
**COLLECTION OF RESOLUTIONS AND
DECISIONS BY THE
INDIAN OCEAN TUNA COMMISSION**

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TABLE OF CONTENTS

1998- THIRD SESSION OF THE IOTC-	4
RESOLUTION 98/01 MANDATORY STATISTICAL REQUIREMENTS FOR IOTC MEMBERS ...	5
RESOLUTION 98/02 DATA CONFIDENTIALITY POLICY AND PROCEDURES	6
RESOLUTION 98/03 ON SOUTHERN BLUEFIN TUNA	7
RESOLUTION 98/04 CONCERNING REGISTRATION AND EXCHANGE OF INFORMATION ON VESSELS, INCLUDING FLAG OF CONVENIENCE VESSELS, FISHING FOR TROPICAL TUNAS IN THE IOTC AREA OF COMPETENCE	8
RESOLUTION 98/05 ON COOPERATION WITH NON-CONTRACTING PARTIES	9
DRAFT LETTER	9
1999 - FOURTH SESSION OF THE IOTC-	10
RESOLUTION 99/01 ON THE MANAGEMENT OF FISHING CAPACITY AND ON THE REDUCTION OF THE CATCH OF JUVENILE BIGEYE TUNA BY VESSELS, INCLUDING FLAG OF CONVENIENCE VESSELS, FISHING FOR TROPICAL TUNAS IN THE IOTC AREA OF COMPETENCE	11
RESOLUTION 99/02 CALLING FOR ACTIONS AGAINST FISHING ACTIVITIES BY LARGE SCALE FLAG OF CONVENIENCE LONGLINE VESSELS	13
RESOLUTION No 99/03 ON THE ELABORATION OF A CONTROL AND INSPECTION SCHEME FOR IOTC	14
RESOLUTION 99/04 ON THE STATUS OF COOPERATING NON-CONTRACTING PARTIES.....	15
2000-FIFTH SESSION OF THE IOTC-	16
RESOLUTION 00/01. RESOLUTION ON COMPLIANCE WITH MANDATORY STATISTICAL REQUIREMENTS FOR IOTC MEMBERS AND REQUESTING COOPERATION WITH NON-CONTRACTING PARTIES	17
RESOLUTION 00/02. RESOLUTION ON A SURVEY OF PREDATION OF LONGLINE CAUGHT FISH.....	18
2001-SIXTH SESSION OF THE IOTC-	19
RESOLUTION 01/01 CONCERNING THE NATIONAL OBSERVER PROGRAMMES FOR TUNA FISHING IN THE INDIAN OCEAN	20
RESOLUTION 01/02 RELATING TO CONTROL OF FISHING ACTIVITIES	21
RESOLUTION 01/03 ESTABLISHING A SCHEME TO PROMOTE COMPLIANCE BY NON-CONTRACTING PARTY VESSELS WITH RESOLUTIONS ESTABLISHED BY IOTC.....	23
RESOLUTION 01/04 ON LIMITATION OF FISHING EFFORT OF NON MEMBERS OF IOTC WHOSE VESSELS FISH BIGEYE TUNA	24
RESOLUTION 01/05 MANDATORY STATISTICAL REQUIREMENTS FOR IOTC MEMBERS	25
RESOLUTION 01/06 RECOMMENDATION BY IOTC CONCERNING THE IOTC BIGEYE TUNA STATISTICAL DOCUMENT PROGRAMME	27
RESOLUTION 01/07 CONCERNING THE SUPPORT OF THE IPOA-IUU PLAN	40
2002- SEVENTH SESSION OF THE IOTC-	41
RESOLUTION 02/01 RELATING TO THE ESTABLISHMENT OF AN IOTC PROGRAMME OF INSPECTION IN PORT.....	42
RESOLUTION 02/02. RELATING TO THE ESTABLISHMENT OF A VESSEL MONITORING SYSTEM PILOT PROGRAMME	43
RESOLUTION 02/03 TERMS OF REFERENCE FOR THE IOTC COMPLIANCE COMMITTEE	44
RESOLUTION 02/04 ON ESTABLISHING A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL, UNREGULATED AND UNREPORTED FISHING IN THE IOTC AREA.....	45
RESOLUTION 02/05 CONCERNING THE ESTABLISHMENT OF AN IOTC RECORD OF VESSELS OVER 24 METRES AUTHORISED TO OPERATE IN THE IOTC AREA	49
RECOMMENDATION 02/06. ON THE IMPLEMENTATION OF THE RESOLUTION CONCERNING THE IOTC RECORD OF VESSELS	52

RECOMMENDATION 02/07. CONCERNING MEASURES TO PREVENT THE LAUNDERING OF CATCHES BY IUU LARGE-SCALE TUNA LONGLINE FISHING VESSELS	53
RESOLUTION 02/08 ON THE CONSERVATION OF BIGEYE AND YELLOWFIN TUNA IN THE INDIAN OCEAN	54
<i>Resolution 02/09. Establishment of the Standing Committee on Administration and Finance (SCAF)</i>	55

1998- THIRD SESSION OF THE IOTC-

Victoria, Seychelles

RESOLUTION 98/01

MANDATORY STATISTICAL REQUIREMENTS FOR IOTC MEMBERS

CATCH AND EFFORT DATA

- a) **Surface fisheries:** catch and effort data of the surface fisheries, catch weight and fishing days at least (purse seine, baitboat, troll, drift nets) should be provided to the IOTC by 1° grid area and month strata. Purse seine fishery data should be stratified by type of school. Those data should preferably be extrapolated to the national monthly catches of each gear. The raising factors used, corresponding to the logbook coverage, should be given routinely to the IOTC.
- b) **Longline fisheries:** catch and effort data of the longline fisheries should be provided to the IOTC by 5° grid area and month strata, preferably in numbers and in weight. The fishing effort should be given in numbers of hooks. Those data should preferably be extrapolated to the national monthly catches. The raising factors used, corresponding to the logbook coverage, should be given routinely to the IOTC.
- c) The catches, efforts and sizes of the **artisanal, small scale and sport fisheries** should also be submitted on a monthly basis, but using the best geographical areas used to collect and process those data.

SIZE DATA

Considering that size data are of key importance for most tuna stock assessment, length data should be routinely submitted to the IOTC on a 5° grid area and month basis, by gear and fishing mode (e.g. free/log schools for the purse seiners). Size data should be provided for all gears and for all species covered by the IOTC. Size data sampling should preferably be run under strict and well described random sampling schemes which are necessary to provide unbiased figures of the sizes taken. The exact recommended level of sampling could vary between species (as a function of various parameters), but the specific level of recommended sampling needs to be established by the working party on statistics. More detailed size data, for instance size by individual samples, should also be made available to the IOTC when requested by specific working groups, but under strict rules of confidentiality.

TIMELINESS OF DATA SUBMISSION TO THE IOTC

It is essential that all the fishery data be available in due time to allow the monitoring of stocks and analysis of the data. It is thus recommended that the following rules should be applied as standard obligation:

- a) **Surface fleets and other fleets operating in coastal zone** must provide their fishery data at the earliest possible date but **no later than the 30th of June each year** (previous year data).
- b) **Longline fleets operating in the high seas** must provide the **provisional** fishery data at the earliest date, but **no later than before June 30th** (for the previous year data). They must provide the **final estimate** of their fishery data **before December 30th each year** (for the previous year data).

The delays presently required to submit statistics could be reduced in the future because of the development of communication and data processing technologies, which should reduce the present data processing delays.

RESOLUTION 98/02

DATA CONFIDENTIALITY POLICY AND PROCEDURES

Recognizing the need for confidentiality at the commercial and organisational levels for data submitted to IOTC, the following policy and procedures on confidentiality of data will apply:

DATA SUBMITTED TO THE SECRETARIAT

The policy for releasing catch-and-effort and length-frequency data will be as follows:

- Catch-and-effort and length-frequency data grouped by 5° longitude by 5° latitude by month for longline and 1° longitude by 1° latitude by month for surface fisheries stratified by fishing nation are considered to be in the public domain, provided that the catch of no individual vessel can be identified within a time/area stratum. In cases when an individual vessel can be identified, the data will be aggregated by time, area or flag to preclude such identification, and will then be in the public domain.
- Catch-and-effort and length-frequency data grouped at a finer level of time-area stratification will only be released with written authorisation from the sources of the data. Each data release will require the specific permission of the Secretary.
 - a) A Working Party will specify the reasons for which the data are required.
 - b) Individuals requesting the data are required to provide a description of the research project, including the objectives, methodology and intentions for publication. Prior to publication, the manuscript should be cleared by the Secretary. The data are released only for use in the specified research project and the data must be destroyed upon completion of the project. However, with authorisation from the sources of the data, catch-and-effort and length-frequency data may be released for long-term usage for research purposes, and in such cases the data need not be destroyed.
 - c) The identity of individual vessels will be hidden in fine-level data unless the individual requesting this information can justify its necessity.
 - d) Both Working Parties and individuals requesting data shall provide a report of the results of the research project to IOTC for subsequent forwarding to the sources of the data.

PROCEDURES FOR THE SAFEGUARD OF RECORDS

Procedures for safeguarding records and databases will be as follows:

- Access to logbook-level information will be restricted to IOTC staff requiring these records for their official duties. Each staff member having access to these records will be required to sign an attestation recognising the restrictions on the use and disclosure of the information.
- Logbook records will be kept locked, under the specific responsibility of the Data Manager. These sheets will only be released to authorised IOTC personnel for the purpose of data input, editing or verification. Copies of these records will be authorised only for legitimate purposes and will be subjected to the same restrictions on access and storage as the originals.
- Databases will be encrypted to preclude access by unauthorised persons. Full access to the database will be restricted to the Data Manager and to senior IOTC staff requiring access to these data for official purposes, under the authority of the Secretary. Staff entrusted with data input, editing and verification will be provided with access to those functions and data sets required for their work.

DATA SUBMITTED TO WORKING PARTIES

- Data submitted to Working Parties will be retained by the Secretariat or made available for other analyses only with the permission of the source.
- The above rules of confidentiality will apply to all members of Working Parties.

