



Action 17.1 AIS & VMS Evidence (PI 3.2.3) - COMPLETED

Action	Tasks/ Milestones	Responsible (lead)	Responsible (supporting role)	Starting date	Expected completion date	Evidence of completion results
17. Ensuring fleet compliance with vessel tracking systems	17.1 SIOTI fleet to discuss methods for recording the use of AIS and VMS for each vessel trip in a specific document, ideally to be harmonized across SIOTI fleet.	SIOTI	PMT	Y1	June 2025	Record or logbook template agreed and if possible, agreed and implemented across the fleet within a year of task completion.

The ANABAC Indian Ocean purse seine skipjack fishery has successfully addressed the concerns regarding AIS usage, demonstrating a robust and continuously monitored system that warrants an improved score. The evolution of this situation, from an initial objection to full compliance, is supported by regulatory changes and ANABAC's proactive measures.

Background of the AIS Objection and MSC Condition

During the initial certification and recertification processes for ANABAC and ECHEBASTAR, an objection was raised regarding the compliance of these fisheries with AIS (Automatic Identification System) usage. While the objection against ECHEBASTAR was eventually withdrawn, the objection against ANABAC was dismissed by the Independent Adjudicator. The Adjudicator clarified that while AIS is a useful tool, it's just one component of a comprehensive monitoring suite, including VMS (Vessel Monitoring Systems), 100% observer coverage, and other security measures (PCR report attached).

It was recognized that masters have the discretion to switch off AIS in exceptional circumstances to ensure the safety and security of the crew and vessel, especially given the threat of piracy in the Indian Ocean. This discretion is permitted under relevant rules and guidelines, provided VMS remains operational for continuous monitoring.

Despite the comprehensive monitoring already in place, concerns arose from the 2020 Blue Marine Foundation report, "Automatic Identification System (AIS) usage by Spanish and French-flagged vessels," which indicated "darkness" periods for some ANABAC vessels. Furthermore, while VMS data is continuously transmitted and monitored by Fisheries Monitoring Centres (FMCs), satellite AIS data was not integrated into the Spanish FMC control system. The IOTC has not expressly adopted SOLAS-specific requirements, but such requirements can and do extend to fishing vessels in the Indian Ocean via national rules and best practices guidelines. While the use of AIS is generally regarded as mandatory under SOLAS, all relevant rules and guidance allow the vessel master to switch off AIS to protect the safety of the vessel and the crew. The authority to take this decision is vested in the complete discretion of the master.

According to the ECHEBASTAR certification, now merged to the ANABAC MSC certification ([ANABAC Indian Ocean purse seine skipjack fishery](#)), condition 12 and condition 7 were raised. As already updated during the last two SIOTI reviews, evidence that vessels do always

maintain their VMS coverage in an operational mode on, as nationals and IOTC resolutions require. Public Certification Reports (PCR) evidence that VMS data is continuously sent and transmitted to the respective Fisheries Monitoring Centres of each CPC (PCR report- [ANABAC Indian Ocean purse seine skipjack fishery](#)).

In addition, both certificates, now merged, have submitted a plan to demonstrate that the use of AIS by vessels complies with the relevant operational requirements including, As expressed by the Adjudicator in the objection process for the AGAC fishery with CTTF, who considered that the use of AIS "is clearly part of the specific management strategy of the fishery, as it is part of the EU Common Fisheries Policy", his conclusions have been considered to score this element where appropriate, by taking account of "exceptional circumstances" for not maintaining an operational AIS. Given the ever-present threat of piracy, fishing skippers have the right, indeed an obligation, to protect the welfare of their crews by turning off the AIS, confident that VMS is fully operational and allowing constant monitoring of vessel movements by the respective Fishery Control Centres. In this regard, the ANABAC certification have voluntarily implemented the creation of an AIS logbook (see form in Figure 1) in which the captain records all instances when the AIS has been turned off for safety reasons (detailing the date, time, position and reason).

Diario AIS/AIS logbook: Registro de apagado y encendido del sistema de identificación automática por circunstancias excepcionales

SALIDA / DEPARTURE		LLEGADA / ARRIVAL		PATRON / MASTER		BARCO / VESSEL	
PUERTO / PORT		PUERTO / PORT				NOMBRE/NAME	
DATE / FECHA		DATE / FECHA				INDICATIVO/CALL SIGN	
HORA / HOUR		HORA / HOUR		MAREA/TRIP		BANDERA/FLAG	

FECHA/ DATE	HORA / TIME	POSICIÓN / POSITION		DESCRIBIR RAZÓN DEL APAGADO/ DESCRIBE REASON FOR SWITCHING OFF
		LATITUDE	LONGITUDE	

Figure 1. Form agreed by ANABAC members to inform the competent authorities when the AIS is turned off under some conditions [Regulation \(EU\) 2023/2842](#)

Regulatory Changes and ANABAC's Proactive Compliance

The landscape of fisheries control has significantly evolved with the publication of the new European Control [Regulation \(EU\) 2023/2842](#) in December 2023, which entered into force on January 9, 2024.

