



Food and Agriculture  
Organization of the  
United Nations



Indian Ocean Tuna Commission  
Commission des Thons de l'Océan Indien

Report and documentation of the

## WORKSHOP RELATING TO THE STUDIES ON MONITORING, CONTROL AND SURVEILLANCE (MCS) AND CATCH DOCUMENTATION SCHEME (CDS)

Maputo, Mozambique, 11-12 February 2019



The IOTC workshop was financially supported by the following organisations:



## Preparation of this document

In 2016 the Indian Ocean Tuna Commission (IOTC) Performance Review Panel made two recommendations, which related to Monitoring, Control and Surveillance (MCS) and Catch Documentation Schemes (CDS), that were later adopted by the Commission. In particular:

### **Paragraph 149 of the PRIOTC02 RECOMMENDED that:**

- the IOTC should continue to develop a comprehensive MCS system through the implementation of the measures already in force, and through the adoption of new measures and tools such as a possible catch documentation scheme, noting the process currently being undertaken within the FAO.
- as a matter of priority review the IOTC MCS measures, systems and processes, with the objective of providing advice and guidance on improving the integration of the different tools, identification of gaps and recommendations on how to move forward, taking into consideration the experiences of other RFMOs, and that the review should be used as a basis for strengthening MCS for the purpose of improving the ability of the Commission to deter non-compliance and IUU fishing.

### **Market related measures**

Annexe II - 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.

These recommendations were the basis for the conduct of the MCS and the CDS studies. This document reports on the workshop held in Maputo, Mozambique, in February 2019, in connection to the MCS and CDS studies. It also include recommendations from the participants attending the workshop, and will serve as the basis for further work on the development of the MCS scheme and the CDS of IOTC.

The conveners of the workshop were Mr Christopher O'Brien, Mr Gerard Domingue and Mr Florian Giroux. The workshop was facilitated by Mr Gilles Hosch, the author of the two studies.

This report provides a record of the workshop activities and the outcomes, as agreed to by the participants.

### **Distribution:**

Participants in the workshop

IOTC CPCs

Chairperson IOTC

Chairperson IOTC Compliance Committee

Chairperson IOTC Scientific Committee

Chairperson IOTC Working Party on Data Collection and Statistics

## Acronyms used

ABNJ	Area Beyond National Jurisdiction
AFV	Active Fishing Vessel
AREP	Advanced Request of Entry
ATF	Authorisation to Fish
BET	Bigeye Tuna
CCAMLR	Convention for the Conservation of Antarctic Marine Living Resources
CDS	Catch Documentation Scheme
CMM	Conservation and Management Measure
CNCP	Cooperating Non-Contracting Party
CP	Contracting Party
CPCs	Contracting Parties and Cooperating Non-Contracting Parties
EEZ	Exclusive Economic Zone
ePSM	Electronic Port State Measures communication platform
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
FOC	Flag of Convenience
FS	Flag State
IATTC	Inter-American Tropical Tuna Commission
ICCAT	International Commission for the Conservation of Atlantic Tunas
IMO	International Maritime Organisation
IOTC	Indian Ocean Tuna Commission
IUU	Illegal, Unreported and Unregulated
LSTLV	Large Scale Tuna Longline Vessel
LSTV	Large Scale Tuna Vessel
MCS	Monitoring, Control and Surveillance
NCP	Non-Contracting Party
NPOA	National Plan Of Action
PIR	Port Inspection Report
PRIOTC	Performance Review of the Indian Ocean Tuna Commission
PS	Port State
RAV	Record of Authorised Vessels
RFMO	Regional Fisheries Management Organization
SC	Scientific Committee
SDP	Statistical Document Programme
TDP	Trade Documentation Programme
TREM	Trade Restrictive Measure
t-RFMO	Tuna Regional Fisheries Management Organization
VMS	Vessel Monitoring System
WCPFC	Western and Central Pacific Fisheries Commission
WPICMM	Working Party on the Implementation of Conservation and Management Measures

## Table of Contents

Preparation of this document.....	2
Acronyms used.....	3
Opening of the Workshop and logistical arrangements.....	5
Context, objective and methodology of the workshop.....	5
A. MCS Study Scope and global organisation.....	5
Resolution 18/07 Non-fulfilment of reporting obligations in the IOTC.....	5
Resolution 18/06 Programme for transshipment by large-scale fishing vessels.....	6
Resolution 18/03 List of vessels presumed to have carried out IUU fishing.....	7
Resolution 16/11 Port state measures to combat IUU fishing.....	7
Resolution 16/05 Vessels without nationality.....	8
Resolution 15/04 IOTC record of authorised vessels.....	8
Resolution 14/05 Record of licensed foreign vessels & access agreement information.....	9
Resolution 15/03 Vessel monitoring system (VMS) programme.....	10
Resolution 15/01 Recording of catch and effort data by fishing vessels.....	10
Resolution 10/10 Market related measures.....	11
Resolution 10/08 Record of active vessels having fished for tunas and swordfish.....	11
Resolution 07/01 Compliance by nationals of CPs and CNCPs.....	12
Resolution 05/03 Establishment of a programme of inspection in port.....	12
Resolution 03/03 Amendment of the forms of statistical documents.....	12
Resolution 01/06 Bigeye tuna statistical document programme.....	13
Resolution 01/03 Scheme to promote compliance by NCP vessels.....	13
Resolution 99/02 Actions against fishing activities by FOC LSTLVs.....	13
Proposal for an IOTC High-sea Boarding and Inspection Scheme.....	14
B. Catch Documentation Scheme (CDS) Study.....	14
Detailed presentation of the CDS Scheme.....	14
Conclusions.....	16
Appendix 1 - Programme of the workshop.....	17
Appendix 2 - List of Participants.....	18
Appendix 3 - Consolidated set of points discussed on MCS.....	21

## Opening of the Workshop and logistical arrangements

The meeting was held at the Avenida Hotel, Maputo, Mozambique, from 11 to 12 February 2019, with the financial assistance for the participants, the resource persons and the venue being provided by the IOTC EU Grant 304 and the World Bank SWIOFISH 2 Project.

Mr. O'Brien, IOTC Executive Secretary, welcomed the workshop participants and provided general information on the workshop and logistical arrangements.

Mr Benedict KIILU, from Kenya, was elected as Chairperson of the workshop.

The work programme is presented in Appendix 1 and the List of Participants is provided in Appendix 2.

## Context, objective and methodology of the workshop

Mr. Gilles Hosch presented the context of the MCS and CDS studies. The methodology of the workshop was also presented. This included short presentations of the various resolutions reviewed in the MCS study, and presentation related to CDS. Respectively, these were followed by discussions between the participants to gather their feedback.

### A. MCS Study Scope and global organisation

Mr Hosch detailed the scope of the MCS study, and introduced the general objective of the study, including its review of the concerned Resolutions and introducing proposals to amend some of the Resolutions. These were further discussed by the participants following a presentation on each of the concerned Resolutions.

