
**INTERNATIONAL COMMISSION
for the
CONSERVATION of ATLANTIC TUNAS**

**R E P O R T
for biennial period, 2004-05
PART I (2004) - Vol. 1
English version COM**

MADRID, SPAIN

2005

INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

CONTRACTING PARTIES

(as of 31 December 2004)

Algeria, Angola, Barbados, Brazil, Canada, Cape Verde, China (People's Rep.), Côte d'Ivoire, Croatia, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Ghana, Guatemala, Guinea (Rep.), Honduras, Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Nicaragua, Norway, Panama, Philippines, Russia, Sao Tomé & Príncipe, Senegal, South Africa, Trinidad & Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States, Uruguay, Vanuatu, Venezuela

COMMISSION OFFICERS

Commission Chairman

M. MIYAHARA, Japan
(since 27 October 2002)

First Vice-Chairman

A. SROUR, Morocco
(since 27 October 2002)

Second Vice-Chairman

C. DOMINGUEZ-DIAZ, EC-Spain
(since 27 October 2002)

Panel No.

PANEL MEMBERSHIP

Chair

-1- <i>Tropical tunas</i>	Angola, Brazil, Canada, Cape Verde, China (People's Rep.), Côte d'Ivoire, European Community, France (St. Pierre & Miquelon), Gabon, Ghana, Guatemala, Honduras, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Panama, Philippines, Russia, Sao Tomé & Príncipe, South Africa, Trinidad & Tobago, United Kingdom (Overseas Territories), United States, Venezuela	Côte d'Ivoire
-2- <i>Temperate tunas, North</i>	Algeria, Canada, China (People's Rep.), Croatia, European Community, France (St. Pierre & Miquelon), Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Norway, Panama, Tunisia, Turkey, United Kingdom (Overseas Territories), United States	European Community
-3- <i>Temperate tunas, South</i>	Brazil, European Community, Japan, Namibia, South Africa, United Kingdom (Overseas Territories), United States, Uruguay	South Africa
-4- <i>Other species</i>	Algeria, Angola, Brazil, Canada, China (People's Rep.), Côte d'Ivoire, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Japan, Korea (Rep.), Mexico, Morocco, Namibia, South Africa, Trinidad & Tobago, Turkey, United Kingdom (Overseas Territories), United States, Uruguay, Venezuela	United States

SUBSIDIARY BODIES OF THE COMMISSION

Chairman

STANDING COMMITTEE ON FINANCE & ADMINISTRATION (STACFAD)

J. JONES, Canada
(since 21 November 1997)

STANDING COMMITTEE ON RESEARCH & STATISTICS (SCRS)

Sub-Committee on Statistics: P. PALLARÉS (EC-Spain), Convener
Sub-Committee on Environment: J.M. FROMENTIN (EC-France), Convener
Sub-Committee on By-catches: H. NAKANO (Japan), Convener

J. Gil PEREIRA, EC-Portugal
(since 12 October 2001)

CONSERVATION & MANAGEMENT MEASURES COMPLIANCE COMMITTEE

F. WIELAND, EC
(since 19 November 2001)

PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF ICCAT STATISTICS AND CONSERVATION MEASURES (PWG)

K. BLANKENBEKER, United States
(since 19 November 2001)

ICCAT SECRETARIAT

Executive Secretary: MR. D. MESKI
Assistant Executive Secretary: Dr. V. R. RESTREPO
Address: C/Corazón de María 8, Madrid 28002 (Spain)
Internet: <http://www.iccat.es> *E-mail:* info@iccat.es

FOREWORD

The Chairman of the International Commission for the Conservation of Atlantic Tunas presents his compliments to the Contracting Parties of the International Convention for the Conservation of Atlantic Tunas (signed in Rio de Janeiro, May 14, 1966), as well as to the Delegates and Advisers that represent said Contracting Parties, and has the honor to transmit to them the "**Report for the Biennial Period, 2004-2005, Part I (2004)**", which describes the activities of the Commission during the first half of said biennial period.

This issue of the Biennial Report contains the Report of the 14th Special Meeting of the Commission (New Orleans, Louisiana, USA, 15-21 November 2004) and the reports of all the meetings of the Panels, Standing Committees and Sub-Committees, as well as some of the Working Groups. It also includes a summary of the activities of the Secretariat and a series of National Reports of the Contracting Parties of the Commission, relative to their activities in tuna and tuna-like fisheries in the Convention Area.

The Report for 2004 has been published in three volumes. **Volume 1** includes the Secretariat's Administrative and Financial Reports, the Proceedings of the Commission Meetings and the reports of all the associated meetings (with the exception of the Report of the Standing Committee on Research and Statistics -SCRS). **Volume 2** contains the Secretariat's Report on Statistics and Coordination of Research and the Report of the Standing Committee on Research and Statistics (SCRS) and its appendices. **Volume 3** contains the National Reports of the Contracting Parties of the Commission and Reports of Observers.

This Report has been prepared, approved and distributed in accordance with Article III, paragraph 9, and Article IV, paragraph 2-d, of the Convention, and Rule 15 of the Rules of Procedure of the Commission. The Report is available in the three official languages of the Commission: English, French and Spanish.

MASANORI MIYAHARA
Commission Chairman

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REPORT FOR THE BIENNIAL PERIOD, 2004-2005, PART I (2004)

SECRETARIAT REPORTS

2004 ADMINISTRATIVE REPORT¹

1 Introduction

This Administrative Report is presented in accordance with Article VII of the Convention.

During the 18th Regular Meeting of the Commission held in Dublin in 2003, Mr. Driss Meski was elected as the new Executive Secretary. He started working on April 1, 2004, replacing Mr. Adolfo Lima.

During his first days in office, Mr. Meski visited the diplomatic missions of the Contracting Parties that are located in Madrid. These visits were very fruitful as they allowed many of the Honorable Ambassadors to become better acquainted with ICCAT's objectives and needs, and they also enhanced the venues available for communications between the Secretariat and the Contracting Parties. **Appendix 1** contains a summary report of these exchanges.

2 Contracting Parties to the Convention

In 2004, the Legal Services Department of the Food and Agriculture Organization of the United Nations (FAO) notified the Secretariat that, on January 9, March 5, March 11, November 12 and December 21, the Governments of the Philippines, Norway, Nicaragua, Guatemala and Senegal, respectively, had deposited instruments of adherence to the International Convention for the Conservation of Atlantic Tunas. In accordance with Article XIV, paragraph 3, of the Convention, the Philippines, Norway, Nicaragua, Guatemala and Senegal are now full members of the Commission.

In 2004, the Secretariat also received a communication from the Legal Services Department of the Food and Agriculture Organization of the United Nations (FAO) that effective May 1, 2004, Cyprus and Malta would become Member States of the European Community and, in accordance with Article XIV, paragraph 6, of the ICCAT Convention, would cease to be Contracting Parties to ICCAT.

As of December 31, 2004, the International Commission for the Conservation of Atlantic Tunas is comprised of 40 Contracting Parties, as follows: Algeria, Angola, Barbados, Brazil, Canada, Cape Verde, China (People's Republic), Côte d'Ivoire, Croatia, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Ghana, Guatemala, Guinea (Republic of), Honduras, Iceland, Japan, Korea, Libya, Morocco, Mexico, Namibia, Nicaragua, Norway, Panama, Philippines, Russia, Senegal, South Africa, St. Tome and Principe, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States, Uruguay, Vanuatu and Venezuela.

3 Approval, ratification or acceptance of the Madrid Protocol to the ICCAT Convention

On December 10, 2004, the Government of the Republic of Equatorial Guinea deposited with the Director General of FAO an instrument of acceptance of the Protocol to amend paragraph 2 of Article X of the International Convention for the Conservation of Atlantic Tuna, adopted in Madrid on June 5, 1992. With this instrument of acceptance, and in accordance with its Article 3, the Protocol will enter into force on March 10, 2005.

¹ The Administrative Report presented at the Commission Meeting in 2004 has been updated to December 31, 2004.

4 ICCAT Regulations and Resolutions

– *Adoption and entry into force of the Recommendations and Resolutions*

On 19 December 2003, the Secretariat officially transmitted to the Contracting Parties and non-Contracting Parties, Entities or Fishing Entities that have Atlantic coastlines or that fish tunas in the Convention area, and to intergovernmental fishery organizations, the texts of the Recommendations adopted at the 18th Regular Meeting of the Commission (Dublin, Ireland, November 17 to 24, 2003), requesting their cooperation.

The texts of the Recommendations and Resolutions adopted by the Commission in 2003 were published in the *Report for Biennial Period, 2002-03, Part II (2003), Vol. 1*.

Following the six-months' grace period following the transmission of the Recommendations adopted by the Commission during which time no official objections were received, and in accordance with Article VIII of the Convention, the aforementioned **Recommendations** entered into force on June 19, 2004. As regards the **Resolutions**, these reflect decisions of a general nature that were adopted by the Commission during its last meeting and which are not governed by the notification and review process outlined in Article VIII of the Convention.

5 ICCAT inter-sessional meetings and working groups

In accordance with Commission decisions, the following related meetings were held in 2004:

- BETYP Symposium (*Madrid, Spain, March 8-9, 2004*).
- Second World Meeting on Bigeye Tuna (*Madrid, Spain, March 10-13, 2004*).
- 7th Ad Hoc GFCM-ICCAT Joint Meeting on Stocks of Large Pelagic Fishes in the Mediterranean (*Malaga, Spain, May 13-14, 2004*).
- 2nd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies (*Marseille, France, May 17-20, 2004*).
- Consultation on the mail vote for the transfer of 1,000 t of bluefin tuna from Korea to Turkey (*Marseille, France, May 17, 2004*).
- Meeting of Commission Officers (*Marseille, France, May 20, 2004*).
- Data Exploratory Meeting for East Atlantic and Mediterranean Bluefin Tuna (*Madrid, Spain, June 1-4, 2004*).
- Intersessional Meeting of the ICCAT Sub-Committee on By-Catches: Shark Stock Assessment (*Tokyo, Japan, June 14-18, 2004*).
- Bigeye Tuna Stock Assessment Session (*Madrid, Spain, June 28-July 3, 2004*).
- Meeting of Key Contacts of the Working Group to Consider the Development of a Compendium of Recommendations and Resolutions (*Madrid, Spain, September 21-22, 2004*).
- Meetings of Species Groups (*Madrid, Spain, September 27-October 1, 2004*).
- Meeting of the Sub-Committee on Statistics (*Madrid, Spain, September 30-October 1, 2004*).
- SCRS Plenary Sessions and Sub-Committees (*Madrid, Spain, October 4-8, 2004*).

6 Meetings at which ICCAT was represented

In the framework of ICCAT's mission, which consists of assessing the measures adopted by the Commission, within international organizations, the Secretariat participated in several meetings and technical consultative processes, which include regional fishery bodies (see **Appendix 2**, which summarizes the main topics that were discussed at these meetings).

- Sixth Session of the Scientific Committee of IOTC (*Victoria, Seychelles, December 3-6, 2003*).
- Fifth Ministerial Conference on Fishing of Coastal African States of the Atlantic (*Dakar, Senegal, January 19-22, 2004*).
- Inter-sessional Meeting of CWP Agencies, CWP (*Rome, Italy, February 2-5, 2004*).
- ICES Working Group on Methods of Fish Stock Assessments (*Lisbon, Portugal, February 11-18, 2004*).
- Third Meeting of the Scientific Sub-Committee on the Committee for the Eastern Central Atlantic Fisheries, CECAF (*Lome, Togo, February 24-26, 2004*).

- OECD Workshop on Illegal, Unreported and Unregulated (IUU) Fishing Activities (*Paris, France, April 19-20, 2004*).
- Meeting of the Committee on Trade and Environment of WTO (*Geneva, Switzerland, April 20, 2004*).
- Fifth Meeting of the Informal Open Consultation organized by the United Nations Convention on the Law of the Sea (*New York, USA, June 7-11, 2004*).
- FAO Technical Consultation to Review Progress and Promote the Full Implementation of the IPOA to Prevent, Deter and Eliminate IUU Fishing and the IPOA for the Management of Fishing Capacity (*Rome, Italy, June 24-29, 2004*).
- FAO Technical Consultation on the Use of Subsidies in the Fishing Sector (*Rome, Italy, June 30-July 2, 2004*).
- Technical Assistance Mission with the Minister of Fisheries of Equatorial Guinea concerning the implementation of a data collection system (*Malabo, Equatorial Guinea, October 13-17, 2004*).
- Seventh Session of the GFCM Scientific Advisory Committee (*Rome, Italy, October 19-22, 2004*).

7 Bigeye Year Program (BETYP)

The BETYP, a special program funded by contributions from several donors, ended with the Symposium held in Madrid in March 2004, where the various research components of the program were presented and discussed. The Symposium Proceedings will be published in 2005 in Volume 57 of the ICCAT *Collective Volume of Scientific Papers*.

The BETYP formally ended with the March 2004 Symposium. The use of any funds that remain after the publication of the Proceedings will be decided by the principal donors to the program, the European Community and Japan.

8 Tagging lottery

The annual lottery for participants in the ICCAT International Cooperative Tagging Program for Tuna and Tuna-like Species was held in Madrid, Spain on October 4, 2004, during the course of the SCRS Meeting. Three US\$500 prizes (tropical tunas, temperate tunas, and billfishes) and one US\$1000 prize (bigeye tuna) were awarded, as follows:

- *Tropical tunas* (20 tags entered in the lottery); Winner: Tag #BE001187, for a bigeye tuna tagged by EC-Spain and recovered after 326 days at large.
- *Temperate tunas* (42 tags): Winner: Tag #HM045938, for a swordfish tagged and recovered by the United States after 1,371 days.
- *Billfishes* (54 tags): Winner: Tag #HM055463, for a sailfish tagged by the United States and recovered by the Dominican Republic after 179 days.

9 Commission Chairman's letters to various Parties, Entities or Fishing Entities

9.1 Letters concerning compliance with conservation measures

In accordance with the Commission's decision, on March 8, 2004, the Commission Chairman, Mr. Masanori Miyahara, sent the following letters (see Appendix 4 to Annex 9, and Appendix 5 to Annex 10 of the *ICCAT Report for Biennial Period, 2002-03, Part II*).

Contracting Parties:

- **Equatorial Guinea:** Indicating continuation of trade measures.
- **Panama:** Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area.
- **Japan:** Concerning Japanese support of Israel's developing bluefin tuna fishery.

Non-Contracting Parties, Entities or Fishing Entities:

- **Belize:** Lifting of sanctions, deferring Cooperating Status decision, and seeking additional information

- **Bolivia:** Regarding continuance of bigeye trade restrictive measures and revocation of swordfish identification.
- **Cambodia:** Regarding continuance of bigeye tuna trade restrictive measures.
- **Costa Rica:** Identification regarding Swordfish Action Plan Resolution.
- **Cuba:** On the identification in accordance with the Bluefin Tuna Action Plan Resolution.
- **Egypt:** Deferring Cooperating Status decision and seeking information on monitoring, control and surveillance scheme (MCS).
- **Georgia:** Regarding imposition of bigeye tuna trade restrictive measures.
- **Guatemala:** Deferring Cooperating Status decision and seeking information on the monitoring, control and surveillance scheme (MCS).
- **Guyana:** Granting of Cooperating Status seeking information on monitoring, control and surveillance scheme (MCS).
- **Indonesia:** Concerning revocation of identification under the UU Catches Resolution for bigeye tuna and swordfish.
- **Israel:** Regarding possible expansion of the bluefin tuna fishery.
- **Mauritania:** Seeking additional information regarding tuna and swordfish.
- **Netherlands Antilles:** Advising no consensus to grant Cooperating Status; expressing strong concerns regarding bigeye tuna catches.
- **Senegal:** Expressing strong concern about and seeking clarification of swordfish and bigeye tuna fisheries and monitoring, control and surveillance scheme (MCS).
- **Seychelles:** Concerning maintenance of identification in accordance with the UU Catches Resolution and seeking information on harvests, possible dual vessel registration, and vessels on the IUU list.
- **Sierra Leone:** Regarding continuation of trade restrictive measures.
- **Sri Lanka:** Regarding vessels on ICCAT's IUU list.
- **St. Vincent and the Grenadines:** Lifting of sanctions, seeking additional information on possible IUU vessels and on MCS scheme, and requesting confirmation of albacore catches.
- **Thailand:** Regarding the fishing vessel "Green Bay No. II".
- **Togo:** Identification regarding the Swordfish Action Plan Resolution.

Responses that were received by the Secretariat concerning the above-mentioned letters were circulated to Contracting Parties throughout the year and during the 2004 Commission meeting.

9.2 Letters concerning fulfillment of budgetary obligations

In accordance with a Commission decision, on June 21 and 24, 2004, the Chairman, Mr. Masanori Miyahara, sent the following letters concerning the payment of contributions pending payment to the Commission: Barbados (€7,015.51), Cape Verde (€240,129.58), People's Republic of China (€1,025.13), Croatia (€15,109.07), Equatorial Guinea (€12,893.80), Gabon (€105,280.41), Ghana (€1,025,820.11), Republic of Guinea (€7,753.24), Honduras (€47,512.38), Korea (€26,274.93), Morocco (€72,853.63), Panama (€4,300.11), Philippines (€8,511.71), Russia (€15,814.51), Sao Tome & Principe (€7,196.37), Tunisia (€28,796.31), United Kingdom-Overseas Territories (€26,893.15), United States (€133,773.67), Uruguay (€80,298.52), Vanuatu (€7,735.59), and Venezuela (€63,675.46).

Of the above-mentioned Parties, only Barbados, Korea, Croatia, United States, Philippines, Equatorial Guinea and Russia have fully complied with their financial obligations, and various Contracting Parties made partial payments: (€159,640.59), Morocco (€1,923,81), People's Republic of China (€4,500.00), United Kingdom-Overseas Territories (€1,804.33), Tunisia (€8,385.15), Uruguay (€29,961.00) and Venezuela (€201,954.81).

10 Secretariat publications - 2004

The following publications were issued in 2004:

- Statistical Bulletin, Vol. 33 (part in hard copy and part on diskette).
- Report for Biennial Period, 2002-03, Part II (2003) (Vols. 1, 2 and 3): English.
- Report for Biennial Period, 2002-03, Part II (2003) (Vols. 1, 2 and 3): French.
- Report for Biennial Period, 2002-03, Part II (2003) (Vols. 1, 2 and 3): Spanish.
- Collective Volume of Scientific Papers, Vol. LVI (printed copies and on CD ROM).
- Staff Regulations and Rules (04/2004): English, French and Spanish.

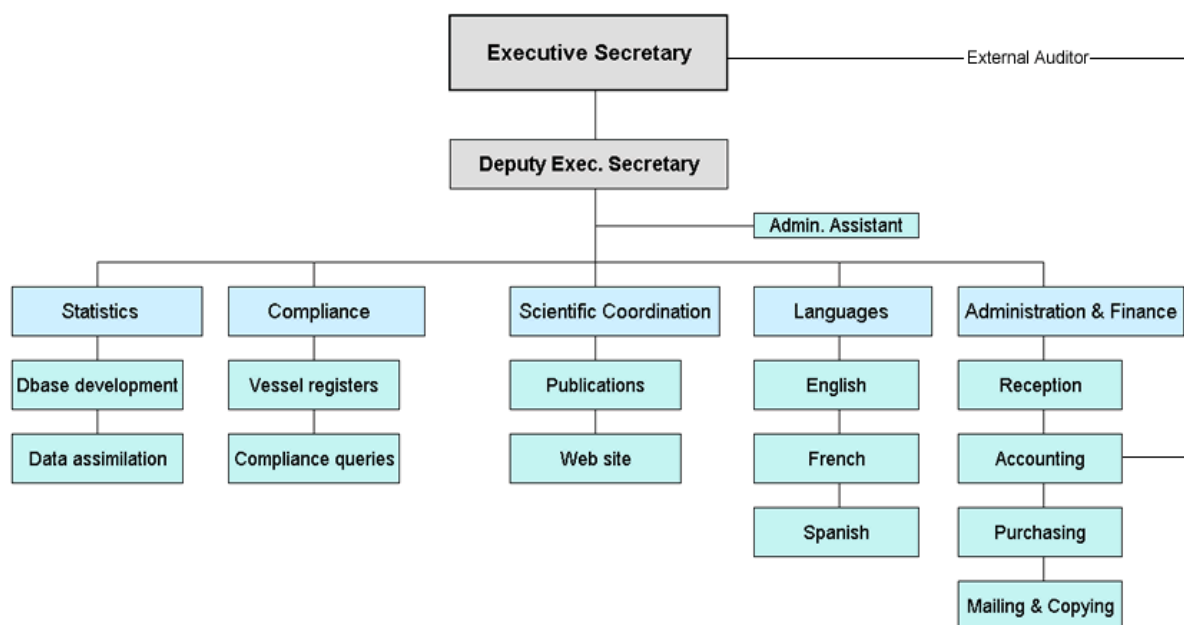
11 Secretariat staff

Changes in Staff

- On April 1, 2004, Mr. Driss Meski joined the Secretariat in the position of Executive Secretary, replacing Mr. Adolfo Lima.
- In March 2004, Ms. Rebecca Campoy joined the General Services staff.
- In September 2004, Mrs. Julie Porter resigned as Scientific Editor.

Organization

The following organizational chart, prepared in response to a recommendation by the Meeting of Commission Officers (Marseille, France, May 20, 2004), reflects the structure of the Secretariat as of December 31, 2004.



Executive Secretary

Driss Meski

Assistant Executive Secretary

Victor R. Restrepo

Department of Statistics

- Papa Kebe* Department Head. Also responsible for the computer equipment and email management.
- Carlos Palma* Biostatistician. Responsible for the development of the relational databases and the analysis of trade statistics.
- Jenny Cheatle* Statistics Secretary. Also responsible for updating and maintenance of the compliance lists. Also, coordinates the preparation of publications in the interim after the resignation of the Scientific Editor.
- Juan Luis Gallego* Data entry and network backups.
- Juan Carlos Muñoz* Database programmer.
- Jesús Fiz* Positive list of vessels.

Language Departments

Philomena M. Seidita and *Rebecca Campoy* (English); *Christel Navarret* and *Christine Peyre* (French); *Marisa de Andrés* and *María José García-Orad* (Spanish): Responsible for all translation work (reports, meeting announcements, all correspondence, etc). Among other tasks, they also share the responsibility of compiling the

scientific documents for the Collective Volume series; the organization of the *Biennial Reports* (SCRS and Commission); archive of correspondence with regional fisheries bodies; contacts with the Spanish Ministry of Foreign Affairs and the tracking of the entry into force of the ICCAT regulations, the Statistical Document Programs, and the lists of the IUU fishing vessels. *Rebecca Campoy* is also administrative assistant to the Executive Secretary.

Finance and Administration Department

<i>Juan Antonio Moreno</i>	Head of Department. Responsible for financial and administrative matters.
<i>Africa Martín</i>	Bookkeeping assistant.
<i>Esther Peña</i>	Administrative assistant.
<i>Juan Angel Moreno</i>	Mail and publications.
<i>Cristóbal García</i>	Library, historical archive and publications.
<i>Felicidad García</i>	Receptionist and general archive.

12 Change of Auditor

Following the request made during the Commission Meeting held in 2003 in Dublin, the current auditor was informed of the Commission's decision to change the auditing firm. Moreover, the Secretariat put forward a request for proposals for the selection of an auditing firm that would be in charge of the audit of the ICCAT accounts for fiscal year 2005. A letter dated June 25, 2004 was therefore addressed to five audit offices.

Information regarding administration and the financial rules and regulations governing ICCAT's accounts were attached to the letter, indicating July 20, 2004 as deadline for the submission of offers.

Following this limited consultation, three firms sent offers manifesting their intention to compete.

A committee was established to proceed with the study and evaluation of the offers. At the end of the study of the three aforementioned firms, the following conclusions were reached:

- The three audit firms proved to have wide experience with regard to expertise and audit of accounts. However, only two provided their technical references and the presentation of a group of service professionals that would carry out the assignment in ICCAT in the case of selection;
- Only two presented an outline of the methodology to be followed and a work plan and a considerable difference was noted between the financial offers and the forms of payment of one firm on one hand, and the other two firms on the other.

On the basis of the above-mentioned information and taking into account the approach presented in the three offers as well as the fees requested, the committee ranked the firms and presented a report to the Commission (a copy of the report is on file at the Secretariat). After studying this information, the Commission decided that the firm Deloitte and Touch should be contracted to carry out financial audits of the Commission. This contract should start with the audit for fiscal year 2005 and be renewable on an annual basis for a maximum of five years.

13 Matters relating to staff management

Several matters regarding staff management were raised in the 2003 meeting, particularly those relating to internal promotion and overtime for the Professional category. In consultation with the Chairman of the Commission and the Chairman of STACFAD, the issues are summarized herewith and submitted to the Commission for decision.

13.1 Classification of staff and internal promotion

Within the United Nations system, the International Civil Service Commission developed the Common Classification of Occupational Groups (CCOG) to provide a framework within which occupational data would be compiled or exchanged. This system is generally applied by the majority of international and regional organizations. According to this system, as regards staff members who have management responsibilities, there is a Professional category (P) and a General Services category (GS) defined and summarized as follows:

- Professional work in the P category is conceptual, analytical, evaluative, interpretative, and/or creative; thus, a university graduation or equivalent and sound experience are requested;
- Professional work in the GS category is generally of procedural, operational or technical in nature and supports the execution of the programs of the organization. It ranges from simple, routine or repetitive duties based on following detailed instructions to varied and complex assignments performed on a continuing basis. Work in this category generally requires knowledge of the subject field and higher level skills generally developed through long experience and familiarity with procedures and rules and regulations.

At its 2004 Meeting, the Commission decided to allow the Executive Secretary to consider internal promotions on a case-by-case basis, provided that such promotions would not have an impact on the approved budget.

13.2 New recruitments

In 2004, the Commission approved the hiring of a Professional staff member to oversee the vessel lists and other compliance matters. The terms of reference for the position have been developed and approved by the Commission and STACFAD Chairmen. However, the Scientific Editor presented her resignation around the same time that the new position was going to be advertised and thus the Secretariat considered it appropriate to take some time and review the hiring process and internal promotions of staff in relation to the Secretariat's needs overall.

There are two Professional-level vacant positions at the Secretariat that are identified as extremely important according to the workload mandated by the Commission. In this report, they are described as a "Publications Coordinator" and a "Compliance Officer" and are currently budgeted as the Scientific Editor and Positive List Officer, respectively.

Publications

The "Publications Coordinator" can have a broad range of duties related to the production of the Commission's publications. On the simpler end of the spectrum, this person should coordinate the compilation of the main ICCAT publications: the Biennial Reports and the Collective Volume of Scientific Papers. On the more complex end of the spectrum, the staff member could also get involved in the interpretation of the content of publications (for instance, as editors do in peer-reviewed scientific journals when they act as arbitrators). With the exception of the preparation of the Proceedings of the Second World Bigeye Meeting (March 2004), which contained papers that were peer reviewed, the recent duties of the Scientific Editor have not required extensive scientific experience.

Compliance

A "Compliance Officer" is needed at the Secretariat to coordinate the establishment and updating of lists and databases related to many Commission decisions, primarily those stemming from PWG and the Compliance Committee (monitoring of trade measures, special letters, positive and negative lists, compliance tables, etc.). The qualifications of a Compliance Officer should include a Master's Degree and some legal background, due to the fact that the nature of the work involves the interpretation of Recommendations and Resolutions.

With regards to a Compliance Officer, the Secretariat has deemed it opportune to postpone the hiring of a new Professional. Nevertheless, it is obvious that the workload involved in compliance-related matters that the position is badly needed.

It was proposed to the Commission that both positions be filled permanently as early as possible. At its 2004 Meeting, the Commission approved these positions.

13.3 Overtime for Professional categories

According to the recommendations made in Dublin in November 2003 concerning payment of overtime for Professional categories, the Secretariat studied how this matter was dealt with in other regional and international organizations.

The result of this study was that none of the organizations consulted pay overtime to Professional Category staff. Of the eight organizations consulted, six of them compensate staff members in the Professional Category with time off when this is done on request of the person responsible for the assignment.

In the case of ICCAT, the provisions in Article 7 of the Staff Regulations and Rules govern overtime. According to these provisions, staff members are only eligible for compensatory time off equal to the number of additional hours of work performed computed at one and a half times the normally scheduled hours.

Regarding the application of these provisions, overtime is compensated both in the short- and in the long-term. The Secretariat has come across a delicate situation whereby staff have accumulated a considerable amount of overtime, which becomes problematic. If they are compensated with time off, they could be away for a period of more than five months, which is not feasible considering the Secretariat's workload and the limited number of staff members in the Professional Category. Thus, several staff in this category have accumulated 60 days in leave, which is contrary to the provisions of Article 24 and 24.1 regarding the maximum annual leave. On the other hand, it has been noted that there is a precedent where the Secretariat has paid overtime to staff who have terminated their employment relation.

Confronted with this situation, the Executive Secretary referred the matter to the Commission so that it could examine another alternative that favors overtime without jeopardizing the Secretariat's work. Due to this, it would be beneficial to propose the amendment of Article 7 of the Staff Regulations and Rules in order to allow the Executive Secretary to find the means for a better compensation of overtime. The alternative would consist of the introduction of a yearly bonus calculated on the basis of the percentage of the staff member's salary and taking into account individual output. It is evident that in the case of the adoption of this proposal, the current situation of each staff member will be subject to negotiation with the aim of adjusting each case.

This proposal was presented to STACFAD for discussion, with the aim of adopting it by the Commission. At its 2004 Meeting, the Commission decided to amend paragraph 7.3 of the Staff Regulations and Rules in order to limit the number of days accrued from overtime that could be carried from one year to the next.

13.4 Pension plan for Secretariat staff members

Pursuant to Article 6 (paragraphs 6.1.c and 6.2.c), of the Staff Regulations and Rules, the ICCAT Secretariat's pension plan consists of establishing a retirement fund called Van Breda, which the employee receives as from the termination of his or her appointment. Although this enables an employee to save a great amount of money, it is not fully protected until the staff member's retirement age. Considering that the amount saved is given to the employee all at once when he or she terminates his or her appointment, the money is not protected against the risk of it being spent in the short term.

With the aim of finding better coverage for the members of the Secretariat staff and taking into account the proposals of some of the Commission Officers that met in Marseille in May 2004, the Executive Secretary, while attending a U.N. meeting in New York, consulted with the United Nations Directorate of Human Resources to study an alternative pension plan.

The result of this study showed that U.N. staff and staff from other associated inter-governmental organizations contribute 23.7% of their salary to the UNJSPF (the United Nations Joint Staff Pension Fund, <http://www.unjspf.org/eng/index.html>). This amount is equal to the contribution made towards the Van Breda pension plan by ICCAT staff members. The UNJSPF is recognized at the institutional level and guarantees a proper and adequate retirement. As of December 31, 2001, the Fund was serving 19 member organizations, with 80,082 active participants and an asset value of 21.8 billion U.S. dollars.

The first contact made with the persons responsible for these funds has been very encouraging and ICCAT is eligible to join this pension plan. The two plans are summarized in the following table:

Van Breda	UNJSPF
<p>The Van Breda fund is a group insurance contract with Generali Insurance whose purpose is to constitute, in favor of each insured person, an individual pension fund. The fund guarantees to the insured person a capital or pension payable at retirement date or at the termination date of employment at ICCAT. In case the insured person dies before retirement, the pension fund guarantees to his/her beneficiaries the reimbursement of the funds allocated to the fund, increased by interest. Operationally, the fund guarantees a minimum interest rate to be applied each year to the insured person's total fund assets (e.g., 5%); the insurance company charges a percentage from each monthly contribution to the fund (e.g. 4%). The fund is guaranteed in US Dollars.</p> <p>The fund does not provide death, disability or other related benefits.</p>	<p>The UNJSPF provides retirement, death, disability and related benefits for staff of the United Nations and other organizations admitted to membership in the fund. The retirement benefit is calculated in US dollars (with an adjustment for inflation) payable at the standard rate obtained by multiplying:</p> <ul style="list-style-type: none"> – The first five years of the participant's contributory service, by 1.5 per cent of the final average remuneration; – The next five years of contributory service, by 1.75 percent of the final average remuneration; – The next 25 years of contributory service, by 2 percent of the final average remuneration; and – The years of contributory service in excess of 35 and performed as from July 1, 1995, by 1 percent of the final average remuneration, subject to a maximum total accumulation rate of 70 percent.

When an organization such as ICCAT wants to adhere to the UNJSPF, the Pension Fund Secretariat negotiates on behalf of the Pension Board an agreement with that organization on the conditions governing its admission. That agreement deals primarily with the possible recognition for UNJSPF purposes of past service that staff of that organization performed before the effective date of the UNJSPF membership.

As the adherence proposals to join are studied once every two years, the ICCAT Secretariat has submitted a request to the U.N. Management of Human Resources and which was previously submitted to the Administration Council that took place in July 2004. ICCAT's request has been studied and an agreement has been reached for the adherence of ICCAT to the Fund in 2005.

If this obtains the approval of the Commission, a study will be conducted on the impact that changing from Van Breda to the UNJSPF would have on individual staff members. Assuming that this alternative represents an excellent option for ICCAT staff, it has been proposed to the Commission in order for the Secretariat to start putting it into practice in 2005.

At its 2004 Meeting, the Commission decided that the Executive Secretary should initiate negotiations towards a possible incorporation of ICCAT staff to the UNJSPF.

14 Other matters

Office arrangements

Changes in the number of staff early in the year, coupled with changes in some of the tasks assigned to individual staff members made is necessary to reconfigure the office setup at the Secretariat. As a result, some new wall panels were installed, others were moved, and the library was transferred from the sixth to the seventh floor.

Technical assistance

From time to time, ICCAT Contracting Parties require assistance in fields ranging from statistics collection and submission, to assessing and reporting on compliance matters. The Secretariat participated in a technical assistance mission to Equatorial Guinea in October 2004. The Commission should consider setting up a regular mechanism to provide technical assistance to Contracting Parties that request it.

Japan Data-Improvement Project

During the 2004 Commission Meeting, Japan announced that it would be funding a five-year project for data improvement and capacity building, for a total of US\$1.5 million, approximately. The Project hired Ms. Miho Wazawa as Coordinator to take care of all logistical and financial matters of the project. Ms. Wazawa started her appointment on December 1, 2004.

Appendix 1

Some Initial Activities of the Executive Secretary

Mr. Adolfo Ribeiro Lima's mandate as Executive Secretary of ICCAT ended on March 31, 2004. His successor, Mr. Driss Meski, assumed his duties as Executive Secretary on April 1, 2004.

Prior to assuming his duties, Mr. Meski attended the Bigeye Year Program Symposium (BETYP), held on 8-9 March 2004 in Madrid, Spain, which was followed by the Second World Meeting on Bigeye Tuna (WMB2), March 10-13, 2004.

Following the assumption of his duties, Mr. Meski has overseen the preparation of the ICCAT inter-sessional meetings and has participated in several meetings held by international organizations and regional fishery organizations concerning matters of considerable interest to the Commission as well as for the relevant conservation and management of biological resources in the Convention area. This participation, within the framework of ICCAT's mission, consists of emphasizing, within the international organizations, the measures implemented by ICCAT:

- Workshop on Illegal, Unreported and Unregulated (IUU) Fishing Activities, of the Organization for Cooperation and Economic Development, OECD (Paris, France, April 19-20, 2004).
- Meeting of the Committee on Trade and Environment of the World Trade Organization (WTO), regarding paragraphs 32, 33 and 51 of the Ministerial Declaration of Doha (Geneva, Switzerland, April 20, 2004).
- Open Consultation Process of the United Nations on the oceans and the Law of the Sea concerning "New methods of rational exploitation of the oceans, and including the conservation and management of the biological diversity of the seabed in areas located beyond the national jurisdiction" (New York, USA, June 7-11, 2004).
- Technical Consultation to review status concerning the international plans of action on illegal, unreported and unregulated fishing; and the Technical Consultation on the use of subsidies in the fishing sector, of the Food and Agriculture Organization of the United Nations (FAO) (Rome, Italy, June 26-July 1, 2004).

Mr. Meski is determined to reinforce the collaboration and the ties between ICCAT and the governmental authorities and the diplomatic representatives of the Contracting Parties of the Commission. He visited and had working meetings with several Ambassadors of Contracting Parties in Spain:

- The Hon. Ambassador of the Democratic and People's Republic of Algeria in Madrid
- The Hon. Ambassador of the Republic of Korea in Madrid
- The Hon. Ambassador of the Republic of Croatia in Madrid
- The Hon. Ambassador of Japan in Madrid
- The Hon. Ambassador of the Republic of the Philippines in Madrid
- The Hon. Ambassador of the Russian Federation in Madrid
- The Hon. Ambassador of the Republic of Turkey in Madrid
- The Hon. Ambassador of the Republic of South Africa in Madrid
- The Hon. Ambassador of the Federal Republic of Brazil in Madrid
- The Hon. Ambassador of Canada in Madrid
- The Hon. Ambassador of the People's Republic of China in Madrid
- The Hon. Director of the Representation of the European Commission in Spain
- The Hon. Ambassador of the Republic of Honduras in Madrid
- The Hon. Ambassador of the Kingdom of Morocco in Madrid
- The Hon. Ambassador of the Republic of Panama in Madrid
- The Hon. Ambassador of the United Kingdom in Madrid
- The Hon. Ambassador of the Tunisian Republic in Madrid

- The Hon. Minister of Finance of the Republic of Cape Verde
- The Hon. Secretary-General of Fishing of the Kingdom of Spain
- The Hon. Ambassador of the Republic of Indonesia

Mr. Meski is also dealing with the two fundamental matters for the adequate functioning of ICCAT, which are the entry into force of the Madrid Protocol and the adherence to the Commission of certain non-Contracting Parties likely to fish tunas in the Convention area. On July 13, 2004, he sent letters to the Ministers of Foreign Affairs of five Contracting Parties that have not yet ratified the Madrid Protocol. In accordance with the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating non-Contracting Party, Entity or Fishing Entity* [Rec. 03-20], on July 15, 2004, Mr. Meski contacted the Ministers of Foreign Affairs of all the non-cooperating non-Contracting Parties that have the potential to fishing for tunas to consider the possibility of adhering to the ICCAT Convention or to request cooperating status.

Mr. Meski is visited in contact with the Directorate of Human Resources of the U.N. to study the possibility of ICCAT's joining the pension fund for the management of the retirement of ICCAT staff. ICCAT has obtained agreement, in principle, to adhere to this fund and to proceed to the transfer of the funds from Van Breda.

Appendix 2

Meetings at which ICCAT was represented between December 2003 and October 2004

SUMMARY

This document presents basic information about scientific and administrative meetings where ICCAT was represented either by a member of the Secretariat staff or by someone else on behalf of the Secretariat. Basic information presented for each meeting includes substantive agenda items and the main implications for ICCAT.

Sixth Session of the IOTC Scientific Committee

Location: Victoria, Seychelles, December 3-6, 2003.

Representative: P. Pallarés (IEO, Spain).

Substantive agenda items: 2002-2003 intersessional activities. National reports. Reports of the Working Parties on Data Collection and Statistics, Tropical tunas, Swordfish and Billfish, Temperate Tunas, By-Catch, Neritic Species, and Tagging. Executive reports on yellowfin, skipjack and bigeye. Program on longline depredation.

Comments:

Working Party on Statistics: The implementation of sampling programs of the IUU longline fleets at the major landing ports (Indonesia, Thailand, etc.) has resulted in a significant important improvement in the information from these fleets. The reduced and partial sampling coverage of the longline and artisanal fleets continues to be a problem. The development of the WINTUNA protocol for the data entry and validation has continued, adding new modules to improve the analyses and include tagging data. It was decided to substitute the Working Party for a Sub-Committee on Statistics in order to increase scientific participation in the group.

Working Party on Tropical Tunas: In 2003, the group reviewed the state of the skipjack stock and responded to Resolution 02-09 on the conservation of bigeye and yellowfin in the Indian Ocean.

The current information does not permit making a complete assessment of Indian Ocean skipjack. However, the different indicators studied did not show signs of concern on the state of the stock. The Committee did not make any management recommendation.

In response to the Commission, the group studied different management scenarios aimed at reducing fishing mortality on these species and to assess its effect on the stocks. The reduction in fishing

mortality on juveniles was considered for various moratoria scenarios, as well as different options to reduce effort of the purse seine fleets. The analyses included short-term effects, evaluated based on the catches, and long-term effects, only in the case of bigeye tuna, in terms of yield per recruit and projections.

The Committee maintained the management recommendations for yellowfin and bigeye.

Dr. Pilar Pallarés was elected Chair of the Working Party, succeeding Dr. G. Kirkwood.

Working Party on Billfish: In 2003, the group assessed the state of the stock of swordfish. The current uncertainties concerning the data for Chinese Taipei (the major component of the catch), particularly the discrepancies between the standardized catch rate trends of this fleet and those of the Japanese fleet contributed a high degree of uncertainty to the results. Notwithstanding, the different indicators showed a situation close to over-exploitation, with the SW area being particularly vulnerable, where the majority of the catches are concentrated. The Committee recommended that current swordfish catch and effort levels not be increased.

Working Party on Tagging: In 2003 different, small-scale tagging programs were developed. In relation to the large-scale tagging program that is expected to start in the second quarter of 2004, the Secretariat has carried out various preparatory activities, such as the design of posters and T-shirts, the establishment of a network of tagging correspondents, etc.

The rest of the working parties, Neritic Species, Temperate Species, and By-Catch did not have any notable activities in 2003. In order to get these groups started, Dr. J. Kalish was named Coordinator of the By-Catch group and it was recommended that meetings of the other groups be held in 2004. In the case of the temperate species, the group's work would center on albacore, for which the active participation of ICCAT scientists in this group is essential.

A meeting of the Methods Group was also recommended to coordinate the work of the Australian and European teams that are working on the development of operational models for tunas.

The following meeting calendar was proposed for 2004: Tropical Tunas, Methods, and Tagging, first half of June; Billfish, September; Neritics, no dates set. Scientific Committee and Sub-Committee on Statistics, prior to the Commission, November-December.

Actions:

SCRS: The work of the SCRS, especially those of the Sub-Committees on Environment and By-Catch and the Methods Group, should be coordinated with similar groups of IOTC. As regards the species groups, the possible mixing between the stocks of South Atlantic albacore and Indian Ocean albacore should be analyzed jointly, both at the level of statistics (verification of the databases between the ICCAT and IOTC Secretariats) and research (participation of scientists in the assessment groups).

Report availability: IOTC

Fifth Meeting of the Ministerial Conference on Fishery Cooperation Between Coastal African States of the Atlantic Ocean (COMHAFAT)

Location: Dakar, Senegal, January 19-22, 2004.

Representative: Papa Kebe (ICCAT Secretariat).

Substantive agenda items:

- Status of ratification of the regional Convention relative to COMHAFAT.
- Progress report of the following projects:
 - Cooperation between Morocco-Japan-Other African countries in matters of technology of maritime fishing industries.
 - Creation of a group of maritime training schools and fishery research institutions.
 - Regional support for the development of artisanal fishing.
- Updating of the directory of specialized experts in the field of fishery research.

- Relations with international, regional organizations.
- Consultation among member states at meetings and international organizations.

Comments: The participation of representatives from the following organizations is noteworthy: FAO, United Nations Industrial Development Organization (UNIDO), ICCAT, Sub-Regional Commission on Fishing (CSRP), Japan International Cooperation Agency (JICA), Overseas Fisheries Cooperation Foundation of Japan (OFCF), and the French Cooperation Agency. The conference has initiated action to improve monitoring, control and surveillance of fishing vessels as well as the harmonization of fishing policies and legislation. The meeting urged the member States to adhere and to participate actively in the work of the international organizations where the principles and rules for the utilization of the living marine resources are discussed, with the objective of making the African position better understood.

Actions: Activate relations between the COMHAFAT and ICCAT Secretariats, with a view towards better collaboration in issues of common interest.

Report availability: Available on the web site: www.comhafat.org.

First Session of the Firms Steering Committee Meeting

Location: Rome, Italy, February 2-5, 2004.

Representative: Adolfo Lima and Victor Restrepo (ICCAT Secretariat).

Substantive agenda items: Initial membership of the FIRMS Partnership. Review and adoption of the FSC rules of procedures. Review of the content of Partners Annex 2 (contributions). Report from the FIRMS Secretariat on the development of the FIRMS framework. Reports of developments in agency programs in FIRMS matters. Requirements for the operational version of the FIRMS modules. Priority areas for developing the FIRMS information management policy.

Comments: The Fishery Resources Monitoring System (FIRMS) is intended to facilitate worldwide distribution of reports on the status of stocks via the world wide web. The system was developed by FAO using the FIGIS tool. Throughout the past 4-5 years, several RFBs, including ICCAT, have been in close contact with FAO with the intention of becoming initial partners in FIRMS. In 2003, a draft Partnership Arrangement was finalized informally between these RFBs and FAO. In the same year, the SCRS and the ICCAT Commission agreed with the formal joining of ICCAT in the FIRMS Partnership. This meeting was needed to launch the Partnership Arrangement (five Partners were needed as a minimum) and to establish the rules of procedure for the steering committee (FSC; one member per Partner). The Partnership was launched with CCSBT, IATTC, ICCAT, ICES, IOTC, and FAO (Fisheries Department). The ICCAT contribution was strictly limited to the contents of the species executive Summary Reports of the SCRS, with the stipulation that no changes could be made that would compromise the integrity of these reports (Internally at the ICCAT Secretariat, it was decided that the FSC member would be the Executive Secretary --or a person designated by him-- and that the person in charge of making FIRMS entries would be the ICCAT Scientific Editor). Rules of procedure for the FSC were reviewed and agreed to during the meeting. The FSC agreed that a subsidiary body would need to be created in order to deal with the more technical decisions that would have to be taken. The next meeting was scheduled for February 2005 in Denmark.

Actions

SCRS: The Committee should monitor any entries that the Secretariat makes in 2004 and provide feedback.

Commission: None.

Report availability: <http://www.fao.org/fi/meetings/figis-firms/2004/default.asp>

Inter-sessional Meeting of CWP Agencies

Location: Rome, Italy, February 3 and 5, 2004.

Representative: Victor Restrepo (ICCAT Secretariat).

Substantive Agenda Items: Review of progress/plans for follow-up to recommendations of CWP-20. Review of draft document Fisheries Data Quality Indicators following presentation by the author, D. Evans. Provisional Agenda for CWP-21.

Comments: The Coordinating Working Party on Fishery Statistics (CWP) is a FAO Statutory Body that meets every other year, and informally in the intervening year (e.g. this meeting) to review progress. The meeting devoted most of the time to review progress made on recommendations from the last CWP meeting on issues such as standards, vessel data exchange formats, harmonization of trade documentation schemes, etc. In addition, the meeting focused on progress related to the implementation of the FAO Strategy for the improvement of information on Status and trend of Capture Fisheries, and in particular, on the role that CWP should play. Participants reviewed a paper that proposed a development of a set of indicators on data quality and endorsed the concept, agreeing that it should be examined in depth during a short workshop immediately prior to the next CWP meeting. CWP-21 was scheduled for March 1-5, 2005, in Copenhagen, Denmark.

Actions:

SCRS: The CWP makes recommendations about standards for data collection and exchange that are of interest to ICCAT and other RFBs. The Secretariat reports such recommendations to the SCRS when they impact ICCAT's work, in particular with regards to database issues.

Report availability: From FAO.

ICES Working Group on Methods on Fish Stock Assessments

Location: Lisbon, Portugal, February 11-18, 2004.

Representative: Joao Gil Pereira (SCRS Chairman) and Victor Restrepo (ICCAT Secretariat).

Substantive agenda items: Development of robust methods and software for the investigation of management procedures. Identification of estimators of stock conservation limits and reference points relating to longer-term potential yield. Data simulators for software testing; guidelines for testing. Diagnostics for model mis-specification. Development of statistical approaches to quantify uncertainty due to conditioning choices. Fishery-independent methods for data-poor situations.

Comments: The ICES Working Group on Methods on Fish Stock Assessments (WGMG) meets regularly to address methodological issues common to stock assessments worldwide. ICCAT and ICES scientists have at times collaborated on such work, especially when it is directly relevant to both organizations. For this meeting, there was strong interest in collaborating on the development of models and software for testing management procedures, an item which has been recommended by the SCRS in the past. The EC is financing a project to put together such an evaluation framework ("FEMS") and thus the WGMG meeting was used to present some of the concepts developed by FEMS to a wider audience. Another issue of interest to ICES and ICCAT is the implementation of stronger quality-assurance mechanisms during stock assessments. The WGMG meeting took note of the software catalog that is being developed by ICCAT which includes thorough documentation on validation and testing.

Actions:

SCRS: None.

Report availability: From <http://www.ices.dk/>

Third Session of the Scientific Sub-Committee of the Committee for the Eastern Central Atlantic Fisheries (CECAF)

Location: Lome, Togo, February 24-26, 2004.

Representative: Papa Kebe (ICCAT Secretariat).

Substantive agenda items:

Review of the state of artisanal fishing, the state of the pelagic stocks, the state of demersal stocks in the CECAF area. Review of information on the state of the high seas fishing stocks in the CECAF area. Management measures recommended. Review of the legal and institutional provisions relative to CECAF.

Comments: A project is under discussion on the possibilities of changing CECAF to a sub-regional Commission in charge of the fishery resources in the central-east area of the Atlantic. The potential conflicts with ICCAT on the management of large migratory fish led the meeting to request the CECAF Secretariat to cooperate better with ICCAT and to institute a relationship of the ICCAT-GFCM nature.

Actions: The Secretariat should be attentive to the processes in course concerning changing the legal status of CECAF.

Report availability: www.fao.org

OECD Workshop on Illegal, Unreported and Unregulated (IUU) Fishing Activities

Location: Paris, France, April 19-20, 2004.

Representative: Driss Meski and Victor Restrepo (ICCAT Secretariat).

Substantive agenda items: Overview of the problem and issues of IUU. Scale of the problem by species, region and country. Typical costs, manning and profits of IUU vessels. National instruments against IUU activities. How can international fisheries law and OECD instruments be helpful. The role for monitoring, surveillance and enforcement and the role of RFMOs.

Comments: The aim of the Workshop was to address IUU fisheries activities from a multi-disciplinary approach thus bringing to fore a broader range of possible actions. In particular the workshop addressed the economic and social drivers of the IUU activities. The Secretariat gave a presentation on how unreported catches are estimated on the basis of comparing Task I statistics against trade data from the Statistical Document Programs. Other workshop participants also gave presentations where ICCAT instruments were exemplified as important elements in a "toolbox" for addressing IUU fishing issues. OECD is making progress in better understanding the economic drivers behind IUU fishing activities and the costs of combating or deterring IUU fishing.

Actions:

Commission: The Commission could follow the developments by OECD in this area, as a better understanding of the socioeconomic drivers may complement the Commission's activities.
SCRS: None.

Report availability: From <http://www.oecd.org/agr/fish>

Meeting of the WTO Committee on Trade and Environment

Location: Geneva, Switzerland, April 20, 2004.

Representative: Driss Meski (ICCAT Secretariat).

Comments: In response to an invitation from the WTO, the Secretariat participated in the Regular Meeting of the Committee on Trade and Environment, held in Geneva on April 20, 2004, represented by its Executive Secretary. This participation is in the framework of ICCAT's mission, which consists of emphasizing, at meetings of international organizations, the measures taken by the Commission.

In view of the importance of the measures of a trade nature taken by ICCAT, it is essential to follow-up that these are valid at the level of the WTO. The April 20 session was dedicated to discussion of paragraphs 32, 32 and 51 of the Ministerial Statement of Doha. A large part of the discussion concerned

actions taken by some member and regional and international organizations to evaluate the effects of the environmental measures on access to the markets.

The discussion also concerned the interest of labeling instructions. Following the interventions of some delegations, it was considered that this question should be reviewed at the Committee on Technical Obstacles to Trade. The remainder of the issues was deferred to the agenda of the next meeting.

Under the "Other matters" agenda item, a proposal was presented by Canada concerning the work plan. This proposal was discussed at length without reaching any consensus. The Chair was charged with consulting the delegations to see in what measure a work plan could be adopted that facilitates the work of the Committee.

Upon completion of the work of this session, Madam Ambassador Naela Gabi of Egypt was elected Chair of the Committee on Trade and Environment.

5th Meeting of the Open Informal Consultation on the United Nations Convention on the Law of the Sea

Location: New York, United States, June 7 to 11, 2004.

Representative: Driss Meski (ICCAT Secretariat).

Substantive agenda items: The result of the meeting of the group of experts on the mechanisms for systematic notifications and evaluations, on the world level, of the state of the marine environment, including the socio-economic aspects; cooperation and coordination concerning issues relative to the oceans; general exchanges of views on critical fields and the measures required, including the issues reviewed during preceding meetings; exchange of views on matters to discuss in depth; recommendations to submit to the General Assembly.

Comments: In response to the invitation from the Division of Ocean Affairs and the Law of the Sea, the ICCAT Secretariat participated in the 5th Meeting of the Informal Open Consultation on the United Nations Convention on the Law of the Sea, which was held at the United Nations Headquarters in New York, June 7 to 11, 2004, represented by its Executive Secretary.

In view of the importance of the measures taken by ICCAT in matters of conservation and management of tuna resources, it was considered opportune to take part in this important meeting.

This consultation at which many inter-governmental and non-governmental organizations participated was dedicated to the analysis of the status of the sea beds and the measures that are needed to protect them against the degradation with which they are confronted.

In addition to this consultation a seminar was organized on the global assessment of the marine environment. Thus, many presentations were organized by the delegations of the member countries or the NGOs. These presentations were followed by important discussions. The synthesis of this evaluation was made by a limited group of selected friends of the co-chairs and integrated in the final resolution of the informal consultation.

During the course of the first days reserved for interventions of the delegates, the Executive Secretary asked for the floor to present all the measures taken by the Commission in matters of the fight against illegal fishing which contributes, in great measure, to the degradation of the marine resources. This intervention also pointed out other measures taken by ICCAT and which are aimed at conserving the marine resources.

There were discussions concerning the consultations and analysis of the situation at the level of the sea beds as well as the measures that have been taken to halt their degradation. All the delegations indicated that there are signs of a degrading trend of the sea beds, but divergent views were noted on the manner of halting this degradation and on the measures to take to counteract it.

Several proposals were made to create a legal framework in charge of the administration of these issues as well as the promulgation of the texts governing them, such as a code of conduct and the prohibition of

fishing gears that contribute to this degradation. However, this was difficult to adopt by consensus. More in-depth discussion is still needed on these issues.

Following the discussions, a resolution was adopted which will be submitted to the United Nations General Assembly.

Report availability: http://www.un.org/Depts/los/consultative_process/consultative_process.htm

FAO Technical Consultation to Review Progress and Promote the Full Implementation of the IPOA to Prevent, Deter and Eliminate IUU Fishing and the IPOA for the Management of Fishing Capacity

Location: Rome, Italy, June 24-29, 2004.

Representative: Driss Meski and Victor Restrepo (ICCAT Secretariat).

Substantive agenda items: Review of available information on capacity and IUU fishing; Actions taken by Members, Regional Fisheries Management Organizations (RFMO) and International Non-Governmental Organizations (INGOs) to implement the IPOA-IUU Fishing; Actions taken by Members and RFMOs to implement the IPOA-Capacity.

Comments: The consultation resulted from a recommendation of the FAO Committee on Fisheries (COFI) and its primary aim was to review progress made to-date on the implementation of the two International Plans of Action (IPOAs). The progress made by RFMOs on the implementation of IPOA-IUU was highlighted several times with special emphasis on tuna RFMOs such as ICCAT. A number of initiatives were proposed including strengthening informal and formal relationships between RFMOs and FAO was asked to expand its efforts to encourage further cooperation among RFMOs in their efforts to combat IUU fishing. In terms of capacity, the Consultation agreed that this was of major concern in high seas fisheries and RFMOs were seen as having a major role to play in assessing capacity and developing plans to manage and reduce it where it exists. The two IPOAs were reviewed during the same meeting because of the likely links between capacity and IUU fishing; however, the Consultation agreed that over-capacity was only one cause of IUU fishing and that a more holistic approach would be needed to combat IUU fishing on all fronts.

Actions:

Commission: Several recommendations were made that have direct relevance to the work of the Commission, including: To assess fishing capacity and implement capacity management schemes; to establish, with FAO's help, a database of information available to ICCAT and other RFMOs on IUU fishing, including lists of IUU vessels; to consider inviting third party expert auditors to review the range of the conservation and management measures and the effective implementation of these measures.

SCRS: None.

Report availability: From: <http://www.fao.org/fi>

FAO Technical Consultation on the Use of Subsidies in the Fisheries Sector

Location: Rome, Italy, June 30-July 2, 2004.

Representative: Driss Meski (ICCAT Secretariat).

Substantive agenda items: Subsidies in the fisheries sector and their incidences on: (a) fishing over-capacity; (b) illegal, unreported and unregulated fishing; (c) sustainable development and related matters, particularly in developing countries and small island developing States; future orientation of world studies focused on subsidies in the fishing sector.

Comments: This consultation follows two expert assessments by FAO in matters of the utilization of subsidies in the fishing sector. The problems consist in identifying the subsidies that contribute to the sustainable development of marine resources and those that are harmful to them. In reviewing

information on the results of these two expert assessments, COFI decided to expand the discussion to study the actions to be taken. This consultation was thus the occasion for the delegations to exchange points of view on the utilization of subsidies. The work of the consultation has been characterized by diverging points of view. Some delegations consider that a subsidy is an instrument that results in the development of the fishing sector, particularly the developing island States. Others consider that many types of subsidies are used to increase fishing capacity and to develop IUU fishing. The debate centered on the identification of the categories of subsidies and the sense of their utilization.

Report availability: From <http://www.fao.org/fi>

Technical Assistance Mission with the Minister of Fisheries of Equatorial Guinea to implement a data collection scheme

Location: Malabo, Equatorial Guinea, October 13-17, 2004.

Representative: Papa Kebe (ICCAT Secretariat).

Objectives: Following the conversation between the Minister of Fisheries of Equatorial Guinea and the Executive Secretary on August 23, 2004, the Secretariat received a request from the Authorities of the Republic of Equatorial Guinea for technical assistance aimed at establishing a information system for the collection of statistical data on fishing.

Development of the mission: The Representative of the Secretariat was received by the Minister of Fisheries as well as by the Vice-Minister of Fisheries. During the course of these discussions, the needs and the objectives were specified. Some working sessions with the technicians from this Ministry were carried out at Bata in order to try to obtain the following information:

- a census of the industrial fishing vessels and the landing ports;
- the logbooks used;
- landing sites of the artisanal vessels;
- human resources available; and
- training and equipment needs.

Then four landing sites of the artisanal fishery were visited and a discussion was held with the President of the fishers' organization in Malabo.

Conclusions: Considering there is no industrial fishery, efforts were concentrated on the artisanal fishery. A summary of the implementation of a work program including detailed information on the equipment to acquire, a training program and the technical details concerning the delimitations of time-area strata needed for sampling were outlined and sent to the Minister of Equatorial Guinea.

Actions to take: The ICCAT Secretariat should continue to provide the technical assistance necessary to implement this program so that Equatorial Guinea can comply with the ICCAT requirements as concerns the submission of statistical data.

Seventh Session of the Consultative Scientific Committee of the General Fisheries Commission of the Mediterranean

Location: Rome, Italy (FAO Headquarters), October 19-22, 2004.

Representative: Papa Kebe (ICCAT Secretariat).

Substantive agenda items: Review of recommendations made by the General Fisheries Commission of the Mediterranean. Review of reports of the Sub-Committees. Review of the Report of the GFCM-ICCAT Joint Working Group on Large Pelagic Species. Status of progress of the GFCM-ICCAT Working Group on sustainable farming of bluefin tuna

Comments: The meeting discussed at length the need for an *ad hoc* GFCM-ICCAT working group on large pelagics. It was agreed to redefine the terms of reference of this working group, its mandate and the periodicity of its meetings since the situation that prevailed since its creation has changed considerably. At present, the almost all the member countries of GFCM that have tuna fisheries have become Contracting Parties to ICCAT. The meeting regretted the delay in the publication of the conclusions of the GFCM-ICCAT Working Group on sustainable farming of bluefin tuna. Notwithstanding, the importance of this work that could result in improved monitoring following the rapid development of this sector was also noted.

Actions to take: The Commission should study the conditions in which the work of the *ad hoc* GFCM-ICCAT working group on large pelagics can continue to function.

Report availability: The report will be available on the GFCM web site.

2004 FINANCIAL REPORT¹***1 Introduction***

On April 1, 2004 Mr. Driss Meski started work at the Secretariat as Executive Secretary of ICCAT. On that date, Mr. Adolfo Ribeiro Lima transferred to him the status of expenditures incurred, which is shown on the following table:

Chapters	Expenses up to 01/04/04 (€)
Chapter 1. Salaries	169,217.22
Chapter 2. Travel	14,660.87
Chapter 3. Commission meetings (annual & inter-sessional)	0.00
Chapter 4. Publications	8,807.45
Chapter 5. Office equipment	2,499.31
Chapter 6. Operating expenses	34,474.85
Chapter 7. Miscellaneous	1,328.12
<i>Sub-total Chapters 1-7</i>	<i>230,987.82</i>
Chapter 8. Coordination of research:	
a) Salaries	143,931.86
b) Travel to improve statistics	5,713.89
c) Statistics-Biology	0.00
d) Computer related expenses	11,300.96
e) Database maintenance	1,646.19
f) Telephone line-Internet domain	1,657.92
g) Scientific meetings (including SCRS)	10,320.00
h) ICCAT Bluefin Year Program (BYP)	14,163.69
i) ICCAT Billfish Research Program	10,944.67
j) Miscellaneous	0.00
<i>Sub-total Chapter 8</i>	<i>199,679.18</i>
Chapter 9. Contingencies	17,170.00
Chapter 10. Separation from service fund	30,000.00
<i>Total expenses</i>	<i>477,837.00</i>

2 Auditor's Report – fiscal year 2003

The Executive Secretary sent a copy of the Auditor's Report to the Governments of all the Contracting Parties in April 2004 (ICCAT SALIDA #489). The General Balance at the close of fiscal year 2003 (**Statement 1**, attached), showed an effective balance in Cash and Bank of €391,983.76, corresponding to the available in the Working Capital Fund, €179,554.30, to advances on future contributions accumulated to the close of fiscal year 2003 amounting to €134,532.81, and to the available in funds for other Programs, €77,896.65.

The balance of accumulated pending contributions at the close of fiscal year 2003 (corresponding to 2003 and previous years) amounted to a total of €1,847,039.74.

3 Financial status of the first half of the biennial budget – fiscal year 2004

All the financial operations of the Commission corresponding to fiscal year 2004 have been maintained in Euros. The accounting entries that originated in U.S. dollars are also registered in Euros, applying the official exchange rates facilitated monthly by the United Nations.

¹ The Financial Report presented at the 2004 Commission Meeting was revised and updated to the close of fiscal year 2004.

The 2004 Regular Budget, amounting to €1,937,861.02 was approved by the Commission at its 18th Regular Meeting (Dublin, November 2003). The General Balance (attached as **Statement 2**) shows the assets and liabilities to the close of fiscal year 2004, which are shown in detail in **Tables 1 to 6**.

Table 1 shows the status of the contributions of each Contracting Party.

Of the budget approved, income towards 2004 contributions amounted to €1,511,084.47. Only 22 of the 37 Contracting Parties included in this budget have paid their total contribution (Algeria, Angola, Barbados, Brazil, Canada, Côte d'Ivoire, Croatia, Cyprus, Equatorial Guinea, European Community, France (Overseas Territories), Iceland, Japan, Korea, Libya, Malta, Mexico, Namibia, Russia, Trinidad & Tobago, Turkey and United States). The People's Republic of China paid 84.52% of its contribution for 2004 (€5,616.71), Morocco paid 98.19% (€50,509.33), Tunisia has paid 63.33% (€17,980.03), United Kingdom (Overseas Territories) has paid 23.81% (€7,839.85), and Venezuela has paid 3.73% (€2,393.74). In considering these percentages it is noted that some Contracting Parties make bank transfers without taking the transfer charges into account. For this reason, South Africa owes €7.61 and therefore their contributions are almost paid in full.

The contributions to the 2004 Regular Budget that are pending payment from the Contracting Parties amount to €26,776.55, which represents 22.02% of the budget.

Advances received in 2002 and 2003 from Namibia (€30,715.89) and in 2003 from Turkey (€752.96) have been applied towards partial payment of their 2004 contributions, whereas the advances received in 2003 from Iceland (€12,880.61) and in 2002 from Libya (€14,537.98) of which there remained a balance of €90,183.35, have been applied towards the total payment of their 2004 contributions. There is a balance in favor of Libya of €7,313.54, which will be applied towards the payment of future contributions. In 2004, an advance was received from Angola amounting to €886.49, from Brazil for €0.19, from Côte d'Ivoire for €19,960.27 and from Equatorial Guinea for €6,453.49, which will be applied toward the payment of future contributions.

On August 9, 2004 the European Community paid two-thirds of the 2004 contributions of Cyprus and Malta, due to the these two countries having joined the European Union on May 1, 2004.

The total accumulated debt from budgetary and extra-budgetary contributions amounts to €1,834,019.29, which includes, among others, the extra-budgetary contributions from Contracting Parties that have recently joined the Commission: Honduras (€14,937.00), Vanuatu (€3,295.28), Republic of Nicaragua (€6,387.40), Guatemala (€3,193.70), and Senegal (€8,890.66), and the debts of Benin (€50,508.83), and Cuba (€66,317.48), which are no longer Contracting Parties to ICCAT.

Table 2 shows the liquidation of budgetary expenses at the close of fiscal year 2004, broken down by chapters.

Budgetary expenses

Following herewith are some general comments by chapters:

Chapter 1 – Salaries: The salaries and remuneration of 13 Secretariat staff members were charged to this chapter: two staff in the Professional or Higher categories (the Executive Secretary and the Assistant Executive Secretary), eight staff in the General Services (the Head of Finance and Administration, five Translators in the Language Departments, a Receptionist and a Mail and Publications Clerk), and three staff included in the Spanish Social Security system (a Translator in the Language Department, a Mail and Publications Clerk and an Assistant Bookkeeper).

In September 2004 the U.N. Civil Service Commission published a new pensionable remuneration scale that entered into effect in this same month for the Professional or Higher categories, for which this increase in expenses has been included since the month of September for these staff.

In October 2004 the Secretariat also received information published by the U.N. Civil Service Commission regarding the change in the salary and pension scales for staff in the General Services category for Madrid (which had not been changed since July 1, 1999) and which was effective as of April 1, 2004. With regard to this change, this chapter only includes the increase for the months from October to December. The total amount of retroactive was paid in December 2004 and is included in the extra-budgetary expenses for fiscal year 2004.

Therefore, the total amount for Chapter 1 contains the updating of the remuneration schemes to those in effect for staff classified in the United Nations categories, including tenure and the contribution to the Van Breda Pension Plan. It also includes the cost of Spanish Social Security for Secretariat staff included in this system, the payment of taxes in accordance with that stipulated in Article 10 of the *ICCAT Staff Regulations and Rules*, as well as educational allowance for the staff concerned in accordance with Article 16 of the aforementioned Staff Regulations.

Chapter 2 – Travel: The amount incurred charged to this chapter of the Budget amounts to €5,492.84 and corresponds to the trip expenses and *per diem* for Secretariat participation in the following meetings: trips to Contracting Parties related to the functioning of the Commission (€3,327.82), travel of invited experts (€3,785.63), travel to participate in meetings of other international organizations (€2,215.50) and travel related to benefits of Secretariat staff in the Professional category (€6,163.89).

Chapter 3 – Commission meetings: This chapter includes expenditures which amount to €105,115.95, corresponding to expenses of the 2004 Commission meeting held in New Orleans, which include Secretariat expenses (travel, lodging, *per diem*, overtime, etc.), interpreters' expenses (travel, lodging, *per diem*, honorariums and loss of earnings pay), as well as the expenses for water and coffee service during the meeting breaks and other events, expenses for the transport of the material necessary for the meeting and expenses for the Secretariat's work rooms. The United States assumed part of the expenses incurred for holding the annual ICCAT meeting outside the headquarters city, with a special contribution of €9,170.00. ICF Consulting also made a special contribution amounting to €8,121.00 (US\$48,500.00) by assuming part of the expenses for the interpreters. This chapter also includes part of the expenses incurred to pay accumulated vacation time of Secretariat Professional category staff that had accumulated an important amount of overtime during the Commission meetings, in accordance with a proposal approved at the 2004 Commission meeting that a one-time not-to-be repeated payment be made to liquidate this debt.

Chapter 4 – Publications: The expenses charged to this chapter include the purchase of material for publications –paper and toner- amounting to (€5,701.49), reproduction of publications (€7,394.44), rental of photocopiers (€15,967.87), binding by a printer of the following publications: Statistical Bulletin, Vol. 33, Report for the Biennial Period, 2002-03, Part II, Vols. 1, 2 and 3 in the three official languages of the Commission, Collective Volume of Scientific Papers in four volumes, and the Staff Regulations and Rules in three languages (€5,643.35), payment of the contract with NICMAS for the preparation of the bibliography of ICCAT publications (€1,254.55), and payment of salary of Secretariat staff who worked exclusively on the coordination of publications (€3,246.94).

Chapter 5 – Office equipment: Expenses charged to this chapter, which amounted to €7,346.72, include the purchase of diverse office furniture for the Secretariat: new furniture for two offices, replacement of a chair, a table and a cabinet, as well as the purchase of a fax machine.

Chapter 6 – Operating expenses: The expenses incurred in this chapter totaled €25,306.48, which correspond to expenses for communications: mailing, phone and fax service (€50,707.85), bank charges (€2,639.57), audit (€10,215.55), maintenance contracts, garage rental, and office cleaning (€39,056.09), representation expenses (€13,711.71 Euros); and office material and reproduction of documents (€8,975.71).

The increase in expenditures in this chapter is due to the important increase in the postage rates for mailing of official office correspondence, as well as the increase in the volume of mail and faxes during the months of April and May due to the mail vote process, and to the increase in phone and fax costs.

This chapter also includes expenses amounting to €4,939.28, which correspond to the changes made to restructure the offices of the staff, since functions have been separated to expedite the internal functioning of the Secretariat, and expenses amounting to €7,008.56 for improvements in some offices of the Secretariat staff.

Chapter 7 – Miscellaneous: This chapter includes various expenses of a minor nature, such as minor repairs at the Secretariat. The amount charged to this chapter was €6,375.11.

Chapter 8 – Coordination of research:

A) *Salaries:* Expenses corresponding to the salaries of eight Secretariat staff members were charged to this sub-chapter: three staff in the Professional or Higher category (the Head of the Statistics Department, the Scientific Editor (up to September), a Biostatistician, two staff in the General Services category (a statistical

secretary, and a person in charge of the Positive List of Vessels) and three staff included in the Spanish Social Security system (a database programmer, a data entry clerk, and an administrative assistant).

The observations made under Chapter 1 concerning the salary schemes in effect in 2004 for staff classified in the United Nations categories also apply to this sub-chapter, as well as the costs for Spanish Social Security for Secretariat staff included in this system, the payment of taxes in accordance with Article 10 of the *ICCAT Staff Regulations and Rules*, and the educational allowance for staff entitled to this in accordance with Article 16 of the *ICCAT Staff Rules*.

This sub-chapter includes the expense for repatriation of the former Executive Secretary in accordance with Article 35 of the *ICCAT Staff Regulations and Rules*, as well as the repatriation and final liquidation paid to the Scientific Editor.

- B) *Travel to improve statistics*: The amount incurred charged to this sub-chapter amounts to €8,141.27 and corresponds to the trip and *per diem* expenses for Secretariat participation in the following meetings: Travel related to SCRS inter-sessional meetings (€6,835.67), travel to participate in meetings of other organizations (€8,254.34) and travel to improve statistics (€3,051.26).
- C) *Statistics/Biology*: Charges to this sub-chapter amounted to €4,659.45, which included expenses for the participation of the expert who presented the GAO program at the 2004 SCRS Meeting held in Madrid (€2,397.01), the expenses and honorariums for the participation of a scientific expert at the Inter-sessional Meeting of the Sub-Committee on By-Catches (Shark Assessment) held in Japan (€5,124.68), the purchase of tags (€1,420.79), the purchase of a computer and external hard disk for statistics (€4,971.47), and the payment of the 2004 ICCAT lottery awards (€745.50).
- D) *Computer-related items*: The amount incurred in this sub-chapter (€2,709.21) corresponds to the acquisition of computers, printers, software, memory expansion, repair of printers and the purchase of diverse computer materials.
- E) *Database maintenance*: The amount spent for this concept was €3,744.19, corresponding to the purchase of software and annual contracts with the computer equipment distributor.
- F) *Telephone line-Internet domain*: The expense incurred for this concept amounted to €4,252.77, corresponding to connection fees and Internet maintenance.
- G) *Scientific meetings (including SCRS)*: The amount spent in this sub-chapter was €74,595.09 corresponding to part of the expenses incurred for the annual meeting of the 2004 Scientific Committee (SCRS) in Madrid: interpreters' honorariums, simultaneous translation equipment, payment to the hotel where the meeting was held, and expenses for the photocopiers used at the meeting.

This sub-chapter also includes the payment of the honorariums to the interpreters for the Second World Meeting on Bigeye Tuna (€10,320.00) and ICCAT financing of the Second Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies, held in Marseille (€4,989.85). The breakdown of expenses of the aforementioned meeting is given in the table referring to this meeting.

Lastly, this sub-chapter also includes the remainder of the expenses incurred to liquidate accumulated vacation time of Professional category staff who had an important amount of accumulated overtime during the SCRS meetings, in accordance with a proposal agreed upon at the 2004 Commission meeting that a one-time not-to-be repeated payment be made to liquidate this debt.

- H) *ICCAT Bluefin Year Program (BYP)*: The Contracting Parties financed a budget of €14,163.69 as an ICCAT budgetary contribution to this Program. The breakdown of the income and expenses are provided in the table referring to this Program.
- I) *ICCAT Research Program for Billfish*: The Contracting Parties financed a budget of €10,944.67 as an ICCAT budgetary contribution to this Program. The breakdown of the income and expenses are given in the table referring to this Program.

J) *Miscellaneous*: Expenses in this sub-chapter amounted to €3,190.00 and correspond to the shipment of household goods and personal effects of the former Executive Secretary.

Chapter 9 – Contingencies: This chapter showed expenses of €17,170.00. These include expenses for the incorporation of the new ICCAT Executive Secretary.

Extra-budgetary expenses

The extra-budgetary expenses incurred in fiscal year 2004 are explained in detail in item 8 of this Report. The payment of retroactive (April to September) following the change in the salary and pension scale for staff in the General Services category for Madrid, which was effective from April 1, 2004, and the negative differences in currency exchange were also charged as extra-budgetary expenses.

Table 3 shows budgetary and extra-budgetary income received by the Commission in fiscal year 2004. Budgetary income totaled €1,902,133.96, from Contracting Party contributions paid in 2004 towards the 2004 Budget (€1,443,865.20), contributions corresponding to previous budgets paid by United Kingdom (Overseas Territories) (€5,892.21), Gabon (€26,013.90), Equatorial Guinea (€6,453.49), Tunisia (€405.12), Venezuela (€99,561.07), People's Republic of China (€8,883.29), Ghana (€159,640.59), Morocco (€21,414.48), and Uruguay (€9,961.00), as well as the payment of the balance of those Contracting Parties that continue not taking into account the bank transfer charges when transferring funds: South Africa (€27.61) and Côte d'Ivoire (€16.00), and other income (extra-budgetary) received in 2004.

The extra-budgetary income received this year includes: the contribution from Norway (€6,387.40) and the Philippines (€8,511.71), income received to hold the inter-sessional meeting held in Marseille (€9,839.85), the contribution pending (20%) from the European Community to cover the Secretariat expenses of the Commission meeting held in Dublin in 2003 (€1,000.00), observer fees at ICCAT meetings (€10,908.35), a special contribution from Chinese Taipei (€2,763.34), bank interest (€6,171.70), and reimbursement of Value Added Tax (VAT) (€1,450.56).

Table 4 shows the composition and balance of the Working Capital Fund at the close of fiscal year 2004. The fund shows a positive accounting balance of €328,199.06, which represents 16.94% of the 2004 Budget.

Table 5 shows the status of Cash Flow during fiscal year 2004, as regards income and expenses.

Table 6 presents the status of Cash and Bank, with a balance of €93,039.76 which corresponds to the total available in the Working Capital Fund (€328,199.06), as well as the available in funds for other programs (€1,015.40), the available in the Separation From Service Fund (€-8,359.02), the available in the Special Fund for Statistics (€4,581.42), the available in the ICCAT/Japan Data Program (€16,601.52), the available in the Belize Voluntary Fund (€6,387.40), and advances on future contributions (€94,613.98).

The available in the Separation From Service Fund has a negative accounting balance due to the expense charged to apply Article 34 of the *ICCAT Staff Regulations and Rules*, Termination Indemnity, following the departure of the former Executive Secretary.

4 Enhanced Research Program for Billfish

Enhanced Research Program for Billfish	Euros (€)
Balance at start of fiscal year 2004	21,513.96
INCOME	
Financed by ICCAT	10,944.67
<i>Total income</i>	<i>10,944.67</i>
EXPENSES	
Program expenses	17,341.34
Bank charges	153.76
<i>Total expenses</i>	<i>17,495.10</i>
Balance at the close of fiscal year 2004	14,963.53

5 Bluefin Year Program (BYP)

Bluefin Year Program	Euros (€)
Balance at start of fiscal year 2004	56,382.69
INCOME	
Financed by ICCAT	14,163.69
<i>Total income</i>	<i>14,163.69</i>
EXPENSES	
Program expenses	34,416.11
Bank charges	78.40
<i>Total expenses</i>	<i>34,494.51</i>
Balance at the close of fiscal year 2004	36,051.87

6 Special Fund for Statistics

At its 2003 meeting, the Commission approved a *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* [Res. 03-21]. For this purpose, the Secretariat received a contribution on June 30 from the United States to initiate the Special Fund for Statistics. At the close of Fiscal Year 2004 this fund shows the following balance:

Special Fund for Statistics	Euros (€)
INCOME	
Special contribution from the United States	16,662.00
<i>Total income</i>	<i>16,662.00</i>
EXPENSES	
Moratorium the Gulf of Guinea – Ghana	12,064.00
Bank charges	16.58
<i>Total expenses</i>	<i>12,080.58</i>
Balance at the close of fiscal year 2004	4,581.42

7 Separation From Service Fund

In the budget approved at the 2003 Commission meeting held in Dublin, a new chapter was created entitled “Separation From Service Fund”, with the objective of having cash available for cases in which Secretariat staff separate from ICCAT service and thus have to be paid an indemnity in accordance with the current rule in the *ICCAT Staff Regulations and Rules*. The status of this fund is as follows.