RESOLUTION 98/03
ON SOUTHERN BLUEFIN TUNA

The Indian Ocean Tuna Commission (IOTC),

Mindful that southern bluefin tuna (SBT) is a highly migratory species whose range includes, but extends beyond, the Indian Ocean,

Recalling the competence of the IOTC, under the Agreement for the Establishment of the Indian Ocean Tuna Commission (the Agreement), for tunas in the Indian Ocean, including SBT most of whose range falls within the IOTC area of competence,

Recalling also that the objective of the Convention for the Conservation of Southern Bluefin Tuna (the Convention) is to ensure, through appropriate management, the conservation and optimum utilization of SBT throughout its entire range,

Further recalling Article XV of the Agreement and Article 12 of the Convention, each of which provides for cooperation between the IOTC or the Commission for the Conservation of Southern Bluefin Tuna (the CCSBT) respectively, and other relevant international organizations, while also seeking to avoid duplication with respect to their work,

Bearing in mind that the recognition by the IOTC of the prime responsibility of CCSBT for conservation and management of SBT, recorded at paragraph 31 of the Report of the First Special Session of the IOTC, was taken at a time when a total allowable catch (TAC) for SBT was in force under the Convention,

Concerned at the difficulties between CCSBT member States, due mainly to differences on SBT stock status assessments and projections, as reported to the IOTC by its Scientific Committee in the Report of its First Session, which are currently preventing the CCSBT from agreeing to a TAC,

Calls upon the CCSBT member States urgently to overcome their difficulties in order to achieve the objective of the Convention and, to this end, offers to them the good offices of the IOTC Chairman, the Chairman of the Scientific Committee and the Secretary, or their nominees, who may invite the contribution of other experts if appropriate, to advise on means to achieve this objective.

Agrees to review, at its fourth session, the progress made in overcoming those difficulties, and, if necessary, to decide whether a Working Party on SBT or on temperate tunas should be established to advance the effective conservation and optimum utilization of SBT.

RESOLUTION 98/04
CONCERNING REGISTRATION AND EXCHANGE OF INFORMATION ON
VESSELS, INCLUDING FLAG OF CONVENIENCE VESSELS, FISHING FOR
TROPICAL TUNAS IN THE IOTC AREA OF COMPETENCE

The Indian Ocean Tuna Commission (IOTC);

Noting the Research Recommendations of the 7th Expert Consultations on Indian Ocean Tunas regarding the need to collect data on fishing effort;

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

Recommends, in accordance with the provisions of Article IX, paragraph 8, of the Agreement establishing the IOTC, that:

1. All Contracting Parties and Non-Contracting Parties cooperating with the IOTC with vessels fishing for tropical tunas in the IOTC Area of Competence (hereinafter referred to as 'the Area'), by 30 June every year:
 - shall submit to the Secretary a list of their respective vessels greater than 24 m LOA that have fished for tropical tunas in the Area during the previous year;
 - may submit to the Secretary, on a voluntary basis, a list of their respective vessels of less than 24 m LOA that have fished for tropical tunas in the Area during the previous year.
2. These lists shall contain the following information for each vessel:
 - Name and registration number;
 - Previous flag (if any);
 - International radio call sign;
 - Vessel type, length, and gross registered tonnage or gross tonnage;
 - Name and address of owner, and/or charterer, and/or operator.
3. Contracting Parties which issue licences to foreign flag vessels to fish for tropical tunas in the Area shall submit to the Secretary the same information on all vessels to which such licences have been issued, according to the same timetable.
4. The Secretary shall circulate this information annually, or upon request, to all Contracting Parties and Non-Contracting Parties cooperating with the IOTC.
5. The Contracting Parties and Non-Contracting Parties cooperating with the IOTC shall notify the Secretary of any information concerning fishing vessels not covered in paragraph 1 but known or presumed to be fishing for tropical tunas in the Area.
6. a) The Secretary shall request the flag State of a vessel covered in paragraph 5 to take the measures necessary to prevent the vessel from fishing for tropical tunas in the Area.
b) The Secretary shall compile for future consideration by the Commission information on vessels covered in paragraph 5 whose flag is not identified.

RESOLUTION 98/05
ON COOPERATION WITH NON-CONTRACTING PARTIES

The Indian Ocean Tuna Commission (IOTC);

Recognizing that the international community has an important responsibility to conserve the tuna and tuna-like resources of the Indian Ocean for present and future generations;

Recognizing that the problem of ensuring such sustainability cannot be resolved properly unless all nations fishing these species work together cooperating through the Commission;

Recalling that the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks has emphasized the importance of ensuring the conservation of highly migratory species through international fisheries organizations such as the Commission;

Therefore decides to:

- 1) Instruct the Chairman of IOTC to send the attached letter to all non-Contracting Parties known to have vessels fishing in the Area for species covered by the Agreement to urge them to become Contracting Parties.
- 2) Instruct the Secretary to provide to non-Contracting Parties referred to in paragraph 1 above copies of all relevant Resolutions adopted by IOTC at its Third Session.

DRAFT LETTER

(Courtesy formula)

The Indian Ocean Tuna Commission (IOTC) is a regional fisheries organization, created in 1996, which to date includes 16 States and one Organization for regional economic integration.

The principal objective of the IOTC is to promote the conservation and management of the migratory species covered by the Agreement establishing the IOTC (hereinafter referred to as 'the Agreement').

The contracting parties of the IOTC have decided to cooperate among themselves to implement this objective.

In order to achieve this goal, the IOTC has, *inter alia*, the responsibility of constantly monitoring the status of and changes in the stocks covered by the Agreement and to collect, analyse and disseminate scientific information, statistics of catches and fishing effort and other data useful for the conservation and management of these stocks.

This function can be implemented only if non-Contracting Parties of the IOTC cooperate with the Commission and exchange information on fishing activities relating to the stocks covered by the Agreement.

The Chairman of the IOTC draws the attention of the Authorities of whose vessels exploit the stocks covered by the Agreement in its area of competence, to the need to cooperate for the purposes of conservation and management of these stocks.

With this need in mind, the Chairman of the Commission invites the Authorities of to become party to the Agreement establishing the IOTC by sending to the Director-General of FAO an instrument of acceptance, or at least to cooperate with the Commission, through the exchange of information and statistical data on fishing activities on the stocks falling within the remit of the Commission.

(Courtesy formula)

1999 - FOURTH SESSION OF THE IOTC-

Kyoto, Japan

RESOLUTION 99/01
ON THE MANAGEMENT OF FISHING CAPACITY AND ON THE REDUCTION OF THE
CATCH OF JUVENILE BIGEYE TUNA BY VESSELS, INCLUDING FLAG OF
CONVENIENCE VESSELS, FISHING FOR TROPICAL TUNAS IN THE IOTC AREA OF
COMPETENCE

The Indian Ocean Tuna Commission (IOTC):

Noting that the FAO Code of Conduct for Responsible Fishing provides that States should take measures to prevent or eliminate excessive fishing capacity,

Concerned that the fleets fishing for tropical tunas in the IOTC area of competence continue to increase rapidly, and that current capacity may exceed the level of fishing effort appropriate for sustainable use of the high value tuna resources of the Indian Ocean,

Further concerned that, for example, the biomass of adult bigeye in the Indian Ocean has shown a continual and severe decrease, as reported by the Scientific Committee, as a result of increasing catches by both longliners and purse seiners,

Further concerned that currently about 70% by number of the total bigeye catch is taken by the purse-seine fleet, and consists mainly of juvenile fish, and that 80% of the catch in weight is taken by the longline fleet, and consists mainly of adult fish,

Recalling that in February 1999 the FAO Committee on Fisheries adopted the International Plan of Action for the Management of Fishing Capacity (in application of the Code of Conduct), calling for immediate action to reduce fishing capacity in major international fisheries,

Further recalling that the Rome Declaration on the Implementation of the Code, adopted by the FAO Ministerial Meeting on Fisheries in March 1999, underlines the important role of regional fishery management organizations in respect of the implementation of the Code of Conduct,

Noting that the Scientific Committee has considered that, on the basis of certain indicators, if the catches continue at high levels, the stock of bigeye tuna is likely to become overexploited and, taking account of the precautionary approach, there is a need for immediate management action,

Further noting that the Scientific Committee has recommended that the increase in catches of the stock of bigeye tuna by all gears should be halted immediately, and that the increase in catches of small bigeye tuna associated with floating objects should also be halted,

Recognizing Japan's initiative to implement the FAO Plan of Action by a reduction in the number of long-distance longline vessels by 20% (132 vessels), and the need for possible, concerted and appropriate actions by other States or fishing entities,

Considering that the Scientific Committee concluded that establishing area and seasonal closures of fishing grounds to fishing on floating objects would appear to be the best option to reduce the catches of juvenile bigeye tuna by purse seiners,

Recalling the Resolution of the Third Session of IOTC concerning registration and exchange of information on vessels, including flag of convenience vessels, fishing for tropical tunas in the IOTC area of competence,

Very concerned that illegal, unregulated and unreported (IUU) fishing activities by large-scale tuna vessels in the IOTC area of competence have continued to increase, severely diminishing the potential effectiveness of conservation and management measures adopted by IOTC and impeding adequate stock assessment by the Scientific Committee:

1. Undertakes to adopt concerted actions to limit the fishing capacity of the fleet of large-scale vessels fishing for tropical tunas in the IOTC area of competence, to ensure the long-term sustainable exploitation of tuna stocks. As a first step, at its Session in 2000 IOTC will consider, on the basis of the scientific advice referred to in paragraph 3 below, the limitation of the capacity of the fleet of large-scale tuna vessels to the appropriate level.
2. Engages to adopt, at its Session in 2000, a season and area closure of the use of floating objects in the IOTC area of competence, on the basis of the scientific advice referred to in paragraph 3 below.