The participants discussed a range of issues that are presented at Appendix 3 in a table which consolidate the points of discussion on MCS.

## Resolution 18/07 Non-fulfilment of reporting obligations in the IOTC

### **Objective of the Resolution**

Primarily addresses failure of CPCs to comply with IOTC data reporting obligations

### **Key findings**

Very limited in scope / very weak sanctioning provision / overlap with Resolution 10/10 (trade measures)

### **Proposed course of action**

Eliminate this Resolution

Absorb relevant provisions into Resolution 10/10 and Resolution 15/02

### **Points discussed during the workshop**

- Submission of data is recognised as a common challenge in the five t-RFMOs.
- There is a need to streamline and consolidate reporting obligations to avoid multiple reporting of the same information.
- The ongoing exercise to reinforce the compliance process (Activity 3.1 of WPICMM Work Plan) should be taken into consideration. This will be discussed at the second meeting of the Working Party on the Implementation of Conservation and Management Measures (WPICMM02), as part of the procedure to improve the compliance process.

## Resolution 18/06 Programme for transhipment by large-scale fishing vessels

### **Objective of the Resolution**

- Regulates at-sea transhipment by LSTLVs (RAV; observer programme; authorisation); prohibits PS transhipments

### **Key findings**

- At-sea and in-port transhipments are regulated; the latter weaker
- Authorised LSTLVs not referenced on RAV
- Reefer IMO number not required; VMS rules not specified
- In-port transhipment declarations only submitted to flag State – limiting
- Submission periods for in-port transhipment declaration too long (15 days)
- Reconciliation (transhipments/landings) provisions weak
- Annex III essential data fields are missing

### **Proposed course of action**

- Scope of the resolution to be limited to at-sea transhipment
- In-port transhipment to be added to Resolution 16/11
- Use of electronic interface for authorizations and declarations (also at-sea transhipments)
- Improvement of monitoring and reporting standards (transparency)
- IOTC Secretariat to develop e-portal for at-sea transhipments – based on same or similar procedures as under ePSM
- Current periodic CPC data submission requirements to IOTC outside of operational data submission will become superfluous

### **Points discussed during the workshop**

- There is a need to develop an “e-portal” to make transhipments information accessible to CPCs, since some CPCs are currently requesting this information for control purposes.
- Reefer vessels with operations limited to in-port activities, should also be included in the IOTC list of authorised carrier vessels.
- IMO number for carrier should also be provided under para 7 of Resolution 18/06; information to be provided.
- The period of transmission of transhipment declarations for in port transhipments by LSTVs should be less than 15 days (Resolution 18/06, Annex I, para 2.3).
- Transhipment declarations received by the landing/market State should be submitted to IOTC Secretariat for the purpose of reconciling transhipment declaration information.
- There is a need to clearly define the role of the flag State of carrier vessels in getting carrier vessels into the IOTC Record of Carrier Vessels.
- There is currently no provision in this Resolution for the fleet nominating carrier vessels to take on responsibilities that would normally fall due to the flag State.
- There is a loophole in this resolution, which is inconsistent with Resolution 15/04; i.e. the ability of non-CPCs carrier vessels to be included in the list of authorised carrier vessels.
- Only carrier vessels from IOTC CPCs should be authorised for the purpose of Resolution 18/06.



## Resolution 18/03 List of vessels presumed to have carried out IUU fishing

### **Objective of the Resolution**

- Step-by-step system for listing /delisting IUU vessels, and sanctions to be applied to such vessels by CPCs

### **Key findings**

- Stepwise mechanism & procedure for listing is solid
- Para. 2 does not limit listing to vessels only – incoherence with title (and further provisions)
- Errors in rulemaking (para 4.a. and 4.b.)
- Paragraph 20.b contain contradictions with Resolution 16/05
- Applicable sanctions largely not defined
- Master identity of listed IUU vessel not established

### **Proposed course of action**

- Maximum information on company and natural person details and data to be collected, and listed (along vessel details) – Resolution expanded and completed
- Resolution 07/01 on compliance by nationals and Resolution 16/05 on vessels without nationality absorbed into Resolution 18/03

### **Points discussed during the workshop**

- It was agreed that not respecting catch limit/quota is a compliance issue, and that should not lead to IUU identification.
- There was no agreement to include “Entity” in the IUU list. It was felt that the concept of “Entity” should be clearly defined first, before consideration can be given to this proposal.
- Issues relating labour and human rights, whilst recognised as important issues, should be addressed outside the scope of the IUU listing process.
- Different mechanism for the listing of different entities (e.g. list of IUU captains, operators, etc.) should be considered as they are important players in driving IUU. However, more thoughts on how to achieve this, is required

## Resolution 16/11 Port state measures to combat IUU fishing

### **Objective of the Resolution**

- Provides for a comprehensive port State control scheme

### **Key findings**

- Scope and modalities of the resolution are broad, consistent and largely complete
- e-PSM use not yet mandatory; data submissions, authorizations, etc.
- Transshipments in port not covered
- Pre-licensing inspections of third-party vessels not provided
- Regulatory inconsistency regarding NCP inspection levels
- Landings data collection not specified

### **Proposed course of action**

- e-PSM formally established as data submission portal (AREP, PIR, etc.)

- Data submission of landings data now part of this Resolution – to be phased out once ePSM-based real-time landing submissions are operational
- Rules for transshipment in port developed
- Transshipment declaration (Annex VI) revised
- NCP inspections to 100%
- Third-party vessel inspections (min. every two years)
- The use of non-CPC ports by active fishing vessels is forthwith prohibited

#### **Point discussed during the workshop**

- The proposal to prohibit the use of non-CPC ports by authorised fishing vessels was considered to be too restrictive, and more thoughts on how to achieve this would be required.
- That rules for transshipment in port be developed

## Resolution 16/05 Vessels without nationality

#### **Objective of the Resolution**

- Encourages CPCs to take all possible action against fishing vessels without nationality

#### **Key findings**

- Singular focus on the stateless fishing vessels
- Identification and enforcement measures regarding owners, operators and/or the master not provided for
- All key provisions exist in currently binding form in more recent and more relevant IOTC Resolutions (18/03 & 16/11)

#### **Proposed course of action**

- Eliminate

#### **Point discussed during the workshop**

- There was consensus to eliminate this resolution

## Resolution 15/04 IOTC record of authorised vessels

#### **Objective of the Resolution**

- Foundation to identify CPC vessels greater than 24m authorized by flag State to fish

#### **Key findings**

- Truthfulness of vessel information contained on the RAV not checked (FS sole arbiter)
- Electronic data submission for RAV not mandatory
- Vessel hold size and target species not indicated
- Vessel owner, operator, master, and/or natural person data not detailed enough
- National competent authorities issuing fishing authorizations not publically available on IOTC website
- Vessel marking scheme insufficiently defined
- Fishing gear marking rules insufficient
- Logbook keeping, updating, and filling rules weak – ill-placed



- Rules on the periodicity of updating authorization period on the RAV are missing

### **Proposed course of action**

- Vessel data significantly expanded – all electronic submission
- Rules on missing data entries provided
- Rules on ATF periodicity, validity and updating added
- Minimum guidelines for vessel markings added
- Rules on gear markings expanded

### **Points discussed during the workshop**

- There was agreement that photographs and other details not currently required to be provided, to be included in the list of mandatory information to be submitted at the time of the request to include a vessel in the IOTC Record of Authorised Vessels.
- There is a need to give more thoughts on how to deal with vessels not obliged to be on Record of Authorised Vessels (i.e. vessels below 24m operating in EEZ), but are currently being included due to trade issues.
- It was agreed that gear markings should be in line with the FAO scheme. However, it was also felt that this should be addressed under a mechanism different from Resolution 15/04.

