

MOP-09-18-rev1



9th Meeting of the Parties (MoP9)

Reunion Island, 4 – 8 July 2022

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Proposal to amend Conservation and Management Measure 2019/07

For Vessel Authorisation and Notification to Fish

(Vessel Authorisation)

Delegation of Republic of Korea

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Abstract

IMO numbers are essential tool to combat IUU fishing. Since IMO Ship Identification Number Scheme became applicable to fishing vessels in 2013, many RFMOs have amended their Conservation and Management Measure so that the vessel eligible for an IMO number should obtain one. This proposal aims to clarify such requirement for vessels to be listed in SIOFA Record of Authorised Vessels in line with other RFMOs' CMMs. The requirement regarding IMO number will not apply to vessels which are not eligible or able to receive IMO numbers under exceptional circumstances.

Recommendations

- The MoP to review and adopt the proposed amendments to CMM 2019/07.

CMM 2019/07¹

Conservation and Management Measure for Vessel Authorisation and Notification to Fish (Vessel Authorisation)

The Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement;

RECOGNISING that Article 6(1)(h) of the *Southern Indian Ocean Fisheries Agreement* (SIOFA or the Agreement) calls on the Meeting of the Parties to develop, *inter alia*, a system of verification to incorporate vessel monitoring and observation;

NOTING that Article 1(i) of the Agreement defines 'fishing vessel' as any vessel used or intended for fishing, including a mothership, any other vessel directly engaged in fishing operations, and any vessel engaged in transshipment;

TAKING INTO ACCOUNT the provisions of Article 11(2) of the Agreement which provides that no Contracting Party shall allow any fishing vessel entitled to fly its flag to be used for fishing in the SIOFA Area of Application (Agreement Area) unless it has been authorised to do so by the appropriate authority or authorities of that Contracting Party;

ADOPTS the following Conservation and Management Measure (CMM) in accordance with Article 6 of the Agreement:

1. The Meeting of the Parties shall establish a SIOFA Record of Authorised Vessels for fishing vessels authorised to fish in the Agreement Area. For the purpose of this CMM, fishing vessels that are not entered onto the SIOFA Record of Authorised Vessels are deemed not to be authorised to fish for, retain on board, tranship or land fishery resources in the Agreement Area.
2. ~~Prior to the entry into force of this CMM, e~~Each Contracting Party, cooperating non-Contracting Party and Participating Fishing Entity (CCP) shall submit electronically to the ~~Executive Secretary Secretariat~~ the list of vessels flying their flag that are authorised to operate in the Agreement Area. The fishing vessels shall be entered onto the SIOFA Record of Authorised Vessels only if the following information has been submitted² ~~In doing so, this list shall include the following information:~~
 - a. name of vessel, registration number, previous names (if known), and port of registry;
 - b. previous flag (if any), using codes;
 - c. International Radio Call Sign (if any);
 - d. IMO Number (required, if applicable issued eligible under IMO requirements);
 - e. name and address of owner or owners;
 - f. type of vessel (using appropriate ISSCFV codes);
 - g. length and length type (e.g. LOA, LBP);
 - h. name and address of operator (manager) or operators (managers) (if any);
 - i. type of fishing method or methods (using appropriate ISSCFG codes);

¹ CMM 2019/07 Vessel Authorisation supersedes CMM 2017/07 Vessel Authorisation

² The Secretariat shall provide advice to the relevant CCP within two business day after initially receiving information from the CCP, if the minimum information requirements have not been met. The relevant CCP shall promptly provide requested information or explanation to the Secretariat.

- j. gross tonnage (GT);
- k. power of main engine or engines (kw);
- l. Fish hold capacity (cubic metres);
- m. Freezer type (if applicable);
- n. Number of freezing units (if applicable);
- o. Freezing capacity (if applicable);
- p. Vessel communication types and numbers (e.g. INMARSAT A, B and C, VSAT numbers);
- q. certified drawings or description of all fish holds
- r. VMS system details (brand, model, features and identification); and
- s. Good quality, high resolution digital images of the vessel of appropriate brightness and contrast, no older than 5 years old:
 - one digital image showing the starboard side of the vessel displaying its full overall length and complete structural features;
 - one digital image showing the port side of the vessel displaying its full overall length and complete structural features; and
 - one digital image of the stern taken directly from astern.

2bis. Following the conclusion of the MoP9, the Executive Secretary shall identify vessels, if any, on the SIOFA Record of Authorised Vessels for which CCPs have not submitted all the information required by paragraph 2. Such vessels shall be marked 'incomplete' in the Record until the requirements have been completely submitted. By no later than 30 April 2023, the Executive Secretary shall write to any CCPs whose flagged vessels have incomplete information and request that the CCP either provide the outstanding information or request removal of such vessels from the Record of Authorised Vessels before 30 June 2023.

- 3. CCPs shall ensure that the data referred to in Paragraph 2 on the vessels flying their flag authorised to fish in the Agreement Area is kept up to date. CCPs shall inform the Executive Secretary of any modification regarding the vessel data, including authorisation status of current fishing vessels and any new vessels, within 15 days after such modification.
- 4. ~~Any State or fishing entity that becomes a CCP after the date that this CMM enters into force shall provide the information referred to in Paragraph 2 within 30 days of becoming a CCP.~~
- 5. The Executive Secretary shall maintain the SIOFA Record of Authorised Vessels. A summary of the SIOFA Record of Authorised Vessels shall be made publicly available on the SIOFA website according to the provisions of paragraph 2. a) i) of the CMM on Data Confidentiality and Procedures for Access and Use of Data.
- 6. Each CCP shall:
 - a. authorise the vessels flying their flag to operate in the Agreement Area only if they are able to fulfil in respect of these vessels the requirements and responsibilities under the Agreement, and all relevant SIOFA CMMs;
 - b. take necessary measures to ensure that the vessels flying their flag comply with all relevant SIOFA CMMs;
 - c. take necessary measures to ensure that the vessels flying their flag that are on the SIOFA Record of Authorised Vessels keep on board valid certificates of vessel

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registration and valid authorisation to fish and/or to undertake fishing related activities;

- d. ensure that the vessels flying their flag on the SIOFA Record of Authorised Vessels have no history of IUU fishing, or, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, its vessels are not engaged in or associated with IUU fishing;
 - e. ensure, to the extent possible under domestic law, that the owners and operators of its registered vessels on the SIOFA Record of Authorised Vessels are not engaged in or associated with fishing activities conducted in the Agreement Area by vessels not registered in the SIOFA Record of Authorised Vessels; and
 - f. take necessary measures to ensure, to the extent possible under domestic law, that the owners and/or operators of the vessels on the SIOFA Record of Authorised Vessels are citizens, residents or legal entities within its jurisdiction so that any enforcement or punitive actions can be effectively taken against them.
7. Each CCP shall take measures, under their applicable legislation, to prohibit the fishing and fishing related activities on fishery resources covered by the Agreement by vessels which are not registered in the SIOFA Record of Authorised Vessels.
 8. Each CCP shall, as soon as practicable, notify the Secretariat of any evidence showing that there are reasonable grounds for suspecting vessels not registered on the SIOFA Record of Authorised Vessels are operating in the Agreement Area.