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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007 - Mandate for negotiations with the European Parliament

Delegations will find attached the mandate for negotiations with the European Parliament.

Changes to the Commission proposal are marked in **bold underline** and ~~strikethrough~~ and, in the case of the annexes, also in grey.

2021/0058 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence, amending Council Regulations (EC) No 1936/2001, (EC) No 1984/2003 and (EC) No 520/2007

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee,

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) The objective of the Common Fisheries Policy ('CFP'), as set out in Regulation (EU) No 1380/2013 **of the European Parliament and of the Council** [1] ~~of the European Parliament and of the Council~~, is to ensure the exploitation of ~~living aquatic~~**marine biological** resources **in a way that** contributes to long-term environmental, economic and social sustainability.

[1] Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

(2) The Union has, by means of Council Decision 98/392/EC[1], approved the United Nations Convention of 10 December 1982 on the Law of the Sea. By means of Council Decision 98/414/EC, the Union has approved the Agreement for the Implementation of that Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks[2], which contain principles and rules with regard to the conservation and management of the living resources of the sea. In the framework of its wider international obligations, the European Union participates in efforts made in international waters to conserve fish stocks.

(3) Pursuant to Council Decision 95/399/EC of 18 September 1995[3], the Union is a contracting party to the Agreement for the establishment of the Indian Ocean Tuna Commission (IOTC).

(4) The IOTC adopts annual conservation and management measures (CMMs) by way of resolutions that are binding on contracting parties and cooperating non-contracting parties to the IOTC, including on the Union. At its most recent annual meeting held in June 20**21**~~19~~, several new resolutions were adopted. This Regulation implements resolutions of the IOTC, adopted between 2000 and 20**21**~~19~~, except for measures which already form a part of Union law.

(5) To ensure compliance with the CFP, Union legislation has been adopted to establish a system of control, inspection and enforcement, which includes the fight against illegal, unreported and unregulated (IUU) fishing. In particular, Council Regulation (EC) No 1224/2009[4] establishes a Union system for control, inspection and enforcement with a

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1 Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof (OJ L 179, 23.6.1998, p. 1).

2 Council Decision 98/414/EC of 8 June 1998 on the ratification by the European Community of the Agreement for the implementing of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling stocks and highly migratory fish stocks (OJ L 189, 3.7.1998, p. 14).

3 Council Decision 95/399/EC of 18 September 1995 on the accession of the Community to the Agreement for the establishment of the Indian Ocean Tuna Commission (OJ L 236, 5.10.1995, p. 24).

4 Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing

global and integrated approach so as to ensure compliance with all the rules of the CFP. Commission Implementing Regulation (EU) No 404/2011[1] lays down detailed rules for the implementation of Council Regulation (EC) No 1224/2009. Council Regulation (EC) No 1005/2008[2] establishes a Community system to prevent, deter and eliminate IUU fishing. Those regulations already include provisions covering a number of the measures laid down in IOTC resolutions. It is therefore not necessary to include those provisions in this Regulation.

(6) In accordance with Article 29(2) of Regulation (EU) No 1380/2013, the positions of the Union in regional fisheries management organisations are to be based on the best available scientific advice so as to ensure that fishery resources are managed in accordance with the objectives of the Common Fisheries Policy (CFP), in particular with the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield ('MSY'), and with the objective of providing conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity.

(7) In order to swiftly implement into Union law future IOTC resolutions amending or supplementing the ones established in this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending provisions concerning information ~~list~~ per vessel for the list of active vessels for tuna and swordfish, percentage of observer coverage and field samplers coverage for artisanal fisheries, conditions of chartering, percentage of inspections for port landings, reporting deadlines and Annexes 1 to **10**~~6~~ **to**~~of~~ th**is**~~e~~ Regulation that cover IOTC requirement for catch reporting, birds mitigation measures, data collections and fish aggregating devices **(FADs),** ~~and~~ charter requirements, **transhipment declaration and certain bigeye tuna statistical programme documents,** as well as references to IOTC **c**~~C~~onservation and **m**~~M~~anagement **m**~~M~~easures

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Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

[1] Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system, for ensuring compliance with the rules of the Common Fisheries Policy (OJ L 112, 30.4.2011, p. 1).

[2] Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

that relate ~~to transhipment declaration,~~ to principles for design and deployment of FADs **to**~~related to~~ reduc**e**~~tion of~~ entanglement**,**~~ as well as~~ FAD reporting, ~~to~~ non-entangling and biodegradable FAD design, IOTC port designation procedure, ~~mobulid rays handling procedures, handling guidelines and mitigation measures for marine turtles caught by certain fishing gears, to~~ marking and identification of vessels, IUU reporting documents, bigeye tuna statistical programme documents, port state entry notifications, minimum standard port Member State inspection procedures, reporting forms for infringements~~,~~ and catch and fishing measures reporting templates.

(8) It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[1]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

(9) As this Regulation provides a new and comprehensive set of rules, the provisions concerning IOTC CMM~~'~~s laid down in Regulations (EC) No 1936/2001[2], (EC) No 1984/2003[3] and (EC) No 520/2007[4], should be deleted. Th**o**~~e~~se regulations should therefore be amended accordingly,

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1 Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

2 Council Regulation (EC) No 1936/2001 of 27 September 2001 laying down control measures applicable to fishing for certain stocks of highly migratory fish (OJ L 263, 3.10.2001, p. 1).

3 Council Regulation (EC) No 1984/2003 of 8 April 2003 introducing a system for the statistical monitoring of trade in bluefin tuna, swordfish and bigeye tuna within the Community (OJ L 295, 13.11.2003, p. 1).

4 Council Regulation (EC) No 520/2007 of 7 May 2007 laying down technical measures for the conservation of certain stocks of highly migratory species and repealing Regulation (EC) No 973/2001 (OJ L 123, 12.5.2007, p. 3).

HAVE ADOPTED THIS REGULATION:

Chapter I
General Provisions

Article 1

Subject matter

This Regulation **implements into Union law** ~~lays down provisions concerning~~ management, conservation and control measures ~~relating to fishing in the area covered under the Agreement for the establishment of~~**established by** the Indian Ocean Tuna Commission (IOTC) **that are binding on the Union**~~.~~[1]**.**

Article 2

Scope

This Regulation shall apply to:

(1) Union fishing vessels which operate in the Area;

(2) Union fishing vessels in the case of transhipments and landings of IOTC species outside the Area; **and**

(3) ~~and to~~ third country fishing vessels making use of ports in Member States and which carry IOTC species or fishery products originating from such species.

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

(1) 'The Agreement' means the Agreement for the establishment of the Indian Ocean Tuna Commission;

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[1] Council Decision 95/399/EC of 18 September 1995 on the accession of the Community to the Agreement for the establishment of the Indian Ocean Tuna Commission (OJ L 236, 5.10.1995, p. 24).

(2) ‘~~'~~The Area~~'~~ means those parts of the Indian Ocean as defined in the Agreement (Article II and Annex A);

(3) ‘Union fishing vessel’ means any vessel of any size flying the flag of a Member State, ~~used or intended for use~~**equipped** for ~~the purposes of~~ commercial exploitation of ~~fishery~~ **marine biological** resources, including support vessels, fish processing vessels, vessels engaged in transhipment and carrier vessels equipped for the transportation of fishery products, except container vessels;

(4) ‘~~'~~IOTC species~~'~~ means tuna and tuna-like species and sharks listed in Annex B to the Agreement, and other species caught in association with those species;

(5) ‘~~'~~CPC~~'~~ means a contracting party to the Agreement or a cooperating non-contracting party;

(6) ‘CMM’ means a**n applicable** conservation and management measure ~~in force~~ adopted by the IOTC pursuant to Articles V(2)(c) and IX(1) of the Agreement~~, as amended periodically~~;[1]

(7) ‘Unfit for human consumption’ means fish that is meshed or crushed in the purse seine, or is damaged due to depredation, or has died and spoiled in the net where a gear failure has prevented both the normal retrieval of the net and catch, and efforts to release the fish alive. Unfit for human consumption does not include fish that is considered undesirable in terms of size, marketability, or species composition; or is spoiled or contaminated as the result of an act or omission of the crew of the Union fishing vessel;

(8) ‘Fish aggregating device~~2~~ (FAD)~~’~~ means a permanent, semi-permanent or temporary object, structure or device of any material, man-made or natural, which is deployed and/or tracked, for the purpose of aggregating target tuna species for consequent capture;

(9) ‘Drifting FAD **(DFAD)**’ means a FAD not tethered to the bottom of the ocean;

(10) ‘Anchored FAD **(AFAD)**’ means a FAD tethered to the bottom of the ocean;

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[1] https://www.iotc.org/cmms

(11) 'Data buoys' means floating devices, either drifting or anchored, that are deployed by governmental or recognised scientific organisations or entities for the purpose of electronically collecting and measuring environmental data, and not for the purpose of fishing activities;

(12) 'IOTC transhipment declaration' means the document in Annex 7~~III to CMM 19/06~~;

(13) 'IMO number' means a 7 digit number, which is assigned to a vessel under the authority of the International Maritime Organisation;

(14) 'Chartering' means an agreement or an arrangement by which a fishing vessel flying the flag of a CPC is contracted for a defined period of time by an operator in another CPC without the change of flag. The 'chartering CPC' refers to the CPC that holds the quota allocation or fishing possibilities and the 'flag CPC' refers to the CPC in which the chartered vessel is registered;

(15) 'Carrier vessel' means a support vessel engaged in transhipment and receiving IOTC species from another vessel;

(15a) 'e-Port State Measures (e-PSM)' application means the web-based application designed and developed to facilitate and assist a CPC to implement the IOTC resolutions related to port State measures;

(15b) 'FAO' means the Food and Agriculture Organization of the United Nations;

(15c) 'illegal, unreported and unregulated fishing' or 'IUU fishing' means fishing activities as defined in Article 2, points (1) to (4) of Regulation (EC) No 1005/2008.

Chapter II
Management and Conservation

SECTION 1
TROPICAL TUNAS

Article 4

Discard ban

1. Union purse seine vessels shall retain on board and land all catches of tropical tunas (bigeye tuna ***(Thunnus obesus)***, yellowfin tuna ***(Thunnus albacares)*** and skipjack tuna ***(Katsuwonus pelamis)***), excepts where the master of the vessel determines that:

   (a) fish are unfit for human consumption, or

   (b) there is insufficient storage capacity to accommodate tropical tuna and the non-targeted species caught during the final set of a trip.

2. Fish referred to in point (b) of paragraph 1 may only be discarded if the master and crew attempt to release the tropical tuna and the non-targeted species alive as soon as possible**, while taking into consideration the safety of the crew**; and no further fishing is undertaken after the discard until the tropical tuna and the non-targeted species on board the vessel have been landed or transhipped.

3. The master of a Union fishing vessel shall record the exceptions referred to in paragraph 1**, points** (a) and (b) in the relevant logbook**,** including estimated tonnage, and species composition of discarded fish**,** and estimated tonnage and species composition of retained fish from that set.

4. For the purpose of this Article non-targeted species includes not targeted tuna species, as well as rainbow runner ***(Elagatis bipinnulata)***, dolphinfish ***(Coryphaena hippurus)***, triggerfish ***(family Balistidae)***, billfish ***(families Xyphiidae and Istiophoridae)***, wahoo ***(Acanthocybium solandri)***, and barracuda ***(family Sphyraenidae)***.

Article 5

Prohibition of fishing on data buoys

1. Union fishing vessels shall not **intentionally** fish within one nautical mile of a data buoy or interact with a data buoy in the Area, in particular by:

   (a) encircling the buoy with fishing gear;

   (b) tying up to or attaching the vessel, or any fishing gear, part or portion of the vessel, to a data buoy or its mooring; or

   (c) cutting a data buoy anchor line.

2. By way of derogation from paragraph 1, Member States scientific research programmes notified to the IOTC may operate Union fishing vessels within one nautical mile of a data buoy provided they do not interact with those data buoys.