This regulation modernizes fisheries control, promoting efficiency, unified systems, and fairness.

Crucially, Regulation (EU) 2023/2842 introduces a specific derogation from the obligation of continuous AIS operation. Article 10(2) of Regulation 1224/2009 now explicitly states:

"By way of derogation from paragraph 1, the master of a Union fishing vessel may switch off the AIS in exceptional circumstances when the master considers that the safety or security of the crew is imminently at risk of being compromised. Where the AIS is switched off in accordance with this paragraph, the master shall report that action and the reason for doing so to the competent authorities of its flag Member State and, when relevant, also to the competent authorities of the

coastal State. When the situation referred to in this paragraph has elapsed, the master shall restart the AIS as soon as the source of danger has disappeared.”

Article 10

Automatic identification systems

1. In accordance with Article 6a of Directive 2002/59/EC, Union fishing vessels exceeding 15 metres in length overall shall be fitted with and maintain in continuous operation an automatic identification system (AIS) which meets the performance standards referred to in that Directive.

ELI: <http://data.europa.eu/eli/reg/2023/2842/oj>

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OJ L, 20.12.2023

2. By way of derogation from paragraph 1, the master of a Union fishing vessel may switch off the AIS in exceptional circumstances when the master considers that the safety or security of the crew is imminently at risk of being compromised. Where the AIS is switched off in accordance with this paragraph, the master shall report that action and the reason for doing so to the competent authorities of its flag Member State and, when relevant, also to the competent authorities of the coastal State. When the situation referred to in this paragraph has elapsed, the master shall restart the AIS as soon as the source of danger has disappeared.

3. Member States shall ensure that data from the AIS are made available to their competent authorities responsible for fisheries control for control purposes, including cross-checks of AIS data with other available data, in accordance with Article 109.

This amendment legally formalizes the "exceptional circumstances" under which AIS can be turned off, aligning with the discretion previously recognized for masters.

In response to this, and as part of their action plan stemming from the initial certification, ANABAC has implemented a continuous monitoring system for AIS mode and a rigorous reporting protocol:

- **Continuous VMS Operation:** ANABAC vessels maintain their VMS coverage in an operational mode at all times, as required by national regulations and IOTC resolutions. VMS data is continuously transmitted to the respective Fisheries Monitoring Centres (FMCs). The Spanish General Secretariat for Fisheries has confirmed no significant periods of VMS failure or indications of manipulation. In the rare event of a VMS failure, vessels are equipped with redundant VMS devices, and skippers are immediately contacted if transmissions cease, potentially requiring a return to port. This ensures uninterrupted position and activity monitoring via VMS.
- **Implementation of AIS Logbooks:** From 2023 onwards, ANABAC established a reporting system where skippers of each vessel complete an AIS logbook for every trip. This logbook records all instances when the AIS has been turned off for safety reasons, detailing the date, time, position, and the specific reason for deactivation. These reports are submitted to both authorities and vessel owners, providing comprehensive evidence of compliance with operational requirements. Examples of these compliant template documents are available at the end of this document.



June 2025

Conclusion and Evidence for Score Change (from 60-79 to 80+)

Given the new European Control Regulation (EU) 2023/2842 which explicitly permits AIS deactivation under exceptional circumstances, coupled with ANABAC's robust implementation of a continuous VMS monitoring system and a detailed AIS logbook for transparency and accountability, the previous concerns regarding AIS data gaps are effectively addressed.


The Spanish Administration considers ANABAC vessels adequately monitored through the existing VMS system, and they now comply with the amended requirements of EU Regulation 1224/2009. The constant operation and redundancy of VMS ensure that there will always be sufficient data to track vessel position and activity, negating the previous concern that a lack of AIS data would hinder information collation.

Therefore, with the regulatory framework now explicitly supporting the operational practices, and ANABAC's proven adherence to continuous monitoring and transparent reporting, there is no evidence of systematic non-compliance. This allows for a re-evaluation of the score for this action, supporting a change from 60-79 to 80+, indicating the successful completion and robust management of this aspect of the FIP.