Separation from Service Fund	Euros (€)
INCOME	
Financed by ICCAT	30,000.00
<i>Total income</i>	<i>30,000.00</i>
EXPENSES	
Indemnity for termination of contract Mr. Lima	38,359.02
<i>Total expenses</i>	<i>38,359.02</i>
Balance at the close of fiscal year 2004	-8,359.02

8. ICCAT inter-sessional meetings in Marseille

The Government of France invited the Commission to hold the Meeting of the Working Group to Develop Integrated and Coordinated Strategies for Atlantic Bluefin Tuna in Marseille (May 17 to 20, 2004), assuming part of the expenses of the organization (€44,850.00).

The European Community sent a special contribution of €40,000.00 to ICCAT and ICCAT paid €4,989.85 to cover the expenses which included the following: lodging, *per diem*, and overtime for the Secretariat staff that traveled to Marseille, technical equipment in the meeting rooms, organizing expenses and coffee break.

Inter-sessional meetings in Marseille	Euros (€)
INCOME	
Financed by the European Community	40,000.00
Financed by France	44,850.00
Financed by ICCAT	4,989.85
<i>Total income</i>	89,839.85
EXPENSES	
Meeting expenses	89,839.85
<i>Total expenses</i>	89,839.85
Balance at the close of fiscal year 2004	0.00

9 ICCAT/Japan Data Project

At the 2004 Commission Meeting held in New Orleans, the delegation of Japan presented a five-year project to improve data. The budget for the total project will be US\$1,500,000. In December 2004, the Secretariat received €242,353.67 (US\$308,338.00). The bookkeeping of these funds will be included in the ICCAT accounting registers, until the Project's accounting is independent. The aforementioned fund has a separate bank account from ICCAT's accounts.

The status of the Project at the close of fiscal year 2004 is as follows:

ICCAT/Japan Data Project	Euros (€)
INCOME	
Contribution from Japan	242,353.67
<i>Total income</i>	242,353.67
EXPENSES	
Project expenses	15,309.13
Negative difference in currency exchange	10,433.11
Bank charges	9.91
<i>Total expenses</i>	25,752.15
Balance at the close of fiscal year 2004	216,601.52

10 Belize Voluntary Fund

In fiscal year 2004, Belize contacted the Secretariat to request information on becoming a Contracting Party to the Commission. As of December 31, 2004, the Secretariat had not yet received any communication from the Department of General Legal Services of FAO that Belize had completed the formal procedure for ICCAT membership. On November 29, 2004, the Secretariat received a contribution from Belize amounting to €5,387.40. Since Belize is not yet a member of ICCAT, this money has been considered as a fund, until Belize finalizes the adherence procedure and obtains the status of a full member.

Statement 1. General balance at the close of fiscal year 2003 (Euros)

<i>Assets</i>		<i>Liabilities</i>	
	Euros		Euros
Available:			
BBVA:		Acquired holdings	81,600.61
Acct. 0200176725 (Euros)	7,002.93	Guaranty deposit	370.01
Acct. 0200173290 (Euros)	324,146.04	Available in the Working Capital Func	179,554.30
Acct. 2010012035 (US\$)	\$7,882.01 6,636.65	Available in funds for programs	
Barclays:		Billfish Research Program	21,513.96
Acct. 21000545 (Euros)	43,773.20	Bluefin Year Program (BYP)	<u>56,382.69</u> 77,896.65
Acct. 41000347 (US\$)	\$8,848.94 7,450.81	Advances on future contribution:	134,532.81
Banco Simeon:		Accumulated pending contribution:	1,847,039.74
Acct. 0150255223 (Euros)	2,383.65		
Cash on hand (Euros)	<u>590.48</u>		
Total available (Euros)	391,983.76		
(Exchange rate: 1\$US=0.842 Euros)			
Receivables:			
Past due contributions	1,847,039.74		
Fixed assets:			
Acquired before 2003	206,701.94		
Acquired during 2003	33,641.25		
Retired during 2003	<u>0.00</u>		
Total fixed assets in use	240,343.19		
Accumulated depreciation	<u>-158,742.58</u>		
Fixed assets (net)	81,600.61		
Guaranty deposit	370.01		
TOTAL ASSETS	2,320,994.12	TOTAL LIABILITIES	2,320,994.12

Statement 2. General balance at the close of fiscal year 2004 (Euros)

<i>Assets</i>			<i>Liabilities</i>			
			Euros			Euros
Available:						
BBVA:						
	Acct. 0200176725 (Euros)		19,284.48	Net acquired holdings		109,581.16
	Acct. 0200173290 (Euros)		3,469.66	Guaranty deposit		370.01
	Acct. 2010012035 (US\$)	\$314,783.55	237,346.80	Available in the Working Capital Fund		328,199.06
	Deposit (Euros)		150,000.00	Available in funds for programs:		
Barclays:				Billfish Research Program	14,963.53	
	Acct. 21000545 (Euros)		6,252.56	Bluefin Year Program (BYP)	<u>36,051.87</u>	51,015.40
	Acct. 41000347 (US\$)	\$8,793.95	6,630.64	Available in Separation from Service Fund		-8,359.02
	Deposit (Euros)		25,204.14	Available in Special Fund for Statistics		4,581.42
Banco Simeon:				Available in ICCAT/Japan Data Project		216,601.52
	Acct. 0150255223 (Euros)		2,649.96	Available in Belize Voluntary Fund		6,387.40
	Deposit (Euros)		25,000.00	Advances on future contributions		94,613.98
Cash on hand (Euros)			600.00	Accumulated pending contributions		1,834,019.29
Fiduciarias Financial Accounts - ICCAT-Japan Data Project						
	Acct. 0201510278 (Euros)		<u>216,601.52</u>			
Total available (Euros)			693,039.76			
(Exchange rate: 1\$US=0.754 Euros)						
Receivables:						
	Past due contributions		1,834,019.29			
Fixed assets:						
	Acquired before 2004		240,343.19			
	Acquired during 2004		27,524.61			
	Adjustments and retired during 2004		<u>-81,634.04</u>			
	Total fixed assets in use		<u>186,233.76</u>			
	Accumulated depreciation		<u>-76,652.60</u>			
	Fixed assets (net)		109,581.16			
Guaranty deposit			370.01			
TOTAL ASSETS			2,637,010.22	TOTAL LIABILITIES		2,637,010.22

Table 1. Status of Contracting Party contributions (Euros) (at the close of fiscal year 2004)

<i>Contracting Party</i>	<i>Balance due at start of fiscal year 2004</i>	<i>2004 Contracting Party contributions</i>	<i>Contributions paid in 2004 or applied to 2004 Budget</i>	<i>Contributions paid in 2004 towards previous budgets</i>	<i>Balance due as of close of FY</i>
A) Regular Commission Budget:					
Algérie	0.00	31,610.00	31,610.00	0.00	0.00
Angola 1/	0.00	19,930.49	19,930.49	0.00	0.00
Barbados	0.00	7,015.51	7,015.51	0.00	0.00
Brazil 2/	0.00	132,067.03	132,067.03	0.00	0.00
Canada	0.00	29,689.97	29,689.97	0.00	0.00
Cap-Vert	219,389.67	20,739.91	0.00	0.00	240,129.58
China, People's Rep. of	8,883.29	42,141.84	35,616.71	8,883.29	6,525.13
Communauté Européenne 3/	0.00	615,035.75	615,035.75	0.00	0.00
Côte d'Ivoire 4/	16.00	20,008.27	20,008.27	16.00	0.00
Croatia	0.00	15,109.07	15,109.07	0.00	0.00
Cyprus, Rep. of	0.00	13,222.48	13,222.48	0.00	0.00
France (St. Pierre & Miquelon)	0.00	19,320.92	19,320.92	0.00	0.00
Gabon	110,826.60	20,467.71	0.00	26,013.90	105,280.41
Ghana	834,979.34	190,840.77	0.00	159,640.59	866,179.52
Guinea Ecuatorial 5/	6,453.49	6,440.31	6,440.31	6,453.49	0.00
Guinea, Rep. of	71,312.93	6,440.31	0.00	0.00	77,753.24
Honduras	19,694.77	12,880.61	0.00	0.00	32,575.38
Iceland 6/	0.00	12,880.61	12,880.61	0.00	0.00
Japan	0.00	95,426.81	95,426.81	0.00	0.00
Korea, Rep. of	0.00	26,274.93	26,274.93	0.00	0.00
Libya 7/	0.00	22,869.81	22,869.81	0.00	0.00
Malta	0.00	20,328.43	20,328.43	0.00	0.00
Maroc	21,414.48	51,439.15	50,509.33	21,414.48	929.82
Mexico	0.00	26,085.00	26,085.00	0.00	0.00
Namibia 8/	0.00	32,155.38	32,155.38	0.00	0.00
Panama	24,090.13	30,209.98	0.00	0.00	54,300.11
Russia	0.00	15,814.51	15,814.51	0.00	0.00
São Tomé e Príncipe	84,214.46	12,981.91	0.00	0.00	97,196.37
Senegal 9/	45,593.31	0.00	0.00	0.00	45,593.31
South Africa	27.61	33,759.80	33,732.19	27.61	27.61
Trinidad & Tobago	0.00	24,503.17	24,503.17	0.00	0.00
Tunisie	405.12	28,391.19	17,980.03	405.12	10,411.16
Turkey 10/	0.00	43,450.50	43,450.50	0.00	0.00
United Kingdom (Overseas Terr.)	5,892.21	32,928.67	7,839.85	5,892.21	25,088.82
United States	0.00	133,773.67	133,773.67	0.00	0.00
Uruguay	59,226.67	21,071.85	0.00	29,961.00	50,337.52
Vanuatu	0.00	6,440.31	0.00	0.00	6,440.31
Venezuela	199,561.07	64,114.39	2,393.74	199,561.07	61,720.65
Sub-total A)	1,711,981.15	1,937,861.02	1,511,084.47	458,268.76	1,680,488.94
B) New Contracting Parties:					
Honduras (30-01-2001)	14,937.00	0.00	0.00	0.00	14,937.00
Vanuatu (25-10-02)	3,295.28	0.00	0.00	0.00	3,295.28
Philippines, Rep. of (09-01-04)	0.00	8,511.71	8,511.71	0.00	0.00
Norway (05-03-04)	0.00	6,387.40	6,387.40	0.00	0.00
Nicaragua Rep. (11-03-04)	0.00	6,387.40	0.00	0.00	6,387.40
Guatemala (12-11-04)	0.00	3,193.70	0.00	0.00	3,193.70
Senegal (21-12-04)	0.00	8,890.66	0.00	0.00	8,890.66
Sub-total B)	18,232.28	33,370.87	14,899.11	0.00	36,704.04
C) Withdrawals of Contracting Parties:					
Cuba (Efectivo:31-12-91)	66,317.48	0.00	0.00	0.00	66,317.48
Benin (Efectivo:31-12-94)	50,508.83	0.00	0.00	0.00	50,508.83
Cyprus, Rep. of (Efectivo: 01-05-04)	0.00	0.00	0.00	0.00	0.00
Malta (Efectivo: 01-05-04)	0.00	0.00	0.00	0.00	0.00
Sub-total C)	116,826.31	0.00	0.00	0.00	116,826.31
TOTAL A)+B)+C)	1,847,039.74	1,971,231.89	1,525,983.58	458,268.76	1,834,019.29

1/ Advance from Angola (€886.49) which will be applied towards the payment of future contributions.

2/ Advance from Brazil (€0.19) which will be applied towards the payment of future contributions.

3/ On August 9, 2004 the European Community paid 2/3 of the 2004 contribution of Cyprus and Malta for the adherence of these two countries to the European Union on May 1, 2004.

4/ The advance from Côte d'Ivoire (€9,960.27) will be applied towards the payment of future contributions.

5/ The advance from Equatorial Guinea (€6,453.49) will be applied towards payment of future contributions.

6/ The advance from Iceland, received in 2003, (€12,880.61) has been applied as the total payment of its 2004 contribution. In 2004 another advance was received (€12,880.61) which will be applied as the payment of future contributions.

This advance was returned to Iceland, following communication with the delegation; therefore, there is no balance remaining.

7/ Of the advance from Libya received in 2002 (€14,537.98) there is a remainder of €0,183.35 which has been applied as the total payment of its 2004 contribution. There is a balance in favor of Libya amounting to €67,313.54 which will be applied towards the payment of future contributions.

8/ Of the advance from Namibia received in 2002 (€0,715.89) there is a balance of €1,222.81 which, together with the advance from 2003 for €29,493.08, shows a balance in favor of Namibia of €0,715.89 which has been applied as partial payment of Namibia's 2004 contribution.

9/ Senegal was a member of the Commission from August 25, 1971 to December 31, 1988, during which time it accumulated past due contributions amounting to €45,593.31, and rejoined the Commission on December 21, 2004..

10/ The advance from Turkey received in 2003 (€752.96) has been totally applied towards the partial payment of its 2004 contribution.

Table 2. Budgetary and extra-budgetary expenses (Euros) (at the close of fiscal year 2004)

<i>Chapters</i>	<i>2004 Budget</i>	<i>Expenses at the close of fiscal year 2004</i>
1. Budget and budgetary expenses		
Chapter 1 Salaries	798,307.49	793,115.70
Chapter 2 Travel	41,847.27	35,492.84
Chapter 3 Commission meetings (annual and inter-sessiona	112,509.47	105,115.95
Chapter 4 Publications	50,941.79	39,208.64
Chapter 5 Office equipment	7,813.16	7,346.72
Chapter 6 Operating Expenses	109,384.20	125,306.48
Chapter 7 Miscellaneous	6,250.53	6,375.11
<i>Sub-total Chapters 1-7</i>	<i>1,127,053.91</i>	<i>1,111,961.44</i>
Capítulo 8 Coordination of research		
a) Salaries	523,246.29	522,994.30
b) Travel to improve statistic	35,409.23	18,141.27
c) Statistics - Biology	44,691.26	14,659.45
d) Computer-related items	25,000.00	22,709.21
e) Database maintenance	16,407.63	3,744.19
f) Telephone line - Internet domair	10,000.00	4,252.77
g) Scientific meetings (including SCRS	75,006.31	74,595.09
h) ICCAT Bluefin Year Program (BYP)	14,163.69	14,163.69
i) ICCAT Billfish Research Program	10,944.67	10,944.67
j) Miscellaneous	5,938.00	3,190.00
<i>Sub-total Capítulo 8</i>	<i>760,807.08</i>	<i>689,394.64</i>
Chapter 9 Contingencies	20,000.00	17,170.00
Chapter 10 Separation From Service Fund	30,000.00	30,000.00
TOTAL BUDGETARY EXPENSES (Chapters 1 to 10)	1,937,860.99	1,848,526.08
2. Extra-budgetary expense:		
Marseille meeting		89,839.85
Secretariat retroactive pay - General Services categor		56,406.73
Negative differences in currency exchange		22,968.72
TOTAL EXTRA-BUDGETARY EXPENSES		169,215.30
TOTAL EXPENSES INCURRED IN 2004		2,017,741.38

Table 3. Budgetary and extra-budgetary income received (Euros) (at the end of fiscal year 2004)

1.1 Contributions received in 2004 towards the 2004 Budget:			
Canada	(January 8)	29,689.97	
Japan	(January 23)	95,426.81	
Namibia	(January 28)	1,439.49	
South Africa	(February 12)	33,732.19	
Côte d'Ivoire	(February 17, November 11)	20,008.27	
Trinidad & Tobago	(February 24)	24,503.17	
Mexico	(Febrero 26)	26,085.00	
Malta	(March 3, August 9)	20,328.43	
United Kingdom (Overseas Territories)	(March 3, May 31, October 18)	7,839.85	
Communauté Européenne	(March 15)	615,035.75	
France (St. Pierre & Miquelon)	(March 15)	19,320.92	
Algérie	(April 5)	31,610.00	
Brazil	(April 14)	132,067.03	
Cyprus, Rep. of	(April 15)	13,222.48	
Angola	(June 21)	19,930.49	
Turkey	(June 21)	42,697.54	
Korea, Rep. of	(July 29, December 28)	26,274.93	
Tunisie	(July 29)	17,980.03	
United States	(September 13)	133,773.67	
Russia	(September 22)	15,814.51	
Croatia	(October 13)	15,109.07	
China, People's Rep. of	(October 19)	35,616.71	
Venezuela	(November 11)	2,393.74	
Maroc	(November 30)	50,509.33	
Guinea Ecuatorial	(December 13)	6,440.31	
Barbados	(December 31)	7,015.51	1,443,865.20
1.2 Contributions received in 2004 towards previous budgets:			
South Africa	(February 12)	27.61	
Côte d'Ivoire	(February 17)	16.00	
United Kingdom (Overseas Territories)	(March 3)	5,892.21	
Gabón	(March 8)	26,013.90	
Guinea Ecuatorial	(June 28)	6,453.49	
Tunisie	(July 29)	405.12	
Venezuela	(September 22, November 11)	199,561.07	
China, People's Rep. of	(October 19)	8,883.29	
Ghana	(November 11)	159,640.59	
Maroc	(November 30)	21,414.48	
Uruguay	(December 31)	29,961.00	458,268.76
1.3 Extra-budgetary contributions from new Contracting Parties received in 2004:			
Norway	(May 5)	6,387.40	
Philippines, Rep of	(November 16)	8,511.71	14,899.11
1.4 Other extra-budgetary income:			
Marseille meeting		89,839.85	
Observer fees at ICCAT meetings		10,908.35	
Extra-budgetary contribution from Chinese Taipei to ICCAT		62,763.34	
European Community contribution for 2003 Dublin meeting (remaining 20%)		11,000.00	
Bank interest		6,171.70	
Return of VAT		1,450.56	182,133.80
TOTAL INCOME RECEIVED IN 2004:			2,099,166.87

Table 4. Composition and Balance of the Working Capital Fund (Euros) (at the close of fiscal year 2004)

Balance available in the Working Capital Fund (at the start of fiscal year 2004)		179,554.30
a) Liquidation of Income and Expenses to the Budget for fiscal year 2004		
Deposits:		
Contributions paid in 2004 and/or in advance for application to the 2004 Budget	1,511,084.47	
Deductions:		
Actual budgetary expenses (Chapters 1 to 10) for fiscal year 2004	1,848,526.08	-337,441.61
b) Other income and expenses not included in Budget for fiscal year 2004		
Deposits:		
Contributions paid in 2004 towards previous budget:	458,268.76	
Extra-budgetary contributions from new Contracting Parties	14,899.11	
Other extra-budgetary income	182,133.80	
	<u>655,301.67</u>	
Deductions:		
Extra-budgetary expenses	169,215.30	486,086.37
BALANCE AVAILABLE AT THE CLOSE OF FISCAL YEAR 2004		328,199.06

Table 5. Cash flow (Euros) (at the close of fiscal year 2004)

<i>Income and Origin</i>		<i>Expenses and Application</i>	
Balance in Cash and Bank (at the start of Fiscal Year 2004)		391,983.76	
Income:			
Contributions paid in 2004 and/or in advance for application to the 2004 Budget	1,511,084.47		Available in Program Funds at the close of Fiscal Year 2003 applied in Fiscal Year 2004
Contributions pending from previous budgets paid in 2004	458,268.76		
Extra-budgetary contributions from new Contracting Parties received in 2004	14,899.11		Advances on contributions at the close of Fiscal Year 2003 applied in Fiscal Year 2004
Other extra-budgetary income received in 2004	182,133.80		
Advances on future contributions received in 2004 (Angola, Brazil, Côte d'Ivoire, Equatorial Guinea)	27,300.44	2,193,686.58	Extra-budgetary expenses of Fiscal Year 2004 (Chapters 1 to 10)
			Extra-budgetary expenses
			Available at the close of Fiscal Year 2004
			Available in the Working Capital Fund
			328,199.06
			Advances received pending application to future contributions at the close of Fiscal Year 2004 (Angola, Brazil, Côte d'Ivoire, Equatorial Guinea, Libya)
			94,613.98
			Available in other Programs
			Enhanced Research Program for Billfish
			14,963.53
			Bluefin Year Program (BYP)
			36,051.87
			<u>51,015.40</u>
			473,828.44
Balance in Programs at the close of fiscal year 2004			Available in Separation from Service Fund
Billfish Research Program	14,963.53		-8,359.02
Bluefin Year Program (BYP)	36,051.87	51,015.40	Available in Special Fund for Statistics
			4,581.42
Balance at the close of Fiscal Year 2004 in Separation from Service Fund		-8,359.02	Available in ICCAT/Japan Data Project
			216,601.52
Balance at the close of Fiscal Year 2004 in Special Fund for Statistics:		4,581.42	Available in Belize Voluntary Fund
			6,387.40
Balance at the close of Fiscal Year 2004 in ICCAT/Japan Data Project:		216,601.52	
Balance at the close of Fiscal Year 2004 in Belize Voluntary Fund:		6,387.40	
TOTAL INCOME AND ORIGIN		2,855,897.06	TOTAL EXPENSES AND APPLICATION
			2,855,897.06

Table 6. Status of Cash and Banks (Euros) (at the close of fiscal year 2004)

<i>Summary</i>		<i>Breakdown</i>	
Balance in Cash and Banks	693,039.76	Available in the Working Capital Fund	328,199.06
		Total of advances received for their application towards future contributions	94,613.98
		Available in funds for other Programs	51,015.40
		Available in the Separation From Service Fund	-8,359.02
		Available in the Special Fund for Statistics	4,581.42
		Available in ICCAT/Japan Data Project	216,601.52
		Available in Belize Voluntary Fund	6,387.40
TOTAL CASH IN CASH AND BANKS	693,039.76	TOTAL AVAILABLE	693,039.76

PROCEEDINGS OF THE 14TH SPECIAL MEETING OF THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

(New Orleans, USA - November 15 to 21, 2004)

1 Opening of the meeting

The 14th Special Meeting of the Commission was opened on Monday, November 15, 2004 by the Commission Chairman, Mr. Masanori Miyahara, who thanked the Government of the United States of America and the city of New Orleans for hosting the meeting. Mr. Miyahara welcomed all the Delegates and in particular those representing the new Contracting Parties, Nicaragua, Norway and the Philippines. During the meeting, notification was received from the Food and Agriculture Organization of the United Nations that Guatemala had deposited their instrument of adherence to the Convention, and was also welcomed as a Contracting Party.

Mr. Miyahara reminded Delegates that, as he had indicated earlier, there was a need to focus discussion on bigeye tuna conservation measures, southern albacore conservation measures, trade data and information, as well as the budget of the Commission. He noted that measures relating to transshipment, recreational fisheries and data improvement would also need careful consideration, as would advice from the SCRS in relation to sharks and other species.

Mr. Miyahara introduced Vice-Admiral Conrad Lautenbacher, Under-Secretary of Commerce for Oceans and Atmosphere, who welcomed the participants on behalf of Mr. Donald Evans, the Secretary of the Department of Commerce. He noted that the task of conserving tuna and tuna-like species in the Atlantic Ocean was not an easy one, particularly as the continuing lack of data hindered the ability to manage and understand the fisheries.

Vice-Admiral Lautenbacher drew the attention of the Commission to two important initiatives which had been taken by the United States: the final report of the U.S. Commission on Ocean Policy and the Global Earth Observation System of Systems (GEOSS), aimed at helping to produce and manage their information in a way that benefited the environment as well as humanity.

Vice-Admiral Lautenbacher introduced Senator John Breaux of Louisiana, who also welcomed the participants to his home state, to which tuna fisheries were an important concern. Senator Breaux highlighted the importance of the work of the Commission, as international cooperation through ICCAT was the only realistic option to ensure the long-term sustainability of tuna resources. He also noted the need to accommodate the interests of the industrial and recreational fisheries, which he was confident ICCAT would be capable of doing.

The opening addresses by the Commission Chairman, Vice-Admiral Lautenbacher and Senator Breaux are attached in **ANNEX 3.1**.

2 Adoption of Agenda and arrangements

The Agenda was reviewed and adopted, and is attached as **ANNEX 1**.

The Chairman reviewed the work schedule, which is included in **ANNEX 1**.

The ICCAT Secretariat served as Rapporteur for the Plenary Sessions.

3 Introduction of Contracting Party Delegations

The following 32 Contracting Parties were in attendance: Brazil, Canada, Cape Verde, People's Republic of China, Croatia, Equatorial Guinea, European Community, France (St. Pierre and Miquelon), Gabon, Guatemala, Ghana, Republic of Guinea, Iceland, Japan, Korea, Mexico, Morocco, Namibia, Norway, Panama, Philippines, Russian Federation, Sao Tome and Principe, South Africa, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States of America, Uruguay, Vanuatu and Venezuela. The List of Participants is attached as **ANNEX 2**.

The Chairman requested that where possible, opening statements by Contracting Parties be submitted in writing to be attached to the report. Opening Statements by Contracting Parties to the Plenary Session are attached as **ANNEX 3.2**.

4 Introduction and admission of Observers

The Chairman also requested that opening statements from Observers be submitted in writing to be attached to the report (see **ANNEXES 3.3, 3.4 and 3.5**). The Executive Secretary identified the following Observers in attendance, all of whom were admitted by the Commission: A Representative from the Food and Agriculture Organization of the United Nations (FAO), the depository of the ICCAT Convention; Delegates from Chinese Taipei as a Cooperating non-Contracting Party, Entity or Fishing Entity and Observers from Belize, Cambodia, Netherlands Antilles, Senegal, Seychelles, Sierra Leone, St. Vincent and the Grenadines and Togo. Also in attendance were the following inter-governmental organizations: Caribbean Community (CARICOM), Forum Fisheries Agency (FFA), Inter-American Tropical Tuna Commission (IATTC), International Whaling Commission (IWC), and Observers from the following non-governmental organizations were admitted: Aquatic Release Conservation (ARC), Confédération Internationale de la Pêche Sportive (CIPS), National Coalition Marine Conservation (NCMC) Oceanic Conservation Organization (OCO), Organization for the Promotion of Responsible Tuna Fisheries (OPRT), Recreational Fishing Alliance (RFA), Wrigley Institute of Environmental Studies (WIES), and World Wildlife Fund (WWF). The list of Observers is included in the List of Participants (**ANNEX 2**).

5 Decisions for improving the organization of Commission meetings

The Chairman referred to the Report of the Meeting of Commission Officers (attached as **ANNEX 4.1**). This meeting had been held in Marseille, France, in May 2004 and had discussed, *inter alia*, guidelines for facilitating the efficiency of the 2004 Commission meeting. He indicated that he intended to organize the meeting in accordance with the outline in his letter of September 7, 2004 (attached as **Appendix 1** to **ANNEX 3.1**) and that ways of improving the Commission meetings may need to be revisited at the end of the meeting, in light of the results. He hoped that eventually meetings could be streamlined in such a way as to allow the shortening of the Commission meeting to six days. The Chairman indicated that he would ask the Chairs of the Panels and other subsidiary bodies for their suggestions following the conclusion of the meeting, and would summarize and circulate these views as far in advance of the next meeting as possible.

The Delegate of the European Community felt that in recent years ICCAT had shown some degree of inertia, and that a piecemeal approach had been taken to issues relating to inspection and control, transshipments and observer programs, and that these issues should be given priority during the meeting. He also expressed his wish for discussions to be as open and transparent as possible, with a limited recourse to small group discussions.

6 Summary Report of the Standing Committee on Research and Statistics (SCRS)

The 2004 meeting of SCRS was held in Madrid, Spain, from October 4 to 8, immediately following the meetings of the individual species groups. The SCRS Chairman, Dr. Joao Gil Pereira, presented an overview of the report to the Commission Plenary on the first day of the meeting. Discussions on individual stocks were deferred to the relevant Panels.

Dr. Pereira explained that 2004 had been another busy year with many inter-sessional meetings including an the East Atlantic bluefin data preparatory meeting (Madrid, Spain, June 1-4, 2004), a GFCM/ICCAT data preparatory meeting (for albacore and small tunas, held in Malaga, Spain, May 13-14, 2004), stock assessments for bigeye tuna (Madrid, Spain, March 10-13, 2004), blue shark and shortfin mako shark (Tokyo, Japan, June 14-18, 2004) as well as the Bigeye Tuna Year Program Symposium (Madrid, Spain, March 8-9, 2004) and the Second World Meeting on Bigeye Tuna (Madrid, Spain, March 10-13, 2004).

Progress was reported on the ICCAT Bluefin Year Program (BYP), the Enhanced Research Program for Billfish and the Bigeye Tuna Year Program (BETYP). All these Programs have contributed to substantially improving the knowledge of the species concerned. The SCRS Chairman referred the Commission to the results and budgets of the former two of these programs contained in the SCRS Report, drawing particular attention to the SCRS proposal for a research plan to enhance the current BYP.

Dr. Pereira also referred to the reports of the Sub-Committee on Statistics, the Sub-Committee on By-catch and the Sub-Committee on Environment, which were included in the report of the SCRS.

The SCRS has proposed several inter-sessional meetings and assessments for 2005, as detailed in Item 14.2 of the SCRS Report, including a billfish data preparatory meeting, an albacore data preparatory meeting, bluefin tuna stock assessments for both the east and the west stocks, a tropical tuna species workshop, a bluefin tuna planning meeting, and possibly a meeting on swordfish stock structure. The SCRS proposed postponing the assessments of blue marlin, white marlin and northern albacore to 2006, in order to have time to improve available data.

Dr. Pereira explained that the SCRS Recommendations with direct implications for the Commission could be found under Item 15 of the SCRS Report.

The SCRS Chairman also noted that the SCRS has prepared several responses to the Commission's requests on the topics of Japanese data on North Atlantic swordfish; alternative measures to protect juvenile bigeye tuna; sampling programs for farmed bluefin tuna; use of the data fund, for which a protocol for expenditures had been approved; plan for port sampling; enhanced research program for bluefin tuna; alternatives to reducing juveniles or dead discards of swordfish in the Atlantic; and bluefin tuna dead discards.

Of the recommendations made by the SCRS, Dr. Pereira highlighted those relating to the filling of the position of Scientific Editor, the continuing of the peer review process, and to a recommendation that the SCRS Chair wrote to those Contracting Parties that had not participated in the 2004 SCRS meetings, stressing the importance of their participation in the future, in order for the SCRS to be able to carry out its work effectively.

In relation to the SCRS Report, the Delegate of the European Community considered that changes needed to be introduced in order to adapt to the changing needs of the Commission. Too much time was being spent on stocks which were not scheduled for assessment, and the SCRS Report contained a lot of repetition of historical information. The Commission needs a more streamlined document on which to base its decisions. There was also concern about the proposed re-scheduling of stock assessments, the dates for which had been fixed by Commission, as the management plans were adopted for a timeframe which presupposed new assessments in the years decided by the Commission.

The SCRS Chairman explained that the format of the Report could be changed if the Commission so wished, but stressed that it was important to review stocks even if no assessment was conducted in order to keep information up-to-date. Changes in assessment years were proposed only when the SCRS considered that insufficient information was available to carry out a reliable assessment, but that the SCRS would follow the Commission's decisions.

The Delegate of Canada agreed that there may be need to reconsider the re-structuring of the SCRS Report and ways to avoid unnecessary repetition, but noted that some historical context was necessary. He also noted that the lack of basic data needed to carry out stock assessments was becoming critical, and that this issue needed to be addressed.

The Delegate of the United States agreed that the problem of basic data needed to be resolved if the SCRS is to meet the increasing demands of the Commission, as good science is the fundamental basis of sound management decisions.

The Commission Chairman instructed each Panel to review the results of the SCRS and consider whether or not there was a need to reschedule stock assessments. He noted the continuing problem of failure to submit data, and suggested that this be discussed by the Compliance Committee.

The Delegate of Canada introduced a draft Recommendation by ICCAT concerning the Precautionary Approach explaining that a number of other international organizations had adopted this approach as a means of fundamental management. The last meeting of the *ad hoc* Working Group on the Precautionary Approach was held in 1999, at which time it was noted that the SCRS could not advance in this area without clear guidance from the Commission.

Other delegations were of the opinion that ICCAT is unlike any other organization in that it has clear management objectives and is historically rich in data. It was felt that the SCRS was sufficiently qualified to determine relevant biological references for management decisions, and that the proposal made by Canada was

not appropriate. It was suggested that such a text would be better expressed as a resolution. It was agreed that this issue would be revisited. The text was again discussed at the final plenary session, but was not adopted by the Commission. The statement by the Delegate of Canada in response to the rejection of the proposal is attached as **ANNEX 3.6**.

The work of the SCRS scientists during the year was commended, and the Report of the SCRS for 2004 was adopted by the Commission.

7 Report of the Standing Committee on Finance and Administration (STACFAD)

Mr. Jim Jones, Chairman of STACFAD, summarized the Committee's work. He noted that a revised budget for 2005 amounting to €1,172,222.94 had been approved by the Committee, as well as the corresponding Contracting Party contributions to finance the budget, which were forwarded to the Commission for adoption. The Commission adopted the 2005 Budget and the 2005 Contracting Party contributions by consensus (see **Tables 1-3 of ANNEX 7**).

The Delegate of the EC stated that the increase over the 2004 budget placed an extraordinary burden on the EC which paid the largest share of the budget. He stressed the importance of those Contracting Parties who were in arrears with their contributions to pay their debts in order to improve the financial situation of the Commission. He also encouraged Cooperating non-Contracting Parties, Entities and Fishing Entities to make additional extra-budgetary contributions in proportion to their catch levels.

Mr. Jones was pleased to report that STACFAD had been informed that Equatorial Guinea had ratified the Madrid Protocol, and once FAO had officially confirmed this, this Protocol would come into effect and would apply to the budget for 2006.

The Committee had debated the issue of the suspension of voting rights of those Contracting Parties with outstanding payments, and it had been agreed that those Parties with accumulated debts would present their plans to liquidate their debt before the Commission meeting in 2005. The Commission endorsed this decision.

On the basis of the tenders and other information received, STACFAD recommended that Deloitte and Touch be appointed as the new auditing firm of the ICCAT accounts, starting with the audit for Fiscal Year 2005. The contract would be renewable annually for a maximum of five years. This was approved by the Commission.

The STACFAD Chairman also recalled that in 2003 some General Services staff positions had been identified as positions which would normally be classified as Professional posts in other international organizations. The Committee had agreed to the reclassification of some staff from the General Services category to the Professional category, given that tax savings would result in this having no impact on the budget. The Executive Secretary was authorized to proceed with promotions on a case-by-case basis.

The STACFAD Chairman also noted that the issue of Professional staff overtime had been resolved by the agreement to a once-off payment and a change to Article 7.3 of the *ICCAT Staff Regulations and Rules* to limit the amount of time-in-lieu that could be accumulated. This was also adopted by the Commission, as was the proposal to carry out a study for the incorporation of ICCAT staff into the United Nations pension scheme that was approved by STACFAD, and to join the scheme if the study indicated that this would be favorable to the staff.

The Committee had also approved the hiring of a Compliance Officer, and the hiring of a Publications Coordinator to replace the Scientific Editor, who had resigned in September.

The Delegate of Japan informed the Commission that Japan would be making an extra contribution to ICCAT over the next five years of a total of US\$1,500,000 through a special program to improve data collection, particularly in Central American, South American and African countries. The program would be coordinated by Ms. Miho Wazawa, who had been introduced to the participants and who would start work at the ICCAT Secretariat in December 2004. This program would be financed exclusively by Japan and would not impact on the ICCAT budget.

The Commission thanked the Government of Japan for this generous contribution.

The Report of STACFAD was adopted and is attached as **ANNEX 7**.

8 Reports of Panels 1 to 4 and consideration of any proposed recommendations therein

The Reports of Panels 1, 2, 3, and 4 were presented by the respective Panel Chairs during the final Plenary session. The Commission reviewed the Reports, and Recommendations and Resolutions proposed by the Panels, and adopted the following measures:

Panel 1

- *Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna (ANNEX 5 [Rec. 04-01]).*

The Chair recalled that consensus had not been reached in Panel 1 on the draft proposal for a Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna. Following the discussions of the final session of Panel 1, a revised draft was presented. It incorporated some of the concerns that had been raised by the Panel members. To address some of the remaining issues, the parties agreed that fishing by purse seiners and baitboats would be prohibited during the closed period. The United States reiterated its concern that the closure may not have the desired effect without removing the FADs during the closed period but noted that the closure would be evaluated by the SCRS in 2005. Finally, the parties agreed that there would be no carry forward of 2004 bigeye tuna underharvests. With these understandings and after introduction of some further minor changes, the Recommendation was adopted by the Plenary and is attached as ANNEX 5 [Rec. 04-01].

In addition, Panel 1 endorsed the work plan of the tropical tuna species group of the SCRS, which proposed that a Working Group meet in 2005 to analyze measures to protect juvenile tuna.

Panel 2

- *Recommendation by ICCAT to Amend the Assessment Schedule for Northern Albacore (ANNEX 5 [Rec. 04-03]).*
- *Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program and the Conservation and Management Measures for Bluefin Tuna in the Eastern Atlantic and Mediterranean (ANNEX 5 [Rec. 04-05]).*
- *Recommendation by ICCAT on Bluefin Tuna Farming (ANNEX 5 [Rec. 04-06]).*
- *Recommendation by ICCAT on Bluefin Tuna Size Limit (ANNEX 5 [Rec. 04-07]).*
- *Supplemental Resolution by ICCAT on Fishing for Bluefin Tuna in the Atlantic Ocean (ANNEX 6 [Res. 04-08]).*
- *Recommendation by ICCAT to Adopt Measures Concerning Sport and Recreational Fishery Activities in the Mediterranean Sea (ANNEX [Rec. 04-12]).*

In relation to the *Recommendation by ICCAT on Bluefin Tuna Farming*, the Delegate of Japan reiterated the importance of the immediate implementation of sampling programs, and informed the Commission that Japan would not import fish from Contracting Parties that did not comply with this requirement. The Delegate of the EC welcomed this initiative, considering it would be helpful if such prohibition were extended to a wider range of products.

Panel 2 also endorsed the Report of the Second Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies, which was adopted by the Commission, and is attached as ANNEX 4.1. Japan offered to host the third meeting of this Working Group, at a date and place to be announced.

Panel 3

- *Recommendation by ICCAT on the Southern Albacore Catch Limit for 2005, 2006 and 2007 (ANNEX 5 [Rec. 04-04]).*

Panel 4

- *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish (ANNEX 5 [Rec. 04-02]).*
- *Supplemental Recommendation by ICCAT Concerning the Rebuilding Plan for Blue Marlin and White Marlin (ANNEX 5 [Rec. 04-09]).*
- *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT (ANNEX 5 [Rec. 04-10]).*

The Delegate of Korea had some reservations regarding the Recommendation by ICCAT concerning the conservation of sharks, but confirmed that Korea would make every effort to comply with this measure.

The reports of Panels 1-4 were adopted by correspondence, and are attached as **ANNEX 8**.

9 Report of the Conservation and Management Measures Compliance Committee and consideration of any proposed recommendations therein

The Chairman of the Compliance Committee, Mr. Friedrich Wieland, reported that the Compliance Committee reviewed and adopted the Compliance Tables that are attached to the Committee's report (**Appendix 2 to ANNEX 9**). In doing so, the Committee had once again to address a number of interpretative issues concerning applicable recommendations, but that some of these issues remained unresolved and would be discussed at the next Commission meeting in 2005. The issue of multi-year pay back plans had also remained unresolved, and it was noted that some figures on the Compliance Tables might be revised in the light of discussions at the 2005 Commission meeting.

The Compliance Committee proposed two Recommendations for adoption by the Commission:

- *Recommendation by ICCAT Concerning Implementation of the VMS Recommendation (ANNEX 5 [Rec. 04-11]).*
- *Recommendation by ICCAT Concerning the Lifting of Trade Sanctions Against Equatorial Guinea (ANNEX 5 [Rec. 04-13]).*

The Commission reviewed the above two measures and adopted them. The letter to Equatorial Guinea informing them of the decision to lift the trade sanctions is attached as **Appendix 5 to ANNEX 9**.

Mr. Wieland also informed the Commission that there had been agreement to revoke the identification of Panama, and that a letter to this effect would be drafted. This decision was endorsed by the Commission. The letter to Panama is attached as **Appendix 5 to ANNEX 9**.

The Compliance Committee also forwarded for adoption the revised "Guidelines for Annual Reports", and the format for the submission of "Reports on Internal Actions Taken to Ensure That Tuna Vessels on the ICCAT Record of Vessels over 24 Meters are Fishing in Accordance with ICCAT Management and Conservation Measures". These were both adopted by the Commission, and are attached as **Appendices 3 and 4 to ANNEX 9**, respectively.

A draft Recommendation by ICCAT concerning scientific observer coverage had been discussed but there had been no consensus on this proposal within the Compliance Committee, for which this matter was deferred to Plenary. No consensus was reached, and this measure was not adopted.

The proposal by the United States for a draft Recommendation by ICCAT concerning the survey of statistic collection systems was not supported, as many participants in the Committee considered that the existing *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* [Res. 03-21] was sufficient. The Committee urged Parties to submit information in accordance with that Resolution.

The EC proposal for a modification of the Recommendation by ICCAT to adopt additional measures against illegal, unreported and unregulated (IUU) fishing was discussed, but there was no consensus within the Compliance Committee on this issue, and it was not adopted.

Several issues were deferred for discussion at the meeting of the Compliance Committee in 2005.

It was agreed that the issue of the management of over-harvests and under-harvests would be discussed at the 2005 meeting, as there had been no consensus on the “draft Recommendation by ICCAT concerning management and application of underages and/or overages of the quotas/catch limits” (attached as **ANNEX 11.1**).

Also deferred for discussion at the 2005 Commission meeting was the “draft Recommendation by ICCAT concerning the definition of large-scale fishing vessels”, as more time was needed to consider all the implications that the adoption of such a measure would have (attached as **ANNEX 11.2**). It was agreed, however, that Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities would submit information on the number and types of vessels in the 15-24 meter size class to the Secretariat during 2005, in order to have full information available for discussion at the 2005 meeting.

A “draft Recommendation concerning the change in the licensing and flagging of vessels over 15 meters in length” was proposed by Equatorial Guinea (attached as **ANNEX 11.3**). Given that this proposal had been received after the deadline for submission of draft proposals on substantive issues, this was deferred for discussion at the 2005 meeting.

Several proposals had been put forward in relation to the issue of transshipments, two drafts for a “Recommendation by ICCAT on the management of transshipment by large-scale tuna longline fishing vessels” (one proposed by the Japan and attached as **ANNEX 11.4**); a “draft Recommendation by ICCAT on the report of transshipments by large-scale tuna longline fishing vessels” (proposed by Korea and attached as **ANNEX 11.5**); and a draft “Recommendation by ICCAT regulating transshipments by tuna longline vessels” (proposed by EC and attached as **ANNEX 11.6**), but no consensus had been reached on any of the draft texts. The Chairman indicated that this issue would be discussed at the next meeting of the Commission, and that Parties would have the right to re-open discussion on the draft texts if they chose to do so.

The interpretative issue of vessels chartered from non-Contracting Parties in relation to the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* [Rec. 02-22] had also been raised, but there had been insufficient time to fully examine this issue.

The Commission Chairman noted that this issue may go beyond a simple interpretation issue, and that full consideration should be given to this in 2005. The Delegate of Brazil agreed to deferring full discussion on this issue, but would meanwhile reserve the right to enter non-Contracting Party flag vessels chartered by Brazil on the ICCAT Record of Vessels, as contemplated by the wording of the *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21].

It was agreed that the Report of the Compliance Committee would be adopted by correspondence. The Report of the Compliance Committee is attached as **ANNEX 9**.

10 Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein

Ms. Kimberly Blankenbeker, Chair of the PWG, reported to the Commission Plenary, and reviewed the measures that were being proposed to the Commission for adoption. The Commission adopted the following measures:

- *Recommendation by ICCAT Concerning the Lifting of Bigeye Tuna, Bluefin Tuna and Swordfish Trade Restrictive Measures Against Sierra Leone (ANNEX 5 [Rec. 04-14]).*
- *Recommendation by ICCAT Concerning the Lifting of Bigeye Tuna Trade Restrictive Measures Against Cambodia (ANNEX 5 [Rec. 04-15]).*

- *Resolution by ICCAT Establishing An Ad Hoc Working Group to Review the Statistical Monitoring Programs (ANNEX 6 [Res. 04-16]).*

The PWG Chair informed the Commission that the PWG had agreed to extend the Cooperating Status of Chinese Taipei and Guyana, but since no consensus had been reached in the PWG as to whether Netherlands Antilles should be granted Cooperating Status, this matter had been deferred to the Plenary.

The Commission agreed to grant Cooperating Status to Netherlands Antilles, and requested the Secretariat to draft a letter to Netherlands Antilles informing them of this decision (included in **Appendix 4 to ANNEX 10**).

The PWG had agreed to the updated “List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas” (attached as **Appendix 2 to ANNEX 10**). The Commission adopted this list pursuant to the *Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 02-23], to be published electronically on the ICCAT web site.

Ms. Blankenbeker noted that the Working Group conducted a case-by-case review of cooperation by non-Contracting Parties, Entities or Fishing Entities as summarized in the “Summary Table of Information for 2004 PWG and Compliance Committee Actions” (attached as **Appendix 3 to ANNEX 10**). The PWG agreed to send letters (attached as **Appendix 4 to ANNEX 10**), pursuant to the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating non-Contracting Party, Entity or Fishing Entity in ICCAT* [Rec. 03-20] and the *Resolution by ICCAT concerning Trade Measures* [Rec. 03-15], as follows:

- Letter to Guyana renewing Cooperating Status.
- Letter granting Cooperating Status to Netherlands Antilles.
- Letter to Belize encouraging continued cooperation and requesting implementation of ICCAT Statistical Document Programs.
- Letter to Senegal encouraging continued cooperation and requesting additional information about monitoring and control measures.
- Letter to Sri Lanka requesting information regarding its vessel on the IUU list.
- Letter to Palau regarding the flag vessel on ICCAT’s IUU list.
- Letter to St. Vincent and the Grenadines encouraging continued cooperation and noting concerns about catches of albacore and bigeye tuna.
- Letters to the Seychelles and Togo revoking identification.
- Letter identifying Chinese Taipei and continuing Cooperating Status.
- Letter to Singapore regarding identification in accordance with the Trade Measures Resolution.
- Letters to Cuba and Costa Rica regarding identification in accordance with the Resolution by ICCAT concerning trade measures.
- Letters to Cambodia and Sierra Leone regarding lifting of sanctions.
- Letters to Bolivia and Georgia regarding continuation of bigeye tuna trade restrictive measures.

An EC working document on the functioning of the ICCAT Statistical Documentation Programs was presented, but it was agreed that this issue would be discussed at an inter-sessional meeting to be held in 2005. Japan offered to host this meeting, in conjunction with the 3rd meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies, at a time and place to be announced.

The PWG had discussed a draft proposal by the EC for a Resolution by ICCAT on management of the data on the validation authorities of the statistical documents but felt that it was unnecessary that a Resolution on this matter be adopted, and that a simple instruction to the Secretariat would suffice. It was agreed that information received in relation to Statistical Document Programs would be posted on the ICCAT web site, with the more detailed and sensitive information being password protected.

The PWG Chair also communicated the request of the SCRS to the Commission that conversion factors for bigeye and swordfish be developed.

The proposed Recommendations, letters, the IUU vessel list, and the summary of the 2004 PWG actions were adopted by the Commission, by consensus, with the remainder of the report to be adopted by mail. The Report of the PWG is attached as **ANNEX 10**.

11 Plans for a revised Compendium of ICCAT Conservation and Management Measures

In the absence of the Compendium Working Group Chairman, Mr. Carlos Dominguez-Diaz (EC), Ms. Sylvie Lapointe (Canada) presented the Report of the Key Contacts of the Compendium Working Group, the meeting of which had been held in Madrid, Spain, September 21-22, 2004. Ms. Lapointe drew the special attention of the Commission to the interpretative issues that the participants had raised, and which needed to be addressed by the Commission, and to the need to draft future proposals in a way that would avoid such issues in the future.

The Commission adopted the Report and work plan, and it was agreed that the Compendium Working Group should proceed as outlined in that plan. The Commission Chairman also suggested that the Secretariat work on the definition of terms. The Report is attached as **ANNEX 4.3**.

12 Other matters

Working Group on Capacity

The United States presented a “White Paper on managing capacity in ICCAT fisheries” (attached as **ANNEX 11.7**) and a “draft Resolution by ICCAT to establish a working group on capacity” (attached as **ANNEX 11.8**). Given the number of Working Group meetings scheduled for 2005, and the need to discuss this issue in greater depth, it was agreed that discussion on this Resolution would be postponed until 2005.

Mail voting procedures

The Chairman presented an outline of his understanding of the issue of mail voting procedures (included in **ANNEX 3.6**). The Delegate of Korea was concerned that a two-step process may be time consuming and unnecessary, and suggested an option which would combine the two-step procedure in one mailing. Given that there was insufficient time to consider this matter in depth, it was agreed that this matter would be discussed more fully at the Commission meeting in 2005. The Chairman requested Contracting Parties to submit their views in writing before the next meeting.

Precautionary approach

This issue had been discussed under Item 6 of the Agenda, but was raised again at the final plenary. The proposed draft Recommendation by Canada was not adopted. The statement made by the Delegate of Canada is included in **ANNEX 3.6**.

Interpretative issues

Given that there had been insufficient time to resolve the problems in relation to interpretative issues raised by the Secretariat and by the Key Contacts of the Compendium Working Group, it was agreed that the Chairman would try to develop proposed answers to the questions raised and report his findings at the Commission meeting in 2005 for consideration. The Chairman would also work with the Secretariat during the year to finalize the reporting formats for information to be submitted to the Secretariat.

Cooperation with GFCM

There was some discussion as to whether ICCAT should continue to work in cooperation with the GFCM, particularly in relation to the *Ad Hoc* GFCM/ICCAT Working Group on Sustainable Tuna Farming/Fattening Practices in the Mediterranean. Despite some concerns regarding the progress of this Working Group, it was agreed that as the joint working group had almost completed its work, this cooperation should continue and that the third and final meeting should take place prior to the next meeting of the Working Group to Develop Integrated and Coordinated Bluefin Tuna Management Strategies.

Cooperation with CCAMLR

The Chairman informed the Commission that the Commission for the Conservation of Antarctic Marine Living Resources had requested ICCAT’s cooperation on the issue of seabirds. It was agreed that the Chairman, in consultation with the Secretariat, would draft a reply that would be circulated to all Contracting Parties.

The Delegate of the United States drew attention to the fact that no other Contracting Parties were submitting information in accordance with ICCAT Resolutions on seabirds and turtles. He stressed that this issue was important, and requested parties to present all available information in writing to the Commission in 2005. The Chairman agreed to write to Contracting Parties to remind them of this obligation.

Confirmation of the Executive Secretary's Contract

The Chairman, seconded by the delegations present, expressed his thanks to the Executive Secretary and the Secretariat staff for the smooth transition that had been effected between the outgoing and the incoming holders of this position. He reminded the Commission that Mr. Driss Meski had been initially contracted for five years, with a one-year probationary period, but suggested that given the excellent work carried out, he be confirmed in his position and that this contract be extended, with possible renewal, as envisaged. This suggestion was accepted, and it was agreed that Mr. Meski's contract would be extended.

Mr. Meski thanked the Commission for the trust that they had placed in him and asserted that he would make every effort to serve the Commission as best he could. Mr. Meski also extended special thanks to Dr. Bill Hogarth and to all those involved in organizing the 14th Special Meeting of the Commission. Mr. Meski also thanked the Commission Chairman, Mr. Masanori Miyahara, the STACFAD Chairman, Mr. Jim Jones, and the Secretariat staff for their cooperation and for making his incorporation into his new job easier.

Intervention on behalf of the Republic of Guinea

The Chairman made a brief statement on behalf of the Delegate of the Republic of Guinea, who was unable to attend the final Plenary Session. He informed the Commission that Guinea had been a member of ICCAT since 1992 and had participated in many of the decisions taken by the Commission. Guinea supported the position of Cape Verde relevant to bigeye tuna quotas, and requested that the Republic of Guinea also be given a quota in order for this resource to be exploited in a responsible manner. The lack of a quota had led to Guinean vessels having to fish in the IOTC Convention area for species that were traded with ICCAT Contracting Parties, as Guinea did not traditionally consume these species. However, recent import prohibitions by European countries had resulted in their being unable to fish in their own EEZ, while many other Contracting Party vessels were exploiting the tropical species in their waters. The Delegate of the Republic of Guinea had asked that those Parties review their position, given that this situation was incomprehensible, and requested that the bigeye tuna allocations for some of the Parties be adjusted downwards to take into consideration the needs of developing countries with an interest in tropical tuna fisheries. The Delegate of the Republic of Guinea had extended his thanks to the U.S. Government for hosting the meeting, and to the Secretariat for supporting the work.

13 Date of the next meeting of the Commission

The Delegate of the EC, on behalf of the Government of Spain, offered to host the 19th Regular Meeting of the Commission in Seville, Spain, November 14-20, 2005. This invitation was gratefully accepted by the Commission.

14 Adoption of the report and adjournment

Special thanks were conveyed to the authorities of the United States for hosting an excellent meeting. It was agreed that the final report would be adopted by correspondence. The 2004 meeting of the Commission was adjourned on November 21, 2004.

ANNEX 1

COMMISSION AGENDA

- 1 Opening of the meeting
- 2 Adoption of Agenda and arrangements
- 3 Introduction of Contracting Party Delegations
- 4 Introduction and admission of Observers
- 5 Decisions for improving the organization of Commission meetings
- 6 Summary Report of the Standing Committee on Research and Statistics (SCRS)
- 7 Report of the Standing Committee on Finance and Administration (STACFAD)
- 8 Reports of Panels 1 to 4 and consideration of any proposed recommendations therein
- 9 Report of the Conservation and Management Measures Compliance Committee and consideration of any proposed recommendations therein
- 10 Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein
- 11 Plans for a revised Compendium of ICCAT Conservation and Management Measures
- 12 Other matters
- 13 Date and place of the next meeting of the Commission
- 14 Adoption of the report and adjournment

Commision Timetable

<i>Day</i>	<i>8:30 -9:00</i>	<i>9:00 - 10:30</i>	<i>10:30 - 11:00</i>	<i>11:00 - 12:30</i>	<i>12:30 - 14:00</i>	<i>14:00 -16:00</i>	<i>16:00 - 16:30</i>	<i>16:30 - 18:00</i>
Sunday 14	-	-	COFFEE BREAK	-	BREAK FOR LUNCH	-	COFFEE BREAK	OFC
Monday 15	HD	PLE		PLE		STF		PA1
Tuesday 16	-	PA3		PA2/PA4		PWG		PWG
Wednesday 17		COC		COC		PA4/PA3		STF
Thursday 18	HD	PWG		COC		PA2		PWG/PA4
Friday 19	HD	COC		PWG		PA1/PA2/PA4		-
Saturday 20	-	PA3/STF		TBA		TBA		TBA
Sunday 21	-	PLE		PLE		PLE		PLE

- HD = Head Delegates only (closed session).
 COC = Compliance Committee.
 PWG = Permanent Working Group.
 STF = STACFAD.
 PA1-PA4 = Panels 1 to 4.
 PLE = Plenary session.
 OFC = Commission Officers.
 TBA = To be announced.

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OPENING ADDRESSES & STATEMENTS TO THE PLENARY SESSIONS

3.1 OPENING ADDRESSES

By Masanori Miyahara, Chairman of the Commission

First of all, I would like to express my sincere appreciation to the United States and the City of New Orleans for hosting the 14th Special Meeting of the Commission in this beautiful and unique southern city of Louisiana. In the long history of ICCAT, this is the first instance of having a Commission meeting in the United States. It is a great honor for me to open this meeting.

As I asked all fellow Commissioners to give up oral presentation of opening statements, I should make my statement as brief as possible. Please be patient for a while.

I would like to welcome the new Contracting Parties to the Commission. After the Dublin meeting, Nicaragua, Norway and the Philippines joined the Commission. We are all looking forward to working with you this week.

I would also like to remind you that in its history from the 1960s, ICCAT has always been working hard at the frontiers of international resource conservation efforts. This institution now has a great reputation for its effectiveness and innovativeness. One of the recent examples of Commission's achievements is the activities undertaken to eliminate IUU fishing. ICCAT was the first regional fishery management organization to have alerted to the danger implied by IUU fishing even in the 1980s, although the term "IUU" had not yet been invented in those years. Today, this matter is debated by all top regional and international bodies, and ICCAT is generally used as reference on this matter.

In this sense, we can be proud of this Commission, but we should not be satisfied with the achievements made so far. Some stocks recovered whereas some others are still in the process of recovery. New obstacles to conservation efforts continue to be created. As usual, this year's agenda is full of substantial issues posing challenges to us. As I informed you in a letter of September 7 (attached as **Appendix 1 to ANNEX 3.1**), for bigeye tuna and southern Atlantic albacore, we need to establish more effective conservation and management measures. The trade data and information as well as the budget of the Commission require thorough examination for proper decisions by the Commission this week. The stock assessments made by SCRS scientists and experts may lead to some action by the Commission on sharks and other species. The proposals on transshipment, recreational fisheries and data improvement will also need careful consideration this week.

Our tasks this week are not light. That is why I would sincerely ask all of you to cooperate for an efficient proceeding of the meetings and for achieving fruitful outcomes. To this end, I will do my best to serve you and the Commission.

Having said so, I would, at the same time, like you to enjoy this beautiful city. I happened to stay and study in "The South" for two years in the 1980s. So, I have known for a long time that New Orleans is the special capital of southern hospitality. I myself hope that I can have time to look around this area. Although I promise to make the utmost effort to wrap up all the business in the coming seven days, at the same time I will try to save ample time outside the meetings for relaxation during your stay. Thank you for your patience, and let's start our business.

By Vice-Admiral Conrad C. Lautenbacher, Under-Secretary of Commerce for Oceans & Atmosphere

Good morning and welcome to the 14th Special Meeting of the International Commission for the Conservation of Atlantic Tunas. It is a privilege for the United States to host its first meeting. I hope you manage to enjoy some of New Orleans during your time here. It is quite a city. I know we have some wonderful activities planned to go along with your meetings, including a gospel choir, a Mardi Gras parade and a Mississippi River boat cruise.

First things first, a couple of important thank you statements are in order. Thank you to the Chairman of ICCAT, Masanori Miyahara. And thank you to the ICCAT Executive Secretary, Driss Meski. I understand this is Mr.

Meski's first annual Commission meeting in this capacity. Congratulations! I also thank Bill Hogarth and NOAA Fisheries staff for organizing the meeting logistics.

It is typical to thank the "VIPs" during these meetings, but I also commend each of you for your efforts and diligence as a part of ICCAT. Your task in conserving tunas and tuna-like species in the Atlantic Ocean and adjacent seas is no easy one. With 38 Contracting Parties to the Convention and dozens of species of direct concern, yours is a complex and often times immense challenge. During my tenure as the NOAA Administrator, I've come to appreciate the many challenges Bill Hogarth faces in overseeing the management of our U.S. fisheries. International agreements such as this one add a whole new level of complexity to fisheries management.

This is an important time for fisheries management and ocean issues in the United States. Ocean and coastal resources management and especially fisheries issues have been in the media frequently. Two very important initiatives are in play: the U.S. Commission on Ocean Policy's final report and the Global Earth Observation System of Systems, or GEOSS.

On September 20, the U.S. Commission on Ocean Policy delivered its final report, "An Ocean Blueprint for the 21st Century", to the President of the United States. The approach laid out in this document is a comprehensive and coordinated national policy advocating the United States to move away from the current fragmented, single issue way of doing business toward ecosystem-based management. It has been some 35 years since the United States comprehensively reviewed this nation's management of the oceans, coasts and Great Lakes. Sweeping changes were put into place at that time. Indeed NOAA was created as a result of the review. The Bush Administration is carefully reviewing the recommendations in the report and will issue its response on December 20.

One of the guiding principles in the U.S. Ocean Commission report is that "Ocean policies should be based on the recognition that the oceans, land and atmosphere are inextricably intertwined and that actions that affect one Earth system component are likely to affect another." Today we are presented with an unprecedented opportunity to manage and conserve our living marine resources with a goal of sustainable use and conservation. We have a better understanding of the links between land, air, oceans and human activities. Our technology is more advanced and our access to information more comprehensive and immediate.

In July 2003, the United States hosted the Earth Observation Summit. The summit brought together 33 nations plus the European Community to adopt a declaration that signified a political commitment toward the development of a comprehensive, coordinated and sustained Earth Observation System to collect and disseminate improved data, information, and models to stakeholders and decision makers. These nations agreed to partner with the United States to realize a common goal of establishing an international, comprehensive, coordinated and sustained Earth Observation System. Nine months later, in Tokyo, Japan, a second Summit was held and more than 50 nations formally adopted a framework document outlining a ten-year implementation plan for a Global Earth Observation System. This Global Observation System of Systems or GEOSS will help all nations involved produce and manage their information in a way that benefits the environment as well as humanity.

In the United States, 15 Government agencies and three White House offices have been working on the U.S. input to GEOSS. The U.S. Draft Strategic Plan closed for public review on November 8. Its vision: Enable a healthy public, economy, and planet through an integrated, comprehensive and sustained Earth observation system. The third Earth Observation Summit will be held in Brussels in February where we hope to fully adopt the Earth Observation's 10-year Implementation Plan.

An integral part of GEOSS will be biological data collection systems. The full benefits of GEOSS, and the degree to which we can implement an ecosystem approach to the management of our ocean and coastal resources, rely heavily upon consistently reported and accurate data. The collection and reporting of basic data is a continual challenge and fundamental obligation of ICCAT members. We need to find the means to improve this situation. A lack of data hinders our ability to manage and understand our fisheries. You have seen this already. I understand for certain stocks, ICCAT is faced with the prospect of conducting stock assessments using less data-intensive methods. This is heading in the opposite direction of where we should be going. Where you have gone in the right direction is in several nations' donation of funding and technical expertise to increase the capacity of less developed nations in data collection and management.

There are other challenges as well. ICCAT has been one of the leaders in combating destructive IUU fishing practices and this is important. We now also realize uncontrolled capacity inhibits wise conservation and management – we all need to be purposeful in eliminating it.

I encourage you to recommit to the goals of ICCAT and to honestly address the challenges that affect your ability to manage these very important stocks. Your roles and responsibilities are ever increasing and ICCAT is the only game in town for these resources. If ICCAT succeeds, we all succeed. Thank you very much and best wishes for a fruitful meeting.

By U.S. Senator John Breaux

Welcome to Louisiana and the City of New Orleans! My thanks to Admiral Lautenbacher, NOAA, and Masanori Miyahara, the Chairman of ICCAT. New Orleans is a unique city, and it is among the most culturally rich in America. It is truly international, with Cajon and Creole national, cultural and historical roots and it is the French-speaking area of the State. With its food, the arts, jazz, and dance, our culture is truly a celebration of life. Of world renown is its Mardi Gras celebration and I note that ICCAT has a Mardi Gras parade and riverboat cruise this coming Tuesday night. Again, welcome to all. We are proud to host such an important meeting. Have fun and enjoy the city.

The Gulf of Mexico region and Louisiana are perhaps best known for wild shrimp, oysters, crawfish and alligators. These and most other fish and wildlife resources in this region depend on the vast, high productivity coastal wetlands that provide essential nursery, spawning and foraging habitat. In many ways this coastal wetland and estuarine environment defines the fisheries as well as the ecology, culture and economy of this region.

Louisiana has a long history of sustainable use of these abundant natural resources.

Louisiana is also well known in the United States as the “Sportsmen’s Paradise”, reflecting our tremendous coastal sport fisheries that are a large part of our culture and economy.

Perhaps less well known is that not very far downstream from New Orleans in the deeper waters offshore of the mouth of the Mississippi River there are substantial commercial and recreational fisheries for important species managed by ICCAT, including yellowfin tuna, swordfish and blue marlin. Local fleets operate throughout the Gulf, South Atlantic and Caribbean and at times account for as much as 40 percent of the U.S. yellowfin tuna catch and one-third of the U.S. swordfish catch.

The Gulf of Mexico, along with the Mediterranean Sea, is also one of the two crucial spawning areas identified and protected by ICCAT for the Atlantic bluefin tuna, one of ICCAT’s most valuable but difficult to manage species.

Therefore, Louisiana and the Gulf region have a very big stake in ICCAT’s success.

As difficult and complex as it may be for you to bring so many countries together to manage so many fisheries, such international cooperation through ICCAT is the only realistic option we have to ensure the long-term sustainability of these valuable and highly migratory resources. For these reasons, my staff and I have closely monitored and participated in the ICCAT process for more than two decades.

And so, while I welcome you and invite you to enjoy the many unique pleasures of this exciting city, on a more serious note, I hope and expect that you will all work hard and succeed at this important meeting in tackling some of the difficult issues before you including, as mentioned, effective management of bluefin tuna. This is of great concern here in the Gulf and throughout the U.S. ICCAT fisheries.

The United States, along with its partners in the western Atlantic bluefin fisheries, Japan, Canada and Mexico, have made substantial efforts and sacrifices both domestically and through ICCAT to protect and rebuild the western Atlantic bluefin tuna stock.

- Targeting very small juvenile bluefin is prohibited.
- Targeting the Gulf of Mexico spawning population is prohibited.
- The quota is based strictly on best ICCAT scientific information and advice.

- Monitoring and reporting of the catch is intensive, and compliance with quotas and other regulations is very high.

Scientific research has confirmed that mixing of the western and eastern spawning populations is substantial throughout the Atlantic fishing grounds. Consequently, the conservation sacrifices to rebuild the western population can be directly undermined if a comparable level of conservation is not achieved by nations fishing in the eastern Atlantic and Mediterranean. At stake are the valuable commercial and recreational bluefin fisheries throughout the ICCAT Convention area.

ICCAT must take responsibility for this. This meeting must focus on the need to ensure that all nations fulfill their most basic ICCAT obligations to:

- Submit the scientific and catch data that are essential for accurate assessment and effective management of bluefin and all ICCAT stocks. This was the primary focus of the very first Resolution adopted by ICCAT back in 1966, yet we struggle with this most basic of obligations even today.
- Comply with all ICCAT management measures (quotas, minimum size, etc.).

In the future, ICCAT must also respond to the emerging scientific reality of extensive eastern and western bluefin mixing by revising the current management program accordingly.

Billfish – blue marlin and white marlin, sailfish

We hope many of you enjoyed the U.S. recreational industry exhibit and reception yesterday. If so, you learned just how important recreational fishing is in the United States and that the billfish fishery is perhaps the most valuable U.S. marine recreational fishery of all. The U.S. billfish fishery is comprised of thousands of anglers within an industry that generates hundreds of millions of dollars annually.

Consequently, the United States has taken extraordinary steps domestically to conserve billfish by maximizing their release in both commercial and recreational fisheries. The release rate of billfish in U.S. commercial longline fisheries is 100% and is extremely high in our recreational fisheries as well.

Unfortunately, ICCAT science confirms that Atlantic blue marlin and white marlin stocks remain in poor condition. This is due in part to the reality that outside the United States, these stocks are primarily a by-catch in fisheries targeting other ICCAT species. Effectively, managing ICCAT fisheries to minimize this by-catch is a difficult challenge.

In 2000, ICCAT took the bold and very positive step forward of adopting “Phase 1” of a rebuilding plan to drastically reduce this by-catch mortality. The United States is proud that its recreational billfish and commercial longline industries teamed up to advance this initiative at ICCAT.

Now it is crucial for all nations to cooperate by complying with these measures and by accurately reporting all by-catch data to ICCAT so that the status of these stocks can be correctly assessed. The effectiveness of the current ICCAT billfish rebuilding plan depends on this.

Because these stocks are of such great importance to the U.S. recreational industry and economy, be assured that the United States will continue in its efforts to provide leadership in both scientific understanding and effective conservation of billfish. In fact, the United States has recently committed an additional \$2.5 million to fund further billfish research, including mortality reduction studies.

Swordfish

ICCAT’s extraordinary achievement with respect to North Atlantic swordfish provides a compelling example and model for all international fishery management organizations of what can be done when nations fulfill their commitments to cooperate and to comply with a conservation and management program solidly grounded in science.

In the mid-1990s, this valuable stock was only at 65% of the size (biomass) necessary to produce maximum sustainable yield (MSY).

ICCAT responded decisively in 1999 by establishing a formal rebuilding plan. Today this stock is effectively fully rebuilt. It is the first stock to be successfully rebuilt under an ICCAT rebuilding plan. This United States is proud of the leadership our swordfish industry provided at ICCAT to help secure this successful rebuilding program.

The effective conservation and management of highly migratory species demands multilateral cooperation and a strong commitment by all fishing nations. ICCAT's success in rebuilding North Atlantic swordfish is an outstanding success. It represents the very essence of what ICCAT is supposed to be all about. It demonstrates what ICCAT nations can achieve by working together and honoring our commitments. I congratulate you for your success and sincerely hope the same can be achieved with respect to bluefin tuna, billfish and other ICCAT species in need of greater conservation.

With that, I urge you to eat well, have fun and work hard!

Appendix 1 to ANNEX 3.1

Commission Chairman's letter of September 7, 2004

This letter is a follow up to previous correspondence and discussions on how to improve the Commission meeting. Below, I propose a series of actions that I believe will achieve that objective in this year's meeting (New Orleans, USA, November 15-21). If you have any suggestions for amending these actions, please let me know as soon as possible.

1 Priorities

The following topics will be the main focus of discussions:

- Bigeye tuna conservation measures (Panel 1)
- Southern albacore conservation measures (Panel 3)
- Administrative issues from the Secretariat
- Analysis of trade data and trade measures
- Bluefin tuna management strategies (Panel 2)
- Pelagic sharks (Panel 4)

Stocks that are under multi-annual sharing arrangements should not be discussed in the Panels unless the SCRS points out a major problem.

I am attaching as Annex 1 a draft Annotated Agenda that has been prepared by the Secretariat and I. This document provides further explanation about priority items.

2 Submission of data

Trade data. Each year, a substantial portion of the annual meeting is spent in the Compliance Committee and the Permanent Working Group discussing trade data and other related information. In order to make this process more efficient and avoid some of the problems seen in the past, I propose that any information pertinent to the 2003 *Resolution by ICCAT Concerning Trade Measures* [Res. 03-05] be submitted at least 30 days prior to the meeting. Information submitted after this date will be deferred for consideration at the 2005 meeting.

Compliance data. Compliance reports need to be submitted to the Secretariat by October 15. Based on these, the Secretariat will produce and circulate draft Compliance Tables one week later. Changes to the draft Tables must be submitted to the Secretariat in writing before the end of the meeting of Monday, November 15.

Other data. Many Recommendations and Resolutions clearly lay out a timetable for when information is to be submitted to the Secretariat or to the Commission. It is essential that these deadlines be respected.

3 Draft Recommendations and Resolutions

Delegations should make every effort to submit draft Recommendations and Resolutions that are of a general nature before the meeting. If these are received before November 1, the Secretariat will be able to translate and circulate the texts in advance of the meeting.

The deadline for submitting the first draft of Recommendations and Resolutions is at the end of the third day of the meeting, November 17. However, the meeting of Head Delegates will be able to decide if special circumstances warrant the relaxation of this rule for any particular case.

4 Meeting schedule

A preliminary timetable for the meeting is attached as Annex 2. In consultation with Head Delegates, I may make adjustments to this timetable depending on the progress of the meeting.

5 Distribution of documents before the meeting

Any documents intended for wide distribution that become available before the meeting will be posted at the ICCAT web site, <http://www.iccat.es>

3.2 OPENING STATEMENTS BY CONTRACTING PARTIES TO THE PLENARY SESSIONS

Brazil

It is a great pleasure for the Brazilian Delegation to be here in the beautiful and lively city of New Orleans. We believe that the enlightened spirit of this traditional city will help to lighten the burden of the challenges we have ahead of us. We take this opportunity to thank the United States Government for hosting the XIV Special Meeting of the Commission and to commend the Executive Secretary and the members of his staff for their outstanding work in organizing it. We would like also to congratulate the Commission Chairman, Mr. Masanori Miyahara, and wish him all the luck in chairing this very important meeting. We are confident that under his wise guidance it is bound to be, again, a very fruitful and successful exercise.

We are pleased to welcome Nicaragua, Norway and the Philippines as new Contracting Parties of ICCAT this year.

As usual, the Commission is faced by serious issues that will demand our commitment and diligence to find the best management options that can assure the conservation of exploited stocks, guaranteeing, at the same time, the needed balance between member states. We are particularly worried about the status of sharks caught in the convention area. Although the results of the recent stock assessments indicate that the stocks of blue and mako sharks seem to be in relatively good shape, it is clear that there are great deficiencies in the data available. We are convinced that the improvement of data on by-caught species, particularly sharks, should be one of the priorities this year. We also believe that time has come to this Commission to definitively ban shark finning.

Concerning billfishes, another by-catch species in the longline fishery, we believe that a great effort on data improvement should be envisaged. With that aim, the Brazilian Government, through the Special Secretary of Aquaculture and Fisheries, has set aside about US\$80,000 in a cooperative research effort with United States. We fully support the SCRS proposal to have a data preparatory meeting, prior to a full assessment, and hope we can host it. Brazil also supports a ban on trade of blue and white marlins, and, in that respect, has already extended prohibition of any sale of marlins caught by vessels operating under Brazilian jurisdiction up to 31 December 2005. We hope that ICCAT will adopt a similar measure.

The need to implement adequate conservation measures for southern albacore and bigeye tuna is another topic of great importance for us. Concerning the bigeye tuna we clearly have a compliance problem that needs to be addressed. Regarding the southern albacore, as we have stated on previous occasions, we need to hold an inter-sessional meeting of Panel 3, so that the new criteria for the allocation of fishing possibilities can be adequately applied. We are convinced that during the Commission Meeting, there is no time available to carry out such a complex exercise with all the care and commitment it demands. Brazil would be prepared to host an inter-sessional meeting of Panel 3.

Finally, although we have agreed with the implementation of the ICCAT record of vessels over 24 m authorized to operate in the convention area, we are afraid that it is being unfairly used by some contracting parties as a way to impose trade barriers, a practice that has to be immediately corrected.

We would like to close our statement by reiterating our commitment to work closely with all delegations, in a diligent and transparent manner, in order to assure this important regional fisheries organization will fulfill its obligation to properly manage the stocks of large pelagic fishes caught in the Atlantic Ocean. Again, Mr. Chairman, under your wise guidance, we are certain that we will succeed.

Canada

Canada is pleased to be in New Orleans for the 14th Special meeting of ICCAT. We are grateful to the United States, our hosts, and are confident that the logistics for our meeting in “the Big Easy” will facilitate productive discussions as we deliberate on many important issues.

For the past number of years Canada has expressed concern with the ability of ICCAT to retain its credibility as a responsible Regional Fisheries Management Organization (RFMO). With nearly 40 members, ICCAT is one of the largest RFMOs in the world. ICCAT has developed a comprehensive list of conservation and management measures over the years, including the use of fair, transparent and non-discriminatory trade sanctions as a means to ensure compliance with accepted rules. And, in the Standing Committee on Research and Statistics (SCRS), we have a large group of dedicated and world-class scientists whose sole aim is to provide solid scientific advice, upon which we can base conservation and management measures. ICCAT has the foundation to lead the world in responsible fisheries management. Yet we fall woefully short of this. Why?

As a Commission, we do not seem to have the collective will, capacity or commitment to follow through on the basic decisions that we take. We adopt total allowable catches, member quotas, and small fish limits and yet we routinely do not abide by them. As quotas are exceeded, members continue to increase their capacity to fish even more. In Canada, I would note that some of our fleets were shut down after just 16 days of fishing because quotas were met. It is inconceivable to us that others simply continue fishing in such circumstances.

Most disturbing is the growing data problem, which now plagues the SCRS and this Commission. For many species, parties do not provide basic Task I or Task II data. Moreover, the SCRS notes throughout its report that much of the data provided is incomplete or suspect. The SCRS has previously highlighted that it does not have sufficient confidence to provide the Commission with appropriate stock assessments and scientific advice for key stocks. This should ring alarm bells. International observers are not only watching, they are warning ICCAT that this cannot continue. For example, the recent report by the World Wildlife Fund on bluefin tuna farming and catches in the Mediterranean is deeply disturbing. In fact, the WWF has provided a set of recommendations for ICCAT to implement and address the deficiencies.

We must make progress at this meeting to begin to address our shortcomings as an organization.

Canada’s objectives will focus on essential priorities of proper and complete data reporting, effective compliance with existing management measures and consistent application of trade measures. As we consider new recommendations, we must consider the need to implement and enforce existing ones. To simply develop additional or more complex management measures and plans for species while ignoring the enormous data and compliance issues that persist is folly.

Canada believes that ICCAT needs to firmly commit itself to the principles of precautionary management. To this end Canada has tabled a recommendation on the broad principles of the precautionary approach. This alone will not address the weaknesses within our organization, but we can and must use this as a means of moving forward and demonstrating to the world that we can be entrusted to make responsible decisions regarding the health and management of some of the world’s most valuable fish resources.

Cape Verde

The Delegation of Cape Verde is very pleased to be able to participate in this important meeting of the Commission. Cape Verde presents its best wishes to the Commission.

Because of internal difficulties, Cape Verde has been absent from Commission meeting for many years, but the Cape Verde authorities are strongly committed to contribute to the achievement of the Commission’s objectives.

Thus, important efforts will be made for a more regular participation in the meetings and all the Commission's activities.

The fishery for tunas is very important to Cape Verde. It represents a source of revenue for the country due to exports and it occupies an important place in the food security of the population.

It is still a developing fishery that targets yellowfin, skipjack, bigeye and small tunas. Some by-catches of other species, such as swordfish and sharks, are also landed by the national fleet and by the foreign fleet that fishes within the framework of fishing agreements. However, the fishing sector is showing an increasing interest in developing other fishing strategies targeting the species present in national waters, in accordance with the regulations and provisions in effect in ICCAT. Thus, Cape Verde would like to have quotas for these species. Cape Verde will provide all the necessary support to the transparent management of these quotas.

Croatia

Allow me at the beginning of our meeting, on behalf of the Republic of Croatia, to extend our appreciation to the Government of the United States for hosting this meeting in the beautiful city of New Orleans. I most sincerely hope that the efficiency of our work shall allow us some time to truly get to know the city.

