

## **Report of Implementation for the year 2013**

**DEADLINE FOR SUBMISSION OF THE REPORT 2 APRIL 2014**

Reporting CPC: SRI LANKA

Date: 01/04/2014

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*Please NOTE: this document is composed of 3 sections to report on the implementation of IOTC resolutions*

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**Part A.** *Describe the actions taken, under national legislation, in the previous year to implement conservation and management measures adopted by the Commission at its sixteenth Session.*

1. Resolution 13/01 On the removal of obsolete Conservation and Management Measures  
In principle Sri Lanka agrees with the consolidation of IOTC resolutions and recommendations as per the resolution 13/01.
2. Resolution 13/02 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence<sup>a</sup>

### Section 2 (f)

At present 40 number of High Seas Fishing (HSF) vessels are with International Call Sign (IRCS). Previously the IRCS is not a legal requirement for HSF. The IRCS has been made compulsory under the High Seas Fishing Operation Licence drafted under the provisions of newly enacted Fisheries and Aquatic Resources Amendment Act No.35 of 2013 (FARA 35, 2013). The authority of Issuance of IRCS is the Telecommunication Regulatory Commission (TRC) subjected to the approval of Ministry of Defence Sri Lanka. Department of Fisheries and Aquatic Resources (DFAR) closely worked with TRC to expedite the process of issuing IRCS to all vessels fish outside EEZ. As a result TRC has allocated call signs for all coastal radio communication stations. The applications received from the vessel owners are being processed at TRC for issuance of IRCS. The latest update is 318 vessels from 6 fisheries districts are pending to receive the IRCS. Relevant documents were attached in (Annex i, ii) Section 03,04,05

The Authorized Fishing Vessels (AFV), the updated template of the official authorization for High Seas Fishing (HSF) and the information of the competent authority of issuing HSF licence has been reported to the Secretariat on 13.02.2014 in line with the deadline.

### Section 05

The vessel registry unit of DFAR promptly report the additions, deletions and the modifications of vessels to the IOTC Secretariat to update the AFV of IOTC. Last update was done on 17.03.2014.

### Section 07 (c)

In year 2013 mandatory requirement for HSF as per the IOTC resolutions were implemented administratively. Valid certificate of registration, authorization to fish and the log book on-board were made compulsory under the conditions of the HSF operation licence. (Annex iii).

The Fisheries and Aquatic Resources Amendment Act No. 35 of 2013 (FARA No. 35 2013) , to give effect to Sri Lanka's obligations under certain International and regional fisheries agreements , was passed by the Parliament on 05/11/2013. Copy of the Act is in (Annex(iv)). The regulation for mandatory requirement for HSF has been drafted ensuring the implementation of conservation and management measures of IOTC and submitted to Legal Draftman Department for necessary amendments. A Copy of the draft regulation is in (Annex iii).

#### Section 07 (d),(e)

The procedure as per the the resolution has been followed for all Sri Lankan vessels listed under the provisional list of IUU vessels of IOTC and the vessels reported on IUU activities. All incidents were officially resolved and penalties were imposed administratively. Further under the amended FARA 35 of 2013 severe sanctions have been imposed for the local vessels if reported on IUU fishing.

#### Section 07 (f)

Fishing vessels owned by Foreign nationals do not register in Sri Lanka. The condition of majority of ownership to a Sri Lankan national or a company is a legal requirement under the existing legislation. Legal provisions are already available in the Act , to take actions against the personnels who are violating the conditions in the registration. (FARA No.2 1996, amendment FARA 35 of 2013)

#### Section 09 (a)

Actions are being taken against the vessels operate without the valid registration and operation licence under the provisions of the existing legislation. (Annex-v) Sri Lanka vessels are not authorized to do transshipments at sea or ports of other countries.

#### Section 09 (b)

There is a mechanism in place to validate statistical documents of Bigeye tuna import and reexports. Updated authorized personnels to validate bigeye tuna statistical document is already reported to Secretariate. (Annex -vi). However bigeye tuna imports were not recorded in Sri Lanka during the year 2013.

### 3. Resolution 13/03 On the recording of catch and effort data by fishing vessels in the IOTC Area of Competence<sup>a</sup>

A new log book has been drafted in accordance with the Resolution 13/ 03 and is being under stakeholder consultation, to be printed in an user friendly manner. The format has already been submitted to the IOTC on 13/02/2014. After the printing, the new log book will be implemented in July 2014 for the vessels >34 feet (10m) operated at high seas.

