

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

The Indian Ocean Tuna Commission (IOTC),

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

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

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

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

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