During the course of this year several important issues have been raised. It is not surprising, bearing in mind the growing structure and importance of this Commission, and the overall concern for the status of the tuna and tuna-like species stocks all over the world. We have been painfully aware of the overall declining trend in all capture fisheries worldwide, and this Commission's main task is to secure the sustainable future of tuna fishing and farming activities. Management measures adopted in 2002 are a definitive step in the right direction, but some issues are still unanswered. There is still enough space for improvement of our work, and ultimately, of our results.

ICCAT membership has been constantly increasing over the years. This is a good sign, showing the interest and the concern of all parties for the future of tuna fisheries. However, the diversity of membership has led to a wide diversity of opinions. As a consequence, some questions remain unanswered, and it is getting increasingly difficult to find the right and just solution for all. Some procedural issues are particularly stressed in this aspect, and I'm sure all around this table will agree that these should be duly considered and addressed. We have the opportunity at this meeting to discuss, propose and, I sincerely hope, agree upon issues such as mail voting, which has led to misunderstandings and misinterpretations earlier this year. In this aspect, we would like to thank the Commission Chairman, Mr. Miyahara, for the clarification letter, which we believe presents a good starting-point discussion material.

The mail vote issue was in the particular case this year linked with other issues that deserve attention. It is the question of the carry-over of overages and underages, as well as the issue of quota transfer. We have discussed many times, actually it could be said that we have repeatedly discussed, the question of carry-over. Recommendations are in place, but yet we struggle with the clarity of their wording and the actual problems of their implementation. As a result, many countries have problems in clearly understanding and implementing the compliance tables. This, of course, is the issue to be discussed in the Compliance Committee meeting, but it is our belief that it should be addressed in the plenary as well. Perhaps this is the right time to consider drafting a glossary of terms used in ICCAT documents as well, which might be helpful in better interpreting the wording of recommendations and regulations.

As concerns compliance, we arrive at the issue of the fight against IUU fishing and the issue of market mechanisms and good statistical and biological data. Although it may seem that these questions are independent from each other, it is our belief that they are strongly linked. There is still room for improvement of our performance in all these areas, and in the overall functioning of the Commission.

Particular reference should be made to the work of the SCRS. Data on tuna biology and reproductive physiology have been and still remain scarce. Statistical documents are in some cases insufficient and cannot answer the rising need for good quality data which are essential if management measures are going to yield their expected result. The accessibility of data is questionable, and we have to admit it if we are to move forward with good management and conservation measures.

Further research is a necessity, but additional compliance with recommendations and resolutions, particularly in the segment of data provision, is needed just as much. At our last meeting we discussed some of the measures to

combat the IUU fishing and some of the market policies and measures, but perhaps this issue should not be considered as a closed chapter. Croatia firmly believes that good trade regulations and clear data following the fish from the point of capture to the point of last consumption sale can provide a good tool in the management efforts of the Commission.

Croatia is happy to inform you that all relevant ICCAT recommendations and regulations have been incorporated into national regulation, and hopes that all our efforts in sustainable management of tuna fisheries, in our case particularly tuna farming activities, will secure the future both for the fish as for the fishermen. I will close this intervention by wishing us all fruitful and efficient work.

Japan

First of all, on behalf of the Japanese delegation, I would like to express our sincere appreciation to City of New Orleans and the Government of the United States for hosting the 14th Special meeting of ICCAT. It is our great pleasure to be here with our friends and work together for our common goal of conservation and sustainable use of tuna and tuna-like species in the Atlantic Ocean.

Although ICCAT made remarkable advance in adopting the multi-year conservation and management measures for some species and the measures for combating IUU fishing, there are further challenging issues we must tackle.

I would like to mention the following issues Japan assigns as its priority at this meeting.

ICCAT is facing serious problems of compliance. The Japanese authority found evidence that vessels of some ICCAT members and cooperating non-member or fishing entity had conducted large-scale laundering activities and the illegal activities to falsify their excessive catch to their catch limits. ICCAT must take appropriate measure to eliminate the activities. We would like to request the concerned parties to work together to ensure compliance to the catch limits and other conservation and management measures. Especially, to eliminate laundering activities through at sea transshipment, ICCAT should establish measures to monitor and properly regulate transshipment.

The last year meeting was not able to reach agreement for setting management measure for bigeye and southern albacore. We should work out effective conservation and management measures for these species.

Japan appreciates progress of Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategy. We expect the Working Group to review current scientific information and management measures and provide good basis for establishing sound management measures for bluefin tuna. At the last year's meeting, ICCAT adopted the recommendation to monitor and control bluefin tuna farming. We should duly implement the recommendation and continue to work for introduction of appropriate sampling in the caging facilities so that amounts of bluefin tuna destined to farming can be assessed properly and exactly.

Japan would also like to support the outcome of the shark stock assessment meeting it hosted in Tokyo last June. Japan will continue to make best effort for conservation of shark stocks in the Atlantic.

In closing, I would like to express Japan's commitment to work closely with all the participants here towards successful conclusion of this meeting.

Korea

First of all, it is our pleasure to be in the lovely city of New Orleans for the 14th Special Meeting of the Commission. On behalf of the Korean Government, I would like to thank the government of the United States of America for hosting the meeting. My special thanks go to all staff members of the Secretariat as well as the Executive Secretary who have devoted themselves to organizing and preparing the meeting.

ICCAT, since it was established in 1969, has greatly contributed to the conservation of Atlantic tuna resources, and I am confident that it will continue to do so in the years to come. However, we need to keep improving the management of the Commission and the fisheries resources in the Convention area.

First, the starting point in resource management is stock assessments, and it is essential that accurate data be collected to make the assessments trustworthy. Every member state should cooperate by organizing data and

submitting them in a timely manner. In particular, states seeking to become cooperating non-members must follow the conservation measures of the Commission, so the SCRS should examine their data more closely with the focus on the responsible composition of statistics.

Second, ICCAT has produced numerous recommendations and resolutions over its long history, but some seem in conflict with each other or are unclear. We support endeavors by the Commission to correct or improve such recommendations and resolutions.

When recommendations and resolutions are proposed, we need to consider how effective and efficient they will be. In this regard, we need to focus on maximizing the effectiveness and efficiency with minimizing the restraints on fishing operations.

Third, although ICCAT has many management rules, we still need improvements such as a mail voting system. In addition, the Commission aims to protect the rights of the member states rather than control them and member states should strive to respect the rights of other member states. It is my understanding that rights of the member states should never be infringed under the pretext of conserving resources.

Tuna and tuna-like species are important for our future generations as well as for us. The effective conservation of such resources calls for every state to comply with the conservation and management measures of various regional fisheries organizations. At the same time, it is necessary to launch a system to control the overcapacity caused by some tuna fishing players all over the world.

As a responsible fishing nation, Korea is doing its best to abide by conservation and management measures as provided by the regional fisheries management organizations and keeps its tuna fishing fleets at an appropriate level. Korea completed the process of becoming a member of the WCPFC, and is in the process of joining the IATTC and SEAFO as well.

In closing, let me say that I have great confidence in the Chair and Executive Director, and it is my sincere hope that we will have constructive discussions throughout this week.

Mexico

The Government of Mexico expresses its pleasure to participate in this 14th Special Meeting of ICCAT. Further, it wishes to express to the Government of the United States its appreciation for hosting this meeting and for the facilities provided for its organization.

Since more than 20 years ago, first as a Cooperating Party and in the last three years as a full member Mexico has cooperated in the work of the Commission and has provided statistical information on the catches of its fleet in the Gulf, and has participated in various scientific meetings and plenaries and has honored the commitment of implementing the conservation and management measures adopted by the Commission, to guarantee the sustainable utilization of the fisheries under its care.

In this forum Mexico wishes to reconfirm its commitment with the sustainable use of fishing resources and to support actions that permit facing problems and challenges, such as over-fishing and the excess of fleet capacity as well as the need for continuous international cooperation and coordination to reestablish the sustainability of world fishing, as well for the implementation of conservation and management measures based on the best scientific advice.

Since many species regulated by ICCAT are over-exploited, Mexico considers it necessary to reconfirm the principles of the Commission as concerns the precautionary approach and the application of reference points to alert on the state of the stocks of each fishery that will result in assuring better management of the species that are decimated.

On the other hand, it is necessary to establish very transparent regulations for the transfer of quotas since it is not possible to carry out quota transfers for different seas. Likewise, the transfers are a form of allocation, for which it is necessary that they be very carefully reviewed and that they do not affect the conservation measures on the resource.

Mexico has insisted because in this forum fully the rights and obligations of the countries are recognized, such as established in the UN Convention on the Law of the Sea of 1982 and other instruments which the international community has adopted, such as the Code of Conduct for Responsible Fishing.

In this sense, under the protection of the rights that the UN Convention on the Law of the Sea established, Mexico sustains that the criteria for the allocation of catch quotas in this Commission should be put into practice and applied in the allocation of quotas that take place during this and future meetings.

The historical rights should not be the only or the major criterion that defines the allocation of quotas. As has been recalled, there are other fundamental factors in these allocations such as the distribution of the resources within the Exclusive Economic Zone of the coastal countries, compliance with the conservation and management measures and the state of the resources. In this sense, Mexico considers that one of the most important goals that is currently facing the Commission is to attain consensus in order to apply these criteria, promoting with it, an equitable and fair scheme in the allocation of quotas.

On the other hand, we wish to demonstrate our conviction that in order to assure rational utilization and effective conservation of the fishing resources it requires the participation of all the States involved in the fishery. Therefore, we reaffirm that multilateral cooperation and implementation of management measures based on the best scientific information, and not through the imposition of trade sanctions, is how we should confront our commitment to responsible fishing.

For years in this forum trade sanctions have been applied to countries that do not comply with the management measures. While Mexico does not support this type of measure due to its susceptibility, among other factors, to being used as secret trade measures, since their application is carried out in this forum, we wish to reiterate the need that they be carried out as a last resort and in a transparent and indiscriminate manner, considering at all times the regulations agreed in international for a such as the World Trade Organization (WTO).

We want to reiterate Mexico's interest to carry out joint and coordinated actions with the Parties of the Commission in order to fortify the knowledge on the living marine resources concerned; to establish measures to assure selectivity in the catch and to consolidate the national capacities of scientific research and management.

In this sense, as we have pointed out in previous meetings, we must proceed to regulate the use of fish aggregating devices (FADs), which have caused excessive catch of juveniles. This, without a doubt, has signified strong pressure on the resources and the capacity of sustainability of the stocks. Mexico wants to insist that work be carried out to define and adopt additional measures that result in reducing discards and the catches of juveniles, as well as the regular use of fish aggregating devices.

Mexico will support measures of an administrative nature aimed at improving the Commission's work. We consider there should be time limits for the presentation of proposals that permit us to adequately review them, to shorten the meeting time and to work in all the working groups in the three different languages of the Commission, all of which we believe would support our work.

It should be pointed out that the Commission faces financial problems, for which measures should be adopted to improve its finances, particularly since 25% of the contributions of the Parties are not being received and it is necessary to assure the resources that permit the functioning of the Commission.

Finally, the Government of Mexico expresses its commitment to continue cooperating in the Commission's efforts, in order to reach solutions that reflect the interests and concerns of all concerned, with the objective of attaining the sustainable use of the marine fishing resources of the Atlantic.

Morocco

First of all, I would like to present the sincere and deep appreciation of the Delegation of Morocco to the Government of the United States of America for having invited to hold this meeting in this pleasant city of New Orleans, which because of many origins and its past important history gives it an original and cosmopolitan character which without a doubt will make our stay even more enjoyable and fruitful.

This year, the Commission should review and provide practical responses to many and very complex issues to improve the advantage of implementing the management and conservation measures on tunas and tuna-like species.

Illegal, unregulated and unreported fishing while it has lessened thanks to the progress made by the Commission, still persists today and continues to undermine the management measures adopted.

The trade measures, those that are correctly applied and conform to the different regulations and rules in force are an important capital on the one hand, to improve monitoring of the fishing activity and on the other for good traceability.

As concerns research, the SCRS scientists in spite of considerable efforts continue to note, and this is included in their reports, that the lack of reliable and quality scientific information which should be transmitted makes their analyses and information difficult regarding the real state of the stock and their future perspectives for their management and sustainable exploitation.

These are also important matters as are the other points included on the agenda of this session that we have to discuss during the course of this meeting, in the hope that this growth of the Commission to more than 40 members will constitute a force that is both wise and consensual to achieve the objectives of effective conservation and management of the tuna resources.

Our wish is to see all who are participating in our important meeting take part in constructive, positive and productive discussions in order for this session to succeed and to maintain the Commission in the realm of powerful regional fishing management organizations.

Namibia

Namibia has been a member of the Commission for six years and vigorously developed its tuna fishery despite pressing national economic issues. Namibia has been cooperating with the Commission despite the fact that she did not agree with the allocation procedures of ICCAT. As a responsible fishing nation and deriving needed income from the fishing sector we were duly bound to sign up with International Fisheries Agreements, such as ICCAT.

The International Commission for the Conservation of Atlantic Tunas has brought together nations with a wide spectrum of economic capabilities. Tuna and tuna-like species under the jurisdiction of ICCAT are a common resource for nations exploiting these fish, a common management regime is thus to be adopted by all participating in this fishery despite their distinctive developmental standing. UNIA calls upon developed States to cooperate with developing States through organizations such as ICCAT for purposes of conservation and management of straddling and highly migratory aquatic species such as tuna and tuna-like species. This will aid developing nations to efficiently manage, conserve and develop these fisheries.

It has not become time for developed nations to cooperate with developing nations by provision of financial assistance, human resource development, technical development and technology transfer. This assistance could be rendered through joint venture arrangements or advisory and consultative services depending on the regulatory framework of both developed and developing States. There are many obligations to be fulfilled by members to ICCAT and Namibia as a developing State is determined to discharge its international obligations in fisheries matters as much as possible.

Namibia's tuna and tuna-like fishers are now regulated by our national legislation to uphold ICCAT requirements regarding straddling and highly migratory stocks. Namibia will always strive toward good governance of national, regional and international fisheries resources.

Norway

It is a pleasure to express our sincere appreciation to the Government of the United States and the city of New Orleans for hosting the 14th Special Meeting of ICCAT, and for providing us with convenient facilities in this beautiful area.

Last year the Norwegian Parliament decided that Norway should become a member of ICCAT. The rationale for this decision is that the bluefin tuna fishery has been a long tradition in our country, dating back to the 1920s, and that bluefin tuna will again be available in Norwegian waters.

As a coastal State to the Atlantic bluefin tuna, Norway has, in accordance with Article 56 of the 1982 UN Convention on the Law of the Sea, the sovereign rights to harvest this resource. For highly migratory species this

right is, however, modified by the duty to cooperate in accordance with Article 64. This obligation is now fully met as Norway now has joined ICCAT. Therefore, Norway is now entitled to a share of the stock that occurs in waters under Norwegian jurisdiction.

In an ICCAT context, these rights are also acknowledged in paragraph 7 of the *ICCAT Criteria for the Allocation of Fishing Possibilities*. This criterion for allocation shall take into account the distribution and biological characteristics of the stock, including the occurrence of the stock in areas under national jurisdiction.

In the 1950s Norway was by far the most important country in terms of catches of Atlantic bluefin tuna in the northeastern Atlantic, accounting for over 70% of the total catches in some years. During the peak of the Norwegian fishery in the 1950s, there were no other fisheries in the North Atlantic or the Mediterranean on a similar scale. However, following the collapse of the fishery in 1963 in Norwegian waters, a number of other fisheries in both areas became increasingly more important.

It is important to ascertain if during this period the increased catches in the Mediterranean were a result of a biological shift in the stock due to changes in environmental conditions, or due to increased fishing effort. It should be noted that the majority of tuna taken off the Norwegian coast were relatively old fish, aged 10+ years. Catch at age statistics from the southern fisheries, e.g., in the Mediterranean and the Bay of Biscay, show very few fish older than five years in the stock, a strong signal of over-fishing. This over-fishing most probably limited the northern distribution area and feeding migration pattern of bluefin tuna to a large extent. The relationship between these fisheries needs further research. This will require further data on fleet effort and technological change and more detailed information on tuna migration.

Between 1963 and 1985 the fishery in Norwegian waters was somewhat sporadic in nature, some years seeing very little activity. Up until the final collapse of the fishery around 1985, there were sporadic catches in some years, but nowhere near the scale of the catches of the pre-1960s.

Norway also operated a purse seine fishery on Atlantic bluefin tuna in international waters off northwestern Africa in the period 1963-1975.

Recent observations of bluefin tuna in Norwegian waters were made in August and September 1998, when three Japanese longline vessels together with the Norwegian Directorate of Fisheries, conducted a series of experimental trials in the Norwegian EEZ to assess the feasibility of a commercial longline fishery in the Norwegian territorial waters, fishing under the Japanese bluefin tuna quota. A total of 134 individual fish were caught with an average individual weight of 178 kg.

In mid-October 2004 a few individual Atlantic bluefin tuna were caught by gillnet close to the surface off southwestern Norway. These individuals were juveniles and weighing only 10-15 kg. This is the first time we have documented such small individuals in Norwegian waters. There have also been a number of unconfirmed sightings of tuna by the herring and mackerel fleets.

Scientists at the Institute of Marine Research in Bergen, Norway recently produced a report entitled "Preliminary Overview of the Norwegian Fishery and Science on Atlantic Bluefin Tuna". The report is available to this meeting. The summary conclusions and recommendations of this report are as follows:

- Norway sustained the largest fishery for bluefin tuna in the northeast Atlantic between 1950 and 1964.
- At its peak, the fishery was valued at over 200 million NOK (\$31 million) at today's value with a peak catch of about 12,000 t.
- Up to 470 Norwegian purse seine vessels were engaged in this fishery during July to October.
- During the 1950s the fishery extended from Oslo in the southeast to Tromsø in the northwest (70°N).
- Norway was a founding member of the ICES Bluefin Tuna Working Group in 1962.
- Research into the stock decline of bluefin tuna should continue including the interactions between fisheries.
- Tagging experiments in the northeast Atlantic with data storage tags (DSTs) is required to provide more detailed data on migration patterns and life history.
- Any commercial fisheries on bluefin tuna in Norwegian waters should be subject to an extensive observer program.

Philippines

On behalf of the Government of the Republic of the Philippines, I would like to express our pleasure to participate for the first time as a full member in the 14th Special Meeting of this Commission, although we have been attending as observers and later as a Cooperating non-Contracting Party since 1998. I would like to thank the U.S. Government and particularly the State of Louisiana and the City of New Orleans for their kind hospitality.

As a new member of ICCAT, the Philippines is committed to the management and conservation of fishery resources in the Atlantic Ocean and whatever oceans they are found as we are also a member of the Indian Ocean Tuna Commission (IOTC) and in the process of ratifying the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean which came into force last June 19, 2004. Very recently, we have been admitted as a Cooperating Non-Member of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT).

The Philippines is deeply committed to the principles and obligations embodied in the United Nations Convention on the Law of the Sea (UNCLOS) and the associated Implementing Agreement of the conservation and management of straddling fish stocks and highly migratory fish stocks. In becoming a member of this Commission we are demonstrating to all the seriousness of our commitment to the sustainable conservation and management of fishery resources in the Atlantic Ocean as well as other oceans where Philippine flagged fishing vessels are operating.

The Philippines is a classic case of a developing country that is just in the process of establishing its own fishing industry and for which practically all international instruments relating to conservation and management of fisheries resources call on more developed fishing States to extend consideration and assistance in the development of their fishing industries. At this juncture, we would like to request that the Resolution limiting the Philippines to five (5) fishing vessels to operate in the Convention area at any given time be recalled as far as the Philippines is concerned. We believe that this Resolution is discriminatory and does not reflect the principles of giving special recognition to developing States. Moreover, we would like to request that the Philippines be given a quota of 4,000 tons for bigeye and as well as a quota for other species. We are making this request because we firmly believe that new participants to the fishery resources be afforded a fair and equitable scheme in the allocation of quotas.

Trinidad and Tobago

The Republic of Trinidad and Tobago is pleased to be represented at this 14th Special Meeting of the International Commission for the Conservation of Atlantic Tunas. We are also delighted that the Meeting is being held in the city of New Orleans whose culture bears a striking resemblance to our own rich and varied heritage.

It is our hope that this Meeting would be used by Contracting Parties and others as an opportunity to address, not only the items on the agenda, but as a reaffirmation of their commitment to the object and purpose of the ICCAT Convention. Such commitment is essential if the Commission is to discharge the obligations bestowed on it by the Contracting Parties.

The Republic of Trinidad and Tobago is committed to fulfilling its obligations under international law for the conservation and management of the fisheries resources and is fully engaged in several activities that will facilitate the discharge of these obligations.

Firstly, and most importantly, the Government, with its Fisheries Division, Ministry of Agriculture, Land and Marine Resources as focal point, is currently revising the fisheries legislation in order to update its provisions relative to internationally recognized fisheries management instruments. In addition, a Monitoring, Surveillance and Enforcement Unit will be established within the Fisheries Division beginning in early 2005, with the specific responsibility to assist the country to better manage its fisheries and to ensure compliance.

Secondly, the Government through its National Monitoring Committee on Foreign Fishing and Related Matters (NMCFFRM) is particularly concerned with monitoring the activities of foreign fishing entities in the waters and ports under the State's jurisdiction, especially with matters relating to transshipment activities. The NMCFFRM is a Committee that was established by the Government of the Republic of Trinidad and Tobago in September 1991 and is composed of representatives of relevant Ministerial Agencies, a Quasi-government Research

Institution, an umbrella environmental Non-governmental Organization and a Game Fishing Association. Its Terms of Reference are currently under review to include *inter alia*, the monitoring of operations of foreign fishing vessels, compliance with terms of access and international regulations by foreign fishing vessels, and boarding and inspection powers.

Thirdly, the Cabinet of the Government of the Republic of Trinidad and Tobago has approved the implementation of a Memorandum of Agreement between the Ministry of Agriculture, Land and Marine Resources and the National Fisheries Company (1995) Limited, which operates a transshipment facility in Port of Spain, that will specifically facilitate the monitoring of transshipment operations. Data collection and reporting on transshipment operations, reporting of vessel sightings and at sea transshipments, as well as port inspection and identification of vessels engaged in IUU fishing activities, are among the areas of cooperation specified under the Agreement. The NMCFFRM is mandated to ensure that the monitoring procedures are in place to implement this MOA.

The Republic of Trinidad and Tobago wishes to emphasize our commitment to conservation of shark resources. The shark by-catch is of cultural importance to the people of the Republic of Trinidad and Tobago; and it is pertinent to note that the entire animal is utilized as food. Additionally, the Government of the Republic of Trinidad and Tobago is cognizant of its responsibility to manage its recreational fisheries, which are of economic and social importance to its citizens, and will be paying more attention to enhancing data collection in this regard.

ICCAT is a regional fisheries management organization of which we all can be proud. In a comparatively very short time it has assisted the Republic of Trinidad and Tobago in carrying out its international legal obligations under the United Nations Convention on the Law of the Sea and other related International Agreements. The Republic of Trinidad and Tobago remains fully committed to the further strengthening of ICCAT.

Turkey

First of all, on behalf of my delegation, I would like to extend my appreciation to the Government of the United States of America for hosting this 14th Special Meeting in the wonderful city of New Orleans.

As to Turkey's belief, the Resolutions, Recommendations and the management strategies should be fair and equitable for each and every country whether it is or it was a member of the Commission or not, as well as being based on Article VIII of the Convention, which states that: "*The Commission may, on the basis of scientific evidence, make recommendations designed to maintain the populations of tuna and tuna-like fishes that may be taken in the Convention area at levels which will permit the maximum sustainable catch.*" Moreover, the rules and regulations of ICCAT should be applicable with the same force and validity for each and every country, whether it is or was a member of the Commission or not.

Turkey believes that in order to have a better and highly reliable management system, more scientific studies should be carried out. In this respect, within the last two years Turkey has intensified her scientific studies and is determined to do so in the future.

With this explanation, Turkey, being a Mediterranean Coastal State, having one of the Mediterranean's largest fishing fleets and having a long historical bluefin tuna catch record, deserves and expects higher recognition than she is having today.

With that, on behalf of my delegation, I wish a successful and fruitful meeting to all respective participants.

United States

It is a pleasure for the United States to host the Fourteenth Special Meeting of the International Commission for the Conservation of Atlantic Tunas in New Orleans, Louisiana. We would like to welcome all of you to New Orleans, especially the new Contracting Parties. You may have noticed when you arrived in New Orleans that the airport's identification code is MSY. This would seem to be a good omen for our gathering. We look forward to a productive meeting and acknowledge the efforts of Chairman Miyahara to streamline the agenda and increase our efficiency. We would also like to thank the Executive Secretary and his staff for their work in support of this meeting.

The United States has several items of high priority at this meeting. Foremost on our list is addressing the challenges the Commission continues to face resulting from a lack of data reporting. We believe the timely submission of accurate data is a fundamental responsibility of all parties that fish within the Convention area. Unreported catches undermine the work of the SCRS to provide meaningful stock assessments, as well as the efforts of the Commission to evaluate compliance of members and non-members. As a first step, we would like the Commission to review data and reporting difficulties by stock, gear and by country on an annual basis.

We were pleased with the results of this year's assessment of bigeye tuna by the SCRS, which indicated the current biomass of the stock is close to that necessary for maximum sustainable yield. However, we remain concerned about continuing over-harvests by some parties, as well as continuing high landings of undersized fish from surface fisheries in the Gulf of Guinea. We hope to work cooperatively with parties to address these problems over the next week.

As a result of Commission actions over the past few years, the timing of assessments and allocation discussions for various ICCAT stocks are no longer synchronized. We will propose that allocation discussions for western Atlantic bluefin tuna and North Atlantic swordfish be postponed until 2005 and 2006, respectively, so that they can be based on the best available scientific information resulting from SCRS assessments. Similarly, we will propose to follow the advice of the SCRS to postpone the assessments of white marlin and blue marlin until 2006, allowing time for landing reductions resulting from the required release of live marlin from the longline and purse seine fisheries to become apparent in data submitted to ICCAT. In the meantime, we feel it is essential to continue the management measures of phase one of the rebuilding plan.

The United States was encouraged by the proceedings of the 2nd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Measures, although much more work needs to be done on this issue. We believe our current scientific understanding of bluefin tuna movements and distribution is strong enough to support actions that will improve management in the near term and bring us closer to an integrated management approach. We realize, however, that achieving fully integrated management will require advances in science as well as the commitment of all parties to this process, including the submission of data.

We were pleased that the SCRS conducted assessments of blue and shortfin mako sharks this year, although the quality of the assessment was limited by a lack of data as well as a lack of participation by key parties. ICCAT is uniquely positioned to provide stewardship over Atlantic sharks, many of which have life history characteristics that make them susceptible to over-fishing. The ICCAT convention provides us the latitude to not only collect data on sharks but to take action to address their management as well. We will submit a recommendation to prohibit the unsustainable practice of shark finning and prevent increases in fishing effort for sharks.

Finally, ICCAT has adopted an extensive array of conservation and management measures over the years, and the Compendium Working Group is tackling the difficult challenge of rationalizing these measures. We fully support these efforts as they will result in a straightforward means of understanding the measures that are in force, and provide a more user-friendly framework for casting future conservation and management measures.

3.3 OPENING STATEMENTS BY COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES TO THE PLENARY SESSIONS

Chinese Taipei

First of all, on behalf of my delegation, I would like to extend my appreciation to the Government of the United States for hosting this 14th Special meeting of ICCAT in this beautiful city of New Orleans and for its warm hospitality. The shifting of venue for ICCAT meetings from one year to another allows us to have a chance to visit many cities and countries. With a heavy agenda in front of us, we still hope we will have a chance to see other parts of New Orleans than the hotel and the venue. My appreciation also goes to the Secretariat for arranging the logistics of the meeting.

Japan reported that its authorities have arrested two fish transport vessels that have engaged in issuing false shipping documents in assisting vessel owners in fish laundering. We are very much alarmed and regretful that some of our boat owners have been involved in illegal incidents. We have punished the violators in accordance with our law. However, we cannot agree that individual cases of violation have been broadly interpreted by Japan as general cases and, by applying a simple theoretical formula, to take for granted that the extent of fish laundering was as high as 18,000 t. The increase of our bigeye catch in the Indian Ocean in recent years was a result of the restructuring of the fishing pattern by some 50 longliners that previously targeted albacore and an

addition of 20 ex-FOC/IUU re-registered vessels. Apart from making a strong protest here, we have prepared an Explanatory Note in response to Japan's accusation. We hope the Commission can treat the matter in a fair and just manner.

In recent years, with concerted efforts of the members, the concerns of the Commission regarding IUU fishing have been addressed. Many of the measures to combat IUU fishing were in fact initiated by ICCAT, and later followed by other tuna management bodies, such as the establishment of a positive list and negative list of fishing vessels, statistical document programs, and trade measures. These measures have served as useful tools for the Commission to effectively conserve and manage the tuna stocks in the Atlantic. However, it should be noted that the control of at-sea transshipment of catch needs further improvement. It is encouraging to see that a number of proposals have been presented at this meeting, and we look forward to seeing adoption of such a recommendation so that transshipment at sea can only be carried out under strict control. In addition, the Commission should be reminded that there are still some second-hand IUU fishing vessels that escaped from the buyback program implemented under the joint action plan between Japan and Chinese Taipei. Their elimination requires further international cooperation.

Taking this opportunity, I would like to congratulate Dr. Meski for carrying out his first task of his office, which is the holding of this Commission meeting. I have already seen much progress on the preparation and circulation of documents for the meeting well in advance of the opening of the meeting. This is something the Commission should have done a long time ago, to enable all participants to have a chance to review the documents and undergo internal discussions. Finally, I wish you all a very successful meeting.

3.4 OPENING STATEMENTS BY NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES TO THE PLENARY SESSIONS

Belize

You will recall that at the 18th Regular Meeting of the Commission in Dublin (November 17-24, 2003), we had expressed our commitment to ensuring the effectiveness of the ICCAT conservation measures by Belize and had explained the measures that we had implemented. As the result, you will recall that at that Meeting the Commission decided to confirm the lifting of all existing sanctions against Belize in respect of Atlantic bluefin tuna, bigeye tuna and swordfish with effect from January 1, 2004.

We now wish to refer to our National Report 2004 that was submitted to the ICCAT Secretariat and outlines, *inter alia*, our continued implementation of our fishing vessel licensing, monitoring (VMS) and catch and effort reporting. Our HSFA conforms to the FAO Compliance Agreement, the Fish Stocks Agreement and the IPOA. Consequently, as reported to ICCAT on July 21, 2004 at the time of the submission of our statistics, there are no Belize registered fishing vessels on the high seas catching tuna, tuna-like species or sharks within the ICCAT Convention area.

For your guidance, the Prime Minister of Belize, as the Minister responsible for the International Merchant Marine Registry of Belize (IMMARBE), as well as the Minister of Agriculture and Fisheries, have approved the ratification/acceptance of, *inter alia*, the International Convention for the Conservation of Atlantic Tunas. Furthermore, Belize has officially notified the Director-General of the FAO as well as the Executive Secretary of ICCAT accordingly. Also, we have remitted to ICCAT Belize's contribution as a new Contracting Party as outlined in the Executive Secretary's fax to us dated May 12, 2004. Therefore, we would like to take the opportunity at this meeting to apply for the granting of catch allocations for the following species in the Atlantic which, according to our data, would cover our anticipated requirements:

- Albacore: 2,000 metric tons (agreed quota to be divided equally between North and South Atlantic).
- Bigeye tuna: 6,000 metric tons.
- Swordfish: 2,000 metric tons (agreed quota to be divided equally between North and South Atlantic).

You will note that we are not only applying for a quota for bluefin tuna. We are prepared to be guided by the Commission's decisions on suitable catch allocations for Belize that take into consideration the importance of this activity to our nation's development. At the same time, we undertake to issue licenses for fishing of the above-mentioned species in the Atlantic only for quantities that are within the limits of the agreed quotas.

We cannot over-emphasize the importance to our delegation to leave this meeting with concrete results with which we can underpin our membership of ICCAT and cooperation with other conservation organizations such

as IOTC, IATTC, NEAFC, and CCAMLR. Belize is a developing maritime nation, an integral part of which is its Shipping Registry from which it derives a substantial benefit in much needed foreign exchange. Therefore, the economic dislocation which we have sustained by virtue of the de-registration of non-compliant vessels must be halted. The securing of catch allocation is an essential element of this process. Furthermore, Belize considers that it has every right to wish to participate in fishing in the Atlantic within the confines of conservation measures.

Cambodia

First of all, I would like to take this opportunity on behalf of the Royal Government of the Kingdom of Cambodia to thank the Secretariat for cordially inviting Cambodia to attend this very important 14th Special Meeting of ICCAT in this beautiful City of New Orleans, Louisiana. This is indeed the first time for Cambodia to attend the ICCAT Meeting.

As you all may recall that Cambodia has just emerged from more than two decades of civil war and internal unrest during the late 1990s. Thus, every effort has been made to reconstruct this war torn country from scratch especially the negative effects of the notorious Khmer Rouge regime. The country is now in the very busy process of rebuilding its lost human and physical resources to catch up with the developed world. On the other hand, it is the top priority of the Royal Government to reintegrate the country into the international community including joining ASEAN, CITES, and the many other international and inter-governmental organizations such as FAO, UNESCO, APFIC, SEAFDEC etc. and most recently the WTO. Still many more conventions and treaties are to be joined and ratified as the country deemed necessary.

As far as ICCAT is concerned, due to the lack of information since the seventies, the understanding of the functioning and procedure of this fisheries management body is totally lacking. On top of that, the financial constraints prevent this country to be able to attend all previous ICCAT meetings. As a result of this misunderstanding, Cambodia was listed as a non-compliant, non-contracting party and more fatefully it was sanctioned with a tuna trade ban since 2000 and even this year the Commission still maintains the sanction. To this end, Cambodia would like to declare that it has never issued any fishing license to its registered vessels and those vessels that were registered in Cambodia were just for transportation of goods and merchandise, not to fish.

As a response to the trade ban, the Government has moved a step further by firing the Shipping Registry Company and the revocation of many registered vessels and the Government is taking the registration matter very seriously. Furthermore, Cambodia is considering working closely with ICCAT in the spirit of sustainable utilization of tuna and tuna-like resources for the future. Cambodia will take any necessary measure to control its flagged vessels and to cooperate with the Secretariat to better implement the Convention.

Cambodia would like to request the lifting of the trade ban and also request the Secretariat to assist in building its capacity to be able to cooperate actively in the Convention.

In closing, I would like to thank the U.S. Government and the Secretariat for arranging and hosting this Special Meeting that makes Cambodia learn more about the Convention and I hope to learn much more from the fruitful discussion of the Panels as well as the plenary session.

Senegal

Senegal thanks the Commission for the invitation to participate in this important meeting, in an observer capacity.

Senegal, a founding member of ICCAT, withdrew from the Commission on December 31, 1988. It has not, however, suspended its participation in the technical and scientific meetings. Further, Senegal has contributed, by the notes and the publications produced, to improvement of the knowledge of the tuna resources in the East Atlantic and their level of exploitation.

After analyzing the importance of the tuna fisheries on the national economy on those of the sub-region and the role of ICCAT in the management of these fisheries, Senegal has requested to rejoin the Commission. The instruments of ratification have been prepared and sent to FAO for notification and exploitation.

Once its membership is effective, Senegal will suggest the payment of the arrears due.

However, in its observer capacity at this meeting, Senegal would like to discuss the matters linked to the commercialization of the catches from southern EU countries, particularly Spain, as well as the reports of swordfish catches by Senegal.

3.5 OPENING STATEMENTS BY INTER-GOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS TO THE PLENARY SESSIONS

CARIBBEAN COMMUNITY (CARICOM)

On behalf of the Caribbean Community (CARICOM), I wish to thank ICCAT for extending an invitation to CARICOM to participate in the 14th Special Meeting of the Commission. I also take the opportunity to thank the government of the United States of America for hosting this year's meeting.

CARICOM has participated in ICCAT activities as an Observer since 1992. During this period, CARICOM has observed the declining health of several major tuna and billfish resources, and has noted the Commission's efforts to address the recovery of severely depleted stocks, and to arrest further declines in stock biomass in other instances of overexploitation. CARICOM fully appreciates the difficulty of these efforts in a continuing environment of over-capitalization and excess fishing capacity of the historical fisheries, IUU fishing activities, and the development of new fisheries.

In view of this, CARICOM has been actively encouraging its 15 Member States to become Contracting or Co-operating Parties to the Convention, and has been working to obtain greater participation in ICCAT activities by these States, as well as full compliance in respect of their statistical reporting and management obligations. Indeed, the Revised Treaty of Chaguaramas Establishing the Caribbean Community, including the Common Single Market and Economy (CSME) mandates harmonization of fisheries policy. CARICOM's efforts have yielded several positive results so far: the acquisition of Contracting Party status by Trinidad and Tobago and Barbados in 1999 and 2000 respectively; the lifting of sanctions previously imposed on Belize and St. Vincent and the Grenadines, and the granting of Cooperating Party status to Guyana in 2003.

CARICOM recognizes the importance of such decisions and the need for the States concerned to continue to maintain their commitment to, and cooperation with, the ICCAT conservation and management process. In this regard, CARICOM is pleased that the government of Belize has made a decision for that country to become a Contracting Party to ICCAT. This is an important step in strengthening the working relationship between Belize and ICCAT, which it is hoped, will result in mutually acceptable solutions for both sides that take into account Belize's existing High Seas fishing capacity and its dependence on the revenues earned by the registration of these fishing vessels.

On a more general note, as the Commission is aware, most CARICOM States are either coastal Developing States, or Small Island Developing States with very limited resources. For such States, fish resources contribute significantly to basic food security, poverty alleviation, and hence social and economic stability. It is instructive to recall that the 1995 UN Fish Stocks Agreement makes specific provisions for addressing the special needs of Developing States, including the need to accommodate socio-economic expansion and economic diversification, and so ensure comparable initial development opportunities. Furthermore, the need for development of large pelagic fisheries in CARICOM is now being increasingly relied upon to replace revenues lost from recent significant declines in the agricultural and tourism sectors. These losses have occurred as a result of unfavorable changes in the global trade environment, and the rapidly accumulating effects of global warming, such as more frequent and more powerful storms.

Notwithstanding, CARICOM countries are willing to play their part in the conservation of Atlantic tuna stocks. However, the level of conservation action required of such small Developing States must not be disproportionate to their level of resources and capabilities, as stipulated by international fisheries law. Considering this, it is clear that ICCAT recommendations should specify different levels of conservation action for Developed and Developing States, particularly in the following instances: (i) where the nature of fishing operations differ sufficiently in the technologies applied and/or their percentages to the overall harvest; and (ii) stock rebuilding programs requiring large reductions in catches. Fair treatment of Developing States, especially those with new and developing fisheries, will contribute greatly to the success of ICCAT's conservation efforts, and to increasing active cooperation from the States concerned.

On behalf of CARICOM, I wish the Commission a very successful meeting. Thank you.

FORUM FISHERIES AGENCY (FFA)

At the outset, the FFA Delegation wishes to convey its sincere appreciation to the U.S. Delegation and the City of New Orleans for hosting this 14th ICCAT session. The magnificent environment will surely add to the flavor of the meeting and motivate members to resolve differences in a cordial and friendly manner.

It is indeed a privilege for the Pacific Islands Forum Fisheries Agency to be invited to observe at this 14th Special Meeting of ICCAT.

For your information FFA is a regional organization that was established in 1974 under the mandate of the Pacific Forum Leaders representing 17 Member countries. FFA amongst other functions is largely tasked to oversee the management of the members' fisheries resources as well as striving to maximize the economic returns to members through sustainable developments.

Recognizing the significant contribution the marine and fisheries resources make to the livelihood of the Pacific Islands people, FFA members have been strongly advocating the need to usher in a new management regime as mandated under the 1982 UNCLOS, 1995 UN Fish Stocks Agreement resulting in numerous sessions of Preparatory Conference since 1994 which culminates in the establishment of the Western and Central Pacific Ocean Fisheries Commission.

The WCFC Convention came into force on June 19, 2004.

Mr. Chairman, as observers at this 14th Session of ICCAT, we are hoping to learn from your experiences in the management practices and options for Atlantic tuna. We are certain that we can draw on some synergies to avoid our effort in trying to reinvent the wheel.

To all members of ICCAT, we thank you sincerely for the opportunity to observe this 14th Session of your Commission, and we wish ICCAT members every success in the management of their shared tuna resources. Thank you.

RECREATIONAL FISHING ALLIANCE (RFA)

The Recreational Fishing Alliance (RFA) is a United States, non-profit association representing individual recreational fishermen and the recreational fishing industry. The RFA Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs and ensure the long-term sustainability of U.S. saltwater fisheries.

Contrary to the belief of some, recreational fishing in the United States is much more than just sport, pleasure or leisure: it is a multi-million dollar industry that supports over one million jobs.

A large segment of the U.S. recreational fishing industry are boat builders, fishing tackle manufacturers, party and charter boat businesses, bait and tackle wholesales and retailers, marinas, and other businesses in the United States which cater specifically to recreational fishermen who fish for the species under the purview of ICCAT. This industry relies directly on the long-term health and sustainability of these species.

Individual anglers fish recreationally for marlin, sailfish, swordfish and tuna in U.S. waters to enhance their quality of life. Boat builders manufacture recreational fishing vessels that are specifically designed and primarily used to fish for the species under the purview of ICCAT. Fishing tackle manufacturers make a variety of goods including rods, reels, fishing line, lures, and accessories that are used by recreational fishermen to fish for the species under the purview of ICCAT. Party and charter boat businesses regularly take clients out in U.S. waters to fish for the species under the purview of ICCAT. Bait and tackle retailers sell goods and offer services to recreational fishermen to fish for the species under the purview of ICCAT. Marinas offer dockage, fuel and services to recreational fishing vessels that target the species under the purview of ICCAT. A variety of other businesses in coastal communities including hotels, motels, restaurants are heavily dependent on recreational fishermen as well.

These fishermen have a strong, voluntary conservation ethic, employ sustainable, inefficient rod and reel fishing gear, and are strictly regulated by the U.S. government with a variety of permits, reporting requirements, seasons, minimum size limits, bag limits, gear restrictions, and prohibitions on sale of catch.

The RFA is fully committed to working proactively with the Commission to ensure the long-term sustainability of the ICCAT managed species on which the U.S. recreational fishing sector relies.

WORLD WILDLIFE FUND (WWF)

During the last years, WWF has contributed with its own technical expertise to both ICCAT working meetings and plenary sessions with the aim to help this important regional fisheries organization improve the sustainable management of tuna and tuna-like species in the Atlantic, for the sake of healthy ecosystems and wealthy and long-term viable fisheries. Indeed, the commitment of WWF is with the natural marine ecosystems as well as with fishing activities relying on the services provided by them; reconciling the interests of both is our main goal.

Heavily concerned by the increasing mismanagement of Atlantic bluefin tuna following the massive development of tuna farming practices in the Mediterranean, as early as in 2002 WWF formally requested the creation of a Working Group on Sustainable Tuna Farming in the Mediterranean, an initiative that was endorsed by the GFCM and ICCAT in 2002. Unfortunately, after actively participating in the two meetings held by this group to date, WWF felt itself forced to walk out of it due to the perceived lack of commitment of this group to adequately tackle the major impacts on the fishery. Last year, in contrast, the scientific study conducted by WWF in the Mediterranean pointing to the inadequacy of the former ICCAT provision allowing small-scale driftnetting in swordfish fisheries provided a sound scientific support to the new Regulation 03-09 banning all driftnets in this region. Recently, in June 2004, WWF has contributed to the Inter-Sessional Meeting of the Sub-Committee on By-catch aimed at shark stock assessments.

In this context, WWF asks the delegations of Contracting Parties attending the 15th Special Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) to be held in New Orleans, USA, the 15-21 November 2004 to consider promoting and/or supporting the proposals detailed below on (1) improvement of the management scheme of bluefin tuna stocks, including fishing and farming, (2) effective enforcement of the driftnet ban, and (3) improvement of the management of elasmobranch populations.

WWF Proposals

Issue 1: Bluefin tuna fish-and-farming

WWF is being documenting and denouncing since 2001 how the uncontrolled expansion of tuna farming in the Mediterranean is exacerbating the mismanagement of the East Atlantic stock of bluefin tuna. The “Cartagena Call for Action for Sustainable Tuna Farming in the Mediterranean”, promoted by WWF in 2002, was supported by more than 100 scientists and NGOs from the region. Two monographic reports on tuna farming have been issued by WWF in 2002 and 2004. The last one, “Tuna farming in the Mediterranean: the bluefin tuna stock at stake”¹, clearly demonstrates that current catches on the stock are far above the ICCAT quota, the fishery being driven exclusively by market forces in a context of tuna farming -and fleet- overcapacity. The situation of virtual mismanagement of this highly overexploited stock denounced by WWF in this report has just been confirmed by the report issued in September 2004 by “The Tuna-Ranching Intelligence Unit”², an initiative of the Spanish-based tuna-farming consulting company ATRT. This report, elaborated from the industry side and based on a documented knowledge of the business, fully confirms all the concerns being raised by WWF by demonstrating that the fishery is currently running out of control, victim of widespread violations of ICCAT rules and the overall inadequacy of the current management system. There is no doubt whatsoever that a very significant share of bluefin tuna produced in the Mediterranean qualifies as IUU production.

Faced to this extremely grave situation, which is undermining the very conservation and management credibility of ICCAT, WWF calls on national delegations to undertake a deep and far-reaching move in the ICCAT meeting this year by adopting the following 10 measures:

- The current quota system is little more than a political tool to share fishing opportunities among Contracting Parties; it should urgently be transformed into an operational management tool.

Indeed, under the current fishing-and-farming scheme purse seine fishing is highly privileged among other fishing gears, with the bulk of catches being achieved in little more than two months (from May to mid-July).

¹ http://www.panda.org/news_facts/publications/marine/publication.cfm?uNewsID=13510&uLangId=1.

² http://www.panda.org/about_wwf/what_we_do/marine/news/news.cfm?uNewsID=15352.

The dramatic demand for live tuna from overcapacity tuna farms from all around the Mediterranean (that are to be filled before the start of the closed season for purse seine tuna fishing –from 15th July to 15th August) creates a truly race for the last bluefin among the different purse seine fleets. In this context, all kinds of infringements of ICCAT management provisions are made (i.e. aerial spotting, transshipments, falsification of ICCAT documents).

WWF proposes the establishment of a new reporting system tailored to fisheries management purposes. It would involve the real time monitoring of all purse seine catches by a centralized ICCAT body. Reporting has to be made following the transfer of live fish, when the catch size is very accurately assessed using video recording and acoustic methods, or immediately after the fishing operation if the fish is to be harvested dead. This real time monitoring of catches during the high tuna fishing-and-farming season would allow ICCAT (that should be empowered to do so) closing the purse seine fishery (all fleets) once the overall quota (for purse seine fishing; see below) has been reached. National fleets catching in excess their national quota allocations would be severely sanctioned by a reduction of fishing possibilities the year after.

- In parallel, a new compulsory observer program should be put in place covering 100% of all purse seiners during the whole fishing period.
- The total quota on the East Atlantic stock should be immediately lowered so as to fit the levels scientifically recommended to prevent the further deterioration of the stock (in all cases less than 26,000 t) as a first immediate step. Then, a comprehensive Recovery Plan should be put in place -involving much lower catch levels- aimed at the long term rebuilding of the population to healthy levels, able to sustain a future profitable and well managed fishery.
- In this context, a specific quota for fish farming (as a maximum limit) should be immediately allocated to ICCAT Parties' fishing fleets, out of their overall catch quota on the East Atlantic bluefin tuna stock. To this end, a total quota for farming (maximum limit) should first be determined based on the levels of tuna farming production during 2000-2002, before the start of the current overcapacity crisis, and the needs of other tuna fleets, like longliners and hook-and-line ones. The subsequent allocation of fish-for-farming rights among contracting parties must be done according to national purse seine fishing capacity³ before the distortion caused on the fishing sector by the boom of tuna farming in the region in early 2000s and the total catch quota allocated.

Such a limitation is essential to put and immediate end to current farm overcapacity and the resulting race for the last tuna, as well as to safeguard the short-term profitability of the tuna sector itself.

- Current size limits of 6.4 kg are not biologically based. They should be increased according to scientific information on real size at maturity.
- Current Recommendation on banning aerial spotting in June [Rec. 96-02] is not enforced whatsoever. WWF proposes to openly recognize the failure of this “paper regulation” and to balance it by extending the seasonal closure of purse seine fishing 15 more days, to span from 1 July to 15 August (it currently lasts one month, from 15 July to 15 August). This way the intended limitation of fishing mortality pursued with the currently non-operational ban on aerial spotting would be better achieved. This measure must be completed with the creation of offshore closed areas protecting the spawning of the species.
- ICCAT Bluefin Tuna Statistical Document (BFTSD), requested in import operations involving dead fish, is aimed at the *a posteriori* cross validation of reported catches. It must be urgently updated to cover live tuna transfers as well, to take account of tuna transferred to farms originating from other countries' fleets.
- It is essential to ensure the maximum transparency in the international trade of farmed bluefin tuna, to avoid tuna farming to operate outside the framework of resource management. In this respect, the current ICCAT [Rec. 03-09] on tuna farms reporting should be strongly improved so as to effectively ensure the full traceability of farmed production back to the input cage and fishing vessel levels.
- ICCAT should strictly monitor compliance with management rules in bluefin tuna fishing and farming operations on a much more active way, as well as making a generous and systematic use of Resolution [Res. 03-15] on trade measures to promote enforcement.

³ Eventually accounting for traps as well.

- In this line, the new ICCAT [Rec. 03-16] obliging Contracting Parties to prohibit landings, placing in cages, etc. of fish caught by IUU fishing activities must be amended so as to include a ban on imports of any tuna and tuna-like products originating from suspected IUU fishing activities.

Issue 2: Enforcement of ICCAT Recommendation [03-04] banning driftnets in fisheries of large pelagics in the Mediterranean

WWF has since long been denouncing the widespread infringement of international legislation, including ICCAT's, prohibiting large-scale driftnet fishing. The results of a field research conducted by WWF in 2003 showed a dramatic incidence of illegal large-scale driftnet fishing by Moroccan vessels on the Mediterranean High Seas, with a huge impact on non-target vulnerable species and on the target species itself⁴. A peer reviewed scientific paper is currently available fully documenting this issue⁵. After the adoption in November 2003 of a total ban by ICCAT [Rec. 03-04] the IUU nature of driftnetting in Mediterranean waters was extended to all driftnet fisheries targeting large pelagic species, independently of gear length.

In addition to the conspicuous, substantial IUU fishing activities carried out this year 2004 by the Moroccan driftnet fleet (since it has freely pursued its illegal activity throughout the entire swordfish fishing season), WWF is knowledgeable of driftnet activities targeting large pelagic fish in the Mediterranean currently occurring in, at least, the EU (Italy and France), Turkey and Algeria, all of them being Contracting Parties to ICCAT.

With these antecedents, WWF believes that any solution to the current driftnet problem must be based on the full utilization and eventual strengthening of ICCAT's legal framework to fight IUU fishing. Consistent with ICCAT Recommendation [03-16] obliging contracting parties to take the necessary measures to prohibit landings from fishing vessels of tuna-like species caught by IUU fishing activities and ICCAT Resolution [Res. 03-15] on trade measures, WWF urges ICCAT to:

- Immediately launch the process leading to the adoption of non-discriminatory trade restrictive measures against those parties failing to effectively undertake the required cease of IUU driftnetting activities.
- As required in the precedent section on bluefin tuna, the new ICCAT [Rec. 03-16] must be amended so as to include a ban on imports of any tuna and tuna-like products originating from suspected IUU fishing activities.

Issue 3: Shark management

Skates, sharks, rays and chimaeras are exceptionally susceptible to overfishing because they grow slowly, mature late, and produce few young. Despite growing awareness of the plight, no international restrictions on shark, skate or ray fisheries have been adopted until now. At the NAFO meeting in September the first step was taken towards international management of elasmobranchs, as NAFO reached an agreement to establish a total allowable catch (TAC) at 13,500 t for thorny skates in Canadian and international waters around the Grand Banks.

The key challenges in achieving the sustainable management of elasmobranch fisheries within ICCAT include: (1) the implementation of a system whereby fishing effort is the main element controlling fishing pressure, as by-catch is often a major concern; (2) the coordination of data collection, stock assessment and research, as available data are limited; and (3) achieving consistent and complementary management arrangements across fisheries, particularly where the fisheries extend across administrative boundaries and into the high seas.

Precautionary measures are needed immediately for shark management within ICCAT and there should be no delay in implementing measures due to lack of scientific data, as measures should be adjusted in the future when such information becomes available. The lack of research and monitoring activity targeted at elasmobranchs and the consequent lack of data on which to base assessments of threat, identify critical habitats and make recommendations for sustainable harvesting strategies currently makes it challenging to manage blue sharks and shortfin mako.

In this context, WWF calls on national delegations to adopt new measures based on the following principles:

- The general lack of management for elasmobranchs within ICCAT means that there is very limited monitoring, control and surveillance activity focused on pelagic sharks. Compliance with the requirement to

⁴ http://www.panda.org/news_facts/publications/marine/

⁵ <http://authors.elsevier.com/sd/article/S0006320704001673>

record catches (whether retained or discarded) of pelagic sharks in logbooks is almost non-existent. Improved data collection programs should be introduced to determine the directed, incidental catch, by-catch and utilization of elasmobranchs by enforcing a stricter use of logbooks, accompanied by the use of observers onboard a minimum of 25% of longline vessels fishing within ICCAT to determine by-catch. EU member states should comply with the EU Council Regulation No. 1639/2001, which establishes the minimum and extended Community programs for the collection of data in EU fisheries sector. This program should be extended and applied to Community vessels fishing in the ICCAT area.

- Discards of elasmobranch species should be reduced through reductions in fishing effort along with the implementation of research programs to develop selective fishing gear.
- ICCAT should use the precautionary approach and minimize waste and discards from shark catches by promoting full use through implementing shark finning bans, in order to implement this aspect of the FAO IPOA-Sharks.

ICCAT should develop a plan of action for the conservation and management of sharks within the area of ICCAT, developed and implemented within the framework laid out in the United Nations Food and Agriculture Organization's International Plan of Action for the Conservation and Management of Sharks¹ (IPOA-Sharks). The FAO IPOA-Sharks states that Shark Plans should aim to: (1) ensure that shark catches from directed and non-directed fisheries are sustainable; (2) assess threats to shark populations, determine and protect critical habitats; and (3) implement harvesting strategies consistent with the principles of biological sustainability and rational long-term economic use.

3.6 OTHER STATEMENTS TO THE PLENARY SESSIONS

Canada on the implementation of the precautionary approach

I would like to make a few comments with respect to the implementation of the precautionary approach in ICCAT.

Canada tabled what we thought was a very simple proposal. Building on the recommendations of the SCRS Ad Hoc Working Group on the Precautionary Approach and on the fact that many Parties around this table have clear international obligations under the United Nations Fish Agreement, Canada proposed that this Commission affirm its commitment to the concept of the Precautionary Approach.

We are very disturbed and quite frankly perplexed that this proposal was met with such little support.

The precautionary approach is not a new concept. Its principles have been and are being implemented across many different international fora, including many regional fisheries management organizations to which ICCAT members are party. Many of the Parties to this Commission are also implementing it in their domestic fisheries. In fact, it is a principle that has been embodied in several international instruments that Parties around this table have routinely referred to in their various proposals this week, for example, we have just adopted a shark proposal based on the FAO International Plan of Action on Sharks, which clearly refers to the precautionary approach.

I have sat here all week and listened to various interventions by Parties as well as the Chairman of the SCRS, all of which have highlighted and acknowledged the enormous data deficiencies this organization is facing and the fact that this is threatening, in many ways, the conservation mandate of ICCAT. It would therefore seem more than appropriate for this Commission, in recognizing this fact, to endorse wholeheartedly the basic principles that are outlined in our proposal.

I would ask that the report of this meeting reflect my comments and we will be providing the rapporteur with a text.

¹The term 'sharks' is taken to include all species of sharks, skates, rays and chimaeras (Class *Chondrichthyes*), and the term "shark catch" is taken to include directed, by-catch, commercial, recreational and other forms of taking sharks.

Chairman Miyahara's position on mail voting

In April 2004, I received a request for a mail vote on the transfer of 1,000 tons of Korean eastern bluefin tuna underage to Turkey. The following steps were taken for the voting:

- A mail vote on whether this mail vote would be taken or not on this matter. A simple majority of all the Contracting Parties was required for an affirmative decision. A deadline for the voting was set at April 30.
- After the affirmative decision as a result of the first mail vote, the second mail vote started on whether the transfer would be approved or not.
- During the process of the second vote, a question was raised on whether or not a two-thirds majority was required for the affirmative decision on this matter. After the informal consultation in Marseille (see the attached minutes), I ruled that a two-third majority was required for this decision, since the matter in question had not been discussed at all in the relevant panel (Article VIII 1. (b) (i) of the Convention). Then the vote restarted.
- The sponsors withdrew the proposal before the second vote ended.

I would apologize for my insufficient explanation on this process and any misunderstanding by a fellow Commissioner it may have caused. But in my strong belief, such prudent steps as taken in this inter-sessional decision-taking should and has to be followed in future similar cases. It is the invaluable tradition and the fundamental principle of the Commission that all the consultative efforts are exhausted before any decision is taken. A vote has been and will be avoided with every effort available in decision making. Thus a mail vote should really be limited to "the case of special needs". The following is my clarification of the steps to be taken in decision taking by mail votes. If no objection is made at the 2004 Commission meeting, those steps should be kept in the record and followed in future cases.

- 1 The first mail vote will be taken on whether a mail vote will be taken on the matter in question. A simple majority of all the Contracting Parties will be required for an affirmative decision.
- 2 If an affirmative decision is made after the first vote, the second vote will start on the matter in question. If the matter is related to conservation and management measures and was not discussed in an appropriate panel, a two-thirds majority of all the Contracting Parties will be required for an affirmative decision. On other matters, a simple majority will be required for an affirmative decision.
- 3 The deadline for voting will be set at the day three weeks after notification of a start of a mail vote.
- 4 No response will be counted as abstention in a mail vote.

On in-season quota transfer, the Commission may prefer an expedited process of a mail vote. This matter should be discussed at the 2004 meeting. I will ask this question in New Orleans. I shall appreciate in-advance consideration on this matter.

REPORTS OF INTER-SESSIONAL MEETINGS

4.1 REPORT OF THE 2nd MEETING OF THE WORKING GROUP TO DEVELOP INTEGRATED AND COORDINATED ATLANTIC BLUEFIN TUNA MANAGEMENT STRATEGIES (Marseille, France, May 17-20, 2004)

1 Opening of the Meeting

The meeting was opened by the Commission Chairman, M. Miyahara, who welcomed participants. Mr. Miyahara thanked the EC and the Government of France for their invitation to host the meeting in Marseille.

The Working Group Chairman, Mr. François Gauthiez (EC-France), noted that the meeting would be conducted as agreed upon at the first meeting of the Working Group in Dublin (Agenda is attached as **Appendix 1 to ANNEX 4.1**). There were two sessions, the first part being scientific presentations and the second devoted to discussions of management alternatives. Following each presentation there will be time for relevant questions.

The List of Participants is attached as **Appendix 2 to ANNEX 4.1**.

There were no verbal opening statements. Written statements are attached as **Appendix 3 to ANNEX 4.1**.

2 Election of the Chairman

The Chairman, Mr. François Gauthiez, had been elected during the first meeting of the Working Group.

3 Appointment of the Rapporteur

Ms. Rebecca Shuford (United States) was appointed Rapporteur for the Working Group.

4 Adoption of the Agenda

The Agenda (**Appendix 1 to ANNEX 4.1**) had been adopted during the first meeting of the Working Group.

5 Review of information relevant to stock structure and mixing

The Chair provided an overview of the presenting scientists, the title of their presentations and the order of presentation. After each presentation the Chair opened the floor to questions and comments from the delegates. Abstracts are attached in **Appendix 4 to ANNEX 4.1**.

Drs. Geoffrey Arnold (EC-UK), Barbara Block (United States), and Molly Lutcavage (United States) each made a presentation on recent advances in tagging research.

Drs. Joe Powers (United States), Jean-Marc Fromentin (EC-France), and Enrique Rodriguez Marin (EC-Spain) gave presentations that reviewed the present state of knowledge and research related to bluefin tuna stock structure and assessment.

Dr. John Neilson (Canada) presented a new software tool for the cartographic display of ICCAT catch and effort data. Dr. Antonio Di Natale (EC-Italy) presented historical and recent data on a unique longline fishery in the Straits of Messina and central-northern Adriatic Sea. Dr. Abdellah Hattour (FAO-COPEMED) presented information on the FAO-COPEMED project on large pelagics.

Two presentations about management alternatives were given by Drs. Joseph Powers (United States) and Ziro Suzuki (Japan). Discussions on these two presentations were held during the management session of the meeting.

Following the presentations given by the national scientists, Dr. Joao Pereira, SCRS Chairman, provided a review of the SCRS recommendations made in the 2001 Report of the ICCAT Workshop on Bluefin Mixing (SCRS/2001/020).

There was extensive discussion on the information presented by the scientists. Many delegates noted the objectivity, professionalism, and high quality of the research presentations. There was much learned from the information provided. Gaps in knowledge were identified as well as future research needs. The scientists responded to specific questions on the research presented.

6 Develop alternative options for managing Atlantic bluefin tuna and consideration of the feasibility of alternative scenarios

Proposals for management alternatives were presented (see **Appendices 4.10 and 4.11 to ANNEX 4.1**) followed by brief discussions.

Japan presented two documents attached as **Appendices 5.1 and 5.2 to ANNEX 4.1**. Noting the lack of recovery of the western stock even after 20 years of rigorous management as well as the information regarding mixing presented during the scientific session, Japan felt that the current management measures are not sufficient to rebuild the western stock. They noted that the 45°W degree management boundary is arbitrary and expressed the need for a change in the fundamental strategy in the management of Atlantic bluefin tuna. Japan's proposal (**Appendix 5.1 to ANNEX 4.1**) suggests the need to intensify research while at the same time implementing immediate measures to protect the western spawning population, including extending time-area closures in the Gulf of Mexico. The need for more balanced utilization of the resource across the Atlantic was also expressed. Japan also suggested that the Atlantic and Mediterranean be managed as separate units. In addition, Japan proposed a five-year research program that would include intensification of both micro-chemical analysis and archival tagging research. Japan also noted that there has already been some effort to control Japanese fishing in this area.

In response to Japan's proposal for an extended time-area closure in the western Atlantic, the United States pointed out that the Gulf of Mexico is currently closed to directed bluefin tuna fishing from January to June. However, being aware of potential hot spots of incidental catches of bluefin in fisheries targeting other species, the United States is willing to consider additional measures.

The United States presented a proposal for management in the Atlantic (**Appendix 5.3 to ANNEX 4.1**). Despite the remaining uncertainties, this does not mean that action should not be taken. The United States felt that a lot has been learned and enough new information has been developed to begin to improve our approach to management. The evidence for two breeding populations exhibiting some degree of site fidelity indicates that fish from both eastern and western origin should be protected through appropriate management. Based on the evidence of mixing, no boundary can be drawn that precisely divides bluefin into two stocks. The United States felt that the 2001 mixing report accurately identifies the most biologically realistic long and short-term management approaches. In the long-term, the oceanic box approach is ultimately where management needs to go. To achieve this, a commitment to research is needed to improve information on movements and origin of fish. With time this can be accomplished through increased tagging and otolith microchemistry analysis. The United States recommended that an Action Plan be developed by the 2005 Commission meeting that identifies the activities necessary for the Commission and SCRS to undertake to implement such an integrated management approach and be fully implemented by 2008. In the short-term, based on the knowledge that is now available from tagging studies, it is clear that the status quo is no longer appropriate. The United States recommends that at the 2005 meeting the SCRS provide advice on allowable catches and recovery scenarios for the western Atlantic management unit. From this advice, the Commission should develop appropriate TAC levels, allocation schemes, and a rebuilding program that will be effective until the implementation of the long-term plan.

Following the proposal presentations of Japan and the United States, several delegations provided their perspectives on appropriate management alternatives based on the current base of scientific knowledge. Canada felt that there is much we still need to learn about bluefin mixing and origin in the Atlantic and Mediterranean. However, based on current tagging information that provides sufficient evidence of mixing of the eastern and western spawning stocks, the distribution of the fisheries throughout the mixing range, and the failure of the western management unit to recover despite intensive regulatory efforts, Canada felt that the status quo is not acceptable. It is necessary to make immediate changes to protect the western fish, including management of the

central Atlantic fishing area and rigorous scientific monitoring. They remarked that the United States proposal to include area 3 in the western management area is a good step and that it might also be appropriate to consider area 4 in the same capacity. Canada further noted that fisheries distribution maps of effort from 1950-1999 show a distribution of fish along the Mid-Atlantic Ridge. Placement of a boundary line utilizing a natural or oceanic feature such as this would be an alternative supported by Canada.

The EC felt that, although the scientific presentations were very well done and provided useful information on both the extent and gaps in our knowledge, there is still too much uncertainty to draw definitive conclusions, particularly with respect to the origin of fish in the east and west and the variability of life history traits such as age-at-first maturity. It is true that the delineation of the line is an issue. However it was universally felt by the EC that given the absence of new compelling data, there is not sufficient reason to move the line at this time. However, it is noted that future changes to the management of bluefin in the Atlantic and Mediterranean need to be assessed and that research that will continue to clarify movements and origin be continued and expanded. It is proposed that joint initiatives be developed to improve management and that previous work by the SCRS be assessed to establish priority areas from which to move forward. It is further suggested that the ICCAT Bluefin Tuna Research Program be strengthened and that regional projects be encouraged.

The point of view developed by the EC was supported by Tunisia, Libya, Morocco and Turkey. Tunisia also emphasized the need for bilateral coordination between those more technologically advanced countries and those less advanced.

7 Other matters

No other matters were discussed

8 Recommendations

The Working Group, on the basis of the work carried out at this session, arrived at the following interim conclusions:

- It agreed that the research effort on the stocks needs more harmonized and coordinated research. In that regard it considered that the Bluefin Tuna Research Program proposed by SCRS in 2003 (SCRS/2003/014) offers the prospect of a more coherent research effort on the stocks. The Working Group recommended that the SCRS, at its 2004 Meeting, should re-examine this program with a view to identifying priority actions that could be undertaken, as well as a corresponding revised budget on a more modest level.
- It encouraged the development of cooperation between members to further research activities, in particular, through the use of advanced tagging technology and stock identification techniques.
- It endorsed the importance, in order to develop alternative management approaches, of programs to identify the origin of fish taken in the central Atlantic fisheries and spawning grounds.
- It noted that Panel 2, on the basis of the 2004 SCRS Report, would be undertaking at the 2004 Commission meeting a review of the current management measures in force for the bluefin stocks. In particular, for the western Atlantic, give special consideration to the application and effectiveness of controls such as time and area closures, additional measures to facilitate rebuilding of spawning fish, and to the implications of fishing activities in the central Atlantic.
- It considered that in order to fulfill the terms of reference established by the Commission, notably in relation to the elaboration of a range of management options on the basis of which the SCRS would give advice at the 2005 Commission Meeting, it would be necessary to hold further sessions of the Working Group. In this regard, Japan kindly offered to host the third session of the Working Group in 2005.

The Working Group requested that the Commission endorse this work plan at its 2004 meeting.

9 Adoption of the report

It was decided that the report would be adopted by mail. The Report was subsequently adopted by mail, and the Commission adopted the Report at its 14th Special Meeting (November 15-21, 2004).

10 Adjournment

Mr. Driss Meski, Executive Secretary, thanked the European Community and the Government of France for financing the costs of the meeting and for arranging the excellent logistics. He and the Delegates joined in congratulating Mr. Gauthiez for an excellent job as Chairman. Mr. Gauthiez in turn thanked the assistance provided by the interpreters, the staff of the Marseille World Trade Center, and the Secretariat.

The meeting was adjourned.

Appendix 1 to ANNEX 4.1

Agenda

- 1 Opening of the Meeting
- 2 Election of the Chairman
- 3 Appointment of the Rapporteur
- 4 Adoption of the Agenda
- 5 Review of information relevant to stock structure and mixing
 - 5.1 Review of scientific information on bluefin tuna biology
 - 5.2 Review of historical data from the fisheries
 - 5.3 Evaluation of available biological information on stock structure
 - 5.4 Consideration of available biological information on mixing
- 6 Develop alternative options for managing Atlantic bluefin tuna taking account of information arising from Items 5.1 to 5.4 and consideration of the feasibility of alternative scenarios
- 7 Other matters
- 8 Recommendations
- 9 Adoption of the report
- 10 Adjournment

Appendix 2 to ANNEX 4.1

List of Participants

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Appendix 3 to ANNEX 4.1

Opening Statements

3.1 Canada

We have been managing bluefin tuna in the Atlantic as two separate stocks for almost 20 years. The Report of the Workshop on Bluefin Mixing (Madrid, September 3-7, 2001) points out that the stock structure of bluefin tuna has been the subject of intensive discussion by scientists since the International Commission for the Conservation of Atlantic Tunas (ICCAT) began its scientific work in 1971. The Workshop report also notes how the current 45° boundary line came about in 1980 –it was based on discontinuities in the distribution of catches at that time, our limited biological knowledge as well as taking more or less the midpoints, geographically, from the east and west continents. While the management approach initiated in 1982 may have been appropriate at the time, much has changed since then.

The overall distribution of the catch in the 1990s is much more continuous across the North Atlantic than was seen in previous decades. Further, there are biological data from tagging that describe a greater degree of movement across the east-west boundary line than was indicated from earlier tagging studies. The 2001 SCRS Report notes that there are two stocks of bluefin with mixing between the two and that the boundary is not well

defined – but that it is not at 45° - and that any boundary line is unlikely to be clear-cut. In Canada's view, the recent electronic tagging data offers the most compelling support of the stock structure and boundary questions.

Over the years, more than 95% of conventional tags are recaptured in the area of release. With electronic tagging we see greater movement of fish across the boundary line than previously seen with conventional tagging, as these latter tags are fishery-independent. Most of the tagging has been carried out in the west and most tags report from west of the mid-Atlantic Ridge. These initial results support a two-stock hypothesis, but it also indicates that the boundary is not at 45°. Unfortunately, even with our enhanced knowledge, any boundary is unlikely to be clear-cut. As well, catch is now more continuous across the Atlantic than seen during the 1980s. We know that there are at least two spawning areas. There is an older age of maturity in the west, with a more variable age of maturity in the Mediterranean. However, this has not been well studied yet. On the genetics side, there is no difference between DNA in the northwestern Atlantic and Mediterranean large or larval fish. However, this lack of difference does not necessarily indicate a single stock. Given the recent common ancestry of the bluefin lineage and because even low rates of mixing can produce populations that are not genetically differentiated, the result is not surprising.

It is clear to Canada that we need to protect those fish in the central area (east of 45°) that are clearly associated with the western management area. The Workshop report clearly states that it is likely that the feeding ground for bluefin tuna found in the west extends north and east across the 45° line, such that these bluefin are also vulnerable to fishing in the East Atlantic management area. Under the current management scheme, the catch of western origin fish in the East Atlantic management area generates a higher proportion of the fishing mortality rate on the western origin fish than is the case for the converse scenario. This conclusion is likely because the population size in the eastern Atlantic is large compared to that in the western Atlantic. It is also a problem given lack of reporting basic catch and effort data for the east. (Farming is another complicating factor.) It is important to remember that for many years the SCRS has very clearly advised that fisheries in the east could adversely affect the recovery in the west if there is not adequate management applied to both the east and west management units (1998, 2000, 2001, 2002).

In the face of continuing uncertainty, we believe it is precautionary to manage bluefin on a two-stock assumption at this time. Tagging information tells us that more fish spend time on the side of the Atlantic where they were tagged than migrate far away. This implies the potential for localized depletion. Fishing the entire Atlantic and Mediterranean as one stock could jeopardize the weaker and/or smaller component. There is a danger of depleting one stock entirely and the other stock would continue to flourish. Doing a common assessment for the entire Atlantic and Mediterranean could also lead to the dilution of relatively high quality data, which we have in the west, with data of poorer quality from the east.

Canada understands that given the current scientific evidence, any specific boundary may never be clear-cut given the mixing between east and west, but also believes moving the boundary eastward would provide more protection to the western stock. Canada believes it is important to protect fish associated with the West Atlantic management unit and therefore we feel, as a minimum, it is important to resume and strengthen management in the central North Atlantic as soon as possible. In addition, there is a need for rigorous scientific monitoring in this area. We also believe that further work is required to determine stock origin in this postulated mixing area.

3.2 United States

Let me begin by saying on behalf of the United States how pleased we are that this ICCAT Working Group meeting is taking place. We have been asking for this gathering of scientists and managers for a long time, and want to thank the parties who are here for their interest and commitment. The United States views the conservation and management of Atlantic bluefin tuna as being of the utmost importance to ICCAT. It is certainly one of the most difficult issues that ICCAT faces. The critical fact is that how well we manage bluefin tuna is a measuring stick for the success of ICCAT as whole. So we have every incentive to want to do this right, in a way that reflects the best current science and promotes conservation.

Our subject for this Working Group meeting is to develop integrated, coordinated management strategies for Atlantic bluefin tuna. ICCAT has been struggling for the past thirty years or more to come up with a management strategy for this stock that made sense, considered the needs of the parties, and reflected the best science. In the earliest years of bluefin tuna management, ICCAT recognized the importance of spatial variation in the distribution of the stocks when it directed that parties not transfer effort between the eastern and western Atlantic areas. It was more than twenty years ago that ICCAT developed separate quotas for the eastern and western fisheries. And yet we have also known throughout this time that even if separate bluefin tuna spawning

populations can be identified, the stocks are nonetheless interrelated. In 2001, the SCRS gave us the mixing report that recognized that bluefin tuna from different spawning areas intermingle to some degree throughout the Atlantic Ocean. And even more telling from our viewpoint, the SCRS report told us that, if there really was substantial mixing and stock interchange, fishing mortality in area 3 would have a greater relative impact on the west than on the east.

Today we have even more scientific information that tells us how much the stocks are interrelated. This week, we expect to hear the advice that substantial mixing and stock interchange is a fact. The scientific presentations at this meeting will show that bluefin tuna from the east and west, although they may be separate spawning populations, interact extensively with each other; and that this interaction both influences, and is influenced by, the fisheries all across the Atlantic Ocean.

The United States believes that the time has come for ICCAT to do what it has always done – that is, to advance the management of tuna and tuna-like species based on the best available science. We see this as an evolutionary step in response to the clear indications of the latest scientific research, which we will hear about over the next few days. What is very clear from the scientific evidence is that the rebuilding of the western spawning population is plainly being affected by more than just the fisheries in the west.

It is not important to talk about one-stock, two-stock; or east stock, west stock. The reality is that we have two, or perhaps more, spawning populations that are affected to some degree by fisheries across the Atlantic Ocean. Our job as fishery managers is to provide our bluefin tuna resources with the protection and rebuilding that they need, given the intermixed nature of the fisheries.

We recognize that this is not going to be an easy matter. It will take us some time –a number of years– to take the SCRS mixing report, along with the new scientific information, and put it in an operational context. We can be patient for a long-term solution. But it would be irresponsible for ICCAT to do nothing in the meantime in light of the persuasive scientific evidence. So we must consider some interim steps as well, based on the scientific advice that we receive.

The United States is looking forward to the scientific presentations that many of our scientists have prepared for this week. We have a number of government and private scientists who have been involved and will be making presentations. We will listen carefully and then plan to discuss with our ICCAT colleagues how to proceed to a long-term response; and what steps we can take in the interim.

Let me also thank the Secretariat for their efforts in organizing this meeting. We are sure that the venue will work out well for us all. We would also like once again to congratulate Mr. Meski on his new position, and thank him for his efforts to make this working group meeting a success.

Appendix 4 to ANNEX 4.1

Abstracts of Scientific Presentations

(In order of presentation; names of presenters are in bold face)

4.1 Movements of bluefin tuna (*Thunnus thynnus* L.) tagged in the Mediterranean Sea with pop-up satellite tags

By G. De Metrio (University of Bari, Italy), **G.P. Arnold** (CEFAS Laboratory, UK), J.M. de la Serna (*Instituto Español de Oceanografía*, IEO), Spain), B.A. Block (Stanford University, USA), P. Megalofonou (University of Athens, Greece), M. Lutcavage (University of New Hampshire, USA), I. Oray (University of Istanbul, Turkey), M. Deflorio (University of Bari, Italy).

Although there have been several studies of the migratory movements of Atlantic bluefin tuna (*Thunnus thynnus* L.) between the western and eastern Atlantic, the two-stock hypothesis remains untested and exchange rates are still unidentified.

TUNASAT, an EU-funded research program involving Italy, Spain, Greece and the UK, which was carried out during the three-year period 1998-2000 in the Mediterranean Sea and the Strait of Gibraltar, and a subsequent tagging program funded by the Italian Ministry of Agriculture and Forestry Policies, which was carried out during 2003 in the eastern Mediterranean, aimed to better understand this problem. Both bluefin tuna tagging programs were executed using pop-up satellite tags.

Specifically, the projects set out to identify and describe movements of this species both within the Mediterranean and between the Mediterranean and the Atlantic Ocean in relation to spawning and nursery areas, and to improve our understanding of the relations between fish behavior and environmental characteristics.

Tagging in 2000 was carried out in conjunction with the Tuna Research and Conservation Center, as part of the U.S. co-coordinated TAG program; tagging in 2003 was conducted in co-operation with the University of New Hampshire (USA).

As regards the first tagging program, a total of 84 bluefin tuna (42-230 kg) were tagged in traditional traps (Sardinia, Spain) or pens (Spain), using an underwater gun or harpoon; during sport fishing (Corsica waters), using a T-shaped stick or hand-stick on deck; and during hand-line fishing for bluefin tuna (Aegean Sea), using a hand-stick on deck.

Pop-up satellite tags were: 61 single-point tags (PTT-100, Microwave Telemetry) and 23 archival tags (PAT, Wildlife Computers), programmed to pop-up from 5 to 300 days after the date of deployment.

Allowing for 6 tags recovered from recaptured fish, ARGOS detection rates were 21% (12/57) for PTT-100 tags and 62% (13/21) for PAT tags. Comparable detection rates obtained by U.S. scientists in the western Atlantic were 56-93%. Among 25 detected tags, 23 transmitted valid data. Most of the tagged bluefin tuna were located in the Mediterranean (70%), 13 of them with size of 42-100 kg and 3 with size of 150-170 kg. The rest of the tagged specimens (30%) were located in the eastern Atlantic, these tuna weighed between 150 and 230 kg.