3. Asks the Scientific Committee to present, at the Session of IOTC in 2000, recommendations on:
 - The best estimate, on the basis of existing data and analyses, of the optimum fishing capacity of the fishing fleet which will permit the sustainable exploitation of tropical tunas.
 - Precise areas, periods and conditions for a moratorium on the use of floating objects that would bring about a reduction of the fishing mortality of juvenile bigeye. The Scientific Committee should present various options, with estimates of their likely effects on the catch rates of the three species of tropical tunas.
4. Urges Contracting Parties and non-contracting Parties cooperating with IOTC to fulfil their obligations concerning the transmission of the list of vessels fishing for tropical tunas according to the Resolution of the Third Session.
5. Regardless of the full application of this resolution, Contracting Parties will have due regard to the interests of all countries concerned, in conformity with the rights and obligations of those countries under international law and, in particular, to the rights and obligations of developing countries of the Indian Ocean rim with respect to their entry into the high seas fisheries in the IOTC area of competence

RESOLUTION 99/02
CALLING FOR ACTIONS AGAINST FISHING ACTIVITIES BY LARGE SCALE FLAG OF CONVENIENCE LONGLINE VESSELS

The Indian Ocean Tuna Commission (IOTC),

Recalling that IOTC adopted at its 1998 meeting the Recommendation Concerning Registration and Exchange of Information on Vessels, including Flag of Convenience Vessels, Fishing for Tropical Tunas in the IOTC Area of Competence,

Concerned that fishing activities by large scale flag of convenience (FOC) tuna longline fishing vessels in the IOTC Areas have continued and increased, and that such activities diminish the effectiveness of IOTC conservation and management measures,

Recognizing that there is evidence to indicate that many owners of vessels engaged in such fishing activities have reflagged their vessels to avoid compliance with IOTC conservation and management measures,

Aware that most of these vessels are owned and operated by Taiwan Province of China (TPC) entities while almost all of their products are being exported to Japan,

Welcoming the work now underway in FAO to develop an international Plan of Action to combat illegal, unregulated and unreported (IUU) fishing including FOC,

Determined that further action must be taken to deter FOC fishing activities,

Resolves as follows:

1. The Contracting Parties and Non-Contracting Parties cooperating with the IOTC shall ensure that large-scale tuna longline vessels under their registry do not engage in IUU fishing activities (e.g. by means of denying such vessels a license to fish).
2. The Contracting Parties and Non-Contracting Parties cooperating with the IOTC shall refuse landing and transshipment by FOC vessels which are engaged in fishing activities diminishing the effectiveness of measures adopted by IOTC.
3. The Contracting Parties and Non-Contracting Parties cooperating with the IOTC shall take every possible action, consistent with their relevant laws,
 - to urge their importers, transporters and other concerned business people to refrain from transacting in and transshipping tunas and tuna-like species caught by vessels carrying out FOC fishing activities
 - to inform their general public of FOC fishing activities by tuna longline vessels which diminish the effectiveness of IOTC conservation and management measures and urge them not to purchase fish harvested by such vessels, and
 - to urge their manufacturers and other concerned business people to prevent their vessels and equipment/devices from being used for FOC longline fishing operations.
4. The Commission urges all non-contracting parties, entities or fishing entities not referred to above to act in conformity with operative paragraphs 1, 2 and 3 of this Resolution.
5. The Commission encourages monitoring and exchange of information concerning FOC fishing activities including the port sampling activity conducted by the Secretariat,
6. The Commission urges States and fishing entities whose FOC fishing vessels are engaged in fishing activities diminishing the effectiveness of measures adopted by IOTC, to repatriate or scrap such vessels. The Commission also urges Japan, in cooperation with such states and fishing entities, to scrap Japan-built vessels engaged in FOC fishing activities.
7. The Commission instructs the Secretariat to prepare possible measures including trade restrictive measures to prevent or eliminate FOC fishing activities.
8. The legal joint venture operation of vessels by Contracting Parties should not be construed as FOC fishing as long as it does not diminish the effectiveness of measures adopted by IOTC.
9. Due consideration shall be given to the interests of coastal nations.

RESOLUTION NO 99/03
ON THE ELABORATION OF A CONTROL AND INSPECTION SCHEME FOR IOTC

The Indian Ocean Tuna Commission (IOTC):

Considering that the control and effective implementation of the management measures constitutes an essential element for the success of these measures;

Noting that IOTC does not have at present a control and inspection scheme adapted to the characteristics of tuna fisheries in the region;

Realizing that international law is evolving, especially as far as international control and inspection are concerned, and that IOTC must take the necessary steps to adapt itself to this evolution;

Considering that such a future control and inspection scheme should take into account the characteristics of the fisheries, the particularities of the different geographical zones within the IOTC area of competence, and the characteristics of the conservation and management measures to be adopted, with due regard to the cost effectiveness of the scheme;

Concerned that the activity of “flag of convenience” vessels will undermine every effort on stock conservation taken by IOTC Parties;

Recognizing that this is a complex task that should be started as soon as possible, to ensure that the system is in place by the time IOTC adopts management measures:

The Commission will engage in the elaboration of a control and inspection scheme containing all the necessary elements to ensure adequate control and enforcement of management measures for both Contracting and non-Contracting Parties.

For this purpose, the Commission establishes the following schedule of activities:

- Prior to the IOTC Session in 2000, Contracting Parties will submit to the Secretariat their proposals and suggestions for such a scheme. The Secretariat will circulate these proposals to other Contracting Parties.
- At the Session in 2000, a discussion will take place on the elements that could constitute the package of control measures.
- If necessary, during 2001 an intersessional meeting will be held to advance in the definition of the scheme.
- At the Session in 2001, the Commission will consider the adoption of the scheme.

RESOLUTION 99/04
ON THE STATUS OF COOPERATING NON-CONTRACTING PARTIES

The Indian Ocean Tuna Commission (IOTC):

Noting the imperative international responsibility concerning the conservation of the resources of tunas and tuna-like species in the Indian Ocean for the needs of present and future generations;

Noting that this sustainability can be ensured only if all the Parties which fish for these species cooperate with the Commission, which is the competent international body for the conservation and management of these species within its area of competence;

Bearing in mind that the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks has underlined the importance of ensuring the conservation and optimum utilisation of highly migratory species through the action of regional fishery bodies such as the IOTC;

Recalling the resolution of the Third Session of the IOTC concerning the registration and exchange of information on vessels, including those flying flags of convenience, which fish for tropical tunas in its area of competence;

Recalling also the resolution of the Third Session of the IOTC on cooperation with non-contracting Parties;

Resolves, in conformity with the provisions of Article IX, paragraph 1, of the IOTC Agreement, that:

1. Any non-Contracting Party that voluntarily ensures that vessels flying its flag fish in a manner which is in conformity with the conservation measures adopted by IOTC be defined as a Non-Contracting Cooperating Party.
2. The Secretary of IOTC contact every year all Non-Contracting Parties known to be fishing for species which fall within the mandate of IOTC, in order to encourage them to become Contracting Parties of IOTC or to accede to the status of Cooperating Party. The Secretary shall attach to these communications copies of all relevant resolutions and recommendations adopted by IOTC.
3. Any non-contracting Party wishing to become a Cooperating Party will make a request to that effect to the Secretary. When submitting this request, and every year thereafter, the candidate Party will confirm to IOTC its firm commitment with respect to the conservation and management measures adopted by the Commission. It will undertake to transmit to IOTC all the data that Contracting Parties are obliged to submit to IOTC, as specified in the recommendations adopted by the Commission. Any request should be received by IOTC at least ninety (90) days before the annual Session of the Commission.
4. At its annual Sessions, the Commission will examine requests for the status of Cooperating Party and decide whether or not to grant a candidate Party the status of Cooperating Party. The Commission must also evaluate every year the activities of Cooperating Parties to determine whether they conform to the criteria required to maintain this status.
5. Non-Contracting Parties which continue to fish for tunas in the area of competence of IOTC and do not become Cooperating Parties will be informed that pursuing their fishing activities in contravention of the management measures of IOTC, including failure to respect the obligation to declare their catches, undermines the effect of these measures.
6. The Commission will, at its future Sessions, analyze the possibility of introducing concrete measures to inhibit the activities of vessels of non-Contracting, non-Cooperating Parties, including preventing landings and transshipments of catches of vessels of non-Contracting Parties fishing in a manner which is not in conformity with the conservation and management measures of IOTC, and measures which could be taken against non-Contracting and non-Cooperating Parties through a specific action plan.

2000-FIFTH SESSION OF THE IOTC-
Victoria, Seychelles

**RESOLUTION 00/01. RESOLUTION ON COMPLIANCE WITH MANDATORY
STATISTICAL REQUIREMENTS FOR IOTC MEMBERS AND REQUESTING
COOPERATION WITH NON-CONTRACTING PARTIES**

The Indian Ocean Tuna Commission;

Recognizing that fisheries information is essential for all scientific work including stock assessments and for proper fisheries management in IOTC,

Recalling that "Mandatory Statistical Requirements for IOTC Members" were introduced at the 3rd Session of IOTC in 1998,

Expressing concern that many IOTC members fail to fully comply with such requirements,

Expressing further concern that there are significant fishing activities carried out by non-Contracting Parties in the IOTC Area and that, in particular, 70% of data from longline operations are still not reported to the IOTC,

RESOLVES that,

1. All Contracting Parties and Cooperating Non-Contracting Parties shall comply with the Resolution 98/01, "Mandatory Statistical Requirements for IOTC Members" adopted at the 3rd Session of IOTC in 1998.
2. The Secretary shall consider options to encourage the timely collection and provision of fisheries data to improve the compliance of data requirements and report them to the 2001 IOTC Scientific Committee and Commission meetings.
3. The Commission shall request Contracting and Non-Contracting Parties, to cooperate by submitting all required fisheries data before the beginning of the next Working Party .

RESOLUTION 00/02. RESOLUTION ON A SURVEY OF PREDATION OF LONGLINE CAUGHT FISH

The Indian Ocean Tuna Commission (IOTC),

Convinced that the proper management of all marine resources should be based on scientific finding and on the principle of sustainable use as reflected in the UN Convention on the Law of the Sea, 1982, the Kyoto Declaration and FAO's International Plans of Action and Code of Conduct for Responsible Fisheries,

Mindful that the 23rd session of COFI agreed that greater consideration should be given to the development of more appropriate ecosystem approaches to fisheries management, in collaboration with both FAO and regional fisheries bodies,

Recalling that in 1999, the Commission, recognizing the importance of the ecosystem approach to fisheries management, endorsed a five year research programme on the predation by marine mammals and sharks on tuna caught on longlines, in order to collect comprehensive information, improve catch statistics, find possible methods of preventing predation and explore any possible implications for stock assessment of tunas and the ecosystem approach,

Noting that preliminary estimates of predation of tuna and tuna-like species caught by the longline fishery indicate damage rates in some parts of the IOTC Area in the range of 10-30 % (IOTC/SC/00/11),

Also noting that the Scientific Committee agrees that the extent of predation unknown and might have important implications in terms of catch statistics and stock assessments and encourage the participation in the survey of other Member and Non-Member countries,

ENCOURAGES all Contracting Parties and Non-Contracting Parties to participate in the survey of predation of longline caught fish and submit the preliminary results to the Secretariat by the end of September 2001,

REQUESTS the Scientific Committee to present the preliminary results of the study on predation for its consideration at the Sixth Session of the IOTC in 2001.