3. Union fishing vessels shall not take on board a data buoy in the Area, unless ~~its~~ **the** owner **responsible for that buoy** has explicitly authorised or requested them to do so.

4. Union fishing vessels operating in the Area, shall keep watch for moored data buoys at sea and shall take all reasonable measures to avoid fishing gear entanglement or directly interacting in any way with those data buoys. When a Union fishing vessel's gear becomes entangled with a data buoy, they shall remove the entangled fishing gear with as little damage to the data buoy as possible.

5. Union fishing vessels shall report to their flag Member States any data buoy that they have observed to be damaged or otherwise inoperable, along with the details of observation, the buoy's location, and any discernible identifying information on it. Member States shall send such reports, and information on the location of data buoys assets that they have deployed throughout the Area to the Commission, in accordance with Article 51(5).

SECTION 2

BILLFISHES

Article 6

Billfishes

1. Union fishing vessels shall not retain on board, tranship, or land, any specimens of striped marlin ***(Tetrapturus audax)***, black marlin ***(Makaira indica)***, blue marlin ***-(Makaira nigricans)*** or Indo pacific sailfish ***(Istiophorus platypterus)*** with a lower jaw fork length of less than 60 cm. If they catch such fish, they shall return them immediately to the sea**, in a manner that maximizes post-release survival potential without compromising the safety of the crew**.

2. Union fishing vessels catching striped marlin, black marlin, blue marlin or Indo pacific sailfish shall record the relevant catch and effort data in accordance with Annex 1 to this Regulation.

3. Member States shall implement a data collection programme to ensure accurate reporting of striped marlin, black marlin, blue marlin or Indo pacific sailfish catches in accordance with Article 51(1).

4. Member States shall report on actions taken to monitor catches and to manage fisheries for the sustainable exploitation and conservation of striped marlin, black marlin, blue marlin and Indo-pacific sailfish in their national scientific report in accordance with Article 51(6).

SECTION 3

BLUE SHARKS

Article 7

Blue sharks

1. Catches of blue shark (*Prionace glauca*) by Union fishing vessels shall be recorded in the logbook in accordance with Article 14 of Regulation (EC) No 1224/2009.

2. Member States shall implement data collection programmes that ensure improved reporting of accurate blue shark catch, effort, size and discard data. Member States shall report data on catches of blue sharks in accordance with Article 51(1).

3. Member States shall include in their implementation report information on the actions taken to monitor catches of blue sharks in accordance with Article 51 (5).

4. Member States are encouraged to undertake scientific research on blue shark that would provide information on key biological, ecological, behavioural characteristics, life-history, migrations, post-release survival and guidelines for safe release and identification of nursery grounds, as well as improving fishing practices. Such information shall be included in the reports that are sent to the Commission in accordance with Article 51(6).

SECTION 4

FISHING USING AIRCRAFTS, FADS AND ARTIFICIAL LIGHTS

Article 8

Prohibition of the use of aircrafts to catch fish

1. Union fishing, **including** support and supply vessels**,** shall not use aircrafts or unmanned aerial vehicles as fishing aids. Any occurrence of a fishing operation undertaken in the Area with the aid of aircraft or an unmanned aerial vehicle shall be immediately reported to the flag Member State and the Commission. The Commission shall inform the IOTC Secretariat thereof without delay.

2. By way of derogation from paragraph 1, aircrafts and unmanned aerial vehicles may be used for scientific, monitoring, control and surveillance purposes.

Article 9

Fish aggregating devices (FADs)

1. Union fishing vessels shall record fishing activities in association with drifting FADs and anchored FADs, separately, using the specific data elements in Annex 2. Member States shall send th**at**~~is~~ information to the Commission~~,~~ in accordance with Article 51.

2. Daily information on all active FADs shall be transmitted to the Commission containing the information of date, instrumented buoy identification, assigned vessel and daily

position, compiled at monthly intervals, submitted at least 60 days later but no longer than 90 days later. The Commission will send this information to the IOTC Secretariat.

3. Member States shall draw up **national** management plans for the use of drifting FADs by ~~each of~~ their purse seine vessels. The management plan~~s~~ shall:

(a) as a minimum follow the guidelines **set out**~~provided~~ in ~~Annex 2~~ **Annex II to CMM 19/02**;

(b) include initiatives or surveys to investigate, and to the extent possible, minimise the capture of small bigeye and yellowfin tuna and non-target species associated with FADs;

(c) include guidelines to prevent, to the extent possible, the loss or abandonment of FADs; and

~~(d) be based on the principles set out in Annex V to CMM 19/02 for reducing the entanglement of sharks, marine turtles or any other species.~~

4. No later than 75 days before the IOTC annual meeting, Member States shall send the Commission, in accordance with Article 51(5), a report on the progress of the management plans of FADs, including reviews of the initially submitted management plans, and including reviews of the application of the principles of Annex V to CMM 19/02. The Commission shall send this information to the IOTC Secretariat not later than 60 days before the IOTC annual meeting.

Article 10

Non-entangling and biodegradable FADs

Union fishing vessels shall use non-entangling designs and materials for the construction of FADs, as ~~outlined~~ **set out** in Annex V to CMM 19/02**, according to which the surface structure of the FAD shall not be covered or shall be covered only with non-meshed material. If a sub-surface component is used, it shall be made not from netting but from non-meshed materials, such as ropes or canvas sheets**.

Article 11

Prohibition of the use of artificial lights to attract fish

1. Union fishing vessels shall not use, install or operate surface or submerged artificial lights for the purpose of aggregating tuna and tuna-like species**, beyond territorial waters**.

2. The use of lights on drifting FADs is prohibited.

3. Where Union fishing vessels encounter drifting FADs equipped with artificial lights in the Area, they shall immediately remove them and bring them back to port.

4. Union fishing vessels shall not conduct fishing activities around or near any vessel or drifting FAD equipped with artificial lights for the purpose of attracting tuna and tuna-like species in the Area.

5. Navigation lights and lights necessary to ensure safe working conditions are not subject to the prohibition in paragraph 1.

SECTION 5

TRANSHIPMENTS IN PORT

Article 12

Transhipment

1. All transhipment operations of IOTC species shall take place in ports designated in accordance with Article 5 of Council Regulation (EC) No 1005/2008**,** or **in accordance with** paragraph 5**.1.** of CMM 16/11 **under which each CPC shall designate and publicise the ports to which vessels may request entry, and shall provide a list of its designated ports to the IOTC Secretariat**.

2. Union fishing vessels engaged in fisheries of IOTC species shall not tranship their catches to any other vessel unless the catches have been weighed in accordance with Article 60 of Regulation (EC) No 1224/2009.

Article 13

Transhipment operations

1. Transhipment operations in port may only be undertaken in accordance with the following procedure:

   (a) prior to transhipping, the master of a Union fishing vessel **shall**~~must~~ notify the following information to the port state authorities, at least 48 hours in advance:

   – the name of the fishing vessel and its number in the IOTC record of fishing vessels;

   – the name of the carrier vessel, and the product to be transhipped;

   – the tonnage by product to be transhipped;

   – the date and location of transhipment;

   – the major fishing grounds of the tuna and tuna-like species and sharks catches.

   (b) the master of a Union fishing vessel shall record and transmit **by electronic means**~~in the electronic logbook~~ a transhipment declaration in accordance with Article 22 of Regulation (EC) No 1224/2009 and ~~the procedures in~~ Regulation (EU) No 404/2011.

   2.~~(c)~~ No later than 15 days after the transhipment, the master of **a**~~the~~ Union fishing vessel concerned shall complete the IOTC transhipment declaration and transmit **it** to its flag Member State **in one of the official languages of the IOTC**, along with the vessel's number in the IOTC record of fishing vessels**. The master of a Union carrier vessel shall also, within 24 hours after the transhipment, complete and transmit to the competent port state authorities the IOTC transhipment declaration in one of the official languages of the IOTC.**

~~2. The master of a Union carrier vessel shall record and transmit a transhipment declaration in the electronic logbook, in accordance with Article 22 of Regulation (EC) No 1224/2009 and the procedures in Regulation (EU) No 404/2011. The master shall also, within 24 hours, complete and transmit to the competent port state authorities the IOTC transhipment declaration.~~

Article 14

Landing of transhipped catches by Union carrier vessels

1. By way of derogation from Article 17(1) of Regulation (EC) No 1224/2009, the period for prior notification shall be at least 48 hours before the estimated time of arrival at the port.

2. Member States where transhipments are landed shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag Member State of the carrier vessel, the port State where the transhipment took place and the flag states of the catching fishing vessels involved to ensure that landings are consistent with the catch amount reported for- each fishing vessel. This verification shall be carried out in such a way that the carrier vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.

3. The master of a Union carrier vessel landing in a third country shall, at least 48 hours before entry into port and in addition to the prior notification referred to in paragraph 1, give prior notification in accordance with the national legislation of the third country in whose port the vessel intends to land transhipments. The master shall also send the IOTC transhipment declaration to the competent authorities of the State in which transhipments are to be landed and shall not land before being authorised to do so.

4. Where landings take place in a third country the master of the carrier vessel shall cooperate with the port state authorities.

5. Flag Member States of the Union fishing vessels shall include details on the transhipments by its vessels, in their reports in accordance with Article 51(5).

Chapter III

Protection of Certain Marine Species

SECTION 1

ELASMOBRANCHS

Article 15

General conservation measures for sharks

1. Union fishing vessels shall **take all reasonable steps to apply**~~use~~ the IOTC identification guides and handling practices.

2. Union fishing vessels shall, to the extent possible, promptly release unharmed unwanted shark species caught alive on board of vessels, with **the** exception of blue sharks.

3. Such catches shall be reported in the logbook in accordance with Article 14 of Regulation (EC) No 1224/2009, including the status on release (dead or alive).

4. Member States shall report data on all catches of sharks, including all available historical data, estimates and life status of discards and release (dead or alive) and size frequencies of sharks caught by their fishing vessels to the Commission, in their report, in accordance with Article 51(1).

Article 16

Oceanic whitetip sharks

1. Union fishing vessels shall not retain on board, tranship, land, store, sell or offer for sale any part or whole carcass of oceanic whitetip sharks ***(Carcharhinus longimanus)***.

2. By way of derogation from paragraph 1, scientific observers shall be allowed to collect biological samples from oceanic whitetip sharks taken in the Area that are dead at haul back, provided that the samples are a part of a research project approved by the IOTC Scientific Committee or the IOTC Working Party on Ecosystems and Bycatch.

3. Where possible, Member States and the Commission shall endeavour to conduct research on oceanic whitetip sharks taken in the Area, in order to identify potential nursery areas.

Article 17

Thresher sharks

1. Union fishing vessels shall not retain on board, tranship, land, store, sell or offer for sale any part or whole carcass of thresher sharks of all species of the family *Alopiidae*.

2. By way of derogation from paragraph 1, scientific observers shall be allowed to collect biological samples from thresher sharks taken in the Area that are dead at haul back, provided that the samples are a part of a research project approved by the IOTC Scientific Committee or the IOTC Working Party on Ecosystems and Bycatch.

3. Recreational and sport **fishers**~~fishing~~ shall release all thresher sharks alive. In no circumstances shall they retain them on board, tranship, land, store, sell or offer them for sale. Member States shall ensure that ~~-~~recreational and sport fisher**s**~~smen~~ carrying out

fishing with risk of catching thresher sharks are equipped with instruments suitable for releasing the animals alive.

4. Member States and the Commission shall endeavour to conduct research on thresher sharks taken in the Area, in order to identify potential nursery areas.

Article 18

Mobulid rays

1. Union fishing vessels shall not intentionally set any gear type around a mobulid ray ***(species of the genus Mobula)*** if the animal is sighted prior to commencement of the set.

2. Union fishing vessels shall not retain on board, tranship, land, store, sell or offer for sale any part or whole carcass of a mobulid ray.