During the second program, a total of 43 bluefin tuna (31-155 kg) were tagged using a hand-stick on deck. The fish were taken from schools of bluefin captured by Turkish purse seiners in the Levantine Sea, or from pens located along the Turkish coast, in the Aegean and Levantine Seas, or on the northeastern coast of Cyprus.

Pop-up archival satellite tags were: 20 PTT-100 (Microwave Telemetry) and 23 PAT tags (Wildlife Computers), programmed to pop-up from 34 to 300 days after the date of deployment.

To date, ARGOS detection rates are 65% (13/20) for PTT-100 tags and 91% (21/23) for PAT tags. No messages were received by ARGOS from four tags (two of each type) on the programmed dates. Several tags transmitted valid messages but with a certain percentage of missing or corrupted data. Five PTT-100 tags were still expected to surface during August 2004. Most of the tagged bluefin tuna were located in the eastern Mediterranean (70%), showing a tendency to remain in probable feeding areas. Only two fish moved towards the central Mediterranean: one surfaced southeast of Malta, the other in the Bocche di Bonifacio, between Corsica and Sardinia.

Because of the low detection rates experienced during the original project, a series of tag detection tests were carried out in several European sites and in the United States. Results clearly indicated that there is a problem with tag detection in the Mediterranean, especially with PTT-100 tags, which are less powerful than PAT tags. This problem almost certainly prevented us detecting tags that otherwise surfaced successfully on the programmed date. Our ability to detect and locate tags was certainly much less in the Mediterranean than it was in the eastern Atlantic and probably also much lower in the eastern Atlantic than it was in the western Atlantic.

Results from both tagging programs indicated that adults (< 100 kg) remain in Mediterranean after spawning and feed in areas of high primary productivity, as indicated by SeaWiFS satellite data for chlorophyll-a concentration. After spawning large bluefin (150-230 kg) migrate into the eastern North Atlantic, either south towards the Cape Verde Islands or north to Iceland and the Norwegian Sea. Some large bluefin move to and fro between the Alboran Sea and Atlantic, feeding on both sides of the Strait of Gibraltar. No evidence of transatlantic movement was observed, despite a progressive increase in the probability of tag detection across the Atlantic from east to west.

4.2 *Movements and biology of Atlantic bluefin tuna revealed by archival and pop-up satellite archival tags*

By **B. Block** (Stanford University, USA) and coauthors from Stanford University TAG-A-GIANT Scientific Team, Monterey Bay Aquarium and NMFS.

We have deployed 800 electronic tags on northern bluefin tuna in the Atlantic Ocean. The recapture of 25% of the first 279 archival tagged bluefin tuna (1996-1999) and the successful download of data from 210 pop-up satellite tags are providing new insights into the seasonal movements, habitat utilization, breeding behaviors and population structure of western and eastern tagged bluefin tuna. In addition, the data are revealing migration

corridors, hot spots and physical oceanographic patterns that are important for understanding how northern bluefin tunas use the open ocean environment. The implications for stock structure hypotheses are discussed.

4.3 *Pop-up satellite tagging of bluefin tuna in the northwest Atlantic, 1997-2003*

By **M. Lutcavage** (University of New Hampshire, USA) and coauthors.

The movements and dispersal patterns of adult bluefin tuna tagged in summer and fall in the New England shelf region are presented. Tagging data and biological information support the view that these fish comprise a mixed assemblage with diverse migration histories and spawning habits.

4.4 *Advances in understanding spatial dynamics of bluefin tuna in the Atlantic and Mediterranean: A review of historical scientific understanding of bluefin movements and mixing*

By **J. Powers** (National Marine Fisheries Service, USA).

Current assessment procedures and management boundaries for bluefin tuna are currently based upon the scientific understanding that was extant in the 1970s and 1980s. That information base is briefly reviewed. However, subsequent research suggests that alternative procedures may be useful. The new data are presented in the two subsequent talks.

4.5 *Atlantic bluefin tuna: Some issues related to stock delimitation*

By **J.M. Fromentin** (IFREMER, France).

This presentation aims to give a brief overview about three major issues on Atlantic bluefin tuna stock assessment, which are strongly related to each other, i.e., the spatial and temporal dynamics of this species, the fisheries background, and the stock delimitation. The presentation tries to distinguish what is known with certain confidence, to what is suspected or totally ignored and needs to be known. The first part reviews the population dynamics of this species, including historical information about the past fisheries, such as the Atlantic and Mediterranean trap fisheries and the Norwegian fisheries. The spatial dynamics of this species appears complex because of high spatial and temporal variability in the migratory behavior and there remain strong uncertainties about site fidelity, spawning activity and the proportion of spawners being resident in a given area versus those migrating from one area to another. The second part deals with another source of complexity, related to changes in the fisheries dynamics as well as in the economic context, which have strongly affected the quality and quantity of official catch and effort data and so impaired the stock assessment of the East Atlantic and Mediterranean stock. The last part briefly presents the general scientific basis generally used to define stock unit and lists the various arguments in favor of one and two stocks hypotheses. The overall conclusion of this presentation is that there is no unequivocal scientific basis to decide between these two hypotheses and that any progress on this issue would imply getting more accurate and reliable fisheries information and to initiate an international and coordinated scientific program to fill our gaps in knowledge.

4.6 *Necessary information to improve the bluefin assessment: The eastern Atlantic and Mediterranean case*

By **E. Rodriguez-Marin** (*Instituto Español de Oceanografía*-IEO, Spain).

In the ICCAT Bluefin Tuna Research Program Planning Meeting held in 2003, clear research lines were identified on bluefin tuna to improve future assessments. Following these lines and the recommendations of the Standing Committee on Research and Statistics of ICCAT about the bluefin tuna research, this presentation points out the gaps and shows the research requirements for improving East Atlantic and Mediterranean bluefin tuna assessment. During the presentation some Spanish research activities are described.

4.7 *A tool for the graphic display of the geographic distribution of catch and effort data: Applications for the bluefin tuna stock structure issue*

By **J.D. Neilson** and G.A.P. Black (Department of Fisheries and Oceans, Canada).

A software tool for the depiction of ICCAT catch and effort data is introduced. In the context of the Working Group examining options for the management of bluefin tuna and the adequacy of current management boundaries, the distribution of catch and effort in Atlantic bluefin fisheries is examined, both on an annual and seasonal basis. The available data are summarized for the period prior to 1980 when the decision on the current management unit boundary was made, and compared with more contemporary fishery information. The utility of fishery distribution information will be compared with other types of information relevant to management unit decisions.

4.8 Line bluefin tuna (*Thunnus thynnus* L.) fisheries in the Italian seas: Old and new data

By **A. Di Natale** (Aquastudio, Italy), **A. Mangano** (Aquastudio, Italy), **C. Piccinetti** (University of Bologna, Italy), **E. Cavaglia** (University of Bologna, Italy), and **A. Celona** (Aquastudio, Italy).

The tuna hand line fishery is important in several Italian areas. In the Straits of Messina, the most important narrow passageway in the Mediterranean Sea, it has been studied for several decades. The old and new data sets might help to add knowledge about the movements of the bluefin tuna stock.

A recent longline fishery for tunas has been developed in the central north Adriatic Sea and it is carried out all year round, providing the same level of information as the hand line fishery.

According to these data, it appears quite clear that there is an important part of the stock remaining in the Mediterranean also in fall and winter times, possibly for more than one year, and this fact is constant.

The size composition of this autumn-winter component includes only “resident” tunas, while the spring-summer fishery includes both the “resident” and the “migratory” components.

The stable trend over the long term of the “resident” tunas in the Mediterranean Sea confirms the importance of this bulk component of the stock.

4.9 Project FAO-COPEMED: Large Pelagics

By **A. Hattour** (Tunisia).

COPEMED is a regional project dealing with cooperation in the field of marine science in the western Mediterranean, part of it concerned with large pelagic fish. The main objective of the program is to increase our knowledge on the environmental, fisheries and historical development, statistical database and biological parameters. This program started in 1998 and continued up to 2003 and focused on bluefin tuna and swordfish in the western part of the Mediterranean. The results (40 documents) were published in the SCRS documents as well as in five annual reports of activities.

4.10 Implications of new information on stock assessments and management

By **J. Powers** (National Marine Fisheries Service, USA).

Movements of bluefin tuna have been shown to be complex and variable. More spatially detailed assessment and management procedures appear to be warranted as suggested by the Report of the ICCAT Workshop on Bluefin Mixing. Mechanisms to advance the efforts for spatial evaluation and management are suggested. Additionally, there are some specific concerns for the central Atlantic that are discussed.

4.11 An alternative approach for management of the Atlantic bluefin tuna

By **Ziro Suzuki** and **Yukio Takeuchi** (National Research Institute of Far Seas Fisheries, Japan).

Based on a two-stock assumption with Gulf of Mexico (GOM) and Mediterranean (MED) origin bluefin tuna and fairly extensive mixing between the two stocks in the areas outside the spawning areas, an alternative short-term approach for the present management scheme was proposed. This approach, based on extended time and area closure for the spawning populations, is a variant of the present management scheme but specifically aimed at more protection of the assumed GOM origin stock (west stock) robust to magnitude of the mixing and imbalance in stock size between the two stocks. Since this approach is simple and crude, the extent of the time and area closure for actual implementation based on this idea may require more discussions.

Appendix 5 to ANNEX 4.1

Other Documents Presented at the Meeting

5.1 Japanese Concept Paper on Integrated & Coordinated Management Strategies for Atlantic Bluefin Tuna

Explanatory Note

In 1981, the ICCAT established the boundary of 45°W in the mid-Atlantic and started separate management measures for the western and eastern Atlantic. However, this boundary is not based upon scientific evidence but was chosen just for practical management purposes. Moreover, the SCRS admitted from the beginning

significant uncertainties with stock structure and migration patterns of bluefin tuna while accepting the two-stock assumption for its assessment. It should be recalled that one population in the entire Atlantic and the Mediterranean (low or even no spawning site fidelity) is also a plausible and scientifically valid assumption.

On the two-stock assumption, the western stock was assessed to be depleted in 1981. Since then, the total catch of western Atlantic bluefin tuna has been restricted to an extremely low level whereas the Gulf of Mexico has been closed to protect spawning bluefin tuna. However, during the past two decades, the western bluefin tuna stock was always estimated to remain at the historically lowest level every time the SCRS conducted a stock assessment. The only logical conclusion we can draw from this experience is that the stock assessment involves fundamentally wrong elements or assumptions.

As a result of the recent development of tagging studies, it turned out that the degree of intermingling of eastern and western spawned fish is much larger in terms of time and areas in the entire Atlantic than was expected before. Such studies should be intensified to enhance both the quality and quantity of information on the degree of intermingling. However, those studies take years to be completed. At least sampling in the spawning areas has to be conducted to find the composition of fish of eastern and western origins by application of stable isotope and micro-element analytical technologies to otoliths.

The high degree of intermingling poses a fundamental question on the current management boundary of 45°W. Japan would strongly urge the Commission to abolish this boundary while strengthening the measure to protect spawning and small fish, particularly that in the western Atlantic.

Further, in the past two decades, utilization of Atlantic bluefin tuna somewhat lacks a fair balance between the western and eastern sides of the Atlantic. The western catch was extremely low whereas the eastern catch increased dramatically (**Appendix Figure 5.1a**). Although it is practically difficult, the current balance should be changed gradually so that a more balanced utilization of Atlantic bluefin tuna is achieved in the entire fishing area.

Suggested changes to the management strategy

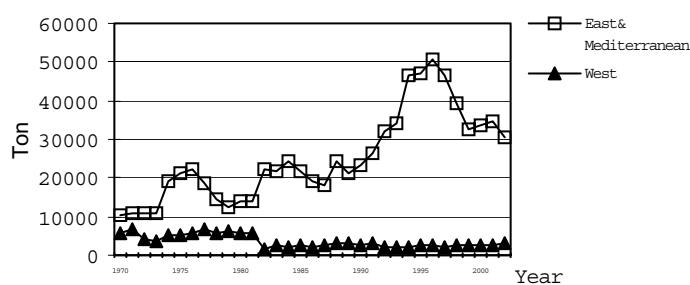
1. Intensified research

A five-year research program should be established to cover the following items.

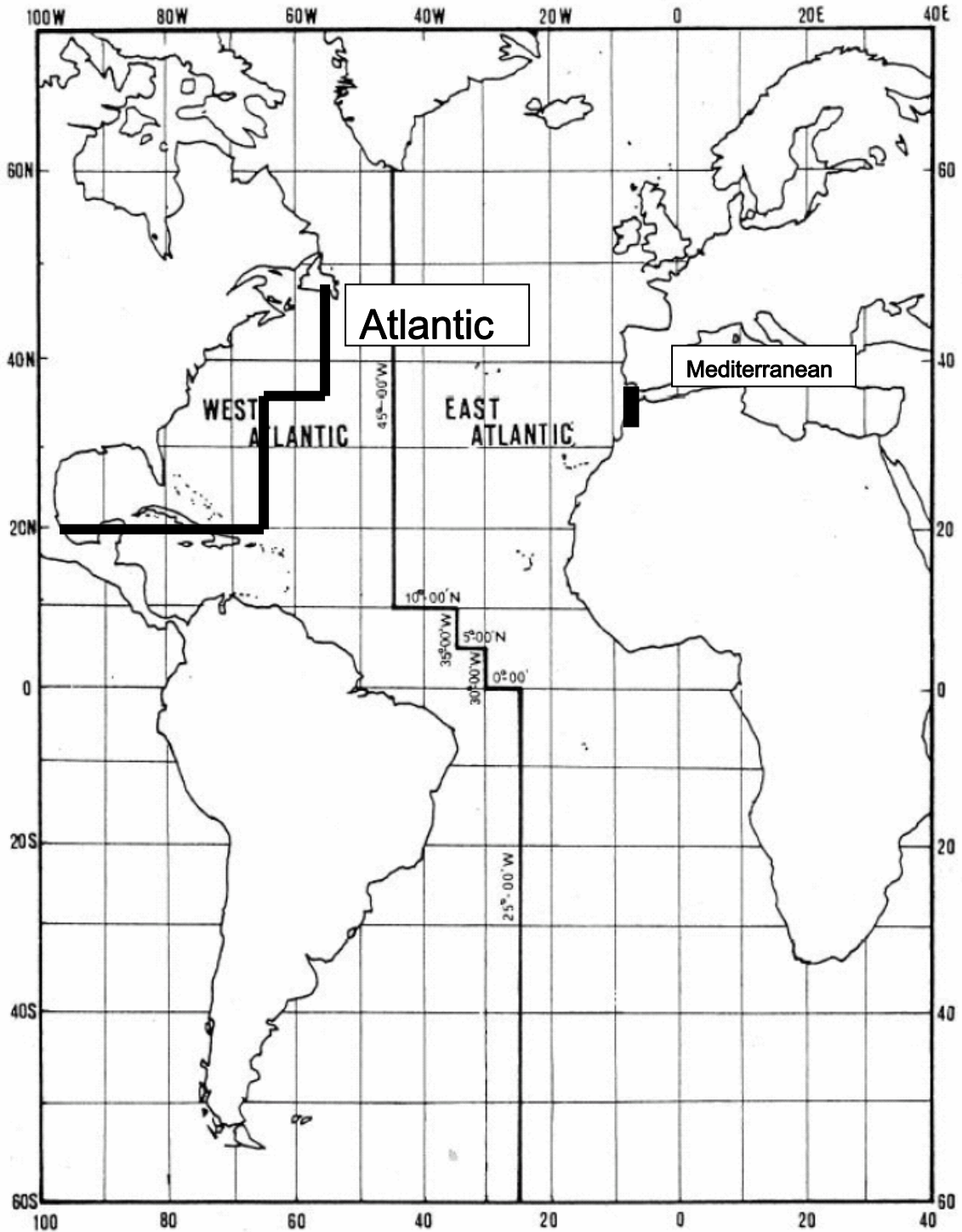
- i. Stable isotope and micro-element analysis of otolith samples obtained in the spawning areas: the Mediterranean and the Gulf of Mexico. For this research, a small amount of sampling quota should be established in the Gulf of Mexico.
- ii. Increase of archival tag releases. The target of total released fish should be 500 (100 annually).

2. Management measures

- i. Abolishment of the 45°W boundary and establishment of new management areas: the Atlantic and the Mediterranean (**Appendix Figure 5.1b**).
- ii. Protection of spawning and small fish
 - Closure of the area north of 20°N and west of 65°W and 35°N and west of 55°W from February 1 to June 30 (**Appendix Figure 5.1b**).
 - An additional closed season or any other measure to protect spawning fish in the Mediterranean.
- iii. Gradual change of balance of catches in the eastern and western Atlantic



Appendix Figure 5.1a. Historical catch of Atlantic bluefin tuna.



Appendix Figure 5.1b. Suggested management areas.

5.2 An Alternative Approach for the Management of Atlantic Bluefin Tuna

By **Ziro Suzuki** and Yukio Takeuchi, National Research Institute of Far Seas Fisheries, Japan).

1. Information on mixing

1.1 General

Recent information on migration and mixing of Atlantic bluefin tuna has been increasing dramatically by the use of the archival type of tags that indicates the extent of migration is much larger than previously believed. However, the present level of information is not enough to grasp the overall picture of the complicated migration of Atlantic bluefin due to the limited number of archival tags deployed, the limited locations of their release and the imbalance in the number of released fish from both sides of the Atlantic. One of the biggest problems in understanding the migratory characteristics is that the origin of tagged fish (whether they originated from the the Gulf of Mexico (GOM) or the Mediterranean (MED), cannot be known at present. The proximity of the fish in question with respect to the two spawning areas does not tell the fish is from a closer spawning area except for very young juveniles, as the recent preliminary analysis of bluefin otoliths suggested (Rooker and Secor 2003). It is unknown whether or not the spawning site fidelity with the two stocks exists but it is assumed that the spawning site fidelity is likely to exist (ICCAT 2002). If, in fact, cross breeding occurs between the assumed two stocks, then the management strategy could be much more simple.

1.2 Degree of mixing between the two stocks

It has been demonstrated both by conventional tagging and recent archival types of tagging that trans-boundary (approximately 45°W in the North Atlantic) migration occurs. However, the extent of mixing of the two stocks are unknown quantitatively, although it is generally assumed that the extent of migration increases with the increase of the size of fish. Implantable and pop-up archival tagging provide valuable information of the fish migration, especially the times and areas covered by the tagged fish at liberty. Hence archival tagging provides more relevant information about the management boundary and mixing than than conventional tagging does. Therefore, the information obtained from the archival tags, both implantable and pop-up types, is referred mostly in this paper with some supplementary knowledge provided by conventional tagging.

Available information on the analyses of archival type tagging in the Atlantic is summarized as follows:

- A substantial amount of adult fish tagged in the east coast of the Atlantic crossed the management boundary (e.g., in some cases 30-58%: ICCAT 2002).
- No fish tagged in the MED crossed the management boundary.
- Some adult fish tagged in the east coast Atlantic entered into the GOM as well as into the MED.

The second bullet could be an artifact due to the smaller number of pop-up tags deployed so far and the lower success rate of data retrieval, especially for adult fish. For juveniles, there is no record of movement of the fish tagged in the MED moved beyond the boundary line. However, conventional tagging demonstrated a clean connection for juveniles between the U.S. coastal waters and the Bay of Biscay and further the fish tagged in the Bay of Biscay recovered in the MED (Cort 1991). This indirectly indicates a link exists between GOM areas (Florida waters), via the Norwegian purse seine fishery, and MED areas (Bay of Cadiz).

Management options

Several management options were discussed with their merits and demerits and appropriate time and area stratification for future assessments to address alternative management options that were previously proposed by SCRS. One of the key questions to the present management is how to protect the GOM stock, a much smaller stock than the MED stock, while the origin of the fish captured and the mixing of the two stocks are unknown. Simulation models, such as the operating model, have been extensively used for assessing the impact and bias stemming from those uncertainties on stock assessment models and management procedure. This type of approach should provide valuable insight to stock management of Atlantic bluefin. However, it may take several years before the results of the operating model materialize into management procedures since even for the much simpler case of southern bluefin tuna in terms of stock structure and fisheries, the completion of the operating model is anticipated to take at least three years, and additional years for finally adopting the management procedure (CCSBT 2002).

Therefore, while ICCAT devotes efforts along with the developing operating model, interim approaches for alternative management are necessary to be formulated.

An alternative approach

The essence of this approach is the extended time-area closure of the spawning areas, especially for the GOM stock under the assumption of the existence of spawning site fidelity, i.e., no breeding occurs between the two stocks although the fish from the two stocks mix extensively outside the spawning area and seasons. It is also assumed that, for each stock, the closer the adult fish are caught in area and time to the spawning season/area, the higher the probability of being members of the respective stock. Protection of the spawning segment of the stock in the spawning season and spawning ground has significant merit for bluefin tuna compared to other tunas. That is, this species concentrates its spawning population in a small time and area during the spawning that makes them much more vulnerable to the fisheries targeting them than during the non-spawning period and time where the adults spread over a vast open sea area.

On the other hand, the difficulty of this approach is that it is unknown how long the spawning fish remain in the respective spawning grounds and how fast and how widely the post-spawning fish disperse outside the spawning grounds. There is a trade-off for this approach in terms of the extent of the time and area closed. If the extent is too small, there is higher probability of capturing the pre-spawning and spawned fish outside the extent, whereas if it is too large there is higher probability of mixing of the two stocks, hence less chance to selectively catch the respective spawning group, with especially high concern about the GOM because of its smaller stock size.

For the GOM stock, the adults begin to migrate into the GOM in February and leave the GOM by July, according to the Japanese longline data (**Appendix Figure 5.2**). The peak month of spawning activity is in May. Incidentally, it is suggested that adults can cross the Atlantic in as little time as two months (Block *et al.* 2001). Hence, it is assumed that the fish spawned in the GOM stay, from February to August, mostly in the western Atlantic. In order to protect the spawning stock of the GOM stock, a time-area closure to all fisheries in the western Atlantic from February to August should be implemented.

For the MED stock, tagging experiments show that some adults released in the U.S. 200-mile EEZ are recovered in the MED in the spawning season there. They are assumed to be of MED origin. However, since information on the spawning area and season of the MED is still poor and new information has been provided in recent years, such as spawning activity around Turkey, there might be some heterogeneity in genetics in the spawning group of the MED. As the SCRS analysis for the MED stock indicates that the current level of catch would not be sustained in the long run, more protection of the spawning stock in the MED is also necessary along with the protection of the spawning stock of the GOM. This will become more a relevant approach if the two stocks are proven to be the same single stock. The major spawning season in the MED appears from June to August (Cort and Liorzou 1991).

Currently, the time-area closure in the MED stock has been made for the longline and purse seine fisheries, June and July for the former, and from mid-July to mid-August (except in the Adriatic where the closure for purse seine is in May) for the latter. Extending the time-area closure during June and August for longline secures more protection of the spawning stock in a consistent way. For the purse seine fleet, an additional time-area closure to the existing one will also contribute to the protection of the spawning stock.

Issues relevant to the extended time and area closure

The introduction of the extended time-area closure has had an impact on the present fisheries (**Appendix Tables 5.2a and 5.2b**). These tables, taken from the ICCAT CATDIS database, show the catch of Atlantic bluefin tuna by the East and West Atlantic Oceans and the Mediterranean Sea, by quarter, and by fishing countries, which can give rough idea of how extended the time-area closure impacts on the catch. In processing the CATDIS, it is noted that there are several countries with important bluefin catches that do not provide the basic Task II statistics (catch and effort statistics by area and time), especially in the MED. The amount of reduction of bluefin catch caused by the regulation differs by countries and fishing gears, but this approach covers the major segments of the participants in the fisheries, including the West Atlantic, central Atlantic and the MED. Therefore, this approach serves as a starting point of discussion if it is a matter of interest for stakeholders of Atlantic bluefin tuna management.

Along with the protection of the spawning stocks of Atlantic bluefin tuna, it is also indispensable to keep the current small fish protections and strengthen them, as was done for the eastern bluefin stock recently (Recommendation [Rec. 02-09]: ICCAT 2003).

The extended time-area closure is associated with less data available, especially basic information for stock assessment, such as abundance indices. This necessitates effort to improve the present data collection, especially for the GOM stock, to which a more extensive time-area closure is applied. Of these, efforts to improve fisheries-dependent and fisheries-independent indices of abundance must be considered to be higher priority.

The release of adult fish with archival tags from the GOM should provide valuable direct information of mixing and spawning site fidelity. Studies to ascertain the origin of fish should also be strengthened. The current BYP Program should accordingly be adjusted and enhanced to meet the new requirements of management of the species. Without the improvement of information on the basic biology and statistics for this species, it is obvious there is no success in the management.

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Appendix Table 5.2a. Quarterly bluefin catch (t) in the western and eastern Atlantic oceans and the Mediterranean Sea, by country, in 1999 and 2000 (calculated from CATDIS). Catch shown in the Year column indicates that only annual catch is available in CATDIS. If catch for a country appears both in the quarterly and annual columns, then the quarterly catch is available for some of the fisheries of that country, but not for others.

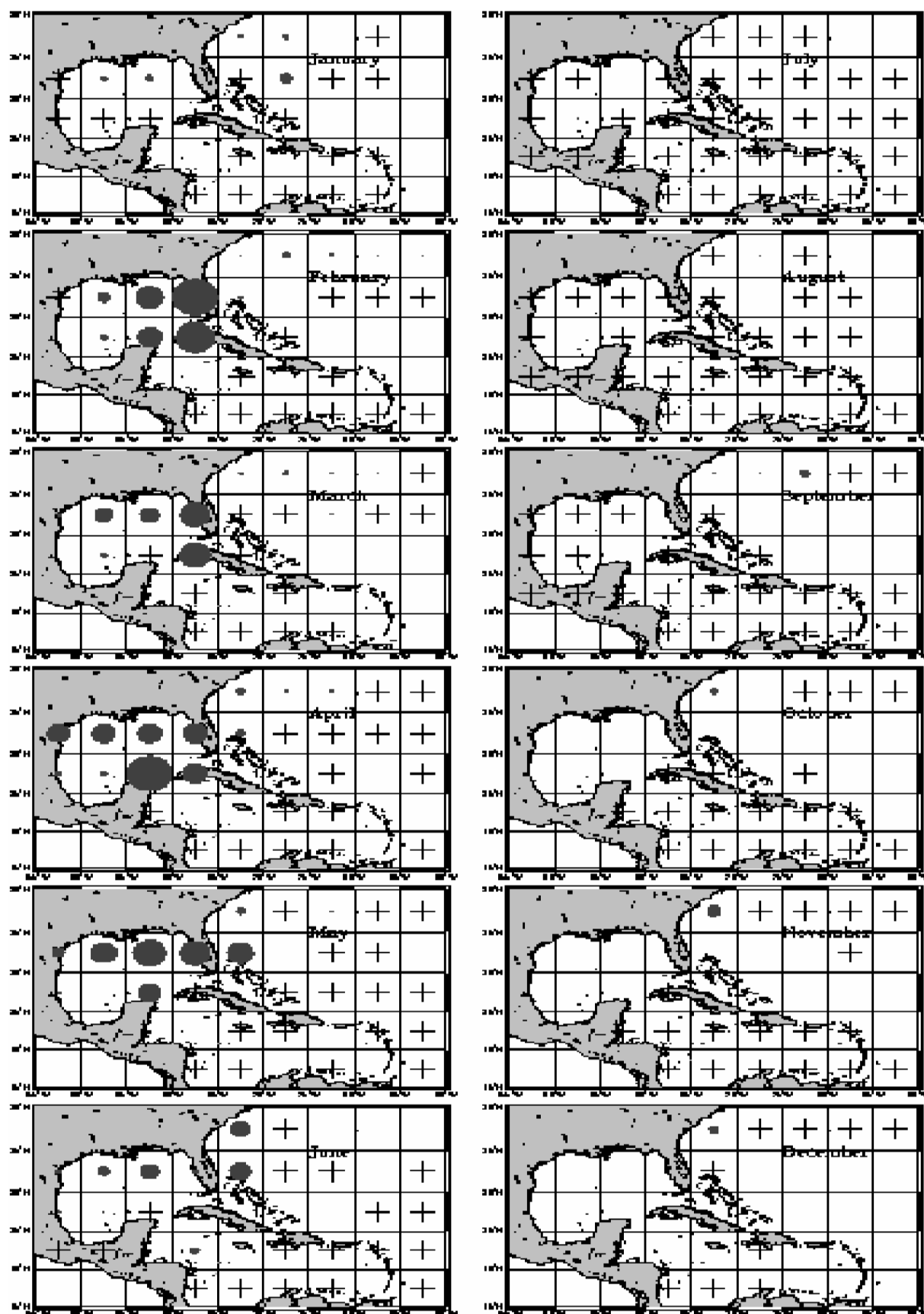
Western Atlantic Ocean												
Fleet	1999					1999 Total	2000					2000 Total
	1	2	3	4	Year	1	2	3	4	Year		
CANADA		1.3	549.8	36.0		587.1		1.6	405.5	188.0		595.1
CHINESE TAIPEI		0.3				0.3						
FRANCE.OT					1.0	1.0						
JAPAN	26.8	0.8		77.0		104.6	207.7		0.3	106.4		314.5
MEXICO	12.0	1.3		0.7		14.0	22.4	5.8	0.5			28.7
NEI-81		0.4				0.4						
PANAMA	0.0	0.2				0.2						
U.S.A	30.5	31.4		7.6	248.0	317.5	34.6	31.8	5.1	0.1	275.2	346.8
U.S.A	3.3	38.6	859.2	32.8		934.0	4.0	135.3	611.1	180.2		930.5
UK-BERMUDA					1.0	1.0					1.0	1.0
Total	72.6	74.4	1409.0	154.1	250.0	1960.1	268.7	174.4	1022.5	474.7	276.2	2216.6

Eastern Atlantic Ocean												
Fleet	1999					1999 Total	2000					2000 Total
	1	2	3	4	Year	1	2	3	4	Year		
CHINA.PR	23.5	21.5	22.9	35.1		103.0			17.6	62.0		79.6
CHINESE TAIPEI	71.6	150.1				221.7	86.6	56.6				143.2
EC-AZORES	0.5	1.2		0.4		2.0		0.3	0.5	0.1		0.9
EC-CANARY_B	2.4	17.5	3.7	8.5		32.0	15.0	4.7	4.9	1.7		26.3
EC-ESPAÑA	0.2	1986.8	1294.0	39.0		3320.0		1546.4	1345.7	552.2		3444.3
EC-FRANCE					588.0	588.0					541.5	541.5
EC-IRELAND					52.0	52.0					24.0	24.0
EC-MADEIRA	2.2	0.8				3.0		0.7	0.3	0.1	397.5	398.6
EC-PORTUGAL					406.3	406.3		11.0	30.1	0.2		41.3
EC-UK					12.1	12.1					0.4	0.4
FAROE ISLANDS					104.0	104.0					118.0	118.0
ICELAND	0.4	11.2	9.1	6.2		27.0						
JAPAN	189.3	413.2	745.0	1603.9		2951.5	1025.8	763.7	2848	998.2		3072.5
MAROC	5.4	1084.2	413.5	14.9	709.0	2227.0	68.0	1352.8	147.2		660.0	2228.0
NEI-40							35.1	23.0				58.1
NEI-81	123.4	258.6				382.0	39.6	25.9				65.4
NORWAY					5.0	2.0						
PANAMA	0.2	0.3	0.0	0.1	12.0	12.6						
SIERRA LEONE											92.6	92.6
U.S.A.				0.5		0.5		0.4	0.7	0.1		1.2
Total	419.1	3945.5	2488.3	1708.5	1888.4	10449.8	1270.0	3785.4	1831.8	1614.7	1834.0	10335.9

Mediterranean												
Fleet	1999				1999		2000				2000	
	1	2	3	4	Total		1	2	3	4	Total	
	Year				Year		Year				Year	
ALGERIE					2142.0	2142.0					2330.0	2330.0
CHINESE TAIPEI		27.0				27.0		169.0				169.0
CROATIA					970.0	970.0					930.0	930.0
CYPRUS					31.0	31.0	2.1	43.0	14.0	1.8		60.8
EC-ESPAÑA	20.0	1469.7	481.3	32.0	8.4	2011.4	34.8	1752.0	412.9	118.4	457.1	2775.3
EC-FRANCE					6153.0	6153.0					6779.6	6779.6
EC-GREECE		55.3	121.8	65.9	5.0	248.0	301.4	21.0	88.0	201.7	10.0	622.0
EC-ITALY					3278.6	3278.6					3845.4	3845.4
EC-MADEIRA											60.8	60.8
EC-PORTUGAL					76.0	76.0						
JAPAN		381.0				381.0		136.0				136.0
LIBYA		745.0			450.0	1195.0		1062.8			486.5	1549.3
MALTA	0.5	395.2	51.8			447.5		339.1	36.9			376.0
MAROC											695.0	695.0
NEI-10					42.0	42.0						
NEI-118		20.0				20.0						
NEI-40								68.6				68.6
NEI-81		124.5				124.5		94.2				94.2
NEI-COMB					1995.0	1995.0					109.0	109.0
TUNISIE		2272.0	80.0			2352.0	1074.1	839.9	49.3	220.6		2184.0
TURKEY					1200.0	1200.0					1070.0	1070.0
YUGUSLAV. F.R.							1.2	0.9	1.0	1.1		4.4
Total	20.5	5489.8	734.8	97.9	16351.0	22694.0	1413.6	4526.4	602.2	543.6	1673.4	23859.4

Appendix Table 5.2b. Quarterly bluefin catch (t), by area, in 1999 and 2000 (calculated from CATDIS).

	1999					1999		2000					2000	
	1	2	3	4	Año	Total		1	2	3	4	Año		
West	72.6	74.4	1,409.0	154.1	250.0	1,960.1	268.7	174.4	1,022.5	474.7	276.2	2,216.6		
East	419.1	3,945.5	2,488.3	1,708.5	1,888.4	10,449.8	1,270.0	3,785.4	1,831.8	1,614.7	1,834.0	10,335.9		
Med	20.5	5,489.8	734.8	97.9	16,351.0	22,694.0	1,413.6	4,526.4	602.2	543.6	16,773.4	23,859.4		
Total	512.2	9,509.6	4,632.1	1,960.5	18,489.4	35,103.8	2,952.4	8,486.2	3,456.6	2,633.0	18,883.6	36,411.8		



Appendix Figure 5.2. Average monthly bluefin CPUE by Japanese longline around the Gulf of Mexico, from 1970 to 1980. (The size of the solid circles and + denote relative values and no catch with effort, respectively.)

5.3 Draft Recommendation By ICCAT on the Management of Atlantic Bluefin Tuna (Proposed by the United States)

Recalling that the current boundary between eastern and western management areas was established for the purpose of managing spatially distinct fishing grounds and spawning areas;

Further recognizing that uncertainty surrounding the boundary between the eastern and western management areas for bluefin tuna may impact negatively on the effectiveness of management actions throughout the Atlantic and Mediterranean;

Recognizing that there is clear evidence that a portion of fish present in the western management area cross the boundary and become vulnerable to the fishery in the eastern management area;

Desiring to avoid undermining the rebuilding plan for the western Atlantic management unit;

Also noting that the SCRS recommends in the 2001 Mixing Report that the Commission adopt a short-term solution until a long-term solution to the mixing problem can be developed;

Recognizing the multi-year effort of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies is underway;

Considering new scientific information presented at the 2nd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies, including information from research conducted in response to the 2001 Resolution by ICCAT Regarding the SCRS Mixing Report on Atlantic Bluefin Tuna;

Also noting that the 2001 SCRS Mixing Report states that, “catching western origin fish in the East Atlantic management area generates a higher proportion of the fishing mortality rate on the western origin fish than is the case for the converse scenario;”

Recalling the terms of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

Long-term

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities through the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies develop for adoption at its 2005 meeting, an Action Plan that identifies the activities to be undertaken by the Commission and the SCRS that are necessary to implement an integrated management scheme for bluefin tuna throughout the Atlantic and Mediterranean. This Action Plan, to be fully implemented for 2008, shall include:
 - a) the designation of spatial zones for management of Atlantic bluefin tuna similar to, but not limited by, the areas suggested in the SCRS Report of the ICCAT Workshop on Bluefin Mixing, September 3-7, 2001, Madrid (SCRS/2001/020);
 - b) the specification of research and evaluation activities required of the SCRS, similar to, but not limited by, the activities identified in the 2003 Bluefin Tuna Research Program Planning Meeting Report; and
 - c) the development of catch allocation schemes and other operational protocols for the integrated management scheme.

Short-term

2. The SCRS provide to the Commission at its 2005 meeting management advice on allowable catches, including appropriate recovery scenarios, for the western Atlantic management unit, defined as the area north of 10°N and west of 30°W.
3. At the 2005 meeting, the Commission shall develop and adopt an appropriate TAC level and allocation scheme and if appropriate, a rebuilding program, based on SCRS advice for the western management unit as defined above.
4. This scheme will be in effect until such time as the integrated management scheme for bluefin tuna is implemented.

4.2 REPORT OF THE MEETING OF COMMISSION OFFICERS (Marseille, France, May 20, 2004)

The Meeting had been previously called by the Commission Chairman to discuss organizational matters. The following persons attended the meeting:

COM Chairman: M. Miyahara (meeting Chairman)
 1st Vice-Chairman: A. Srour
 STACFAD: J. Jones
 PA2: EC (E.J. Spencer and F. Gauthiez)
 PA4: USA (M. McCall)
 SCRS: J. Pereira
 Secretariat: D. Meski, V. Restrepo, P. Kebe, J.A. Moreno

1 Formalize the meetings of the Commission Council as stipulated in the Convention texts

The Chairman explained that he wanted to schedule these organizational meetings inter-sessionally and during the annual Commission meeting. He explained that the purpose was not to revive the Council, but to have a more flexible body help the Commission Chairman look into organizational matters.

2 The Commission meeting**2.1 Establish in time the main points to be raised throughout the meeting**

It was decided that the Chairman would establish the priorities for the annual meeting early on and communicate these in a letter to Head Delegates. For 2004, the following priorities were mentioned:

- Bigeye tuna (PA1)
- Southern albacore (PA3)
- BFT mixing report (PA2)
- Sharks (PA4/PLE)
- Trade data / trade measures
- Administrative (Secretariat) issues

It was also suggested to reduce the number of meetings and not to have a joint COC-PWG meeting.

2.2 Request that the delegations submit, when possible, all proposals of recommendations and resolutions, or otherwise, at the end of the third day of the meeting. However it would be recommended to try and submit recommendations and resolutions to the Head Delegates prior to the meeting

This received general support.

2.3 Notify Head Delegates of any trade data that will be studied by the PWG and the Compliance Committee prior to the meeting

Many Recommendations have clear deadlines for the submission of information to the Secretariat. It was agreed to set a deadline of communicating trade data to the Secretariat 1 month before the annual meeting.

2.4 Establish an internal regulation for the management of time in the meetings of different panels and Committees

The Chairman announced that he would work closely with the Secretariat to set up a clearer schedule for the meetings of the Commission and subsidiary bodies.

2.5 Establish the duration of the meeting in less than one week. This will not be feasible in the next meeting; however a procedure in this respect should be adopted

In 2004, the meeting is schedule to last from Monday through Sunday (instead of from Monday through the following Monday, as was the case in recent years). It was suggested that when stocks are under multi-annual

sharing arrangements, they do not need to be discussed in the Panels unless the SCRS points out a major problem. It was also suggested that shortening the meeting even further may require other changes in the way the Commission operates, for example setting up mechanisms to review PWG-related information before the Commission meeting.

2.6 Make every effort to present an annotated agenda for meetings

The Chairman explained that an annotated agenda would be prepared as in previous years, but with more explanation, especially about priority items.

2.7 How to treat the recommendations of the scientific committee

It was agreed that Panel Chairs should be instructed to carefully examine the financial implications of SCRS recommendations before these went to STACFAD.

3 Administrative management of the Commission

3.1 Secretariat

It was noted that little attention has been paid in recent years to administrative matters related to the Secretariat. It was decided that the Secretariat and STACFAD Chair would produce a document highlighting the most pressing issues and bring them up to the 2004 Commission meeting's attention as a matter of priority. The list of issues will include: Updating the Staff Rules and an organizational chart of the Secretariat including duties and position.

It was noted that the Secretariat would need more office space soon and that this was proving very difficult to obtain. The current headquarter conditions were not ideal because ICCAT shares offices with the Spanish government employees within a Ministry of Agriculture, Food and Fish building.

On the matter of overtime, the Executive Secretary explained that according to the Staff Rules, General Services staff could choose between paid overtime or vacations, while Professional staff were forced to include overtime as vacations. It was suggested that overtime for professionals was a rare thing in RFBs. The Secretariat was instructed to prepare a paper comparing the compensation received in various RFBs. The STACFAD Chair stated that under the current ICCAT Staff Rules the overtime for professionals would have to be paid sooner or later (i.e., in the year when overtime accrues, or later when the staff member retires).

3.2 Past due contributions

On the matter of writing off past-due payments that had accumulated for many years, the STACFAD Chair suggested that the Commission should not consider doing this until the Madrid Protocol came into force. Otherwise, the Working Capital Fund could be severely affected. The Secretariat was instructed to inform Panel Chairs about which Panel members had overdue payments.

3.3 Auditing

The Executive Secretary explained that at the 2003 Commission meeting the Secretariat had been asked to change the auditing firm. However, this could not be done at this time because the auditing contract was in the middle of a cycle. The Secretariat was instructed to notify the auditing firm that its current contract would be terminated as soon as possible, and to call for bids for a new auditing firm.

4 Support programs regarding the activities carried out in ICCAT

4.1 Use of the balance in funds of the BETYP

It was agreed that the Secretariat would present proposals to both Japan and the EC on how to use the remaining BETYP funds.

4.2 Other projects

The Chairman explained that Japan was planning to implement the 2003 Resolution that called for a Data Fund, by contributing US\$300,000 annually for five years. This would be in the form of a trust fund, dedicated to data improvements, and with the help of one staff member from Japan to help implement the project. Mr. Spencer noted that the EC is financing the MEDIT project within GFCM and that it would be interesting to have some level of coordination with ICCAT.

5 Other matters

Based on a recommendation from the Secretariat, the meeting agreed that, whenever possible, documents should be made available on the ICCAT web site prior to the meeting. Trade-related documents should be posted on a password-protected site.

Mr. Spencer suggested that when the Secretariat sends communications to Head Delegates, they use only one means of communication (preferably e-mail).

It was noted that the Secretariat is receiving many questions about the implementation of recommendations such as the Statistical Documents. The Chair instructed the Secretariat to produce a set of standardized responses so as to make it clear that interpretation of rules is always up to Contracting Parties, and never up to the Secretariat. The Secretariat was also asked to maintain a "hit-list" of questions that were not straightforward to answer and bring them to the attention of the Commission each year.

The Secretariat was instructed to include codes in its correspondence that would help recipients to classify letters by subject. As an example, the 3-letter code used for Commission documents could be used (e.g., COC, PWG, PA3, etc.).

4.3 REPORT OF THE MEETING OF THE KEY CONTACTS OF THE WORKING GROUP TO CONSIDER THE DEVELOPMENT OF A COMPENDIUM OF RECOMMENDATIONS AND RESOLUTIONS (Madrid, Spain, September 21-22, 2004)

1 Opening of the Meeting

The meeting was opened by Mr. Driss Meski, Executive Secretary, who welcomed all the participants to the Secretariat and wished them a successful meeting. The List of Participants is attached as **Appendix 2 to ANNEX 4.3**.

2 Election of the Chairman

Mr. Meski explained that due to a conflicting commitment, the Chairman, Mr. Carlos Dominguez-Diaz (EC-Spain) was unable to attend and chair the meeting. He informed the participants that Mr. Dominguez wished to continue as Chair, and it was agreed that the Report of the Meeting and any revisions to the draft Abridged Compendium would be sent to Mr. Dominguez-Diaz for his endorsement. In the absence of the Chairman, it was agreed that Dr. Victor Restrepo, Assistant Executive Secretary, would act as moderator for the meeting.

3 Appointment of the Rapporteur

The ICCAT Secretariat was appointed to serve as rapporteur.

4 Adoption of the Agenda

The Agenda, attached as **Appendix 1 to ANNEX 4.3**, was adopted without modification.

5 Review the objectives for a revised Compendium

The participants reviewed the objectives of the new abridged compendium which had been outlined in the Resolution by ICCAT regarding consolidation of its Resolutions and Recommendations [Res. 02-29], and in the meeting of the Working Group November 2003, and confirmed by the Commission at its 18th Regular Meeting, held in Dublin, November 2003. Among the goals discussed was that of ensuring a more user-friendly text, and to achieve this the aim was to reduce inconsistencies/redundancies, identify gaps and recommend possible solutions.

There was consensus that the existing regulatory measures would take precedence over the abridged compendium in case of conflict, but it was unclear to the participants whether future measures adopted by the Commission would be stand-alone documents that would be incorporated into the abridged compendium each year. It was agreed that the Commission should be consulted on this issue (see **Appendix 3 to ANNEX 4.3**).

The need to separate the texts of Recommendations and Resolutions was also confirmed, but it was agreed that the method of separation would be considered following the detailed examination of the draft text.

It was noted that the remit of the group was not to make substantive changes to the text during this work, but that the identification of potential problems of interpretation and other related issues that needed to be addressed by the Commission would be included in the report (**Appendix 3 to ANNEX 4.3**). Minor changes to the text required for clarification or coherence would not be included in the list of decisions to be taken by the Commission, as it was unlikely that there would be objections to such changes. These changes, however, would be clearly marked for the commissioners.

6 Review of the preliminary draft Compendium prepared by the Secretariat

The group began by examining the structure and table of contents, and indicated some changes to the original proposal. It was agreed that measures relating to terms of reference and rules of procedure should be included in

an appendix at the end of the text, while texts relating to general principles would be placed at the beginning of the relevant chapters. Objections to Recommendations should be footnoted in the relevant article.

It was agreed that a more detailed Table of Contents would be beneficial, and it was agreed that sub-headings would be added to each Article title. The Secretariat was requested to revise the numbering system to ensure that it was coherent and easy to follow.

It was agreed that the acronyms be included in the first draft of the abridged Compendium for the Commission, but that definitions and terms would not be included until further work was done.

Following detailed discussion on the individual Articles, the group agreed to move several paragraphs and sections for the sake of coherence, and requested the Secretariat to incorporate their decisions into a revised draft of the abridged compendium. It was noted, however, that the current structure may need to be modified in the future to take into account the needs of the Commission, and that the second draft of the abridged Compendium may be subject to modification before a final proposal was made to the Commission.

Where problems of interpretation were identified, or where there was disagreement or uncertainty as to whether a particular measure remained in force, it was agreed that these would be listed, and that clarification would be requested from the Commission. This list is attached as **Appendix 3 to ANNEX 4.3**.

With regard to the appendices, it was agreed that, in addition to the appendices which had previously been suggested, the most recent version of the adopted Compliance Tables should be included in the appendices, as this would make available historical catch limits and quotas, often necessary for the work of the Compliance Committee and PWG. It was also agreed that the Secretariat would draft a table showing the minimum sizes for all species currently in force.

There was no consensus among the participants as to the level of cross-referencing needed, and it was agreed that no cross-referencing should be attempted before the next draft of the text could be examined.

7 Recommended work plan and process for completing the revised Compendium

In relation to the general structure of the abridged Compendium, the Group felt that it was premature to make a final decision on how to distinguish the Recommendations from the Resolutions, and that the next draft should show these in separate chapters, and that the issue would be discussed at the next meeting.

It was agreed that formats and guidelines, which in some cases had not been formally adopted by the Commission, would be compiled and proposed to the Commission for adoption, in order to simplify the reporting of information required by ICCAT. The Report on Internal Actions, which had been developed by the Secretariat in response to a request by the Commission in 2004, however, would be presented separately, as this format was new and quite complex.

The group discussed the need to work on the list of definitions, but it was agreed that there was insufficient time to do so during a two-day meeting, and that work on this would continue in the future. The group, however, reminded the Secretariat of the need to draft a proposed definition of artisanal fisheries, as they had been requested by the Commission to do this.

In order to progress, the group recommended that the Commission authorize a follow-up meeting of the Key Contacts early in 2005, and that a meeting of the full working group, with interpretation in the three languages of the Commission and open to all interested CPCs, should be held before the Commission meeting in 2005, with a view to developing a text for adoption by the Commission either in 2005 or 2006.

While there was uncertainty as to how the Commission would wish to proceed in the future with the incorporation of new measures, it was stressed that any new Recommendations and Resolutions would need to be drafted with great care if the abridged compendium was to become functional. It was hoped that those drafting proposals for the next Commission meeting and in the future would try to do so in line with the structure of the abridged compendium, in order to facilitate their integration. It was also noted that clear instructions needed to be given when amending the text of any existing measure, as lack of care may lead to a conflict in interpretation as to how the text should be amended.

8 Other matters

The participants thanked the Secretariat for facilitating the conduct of the meeting in the absence of the Chairman.

9 Adoption of the Report

It was agreed that the report would be adopted by correspondence, in consultation with the Chairman, Mr. Dominguez-Diaz. The Report was subsequently adopted by mail, and the Commission adopted the Report at its 14th Special Meeting (November 15-21, 2004).

10 Adjournment

The Executive Secretary thanked all the participants for their work, and expressed his satisfaction that progress had been made, given that this work would not only facilitate the work of the Commission, but in the long run that of the Secretariat.

Appendix 1 to ANNEX 4.3

Agenda

- 1 Opening of the Meeting
- 2 Election of the Chairman
- 3 Appointment of the Rapporteur
- 4 Adoption of the Agenda
- 5 Review the objectives for a revised Compendium
- 6 Review of the preliminary draft Compendium prepared by the Secretariat
- 7 Recommended workplan and process for completing the revised Compendium
- 8 Other matters
- 9 Adoption of the report
- 10 Adjournment

Appendix 2 to ANNEX 4.3

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Appendix 3 to ANNEX 4.3

Request to the Commission by the Key Contacts of the Compendium Working Group for Clarification in Relation to Interpretive Issues

Future scope of the abridged Compendium

The participants discussed various options that the Commission may wish to consider in order to formalize an Abridged Compendium. Two main options were considered as follows:

The first option is to adopt the initial version of the Compendium as a publication. Subsequently, the Commission would continue to adopt Recommendations and Resolutions, as is current practice, and instruct the Secretariat to update the publication by adding and deleting paragraphs as appropriate.

The second option would be to adopt the initial version of the abridged compendium as a legal document that replaces all extant Recommendations and Resolutions. Subsequently, the Commission would continue to adopt measures by deciding formally on amendments to the Compendium.

It was agreed that the first option would be easier to implement as it demands little change from the current practice of decision-making by the Commission. In this option, the preambles would be maintained with the original Recommendations and Resolutions for reference, making it easier to examine the context and history of the Commission's decisions. However, this option is not entirely consistent with the 2003 recommendation by the Working Group that the Compendium should become the principal legal corpus.

The second option could demand more work during the adoption process. The initial phase may also be more difficult to accomplish because it could lead to reopening difficult negotiations. The Commission would also need to consider alternatives to the preambles currently used, in order to preserve the historical context. This option, once fully operational, would allow for more efficient decision-making.

Management Measures Which May No Longer Be in Force

The participants in the meeting of the Key Contacts of the Compendium Group request guidance from the Commission as to whether the following measures are still in force:

- Rec. 99-05 Recommendation by ICCAT Concerning Possible Management Measures for Northern Albacore
- Rec. 01-08 Supplemental Recommendation by ICCAT on Bluefin Tuna Research in the Central North Atlantic Ocean
- Rec. 96-01 Recommendation by ICCAT on Bigeye and Yellowfin Tunas
- Rec. 97-09 Recommendation by ICCAT Regarding Atlantic Blue Marlin and Atlantic White Marlin
- Res. 94-09 Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures (including Addendum)
- Res. 94-06 Resolution by ICCAT on Coordination with non-Contracting Parties.

Requests for clarification

- 1 In the event that *Recommendation by ICCAT Regarding Atlantic Blue Marlin and Atlantic White Marlin* [Rec. 97-09] is no longer valid, how are artisanal longline and purse seine marlin fisheries to be treated? How should artisanal fisheries be treated in general, in relation to all species?
- 2 Operative paragraph 3 of the *Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2004-2006* [Rec. 03-06] states that "...Contracting Parties other than those mentioned in paragraph 2 shall limit their catches to 200 t. Is this 200 t limit on northern albacore subject to the carry-over provisions of paragraph 6 of this recommendation? If not, should this be stated.
- 3 How should the under / over harvest of transferred quotas be treated? The group considered that it may be useful to have clearer rules for the transfer of fishing possibilities.
- 4 The group was concerned about the difficulty in interpreting the catch limits of those countries, entities and fishing entities which had caught less than 2,100 t of Atlantic bigeye tuna, or whose catches had been zero in 1999, as specified in the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures* [Rec. 03-01].
- 5 Article 12 of the *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-08], which states "The Commission shall consider and, if necessary, adopt its 2003 meeting, appropriate effective measures to control expansion of fisheries, in particular in the "others" category, which exceed the catch limits set by this recommendation" is in theory outdated, but the action required by this paragraph was not taken. Does the Commission wish to consider this issue, or remove this paragraph?
- 6 The participants were unable to determine exactly how paragraph 4 of [Rec. 98-07], *Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna* should be amended by [Rec. 02-07], *Recommendation by ICCAT Concerning Conservation of Western Atlantic Bluefin Tuna*, and how it should be interpreted in relation to paragraph 5.
- 7 Clarification on the minimum sizes for bluefin tuna is requested:
 - Rec. 74-01 sets a minimum size for the entire Atlantic of 6.4 kg with 15% tolerance.
 - Rec. 97-02 as modified by [Rec. 98-04] sets a minimum size with no tolerance of 3.2 kg.
 - Rec. 02-08 sets a minimum size of 6.4 kg for the east Atlantic with 10% tolerance and a minimum size for the Mediterranean of 4.8 kg with no tolerance.
 - Rec. 98-07 sets a minimum size for the West Atlantic of 30 kg or 115 cm with 8% tolerance, with no alternative to the 6.4 kg and 15% tolerance of [Rec. 74-01].

What is the minimum size limit for bluefin tuna in each area of the Atlantic?
- 8 [Rec. 96-14] *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*, extended to the South Atlantic swordfish fisheries by [Rec. 97-08] refers in the title only to bluefin and swordfish, but these species are not mentioned in the text. Does this Recommendation relate only to these two species, or to all species?

Other questions

- 1 There is some incoherence in the treatment of the Statistical Document Program measures, as in the case of bluefin tuna some measures are resolutions and some are recommendations. Does the Commission wish to consider the adoption of a comprehensive Recommendation for the BFTSD, in line with those of swordfish and bigeye?
- 2 Should the words “Contracting Party” be replaced by “Contracting Party and Cooperating non-Contracting Party, Entity or Fishing Entity (CPCs)”?
- 3 Should the word “countries” be replaced by “Contracting Parties and Cooperating non-Contracting Parties, Entity or Fishing Entity (CPCs and other non-Contracting Parties)” (CPCs and NCPs) throughout the text?
- 4 The Group considered that the *Resolution by ICCAT Calling for Further Actions Against Illegal, Unregulated and Unreported Fishing Activities by Large-scale Longline Vessels in the Convention and Other Areas* [Res. 99-11] and the *Supplemental Resolution by ICCAT to Enhance the Effectiveness of the ICCAT Measures to Eliminate Illegal, Unregulated and Unreported Fishing Activities by Large-scale Tuna Longline Vessels in the Convention Area and Other Areas* [Res. 00-19] relating to IUU fishery may require some re-drafting, particularly as binding language is used in some cases.
- 5 With regard to 3 above, the group also requests the Commission to consider whether the word “shall” used in non-binding resolutions are to be changed to non-binding language, i.e. should.
- 6 Terms of reference of the Compliance Committee [Ref. 95-15] are outdated in their reference to the Bluefin Statistical Document Program. The Group recommends that this be changed to read “Statistical Document Programs”. The Group also suggests that the Commission may wish to consider revising the structure of the terms of reference of the PWG in order to make them consistent with those of the Compliance Committee.
- 7 There was some uncertainty as to whether Action Plans that had been superceded by the *ICCAT Resolution on Trade Measures* [Res. 03.15] should be included in the text, but given that they were no longer in force, it was agreed that these would be excluded. The Group would like to ensure that the Commission is in agreement on this point.

RECOMMENDATIONS ADOPTED BY ICCAT IN 2004

[Rec. 04-01]

**RECOMMENDATION BY ICCAT
ON A MULTI-YEAR CONSERVATION AND
MANAGEMENT PROGRAM FOR BIGEYE TUNA**

CONSIDERING the need to conserve and manage the bigeye tuna stocks, the Standing Committee for Research and Statistics (SCRS) recommends that the total catch not exceed 90,000 t;

CONVINCED that the implementation of this advice would provide the foundations for a stable management strategy for these stocks in the medium term;

MINDFUL of the 2001 ICCAT *Criteria for the Allocation of Fishing Possibilities* [Ref. 01-25];

AWARE of the considerable efforts that have already been carried out by Contracting Parties involved in these fisheries;

NOTING that the implementation of a closed area/season, to be applied by purse seine and baitboat fleets, significantly contributes to the reduction of the catches of juvenile bigeye tuna,

CONCERNED at the increasing development of IUU activities and the consequent need to regulate strictly transshipment operations,

RECOGNIZING that timely reporting of catch will assist greatly in the monitoring of the fisheries,

CONSIDERING that the adoption of a multi-annual program for the medium-term will contribute to the conservation and sustainable development of the bigeye tuna stocks;

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:**

- 1 Contracting Parties and Cooperating Non-Contracting Parties, Entities or Fishing Entities (hereafter named CPCs) whose vessels fish bigeye tuna in the Atlantic shall implement a multi-annual management and conservation program for the period 2005 to 2008.

Capacity limitation

- 2 A capacity limitation shall be maintained in accordance with the *Recommendation by ICCAT on the Bigeye Tuna Conservation Measures for Vessels Larger Than 24 Meters Length Overall (LOA)* [Rec. 98-03] limiting the number of fishing vessels to the average number of fishing vessels having fished bigeye tuna in the Convention area in 1991 and 1992.

- a) Each CPC which has been allocated a catch limit, in accordance with operative paragraph 4 below, shall restrict the number of its vessels fishing for bigeye tuna, by gear type, in 2005 and subsequent years, to the number of their bigeye vessels notified to ICCAT for 2005.

In that regard, each of these CPCs shall notify by 30 June 2005, to the Commission the number of their bigeye vessels, by gear type. Each CPC shall adjust fishing effort commensurate with the available fishing opportunities.

- b) The following limits shall be applied to:

China	45 longline vessels
Philippines	8 longline vessels
Chinese Taipei	98 longline vessels
Panama	3 purse seine vessels

These CPCs shall ensure that their presence in this fishery is commensurate with their fishing possibilities.

- c) Each CPC shall manage the inclusion and exclusion of its vessels in/from the ICCAT Record of Vessels. Vessels may be replaced on the Record by a vessel of equivalent capacity.

TAC and Catch limits

- 3 The annual total allowable catch (TAC) is fixed at 90,000 t for each of the years 2005, 2006, 2007 and 2008.
- 4 a) The following catch limits shall be applied for the four year period until 2008, based on the average catch of Atlantic bigeye tuna in 1991 and 1992 and taking account of recent developments, for the following CPCs:

CPC	2005	2006	2007	2008
China	5,400	5,700	5,900	5,900
European Community	25,000	24,500	24,000	24,000
Ghana	4,000	4,500	5,000	5,000
Japan	27,000	26,000	25,000	25,000
Panama	3,500	3,500	3,500	3,500
Chinese Taipei	16,500	16,500	16,500	16,500

- b) All underages or overages of this catch limit of bigeye may be added or shall be deducted from the catch limit as follows:

Year of catch	Adjustment year
2005	2006 and/or 2007
2006	2007 and/or 2008
2007	2008 and/or 2009

However, the maximum underage that a CPC may transfer in any given year shall not exceed 30% of its annual catch limit.

- 5 The over-harvest of China in 2003 will result in a yearly deduction of 500 t from their annual catch limit in the period 2005-2009.

The over-harvest of Chinese Taipei of 8,000 t in 2003 will result in a yearly deduction of 1,600 t from their annual catch limit in the period 2005-2009.

- 6 The TAC and catch limits for 2008 in operative paragraph 4 shall be reviewed and, if necessary, revised based upon the results of the stock assessments in 2007 by the SCRS. Should adjustments to the TAC for 2008 be required following this assessment, the relative shares of the CPCs for 2008 shall remain unchanged from those in operative paragraph 4.a of the current Recommendation.

- 7 The provisions of paragraphs 2 and 4 shall not apply to CPCs whose reported 1999 catch, as provided to the SCRS in 2000, was less than 2,100 t.

Area/Season closure

- 8 In order to protect the stock, in particular juvenile fish, fishing by purse seiners and baitboats flying a CPC flag, shall be prohibited during the period and in the area specified in paragraphs 9 and 10 below;

- 9 The area referred to in paragraph 8 is the following:

- Southern limit: parallel 0° South latitude
- Northern limit: parallel 5° North latitude
- Western limit: meridian 20° West longitude
- Eastern limit: meridian 10° West longitude.

10 The period covered by the prohibition of paragraph 8 will be from 1 November to 30 November of each year.

11 The SCRS shall examine in 2005 the impact on stocks of this measure, and shall recommend the necessary modifications that would improve its effectiveness and review possible modifications to be applied to the closure.

CPCs shall establish internal procedures to sanction fleets flying their flag that do not comply with the closure. They will submit an annual report on their implementation to the Secretariat. The Executive Secretary shall make a report to the Commission.

12 CPCs shall use their Vessel Monitoring Systems to ensure enforcement of the area/season closure.

Data collection

13 CPCs shall:

- Increase or maintain appropriate systems of collection and processing of fisheries catch and effort data;
- Respect the guidelines established for the transmission of annual Task I and Task II data.

14 CPCs shall adopt the necessary measures to ensure the reporting of their total landings and transshipments of bigeye tuna carried out by the vessels that fly their flag.

15 In order to obtain data on the composition of the catches, particularly those of spawners, relative to the fishing areas and seasons, there shall be observers on board at least 5% of longline vessels over 24 meters fishing for bigeye.

General provisions

16 This recommendation replaces the *Recommendation by ICCAT on a Bigeye Tuna Size Limit* [Rec. 79-01] and the *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregation Devices (FADs)* [Rec. 99-01].

[Rec. 04-02]

**SUPPLEMENTAL RECOMMENDATION BY ICCAT
TO AMEND THE REBUILDING PROGRAM FOR NORTH ATLANTIC SWORDFISH**

RECALLING that, at its 2003 meeting, the International Commission for the Conservation of Atlantic Tunas rescheduled the stock assessments for North Atlantic swordfish to occur in 2006 and thereafter every three years (*Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish and South Atlantic Swordfish* [Rec. 03-03]);

DESIRING to align stock management discussions with new scientific advice and, in the meantime, to extend for one year existing management measures, which support the North Atlantic swordfish rebuilding program;

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RECOMMENDS THAT:**

- 1 Management measures in place for the year 2005 in paragraphs 2, 3c) and 7 of the *Recommendation by ICCAT Relating to the Rebuilding Program for North Atlantic Swordfish* [Rec. 02-02] shall be extended through 2006;
- 2 Notwithstanding paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14], which is also applicable to the South Atlantic Swordfish fisheries, all unused portion (if this is specified in the pertinent management recommendation) or excess of the annual quota/catch limit shall be deducted from/may be added to, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way for North Atlantic Swordfish:

Catch Year	Adjustment Year
2003	2005
2004	2006
2005	2007
2006	2008

- 3 All other operative paragraphs of Recommendation 02-02, as amended by Recommendation 03-03, shall remain unchanged.

[Rec. 04-03]

**RECOMMENDATION BY ICCAT
TO AMEND THE ASSESSMENT SCHEDULE FOR NORTHERN ALBACORE**

RECALLING the 2003 Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2004-2006 [Rec. 03-06],

TAKING INTO ACCOUNT the need to adjust the schedule of assessments to the existing management period for this stock,

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RECOMMENDS THAT:**

1 Paragraph 8 of 2003 Recommendation 03-06 be amended to read:

8. The SCRS shall conduct an assessment of this stock in 2007.

[Rec. 04-04]

**RECOMMENDATION BY ICCAT
ON THE SOUTHERN ALBACORE CATCH LIMIT FOR 2005, 2006 AND 2007**

NOTING that the current estimated MSY from the base case of the 2003 stock assessment is 30,915 t, that the 2003 assessment results were similar to those obtained in 2000, and that the confidence intervals were substantially narrower in 2003 than in 2000.

NOTING FURTHER the conclusions of the 2003 Albacore Assessment Meeting, and of the 2003 and 2004 SCRS reports, that the southern albacore stock is not considered to be over-exploited, that the current best estimate of $B_{\text{current}}/B_{\text{MSY}}$ is 1.66, that the current best estimate of $F_{\text{current}}/F_{\text{MSY}}$ is 0.62, and that current average catches are close to MSY;

RECOGNIZING the need to implement measures to maintain the southern albacore stock at MSY levels, this being the management objective of ICCAT;

RECOGNIZING also that further work is needed before sharing arrangements for southern albacore based on the ICCAT *Criteria for the Allocation of Fishing Possibilities* [Ref. 01-25] can be developed and agreed on;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

- 1 The annual total catch limit for albacore caught in the Atlantic Ocean South of 5°N shall be set at 30,915 t for 2005, 2006 and 2007, this being the current base case estimate of the MSY of the stock.
- 2 Notwithstanding the provisions of paragraph 1, should total reported albacore catches in 2004, as reported to the 2005 ICCAT meeting, exceed 29,200 t, the TAC for 2006 shall be reduced by the full amount of the 2004 catch in excess 29,200 t.
- 3 Similarly, should total reported albacore catches in 2005, as reported to the 2006 ICCAT meeting, exceed the 2005 TAC, the TAC for 2007 shall be reduced by the full amount of the 2005 catch in excess of the revised 2005 TAC.
- 4 Should total reported albacore catches in 2004 or 2005, as reported to the 2005 or 2006 ICCAT meetings respectively, exceed 30,915 t, those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing for southern albacore shall participate in an inter-sessional meeting of Panel 3, to be held in the year following the detection of such over-catch, to develop proposals for a sharing arrangement based on the ICCAT *Criteria for the Allocation of Fishing Possibilities* [Ref. 01-25] adopted in 2001.
- 5 Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities not actively fishing for southern albacore and having caught, on average, less than 100 t of southern albacore per year during 1998-2002 shall be subject to a catch limit of 100 t.
- 6 Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities not fishing actively for southern albacore and having caught, on average, more than 100 t of southern albacore during 1992-1996, but excluding Japan, shall be subject to an annual catch limit of 110% of their respective average 1992-1996 catches of albacore in the Atlantic Ocean South of 5°N.
- 7 Japan shall endeavor to limit its total catch of southern albacore to 4% by weight of its total longline bigeye tuna catch in the Atlantic Ocean South of 5°N.
- 8 No provision shall be made for carry-over of any under-harvests made under this sharing arrangement.
- 9 Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore shall improve their catch reporting systems to ensure the reporting of accurate and validated southern albacore catch and effort data to ICCAT in full accordance with the ICCAT requirements for provision of Task I and Task II catch, effort and size data.

- 10 All aspects of the southern albacore catch limit and sharing arrangement shall be reviewed and revised at the 2007 ICCAT Commission meeting, taking account of the results of the updated southern albacore stock assessment to be conducted in 2007. This review and revision shall also address any over-harvest made in excess of the 2006 TAC.
- 11 This Recommendation replaces, in its entirety, the 2003 *Recommendation by ICCAT on the Southern Albacore Catch Limit and Sharing Arrangement for 2004* [Rec. 03-07].

[Rec. 04-05]

**RECOMMENDATION BY ICCAT
CONCERNING THE WESTERN ATLANTIC BLUEFIN TUNA REBUILDING PROGRAM
AND THE CONSERVATION AND MANAGEMENT MEASURES FOR
BLUEFIN TUNA IN THE EASTERN ATLANTIC AND MEDITERRANEAN**

NOTING that the 2002 amendment to the 1998 *Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna* [Rec. 98-07] established a quota sharing arrangement for the United States, Japan, and Canada only through 2004,

TAKING INTO ACCOUNT that the next assessment of Atlantic bluefin tuna was scheduled for 2004 in the 2002 *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin in the East Atlantic and Mediterranean* [Rec. 02-08],

CONSIDERING the on-going work of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies,

DESIRING to align stock management discussions with new scientific advice and, in the meantime, to extend for one year existing management measures which support the western Atlantic bluefin tuna rebuilding program,

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:**

- 1 The provisions of the *Recommendation by ICCAT Concerning Conservation of Western Atlantic Bluefin Tuna* [Rec. 02-07], which amend the *Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna* [Rec. 98-07], be extended through 2006.
- 2 All other operative paragraphs of Recommendation 98-07 as amended by Recommendation 02-07 remain unchanged.
- 3 The 3rd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies take place in April 2005 in Japan. Its primary objective will be to develop a range of future alternative management approaches which will be submitted to the Standing Committee on Research and Statistics (SCRS) for its opinion. The Commission will review at its 2005 Meeting the SCRS Report, notably on the feasibility and implications of those alternative management approaches.
- 4 In 2006, the SCRS will conduct the stock assessment for bluefin tuna for the eastern Atlantic and Mediterranean and western Atlantic and provide advice to the Commission on the appropriate management measures, *inter alia*, on total allowable catch levels for those stocks for future years. This provision amends paragraph 6 of Recommendation 02-08.
- 5 At its 2006 meeting, the Commission will consider the distribution of the total allowable catch among Contracting Parties in the western Atlantic and make any necessary changes for future management periods.

[Rec. 04-06]

**RECOMMENDATION BY ICCAT
ON BLUEFIN TUNA FARMING**

TAKING INTO ACCOUNT the increasing development of bluefin tuna farming activities, especially in the Mediterranean;

RECALLING the conclusions of 6th *Ad Hoc* GFCM/ICCAT Joint Working Group Meeting on Stocks of Large Pelagic Fishes in the Mediterranean Sea relative to the effects of the bluefin tuna farming and on the solutions that could be studied to regulate this activity;

CONSIDERING the advice of the 2001 Standing Committee on Research and Statistics (SCRS) on effects of bluefin tuna farming in the Mediterranean on the collection of data and consequently on stock assessment procedures;

DESIRING to gradually implement effective management measures that permit the development of bluefin tuna farming in a responsible and sustainable manner in relation to the management of bluefin tuna;

NOTING the potential advantages of the use of underwater video monitoring in estimating the number of fish,

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

- 1 Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) whose flag vessels fish or transfer quantities of bluefin tuna to cages for farming shall undertake the necessary measures:
 - a to require that the captains of vessels carrying out transfer operations of bluefin tuna for caging maintain vessel logs and report the quantities transferred and the number of fish as well as the date, place of harvest and name of the vessel and of the company responsible for the caging.
 - b to require the reporting of the total amount of the transfers of bluefin tuna for fattening and farming, carried out by their flag vessels, and include this information in the Task I data.
 - c to set up and maintain a list of their flag vessels that fish for, provide or transport bluefin tuna for farming purposes (name of the vessel, flag, license number, gear type), i.e., fishing boat, transport vessel, vessels with pools, etc.
- 2 The CPCs under whose jurisdiction the farms for bluefin tuna are located in the Convention area shall adopt the necessary measures to:
 - a ensure that a caging declaration is presented by the operator in accordance with the ICCAT format in the attached Annex, on each fishing or transport vessel that participated in the transfer of tuna to cages for fattening, including the quantities of bluefin tuna destined for farming. This declaration shall include information relative to the quantities (in t) of fish transferred to the cages, the number of fish, the date, the place, the location of the harvest, the name of the vessel, as well as its flag and license number;
 - b ensure that the tuna farms and the national scientific institutes obtain data as specified in the following paragraph on the size composition of the fish caught as well as the date, time and area of catch and the fishing method used, in order to improve statistics for stock assessment purposes;

To this end, establish a sampling program for the estimation of the numbers-at-size of the bluefin tuna caught which requires notably that size sampling at cages must be done on one sample (= 100 specimens) for every 100 t. of live fish. Size sample will be collected during harvesting¹ at the farm, following the ICCAT methodology for reporting Task II. The sampling should be conducted during any

¹ For fish farmed more than one year, other additional sampling methods should be established.

harvesting, covering all cages. Data must be transmitted to ICCAT, by 31 July for the sampling conducted the previous year.

- c ensure the reporting of the quantities of bluefin tuna placed in cages and of estimates of the growth and mortality while in captivity and of the amounts sold (in t);
- d set up and maintain a registry of the farming facilities under their jurisdiction;
- e each CPC referred to in this paragraph shall nominate a single authority responsible for coordinating the collection and verification of information on caging activities and for reporting to and cooperating with the CPC whose flag vessels have fished the caged tuna.

This single authority shall submit, to the CPCs whose flag vessels have fished the caged tuna, a copy of each caging declaration referred to in paragraph 2 a, within one week after the completion of the transfer operation of bluefin tuna into cages.

- 3 CPCs mentioned in paragraphs 1 and 2 shall take the appropriate measures to verify the accuracy of the information received and shall cooperate to ensure that quantities caged are consistent with the reported catches (logbook) amount of each fishing vessel.
- 4 The CPCs that export farmed bluefin tuna products shall ensure that the description of these products includes "Farming" in the ICCAT Bluefin Tuna Statistical Document (BTSD) or the ICCAT Bluefin Tuna Re-exportation Certificate (refer to the *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* [Rec. 03-19]).
- 5 The CPCs shall transmit, each year, to the Executive Secretary, prior to 31 August:
 - the list of flag vessels provided for in paragraph 1c),
 - the results of the program referred to in paragraph 2 b),
 - the quantities of bluefin tuna caged during the previous year,
 - the quantities marketed during the previous year.
- 6 The CPCs mentioned in this recommendation as well as the Contracting Parties that import bluefin tuna shall cooperate, particularly through the exchange of information.
- 7 The Commission shall request non-Contracting Parties that farm bluefin tuna in the Convention area to cooperate in the implementation of this recommendation.
- 8 Based on the information referred to in paragraph 4, on the BTSD reports and the Task I data, the Commission shall review the effectiveness of these measures.
- 9
 - a The Commission shall establish and maintain an ICCAT record of farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBs). For the purposes of this Recommendation, FFBs not entered into the record are deemed not to be authorized to operate for farming of bluefin tuna caught in the Convention area.
 - b Each CPC under whose jurisdiction FFBs are located shall submit electronically, where possible, to the ICCAT Executive Secretary by 31 August 2004 the list of its FFBs that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
 - name of the FFB, register number,
 - names and addresses of owner (s) and operator (s),
 - location,
 - farming capacity (in t)
 - c Each CPC shall notify the Executive Secretary, after the establishment of the ICCAT record of FFBs, of any addition to, any deletion from and/or any modification of the ICCAT record of FFBs at any time such changes occur.

- d The ICCAT Executive Secretary shall maintain the ICCAT record of FFBs, and take any measure to ensure publicity of the record through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.
 - e The CPCs under whose jurisdiction FFBs are located shall take the necessary measures to ensure that their FFBs comply with the relevant ICCAT measures.
 - f To ensure the effectiveness of ICCAT conservation and management measures pertaining to bluefin tuna:
 - i CPCs under whose jurisdiction FFBs are located shall validate Bluefin Tuna Statistical Documents only for the farms on the ICCAT record of FFBs,
 - ii CPCs shall require farmed bluefin tuna, when imported into their territory to be accompanied by statistical documents validated for FFBs on the ICCAT record of FFBs and,
 - iii CPCs importing farmed bluefin tuna and the States that authorize the FFB shall cooperate to ensure that statistical documents are not forged or do not contain misinformation.
- 10 The SCRS shall undertake trials to identify growth rates including weight gains during the fattening or penning period.
- 11 This recommendation replaces the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 03-09].

ICCAT DECLARATION ON CAGING FOR FATTENING

<i>Vessel name</i>	<i>Flag</i>	<i>Registration number</i>	<i>Date of catch</i>	<i>Place of catch</i>	<i>Date of caging</i>	<i>Quantity placed in cage (kg)</i>	<i>Number of fish placed in cage for fattening</i>	<i>Fattening facility*</i>

* Facility authorized to operate for fattening of bluefin tuna caught in the Convention area.

[Rec. 04-07]

**RECOMMENDATION BY ICCAT
ON BLUEFIN TUNA SIZE LIMIT**

TAKING INTO ACCOUNT the concerns expressed by the SCRS on the continued high level of under-sized catches of bluefin tuna,

CONSCIOUS of the need to contribute to the objectives of the *Recommendation by ICCAT to Develop a Plan Aimed at Reducing the Catches of Juvenile Bluefin Tuna in the Mediterranean* [Rec. 02-09] to reduce the catches of under-sized bluefin tuna,

IN ORDER to ensure adequate enforcement and monitoring of the minimum size of bluefin tuna in the East Atlantic and the Mediterranean Sea,

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RECOMMENDS THAT:

- 1 Contracting Parties and Co-operating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall take the necessary measures to prohibit the catch, the retaining on board, landing and/or transshipment of any bluefin tuna (*Thunnus thynnus*) weighing less than 10 kg in the Mediterranean Sea.
- 2 In the East Atlantic and the Mediterranean Sea, CPCs shall take the necessary measures to prohibit the catch, the retaining on board, the landing, the transshipment and the sale of any bluefin tuna under the minimum applicable size. No tolerance shall be granted.
- 3 The second and third sub-paragraphs of operative paragraph 9 of the *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-08], as well as the *Recommendation by ICCAT Concerning a Limit on Bluefin Tuna Size and Fishing Mortality* [Rec. 74-01] and the *Recommendation by ICCAT on a Supplemental Management Measure Concerning Age Zero Bluefin Tuna* [Rec. 97-02], are repealed.

[Rec. 04-09]

**SUPPLEMENTAL RECOMMENDATION BY ICCAT
CONCERNING THE REBUILDING PLAN FOR BLUE MARLIN AND WHITE MARLIN**

RECALLING the Recommendation by ICCAT to Establish a Plan to Rebuild Blue Marlin and White Marlin Populations [Rec. 00-13], as amended by the 2001 Recommendation by ICCAT to Amend the Plan to Rebuild Blue Marlin and White Marlin Populations [Rec. 01-10] and the 2002 Recommendation by ICCAT to Amend the Plan to Rebuild Blue Marlin and White Marlin Populations [Rec. 02-13];

RECOGNIZING the Standing Committee on Research and Statistics (SCRS) has recommended that the stock assessments for blue marlin and white marlin should not be held before 2006;

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:**

- 1 Phase 1 of the Rebuilding Plan for Blue and White Marlin shall remain in effect through 2006. All management measures established by the Rebuilding Plan shall be extended through 2006.
- 2 The stock assessments of Atlantic blue marlin and white marlin shall be conducted in 2006, consistent with the process advised by the SCRS.
- 3 For blue marlin and white marlin, the SCRS shall, at the 2006 Commission meeting, present its evaluation of specific stock recovery scenarios that take into account the new stock assessments, any new information and any re-evaluation of the historical catch and effort time series.

