
RESOLUTION ON THE INTRODUCTION OF VMS

Submitted by EC

1. Background

IOTC has had a project for the operation of a pilot scheme for VMS applicable to IOTC vessels. However this pilot scheme adopted through IOTC Resolution 02/02 in 2002, does not reflect developments by Flag States in the region in recent years. The EC, for instance, in the context of its Fisheries Partnership Agreements has invested considerably in equipping Flag States with the necessary hardware and software to operate a modern VMS system.

The IOTC, as an RFMO, is well behind other RFOs in applying this instrument to its monitoring of the fisheries.

2. Content of Proposal

The proposal foresees the introduction of a VMS scheme applicable to all vessels over 24 meters and to vessels below that size, but operating in international waters. The implementation date is fixed at 1 January 2007.

PROPOSAL E: IOTC RESOLUTION ON THE ESTABLISHMENT OF A VESSEL MONITORING SYSTEM (VMS)

THE INDIAN OCEAN TUNA COMMISSION (IOTC),

RECOGNIZING the value of satellite-based Vessel Monitoring Systems (VMS) for the Commission's conservation and management programs, including compliance;

RECALLING IOTC Resolution 02/02 on the establishment of a vessel monitoring system pilot project;

AWARE that many Parties have established VMS systems and programmes for their fleets and that their experience may be very helpful in supporting the conservation and management programmes of the Commission;

NOTING that such systems have been discussed at several meetings of the Commission:

ADOPTS in accordance with paragraph 1 of article IX of the Agreement, that:

1. Each Contracting Party and Cooperating non-Contracting Party (CPCs) shall ensure that its fishing vessels included in the IOTC Record of Vessels fishing on the high seas and operating in the IOTC Area, are equipped with a satellite-linked monitoring device allowing for the continuous reporting of their position in the IOTC Area by 1 January, 2007, or as soon as possible thereafter.

The vessel monitoring device shall automatically communicate at least every four hours to a land-based fisheries monitoring centre (FMC) of the Flag State of the vessel the following data :

- a) Fishing vessel identification
- b) the current geographical position (latitude and longitude) with a position error which shall be less than 500 meters with a confidence interval level of 99%,
- c) the date and time (expressed in UTC) of the fixing of the said position of the vessel.

2. Each CPC as a Flag State shall ensure that the vessel monitoring device(s) on board its vessels are tamper proof, i.e. are of a type and configuration that prevent the input or output of false positions, and that are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the on-board satellite monitoring device must:

- a) be located within a sealed unit; and
- b) be protected by official seals (or mechanisms) of a type that indicate whether the unit has been accessed or tampered with.

3. Each CPC shall ensure that its FMC receives Vessel Monitoring System (VMS) reports and messages, and that the FMC is equipped with computer hardware and software enabling automatic data processing and electronic data transmission. Each CPC shall provide for backup and recovery procedures in case of system failures.

4. The responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices are established in Annex I.

5. Each CPC shall provide to the IOTC Secretariat, by June 30, 2007, a progress report on its VMS consistent with this resolution. Based on these reports, the Commission will discuss how best to proceed with future consideration of VMS to support its conservation and management program at its annual meeting in 2007.

ANNEX 1

Responsibilities concerning the satellite-tracking devices and requirements in case of technical failure or non-functioning of the satellite-tracking devices

A) In the event that a CPC has information to suspect that an on-board vessel monitoring device does not meet the requirements of paragraph 2, or has been tampered with, it shall immediately notify the Secretary and the vessel's Flag State.

B) Masters and owners/licensees of fishing vessels subject to VMS shall ensure that the vessel monitoring device on board their vessels within the Convention Area is at all times fully operational as per paragraph 1, and that the data are transmitted to the Flag State. Masters and owners/licensees shall in particular ensure that:

- a) VMS reports and messages are not altered in any way;
- b) the antennae connected to the satellite monitoring device are not obstructed in any way;
- c) the power supply of the satellite monitoring device is not interrupted in any way; and
- d) the vessel monitoring device is not removed from the vessel.

C) A vessel monitoring device shall be active within the IOTC area of competence. It may, however, be switched off when the fishing vessel is in port for a period of more than one week, subject to prior notification to the Flag State, and if the Flag State so desires also to the Secretariat, and providing that the first position report generated following the re-powering (activating) shows that the fishing vessel has not changed position compared to the last report.

D) In the event of a technical failure or non-functioning of the vessel monitoring device on board the fishing vessel, the master or the owner of the vessel, or their representative, shall communicate in good time to the FMC of the Flag State every four hours, and if the Flag State so desires also to the Secretariat, starting at the time that the failure or the non-functioning was detected or notified in accordance with paragraph E of this Annex, the up-to-date geographical position of the vessel by electronic means (email, facsimile, telex, telephone message, radio). These messages are identified as Position Reports.

E) When the Flag State has not received for 12 hours data transmissions referred to in paragraphs 1 of the Resolution and D of this Annex, or has reasons to doubt the correctness of the data transmissions under paragraphs 1 of the Resolution and D of this Annex, it shall as soon as possible notify the master or the owner or the representative thereof. If this situation occurs more than two times within a period of one year in respect of a particular vessel, the Flag State of the vessel shall investigate the matter, including having an authorised official check the device in question, in order to establish whether the equipment has been tampered with. The outcome of this investigation shall be forwarded to the IOTC Secretariat within 30 days of its completion.

F) With regard to paragraphs D of this Annex, each CPC shall, as soon as possible but no later than two working days following detection or notification of technical failure or non-functioning of the vessel monitoring device on board the fishing vessel, forward the geographical positions of the vessel to the Secretariat, or shall ensure that these positions are forwarded to the Secretariat by the master or the owner of the vessel, or their representative.