2001-SIXTH SESSION OF THE IOTC-
Victoria, Seychelles

RESOLUTION 01/01
CONCERNING THE NATIONAL OBSERVER PROGRAMMES FOR TUNA FISHING
IN THE INDIAN OCEAN

The Indian Ocean Tuna Commission (IOTC),

Taking note of the conclusions of the intersessional meeting on the establishment of a control and inspection scheme which was held in Yaizu, Japan from the 27th to the 29th March 2001, and notably of paragraph 30 relating to the observer programmes,

Aware of the need to adopt and put into effect, prior to the adoption of an integrated programme of control and inspection, minimum control measures applicable to vessels flying the flag of a Contracting Party undertaking activities in the IOTC zone of competence,

Recommends in accordance with the provisions of the Agreement establishing the IOTC, that

1. The Contracting Parties, and non-contracting Parties cooperating with the IOTC are encouraged to present, as appropriate, before the annual meeting to be held in 2002, the national observer programmes that have been put into effect in order to observe and follow the application and compliance with IOTC measures for the vessels of Contracting Parties, non-Contracting Cooperating Parties, and fishing entities in the area of competence of IOTC
2. This presentation may include the following elements:
 - objectives of the programme (the IOTC measures concerned, the fisheries concerned)
 - characteristics of the vessels concerned (overall length, tonnage (GT, GRT), presence of vessel monitoring equipment on board, type of fishing gear, species caught)
 - coverage rate by fleet (number of observers on board compared with the number of vessels engaged in fishing, average duration of each trip for each vessel),
 - observation reporting model;
 - principal results of the observer programme

RESOLUTION 01/02
RELATING TO CONTROL OF FISHING ACTIVITIES

The Indian Ocean Tuna Commission (IOTC),

Taking note of the results of the Intersessional Meeting on an Integrated Control and Inspection Scheme, held in Yaizu, Japan, from 27 to 29 March 2001.

Taking note of the willingness to introduce, before the adoption of the integrated control and inspection scheme, minimum control measures applicable to the fishing vessels flying the flag of a Contracting party, and or, of a Cooperating Non Contracting Party, which carry out fishing activities in the area of the competence of the IOTC.

Taking into account that Contracting Parties have agreed that the implementation of an integrated control and inspection scheme should follow a phased approach.

Adopts, in accordance with the provisions of Article IX of the Agreement establishing the IOTC, the following:

1. Each Contracting Party and Non-Contracting Party co-operating with the IOTC shall:
 - a) Authorise the use of fishing vessels flying its flag for fishing activities only where it is able to exercise effectively its responsibilities in respect of such vessels;
 - b) Ensure that fishing vessels flying its flag comply with applicable resolutions adopted under the IOTC Agreement;
 - c) Notify to the Secretariat on an annual basis by 31st January, or in any case before the vessel's entry into the IOTC Area, all fishing vessels greater than 24 meters in overall length (or greater than 20 meters between perpendiculars) authorised to fish in the IOTC Area and notably whether the vessel is authorised to fish one or more regulated resource.

This notification shall include for each vessel:

- I. Name of vessel, registration number;
- II. Previous flag (if any);
- III. International Radio Call Sign;
- IV. Vessel type, length and gross registered tonnage or gross tonnage;
- V. Name and address of owner and/or charter, and/or operator.

Each Contracting Party and Non-Contracting Party co-operating with the IOTC shall notify to the Secretariat of any modifications including suspensions, withdrawals and limitations to this information without delay.

The Secretary shall make available to all Contracting Parties and Non-Contracting Parties co-operating with the IOTC, the information notified under sub-paragraph (c).

2. Each Contracting Party and Non-Contracting Party co-operating with the IOTC shall:
 - a) Ensure that each of its fishing vessels carry on board documents issued and certified by the competent authority of that Contracting Party or of that Non-Contracting Party co-operating with IOTC, including, at a minimum, the following:
 - I. License, permit or authorisation to fish and terms and conditions attached to the licence, permit of authorisation;
 - II. Vessel name;
 - III. Port in which registered and the number(s) under which registered;
 - IV. International call sign;

- V. Names and addresses of owner(s) and where relevant, the charter;
 - VI. Overall length;
 - VII Engine power, in KW/horsepower, where appropriate.
- b) Verify above documents on a regular basis and at least every year;
 - c) Ensure that any modification to the documents and to the information referred to in 1.a) is certified by the competent authority of that Contracting Party or of that Non-Contracting Party co-operating with the IOTC
3. Each Contracting Party and Non-Contracting Party co-operating with the IOTC shall ensure that its fishing vessels authorised to fish in the IOTC area are marked in such a way that they can be really identified with generally accepted standards such as the FAO Standard Specification for the Marking and Identification of Fishing vessels.
4. a) Each Contracting Party and Non-Contracting Party co-operating with the IOTC shall ensure that gear used by its fishing vessels authorised to fish in the IOTC Area is marked appropriately, such as, the ends of nets, lines and gear in the sea, shall be fitted with flag or radar reflector buoys by day and light buoys by night sufficient to indicate their position and extent.
- b) Marker buoys and similar objects floating and on the surface, and intended to indicate the location of fixed fishing gear, shall be clearly marked at all time with the letter(s) and/or number(s) of the vessel to which they belong.
- c) Fish aggregating devices shall be clearly marked at all time with the letter(s) and / or number(s) of the vessel to which they belong.
5. Each Contracting Party and Non-Contracting Party co-operating with the IOTC shall ensure that all their respective fishing vessels greater than 24 m LOA, and authorized to fish in the IOTC Area keep a bound fishing national logbook with consecutively numbered pages. The original recordings contained in the fishing logbooks shall be kept on board the fishing for a period of at least 12 months.

RESOLUTION 01/03
**ESTABLISHING A SCHEME TO PROMOTE COMPLIANCE BY NON-
CONTRACTING PARTY VESSELS WITH RESOLUTIONS ESTABLISHED BY IOTC**

The Indian Ocean Tuna Commission (IOTC),

Taking note of the results of the Intersessional Meeting on an Integrated Control and Inspection Scheme, held in Yaizu, Japan, from 27 to 29 March 2001.

Taking note of the need to fight against illegal, unregulated and unreported fisheries (IUU).

Taking into account that Contracting Parties have agreed that the implementation of an integrated control and inspection scheme should follow a phased approach.

Adopts, in accordance with the provisions of Article IX of the Agreement creating the IOTC, the following:

1. Any observation by a Contracting Party vessel or aircraft of Non-Contracting Party, Entity or fishing Entity vessels, indicating that there are grounds for believing that these vessels are fishing contrary to IOTC conservation or management measures, shall be reported immediately to the appropriate authorities of the flag-State making the observation. The Contracting Party shall then notify immediately the appropriate authorities of the flag-State of the vessel fishing. Each Contracting Party making the observation shall also immediately notify the IOTC Secretariat, which, in turn, shall notify the other Contracting Parties.
2. A vessel flying the flag of a Non-Contracting Party, Entity or fishing Entity, which has been sighted in the IOTC Area, in conformity with the conditions of paragraph 1, is presumed to be undermining IOTC conservation and management measures.
3. When a vessel of a Non-Contracting Party, Entity or fishing Entity referred to in paragraph 2 enters voluntarily a port of any Contracting Party, it shall be inspected by authorised Contracting Party officials knowledgeable of IOTC measures and shall not be allowed to land or tranship any fish until this inspection has taken place. Such inspections shall include the vessel's documents, logbooks, fishing gear, catch on board and any other matter relating to the vessel's activities in the IOTC Area.
4. Landings and transhipments of all fish from vessels of a Non-Contracting Party, Entity or fishing Entity which have been inspected pursuant to paragraph 3 shall be prohibited in all Contracting Party ports if such inspection reveals that the vessel has onboard species subject to IOTC conservation or management measures, unless the vessel establishes that the fish were caught outside the IOTC Area or in compliance with the relevant IOTC conservation measures and requirements under the Agreement.
5. Information on the results of all inspections of vessels of Non-Contracting Parties, Entities or fishing Entities, conducted in the ports of Contracting Parties, and any subsequent action, shall be transmitted immediately to the Commission. The Secretariat shall transmit this information to all Contracting Parties and to the relevant flag-State(s).

RESOLUTION 01/04
ON LIMITATION OF FISHING EFFORT OF NON MEMBERS OF IOTC WHOSE
VESSELS FISH BIGEYE TUNA

The Indian Ocean Tuna Commission (IOTC).

Recalling that at the 4th Session of the Scientific Committee it was recommended that a reduction of the catching of Bigeye Tuna by all the fishing gears should be applied as soon as possible.

Considering that some non-Members of the Agreement establishing the IOTC have increased in a substantial manner their catches and fishing effort on bigeye tuna during recent years and that, consequently, it is necessary for the effective conservation and management of the bigeye stock that these non-Members decrease their fishing effort.

Recommends, in accordance with the provisions of Article IX of the Agreement on the establishment of the IOTC, the following:

1. Taking into account the urgent need to manage in a global and efficient way the fishing effort on bigeye tuna, the Commission requests non-Members of IOTC to reduce their fishing effort in 2002 in relation to 1999 levels.
2. They are urged to inform the Commission, before 30 June 2002, of the measures they have taken in order to ensure the implementation of this Resolution, including their 1999 fishing effort in terms of catch and effort data, and the number of vessels.
3. The Commission shall review at the 2002 Session the measures taken by non-Members to implement reductions described in paragraph 1 above.
4. The Chairman shall communicate this Resolution to the non-Members concerned.

RESOLUTION 01/05

MANDATORY STATISTICAL REQUIREMENTS FOR IOTC MEMBERS

Catch and effort data

- a) **Surface fisheries:** catch and effort data of the surface fisheries, catch weight and fishing days at least (purse seine, baitboat, troll, drift nets) should be provided to the IOTC by 1° grid area and month strata. Purse seine fishery data should be stratified by type of school. Those data should preferably be extrapolated to the national monthly catches of each gear. The raising factors used, corresponding to the logbook coverage, should be given routinely to the IOTC.
- b) **Longline fisheries:** catch and effort data of the longline fisheries should be provided to the IOTC by 5° grid area and month strata, preferably in numbers and in weight. The fishing effort should be given in numbers of hooks. Those data should preferably be extrapolated to the national monthly catches. The raising factors used, corresponding to the logbook coverage, should be given routinely to the IOTC.
- c) The catches, efforts and sizes of the **artisanal, small scale and sport fisheries** should also be submitted on a monthly basis, but using the best geographical areas used to collect and process those data.