[Rec. 04-10]

**RECOMMENDATION BY ICCAT
CONCERNING THE CONSERVATION OF SHARKS
CAUGHT IN ASSOCIATION WITH FISHERIES MANAGED BY ICCAT**

RECALLING that the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Sharks calls on States, within the framework of their respective competencies and consistent with international law, to cooperate through regional fisheries organizations with a view to ensuring the sustainability of shark stocks as well as to adopt a National Plan of Action for the conservation and management of sharks;

CONSIDERING that many sharks are part of pelagic ecosystems in the Convention area, and that tunas and tuna-like species are captured in fisheries targeting sharks;

RECOGNIZING the need to collect data on catch, effort, discards, and trade, as well as information on the biological parameters of many species, in order to conserve and manage sharks;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

- 1 Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall annually report Task I and Task II data for catches of sharks, in accordance with ICCAT data reporting procedures, including available historical data.
- 2 CPCs shall take the necessary measures to require that their fishermen fully utilize their entire catches of sharks. Full utilization is defined as retention by the fishing vessel of all parts of the shark excepting head, guts and skins, to the point of first landing.
- 3 CPCs shall require their vessels to not have onboard fins that total more than 5% of the weight of sharks onboard, up to the first point of landing. CPCs that currently do not require fins and carcasses to be offloaded together at the point of first landing shall take the necessary measures to ensure compliance with the 5% ratio through certification, monitoring by an observer, or other appropriate measures.
- 4 The ratio of fin-to-body weight of sharks described in paragraph 3 shall be reviewed by the SCRS and reported back to the Commission in 2005 for revision, if necessary.
- 5 Fishing vessels are prohibited from retaining on board, transshipping or landing any fins harvested in contravention of this Recommendation.
- 6 In fisheries that are not directed at sharks, CPCs shall encourage the release of live sharks, especially juveniles, to the extent possible, that are caught incidentally and are not used for food and/or subsistence.
- 7 In 2005, the SCRS shall review the assessment of shortfin mako sharks (*Isurus oxyrinchus*) and recommend management alternatives for consideration by the Commission, and reassess blue shark (*Prionaca glauca*) and shortfin mako no later than 2007.
- 8 CPCs shall, where possible, undertake research to identify ways to make fishing gears more selective.
- 9 CPCs shall, where possible, conduct research to identify shark nursery areas.
- 10 The Commission shall consider appropriate assistance to developing CPCs for the collection of data on their shark catches.
- 11 This recommendation applies only to sharks caught in association with fisheries managed by ICCAT.

[Rec. 04-11]

**RECOMMENDATION BY ICCAT
CONCERNING IMPLEMENTATION OF THE VMS RECOMMENDATION [REC. 03-14]**

RECOGNIZING the need to establish an implementation date for the *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-14];

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:**

- 1 As called for in paragraphs 1 and 5 of Recommendation 03-14, the implementation date shall be November 1, 2005. The text of Recommendation 03-14 shall be amended to reflect this implementation date.

[Rec. 04-12]

**RECOMMENDATION BY ICCAT
TO ADOPT MEASURES CONCERNING SPORT
AND RECREATIONAL FISHING ACTIVITIES IN THE MEDITERRANEAN SEA**

TAKING INTO ACCOUNT the need to regulate sport and recreational fishing activities to ensure that these activities do not undermine sustainable exploitation of the stocks, notably the bluefin tuna stock, in the Mediterranean Sea,

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF THE ATLANTIC TUNA (ICCAT) RECOMMENDS THAT:

- 1 Contracting Parties, Entities, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter named CPCs) shall take the measures necessary to forbid the use within the framework of sport and recreational fishing of towed nets, encircling nets, seine sliding, dredgers, gill nets, trammel net and longline to fish for tuna and tuna-like species, notably bluefin tuna, in the Mediterranean Sea.
- 2 The CPCs shall ensure that catches of tuna and tuna-like species carried out in the Mediterranean Sea from sport and recreational fishing are not marketed.
- 3 The CPCs shall take the necessary measures so that catch data from sport and recreational fishing are collected and transmitted to the SCRS.

[Rec. 04-13]

**RECOMMENDATION BY ICCAT
CONCERNING THE LIFTING OF TRADE SANCTIONS AGAINST EQUATORIAL GUINEA**

RECOGNIZING ICCAT's responsibility as concerns the management of tuna and tuna-like stocks in the Atlantic and adjacent seas, in an international scope;

RECALLING the decisions adopted by the Commission in 1999 (ICCAT Recommendation concerning Equatorial Guinea in accordance with the *Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*" [Rec. 99-10]) and in 2000 (*Recommendation by ICCAT Regarding Equatorial Guinea Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-scale Longline Vessels in the Convention Area* [Rec. 00-16]) to prohibit, respectively, the imports of Atlantic bluefin tuna, Atlantic bigeye and their products from Equatorial Guinea,

CONSIDERING that Equatorial Guinea has demonstrated in an irrefutable manner that the vessels which motivated the adoption of the aforementioned ICCAT Recommendations were not licensed or flagged by Equatorial Guinea;

INDICATING SATISFACTION with regard to the measures adopted by Equatorial Guinea through Decree No. 33/2004 of 17 May, canceling the licenses and flags attributed to Equatorial Guinea of all registered or unregistered vessels in this country, as well as the collaboration requested from all the Contracting Parties to intervene and immobilize these vessels, informing Equatorial Guinea to take the corresponding legal actions;

CONSIDERING that on 23 August 2004 the Minister of Fisheries of Equatorial Guinea presented to the ICCAT Secretariat in Madrid the package of actions undertaken by this country to guarantee compliance with the ICCAT conservation and management measures, and requested the lifting of the trade sanctions against Equatorial Guinea;

EXAMINING IN DETAIL during its 2004 meeting the actions undertaken by Equatorial Guinea, and considering that the action of this country is in accordance with the ICCAT conservation and management measures,

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:**

- 1 Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall lift the import prohibitions on Atlantic bigeye tuna and Atlantic bluefin tuna and their products that were imposed on Equatorial Guinea pursuant to the 1999 and 2000 Recommendations.
- 2 Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, the CPCs shall implement this Recommendation as soon as possible in accordance with their regulatory procedures.
- 3 The ICCAT Secretariat continue providing Equatorial Guinea with the technical assistance necessary for the implementation of a statistical-fishing data system so that this country can fully adapt to the ICCAT requirements concerning the submission of statistical data.

[Rec. 04-14]

**RECOMMENDATION BY ICCAT
CONCERNING THE LIFTING OF BIGEYE TUNA, BLUEFIN TUNA,
AND SWORDFISH TRADE RESTRICTIVE MEASURES AGAINST SIERRA LEONE**

RECALLING the 1994 *Resolution by ICCAT Concerning an Action Plan to Ensure Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* [Res. 94-03], the 1995 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* [Res. 95-13], the 1998 *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18]; and the *Resolution by ICCAT on Trade Measures* [Res. 03-15];

FURTHER RECALLING the adoption of the *Recommendation by ICCAT for Trade Restrictive Measures on Sierra Leone* [Rec. 02-19];

RECOGNIZING the efforts made by Sierra Leone to address the concerns of the Commission, including reporting data, developing a monitoring and control plan, which will be submitted to the Commission for information, and deregistering a vessel previously identified as conducting illegal, unregulated, and unreported (IUU) fishing activities in the Convention area; and

WELCOMING closer cooperation by Sierra Leone with ICCAT;

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RECOMMENDS THAT:**

- 1 Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall lift the import prohibitions on Atlantic bigeye tuna, bluefin tuna, and swordfish and their products in any form that were imposed on Sierra Leone pursuant to the *Recommendation by ICCAT for Trade Restrictive Measures on Sierra Leone* [Rec. 02-19];
- 2 Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, the CPCs shall implement this recommendation as soon as possible in accordance with their internal regulatory procedures.

[Rec. 04-15]

**RECOMMENDATION BY ICCAT
CONCERNING THE LIFTING OF BIGEYE TUNA
TRADE RESTRICTIVE MEASURES AGAINST CAMBODIA**

RECALLING the 1998 Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area [Res. 98-18]; and the Resolution by ICCAT on Trade Measures [Res. 03-15];

FURTHER RECALLING the adoption of the Recommendation by ICCAT Regarding Belize, Cambodia, Honduras, and St. Vincent and the Grenadines Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area [Rec. 00-15];

RECOGNIZING the efforts made by Cambodia to address the concerns of the Commission, including deregistering those vessels previously identified as conducting illegal, unregulated, and unreported (IUU) fishing activities in the Convention area, changing registry companies, and not authorizing other vessels to fish in the Convention Area; and

WELCOMING closer cooperation by Cambodia with ICCAT;

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RECOMMENDS THAT:**

- 1 Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall lift the import prohibition on Atlantic bigeye tuna and its products that was imposed on Cambodia pursuant to the Recommendation by ICCAT Regarding Belize, Cambodia, Honduras, and St. Vincent and the Grenadines Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area [Rec. 00-15];
- 2 Notwithstanding the provisions of Article VIII, Paragraph 2 of the Convention, CPCs shall implement this recommendation as soon as possible, in accordance with their internal regulatory procedures.

RESOLUTIONS ADOPTED BY ICCAT IN 2004**[Res. 04-08]****SUPPLEMENTAL RESOLUTION BY ICCAT
ON FISHING FOR BLUEFIN TUNA IN THE ATLANTIC OCEAN**

NOTING that the terms of the 2002 *Resolution by ICCAT on Fishing for Bluefin Tuna in the Atlantic Ocean* [Res. 02-12] end in 2004 if no action is taken to extend the measure,

ACKNOWLEDGING continuing concern about the possible adverse effect of a large shift of fishing effort in the Atlantic on future bluefin tuna conservation programs,

CONSIDERING that the next assessment of Atlantic bluefin tuna is scheduled for 2005,

COGNIZANT of the ongoing work of the Bluefin Tuna Working Group charged with developing integrated and coordinated Atlantic bluefin tuna management strategies,

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RESOLVES THAT:**

The *Resolution by ICCAT on Fishing for Bluefin Tuna in the Atlantic Ocean* [Res. 02-12] be amended by replacing the entire operative paragraph with the following:

For 2003, 2004, and 2005, Contracting Parties, Cooperating non-Contracting Parties, Entities, or Fishing Entities should not increase their catch by large-scale tuna longline vessels from the 1999/2000 level in the area north of 10 degrees N, and between 30 degrees W and 45 degrees W.

[Res. 04-16]

**RESOLUTION BY ICCAT
ESTABLISHING AN *AD HOC* WORKING GROUP
TO REVIEW THE STATISTICAL MONITORING PROGRAMS**

CONSIDERING that the statistical monitoring programs for bluefin tuna bigeye tuna and swordfish are based upon a concept designed in 1992,

NOTING the diversification and the expansion of trade flows and practices for the species concerned,

NOTING also that the initial objective of the statistical programs to collect trade data has been expanded to support the implementation of other monitoring and compliance measures,

ACKNOWLEDGING that the efficiency of the statistical monitoring programs relies on their capability to take into account these developments,

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RESOLVES AS FOLLOWS:**

- 1 An *ad hoc* working group will be established. It will hold a 2-3 day meeting in the course of 2005 at a time and a place to be determined by the Commission.
- 2 The *ad hoc* working group will
 - a Review the existing statistical monitoring programs in order to evaluate if their provisions are still adapted to the requirements of their objectives,
 - b Examine the impact of trade flows and practices on the functioning of the statistical monitoring programs,
 - c Determine how the techniques of trade monitoring and exchange of information may support ICCAT conservation and management measures,
 - d Determine the changes, if any, which are needed to improve the statistical monitoring programs and make them more effective.
- 3 The *ad hoc* working group will submit its recommendations to the 19th Regular Meeting of the Commission.

REPORT OF THE MEETING OF THE STANDING COMMITTEE ON FINANCE AND ADMINISTRATION (STACFAD)

1 Opening of the meeting

The 2004 Meeting of the Standing Committee on Finance and Administration (STACFAD) was opened on Monday, November 15, 2004, by the Committee Chairman, Mr. Jim Jones (Canada).

2 Adoption of the Agenda

The Agenda, which had been circulated in advance of the meeting, was adopted (**Appendix 1 to ANNEX 7**).

3 Appointment of the Rapporteur

The ICCAT Secretariat was appointed Rapporteur.

4 2004 Administrative Report

The 2004 Administrative Report was presented by the Chairman (Doc. STF-020), who outlined its contents, i.e., the Commission's and Secretariat's administrative matters in 2004, Contracting Parties to the Convention, status of the ratification of the Madrid Protocol, adoption and entry into force of the Recommendations and Resolutions in 2004 and the voting process for these, ICCAT inter-sessional meetings and Working Groups, meetings at which ICCAT was represented (Appendix 2 to the Administrative Report), Bigeye Year Program, tagging lottery, Commission's Chairman's correspondence with various Parties, Entities or Fishing Entities (relative to compliance with the conservation measures and compliance with budgetary obligations), list of publications and Secretariat documents, changes in the Secretariat staff, and information on the organization and duties of the Secretariat staff, change in the auditing firm, issues related to staff management (staff classification and internal promotion, new recruitments, overtime for staff in the Professional category, and the Secretariat pension plan), and other matters (change in offices, technical assistance), Appendix 1 of the Administrative Report includes some of the Executive Secretary's initial activities.

After outlining the items of the Report, the Chairman indicated that the status of the Madrid Protocol would be explained under Item 9 of the Agenda and pointed out, as an introduction, that the situation had changed with respect to last year, since Equatorial Guinea had ratified the Protocol.

4.1 Change in auditing firm

The Chairman summarized the proposal presented at the Commission meeting held in Dublin in 2003 concerning the rotation of the auditing firm, and explained the mechanism carried out by the Secretariat, from the initial contact with new auditing firms to the conclusions on the offers received, submitting the election of the two candidates selected to the Commission for decision.

The Delegate of the European Community, after expressing appreciation for the work carried out by the Secretariat, proposed that the Deloitte & Touch auditing firm be chosen and asked for clarification as to when this firm would start its work should it be chosen by the Commission.

The Chairman explained that the 2005 audit would be carried out by the new auditors and that the current auditing firm would conduct its last audit for the Fiscal Year 2004.

The EC Delegate proposed a five-year period for the services of the auditing firm.

The EC proposal was accepted that Deloitte & Touch be the new auditing firm and that the maximum duration of the contract be for five (5) years.

4.2 Staff-related matters

4.2.1 Staff classification and internal promotion

The Chairman recalled the issue raised by the former Executive Secretary in Dublin, that there are some staff at the Secretariat classified in the General Services who in other organizations regulated by the United Nations system would be in the Professional or Higher category. Following this introduction, he presented the proposal made in the Administrative Report, indicating that it would not have any budgetary implication, since the Professional category has tax-free status for which the increment in salary would be assumed by this fiscal exemption.

The Delegate of the European Community asked for a post description of those staff who would be promoted.

The Executive Secretary explained that this proposal consisted of proceeding to the promotion of Secretariat staff, based on a case-by-case analysis of the duties.

The Secretariat's proposal for internal promotion was approved.

4.2.2 New recruitments that will take place at the Secretariat

The Chairman commented that one of the new recruitments was a "Publications Coordinator" to cover the post vacated by Dr. Julie Porter who left in September 2004. At the same time he expressed appreciation for the work Dr. Porter carried out in her two years with the Commission. The other new recruitment was a "Compliance Officer".

The Delegate of the European Community noted it seemed that in the Administrative Report more priority had been given to the recruitment of a Publications Coordinator than to the Compliance Officer, and he proposed that the Compliance Office post be filled as soon as possible, due to the importance of this post for the Commission.

The Delegate of Brazil agreed with the European Community in that the Compliance Officer post was crucial for ICCAT and supported the proposal of giving more priority to this recruitment.

The Delegate of the United States asked if the hiring of either of the two recruitments was going to be postponed and requested the same priority be given to both posts.

The Chairman indicated that the post announcement and both recruitments would be carried out as soon as possible because of the importance of these two tasks for this Commission, and that it was only a matter of finalizing the post vacancy announcements.

The Delegate of Morocco asked if the Publications Coordinator post is different from the Scientific Editor post and when these posts would be announced.

The Chairman pointed out that they are not two different posts, but that the Scientific Editor post would be covered by a person whose official title would be Publications Coordinator. He also clarified that the post announcement would include the qualifications required.

The Delegate of Canada noted that the SCRS Report recommended that for the post of Scientific Editor the same procedure for recruitment be followed as was done the time before, and that in the Administrative Report it seemed that it would not follow the same procedure.

The Chairman indicated that for both posts, the procedure to follow would be the same used in previous recruitments: announcement of the post, review of the candidates by a selection committee and selection of the candidates.

The Delegate of the United States asked for clarification as to whether the level of the Publications Coordinator would be lower than that of the Scientific Editor post.

The Chairman recalled when the selection process was carried out two years ago for this post, in which Dr. Julie Porter was selected, the process was revised and the classification of the post was, which in principle was

announced at first as P-3, was changed to P-4. This time, the post will have the initial classification of the post, which was P-3.

4.2.3 Overtime for Professional or Higher staff

The Chairman recalled that this matter was discussed at last meeting of the Commission that was held in Dublin in 2003. He explained that under the current *Staff Regulations and Rules* those staff in the General Services category, have the possibility of choosing between compensatory time off or remuneration for such hours, and that the Professional staff only has the possibility of compensatory time off for vacation. The Secretariat's proposal was to be able to amend the Staff Rules such that the Professionals also have the possibility of choosing between compensatory time off or remuneration for overtime, since the only possibility they have at the moment has resulted in Professional staff having accumulated, over many years, a very significant amount of over time.

The Chairman explained that the amount of this accumulated overtime for some staff is quite large and it would be problematic to allow the total leave to be liquidated and as such the accumulated leave is a financial liability for ICCAT. The solution would be to pay out the current liability and put a system in place that avoids similar problems in the future. He explained that the proposal that is being presented would consist of developing a bonus system for the Professional or Higher staff based on work output, that would depend on the type of work the staff member carries out and the amount of hours accumulated. The system would be based on output (a percentage), such that the resulting amount does not exceed the amount for payment of overtime hours accumulated up to now. He indicated that this matter has been brought up again due to the need to resolve the current problem.

The Delegate of the European Community expressed his concern about this matter and proposed that since the trend that the Secretariat is following is along the lines of that of other United Nations regional fishery organizations (salary scheme, pension plan, etc.), that it continue in the same line and in the future not pay overtime of the Professional or Higher category. He proposed that to solve this problem of accumulated overtime, a one-time, not-to-be repeated payment be made to liquidate this debt and that from now on the remuneration of overtime for the Professional category be managed such that no more than 12 accumulated days can be carried over from one year to the next.

After the European Community made some clarifications of its proposal, at the request of other delegations, the Chairman proposed that a calculation be made on the amount that this proposal would entail.

The Delegate of Trinidad and Tobago stressed the importance of knowing the costs that the acceptance of European Community proposal would have and asked the EC for a clarification of its proposal.

The Delegate of the European Community responded that this proposal was based on permission for leave in the European Community, and while willing to study other options, he considered that 12 days was an appropriate maximum.

During the second session, the Chairman informed that the cost to liquidate the liability for overtime of the Professional category would amount to 50,000 Euros, and following this information, the European Community's proposal was accepted. For this, Article 7.3 of the *ICCAT Staff Regulations and Rules* will be amended as follows: "*Staff members in the Professional category are only eligible for compensatory time off as applicable in paragraph a) above. A maximum of 12 days in compensatory time off can be carried over from one calendar year to the next; compensatory time off cannot be accumulated between consecutive years.*"

4.3 Pension plan for Secretariat staff

The Chairman explained that currently the Van Breda Pension Plan administers the Secretariat staff pension funds and that the Secretariat, after carrying out a comparative study between this plan and the United Nations pension plan, the conclusion was reached that the coverage under the U.N. plan is much more extensive than the Van Breda plan, and that, therefore, it was much more attractive for the staff. In this comparative study it was shown that there is no budgetary repercussion, since the amount paid for each staff member to the plan is the same in both cases, and it would only be a matter of a change in the management of the pension funds.

The Delegate of the United States asked if the Secretariat staff could elect to participate or not in the new proposal.

The Executive Secretary responded that if the Commission approves this proposal the Secretariat staff would be given the option of choosing a pension plan. Further, he pointed out that more consultations were needed to learn more about the functioning of the United Nations pension plan.

The Administrative Report was adopted.

5 2004 Financial Report

The Chairman presented the Financial Report that had been distributed prior to the meeting.

Mr. Jones indicated that a copy of the Auditor's Report had been transmitted to all the Contracting Parties in April 2004. He then referred to each one of the Statements that comprised the following item of the report: status of the Contracting Party contributions, breakdown of expenses by budget chapters (salaries, travel, publications, etc.), budgetary and extra-budgetary expenses, that could include contributions from other parties and observer fees, and the composition of the Working Capital Fund. He noted he noted that as of October 25, the date of the data referred to in this document, the estimated balance in the Working Capital Fund for the end of Fiscal Year 2004 was €-57,274.16, and that on November 14, the date to which the Addendum to the Financial Report refers, the balance amounted to €17,726.35, thanks to the contributions received during this time interval. The Chairman also pointed out that the Fund was in a healthier state than at this same time a year ago, that with these contributions the Fund had improved considerably, and that as a result the Fund, which represents a percentage of 11.24%, is close to the 15% recommended by the Commission to meet extra-budgetary expenses that can arise.

The Delegate of the European Community pointed out that the situation has improved with respect to the previous year and that since the Contracting Parties request more financial support for the Committee's work, to reinforce the technical assessments, data matters, and holding scientific meetings, it is essential to support these costs and that the parties comply with their contributions. He explained that if financial obligations are not met, the rules governing this situation should be applied and therefore the Commission should intervene to suspend voting rights of Parties that have not settled their debts. Further, he asked the Chairman to prepare a document which shows the past due contributions of those Parties that have not complied with their total financial obligations for 2002 and 2003.

Several delegations concerned indicated that this situation was due to some economic problems and that they would endeavor to settle their arrears as soon as possible.

At the second session a document on the Contracting Parties with debts pending from 2002 and 2003 was presented, which showed the information requested by the European Community with regard to voting rights in accordance with Article X.8 of the ICCAT Convention.

The Delegate of the European Community thanked the Secretariat for the document presented and reiterated its position regarding the non-payment of contributions and the application of the aforementioned Article.

The Delegate of Canada seconded the European Community proposal.

The Delegate of the United States stressed the economic difficulties that this Commission has had, and proposed a transition period of one year in which to urge the Contracting Parties to comply with their financial obligations to the Commission. She also proposed that the Parties with accumulated arrears should submit action plans to the Commission detailing how they intend to repay the outstanding contributions, and the Commission would review this information at the 2005 annual meeting to consider application of Article X.8 of the Convention.

This proposal was supported by Brazil, Uruguay, Morocco, Gabon, Trinidad and Tobago, Republic of Guinea, and the People's Republic of China.

Since there was no consensus on the European Community proposal, the Chairman proposed that the indebted Contracting Parties be invited to establish a payment plan of their debt well in advance, which would be reviewed at the next meeting of the Commission and to postpone until then the decisions on the application of Article X.8. This proposal was approved.

6 Status of the ratification/acceptance of the Madrid Protocol

The Chairman pointed out that the status of the Madrid Protocol had changed due to Equatorial Guinea's recent ratification, and that only the official notification from FAO was lacking. He also commented on the significant change in the contributions for the 2006-2007 biennial period with the entry into force of the aforementioned Protocol.

The Secretariat presented tables showing a comparison of contributions according to the Madrid Protocol and the current calculation scheme, the basic information to calculate the 2005 Contracting Party contributions, estimated contributions for the 2005 Budget for each Contracting Party, and the contributions according to Groups A, B, C and D, which are attached as **Appendix 2** to **ANNEX 7**.

The Delegate of the United Kingdom (Overseas Territories) indicated the impact of the new contribution scheme on its overseas territories and requested clarification on the calculations and classifications.

The Chairman commented that the Secretariat would contact other intergovernmental organizations in which similar issues arise and that the Secretariat would develop options to deal with this issue.

7 Budget and Contracting Parties contributions for 2005

The Budget and Contracting Party contributions for Fiscal Year 2005 were presented.

The SCRS Chairman cited the recommendations of the Scientific Committee that have financial repercussions: the use of peer-review funding to finance the contracting of an external chairperson for the bluefin tuna stock assessment, support for the initiative of a large-scale research program for bluefin tuna in 2005, the annual financing of the Bluefin Year Program, the annual financing of the Billfish Program, preparation of the *Field Manual*, and the hiring of a By-Catch Coordinator. He listed the proposals that are already assumed within the Budget.

The Chairman indicated that the SCRS proposals would be reviewed in the different panels and committees.

Mr. Jones explained that normally there is no change in the budget for the second part of the biennial period, but that this year there had been a revision of the salaries in the General Services category, which has not had an increase since July 1999. He explained that in October 2004, the United Nations published a change in the salaries of this category, which was retroactive to April 2004. This increase, together with the Post Adjustment percentage for the Professional or Higher categories and the publication of a new scheme applicable for the base to apply the pensions for the Professional category, explains the substantial increase in the Budget. The Chairman also explained that these percentages represented a 12.80% increase over the Budget adopted last year, which for Chapter 1, Salaries is 13.29% and for Chapter 8.a Salaries, a 26.86% increase.

The Delegate of the People's Republic of China indicated that after having made some consultations, he approved the 2005 Budget.

The Delegate of the European Community continued to express his concern about the important increase in the budget and asked what will happen with the accumulated debt of some Contracting Parties after the implementation of the Madrid Protocol.

The Chairman responded that when the change in the calculation scheme is made in the next biennial period, the debt will continue to be considered as a liability.

At the third session, at the request of the Commission Chairman, the STACFAD Chairman presented new options with the aim of reducing the increase shown in the draft budget presented by the Secretariat for 2005.

After reviewing the new budget, the Chairman pointed out that, taking into account the amount of time needed for the hiring of the Compliance Officer and the Publications Coordinator, the increase in the budget with respect to that foreseen, would only be 6.05%. Furthermore, the adherence of Guatemala as a new Contracting Party, as well as new Panel memberships would offset the relative increase in contributions for some Contracting Parties. The Committee also approved the recourse to the Working Capital Fund to cover, as extra-budgetary expenses, the part of the salaries of the new recruitments which was not covered by the budget adopted.

The 2005 Budget, the 2005 Contracting Party contributions, and the catch and canning figures were adopted, as attached in **Tables 1 to 3**.

8 Other matters

The Chairman moved on to the next item on the Agenda, included at the request of Japan.

The Delegate of Japan presented a project for data improvement. She said that the Government of Japan was going to allocate about US\$300,000 per annum for a five-year period, starting in 2004, i.e. US\$1,500,000 for the entire project. She explained that it would be usable for various activities to improve the collection and analysis of data of developing countries, and that it would be a fund dedicated mainly to African, Central American and South American countries. She also pointed out that a Steering Committee would be designated in 2005 to initiate the project. The aforementioned project will start with a Brazilian initiative for data improvement. This funding, which will be administered by the Secretariat, will include provision for a person to coordinate the project activities.

The Chairman appreciated the generous contribution from Japan, given that in recent years this Commission has demonstrated its concern about the data problems of the developing countries, for which this project will be of enormous utility to assist the SCRS in the collection of information.

The Delegates of Brazil, Gabon, Equatorial Guinea, Morocco, and the Republic of Guinea thanked Japan for this new project. Equatorial Guinea expressed the hope that other countries would collaborate with the Japanese initiative.

The Delegate of the United States joined in the appreciation and made a commitment to make an additional contribution for data improvement.

9 Adoption of the report and adjournment

The Chairman noted that the Report of STACFAD would be adopted by correspondence.

The Chairman, Mr. J. Jones, adjourned the meeting of STACFAD.

The STACFAD Report was adopted by correspondence.

Table 1. 2005 Commission Budget (Euros) Revised

	2004	2005	2005 Revised	Increase Revised
1. Salaries	798,307.49	866,510.02	981,663.78	13.29%
2. Travel	41,847.27	43,102.69	43,102.69	0.00%
3. Commission meetings (annual & inter-sessional)	112,509.47	115,884.75	115,884.75	0.00%
4. Publications	50,941.79	52,470.04	52,470.04	0.00%
5. Office Equipment	7,813.16	8,047.55	8,047.55	0.00%
6. Operating expenses	109,384.20	112,665.73	112,665.73	0.00%
7. Miscellaneous	6,250.53	6,438.05	6,438.05	0.00%
<i>Sub-total Chapters 1-7</i>	<i>1,127,053.91</i>	<i>1,205,118.83</i>	<i>1,320,272.59</i>	<i>9.56%</i>
8. Coordination of research				
a) Salaries	523,246.29	546,983.59	555,762.73	1.61%
b) Travel to improve statistics	35,409.23	36,471.51	36,471.51	0.00%
c) Statistics-Biology	44,691.26	46,032.00	46,032.00	0.00%
d) Computer-related items	25,000.00	25,750.00	25,750.00	0.00%
e) Database maintenance	16,407.63	16,899.86	16,899.86	0.00%
f) Phone line-Internet domain	10,000.00	10,300.00	10,300.00	0.00%
g) Scientific meetings (including SCRS)	75,006.31	77,256.50	77,256.50	0.00%
h) ICCAT Bluefin Year Program (BYP)	14,163.69	14,588.60	14,588.60	0.00%
i) ICCAT Billfish Research Program	10,944.67	11,273.01	11,273.01	0.00%
j) Miscellaneous	5,938.00	6,116.14	6,116.14	0.00%
<i>Sub-total Chapter 8</i>	<i>760,807.08</i>	<i>791,671.21</i>	<i>800,450.35</i>	<i>1.11%</i>
9. Contingencies	20,000.00	20,600.00	20,600.00	0.00%
10. Separation from Service Fund	30,000.00	30,900.00	30,900.00	0.00%
TOTAL BUDGET	1,937,860.99	2,048,290.04	2,172,222.94	6.05%

Table 2. Contracting Party Contributions 2005 Revised

Contracting Parties	#	%	Total Budget (Euros) =				1 EURO =		US\$ 1.232			
			TM	TM	TM	%	EUROS	EUROS	EUROS	EUROS	EUROS	
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)		
Algérie	2	2.632	3,794	3,000	6,794	0.998	812.00	1,624.00	18,242.59	13,834.55	34,513.14	Algérie
Angola	2	2.632	337	0	337	0.049	812.00	1,624.00	18,242.59	686.23	21,364.82	Angola
Barbados	0	0.877	318	0	318	0.047	812.00	0.00	6,080.86	647.54	7,540.40	Barbados
Brazil	3	3.509	48,631	10,140	58,771	8.632	812.00	2,436.00	24,323.45	119,674.81	147,246.26	Brazil
Canada	3	3.509	2,172	0	2,172	0.319	812.00	2,436.00	24,323.45	4,422.82	31,994.27	Canada
Cap-Vert	1	1.754	3,640	705	4,345	0.638	812.00	812.00	12,161.72	8,847.68	22,633.41	Cap-Vert
China, People's Rep. of	3	3.509	9,056	0	9,056	1.330	812.00	2,436.00	24,323.45	18,440.64	46,012.09	China, People's Rep. of
Communauté Européenne	4	4.386	213,746	109,219	322,965	47.435	812.00	3,248.00	30,404.31	657,650.43	692,114.75	Communauté Européenne
Côte d'Ivoire	2	2.632	380	0	380	0.056	812.00	1,624.00	18,242.59	773.79	21,452.38	Côte d'Ivoire
Croatia	1	1.754	930	302	1,232	0.181	812.00	812.00	12,161.72	2,508.71	16,294.43	Croatia
France (St. P. & M.)	3	3.509	0	0	0	0.000	812.00	2,436.00	24,323.45	0.00	27,571.45	France (St. P. & M.)
Gabon	2	2.632	634	0	634	0.093	812.00	1,624.00	18,242.59	1,291.01	21,969.60	Gabon
Ghana	1	1.754	54,292	44,093	98,385	14.450	812.00	812.00	12,161.72	200,340.40	214,126.13	Ghana
Guatemala, Rep. de	1	1.754	0	0	0	0.000	812.00	812.00	12,161.72	0.00	13,785.72	Guatemala, Rep. de
Guinea Ecuatorial	1	1.754	0	0	0	0.000	812.00	812.00	12,161.72	0.00	13,785.72	Guinea Ecuatorial
Guinea, Rep. of	0	0.877	0	0	0	0.000	812.00	0.00	6,080.86	0.00	6,892.86	Guinea, Rep. of
Honduras	1	1.754	0	0	0	0.000	812.00	812.00	12,161.72	0.00	13,785.72	Honduras
Iceland	1	1.754	0	0	0	0.000	812.00	812.00	12,161.72	0.00	13,785.72	Iceland
Japan	4	4.386	34,954	0	34,954	5.134	812.00	3,248.00	30,404.31	71,176.48	105,640.80	Japan
Korea, Rep. of	3	3.509	284	0	284	0.042	812.00	2,436.00	24,323.45	578.31	28,149.76	Korea, Rep. of
Libya	2	2.632	1,962	0	1,962	0.288	812.00	1,624.00	18,242.59	3,995.20	24,673.79	Libya
Maroc	3	3.509	13,296	900	14,196	2.085	812.00	2,436.00	24,323.45	28,907.17	56,478.62	Maroc
Mexico	3	3.509	179	0	179	0.026	812.00	2,436.00	24,323.45	364.50	27,935.95	Mexico
Namibia	3	3.509	3,535	0	3,535	0.519	812.00	2,436.00	24,323.45	7,198.29	34,769.74	Namibia
Nicaragua, Rep. de	0	0.877	0	0	0	0.000	812.00	0.00	6,080.86	0.00	6,892.86	Nicaragua, Rep. de
Norway	1	1.754	0	0	0	0.000	812.00	812.00	12,161.72	0.00	13,785.72	Norway
Panama	2	2.632	6,020	0	6,020	0.884	812.00	1,624.00	18,242.59	12,258.47	32,937.05	Panama
Philippines, Rep. of	1	1.754	1,177	0	1,177	0.173	812.00	812.00	12,161.72	2,396.71	16,182.44	Philippines, Rep. of
Russia	1	1.754	1,622	0	1,622	0.238	812.00	812.00	12,161.72	3,302.86	17,088.59	Russia
São Tomé e Príncipe	1	1.754	56	0	56	0.008	812.00	812.00	12,161.72	114.03	13,899.76	São Tomé e Príncipe
South Africa	3	3.509	4,422	0	4,422	0.649	812.00	2,436.00	24,323.45	9,004.47	36,575.92	South Africa
Trinidad & Tobago	2	2.632	2,865	0	2,865	0.421	812.00	1,624.00	18,242.59	5,833.97	26,512.56	Trinidad & Tobago
Tunisie	1	1.754	6,560	2,015	8,575	1.259	812.00	812.00	12,161.72	17,461.19	31,246.91	Tunisie
Turkey	2	2.632	13,340	0	13,340	1.959	812.00	1,624.00	18,242.59	27,164.11	47,842.70	Turkey
United Kingdom (O. T)	4	4.386	402	0	402	0.059	812.00	3,248.00	30,404.31	818.59	35,282.90	United Kingdom (O. T)
United States	4	4.386	23,464	32,690	56,154	8.247	812.00	3,248.00	30,404.31	114,345.83	148,810.15	United States
Uruguay	2	2.632	968	0	968	0.142	812.00	1,624.00	18,242.59	1,971.13	22,649.72	Uruguay
Vanuatu	0	0.877	0	0	0	0.000	812.00	0.00	6,080.86	0.00	6,892.86	Vanuatu
Venezuela	2	2.632	22,563	2,201	24,764	3.637	812.00	1,624.00	18,242.59	50,426.69	71,105.28	Venezuela
TOTAL	75	100	475,599	205,265	680,864	100	31,668.00	60,900.00	693,218.31	1,386,436.63	2,172,222.94	TOTAL

A: Panel membership.

B: % annual and Panel membership (G+H)

C: Catch (live weight).

D: Canned production (net weight).

E: Total (C+D).

F: Percentage distribution of E.

G: Euros equivalent to \$1.000 annual membership fee (at the time of calculation)

H: Euros equivalent to \$1.000 for each Panel membership (at the time of calculation)

I: 1/3 of (total less G+H) distributed according to col. B %.

J: 2/3 of (total less G+H) distributed according to col. F %.

K: Total (G+H+I+J).

Based on 2000 catch and canning figures.

Table 3. Catch and canning figures (in t) of the Contracting Parties

<i>Parties</i>	2000			2001			2002			<i>Parties</i>
	<i>Catch</i>	<i>Canning</i>	<i>Total</i>	<i>Catch</i>	<i>Canning</i>	<i>Total</i>	<i>Catch</i>	<i>Canning</i>	<i>Total</i>	
Algérie	3,794	3,000	6,794	4,302	2,900	7,202	3,878	2,800	6,678	Algérie
Angola	337	0	337	0	0	0	0	0	0	Angola
Barbados	318	0	318	255	0	255	0	0	0	Barbados
Brazil	48,631	10,140	58,771	47,164	0	47,164	0	0	0	Brazil
Canada	2,172	0	2,172	2,062	0	2,062	2,027	0	2,027	Canada
Cap-Vert	3,640	705	4,345	3,600	425	4,025	0	962	962	Cap-Vert
China, People's Rep. of	9,056	0	9,056	9,371	0	9,371	8,027	0	8,027	China, People's Rep. of
Communauté Européenne	213,746 *	109,219	322,965	202,788	128,000	330,788	198,190	130,000	328,190	Communauté Européenne
Côte d'Ivoire	380	0	380	264	0	264	0	0	0	Côte d'Ivoire
Croatia	930	302	1,232	903	197	1,100	977	472	1,449	Croatia
France - St. P. & M.	0	0	0	0	0	0	0	0	0	France - St. P. & M.
Gabon	634	0	634	706	0	706	626	0	626	Gabon
Ghana	54,292	44,093 co	98,385	88,828	0	88,828	0	0	0	Ghana
Guatemala, Rep. de	0	0	0	0	0	0	0	0	0	Guatemala
Guinea Ecuatorial	0	0	0	0	0	0	0	0	0	Guinea Ecuatorial
Guinea, Rep. of	0	0	0	0	0	0	0	0	0	Guinea, Rep. of
Honduras	0	0	0	0	0	0	0	0	0	Honduras
Iceland	0	0	0	0	0	0	1	0	1	Iceland
Japan	34,954	0	34,954	27,721	0	27,721	0	0	0	Japan
Korea, Rep. of	284	0	284	165	0	165	0	0	0	Korea, Rep. of
Libya	1,962	0	1,962	2,189	0	2,189	0	0	0	Libya
Maroc	13,296	900	14,196	11,761	1,067	12,828	12,286	1,173	13,459	Maroc
Mexico	179	0	179	247	0	247	263 p	0	263	Mexico
Namibia	3,535	0	3,535	4,983	0	4,983	0	0	0	Namibia
Nicaragua, Rep. de	0	0	0	0	0	0	0	0	0	Nicaragua, Rep. de
Norway	0	0	0	0	0	0	0	0	0	Norway
Panama	6,020	0	6,020	0	0	0	0	0	0	Panama
Philippines, Rep. of	1,177	0	1,177	0	0	0	0	0	0	Philippines, Rep. of
Russia	1,622	0	1,622	1,627	0	1,627	1,005 p+	0	1,005	Russia
São Tomé e Príncipe	56	0	56	0	0	0	0	0	0	São Tomé e Príncipe
South Africa	4,422	0	4,422	7,991	0	7,991	6,624	874	7,498	South Africa
Trinidad & Tobago	2,865	0	2,865	3,322	0	3,322	0	0	0	Trinidad & Tobago
Tunisie	6,560	2,015	8,575	8,560	0	8,560	6,674	2,085	8,759	Tunisie
Turkey	13,340	0	13,340	15,166	0	15,166	0	0	0	Turkey
United Kingdom (O.T.)	402	0	402	450	0	450	322	0	322	United Kingdom (O.T.)
United States	23,464	32,690	56,154	25,880	35,399	61,279	0	27,611	27,611	United States
Uruguay	968	0	968	1,010	0	1,010	1,034	0	1,034	Uruguay
Vanuatu	0	0	0	0	0	0	0	0	0	Vanuatu
Venezuela	22,563	2,201	24,764	33,828	2,097	35,925	0	0	0	Venezuela
TOTAL	475,599	205,265	680,864	505,143	170,085	675,228	241,934	165,977	407,911	TOTAL

p= preliminary data.

p+= only partial data (quick estimates or selected gears, species, regions only).

Remainder of the data = obtained from the database, because there was no official communication.

co = Carry over from 1999 canning estimate.

* Cyprus (189 t) and Malta (557 t) catches have been included in EC catches due to the adherence of these countries to the EC on May 1, 2004.

Appendix 1 to ANNEX 7

- 1 Opening of the meeting
- 2 Adoption of the Agenda
- 3 Appointment of the Rapporteur
- 4 2004 Administrative Report
- 5 2004 Financial Report
- 6 Status of the ratification/acceptance of the Madrid Protocol
- 7 Budget and Contracting Party contributions for 2005
- 8 Other matters
- 9 Adoption of the report and adjournment

Appendix 2 to ANNEX 7

Appendix Table 2.1 Comparison of Contributions According to the Madrid Protocol and the Current Calculation Scheme (in Euros)

<i>Contracting Parties</i>	<i>2005 Contributions</i>	<i>Contributions (Madrid Protocol)</i>	<i>Difference</i>
Algérie	37,208.15	18,572.88	-18,635.27
Angola	23,170.91	5,157.45	-18,013.46
Barbados	8,170.75	3,643.91	-4,526.84
Brazil	157,683.35	117,309.69	-40,373.66
Canada	34,639.55	80,211.98	45,572.43
Cap-Vert	24,404.70	12,637.89	-11,766.81
China, People's Rep. of	49,605.07	24,760.36	-24,844.71
Communauté Européenne	739,509.21	948,651.69	209,142.48
Côte d'Ivoire	23,264.39	5,253.46	-18,010.93
Croatia	17,637.17	8,067.63	-9,569.54
France - St. P. & M.	22,438.29	55,843.54	33,405.25
Gabon	23,816.57	10,513.02	-13,303.55
Ghana	228,843.63	135,184.46	-93,659.17
Guatemala, Rep. de	7,479.43	1,468.34	-6,011.09
Guinea Ecuatorial	14,958.86	6,455.66	-8,503.20
Guinea, Rep. of	7,479.43	1,468.34	-6,011.09
Honduras	14,958.86	2,936.68	-12,022.18
Iceland	14,958.86	37,229.02	22,270.16
Japan	113,385.64	185,670.56	72,284.92
Korea, Rep. of	30,535.12	13,282.90	-17,252.22
Libya	26,703.59	12,250.60	-14,452.99
Maroc	60,779.21	31,485.63	-29,293.58
Mexico	30,306.85	13,145.52	-17,161.33
Namibia	37,602.65	13,766.06	-23,836.59
Nicaragua, Rep. de	7,479.43	1,468.34	-6,011.09
Norway	14,958.86	37,229.02	22,270.16
Panama	35,525.51	31,372.00	-4,153.51
Philippines, Rep. of	10,038.18	4,096.26	-5,941.92
Russia	18,485.02	6,558.17	-11,926.85
São Tomé e Príncipe	15,080.60	3,061.71	-12,018.89
South Africa	39,530.95	15,746.49	-23,784.46
Trinidad & Tobago	28,666.67	13,432.11	-15,234.56
Tunisie	33,600.54	17,675.35	-15,925.19
Turkey	51,438.87	27,137.79	-24,301.08
United Kingdom (O.T.)	38,271.07	94,137.51	55,866.44
United States	159,473.53	241,832.30	82,358.77
Uruguay	24,542.68	10,950.03	-13,592.65
Vanuatu	7,479.43	1,468.34	-6,011.09
Venezuela	76,274.16	59,253.02	-17,021.14
TOTAL	2,310,385.74	2,310,385.71	-0.03

Appendix Table 2.2. Basic information to calculate the Contracting Party contributions in 2005 (Madrid Protocol)

Contracting Parties	Groups ^a	GNP ^b		Catch ^c	Canning ^d	Catch + Canning	Panels ^e				Total Panels	Contracting Parties
		2001	1991				1	2	3	4		
Algérie	C	1,778	1,368	3,794	3,000	6,794	-	X	-	X	2	Algérie
Angola	D	742	571	337	0	337	X	-	-	X	2	Angola
Barbados	C	10,271	7,901	318	0	318	-	-	-	-	0	Barbados
Brazil	B	2,888	2,222	48,631	10,140	58,771	X	-	X	X	3	Brazil
Canada	A	22,385	17,219	2,172	0	2,172	X	X	-	X	3	Canada
Cap-Vert	D	1,322	1,017	3,640	705	4,345	X	-	-	-	1	Cap-Vert
China, People's Rep. of	C	918	706	9,056	0	9,056	X	X	-	X	3	China, People's Rep. of
Communauté Européenne	A	20,860	16,046	213,746 *	109,219	322,965	X	X	X	X	4	Communauté Européenne
Côte d'Ivoire	D	647	498	380	0	380	X	-	-	X	2	Côte d'Ivoire
Croatia	C	4,558	3,506	930	302	1,232	-	X	-	-	1	Croatia
France (St. P. & M.)	A	21,990	16,915	0	0	0	-	X	-	X	2	France (St. P. & M.)
Gabon	C	3,379	2,599	634	0	634	X	-	-	X	2	Gabon
Ghana	C	265	204	54,292	44,093 ^{co}	98,385	X	-	-	-	1	Ghana
Guatemala, Rep. de	D	1,748	1,345	0	0	0	-	-	-	-	0	Guatemala, Rep. de
Guinea Ecuatorial	C	3,940	3,031	0	0	0	-	-	-	X	1	Guinea Ecuatorial
Guinea, Rep. of	D	363	279	0	0	0	-	-	-	-	0	Guinea, Rep. of
Honduras	D	965	742	0	0	0	X	-	-	-	1	Honduras
Iceland	A	27,032	20,794	0	0	0	-	X	-	-	1	Iceland
Japan	A	32,540	25,031	34,954	0	34,954	X	X	X	X	4	Japan
Korea, Rep. of	C	8,955	6,888	284	0	284	X	X	-	X	3	Korea, Rep. of
Libya	C	5,357	4,121	1,962	0	1,962	X	X	-	-	2	Libya
Maroc	C	1,157	890	13,296	900	14,196	X	X	-	X	3	Maroc
Mexico	C	6,150	4,731	179	0	179	X	X	-	X	3	Mexico
Namibia	D	1,606	1,235	3,535	0	3,535	X	-	X	X	3	Namibia
Nicaragua, Rep. de	D	484	372	0	0	0	-	-	-	-	0	Nicaragua, Rep. de
Norway	A	36,974	28,442	0	0	0	-	X	-	-	1	Norway
Panama	B	3,383	2,602	6,020	0	6,020	X	X	-	-	2	Panama
Philippines, Rep. of	D	926	712	1,177	0	1,177	-	-	-	-	0	Philippines, Rep. of
Russia	D	2,139	1,645	1,622	0	1,622	X	-	-	-	1	Russia
São Tomé e Príncipe	D	307	236	56	0	56	X	-	-	-	1	São Tomé e Príncipe
South Africa	D	2,550	1,962	4,422	0	4,422	X	-	X	X	3	South Africa
Trinidad & Tobago	C	6,835	5,258	2,865	0	2,865	X	-	-	X	2	Trinidad & Tobago
Tunisie	C	2,077	1,598	6,560	2,015	8,575	-	X	-	-	1	Tunisie
Turkey	C	2,131	1,639	13,340	0	13,340	-	X	-	X	2	Turkey
United Kingdom (O.T.)	A	24,186	18,605	402	0	402	X	X	X	X	4	United Kingdom (O.T.)
United States	A	34,946	26,882	23,464	32,690	56,154	X	X	X	X	4	United States
Uruguay	C	5,545	4,265	968	0	968	-	-	X	X	2	Uruguay
Vanuatu	D	1,054	811	0	0	0	-	-	-	-	0	Vanuatu
Venezuela	B	5,048	3,883	22,563	2,201	24,764	X	-	-	X	2	Venezuela

^a Group A: Members with developed market economy, as defined by the United Nations Conference on Trade and Development UNCTAD).

Group B: Members whose GNP per capita exceeds US\$ 2,000 and whose combined catches and canning of tuna exceeds 5,000 t.

Group C: Members whose GNP per capita exceeds US\$ 2,000 or whose combined catches and canning of tuna exceeds 5,000 t.

Group D: Members whose GNP per capita does not exceed US\$ 2,000, and whose combined catches and canning of tuna does not exceed 5,000 t.

^b GNP: Gross National Product per capita in US\$. Source: UNCTAD.

GNP with values adjusted to 1991 using a multiplier of 1.30 (Source: U.S. Bureau of Labor Statistics).

^c 2000 catches (t).

^d 2000 Canning (t).

^e Panel membership: Panel 1 = Tropical tunas; Panel 2 = Temperate tunas-North; Panel 3 = Temperate tunas-South; and Panel 4 = Other species.

* The catches of Cyprus (189 tons) and Malta (557 tons) have been included in the catches of the European Community, due to their being members of the European Community as of May 1, 2004.

^{co} = Traspaso de la estimación de enlatado de 1999.

Appendix Table 2.3. Estimated contributions for the 2005 Budget for each Contracting Party (Euros) (Madrid Protocol).

Exchange rate: 1 € = 1.232 US\$											
Contracting Party	Group ^a	Catch + Canning ^a	Panels ^a	% Catch + Canning ^b	% Member + Panels ^c	Membership fee ^d	Panel Membership ^e	Variable fees for Member ^f	Variable fees Catch-Canning ^g	Total fees ^h	Contracting Party
Algérie	C	6,794	2	4.28%	6.98%	812.00	1,624.00	7,247.49	8,889.40	18,572.88	Algérie
Angola	D	337	2	2.12%	11.11%	812.00	1,624.00	1,969.02	752.43	5,157.45	Angola
Barbados	C	318	0	0.20%	2.33%	812.00	0.00	2,415.83	416.08	3,643.91	Barbados
Brazil	B	58,771	3	65.63%	40.00%	812.00	2,436.00	26,641.96	87,419.73	117,309.69	Brazil
Canada	A	2,172	3	0.52%	12.90%	812.00	2,436.00	71,210.05	5,753.93	80,211.98	Canada
Cap-Vert	D	4,345	1	27.37%	7.41%	812.00	812.00	1,312.68	9,701.21	12,637.89	Cap-Vert
China, People's Rep. of	C	9,056	3	5.70%	9.30%	812.00	2,436.00	9,663.31	11,849.04	24,760.36	China, People's Rep. of
Communauté Européenne	A	322,965	4	77.52%	16.13%	812.00	3,248.00	89,012.56	855,579.13	948,651.69	Communauté Européenne
Côte d'Ivoire	D	380	2	2.39%	11.11%	812.00	1,624.00	1,969.02	848.44	5,253.46	Côte d'Ivoire
Croatia	C	1,232	1	0.78%	4.65%	812.00	812.00	4,831.66	1,611.97	8,067.63	Croatia
France (St. P. & M.)	A	0	2	0.00%	9.68%	812.00	1,624.00	53,407.54	0.00	55,843.54	France (St. P. & M.)
Gabon	C	634	2	0.40%	6.98%	812.00	1,624.00	7,247.49	829.54	10,513.02	Gabon
Ghana	C	98,385	1	61.96%	4.65%	812.00	812.00	4,831.66	128,728.81	135,184.46	Ghana
Guatemala, Rep. de	D	0	0	0.00%	3.70%	812.00	0.00	656.34	0.00	1,468.34	Guatemala, Rep. de
Guinea Ecuatorial	C	0	1	0.00%	4.65%	812.00	812.00	4,831.66	0.00	6,455.66	Guinea Ecuatorial
Guinea, Rep. of	D	0	0	0.00%	3.70%	812.00	0.00	656.34	0.00	1,468.34	Guinea, Rep. of
Honduras	D	0	1	0.00%	7.41%	812.00	812.00	1,312.68	0.00	2,936.68	Honduras
Iceland	A	0	1	0.00%	6.45%	812.00	812.00	35,605.02	0.00	37,229.02	Iceland
Japan	A	34,954	4	8.39%	16.13%	812.00	3,248.00	89,012.56	92,598.00	185,670.56	Japan
Korea, Rep. of	C	284	3	0.18%	9.30%	812.00	2,436.00	9,663.31	371.59	13,282.90	Korea, Rep. of
Libya	C	1,962	2	1.24%	6.98%	812.00	1,624.00	7,247.49	2,567.12	12,250.60	Libya
Maroc	C	14,196	3	8.94%	9.30%	812.00	2,436.00	9,663.31	18,574.32	31,485.63	Maroc
Mexico	C	179	3	0.11%	9.30%	812.00	2,436.00	9,663.31	234.21	13,145.52	Mexico
Namibia	D	3,535	3	22.27%	14.81%	812.00	2,436.00	2,625.36	7,892.70	13,766.06	Namibia
Nicaragua, Rep. de	D	0	0	0.00%	3.70%	812.00	0.00	656.34	0.00	1,468.34	Nicaragua, Rep. de
Norway	A	0	1	0.00%	6.45%	812.00	812.00	35,605.02	0.00	37,229.02	Norway
Panama	B	6,020	2	6.72%	30.00%	812.00	1,624.00	19,981.47	8,954.53	31,372.00	Panama
Philippines, Rep. of	D	1,177	0	7.41%	3.70%	812.00	0.00	656.34	2,627.92	4,096.26	Philippines, Rep. of
Russia	D	1,622	1	10.22%	7.41%	812.00	812.00	1,312.68	3,621.49	6,558.17	Russia
São Tomé e Príncipe	D	56	1	0.35%	7.41%	812.00	812.00	1,312.68	125.03	3,061.71	São Tomé e Príncipe
South Africa	D	4,422	3	27.86%	14.81%	812.00	2,436.00	2,625.36	9,873.13	15,746.49	South Africa
Trinidad & Tobago	C	2,865	2	1.80%	6.98%	812.00	1,624.00	7,247.49	3,748.62	13,432.11	Trinidad & Tobago
Tunisie	C	8,575	1	5.40%	4.65%	812.00	812.00	4,831.66	11,219.69	17,675.35	Tunisie
Turkey	C	13,340	2	8.40%	6.98%	812.00	1,624.00	7,247.49	17,454.31	27,137.79	Turkey
United Kingdom (O.T.)	A	402	4	0.10%	16.13%	812.00	3,248.00	89,012.56	1,064.95	94,137.51	United Kingdom (O.T.)
United States	A	56,154	4	13.48%	16.13%	812.00	3,248.00	89,012.56	148,759.74	241,832.30	United States
Uruguay	C	968	2	0.61%	6.98%	812.00	1,624.00	7,247.49	1,266.55	10,950.03	Uruguay
Vanuatu	D	0	0	0.00%	3.70%	812.00	0.00	656.34	0.00	1,468.34	Vanuatu
Venezuela	B	24,764	2	27.65%	30.00%	812.00	1,624.00	19,981.47	36,835.55	59,253.02	Venezuela

^a Table 1.

^b Percentage of catch and canning within the group in which the member is a part.

^c Percentage for Commission membership and Panel membership within the group in which the member is a part.

^d US\$ 1,000 annual contribution for Commission membership.

^e US\$1,000 annual contribution for each Panel membership in which the member belongs.

^f Variable fee in proportion to the percentage as a member of the Commission and Panels.

^g Variable fee in proportion to the percentage according to catch and canning.

^h Total contribution.

Appendix Table 2.4. Contributions by group. Fees expressed in Euros. (Madrid Protocol)

<i>Groups</i>	<i>Parties^a</i>	<i>Panels^b</i>	<i>Catch + Canning^c</i>	<i>% of each Party^d</i>	<i>% of the Budget^e</i>	<i>Cuotas^f</i>	<i>Cuotas Subcomis.^g</i>	<i>Otras Cuotas^h</i>	<i>Total Cuotasⁱ</i>
A	8	23	416,647.00	---	72.75%	6,496.00	18,676.00	1,655,633.63	1,680,805.63
B	3	7	89,555.00	3.00%	9.00%	2,436.00	5,684.00	199,814.72	207,934.72
C	15	28	158,788.00	1.00%	15.00%	12,180.00	22,736.00	311,641.86	346,557.86
D	13	14	15,874.00	0.25%	3.25%	10,556.00	11,368.00	53,163.54	75,087.54
TOTAL	39	72	680,864.00		100.00%	31,668.00	58,464.00	2,220,253.74	2,310,385.74

^a Number of Contracting Parties per Group (Table 1).

^b Number of Panels within each Group.

^c Total catch and canning, in t, of each Group.

^d Percentage of the budget financed by each member of each Group according to the Madrid Protocol.

^e Percentage financed of the budget for each Group.

^f Commission membership fees within each Group.

^g Panel memberships within each Group.

^h Other fees: 1/3 for Commissionpor and Panel membership and 2/3 for catch and canning.

ⁱ Total fees per Group.

REPORTS OF THE MEETINGS OF PANELS 1-4

REPORT OF THE MEETING OF PANEL 1

1 Opening of the meeting

In the absence of the Delegate of Côte d'Ivoire, Panel 1 was chaired by the first Vice-Chairman of the Commission, Dr. Abdellah Srour (Morocco). The Delegate of the United States presented an opening statement, attached as **Appendix 2** to **ANNEX 8**.

2 Adoption of Agenda

The Agenda was adopted and is attached as **Appendix 1** to **ANNEX 8**.

3 Appointment of Rapporteur

Ms. J. Allison Routt (United States) was appointed Rapporteur for Panel 1.

4 Review of Panel membership

Guatemala, as a new Contracting Party to ICCAT, indicated its wish to be a member of Panel 1. France (St. Pierre and Miquelon) also joined the Panel in 2004, bringing the total membership to 26 Contracting Parties: Angola, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, European Community, France (St. Pierre and Miquelon) Gabon, Ghana, Guatemala, Honduras, Japan, Korea, Libya, Mexico, Morocco, Namibia, Panama, Russia, Sao Tome & Principe, South Africa, Trinidad and Tobago, United Kingdom (Overseas Territories), United States of America, and Venezuela.

5 Report of the Standing Committee on Research and Statistics (SCRS)

5.1 Bigeye tuna

Dr. Joao Gil Pereira, Chairman of the SCRS, presented the results of the 2004 bigeye tuna stock assessment. He noted that the assessment was conducted with data through 2002 only because the 2003 data set was incomplete.

Dr. Pereira reported that the preliminary results from the 2004 assessment are somewhat more optimistic and indicate that the current biomass is slightly below or above (85%-107%) the biomass at MSY. The current fishing mortality is also in the range of 73% to 101% of the level that would produce MSY. The projection results suggest that the biomass of the stock will likely decline further with constant catches of 100,000 t or more. While the stock assessment suggests improvement in the status of the bigeye tuna stock, the SCRS also reported that the improvement is almost entirely a result of the apparent reductions in IUU catches.

Dr. Pereira added that, with the current catch levels, MSY has been obtained and the biomass production analysis model results are promising. Results of the stock projections also suggest a decline in the stock biomass if catches continue to fall within the 90,000-100,000 t range. The effects of the current regulations are that the moratorium on FADs has reduced the catch of juvenile bigeye tuna. However, a lack of data from this fishery has resulted in a lack of information on species composition for the study.

Dr. Pereira took questions on the results of the bigeye tuna assessment. The Delegate of the EC asked what effect the lack of the 2003 catch data had on the assessment and whether or not the timing of the assessment contributed to the problem.

The Delegate of Japan summarized the information paper on Japanese import data for bigeye tuna [PWG-051] and its implications relative to unreported catches of Atlantic bigeye tuna and other IUU activity. Japan

expressed concern that Chinese Taipei longline vessels operating in the Atlantic Ocean are using transshipment vessels to launder catches of bigeye by misreporting vessel names and ocean area of catch. Noting that Chinese Taipei's activities would be taken up elsewhere, Japan felt the issue was also relevant to Panel 1 because the catches are not being attributed to the Atlantic, which could have serious impact on results of the bigeye tuna stock assessments. The EC also expressed concern that the SCRS reported an apparent decrease in IUU fishing that may not actually be occurring.

The Delegate of South Africa added that they have noticed large numbers of empty Chinese Taipei flagged vessels entering South African ports for refueling, suggesting that the vessels off load their catches at sea in an effort to avoid detection. He added that the South African fleet operating in the Indian Ocean has not experienced an increase in bigeye tuna catches similar to that reported by Chinese Taipei.

The Delegate of the People's Republic of China stated that their vessel owners had not authorized any involvement in the illegal activity reported by Japan and added that Chinese officials are working with Japan in the investigation. The Delegate said that China will take action if any wrongdoing is discovered.

The Delegate of Canada asked the SCRS Chair whether the data from Japan's investigation would be incorporated into the Atlantic catches and whether these data would have changed the SCRS recommendations. Dr. Pereira responded that the discrepancy is insignificant and would likely not have changed the results of the assessment. He added that if the difference in the catches were larger, it may have resulted in a more pessimistic outlook. The United States added that the illegal bigeye tuna catches in the Atlantic would be accompanied by other target and non-target species, including by-catch, and that these catches were likely also not reported to ICCAT. The SCRS Chair concurred that this is a multi-species fishery.

The Delegate of the European Community asked whether the SCRS received Task I data from all Parties, Entities or Fishing Entities, particularly Chinese Taipei. Dr. Pereira responded that the Task I data was received by some Parties, Entities or Fishing Entities, including Chinese Taipei.

The Observer of Chinese Taipei responded to the comments by the delegations by reporting on a number of efforts already taken by his government with respect to their longline fishing vessels. These measures included full implementation of VMS for all longline vessels operating in the Atlantic starting in January 2004, scientific observers aboard (with up to 5% coverage), monitoring of catch, and working with import states such as Japan to monitor trade statistics. Ten vessels were penalized as a result of investigations with the Japanese government. Chinese Taipei attributed the increase of bigeye catches in the Indian Ocean to a decrease in the catches of albacore, adding that the ratios of bigeye and albacore had been changing since 1995. They also reported that there are 53 transport vessels in the Atlantic. Of these three are Korean, four are from Chinese Taipei and the rest are Japanese-owned. A large number of longliners built before 1988 have ULT freezer holds. Chinese Taipei added that the discrepancy in the catches should be only 4,000 t, and acknowledged that although there are some violations further investigation is required to determine which discrepancies are due to fish laundering. However, proven offenders have been punished accordingly. Chinese Taipei suggests increased monitoring along with increased international cooperation.

The Delegate of Japan disagreed with the statement made by Chinese Taipei, noting that Chinese Taipei did not provide information for the investigation to either rebut the charges or solve the problem. Japan was confident that the evidence presented to the Commission was accurate and undeniable. He added that action by Chinese Taipei has not been sufficient to address this problem.

The Delegate of the EC stated that the issue raised by Japan reiterated the need for ICCAT to develop a comprehensive monitoring and control regime similar to the one that the EC put forth in the past. He also suggested that the Commission consider a ban on at-sea transshipments at the 2004 meeting, noting that this issue is a global one, affecting ocean areas beyond the Atlantic.

5.2 Other species

5.2.1 Yellowfin tuna

The SCRS Chair reported that no new stock assessment had been conducted for yellowfin tuna in 2004. The 2003 catch for yellowfin tuna was down from previous years and had the lowest reported catch since 1984. The catch tables have been updated to reflect the 2003 reported yellowfin tuna catch.

5.2.2 Skipjack Tuna

Dr. Pereira reported that no new stock assessment was conducted for skipjack tuna in 2004. The 2003 reported catch for skipjack tuna had increased by 33% in the eastern Atlantic Ocean and by 12% in the western Atlantic in comparison with the 2002 catches. The catch tables for skipjack tuna have been updated to reflect the reported skipjack tuna catch.

6 Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

With regard to bigeye tuna management, the SCRS Chair reported that the SCRS recommended full implementation of the moratorium on FAD fishing by all surface fisheries in the Gulf of Guinea and that catch levels of 90,000 t or lower be maintained. The SCRS Chair added that IUU catches might have been underestimated.

The Delegate of the EC introduced a draft Recommendation on bigeye tuna conservation and management measures. He outlined the key elements of the proposal, noting that it follows the SCRS advice and establishes management measures for 2005-2008. The proposal establishes catch limits for the major fishing parties and includes a quarterly reporting system. The EC further elaborated on the proposal and its changes to the FAD moratorium in the Gulf of Guinea. The concentration of catches in the area suggests that a full closure to all gear types is needed. The proposal also addressed transshipping.

The Delegate of Japan expressed some concern with the EC proposal. He noted that longline vessels are catching larger fish and should be excluded from certain aspects of the measure. Also, with regard to small fish, he noted that the SCRS plans to consider the juvenile fish issue in 2005. The Delegate of Japan was concerned that the proposal did not include an observer program and suggested that 5% observer coverage is needed. With these changes, Japan was willing to accept the proposal.

The Delegate of Brazil expressed difficulties with the EC proposal. Brazil had not been consulted in its development and the quota allocation is much different from those that had previously been discussed. He noted that some Parties have increased their quota in comparison with the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures* [Rec. 03-01], while others are not provided with a quota. Moreover, Brazil cannot accept any allocation of quotas in disregard of the new *Criteria for the Allocation of Fishing Possibilities* approved by the Commission. Finally, the Delegate of Brazil noted that those countries at present subject to a catch limit had increased their catches, from 2002 to 2003, by about 14% (on average), while those without catch limits had indeed reduced their catches by 17%. He then concluded suggesting that any reference to quotas should be changed to catch limits, which should be applicable exclusively to those already subject to such limitation.

The Delegate of China added that, in 2002, when the current eastern and Mediterranean bluefin tuna management measure was adopted, underages were treated differently than they are in the EC's bigeye tuna proposal. In the bluefin tuna measure, shares were not allocated to Parties until underages were caught, whereas in bigeye tuna, some Parties have underages from previous years, but are still provided with catch limits. China was also concerned that only some Parties were given specific capacity limitations while others were not and suggested that they be removed from the capacity limit table.

The Delegate of the Philippines supported China's proposal and requested that the Philippines also be removed from the capacity limit table.

The Delegate of Canada noted that the EC proposal covers many of the elements of the bigeye tuna fishery that need to be addressed, with the exception of the small fish problem. Furthermore, it is not clear whether the measure on capacity is complete and covers all vessels. Canada was also concerned that the proposal did not include the reference to carryovers from the previous recommendation.

The Delegate of Cape Verde expressed the importance of the bigeye, yellowfin, and skipjack tuna fisheries to Cape Verde. She added that their fisherman would like to utilize the fishing opportunities for all three species and requested a 2000 t bigeye tuna quota.

The Delegate of Panama expressed concern that the proposal is not consistent with ICCAT's allocation criteria, especially with regard to fair and equitable allocation. Panama has developed its fishery and is being penalized

for its current management of this fishery. Panama's three vessels caught 3,000 t and the proposal should reflect this catch or Panama will not be in compliance.

The Delegate of South Africa also expressed a number of concerns with the proposal. South Africa believes that the reference period of 1991 and 1992 used to establish the catch limits is inappropriate, especially in conjunction with a capacity reference based on the most recent vessel list. The Delegate of South Africa also had difficulty with an increased quota being given to a Party who is in arrears to ICCAT. Furthermore, the provision for small harvesters is unacceptable; instead, the provision in the previous recommendation should be used. He also agreed with Canada that the provision regarding carryovers should be included.

The Delegate of the United States noted that the EC proposal arrived late in the meeting and expressed the need for more time to review its implications. However, he was pleased that a proposal that establishes a TAC that does not exceed 90,000 t as recommended by the SCRS had been developed. The United States had several concerns with the proposal. Firstly, the United States was disappointed that the proposal was circulated too late before any alternative proposals could be offered. Secondly, there was some question as to how the proposed plan improves on the current management for bigeye tuna, particularly with regard to juvenile fish. Thirdly, with no conclusion on the recommendation on transshipment, there is no way to know how a final recommendation would impact on the management and maintain catches within the TAC. Finally, the United States did not understand why size limits have been eliminated in the proposal.

The Delegate of the United States commented further that the United States recognized that there are numerous allocation alternatives for the 90,000 t TAC, but noted that the proposed allocation is based on average catches from 1991/1992 and does not consistently take into account recent developments for all Parties. One alternative is to use the average catches from 2002/2003 to establish the allocation and include non-Contracting Parties. The United States also favored having the time-area closure be maintained as established under *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregation Devices (FADs)* [Rec. 99-01]. However, if the proposed closure is adopted, the United States requested that all FADs be removed from this closed area. The United States also felt that a provision limiting carryover of underages should be added.

The Delegate of Russia concurred with the concerns expressed by Brazil and asked how unreported catches would be dealt with in the proposal.

The Delegate of France (St. Pierre & Miquelon) did not support the provision limiting those with small fisheries and asked that it be modified to reflect need by some Parties to develop a bigeye fishery on a limited basis.

The Delegate of Korea was also concerned over this provision, but generally supported the EC proposal.

The Delegate of Ghana expressed concerns on how the proposal was developed. The bigeye tuna fishery is important to Ghana and they have improved their compliance with the Gulf of Guinea closure. The Delegate thanked the United States for providing assistance to improve Ghana's monitoring and compliance.

The Delegate of Guatemala stated that Guatemala has a long history of tuna fishing in the Pacific and Atlantic and is in the process of developing its fisheries to combat poverty. The catch limit for those Parties with minor fisheries would be a significant impediment to developing these fisheries and Guatemala requested a fair quota. The Delegate recognized that Guatemala is new to ICCAT and that management is needed for this fishery, but added that that management should be fair.

Morocco, Gabon, Venezuela, and Mexico concurred with other Parties' concerns regarding the proposed allocation of bigeye catch limits to those with historically low catches. Trinidad and Tobago joined with Brazil and South Africa in their concerns with regard to minor fisheries, noting that while they do not currently fish bigeye tuna, they do not want to limit their future interest in the fishery.

The Delegate of the EC responded to the concerns expressed by the Parties. He noted that the compliance and catch tables for bigeye tuna do not support the interests of many Parties for additional quota or catch limits. He added that the four-year management period does not mean that the provisions of the measure are set in stone and asserted that the small fish issue is addressed by the closure. While recognizing Japan's concerns, the EC did not agree that some vessels should be immune to conservation measures, noting that longline fishing in the bigeye tuna fishery has increased, while purse seine fishing has decreased. He added that both Japan and the EC have reduced their effort in this fishery, and expressed his disappointment at the negative reaction to the proposal by those who stated that they had no short-term intention of developing their fisheries beyond the limits

envisaged by the draft. He also noted the criticism regarding the timing of the proposal, and reminded delegations that the EC had drafted the proposal in the absence of any alternative having been put forward. He suggested that those members of the Panel who had expressed discontent put forward alternative proposals.

The Delegate of Panama agreed with the comments from the EC, but added that an effort needs to be made to address the need of developing countries to develop fisheries. He added that the EC proposal is not fair and equitable, but could be changed to address these concerns.

The Delegate of Brazil shared these concerns and recommended an extension of the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures* [Rec. 03-01].

The Observer of Chinese Taipei echoed China's proposal to remove the capacity limitation and reminded the Commission of their document explaining their request for a quota for previous IUU vessels that have now been re-registered; this explanatory note is attached as **Appendix 3 to ANNEX 8**.

The Delegate of Russia noted the historic fishery in the former Soviet Union, which had 220 vessels. Russia has vessels poised to start fishing.

After significant debate, the Panel 1 Chair summarized the discussions on the EC proposal. He noted that the group had a shared concern to conserve bigeye tuna; however there are two views on the proposed recommendation. The first can accept the EC proposal with some changes. The second has significant concerns with the proposal; however, it is unclear whether they could agree to the measure. A third option, as proposed by Brazil, is to continue the current bigeye measure for another year.

At the third meeting of Panel 1 a modified version of the EC proposal, co-sponsored by Japan, was discussed. The Delegate of Japan introduced the proposal and summarized the changes from the original document.

The Delegate of Morocco supported the recommendation, adding that they will continue to support the development of their bigeye tuna fishery and that their government is undertaking a ban on gillnets, and that the changes in fishing methods that this would imply may lead to higher bigeye catches in the future.

Panama expressed concern because the proposed recommendation developed catch limits based on reference years of 1991 and 1992, a time period when Panama did not have any catches, and therefore would be left out of the allocation process. The Delegate felt that Panama should be included in the allocation table and receive a quota of 3,500 t to provide flexibility to their three active purse seine vessel. The EC supported this request.

The delegation from Ghana requested clarification on the time and area closure in the proposal. He noted that the area described in the draft recommendation was a quarter of the size of the area covered by the original FAD moratorium and asked whether the new closure replace the previous one. The Delegate of the EC confirmed that the proposed recommendation would replace the *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregation Devices (FADs)* [Res. 99-01], which established the original FAD moratorium.

The Observer of Chinese Taipei asked for clarification on the 8,000 t overharvest attributed to Chinese Taipei. The Delegate of Japan responded that the figure includes Chinese Taipei's overage, including the laundered catch.

The Delegate of Mexico stated that they did not want to set precedent of not addressing the issue of juvenile catch by repealing *Recommendation by ICCAT on a Bigeye Tuna Size Limit* [Rec. 79-01].

The Delegate of the EC responded that the only fleet that has complied with Recommendation 79-01 is the purse seine fleet, which has reduced its catches in the past five years. He added that the proposed closure is an area of high fishing activity and closing this area to purse seiners and baitboats will be effective in reducing catches of juveniles. He added that if SCRS identifies a problem resulting from increased longline catches in the closure area along with steady purse seine catches, then measures will be taken. The proposal provides flexibility for such changes.

The Delegate of the United States disagreed with information presented by the EC regarding the proposed closure, and noted that U.S. scientists' preliminary review indicates that only 1% of the bigeye tuna catch occurs

in the closed area. He added that, of this catch, 75% is made up by purse seiners and 25% by longliners. The United States felt that the FAD moratorium should not be removed, as this issue needs further consideration.

The Delegate of Morocco asked for clarification on how overages and/or underages in 2003 or 2004 would be handled. The Delegate of Japan responded each will be dealt with consistent with rules already established for overages or underages.

The Delegate of Canada pointed out a contradiction in the preamble of the Recommendation concerning the closure area, which suggests it applies to all fleets when actually it only applies to purse seiners and baitboats. Canada preferred that the closed area apply to all fleets. The Delegate of Mexico suggested that the proposed changes to the time and area closure in the Gulf of Guinea be reviewed by the SCRS in 2005 and that the results of this review would be considered by the Commission at its next annual meeting. The Panel agreed with this suggestion.

It was agreed that the text of the draft *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna* (ANNEX 5 [Rec. 04-01]) would be amended to reflect, as far as possible, the concerns expressed by the various delegations, and forwarded to plenary to see if consensus could be reached.

7 Research

7.1 Response to Commission

Dr. Pereira reported on the SCRS response to the Commission regarding the review of alternative minimum sizes for bigeye tuna. He stated that in analyzing measures to protect juvenile bigeye tuna, the proposed closure area for purse seine vessels may be effective and that additional management measures should be considered as part of a complete strategy for conserving all tropical tunas. He noted that there has not been adequate time for the SCRS to fully analyze the closure and alternatives to the closure; however, the SCRS has proposed that a working group meet in 2005 to review these issues.

The EC added that the working group should take into account the world session on bigeye tuna that was held in March 2004 and efforts by the Indian Ocean Tuna Commission.

7.2 Future research

Dr. Pereira reported that the work plan for 2005 identifies research efforts, specifically research on multi-species interactions and mortality of juvenile bigeye tuna.

8 Other matters

No other matters were discussed.

9 Adoption of the Report and adjournment

The meeting was adjourned by the Chairman. The report was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 2

1 Opening of the meeting

The meeting was opened by the Chairman of Panel 2, Mr. François Gauthiez (EC). No opening statements were made.

2 Adoption of Agenda

The Agenda was adopted without change (see **Appendix 1 to ANNEX 8**).

3 Appointment of Rapporteur

Ms. Rebecca Shuford (United States) was appointed Rapporteur.

4 Review of Panel membership

At the start of the meeting, Panel 2 comprised 17 Contracting Parties: Algeria, Canada, China, Croatia, European Community, France (St. Pierre and Miquelon), Iceland, Japan, Korea, Libya, Morocco, Mexico, Panama, Tunisia, Turkey, United Kingdom (Overseas Territories), and the United States.

Following the introduction of the relevant Parties by the Executive Secretary, the Chair opened the floor for comment on the list. Norway expressed its desire to become a member of Panel 2. The request was immediately accepted and Norway was welcomed as a new member of Panel 2.

5 Report of the Standing Committee on Research and Statistics (SCRS)

Dr. Joao Gil Pereira, SCRS Chairman, presented the relevant portions of the SCRS report, including responses to the Commission's requests.

Following the report, the Chairman of Panel 2 opened the floor. Significant discussion ensued, primarily pertaining to the issues of data collection and reporting by Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs), the reduction of catches of small bluefin tuna, and the rapidly expanding bluefin tuna farming industry. The United States, Canada, Mexico, and Japan expressed deep concern about the status of both the collection and reporting of Task I, II, and farming data by CPCs fishing the eastern stock and the efforts to reduce catches of small fish. It was stressed that the situation in which the SCRS finds itself unable to use conventional VPA stock assessment methods for the eastern stock because of insufficient data was of great concern. It was generally felt that rather than resort to application of less complex models, the Commission should make it a priority to improve the submission of data.

It was further noted by these Parties that in 2002, in exchange for the agreement to allow a four-year TAC above that recommended by the SCRS, a commitment was made by the eastern fishery Parties to address and improve the condition of each of these issues, particularly that of significantly reducing the catch of juveniles. However, there was concern that little to no progress has been achieved on any of these commitments. It was emphasized that if improvement is to be made, it is essential that each CPC participate fully in the collection and provision of data and monitoring of the catch of vessels under their flag.

