be conversant with the preparation of budgets, documents and the organization of international meetings. He/she should have working knowledge, level C, of either English or French. Preference will be given to candidates who have working knowledge in both languages.
- (b) Other essential requirements include competence in the selection of staff; demonstrated ability to supervise professional matters in subject field; and familiarity with the use of word processing, spread sheets and database management systems.
- (c) Desirable requirements include: a high degree of adaptability and ability to cooperate effectively with people of different nationalities and of various social and cultural backgrounds and education levels, as well as experience on fisheries related issues in the region.
- (d) The Executive Secretary will be graded at the D-1 level based on the United Nations salary scheme for professional and high categories. He/she will in addition, be entitled to a variable element for post adjustment, pension, insurance, etc. The Executive Secretary is appointed under the same terms and conditions as staff members of FAO.

#### **Terms of reference**

Pursuant to Article VIII.2 of the Agreement, the Executive Secretary shall be responsible for implementing the policies and activities of the Commission and shall report thereon to the

Commission. He/she shall also act as Executive Secretary to the subsidiary bodies established by the Commission, as required.

The incumbent will have overall responsibility for planning, coordination and administration of the Commission in accordance with the Agreement and the decisions of the Commission.

He/she shall, for administrative purposes, be responsible to the Director-General of FAO.

He/she will in particular:

- a) receive and transmit the Commission's official communications;
- b) maintain high level contacts with appropriate government officials, fishery institutions and international organizations concerned with tuna fisheries to facilitate consultation and cooperation between them on information collection and analysis;
- c) maintain an active and effective network of national focal points for routine communication of progress and results of the activities of the Commission;
- d) prepare and implement work programmes, prepare budgets and ensure timely reporting to the Commission;
- e) authorize disbursement of funds in accordance with the Commission's budget;
- f) account for the funds of the Commission;
- g) stimulate interest among Members of the Commission and potential donors in the activities of the Commission and in possible financing or in implementing of pilot projects and complementary activities;
- h) promote, facilitate and monitor the development of databases for resource assessment and biological and socio-economic research to provide a sound basis for conservation management;
- i) coordinate the Members' programmes of research when required;
- j) organize sessions of the Commission and its subsidiary bodies and other related *ad hoc* meetings;
- k) prepare background papers and a report on the Commission's activities and the programme of work for submission to the Commission at the regular sessions, and arrange the subsequent publication of the report and the proceedings of the Commission as well as its subsidiary bodies and related *ad hoc* meetings;
- l) perform other related duties as required.

## **APPENDIX XX**

### **STATEMENT ON PIRACY IN THE WESTERN PART OF THE IOTC AREA OF COMPETENCE**

The Indian Ocean Tuna Commission "IOTC" recalls both its statements on piracy in the western Indian Ocean issued in May 2008, March 2009 and March 2010. Regrettably, cases of piracy against humanitarian, commercial and fishing vessels off the coast of Somalia have not declined. The Commission continues to be deeply concerned by this upsurge of acts of piracy which put at risk the delivery of humanitarian assistance to the population of Somalia. Piracy continues to have a serious impact on merchant shipping and legitimate fishing activities in the western part of the IOTC area of competence subject to international laws and regulations and where their activities are monitored by IOTC members in accordance with its management measures.

The IOTC welcomes the adoption of United Nations Security Council Resolutions (UNSCR) 1814, 1816, 1838, 1846, 1851, 1897, 1918 and 1950 on piracy off the coast of Somalia and urges all States to continue contributing to their rapid and effective implementation. The implementation of these resolutions helps to ensure the protection of fishermen (of various nationalities) from piracy, and enables them to carry out their fishing activities. Fishing is their livelihood that also generates a significant amount of economic activities in Coastal countries of the Indian Ocean. The IOTC expresses its satisfaction with the ongoing efforts of organisations and states contributing to fight piracy off the coast of Somalia. It calls for the international community to devote sufficient means to fully implement the UNSC resolutions, and commends the flagship role that EU is playing with its Operation EUNAVFOR Atalanta.

In addition, the IOTC recalls the relevant provisions included in the United Nations Convention on the Law of the Sea (UNCLOS), notably those included in its article 105, for fighting acts of piracy and calls on State parties to that Convention to take the necessary action in their national legislations to make full use of those provisions.

The IOTC also reiterates the efforts made by the International Maritime Organisation (IMO), with its robust code of conduct on maritime security, piracy and armed robbery against ships for States from the Western Indian Ocean and Gulf of Aden areas of 2009 – the Djibouti Code of Conduct. It calls all eligible states to sign. The IOTC stresses the need to promptly report incidents of piracy and armed robbery, including attempts, thus providing timely and accurate information on the scope of the problem. Sharing relevant information with coastal States and other States potentially affected by such incidents is crucial to addressing the issue. A regional approach is part of the solution and in this context, the IOTC commends the important role of the IMO in implementing the Djibouti Code of Conduct. The IOTC also welcomes the 2011 theme for the World Maritime Day: "Piracy: orchestrating the response".

The IOTC calls on the International Community to give all its support to ensure the safety of all fishing vessels and their crew in the region from acts of piracy. It calls for full implementation by all crew members and fishermen of the Best Management Practices as agreed by the international maritime community – vessels are encouraged to fully adopt these to help repel piracy attacks.

The IOTC calls for strong and concerted action on the international and political scene. The Regional Strategy on Piracy and Maritime Security adopted in Mauritius in 2010 is a major step towards a regional response to piracy. Although measures are in place to prosecute suspected pirates and to install a proper rule of law in Somalia, some grey zones remain. The recent UN report by J. Lang<sup>11</sup> puts forward 25 proposals, highlighting in particular the areas such as prosecution and how to overcome legal and political obstacles. It also looks at capacity constraints. The UN Security Council resolution 1918/2010 calls on all States, including States in the region, to criminalize piracy under their domestic law and favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended in the western Indian Ocean, consistent with the application of international law on human rights.

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<sup>11</sup> Report of the Special Adviser to the Secretary-General on Legal issues related to piracy off the coast of Somalia. January 2011