Size data

Considering that size data are of key importance for most tuna stock assessment, length data, including the total number of fish measured, should be routinely submitted to the IOTC on a 5° grid area and month basis, by gear and fishing mode (e.g. free/log schools for the purse seiners). Size data should be provided for all gears and for all species covered by the IOTC. Size data sampling should preferably be run under strict and well described random sampling schemes which are necessary to provide unbiased figures of the sizes taken. The exact recommended level of sampling could vary between species (as a function of various parameters), but the specific level of recommended sampling needs to be established by the working party on statistics. More detailed size data, for instance size by individual samples, should also be made available to the IOTC when requested by specific working groups, but under strict rules of confidentiality.

Fishing for tunas in association with floating objects including Fish Aggregating Devices (FADs)

It is essential for IOTC to better understand changing patterns in effective fishing effort in respect of fleets operating in the IOTC Area of Competence that more information is obtained. Considering that the activities of supply vessels and the use of Fish Aggregating Devices (FAD) are an integral part of the fishing effort exerted by the purse seine fleet the following information should be routinely submitted to the IOTC:

- a) **Number and characteristics of supply vessels:** (i) operating under their flag, (ii) assisting purse seine vessels operating under their flag, or (iii) licensed to operate in their exclusive economic zones, and that have been present in the IOTC Area of Competence.
- b) **Levels of activity of supply vessels:** including number of days at sea by 1° grid area and month basis.

In addition, Contracting Parties and Cooperating Non-Contracting Parties shall make their best endeavours to provide data on the **total number and type of Fish Aggregating Devices (FADs)** operated by the fleet by 5° grid area and month basis.

Timeliness of data submission to the IOTC

It is essential that all the fishery data be available in due time to allow the monitoring of stocks and analysis of the data. It is thus recommended that the following rules should be applied as standard obligation:

- a) **Surface fleets and other fleets operating in coastal zone** (including in respect of supply vessels) must provide their fishery data at the earliest possible date but **no later than the 30th of June each year** (previous year data).

- b) **Longline fleets operating in the high seas** must provide the **provisional** fishery data at the earliest date, but **no later than before June 30th** (for the previous year data). They must provide the **final estimate** of their fishery data **before December 30th each year** (for the previous year data).

The delays presently required to submit statistics could be reduced in the future because of the development of communication and data processing technologies, which should reduce the present data processing delays.

RESOLUTION 01/06
RECOMMENDATION BY IOTC CONCERNING THE IOTC BIGEYE TUNA
STATISTICAL DOCUMENT PROGRAMME

The Indian Ocean Tuna Commission (IOTC).

Recognizing the authority and responsibility of IOTC to manage bigeye tuna in the IOTC area of competence (“Convention Area”), at the international level,

Recognizing also the nature of the international market for bigeye tuna in the Convention Area,

Recognizing also that there is uncertainty on the catch of bigeye tuna in the Convention Area and that the availability of trade data would greatly assist in reducing such uncertainty,

Recognizing also that bigeye tuna is the main target species of “flag of convenience” fishing operations and that most of the bigeye harvested by such fishing vessels are exported to Contracting Parties, especially to Japan,

Recalling that the International Commission for the Conservation of Atlantic Tunas (ICCAT) has established its Bluefin Tuna, Bigeye Tuna and Swordfish Statistical Document Programs, and that the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) has also established its Southern Bluefin Tuna Statistical Document Programme,

Recognizing that the Statistical Document Programme is an effective tool to assist the Commission’s effort for the elimination of IUU fishing operations,

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

- 1 Contracting Parties, by July 1, 2002 or as soon as possible thereafter, require that all bigeye tuna, when imported into the territory of a Contracting Party, be accompanied by an IOTC Bigeye Tuna Statistical Document which meets the requirements described in **Annex 1** or an IOTC Bigeye Tuna Re-export Certificate which meets the requirements described in **Annex 2**. Bigeye tuna caught by purse seiners and pole and line (bait) vessels and destined principally for the canneries in the Convention Area are not subject to this statistical document requirement. The Commission and the Contracting Parties importing bigeye tuna shall contact all the exporting countries to inform them of this Programme in advance of the implementation of the Programme.
- 2 (1) The IOTC Bigeye Tuna Statistical Document must be validated by a government official or other authorized individual or institution of the flag State of the vessel that harvested the tuna, or, if the vessel is operating under a charter arrangement, by a government official or other authorized individual of the exporting state, and;
(2) The IOTC Bigeye Tuna Re-export Certificate must be validated by a government official or other authorized individual or institution of the state that re-exported the tuna.
- 3 Each Contracting Party shall provide to the Secretary sample forms of its statistical document and re-export certificate required with bigeye tuna imports and information on validation in the format specified in **Annex 4**, and inform him/her of any change in a timely fashion.
- 4 The Contracting Parties which export or import bigeye tuna shall compile data from the Programme.
- 5 The Contracting Parties which import bigeye tuna shall report the data collected by the Programme to the Secretary each year by April 1 for the period of July 1 - December 31 of the preceding year and October 1 for the period of January 1 - June 30 of the current year, which shall be circulated to all the Contracting Parties by the Secretary. The formats of the report are attached as **Annex 3**.

- 6 The Contracting Parties which export bigeye tuna shall examine export data upon receiving the import data mentioned in paragraph 5 above from the Secretary, and report the results to the Commission annually.
- 7 The Contracting Parties should exchange copies of statistical documents and re-export certificates to facilitate the examination mentioned in paragraph 6, consistent with domestic laws and regulations.
- 8 The Commission shall request Cooperating Non-Contracting Parties to take the measures described in the above paragraphs.
- 9 The Secretary shall request information on validation from all the non-Contracting Parties/Entities/Fishing Entities fishing and exporting bigeye tuna to Contracting Parties, and request them to inform him/her in a timely fashion of any changes to the information provided.
- 10 The Secretary shall maintain and update information specified in paragraphs 3 and 9 and provide it to all the Contracting Parties, and promptly circulate any changes.
- 11 The Commission shall request the non-Contracting Parties which import bigeye tuna to cooperate with implementation of the Programme and to provide to the Commission data obtained from such implementation.
- 12 Implementation of this Programme shall be in conformity with relevant international obligations.
- 13 At the initial stage of the programme, the statistical documents and the re-export certificates will be required for frozen bigeye products. Prior to implementing this Programme for fresh products, several practical problems need to be solved, such as guidelines to ensure procedures to handle fresh products at customs.
- 14 The statistical documents for bigeye tuna caught by fishing vessels flying the flag of a Member State of the European Community may be validated by the competent authorities of the Member State whose flag the vessel flies or by those of a different Member State where the products are landed, provided the corresponding quantities of bigeye tuna are exported outside the Community from the territory of the Member State of landing.
- 15 Notwithstanding the provisions of Article IX, paragraph 4, of the Agreement, the Contracting Parties shall implement this recommendation by July 1, 2002 or as soon as possible thereafter in accordance with the regulatory procedures of each Contracting Party.

Requirements Concerning the IOTC Bigeye Tuna Statistical Document

- 1 The sample form of the IOTC Bigeye Tuna Statistical Document shall be as in the Appendix.
- 2 Customs or other appropriate government officials will request and inspect all import documentation including the IOTC Bigeye Tuna Statistical Document for all bigeye tuna in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
- 3 Only complete and valid documents will guarantee that shipments of bigeye tuna will be allowed to enter the territory of Contracting Parties.
- 4 Shipments of bigeye tuna that are accompanied by improperly documented Bigeye Tuna Statistical Documents (i.e., improperly documented means that the Bigeye Tuna Statistical Document is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bigeye tuna, that are contrary to IOTC conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.
- 5 The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

DOCUMENT NUMBER	IOTC BIGEYE TUNA STATISTICAL DOCUMENT		
EXPORT SECTION			
1.FLAG OF COUNTRY/ENTITY/FISHING ENTITY			
2.NAME OF VESSEL AND REGISTRATION NUMBER (when available)			
3.TRAPS (if applicable)			
4.POINT OF EXPORT (City, State / Province, Country / Entity / Fishing Entity)			
5.AREA OF CATCH (check one of the following) (a) Indian (b) Pacific (c) Atlantic * In case of (b) or (c) checked, the item 6 and 7 below do not need to be filled out.			
6.DESCRPTION OF FISH			
Product Type (*1) F/FR D/GG/DR/FL/OT	Gear Code(*2)	Net Weight (Kg)	
*1= F=Fresh, FR=Frozen, RD=Round, GG=Gilled and Gutted, DR=Dressed, FL=Fillet OT=Other, describe the type of product *2= When the Gear Code is OT, describe the type of gear,			
7.EXPORTER CERTIFICATION <i>I certify that the above information is complete, true, and correct to the best of my knowledge and belief.</i>			
Name	Company name	Address	Signature Date License Number (if applicable)
8.GOVERNMENT VALIDATION <i>I validate that information listed above is complete, true, and correct to the best of my knowledge and belief.</i>			
Total weight of the shipment		Kg	
Name & Title	Signature	Date	Government Seal

IMPORT SECTION:

IMPORTER CERTIFICATION *I certify that the above information is complete, true, and correct to the best of my knowledge and belief.*

Importer Certification (Intermediate Country / Entity / Fishing Entity)

Name Address Signature Date License # (if applicable)

Importer Certification (Intermediate Country / Entity / Fishing Entity)

Name Address Signature Date License # (if applicable)

Final Point of Import

City State/Province Country / Entity / Fishing Entity

NOTE: If a language other than English is used in completing this form. Please add the English translation on this document.

INSTRUCTIONS

DOCUMENT NUMBER: Block for the issuing Country to designate a country coded Document Number.

(1) FLAG COUNTRY/ENTITIES/FISHING ENTITIES: Fill in the name of the country of the vessel that harvested the bigeye tuna in the shipment and issued this Document. According to the Recommendation, only the flag state of the vessel that harvested the bigeye tuna in the shipment or, if the vessel is operating under a charter arrangement, the exporting state can issue this Document.

(2) NAME OF VESSEL AND REGISTRATION NUMBER (when available): Fill in the name and registration number of the vessel that harvested the bigeye tuna in the shipment.

(3) TRAPS (if applicable): Fill in the name of the trap that harvested the bigeye tuna in the shipment.