The European Community responded to the concerns expressed by Mexico, Japan, Canada, and the United States. They conceded that there were issues with the collection of certain sectors of data, and noted that the concern was shared with the other Parties. However, they further noted that in many cases, the data are sufficiently reported. In terms of submission of farming data, they reported that data on both input and output tonnage in the EC fishery is known and submitted. The issue that remains is data on the composition of the caged stock, of which significant efforts are being made to obtain such information. Regarding landings of small tuna, although the EC submits that there may be some fisheries that still fish for juveniles, they noted that with the development of the farming industry that requires larger individuals, landings of small fish have been drastically reduced. They further noted their agreement that altering the method of stock assessment to less data dependent

models was not a sound approach and that as a Commission we need to assess how we can address the gaps to provide better data.

Several Parties emphasized the concern about the lack of attention paid to the fundamental issue of the collection of data on farming in the SCRS Report. They noted the importance of including consideration of the lack of such data on stock assessments and the provision of subsequent recommendations on how to improve this in the SCRS Report. On a general level, it was expressed that it would be helpful for the report to focus less on historical matter and more on current issues.

The EC also expressed concern about the SCRS recommendation to employ an external/independent scientist to chair the next bluefin tuna assessment, noting that they felt it diminished the credibility of the SCRS scientists who are in fact highly qualified. Mexico responded that the provision of an external chair was no reflection on the quality of the scientists, but rather provided additional perspective on approaches to appropriate stock assessments. The SCRS Chair also explained that their recommendation for an external chair followed from previous good experiences with the participation of peer review scientists and the expectation that such a chair might introduce a fresh view. Canada noted their support of an external chair should the SCRS advise it.

The SCRS Chair also responded to budgetary concerns voiced by the EC regarding the preparation of a new research program on bluefin tuna. It was noted that the funds requested were to cover not only meeting costs, but also the employment of a full-time Research Coordinator necessary to organize and execute the large-scale, multi-faceted program. Additionally it was noted that the travel and lodging for invited independent scientists was a component of the budget. The EC expressed that although the contributions of independent scientists are important, they did not feel it ICCAT's responsibility to finance their participation. Therefore they opposed inclusion in the budget.

Regarding the timing of the assessment, the SCRS Chair noted that it is currently scheduled for 2005. However, the SCRS would do as requested by the Commission.

6 Report of the 2nd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies

The Chair of the 2nd Meeting of the Working Group, Mr. François Gauthiez (EC), reported on the meeting held in Marseille in May of this year. He noted that the terms of reference for this Working Group are specified in the *Recommendation by ICCAT to Establish a Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies* [Rec. 02-11]. The report of this meeting was adopted without change and is attached as **ANNEX 4.1**). Following the Chair's report, the floor was opened for discussion.

Many Parties expressed their positive reaction to the meeting in Marseille. They further stressed the importance of the upcoming meeting to be held in Japan in April 2005 and the consideration of the alternatives available for integrated and coordinated management to provide the basis for future management. It was noted that at this meeting the Working Group will develop a set of management alternatives to be provided to the SCRS for consideration.

It was strongly encouraged that Panel 2 members that have not been involved in the past do their best to participate at the next meeting that will establish the groundwork for the next major management initiative for bluefin tuna.

7 Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

Norway made an opening statement to Panel 2, attached as **Appendix 4 to ANNEX 8** noting their historical fishery in bluefin tuna and intent to fish 100 t of quota from the "others" category. They further referenced their preliminary report on their bluefin tuna fishery and science activities.

The United States introduced a proposal regarding the next meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies. They noted that the intent was to set forth guidelines as to how the meeting should proceed, further noting that the scope of the meeting was not limited to the items listed, but would include discussion of any relevant issues the Working Groups finds important. The

proposal also sets forth a suggested time frame to give the SCRS to respond. As pertains to point 5, it was noted that because of the importance of the issue of farming, the United States proposed to take advantage of the meeting of the Working Group to hold a separate meeting on the farming topic to directly follow the Working Group meeting.

Japan supported the proposal, with the exception of the suggestion to convene an *ad hoc* working group on bluefin tuna following the 3rd meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies. Rather they suggest that the issue be discussed as part of the 3rd meeting. On this point, the EC responded that they felt it an important issue to be addressed at the 3rd meeting, noting that it was sufficiently important to warrant special attention. Canada also endorsed the proposal, while emphasizing that the points listed do not limit the issues that can be addressed. Regarding the supplemental farming meeting, Canada noted that it was not important whether the issue was addressed as part of the 3rd Working Group meeting or as a stand alone, but that it should be considered. Mexico also endorsed the proposal, with the exception that they felt a discussion of allocation criteria should be included. Ultimately, the concerned Parties decided that the issues addressed in the proposal regarding the next meeting of the Working Group were sufficiently addressed in the report of the 2nd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Strategies (see ANNEX 4.1) and that the adopted report would provide ample guidance for the functioning of the 3rd meeting to be held in Japan in April 2005. However, the United States requested that it be confirmed that point 5, referring to the inclusion of a session on farming at the 3rd Working Group meeting, had been accepted by the Panel. The EC and the Chair verified that this in fact had been agreed. In addition, the United States noted that they would table its proposal at the intersessional meeting.

The United States introduced a proposal for a Recommendation by ICCAT on recreational fishing, noting that it was in response to concerns about the previous proposal for a Recommendation by ICCAT to adopt measures concerning sport fishing. It was noted by several Parties that neither documents were Panel 2 documents so should be discussed in the relevant Panels. However, there was one proposal on the issue of recreational fishing in the Mediterranean that was under the purview of Panel 2. The EC introduced a draft Recommendation by ICCAT to adopt measures concerning sport and recreational fishing activities in the Mediterranean Sea. There was overwhelming support for this proposal by the Panel 2 members. However there were some minor points that the United States and the EC wished to be addressed. The United States noted that the language in the chapeau should be amended to remove the reference to interference with commercial fishing and that the word “recording” in point 3 might be better read as “collecting”. The EC agreed to these amendments. The EC also noted that in the French version, the proposal should include the term “recreational” in addition to “sport”, throughout the document.

With these changes agreed, the *Recommendation by ICCAT to Adopt Measures Concerning Sport and Recreational Fishing Activities in the Mediterranean Sea* (ANNEX 5 [Rec. 04-12]) was adopted.

The EC also introduced proposal for a Recommendation by ICCAT on bluefin tuna farming, noting that it strengthens the sampling measures adopted at the last Commission meeting in Dublin [Rec. 03-09]. Again there was overwhelming support by the Panel 2 Parties for the EC proposal. However, most had points that they wished addressed before it should be adopted. The United States recommended including language for the provision of observers and also for the encouragement of the development of acoustic and video monitoring systems to be used in the cages. Croatia suggested the need to clarify the meaning and distinction between the terms “farming” and “fattening”, noting that farming relates to fishing and fattening is a different element. Similarly, Japan suggested changing “at the harvesting”, which suggests after fattening, to “time of caging”. Additionally, they suggested that to have good estimates of size before fattening that sampling be done at the time of caging. Finally, to encourage the collection of data, Japan reported that they will instruct their buyers not to purchase fish from suppliers when sampling has not been done. Turkey suggested (1) in paragraph 2e, size composition sampling would be better using 10% for every 100 tons, and (2) that the size-composition or outcome can be converted if the food conversion rate during fattening can be calculated. The EC responded with acceptance for some suggestions and reservations with others. All concerned Parties agreed to discuss the proposal together to make the adjustments and then revisit for adoption. A revised proposal for a Recommendation by ICCAT on bluefin tuna farming was introduced. Turkey noted the need to change the citing of 2e in paragraph 2b as it was incorrect and should instead refer to the second paragraph of 2b. They further noted that this paragraph should include the word “composition” to follow “size”, and that “harvest” should be replaced with “catch”. Finally, Turkey suggested changing the requirement for submission of data from four days to one week and in paragraph 10 changing “growth limits” to growth rates. The United States proposed in paragraph 2b to change “harvest, covering all cages” to “any harvesting...”.

With the inclusion of these changes, the *Recommendation by ICCAT on Bluefin Tuna Farming* was adopted (ANNEX 5 [Rec. 04-06]).

On the tuna farming issue, following completion of Panel 2 member discussions, the Chair gave the floor to the observer from the World Wildlife Fund (WWF) for comment. The WWF Observer noted concern about transshipments of live tuna in the Mediterranean and suggested the provision of observers on the tug boats.

Canada introduced a draft Supplemental Resolution by ICCAT concerning the western Atlantic bluefin tuna rebuilding program, noting that it was simply a rollover of the Resolution adopted in Bilbao in 2002, but extending it through 2005.

The *Supplemental Resolution by ICCAT on Fishing for Bluefin Tuna in the Atlantic Ocean* (ANNEX 6 [Res. 04-08]) was adopted without comment.

A draft Supplemental Recommendation by ICCAT concerning the western Atlantic bluefin tuna rebuilding program was amended prior to introduction. An amended version was introduced by the United States.

The *Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program and the Conservation and Management Measures for Bluefin Tuna in the Eastern Atlantic and Mediterranean* (ANNEX 5 [Rec. 04-05]) was adopted with no discussion.

A draft Recommendation by ICCAT on the bluefin tuna size limit was introduced by the European Community. Croatia supported the proposal, however noting that they hoped that further measures would be discussed at the next SCRS meeting and that the GFCM play its role as the umbrella for Mediterranean fisheries. Morocco noted that although paragraph 2 noted “retaining on board”, paragraph 1 did not. They suggested that in the interest of consistency either this be added to paragraph 1 or deleted from both. The Parties agreed to include the statement in the first paragraph. Tunisia proposed that the proposal might be strengthened by including a ban on any “use” in paragraph 2. The Parties noted this but felt that it was effectively addressed as it currently stood and Tunisia accepted this response. Finally, the United States suggested that in paragraph 1 “and” should be changed to “and/or”.

The *Recommendation by ICCAT on the Bluefin Tuna Size Limit* (ANNEX 5 [Rec. 04-07]) was adopted incorporating these two minor adjustments.

8 Research

Albacore (North)

It was noted by the Chair that no date has been set yet for the next assessment. The SCRS Chair suggested that to coincide with southern albacore, the next assessment be held in 2007. This was accepted by all Parties. However, Canada pointed out that in the 2003 report, it was noted that the next assessment would be held in 2005, thus the change would need to be documented in a recommendation. The *Recommendation by ICCAT to Amend the Assessment Schedule for Northern Albacore* (ANNEX 5 [Rec. 04-03]) was presented and adopted in the Plenary.

Other research matters

The Chair further noted that there were several outstanding issues in need of closure. The first was the issue of the employment of an external chair for the next stock assessment. The EC reiterated its objections. There was no additional comment on this matter. Thus, the Panel concluded that an external chair would not be appointed.

The final outstanding matter regards the issue of €150,000 for the funding of the bluefin tuna research program. The EC requested clarification based on the previous year’s presentation for 2 million Euros over 4-5 years to support bluefin research. It was noted that at the 2nd meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies (Marseille, May 2004), this figure was found to be excessive, further noting that the cost of any new research program had not been estimated, and as it was understood was not already included in the budget. The SCRS Chair explained that this research program was proposed by the SCRS based on the Commission’s request, particularly that arising at the Marseille meeting. The SCRS proposal includes the convening of several planning meetings prior to the next management meeting. With the invitation of external experts, the estimated cost for this is €30,000. The remaining €120,000 is for the

salary of a Research Coordinator. However, if following the planning meetings, the Commission does not request immediate commencement of the planning of the research program, discussion of the hiring of a Coordinator may be deferred to the 3rd Meeting of the Working Group to Develop Integrated and Coordinated Bluefin Tuna Management Strategies. After an exchange of information between the Executive Secretary and the SCRS Chair, it was concluded that there is money available in the Bluefin Year Program budget to support only the currently existing coordination activities of the BYP, but not the SCRS planning meetings.

9 Other matters

No other matters were addressed.

10 Adoption of the report and adjournment

The Chairman noted that the Panel 2 report would be adopted by correspondence. The 2004 meeting of Panel 2 was adjourned.

The Report of Panel 2 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 3

1 Opening of the meeting

The meeting of Panel 3 was opened by the Panel Chairman, Dr. Johan van Zyl (South Africa).

2 Adoption of Agenda

The Agenda was adopted without modification (see **Appendix 1 to ANNEX 8**).

3 Appointment of Rapporteur

The ICCAT Secretariat was appointed Rapporteur for Panel 3.

4 Review of Panel membership

The Chairman noted that Panel 3 currently comprises eight Contracting Parties: Brazil, European Community, Japan, Namibia, South Africa, United Kingdom (Overseas Territories), United States of America and Uruguay. All the members were present.

5 Report of the Standing Committee on Research and Statistics (SCRS)

5.1 Southern bluefin tuna

Dr. Joao Pereira, the SCRS Chairman, reminded the Panel that southern bluefin tuna was under the management of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), and that the report on this species for 2004 had been prepared by that organization.

5.2 South Atlantic albacore

The SCRS Chairman reported that no assessment had been made of the southern albacore stock in 2004, but that catch data had been reviewed and updated. There had been some increase in the catch in 2003 compared with 2002, but was similar to that of 2001.

The Delegate of South Africa briefly reviewed the history of southern albacore catches and noted that following the first assessment of this stock, concerns at that time had led to the total allowable catch (TAC) being set at 22,000 t, as the stock had been exploited at levels beyond maximum sustainable yield (MSY). However, stock assessments carried out since that time had been consistent in estimating MSY at a higher level, and SCRS currently estimated MSY to be around 31,000 t. This difference was probably due to the effects of the prohibition of driftnet fishing that had been adopted by the United Nations and endorsed by ICCAT. The driftnet fishery had been largely responsible for the over exploitation of the stock in the late 1980s and early 1990s. The positive effects of the prohibition, however, were now evident, as average catch levels had remained stable for several years, with the TAC having been exceeded on very few occasions, and the state of the stock did not give cause for immediate concern.

In response to a question from the Delegate of the United States, the SCRS Chairman suggested that the next assessment of South Atlantic albacore be held together with the assessment of North Atlantic albacore, although the SCRS would carry out the assessment at the request of the Commission. It was noted that in general the SCRS had recommended that stocks be assessed every three years, in which case 2006 would be the most appropriate year.

6 Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

6.1 Southern bluefin tuna

The Panel Chairman reminded the Panel that southern bluefin tuna are currently managed by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), and that, in accordance with SCRS advice, ICCAT would continue to co-operate with that Commission.

6.2 South Atlantic albacore

The Delegate of South Africa recognized that the current management measures in force for South Atlantic albacore were not effective, as the reporting system was impractical. This failure to implement the management measures had led to ICCAT being criticized. Despite this, the fishing capacity of the Contracting Parties, and Cooperating non-Contracting Parties, Entities and Fishing Entities fishing actively for this stock had resulted in stable catch levels at around the level of MSY, and given current fishing capacity, there were no concerns that the stock would be over-exploited in the short term. South Africa therefore proposed that the monitoring system of the sharing arrangement which had been in force in recent years be discontinued, and that the TAC be set at a level of 31,000 t, consistent with SCRS advice, until the next stock assessment.

Clarification was sought as to why no inter-sessional meeting of Panel 3 had been held during 2004, as had been agreed at the 2003 Commission meeting. Those who had previously offered to host this meeting regretted that they had been unable to do so for unforeseen logistical reasons.

The Delegate of Brazil stated that his delegation had been willing in the past to participate in and even host the inter-sessional meeting, but that given that this had not taken place, he supported the proposal of South Africa to set a TAC without a specific sharing arrangement, to be revised in the light of the catch data and other new information before the next stock assessment, if necessary, at an inter-sessional meeting if the situation so warranted, and that Brazil would be willing to host such a meeting. This position was also supported by Namibia and Chinese Taipei.

The European Community expressed concerns over the setting of a shared TAC with no monitoring arrangement in place, and the Delegate of Japan asked for clarification as to why previous monitoring arrangements had failed. There was particular concern regarding the setting of the TAC at the upper level of the MSY range estimated by the SCRS. Doubts were also expressed about the verification of landing data for Chinese Taipei, which may mean that real catches could be higher than the MSY level. It was suggested that if the measure proposed by South Africa were adopted, there would be a need to ensure that overages were deducted from the following year's TAC.

It was clarified that the intention was not to neglect to monitor the catches, but merely to abolish the system of reporting catches every two months, as for some Contracting Parties collecting reliable data in the short time was problematic, especially given that many of the vessels targeting this species were at sea for longer than two months. It was stressed that the existing ICCAT Task I and Task II data reporting requirements in place for other species also relate to South Atlantic albacore.

The Chair requested South Africa to draft a written proposal, which would take into account the concerns which had been raised.

At the second session of Panel 3, South Africa introduced a draft Recommendation by ICCAT on the Southern Albacore Catch Limit for 2005 and 2006. This draft proposed a TAC for 2005 and 2006 which, following discussions, was extended to 2007, of 30,915 t, in line with SCRS advice, and attempted to address the concerns which had been raised earlier by providing for the deduction of any possible over-harvest in 2004 from the 2006 TAC, endorsing the ICCAT reporting requirements and providing that Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing for southern albacore improve their reporting and validation systems, and incorporating the possibility of an inter-sessional meeting of Panel 3 in 2006 in the event of over-harvest in 2004.

Panel members thanked South Africa for their efforts, but some delegations still had reservations in relation to the lack of control. After some discussion, it was agreed that the proposed text would be modified to include some of the operative paragraphs from the 2003 Recommendation.

It was also agreed that the stock assessment for South Atlantic albacore be scheduled for 2007, which was consistent with SCRS advice, and that the text would be amended to reflect this.

These modifications were accepted and the revised draft *Recommendation by ICCAT on the Southern Albacore Catch Limit for 2005, 2006 and 2007* (ANNEX 5 [04-04]) was adopted by the Panel and forwarded to the Commission for adoption.

The Delegate of Japan, while supporting the revised proposal, had continued concerns with regard to catch monitoring, as the absence of effective control was encouraging illegal fish laundering activities. He requested that the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities actively fishing for this species to take steps to improving their data collection and validation systems, and to report these improvements to the Commission in 2005.

The Delegate of Namibia expressed his hope that an inter-sessional meeting would be held as soon as possible, in order to be able to agree on a suitable sharing arrangement for this resource on the basis of the *ICCAT Criteria for the Allocation of Fishing Possibilities* [Ref. 01-25]. The Chair encouraged interaction and discussion by the Parties on this issue.

7 Research

The SCRS Chairman noted that no new research proposals had been made in 2004, but that those from the 2003 Report were still valid.

The Delegate of South Africa drew the attention of the Panel to the previous research recommendation of the SCRS that Parties, Entities or Fishing Entities develop and implement systems to validate their catches of South Atlantic albacore, and urged all those involved in the fishery to do this.

8 Other matters

No other matters were discussed.

9 Adoption of the report and adjournment

The Chairman noted that the Report of Panel 3 would be adopted by mail, and adjourned the 2004 meeting of Panel 3.

The Report of Panel 3 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 4

1 Opening of the meeting

The Chair, Ms. Mariam McCall (United States) welcomed the Panel members and observers and opened the meeting of Panel 4. No opening statements were presented.

2 Adoption of the Agenda

The Agenda was adopted without change, and is attached as **Appendix 1 to ANNEX 8**.

The Delegate from Morocco expressed interest in presenting their plan to eliminate driftnets at an appropriate time during the Panel 4 session. The Chair indicated that the presentation could be made under Agenda item 8.

3 Appointment of a Rapporteur

Ms. Christina Annand (Canada) was appointed Rapporteur for Panel 4.

4 Review of Panel membership

Panel 4 comprises the following 23 Contracting Parties: Algeria, Angola, Brazil, Canada, China, Cote d'Ivoire, Equatorial Guinea (Rep.), European Community, France (Saint Pierre & Miquelon) Gabon, Japan, Korea (Rep.) South Africa, Morocco, Mexico, Namibia, Malta, Trinidad and Tobago, Turkey, United Kingdom (Overseas Territories), United States, Uruguay, and Venezuela.

5 Report of the Standing Committee on Research and Statistics (SCRS)

Dr. Joao Pereira, the Chair of the SCRS, summarized the sections of the SCRS relevant to Panel 4.

5.1 Billfishes (blue marlin, white marlin and sailfish)

With respect to blue marlin, white marlin, sailfish and swordfish, no new assessments were conducted. Updated reports were provided on the description of the fishery and catch trends.

The Delegate of the United States asked for clarification on why marlin assessments were deferred and what the specific challenges were.

The Chair of the SCRS noted that in the case of marlins, timing between the assessments was considered a factor, as it would be necessary to evaluate the results of current measures and the response of the stock. He indicated the need for a data preparatory meeting for catches and relative abundance indices proposed for 2005. Another reason for postponing the assessments pertains to the billfish symposium to be held in 2005, which is expected to provide important information required for the assessment.

The Delegate of the United States noted that in previous marlin recommendations, time-area closures were recommended as a way to rebuild to MSY, and asked for a progress report.

The Chair of the SCRS indicated that any analysis of time-area closures would be dependent on Contracting Parties providing detailed information not currently available.

The Delegate of the EC commented that, against the background provided in Panel 2 relating to the bluefin tuna assessment schedule, there was a need to ensure that the Commission is consistent in its approach to setting assessment schedules.

The Delegate of Brazil stated that they would be hosting the data preparation meeting for blue marlin and white marlin, and would communicate the details of the invitation to the Secretariat.

5.2 Sharks (blue shark and shortfin mako)

The SCRS Chairman informed the Panel that two shark species, blue shark (*Prionace glauca*) and shortfin mako shark (*Isurus oxyrinchus*), had been assessed for the first time by the SCRS at a meeting held in Tokyo, in June 2004. Assessments for both species were carried out under the assumption of separate North Atlantic, South Atlantic and Mediterranean stocks. The SCRS had concluded that more research is required to give further support to this working hypothesis. Catch and biological data are considered very incomplete for these stocks and ratios from fleets landing tunas were used to construct accurate catch information. Given the data limitations, results are considered to be very preliminary.

For both north and south blue shark, the current biomass appears to be above the level that would support MSY, conditional on the assumptions made about catch, catch rate, abundance, initial stock size and life history parameters.

For North Atlantic shortfin mako, the stock may have experienced some level of stock depletion as suggested by historical CPUE and model output. The SCRS cannot rule out the possibility that the current stock size may be below the biomass that can support MSY, as trends in CPUE suggest depletions of 50% or more.

South Atlantic shortfin mako may have declined since the 1970s. For the current stock, the decline appears less than in the North Atlantic and the stock may be above MSY but due to a lack of a clear signal from the catch rate data historical stock trends range from undepleted to fully exploited.

Based on assumptions related to life history parameters, the shortfin mako assessments are more uncertain than the blue shark and a full evaluation on the sensitivity of the model is required before drawing stronger conclusions.

The SCRS Chairman reiterated a previous recommendation made by the Committee for members to provide accurate information on both directed and by-catch shark fisheries.

Chinese Taipei presented the “Report on Investigation of the Shark Fishery of Chinese Taipei Flagged Small-Scale Vessels in the Caribbean”, which had been compiled following concerns raised at the 2003 Commission meeting. This Report is attached as **Appendix 5 to ANNEX 8**.

5.3 Other species

No assessments were conducted for small tunas.

6 Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

6.1 North Atlantic swordfish

The U.S. Delegate introduced a draft Supplemental Recommendations by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish and noted that the Recommendation simply referred to an extension of current management measures pending completion of the stock assessment that is currently scheduled for 2006. Any new measures will be dependent on the results of the 2006 assessment.

The Delegate of Japan supported the adoption of the U.S. proposal.

The Delegate of the EC also supported the proposal.

The *Supplemental Recommendations by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish (ANNEX 5 [Rec. 04-02])* was adopted by the Panel.

6.2 Billfishes (blue and white marlin and sailfish)

The Delegate of the United States presented a proposal relating to the rebuilding plan for blue marlin and white marlin. The U.S. Delegate described the objective of the proposal, which is to extend the existing plan for one

year to facilitate implementation of the advice of the SCRS to postpone the marlin assessments until 2006, which he considered would also allow for the incorporation of new research data in the next assessment.

The Delegate of Brazil supported the U.S. proposal and indicated that Brazil will undertake a cooperative research project with the United States and will be in a better position to present results for the 2006 assessment.

The Delegate of the EC also supported the proposal.

The Delegate of Trinidad and Tobago stated that prior to becoming a Contracting Party to ICCAT, the SCRS had applied a breakdown not formally verified with Trinidad and Tobago's National fisheries authority. The Delegate recommended that the application of a proportion of 62% blue marlin and 38% white marlin to its billfish reported catches was more accurate and should be used by SCRS in the future. The statement by the Delegate of Trinidad and Tobago is attached as **Appendix 6 to ANNEX 8**.

The observer from CARICOM reminded the panel on behalf of Grenada that the rebuilding plan for marlins should not apply to artisanal fisheries because of the disproportionate impact such plans have on these fisheries. The Statement by the observer from CARICOM is attached as **Appendix 7 to ANNEX 8**.

The *Supplemental Recommendation by ICCAT Concerning the Rebuilding Plan for Blue Marlin and White Marlin (ANNEX 5 [Rec. 04-09])* was adopted by the Panel.

6.3 Sharks

Following the combination of several draft Recommendations on the issue of shark finning, the Delegate of the United States introduced a draft Recommendation by ICCAT Concerning the Conservation of Atlantic Sharks [PA4-071B], which was co-sponsored by Canada, the EC, Japan, Mexico, Panama, South Africa, Trinidad and Tobago, Venezuela and the United States. The U.S. Delegate commented that this was the first time that ICCAT is considering the results of stock assessments for blue sharks and shortfin mako sharks. While there is a degree of uncertainty associated with the results due to the lack of data, there is also an urgent need to ensure sustainability of these fisheries. ICCAT is the regional fishery management organization (RFMO) with the authority to manage highly migratory species in the Atlantic Ocean. The Statement by the Delegate of the United States is attached as **Appendix 8 to ANNEX 8**.

The Delegate of the United States also noted that other large pelagic species are often captured in fisheries targeting sharks and that sharks are often captured as by-catch in fisheries targeting tuna making it critical that a comprehensive approach be developed. He stated that the intent of the proposal moves ICCAT in that direction by ensuring that fins comprise no more than 5% of the weight on board and that the two are landed together with proper certification and monitoring. For non-directed fisheries, the intent is to seek the release of sharks where possible. The U.S. Delegate further indicated that while he realized that two species of shark were just assessed, it was imperative to obtain relevant data from all Parties and to undertake research in support of the assessment.

The Delegate of Brazil expressed his appreciation of the Recommendation and to ICCAT for moving forward to protect shark in the Convention area. The Delegate of Brazil offered full support tempered with a minor modification to the preamble to include a reference to National Plans of Action, and with some reservations on the schedule of the assessments. He pointed out that as many scientists were not present for the 2004 assessment, it had not been as productive as it could have been, and that Brazil would support a 2007 assessment for sharks, for both scientific and economic reasons.

The Delegate of the EC referred to an earlier proposal to the Commission on finning and was pleased by the number of members endorsing the current proposal and with the ideas put forward by the United States. He also pointed out the international obligation and responsibility of the Parties to draw up National Plans of Action (NPOA) for sharks and noted that indeed there should be a worldwide approach within all RFMOs. He indicated that EC scientists were unable to participate in the 2004 assessment due to other commitments, but that they will be involved in the next assessment. He suggested that the Latin names of the species involved be included and supported the earlier addition brought forward by Brazil.

The Delegate of Namibia supported the proposal and indicated that Namibia has implemented an NPOA, which is echoed in this proposal. The Delegate agreed with the wording change suggested by Brazil, which would encourage all members to implement National Plans.

The Delegate of China stated his appreciation for the proposal, commenting that more time was required to review the proposal, especially the elements related to first point of landing and definition of directed fisheries. He asked that the proposal be deferred to the Plenary.

The Delegate of Japan, while supporting the revised proposal, noted concerns with the timing of the assessments and suggested that the proposal be modified to reflect that in 2005 the SCRS shall review the assessment of shortfin mako sharks and recommend management alternatives for consideration by the Commission and reassess fully no later than 2007.

The Delegate of Morocco agreed in principle with the spirit of the proposal but suggested modifications to the text, particularly in relation to the release of live sharks. The Delegate of Equatorial Guinea also noted some concern in relation to the wording, which should reflect the protection of both juvenile and non-juvenile sharks.

The Delegate of the EC offered the following clarification in wording: “encourage the release of live sharks that are caught incidentally especially juveniles”. He further commented that although the Parties have difficulties with new regulations there is a groundswell of public opinion on this, especially finning and he stressed that ICCAT cannot endorse finning and must be proactive in the conservation of sharks.

The Delegate of Uruguay supported the proposal indicating that Uruguay has taken steps to eliminate shark finning. The Delegate pointed out that vessels may be carrying frozen or dried fins and that the 5% ratio should be adjusted with respect to the carcass weight.

The Chair of the SCRS stated that there could be an issue related to the data from other fisheries necessary for the stock assessment. Complete catch information including non-ICCAT fisheries is required for the assessment.

The Delegate of Korea expressed thanks to the Delegates and support for the proposal, but expressed concern with the concept of bringing dead sharks to port as this could cause tuna to be discarded in order to comply with the recommendation if storage areas are filled.

The Delegate of the United States commented that there was no intent to impact those vessels who direct for shark but that those who catch sharks incidentally and noted that these vessels should try to return these to the water alive but this did not apply to by-catch fisheries used for food or subsistence.

The Delegate of Panama suggested it be made clear that both CPCs and chartering Parties have to comply in full measure. The Delegate of Brazil clarified that it is not necessary to specify chartering as it is very clear in the regulations that both flag state and charter vessels have to implement measures.

The observer from the CARICOM indicated some concern with the issue of release of live sharks and asked that the language put forward by the U.S. Delegate clarifying the intent of the proposal as it applied to by-catch food fisheries be included in the proposal. The Delegate of Trinidad and Tobago supported this view.

During an earlier session, Parties also commented on the need for help for developing countries to collect data and implement National Plans of Action. Practical difficulties faced by artisanal fisheries in this regard were also noted. Data issues pertaining to shark were also raised, with the Delegate of South Africa indicating they plan to host a meeting with Japan to look at the problems with the collection of data in directed shark fisheries. Problems in the enforcement of regulations in by-catch fisheries and the fact that many shark species are caught by other than pelagic longline gear were also noted.

The CARICOM observer made an earlier intervention on behalf of Guyana and asked that the following three items be considered in the drafting process: flexibility on the 5% ratio; eligibility of cooperating countries for help in data collection and research; and take into account the needs of developing countries in terms of expanding their fisheries.

The Chair summarized the changes identified by the Panel members paragraph by paragraph for a new draft proposal to be put forward to reflect the concerns of the Panel members that had been raised during discussions.

It was agreed that the draft *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT (ANNEX 5 [Rec. 04-10])* would be revised and submitted to the Commission plenary for consideration and approval.

6.4 Recreational fisheries

The draft Recommendation by ICCAT on Recreational Fishing, proposed by the United States was withdrawn, as was the draft Recommendation by ICCAT to Adopt Measures Concerning Sport Fishing, which had been proposed by the EC.

7 Research

The Chair of the SCRS indicated that an earlier session had covered issues related to the data for the next assessment blue marlin and white marlin, and the preparatory work required.

8 Other matters

The Delegate of Morocco presented Morocco's plan to prohibit the use of driftnets over the next four years. The Chair requested that this presentation be summarized for inclusion in the report. This was provided and is attached as **Appendix 9 to ANNEX 8**.

The Delegate of the United States praised the efforts made by Morocco in implementing the proposed four-year plan, and offered to help Morocco move more quickly to implement the plan prior to the end of the four-year period.

The Delegate of Morocco thanked the United States for its offer of help Moroccan efforts to prohibit driftnets.

The Observer from the WWF congratulated Morocco on its efforts to prohibit driftnet fishing and indicated that other countries continue this illegal practice. Concern with the time frame was pointed out, citing an unacceptable catch level of cetaceans and encouraging completion in a two-year period seen as both practicable and achievable.

The Delegate of Japan pointed out that the interpretative question raised in relation to *the Recommendation by ICCAT Regarding Atlantic Blue Marlin and Atlantic White Marlin* [Rec. 97-09] referred to Panel 4 by the Commission Chairman had yet to be addressed, but that this could be brought forward next year.

9 Adoption of the Report and adjournment

The Chair noted that the report of Panel 4 would be adopted by mail. The Report was adopted by correspondence.

Appendix 1 to ANNEX 8

Panel Agendas

Panel 1

- 1 Opening of the meeting
- 2 Adoption of Agenda
- 3 Appointment of Rapporteur
- 4 Review of Panel membership
- 5 Report of the Standing Committee on Research and Statistics (SCRS)
 - 5.1 Bigeye tuna
 - 5.2 Other species
- 6 Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
- 7 Research
- 8 Other matters
- 9 Adoption of the report and adjournment

Panel 2

- 1 Opening of the meeting
- 2 Adoption of Agenda
- 3 Appointment of Rapporteur
- 4 Review of Panel membership
- 5 Report of the Standing Committee on Research and Statistics (SCRS)
- 6 Report of the 2nd Meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies
- 7 Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
- 8 Research
- 9 Other matters
- 10 Adoption of the report and adjournment

Panel 3

- 1 Opening of the meeting
- 2 Adoption of Agenda
- 3 Appointment of Rapporteur
- 4 Review of Panel membership
- 5 Report of the Standing Committee on Research and Statistics (SCRS)
 - 5.1 Albacore (South)
 - 5.2 Other species
- 6 Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
- 7 Research
- 8 Other matters
- 9 Adoption of the report and adjournment

Panel 4

- 1 Opening of the meeting
- 2 Adoption of Agenda
- 3 Appointment of Rapporteur
- 4 Review of Panel membership
- 5 Report of the Standing Committee on Research and Statistics (SCRS)
 - 5.1 Sharks
 - 5.2 Other species
- 6 Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
- 7 Research
- 8 Other matters
- 9 Adoption of the report and adjournment

Appendix 2 to ANNEX 8

Statement by the United States of America to Panel 1
(attached to Report of Panel 1)

The United States is pleased to be able to be here before Panel 1; and we would like to thank the Chairman for his efforts to help us accomplish our business here this week.

The United States believes that there are very important issues for ICCAT to consider this week for tropical tunas, and in particular for bigeye tuna. The SCRS has completed a new assessment and it shows that the bigeye stock in the Atlantic is at or near sustainable levels. On the other hand, we need to be concerned about data voids from IUU fishing, and possible intentional misreporting, which might mask a less optimistic stock status. Therefore, we must be precautionary in order to maintain the resource at long-term sustainable levels. We need to develop a long-term management program that will do this. The United States will be looking for a total harvest level that stays within the limits of the advice given to us by the SCRS. We also believe that ICCAT must continue to provide restrictions to protect juvenile bigeye tuna, particularly in the spawning area in the Gulf of Guinea. The United States is looking forward to working with other countries in the drafting of an appropriate recommendation for consideration by Panel 1.

The United States believes that ICCAT needs to address the problems that could accrue from stockpiling allocations. There are circumstances, especially for countries with small allocations, where normal variability in catches presents management difficulties; and allowing some amount of quota carry-over to a country's fishery could provide for a workable conservation program. However, without limitations and restrictions, allowing large allocations to be carried over could present the possibility of unduly large harvests in future years.

We must also be very concerned about evidence that some fisheries have harvested bigeye tuna at levels in excess of the ICCAT recommendations. These overages must be eliminated and repaid under existing ICCAT rules; and past overages must not become the basis for future allocations.

Lastly, the United States is increasingly concerned about capacity in tuna fisheries world-wide. Capacity in tuna fisheries is like a balloon: if you restrict or squeeze it in one area, it just balloons out in other ocean areas. We believe that ICCAT needs to work with other international management organizations for tunas in order to develop and implement a comprehensive, global approach to controlling capacity in all fisheries, and for all gear types. Thank you.

Appendix 3 to ANNEX 8

Explanatory Note by Chinese Taipei on Their Request for a Bigeye Quota for Former IUU Vessels that Were Re-registered
(attached to Report of Panel 1)

Chinese Taipei would like to request the Commission to allocate a separate catch limit of 2,000 tons of bigeye catch in 2004 for those vessels joining the re-registration program under the related ICCAT Resolutions.

Three explanatory notes relevant to this recommendation had been distributed in 2003 ICCAT Commission Meeting, namely: (1) Explanatory Memorandum for Proposed Recommendation on Bigeye Tuna Conservation Measure; (2) Supplement Note on Request of Additional Bigeye Catch Limit; (3) Second Note on Request for Additional Bigeye Catch Limit. (See ICCAT Report 2002-2003, Part II, Vol. 1, pp. 199-201). However, a renewed briefing is provided as following:

- 1 The Commission has been reported by Japan and Chinese Taipei that a total amount of 159 ex-IUU LSTLVs have been eliminated through the scrapping program, the re-registration program, and the cooperative management schemes.
- 2 Among those 159 ex-IUU LSTLVs, 13 vessels previously operating in the Atlantic are allowed to operate in Atlantic Ocean continuously under the re-registration program. Such situation was reported by Chinese Taipei to the Commission in 2001 (see ICCAT Report 2000-2001, Part II, p. 373).

- 3 In addition, the Commission adopted the Resolution 01-23 which has resolved that the importing countries accept a document validated by Chinese Taipei on bigeye tuna caught by those 13 vessels provided they operate in compliance with the Commission's conservation and management measures.
- 4 In other words, from 2002 to the completion of the re-registration process those 13 vessels have been in fact regulated and monitored by Chinese Taipei government as if they were Chinese Taipei's duly licensed vessels. Those 13 vessels were required to install VMS and submit their catch logbook, and Chinese Taipei issued the Bigeye Tuna Statistical Document for them. However, those catch were not counted against catch limitation of Chinese Taipei. It was based on the understanding that those 13 vessels will be granted with a separate catch limit. Such understanding can be evidenced by the *Resolution by ICCAT Calling for Further Actions Against IUU Fishing Activities by Large-Scale Longline Vessels in the Convention Area and Other Areas* [Res. 99-11] in which the Japan-Chinese Taipei joint efforts was supported by the Commission, which also praised the re-registration action of Chinese Taipei. The catch from the 13 vessels under re-registration program operating in the ICCAT Convention areas was reported to ICCAT as 1,980 tons and 1,822 tons in 2002 and 2003, respectively.
- 5 By the end of 2003, all those 13 vessels had completed the re-registration process, and become Chinese Taipei's licensed vessels. Those vessels were accepted by Chinese Taipei with the understanding that a separate catch limit to fish may be granted for them accordingly so that their re-registration will not negatively affect the management of Chinese Taipei over its existing duly licensed vessels. Therefore, Chinese Taipei considers it reasonable to request the Commission to allocate a separate catch limit of 2,000 tons of bigeye tuna for those 13 vessels.
- 6 During 2003 ICCAT meeting, Chinese Taipei delegation asked for additional catch limit of 2,000 tons for the re-registered FOC vessels, it then announced to leave the matter for consideration at the 2004 ICCAT Commission meeting.
- 7 If the Commission decides not to grant a separate catch limit of 2,000 tones of bigeye tuna to those 13 vessels in 2004, a problem will arise as to whose catch limit those vessels may use. If Chinese Taipei continues to issue the Bigeye Tuna Statistical Document for them, the existing quota allocated to Chinese Taipei would be insufficient for the operation of its whole fleet, which includes those 13 vessels newly registered. Since it will conflict with the original understanding that a separate catch limit will be granted, Chinese Taipei under such difficult circumstance will have to make a difficult decision as to whether to expel those 13 vessels from its registry.
- 8 Last, but not the least, Chinese Taipei will certainly continue working with all our colleagues around the table in combating IUU fishing activities.

Appendix 4 to ANNEX 8

Statement by Norway to Panel 2 (attached to Report of Panel 2)

As explained in our opening statement to the 14th Special Meeting of ICCAT on 15 November 2004, bluefin tuna are now present in waters under Norwegian jurisdiction. Thus, Norway is a coastal State to the northeast Atlantic stock of bluefin tuna. Our coastal state rights and obligations are based on the UN Convention on the Law of the Sea and the *ICCAT Criteria for the Allocation of Fishing Possibilities*. In our understanding, Norway is a qualified participant also because we have historical catches. Therefore, we qualify for a share of the northeast Atlantic bluefin tuna quota.

Consequently, Norway will take up to 100 tons annually of the northeast Atlantic bluefin tuna stock. This will be taken from the "Others" quota.

Parts of the quota will be taken for scientific purposes as we would like to study feeding ecology and the role of tunas in the North Atlantic ecosystem. Furthermore, we would like to contribute to the mapping of stock distribution in the North Atlantic, and thus provide information on the migratory patterns of the eastern and western components of the North Atlantic bluefin tuna stocks. The results of the studies will be reported to the Commission.

**Report on Investigation of the Shark Fishery of Chinese Taipei
Flagged Small-scale Vessels in the Caribbean Sea**
(attached to Report of Panel 4)

1 Background

At the 2003 ICCAT annual meeting held in Dublin, Ireland, some members expressed deep concerns on the issue of the shark fishery operated by small-scale tuna longline vessels in the Caribbean Sea, and they questioned the relationship of these vessels with Chinese Taipei. Therefore, Chinese Taipei expressed its preparation to send a delegation to the region to analyze the situation.

The Chinese Taipei delegation assigned to the job was comprised of representatives from the Fisheries Agency, fisheries scholars and experts. They traveled to the Caribbean Sea and Central America, and visited Panama, Trinidad and Tobago and Costa Rica from May 1-15, 2004. Apart from analyzing the situation of the local shark fishery, the delegation also discussed with the local fisheries authorities on the possibility of future exchange of information.

During the 2003 Commission meeting, some members were doubtful that some of longline vessels reported by St. Vincent & the Grenadines have connections with Chinese Taipei companies or citizens. In this regard, the Fisheries Agency has contacted the fisheries authority of St. Vincent & Grenadines through diplomatic channels to request more information.

2 Findings of the visit

Since the fishing activities of Panamanian and Costa Rican flagged longline tuna vessels and Chinese Taipei flagged vessels based at Panamanian and Costa Rican ports did not operate in the Atlantic Ocean, reports on activities in the Pacific Ocean were made at the IATTC meeting held June 2004 in Lima, Peru and are not repeated here in this meeting. The activities in Trinidad and Tobago are reported as below.

3 The fishery in Trinidad and Tobago

According to FAO statistics, the annual fishery production of Trinidad and Tobago in recent years is about 80 to 120 thousand tons. The small shrimp trawl fishery is the main type of coastal fishery carried out in Trinidad and Tobago. No tuna fishery has been developed.

4 Foreign small-scale longline tuna vessels using Port-of-Spain, Trinidad and Tobago as their base

The Chief Fishery Officer of Trinidad and Tobago revealed that small-scale tuna longline vessels of other countries used Port-of-Spain as their base, predominately vessels flying the flag of St. Vincent and the Grenadines.

There were two Chinese Taipei small-scale tuna longline vessels using Port-of-Spain as their base. They were included in the positive vessel list of Chinese Taipei. The small-scale tuna vessels usually operate in the North Atlantic Ocean around the Caribbean Sea. Tuna and related species were their main target and the catch was included in the total catch of Chinese Taipei.

In general, the full-time shark vessels will use wire as leader line to avoid the loss of gear cut by sharp sharks' teeth. However, nylon leader line was used by the two vessels, and it is likely that they targeted tunas rather than sharks. There is a tuna cannery in Trinidad and Tobago. There should be more incentives for catching tuna to supply the cannery as raw material. The delegation could draw to the conclusion that they were tuna longline fishing vessels, and sharks are only their by-catch.

Blue shark (*Prionace glauca*) was the major shark species caught by the vessels as by-catch, accounting for 80% to 90% of the total sharks landed. The rest are mainly mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias* spp.), hammer head sharks (*Sphyrna* spp.) and tiger shark (*Galeocerdo cuvieri*).

5 Markets for shark meat

The practice of finning was not found. From the delegation's observation, there are markets for shark meat in Central American and Caribbean countries. Vessels will usually take the shark carcass back for local consumption or for markets of neighboring countries. The delegation was told the daily consumption of shark meat in Costa Rica was about 12 tons, and Mexico has the highest consumption of sharks in Central America. At the fish market of Costa Rica, the price of silky shark (*Carcharhinus falciformis*) and Oceanic whitelip shark (*Carcharhinus longimanus*) is about US\$1.00-1.10 per kg. The price of blue shark (*Prionace glauca*) is about US\$0.50-0.60 per kg. The popularity of shark meat in the region supports the full utilization of shark and the non-existence of the practice of finning.

6 Findings of St. Vincent & the Grenadines tuna longline vessels

As regard to the concern by the international community on unregulated St. Vincent & Grenadines tuna longline vessels, inquiries were made through diplomatic channels about their activities. Reportedly the fleet contained 30 tuna longline vessels, with lengths over 24 m, flying the flag of St. Vincent & the Grenadines, and these were owned and operated by companies and citizens of St. Vincent & the Grenadines. There was no information as to whether the fleet had any connection with companies or citizens of Chinese Taipei. However, from other information sources, some of these vessels were connected to citizens of Chinese Taipei before, and they were acquired by local companies last year after the transfer of fishing technology and market arrangements.

During the visit of a delegation of St. Vincent & the Grenadines in October 2004 to Taipei, the two parties signed a letter of intent concerning cooperation in fisheries management and Chinese Taipei is ready to provide assistance to St. Vincent & the Grenadines in capacity-building on fisheries management, and improvement of the data collection system.

7 Conclusion

In response to the request of ICCAT, Chinese Taipei has dispatched a delegation to Central America and the Caribbean Sea to investigate the shark fishery. There were only two Chinese Taipei-flagged small-scale tuna vessels operating out of the local base. These were tuna fishing vessels, and sharks were only their by-catch. To enhance the fisheries management of St. Vincent & the Grenadines, Chinese Taipei is willing to provide such assistance to them.

Appendix 6 to ANNEX 8

Statement by Trinidad & Tobago on Billfish Statistics and Catch Limit Allocation (attached to Report of Panel 4)

Regarding billfish statistics and catch limit allocation, Trinidad and Tobago submits that prior to this country becoming a Contracting Party to ICCAT, the SCRS applied a breakdown that was not formally verified with Trinidad and Tobago's national fisheries authority. With further investigations of billfish catch trends and improved data recording in recent years, it has become clear that a different breakdown is more appropriate. In this regard, Trinidad and Tobago recommends the application of a ratio of 62% blue marlin to 38% white marlin to its catches reported as billfish and wishes to advise that this more accurate breakdown of the billfish catch be used by the SCRS in future. Trinidad and Tobago also prefers to use this more accurate breakdown to evaluate its compliance with the recommendations regarding allocation of marlin catch limits (97-9, 98-10, 00-13, 01-10, 02-13).

Appendix 7 to ANNEX 8

Statement by CARICOM on Behalf of Grenada to Panel 4 and PWG (attached to Report of Panel 4)

During the 2002 and 2003 Commission meetings, CARICOM questioned the application to Grenada, of paragraph 3 of ICCAT Recommendation 00-13, and the amendments of this paragraph in Recommendations 01-10 and 02-13.

In 2004, CARICOM sought to reconfirm the precise nature of longline fishing operations conducted by Grenada. Grenada's longline fleet consists of 2 types of fishing vessels: (i) small open boats (5-9 m LOA) without decks; and (ii) larger vessels, called 'launches' (9-15 m LOA), capable of staying at sea for 3-7 days at a time (see document NAT-041). The longline gear of the smaller vessels is entirely manually operated. In the case of the larger vessels, while winches are used, the branch lines are baited manually. Hence Grenada does not consider its longline fishing operations to be industrial in nature, as these are different from those operations that are entirely mechanically driven.

Grenada's interpretation of paragraph 3 of Recommendation 00-13, as well as its amendments in Recommendations 01-10 and 02-13, was that it was intended to target the industrial longline operations of Developed States, which usually involve large-scale vessels. This interpretation is not an unreasonable one, in view of the large reductions (33% and 50%) requested of the fleets concerned, and the need to avoid imposing disproportionate burdens of conservation action on developing states, as prescribed by international fisheries law.

Additionally, Grenada's fishing vessels operate entirely within the country's EEZ. Billfishes comprise a significant portion of the natural composition of living marine resources available within the EEZ of the Small Island State of Grenada, providing an essential source of food security and employment.

Considering the above, Grenada respectfully requests the Commission to confirm that paragraph 3 of Recommendation 00-13, as well as its amendments in Recommendations 01-10 and 02-13, does not apply to Grenada. As already noted in CARICOM's opening statement to the Commission, ICCAT recommendations should specify different levels of conservation action, as prescribed by international law, for Developed and Developing States, particularly in the following instances: (i) where the nature of fishing operations differ sufficiently in the technologies applied and/or their percentage to the overall harvest; and (ii) stock rebuilding programmes requiring excessive reductions in catches. Grenada's hopes that the Commission will take into account its special requirements as a Small Island Developing State.

It should also be noted that the billfish figure noted for Grenada in the compliance table is actually the combined catch of the small boats that conduct single day trips and the launches.

Appendix 8 to ANNEX 8

Statement by the United States on Atlantic Sharks *(attached to Report of Panel 4)*

The time has come for international management of sharks.

The UN General Assembly has convened this week to consider adopting language that urges states, "working through regional fisheries management organizations, to collect scientific data regarding shark catches and to consider adopting conservation and management measures, in order to ensure the conservation and management of sharks and their long-term sustainable use, including by banning directed shark fisheries conducted solely for the purpose of harvesting shark fins." This draft UNGA resolution also requests the FAO to develop programs to assist States, including developing states, in carrying out appropriate conservation and management measures such as the banning of directed shark fisheries conducted solely for the purpose of harvesting shark fins.

For the first time ever, ICCAT is considering the results of stock assessments for blue sharks and shortfin mako sharks. While there is a high degree of uncertainty associated with the results of these assessments due to a lack of data, there is also an urgent need to ensure sustainability of these fisheries since biological indicators for many shark stocks suggest they are depleted or in decline.

ICCAT is the regional fisheries management organization with authority to manage highly migratory species in the Atlantic Ocean. Tunas and tuna-like species such as swordfish and marlins are captured in fisheries targeting sharks; likewise, sharks are often captured as by-catch in fisheries targeting tunas. Given the broad geographic distribution of many species of sharks, it is critical that ICCAT develop a comprehensive approach to conservation and management.

Many sharks are apex predators that play a critical role in the pelagic ecosystem; they are particularly vulnerable to over-fishing because of their late age of maturity and low reproductive capacity. Sharks also have significant economic and cultural importance in many countries. However, management efforts by individual countries have

been impaired by limited scientific information, including incomplete knowledge of the biological characteristics and life history of many shark species and a lack of access to information over the full migratory range.

To address these concerns, Recommendation concerning the conservation of Atlantic sharks would require parties to report current and historical scientific data (Task I and Task II) for all catches of Atlantic sharks in the ICCAT convention area. Improvements in data reporting would provide a stronger foundation for future scientific advice.

In the meantime, the recommendation would require parties to prevent the expansion of fishing effort directed at Atlantic sharks (e.g., through limitations on capacity). It is important that we not allow increases in effort above our current baseline while we collect sufficient data to determine sustainable levels of harvest.

The U.S. proposal would also ban the practice of shark finning throughout the ICCAT Convention area, and enforce this ban by requiring that fins and carcasses be landed together with no more than a 5% fin-to-carcass ratio.

Parties are asked to encourage their vessels to release live sharks that are encountered as incidental catch in a way that maximizes their survivability; however, we acknowledge the need to ensure the safety of the crew as a first priority. Release of all live sharks would not be mandatory under our proposal.

Looking to the future, this recommendation directs the SCRS to conduct assessments of oceanic whitetip, thresher and silky sharks in 2007, and reassess blue and shortfin mako sharks in 2008. These are all highly migratory pelagic species that are captured in ICCAT-managed fisheries and that would benefit from scientific and management advice from the SCRS.

Finally, the U.S. recommendation calls for research to identify ways to make fishing gear more selective, to identify shark nursery areas and to expand knowledge of basic life history, consistent with the recommendations of the SCRS Subcommittee on By-catch.

Appendix 9 to ANNEX 8

Morocco's National Action Plan to Regulate the Use of Driftnets

(attached to Report of Panel 4)

In the framework of the revision of the current regulation on the use of certain fishing gears, the *Département des Pêches Maritimes* has developed an action plan focused on eliminating driftnets, which have been regulated since 1990 and which, up to now, have undergone several changes.

First of all, the project aims at a progressive and gradual abandonment of the use of this gear by the artisanal and coastal fishing fleet (coastal longliners measuring less than 13m LOA).

The development of this action plan has been encouraged, on the one hand, by the negative effects of the use of driftnets on the fauna and its weak selectivity and, on the other hand, by the possible risks of navigational accidents caused by the driftnets.

Thus, following a series of studies and field missions carried out and, in consultation with the professional sector, which at first demonstrated its categorical refusal of any new measures aimed at regulating the use of this gear, it has been agreed, in principle, on the need to revise the current regulation and to accept the prohibition of this fishing gear starting on 1 January 2009.

The establishment of this date is motivated by factors of an economic and, in particular, social nature in which an important fishing community, currently estimated at more than 15,000 individuals, is directly dependent on driftnet fishing activities.

The major demands from the fishing sector that uses this gear are mostly of an economic nature, in particular, receiving compensation and material means to assure their reconversion, and they refer to that agreed upon by their counterparts from countries of the European Union who have abandoned the use of this gear.

The approach maintained in this plan is gradual in order to facilitate, on the one hand, the implementation of the new measures and, on the other, to minimize inasmuch as possible any consequences that may arise in the short term.

Thus, the following plan has been divided into four phases:

- **Phase I (2004):** Awareness and information of the professional sector by holding meetings and field visits; publication of the decision on the regulation of this gear;
- **Phase II (2005):** Prohibition of imports from driftnets and all nets used for this type of fishing;
- **Phase III (2005-2008):** Reconversion, recycling and training of marine fishers on the new fishing techniques; follow-up of reconversion programs and the issuance of public awareness information on the radio, as well as publicity spots aimed at the fishing sector;
- **Phase IV (end of 2008):** Preparation of the entry into force of the instrument aimed at prohibiting the use of driftnets and the entry into force of specific control mechanisms.

Furthermore, this action plan foresees a series of additional measures and activities aimed at providing appropriate training on alternative fishing techniques, for which the overall costs are substantial.

Moreover, during the transition period (2005-2008), a circular will be published that will establish the conditions on the use of this fishing gear, particularly the minimum mesh size (400 mm) and their maximum length (2.5 km).

REPORT OF THE MEETING OF THE CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE

1 Opening of the meeting

The Compliance Committee met during the 14th Special Meeting of the Commission that took place in New Orleans, United States, from November 15 to 21, 2004. The meeting was opened by the Committee Chair, Mr. Friedrich Wieland, who took the opportunity to welcome new Contracting Parties to the Committee's proceedings.

2 Adoption of the Agenda

No changes were made to the draft Agenda as circulated. The Agenda was adopted and is attached as **Appendix 1 to ANNEX 9**.

3 Appointment of the Rapporteur

Mr. Robert Thomas of the European Community was appointed Rapporteur.

4 National rules for the application of ICCAT measures

The Chair drew the attention of Delegates to the document distributed by the Secretariat containing a compilation of Contracting Parties' annual reports. There was no discussion on this point.

The Chair then asked the Secretariat to introduce the document concerning "Revised Guidelines for the Preparation of Annual Reports" which contained a new format for the submission of National Reports. The Chair noted that the Commission had last discussed the manner in which information should be submitted to the Secretariat in 1995. The purpose of the document was to adapt the National Reports to reflect the Recommendations and Resolutions adopted by the Commission since that time.

The Delegate of the United States expressed appreciation for the work of the Secretariat and welcomed the standardized format for the reporting of information by Contracting Parties.

The revised format was adopted without further discussion, and is attached as **Appendix 3 to ANNEX 9**.

5 Status of the compliance of Contracting Parties concerning statistics

The Chair introduced a document entitled "Data Submission" which had been deferred to the Committee for consideration by Plenary.

The Delegate of the European Community thanked the Secretariat for its work but requested clarification concerning the interpretation of the tables presented in the document. The Delegate regretted the absence of a qualitative evaluation of the data submitted such that it could be used by scientists in their work.

The Secretariat responded that a black box indicated that data had been received but these had not been analyzed by the SCRS.

The Chair then drew Delegates' attention to a letter from the Delegate of the United States to Commission Chairman Miyahara, concerning data collection and reporting problems. There were no comments from Delegates on this item.

At the request of the Chair, the Delegate of the United States presented a proposal for a Recommendation by ICCAT concerning the survey of statistic collection systems. The Delegate noted that only 16 Parties had responded to the Secretariat's survey on statistic collection systems even though this was an important element for the effective work of the Commission. The purpose of the proposed Recommendation was to ensure that parties provided sufficient information on their national practices prior to the 2005 meeting of the SCRS. The Secretariat would then be in a position to report to the 2005 meeting of the Commission on those parties that had not reported the required information.

The Delegate of the European Community expressed concern at the proposed additional reporting requirements in view of existing obligations and the demands placed upon some times small administrations. He feared that the administrative process in ICCAT was at risk of becoming burdensome when compared to other regional fisheries organizations.

The Delegate of Japan appreciated the proposal but considered that some of the reporting requirements would mean disclosing the intellectual property rights of fishermen.

The Delegate of Morocco noted that the proposed requirements would increase administrative costs and should therefore be kept to the minimum necessary.

As there was no consensus for the proposal, the Delegate of the United States asked that the report of the Committee's proceedings take note of the Committee's continued interest in statistics and recall the *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* [Res. 03-21].

The Delegate of the United States was then invited by the Chair to introduce a second proposal under this Agenda item entitled draft Recommendation by ICCAT Concerning Scientific Observer Coverage.

After a brief discussion of some of the issues raised, the Chair concluded that there was no consensus for the proposal.

6 Status of the compliance of the Contracting Parties concerning ICCAT conservation and management measures

6.1 List of vessels over 24 m authorized to operate in the Convention area

The Secretariat introduced the "Report on the List of Vessels over 24 Meters Authorized to Fish in the Convention Area". Delegates were informed that information was presented in the same format as 2003. New information had been received from certain delegations and was available on the Commission's website.

The format for the submission of Reports on Internal Actions Taken to Ensure that Tuna Vessels on the ICCAT Record of Vessels Over 24 Meters are Fishing in Accordance with ICCAT Management and Conservation Measures was also adopted by the Committee and is attached as **Appendix 4 to ANNEX 9**.

The Delegates of Turkey and Brazil asked for corrections to be made to the number of vessels listed for their respective countries.

The Delegate of Panama provided clarification on certain information contained in the report in response to questions posed by the Delegate of Japan.

At the request of the Chair, the Delegate of the United States presented a proposal for a Recommendation by ICCAT Concerning the Definition of Large-scale Fishing Vessels. The Delegate noted that the increase observed in the number of vessels below the 24 meter threshold could undermine management and control measures. It was therefore appropriate to reduce the threshold to vessels over 15 meters length overall.

The Delegates of Korea, Canada and Japan supported the proposal. However, the Delegate of Morocco drew attention to the extra administrative work that would be imposed on countries such as his with sizeable numbers of small-scale vessels. The Delegates of Brazil and the European Community were sensitive to the concerns of the Delegate of Morocco.

The Committee agreed that more information was required before Parties could make an informed decision on the proposal. The Chair therefore invited Contracting Parties to provide the Secretariat with more detailed information concerning their vessels between 15 and 24 meters in length sufficiently in advance of the 2005 meeting.

6.2 Review of the Compliance Tables

The Committee then turned its attention to the review of the Compliance Tables on a species-by-species basis. In response to comments from certain Delegates concerning corrections to the tables, the Chair reminded Delegates of the letter from the Commission Chairman dated September 7, 2004 specifying time limits for the submission of data.

North Atlantic albacore

The Delegate of the United States recalled the 30% limit on carryovers to be observed in the management period. He also drew attention to the level of catches reported by Venezuela in the light of that country's initial catch limit.

The Delegate of Venezuela admitted his concern at the figures reported. He noted the increase in the initial catch limit from 2003 onwards to a figure of 270 tons. He explained that northern albacore was a by-catch of the fisheries targeted at yellowfin and skipjack.

The Delegate of Japan queried the catch figure reported by St. Vincent and the Grenadines for 2003 after the decline in catches observed in 2002. Whilst the Delegate welcomed the lifting of trade sanctions against St. Vincent and the Grenadines, he wondered whether the SCRS had verified the catch data.

South Atlantic albacore

There were no comments from Delegates on this table.

North Atlantic swordfish

The Delegate of Morocco proposed corrections to the table concerning the balance figure for 2003 and the adjusted quota figure for 2004.

The Delegate of Japan highlighted the high level of the adjusted quota for the United States and suggested that it be utilized in a conservative manner. The Delegate of the European Community requested more information concerning discards.

The Delegate of the United States explained that the high level was due to a number of factors including measures to protect sea turtles and reduce fishing effort. The discard allowance had been phased out in 2004 and discards were now included in the catch allowance.

South Atlantic swordfish

There were no comments from Delegates on this table.

East Atlantic bluefin tuna

The Delegates of the European Community and Japan expressed concern at the high level of catches reported by Turkey. They noted that Turkey was under an obligation to abide by ICCAT measures.

The Delegate of Turkey stressed that his country was compliant with all Commission measures and noted the actions taken by the Turkish Government in 2004 to ensure catch levels were respected.

The Delegate of the European Community stated that the Community would not carry over any under-harvest of its bluefin tuna quota to 2005.

West Atlantic bluefin tuna

The Delegate of the United States recalled previous discussions on this species and the revision to catch data made because of the recreational fishery. He noted that efforts to limit catches in 2003 had not addressed the over harvest recorded in 2002. Efforts would continue to bring the situation back into balance.

The Delegate of Mexico contested the use of the term 'autonomous catch limit' in the column for 2002 on the grounds that this term had not been defined. The Secretariat responded that this phraseology had been included at the request of the Delegate of Mexico at that time. Moreover, the compliance table had been adopted including this terminology in each of the past two years.

Atlantic bigeye tuna

The Delegate of Japan expressed concern about the level of catches reported by Chinese Taipei and China. He noted that the figures shown for Chinese Taipei did not include catch data for vessels that had been re-registered. Therefore, in his opinion, there was a considerable under declaration of catches. He proposed that the total amount of over-harvest at the end of 2004 be assessed during the course of 2005 and reported to the 2005 Commission meeting. The amount of over-harvest would include the amount falsely declared which was estimated to be between 4,000 and 18,000 t in 2003.

In the case of China, the Delegate of Japan remarked that the catch levels reported were less than Japanese import statistics for this species from China. He proposed that the figures in the compliance table be brought into line with the Japanese statistics and suggested that the catch under declaration be added to the payback figure for China.

The Delegate of China apologized for the level of over harvest but noted that the results of measures taken by his government to correct this situation would be seen by the time of the next meeting. He noted the existence of a time lag between catches and imports into Japan. He also underlined that the statistical document program had only been applied from the second half of 2002. Therefore, he could not accept amendments to the 2002 figures although the figures for 2003 could be revised.

The Delegate of Japan insisted that China's figures for 2002 be adjusted in the light of trade data from Japan. He moved that China should agree to a five-year plan to pay back the amount of over-fished quota. After some discussion, it was agreed that this matter should be addressed in Panel 1.

Delegates then considered what additional action, if any, should be taken in respect of China. However, as there was no consensus for a particular course of action, the Chair noted that he would report as such to Plenary.

In response to the comments of the Delegate of Japan, the Observer of Chinese Taipei noted that Chinese Taipei had reported both Task I and II data. The Delegate explained that while Task I catches had been reported separately for Chinese Taipei-owned vessels and for those vessels pending re-registration, these catches had been combined for the SCRS Report but not for the Compliance Table, thus showing a discrepancy. By the end of 2003, the 13 vessels at issue had completed their registration procedure.

The Delegate of the European Community also expressed concerns about the level of IUU fishing. He asked for clarification regarding the balances shown for Brazil and Panama. He noted over catches by Netherlands Antilles and Ghana and questioned what measures had been taken to rectify this.

Billfishes

The Delegate of Trinidad and Tobago noted that he would work on a paper for the 2005 meeting to give a more accurate breakdown of blue marlin and white marlin catches. The statement by Trinidad and Tobago is attached as **Appendix 9 to ANNEX 9**.

The Delegate of the United States made a statement explaining 2003 landings of blue marlin and white marlin. The U.S. explanatory note is attached as **Appendix 10 to ANNEX 9**.

The Delegate of Brazil remarked that the negative informative balances were not appropriate as they included live discards.

Compliance table of size limits for species with size regulations for 2003

In response to a question from the Delegate of the United States, the Delegate of the European Community noted the effective measures that had been taken to comply with the minimum size requirements. The Delegate asked the Committee to take note that some Contracting Parties and Cooperating non-Contracting Parties had not submitted data. The Delegate emphasized that ICCAT should encourage the submission of data as this was an importance element for its conservation measures.

Adoption

The Committee adopted the Compliance Tables, taking into account comments made by some delegations during the discussions, and forwarded them to the Plenary for final approval (attached as **Appendix 2 to ANNEX 9**).

The Delegate of the European Community introduced a proposal for a draft Recommendation by ICCAT Concerning Management and Application of Underages and/or Overages of the Quotas/Catch Limits (see **ANNEX 11.1**). A number of Delegates expressed appreciation for the proposal tabled by the Delegate of the European Community. However, there was some concern as to the implications of a general rule for under/over-harvests in cases of multi-annual management plans. It was also noted that management issues (under-harvests) needed to be distinguished from compliance issues (over-harvests). In view of the divergent views on the proposal, the Chair suggested that the issue be deferred to the 2005 meeting and that interested parties should stay in contact in the interim.

6.3 Resolution by ICCAT Concerning Trade Measures [Res. 03-15]

The Committee considered actions to be taken in respect of the various countries included in the Summary Table of Information for 2004 PWG and Compliance Committee Actions. This table is attached as **Appendix 3 to ANNEX 10**.

Equatorial Guinea

The Chair reminded the Committee of the context in which trade sanctions had been imposed on Equatorial Guinea and drew Delegates' attention to the correspondence between the Commission and that country.

The Delegate of Equatorial Guinea gave details of his Government's response to the imposition of trade sanctions. He outlined the actions that had been taken to cancel the registrations and licenses of vessels that had claimed to be operating under the flag of Equatorial Guinea. He requested other Delegates to support Equatorial Guinea in its efforts and asked for the sanctions to be lifted.

The Committee adopted a *Recommendation by ICCAT Concerning the Lifting of Trade Sanctions Against Equatorial Guinea* (**ANNEX 5 [Rec. 04-13]**) and forwarded it to the Plenary for final approval. The letter to Equatorial Guinea is attached as **Appendix 5.1 to ANNEX 9**.

The Delegate of the European Community made a statement on this issue (attached as **Appendix 8 to ANNEX 9**).

Guatemala

The Committee took note that no action was warranted.

Japan

The Committee took note that no action was warranted.

Panama

The Committee agreed that the identification of Panama for bigeye tuna should be revoked and that Panama should be informed of this by letter. This letter is attached as **Appendix 5.2 to ANNEX 9**.

Vanuatu

The Committee took note that no action was warranted.

6.4 Other compliance matters

The Committee took note of the following documents: Summary on Vessel Chartering^{*}; Vessels Participating in a Directed Fishery for Northern Albacore and Limit on Fishing Vessels Fishing for Bigeye Tuna^{*}; Bluefin Tuna Farming Reports^{*}; Executive Secretary's Report to the Commission in Accordance with the Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-aggregation Devices (FADs)^{*}; and a Report from Ghana on the 2003-2004 Moratorium and Internal Measures Taken in Respect of ICCAT's Recommendation [Rec. 99-01]. Ghana's Report is attached as **Appendix 6 to ANNEX 9**.

The Chair suggested that the issue of compliance with bluefin tuna farming measures be addressed at a future meeting.

7 Other matters

The Chair noted that the Committee had a number of substantive issues to discuss under this Agenda item.

The Chair recalled that there were four proposals for discussion concerning transshipment. One of these entitled Draft Recommendation by ICCAT Prohibiting Transshipments by Large scale Longline Tuna Vessels had been deferred from the 2003 meeting. The Chair then invited the Delegates of Japan, the European Community and Korea to introduce their respective proposals. The Committee debated the issue at some length. However, whilst Delegates agreed that transshipment was an important issue, no consensus emerged in support of any single proposal.

The Chair then invited the Delegate of the European Community to introduce a proposal on the Modification of the Recommendation by ICCAT to Adopt Additional Measures Against Illegal, Unreported and Unregulated (IUU) Fishing. Whilst a number of Delegates agreed that the issue of IUU fishing needed to be addressed, concerns were expressed at the some of the possible consequences of the proposal. Therefore, the proposal was not able to gain the consensus of the Committee.

The Delegate of the United States introduced a proposal for a *Recommendation by ICCAT Concerning Implementation of the VMS Recommendation* [Rec. 03-14] (see **ANNEX 5 [04-11]**). After some discussion, the Committee agreed on the proposed recommendation, with the proviso that the implementation date for the VMS should be November 1, 2005.

The Chair noted that a proposal from the Delegate of Equatorial Guinea for a Recommendation by ICCAT Concerning the Change in the Licensing and Flagging of Vessels Over 15 Meters in Length (see **ANNEX 11.3**) had been received after the deadline for the submission of proposals. He concluded that this proposal should therefore be deferred to the 2005 meeting.

The Chair informed the Committee that due to time constraints it would not be possible to discuss the questions contained in the document entitled "Interpretation Difficulties Relating to Decisions Taken by the Commission" that had been deferred to it for consideration by the Chairman of the Commission. He proposed that the questions be deferred to the 2005 meeting and undertook to circulate some initial ideas on these points in the interim period.

The Delegate of Brazil expressed concern at the continued delay in reaching an understanding on the issue of vessel chartering. The Delegate made a statement to the Committee which is attached as **Appendix 7 to ANNEX 9**.

* These documents are available at the Secretariat.

The Chair noted that the issue of vessel chartering merited thorough discussion and suggested that it be addressed at the 2005 meeting.

8 Adoption of the report and adjournment

It was agreed to adopt the 2004 Report of the Compliance Committee by correspondence. The 2004 meeting of the Compliance Committee adjourned on 20 November 2004.

The Report of the Compliance Committee was adopted by correspondence.

Appendix 1 to ANNEX 9

Agenda

- 1 Opening of the meeting
- 2 Adoption of the Agenda
- 3 Appointment of the Rapporteur
- 4 National rules for the application of ICCAT measures
- 5 Status of the compliance of Contracting Parties concerning statistics
- 6 Status of the compliance of Contracting Parties concerning ICCAT conservation and management measures
 - 6.1 List of vessels over 24 m authorized to operate in the Convention Area
 - 6.2 Review of the Compliance Tables
 - 6.3 *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15]
 - 6.4 Other compliance matters
- 7 Other matters
- 8 Adoption of the report and adjournment

North Atlantic Albacore Compliance Table for 2004.

Quota type	Status	Party / Entity / Fishing Entity	Initial Catch limits					Reference years Avg (93-95)	Current catches					Balance				Adjusted quota					
			1999	2000	2001	2002	2003		2004	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003	2002	2003	2004	
TOTALS (TAC)			---	---	34500	34500	34500	34500				30961.0	22601.7	25409.0			3538.97	11898	9091				
CP Quota/	CP	BARBADOS	200	200	200	200	200	200	0.0	0.7	0.0	2.0	5.2	5.0	199.3	200.0	198.0	194.8					
		BRAZIL	200	200	200	200	200	200	0.0	0.0	3.7	0.0	0.0	0.0	200.0	196.3	200.0	200.0					
		CANADA	200	200	200	200	200	200	17.7	38.8	121.7	51.0	112.7	55.7	161.2	78.3	149.0	87.3					
		CHINA.PR	200	200	200	200	200	200	7.3	60.0	104.7	56.5	195.8	155.2	140.0	95.3	143.5	4.2	44.8				
		EC-Total	---	---	28712	28712	28712	28712	30213.7	28081.0	25741.0	18786.4	16295	17296.0	---	---	9925.6	12417.5	21341.6	28712	38637.6	41129.5	
		JAPAN	870*	952*	761*	617*	756*	*		446.0	724.0	1074.0	698.0	781.0	---	---	---	---	---				
		KOREA	200	200	200	200	200	200	2.7	0.0	0.0	0.0	0.0	0.0	200.0	200.0	200.0	200.0					
		FRANCE.OT	200	200	200	200	200	200	0.0	0.0	0.0	0.0	3.8	0.0	200.0	200.0	200.0	196.2					
		MAROC						200	0.0					81.0									
		PHILIPPINES	200	200					0.0	4.0	0.0	0.0	0.0	0.0	196.0	200.0							
		TRINIDAD & TOBAGO	---	---	200	200	200	200	213.0	0.0	1.6	11.0	9.0	12.0	---	---	189.0	191.0	188.0				
		U.S.A	---	---	607	607	607	607	598.0	314.0	415.0	453.1	487.8	448.8	---	---	153.9	119.2	158.2			765.20	
UK-OT	200	200	200	200	200	200	0.0	2.0	2.0	2.0	2.0	0.1	198.0	198.0	198.0	198.0							
VENEZUELA	---	---	200	200	270	270	268.9	91.0	1374.0	349.0	161.5	423.5	---	---	-149.0	38.5	-153.5			116.5			
Others Quota					4459	4459	4459	4459															
	NCC	CHINESE TAIPEI	---	---	4453	4453	4453	4453	5562.0	5785.0	5299.0	4399.0	4305.0	4539.0	---	---	54.0	148.0	116.0				
	NCO	CUBA							0.7				1.3										
		GRENADA	200	200						6.0	0.0	21.0	22.9	46.1	194.0	200.0							
		S.LEONE				6 t Share		n/a					91.0					n/a				n/a	
		ST.LUCIA	200	200						0.7	0.0	0.0	3.0	2.3	10.1	200.0	200.0						
		ST.VINCENT	200	200					0.7	0.0	0.0	5662.0	299.9	1555.4	200.0	200.0							

Recommendation(s) / Resolution(s)	98-8	00-6	01-05	02-05	03-06
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00-6	00-6	01-5
	01-5	02-5

* JAPAN endeavour to limit its total north albacore catches to no more than 4% of its total bigeye tuna catch (2.1% for 1999, 3% for 2000, 5.6% for 2001, 4.5% for 2002 and 4.1% for 2003).

EC has adjusted 2003 quota using 2001 balance (9925.6+28712= 38637.6).

CHINESE TAIPEI has adjusted 2003 quota from 2001 and 2002 underages. Catches in 2003 do not include 18 t taken by re-registered vessels.

GRENADA: The catch figures shown are uncertain, due to possible species mis-identification.

South Atlantic Albacore Compliance Table for 2004.

Quota type	Status	Party / Entity / Fishing Entity	Initial Catch limits / Quotas						Reference Years Avg(92-96)	Current Catch					Informative balance					
			1998	1999	2000	2001	2002	2003		2004	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003
Total			28200	28200	29200	29200	29200	29200		27247.4	28157.5	35380.5	31587.9	27612.3	952.6	42.5	-6180.5	-2387.9	1587.7	
Active Fishers	Total		22000	27200	27200	27500	27500	27500		25513.4	26672.3	33985.0	29919.4	26415.5	1686.6	527.7	-6485.0	-2419.4	1084.5	
	CP	BRAZIL	TAC share						n/a	1873.4	3365.2	6680.0	3228.1	2647.5						
		NAMIBIA	TAC share							1162.0	2418.1	3419.0	2962	3152.3						
		SOUTH AFRICA	TAC share							5101.0	3668.0	7236.0	6507.0	3468.7	n/a					
NCC	CHINESE TAIPEI	TAC share							17377.0	17221.0	16650.0	17222.0	17147.0							
Others	CP	CHINA.PR	0.0	0.0	0.0	100.0	100.0	100.0	100.0	0.0	39.0	89.0	26.2	29.9	26.4	-39.0	-89.0	73.8	70.1	73.6
		EC-Total	1914.7	1914.7	1914.7	1914.7	1914.7	1914.7	1914.7	1740.6	1040.0	791.0	866.9	1286.6	854.4	874.7	1123.7	1047.8	638.1	2108.1
		JAPAN	424*	364*	392*	298*	336.5*	498.6*	---	---	552.0	438.0	315.0	210.0	309.0	---	---	---	---	---
		KOREA	9.5	9.5	9.5	100.0	100.0	100.0	100.0	8.6	0.0	18.3	1.4	0.0	5.0	9.5	-8.8	98.6	100.0	95.0
		PANAMA	119.7	119.7	119.7	119.7	119.7	119.7	100.0	108.8	14.0	0.0				105.7	119.7			
		PHILIPPINES	0.0	0.0	0.0	100.0	100.0	100.0	100.0	0.0	4.0	0.1	0.0	0.0	0.0	-4.0	-0.1			
		U.S.A	0.2	0.2	5.8**	100.0	100.0	100.0	100.0	0.2	1.4	0.9	2.0	2.0	2.0	0.0		98.0	98.0	98.0
		UK-OT	44.0	44.0	44.0	100.0	100.0	100.0	100.0	40.0	0.6	58.0	49.0	2.0		43.4	-14.0	51.0	98.0	100.0
		URUGUAY	43.8	43.8	43.8	100.0	100.0	100.0	100.0	39.8	78.0	90.0	135.0	111		-34.2	-46.2			
	NCO	ARGENTINA	67.8	67.8	67.8					61.6	0.0	0.0				67.8	67.8			
		CAMBODIA	0.0	0.0	0.0					0.0	5.0	0.0				-5.0	0.0			
		CUBA	1.8	1.8	1.8					1.6	0.0	0.0				1.8	1.8			
ST. VINCENT									0.0				27.0							

Recommendation(s) / Resolution(s)	97-5	98-9	99-6	00-7	01-6	02-06	03-07
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* JAPAN endeavour to limit its total south albacore catches to no more than 4% of its total bigeye tuna catch in South of 5 degrees North (3.9% in 1998, 6.1% in 1999, 4.5% in 2000, 4.2% in 2001, 2.5% in 2002 and 2.5% in 2003).
 ** USA endeavour to limit its total south albacore catches to no more than 4% of its total longline swordfish catch in South of 5 degrees North.
 EC has applied Ref. 00-14 and adjusted the 2003 quota by adding the 2001 balance (1047.8+1914.7=2962.5). Rec. 02-7 paragraph 11 does not allow carry over of under-harvest
 CHINESE TAIPEI 2003 catch does not include 204 t taken by re-registered vessels.

North Atlantic Swordfish Compliance Table for 2004.

