

7TH MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

Port Vila, Vanuatu, 10 to 12 February 2020

CTC 7 – Doc 13.1

IUU Vessel List documentation process

Secretariat

1. Background

[CMM 04-2019 \(IUU List\)](#) sets out a process by which a list of vessels presumed to have carried out Illegal, Unreported and Unregulated Fishing activities in the SPRFMO Convention Area (IUU Vessel List) will be established, modified and communicated. This paper reports on the Secretariat's engagement with this process in 2019 and includes earlier CTC guidance.

2. CMM 04-2019 Implementation

2.1. Intersessional modification of the IUU Vessel List

CMM Requirements

Under Paragraph 21 a Member, CNCP or non-Member whose vessel appears on the IUU Vessel list may request the removal of this vessel from the list, by providing to the Executive Secretary suitably documented information justifying the request. An intersessional decision on the request is then made electronically following the Rules of Procedure. If any Member objects to the removal request the decision will be taken at the next annual meeting.

Secretariat Responsibility

Under Paragraph 22 the Executive Secretary transmits the removal request with all supporting documentation to the official contacts of each Member within 15 days. Under Paragraphs 23 and 24 the Executive Secretary will communicate the result of the decision to all Members and CNCPs, and if necessary remove the vessel concerned from the IUU Vessel list on the website, and forward the decision of removal to FAO and appropriate regional fisheries organisations.

Actions Taken

On 24 May 2019 the Russian Federation requested the removal of the Vladivostok 2000 from the IUU Vessel List. On 27 May 2019 the Secretariat circulated this request (R05-2019). The results of the intersessional decision were communicated in a letter dated 28 June 2019 (R08-2019). As some SPRFMO Members objected to the removal request, it was determined that the decision to remove the Vladivostok 2000 from the IUU Vessel List would be taken at COMM8. This information was included into Letter R29-2019 "2020 Draft IUU Vessel List" (which is the precursor to CTC7-Doc13 "RESTRICTED Draft IUU List (revised) & Current IUU List").

2.2. Preparation of the Draft IUU Vessel List (initial) and Current IUU Vessel List (intersessional amendments)

CMM Requirements

Under Paragraph 2 Members and CNCPs may transmit to the Executive Secretary at least 120 days before the annual meeting, a list of vessels presumed to be carrying out IUU fishing activities in the Convention Area over the past two years.



Secretariat Responsibility

Under Paragraph 5 the Executive Secretary draws up a Draft IUU Vessel List on the basis of this information and/or any other suitably documented information at their disposal. The Secretary transmits it together with the current IUU Vessel List (including any inter-sessional amendments) as well as all supporting evidence provided to Members and CNCPs whose vessels are included on these lists at least 90 days before the annual meeting.

CTC4 discussed the role of the Secretariat in the elaboration of the Draft IUU List and recommended an addition to *“ensure that the Executive Secretary is obliged to include vessels in the Draft IUU List where he/she is in possession of suitably documented information that gives rise to a presumption of IUU fishing”* ([CTC4-Report](#), page 5).

Actions taken

In 2019 no Member or CNCP transmitted a list of vessels under Paragraph 2. The last time a list of vessels was provided by a Member under Paragraph 2 was for the Draft IUU Vessel list (CTC5-Doc10) presented at [CTC 5](#).

Section 4c of COMM7 report paragraph 31 states that “the Commission agreed to task the Secretariat to include the AMALTAL APOLLO on the Draft IUU List next year”. The 2020 Draft IUU Vessel List circulated 16 November 2019 (R29-2019) therefor contains the AMALTAL APOLLO29.

This year the Executive Secretary did not include any vessels onto the Draft IUU Vessel List on the basis of other information at the Executive Secretary’s disposal. The last time that vessels were included in the Draft IUU Vessel List for this reason was for the Draft IUU Vessel list (CTC6-Doc10) presented at [CTC 6](#).

2.3. Preparation of the Draft IUU Vessel List (revised) and Current IUU Vessel List (modifications)

CMM Requirements

Under Paragraph 6 Members and CNCPs transmit their comments on the listed vessels at least 30 days before the annual meeting of SPRFMO. Under Paragraph 10 Members and CNCPs may at any time submit to the Executive Secretary any additional information which might be relevant for the CTC to discuss the Draft IUU Vessel List.