(4) POINT OF EXPORT: Identify the City, State or Province, and Country from which the bigeye tuna was exported.

(5) AREA OF CATCH: Check the area of catch. (If (c) or (d) checked, items 6 and 7 below do not need to be filled out.)

(6) DESCRIPTION OF FISH: The exporter must provide, to the highest degree of accuracy, the following information. **NOTE:** One row should describe one product type

(1) Product Type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment.

(2) Gear Code: Identify the gear type which was used to harvest the bigeye tuna using the list below. For OTHER TYPE, describe the type of gear, including farming.

(3) Net product weight in kilograms.

(7) EXPORTER CERTIFICATION: The person or company exporting the bigeye tuna shipment must provide his/her name, company name, address, signature, date the shipment was exported, and dealer license number (if applicable).

(8) GOVERNMENT VALIDATION: Fill in the name and full title of the official signing the Document. The official must be employed by a competent authority of the flag state government of the vessel that harvested the bigeye tuna appearing on the Document or other individual or institution authorized by the flag state. When appropriate, this requirement is waived according validation of the document by a government official, or if the vessel is operating under a charter arrangement, by a government official or other authorized individual or institution of the exporting state. The total weight of the shipment shall also be specified in this block.

(9) IMPORTER CERTIFICATION: The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye was imported, license number (if applicable), and final point of import. This includes imports into intermediate countries. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

GEAR CODE:

<i>GEAR CODE</i>	<i>GEAR TYPE,</i>
BB	BAITBOAT
GILL	GILLNET
HAND	HANDLINE
HARP	HARPOON
LL	LOGLINE
MWT	MID-WATER TRAWL
PS	PURSE SEINE
RR	ROD AND REEL
SPHL	SPORT HANDLINE
SPOR	SPORT FISHERIES UNCLASSIFIED
SURF	SURFACE FISHERIES UNCLASSIFIED
TL	TENDED LINE
TRAP	TRAP
TROL	TROLL
UNCL	UNSPECIFIED METHODS
OT	OTHER TYPE

RETURN A COPY OF COMPLETED DOCUMENT TO: (the name of the office of the competent authority of the flag state).

**Requirements Concerning
the IOTC Bigeye Tuna Re-export Certificate**

- 1 The sample form of the IOTC Bigeye Tuna Re-export Certificate shall be as in the Appendix.
- 2 Customs or other appropriate government officials will request and inspect all import documentation including the IOTC Bigeye Tuna Re-export Certificate for all bigeye tuna in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
- 3 Only complete and valid documents will guarantee that shipments of bigeye tuna will be allowed to enter the territory of Contracting Parties.
- 4 A Contracting Party shall be free to validate IOTC Bigeye Tuna Re-export Certificates for bigeye tuna imported by that Contracting Party, to which IOTC Bigeye Tuna Statistical Documents or IOTC Bigeye Tuna Re-export Certificates are attached. IOTC Bigeye Tuna Re-export Certificates shall be validated by government organizations or by recognized institutions which are accredited by a Contracting Party's government to validate the IOTC Bigeye Tuna Statistical Document. A copy of the original Bigeye Tuna Statistical Document accompanying the imported bigeye tuna must be attached to an IOTC Bigeye Tuna Re-export Certificate. The copy of the original Bigeye Tuna Statistical Document so attached must be verified by that government organization or by that recognized institution accredited by a government which validated the IOTC Bigeye Tuna Statistical Document. When re-exported bigeye tuna is again re-exported, all copies of documents, including a verified copy of a Statistical Document and Re-export Certificate which accompanied that bigeye tuna upon importation, must be attached to a new Re-export Certificate to be validated by a re-exporting Contracting Party. All copies of the Documents to be attached to that new Re-export Certificate must be also be verified by a government organization or a recognized institution accredited by a government which validated the IOTC Bigeye Tuna Statistical Document.
- 5 Shipments of bigeye tuna that are accompanied by improperly documented Bigeye Tuna Re-export Certificate (i.e., improperly documented means that the Bigeye Tuna Re-export Certificate is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bigeye tuna, that are contrary to IOTC conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.
- 6 IOTC Contracting Parties that validate Re-export Certificates in accordance with the procedure set forth in paragraph 4 shall require from the re-exporting bigeye dealer necessary documents (e.g. written sales contracts) which are to certify that the bigeye tuna to be re-exported corresponds to the imported bigeye tuna. Contracting Parties which validate Re-export Certificates shall provide flag states and importing states with evidence of this correspondence upon their request.
- 7 The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

DOCUMENT NUMBER	IOTC BIGEYE TUNA RE-EXPORT CERTIFICATE			
RE-EXPORT SECTION:				
1.RE-EXPORTING COUNTRY / ENTITY / FISHING ENTITY				
2.POINT OF RE-EXPORT				
3.DESCRPTION OF IMPORTED FISH				
F/FR	Product Type(*) RD/GG/DR/FL/OT	Net Weight (Kg)	Flag country/ Entity/Fishing Entity	Date of Import
4.DESCRPTION OF FISH FOR RE-EXPORT				
F/FR	Product Type(*) RD/GG/DR/FL/OT	Net Weight (Kg)		
* F=FRESH, FR=Frozen, RD=Round, GG=Gilled and Guttred, DR=Dressed, FL=Fillet OT=Other(Describe the type of product)				
5.RE-EXPORTER CERTIFICATION: <i>I certify that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name/Company Name Address Signature Date License Number (if applicable)				
6.GOVERNMENT VALIDATION: <i>I validate that the above information is complete, true and correct to the best of my knowledge and belief.</i>				
Name & Title Signature Date Government Seal				

IMPORT SECTION:

7. IMPORTER CERTIFICATION: *I certify that the above information is complete, true and correct to the best of my knowledge and belief.*

Importer Certification (Intermediate Country / Entity / Fishing Entity)

Name Address Signature Date License # (if applicable)

Importer Certification (Intermediate Country / Entity / Fishing Entity)

1. Name Address Signature Date License # (if applicable)

Importer Certification (Intermediate Country / Entity / Fishing Entity)

Name Address Signature Date License # (if applicable)

Final Point of Import

City State/Province Country / Entity / Fishing Entity

NOTE: If a language other than English is used in completing this form. Please add the English translation on this document.

INSTRUCTIONS

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a Country/Entity/Fishing Entity coded document number.

(1) RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY

Fill in the name of the Country/Entity/Fishing Entity which re-exports the bigeye tuna in the shipment and issued this Certificate. According to the IRecommendation, only the re-exporting Country/Entity/Fishing Entity can issue this Certificate.

(2) POINT OF RE-EXPORT

Identify the City/State Province and Country/Entity/Fishing Entity from which the bigeye tuna was re-exported.

(3) DESCRIPTION OF IMPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms. (3) Flag Country/Entity/Fishing Entity: the name of the Country/Entity/Fishing Entity of the vessel that harvested the bigeye tuna in the shipment. (4) Date of import: Imported date.

(4) DESCRIPTION OF FISH FOR RE-EXPORT

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms.

(5) RE-EXPORTER CERTIFICATION

The person or company re-exporting the bigeye tuna shipment must provide his/her name, address, signature, date the shipment was re-exported, and re-exporter's license number (if applicable).

(6) GOVERNMENT VALIDATION

Fill in the name and full title of the official signing the Certificate. The official must be employed by a competent government authority of the re-exporting Country/Entity/Fishing Entity appearing on the Certificate, or other individual or institution authorized to validate such certificates by the competent government authority.

(7) IMPORTER CERTIFICATION

The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye tuna was imported, license number (if applicable) and re-exported final point of import. This includes imports into intermediate Countries/Entities/Fishing Entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting Country/Entity/Fishing Entity).

REPORT OF THE IOTC BIGEYE TUNA STATISTICAL DOCUMENT

Period to , IMPORT COUNTRY/ENTITY/FISHING ENTITY
 Month Month Year

Flag Country/Entity/ Fishing Entity	Area Code	Gear Code	Point of Export	Product Type		Product Wt.(Kg)
				F/FR	RD/GG/DR/FL/O T	

Gear Code Gear Type

BB	Baitboat
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-water trawl
PS	Purse seine
RR	Rod & reel
SPHL	Sport Handline
SPOR	Sport fisheries unclassified
SURF	Surface fisheries unclassified
TL	Tended line
TRAP	Trap
TROL	Troll
UNCL	Unclassified methods
OTH	Other type (Indicate the type of gear):

Product type Area Code

F	Fresh	ID	Indian Ocean
FR	Frozen PA		Pacific
RD	Round	AT	Atlantic
GG	Gilled & gutted		
DR	Dressed		
FL	Fillet		
OT	Other form, describe the type of products in the shipment		

REPORT OF THE IOTC BIGEYE TUNA RE-EXPORT CERTIFICATE

Period to , IMPORT COUNTRY/ENTITY/FISHING ENTITY
 Month Month Year

Flag Country/Entity/ Fishing Entity	Re-export Country/Entity/ Fishing Entity	Point of Re-export	Product Type		Product Wt.(Kg)
			F/FR	RD/GG/DR/FL/OT	

Product type

- F Fresh
- FR Frozen
- RD Round
- GG Gilled & gutted
- DR Dressed
- FL Fillet
- OT Other form, describe the type of products in the shipment

INFORMATION ON VALIDATION OF IOTC STATISTICAL DOCUMENTS

1 Flag

2 Government/Authority Organization(s) accredited to validate Statistical Documents

Organization Name	Organization Address	Sample Seal

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

3 Other institutions accredited by the government/authority to validate Statistical Documents

Organization Name	Organization Address	Sample Seal

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

Instructions

Contracting Parties, non-Contracting Parties, Entities, Fishing Entities having vessels that harvest species whose international trade must be accompanied by Statistical Documents are requested to submit the information on this sheet to the Secretary of IOTC*, and to ensure that any changes to the above are also transmitted to the Secretary on a timely fashion.

*IOTC; P.O.BOX 1011, Fishing Port, Victoria, Seychelles

RESOLUTION 01/07
CONCERNING THE SUPPORT OF THE IPOA-IUU PLAN

The Indian Ocean Tuna Commission (IOTC).

Recalling that the Committee of the Fisheries of FAO adopted on 2 March 2001 the International Plan of Action to prevent, deter and eliminate the illegal, unregulated and unreported fisheries, and that the Council of FAO adopted it on 23 June 2001.

Recalling that IOTC adopted measures aiming to fight against IUU fishing.