## Resolution 14/05 Record of licensed foreign vessels & access agreement information

### **Objective of the Resolution**

- Provide a transparent picture of foreign tuna vessels licensed to operate in Indian Ocean CPC EEZs

### **Key findings**

- Fails to provide that foreign vessels not on the RAV may not be licensed to operate in the EEZ
- Authorized vessels are not identified on the RAV as being authorised to fish in a particular foreign EEZ
- Vessel information asked for the previous year – not current
- Coastal State not tasked to inspect vessel and verify data
- Silent on VMS provisions

### **Proposed course of action**

- Foreign vessels not on the IOTC RAV may not be licensed to fish for tuna and tuna-like species within the EEZ
- Coastal States shall verify that foreign vessel data are accurate and concur with RAV data
- Periodicity of submission of information changed to immediate for individual vessels, and one month for all other agreement related information

### **Points discussed during the workshop**

- There were concerns with regards to the impact of immediate reporting of foreign vessels licensed and the burden that it will place on coastal States.
- There is a need to assess the merit of sharing information on license for operational purpose within the IOTC, since this is a practice taking place between a subgroup of IOTC Members.

## Resolution 15/03 Vessel monitoring system (VMS) programme

### **Objective of the Resolution**

- All vessels greater than 24m operating in IOTC area must carry VMS

### **Key findings**

- VMS rules should apply to AFVs on the RAV, instead of a given vessel length
- Lack of clear rules where and when VMS must be functioning
- Lacking Secretariat/Commission VMS access
- No provisions as to which party has access to what data at what times

### **Point discussed during the workshop**

- Study on VMS underway and key findings have been shared with the consultant conducting the VMS study.

## Resolution 15/01 Recording of catch and effort data by fishing vessels

### **Objective of the Resolution**

- Obtain detailed catch, effort and bycatch data for analyses by the Scientific Committee

### **Key findings**

- Logbook templates hosted on IOTC website – best practice
- MCS dimension largely overseen in the Resolution
- Logbook up-keeping rules not provided
- Production logbook and stowage plan not provided
- Submission periods not specified
- Mandatory landings declaration do not exist
- No link to Resolution 15/02 (Mandatory statistical reporting requirements)

### **Proposed course of action**

- The Resolution to be renamed “Recording and reporting of catch and effort data by fishing vessels”
- Logbook data (copy) to be kept on-board for 12 month period
- Logbook updating rules added
- Production logbook defined
- Stowage plan defined
- Landing declaration instituted, including submission to flag State, port State and IOTC Secretariat
- IOTC Secretariat tasked with developing ePSM routine for landing declaration submission

### **Points discussed during the workshop**

- There was agreement that “production logbook” and “stowage plan” for carrier vessels (or for other types of vessels) to be better regulated and logbook updating rules should be added.
- There was also agreement for instituting landing declarations, including submissions to flag State, port State and IOTC Secretariat.

## Resolution 10/10 Market related measures

### **Objective of the Resolution**

- “Identify” NCPs and CPCs who fail to implement IOTC Resolutions and level trade sanctions against them

### **Key findings**

- No single binding (“shall”) clause in resolution
- Title of resolution unclear
- Sanctioning mechanism never used
- Regulatory incoherence with other Resolutions (e.g. para. 1)
- Port and coastal States not targeted by trade restrictive measures (TREM) mechanism
- Discriminates against NCPs – CPC alternative sanctions weak (!)
- Step-wise identification procedure unclear
- Feedback on TREM implementation non-binding on parties

### **Proposed course of action**

- Pre-identification/identification mechanism created
- Pre-identification to exactly establish nature of infringements and targets of potential TREMs
- Discriminatory clauses, and lenient option for CPCs eliminated
- Notification of the measures undertaken by CPCs made mandatory

### **Points discussed during the workshop**

- It was agreed that this resolution needs to be reinforced and there was support for strengthening it in accordance to the study’s recommendations.
- There will be a need to integrate provisions for inter sessional removal of identification of identified parties.
- To maintain objectivity in the identification process, there will be a need to introduce some criteria.
- There is a need for these considerations to be discussed further at WPICMM02, alongside measures to strengthen the IOTC compliance process.

## Resolution 10/08 Record of active vessels having fished for tunas and swordfish

### **Objective of the Resolution**

- Mirror image of Resolution 14/05 (Record of licensed foreign vessels). Aim is to establish – on a yearly basis – vessels having engaged in fishing in the IOTC Area in previous year

### **Key findings**

- Objective of resolution is not defined – and rationale for raising list of vessels active in previous year is unclear

### **Proposed course of action**

- Eliminated

### **Point discussed during the workshop**

- There was agreement not to eliminate this resolution until an alternative mechanism for the monitoring of fishing capacity is available.

## Resolution 07/01 Compliance by nationals of CPs and CNCPs

### **Objective of the Resolution**

- Transposes IPOA-IUU tenets to discourage nationals from supporting or engaging in IUU fishing

### **Key findings**

- Mere re-iteration of a CPCs duty to enforce the law against natural and legal persons subject to their jurisdiction
- Infractions to be detected and sanctioned can only apply to people actively involved in fishing
- Resolution does not provide listing mechanism
- Referencing to other Resolutions wrong (again)

### **Proposed course of action**

- Eliminated; merged into Resolution 18/03

### **Point discussed during the workshop**

- There was consensus to eliminate this resolution.

## Resolution 05/03 Establishment of a programme of inspection in port

### **Objective of the Resolution**

- Provides for central function of port as place for inspections and implementation of controls over foreign fishing operations

### **Key findings**

- Discriminatory (NCP vessels sanctioned /CPC vessels not)
- Foreign landings to be reported to IOTC Secretariat (others not)
- Flag State and IOTC Secretariat to be notified of infringements detected in port
- Regulatory incoherence

### **Proposed course of action**

- Eliminated; already absorbed into 16/11; 15/01

### **Point discussed during the workshop**

- There was consensus to eliminate this resolution, once there is assurance that equivalent measures are available in Resolution 16/11.