3. Union fishing vessels shall promptly release alive and unharmed, to the extent practicable, mobulid rays caught unintentionally as soon as they are seen in the net, on the hook, or on the deck, in a manner that will result in the least possible harm to the individual rays captured, and take all reasonable steps to apply handling procedures **for mobulid rays** ~~of Annex I to CMM 19/03~~, while taking into consideration the safety of the crew.

4. Notwithstanding paragraph 3, where a Union purse seine vessel ~~unintentionally~~ catches and freezes a mobulid ray in the course of its operations,~~-~~ it shall surrender the whole mobulid ray to the responsible governmental authorities, or other competent authority, or discard it at the point of landing. Mobulid rays surrendered in this manner may not be sold or bartered but may be donated for the purposes of domestic human consumption.

5. Union fishing vessels shall use proper mitigation, identification, handling and releasing techniques and keep on board all necessary equipment to release mobulid rays.

Article 19

Whale sharks

1. Union fishing vessels, shall be prohibited from intentionally setting a purse seine net around a whale shark ***(Rhincodon typus)*** in the Area, if it is sighted prior to the commencement of the set.

2. Where a whale shark is unintentionally encircled or entangled in the fishing gear, ~~–~~Union fishing vessels shall:

(a) take all reasonable steps to ensure its safe release, in line with available IOTC Scientific Committee's best practice guidelines for the safe release and handling of whale sharks**, while taking into consideration the safety of the crew**;

(b) report the incident to the vessel's flag Member State, with the following information:

– the number of individuals;

– a short description of the interaction, including details of how and why the interaction occurred, if possible;

– the location of the encirclement;

– the steps taken to ensure safe release; and

– an assessment of the life status of the whale shark on release, including whether it was released alive but subsequently died.

SECTION 2

OTHER SPECIES

Article 20

Cetaceans

1. Union fishing vessels shall not set a purse seine net around a cetacean in the Area, if it is sighted prior to the commencement of the set.

2. Where a cetacean is unintentionally encircled in a purse seine net, or caught by other gear types fishing for tuna and tuna-like species associated with cetaceans, Union fishing vessels shall:

(a) take all the reasonable steps to ensure its safe release, ~~which should include following the~~ **in line with available** IOTC Scientific Committee's available best practice guidelines for the safe release and handling of cetaceans**, while taking into consideration the safety of the crew**;

(b) report the incident to the ~~relevant authority of the~~**vessel's** flag **Member** State, with the following information:

– the species (if known);

– the number of individuals;

– a short description of the interaction, including details of how and why the interaction occurred, if possible;

– the location of the encirclement;

– the steps taken to ensure safe release; and

– an assessment of the life status of the animal on release, including whether the cetacean was released alive but subsequently died.

3. Member States shall report the information referred to in under point (b) of paragraph 2, through logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009 including the status upon release (dead or alive), or when an observer is on board through observer programmes and send it to the Commission, in accordance with Article 51(1) and (5).

Article 21

Marine turtles

1. Union fishing vessels shall apply the following mitigation measures:

(a) longline vessels shall carry line cutters and de-hookers in order to facilitate the appropriate handling and prompt release of marine turtles ***(species of families Cheloniidae and Dermochelyidae)*** that have been caught or entangled, taking all reasonable steps to ensure safe release and handling following the IOTC handling guidelines.~~1~~

(b) purse seine vessels shall, to the extent practicable:

– avoid encirclement of marine turtles, and if a marine turtle is encircled or entangled, take practicable measures to safely release the turtle in accordance with the IOTC handling guidelines;

~~1~~ ~~https://www.iotc.org/sites/default/files/documents/2018/11/IOTC_turtles_for_web.pdf~~

– release all marine turtles found entangled in ~~fish aggregating devices (~~FADs~~)~~ or ~~other~~ fishing gear~~s~~;

– where a marine turtle is entangled in the net, stop the net roll as soon as the turtle comes out of the water. Before resuming the net roll, the operator shall disentangle the turtle without injuring it, and assist its recovery before returning it to the water; and

– carry and employ dip nets, when appropriate, to handle marine turtles.

2. Union fishing vessels shall bring aboard, if practicable, any captured marine turtle that is comatose or inactive as soon as possible and foster its recovery, including aiding in its resuscitation, before safely returning it to the water.

3. Member States shall ensure that Union fishing vessels use proper mitigation, identification, handling and de-hooking techniques and keep on board all necessary equipment for the release of marine turtles, taking all reasonable steps in accordance with handling guidelines in the IOTC Marine Turtle Identification Cards provided in IOTC handling guidelines referred to in paragraph 1 point (a).

4. Member States shall report on the implementation **of** the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations[1].

5. Member States shall send all data on their vessels interactions with marine turtles to the Commission, in accordance with Article 51(1). The data shall include the level of logbook or observer coverage and an estimate of total mortality of marine turtles incidentally caught in their fisheries.

6. Union fishing vessels shall record all incidents involving marine turtles during fishing operations, including status on release (dead or alive) in the logbooks in accordance with Article 14 of Regulation (EC) No 1224/2009. They shall report such incidents to their flag Member States with information, where possible, on the species, location of capture, conditions, actions taken on board and location of release. Member States shall send this information to the Commission, in accordance with Article 51(1).

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[1] http://www.fao.org/publications/card/en/c/525d1262-f0ae-5270-bd6e-ac4ab03bbaf9/

Article 22

Seabirds

1. Union fishing vessels shall use mitigation measures to reduce in levels of seabird bycatch across all fishing areas, seasons and fisheries:

   (a) in the area south of 25 degrees South latitude, all longline vessels shall use at least two of the three mitigation measures of Annex 4 and shall comply with the minimum standards for those measures;

   (b) the design and deployment of bird scaring lines shall comply with the additional specifications in Annex 5.

2. Union fishing vessels shall record data on incidental seabird bycatch by species, in particular through Regional Observer Scheme referred to in Article 30, and report these to the Commission in accordance with Article 51(1). Observers shall, to the extent possible, take photographs of seabirds caught by Union fishing vessels and transmit them to national seabird experts or -the IOTC Secretariat for confirmation of identification.

3. Member States shall inform the Commission how the Regional Observer Scheme referred to in paragraph Article 30 is implemented, in accordance with Article 51(5).

Chapter IV

Control Measures

SECTION 1

GENERAL CONDITIONS

Article 23

Documentation on board Union fishing vessels

1. Union fishing vessels shall maintain fishing logbooks in accordance with this Regulation. The original recording contained in the fishing logbooks shall be kept on board the fishing vessel for at least 12 months.

2. Union fishing vessels shall carry on board valid documents issued by the competent authority of the flag Member State including:

(a) license, permit or authorisation to fish and terms and conditions attached to the license, permit o**r** ~~f~~ authorisation;

(b) vessel's name;

(c) port in which the vessel is registered and the registration number(s);

(d) international call sign;

(e) names and addresses of the owner(s) and**,** if applicable~~-~~, the charterer;

(f) overall length; and

(g) engine power, in kw/horsepower, where appropriate.

3. Member States shall verify the validity of the documents to be carried on board fishing vessels regularly, at least once a year.

4. Member States shall ensure that all documents carried on board and any further amendments to them are issued and certified by the competent authority and **that fishing vessels** are marked in such a way that they can be readily identified with generally accepted standards**,** such as the FAO Standard Specification for the Marking and Identification of Fishing Vessels.[1]

SECTION 2

RECORD OF VESSELS

Article 24

Record of authorised fishing vessels

1. The following Union fishing vessels shall be registered in the IOTC record of fishing vessels:

(a) vessels of 24 metres or more in overall length;

(b) vessels of less than ~~-~~24 metres in overall~~-~~ length**,** if the**y** ~~Union fishing vessels~~ fish outside the exclusive economic zone (EEZ) **of their flag State**.

[1] http://www.fao.org/3/a-i7783e.pdf

2. Union fishing vessels that are not registered in the IOTC record referred to in paragraph 1, shall not be authorised to fish for, retain on board, tranship or land IOTC species or support any fishing activity or set ~~drifting~~ **D**FADs in the Area. This provision shall not apply to vessels of less than 24 metres~~-~~ in overall length operating in~~side~~ the EEZ of **their flag State** ~~a Member State~~.

3. Member States shall submit to the Commission the list of vessels complying with the requirements of paragraph 1, which are authorised to operate in the Area. Th**at**~~is~~ list shall include the following information for each vessel:

(a) name of vessel(s), register number(s);

(b) IMO number;

(c) previous name(s) (if any) or indicate **its** non-availability;

(d) previous flag(s) (if any) or indicate **its** non-availability;

(e) details of previous deletion from other registries (if any) or indicate **their** non-availability;

(f) international radio call sign(s) (if any)~~,~~ or indicate **its** non-availability;

(g) port of registration;

(h) type of vessel(s), overall length (m) and gross tonnage (GT);

(i) total volume of fish hold(s) in cubic metres;

(j) name and address of owner(s) and operator(s);

(k) name and address of beneficial owner(s), if known and different from vessel owner/operator**,** or indicate **their** non-availability;

(l) name, address ~~-~~and ~~-~~registration number of company operating the vessel (if any);

(m) gear~~(s)~~ used;

(n) time period(s) authorised for fishing and/or transhipping;

(o) colour photographs of the vessel showing:

– the starboard and portsides, each showing the whole structure;

– the bow;

– at least one photograph clearly showing at least one of the external markings specified in point (a).

For vessels not authorized to operate outside the EEZ of the Member State, requirement laid down in paragraph 3**, point** (o) shall apply from 1 January 2022.

4. Member States shall promptly notify the Commission of any addition to, deletion from, or amendment of the IOTC Record. The Commission shall send this information to the IOTC Secretariat without delay.

5. During the year, the Commission shall, if necessary, provide the IOTC Secretariat with updated information on Union fishing vessels registered in the IOTC record referred to in paragraph 1.

Article 25

Communication of information

The information to be notified by ~~the~~ Member States to the Commission~~,~~ in accordance with Article 24, shall be **submitted**~~carried out~~ in an electronic format in accordance with Article 39 of ~~the~~ Regulation (EU) 2017/2403.

Article 26

Authorisation of fishing vessels

1. Member States shall issue an authorisation to fish for the IOTC species for fishing vessels flying their flag in accordance with Article 21 of Regulation (EU) 2017/2403.

2. Member States shall submit to the Commission an updated template of the official authorisation to fish outside national jurisdictions, and update th**e**~~is~~ information **in the template** whenever **necessary**~~this information changes~~. The Commission shall send this information to the IOTC Secretariat without delay. The template shall include the following information:

(a) name of the competent authority;

(b) name and contact of personnel of the competent authority;

(c) signature of the personnel of the competent authority; and

(d) official stamp of the competent authority.

3. The template referred **to** in paragraph 2 shall be used exclusively for monitoring, control and surveillance purposes**,** and a difference between the template and the authorisation carried onboard the vessel does not constitute an infraction, but will prompt the controlling State to clarify the issue with the identified Competent Authority of the flag State of the vessel in question.

Article 27

Obligations for Member States issuing fishing authorisations

1. Member States shall:

(a) authorise their vessels to operate in the Area only if they are able to fulfil the requirements and responsibilities under the IOTC Agreement, this Regulation and CMM**s**;

(b) take necessary measures to ensure that their fishing vessels comply with this Regulation and CMM**s**;

(c) take the necessary measures to ensure that their auxiliary fishing vessels keep on board valid certificates of vessel registration and valid authorisations to fish or tranship;

(d) ensure that their authorised fishing vessels have no history of IUU fishing activities or that, if a vessels has such a history, the new owner has provided sufficient evidence demonstrating that:

– the previous owners and operators have no legal, beneficial or financial interest in, or control over that vessels;

– the parties of the IUU incident have officially resolved the matter and sanctions have been completed;

– having taken into account all relevant facts, their auxiliary fishing vessels are not engaged in or associated with IUU fishing;

(e) ensure, to the extent possible under national legislation, that the owners and operators of their auxiliary fishing vessels are not engaged in or associated with tuna fishing activities conducted by vessels not registered in the IOTC record referred to in Article 24(1);

(f) take necessary measures to ensure, to the extent possible under national legislation, that the owners of auxiliary fishing vessels on the IOTC record referred to in Article 24(1) are citizens of, or legal entities in the flag Member State, so that any control or punitive action can be taken against them where required.