Decides:

1. To support the International Plan of Action to prevent, deter and eliminate the illegal, unregulated and unreported fisheries, and to encourage its application.
2. That the identification of the vessels engaged in IUU activities should be made by IOTC through agreed procedures in a fair, transparent and non-discriminatory manner.
3. That the establishment of, and co-operation in, the exchange of information on vessels identified according to the above procedures as engaged in or supporting IUU fishing, including trade information, should be made by IOTC.

2002- SEVENTH SESSION OF THE IOTC-
Victoria, Seychelles

RESOLUTION 02/01
RELATING TO THE ESTABLISHMENT OF AN IOTC PROGRAMME OF
INSPECTION IN PORT

The Indian Ocean Tuna Commission (IOTC),

Taking note of the results of the Intersessional Meeting on an Integrated Control and Inspection Scheme, held in Yaizu, Japan, from 27 to 29 March 2001.

Noting that there is a general consensus of the Contracting Parties on the fact that the inspection in port is a central element of a control and inspection programme, and that it can be, in particular, an effective tool to fight against IUU fishing.

Taking into account that Contracting Parties have agreed that the implementation of an integrated control and inspection scheme should follow a phased approach.

Adopts, in accordance with the provisions of Article IX.1, of the Agreement establishing the IOTC, the following:

1. All measures provided for under this recommendation shall be taken in accordance with international law.
2. Measures taken by a Port State in accordance with this Agreement shall take full account of the right and the duty of a Port State to take measures, in accordance with international law, to promote the effectiveness of subregional, regional and global conservation and management measures.
3. Each Contracting Party may, *inter alia*, inspect documents, fishing gear and catch on board fishing vessels, when such vessels are voluntarily in its ports or at its offshore terminals. Inspections shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the quality of the fish is avoided.
4. Each Contracting Party shall, in accordance with the Resolution 01/03 establishing a Scheme to promote compliance by Non-Contracting Party vessels with resolutions established by the IOTC, adopt regulations in accordance with international law to prohibit landings and transshipments by non-Contracting Party vessels where it has been established that the catch of the species covered by the Agreement establishing the IOTC has been taken in a manner which undermines the effectiveness of conservation and management measures adopted by the Commission.
5. In the event that a Port State considers that there has been evidence of a violation by a Contracting Party or a Non-Contracting Party vessel of a conservation and management measure adopted by the Commission, the Port State shall draw this to the attention of the Flag State concerned and, as appropriate, the Commission. The Port State shall provide the Flag State and the Commission with full documentation of the matter, including any record of inspection. In such cases, the Flag State shall transmit to the Commission details of actions it has taken in respect of the matter.
6. Nothing in this recommendation affects the exercise by States of their sovereignty over ports in their territory in accordance with international law.
7. While recognizing that inspection in port should be carried out in a non-discriminatory basis, in a first phase, priority should be given to inspection of vessels from Non-Contracting Parties.

RESOLUTION 02/02.
RELATING TO THE ESTABLISHMENT OF A VESSEL MONITORING SYSTEM
PILOT PROGRAMME

The Indian Ocean Tuna Commission (IOTC),

Recognizing the developments in satellite-based vessel monitoring system (VMS), and the possible utility within IOTC

Taking note of the results of the Intersessional Meeting on an Integrated Control and inspection scheme, held in Yaizu, Japan, from 27 to 29 March, 2001

Taking note that it was agreed that Vessel Monitoring Systems are a valuable element to assure the monitoring of tuna fisheries activities; that nevertheless, it is necessary to incorporate these systems progressively to allow all Contracting Parties to implement this systems at national level;

Resolves in accordance with the provisions of Article IX.1 of the Agreement creating the IOTC, that:

1. Each Contracting Party and Cooperating Non Contracting Party with vessels greater than 24 metres in overall length (or greater than 20 metres between perpendiculars) and fishing for IOTC species on the high seas outside the fisheries jurisdiction of any coastal state shall adopt a pilot programme for a satellite-based vessel monitoring system (VMS) for ten percent of such vessels. Those Contracting Parties and Cooperating Non-Contracting Parties with less than ten vessels shall ensure the participation of at least one vessel. The pilot programme will be a flag-state based programme.
2. Each Contracting Party and Cooperating Non Contracting Party shall implement a two-year pilot programme effective 1 July, 2003. Contracting Parties and Cooperating Non Contracting Parties are encouraged to implement the pilot programme earlier, if possible. Exceptionally, Contracting Parties and Cooperating Non Contracting Parties may defer the introduction of the system to 1st January 2004.
3. Information collected shall include:
 - the vessel identification,
 - the most recent geographical position of the vessel (longitude, latitude) with a position error which shall be less than 500 metres, at a confidence level of 99%, and
 - the date and time of the fixing of the said position of the vessel.
4. Each Contracting Party and Cooperating non-Contracting Party shall take the necessary measures to ensure that their land-based national Fisheries Monitoring Center (FMC) receives through the VMS the messages requested in paragraph 3
5. Each Contracting Party and Cooperating non-Contracting Party shall ensure that the masters of fishing vessels flying its flag ensure that the satellite tracking device are at all times fully operational and that the information in paragraph 3 is transmitted, preferably once every 6 hours.
6. Each Contracting Party and Cooperating non-Contracting Party shall ensure that a fishing vessel with a defective satellite tracking device shall communicate, at least daily, reports containing the information requested in paragraph 3 to the FMC by other means of communication (radio, telefax or telex).
7. Each Contracting Party and Cooperating non-Contracting Party shall report annually to the Commission on the progress and implementation of its pilot VMS programme or VMS programme.
8. The Commission shall evaluate the pilot programme at its meeting in 2005, with a view to establishing a comprehensive VMS programme

RESOLUTION 02/03
TERMS OF REFERENCE FOR THE IOTC COMPLIANCE COMMITTEE

The Indian Ocean Tuna Commission (IOTC):

Establishes, in accordance with Article XII(5) of the Agreement creating the IOTC, a Compliance Committee.

The functions of the IOTC Compliance Committee shall be to:

- a) Review compliance with conservation and management measures adopted by the Commission and make such recommendations to the Commission as may be necessary to ensure their effectiveness;
- b) Review the implementation of measures for monitoring, control, surveillance and enforcement adopted by the Commission and make such recommendations to the Commission as may be necessary to ensure their effectiveness;
- c) Define, develop and make recommendations to the Commission concerning the phased development and implementation of the IOTC Control and Inspection Scheme;
- d) Monitor, review and analyze information pertaining to the activities of Non-Contracting Parties and their vessels which undermine the objectives of the Agreement including, in particular, IUU fishing, and recommend actions to be taken by the Commission to discourage such activities;
- e) Consider the effectiveness and practical aspects of the implementation of the IOTC Statistical Document Programme;
- f) Perform such other tasks as directed by the Commission;

The Compliance Committee will meet during the annual Commission Session.

RESOLUTION 02/04
**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). 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 Plan,

Recalling that IOTC has already adopted measures against IUU fishing activities and, in particular, against large-scale tuna longline vessels,

Concerned by the fact that IUU fishing activities in the IOTC area 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 which 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 counter-measures to be applied in respect to the vessels, 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 Agreement, that;

1. For the purposes of this resolution, the fishing vessels flying the flag of a non-Contracting Party are presumed to have carried out illegal, unregulated and unreported fishing activities in the IOTC Area, *inter alia*, when a Contracting Party or co-operating non-Contracting Party presents evidence that such vessels:
 - a) Harvest tunas and tuna-like species in the IOTC Area and are not registered on the IOTC list of vessels authorised to fish for tuna and tuna-like species in the IOTC area, or
 - b) Harvest tuna and tuna-like species in the IOTC Area, whose flag state is without quotas, catch limit or effort allocation under IOTC conservation and management measures where appropriate, or
 - c) Do not record or report their catches made in the IOTC Area, 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 vessels included in the IUU list, or

- h) Harvest tuna or tuna-like species in the waters under the national jurisdiction of the coastal States in the IOTC Area without authorisation and/or infringes its laws and regulations, without prejudice to the sovereign rights of coastal States to take measures against such vessels, or
 - i) Are without nationality and harvest tunas or tuna-like species in the IOTC Area, and/or
 - j) Engage in fishing activities contrary to any other IOTC conservation and management measures.
2. Contracting Parties and Co-operating non-Contracting Parties transmit every year to the Secretary before 15th July, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the IOTC Area during the current and previous year, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.
 3. This list shall be based on the information collected by Contracting Parties and non-Contracting co-operating Parties, entities and fishing entities, *inter alia*, under:
 - *Resolution 98/04 Concerning Registration and Exchange of Information on Vessels Including Flag of Convenience Vessels, Fishing for Tropical Tunas in the IOTC Area of Competence;*
 - *Resolution 99/02 Calling for Action Against Fishing Activities by Large-Scale Flag of Convenience Longline Vessels;*
 - *Resolution 01/02 Relating to Control of Fishing Activities;*
 - *Resolution 01/03 Establishing a Scheme to Promote Compliance by Non-Contracting Party Vessels with Resolutions Adopted by IOTC;*
 - *Resolution 01/06 Concerning the IOTC Bigeye Tuna Statistical Document Programme;*
 - *Resolution 02/01 Relating to the Establishment of an IOTC Programme of Inspection in Port;*
 - *Resolution 02/05 Concerning the Establishment of an IOTC Record of Vessels over 24 Metres Authorised to Operate in the IOTC Area;*
 4. On the basis of the information received pursuant to paragraph 2, the Secretary shall draw up a draft IUU list and shall transmit it together with all the evidence provided to Contracting Parties and Co-operating non-Contracting Parties, Entities and Fishing Entities, as well as to non-Contracting Parties whose vessels are included on these lists before 15 August of each year. Contracting Parties, Co-operating non-Contracting Parties and non-Contracting Parties will transmit their comments, as appropriate, 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, before 30 September to IOTC.
 5. Upon receipt of the draft IUU list, Contracting Parties and Co-operating non-Contracting Parties shall closely monitor these vessels included in the draft IUU list in order to determine their activities and possible changes of name, flag and/or registered owner.
 6. On the basis of the information received pursuant to paragraph 3, the Secretary shall draw up a provisional list which he will transmit 2 weeks in advance to the Commission

Meeting to the Contracting Parties and Co-operating non-Contracting Parties and to the non-Contracting Parties concerned together with all the evidence provided.