Status	Party / Entity / Fishing Entity	Initial Catch limits / Quotas					Reference Years 1996 (SCRS-97)	Current catches					Balance				Adjusted quota							
		1999	2000	2001	2002	2003		2004	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003	2004
TAC		10727	10600	10500	10400	14000	14000																	
Discards allowance (included in TAC)			400	300	200	100	0																	
CP	CANADA	1070.0	1018.0	1018.0	1018.0	1338.0	1348.0	739.0	1114.3	967.8	1078.9	959.3	1284.9	-18.8	31.4	-29.5	59.7	178.7	1095.5	999.2	1049.4	1018.6	1463.6	1493.1
	EC-Total	5221.3	5073.0	5073.0	5073.0	6665.0	6718.0	7255.0	4966.0	5483.0	4810.4	4802.2	5763.2	-181.9	-147.5	80.6	123.3	982.4	4784.1	5335.5	4891.1	4925.5	6745.6	6841.3
	JAPAN	668.8	636.0	636.0	636.0	835.0	842.0	1451.0	884.0	791.0	500.0	266.0	530.0	-215.2	-155.0	342.0	479.0	523.0	--	--	--	--	--	--
	U.S.A	3103.0	2951.0	2951.0	2951.0	3877.0	3907.0	4148.0	2896.0	2683.8	2318.7	2540.3	2523.0	731.0	158.9	1195.3	1793.3	2948.8	3627.0	2951.0	3682.0	4473.2	5670.6	6855.8
	UK-OT	26.5	24.0	24.0	24.0	35.0	35.0	1.0	12.0	3.0	2.0	26.0	0.5	21.8	42.8	64.8	63.0	97.5	33.8	45.8	66.8	88.8	98.0	
	BARBADOS	0.0	0.0	0.0	0.0	25.0	25.0		12.1	13.0	19.0	10.4	10.0		-13.0	-32.0	-42.4	-27.4			-13.0	-32.0	-17.4	-2.4
	BRAZIL	0.0	0.0	0.0	0.0	50.0	50.0			117.3	0.0	0.0	0.0	0.0	-117.3			50.0	0.0	0.0	-117.3			100.0
	CHINA.PR	100.0	100.0	100.0	100.0	75.0	75.0	0.0	304.0	22.0	101.7	90.2	36.8	-204.0	0.0	-1.7	9.8	38.2						
	FRANCE (SP. M)					24.0	35.0						2.8											
	ICELAND					0.0	0.0				1.0	0.0	0.0											
	KOREA	19.0	14.1	14.1	14.1			19.0	0.0	0.0	0.0	0.0	0.0	38.0	52.1	66.1			38.0	52.1	66.1	80.2	0.0	
	MAROC	277.8	205.5	205.5	205.5	335.0	335.0	505.0	119.0	114.0	523.9	223.0	329.0	245.5	337.0	18.7	1.2		364.5	451.0	542.6	224.2	336.2	
	MEXICO	0.0	0.0	0.0	110.0	110.0	110.0		24.0	37.0	27.0	34.0	32.0	N/A	-37.0	-27.0	76.0	78.0						
	PANAMA	0.0	0.0	0.0	0.0			0.0	17.0					-17.0	0.0	0.0			0.0	-17.0	0.0	0.0		
	PHILIPPINES	0.0	0.0	0.0	0.0	0.0	0.0				1.0	4.0	0.0			-1.0	-4.0	0.0						
	TRINIDAD & TOBAGO	86.7	64.2	64.2	64.2	125.0	125.0	157.7	137.7	41.0	75.0	92.0	77.7	-51.3	-28.1	-38.9	-66.7	-19.5	43.6	12.9	36.1	25.3	58.3	105.6
	VENEZUELA	85.0	62.9	62.9	62.9	85.0	85.0	85.0	30.0	30.3	21.0	33.8	44.7	105.0	137.6	179.5			135.0	167.9	200.5	242.4	85.0	
NCC	CHINESE TAIPEI	288.2	213.3	213.3	213.3	310.0	310.0	524.0	285.0	347.0	281.0	286.0	223.0		-133.7	-67.7	-206.4	2.4		n/a		79.6	225.4	52.0
NCO	CUBA	0.0	0.0	0.0	0.0	0.0	0.0		7.0			9.7			0.0	0.0								
	FAROE-ISLANDS	0.0	0.0	0.0	0.0	0.0	0.0		5.0	4.0					-4.0									
	GRENADA	1.0	0.7	1.0	0.7	0.0	0.0	1.0	42.0	84.0		53.8	88.0	n/a	-83.3						n/a			
	SIERRA LEONE	0.0	0.0	0.0	0.0	0.0	0.0			2.2	2.0				-2.2	-2.0								
	ST.VINCENT	3.0	2.2	2.2	2.2	0.0	0.0	3.0	1.0		22.0		7.1		2.2	-19.8								

CP	CANADA		80.0	60.0	40.0	20.0	0.0			49.9	26.4	32.7	78.6		30.1	33.6	7.3	-58.6						
(dead discards)	U.S.A		320.0	240.0	160.0	80.0	0.0			428.3	408.0	299.6	278.5		-108.3	-168.0	-139.6	-198.5						

Recommendation(s) / Resolution(s)	96-7	99-2	02-02											98-13	00-3	02-02
	97-6	00-3														

JAPAN: Catches include 382 t in 1999. All catches in 2000 and 2001 were discarded. Balance for 2001 includes 206 t allowance from USA quota. Balance for 2002 includes 129 t and for 2003 218 t allowance from Japanese S. swordfish quota (Rec. 00-03).
 USA: Adjusted quota for 2002 does not reflect the 215 t allowance to Japan reported in 2003.
 MEXICO: Requested 200 t quota over the last 6 years. SWO is taken as by-catch.
 CANADA: Included 25 t transfer from USA in 2002-2003.
 CHINESE TAIPEI has adjusted biennially, and has applied the 125% penalty. 2003 catch does not include 13 t from re-registered vessels.

South Atlantic Swordfish Compliance Table for 2004.

Status	Party / Entity / Fishing Entity	Initial Catch limits / Quotas						Reference		Current Catch					Balance					Adjusted Quota /						
		1999	2000	2001	2002	2003	2004	1995	1996	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003	2004	
TAC		14620	14620	14620	14620	15651	15776			15132.5	13807.7	14711.3														
CP	BRAZIL	2339	2339	4720	4720	4086	4193	1975.0	1892.0	4721.1	3409.1	4081.8	2909.9	2919.9	-2381.9	-1069.9	638.2	1810.1	1166.1						5359	
	EC-Total	6233	6233	6233	6233	5950	5850	11670.0	10011.0	6139.0	6342.0	6181.0	6120.7	4885.3	111.0	2.0	52.0	114.3	1116.7	6250.0	6344.0	6233.0	6235.0	6002.0		
	JAPAN	3765	3765	3765	3765	1500	1500	3619.0	2197.0	802.0	727.0	726.0	1127.0	958.0	2962.6	3037.6	3038.6	2419.6	3261.6				3546.6	4219.6	4500	
	URUGUAY	695	695	800	1000	850	850	499.0	644.0	650.0	713.0	789.0	768			-18.5										
	CHINA PR			480	480	315	315			534.0	344.0	200.3	423	192.2	-284.0	-344.0	279.7		122.8	-29.0	-284.0				438	
	COTE D'IVOIRE	23	23			100	100	19.0	26.0	26.0	20.0	18.9	19	43.0	-3.5	2.5				20.0	19.0					
	GABON																									
	C.EQUATORIAL																									
	GHANA	122	122					103.0	140.0	121.0	116.5	116.5	372		0.0	0.0				0.0	0.0					
	KOREA	86	86					164.0	7.0		9.7	1.5	24.0		0.5	5.0				137.0	122.0					
	NAMIBIA			2000	2000	890	1009			730.0	468.7	751.0	503.7	191.5	-730.0	-468.7	1249.0				164.0	171.0				
	PANAMA									105.0					-105.0	0.0				0.0	-730.0					
	PHILIPPINES					0	0						0.79	52.4							0.0	-105.0				
	SOUTH AFRICA	3	3	1500	1500	890	1009	4.0	1.0	76.0	230.0	562.0	500.0	280.0		-227.5	938.0		-52.4						-52.4	
	UK-OT			100	100	25	25					20.0	4			0.0										
	U.S.A	384	384	384	384	100	100	384.0		51.0	124.7	92.8	20.5	20.5	333.0	259.3	291.2	363.7	339.1					359.6	334.3	
NCC	CHINESE TAIPEI	2875	2875	1170	1170	925	825	2876.0	2873.0	1168.0	1303.0	1167.0	1073.0	1089.0	1706.5	1571.5	2.6	96.6	-64.0						1025.0	761.0
NCO	ARGENTINA											5.0			0.0	0.0										
	BENIN	24	24					24.0	24.0	3.4					20.6	24.0										
	CAMBODIA									6.0					-6.0	0.0										
	CUBA	419	419					778.0	60.0						419.0	419.0										
	NIGERIA	9	9						9.0						9.0	9.0										
	SEYCHELLES												5.9													
	TOGO	39	39					14.0	64.0						39.0	39.0										

Recommendation(s) / Resolution(s)	97-7	00-4	01-02	02-03
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	97-7	02-03	02-03
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BRASIL, URUGUAY and S. AFRICA objected to Recommendation 97-8.

Initial catch limits were set autonomously.

JAPAN: Adjusted quota in 2002 excludes 129 *2 t and in 2003 218 t to count as Japanese N. Swordfish catch (00-03). Japanese underage in 2000 has been carried over to 2003. (Rec. 02-03).

In conformity with this provision, JAPAN will maintain the underage of 3038 t for an unexpected increase of swordfish catch, although it will make every effort to control its swordfish catch not to exceed 1500 t each year. 2003 underage of 3261.1 t will be controlled to 3000 t and be carried over.

USA: 1996 catch figure (384 t) is based on fishing year and was agreed at the Intersessional meeting of Panel 4 in 1997 (Brazil).

CHINESE TAIPEI catches do not include 61 t catch by re-registered vessels. 2003 quota includes 100t transfer from JAPAN. Japanese quota has been adjusted accordingly.

The Commission agreed that quotas for 2003 would not be adjusted unless specified in Recommendation 02-03.

West Atlantic Bluefin Tuna Compliance Table for 2004.

Quota type	Status	Party/ Entity / Fishing Entity	Initial Catch Limits					Current Catch					Balance					Adjusted Quota/Catch limit						
			1999	2000	2001	2002	2003	2004	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003	2004
TAC			2500.0	2500.0	2500.0	2500.0	2700.0	2700.0	2754.4	2305.1	2854.6	2922.2	2436.2											
Total catch that can be retained			2421.0	2421.0	2421.0	2421.0	2621.0		2692.7	2229.1	2799.9	2829.0	2384.0											
Individual quotas	CP	BRAZIL						13.0	0.0	0.22	0.0	0.0	-13.0	0.0	-0.22	0	0							
		CANADA	573.0	573.0	573.0	573.0	620.2	620.2	576.1	549.1	523.7	603.6	556.6	1.6	20.4	21.7	-8.9	25.8	577.7	569.5	553.0	594.7	580	645.9
		FRANCE (SPM)	4.0	4.0	4.0	4.0	4.0	4.0	0.6	0.4	0.0	2.6	0.9	3.4	7.0	11.0	12.4	15.5	4.0	7.4	11.0	15.0	16.4	19.5
		G.EQUATORIAL (NEI)						429.0	143.0															
		JAPAN	453.0	453.0	453.0	453.0	478.3	478.3	433.0	322.0	676.0	363.0	376.0	3.0	6.5	-216.5	90.0	-24.0	436.0	329.0	460.0	453.0	352.0	478.3
		MEXICO				25.0	25.0	25.0	14.0	28.7	10.0	12.0	22.0					3.0					25.0	28.0
		U.S.A	1387.0	1387.0	1387.0	1387.0	1489.6	1489.6	1226.0	1185.0	1589.0	1846.8	1428.2	217.0	438.0	248.3	-206	-136.3	1434.0	1604.0	1825.0	1635.3	1283.7	1353.3
		UK-OT	4.0	4.0	4.0	4.0	4.0	1.0	1.0	1.0	1.0	0.3	3.0	6.0	9.0	12.0	15.8	4.0	7.0	10.0	13.0	16.0	19.8	
Others	NCO	CHINESE TAIPEI																						
		CUBA	n/a					73.7					n/a											
	NCC	SIERRA LEONE						127.0					49.2											
Discards allowance	Total		79.0	79.0	79.0	79.0	79.0	61.7	76.0	54.6	93.3	52.3												
	CP	CANADA	5.6	5.6	5.6	5.6	5.6	10.7	46.0	13.2	36.9	0.9	-5.1	-40.4	-7.6	-31.3	4.8							
		JAPAN	5.6	5.6	5.6	5.6	5.6	0.0	0.0	0.0	0.0	0.0	5.6	5.6	5.6	5.6	5.6							
		U.S.A	67.7	67.7	67.7	67.7	67.7	51.0	30.0	41.4	56.4	51.4	16.7	37.7	26.3	11.3	16.3							

Recommendation(s)	98-7	02-07
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96-14	98-13
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02-07

USA in 1999 changed the calendar year to fishing year (June-May) and applied 37 t of the left over from 1998 to 1999 fishing year.
MEXICO: Shaded figure indicates an autonomous catch limit of 25 t, but according to Recommendation 98-7 catch limit were 0 t.
MEXICO: Requested 120 t quota over the last 6 years. BFT is caught as by-catch.

Atlantic Bigeye Tuna Compliance Table for 2004.

Status	Party / Entity / Fishing Entity	Initial Catch limits / Quotas					Reference years		Current catches					Balance					Adjusted Catch limit			
		1999	2000	2001	2002	2003	2004	Average (91-92)	1999 (SCRS/00)	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003	2002	2003	2004
CP	BARBADOS							0.0		18.0	18.0	6.0	10.5	10.5								
	BRAZIL							570.0		2024.0	2372.2	2622.3	2581.5	2455.1								
	CANADA							46.5		263.0	327.0	241.0	279.3	181.6								
	CAP-VERT							128.0		1.0	2.0	0.0										
	CHINA,PR			7300.0	5100.0	5000.0	5000.0	0.0	7347.0	7347.0	6563.5	7210.0	5839.5*	7889.7*		90.0	-739.5*	-1639.7*			6250.0*	
	COTE D'IVOIRE							0.0		390.0	458.0	0.0										
	EC-Total			26672.0	26672.0	26672.0	26672.0	26672.0	21970.0	22221	17989	16504	17406.8	17362.6		10168.0	9265.2	19477.4			36840	35937
	GABON							0.0		184.0	150.0	121.0										
	GHANA			3478.0	3478.0	3478.0	3478.0	3478.0	11460.0	11460.0	5586.0	2358.0	2034.0	4816.0		1120.0	1444.0	-1338.0				
	ICELAND							0.0		1.0												
	JAPAN			32539.0	32539.0	32539.0	32539.0	32539.0	23690.0	24184.0	23812.0	19030.0	18977.0	18909.0		13509.0	12462.0	11130.0		31439.0	30039.0	
	KOREA							834.0		124.0	43.4	1.3	87.3	143.0								
	LIBYA							254.0		400.0	400.0	30.9	593.0	593.0								
	MAROC							0.0		700.0	770.0	857.4	913.0	889.0								
	MEXICO							0.0		6.0	6.0	2.0	7.0	3.0								
	NAMIBIA							0.0		423.0	589.0	639.8	273.6	214.9								
	PANAMA							8724.5		318.0	995.3	89.0	63.0									
	PHILIPPINES							0.0		2113.0	974.8	377.0	732.0	855.2								
	RUSSIA FED.							0.0		8.0	91.0	0.0	0.0	0.0								
	SOUTH AFRICA							57.5		41.0	225.0	208.0	305.0	98.5								
	TRINIDAD & TOBAGO							131.5		8.1	5.2	11.0	30.0	6.5								
	U.S.A							893.5		1262.0	589.2	1363.0	595.6	483.2								
	UK-OT							6.5		6.0	8.3	10.0	5.0	0.2								
	URUGUAY							38.0		28.0	25.0	51.0	67.0	43.0								
	VENEZUELA							373.2		140.0	226.2	660.9	629.1	515.6								
NCC	CHINESE TAIPEI	16500.0	16500.0	16500.0	16500.0	16500.0	16500.0	12698.0	16837.0	16837.0	16795.0	16429.0	16503.0*	17719.0*	-337.0	-295.0	71.0	-3.0*	28.0*		17747.0*	
NCO	ARGENTINA							11.0				0.0										
	BENIN							8.5		10.8												
	CAMBODIA							0.0		32.0			8.0									
	CONGO							12.0		8.0	8.0	8.0	8.0	16.0								
	CUBA							45.0					15.5									
	DOMINICA											5.0										
	FAROE-ISLANDS							0.0		11.0	8.0	0.0										
	GREENADA							45.0			0.4	0.2	0.3									
	LIBERIA							27.5		57.0	57.0	57.0	57.0	57.0								
	NETHERLAND.ANT							0.0			2359.0	2803.0	1879.0	3202.7								
	SENEGAL							5.0		1131.0	1308.0	565.0	407.0									
	SIERRA LEONE							0.0			5.9	2.4										
	SEYCHELLES										58.0		162.5									
	ST.LUCIA							0.5				0.7	2.1	2.5								
	ST.VINCENT							0.5		1.0	1215.2	506.0	14.6	102.6								
	TOGO							4.0														

Recommendation(s) / Resolution(s)	98-3	00-1	01-01	02-01	03-01
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* Provisional figures. Pending the completion of the investigation and pending a later decision on the payback of overharvest.
 Limit the number of vessels fishing for the Atlantic bigeye tuna to the following:
 CHINA: 30 vessels [Ref. 00-1]; CHINESE TAIPEI: 125 vessels [Ref. 98-3]; PHILIPPINES: 5 vessels [Rec. 00-1] for 2001.
 CHINA: 60 vessels [Ref. 01-1]; CHINESE TAIPEI: 125 vessels [Ref. 01-1]; PHILIPPINES: 5 vessels [Rec. 01-1] for 2002.
 CHINA: 60 vessels [02-1]; CHINESE TAIPEI: 125 vessels [02-1]; PHILIPPINES: 5 vessels [Rec. 02-1] for 2003.
 CHINA objected Recommendation 00-1 which set a catch limit of 4000 t.
 CHINESE TAIPEI: 2003 adjusted quota includes 1250 t from Japan. Japanese quota has been adjusted accordingly. 2003 catch does not include the catch of re-registered vessels (1822).

Billfishes (BUM, WHM) Compliance Table for 2004.

Tabla de cumplimiento de marlines (BUM, WHM) para 2004.

Species	Status	Party / Entry / Fishing Entity	Initial Catch Limits				Reference years (landings)		Current Landings						Informative Balance						
			2001	2002	2003	2004	1996	1999	2001		2002		2003		2001	2002	2003				
							(PS+LL)	(PS+LL)	total	LL+PS	total	LL+PS	total	LL+PS	LL+PS	LL+PS	LL+PS				
WHM	CP	BARBADOS	8.3	8.3	8.3	8.3		25.3													
		BRAZIL	51.8	51.8	51.8	51.8	70.0	157.0	171.4	171.5	406.9	341.9	265.6	265.6							
		CANADA	1.7	2.6	2.6	2.6	8.0	5.0	3.2	3.2	2.1	2.1	1.4	1.3	-1.5	0.5	1.3				
		CHINA.PR	9.9	9.9	9.9	9.9	9.0	30.0	19.8	19.8	22.8	22.8	4.7	4.7	-9.9	-12.9	5.2				
		<i>COTE D'IVOIRE</i>	0.0	0.0	0.0	0.0			2.4	0.0	1.8	0.0	3.0	0.0	0.0	0.0	0.0				
		EC-Total	46.5	46.5	46.5	46.5	104.1	141.0	2.4	2.4	5.8	5.8	33.8				40.7				
		<i>GABON</i>	0.0	0.0	0.0	0.0															
		<i>GHANA</i>	0.0	0.0	0.0	0.0			20.9	0.0	2.3	0.0									
		JAPAN	37.0	37.0	37.0	37.0	112.0	43.0	50.0	50.0	28.0	28.0	31.0	31.0	-9.0	8.96	5.88				
		KOREA	0.0	19.5	19.5	19.5			59.0	0.0	0.0		2.0	2.0	0.0	19.5	17.5				
		MEXICO	3.63	3.6	3.6	3.6				11.0	44.0	44.0	15.0	15.0	15.0	15.0	15.0	-40.4	-11.4	-11.4	
		PHILIPPINES	4.0	4.0	4.0	4.0				12.0	0.0	0.0	0.0	0.0	0.0	4.0	4.0	4.0			
		<i>SAO TOME & PRINCIPE</i>	0.0	0.0	0.0	0.0									14.6						
		SOUTH AFRICA	0.0	0.0	0.0	0.0					0.0	0.0	2.0	0.0		0.0	0.0	0.0			
		TRINIDAD & TOBAGO	0.0	0.0	0.0	0.0					2.3	2.3	5.0	5.0	8.8	8.8	-2.3	-5.0	-8.8		
		U.S.A	**	**	**	**					3.1	0.0	5.6	0.0	0.6	0.0	**	**	**		
		UK-OT	0.0	0.0	0.0	0.0					0.4	0.0	0.0	0.0	0.5	0.0	0.0	0.0	0.0	0.0	
		URUGUAY	0.0	0.0	0.0	0.0							0.0	0.0		0.0	0.0	0.0	0.0	0.0	
		VENEZUELA	14.2	50.0	50.0	50.0	151.6	42.9	72.4	65.9	109.9	93.3	109.9	93.3	-51.7	-43.3	-43.3				
		NCC	CHINESE TAIPEI	153.5	186.8	186.8	186.8	566.0	465.0	152.0	152.0	165.0	165.0	104.0	104.0	1.5	21.8	84.3			
NCO	BELIZE.SHOB	0.3	0.3	0.3	0.3		1.0								0.3	0.3					
	CAMBODIA	0.3	0.3	0.3	0.3		1.0								0.3	0.3					
	CUBA	0.0	0.0	0.0	0.0					7.1	7.1				-7.1	0.0					
	<i>GRENADE</i>	0.0	0.0	0.0	0.0					15.1	0.0	7.7	0.0		0.0	0.0	0.0				
	ST.VINCENT	0.0	0.0	0.0	0.0							0.3	0.3	43.7	43.7	-0.3	-43.7				
BUM	CP	BARBADOS	9.3	9.3	9.3	9.3		18.6													
		BRAZIL	253.8	253.8	253.8	253.8	308.0	507.5	779.9	779.9	386.9	386.9	577.4	577.4							
		CHINA.PR	100.5	100.5	100.5	100.5	62.0	201.0	91.6	91.6	87.8	87.8	88.5	88.5	8.9	12.7	12.0				
		<i>COTE D'IVOIRE</i>	0.0	0.0	0.0	0.0			196.0	0.0	77.9	0.0	109.0	0.0	0.0	0.0	0.0				
		EC-Total	100.0	103.0	103.0	103.0	206.0	200.0	18.1	7.6	34.5		80.9		92.4						
		<i>GABON</i>	0.0	0.0	0.0	0.0															
		<i>GHANA</i>	0.0	0.0	0.0	0.0					1295.0	0.0	998.5	0.0							
		JAPAN	839.5	839.5	839.5	839.5	1679.0	915.0	192.0	192.0	422.0	422.0	453.0	453.0	1799.0	2216.5	2603.0				
		KOREA	0.0	72.0	72.0	72.0			144.0	0.5	0.5	0.0	0.0	0.0	0.0	-0.5	72.0	72.0			
		MEXICO	17.5	17.5	17.5	17.5	13.0	35.0	37.0	37.0	50.0	50.0	70.0	70.0	-19.5	-32.5	-52.5				
		PANAMA	0.0	0.0	0.0	0.0															
		PHILIPPINES	35.5	35.5	35.5	35.5				71.0	0.0	0.0	0.0	0.0	6.1	6.1	35.5	35.5	29.4		
		<i>SAO TOME & PRINCIPE</i>	0.0	0.0	0.0	0.0															
		SOUTH AFRICA	0.0	0.0	0.0	0.0					0.6	0.6	3.0	0.0	4.0	4.0	-0.6	0.0	-4.0		
		TRINIDAD & TOBAGO	9.0	10.3	10.3	10.3	20.5	18.0	17.0	14.0	16.0	9.0	3.6	3.4	-5.0	1.3	6.9				
		U.S.A	**	**	**	**					3.4	0.0	5.6	0.0	19.0	0.0	**	**	**		
		UK-OT	0.0	0.0	0.0	0.0					2.0	0.0	2.0	0.0	2.2	0.0					
		URUGUAY	0.0	0.0	0.0	0.0															
		VENEZUELA	15.0	30.4	30.4	30.4	60.7	30.0	71.5	14.8	75.6	25.6	84.3	29.7	0.2	4.8	0.7				
		NCC	CHINESE TAIPEI	243.0	330.0	330.0	330.0	660.0	486.0	240.0	240.0	272.0	272.0	298.0	298.0	3.0	58.0	35.0			
NCO	<i>BENIN</i>	0.0	0.0	0.0	0.0																
	CUBA	0.0	0.0	0.0	0.0					33.6	33.6				-33.6						
	<i>GRENADE</i>	0.0	0.0	0.0	0.0			103.5	0.0	68.5	68.5			0.0	-68.5						
	<i>ST.LUCIA</i>	0.0	0.0	0.0	0.0			4.6	0.0	0.0	0.0	18.1	0.0	0.0	0.0	0.0	0.0				
	<i>SENEGAL</i>	0.0	0.0	0.0	0.0																
	ST.VINCENT	0.0	0.0	0.0	0.0					20.4	20.4				-20.4						
Recommendation(s) / Resolution(s)			00-13	02-13																	
			01-10																		

URUGUAY white marlin catch in 1997 includes other billfishes.

BRAZIL: catches in 2001, 2002 and 2003 include discards difficult to estimate.

JAPAN applied Recommendation 00-14 to year 2000 and 2001.

MEXICO : landings (WHM, BUM) are only retained dead-by-catch. All live marlin are released.

USA shall limit its landings to 250 recreationally-caught WHM and BUM combined on an annual basis.

USA reported, in number of fish: 2001 = 116 WHM, and 77 BUM (total 193) In 2002: 191 WHM and 88 BUM (total 279). 2003: 131 fish BUM and WHM combined.

CHINESE TAIPEI has adjusted the 2003 quota to include 2001 underage. Catches do not include 11 t of WHM or 20 t of BUM taken by re-registered vessels.

Bold italics indicate those considered to have small-scale artisanal fisheries.

Trinidad and Tobago: provisional figures (see Appendix 9 to ANNEX 9).

Compliance Table of size limits for species with size regulations for 2003.

Recommendations / Size limits	Species Area	2003 catches						Tolerance limits & reported estimates over tolerance limits						
		BET	YFT	SWO		BFT		BET	YFT	SWO		BFT		
		ATL	ATL	AT.N	AT.S	AT.E+MED	AT.W	ATL	ATL	AT.N	AT.S	AT.E	Medi	AT.W
Number								79-1	72-1	90-2 (95-10)		02-08	02-08	91-1
Min Weight (kg)								3.2	3.2	25 kg or		6.4	4.8	30
Min Size (cm)								--	--	125 cm OR (119 cm)		--	--	115
Tolerance (% of total)								15%	15%	15% (0%)		10%	0%	8%
Tolerance Type (weight/number)								number	number	number		number	weight	weight
CP	ALGERIE					1586.0								
	ANGOLA													
	BARBADOS													
	BRAZIL	24451	3502.5		2919.9			0%	0%	11.1%				
	CANADA	181.6	72.7	1284.9			556.6	0%	0%	2%(<1%)				0%
	CAP-VERT													
	CHINA.PR	7889.7	1049.7	315.8	353.3	19.3		0%	0%	0%	0%	0%		
	COTE D'IVOIRE				43.0									
	CROATIA					1139.0								
	CYPRUS	0.0	0.0	0.0	0.0	78.9	0.0							
	EUROPEAN COMMUNITY	17362.6	58112.3	5763.2	4885.3	16607.3		28%	19%	21%	1%	1%		
	FRANCE.SPM	0.09		2.8										
	GABON		43.6		8.6									
	GHANA	4816	19030											
	GUINEA ECUATORIAL													
	GUINEE REPUBLIQUE													
	HONDURAS													
	ICELAND													
	JAPAN	18909	2506	530.0	958.0	2829.0	376.0	<15%	<15%	<15%	<15%	<10%		<8%
	KOREA	0.0	209.0	0.0	24.0	0.0	0.0		0%		0%			
	LIBYA													
	MALTA	0	0	0.0	0.0	255.2	0.0					0%		
	MAROC	889	108	329.0		2557.0								
	MEXICO	3.9	1314	31.9			22.0							
	NAMIBIA	214.9	139		191.5									
	NICARAGUA													
	NORWAY													
	PANAMA													
	PHILIPPINES	855.2	153.6	0.0	52.4			0%	0%		0%			
	RUSSIAN FEDERATION	0	0	0.0	0.0	0.0	0.0							
	SAO TOME & PRINCIPE													
	SOUTH AFRICA	98.5	295		280.0									
	TRINIDAD & TOBAGO	49.5	186.0	77.7										
	TUNISIE					792.0								
	TURKEY					3300.0								
	U.S.A *	483.24	7702.54	2523.0	20.5		1428.2			(2.0%)	(1.8%)			8.02%
	UK-OT	0.2	46	0.5			0.3							
	URUGUAY													
	VANUATU													
	VENEZUELA	515.6	7411	44.7										
NCC	CHINESE TAIPEI	17719	6486	223.0	1089.0	445.0								
	GUYANA													

Rec. 98-7 The take of undersize fish must be limited so that the average over each four-consecutive-year quota balancing period is no more than 8% by weight of the total bluefin quota on a individual basis.

EC catch does not include Cyprus or Malta, as these were not members of the EC in 2003.

USA has reported 0.15% of undersized western bluefin tuna less than 6.4kg (Rec. 74-01).

Appendix 3 to ANNEX 9**Revised Guidelines for the Preparation of Annual Reports****1 Introduction**

The purpose of Annual Reports is to provide a mechanism for the submission to ICCAT of relevant information on the tuna-related activities of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities during the preceding year.

2 Submission process

Annual Reports should be submitted in two parts, Part I relating to information on fisheries, research and statistics and Part II relating to information on management implementation and other related activities. Part I should be submitted to the SCRS before the start of the SCRS Plenary Session (i.e., by 9:00 am on the first day of the SCRS Plenary). The complete report, comprising Part I and Part II, should be submitted one month before the Commission meeting. The exact submission dates will be determined annually by the Secretariat on the basis of the dates of the Commission meetings, and communicated to all Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities.

A Word file of the Annual Reports must be provided to the Secretariat before or on the first day of the Commission meeting, either on diskette, compact disc or through electronic mail. The layout should follow these ICCAT Guidelines for Preparation of Annual Reports (also available on www.iccat.es).

3 Report sections

Annual Reports should contain specific, separate sections on fisheries, research, management and inspection activities and may optionally include appendices containing additional information pertinent to these sections. Information presented in Annual Reports should be divided into the relevant sections to facilitate the extraction and copying of particular information required by the Commission and its subsidiary bodies. The main report sections should be:

Part I (Information on fisheries, research and statistics)

Please note that national fisheries information and information on research and statistics should be concise. Detailed information of a more scientific nature, or for discussion by individual species working groups, should be presented to the SCRS as a scientific paper. Fisheries statistics should be reported separately by the Statistical Correspondent in accordance with the ICCAT Request for Atlantic tuna and shark statistics.

Section 1: Annual Fisheries Information

This report section should provide complementary information relating to the data submitted to ICCAT on total catches, effort, CPUE and size-frequency data and briefly describe trends in tuna fisheries during the preceding year. Attention should be given to changes in fishing patterns or new developments in fisheries, as well as socio-economic factors which influence or explain such changes and developments.

Section 2: Research and Statistics

This report section should provide a description of the statistical data collection systems implemented to monitor tuna fisheries, with an indication of the degree of coverage of catch, effort and size data for fishing operations in local and distant waters. Attention should be given to problems, changes and improvements in such statistical systems and, where possible, the coverage of retained catches of target and by-catch species, and of discarded catches.

This section should also present summarized information on tuna-related research activities and results of particular interest to ICCAT, such as research related to stock delineation, stock assessment, migration and environmental factors.

A brief description and summarized results of observer programs may also be included in this section.

Part II (Management implementation)

Section 3: Implementation of ICCAT Conservation and Management Measures

This report section should report on steps taken to implement ICCAT conservation and management measures. In particular, this section may provide for the formal notification of implementation of ICCAT measures, including the dates of such implementation. Details, including texts of the relevant domestic legislation, can be included as an appendix. Where problems have arisen with the implementation of ICCAT conservation and management measures, and the effects of such measures on the tuna fisheries, these should be outlined.

This section should also provide for the reporting of efforts to implement ICCAT Statistical Document Programs, where applicable. Summarized information should be provided on steps taken to implement such systems, and the results achieved. Additional information may be provided on other trade monitoring systems implemented.

A summary of the information previously submitted in compliance with the requirements of the various ICCAT management measures may be included in the Annual Report, but details should not be repeated. The reports should, however, contain all information required by ICCAT management measures where no other reporting mechanism exists. In order to ensure coherent formats, the Secretariat will each year indicate the management measures in force for which information should be included in the Annual Reports. The list provided, however, may not be exhaustive in all cases and Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities should refer to the Compendium of ICCAT Management Recommendations and Resolutions to ensure compliance with all the measures which may relate to them.

Section 4: Inspection Schemes and Activities

This report section should provide information on efforts undertaken to inspect own and other nation tuna fishing activities and catches. In particular, this section should be used to describe steps taken to implement and administer the revised ICCAT Port Inspection Scheme, and to summarize results obtained under this scheme. Details of inspectorate designations and inspection results should be presented in the relevant appendix, which should be considered to be formal notification of such results.

This section may also be used to present relevant summarized information on other inspection schemes, including domestic inspection schemes.

Section 5: Other Activities

This report section should be used to provide summarized information on other tuna fishery related activities not included in the previous sections.

Annual Report Appendices

Appendices may be included as a supplement to the information contained in the main body of the Annual Reports to be submitted to ICCAT. The purpose of such appendices should be to provide detailed supplementary information to the main sections of the Annual Reports. As such, information contained in the appendices should be considered to have been formally transmitted to the ICCAT Secretariat, as will be the contents of the body of the Annual Reports. However, such appendices will not be included in the subsequent publication of Annual Reports, but will be made available on request.

4 Formats

In order to facilitate the extraction of specific information for the relevant committees and sub-committees, and the subsequent publication, Annual Reports should adhere to the following format requirements, and report the information in accordance with the sections described above.

The main body of Annual Reports should be concise, and detailed additional information should be presented in appendices to the report. Clear tables and figures may be used to summarize and clarify information presented in Annual Reports. The main body of the Annual Reports **should not exceed eight pages in length** (two A4 pages per section) except in cases where the report pertains to multiple fisheries, in which case they may extend to 20 pages in length. The length of appendices is unlimited. Appendices will be distributed with the Annual Reports at the Commission Meeting, but they will not be published in the Biennial Report.

General text must be in Times New Roman 10 (see margins below). Section headings are standardized (see above and model page); further sub-headings should be short, reflect a logical sequence, and follow the rules of multiple subdivision (*i.e.*, there can be no subdivision without at least 2 two subheadings). The entire text should be intelligible to readers and therefore acronyms and abbreviations should be written out and all lesser-known technical terms should be defined the first time they are mentioned. Dates should be written as follows: 10 November 2003. Measures should be expressed as metric units, *e.g.*, metric tons (t).

Tables should be placed after the text, followed by the figure(s); they should be in MSWord files. Tables should be cited in numerical order in the text. Tables should be numbered (Arabic) and the table heading should be included above the table; avoid using grids. Headings in tables should be short but sufficient to allow the table to be intelligible on its own. All unusual symbols should be explained in the Table legend. Other incidental comments may be footnoted.

Figures should be in MSWord files and placed after tables. Figures should be cited in numerical order in the text. Figures should be numbered (Arabic) and the figure caption should be included beneath the figure; avoid using grids. Clearly identify numerical scales, units and legends for the X- and Y-axes for each figure.

Appendices should be placed after figures, and following the standardized headings (see above and model page).

For your convenience, the formatting instructions and model page are given in **Attachment 1**.

Summary of Formatting Instructions

Software:	Please prepare in MSWord (Word Perfect files will only be accepted if formatted exactly).
Paper size:	A4
Margins:	(Top, Bottom, Left, Right): 2.5 cm; headers 1.5 cm, footers 2.0 cm. Word Perfect files: The top margin of the first page should be 1.5 cm, and headers 1 cm. The header should be discontinued after page 1, and the top margins of subsequent pages set at 2.5 cm.
Line spacing:	Single (or 1.0); Double space between paragraphs; Triple space before new major headings. For contributors using an East Asian version of MSWord, please ensure that the printed copy is indeed single-spaced.
Page numbering:	None (for electronic copies)
Header:	NAT/200x/xxx [insert year and document number as provided by the Secretariat]; page 1 header only (different first page), Arial 10, right justified. No other running headers.
Font type:	Times New Roman
Font size:	TR 10. Footnotes should be in TNR 8.
Case:	Only the document title on the title page should be in CAPS.
Tabs:	Every 0.6 cm; no paragraph indents
Files:	Please submit 1 file with the formatted text (and tables, figures and appendices, should there be any).

Checklist

Before submitting your Annual Report, have you...

- kept to the 8-page limit?
- used MSWord?
- used A4 paper, 2.5 cm margins, 1.5 cm headers and 2.0 cm footers?
- used Times New Roman 10 font?
- single spaced the text? double spaced between paragraphs?
- used the "insert" "footnote" feature of MSWord to include the author's(') address(es)? [inclusion is optional]
- referred to all of the tables and figures in the text, in numerical order?

[All text in TR 10. Set all margins to 2.5 cm. [Paragraphs NOT indented.] The reports can be submitted in any of the three official languages of the Commission (English, French, Spanish). **IMPORTANT:** Remember to avoid embedded tables and figures; these should be placed at the end of the document (tables followed by figures).]

[2 spaces from top of page]
ANNUAL REPORT OF [insert name] [CAPS, **BOLD**, CENTERED]
 [2 spaces]
 John D. Smith, John D. Jones¹ [Authors names: title case, centered-
 [2 spaces] [inclusion is optional]

Part I (Information on fisheries, research and statistics) [Major headings: Bold, sentence case]
Section 1: Annual Fisheries Information [Sub-headings: *Italics, bold, sentence case*]
[double space before sub-headings and between paragraphs]

[Sub-titles within sub-heading: *Italics, lower case*]

Section 2: Research and Statistics

Part II (Management implementation) [triple space before starting a new major heading]

Section 3: Implementation of ICCAT Conservation and Management Measures

Section 4: Inspection Schemes and Activities

Section 5: Other Activities

[Tables and Figures should be numbered (Arabic); the table heading should be included above the table and the figure caption should be included beneath the figure. Tables and figures should be cited in numerical order in the text and the citation should be in boldface type (e.g., "...as illustrated in **Table 1** and **Figure 1...**").]

Table 1. Table(s) should be numbered (Arabic) and the table heading should be included above the table. Headings in tables should be short but sufficient to allow the table to be intelligible on its own.

Insert table(s) here:

- Please use TNR 10;
- Please avoid using grids;
- Please keep standard margins (above);
- Please do not paste "pictures" if possible, prepare or convert your table to MSWord;
- All unusual symbols should be explained in the Table legend;
- Other incidental comments may be footnoted.

[When the table(s) have been included, then continue with the figure(s).]

Insert figure(s) here:

- Please avoid using grids;
- Please keep standard margins (above);
- Clearly identify numerical scales, units and legends for the X- and Y-axes for each figure;
- All symbols should be explained in the figure key;
- In your graphics file, use "copy" and in your MSWord file use "paste special" "picture" to minimize the space in the file;
- Click on the picture, then go to "format," "picture," "layout" and choose "in front of text" for best results.

Figure 1. Figure(s) should be numbered (Arabic) and the figure caption should be included beneath the figure. Captions for figures should be short but sufficient to allow the figure to be intelligible on its own.

[Appendices follow the same formatting rules as the text and tables and figures, as appropriate. They should follow the standardized headings below.]

- Annual Report Appendices**
Research and Statistical Information
Implementation of ICCAT Conservation and Management Measures
Tuna Trade Information
Details and Results of Inspection Schemes
Other Activities

¹ Affiliation, addresses, etc. E-mail address of lead author. [Times New Roman 8]; please use the "insert" "footnote" feature of MSWord.

Report on Internal Actions Taken to Ensure That Tuna Vessels on the ICCAT Record of Vessels over 24 Meters Are Fishing in Accordance with ICCAT Management and Conservation Measures

Please mark with an X the box(es) which apply to your party, entity or fishing entity. Additional information may be included in the "Comments" column				
	<i>Required</i>	<i>Optional</i>	<i>Not required</i>	<i>Comments</i>
1. Conditions under which authorization to fish is issued include:				
Compliance with, or ability to comply with, applicable ICCAT Conservation and Management Measures				
Such measures include:				
Vessel monitoring systems				
Conditions for reporting time series of catch and effort by vessel				
Conditions for reporting total catch in number, nominal weight, or both, by species (both target and non-target) as is appropriate to each fishery period				
Conditions for reporting discard statistics, including estimates where necessary				
Conditions for reporting effort statistics appropriate to each fishing method				
Conditions for reporting fishing location, date and time fished and other statistics on fishing operations				
Reporting and other conditions for transshipping, where transshipping is permitted				
Observer coverage				
Maintenance of fishing and related log books				
Other measures (specify as required)				
Compliance with other requirements:				
Where appropriate, compliance with other aspects of fisheries arrangements applicable to the flag State, entity or fishing entity				
Possession of navigational equipment to ensure compliance with boundaries and in relation to restricted areas				
Marking of fishing vessels and fishing gear in accordance with internationally recognized standards				
The vessel has a unique, internationally recognized identification number, that enables it to be identified regardless of changes in registration or name over time				
Other measures (specify as required)				

2. LSFVs on the ICCAT record keep on board :				
Valid certificates of vessel registration				
Valid authorization to fish and/or transship				
3. Authorization to fish includes:				
The vessel name				
The name of natural or legal person authorized to fish				
The areas, scope and duration of the authorization to fish				
The species and fishing gear authorized				
Other applicable management measures (e.g., closed area/seasons, minimum sizes)				
4. Prevention of association with IUU fishing activities				
Evidence that vessels have not previously been engaged in IUU fishing activities, or are no longer associated in any way with such activities				
Owners must be citizens or legal entities of the flag state, entity or fishing entity issuing the authorization				
5. Transshipments				
All LSFVs involved in transshipment at sea have a prior authorization to transship issued by the CPC				
<i>LSFVs must report to the national fisheries administration or other designated institution the following:</i>				
The date and location of all of their transshipments of fish at sea				
The weight by species and catch area of the catch transshipped				
The name, registration, flag and other information related to the identification of the vessels involved in the transshipment				
The port of landing of the transshipped catch				
6. Punitive and Sanction actions				
Vessels which have not complied with the requirements above are subject to sanction by the flag CPC.				

Commission Chairman's Special Letters to Contracting Parties

5.1 Letter to Equatorial Guinea regarding lifting of sanctions

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to transmit to you the *Recommendation by ICCAT Concerning the Lifting of Trade Sanctions Against Equatorial Guinea*, adopted at the 14th Special meeting of the Commission which was held November 15-21, 2004, in New Orleans, Louisiana, USA.

As explained in previous communications, the Commission annually collects and reviews fishery related information for the Convention Area relative to the activities of both ICCAT members and non-members. During its 2004 review, ICCAT took note of the efforts made by Equatorial Guinea to address the concerns of the Commission, including revoking the registration of vessels previously identified as conducting illegal, unreported, and unregulated (IUU) fishing activities in the Convention area.

The Commission was encouraged by the participation of the delegate of Equatorial Guinea at the 2004 Commission meeting. ICCAT looks forward to working with Equatorial Guinea to combat IUU activities and improve statistical data collection. Such efforts will help ensure that Equatorial Guinea has the ability to comply with ICCAT's conservation and management measures and that Equatorial Guinea is not providing support to IUU vessels or their owners.

The Commission expresses its appreciation for Equatorial Guinea's efforts to rectify the compliance failures which formed the subject matter of the now lifted trade sanctions. Furthermore, the Commission wishes to re-emphasize the importance it attaches to full compliance by Contracting Parties with applicable ICCAT conservation and management measures.

Please accept assurances of my highest consideration.

5.2 Letter to Panama revoking identification

I have the honor to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) decided at its 14th Special Meeting, held November 15-21, 2004, in New Orleans, Louisiana, to revoke Panama's identification status relative to bigeye tuna.

As explained in previous communications, the Commission annually reviews fishery-related information for the Convention area relative to both ICCAT members and non-members. As you are aware, the referenced identification of Panama was made in accordance with the 1998 *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18]. During its 2004 review, the Commission took note that Panama no longer fishes in a manner that undermines ICCAT conservation and management measures and that no Panamanian flag vessels remain on ICCAT's "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas."

The Commission expresses its appreciation for Panama's efforts to rectify identified compliance failures. Furthermore, the Commission wishes to re-emphasize the importance it attaches to full compliance by Contracting Parties with applicable ICCAT conservation and management measures.

Please accept the assurance of my highest consideration.

**Report by Ghana on the 2003-2004 Moratorium and Internal Measures
Taken in Respect of ICCAT'S Recommendation [Rec. 99-01]**

In the past decade, the exploitation of tuna and tuna-like species in the eastern Atlantic Ocean has increased tremendously. The introduction of Fish Aggregating Devices (FADs) in the early 1990s to attract all sizes of fish and thus enhance easy capture of both the adult and young tunas has been a concern to both fishers and managers.

In 1998, ICCAT recommended a periodic restriction on the use of Fish Aggregating Devices (FADs) by tuna purse seine vessels fishing in the Atlantic Ocean. With the emergent collaboration between purse-seiners and pole-and line vessels (baitboats) in fishing, the moratorium was extended to baitboats in 2000.

With the support of the Government of the United States of America, Ghana undertook to implement the 2003-2004 ICCAT moratorium on the use of FADs in the Gulf Guinea (ICCAT Recommendation [Rec. 99-01]). A program was drawn up to place observers on all Ghana-flag tuna baitboats (pole and line) and purse seiners from November 1, 2003 to January 31, 2004. The main objective of the program was to observe and record fishing activities of vessels, with particular reference to activities on and around FADs in the prohibited zone in the Gulf of Guinea.

Prior to the commencement of the programme, Senior Management of the Directorate met the Ghana Tuna Association on September 9 and October 24, 2003 to discuss modalities for the 2003-2004 moratorium. At the meeting on October 24, 2003, salient points discussed at the 17th ICCAT Standing Committee on Research and Statistics (SCRS) meeting held in Madrid, Spain, were highlighted. These included the status of the tuna resources and the management measures needed for the rational exploitation and conservation. The need and obligation of Ghana to ensure that the moratorium programme is successfully implemented was also stressed. The Association pledged their support for the exercise and went further to issue instructions to their members on the program (See Appendix A)*.

A total of 20 Professional and Technical Officers of the Directorate of Fisheries of Ghana, and 7 others with the requisite qualification, were recruited from outside the Directorate and trained to undertake observer duties as required. The training covered the information to be collected at sea, the responsibilities of the observers and how they were to comport themselves at sea.

The first observers joined the vessels assigned to them in the week of November 2-8, 2003. The observers were instructed to undertake the following:

- verification of positions of each vessel as recorded in the vessel's logbook;
- observation and estimation of catches with a view of identifying catch composition, by-catches and discards (particularly of undersized fish).
- activities of other vessels in the vicinity particularly with respect to fishing on FADs.

The programme had a slow start in November 2003. Many vessels were at sea by 1 November and the operators undertook to take observers to the vessels on carrier vessels that service the tuna fishing vessels. Some vessels were re-called to port to pick observers. Out of the twenty-seven vessels that operated during the month of November, only eight carried observers. Seven vessels (five pole-and-line, two purse seiners) were out of service during the period of the moratorium. Four were undergoing repair works either in port or at the dry docks.

In December, a total of 27 vessels (87%) participated in the program with each carrying an observer onboard. In January, 25 out of the 27 operational vessels were at sea and all complied with the moratorium. The seven other vessels were still out of service.

According to the information gathered by the observers, fishing activities covered a wide area mainly between longitudes 6°E and 25°W and between latitudes 4°N and 6°S, that is mainly within the moratorium zone some purse-seiners were seen on the periphery of the zone and occasionally fished within the zones

A few collaborative fishing (sharing of catches of FADs) between Baitboats and Purse-seiners occurred within the zone. A few violations were seen from observers at the beginning of the program; however most captains complied with the moratorium. Some of these infractions were within the zone but mainly off the zone. The presence of observers however deterred most captains from fishing on FADs in the moratorium zone.

A total of approximately 7,500 t of tunas were caught during the moratorium period. During the same period in the previous year 14,700 t was caught showing a reduction of about 50%. Catches of the skipjack (*Katsuwonus pelamis*) were the highest comprising 59.5% of the total catch followed by yellowfin (*Thunnus albacares*) (27.5%) and bigeye (*Thunnus obesus*) (13%). Other by-catch species were caught notably the sailors dolphin fish (*Corphypena hippurus/equiselis*).

*Available from the Secretariat.

Length frequency analysis of principal species for the determination of the age structure indicated that majority of the fish sampled (i.e., yellowfin and bigeye) were below the ICCAT recommended size of 55cm.

In conclusion, the implementation of the observer programme in the year 2003-2004 was very good. Observers were placed on all 27 operational tuna vessels showing a coverage rate of 100%. Of the total registered vessels, 79.4% participated in the moratorium with the 20.6% being out of the service during the moratorium period.

The owners and skippers of the vessels cooperated in the programme with the latter granting unlimited access to the observers in respect of information on fishing activities. It is certain that continued seasonal closure on the use of FADS and strict enforcement of same could ultimately lead to a significant reduction of the intense pressure on juvenile fishes in the Gulf of Guinea.

From observations undertaken, it is hereby recommended that for effective observance of the moratorium:

- All FADs and associated gadgets such as radio beacons should be removed from sea a month prior to commencement of the moratorium;
- FADs and associated gadgets should not be carried to sea during the period;
- All observers should be equipped with cameras
- If funds are available ICCAT should deploy one or two vessels in the Atlantic Ocean to monitor the compliance of the moratorium;
- Any infractions should be meted out to culprits by the Flag nation and or ICCAT.
- More scientific studies should be carried out by fishery biologists with well defined questionnaire aimed at assessing stocks within the period of the moratorium.

Appendix 7 to ANNEX 9

Statement by Brazil to the Compliance Committee

When the ICCAT Record of Vessels was approved in Bilbao two years ago, in Recommendation [Rec. 02-22], it was negotiated in conjunction with Recommendation [Rec. 02-21] on Chartering. I would like to quote the Report of that meeting, particularly that of the Joint Compliance-PWG Meeting: “Brazil expressed support for an ICCAT positive list, but stressed that any such list must include specific language clarifying reporting and data collection responsibilities associated with chartered vessels, unless ICCAT adopted a separate chartering proposal at that meeting”. Since we did not adopt the chartering Recommendation at that meeting, it was our understanding that the particular case of chartered vessels had been properly taken into account.

However, the current procedure establishing that only the flag State can include its vessels on the list seems to be in contradiction with what we agreed upon in the chartering Recommendation, according to which, in paragraph 13.a, it is the chartering Contracting Party that will provide the information on the chartered vessel to ICCAT. Likewise, according to paragraph 14 of said Recommendation, it is also the chartering Contracting Party that will report on catches taken and fishing effort deployed by the chartered vessels. This is only natural, since the catches taken pursuant to the chartering arrangements will be counted against the quota of the chartering Contracting Party, as provisioned by paragraph 5.

We, of course, recognize that the flag State must give its consent to the chartering arrangement, as established in paragraph 13.b, and understand that the fulfillment of this obligation is a condition for the inclusion of the vessel on the list. Nor are we, in any way, disputing the right of the flag State to request the inclusion on the list of chartered vessels flying its flag. What we are saying is that, in the case of chartered vessels, the inclusion may also be requested by the chartering CPC, provided the provisions of [Rec. 02-21] and [Rec. 02-22] are duly abided by. Nevertheless, whether it be the flag State or the chartering CPC to request the inclusion of the chartered vessel on the list, we understand it must be done under the flag of the flag State.

That understanding helps to clarify a point raised by the Compendium Working Group in topic 11 of the document on the “Interpretation Difficulties Relating to Decisions Taken by the Commission”, , under the heading “Clarification and Interpretation of ICCAT Measures”, referring to vessels chartered from other responsible non-Contracting Parties, Entities or Fishing Entities, but which do not have Cooperating Status. The obligation to include the vessel on the list, in that case, shall clearly pertain to the chartering CPC, although the flag State must also comply with Recommendation 02-21, particularly with paragraph 13.b, by consenting to the chartering arrangement and agreeing to follow ICCAT conservation and management measures. Nowhere is it

provisioned, however, that the flag State needs, in that case, to request Cooperating Status. As the approval of Recs. 02-21 and 02-22 by this Commission was clearly linked, we sincerely hope that they both be implemented in an equitable manner.

Still on the question of implementation, while we were negotiating [Rec. 02-22], Brazil cautioned, on several occasions, that although we believed it could be a positive step towards a higher degree of compliance with ICCAT conservation and management measures, we feared that it could potentially be used as a means to unfairly restrict trade, thereby circumventing the process that was exhaustively discussed in this Commission and finally agreed upon in Resolution [Res. 03-15]. In this respect, we agree with comments made in the Commission that the list is not a trade measures. Unfortunately, since the approval of [Rec. 02-22], a shipment of fish caught by vessels chartered by Brazil and exported to the EC was held for months earlier this year and was not allowed to be imported. As we speak, Brazilian containers are again being held, under the allegation that the Brazilian fishing vessels were included on the positive list after their cargo had been loaded in the container, prior to its transportation. We fear that, in these cases, the positive list is being applied in a manner inconsistent with its original conception. Should this become a trend, it could, in our view, jeopardize the progress we have achieved so far in developing such innovative instruments. Brazil will naturally be more wary of moves in the direction of additional measures to combat IUU fishing that could eventually result in unfair restrictions to trade, such as expansion of the scope of the positive list.

Finally, we would like to draw your attention to the fact that, as pointed out in the last paragraph of the document concerning reports on CPC internal actions and measures, Brazil has complied with paragraph 6 of [Rec. 02-22]. This stems from our continuing commitment to the conservation and management goals envisioned in the adoption of the positive list by this Commission and to their full implementation. In this regard, we strongly feel that we must reconcile the way Recommendations [Rec. 02-21] and [Rec. 02-22] are implemented if we are to attain their objectives. In this regard, we reserve the right to include on the positive list vessels chartered by Brazil from responsible non-Contracting Parties, Entities or Fishing Entities, as envisaged in paragraph 3 of Recommendation [Rec. 02-21].

Appendix 8 to ANNEX 9

Statement by the EC Delegation to the Compliance Committee on Equatorial Guinea

The European Community appreciates fully the significant measures already adopted by Equatorial Guinea to prevent IUU vessels from being registered under its flag. Nevertheless ongoing investigations, which are being carried out by the European Community, indicate that vessels referred to in the Decree adopted on May 17, 2004 are still claiming to be flagged to Equatorial Guinea.

Whilst the lifting of the sanctions is supported by the European Community, it is suggested that Equatorial Guinea takes appropriate steps to notify any organisations concerned by the registration of vessels of the decisions adopted and the names of the vessels which are not entitled to fly its flag in order to prevent any misuse, which would undermine ICCAT conservation and management measures.

For this purpose, the European Community will provide Equatorial Guinea with the results of its investigations and any other relevant information which might be required.

Appendix 9 to ANNEX 9

Statement by Trinidad and Tobago to the Compliance Committee on Billfish Statistics and Catch Limit Allocation

Prior to Trinidad and Tobago becoming a Contracting Party to ICCAT, the SCRS applied a breakdown for billfishes that was not formally verified with the national fisheries authority of Trinidad and Tobago. Trinidad and Tobago has since improved its data collection system and has recently conducted investigations on billfish catch trends. Analyses have revealed that a different breakdown for billfishes is required for Trinidad and Tobago.

Additionally, upon examination of the blue marlin and white marlin Compliance Table, we wish to point out that the catch stated for the Reference Year (1996) in the blue marlin section is billfish catch, as reported to the Secretariat in 2000, and therefore the figure includes catches of White marlin.

Against the above background, Trinidad and Tobago will present a paper in 2005 which will provide the necessary data and information that will facilitate application of a more appropriate breakdown of our reported billfish catches in order to update the Task I and Compliance tables.

Appendix 10 to ANNEX 9

**Explanatory Note by the United States to the Compliance Committee
on 2003 Landings of Blue Marlin and White Marlin**

Reports previously submitted by the United States to SCRS have described the methods of estimating landings of marlins in the recreational fisheries. Due to concerns about the accuracy of estimates for 2001 and 2003, a review committee was convened to advise on the appropriateness of the methods used and to recommend improvements to reduce uncertainty in the estimates.

While the estimation procedure is under continuing investigation, the United States has transmitted to ICCAT a provisional landings estimate for 2003 of 131 blue marlin and white marlin combined. This figure includes only confirmed landings from the tournament survey and other non-tournament monitoring programs. It is acknowledged that actual landings are higher than this figure, and a revised estimate will be provided to ICCAT after the investigation is completed.

**REPORT OF THE MEETING OF THE
PERMANENT WORKING GROUP FOR THE IMPROVEMENT
OF ICCAT STATISTICS AND CONSERVATION MEASURES (PWG)**

1 Opening of the meeting

The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) met at the Hotel Fairmont in New Orleans, Louisiana, on the occasion of the 14th Special Meeting of the Commission. The meeting was opened by the PWG Chair, Ms. Kimberly Blankenbeker (United States).

2 Adoption of the Agenda

The Agenda (**Appendix 1 to ANNEX 10**) was adopted as proposed, with the exception that the consideration of the request by Chinese-Taipei for Cooperating Party status was to be the first substantive topic addressed by the working group, in accordance with the request of the Commission Chairman.

3 Appointment of the Rapporteur

Mr. David Kerstetter (United States) was appointed Rapporteur for the meeting.

4 Implementation and functioning of Statistical Document Programs

4.1 Review of biannual data reports

The ICCAT Secretariat introduced a summary document that described all of the data received by the Secretariat from Contracting Parties under the ICCAT Statistical Document Programs for bluefin tuna, bigeye tuna, and swordfish. The Parties thanked the Secretariat for its efforts. The EC also introduced a document containing information obtained from ICCAT Statistical Document Programs.

4.2 Review of the functioning of the Programs

Validation: The Secretariat presented a document summarizing validation information received from parties with respect to the Statistical Document Programs. Noting the increase in trade flows and the number of revisions in the validating authorities, the EC submitted a proposal calling for development of an Internet-based database on the validation of statistical documents. The Secretariat noted that implementation of such a program could involve a substantial initial time investment, but there would likely be a long-term savings in personnel time and postage. It would also facilitate access to relevant information. The parties concurred with the EC proposal. Given the nature of the proposal, however, the PWG agreed simply to incorporate the terms of the proposal in the meeting report rather than adopt a resolution on the matter. Therefore, the PWG proposed that the Commission endorse the following: *The Secretariat will enter and update in a password protected system on the ICCAT internet site detailed data concerning the validating authorities who have been notified to the Commission, accessible only to the competent authorities of the Contracting Parties and Cooperating non-Contracting Parties, Entities, or Fishing Entities. In addition, in a section of its Internet site that is publicly accessible, the Secretariat shall include the list of Contracting Parties and Cooperating non-Contracting Parties, Entities, or Fishing Entities and other non-Contracting Parties who have notified their validating authorities to the Commission.*

Ad Hoc Meeting: The EC introduced a document concerning the review of the ICCAT Statistical Document Programs. The Delegate of the EC remarked that these programs still had value, but that they should be reviewed and updated as necessary to reflect more current needs of the Commission. He noted that the programs are now used not only for data collection but to assist in management and enforcement. A specific attempt should be made to better match the statistical documents with market activities, which would improve ICCAT's ability to validate and crosscheck relevant trade data. He noted that the suggestions detailed in this document were based

on feedback received from many ICCAT Contracting Parties. The EC suggested an *ad hoc* working group be established to review ICCAT's Statistical Document Programs.

The Delegate of Japan agreed with many of the points made by the EC. The representative of Japan suggested that the *ad hoc* meeting regarding the improvement of the statistical document programs be held in Japan in conjunction with the proposed bluefin tuna integrated management meeting. The United States endorsed efforts to improve ICCAT's Statistical Document Programs and the suggested working group meeting. She suggested that the working group would need specific terms of reference to help guide its work. She also noted that the United States had some specific comments with respect to views set out in the EC document and would work directly with the EC on these matters. The Delegate of the EC also suggested that there be clear terms of reference for this *ad hoc* meeting. The Delegate of Morocco observed that these issues affected both importing and exporting parties, and that the *ad hoc* meeting would have to be balanced.

At a later session, the EC submitted a proposal for a draft *Resolution Establishing an Ad Hoc Working Group to Review the Statistical Monitoring Programs (ANNEX 6 [Res. 04-16])*. To ensure a well-balanced and comprehensive discussion, it was agreed that Parties would be encouraged to circulate their ideas with respect to the issues to be dealt with at the meeting by the end of the first quarter of 2005, which would allow for advance compilation and distribution to the Parties. After some discussion, the PWG agreed to recommend that the Commission adopt the proposed terms of reference for the meeting and endorse the suggestion that Parties submit to the Secretariat information of relevance to the meeting in early 2005.

5 Review of cooperation by non-Contracting Parties, Entities, or Fishing Entities and determination of needed actions

5.1 Development of IUU vessel list

The Secretariat introduced the draft IUU vessel list, which contained five vessels and accompanying evidence, and attention was drawn to the *Note Verbale* from Brazil concerning the vessel *Wen Shun No. 661*. The Observer from St. Vincent and the Grenadines introduced a document that contained information on the four SVG flag vessels on the draft list. In particular, the Observer from SVG commented that his government did not get information on the draft vessel list in the normal manner and that his authorities would need to investigate the activities of the listed vessels. In the meantime, he noted that the vessel F/V *Aquarius* is reporting as required and that the apparent confusion and resultant listing was due to a name change. Upon questioning by Japan, he informed the working group that these vessels are only authorized to fish for non-quota species (i.e., yellowfin tuna and the small tunas). The Observer also noted that the fishing vessels *Chan Yow #212* and *National #101* were cruising and drifting respectively, not fishing. The *Wen Shun No. 661* was less than 24 meters in length and therefore should not be included in the vessel list.

There was some discussion over the procedure developed to identify vessels as IUU, specifically what level of evidence was required for listing. The Delegate of the United States noted that there is discretion regarding what criteria or combination of factors would be good enough for listing. She noted that a vessel could be legitimately fishing for non-quota species and suggested that simply sighting such a fishing vessel was not necessarily IUU fishing. Japan noted that it had not conducted high seas boarding and inspection on the vessels but that they could confirm that the vessels were tuna longliners. The Delegate of Canada replied that there were other presumptions of guilt based on sighting alone, such as the *Recommendation by ICCAT Concerning the Ban on Landing and Transshipments in the Convention Area from Non-Contracting Parties Having Committed a Serious Infringement* [Rec. 98-11]. The EC Delegate stated that the information provided by St. Vincent and the Grenadines was not sufficient to forestall listing the three remaining vessels since these ships were clearly tuna longline vessels over 24 meters in length operating in the Convention area. He indicated that St. Vincent and the Grenadines should tell ICCAT what it intends to do to address IUU fishing. The Observer from St. Vincent and the Grenadines stated his belief that there was no direct evidence of wrongdoing and that the St. Vincent and the Grenadines flag vessels should be deleted from the list. The Representative of the EC noted that it should not matter if the vessels in question were fishing or cruising. If the vessel is in the Convention area, there is a presumption that it is engaged in fishing activities.

The Chair summarized that, according to the terms of the *Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 02-23], the *Wen Shun No. 661* should not be included on the vessel list and the PWG agreed to remove it. There was no agreement to remove the other vessels of SVG from the list. Despite this

decision, it was recognized that SVG is making serious efforts to improve monitoring and control of its fleet. It was also noted that they are looking into ICCAT membership.

The Delegate from the EC noted that the issue of revising the IUU vessel list recommendation was still pending and suggested this topic be added to the 2005 PWG agenda. He remarked that extension of the measure to other IUU activities would eliminate the loophole with respect to vessel size and facilitate compilation of the list.

The Delegate of Brazil commented on a document that detailed the seizure of F/V *Southern Star*, which was fishing illegally in Brazilian waters. He added that this incident is still being investigated, but that the Commission would be informed of the results. At this point, he did not wish this vessel to be included in the 2004 IUU vessel list.

The Delegate of Japan introduced a document that described three IUU vessels with unknown flag and suggesting that they be included on the 2004 IUU vessel list. The PWG agreed that these vessels should be included on the list. Japan noted that it was continuing an investigation of these vessels and would inform the Commission of the outcome of this work.

The Secretariat produced a revised list incorporating all the proposed changes. The PWG agreed to forward this list to the Commission for adoption. The agreed "List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area" (IUU List) is attached as (**Appendix 2 to ANNEX 10**).

5.2 Resolution by ICCAT Concerning Trade Measures [Res. 03-15]

Prior to discussing this Agenda item, the Chair briefly reviewed the history of this process. She called attention to the numerous documents relating to this Agenda item, highlighting the historical actions table, the responses to special letters, trade data, and the draft PWG Actions Table. This last would be used to guide the country-by-country discussion. The Chair also noted that discussions regarding Egypt and the Netherlands Antilles would be discussed under Agenda item 5.3.

The Chair commented with appreciation the number of Observers in the audience and asked their help in the deliberations. The final Summary Table of 2004 PWG Actions is attached to the report as (**Appendix 3 to ANNEX 10**).

Belize

The Observer from Belize reported to the Working Group that the Belize Government had approved the membership of ICCAT. He commented that ICCAT in general should be careful about allegations of wrongdoing, such as the Working Group document that reported an export of yellowfin tuna to Japan from Belize. A later investigation discovered that this was misreported simply because of a misplaced label. Also, another document that purported to list countries with IUU vessels in other regional fishery management organizations (RFMOs) contained a column from the Indian Ocean Tuna Commission (IOTC), although this RFMO has no specific official IUU list. The Observer repeated that Belize had no vessels in the Atlantic licensed for tuna or tuna-like species, and that all the other fishing vessels flagged to Belize had vessel monitoring systems (VMS) and mandatory reporting of landings. He stated Belize's continued commitment to cooperate with ICCAT.

Finally, the Observer expressed disappointment that he had first learned of alleged Belize landings in Uruguay through papers distributed at this meeting. He stated that this type of action needed to be addressed in at least bilateral meetings as soon as possible after the incident. He stressed his interest in investigating and reporting relevant information to the Commission with respect to matters such as these but underscored the need for timely notification in order to do so. There was general agreement that parties should make every effort to notify a country of a potential problem as soon as feasible and that the Secretariat should facilitate this information exchange where possible.

The Delegate of the EC recalled that the sanctions against Belize were lifted last year with the understanding that the ICCAT rules relating to vessels and statistical documents would be implemented. He noted that the Statistical Document Program had yet to be implemented domestically in Belize. The Observer replied that Belize had boarding and monitoring regulations currently in effect for all fishing vessels. Many Contracting Parties expressed their doubts regarding the current reports concerning exported product allegedly from Belize.

Based on this information, the Working Group recommended sending a letter (**Appendix 4.1 to ANNEX 10**) to Belize encouraging continued cooperation and requesting implementation of ICCAT's statistical document programs. In addition, Belize and Uruguay were urged to liaise with one another concerning possible landings by Belize vessels in Uruguay's ports.

Bolivia

The Chair noted that Bolivia had responded to last year's letter from the Commission, and that Bolivia has indicated that steps were being taken to combat IUU fishing under its flag. The Working Group agreed to send another letter (**Appendix 4.2 to ANNEX 10**) informing Bolivia that ICCAT would continue its sanctions given the insufficient response.

Cambodia

The Observer from Cambodia explained the situation with the vessel in question, reporting that not only was the vessel no longer fishing in the Atlantic, but that the fishing license was revoked and the company involved had been fired by the Cambodian government. Although some Contracting Parties expressed some concern that a similar situation might arise in the future, the Working Group agreed to lift sanctions. A letter to this effect was agreed (attached as **Appendix 4.3 to ANNEX 10**) as well as the *Recommendation by ICCAT Concerning the Lifting of Bigeye Trade Restrictive Measures Against Cambodia* (**ANNEX 5 [Rec. 04-15]**).

Costa Rica

The Commission again received no response from Costa Rica to ICCAT's special letter. The Working Group agreed to continue the identification for another year and sent a letter informing Costa Rica of this decision and seeking additional information (**Appendix 4.4 to ANNEX 10**).

Cuba

The Chair noted that a letter with few details had been received from Cuba by the Commission. It was agreed by the Working Group to continue the identification of Cuba under the trade measures resolution. The letter from the Commission is attached (**Appendix 4.5 to ANNEX 10**).

Georgia

Although a reply from Georgia had been received by the Commission, it indicated continued fishing by its flag vessels in the Convention area. The response was not sufficient to demonstrate that Georgia has rectified its fishing activities or has adopted measures to monitor and control its fleet effectively. The Working Group agreed to maintain sanctions and agreed a letter notifying Georgia of this decision (**Appendix 4.6 to ANNEX 10**).

Indonesia

The EC reported that swordfish had been denied import from Indonesia based on the lack of a statistical document, but the government had denied any vessels fishing in the Atlantic and would implement ICCAT's statistical document program. Based on this, the Working Group felt that no additional action was necessary, but that it would be monitored in the future as necessary.

Israel

The Chair briefly described the exchange of letters between the Commission and Israel, noting that Israel maintained its right to, and interest in, developing a fishery for bluefin tuna. The Working Group agreed that no additional action was warranted at this time given the last letter sent had come from ICCAT. The PWG remains concerned about this matter and recommended that the Commission maintain a discourse with Israel regarding this issue and return to the matter in 2005.

Mauritania

Despite a letter sent to Mauritania in 2004, no response was received from Mauritania. No additional data or other fishery information was available concerning fishing activities by this country was presented. Under the circumstances, the Working Group agreed simply to continue to monitor this situation for another year.

Palau

The Chair noted that one vessel flying the flag of Palau had been sighted in the Convention area by a Japanese vessel and was included on the 2004 IUU list. The Working Group recommended sending a letter (**Appendix 4.7 to ANNEX 10**) asking Palau about this vessel and its intentions regarding ICCAT.

Senegal

The Observer of Senegal reported to the Working Group that his country had a long tradition of working with ICCAT and that it was seeking to return as a member next year. He described the fisheries in Senegal for ICCAT-managed species, and noted that it always submitted data to the Commission.

Upon an inquiry from Japan about an apparently large harvest by one vessel in three oceans, the Observer replied that part of the explanation was that sailfish and swordfish are often confused in catch statistics due to use of the same local name for both species. However, he emphasized, there was no directed North Atlantic swordfish fishery in Senegal.

Reaction to these explanations varied among the PWG members, with some skeptical about the large and partly contradictory reported catch and others highly encouraged by a former member attempting to rejoin the Commission. After some debate, it was agreed within the Working Group that a letter (**Appendix 4.8 to ANNEX 10**) would be sent to Senegal that encouraged continued cooperation with ICCAT and requested additional information about monitoring and control measures.

Seychelles

Noting the absence of new information indicating problem fishing activities and the credible responses received by the Commission from Seychelles, the Working Group agreed to withdraw its identification. A letter was agreed notifying Seychelles of this decision (**Appendix 4.9 to ANNEX 10**).

Sierra Leone

The Observer from Sierra Leone described the historic relationship between ICCAT and her country, including data reporting. She also detailed the actions taken regarding the IUU vessel *Best of S.L.*, which included the revocation of its fishing license in 2003. The Observer noted that the government was currently working on the development of a new national monitoring, control, and surveillance scheme for its fisheries. It was agreed that trade restrictive measures would be lifted from Sierra Leone. In this regard, a *Recommendation by ICCAT Concerning the Lifting of Bigeye Tuna, Bluefin Tuna and Swordfish Trade Restrictive Measures Against Sierra Leone* (**ANNEX 5 [Rec. 04-14]**) together with a letter of notification to Sierra Leone was agreed (**Appendix 4.10 to ANNEX 10**).

Singapore

The Delegate of the EC described its systematic difficulties with Singapore re-export documents relative to swordfish, specifically that the government of Singapore refused the cooperation and use of ICCAT statistical documents. Noting the scale of Singapore international trade in swordfish and the loophole non-implementation of the statistical document program creates, to the detriment of ICCAT's conservation program, the Delegate suggested that such behavior was grounds for identification under the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15]. He also suggested that the Commission request a list of swordfish purveyors to examine statistical document application. The Delegate of Japan commented that similar problems had been experienced with Singapore in Japan, and that such identification was appropriate and might draw needed attention to the problem by the appropriate authorities. There was general agreement within the Working Group that identification was warranted at this time and a letter notifying Singapore of this decision was agreed (**Appendix 4.11 to ANNEX 10**).

Sri Lanka

No new information was received from Sri Lanka by the Commission, and the Working Group agreed to continue to monitor landings for another year. As the Commission had not received a reply from the Sri Lankan Government, it was agreed that another letter be sent (**Appendix 4.12 to ANNEX 10**).

St. Vincent and the Grenadines

The Observer from St. Vincent and the Grenadines reiterated his country's commitment to comply with ICCAT management measures. (The Delegate of Japan questioned the reply of St. Vincent and the Grenadines to concerns in 2003 regarding harvests of northern albacore, and suggested that the St. Vincent and the Grenadines action of sending a letter to the vessel in question was ineffective. The Observer replied that an investigation into said situation was ongoing, but that in general compliance in St. Vincent and the Grenadines was progressing with appropriate actions. The statement by the Observer from St. Vincent and the Grenadines is attached as **Appendix 5 to ANNEX 10**).

The U.S. Delegate commented that the United States would be willing to work closely with St. Vincent and the Grenadines on monitoring and compliance issues. She commented favorably on the strong support for the actions by St. Vincent and the Grenadines to date.

Based on these discussions, the Working Group agreed to send a letter to St. Vincent and the Grenadines encouraging continued cooperation, noting concerns about catches of albacore and bigeye tunas, and noting the need for SVG to take steps to improve the situation in the near future. Cooperation with ICCAT members to improve monitoring, control, and surveillance measures was encouraged (**Appendix 4.13 to ANNEX 10**).

Thailand

The Chair confirmed that an informative letter had been received from the Thai Government, and that the vessel in question was not flagged to Thailand. No further action was deemed warranted by the PWG at this time.

Togo

The Observer from Togo stated the willingness of Togo to work with the Commission and noted that it was taking steps to become a full member of ICCAT. Based on the steps being taken by Togo to come into compliance with ICCAT management measures, he requested that the identification be lifted. The Delegate of the EC noted that this was a situation similar to that of Belize, and that for the sake of consistency, the identification should be removed.

The Delegate of Japan agreed with this approach, but also requested that Togo inform the Commission of several points, including the number of longline vessels under Togo's flag, who owns these vessels, and other data pertaining to gear characteristics. While the Observer stated that he did not have those data with him at this meeting, he agreed that this fleet information would be transmitted later to Japan.

Accordingly, the PWG agreed that a letter should be sent notifying Togo that the identification had been lifted and seeking clarification of harvests and information on Togo's fleet. It should also clarify the misunderstanding on the swordfish quota issue and request Togo to implement ICCAT rules, including its statistical document programs (**Appendix 4.14 to ANNEX 10**). Additionally, a copy of *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits* [Rec. 02-03] would be included for reference.

Others

The Delegate of Canada raised a question concerning the apparent dramatic increase in blue marlin catches reported by Dominica, and whether any action was warranted. The Observer from CARICOM replied for Dominica by pointing out that in past years Dominica had combined its reported artisanal catch of marlins and sailfish into a generic "billfish" category, and that the apparent increase for 2003 was simply a reflection of this new, more detailed reporting. The Delegate thanked the Observer for her comprehensive answer and replied that no further action was necessary.

5.3 Requests for Cooperating Status

The Chair briefly addressed the relevant documents and process for granting this status. She noted that issues concerning Agenda item 5.2 would be taken up together with the question of cooperating status, as appropriate.

The Secretariat introduced a document entitled "Update on Cooperating Status".

Chinese Taipei

The Delegate of Japan introduced a working document, which detailed increased catches of bigeye tuna by Chinese Taipei and possible laundering of tuna caught in the Atlantic and being passed off as fish from other oceans. He noted that the Chinese Taipei's fleet is very large and is not in line with harvest possibilities. He also stated that Chinese Taipei does not inspect the catch of its fleet and has no clear knowledge of the harvests of its vessels. Japan also introduced another document reporting on cases of fish laundering. To begin to address these problems, the representative of Japan introduced a draft Resolution by ICCAT to eliminate laundering activities, which would allow Chinese Taipei to remain a Cooperating Party for one more year while Japan would work closely with them to clarify their internal fisheries process. After that time, if the situation is not dramatically improved, the Commission should consider identification under the trade resolution (see Japan's Information Paper, **Appendix 6 to ANNEX 10**).

The Observer of Chinese Taipei disagreed with the broad characterization of their fisheries, although they acknowledged that there were some problematic situations in 2003. Chinese Taipei introduced a document, which described the current situation. They noted that they had taken action to address some of the identified problems, including the temporary suspensions of vessel licenses for three months. She explained that the apparent increases of bigeye tuna were due to a change in targeting by the vessels following a decrease in the value of albacore and reiterated the need for further investigation that had been expressed during discussions held in Panel 1. Additionally, she noted, the majority of the Chinese Taipei fleet remains in the Indian Ocean rather than the Atlantic and is equipped with vessel monitoring systems (VMS). The Observer affirmed the willingness of Chinese Taipei to work with Japan to rectify the identified problems (see Chinese Taipei's Explanatory Note to Japan's document, attached as **Appendix 7 to ANNEX 10**).

While appreciative of the remarks, the Delegate of Japan stated his disagreement with the Chinese Taipei explanations. He further remarked that the Chinese Taipei authorities are not proactive with regard to the control of their fleet, citing an example of an older vessel with sudden, high levels of bigeye tuna catch that was not examined until noted by Japan.

The Delegate of the European Community thanked the Delegates of both Japan and Chinese Taipei for their respective explanations, remarking that the *prima facie* evidence strongly suggested the non-compliance of Chinese Taipei with regards to ICCAT conservation measures. He suggested there were several options to be considered, including identification under the trade resolution, revocation of Cooperating Status, maintenance of Cooperating Status and adoption of a grace period during which Chinese Taipei would need to rectify the situation, or some combination of these. He suggested that a strict interpretation of *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating non-Contracting Party, Entity or Fishing Entity in ICCAT* [Rec. 03-20] could be that Chinese Taipei should lose its Cooperating Party Status. The Delegate added that the penalties of brief suspensions of fishing licenses were likely not sufficient given the product value in this fishery. He noted that the Commission would need to consider this matter thoroughly, including steps Chinese Taipei has or will take to address the situation.