2. Member States shall report the results of the review of the actions and measures taken pursuant to paragraph 1 to the Commission, in accordance with Article 51(5).

3. Member States which issue licenses to their authorised fishing vessels shall report annually to the Commission all measures taken in accordance with Annex I to CMM 05/07, using the format set out in Annex II of CMM 05/07, and in accordance with Article 51 of this Regulation.

Article 28

Measures against vessels not registered in the IOTC record of vessels

1. Union fishing vessels not registered in the IOTC record referred to in Article 24(1), shall not fish for, retain on board, tranship or land IOTC species in the Area.

2. To ensure the effectiveness of this Regulation pertaining to species covered by statistical document programmes**,** Member States **shall**:

(a) ~~shall~~ validate statistical documents only for Union vessels on the IOTC record;

(b) ~~shall~~ require that, when imported into the territory of a CPC, the species covered by statistical document programmes caught by Union fishing vessels in the Area, ~~-~~shall be accompanied by statistical documents; and

(c) ~~shall~~ cooperate, when importing catch of ~~-~~species covered by statistical document programmes, with the **f**~~f~~lag Member States of vessels catching those species to ensure that statistical documents are not forged or do not contain misinformation.

3. Member States shall notify the Commission of any factual information showing that there are reasonable grounds for suspecting vessels not registered in the IOTC record to be

engaged in fishing for or transhipment of IOTC species in the Area. The Commission shall notify the IOTC Secretariat of this information immediately.

Article 29

Record of active vessels fishing for tuna and swordfish

1. Member States with vessels fishing for tunas and swordfish in the Area shall, using the appropriate IOTC report template, submit to the Commission by 1st February of each year a list of fishing vessels flying their flag that were active in the Area during the previous year **and that**:

   (a) ~~which~~ are larger than 24 metres in overall length, **or**

   (b) ~~or~~ in case of vessels shorter than 24 metres, ~~those~~ **that** operat**ed**~~ing~~ in waters outside the EEZ of the**ir** flag State.

(1a) Member States with vessels fishing for yellowfin tuna in the Area shall, using the appropriate IOTC report template, submit to the Commission by 1st February of each year a list of all fishing vessels flying their flag which have fished for yellowfin tuna in the Area during the previous year.

2. The Commission shall forward th**e**~~is~~ information **referred to in paragraphs 1 and 2** to the IOTC Secretariat before the 15 February of each year.

3. The list of vessels referred to in paragraph 1 shall contain the following information for each vessel:

   (a) the IOTC number;

   (b) name and registration number;

   (c) IMO number, if available;

   (d) previous flag (if any);

   (e) international radio call sign (if any);

   (f) vessel type, length and gross tonnage (GT);

   (g) name and address of owner, charterer or operator (where relevant);

(h) main target species; and

(i) period of authorisation.

SECTION 3

REGIONAL OBSERVER SCHEME

Article 30

Regional Observer Scheme

1. **In order to improve the collection of scientific data,** Union fishing vessels of 24 meters overall length and over, and **those** under 24 meters fishing outside ~~of the~~**ir** EEZ **of their flag State**, shall ensure that at least 5 % of the number of operations/sets for each gear type while fishing in the Area are covered by observers endorsed by the regional observer scheme.

2. When purse seine vessels are carrying an observer as referred to in paragraph 1, th**at**~~is~~ observer shall also monitor the catches at landing to identify the composition of bigeye tuna catches.

3. The requirement **set out** in paragraph 2 **shall** ~~is~~ not appl**y**~~icable~~ to Member States that already have a sampling scheme, the coverage of which fulfil requirements set out in paragraph 1.

Article 31

Observers' obligations

1. Observers on board Union fishing vessels shall:

(a) record and report their fishing activities and, verify positions of the vessel;

(b) observe and estimate catches as far as possible with a view to identifying catch composition and monitoring discards, by-catches and size frequency;

(c) record gear type, mesh size and attachments employed by the master;

(d) collect information to enable the cross-checking of entries made to the logbooks (species composition and quantities, live and processed weight and location, where available); and

(e) carry out scientific work as requested by the IOTC Scientific Committee.

2. The observer shall, within 30 days of completion of each trip, provide a report to the flag Member State. The report shall be provided by area of 1˚latitude by 1˚longitude. Member States shall send to the Commission within 140 days from reception, each report, but shall ensure that the reports from observer placed on the longline fleet are sent in continuous flow through the year. The Commission shall forward within 10 days the reports to the IOTC Secretariat.

Article 32

Field samplers

1. Field samplers shall monitor the number of landings by Union artisanal fishing vessels at the landing place. As regards artisanal fishing vessels, the samplers should cover at least 5 % of the total number of fishing trips by such vessels or of the total number of active fishing vessels.

2. Field samplers shall collect information on land during unloading of fishing vessels. Field sampling programmes can be used for quantifying catch, retained bycatch and collecting tag returns.

3. Field samplers shall monitor catches at the landing place with a view to estimating catch-at-size by type of boat, gear and species, or carry out such scientific work as requested by the IOTC Scientific Committee.

Article 33

Member States obligations

1. Member States shall recruit qualified observers to place on-board vessels flying their flag.

2. Member States shall:

(a) take the necessary measures to ensure that observers are able to carry out their duties in a competent and safe manner;

(b) ensure that observers alternate vessels between their assignments;

(c) ensure that the vessel on which an observer is placed shall provide suitable food and lodging during the observer's deployment of the same level as that of the officers, where possible;

(d) ensure that the master of a vessel cooperates with observers in order for them to carry out their duties safely including providing access, as required, to the retained catch, and catch which is intended to be discarded; and

(e) bear the cost of the observer scheme.

3. Member States shall report the number of vessels monitored and the coverage achieved by gear type to the Commission, in accordance with Article 51(6).

SECTION 4

MONITORING AND SURVEILLANCE

Article 34

Vessel monitoring system (VMS)

1. Member States shall, no later than two working days following detection or notification of technical failure or non-functioning of the vessel monitoring device on board a Union fishing vessel, forward the geographical position of the vessel to the IOTC Secretariat, or shall ensure that these positions are forwarded to the IOTC Secretariat by the master or the owner of the vessel, or their representative.

2. Where a Member State suspects that one or more ~~on-board~~ vessel monitoring device**s** on board the vessel of another flag Member State or another CPC do~~es~~ not meet required operational conditions, or have been tampered with, it shall immediately notify the Commission**. The Commission shall** ~~that will~~ forward the notification to **the** IOTC Secretariat and the vessel's flag State.

Article 35

Chartering

1. Chartering shall be subject to the following conditions:

(a) the flag CPC has consented in writing to the chartering agreement;

(b) the duration of the fishing operation under the chartering agreement does not exceed 12 months cumulatively in any calendar year;

(c) fishing vessels to be chartered shall be registered with the responsible CPC which explicitly agree to comply with the CMM**s** and enforce them on their vessels. All flag CPC shall effectively fulfil their duty to control their fishing vessels to ensure compliance with CMM**s**;

(d) fishing vessels to be chartered shall be on the IOTC record referred to in Article 24, authorised to operate in the Area;

(e) if the chartered vessel is allowed by the chartering CPC to operate in the high seas, the flag CPC shall be responsible for controlling the high seas fishing conducted pursuant to the charter arrangement;

(f) chartered vessels shall report ~~Vessels Monitoring Scheme (~~VMS~~)~~ and catch data to both the chartering CPC and flag CPC, and to the IOTC Secretariat, as provided in the Charter Notification Scheme **set out**~~detailed~~ in Annex 6;

(g) all catches, including bycatches and discards, taken pursuant to the chartering agreement shall be counted against quota or fishing possibilities of the chartering CPC. The observer coverage on board such chartered vessels shall be counted against the coverage rate of the chartering CPC for its fishing activity ~~-~~under the charter agreement;

(h) the chartering CPC shall report to the IOTC all catches, including bycatches and discards, and other information required by the IOTC;

(i) chartered vessels shall be duly equipped with VMS, and fishing gear shall be marked for effective fishery management;

(j) observer coverage of at least 5 % of fishing effort;

(k) chartered vessels shall have a fishing license issued by the chartering CPC~~,~~ and shall not be on the IOTC IUU **vessel** list**, that of any other regional fisheries management organisation or on the Union IUU vessel list**;

(l) chartered vessels shall not be authorised to use the quota of the flag CPC, and in no case, shall the vessel be authorised to fish under more than one chartering agreement at the same time;

(m) landing shall take place in the ports of the CPC, or under the direct supervision of CPC, in order to assure that the activities of the chartered vessels do not undermine CMM**s**.

Article 36

Charter notification scheme

1. The chartering Member State shall notify the Commission of any vessel to be identified as chartered in accordance with this Article without delay and no later than 50 hours before commencement of fishing activities under a charter agreement, by submitting electronically and without delay the following information with respect to each chartered vessel:

(a) the name (in both original registration language and Latin alphabets) and registration of the chartered vessel, and IMO number:

(b) the name and contact address of the beneficial owner of the vessel;

(c) the description of the vessel, including the length overall, type of vessel and the type of fishing method(s) to be used under the charter;

(d) a copy of the chartering agreement and any fishing authorisation or license it has issued to the vessel, including the quota allocation or fishing possibility assigned to the vessel, and the duration of the chartering arrangement;

(e) its consent to the chartering agreement; and

(f) the measures adopted to implement these provisions.

2. The flag Member State shall notify the Commission of any vessel to be identified as chartered in accordance with this Article, without delay and no later than 50 hours before commencement of fishing activities under a charter agreement by submitting electronically the information with respect to each chartered vessel referred to in paragraph 1.

3. Upon receiving the information from Member States set out in paragraph 1 or 2, the Commission shall forward the following information to the IOTC Secretariat:

(a) its consent to the chartering agreement;

(b) the measures adopted to implement these provisions; and

(c) its agreement to comply with CMM**s**.

4. Member States referred to in paragraph 1 and 2 shall immediately inform the Commission of the start, suspension, resumption and termination of the fishing operations under the chartering agreement.

5. Member States chartering fishing vessels shall report to the Commission by 10 February of each year the particulars of charter agreements made in the previous calendar year, including information of catches taken and fishing effort deployed by the chartered vessels as well as the level of observer coverage achieved on the chartered vessels in accordance with Article 35(1)(j). The Commission shall forward that information to the IOTC Secretariat by 28 February of each year.

Article 37

Vessels with no nationality

Where a Member State's vessel or aircraft makes any sighting of fishing vessels that are suspected of, or confirmed as, being without nationality that may be fishing in the high seas of the Area, that Member State shall report the sighting to the Commission, which shall forward the information to the IOTC Secretariat immediately.

Article 38

Fishing vessels with flags of convenience

Member States shall, as regards large scale tuna longline vessels with flags of convenience:

(a) refuse landing and transhipment by flag of convenience vessels which are engaged in fishing activities diminishing the effectiveness of measures of this Regulation or adopted by the IOTC;

(b) take every possible action to urge their importers, transporters and other concerned operators to refrain from transacting in and transhipping tunas and tuna-like species caught by vessels carrying out flag of convenience fishing activities;

(c) urge their manufacturers and other concerned business people to prevent their vessels and equipment/devices from being used for flag of convenience longline fishing operations; and

(d) monitor and exchange information concerning flag of convenience fishing vessels activities, including the port sampling activities conducted by the IOTC Secretariat.

Chapter V

Catch Data ~~and Access Agreements~~

~~SECTION 1~~

~~CONTROL OF CATCH DATA~~

Article 39

Record of catch and effort data

1. Union fishing vessels shall keep an electronic logbook to record data that includes, as minimum requirements, the information and data set out in Annex 1.