## Resolution 03/03 Amendment of the forms of statistical documents

### **Objective of the Resolution**

- Amendment of the forms found in original annexes to Resolution 01/06 on a BET statistical document programme

### **Key findings**

- Integral part of resolution 01/06

### **Proposed course of action**

- Not separately considered (eliminated with Resolution 01/06)

### **Point discussed during the workshop**

- There was consensus to eliminate this resolution

## Resolution 01/06 Bigeye tuna statistical document programme

### **Objective of the Resolution**

- Statistical Document Programme (SDP) for BET

### **Key findings**

- Non-punitive market-related measure, with large gaps and the resulting ineffectiveness of resolution singled out 9 years ago by PRIOTC01

### **Proposed course of action**

- Eliminated; no further amendments; to be replaced with CDS, covering all IOTC commercially important species, all product forms and all trade routes, using state of the art CDS design and electronic implementation

### **Point discussed during the workshop**

- There was consensus to eliminate this resolution, once a catch documentation scheme is in place.

## Resolution 01/03 Scheme to promote compliance by NCP vessels

### **Objective of the Resolution**

- Addresses the alleged fishing operations of a vessel flagged to a Non-Contracting Party in the IOTC Area of Competence

### **Key findings**

- Trail blazing at the time of its adoption, has now been overtaken by developments in international law and related IOTC resolutions

### **Proposed course of action**

- Eliminated; to be absorbed into Resolutions 18/03, 16/11 and 10/10, most of which has been done over time – complete with provisions regarding potential punitive responses

### **Point discussed during the workshop**

- There was consensus to eliminate this resolution

## Resolution 99/02 Actions against fishing activities by FOC LSTLVs

### **Objective of the Resolution**

- Addresses the issue of flag of convenience (FOC) vessels

### **Key findings**

- Predates the NPOA-IUU
- Action called for under the Resolution are now provided under Resolutions 01/03, 05/03, 10/10 (resulting from para. 7 of this resolution – which called for its development), Resolution 14/05, Resolution 16/11, and Resolution 18/03

### **Proposed course of action**

- Eliminated; already wholly absorbed into existing regulatory substance

### **Point discussed during the workshop**

- There was consensus to eliminate this resolution.

## Proposal for an IOTC High-sea Boarding and Inspection Scheme

### Objective of the proposal

- Addresses the need for active sea patrolling regime, targeting high seas operations in the IOTC Area of Competence

### Key findings

- Not adopted since 2013
- Proposal is solid; follows similar schemes in other RFMOs
- Was not modified or enhanced through this work/study

### Proposed course of action

- Discuss resistance points
- Integrate justified reservations
- Amend/complete and put back before the Commission
- Propose majority vote if consensus cannot be achieved

### Points discussed during the workshop

- Noting the lack of availability of civilian platforms, which can be used in such a scheme, the use of military platforms would likely be the most readily available means for implementing such a scheme.
- One CPC indicated that there is a fundamental difficulty in agreeing to such a scheme, since it goes contrary to its domestic law.
- The Chairperson indicated that this proposal should not be discussed as it is not an active Resolution.

## B. Catch Documentation Scheme (CDS) Study

### Detailed presentation of the CDS Scheme

Mr. Hosch presented details on the various aspects of a CDS scheme, its goal, protection of stocks through the combating of IUU fishing, functions and denial to market access for fisheries products derived from IUU fishing.

He presented the rationale for CDS adoption, which are:

- Overcomes limitations of single species trade documentation programme (TDP), suggested in 2009
- CDS enables RFMO and CPCs to monitor all harvests, ensuring that IUU harvests (FOC vessel, over quota, illegally transhipped, absence of VMS or observers, etc.) cannot be traded into legal cooperating markets
- Close-to-real time catch monitoring solution. Important in fisheries where TACs and quotas are introduced
- CDS can cover multiple species (CCAMLR and EU CDS). IOTC CDS should cover:

English vernacular name	Scientific name	FAO Alpha-3 Species Code
<b>Yellowfin tuna</b>	<i>Thunnus albacares</i>	YFT
<b>Skipjack</b>	<i>Katsuwonus pelamis</i>	SKJ
<b>Bigeye tuna</b>	<i>Thunnus obesus</i>	BET
<b>Albacore tuna</b>	<i>Thunnus alalunga</i>	ALB

<b>Blue Marlin</b>	<i>Makaira nigricans</i>	BUM
<b>Black Marlin</b>	<i>Makaira indica</i>	BLM
<b>Striped Marlin</b>	<i>Tetrapturus audax</i>	MLS
<b>Swordfish</b>	<i>Xiphias gladius</i>	SWO

Mr Hosch presented the options available to IOTC to develop a CDS:

**Option 1**

IOTC, together with ICCAT, IATTC and WCPFC, launch a Kobe-type round of negotiations, focusing on the development of a Tuna Super-CDS, which is to serve all four RFMOs

**Option 2**

Adoption of a system design, where IOTC builds its own platform, and allows other – future systems – to access some of its data, and vice versa. (to detect “double spend” fraud)

Generally complicated through data confidentiality and platform compatibility issues

**Option 3**

Forge ahead and develop stand-alone IOTC CDS. WCPFC has been pursuing this option for a full decade, and has yet to result in the adoption of a CMM

While this option will result in the implementation of an IOTC CDS, it will have the following consequences:

An ineffective CDS with regards to its ability to curbing IUU fishing incidence;

A further erosion of international coordination in trade-related matters where harmonization is needed, and widely recommended as best practice;

Severe erosion of the chances for t-RFMOs to ever pursue option 1 (super-CDS), since IOTC will then have invested /opted already into a stand-alone system



## Conclusions

There was an excellent level of participation to the discussions by all present at the workshop, which resulted in a range of constructive comments, questions and suggestions that provided guidance on the process to move the MCS scheme forward:

- Chose a methodology to move forward the MCS system of IOTC;
- WPICMM02 shall define the priority of which Resolutions should be amended, and put forward as proposals for adoption as revised resolutions;
- CPCs to decide, on individual or collective basis, which Resolutions they wish to submit as proposals for adoption as revised resolutions.

There was unanimous support from the workshop for the IOTC to adopt a CDS. The workshop on CDS further recommended that a Working Group be constituted to guide the development of the IOTC CDS.

