

**RESOLUTION 19/07**

## ON VESSEL CHARTERING IN THE IOTC AREA OF COMPETENCE

APPLICABLE TO

 CPC FLAG STATE
  CPC COASTAL STATE
  CPC PORT STATE
  CPC MARKET STATE
  CP CHARTERING STATE

The objective of this Resolution is to allow chartering agreements as an initial step in the fishery development of the chartering CP and for a period consistent with its development schedule. They must not undermine IOTC CMMs. In this Resolution:

- **“Chartering of vessels”** means an agreement or an arrangement by which a fishing vessel flying the flag of one IOTC Contracting Party (CP) is contracted for a defined period of time by an operator in another CP without the change of flag;
- **“Chartering CP”** refers to the CP that holds the quota allocation or fishing possibilities; and
- **“Flag CP”** refers to the CP in which the chartered vessel is registered.

## REPORTING REQUIREMENTS

There are four reporting requirements in this Resolution. Prior to the commencement of fishing operations under a Charter Agreement, the Chartering CP must submit certain information about the vessel electronically and the flag CP must submit information about the Charter Agreement and its agreement to comply with IOTC CMMs; both must communicate immediately the start, resumption and termination of the fishing operations.

## WHO

CPC FLAG STATE

CP CHARTERING STATE

## WHAT

Submit to IOTC consent to chartering agreement, measures to implement and agreement to comply with this CMM

Notify the Secretariat of start, suspension, resumption, termination of fishing operations.

Notify IOTC specified Information on vessel, copy of and consent to the chartering agreement, measures to implement this CMM

Report to IOTC particulars of agreement, including catch, effort, observers

## WHEN

## DEADLINE

Within 15 days or 72 hours before fishing activities begin

## DEADLINE

Immediately

## DEADLINE

Within 15 days or 72 hours before fishing activities begin

## DEADLINE

Annually, by 28 February

# REPORTING REQUIREMENTS: FORMAT AND CONTENT

A reporting template has been developed for the CP flag State to submit to IOTC its consent to a chartering agreement, measures to implement and agreement to comply with this CMM.

Other reports where a template is not available include: immediate notification by both the CP flag State and the CP Chartering State of the start, suspension, resumption, termination of fishing operations; CP Chartering States' obligations to notify IOTC of specified Information on the vessel; provide a copy of and consent to the chartering agreement and of its measures to implement; and report to IOTC the particulars of the agreement, including catch, effort and observers.

The template can be downloaded from the IOTC website at:  
<http://www.iotc.org/compliance/reporting-templates>

## REPORTING REQUIREMENT 1:

FLAG CP OR COOPERATING NON-CONTRACTING PARTY TO PROVIDE TO IOTC, COPY TO CHARTERING CP, CONSENT TO CHARTERING AGREEMENT, MEASURES TO IMPLEMENT AND AGREEMENT TO COMPLY WITH THIS CMM. (PARA 4.2)

### IMPLEMENTATION

- How to report: Flag CPs or Cooperating Non-Contracting Parties are required to notify IOTC, copy to chartering CP, of its consent to the chartering agreement, measures adopted to implement this Resolution and its agreement to comply with IOTC conservation and management measures
- Reporting format: This notification should be in writing.
- Where to send the information: The report should be mailed to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org)

## REPORTING REQUIREMENT 2:

THE CP AND FLAG CP OR COOPERATING NON-CONTRACTING PARTY MUST NOTIFY THE SECRETARIAT OF START, SUSPENSION, RESUMPTION, TERMINATION OF FISHING OPERATIONS. (PARA 6)

### IMPLEMENTATION

- How to report: Notification to the Secretariat in writing.
- Reporting format: A communication to the Secretariat immediately upon the occurrence of the event.
- Where to send the information: The report should be mailed to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org)

## REPORTING REQUIREMENT 3:

CHARTERING CP TO NOTIFY IOTC, COPY TO FLAG CP SPECIFIED INFORMATION ON VESSEL, COPY OF AND CONSENT TO THE CHARTERING AGREEMENT, MEASURES TO IMPLEMENT THIS CMM. (PARA 4.1)

### IMPLEMENTATION

- How to report: This report is to be notified by the Chartering CP flag State, copy to the flag CP, specified information on the chartered vessel, a copy of and consent to the chartering agreement, and measures taken to implement this CMM.
- A template for this report has been developed by the Secretariat. CPCs should follow the reporting outline proposed in the template.
- Reporting format: The template form can be downloaded from the following link: <http://www.iotc.org/compliance/reporting-templates>
- Where to send the information: The report should be mailed to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org)

#### REPORTING REQUIREMENT 4:

CHARTERING CP TO REPORT TO IOTC PARTICULARS OF AGREEMENT, INCLUDING CATCH, EFFORT, OBSERVERS. (PARAS 3.7 AND 8)

#### IMPLEMENTATION

- How to report: The reporting requirements of paras. 3.7 and 8 overlap and may be read together. The report under para 8 should be provided to the IOTC Executive Secretary by 28 February each year.
- Reporting format: The report for para 3.7 is to follow the Charter Notification Scheme detailed in Part IV of the Resolution.
- Where to send the information: The report should be mailed to [iotc-secretariat@fao.org](mailto:iotc-secretariat@fao.org)



## TRANSPOSITION INTO NATIONAL LAW

### PROPOSED LEGISLATIVE FRAMEWORK

#### TO REQUIRE CHARTERED VESSELS TO CARRY ABOARD DOCUMENTATION (PARA 3.13)

- 1) In this section, "Chartered vessel" means a vessel chartered under an agreement or an arrangement that provides for a fishing vessel flying the flag of one IOTC Contracting Party (CP) to be contracted for a defined period of time by an operator in another CP without the change of flag.
- 2) The operator of a chartered vessel intended to be used, equipped to be used or used for the purpose of fishing tuna and tuna-like species in the IOTC Area of Competence shall, at all times, carry on board the vessel a copy of the following documentation:
  - a. the name (in both native and Latin alphabets) and registration of the chartered vessel, and International Maritime Organization (IMO) ship identification number (if eligible);
  - b. the name and contact address of the beneficial owner(s) 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 indicating the duration and any fishing authorization or license issued to the vessel, including in particular, the quota allocation(s) or fishing possibility assigned to the vessel;
  - e. the consent of the chartering CP to the chartering agreement; and
  - f. relevant measures adopted by the chartering CP to implement requirements of a relevant IOTC conservation and management measure.



## COOPERATION REQUIREMENTS

None in this Resolution.

## OBLIGATIONS OF THE INDUSTRY

None in this Resolution.

## OBLIGATIONS OF THE SECRETARIAT

The IOTC Executive Secretary must circulate all information provided under paragraph 4 and information concerning the termination of a chartering agreement within 5 business days to all CPCs through an IOTC Circular and present an annual summary of all the chartering agreements undertaken in the previous year to the Commission.

## OBLIGATIONS OF THE COMMISSION & BODIES

The Commission must review compliance with this Resolution annually under the advice of the IOTC Compliance Committee.



Indian Ocean Tuna Commission  
P.O. Box 1011, Seychelles  
Tel: +248-4225494  
[www.iotc.org](http://www.iotc.org)