2. The logbook shall be completed by the master of the fishing vessel and be submitted to the flag Member State, as well as to the coastal State in whose EEZ the Union fishing vessel has fished. Only the part of the logbook corresponding to the activity deployed in the coastal State EEZ shall be provided to the coastal State.

3. Member States shall report to the Commission all the data for any given year on an aggregated basis in their annual reports, in accordance with Article 51(1).

Article 40

Bigeye tuna catch certificate

1. All bigeye tuna imported into the territory of a Member State, shall be accompanied by an IOTC Bigeye Tuna Statistical Document, as provided in **Annex 8** ~~Appendix 1 of Annex I to CMM 01/06~~, or an IOTC bigeye tuna re-export certificate which meets the requirements of **Annex 9**~~Appendix 2 of Annex I to CMM 01/06~~.

2. By way of derogation from paragraph 1, bigeye tuna caught by purse seine vessel or pole and line (bait) vessels and destined principally for the canneries in the Area are not subject to this statistical requirement.

3. The documents referred to paragraph 1 shall be validated in accordance with the format set out in ~~Appendix 4 of~~ Annex I**V** to CMM 0**3**~~1~~/0**3**~~6~~ **and the following rules**~~, in accordance with the following~~:

   (a) **the** IOTC bigeye tuna statistical document shall be validated by the flag Member State of the vessel that caught the tuna, or if the vessel is operating under a charter arrangement, by the State that exported the tuna; ~~and~~

   (b) **the** IOTC bigeye tuna re-export certificate shall be validated by the State that re-exported the tuna;

   (c) statistical documents for bigeye tuna caught by Union vessels~~,~~ may be validated by the Member State where the products are landed, provided the corresponding quantities of bigeye tuna are exported outside the Union from the territory of the Member States of landing.

4. By 15 March of each year (for the period from 1 July to 31 December of the previous year) and 15 September (for the period from 1 January to 30 June of the current year) Member States that import bigeye tuna shall report to the Commission the data collected under the bigeye tuna statistical document programme, using the format ~~of Appendix 3 of~~**set out in** Annex I**II** to CMM 0**3**~~1~~/0**3**~~6~~. The Commission shall examine the information and shall transmit it to the IOTC Secretariat by 1 April and 1 October respectively.

5. Member States which export bigeye tuna shall examine export data upon receiving the import data referred to in paragraph 4, and shall report the results to the Commission annually, in accordance with Article 51(5).

Chapter VI

Port State Measures, Inspection, Enforcement and IUU

SECTION 1

PORT STATE MEASURES

Article 41

Points of contact and designated ports

1. A Member State wishing to grant access to its ports to third country fishing vessels carrying IOTC species caught in the Area or fishery products originating from IOTC species that have not been previously landed or transhipped shall:

   (a) designate the port to which third country fishing vessels may request entry pursuant to Article 5 of Regulation (EC) No 1005/2008;

   (b) designate a point of contact for the purposes of receiving prior notice pursuant to Article 6 of Regulation (EC) No 1005/2008;

   (c) designate a point of contact for the purposes of receiving inspection reports pursuant to Article 11(3) of Regulation (EC) No 1005/2008.

2. Member States shall transmit any changes to the list of designated points of contact and designated ports to the Commission at least 30 days before the changes take effect. The Commission shall forward that information to the IOTC Secretariat at least 15 days before the changes take effect.

Article 42

Prior notice

1. By way of derogation from Article 6 (1) of Regulation (EC) No 1005/2008, the period for prior notification shall be at least **24**~~48~~ hours before the estimated time of arrival at the port **or immediately after the end of the fishing operations, if the time distance to the port is less than 24 hours**.

2. By way of derogation from Article 6(1) of Regulation (EC) No 1005/2008, the information to be provided by masters of third country fishing vessels or their representatives~~,~~ shall be that required under **Annex 10,**~~Annex I to CMM 16/11~~ which shall be accompanied by a

catch certificate validated in accordance with Chapter III of Regulation (EC) No 1005/2008 if the third country fishing vessel carries on board IOTC fishery products.

3. The prior notice referred to in Article 6 of Regulation (EC) No 1005/2008 and the information required under paragraph 2 of this Article may be transmitted electronically **through** ~~by means of the~~ e-PSM application.[1]

4. Port Member States may request any additional information in order to determine whether the fishing vessels referred to in paragraph 1 have engaged in IUU fishing or related activities.

Article 43

Authorisation to enter, land and tranship in ports

1. After receiving the relevant information pursuant to Article 42 of this Regulation, a port Member State shall decide whether to authorise or deny the third country fishing vessel entry into and use of its ports. Where a third country fishing vessel has been denied entry, the port Member State shall inform the flag State of the vessel and the Commission which shall forward the information to the IOTC Secretariat without delay. Port Member States shall deny entry to fishing vessels included in the IOTC ~~list of~~ IUU vessel **lists**~~s~~**, that of any other regional fisheries management organisation or the Community IUU vessel list**.

2. Where a prior notice has been received ~~by~~ **through**~~means of the~~ e-PSM **application,** the port Member State shall communicate its decision to authorise or deny entry into port through the same application.

3. Pursuant to Article 8(1) of Regulation (EC) No 1005/2008, in the case of carrier vessels, the declaration required shall be an IOTC transhipment declaration and shall submit such declaration at least 48 hours prior to the intended time of landing. The Member States where transhipments are to be landed shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag State of the carrier vessel, any port State involved in the transhipments to be landed and the flag states of the catching fishing vessels involved to ensure that landings are consistent with the reported catch amount of each catching fishing vessel. This verification shall be carried out in such

~~[1] https://www.iotc.org/compliance/port-state-measures~~

a way that the carrier vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.

4. Where a landing or transhipment declaration is received by the port Member State from a catching fishing vessel pursuant to Article 8(1) of Regulation (EC) No 1005/2008, the port Member States shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag CPC to ensure that landings and/or transhipments are consistent with the amount of catches reported for each catching vessel.

5. Each port Member State shall submit to the Commission by 15 June of each year, the list of fishing vessels that are not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the Area in the preceding calendar year. This information shall be included in the appropriate IOTC report template and shall detail the catch composition by weight and species landed. The Commission shall examine such reports and transmit it to the IOTC Secretariat by 30 June of each year.

SECTION 2

INSPECTION

Article 44

Port inspection

1. Each year, port Member State shall inspect in their designated ports at least 5% of all landings or transhipments related to IOTC species made by fishing vessels that are not flagged to that port Member State.

2. Inspections shall involve the monitoring of the entire landing or transhipment and include a cross-check between the quantities, by species, recorded in the prior notice and the quantities by species actually landed or transhipped. When the landing or transhipment is completed, the inspector shall verify and note the quantities (by species) of fish remaining on board.

Article 45

Inspection procedure

1. This Article shall apply in addition to the rules on the inspection procedure laid down in Article 10 of Regulation (EC) No 1005/2008.

2. Inspectors from port Member States shall be properly qualified inspectors authorised for that purpose, and shall carry a valid document of identity that they shall present to the master of the vessel to be inspected.

3. As a minimum standard port Member States shall ensure that their inspectors carry out the tasks set out in Annex II to CMM 16/11. Port Member States, in carrying out inspections in their ports, shall require the master of the vessel to give inspectors all necessary assistance and information, and to present relevant material and documents as may be required, or certified copies thereof.

4. In the written report of the results of each inspection, each port Member State shall, as a minimum, include the information set out in Annex III to CMM 16/11. Within 3 working days of the completion of the inspection, the port Member State shall transmit a copy of the inspection report and, upon request, an original or certified copy thereof, to the master of the inspected vessel, to the flag State, and to the Commission, which shall forward the report to the IOTC Secretariat.

5. By 15 June of each year, port Member States shall submit to the Commission, the list of fishing vessels not flagged to that port Member State, which have landed in their ports tuna and tuna-like species caught in the IOTC area the preceding calendar year. This information shall detail the catch composition by weight and species landed. The Commission shall forward this information to the IOTC Secretariat by 1 July of each year.

SECTION 3

ENFORCEMENT

Article 46

Procedure in case of evidence of infringements of IOTC measures during port inspections

1. If the information collected during the inspection provides evidence that a fishing vessel has committed a breach of the IOTC measures, this Article shall apply in addition to Article 11 of Regulation (EC) No 1005/2008.

2. The competent authorities of the port Member State shall forward a copy of the inspection report to the Commission as soon as possible and in any case within three working days. The Commission shall transmit that report to the IOTC Secretariat and to the flag CPC point of contact without delay.

3. Port Member States shall promptly notify the action taken in the event of infringements to the competent authority of the flag CPC and to the Commission who shall transmit that information to the IOTC Secretariat.

Article 47

Alleged infringements reported by Member States

1. Member States shall submit to the Commission, using the reporting form of Annex I to CMM 18/03, any documented information that indicates possible instances of non-compliance by any fishing vessel with IOTC conservation and management measures in the Area over the past two years at least **8**~~4~~0 days in advance of the annual meeting of the IOTC. The Commission shall examine that information and, if appropriate, forward it to the IOTC Secretariat at least **7**~~3~~0 days in advance of the ~~annual~~ **compliance committee** meeting.

2. The documented information referred to in paragraph 1~~,~~ shall be accompanied by **the** information concerning the IUU fishing activity of each of the listed vessels**,** including but not limited to:

   (a) reports regarding the alleged IUU fishing activity relating to CMM**s** in force;

   (b) trade information obtained on the basis of relevant trade statistics such as those from statistical documents and other verifiable national or international statistics;

   (c) an information obtained from other sources or gathered from ~~-~~fishing grounds**,** such as:

      – information gathered from inspections undertaken in port or at sea;~~ or~~

      – information from coastal states including VMS transponder or Automatic Identification System (AIS) data, surveillance data from satellites or airborne or seaborne assets;~~ or~~

      – IOTC programmes, except where such a programme stipulates that information gathered is to be kept confidential; or

      – information and intelligence collected by third parties.

Article 48

Alleged infringements reported by CPC and the IOTC Secretariat

1. Where the Commission receives from a CPC or the IOTC Secretariat any information indicating alleged IUU fishing activities by a Union fishing vessel, it shall transmit that information to the concerned Member State without delay.

2. The concerned Member State shall provide the Commission with the findings of any investigation undertaken in relation to the allegations of non-compliance by fishing vessels flying its flag, and any actions taken to address compliance concerns, at least 45 days in advance of the annual meeting of the IOTC. The Commission shall forward that information to the IOTC at least 15 days in advance of the annual meeting.

Article 49

Draft IOTC IUU vessel list

1. If the Commission receives official notification of the inclusion of a Union fishing vessel in the draft IOTC IUU vessel list from the IOTC Secretariat, it shall transmit that notification, including the supporting evidence and any other documented information provided by the IOTC Secretariat, to the ~~concerned~~ flag Member State **concerned**.

2. The concerned Member State –shall provide comments not later than 30 days in advance of the annual meeting of the IOTC Compliance Committee. The Commission shall examine and forward that information to the IOTC Secretariat at least 15 days in advance of the annual meeting of the Compliance Committee.

3. Once notified by the Commission, the authorities of the ~~concerned~~ flag Member State **concerned** shall:

   (a) notify the owner and the operators of the fishing vessel of its inclusion in the draft IOTC IUU vessel list and of the possible consequences that may result from this inclusion being confirmed in the IUU vessel list adopted by the IOTC, and

   (b) closely monitor the vessels included in the draft IOTC -IUU **vessel** list, in order to determine their activities and detect possible changes of name, flag, or registered owner of those vessels.

Article 50

Provisional IOTC IUU vessel list

1. In order to prevent a Union fishing vessel included in the draft **IOTC** IUU vessel list, as referred to under Article 49, from being included in the provisional IOTC IUU vessel list, the flag Member State shall provide **the** following information to the Commission **demonstrating that**:

   (a) ~~demonstrating that~~ the vessel has, at all relevant times, complied with the conditions of its authorisation and:

   – ~~that the vessel has~~ conducted fishing **activities** in a manner consistent with the CMM**s**;

   – ~~that the vessel has~~ conducted fishing activities within the waters under the jurisdiction of a coastal State in a manner consistent with the laws and regulations of that coastal State; or

   – ~~that the vessel has~~ fished exclusively for species not covered by the Agreement; or

   (b) ~~demonstrating that~~ effective punitive action has been taken in response to the IUU fishing activities in question, including prosecution and imposition of sanctions of adequate severity to be effective in securing compliance and deterring further infringements.