Secretariat Responsibility

Under Paragraph 9 the Executive Secretary recirculates to the Members and CNCPs two weeks in advance of the Commission meeting the Draft IUU Vessel List and the current IUU Vessel List (including any intersessional modifications) together with all suitably documented information provided by Members and CNCPs under Paragraph 6. The Executive Secretary shall also circulate the information provided under Paragraph 10 to the official contacts together with all the evidence provided.

Relevant CTC guidance

CTC4 *“recognized that the CTC can consider information which is submitted at any time concerning vessels in the Draft or Final IUU List”*. Furthermore, CTC4 also *“considered that information related to IUU activities of vessels not included in the Draft IUU List can be discussed at any time”*. ([CTC4-Report](#), page 5).

Actions taken

The deadline for sending comments and/or evidence was 15 January 2020 and the following comments have been received.

On 19 December 2019 (letter R33-2019), the Secretariat circulated information provided by the European Union and on 21 December 2019 (letter R34-2019) the Secretariat circulated comments provided by the Russian Federation on the EU provided information:



- As this information is concerning one of the Vessels on the Current SPRFMO IUU Vessel List it will be included into Section 5 of the future paper CTC7-Doc13 which is entitled “updates for Vessels on the Current SPRFMO IUU Vessel List”¹.
- As the information also pertains to vessels which are not currently on the 2020 Draft IUU List it will also appear in Section 7 entitled “Other IUU Vessel Information (not included in the DRAFT IUU Vessel List)”.

On 28 December 2019 the Russian Federation requested the removal of one of its vessels from the SPRFMO IUU Vessel list and on 15 January 2020 the Republic of Angola requested the removal of one of its vessels from the SPRFMO IUU Vessel list:

- Both sets of information will be included into Section 5 of the CTC7-Doc13 which is entitled “updates for Vessels on the Current SPRFMO IUU Vessel List”.

On 15 January 2020 New Zealand provided additional information to support discussions regarding one of its vessels on the 2020 Draft IUU Vessel List.

- This information will be included into Section 3 of the CTC7-Doc13 which is entitled “Summaries of supporting evidence”.

On 15 January 2020 Korea provided an investigative report concerning the activities of one of the vessels on the SPRFMO IUU Vessel List. As Requested by Korea, this information will be circulated on 16 January 2020.

- This information will also be included into Section 5 of the CTC7-Doc13 which is entitled “updates for Vessels on the Current SPRFMO IUU Vessel List”.

As paper (CTC7-Doc13) on the Draft IUU List (revised) & Current IUU List is restricted it will be made available to Heads of Delegation via the Members area of the website on 31 January 2020, two weeks in advance of the Commission meeting. A flowchart illustrating the Secretariat process is included in Annex 1.

2.4. Annual meeting discussions

CMM Requirements

Under Paragraphs 11,12,13 and the CTC will examine the (Revised) Draft IUU Vessel List and the current IUU Vessel List and remove any vessel from the Draft IUU Vessel list if the flag State demonstrates that the vessel did not take part in any IUU fishing activities or that effective action has been taken in response to the IUU fishing activities in question. The CTC will then adopt a Provisional IUU Vessel List which is submitted to the Commission for approval and recommend to the Commission which, if any, vessels should be removed from the current IUU Vessel List.

Noting that CTC4 “agreed that it would not be able to include vessels in the Provisional IUU List that had not been already included in the Draft IUU List and circulated in accordance with paragraph 4” ([CTC4-Report](#), page 5).

Under Paragraph 14 the Commission reviews the Provisional IUU Vessel List and any recommendations to amend the current IUU vessel list and adopts a new IUU vessel list.

Secretariat Responsibility

Under Paragraph 17 the Executive Secretary places the adopted IUU vessel list on the SPRFMO website and transmits it to FAO and to appropriate regional fisheries organisations.

Actions taken

The final 2020 IUU List will not be available until after the end of the COMM8 meeting on 18 February 2020. However, last year on 21 February 2019 the Secretariat circulated the 2019 SPRFMO IUU Vessel list to Regional Fisheries Bodies and other relevant Organisations (G05-2019)² and placed it on the SPRFMO [website](#).

¹ Noting that paper CTC7-Doc13 will not be available until 31 January 2020.

² Noting that under [COMM8-Prop09](#) the list of organisations to is further specified and the number of vessels which will be included into the IUU Vessel Lists will be greatly increased.



Annex 1: 2020 IUU Vessel List Flowchart (Secretariat process)