### 4. Resolution 13/04 On the conservation of cetaceans

Action has been taken to include the condition, "Prohibition of intentional setting of purse seine net around cetacean" in the HSF operation licence (Annex -iii). In the log book data entry sheets, for each gear , an empty cage/box is kept to report the interactions of associated species. This enables cetaceans entangled to any fishing gear to be entered in the log sheet. Purseins were not operated previously in Sri Lanka and commenced in the latter part of 2013. Moreover catch, land, transport, sell,buy , receive or have in possession of any marine mammal is prohibited by the Fishing operation licence regulation of 1996. (Annex-vii)

5. Resolution 13/05 On the conservation of whale sharks (*Rhincodon typus*)

Action has been taken to include the condition, "prohibition of of intentional setting of purse seine net around whale shark " in the HSF operation licence(Annex - iii). Data entry sheets for each gear of the log book has a cage/box to report the interactions of associated species enabling whale shark to be entered.

6. Resolution 13/06 On a scientific and management framework on the conservation of shark species caught in association with IOTC managed Fisheries

Sofar regulation has not been drafted to prohibit oceanic whitetip shark to retain onboard, tranship, land, store any part of whole carcass for the vessels operating at High seas.

7. Resolution 13/07 Concerning a record of licensed foreign vessels fishing for IOTC species in the IOTC Area of Competence and access agreement information<sup>a</sup>

Sri Lanka do not issue licence to foreign fishing vessels to operate in the IOTC area of competence.

8. Resolution 13/08 Procedures on a fish aggregating devices (FADs) management plan, including more detailed specifications of catch reporting from fad sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species

The purse seines has being initiated to operate in Sri Lanks in September 2013, and being operated on free swimming schools and do not use FADs. However, taking the future developments into consideration, action will be taken to develop a FAD management plan in due course as appropriate.

9. Resolution 13/09 On the conservation of albacore caught in the IOTC Area of Competence

Albacore catches were not reported in Sri Lanka during previous years due to limited area of operation by the artisanal vessels of lenth < 24m. However, considering the future developments and the expansion of the fishing areas, albacore has been included to the updated data recording log book.

10. Resolution 13/10 On interim target and limit reference points and a decision framework

In priciple Sri Lanka agrees with the limit reference points.



11. Resolution 13/11 On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna, and a recommendation for non-targeted species caught by purse seine vessels in the IOTC Area of Competence

Action has been taken to include the condition "retain and land all bigeye tuna , skipjack tuna and yellowfin tuna harvested by purse seines"to the draft regulation of the High seas fishing operations (Annex- iii). Until the regulation to be passed, the purse seiners will be informed to implement this condition adminitratively .

Note: <sup>a</sup> indicate that a template report exists for some of the requirements and can be requested at [secretariat@iotc.org](mailto:secretariat@iotc.org)

**Part B.** *Describe the actions taken, under national legislation, to implement conservation and management measures adopted by the Commission in previous Sessions, and which have not been reported previously.*

1. Fisheries and Aquatic Resources Act No. 35, 2013 (FARA No. 35, 2013) to give effect Sri Lanka to implement obligations under international and regional Fisheries agreements was passed on 5th November, 2013. Following regulations are being drafted under provisions of FARA No. 35, 2013 to implement conservation and management measures.

- (i) High seas fishing Operation Regulations
- (ii) Gear marking regulation
- (iii) Regulation for VMS onboard
- (iv) Regulation for implementation of Port State Measures.

2. Legal actions taken under the National legislation for the infringements of laws undermining the conservation and management measures of IOTC during year 2013 is annexed (Annex- v)

**Part C.** Data and information reporting requirements for CPCs to be included in this report (please refer to the *section April 2014 of the Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties*).

- Resolution 01/06 *Concerning the IOTC bigeye tuna statistical document programme*

CPCs which export bigeye tuna shall examine export data upon receiving the import data from the Secretary, and report the results to the Commission annually [A template report exists].

**The report has already been provided to the IOTC Secretariat:**

Yes  **Date of reporting (DD/MM/YYYY):** [Click here to enter text.](#)

No

**The report is attached to the implementation report:**

Yes

No

Additional information:

Big eye tuna (BET) exports

Sri Lanka is doing bigeye tuna exports. However there is no countrywise record keeping to examine the export data upon receiving the import data from Secretariat. System will be in place to keep record as per resolution in future.

Bigeye tuna import and re-export

A system is in place at the Customs Department in Sri Lanka to monitor import, export of bigeye tuna (BET) by allocating a separate HS code to the item. However there is a practical difficulty of implementation due to non-declaration of BET separately in the bulk of consignment. Discussions are in progress with the officials of the customs Department to rectify this issue.