2. The Commission shall examine th**e**~~is~~ information **referred to in paragraph 1** and transmit it to the IOTC Secretariat without delay.

Chapter VII

Final Provisions

Article 51

Data reporting

1. Before 15 June of each year, Member States shall submit to the Commission**, using the table set out in Annex II to CMM 18/07, the** information~~,~~ for the preceding calendar

year, ~~the information~~ concerning the following elements~~, using the table in Annex II to CMM 18/07~~:

(a) estimates of the total catch by species and gear, if possible quarterly, separated, whenever possible, by retained catches in live weight and by discards in live weight or numbers, for all species under the IOTC mandate as well as the most commonly caught elasmobranch species according to records of catches and incidents;

(b) total catch data concerning cetaceans, marine turtles and seabirds data as referred to in Articles 20, 21 and 22, respectively;

(c) for purse seine and pole and line fisheries, data on catch and effort shall be stratified by fishing mode. The data shall be extrapolated to the total national monthly catches for each gear and documents describing the extrapolation procedures shall also be submitted routinely;

(d) for longline fisheries, data on catches by species, in numbers or weight, and effort as the number of hooks deployed shall be provided by 5° grid area and monthly strata. Documents describing the extrapolation procedures shall also be submitted routinely;

(e) a summary of the most recent yellowfin tuna catches in accordance with ~~the~~ Article 39;

(f) zero catches that shall be reported using the table **set out** in Annex II to CMM 18/07.

2. To the information referred to in paragraph 1, Member States shall add the following fishing effort data by the purse seiners fleet using supply vessels and FADs:

(a) the number and characteristics of purse seine supply vessels, operating under their flag, or assisting purse seine vessels operating under their flag, or licensed to operate in their EEZ, which have been operated in the Area;

(b) number and days at sea by purse seine vessels and purse seine supply vessels by 1° grid area and month to be reported by the flag Member State of the supply vessel;

(c) the positions, dates and the time of setting, FAD identifier and type, and FAD design characteristics of each FAD.

3. The information referred to in paragraph 1, for type of vessels and in regard to provisional and final data, shall be submitted to the Commission on the following dates:

(a) Provisional data for longline fleets operating on the high seas for the previous year shall be submitted no later than 15 June of each year. Final data shall be submitted no later than 15 December of each year;

(b) Final data for all other fleets, including supply vessels, shall be submitted no later than 15 June each year.

4. The Commission shall analyse the information, and send it to the IOTC Secretariat by the specific deadlines provided in the Regulation.

5. Member States shall submit to the Commission 75 days before the annual meeting of the IOTC, information for the preceding calendar year, containing the information on actions taken to implement their reporting obligations for all IOTC fisheries, including shark species caught in association with IOTC fisheries, in particular the steps taken to improve their data collection for direct and incidental catches. The Commission shall compile the information into a Union implementation report and sent it to the IOTC Secretariat.

6. Flag Member States shall send annually to the Commission a national scientific report, not later than 45 days before the session of the IOTC Scientific Committee, at a date communicated by the Commission, containing the following points:

(a) general fisheries statistics;

(b) report on the implementation of Committee recommendations;

(c) the progress achieved undertaking research as provided in Article 15(4), Article 16(3), Article 17(4), Article 18(5); and

(d) other relevant information related to fishing activities for species under the IOTC mandate as well as sharks,other byproduct and bycatch species.

7. The report referred to in paragraph 6 shall be reported in accordance with the template prescribed by the Scientific Committee of the IOTC. The Commission shall send to the flag Member States the required template. The Commission shall analyse the information in the report, compile them into a Union report and send it to the IOTC Secretariat.

Article 52

Confidentiality

Data collected and exchanged in the framework of this Regulation shall be treated in accordance with the applicable rules on confidentiality pursuant to Articles 112 and 113 of Regulation (EC) No 1224/2009.

Article 52a

Guidelines

The Commission shall provide Member States which have fishing opportunities in the fisheries managed by the IOTC with any guidelines developed by the IOTC, in particular with regard to:

(a) identification guides and handling practices for sharks;

(b) handling procedures for mobulid rays;

(c) the IOTC Scientific Committee's best practice guidelines for the safe release and handling of whale sharks;

(d) the IOTC Scientific Committee's best practice guidelines for the safe release and handling of cetaceans; and

(e) handling guidelines on marine turtles.

The Member States concerned shall ensure that those guidelines are provided to the masters of their vessels engaged in the fisheries concerned, which shall take all reasonable steps to apply such guidelines.

Article 53

Procedure for amendments

1. Where necessary in order to implement into Union law amendments to, or supplement, the existing IOTC resolutions which become binding on the Union, and insofar as amendments to Union law do not go beyond the IOTC resolutions, the Commission is empowered to adopt delegated acts in accordance with Article 54 for the purpose of amending:

   (a) information per vessel for the list of active vessels for tuna and swordfish, of Article 24(3);

   (b) percentage of observer coverage of Article 30(1);

(c) field samplers coverage for artisanal fisheries of Article 32(1);

(d) conditions of chartering of Article 35(1);

(e) percent of inspections for port landings of Article 44(1);

(f) reporting deadlines of Article 29(1)and(2), Article 45(5), Article 51;

(g) Annexes 1 to ~~6~~**10**;

(h) references to international acts of ~~Article 3(12),~~ Article 9(3)(~~d~~**a**), Article 9(4), Article 10, Article 12(1), ~~Article 18(3) and (5),~~ Article 21(4), Article 23(4), Article 27(3), Article 40~~(1),~~ (3) and (4), Article 42~~(2) and~~ (3), Article 45-(3) and (4), Article 47(1), Article 51(1), and Article 51(1)(f).

2. Any amendments adopted in accordance with paragraph 1 shall be strictly limited to the implementation **into Union law** of amendments **of,** and/or supplement**s** to**,** the IOTC resolutions concerned **that are binding on the Union** ~~into Union law~~.

Article 54

Exercise of delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 53 shall be conferred on the Commission for a period of five years from [dd.mm.yyyy]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 53 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated act already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 53 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 55

Amendments to Council Regulations (EC) No 1936/2001, (EC) N0 1984/2003, and (EC) No 520/2007

1. Article 2(b), Article 20, Article 20a, Article 20b, Article 20c, Article 20d, Article 20e, Article 21 and Article 21a of Regulation (EC) No 1936/2001 are deleted.

2. Article 1(b), Article 8(b) and Annexes VII, XII, XIV, and XVIII Regulation (EC) No 1984/2003 are deleted.

3. Article 4(2), Article 18, Article 19, and Article 20 of Regulation (EC) No 520/2007 are deleted.

Article 56

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

ANNEX 1

Record once per set/shot/operation

Note: for all gears in this annex use the follow format for date and time

For date: when recording date of the set/shot/operation: record the YYYY/MM/DD

For time: record 24hr time as either the local time, GMT or national time and clearly specify which time has been used.

OPERATION

For longline:

Date of set

Position in latitude and longitude: either position at noon or position of start of gear or area code of operation (e.g. Seychelles EEZ, High seas, etc.) may be optionally used

Time of starting setting and, when possible, retrieving the gear

Number of hooks between floats: if there are different hooks counts between floats in a single set then record the most representative (average) number

Total number of hooks used in the set

Number of light–sticks used in the set

Type of bait used in the set: e.g. fish, squid, etc.

Optionally, sea surface temperature at noon with one decimal point (XX.X^{o}C)

For purse seine:

Date of set

Type of event: fishing set or deployment of a new **fish aggregating device (**FAD**)**

Position in latitude and longitude and time of event, or if no event during the day, at noon

If fishing set: specify if the set was successful, nil, well; type of school (free swimming school or FAD associated. If FAD associated, specify the type (e.g. log or other natural object, drifting FAD, anchored FAD, etc.). Refer to the CMM 18/08

Procedures on a ~~fish aggregating devices (~~FADs~~)~~ management plan, including a limitation on the number of FADs, more detailed specification of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species (or any subsequent superseding Resolution)

Optionally, sea surface temperature at noon with one decimal point (XX.XºC)

For gillnet:

Date of set: record the date for each set or day at sea (for days without sets)

Total length of net (meters): floatline length used for each set in meters

Start fishing time: record the time when starting each set and, when possible, gear retrieving

Start and end position in latitude and longitude: record start and end latitude and longitude that represent the area that your gear is set between or, if no set, record the latitude and longitude at noon for days without sets

Depth at which net is set (meters): approximate depth at which the gillnet is set

For Pole and Line:

Fishing effort information in logbooks shall be recorded by day. Catch information in logbooks shall be recorded by trip or, when possible, by fishing day.

Date of operation: record the day or date

Position in latitude and longitude at noon

Number of fishing poles used during that day

Start fishing time (record the time immediately after bait fishing is complete and the vessel heads to the ocean for fishing. For multiple days, the time at which search starts should be recorded) and end fishing time (record the time immediately after fishing is complete from the last school; on multiple days this is the time fishing stopped from the last school). For multiple days number of fishing days should be recorded.

Type of school: FAD associated and/or free school

CATCH

Catch weight (kg) or number by species per set/shot/fishing event for each of the species and form of processing in section ''Species'' below:

For longline by number and weight

For purse seine by weight

For gillnet by weight

For pole and line by weight or number

SPECIES

For lLongline:

Primary Species	**FAO code**	**Other Species**	**FAO code**
Southern bluefin tuna (*Thunnus maccoyii*)	SBF	Shortbill spearfish (*Tetrapturus angustirostris*)	SSP
Albacore (*Thunnus alalunga*)	ALB	Blue shark (*Prionace glauca*)	BSH
Bigeye tuna (*Thunnus obesus*)	BET	Mako sharks (*Isurus* spp.)	MAK
Yellowfin tuna (*Thunnus albacares*)	YFT	Porbeagle shark (*Lamna nasus*)	POR
Skipjack tuna (*Katsuwonus pelamis*)	SKJ	Hammerhead sharks (*Sphyrna* spp.)	SPN
Swordfish (*Xiphias gladius*)	SWO	Silky shark (*Carcharhinus falciformis*)	FAL
Striped marlin (*Tetrapturus audax*)	MLS	Other bony fishes	MZZ
Blue marlin (*Makaira nigricans*)	BUM	Other sharks	SKH
Black marlin (*Makaira indica*)	BLM	Seabirds (in number)[1]	
Indo–Pacific sailfish (*Istiophorus platypterus*)	SFA	Marine Mammals (in number)	MAM
		Marine turtles (in number)	TTX
		Thresher sharks (*Alopias* spp.)	THR
		Oceanic whitetip shark (*Carcharhinus longimanus*)	OCS

[1] When a CPC is fully implementing the observer program the provision of seabird data is optional

		Optional species to be recorded	
		Tiger shark (*Galeocerdo cuvier*)	TIG
		Crocodile shark (*Pseudocarcharias kamoharai*)	PSK
		Great white shark (*Carcharodon carcharias*)	WSH
		Mantas and devil rays (*Mobulidae*)	MAN
		Pelagic stingray (*Pteroplatytrygon violacea*)	PLS
		Other rays	

For p~~P~~urse s~~S~~eine:

Primary Species	**FAO code**	**Other species**	**FAO code**
Albacore (*Thunnus alalunga*)	ALB	Marine turtles (in number)	TTX
Bigeye tuna (*Thunnus obesus*)	BET	Marine mammals (in number)	MAM
Yellowfin tuna (*Thunnus albacares*)	YFT	Whale sharks (*Rhincodon typus*) (in number)	RHN
Skipjack tuna (*Katsuwonus pelamis*)	SKJ	Thresher sharks (*Alopias* spp.)	THR
Other IOTC species		Oceanic whitetip shark (*Carcharhinus longimanus*)	OCS
		Silky sharks (*Carcharhinus falciformis*)	FAL
		Optional species to be recorded	**FAO code**
		Mantas and devil rays (*Mobulidae*)	MAN
		Other sharks	SKH
		Other rays	
		Other bony fish	MZZ

