Data Collection, Compilation and Exchange

1. The Commission shall, taking full account of Annex I of the 1995 Agreement as well as relevant provisions of Articles 10 and 11, develop standards, rules and procedures for, *inter alia*:

   (a) the collection, verification and timely reporting to the Commission of all relevant data by members of the Commission;

   (b) the compilation and management by the Commission of accurate and complete data to facilitate effective stock assessment for ensuring that the provision of the best scientific advice is enabled;

   (c) the exchange of data among members of the Commission, and with other regional fisheries management organizations and arrangements, and other relevant organizations including data concerning vessels engaged in IUU fishing and, as appropriate, concerning the beneficial ownership of those vessels, with a view to consolidating that information into a centralized format for dissemination as appropriate;

   (d) the facilitation of coordinated documentation and data-sharing between regional fisheries management organizations and arrangements, including procedures to exchange data on vessel registers, and market-related measures where applicable; and

   (e) regular audits of Commission member compliance with data collection and exchange requirements, and for addressing any non-compliance identified in such audits.

2. The Commission shall ensure that data are publicly available concerning the number of fishing vessels operating in the Convention Area, the status of fisheries resources managed under this Convention, fisheries resources assessments, research programs in the Convention Area, and cooperative initiatives with regional and global organizations.

3. The Commission shall establish the format of an annual report to be submitted by each member of the Commission. Each member of the Commission shall submit without delay to the Commission its annual report in accordance with this format. The annual report shall include a description of how the member of the Commission has implemented the conservation and management measures and monitoring, control and surveillance and enforcement procedures adopted by the Commission, including the outcome of any actions the member has taken in respect of Article 17, as well as information on any additional topics as the Commission may decide.

4. The Commission shall establish rules to ensure the security of, access to and dissemination of data, including data reported via real-time satellite position-fixing transmitters, while maintaining confidentiality where appropriate and taking due account of the domestic practices of members of the Commission.

Article 17
Compliance and Enforcement

1. Each member of the Commission shall enforce the provisions of this Convention and any relevant decisions of the Commission.

2. Each member of the Commission shall, either on its own initiative or at the request of any other member of the Commission and when provided with the relevant information, investigate fully any allegation that fishing vessels entitled to fly its flag have violated any of the provisions of this Convention or any conservation and management measure adopted by the Commission.

3. Where sufficient information is available in respect of an alleged violation of the provisions of this Convention or of measures adopted pursuant to this Convention by a fishing vessel entitled to fly its flag:

   (a) the member of the Commission shall be notified promptly of the alleged violation; and

   (b) the member of the Commission shall take appropriate actions in accordance with its laws and regulations, including instituting proceedings without delay and, where appropriate, detain the vessel concerned.

4. Where it has been established, in accordance with the laws of a member of the Commission, that a fishing vessel entitled to fly the flag of that member has been involved in the commission of a serious violation of the provisions of this Convention or of any conservation and management measures adopted by the Commission, that member of the Commission shall order the fishing vessel to cease operations and, in appropriate cases, shall order the fishing vessel to leave the Convention Area immediately. The member of the Commission shall ensure that the vessel concerned does not engage in fishing activities in the Convention Area for fisheries resources until such time as all outstanding sanctions imposed by that member in respect of the violation have been complied with.

5. For the purposes of this Article, a serious violation shall include any of the violations specified in Article 21, subparagraphs 11 (a) to (h) of the 1995 Agreement and such other violations as may be determined by the Commission.

6. If, within three (3) years of the entry into force of this Convention, the Commission is not able to agree on procedures for boarding and inspection of fishing vessels in the Convention Area, Articles 21 and 22 of the 1995 Agreement shall be applied as if they were part of this Convention. Boarding and inspection of fishing vessels in the Convention Area, as well as any subsequent enforcement action, shall be conducted in accordance with the procedures set out in those Articles and any such additional practical procedures decided by the Commission.