## Appendix 1 - Programme of the workshop

### **AGENDA: WORKSHOP RELATING TO THE STUDIES ON MONITORING, CONTROL AND SURVEILLANCE (MCS) AND CATCH DOCUMENTATION SCHEME (CDS)**

V28 November 2018

---

**Date:** 11–12 February 2019

**Location:** Mozambique

**Venue:** Maputo

**Time:** 0900–1700 daily

**Facilitator:** Gilles Hosch

1. **OPENING OF THE SESSION** (Facilitator/Secretariat)
2. **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION** (Facilitator/Secretariat)
3. **BACKGROUND INFORMATION ON THE MCS AND CDC STUDIES** (Secretariat)
4. **MCS STUDY: METHODOLOGY, PRESENTATION OF RESULTS** (Facilitator)
5. **MCS STUDY: DISCUSSION OF MCS RECOMMENDATIONS** (All)
6. **CDS STUDY: METHODOLOGY, PRESENTATION OF RESULTS** (Facilitator)
7. **CDS STUDY: DISCUSSION OF CDS RECOMMENDATIONS** (All)
8. **RECOMMENDATIONS FOR THE CONSIDERATION OF THE WPICMM02** (All)

## Appendix 2 - List of Participants

	<b>Name</b>	<b>Function</b>	<b>Contacts</b>
1	Ms Keis Issa <b>ABDALLA</b>	Legal Officer, Deep Sea Fishing Authority of Tanzania, United Republic of Tanzania	Email: keisabdalla@gmail.com; Tel: +255772234320
2	Mr Mohamoud Sh. Abdullahi <b>ABDIRAHMAN</b>	Director General, Somali Federal Ministry of Fisheries and Marine Resources Somalia	Email: dgmfmr001@gmail.com; Tel: +252615509562
3	Ms Tracey Louise <b>AH SHENE</b>	Department of Agriculture, Forestry and Fisheries, Cape Town, South Africa	Email: TracyA@daff.gov.za; Tel: +27610654193
4	Mr Mohamed Muse <b>AHMED</b>	Director of Training Department, Somali Federal Ministry of Fisheries and Marine Resources, Somalia	Email: muuseyare20@gmail.com; Tel: +252616549301
5	Ms Najat Zain <b>ALFKIH</b>	Advisor, Ministry of Fish Wealth, Amman Jordan	Email: najatzain@eofyemen.org; Tel: +962770078917
6	Mr Takahiro <b>ARA</b>	Fisheries Agency of JAPAN	E-mail: takahiro_ara020@maff.go.jp
7	Mr Said <b>BOINA</b>	Agent- Direction générale des Ressources Halieutiques, Moroni, Union des Comores	Email: dalaili@live.fr
8	Mr Domingos Jeremias <b>CHIVURE</b>	Inspector, DNOP, Maputo, Mozambique	Email: dchivure@gmail.com ; Mobile: +258 82869370
9	Mr Roy <b>CLARISSE</b>	Special Advisor (Fisheries), Ministry of Fisheries & Agriculture, 2nd Floor, Maison Collet, P. O. Box 408, Victoria, Mahé, Seychelles	Email: rclarisse@gov.sc; Tel: +248 2511725
10	Mr Vicente Gouvino <b>COSSA</b>	Head of Planning and Control Department, DNOF, Maputo, Mozambique	Email: gouvino.co@gmail.com ; Mobile: +258 849527524
11	Mr D. <b>DEGAMBUR</b>	Senior Scientific Officer Officer, Ministry of Ocean Economy, Marine Resources. Fisheries and Shipping, Mauritius	Email: ddegambur24@gmail.com
12	Ms Riana <b>HANDAYANI</b>	Head of Section for Fish Resources Governance in IEEZ and High Seas, Ministry of Marine Affairs and Fisheries, Jl. Medan Merdeka Timur No. 16, Jakarta, Indonesia.	Email: sdi.djpt@yahoo.com; Phone: +62213453008
13	Mr Hammad Shanto Salih <b>IBRAHIM</b>	DG of Fisheries, Ministry of Animal Resources, Khartoum, Sudan	Email: shantosalih@yahoo.com; Tel: +249961916581
14	Ms Housnati <b>IDRISSE</b>	Administrateur – Centre Regional de Surveillance des Pêches, Union des Comores	Email: housdani8@gmail.com ; Tel: +2693210469
15	Ms Ummu <b>KULSOOM</b>	Project officer, Ministry of Fisheries, Marine Resources and Agriculture, Malé, Maldives	Email: ummu.kulsoom@fishagri.gov.mv; Tel: +9603339270
16	Mrs C. <b>LIM SHUNG</b>	Technical Officer, Ministry of Ocean Economy, Marine Resources. Fisheries and Shipping, Mauritius	Email: clivilim@yahoo.com
17	Mr Johnny <b>LOUYS</b>	Seychelles Fishing Authority - Seychelles	Email: jlouys@sfa.sc
18	Mr Vincent <b>LUCAS</b>	Seychelles Fishing Authority - Seychelles	Email: vlucas@sfa.sc
19	Mr Sammy A. <b>MALVAS</b>	Director, Bureau of fisheries and aquatic resources, Quezon City, Philippines	E-mail: allensumaydeng420@gmail.com

	<b>Name</b>	<b>Function</b>	<b>Contacts</b>
20	Ms Lucinda Isabel <b>MANGUE</b>	Director of Fisheries Management Division, ADNAP, Maputo, Mozambique	Email: lucindamangue@gmail.com ; Mobile: +258 824727820
21	Mr César José <b>MAPHOSSA</b>	Sofala-Mozambique, Head of Inspectors, Maputo, Mozambique	Email: cmaphossa@yahoo.com.br ; Mobile: +25823807490
22	Mr M. <b>MARCUS</b>	Director ( management division), DFAR, Sri Lanka	Email: mmallikage66@gmail.com ; Tel: +94112446291
23	Ms Laura <b>MAROT</b>	European Commision - DG MARE	E-mail: laura.marot@ec.europa.eu
24	Ms Angela <b>MARTINI</b>	European Commision - DG MARE	E-mail: angela.martini@ec.europa.eu
25	Mr Md. Abdul <b>MATIN</b>	Deputy Chief, Ministry of Fisheries & Livestock, Dhaka, Bangladesh	Email: mamatin387@gmail.com; Tel: +88017 3264 7372
26	Mr Ali Ragih <b>MOHSSEN</b>	Advisor, Ministry of Fish Wealth, Aden, Yemen	Email: alirajeh1968ali@yahoo.com; Tel: +967713304726
27	Mr Monish Kumar <b>MONDAL</b>	Assistant Director, Department of Fisheries, Bangladesh	Email: monishmndl@yahoo.com; Tel: +8801715346829
28	Dr Vinod <b>MUDUMALA</b>	Senior Fisheries Scientist, Fisheries Survey of India (FSI), Headquarters, 2 <sup>nd</sup> floor, Plot No 2A, Unit N0.12, New Fishing Harbour, Sassoon Dock, Colaba, Mumbai – 400 005, India.	Email: vmudumala@gmail.com ; Tel: +91 8975277038
29	Mr Avelino Alfiado <b>MUNWANE</b>	Director of Fisheries Monitoring Division, ADNAP, Maputo, Mozambique	Email: avelinomunwane@gmail.com ; Mobile: +258 846916842
30	Mr Galhardo Xavier <b>NAIENE</b>	Head of Licence Department, ADNAP, Maputo, Mozambique	Email: gnaene@gmail.com ; Mobile: +258 824410840
31	Mr Mncengeni Thanduxolo <b>NTSHANGASE</b>	Department of Agriculture, Forestry and Fisheries, Durban, South Africa	Email: ThanduxoloN@daff.gov.za; Tel: +27794449951
32	Mr Christian Alphonse <b>NZOWA</b>	Head of Compliance Section, Deep Sea Fishing Authority of Tanzania, United Republic of Tanzania	Email: christiannzowa@gmail.com; Tel: +255786832172
33	Ms Sampan <b>PANJARAT</b>	Department of Fisheries - Thailand	spanjarat@yahoo.com
34	Mr Dominique <b>PERSON</b>	Directeur du CROSS Réunion, La Réunion, France	Email: Dominique.Person@d eveloppement- durable.gouv.fr; Tel: 02 62 71 15 89 / 06 92 66 54 74
35	Ms Mumpuni Cyntia <b>PRATIWI</b>	Senior Staff for Directorate of Fish Resources Management, Ministry of Marine Affairs and Fisheries, Jl. Medan Merdeka Timur No. 16, Jakarta, Indonesia.	Email: sdi.djpt@yahoo.com; Phone: +62213453008
36	Mr Julien Hantra <b>RAKOTOMANGA</b>	Chef du Service Opération, CSP, Ministère des Ressources Halieutiques et de la Pêche, Madagascar	Email: csp-soc@madagascar- scs-peche.mg; Tel: +261 34 48 096 61
37	Mr Etienne <b>RAKOTONIRINA</b>	Directeur Regional Antsiranana, Ministère des Ressources Halieutiques et de la Pêche, Madagascar	Email: etiennerakotonirina@yahoo.fr ; Tel: +261 34 05 870 93
38	Dr Muhammad Asif <b>RIAZ</b>	Assistant Fisheries Development Commissioner, First Floor, Shaheed e Millat Secretariat, Ministry of Maritime Affairs, Islamabad, Pakistan.	Email: sofismop@gmail.com, asifriazmops@gmail.com; Tel: (92-51) 9244216, Cell # (92-300-3117885)
39	Mr Yannick <b>ROUCOU</b>	Seychelles Fishing Authority - Seychelles	Email: yroucou@sfa.sc