For g~~G~~illnet:

Primary Species	**FAO code**	**Other Species**	**FAO code**
Albacore (*Thunnus alalunga*)	ALB	Shortbill spearfish (*Tetrapturus angustirostris*)	SSP

Bigeye tuna (*Thunnus obesus*)	BET	Blue shark (*Prionace glauca*)	BSH
Yellowfin tuna (*Thunnus albacares*)	YFT	Mako sharks (*Isurus* spp.)	MAK
Skipjack tuna (*Katsuwonus pelamis*)	SKJ	Porbeagle shark (*Lamna nasus*)	POR
Longtail tuna (*Thunnus tonggol*)	LOT	Hammerhead sharks (*Sphyrna* spp.)	SPN
Frigate tuna (*Auxis thazard*)	FRI	Other sharks	SKH
Bullet tuna (*Auxis rochei*)	BLT	Other bony fish	MZZ
Kawakawa (*Euthynnus affinis*)	KAW	Marine turtles (in number)	TTX
Narrow barred Spanish mackerel (*Scomberomorus commerson*)	COM	Marine mammals (in number)	MAM
Indo–Pacific king mackerel (*Scomberomorus guttatus*)	GUT	Whale sharks (*Rhincodon typus*) (in number)	RHN
Swordfish (*Xiphias gladius*)	SWO	Seabirds (in number)[1]	
Indo–Pacific sailfish (*Istiophorus platypterus*)	SFA	Thresher sharks (*Alopias* spp.)	THR
Marlins (*Tetrapturus* spp, *Makaira* spp.)	BIL	Oceanic whitetip shark (*Carcharhinus longimanus*)	OCS
Southern bluefin tuna (*Thunnus maccoyii*)	SBF	**Optional species to be recorded**	
		Tiger shark (*Galeocerdo cuvier*)	TIG
		Crocodile shark (*Pseudocarcharias kamoharai*)	PSK
		Mantas and devil rays (Mobulidae)	MAN
		Pelagic stingray (*Pteroplatytrygon violacea*)	PLS
		Other rays	

[1] When a CPC is fully implementing the observer program the provision of seabird data is optional

For p~~P~~ole and l~~L~~ine:

Primary Species	**FAO code**	**Other Species**	**FAO code**
Albacore (*Thunnus alalunga*)	ALB	Other bony fish	MZZ
Bigeye tuna (*Thunnus obesus*)	BET	Sharks	SKH
Yellowfin tuna (*Thunnus albacares*)	YFT	Rays	
Skipjack tuna (*Katsuwonus pelamis*)	SKJ	Marine turtles (in number)	TTX
Frigate and bullet tuna (*Auxis* spp.)	FRZ		
Kawakawa (*Euthynnus affinis*)	KAW		
Longtail tuna (*Thunnus tonggol*)	LOT		
Narrow barred Spanish mackerel (*Scomberomorus commerson*)	COM		
Other IOTC species			

REMARKS

Discard of tuna, tuna-like fish and sharks to be recorded by species in weight (kg) or number for all gears should be recorded in the remarks**.**

Any interactions with whale sharks (*Rhincodon typus*), marine mammals, and seabirds should be recorded in the remarks**.**

Other information **should** ~~is~~ also **be** written in the remarks**.**

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

ANNEX 2

GUIDELINES FOR PREPARATION OF DRIFTING FISH AGGREGATING DEVICE (DFAD) MANAGEMENT PLANS

To support obligations in respect of the DFAD **m**~~M~~anagement **p**~~P~~lan (DFAD–MP) to be submitted to the Commission by Member States with fleets fishing in the IOTC area of competence, associated to DFADs, DFAD–MP should include:

1. An objective

2. Scope

Description of its application with respect to:

vessel-types and support and tender vessels

DFAD numbers and DFAD~~s~~ beacon numbers to be deployed

reporting procedures for DFAD deployment

incidental bycatch reduction and utilisation policy

consideration of interaction with other gear types

plans for monitoring and retrieval of lost DFADs

statement or policy on "DFAD ownership"

3. Institutional arrangements for management of the DFAD ~~–~~ **MPs** ~~Management Plans~~:

institutional responsibilities

application processes for DFAD and /or DFAD beacons deployment approval

obligations of vessel owners and masters in respect of DFAD and /or DFAD beacons deployment and use

DFAD and/or DFAD~~s~~ beacons replacement policy

reporting obligations

4. DFAD construction specifications and requirements:

DFAD design characteristics (a description)

DFAD markings and identifiers, including DFAD~~s~~ beacons

lighting requirements

radar reflectors

visible distance

radio buoys (requirement for serial numbers)

satellite transceivers (requirement for serial numbers)

5. Applicable areas:

d~~D~~etails of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.

6. Applicable period for the DFAD–MP.

7. Means for monitoring and reviewing implementation of the DFAD–MP.

8. DFAD logbook template (data to be collected specified in Annex 3).

GUIDELINES FOR PREPARATION OF ANCHORED FISH AGGREGATING DEVICE (AFAD) MANAGEMENT PLANS

To support obligations in respect of the AFAD management plan (AFAD–MP) to be submitted to the IOTC Secretariat by CPCs with fleets fishing in the IOTC area of competence, associated to AFADs, AFAD–MP should include:

1. An objective
2. Scope:

   Description of its application with respect to:

   a) vessel types
   b) AFAD numbers and/or AFADs beacons numbers to be deployed (per AFAD type)
   c) reporting procedures for AFAD deployment
   d) distances between AFADs
   e) incidental bycatch reduction and utilisation policy
   f) consideration of interaction with other gear types
   g) the establishment of inventories of the AFADs deployed, detailing AFAD identifiers, characteristics and equipment of each AFAD as laid down in point 4 of the present Annex, coordinates of the AFAD's mooring sites, date of set, lost and reset
   h) plans for monitoring and retrieval of lost AFADs
   i) statement or policy on "AFAD ownership"

3. Institutional arrangements for management of the AFAD–MP:

   a) institutional responsibilities
   b) regulations applicable to the setting and use of AFADs
   c) AFAD repairs, maintenance rules and replacement policy
   d) data collection system
   e) reporting obligations

4. AFAD construction specifications and requirements:

   a) AFAD design characteristics (a description of both the floating structure and the

underwater structure, with special emphasis on any netting materials used)

b) anchorage used for mooring

c) AFAD markings and identifiers, including AFAD beacons if any

d) lighting requirements if any

e) radar reflectors

f) visible distance

g) radio buoys if any (requirement for serial numbers)

h) satellite transceivers (requirement for serial numbers)

i) echo sounder

5. Applicable areas:

a) coordinates of mooring sites, if applicable

b) details of any closed areas e.g., shipping lanes, Marine Protected Areas, reserves etc.

6. Means for monitoring and reviewing implementation of the AFAD–MP.

7. AFAD logbook template (data to be collected specified in Annex IV).

ANNEX 3

DATA COLLECTION FOR DRIFTING FISH AGGREGATING DEVICES (DFADs)S AND ANCHORED FISH AGGREGATING DEVICES (AFADs)

DATA COLLECTION FOR DFADs

a) For each activity on a DFAD, whether followed by a set or not, each fishing, support and supply vessel to report the following information:

i. Vessel (name and registration number of the fishing, support or supply vessel)

ii. Position (as the geographic location of the event (Latitude and Longitude) in degrees and minutes)

iii. Date (as DD/MM/YYYY, day/month/year)

iv. DFAD identifier (DFAD or beacon ID)

v. DFAD type (drifting natural FAD, drifting artificial FAD),

vi. DFAD design characteristics

• Dimension and material of the floating part and of the underwater hanging structure

vii. Type of the activity (visit, deployment, hauling, retrieving, loss, intervention to service electronic equipment).

b) If the visit is followed by a set, the results of the set in terms of catch and bycatch, whether retained or discarded dead or alive. CPCs to report this data aggregated per vessel at 1*1 degree (where applicable) and monthly to the Secretariat

DATA COLLECTION FOR AFADsS

a) Any activity around an AFAD.

b) For each activity on an AFAD (repair, intervention, consolidation, etc.), whether followed or not by a set or other fishing activities: the,

i. Position (as the geographic location of the event (Latitude and Longitude) in degrees and minutes)

ii. Date (as DD/MM/YYYY, day/month/year)

iii. AFAD identifier (i.e. AFAD **m**~~M~~arking or beacon ID or any information allowing to identify the owner).

c) If the visit is followed by a set or other fishing activities, the results of the set in terms of catch and bycatch, whether retained or discarded dead or alive.

ANNEX 4

Mitigation measures for seabirds in longline fisheries

Mitigation	**Description**	**Specification**
Night setting with minimum deck lighting	No setting between nautical dawn and before nautical dusk. Deck lighting to be kept to a minimum.	Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date. Minimum deck lighting should not breach minimum standards for safety and navigation.
Bird-scaring lines (Tori lines)	Bird-scaring lines shall be deployed during the entire longline setting to deter birds from approaching the branch line.	For vessels greater than or equal to 35 m: Deploy at least 1 bird-scaring line. Where practical, vessels are encouraged to use a second tori pole and bird scaring line at times of high bird abundance or activity; both tori lines should be deployed simultaneously, one on each side of the line being set. Aerial extent of bird-scaring lines must be greater than or equal to 100 m. Long streamers of sufficient length to reach the sea surface in calm conditions must be used. Long streamers must be at intervals of no more than 5m. For vessels less than 35 m: Deploy at least 1 bird-scaring line. Aerial extent must be greater than or equal to 75 m. Long and/or short (but greater than 1 m in length) streamers must be used and placed at intervals as follows: Short: intervals of no more than 2 m. Long: intervals of no more than 5 m for the first 55 m of bird scaring line. Additional design and deployment guidelines for bird-scaring lines are provided in Annex 5 of this regulation.
Line weighting	Line weights to be deployed on the snood prior to setting.	Greater than a total of 45 g attached within 1 m of the hook or; Greater than a total of 60 g attached within 3.5 m of the hook or; Greater than a total of 98 g weight attached within 4 m of the hook.

