

**RESOLUTION 13/04****ON THE CONSERVATION OF CETACEANS**

APPLICABLE TO

- CPC FLAG STATE
  CPC COASTAL STATE
  CPC PORT STATE
  CPC MARKET STATE

This Resolution requires certain measures to avoid interactions, entanglements and mortalities of cetaceans in purse seine fisheries and to collect and report data. It applies to all CPC vessels on the IOTC Record of Authorised Vessels or authorised to fish for IOTC species on the high seas. It does not apply to artisanal fisheries operating exclusively in their respective EEZs.

**REPORTING REQUIREMENTS**

CPC flag states have two reporting requirements: reports on information and data collected through logbooks or observer programmes in relation to encirclement of any cetacean with any purse seine net, and interactions with any other fishing gear; reports in accordance with Article X of the IOTC Agreement on encirclement of cetaceans by purse seine nets by their flag vessels.

## WHO

CPC FLAG STATE

## WHAT

Report the following data through logbooks or observers - any encirclement with purse seine nets, or any other interaction with other fishing gear with following information:

- i. the species (if known);
- ii. the number of individuals;
- iii. a short description of the interaction, including details of how and why the interaction occurred, if possible;
- iv. the location of the encirclement;
- v. the steps taken to ensure safe release;
- vi. an assessment of the life status of the animal on release, including whether the cetacean was released alive but subsequently died.

Any instances in which cetaceans have been encircled by purse seine nets by their flagged vessels in accordance with Article X of the IOTC Agreement

## WHEN

**DEADLINE**  
30 June  
annually

**DEADLINE**  
60 days before the session of the Commission  
annually

## REPORTING REQUIREMENTS: FORMAT AND CONTENT

There are reporting templates for this Resolution. For encirclement and other interactions the reporting is subject to the requirements of Resolution 15/02, and reporting in accordance with Article X of the Agreement for encirclement of cetaceans by purse seine nets must be made in the Report on Implementation, Part C.

### REPORTING REQUIREMENT 1:

REPORT ANY ENCIRCLEMENT WITH PURSE SEINE NETS, OR ANY OTHER INTERACTION WITH OTHER FISHING GEAR (PARA 7)

#### IMPLEMENTATION

- How to report: The flag State CPC should report the instances in accordance with the requirement of Resolution 15/02.
- Reporting format: A template is available at <https://www.iotc.org/node/4076> (Form 1DI)
- Where to send the information: The form should be sent to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org)

### REPORTING REQUIREMENT 2:

ANY INSTANCES IN WHICH CETACEANS HAVE BEEN ENCIRCLED BY PURSE SEINE NETS BY THEIR FLAGGED VESSELS (PARA 8)

#### IMPLEMENTATION

- How to report: The CPC flag State shall report in accordance with Article X of the IOTC Agreement.
- Reporting format: In the Report on Implementation, Part C
- Where to send the information: The report should be sent to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org)



## TRANSPPOSITION INTO NATIONAL LAW

### PROPOSED LEGISLATIVE FRAMEWORK

#### TO PROHIBIT OF INTENTIONALLY SETTING PURSE SEINE NET AROUND A CETACEAN (PARA 2)

1) The operator of a [country] fishing vessel [that is included on the IOTC Record of Fishing Vessels, or is authorised to fish tuna and tuna-like species on the high seas managed by the IOTC], except any [country] fishing vessel that is exclusively engaged in artisanal fisheries in the Fisheries Waters, shall not intentionally cause or allow a purse seine net to be set around any cetacean [in the IOTC area of competence] if it is sighted prior to the commencement of the set.

#### TO REPORT EVENT OF ENCIRCLEMENT OF CETACEAN TO THE FLAG STATE BY PURSE SEINE NET (PARA 8)

2) Where any cetacean is unintentionally encircled in a purse seine net, the operator referred to in subsection (1) shall:

- a. take all reasonable steps to ensure the safe release of any cetacean, while taking into consideration the safety of the crew, in accordance with best practice guidelines for the safe release and handling of cetaceans developed by the IOTC Scientific Committee;
- b. report the incident to the [relevant authority of the flag State] with the following information:
  - i. in respect of a cetacean, the species (if known);
  - ii. the number of individuals;
  - iii. a short description of the interaction, including details of how and why the interaction occurred, if possible;
  - iv. the location of the encirclement;
  - v. the steps taken to ensure safe release; and
  - vi. an assessment of the life status of the animal on release, including whether the cetacean was released alive but subsequently died.

#### TO REPORT EVENT OF INTERACTIONS WITH CETACEANS TO THE FLAG STATE BY FISHING GEAR OTHER THAN PURSE SEINE NETS (PARA 4)

3) The operator of [country] fishing vessels using gear types other than purse seiners for fishing tuna and tuna-like species associated with cetaceans shall report all interactions with cetaceans to the [relevant authority of the flag State] and include all the information required pursuant to subsection 2(b)(i-vi).



## COOPERATION REQUIREMENTS

None in this Resolution.

## OBLIGATIONS OF THE INDUSTRY

As required by the flag CPC, report encirclement of cetaceans by purse seine nets and interactions with cetaceans by other gear to their flag State in logbooks and use all reasonable steps to ensure the safe release of the cetacean.

## OBLIGATIONS OF THE SECRETARIAT

None in this Resolution.

## OBLIGATIONS OF THE COMMISSION & BODIES

The Commission tasked the IOTC Scientific Committee to develop best practice guidelines for safe release and handling of cetaceans, considering other such documentation and practices of other RFMOs, for submission to the Commission meeting in 2014.



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