	<b>Name</b>	<b>Function</b>	<b>Contacts</b>
40	Mr Beverly <b>SAN JUAN</b>	Fishing regulations officer I, Bureau of fisheries and aquatic resources, Quezon City, Philippines	E-mail: beyesanjuan@gmail.com
41	Mr Ahmed <b>SHIFAZ</b>	Compliance Officer, Ministry of Fisheries, Marine Resources and Agriculture, Malé, Maldives	Email: ahmed.shifaz@fishagri.gov.mv; Tel: +9603339252
42	Dr Ross <b>WANLESS</b>	BirdLife International	E-mail: ross.wanless@birdlife.org.za
43	Mr John K <b>WANYOIKE</b>	State Department for Fisheries and the Blue Economy, Mombasa - Kenya	Email: karungoj@yahoo.com; Tel: +254-727246958
<b>Resource persons / IOTC Secretariat</b>			
49	Mr Benedict Kyalo <b>KIILU</b> (Chairperson)	State Department for Fisheries and the Blue Economy, Mombasa, Kenya	Email: kiilub@yahoo.com; Tel: +254-721721728
50	Mr Gilles <b>HOSCH</b>	MCS and CDS Consultant	Email: gilles.hosch@gmail.com
46	Dr Chris <b>O'BRIEN</b>	Executive Secretary – IOTC Secretariat	E-mail: Chris.OBrien@fao.org
47	Mr Florian <b>GIROUX</b>	Compliance officer – IOTC Secretariat	Email: Florian.Giroux@fao.org
48	Mr Gerard <b>DOMINGUE</b>	Compliance Coordinator – IOTC Secretariat	Email: Gerard.Domingue@fao.org

## Appendix 3 - Consolidated set of points discussed on MCS

<u>Resolutions</u>	<u>Key findings</u>	<u>Proposed actions</u>	<u>Points discussed during the workshop</u>
1. Resolution 18/07 Non-fulfilment of reporting obligations in the IOTC	<ul style="list-style-type: none"> <li>• Very limited in scope / very weak sanctioning provision / overlap with Resolution 10/10 (trade measures)</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminate Resolution</li> <li>• Absorb relevant provisions into Resolution 10/10 and Resolution 15/02</li> </ul>	<ul style="list-style-type: none"> <li>• Submission of data is recognised as a common challenge in the five t-RFMOs.</li> <li>• There is a need to streamline and consolidate reporting obligations to avoid multiple reporting of the same information.</li> <li>• The ongoing exercise to reinforce the compliance process (Activity 3.1 of WPICMM Work Plan) should be taken into consideration. This will be discussed at the WPICMM02, as part of the procedure to improve the compliance process.</li> </ul>
2. Resolution 18/06 Programme for transshipment by large-scale fishing vessels	<ul style="list-style-type: none"> <li>• At-sea and in-port transshipments regulated; last one weaker</li> <li>• Authorised LSTLVs not referenced on RAV</li> <li>• Reefer IMO number not required; VMS rules not specified</li> <li>• In-port transshipment decl. only submitted to FS – limiting</li> <li>• Submission periods for decl. too long (15 days)</li> <li>• Reconciliation (transshipments/landings) provisions weak</li> <li>• Annex III essential data fields missing</li> </ul>	<ul style="list-style-type: none"> <li>• Scope of resolution to be limited to at-sea transshipment</li> <li>• In-port transshipment to be added to Resolution 16/11</li> <li>• Use of electronic interface for authorizations and declarations (also at-sea transshipments)</li> <li>• Improvement of monitoring and reporting standards (transparency)</li> <li>• IOTC Secretariat to develop e-portal for at-sea transshipments – based on same or similar procedures as under ePSM</li> <li>• Current periodic CPC data submission requirements to IOTC outside of operational</li> </ul>	<ul style="list-style-type: none"> <li>• There is a need to develop an “e-portal” to make transshipments information accessible to CPCs, since some CPCs are currently requesting this information for control purposes.</li> <li>• Reefer vessels with operations limited to in-port activities, should also be included in the IOTC list of authorised carrier vessels.</li> <li>• IMO number for carrier should also be provided under para 7 of Resolution 18/06; information to be provided.</li> <li>• The period of transmission of transshipment declarations for in port transshipments by LSTVs should be less than 15 days (Res 18/06, Annex I, para 2.3).</li> <li>• Transshipment declarations received by the landing/market State should be submitted to IOTC Secretariat for the purpose of reconciling transshipment declaration information.</li> <li>• There is a need to clearly define the role of the flag State of carrier vessels in getting carrier vessels into the IOTC Record of Carrier Vessels.</li> <li>• There is currently no provision in this Resolution for the fleet nominating carrier vessels to take on responsibilities that would normally fall due to the flag State.</li> </ul>

