

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

The Indian Ocean Tuna Commission (IOTC),

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

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

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

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

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

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

Resolves as follows:

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