- Recommendation 05/07 *Concerning a management standard for the tuna fishing vessels*

The CPC flag states which issues licenses to their AFVs should report annually to the Commission all measures taken to meet the minimum management standards when they issue fishing licenses to their "authorised fishing vessels".

Management in the fishing grounds

(i) Inspection of fishing boats is done by the Navy officers, Coast guard officials, Fisheries officers and Fishery harbour managers on departures and arrivals. Check points have been established in the main fishery harbours for these inspections. (Annex- viii a,b,)

(iii),(iv)

Up to now Sri Lanka has no established satellite based vessel monitoring system. However the position of the vessel are being monitored by the Monitoring Control and Surveillance unit of DFAR through SSB radio and GPS. Installation of transponder is mandatory for the multiday fishing boats going for HSF by Gazette notification of November 2011. The MCS unit keeps records of the vessels activities operating at highseas at regular time intervals. This has been implemented during 2013 and few pages of the data recording is annexed. (Annex- ix a,b,c,d, )

Sri Lanka has been working to establish a Vessel Monitoring System (VMS) for the multiday fleet in terms of the IOTC resolution 06/03 since 2010. The process however, consumed an extensive period due to the negative response of the project proponent and the comprehensive procurement procedures of Sri Lanka. At present the process has reached the final stage for completion of the procurement procedure. The treasury agreed to allocate local funds for setting up the Fisheries Monitoring Centers (FMC) at the DFAR. Also, the DFAR has come to an agreement with the Bank of Ceylon to provide a bank loan with low interest to the fishers, purchasing transponders. Series of workshops on VMS were conducted in making the fishers aware of the system in accordance with the resolution 06/03 (Annex- x). Separate Regulation is being drafted with all mandatory requirements of VMS in terms of the resolution 06/03. The DFAR has also forwarded a proposal to the National Budget Department to obtain funds, to provide subsidies to all multiday boat owners who are selected to distribute transponders (annex xi a,b). DFAR intends to distribute transponders to 500 boat owners at the first phase in September 2014.

Management from the fishing grounds to the landing ports

Sri Lanka do not operate Large Scale Tuna Longline vessels. Local vessels authorized to engage in HSF are not not authorized to transship at sea or in other countries ports.

Management at landing ports

Port State Measures are in place in terms of the IOTC resolution 10/11 and the FAO Port State Measures Agreement. The designated ports, the minimum 24hrs in advance port call and the information of the competent authority has been updated and informed to the Secretariate. Three port inspection reports submitted to the IOTC in year 2013. The fish landing data by the third country vessels for year 2013 will be submitted on April 2014 in the data collection form 05 of IOTC.

- Resolution 10/06 On Reducing the Incidental Bycatch of Seabirds in Longline Fisheries

CPCs shall provide to the Commission, as part of their annual reports, information on how they are implementing this measure and all available information on interactions with seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to

include details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC Area of Competence.

Upto the end of year 2013, there was no seabird interactions reported due to the nature of the fishing( fishing area and , gear types used) by the vessels < 24m and the distribution of the sea birds. The research institute of Sri Lanka has done some case studies on this regard and will be presented at next bycatch working party.

- Resolution 10/10 Concerning market related measures

For CPCs that import tuna and tuna-like fish products, or in whose ports those products are landed or transhipped, should report, a range of information (e.g. information on vessels / owners, product data (species, weight), point of export) annually.[A template report exists].

**The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2013 have already been provided to the IOTC Secretariat:**

Yes                       Date of reporting (DD/MM/YYYY):

No

**The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2013 is attached to the implementation report:**

Yes

No

Additional information:

Report on import and landing of tuna and tuna-like products during the year 2013 will be reported on April of 2014 to the secretarit. There were no Transshipments happen in the fishing ports of Sri Lanka. However in the light of the IOTC compliance assistance mission in March 2014 , actions will be taken to implement the Port State Measures by srtenhening the knowledge and skills of the port inspectors.

- Resolution 11/04 On a Regional observer scheme

CPCs shall provide to the Executive Secretary and the Scientific Committee annually a report of the number of vessels monitored and the coverage achieved by gear type in accordance with the provisions of this Resolution.