7. Contracting Parties and Co-operating non-Contracting Parties may at any time submit to the Secretary any additional information, which might be relevant for the establishment of the IUU list. The Secretariat shall circulate the information, at latest before the annual meeting, to the Contracting Parties and Co-operating non-Contracting Parties and to the non-Contracting Parties concerned, together with all the evidence provided.
8. The Compliance Committee shall examine, each year, the provisional list, as well as the information referred to in paragraphs 3 and 5.
9. The Compliance Committee shall remove a vessel from the provisional 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.
10. Following the examination referred to in paragraph 6, the Compliance Committee shall submit to the Commission for approval, the provisional list of the vessels identified as carrying out IUU fishing activities in the IOTC area.
11. On adoption of the list, the Commission shall request non-Contracting Parties, whose vessels appear on the IUU list, 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.
12. Contracting Parties and Co-operating non-Contracting Parties 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 registered on the IUU list;
 - b) So that IUU vessels that enter ports voluntarily are not authorized to land or tranship therein;
 - c) To prohibit the chartering of a vessel included on the IUU list;
 - d) To refuse to grant their flag to vessels included in the IUU 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, or landing and/or transshipment, of tuna and tuna-like species from vessels included in the IUU 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 lists;
 - g) To collect and exchange with other Contracting Parties or Co-operating non-Contracting Parties any appropriate information with the aim of searching,

controlling and preventing false import/export certificates regarding tunas and tuna-like species from vessels included in the IUU list.

13. The Secretary will take any necessary measure to ensure publicity of the IUU vessels list adopted by IOTC pursuant to paragraph 8, in a manner consistent with any applicable confidentiality requirements, and through electronic means, by placing it on the IOTC website. Furthermore, the Secretary will transmit the IUU vessels list to other regional fisheries 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.
14. This recommendation shall apply initially to large-scale fishing vessels flying the flag of non-Contracting Parties. The Commission shall, at its annual meeting in 2003, review and, as appropriate, revise this recommendation with a view to its extension to other types of IUU fishing activities of non-Contracting Party vessels and, to Contracting Party, Co-operating non-Contracting Party vessels.
15. Without prejudice to the rights of flag states and coastal states to take proper action consistent with international law, the Contracting Parties and Co-operating non-Contracting Parties should not take any unilateral trade measures or other sanctions against vessels provisionally included in the draft IUU list, pursuant to paragraph 3, or which have been already removed from the list, pursuant to paragraph 6, on the grounds that such vessels are involved in IUU fishing activities.

RESOLUTION 02/05
CONCERNING THE ESTABLISHMENT OF AN IOTC RECORD OF VESSELS
OVER 24 METRES AUTHORISED TO OPERATE IN THE IOTC AREA

The Indian Ocean Tuna Commission (IOTC),

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

Further recalling that IOTC adopted the Recommendation Concerning the IOTC Bigeye Tuna Statistical Document Programme (Resolution 01/06) at its 2001 meeting,

Further recalling that IOTC adopted the Resolution 01/02 Relating to Control of Fishing Activities at its 2001 meeting,

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

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

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

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

1. The Commission shall establish and maintain an IOTC Record of fishing vessels larger than 24 metres in length overall (hereinafter referred to as "large scale fishing vessels" or "LSFVs") authorised to fish for tuna and tuna-like species in the IOTC Area. For the purpose of this recommendation, LSFVs not entered into the Record are deemed not to be authorised to fish for, retain on board, tranship or land tuna and tuna-like species.

2. Each Contracting Party, and Non-Contracting Party co-operating with IOTC (hereinafter referred to as "CPCs") shall submit electronically, where possible, to the IOTC Secretary by 1 July 2003, the list of its LSFVs that are authorised to operate in the IOTC Area. This list shall include the following information:

- Name of vessel(s), register number(s);
- Previous name(s) (if any);
- Previous flag(s) (if any);
- Previous details of deletion from other registries (if any);
- International radio call sign(s) (if any);
- Type of vessel(s), length and gross registered tonnage (GRT);
- Name and address of owner(s) and operator(s);
- Gear(s) used;
- Time period(s) authorised for fishing and/or transhipping;

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

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

3. Each CPC shall promptly notify, after the establishment of the initial IOTC Record, the IOTC Secretary of any addition to, any deletion from and/or any modification of the IOTC Record at any time such changes occur.

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

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

RECOMMENDATION 02/06.
ON THE IMPLEMENTATION OF THE RESOLUTION CONCERNING THE IOTC
RECORD OF VESSELS

The Indian Ocean Tuna Commission (IOTC),

Recognizing that the Commission adopted *Resolution 02/05 Concerning the Establishment of an IOTC Record of Vessels over 24 metres Authorized to Operate in the IOTC Area* at its 2002 meeting,

Being concerned that there remain a hundred large-scale tuna longline vessels (LSTLVs) that are believed to continue IUU fishing in the IOTC Area and other areas,

Further recognizing a need to take measures to prevent those IUU fishing vessels from being entered in the IOTC Record before the said Resolution has entered into force,

Reaffirming the right of Contracting Parties and Non-Contracting Parties co-operating with IOTC to determine which fishing vessels over 24 metres will be included on their list of vessels, including new vessels or one to replace old vessels,

Recommends, in accordance with Article IX of the IOTC Agreement, that:

With respect to the LSTLVs, the Secretary should:

Compare the list which was submitted to him in accordance with paragraph 1 of the *Resolution 01/02 Relating to Control of Fishing Activities* (hereinafter referred to as “the LIST”) and the initial IOTC Record to be established by the *Resolution 02/05 Concerning the Establishment of an IOTC Record of Vessels over 24 metres Authorized to operate in the IOTC Area* adopted at the 2002 Commission meeting,

Identify the LSTLVs newly appeared on the initial IOTC Record (both net increase from the List and replacements of those previously on the List), and

Present a report on the results to the 2003 Commission meeting.

The Commission should scrutinize the information in paragraph 1 above to examine possible involvement of the remaining IUU LSTLVs on the IOTC Record

RECOMMENDATION 02/07.
CONCERNING MEASURES TO PREVENT THE LAUNDERING OF CATCHES BY
IUU LARGE-SCALE TUNA LONGLINE FISHING VESSELS

The Indian Ocean Tuna Commission (IOTC),

Taking Into Account the need to implement the “FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) fishing”, which was adopted at the 24th session of the FAO Committee on Fisheries in 2001,

Taking Into Account that the Bigeye Tuna Statistical Document Programme is currently being implemented,

Expressing Grave Concern that a significant amount of catches by the IUU fishing vessels are believed to be transferred under the names of duly licensed fishing vessels,

Recommends, in accordance with Article IX of the IOTC Agreement, that:

1. Contracting Parties, and non-Contracting Parties co-operating (hereinafter referred to as the “CPCs”) should ensure that their duly licensed large-scale tuna longline fishing vessels have a prior authorization of at sea or in port transshipment and obtain the validated Statistical Document, whenever possible, prior to the transshipment of their tuna and tuna-like species subject to the Statistical Document Programme. They should also ensure that transshipments are consistent with the reported catch amount of each vessel in validating the Statistical Document and require the reporting of transshipment.
2. CPCs that import tuna and tuna-like species caught by large-scale tuna longline fishing vessels and subject to the Statistical Document Programme should require transporters (which include container vessels, mother vessels, and the like) that intend to land such species in their ports, to ensure that Statistical Documents are issued, whenever possible before the transshipment. Importing CPCs should obligate the transporters to submit necessary documents, including a copy of the validated Statistical Document and other documents, as required under domestic regulation, such as the receipt of transshipment, to the importing CPCs’ authorities immediately after the transshipment.

RESOLUTION 02/08
ON THE CONSERVATION OF BIGEYE AND YELLOWFIN TUNA IN THE INDIAN OCEAN

The Indian Ocean Tuna Commission (IOTC),

Recognising the need for action to ensure the achievement of IOTC objectives to conserve and manage bigeye tuna in the IOTC Area of Competence;

Recalling that the 5th Session of the Scientific Committee reiterated the recommendation that a reduction in catches of bigeye tuna from all gears should be implemented as soon as possible;

Concerned that about 70% by number of the total bigeye catch is taken by the purse-seine fleet, and consist mainly by juvenile fish, and that 80% of the catch in weight is taken by the longline fleet.

Recalling the conclusion of the 5th Session of the IOTC Scientific Committee that catches of yellowfin tuna are close to or possibly above MSY, that catches by all main gears have been increasing in recent years and that the increase in the fishing pressure on juvenile yellowfin by purse seiners fishing on floating objects is likely to be detrimental to the stock if it continues;

Recalling that the FAO International Plan of Action for the Management of Fishing Capacity (IPOA) provides in its Objectives and Principles that “States and regional fisheries organisations confronted with an overcapacity problem, where capacity is undermining achievement of long-term sustainability outcomes, would endeavour initially to limit at present and progressively reduce the fishing capacity applied to affected fisheries”;

Resolves to seek technical advice from the Scientific Committee for the next session of the Commission on:

- Potential management measures designed to reduce the fishing mortality on juvenile bigeye and yellowfin tuna. The measures to be investigated should include, but not be restricted to, time and/or area closures on purse seine fishing on floating objects, and other forms of effort reduction or alternative fishing strategies.
- Other potential management measures aimed at maintaining or reducing the effective fishing effort and catches of yellowfin and bigeye tunas by all gears.
- The likely effect of these measures on the future productivity of the stocks of bigeye and yellowfin tunas and their consequences on catches of skipjack tuna.

On the basis of the updated scientific advice, the Commission will seek to adopt appropriate measures to address the recommendations of the Scientific Committee at the 2003 Session of the Commission.

RESOLUTION 02/09.
ESTABLISHMENT OF THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE (SCAF)

The Standing Committee on Administration and Finance (SCAF) is established by the Commission as follows:

1. The Indian Ocean Tuna Commission hereby establishes in accordance with Article XII 5. of the Agreement a standing Committee on Administration and Finance (SCAF).
2. The Standing Committee shall advise the Commission on such matters of an administrative and financial character as are remitted to it by the Commission and shall annually:
 - a. examine the operation of the budget for the current year; and
 - b. examine the draft budget for the ensuing year.
3. The Standing Committee may draw to the attention of the Commission any matter of an administrative or financial character.
4. The Standing Committee may appoint from amongst its members a smaller, informal group to give preliminary consideration, in consultation with the Executive Secretary, to matters before it.
5. The Standing Committee shall prepare a report of each meeting of the Committee for transmission to the Commission.