June 2025


Below some examples of compliance with the implemented AIS logbook:


 **Diario AIS/AIS logbook: Registro de apagado y encendido del sistema de identificación automática por circunstancias excepcionales**

Buques Europeos Comunicar cada apagado del AIS y las razones a:
radiocomunicaciones.dgmm@mitma.es
csp@mapa.es

SALIDA / DEPARTURE		LLEGADA / ARRIVAL		CAPITAN/PATRON / MASTER		BARCO / VESSEL	
PUERTO / PORT	Port Victoria (Seychelles)	PUERTO / PORT	Port Victoria (Seychelles)	Patxi Valades		NOMBRE/NAME:	Alakrana
DATE / FECHA	05/08/2024	DATE / FECHA	29/08/2024			INDICATIVO/CALL SIGN	E.C.K.G
HORA / HOUR (UTC)	14:00	HORA / HOUR (UTC)	6:10	MAREA / TRIP	08º24	BANDERA/FLAG	ESPAÑOLA

FECHA/ DATE	HORA / TIME (UTC)	POSICIÓN / POSITION		AIS	VMS	DESCRIBIR RAZÓN DEL APAGADO AIS/ DESCRIBE REASON FOR SWITCHING OFF AIS
		LATITUDE	LONGITUDE			
05/08/2024	17:55	03º45 S	055º25 E	OFF	ON	Observación de maniobras de aproximación sospechosas
28/08/2024	0:30	01º36 S	052º42 E	ON	ON	Encendido
28/08/2024	2:20	01º35 S	052º46 E	OFF	ON	Observación de maniobras de aproximación sospechosas
28/08/2024	6:33	01º38 S	052º45 E	ON	ON	Encendido




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SALIDA / DEPARTURE		LLEGADA / ARRIVAL		CAPITAN/PATRON / MASTER		BARCO / VESSEL	
PUERTO / PORT	Port Victoria	PUERTO / PORT	Port Victoria	Oscar Güimérens Otero		NOMBRE/NAME:	ATERPE ALAI
DATE / FECHA	10/12/2024	DATE / FECHA	02/01/2025			INDICATIVO/CALL SIGN	EAMT
HORA / HOUR	09:15 UTC	HORA / HOUR	10:30 UTC	MAREA / TRIP	15º-24	BANDERA/FLAG	ESPAÑOLA

FECHA/ DATE	HORA / TIME	POSICIÓN / POSITION		AIS	VMS	DESCRIBIR RAZÓN DEL APAGADO AIS/ DESCRIBE REASON FOR SWITCHING OFF AIS
		LATITUDE	LONGITUDE			
10/12/2024	09:40 UTC	04º11' S	05º31' E	OFF	ON	Sospecha de presencia de piratería en la zona
14/12/2024	20:00 UTC	03º59' S	043º58' E	ON	ON	ON
15/12/2024	06:05 UTC	03º56' S	043º04' E	OFF	ON	Sospecha de presencia de piratería en la zona
23/12/2024	14:50 UTC	13º09' S	045º46' E	ON	ON	ON
24/12/2024	01:55 UTC	13º42' S	046º26' E	OFF	ON	Sospecha de presencia de piratería en la zona
02/01/2025	05:35 UTC	05º18' S	055º18' E	ON	ON	

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radiocomunicaciones.dgmm@mitma.es
csp@mapa.es

SALIDA / DEPARTURE		LLEGADA / ARRIVAL		PATRON / MASTER		BARCO / VESSEL	
PUERTO / PORT	PORT LOUIS	PUERTO / PORT	PORT VICTORIA	JUAN REGUEIRA CAMPAÑA		NOMBRE/NAME:	DONIENE
DATE / FECHA	14/07/2024	DATE / FECHA	19/08/2024			INDICATIVO/CALL SIGN	E.A.A.I
HORA / HOUR	5:20	HORA / HOUR	6:10	MAREA / TRIP	4	BANDERA/FLAG	ESPAÑA

FECHA/ DATE	HORA / TIME	POSICIÓN / POSITION		AIS	VMS	DESCRIBIR RAZÓN DEL APAGADO/ DESCRIBE REASON FOR SWITCHING OFF
		LATITUDE	LONGITUDE			
14/07/2024	5:20	19º13' S	057º10' E			Encendido
16/07/2024	4:00	10º22' S	052º55' E			Por notificación recibida de seguridad (Centro de Operaciones y Vigilancia o similar)
18/08/2024	13:30	06º40' S	055º14' E			Encendido