		data submission will become superfluous	<ul style="list-style-type: none"> <li>• There is a loophole in this resolution, which is inconsistent with Resolution 15/04; i.e. the ability of non-CPCs carrier vessels to be included in the list of authorised carrier vessels.</li> <li>• Only carrier vessels from IOTC CPCs should be authorised for the purpose of Resolution 18/06.</li> </ul>
3. Resolution 18/03 List of vessels presumed to have carried out IUU fishing	<ul style="list-style-type: none"> <li>• Stepwise mechanism &amp; procedure for listing is solid</li> <li>• Para. 2 does not limit listing to vessels only – incoherence with title (and further provisions)</li> <li>• Errors in rulemaking (para 4.a. and 4.b.)</li> <li>• Contradictions with other Resolutions (para 20.b)</li> <li>• Applicable sanctions largely not defined</li> <li>• Master identity of listed IUU vessel not established</li> </ul>	<ul style="list-style-type: none"> <li>• Maximum information on company and physical person details and data to be collected, and listed (along vessel details) – Resolution expanded and completed</li> <li>• Resolution 07/01 on compliance by nationals and Resolution 16/05 on vessels without nationality absorbed into Resolution 18/03</li> </ul>	<ul style="list-style-type: none"> <li>• It was agreed that not respecting catch limit/quota is compliance issue, and that should not lead to IUU identification.</li> <li>• There was no agreement to include “Entity” in the IUU list. It was felt that the concept of “Entity” should be clearly defined first, before consideration can be given to this proposal.</li> <li>• Issues relating labour and human rights, whilst recognised as important issues, should be addressed outside the scope of the IUU listing process.</li> <li>• Different mechanism for the listing of different entities (e.g. list of IUU captains, operators, etc.) should be considered as they are important players in driving IUU. However, more thoughts on how to achieve this, is required.</li> </ul>
4. Resolution 16/11 Port state measures to combat IUU fishing	<ul style="list-style-type: none"> <li>• Scope and modalities of the resolution are broad, consistent and largely complete</li> <li>• ePSM use not yet mandatory data submissions, authorizations, etc.</li> <li>• Transshipments in port not covered</li> <li>• Pre-licensing inspections of third-party vessels not provided</li> <li>• Regulatory inconsistency regarding NCP inspection levels</li> <li>• Landings data collection not specified</li> </ul>	<ul style="list-style-type: none"> <li>• ePSM formally established as data submission portal (AREP, PIR, etc.)</li> <li>• Data submission of landings data now part of this Resolution – to be phased out once ePSM-based real-time landing submissions are operational</li> <li>• Rules for transshipment in port developed</li> <li>• Transshipment declaration (Annex VI) revised</li> <li>• NCP inspections to 100%</li> </ul>	<ul style="list-style-type: none"> <li>• The proposal to prohibit the use of non-CPC ports by authorised fishing vessels was considered to be too restrictive, and more thoughts on how to achieve this would be required.</li> </ul>



		<ul style="list-style-type: none"> <li>• Third-party vessel inspections (min. every two years)</li> <li>• The use of non-CPC ports by active fishing vessels is forthwith prohibited</li> </ul>	
5. Resolution 16/05 Vessels without nationality	<ul style="list-style-type: none"> <li>• Singular focus on the stateless fishing vessels</li> <li>• Identification and enforcement measures regarding owners, operators and/or the master not provided for</li> <li>• All key provisions exist in currently binding form in more recent and more relevant IOTC Resolutions (18/03 &amp; 16/11)</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminate</li> </ul>	<ul style="list-style-type: none"> <li>• There was consensus to eliminate this resolution.</li> </ul>
6. Resolution 15/04 IOTC record of authorised vessels	<ul style="list-style-type: none"> <li>• Truthfulness of vessel information contained on the RAV not checked (FS sole arbiter)</li> <li>• Electronic data submission for RAV not mandatory</li> <li>• Vessel hold size and target species not indicated</li> <li>• Vessel owner, operator, master, and/or physical person data not detailed enough</li> <li>• National competent authorities issuing high seas fishing authorizations not publically available on IOTC website</li> <li>• Vessel marking scheme insufficiently defined</li> <li>• Fishing gear marking rules insufficient</li> </ul>	<ul style="list-style-type: none"> <li>• Vessel data significantly expanded – all electronic submission</li> <li>• Rules on missing data entries provided</li> <li>• Rules on ATF periodicity, validity and updating added</li> <li>• Minimum guidelines for vessel markings added</li> <li>• Rules on gear markings expanded</li> </ul>	<ul style="list-style-type: none"> <li>• There was agreement that photographs and other details not currently required to be provided, to be included in the list of mandatory information to be submitted at the time of the request to include a vessel in the IOTC Record of Authorised Vessels.</li> <li>• There is a need to give more thoughts on how to deal with vessels not obliged on be on Record of Authorised Vessels (i.e. vessels below 24m operating in EEZ), but are currently being included due to trade issues.</li> <li>• It was agreed that gear markings should in line with the FAO scheme, however, it was also felt that this should be addressed under a mechanism different from 15/04.</li> </ul>

	<ul style="list-style-type: none"> <li>• Logbook keeping, updating, and filling rules weak – ill-placed</li> <li>• Rules on the periodicity of updating authorization period on the RAV are missing</li> </ul>		
7. Resolution 15/03 Vessel monitoring system (VMS) programme	<ul style="list-style-type: none"> <li>• VMS rules should apply to AFVs on the RAV, instead of given vessel lengths</li> <li>• Lack of clear rules where and when VMS must be functioning</li> <li>• Lacking Secretariat/Commission VMS access</li> <li>• No provisions as to which party has access to what data at what times</li> </ul>	<ul style="list-style-type: none"> <li>• None. Study on VMS underway &amp; key findings shared</li> </ul>	<ul style="list-style-type: none"> <li>• Study on VMS underway and key findings have been shared with the consultant conducting the VMS study.</li> </ul>
8. Resolution 15/01 Recording of catch and effort data by fishing vessels	<ul style="list-style-type: none"> <li>• Logbook templates hosted on IOTC website – best practice</li> <li>• MCS dimension largely overseen in CMM</li> <li>• Logbook up-keeping rules not provided</li> <li>• Production logbook and stowage plan not provided</li> <li>• Submission periods not specified</li> <li>• Mandatory landings declaration do not exist</li> <li>• No link to Resolution 15/02 (Mandatory statistical reporting requirements)</li> </ul>	<ul style="list-style-type: none"> <li>• Resolution to be renamed “Recording and reporting...”</li> <li>• Logbook data (copy) to be kept on-board for 12 month period</li> <li>• Logbook updating rules added</li> <li>• Production logbook defined</li> <li>• Stowage plan defined</li> <li>• Landing declaration instituted, including submission to FS, PS and IOTC</li> <li>• IOTC tasked with developing ePSM routine for landing declaration submission</li> </ul>	<ul style="list-style-type: none"> <li>• There was agreement that “production logbook” and “stowage plan” for carrier vessels (or for other types of vessels) to be better regulated and logbook updating rules should be added.</li> <li>• There was also agreement for instituting landing declarations, including submissions to flag State, port State and IOTC Secretariat.</li> </ul>