Regional observer scheme(ROS) has not been implemented during the year of 2013 due to nonavailability of onboard facilities for an observer in the small vessels of length ranging from 10-15m. However Sri Lanka has initiated implementation of ROS in accordance with the resolution 11/04 of IOTC. Twenty fisheries officer have been assigned and are being trained at the maritime campus of Sri Lanka to enhance their capacities to engage in duties in an effective mannar. DFAR has planned to deploy the first batch of observers in the vessels >24m during the month of May 2014. (Annex- xii a,b,c)

- Resolution 12/04    On marine turtles



CPCs shall report to the Commission, in accordance with Article X of the IOTC Agreement, their progress of implementation of the FAO Guidelines and this Resolution.

Marine turtles are legally protected under the following legislations and conventions.

- (i) Fauna and Flora Protection Ordinance of 1937, amendment 1993, 2008
- (ii) Fisheries ordinance of 1940
- (iii) Fisheries Operation Regulation 1996
- (iv) Sri Lanka is signatory to Convention of Trading of Endangered Species (CITES) agreement

There is a separate box in the log book to report incidentally caught marine turtles (incidentally). The fishermen have been made aware the record keeping and the live release of turtles with minimum harm at the regular awareness programs conducted by DFAR. (Annex- x, xiii a, b) The species identification guide provided by IOTC is distributed among the field officers and the fishing community leaders to facilitate the species identification. Trawling is not allowed in Sri Lanka and "J" shape hook is usually used in long lines. The research institute of Sri Lanka (NARA) is being conducted research on nesting sites of turtles and by catch in relation to the bait type used in the long lines. The findings will be presented to the next by-catch working party.

- Resolution 12/05 On establishing a programme for transshipment by large-scale fishing vessels

Each flag CPC of the LSTV shall include in its annual report each year to IOTC the details on the transshipments in ports by its vessels (Name of LSTV, IOTC Number, name of carrier vessel, species and quantity transhipped, date and location of transshipment). *[A template report exists].*

**The details on transshipment in ports for 2013 have already been provided to the IOTC Secretariat:**

Yes  **Date of reporting (DD/MM/YYYY):** [Click here to enter text.](#)

No

**The details on transshipment in ports for 2013 are attached to the implementation report:**

Yes

No

Additional information:

There are no transshipments taking place in the fishing ports of Sri Lanka. However in the light of the IOTC compliance assistance mission in March 2014, actions will be made to implement the PSM by improving the knowledge and the skills of the port inspectors.

- Resolution 12/12 To Prohibit the use of large-scale driftnets on the high seas in the IOTC Area

CPCs shall include in their Annual Reports a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing on the high seas in the IOTC area of competence.

The condition of prohibition of use of gill nets >2.5Km in length at high seas is implemented administratively. Incidents of violating of this condition are not reported during year 2013.

- Resolution 12/13 For the Conservation and Management of Tropical Tunas Stocks in the IOTC Area of Competence

CPCs flag states shall monitor the compliance of their vessels with this Resolution through VMS, and will provide a summary of VMS records related to their fleet operation in the previous year for the consideration of the Compliance Committee. *[A template report exists].*

**The summary of VMS records has already been provided to the IOTC Secretariat for:**

Longline vessels

Date of reporting (DD/MM/YYYY): [Click here to enter text.](#)

Purse seine vessels

Date of reporting (DD/MM/YYYY): [Click here to enter text.](#)

**The summary of VMS records is attached to the implementation report:**

Yes

No

Additional information:

Establishment of VMS for the vessels operate in high seas is in process and the progress is given under resolution 05/07 (iii),(iv) on the above.

Implementation of area closure for long liners in month of February in the given coordination of this resolution is implemented administratively by awaring all stakeholders , 45 days inadvance to the closure and reported to the IOTC. Position reporting is being implemented at regular time periods through SSB radio and GPS by the MCS unit of DFAR. (Annex- ix a,b,c,d). Sri Lanka will implement the area closure for the purse seines from September 2014.

- Resolution 13/04 On the conservation of cetaceans

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels.

Agreed

- Resolution 13/05 On the conservation of whale sharks (Rhincodontypus)

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels.

Agreed

- Resolution 13/07 Concerning A Record Of Licensed Foreign Vessels Fishing For IOTC Species In The IOTC Area Of Competence And Access Agreement Information

For Government to Government access agreement in existence prior to the entry into force of this resolution, where coastal CPCs allow foreign-flagged vessels to fish in waters in their EEZ in the IOTC Area for species managed by IOTC through a CPC-to-CPC agreement, CPCs involved in the referred agreement:

- Shall submit copy of the access agreement,

- Shall submit information concerning these agreements (paragraphs 3a, b, c, d, e, f, g),  
*A report template exists and can be requested at [secretariat@iotc.org](mailto:secretariat@iotc.org)*

Inapplicable.