ANNEX 5

Supplemental Guidelines for Design and Deployment of Tori Lines

Preamble

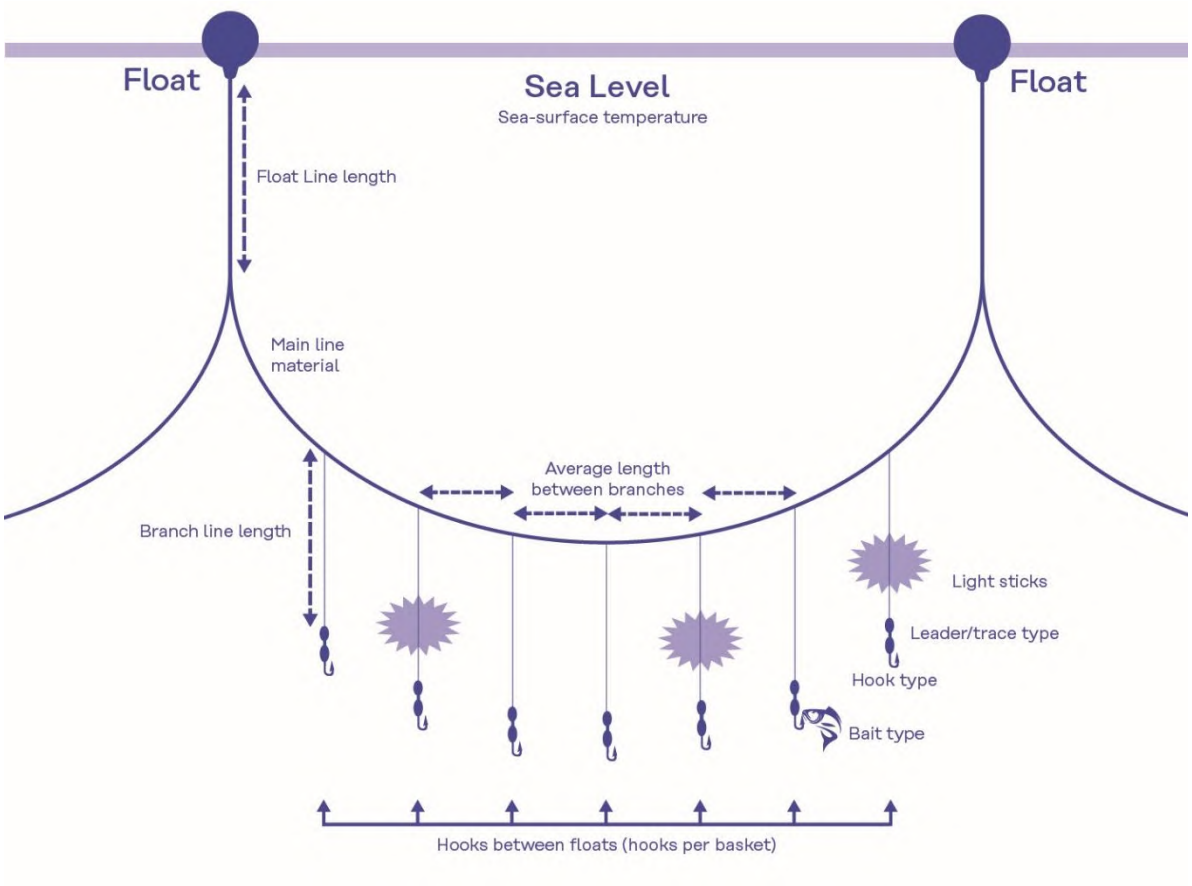
Minimum technical standards for deployment of tori lines are found in annex 4 of this regulation, and are not repeated here. These supplemental guidelines are designed to assist in the preparation and implementation of tori line regulations for longline vessels. While these guidelines are relatively explicit, improvement in tori line effectiveness through experimentation is encouraged, within the requirements of annex 4 in the regulation. The guidelines take into account environmental and operational variables such as weather conditions, setting speed and ship size, all of which influence tori line performance and design in protecting baits from birds. Tori line design and use may change to take account of these variables provided that line performance is not compromised. On-going improvement in tori line design is envisaged and consequently review of these guidelines should be undertaken in the future.

Tori line design (see Figure 1)

1. An appropriate towed device on the section of the tori line in the water can improve the aerial extension.
2. The above water section of the line should be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.
3. The line is best attached to the vessel with a robust barrel swivel to reduce tangling of the line.
4. The streamers should be made of material that is conspicuous and produces an unpredictable lively action (e.g. strong fine line sheathed in red polyurethane tubing) suspended from a robust three-way swivel (that again reduces tangles) attached to the tori line.
5. Each streamer should consist of two or more strands.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.

Deployment of tori lines

1. The line should be suspended from a pole affixed to the vessel. The tori pole should be set as high as possible so that the line protects bait a good distance astern of the vessel and will not tangle with fishing gear. Greater pole height provides greater bait protection. For example, a height of around 7 m above the water line can give about 100 m of bait protection.
2. If vessels use only one tori line it should be set to windward of sinking baits. If baited hooks are set outboard of the wake, the streamer line attachment point to the vessel should be positioned several meters outboard of the side of the vessel that baits are deployed. If vessels use two tori lines, baited hooks should be deployed within the area bounded by the two tori lines.
3. Deployment of multiple tori lines is encouraged to provide even greater protection of baits from birds.
4. Because there is the potential for line breakage and tangling, spare tori lines should be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted. Breakaways can be incorporated into the tori line to minimize safety and operational problems should a longline float foul or tangle with the in-water extent of a streamer line.
5. When fishers use a bait casting machine (BCM), they must ensure coordination of tori line and machine by: i) ensuring the BCM throws directly under the tori line protection, and ii) when using a BCM (or multiple BCMs) that allows throwing to both port and starboard, two tori lines should be used.
6. When casting branchline by hand, fishers should ensure that the baited hooks and coiled branchline sections are cast under the tori line protection, avoiding the propeller turbulence which may slow the sink rate.
7. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.



Longline (Gear Configuration): Average branch line length (meters): straight length in meters between snap and hook.

Translation:

Float

Sea level

Sea-surface temperature

Float line length

Main line material

Average length between branches

Branch line length

Light sticks

Leader/trace type

Hook type

Bait type

Hooks between floats (hooks per basket)

ANNEX 6

General provisions of chartering agreement

The chartering agreement shall contain the following conditions:

The flag CPC has consented in writing to the chartering agreement;

The duration of the fishing operations under the chartering agreement does not exceed 12 months cumulatively in any calendar year;

Fishing vessels to be chartered shall be registered to responsible Contracting Parties and Cooperating Non-Contracting Parties, which explicitly agree to apply IOTC Conservation and Management Measures and enforce them on their vessels. All flag Contracting Parties or Cooperating Non-Contracting Parties, concerned shall effectively exercise their duty to control their fishing vessels to ensure compliance with IOTC Conservation and Management Measures.

Fishing vessels to be chartered shall be on the IOTC record of vessels authorized to operate in the IOTC Area of Competence.

Without prejudice to the duties of the chartering CPC, the flag CPC shall ensure that the chartered vessel complies with both the legislation of the chartering CPC and of the flag CPCs and shall ensure compliance by chartered vessels with relevant Conservation and Management Measures established by IOTC, in accordance with their rights, obligations and jurisdiction under international law. If the chartered vessel is allowed by the chartering CPC to go and fish in the high seas, the flag CPC is then responsible for controlling the high seas fishing conducted pursuant to the charter arrangement. The chartered vessel shall report VMS and catch data to both the CPCs (chartering and flag) and to the IOTC Secretariat.

All catches (historical and current/future), including bycatch and discards, taken pursuant to the chartering agreement, shall be counted against the quota or fishing possibilities of the chartering CPC. The observer coverage (historical, current/future) on board such vessels shall also be counted against the coverage rate of the chartering CPC for the duration that the vessel fishes under the Charter Agreement.

The chartering CPC shall report to the IOTC all catches, including bycatch and discards, and other information required by the IOTC, and as per the Charter Notification Scheme detailed in Part IV of CMM 19/07.

Vessel Monitoring Systems (VMS) and, as appropriate, tools for differentiation of fishing areas, such as fish tags or marks, shall be used, according to the relevant IOTC Conservation and Management Measures, for effective fishery management.

There shall be observer coverage of at least 5% of fishing effort.

The chartered vessels shall have a fishing license issued by the chartering CPC, and shall not be on the IOTC IUU list, and/or IUU list of other Regional Fisheries Management Organisations.

When operating under charter agreements, the chartered vessels shall not, to the extent possible, be authorized to use the quota (if any) or entitlement of the flag Contracting Parties or Cooperating Non-Contracting Parties. In no case, shall the vessel be authorized to fish under more than one chartering agreement at the same time.

Unless specifically provided in the chartering agreement, and consistent with relevant domestic law and regulation, the catches of the chartered vessels shall be unloaded exclusively in the Ports of the chartering Contracting Party or under its direct supervision in order to assure that the activities of the chartered vessels do not undermine IOTC Conservation and Management Measures.

The chartered vessel shall at all times carry a copy of the charter documentation.

ANNEX 7

IOTC Transhipment Declaration

Carrier Vessel	Fishing Vessel
Name of the Vessel and Radio Call Sign: Flag: Flag State license number: National Register Number, if available: IOTC Register Number, if available:	Name of the Vessel and Radio Call Sign: Flag: Flag State license number: National Register Number, if available: IOTC Register Number, if available:

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

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

LOCATION OF TRANSHIPMENT

Species	Port		Sea	Type of product							
				Whole	Gutted	Headed	Filleted				

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

ANNEX 8

IOTC Bigeye Tuna Statistical Document

DOCUMENT NUMBER	IOTC BIGEYE TUNA STATISTICAL DOCUMENT

EXPORT SECTION
1. FLAG OF COUNTRY/ENTITY/FISHING ENTITY

2. DESCRIPTION OF VESSEL AND REGISTRATION NUMBER (if applicable)
Vessel Name

Registration Number

LOA (m)

IOTC Record No. (if applicable) :

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. DESCRIPTION OF FISH

Product Type (*1) F/FR D/GG/DR/FL/OT		Time of Harvest (mm/yy)	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 certify that the above information is complete, true, and correct to the best of my knowledge and belief.

Name: Company name: Address: Signature: Date: License Number (if applicable):

8. GOVERNMENT VALIDATION I validate that information listed above is complete, true, and correct to the best of my knowledge and belief.

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 or French is used in completing this form, please add an English translation of 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) DESCRIPTION OF VESSEL (if applicable): Fill in the name and registration number, length overall(LOA) and IOTC Record 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) Time of Harvest: Fill in the time of harvest (in month and year) of the Bigeye tuna in the shipment

(3) 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.

(4) Net product weight: in kilograms.

(5) 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).

(6) 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 authorised 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 authorised individual or institution of the exporting state. The total weight of the shipment shall also be specified in this block.

(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 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:

GEAR CODE	GEAR TYPE,
BB	BAITBOAT
GILL	GILLNET
HAND	HANDLINE
HARP	HARPOON
LL	LONGLINE
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).

ANNEX 9

IOTC bigeye tuna re-export certificate

DOCUMENT NUMBER	IOTC BIGEYE TUNA RE-EXPORT CERTIFICATE

RE-EXPORT SECTION:

1. RE-EXPORTING COUNTRY / ENTITY / FISHING ENTITY

2.POINT OF RE-EXPORT

3.DESCRIPTION OF IMPORTED FISH

Product Type(*) F/FR	RD/GG/DR/FL/OT	Net Weight (Kg)	Flag country/ Entity/Fishing Entity	Date of Import

4.DESCRIPTION OF FISH FOR RE-EXPORT

Product Type(*) F/FR	RD/GG/DR/FL/OT	Net Weight (Kg)	

*F=FRESH, FR=Frozen, RD=Round, GG=Gilled and Gutted, DR=Dressed, FL=Fillet

OT=Other(Describe the type of product)

5. RE-EXPORTER CERTIFICATION: I certify that the above information is complete, true and correct to the best of my knowledge and belief.

Name/Company Name Address Signature Date License Number (if applicable)

6. GOVERNMENT VALIDATION: I validate that the above information is complete, true and correct to the best of my knowledge and belief.

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)

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 or French is used in completing this form, please add the English translation of 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 Recommendation, 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 exported 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 authorised 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).

ANNEX 10

Information to be provided in advance by vessels requesting port entry

1. Intended port of call					
2. Port State					
3. Estimated date and time of arrival					
4. Purpose(s)					
5. Port and date of last port call					
6. Name of the vessel					
7. Flag State					
8. Type of vessel					
9. International Radio Call Sign					
10. Vessel contact information					
11. Vessel owner(s)					
12. Certificate of registry ID					
13. IMO ship ID, if available					
14. External ID, if available					
15. IOTC ID					
16. VMS	No	Yes: National	Yes: RFMO(s)	Type:	
17. Vessel dimensions	Length		Beam		Draft
18. Vessel master name and nationality					

19. Relevant fishing authorization(s)

Identifier	*Issued by*	*Validity*	*Fishing area(s)*	*Species*	*Gear*

20. Relevant transshipment authorization(s)

Identifier		*Issued by*		*Validity*	
Identifier		*Issued by*		*Validity*	

21. Transshipment information concerning donor vessels

Date	*Location*	*Name*	*Flag State*	*ID*	*Species*	*Product*	*Catch area*	*Quantity*

22. Total catch onboard				**23. Catch to be offloaded**
Species	*Product form*	*Catch area*	*Quantity*	*Quantity*