<p>9. Resolution 14/05 Record of licensed foreign vessels &amp; access agreement info</p>	<ul style="list-style-type: none"> <li>• Fails to provide that foreign vessels not on the RAV may not be licensed to operate in the EEZ</li> <li>• Authorized vessels are not identified on the RAV as being authorised to fish in a particular foreign EEZ</li> <li>• Vessel information asked for the previous year – not current</li> <li>• Coastal State not tasked to inspect vessel and verify data</li> <li>• Silent on VMS provisions</li> </ul>	<ul style="list-style-type: none"> <li>• Foreign vessels not on the IOTC RAV may not be licensed to fish for tuna and tuna-like species within the EEZ</li> <li>• Coastal States shall that foreign vessel data are accurate and concur with RAV data</li> <li>• Periodicity of submission of information changed to immediate for individual vessels, and one month for all other agreement related information</li> </ul>	<ul style="list-style-type: none"> <li>• There were concerns with regards to the impact of immediate reporting of foreign vessels licensed and the burden that it will pose on coastal States.</li> <li>• There is a need to assess the merit of sharing information on license for operational purpose within the IOTC, since this is a practice taking place between a subgroup of IOTC Members.</li> </ul>
<p>10. Resolution 10/10 Market related measures</p>	<ul style="list-style-type: none"> <li>• No single binding (“shall”) clause in resolution</li> <li>• Title of resolution unclear</li> <li>• Sanctioning mechanism never used</li> <li>• Regulatory incoherence with other Resolutions (e.g. para. 1)</li> <li>• Port and coastal States not targeted by TREM mechanism</li> <li>• Discriminates against NCPs – CPC alternative sanctions weak (!)</li> <li>• Step-wise identification procedure unclear</li> <li>• Feedback on TREM implementation non-binding on parties</li> </ul>	<ul style="list-style-type: none"> <li>• Pre-identification/identification mechanism created</li> <li>• Pre-identification to exactly establish nature of infringements and targets of potential TREMs</li> <li>• Discriminatory clauses, and lenient option for CPCs eliminated</li> <li>• Notification of the measures undertaken by CPCs made mandatory</li> </ul>	<ul style="list-style-type: none"> <li>• It was agreed that this resolution needs to be reinforced and there was support for strengthening it in accordance to the study’s recommendations.</li> <li>• There will be a need to integrate provisions for inter sessional removal of identification of identified parties.</li> <li>• To maintain objectivity in the identification process, there will be a need to introduce some criteria to maintain objectivity.</li> <li>• There is a need for these considerations to be discussed further at WPICMM02, alongside measures to strengthen the IOTC compliance process.</li> </ul>
<p>11. Resolution 10/08 Record of active vessels having fished for tunas and swordfish</p>	<ul style="list-style-type: none"> <li>• Objective of resolution is not defined – and rationale for raising list of vessels active in previous year is unclear</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminated</li> </ul>	<ul style="list-style-type: none"> <li>• There was agreement not to eliminate this resolution until an alternative mechanism for monitoring of fishing capacity is available.</li> </ul>

<p>12. Resolution 07/01 Compliance by nationals of CPs and CNCPs</p>	<ul style="list-style-type: none"> <li>• Mere re-iteration of a CPCs duty to enforce the law against physical and legal persons subject to their jurisdiction</li> <li>• Infractions to be detected and sanctioned can only apply to people actively involved in fishing</li> <li>• Resolution does not provide listing mechanism</li> <li>• Referencing to other CMMs wrong (again)</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminated; merged into Resolution 18/03</li> </ul>	<ul style="list-style-type: none"> <li>• There was consensus to eliminate this resolution.</li> </ul>
<p>13. Resolution 05/03 Establishment of a programme of inspection in port</p>	<ul style="list-style-type: none"> <li>• Discriminatory (NCP vessels sanctioned /CPC vessels not)</li> <li>• Foreign landings to be reported to Secretariat (others not)</li> <li>• Flag State and Secretariat to be notified of infringements detected in port</li> <li>• Regulatory incoherence</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminated; already absorbed into Resolution 16/11; 15/01</li> </ul>	<ul style="list-style-type: none"> <li>• There was consensus to eliminate this resolution, once there is assurance that equivalent measures are available in Resolution 16/11.</li> </ul>
<p>14. Resolution 03/03 Amendment of the forms of statistical documents</p>	<ul style="list-style-type: none"> <li>• Integral part of Resolution 01/06</li> </ul>	<ul style="list-style-type: none"> <li>• Not separately considered (eliminated with Resolution 01/06)</li> </ul>	<ul style="list-style-type: none"> <li>• There was consensus to eliminate this resolution.</li> </ul>
<p>15. Resolution 01/06 Bigeye tuna statistical document programme</p>	<ul style="list-style-type: none"> <li>• Non-punitive market-related measure, with large gaps and the resulting ineffectiveness of resolution singled out 9 years ago by PRIOTC01</li> </ul>	<ul style="list-style-type: none"> <li>• Eliminated; no further amendments; to be replaced with CDS, covering all IOTC commercially important species, all product forms and all trade routes, using state of the art CDS design and electronic implementation</li> </ul>	<ul style="list-style-type: none"> <li>• There was consensus to eliminate this resolution, once a catch documentation scheme is in place.</li> </ul>

<p>16. Resolution 01/03 Scheme to promote compliance by NCP vessels</p>	<ul style="list-style-type: none"> <li>Trail blazing at the time of its adoption, has now been overtaken by developments in international law and related IOTC resolutions</li> </ul>	<ul style="list-style-type: none"> <li>Eliminated; to be absorbed into Resolutions 18/03, 16/11 and 10/10, most of which has been done over time – complete with provisions regarding potential punitive responses</li> </ul>	<ul style="list-style-type: none"> <li>There was consensus to eliminate this resolution.</li> </ul>
<p>17. Resolution 99/02 Actions against fishing activities by FOC LSTLVs</p>	<ul style="list-style-type: none"> <li>Predates the NPOA-IUU</li> <li>Action called for under the Resolution are now provided under Resolution 01/03, 05/03, 10/10 (resulting from para. 7 of this resolution – which called for its development), Resolution 14/05, Resolution 16/11, and Resolution 18/03</li> </ul>	<ul style="list-style-type: none"> <li>Eliminated; already wholly absorbed into existing regulatory substance</li> </ul>	<ul style="list-style-type: none"> <li>There was consensus to eliminate this resolution.</li> </ul>
<p>18. Proposal for an IOTC High-sea Boarding and Inspection Scheme</p>	<ul style="list-style-type: none"> <li>Not adopted since 2013</li> <li>Proposal is solid; follows similar schemes in other RFMOs</li> <li>Was not modified or enhanced through this work/study</li> </ul>	<ul style="list-style-type: none"> <li>Discuss resistance points</li> <li>Integrate justified reservations</li> <li>Amend/complete &amp; put back before the Commission</li> <li>Propose majority vote if consensus cannot be achieved</li> </ul>	<ul style="list-style-type: none"> <li>Noting the lack of availability of civilian platforms, which can be used in such a scheme, the use of military platforms would likely be the most readily available means for implementing such a scheme.</li> <li>One CPC indicated that there is a fundamental difficulty in agreeing to such a scheme, since it goes contrary to its domestic law.</li> <li>The Chairperson indicated that this proposal should not be discussed as it is not an active Resolution.</li> </ul>