



RESOLUTION 12/07

CONCERNING A RECORD OF LICENSED FOREIGN VESSELS FISHING FOR IOTC SPECIES IN THE IOTC AREA OF COMPETENCE AND ACCESS AGREEMENT INFORMATION

The Indian Ocean Tuna Commission (IOTC),

RECOGNISING that coastal States have sovereign rights in a 200-nautical mile exclusive economic zone (EEZ) with respect to their natural resources;

CONCIOUS of the provisions of Article 62 of the United Nations Convention on the Law of the Sea;

NOTING that the information on vessels licensed to fish in the exclusive economic zone (EEZ) of IOTC Members and Cooperating non-Contracting Parties (CPCs), constitutes a means to identify potential unreported fishing activities;

MINDFUL of the recommendation 17 of the Performance Review Panel, as listed in Resolution 09/01 *on the performance review follow-up*, that the obligation incumbent to a flag State to report data for its vessels be included in a separate Resolution from the obligation incumbent on Members to report data on the vessels of third countries they licence to fish in their EEZs.

AWARE of the data reporting requirements for all CPCs and the importance of complete statistical reporting to the work of the Scientific Community, its Working Parties and the Commission;

MINDFUL of the need to ensure transparency among CPCs, in particular to facilitate joint efforts to combat illegal, unreported, and unregulated fishing;

RECALLING the duties of CPCs concerning IUU fisheries as stated in the Resolution 11/03 *establishing a list of vessels presumed to have carried out illegal, unreported and unregulated fishing in the IOTC area of competence*; which requires CPCs to ensure that their vessels do not conduct fishing activities within areas under the national jurisdiction of other States without authorisation and/or infringe the coastal State's laws and resolutions;

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

PRIVATE ACCESS AGREEMENTS:

1. All CPCs which issue licenses to foreign flag vessels to fish in their EEZ for species managed by the IOTC in the IOTC Area of Competence (hereinafter referred to as "the Area"), shall submit to the Secretary, by 15 February every year, a list of all foreign flag vessels to which such licences have been issued during the previous year.
2. This list shall contain the following information for each vessel:
 - IOTC Number
 - Name and registration number
 - IMO number, if available
 - The flag at the time of issuing the licence
 - International radio call sign (if any)
 - Vessel type, length, and gross tonnage (GT)
 - Name and address of owner, and/or charterer and/or operator



- Main target species
- Period of licence

GOVERNMENT TO GOVERNMENT ACCESS AGREEMENTS:

3. In cases where coastal CPCs allow foreign-flagged vessels to fish in waters in their EEZ in the IOTC Area for species managed by IOTC through a CPC-to-CPC agreement, CPCs involved in the referred agreement shall jointly notify the Commission prior to beginning fishing activities of the existence of such agreements and provide to the Commission information concerning these agreements, including:
 - a) The CPCs involved in the agreement
 - b) The time period or periods covered by the agreement
 - c) The number of vessels and gear types authorized and vessel information requested in paragraph 2 above
 - d) The stock or species authorized for harvest, including any applicable catch limits
 - e) The CPC's quota or catch limit to which the catch will be applied, where applicable
 - f) Monitoring, control, and surveillance measures required by the flag CPC and coastal CPC involved
 - g) Data reporting obligations stipulated in the agreement, including those between the parties involved, as well as those regarding information that must be provided to the Commission
 - h) A copy of the written agreement
4. For agreements in existence prior to the entry into force of this Resolution, the information specified in paragraph 3 shall be provided, at the latest, 60 days in advance of the 2013 Commission meeting.
5. When an access agreement is modified in a manner that changes any of the information specified in paragraph 3, these changes shall be promptly notified to the Commission.
6. The Secretariat shall report the information specified in this Resolution annually to the Commission at its annual meeting.
7. This Resolution shall be consistent with domestic confidentiality requirements of the coastal CPC and the flag CPC concerned.
8. IOTC Resolution 10/07 *Concerning a record of licenced vessels fishing for tunas and swordfish in the IOTC Area* is superseded by this Resolution.