Noting the quantity of documents regarding this issue, the Delegate of Canada reminded the Working Group that similar concerns from Japan regarding Chinese Taipei were also raised in the 2003 meeting. He pointed out that there is at least 4,000 t at issue. Under the circumstances, he noted that strong action might be needed. He stressed the necessity for consistency in the consideration of applicants seeking Cooperating Party status as well as with respect to the application of the trade measures resolution. The Delegate of the United States agreed with the comments from Canada regarding consistency and fairness. She noted that Cooperating Status is not granted lightly and that parties need to demonstrate control of their fleet and an ability to comply.

The Delegate of Japan commented briefly on the special situation of Chinese Taipei in that it cannot join the Commission. He noted that Contracting Parties would have at least one year to rectify such a situation and could continue to fish. Denial of the Cooperating Party status for Chinese Taipei would have serious economic consequences by removing all its vessels from the positive list immediately, raising fairness and due process concerns. The representative of Japan noted Japan's preference for maintaining cooperating status for a one-year probationary period, even if the decision is made to identify Chinese Taipei under the trade resolution.

The representative of China noted that this was a serious issue. He recognized Chinese Taipei's unique situation. He commented that revoking cooperating status would significantly disadvantage that part of Chinese Taipei's fleet that fishes for species other than bigeye tuna and that punishing the entire fleet was unfair. China noted its preference for extending cooperating status for one more year while noting the probationary nature of the action.

A number of other parties indicated that they could support maintaining cooperating status for one additional year. The EC noted that it could accept this action under the circumstances but that Chinese Taipei must take appropriate follow-up action, which will be considered in 2005. The United States suggested that a plan of action be developed by Chinese Taipei to address identified problems. Vanuatu also suggested a timeline for implementing improvements was needed. Canada noted that the review of Chinese Taipei in 2005 is academic and agreed that Chinese Taipei should provide an action plan with a timeframe for addressing identified problems. Reducing capacity was viewed as a key issue.

The Observer from Chinese Taipei introduced their request for the renewal of Cooperating Status (**Appendix 8 to ANNEX 10**). The Observer noted that the purpose of this document was three-fold: (1) to describe the historical connections between Chinese Taipei and ICCAT; (2) to express regret at the recent arrests by Japanese authorities of vessels connected with Chinese Taipei; and (3) to detail the process by which it would rectify the current situation of over-harvest of bigeye tuna. Chinese Taipei also submitted a document detailing catches by ex-IUU vessels before re-registration by Chinese Taipei.

The Delegate of Korea questioned the proposed commitment of increased observer coverage, in particular by expressing continued doubt due to the lack of details. He also commented that the provisions of not adjusting effort was less important, since any change in targeting effort in the Atlantic would likely simply be a move for these vessels into the Indian Ocean. The Observer from Chinese Taipei replied that observer coverage would increase from the current 5% by vessel (1.55% by fishing days), but did not have details regarding how this would occur. He also noted that Chinese Taipei would need some time to make capacity adjustments.

While appreciative of the efforts by Chinese Taipei to reduce the number of IUU vessels and the commitment to payback some bigeye tuna over harvest, the Delegate of Canada expressed concern about the information submitted by Japan and stated that it called into question the actual level of effective control Chinese Taipei exerts over its own vessels. She also doubted that the penalties against these vessels as described by the Observer were effective. The Delegate commented that it was unacceptable to have had over 4,000 t of laundered bigeye tuna. The Commission had identified parties for less. Therefore, in Canada's opinion identification under the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] was clearly warranted. With respect to Cooperating Status, Canada noted that the document presented by Chinese Taipei was helpful but did not go far enough. Many of the included actions are existing obligations and other items are not specific enough. In addition, the bigeye tuna quota payback plan did not appear to include laundered catch. Given this situation, Canada suggested that Chinese Taipei be identified under the trade resolution and that Cooperating Status be maintained for one more year. A detailed review of Chinese Taipei's actions to rectify identified problems should be conducted in 2005.

The Delegate of the EC concurred with the suggestion by Canada. He cautioned that the blatant non-compliance demonstrated by Chinese Taipei cannot be disregarded, especially given that the actual situation is likely worse but he also recognized that due regard should be taken of the particular situation of Chinese Taipei. The Delegate noted that many of the concessions offered by Chinese Taipei were existing ICCAT obligations.

The Delegate of the United States expressed appreciation for Chinese Taipei's preliminary work on a plan for addressing the concerns raised by the parties, but agreed with Canada's suggestion that Chinese Taipei be identified. She noted that Chinese Taipei should further elaborate elements in their proposed actions, particularly details concerning the reduction in capacity and a payback plan for bigeye overharvests. In the meantime, she stated that the United States would support the continuation of Cooperating Party status for one more year.

The Delegate of Japan was sympathetic regarding the job facing Chinese Taipei, but noted concern about its large fleet that appeared to be beyond Chinese Taipei's control. He noted that 4,000 t of laundered catch was too low. Japan committed to continue working with Chinese Taipei on these problems. He also added that recent communication with the IOTC confirmed that there was no change in the catch of albacore by the Chinese Taipei fleet, suggesting possible additional laundering. He stressed that Chinese Taipei needed to reduce its fleet immediately on a global basis. Chinese Taipei indicated that it had confirmed a laundering figure of 4,000 t and that it was investigating whether additional laundering activity had taken place.

The Delegate of Korea supported the general consensus that Chinese Taipei should develop a more detailed plan to address the concerns raised by the parties. He suggested that a letter be developed notifying Chinese Taipei of the identification and Cooperating Status decisions.

The Chair summarized that the PWG would recommend to the Commission that Chinese Taipei be identified under ICCAT trade measures resolution and that Cooperating Status would be maintained for one more year. These decisions would be conveyed to Chinese Taipei in a letter from the Commission. A draft of the letter was agreed and forwarded to the Commission for consideration (attached as **Appendix 4.15 to ANNEX 10**). In light of this decision, Japan withdrew the draft Resolution by ICCAT to eliminate laundering activities.

Netherlands Antilles

The Observer from Netherlands Antilles expressed concern that their request for Cooperating Status had been denied in 2003. He noted that Netherlands Antilles had clarified its situation with regard to bigeye tuna harvests, was committed to applying ICCAT's conservation and management measures, and had begun legal proceedings to join the Commission. Japan noted that the catches reported by Netherlands Antilles to the Commission and those reported through SCRS were significantly different. The Observer of the Netherlands Antilles indicated, as a reaction to Japan, that they too were surprised to see that the SCRS figures were substantially deviating from the 2003 catches reported by them. The EC asked whether or not Netherlands Antilles was implementing ICCAT's statistical document programs. The Observer from Netherlands Antilles noted that they were seeking technical assistance to implement these and other ICCAT requirements. He noted that if ICCAT would grant Cooperating Status it would facilitate the effort of Netherlands Antilles to join the Commission.

The United States indicated that it could support conferring Cooperating Status on the Netherlands Antilles as this status was intended to help facilitate membership for those interested in becoming ICCAT members. The EC reserved its position on the matter. It was agreed to put this matter before the Commission for decision. (Note: The Commission later decided to confer Cooperating Status to the Netherlands Antilles, and the Secretariat was asked to draft a letter notifying Netherlands Antilles of this decision. This letter is attached as **Appendix 4.16 to ANNEX 10**).

Guyana and Others

The PWG took note of the information submitted by Guyana in response to its 2003 letter and the requirements of Recommendation 03-20. The PWG recommended to the Commission to maintain Cooperating Status for Guyana. A letter was agreed to notify Guyana of this decision (**Appendix 4.17 to ANNEX 10**), and the statement by CARICOM on behalf of Guyana to the PWG is attached as **Appendix 9 to ANNEX 10**.

The Chair briefly reviewed the status of past applications from such non-members. She noted that Cooperating Party status determination was deferred in 2003 for Belize and Cuba, and that the Commission had not received any new requests from either country. Accordingly, the Cooperating Status for these two countries was not debated.

The Chair also reminded the Working Group that Egypt and Guatemala had written very vague letters to ICCAT in 2003 and may have requested Cooperating Status. Given the ambiguous nature of these letters, the Commission deferred discussion until the intent of these countries could be ascertained in 2004. No further correspondence had been received from Egypt on this matter. On the other hand, Guatemala formally joined the Commission in 2004.

6 Measures to improve fishery statistics required by ICCAT

The Chair of the SCRS briefly commented on the SCRS recommendation that conversion factors for bigeye tuna and swordfish for various product types and fleets be developed by the Contracting Parties and those with Cooperating Status as soon as possible to assist the work of the SCRS.

7 Other matters

There were no matters discussed under this Agenda item.

8 Adoption of Report and adjournment

The Chair thanked the members of the PWG for their patience and hard work. She also expressed appreciation for the efforts of the Rapporteur, interpreters, and Secretariat staff. The 2004 meeting of the PWG was adjourned

on Saturday, November 20. The final Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures was adopted by correspondence.

Appendix 1 to ANNEX 10

Agenda

- 1 Opening of the meeting
- 2 Adoption of the Agenda
- 3 Appointment of the Rapporteur
- 4 Implementation and functioning of Statistical Document Programs
 - 4.1 Review of bi-annual data reports
 - 4.2 Review of the functioning of the Programs
- 5 Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of needed actions
 - 5.1 Development of IUU vessel list
 - 5.2 2003 *Resolution by ICCAT Concerning Trade Measures*
 - 5.3 Requests for Cooperating Status
- 6 Measures to improve fishery statistics required by ICCAT
- 7 Other matters
- 8 Adoption of the report and adjournment

Appendix 2 to ANNEX 10

List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area (IUU List) (adopted by the Commission in November 2004)

#	Serial Number	Reporting CPC	Date Informed	Entrada #	Current Flag	Previous Flag	Name of Vessel (Latin)	Name (Other)	Owner Name	Address	Area
1	20040001	JAPAN	24/08/2004	1788	SAINT VINCENT & GRENADINES		NATIONAL NO. 101		KWO-JENG MARINE SERVICES LIMITED	TRINIDAD & TOBAGO	AT
2	20040003	JAPAN	24/08/2004	1788	SAINT VINCENT & GRENADINES	E. GUINEA	CHANG YOW NO. 212		CHANG YOW FISHERY / CONTINENTAL HANDLERDS	SAINT VINCENT	AT
3	20040004	JAPAN	24/08/2004	1788	SAINT VINCENT & GRENADINES		AQUARUS				AT
4	20040005	JAPAN	24/08/2004	1788	PALAU		BRAVO				AT
5	20040006	JAPAN	160/11/2004	PWG-122	UNKNOWN		OCEAN DIAMOND				AT
6	20040007	JAPAN	160/11/2004	PWG-122	UNKNOWN		MADURA 2		(P.T. PROVISIT)*	(INDONESIA)*	AT
7	20040008	JAPAN	160/11/2004	PWG-122	UNKNOWN		MADURA 3		(P.T. PROVISIT)*	(INDONESIA)*	AT

*According to 2002 ICCAT IUU Vessel List.

Apapendix 3 to ANNEX 10

Summary Table for 2004 PWG and Compliance Committee Actions

	2003 Action	Direct response to special letter	Available data			Negative vessel list*	Observations	2004 action
			Source	2002	2003			
CONTRACTING PARTIES								
EQUATORIAL GUINEA	Sanctions (BFT and BET) reaffirmed	yes				2002=52	Eq. Guinea have reported the removal of 78 vessels from their register and requested technical assistance from the Secretariat to review data collection systems and the lifting of trade sanctions.	Sanctions lifted. Letter to Equatorial Guinea requesting them to inform all organizations involved in vessel registry of the deletion of vessels from their registry.
						2003=1		
						2004=0		
GUATEMALA	Letter-Request information on monitoring and control. Decision on Cooperating status deferred.	no				2002=0	Has become a CP in 2004	No action warranted.
						2003=0		
						2004=0		
JAPAN	Letter requesting Japan to refrain from assisting NCPs in the expansion of BFT fisheries/farming operations	yes	T-I and compliance tables	as reported on compliance tables	as reported on compliance tables	2002=0 2003=0 2004=0	Japan to report on this issue to the Commission in 2004. Letter received 5 Nov with progress to date.	No action warranted.
PANAMA	Identified (BET)	yes	T-I scientists estimates	BET=63		2002=0		Identification revoked. Letter to Panama.
				SKJ=342		2003=0		
				YFT=1022		2004=0		
VANUATU	None					2002=15		Vessel is under 24 m. No action warranted.
						2003=0		
						2004=1		
COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES								
CHINESE TAIPEI	Cooperating status continued	n/a	T-I (reported)	ALB=21651	ALB=21908	2002=0	Sent Annual Report. SWO / BET landings from Chinese Taipei vessels refused by Uruguay in 2004. (PWG-120). Concerns over bigeye tuna over-harvest and laundering activities. Observers from Chinese Taipei present.	Cooperating status granted. Identified under Res. 03-15. Letter to Chinese Taipei. Situation to be reviewed in 2005. Uruguay to communicate the names of the vessels which were refused permission to land.
				BET=16503	BET=17719	2003=0		
				BFTE=666	BFTE=445	2004=0		
				SWO=1474	SWO=1286			
				OTH=5376	OTH=7058			
GUYANA	Granted Cooperating status		T-I (reported)		Sharks =1181	2002=0	Sent Annual and Statistical Reports addressing the issues raised in Commission's letter.	Cooperating status renewed. Letter to Guyana informing them of this decision.
						2003=0		
						2004=0		

	2003 Action	Direct response to special letter	Source	2002	2003	Negative vessel list*	Observations	2004 action
NON CONTRACTING PARTIES								
<i>BELIZE</i>	Sanctions lifted. Letter -Request information on monitoring and control. Decision on Cooperating status deferred.	yes	reported data		0 t reported	2002=30/31 2003=0/3 2004=0	Has expressed interest in becoming a CP. Sent Annual Report. SWO / BET landings from Belizian vessels refused by Uruguay in 2004. (PWG-120). Observer from Belize present.	Letter expressing concerns over non-implementation of SDP and other issues to be sent to Belize. Belize to liaise with ICCAT CPs during 2005 and report to the Commission.
<i>BOLIVIA</i>	Sanctioned (BET), identification revoked (SWO)	yes	Trade data USA	SWO=27 BET=1517		2002=7/12 2003=2/5 2004=0	Letter indicates steps being taken to combat IUU fishing.	Maintain sanction. Letter of notification to Bolivia
<i>CAMBODIA</i>	Sanction maintained (BET)	yes	Trade data USA	BET=225		2002=5/8 2003=4/8 2004=0	Observer from Cambodia present	Lift sanctions. Letter to Cambodia with provision that Cambodia should liaise with RFMOs to ensure that there are no IUU fishing activities being carried out under the Cambodian flag and confirm that they are respecting ICCAT conservation and management measures. Draft Recommendation to be forwarded to the Commission for adoption.
<i>COSTA RICA</i>	Identified (SWO)	no				2002=0 2003=0 2004=0		Maintain identification. Letter of notification to Costa Rica
<i>CUBA</i>	Identified (BFT) Decision on Cooperating status deferred.	yes	T-1 (reported)	ALB=1 BET=16 BFT=74 SWO=10 OTH=110		2002=0 2003=0 2004=0		Maintain identification. Letter of notification to Cuba
<i>EGYPT</i>	Letter-Request information on monitoring and control. Decision on Cooperating status deferred.	no	T-1 scientist estimates	BON=1128		2002=0 2003=2/3 2004=0		No action warranted.
<i>GEORGIA</i>	Sanctioned (BET)	yes	T-I from Trade data Japan Trade data USA	BET=383 YFT=35 BET=225		2002=1/2 2003=1/4 2004=0	Informed that two of the vessels on 2003 IUU list are not registered to Georgia, but the other two are.	Maintain sanctions. Letter of notification to Georgia.
<i>INDONESIA</i>	Identification revoked, no further action taken	no response required.	T-I Trade data		0 t reported (T-I)	2002=0 2003=0 2004=0	E.C. denied import of SWO due to lack of SD. No vessels permitted by Indonesia to operate in the Atlantic.	No action warranted.
<i>ISRAEL</i>	Letter - requesting Israel not expand BFT fishery and seeking info on monitoring and control	yes	Trade data Japan	BFT=2	BFT=3	2002=0 2003=0 2004=0	Israel acknowledged the existence of tuna fisheries and their intention to continue fishery development, but did not report their data or any other fishery-related information. Response from ICCAT Chairman in addendum to PWG 040.	Monitor and review in 2005.
<i>MAURITANIA</i>	Letter - request information on SWO and tuna harvests, and monitoring and control	no				2002=0 2003=0 2004=0		No action warranted. Continue to monitor.

	2003 Action	Direct response to special letter	Source	2002	2003	Negative vessel list*	Observations	2004 action
NETH ANTILLES	Letter - concerns regards bigeye. No consensus to grant Cooperating status in 2003.	yes	reported data	BET=885	BET=1387	2002=0	Applied for Cooperating status 2003, reapplied 2004. Reported data does not necessarily coincide with T-I or trade data. Chair responded reiterating BET concerns. Reported 5 vessels operating in Atlantic, which have since changed to the Panamanian flag. Observer from Netherlands Antilles present.	No action warranted under the Trade Resolution. Decision on Cooperating deferred to Commission Plenary. Cooperating Status granted by Commission.
				SKJ=8294	SKJ=11100	2003=0		
				YFT=5040	YFT=7082	2004=0		
				OTH=710				
SENEGAL	Letter - concerns regarding SWO and BET and request information on monitoring and control	yes	T-I (reported)	BET=565	BET=407	2002=0	Has expressed interest in rejoining ICCAT. Sent Annual Report and details on fishery-related activities. Observer from Senegal present.	Letter encouraging Senegal to continue its efforts in fishery monitoring and requesting further clarification as to SWO catch areas and details on monitoring and control schemes.
			includes carry over	SKJ=1046	SKJ=733	2003=0		
				YFT=447	YFT=279	2004=0		
				OTH=3057				
SEYCHELLES	Identification maintained (BET)	yes	T-I (reported)	BET=162	ALB=25	2002=20	Data for 2003 are monitored and reported by South Africa. No vessels registered to Seychelles have been authorized to operate in the Atlantic in 2004. Observer from Seychelles present.	Identification revoked. Letter of notification to Seychelles.
				SWO=6	BET=17	2003=2/3		
				OTH=13	SWO=98	2004=0		
			Trade data USA	BET =263				
SIERRA LEONE	Sanctions maintained (BFT; BET; SWO)	no	Trade data Japan	BFT=135		2002=1/1	Observer from Sierra Leone present.	Sanctions lifted. Letter of notification to Sierra Leone. Request Sierra Leone to ensure full control over their fishing vessels. Draft Recommendation to be forwarded to the Commission for adoption.
						2003=1/1		
						2004=0		
SINGAPORE	Reviewed in 2003 - no action warranted.						E.C. denied landing of ICCAT species due to lack of SD Have refused to implement the ICCAT SD Programs, despite being world's largest trader.	Identified. Letter to Singapore noting failure to implement SDPs undermines ICCAT conservation and management efforts and requesting a list of purveyors of SWO.
SRI LANKA	Letter - concerns regards IUU activities and request information on monitoring and control	no				2002=0		Further letter to Sri Lanka requesting response to previous letter.
						2003=1/2		
						2004=0		
ST. VINCENT & THE GRENADINES	Sanctions lifted. Letter -Request information on monitoring and control.	no	T-I (reported)	ALB=344	ALB=1555	2002=6/6	Sent Annual Report and response to IUU allegations (PWG-099) Brazil siezed one SVG vessel (PWG-096) Observer from SVG present Sighting sheets from Japan	Letter to be sent encouraging efforts of St. Vincent, but expressing serious concerns about harvest levels and noting that steps must be taken to improve the situation in the near future. SVG to work with ICCAT CPs in these efforts.
				BET=15	BET=103	2003=7/7		
				OTH=1752	SWO=7	2004=3		
					OTH=2495			
THAILAND	Letter- requesting confirmation that "Green Bay II" is not registered to Thailand	yes				2002=0	Reaffirmed that Green Bay II is not registered to Thailand	No action warranted.
						2003=0		
						2004=0		
TOGO	identified (SWO)	yes	Reported in letter, but Ocean unclear	SWO=35		2002=0	SWO / BET landings from Togoan vessels refused by Uruguay in 2004. (PWG-120).Togo believes they have a SWO quota from 2001 tables. Addressed all issues raised in Commission's letter. Observer from Togo present.	Identificaion lifted. Letter of notification to Togo seeking clarification of harvests and information on fleet, including vessel ownership, and clarify misunderstanding regarding SWO quota. Togo to be requested to implement ICCAT conservation and management measures, including SDPs.
						2003=0		
						2004=0		

Appendix 4 to ANNEX 10**Commission Chairman's Special Letters to Non-Contracting Parties, Entities or Fishing Entities****4.1 Letter to Belize: Encouraging continued cooperation and requesting implementation of ICCAT Statistical Document Programs**

At its 2004 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) undertook its annual review of the fishing activities of various Contracting Parties and non-Contracting Parties, Entities or Fishing Entities pursuant to its *Resolution Concerning Trade Measures* [Res. 03-15].

ICCAT took note of the substantial efforts Belize has made in the past two years to achieve compliance with ICCAT conservation and management measures and to improve monitoring and control of fishing vessels flying the flag of Belize. The Commission noted in particular that Belize has reiterated its commitment to continue to improve aspects of its monitoring, control, and surveillance scheme, including catch verification and vessel registration and deregistration procedures, and to take other steps to ensure Belize does not support illegal, unreported, and unregulated fishing. We look forward to Belize becoming a Contracting Party to ICCAT in the near future.

In the course of its review at the last annual meeting, ICCAT noted that Japanese trade records indicated 578 metric tons of yellowfin tuna were imported from Belize in 2003. Also, the Commission was informed by Uruguay that a vessel or vessels flagged to Belize were not permitted to land unspecified amounts of bigeye tuna and swordfish by-catch due to a lack of an accompanying ICCAT Statistical Document. ICCAT encourages Belize to collaborate with the governments of Japan and Uruguay to investigate these cases and to ensure that no Belizean vessels harvest tunas and tuna-like species in the Atlantic Ocean in a manner that undermines ICCAT conservation and management measures.

ICCAT encourages Belize to continue its efforts to strengthen its ability to monitor and control its fishing vessels and to cooperate with ICCAT by observing all relevant ICCAT conservation and management measures. In this regard, ICCAT particularly encourages Belize to implement the Statistical Document programs for bluefin tuna, swordfish, and bigeye tuna even if Belize does not authorize the harvest of ICCAT species. ICCAT's trade tracking programs work in conjunction with those of other regional fishery management organizations to give a complete picture of harvests across oceans. Thus, full implementation of these programs is vital both to ICCAT's ability to monitor total catches of and trade in these species, and to Belize's ability to monitor its own fisheries.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

4.2 Letter to Bolivia: Regarding continuation of bigeye tuna trade restrictive measures

The International Commission for the Conservation of Atlantic Tunas (ICCAT) is in receipt of the letter from Admiral Manuel Rebollo Herbas, Director General, Maritime, River and Lake Interests and Merchant Marine, Ministry of National Defense dated October 6, 2004.

I am writing to inform you that, at its 2004 annual meeting, ICCAT decided to maintain the trade restrictive measures adopted in 2002 in accordance with the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18] on bigeye tuna and its products from Bolivia. As explained in previous communications, the Commission reviews annually fishery-related information for the Convention Area relative to both ICCAT members and non-members.

The Commission considered Bolivia's response to ICCAT's March 2004 letter regarding trade restrictive measures. While ICCAT is encouraged by the actions already undertaken as outlined in your letter, the response was not sufficient to demonstrate that Bolivia has rectified the fishing activities of its existing fleet nor has adopted adequate monitoring and control measures for that fleet. The Commission stressed that ICCAT members have been operating under a strict management regime of time and area closures, capacity limitations, and catch limits relative to bigeye tuna to ensure its conservation and that the cooperation of all countries is required to support the effectiveness of these measures. Given these circumstances, the Commission concluded that it would not be appropriate to lift the bigeye tuna trade restrictions in place against your country.

Accordingly, ICCAT hereby requests Bolivia to take effective measures to rectify its fishing activities so as not to diminish the effectiveness of ICCAT conservation measures for bigeye tuna and to implement fully ICCAT conservation and management measures, including instituting measures to ensure appropriate monitoring, control, and surveillance of your fleet and reporting catch and effort data to the Commission. We would, therefore, be grateful to receive detailed information regarding: (1) the types of monitoring, control and surveillance methods used by Bolivia with respect to its fishing vessels; (2) Bolivia's total catch of tuna and tuna-like species in 2004 and prior years; (3) the markets to which Bolivia exports bigeye tuna and/or its products; and (4) the maritime areas in which Bolivian vessels fished bigeye tuna.

The Commission will review the situation of Bolivia at its next meeting, scheduled for November 14-20, 2005, in Seville, Spain. Information concerning these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. The information requested above will be valuable to the Commission when it considers trade-related matters relative to Bolivia during its 2005 review. For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes an instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by the Commission at its 2003 meeting. Although the 2003 resolution has replaced the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18], previous decisions taken in accordance with this measure will remain effective until otherwise decided by the Commission.

In closing, the Commission would like to invite Bolivia to participate in the 2005 ICCAT meeting as an observer. Further, the Commission would remind Bolivia that it can join ICCAT or seek cooperating status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting cooperating status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

4.3 Letter to Cambodia: Regarding lifting of sanctions

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to transmit to you the *Recommendation by ICCAT Concerning the Lifting of Bigeye Tuna Trade Restrictive Measures Against Cambodia*, adopted at the November 2004 meeting of the Commission in New Orleans, Louisiana, USA.

As explained in previous communications, the Commission annually collects and reviews fishery related information for the Convention area relative to the activities of both ICCAT members and non-members. During its 2004 review, ICCAT has been advised that no fishing vessels are registered in Cambodia, that no fishing licenses have been issued to vessels of Cambodia, and that the registration of many vessels have been revoked. ICCAT also took note of the efforts made by Cambodia to address the concerns of the Commission, including strengthening controls on the registration of vessels and not authorizing Cambodia's flag vessels to fish for tuna and tuna-like species in the Atlantic Ocean.

The Commission urges Cambodia to continue to strengthen its monitoring, control, and surveillance (MCS) regime for its fleet, including its process and rules for vessel registration. Such efforts will help ensure that Cambodia has the ability to abide by ICCAT's conservation and management measures and that Cambodia is not providing support to illegal, unreported and unregulated (IUU) vessels or their owners. The Commission requests Cambodia to provide information on its MCS regime, including its efforts to improve its vessel registration rules and procedures, at least 30 days prior to the next meeting of the Commission, which is scheduled for November 14-20, 2005, in Seville, Spain. The Commission also urges Cambodia to liaise with other regional fishery management organizations to ensure that there are no IUU fishing activities being carried out under the Cambodian flag. ICCAT welcomed the participation of a representative of Cambodia at the 2004 Commission meeting and encourages Cambodia to consider participating as an observer again in 2005.

For your information, I am enclosing herewith a Compendium of ICCAT's management recommendations and resolutions. It includes an instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by the Commission in 2003. This Resolution broadens the scope of ICCAT's previous trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission uses this Resolution to guide its review of fishery related activities in the Convention area, and the information

requested above will be valuable to the Commission when it considers matters relative to this instrument at its 2005 meeting.

Thank you for your attention to these issues, and please accept assurances of my highest consideration.

4.4 Letter to Costa Rica: Regarding identification in accordance with the Resolution by ICCAT Concerning Trade Measures

This letter is further to earlier correspondence from the International Commission for the Conservation of Atlantic Tunas (ICCAT) dated March 8, 2004 (copy enclosed). I am writing to inform you that the Commission decided at its November 2004 annual meeting to continue its identification of Costa Rica in accordance with the terms of the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15].

Each year, the Commission reviews fishery related information for the Convention Area relative to both ICCAT members and non-members. During its 2003 review, the Commission was reminded that swordfish from Costa Rica was imported by an ICCAT member in 2002. Such imports had been occurring since 1999 although Costa Rica has reported no Atlantic swordfish catch data to ICCAT. This information suggested that Costa Rican flag vessels were fishing outside the ICCAT management regime. Costa Rica has not availed itself of the opportunity to clarify to the Commission the situation concerning these catches. In view of these circumstances, the Commission identified Costa Rica in 2003 as a non-Contracting Party whose vessels have been fishing for Atlantic swordfish in a manner that diminishes the effectiveness of ICCAT conservation measures. The Commission, therefore, requested the Government of Costa Rica to take the necessary actions to rectify the fishing activities of its vessels and to implement fully ICCAT's conservation and management measures. Having again received no response from Costa Rica in 2004, the Commission reiterates its request to receive detailed information regarding: (1) the types of monitoring, control and surveillance methods used by Costa Rica with respect to its fishing vessels; (2) Costa Rica's total catch of tuna and tuna-like species in 2004 and prior years; (3) the markets to which Costa Rica exports swordfish and/or its products; and (4) the maritime area in which Costa Rican vessels fished swordfish.

The Commission will again review the situation of Costa Rica at its next meeting, scheduled for November 14-20, 2005, in Seville, Spain. Information concerning actions taken by Costa Rica relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If it is determined that Costa Rica has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission may recommend that its Contracting Parties take non-discriminatory trade restrictive measures on Atlantic swordfish and its products from Costa Rica.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by ICCAT at its 2003 meeting. The 2003 Resolution broadened the scope of ICCAT's previous measures and improved the transparency of the process for applying trade restrictive measures.

In closing, the Commission would like to invite Costa Rica to participate in the 2005 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind Costa Rica that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. For your convenience, this recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

4.5 Letter to Cuba: Regarding identification in accordance with the Resolution by ICCAT Concerning Trade Measures

This letter is further to earlier correspondence from the International Commission for the Conservation of Atlantic Tuna (ICCAT) dated March 8, 2004 (copy enclosed). ICCAT is also in receipt of the letter from Manuel Alvarez Rodriguez of the International Affairs Directorate of the Ministry of the Fishing Industry, dated January 27, 2004. At its 2004 annual meeting in New Orleans, Louisiana, USA, the Commission undertook its annual review of fishery-related information for the Convention area relative to both ICCAT members and non-members. I am writing to inform you that the Commission decided at its November 2004 annual meeting to

continue its identification of Cuba in accordance with the terms of the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15].

At its 2003 annual meeting, the Commission had reviewed the activities of Cuba pursuant to the Commission's *Resolution Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* [Res. 94-3]. This Resolution calls upon the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures to identify those non-Contracting Parties whose vessels have fished for Atlantic bluefin tuna in a manner that diminishes the effectiveness of ICCAT conservation measures. In deciding whether to identify a non-Contracting Party, the Permanent Working Group reviews catch data compiled by the Commission, trade information obtained through national statistics and the Bluefin Tuna Statistical Document Program, and other relevant information obtained in ports and on the fishing grounds. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities or Fishing Entities to take all necessary corrective actions, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures, on the subject species.

ICCAT appreciates the information provided by Cuba respecting its fisheries licensing and management programs outlined in its letter of January 27, 2004. ICCAT notes, however, that Cuba did not report any 2003 catch data to the Standing Committee on Research and Statistics, and that information available to the Commission does not sufficiently respond to the Commission's request for information. ICCAT would be grateful to receive detailed information regarding: (1) the types of monitoring, control and surveillance methods used by Cuba with respect to its fishing vessels; (2) Cuba's total catch of tuna and tuna-like species in 2004 and prior years; and (3) the markets to which Cuba exports ICCAT-managed species and/or their products.

The Commission will again review the situation of Cuba at its next meeting, scheduled for November 14-20, 2005, in Seville, Spain. Information concerning these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting and should include data on Cuba's total catch of tuna and tuna-like species up to 2004. If the Commission determines in 2005 that Cuba has not rectified the situation and continues to diminish the effectiveness of ICCAT conservation and management measures, the Commission may recommend that its Contracting Parties take non-discriminatory trade restrictive measures on Atlantic bluefin tuna and its products from Cuba.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes the instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by the Commission at its 2003 meeting. The 2003 Resolution broadened the scope of ICCAT's previous measures and established a more transparent process for the application of trade restrictive measures. The information requested above will be valuable to the Commission when it considers trade-related matters relative to Cuba at the 2005 review.

In closing, the Commission would like to invite Cuba to participate in the 2005 ICCAT meeting as an observer. Further, the Commission would remind Cuba that it can join ICCAT or seek cooperating status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting cooperating status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

4.6 Letter to Georgia: Regarding continuation of bigeye tuna trade restrictive measures

I am writing to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) took a decision at its 2004 annual meeting to continue the prohibition on the import of bigeye tuna and its products in any form from Georgia by ICCAT Contracting Parties, as well as those with Cooperating Status, in accordance with the Commission's *Recommendation by ICCAT for Bigeye Tuna Trade Restrictive Measures on Georgia* [Rec. 03-18]. A copy of the subject measure is enclosed for your information. The decision was taken in accordance with the provisions of ICCAT's *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18].

As explained in previous communications, the Commission reviews annually fishery related information for the Convention area relative to both ICCAT members and non-members. During its 2003 review, the Commission

reviewed information that large-scale tuna longline vessels continue to be registered to Georgia, although they were foreign-owned. At least one of these vessels had operated in the Convention area. Additionally, the Commission took note of the increasing level of Atlantic bigeye tuna harvests by Georgian flag vessels as indicated by trade and scientific data from 2001 and 2002.

The Commission welcomes Georgia's response to ICCAT's March 2004 letter notifying your government of the imposition of trade-restrictive measures under the *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18]. While ICCAT is encouraged by the letter of Captain V. Imnaishvili, Deputy Chairman of Georgia Maritime Transport Administration dated April 8, 2004, the letter was not sufficient to demonstrate that Georgia has rectified the activities of its flag vessels or that it has adopted appropriate measures to monitor and control its fleet.

Given this information, the Commission concluded that large-scale longline vessels of your country continue to operate in the Convention area in a manner that diminishes the effectiveness of ICCAT conservation and management measures and recommended the continuation of trade restrictive measures as mentioned above. The Commission again requests the Government of Georgia to take the necessary actions to rectify the fishing activities of vessels on its registry and to implement fully ICCAT's conservation and management measures, including instituting measures to ensure appropriate monitoring, control, and surveillance of its fleet and reporting catch and effort data to the Commission. Rectifying actions, including, as necessary, the revocation of registrations or fishing licenses of those vessels on the enclosed list, should be reported to the Commission. The Commission would also appreciate receiving any information you may have concerning: (1) the foreign owners of the vessels registered to your country; (2) the types of monitoring, control and surveillance methods used by Georgia with respect to its fishing vessels; (3) Georgia's total catch of tuna and tuna-like species in 2004 and prior years; (4) the markets to which Georgia exports bigeye tuna and/or its products; and (5) the maritime areas in which Georgian vessels fished bigeye tuna. Information concerning these matters should be submitted to ICCAT at least 30 days prior to its next meeting, scheduled for November 14-20, 2005, in Seville, Spain. The information requested above will be valuable to the Commission when it considers trade-related matters concerning Georgia at its 2005 meeting.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes an instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by ICCAT at its 2003 meeting. The 2003 Resolution both broadened the scope of ICCAT's existing trade regime and established a more transparent process for the application of trade restrictive measures. Although the 2003 Resolution will replace the *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18], previous decisions taken in accordance with this measure will remain in force until otherwise decided by the Commission.

In closing, the Commission would like to invite Georgia to participate in the 2005 ICCAT meeting as an observer. Information concerning that meeting will be forwarded in due course. Further, the Commission would remind Georgia that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

4.7 Letter to Palau: Regarding its flag vessel on ICCAT's IUU list

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to inform you that a large-scale tuna long line vessel flying the flag of Palau was sighted operating in the Convention area in 2004.

Pursuant to the terms of the *Recommendation by ICCAT to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 02-23], this vessel was listed on the 2004 ICCAT "List of Vessels Presumed to Have Carried Out IUU Fishing Activities in the ICCAT Convention Area" (the IUU list). Enclosed please find a copy of the 2004 IUU list together with a vessel sighting sheet submitted by Japan.

The ICCAT Secretariat notified your country that this vessel had been sighted fishing in the Atlantic Ocean on July 13, 2004, and was proposed for inclusion on the 2004 IUU list well in advance of the 2004 ICCAT meeting, held November 15-21 in New Orleans, Louisiana, USA. The Commission received no response to that communication. The list has now been finalized by the Commission. Pursuant to paragraph 8 of Recommendation 02-23, I am hereby requesting Palau to take all necessary measures to eliminate the IUU fishing activities by your vessel, including, if necessary, the withdrawal of the registration or of the fishing license of this vessel.

Please inform the Commission of any measures taken with regard to this matter at least 30 days in advance of the next meeting of the Commission, which is scheduled for November 14-20, 2005, in Seville, Spain. At that meeting, the Commission will consider which vessels are to be included on the 2005 IUU vessel list.

For your use and information, I am enclosing a complete Compendium of ICCAT Recommendations and Resolutions, which contains Recommendation 02-23.

Please accept the assurances of my highest consideration.

4.8 Letter to Senegal: Encouraging continued cooperation and requesting additional information about monitoring and control measures

The International Commission for the Conservation of Atlantic Tunas (ICCAT) met for the 14th Special Meeting of the Commission from November 15-21, 2004, in New Orleans, Louisiana, U.S.A. As explained in previous communications, the Commission annually collects and reviews fishery related information for the Convention area relative to the activities of both ICCAT members and non-members.

During its 2004 review, ICCAT welcomed the response from Senegal to the Commission's March 8, 2004, special letter seeking clarification on swordfish and bigeye tuna harvests, and Senegal's participation as an observer at the recent annual meeting. The Commission appreciated the detailed informative note that Senegal submitted on its vessels, its industrial and artisanal fisheries, and its implementation of the ICCAT Statistical Document program.

The Commission did note with some concern the substantial levels of Atlantic swordfish and billfish catch in 2003 by Senegal's vessel *Robaleira* and raised questions about discrepancies between the data reported for this vessel in Senegal's informative note and the lack of Atlantic swordfish catch data reported to the Standing Committee on Research and Statistics. The information provided by Senegal also acknowledged some difficulties in collecting and accounting for data from landings and transshipments of tuna. ICCAT continues to seek information on measures Senegal has in place to ensure full implementation of ICCAT's conservation and management measures, including details on monitoring, control, and surveillance programs, and any efforts to refine catch data collection. We would appreciate any additional information or clarification Senegal could provide on these matters.

The Commission was pleased to learn that Senegal intends to become a full Contracting Party to ICCAT in the near future, and we look forward to Senegal rejoining the Commission. In the meantime, we urge Senegal to take all necessary actions to implement relevant ICCAT conservation and management measures and to ensure that vessels flying its flag do not diminish the effectiveness of these programs.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

4.9 Letter to Seychelles: Revoking identification

I have the honor to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) decided at its 14th Special Meeting, held November 15-21, 2004, in New Orleans, Louisiana, to revoke the Republic of the Seychelles' identification status relative to bigeye tuna.

As explained in previous communications, the Commission annually reviews fishery-related information for the Convention area relative to both ICCAT members and non-members. As you are aware, the referenced identification of the Republic of the Seychelles was made in accordance with the 1998 *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18]. During its 2004 review, the Commission took note that the Republic of the Seychelles no longer authorizes any of its flag vessels to fish in the Atlantic Ocean. In addition, no Republic of

the Seychelles flag vessels remain on ICCAT's "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas." The Commission wishes to express its appreciation to the Republic of the Seychelles for its efforts to address the concerns of ICCAT.

For your information, reviews of fishery-related activities in the Convention area is now done in accordance with a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by the Commission at its 2003 annual meeting. This Resolution both broadens the scope of ICCAT's trade regime and establishes a more transparent process for the application of trade restrictive measures.

For your use and information, please find enclosed a Compendium of ICCAT's Management Recommendations and Resolutions, which includes the above trade Resolution.

Please accept the assurance of my highest consideration.

4.10 Letter to Sierra Leone: Regarding lifting of sanctions

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to transmit to you the *Recommendation by ICCAT Concerning the Lifting of Bigeye Tuna, Bluefin Tuna, and Swordfish Trade Restrictive Measures Against Sierra Leone*, adopted at the November 15-21, 2004, meeting of the Commission in New Orleans, Louisiana, USA.

As explained in previous communications, the Commission annually collects and reviews fishery related information for the Convention Area relative to the activities of both ICCAT members and non-members. During its 2004 review, ICCAT took note of the efforts made by Sierra Leone to address the concerns of the Commission, including providing data and revoking the registration of a vessel previously identified as conducting illegal, unreported, and unregulated (IUU) fishing activities in the Convention area. In addition, ICCAT was encouraged that Sierra Leone intends to strengthen monitoring, control, and surveillance (MCS) of its fleet. Improving the process and rules for vessel registration will be a key element of that effort.

The Commission welcomed the participation of a representative of Sierra Leone at the 2004 Commission meeting. Based on commitments from that representative, ICCAT looks forward to receiving Sierra Leone's plan for implementing MCS improvements. Such efforts will help ensure that Sierra Leone has the ability to abide by ICCAT's conservation and management measures and that Sierra Leone is not providing support to IUU vessels or their owners. In this regard, the Commission requests Sierra Leone to provide information on MCS and other issues of relevance to ICCAT at least 30 days prior to the next meeting of the Commission, which is scheduled for November 14-20, 2005, in Seville, Spain.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes an instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by the Commission in 2003. This Resolution broadens the scope of ICCAT's previous trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission uses this resolution to guide its review of fishery related activities in the Convention area, and the information requested above will be valuable to the Commission when it considers matters relative to this instrument at its 2005 meeting.

The Commission also encourages Sierra Leone to consider participating as an observer again in 2005 or join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting cooperating status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20], which is included for your convenience in the attached Compendium.

Thank you for your attention to these issues, and please accept assurances of my highest consideration.

4.11 Letter to Singapore: Regarding identification in accordance with the Trade Measures Resolution

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to inform you that, on account of the findings below, the Commission identified Singapore in accordance with the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] at its 14th Special Meeting, held November 15-21, 2004, in New Orleans, Louisiana, USA. The subject Resolution is enclosed for your information.

As noted in previous communications with your Government, the Commission annually collects and reviews data and information regarding the activities of both ICCAT members and non-members that can impact ICCAT fisheries. Resolution 03-15 calls on the relevant ICCAT subsidiary body to identify those non-Contracting Parties, Entities, or Fishing Entities that have failed to discharge their obligations under international law to cooperate with ICCAT in the conservation and management of tuna and tuna-like species. In deciding whether to make an identification, ICCAT reviews catch data compiled by the Commission, trade information obtained through national statistics and ICCAT's statistical document programs, the ICCAT list of vessels determined to be illegal, unreported and unregulated (IUU), and other relevant information obtained in ports and on the fishing grounds. ICCAT will request identified parties to take all necessary corrective actions to rectify the situation, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT may recommend effective measures, if necessary including non-discriminatory trade restrictive measures.

The 2004 review under this instrument indicated that Singapore has refused to implement ICCAT's statistical document program for swordfish [Rec. 00-22]. It is referred in this context to the letter of July 29, 2003 from the Agri-Food and Veterinary Authority of Singapore and to the fact that Singapore did not answer ICCAT's letter of 24 June 2004 (enclosed). This is of grave concern to the Commission given that Singapore is the world's largest trader in swordfish, and regardless of the fact that Singapore has assured ICCAT that its vessels do not harvest swordfish in the ICCAT Convention area.

In 2003, more than 12,000 tons of swordfish products were imported from Singapore into three ICCAT members (the European Community, Japan, and the United States of America), representing an increase from 4,433 tons in 2002 to 7,983 tons in 2003 to the European Community alone. As more than 90 percent of the imports are frozen fish and not filets, the bulk of this trade is composed of re-exported products.

Further inquiries regarding this trade strongly indicate that, to a large extent, swordfish imported into Singapore is supplied by countries that do not implement relevant ICCAT conservation and management measures, or is of unknown origin. There is a strong likelihood that some proportion of this swordfish was originally harvested in the ICCAT Convention area.

Singapore has a duty as an importing and re-exporting State to help the Commission track the trade of swordfish. Failure to implement the statistical document program while continuing to trade in swordfish product means that there is a significant loophole in ICCAT's ability to track the trade in swordfish catch, verify how much swordfish is being harvested and by whom, and counteract illegal, unreported, and unregulated fishing. Without such information, the scientific assessments for swordfish could be compromised, and ICCAT's conservation and management measures for swordfish could be undermined.

The Commission hereby requests Singapore to take effective measures to rectify this situation so as not to diminish the effectiveness of ICCAT's conservation and management measures. In addition, the Commission would be grateful to receive from Singapore a list of those countries and/or flag vessels that supply Singapore with swordfish or swordfish products.

The Commission will review the situation of Singapore at its next meeting, scheduled for November 14-20, 2005 in Seville, Spain. Information regarding these matters should be submitted to ICCAT at least 30 days in advance of that meeting. If it is determined that Singapore has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission may recommend that its Contracting Parties take non-discriminatory trade restrictive measures on ICCAT species from Singapore.

Thank you for your prompt attention to this important matter. I enclose copies of ICCAT's statistical document Recommendations and Resolutions for your use and information.

Please accept assurances of my highest consideration.

4.12 Letter to Sri Lanka: Requesting information regarding its vessel on the IUU list

This letter is further to correspondence from the International Commission for the Conservation of Atlantic Tunas (ICCAT) in 2003 in which it was noted that ICCAT coordinates the management of tuna and tuna-like species in the Atlantic Ocean and adjacent seas and that, as a result of a review of fishery related information of the Convention area, two vessels flagged to Sri Lanka were placed on the 2003 "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas."

In its previous letter, the Commission noted that since Sri Lanka does not report catch data to ICCAT and has not been assigned catch limits, any catches of Atlantic tuna or tuna like species by Sri Lanka flag vessels are outside the ICCAT management regime. It was requested that Sri Lanka fully implement ICCAT's conservation and management measures, including measures to eliminate any illegal, unreported and unregulated fishing activities by the above-mentioned vessels, and provide information on the monitoring, control and surveillance program for its fleet. The Commission also advised Sri Lanka of its new *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] and that it can join ICCAT or seek Cooperating Status if it maintained an interest in exploiting species under ICCAT's purview.

Sri Lanka has not provided the requested information. ICCAT is once again requesting that Sri Lanka provide the requested information relevant to a determination of whether Sri Lanka is in compliance with ICCAT's conservation and management measures or whether any of its vessels are engaging in illegal, unreported or unregulated fishing activities in the Convention Area.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

4.13 Letter to St. Vincent and the Grenadines: Encouraging continued cooperation and noting concerns about catches of albacore and bigeye tuna

At its 2004 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) undertook its annual review of the fishing activities of various Contracting Parties and non-Contracting Parties, Entities or Fishing Entities pursuant to its *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15].

ICCAT took note of the efforts St. Vincent and the Grenadines has made in recent years to cooperate with ICCAT and improve the monitoring and control of fishing vessels flying its flag. The Commission noted in particular that St. Vincent and the Grenadines has reiterated its commitment to continue to improve catch verification and port inspection procedures, and to take other steps to ensure that St. Vincent and the Grenadines does not support illegal, unreported, and unregulated fishing. We look forward to St. Vincent and the Grenadines becoming a Contracting Party to ICCAT in the near future.

However, ICCAT also noted with some concern that St. Vincent and the Grenadines' reported catches of Atlantic bigeye tuna and Atlantic albacore increased in 2003. As you will recall, the Commission agreed to lift multilateral trade restrictive measures on imports of Atlantic bigeye tuna as of January 1, 2004. It will carefully review 2004 catch and trade information at its next annual meeting and may consider taking additional action against St. Vincent and the Grenadines if this trend continues. In addition, I would draw to your attention to the enclosed 2004 ICCAT "List of Vessels Presumed to have Carried out Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area" (IUU list), as three vessels registered to St. Vincent and the Grenadines appear on this list. Pursuant to paragraph 8 of Recommendation 02-23, which establishes the IUU list, I am hereby requesting St. Vincent and the Grenadines to take all necessary measures to eliminate the IUU fishing activities by your vessel, including, if necessary, the withdrawal of the registration or of the fishing license of this vessel.

The Commission welcomes the commitment of St. Vincent and the Grenadines to implement ICCAT conservation and management measures. ICCAT endorses St. Vincent and the Grenadines' intention to work with ICCAT Contracting Parties to improve aspects of its monitoring, control, and surveillance scheme.

ICCAT encourages St. Vincent and the Grenadines to continue its efforts to observe relevant ICCAT conservation and management measures. In this regard, ICCAT particularly encourages St. Vincent and the Grenadines to implement the Statistical Document programs for bluefin tuna, swordfish, and bigeye tuna and to bring the harvests of bigeye tuna and albacore tuna by its vessels in line with ICCAT catch limits.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

4.14 Letter to Togo: Revoking identification

I have the honor to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) decided at its 14th Special Meeting, held November 15-21, 2004, in New Orleans, Louisiana, to revoke Togo's identification status relative to Atlantic swordfish.

As explained in previous communications, the Commission annually reviews fishery-related information for the Convention Area relative to both ICCAT members and non-members. As you are aware, the referenced identification of Togo was made in accordance with the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18]. During its 2004 review, the Commission took note that Togo's flag vessels engage in little activity in the Atlantic. The Commission also was pleased to note Togo's assurance that it was committed to complying with ICCAT's conservation and management measures. The Commission wishes to express its appreciation to Togo for its efforts to address the concerns of ICCAT. Nonetheless, the Commission particularly takes note that Togo has not been granted a quota for Atlantic swordfish.

Further, the Commission was informed by Uruguay that a vessel or vessels flagged to Togo were not allowed to land a particular amount of swordfish or bigeye tuna because it was not accompanied by an ICCAT statistical document. ICCAT encourages Togo to collaborate with the government of Uruguay to investigate this matter. ICCAT also encourages Togo to continue its efforts to strengthen its ability to monitor and control its fishing vessels and to cooperate with ICCAT by observing all relevant ICCAT conservation and management measures. In this regard, ICCAT particularly encourages Togo to implement the Statistical Document programs for swordfish and, as appropriate, bluefin and bigeye. ICCAT's trade tracking programs work in conjunction with those of other regional fishery management organizations to give a complete picture of harvests across oceans. Full implementation of these programs is vital both to ICCAT's ability to monitor total catches of and trade in these species, and to Togo's ability to monitor its own fisheries.

For your information, the review of fishery-related activities in the Convention area is now done in accordance with the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted by the Commission at its 2003 annual meeting. This Resolution both broadens the scope of ICCAT's previous trade regime and establishes a more transparent process for the application of trade restrictive measures.

For your use and information, please find enclosed a Compendium of ICCAT's Management Recommendations and Resolutions, which includes the above mentioned trade Resolution.

Please accept assurances of my highest consideration.

4.15 Letter to Chinese Taipei: Identification and continuing Cooperating Status

I have the honor to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) decided at its 14th Special Meeting, held November 15-21, 2004, to identify Chinese Taipei in accordance with the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] on account of the findings set out below. The subject resolution is enclosed for your information.

The Commission annually collects and reviews data and information regarding the activities of both ICCAT members and non-members that can have an impact ICCAT fisheries. Resolution 03-15 calls on the relevant ICCAT subsidiary body to identify those Contracting Parties or Cooperating non-Contracting Parties, Entities and Fishing Entities that have failed to discharge their obligations under the ICCAT Convention in respect of ICCAT conservation and management measures, in particular, by not taking measures or exercising effective control to ensure compliance with ICCAT conservation and management measures by vessels flying their flag. In deciding whether to make an identification, ICCAT reviews catch data compiled by the Commission, trade information obtained through national statistics and ICCAT's statistical document programs, the ICCAT list of vessels presumed to have carried out illegal, unregulated, and unreported activities in the ICCAT Convention area, and other relevant information obtained in ports and on the fishing grounds. ICCAT requests identified Parties, Entities and Fishing Entities to take all necessary corrective actions to rectify the situation, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT may recommend effective measures including, if necessary, non-discriminatory trade restrictive measures.

The 2004 review of fishery-related data showed that bigeye tuna harvests by Chinese Taipei have significantly exceeded its catch limit of 16,500 t as established in the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures* [Recs. 03-01, 02-01, and 01-01] for several years. In addition, compelling information was presented that the vessels of Chinese Taipei are involved in fish laundering activities where substantial amounts of Atlantic bigeye tuna catch is being reported as catch from other oceans. While the exact level of misattributed catch is not yet fully known, it is estimated to be between 4000 t and 18,000 t. There are also indications of falsification of catch documentation, including that relevant to ICCAT's statistical document program for bigeye tuna, for catches transshipped from some Chinese Taipei vessels. Finally, ICCAT took note

that the level of harvesting capacity by Chinese Taipei (98 large-scale tuna longline vessels operating in the Atlantic bigeye tuna fishery) is too high to be supported by its current bigeye tuna harvesting possibilities.

The Commission hereby requests Chinese Taipei to cease and desist from any activity which is in breach of official ICCAT conservation and management measures and to take effective action to rectify the activities at issue as to not diminish the effectiveness of the said measures. This should include additional actions to ensure appropriate monitoring, control, and surveillance of its fleet and reporting complete and accurate catch and effort data to ICCAT. In addition, Chinese Taipei should ensure fishing capacity is commensurate with its fishing possibilities, keeping in mind that any solution should not include export of capacity to other oceans. ICCAT would be grateful to receive detailed information from Chinese Taipei with regard to these matters.

The Commission will review the situation of Chinese Taipei at its next meeting, scheduled for November 14-20, 2005 in Seville, Spain. Information regarding these matters should be submitted to ICCAT at least 30 days in advance of this meeting. If it is determined that Chinese Taipei has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission may recommend that its Contracting Parties take additional action, including non-discriminatory trade restrictive measures on ICCAT species from Chinese Taipei.

Notwithstanding the decision to identify Chinese Taipei under the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], the Commission decided that, at this time, Chinese Taipei's cooperating status should not be revoked. Pursuant to the terms of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20], the Commission will once again review Chinese Taipei's Cooperating Status at its 2005 annual meeting. As you know, those non-Contracting Parties, Entities, and Fishing Entities with Cooperating Status accept the obligation to fully apply the conservation and management measures adopted by the Commission and to abide by data and other reporting requirements. In return, those with Cooperating Status receive certain benefits, such as qualifying to receive quotas and to enter their vessels on ICCAT's record of authorized vessels. Cooperating Status can be revoked by the Commission due to non-compliance with ICCAT conservation and management measures.

Thank you for your attention to these important matters.

4.16 Letter to Netherlands Antilles: Granting Cooperating Status

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to inform you that the Commission granted Netherlands Antilles' request for Cooperating Status. This decision was taken at ICCAT's 14th Special Meeting, held November 15-21, 2004, in New Orleans, USA.

The category of Cooperating Party, Entity or Fishing Entity has been in existence within the Commission since 1994. Those that are granted Cooperating Status formally accept the obligation to implement fully the conservation and management measures adopted by the Commission and to abide by data and other reporting requirements pursuant to the provisions of the attached *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. In return, those with Cooperating Status receive certain benefits, such as qualifying to receive quotas and to enter their vessels on ICCAT's record of authorized vessels. Cooperating Status can be revoked by the Commission due to non-compliance with ICCAT conservation and management measures.

For your use and information, I am enclosing a Compendium of ICCAT's Management Recommendations and Resolutions.

Thank you for your attention to these important issues. Please accept assurances of my highest consideration.

4.17 Letter to Guyana: Renewing Cooperating Status

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to inform you that the Commission renewed Cooperating Status for Guyana at its Fourteenth Special Meeting, held November 15-21, 2004, in New Orleans, Louisiana, USA.

In considering this matter, the Commission took due regard that Guyana had provided all the information requested of it in the Commission's communication of March 8, 2004. ICCAT took note that Guyana is pursuing improvements to its data collection system, particularly for sharks. ICCAT encourages this effort. In addition,

the Commission recognized that Guyana has not encouraged the development of offshore pelagic fishing activities in 2004 despite the opportunity to do so.

Each year, Cooperating Status is reviewed by the Commission pursuant to the terms of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. A copy of this instrument is included in the enclosed copy of ICCAT's Compendium of recommendations and resolutions. In keeping with this recommendation and in support of the Commission's 2005 review of Guyana's Cooperating Status, the Commission would appreciate receiving all relevant catch and effort data as well as any updates on the composition of your fleet and/or your monitoring, control, and surveillance regime.

In closing, I would once again note that Cooperating Status for Guyana should be viewed as transitional in nature. In that regard, the Commission encourages Guyana to become a full member of ICCAT as soon as feasible.

Thank you for your attention to these important issues. Please accept assurances of my highest consideration.

Appendix 5 to ANNEX 10

Statement by St. Vincent and the Grenadines to the PWG

St. Vincent and the Grenadines is fully committed to ICCAT management initiatives. We are also encouraged that ICCAT was satisfied with our level of effort in 2003 with respect to our compliance measures. This is no easy feat for a Small Island Developing State (SIDS). It involves considerable sacrifices, as scarce financial and human resources are expended in our efforts to comply with ICCAT management measures.

The implementation of measures to achieve compliance with ICCAT is ongoing

- 1 St. Vincent and the Grenadines has only issued license to fish for yellowfin tuna, skipjack and small tunas.
- 2 Quotas have been given to all vessels with respect to yellowfin tuna. These quotas were allocated based on the average catches for the last three years. Recognizing that ICCAT stipulates that catches should not exceed the 1992 levels it is the best system that could be instituted at this time. SVG will refine these quotas from year to year as more information becomes available.
- 3 In addition a total by-catch limit has been set to four (4) metric tons per vessel for all species except bluefin tuna. This represents 10% of the total average catch per vessel for the last three years. Again, this by-catch limit would be refined as more information becomes available.
- 4 St. Vincent and the Grenadines has also included the following license conditions which are consistent with ICCAT management regulations.
 - i All high seas vessels shall carry an up-to-date hard copy or electronic log of fishing activities.
 - ii The license shall be carried on board at all times and shall be presented on demand for inspection by a duly authorized person.
 - iii Daily catches of all species whether authorized or unauthorized shall be reported.
 - iv All vessels are required to install appropriate equipment to facilitate monitoring of vessel positions during all aspects of fishing operations.
- 5 The moratorium on the registration of new high seas fishing vessels established in June 2001 is still in effect. This moratorium prevents further increases in the overall tuna fishing effort in the ICCAT Convention Area by St. Vincent and the Grenadines fishing vessels. The measure is also contributing to the effort limitation regulations in effect for yellowfin and bigeye tunas and the catch limitations for other species.
- 6 With respect to the "miscellaneous" category, SVG has already made request to all vessel agents to provide information on this category retroactively, for the years of 2002 and 2003. This information would be analysed, further disaggregated, and made available to ICCAT in 2005.

- 7 A letter of intent has been signed with Chinese Taipei to further strengthen our effort to collaborate on the monitoring, control and surveillance of vessels registered to St. Vincent and the Grenadines, data collection and research.
- 8 A meeting was scheduled with Japan, USA, and Chinese Taipei during the last week of October 2004. However, St. Vincent and the Grenadines was unable to attend this meeting due to prior commitments. Additionally, discussions were held with the USA with respect to assistance in the development and implementation programmes for placing of observers on fishing vessels and monitoring of imports.
- 9 Preliminary discussions were held with Trinidad and Tobago with the intention to cooperate on the implementation of a port inspection programme. The mechanics of this programme are being developed and it is expected to commence in 2005.
- 10 Some information has been provided by the USA regarding catches of northern albacore which were allegedly landed by St Vincent and the Grenadines registered vessels. Although this information is useful, further investigation is required. The result of the investigation will be provided as soon as they are available. In addition, a strong letter has been sent to all vessels, instructing them not to harvest any northern albacore tuna.
- 11 Cabinet has given approval to for St. Vincent and the Grenadines to participate as contracting parties of ICCAT.

All of these initiatives represent a practical, responsible and best approach in dealing with an existing fishing capacity. It also represents a large economic contribution in the relative sense with respect to complying and assisting in the management initiatives of ICCAT.

Appendix 6 to ANNEX 10

Information Paper by Japan on the Import of Atlantic Bigeye Caught by Large-scale Tuna Longline Vessels

I Import of Atlantic bigeye caught by Chinese Taipei's LSTLVs

1 Introduction

At the 2003 Commission meeting, Japan reported questionable phenomena found in its tuna import data pertaining to catches by large-scale tuna longline vessels (LSTLVs) in the Convention Area, i.e., an excessively large amount of Atlantic bigeye tuna imported from Chinese Taipei and China (PRC). The Fisheries Agency of Japan (FAJ) continued compilation and review of import data of frozen tuna products. This review resulted in an unrealistically large amount of bigeye tuna of Indian Ocean origin caught by Chinese Taipei's LSTLVs.

On July 6, 2004, the Japan Coast Guard arrested a freezer cargo vessel named "Lung Yuin" (2,000 GRT, Panama flag, operated by a Chinese Taipei's company) for violation of the reporting requirements to the Japanese authority when the vessel stayed in Shimizu, landing frozen tunas caught and transshipped by 25 Chinese Taipei LSTLVs and three Vanuatu LSTLVs owned by Chinese Taipei's residents. As a result of the investigation on this cargo vessel, it turned out that all the 28 LSTLVs involved submitted to the Japanese authority false information on fishing areas (e.g. eastern Pacific = western central Pacific), vessels names (e.g., IUU LSTLVs = Chinese Taipei's licensed LSTLVs, or LSTLV not authorized to fish for bigeye tuna = those authorized) and/or transshipment positions and dates (e.g., at-sea = in-ports). Two logbooks (true and false) and other evidence collected on-board the cargo vessel disclosed an organized operation that produced all the false information under instructions from the owners of the involved LSTLVs and cargo vessel. More problematically, the concerned parties informed FAJ on this case that this sort of organized laundering activity is not limited to this case but widely conducted, not only in the Pacific but also in the Atlantic and Indian Oceans. This well agrees with the results of the following study.

On September 30, 2004, FAJ conducted full inspection on-board another freezer cargo vessel named "Suruga No.1" (2,596 GRT, Panama flag, operated by a Japanese company). The inspection also disclosed similar organized laundering activities. But two new types of laundering were found in this inspection. One is the use of

PRC’s vessel names; the other is the use of Pacific Ocean catch to hide excessive Atlantic bigeye catch by Chinese Taipei’s LSTLVs.

2 Unrealistically large bigeye catches by Chinese Taipei’s LSTLVs in the Indian Ocean

FAJ studied import records of frozen tunas. In the recent three years, Chinese Taipei’s bigeye catch almost doubled from 27,618 t in 2001 to 52,220 t in 2003 in the Indian Ocean, whereas the number of its LSTLVs did not increase much (from 301 to 332 vessels, **Table 1**). The bigeye CPUE of the Japanese LSTLV shows a clear downward trend in the Indian Oceans (**Figure 1**). Moreover, while in the Japanese LSTLV catches, the ratio of bigeye tuna in the total tuna catch (BE+YF) decreased in recent years as the bigeye CPUE dropped, the bigeye ratio increased in the same period in the Chinese Taipei’s catch (**Figure 2**). The Japanese catch trend meets that of Chinese LSTLVs. Only Chinese Taipei’s fleet showed a reverse catch trend and produced unrealistically high bigeye catch ratios. In the Indian Ocean, it is very rare or almost impossible that bigeye catch ratio exceeds 70% of the total tuna catch. When we look only at the import record by freezer cargo vessels operated by Chinese Taipei’s companies, the reverse catch trend becomes more conspicuous (**Figure 2**).

Table 1. Import of frozen bigeye from Chinese Taipei (in t)

	2001	2002	2003	2004 (Jan-Jun)
Atlantic bigeye				
Quantity	14,290	16,419	16,352	8,083
Number of LSTLVs	180	167	147	119
BE/Total tuna catch (BE+YF)	81.3%	87.3%	84.5%	83.1%
Indian Ocean bigeye				
Quantity	27,618	37,727	52,220	26,747
Number of LSTLVs	301	303	332	288
BE/Total tuna catch (BE+YF)	63.0%	61.4%	69.9%	54.0%

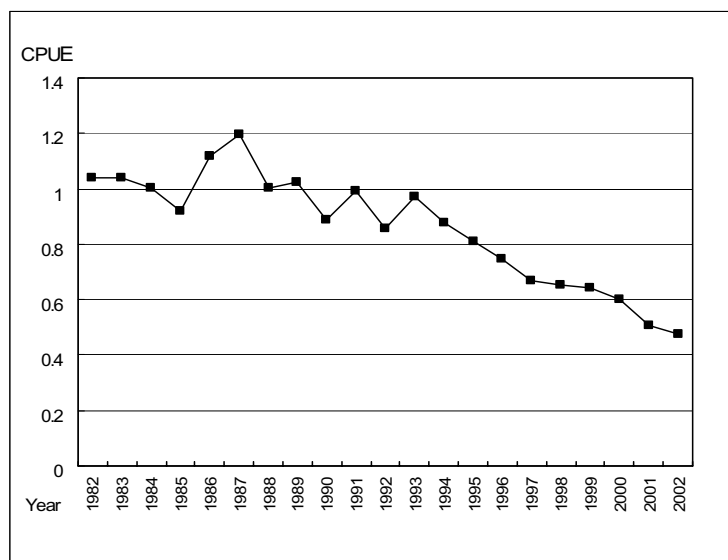


Figure 1. Standardized bigeye CPUE of Japan for the entire Indian Ocean expressed in relative scale in which the average from 1960 to 2002 is 1.0.

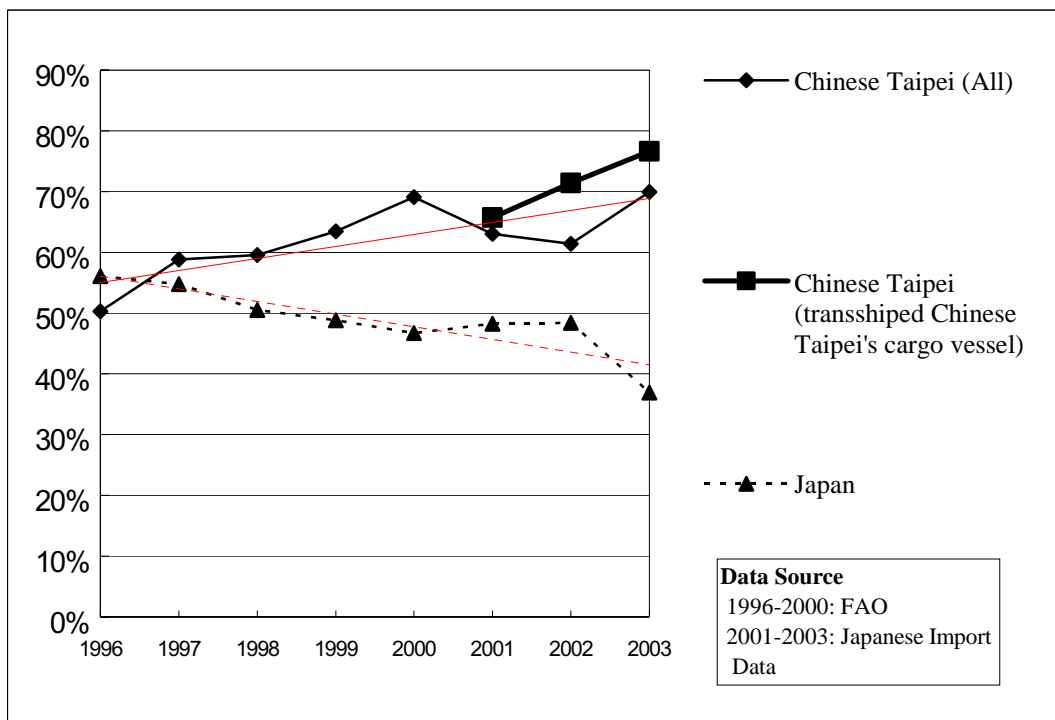


Figure 2. Ratio of bigeye in the Indian Ocean tuna catch.

A more peculiar phenomenon shown in the import record of those cargo vessels operated by the Chinese Taipei's companies is Atlantic bigeye tuna having virtually disappeared in the recent three years (Figure 3).

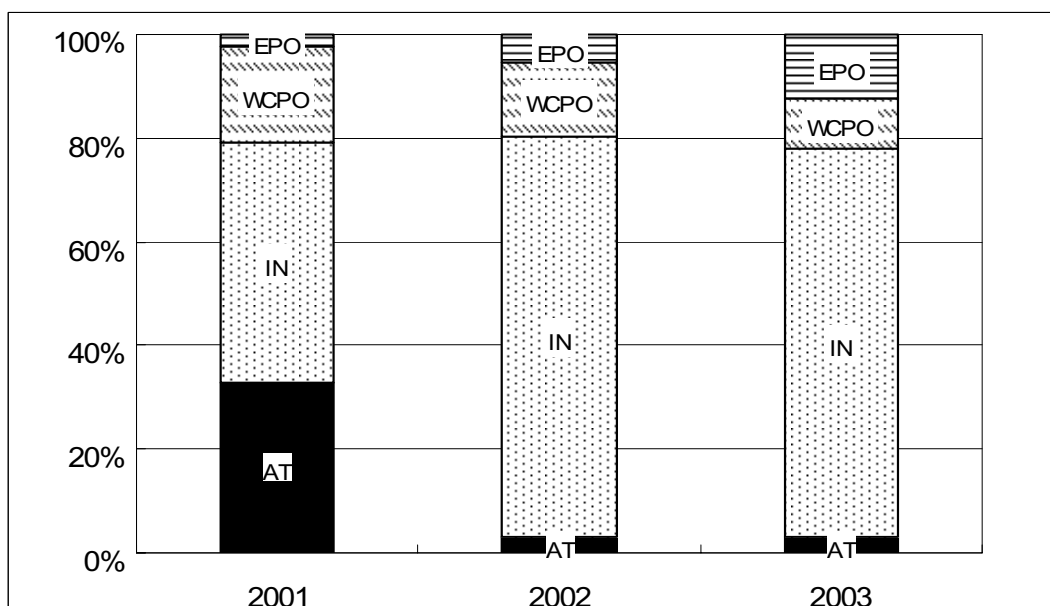


Figure 3. Import of bigeye tuna by Chinese Taipei's cargo vessels.

Another peculiar thing FAJ found is an increasing bigeye catch of old Chinese Taipei's LSTLVs built before 1980 (Figure 4). Those old vessels have low freezing capacity and are not suitable for the production of sashimi-quality tunas. They usually catch albacore for canning purpose and land catches at such other ports than Japanese as Cape Town. Since their albacore catches never appear in the Japanese import record, old LSTLVs are an easy

target of tuna laundering activities, i.e., Atlantic bigeye catch can be imported easily under the disguise of old LSTLVs catch in the Indian Ocean.

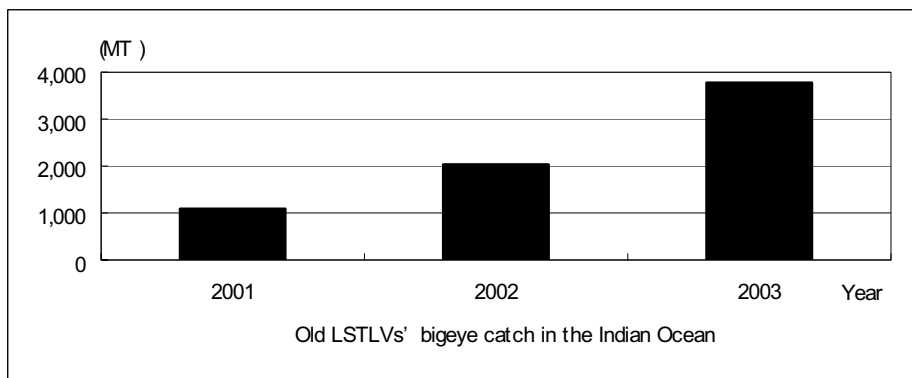


Figure 4. Old LSTLVs' bigeye catch in the Indian Ocean.

In short, the import records of the Chinese Taipei's LSTLVs strongly suggest a high level of laundering activities under the disguise of Indian Ocean catch to hide excessive Atlantic bigeye catch.

3 Estimated amount of Atlantic bigeye catch involved in the laundering activities

In the estimation, the catch of Atlantic bigeye involved in the laundering activities was considered to consist of two parts: the total bigeye catch of old LSTLVs (built in and before 1980) (**Addendum 1 to Appendix 6 to ANNEX 10**) and the excessive amount of bigeye catch (bigeye import amount over three times of yellowfin amount from the same vessel: $BE - YF \times 3$) of young LSTLVs (built after 1980) in the Indian Ocean. Although there is a possibility that other LSTLVs' catch in the Indian Ocean was laundered to be old LSTLVs', that possibility is negligible since no catch limit is set for Indian Ocean catch; no reason exists for laundering. Then it is a safe and reasonable assumption that all the old LSTLVs import of Indian Ocean bigeye was disguised Atlantic bigeye catch of other LSTLVs. Also since it is inconceivable based upon the Japanese catch record that bigeye / yellowfin catch ratio exceeds three to one (3:1) in the Indian Ocean, it is a safe and reasonable assumption that the bigeye amount over three times of the yellowfin amount is disguised Atlantic bigeye catch. When one considers that there is a strong possibility that the whole bigeye catch (not just a portion over three times of YF) of some LSTLVs declared at the Japanese custom as of Indian Ocean origin was in actuality of Atlantic origin, one can clearly see the conservative nature of this estimate. The result of estimation is shown in **Table 2**; around 18,000 t of Atlantic bigeye tuna was estimated to be imported in 2003 under the disguise of Indian Ocean origin.

Table 2. Estimated amount of Atlantic bigeye tuna imports under the disguise of Indian Ocean bigeye (in t)

	2001	2002	2003	2004 (Jan-Jun)
Bigeye imports from old LSTLVs	1,089	2,037	3,776	1,554
Bigeye import amounts over three times amount of yellowfin from the same vessel	4,692	5,974	15,168	5,750
Total	5,781	8,011	18,944	7,304

4 Conclusion

The above estimate dealt only with the case of laundering by use of Indian Ocean catch as the disguise. There are other cases using PRC vessel names and/or Pacific Ocean catch (**Addendum 2 to Appendix 5 to ANNEX 10**). Significance of the laundering activities for the ICCAT management regime is quite high. The Commission fortunately contained fishing activities by IUU LSTLVs in the Convention area but is now facing the laundering

activities with the same level of significance to the ICCAT conservation efforts. The bias to the data is also a problem.

In view of the seriousness of these problems, Chinese Taipei and FAJ started consultations to further investigate the laundering activities and to work out effective measures to eliminate such activities. Those measures will mainly cover three areas; strict monitoring and control of transshipment, strict control of issuance of statistical documents (SD) and timely exchange of information on SD and landing, and adjustment of excessive fishing effort corresponding to catch limits. The result of consultations will be reported to the Commission meeting

II Import of Atlantic bigeye caught by PRC's LSTLVs

Table 3 shows estimated Atlantic bigeye catch by PRC's LSTLVs. Almost all bigeye imported to Japan are gutted and gilled (G/G) and its round weight can be obtained by multiply 1.13 to the imported amount. Usually it takes three months on average to deliver the frozen tunas from Atlantic fishing ground to Japan. In estimation, three assumptions were used: no time lag, three month time lag and six month time lag. The three-month time lag assumption is most plausible. As a result, the overage from 2003 was 3,903 t and the adjusted catch limit is 1,097 t, which was already exceeded by import amount of this year. China and Japan are engaged in the consultations on this matter and will present the outcomes to the Commission meeting.

Table 3. Estimate of Chinese bigeye catch, calculated from Japanese import data

		2002	2003	2004
	Initial catch limit	4,000	5,000	5,000
	Quota transfers from Japan	1,100	1,250	---
	Total	5,100	6,250	5,000
Catch data from Compliance Table	Adjusted catch limit	5,100	5,510.5	---
	Catches	5,839.5	---	---
	Balance	739.5	---	---
Trial calculation (1) ^{*1}	Adjusted catch limit	5,100	3,766	712
	Estimated catches (landing amount*1.13)	7,584	8,054	3,621
	Balance	2,484	4,288	2,909
	Data period	2002.1-2003.12	2003.1-2004.12	2004.1-2004.6
Trial calculation (2) ^{*2}	Adjusted catch limit	5,100	4,033	1,097
	Estimated catches (landing amount*1.13)	<i>1,867</i>	7,317	7,936
	Balance	2,217	3,903	1,041
	Data period	2001.1-2001.3	2002.4-2003.3	2003.4-2004.3
				2004.4-2004.6
Trial calculation (3) ^{*3}	Adjusted catch limit	5,100	3,998	1,386
	Estimated catches (landing amount*1.13)	<i>4,294</i>	7,352	7,612
	Balance	2,252	3,614	---
	Data period	2001.1-2001.6	2002.7-2003.6	2003.7-2004.6

*1: Based on the assumption of no time lag between catches and landings.

*2: Based on the assumption of three months' time lag between catches and landings.

*3: Based on the assumption of six months' time lag between catches and landings.

Addendum 1 to Appendix 6 to ANNEX 10

Old LSTLVs and their catch in the Indian Ocean

No.	Name	GRT	Blt_year	2001			2002			2003			2004		
				BE	YF	BE%	BE	YF	BE%	BE	YF	BE%	BE	YF	BE%
1	CHIAN FU	278	1969				86,537	5,613	94%	229,162	35,608	87%	67,453	7,557	90%
2	CHIN GEM FOOD 102	458	1978							190,101	18,105	91%	172,637	54,926	76%
3	CHIN RUEI HSIANG 1	491	1979	27,201	9,670	74%	76,740	34,104	69%	121,185	16,193	88%	126,700	22,049	85%
4	HAI TSUN 1	264	1971	13,985	11,462	55%	51,331	14,270	78%						
5	HAI TSUN 2	264	1971	12,664	12,706	50%	8,990	20,660	30%	50,936	1,854	96%			
6	HO KIN MEI	203	1979	16,541	13,935	54%	4,803	2,808	63%	2,262	2,339	49%			
7	HORNG SHUENN YIH 32	452	1979	12,374	2,688	82%	30,133	163,506	16%	40,304	174,175	19%	27,998	170,313	14%
8	HSIN CHEN FA	284	1974				5,355	11,370	32%	152,069	14,879	91%			
9	HSIN CHENG FA 3	300	1974	17,051	30,676	36%				53,205	25,895	67%			
10	HUNG YAO 2	491	1980	77,627	3,804	95%	50,573	11,968	81%	186,544	9,996	95%	204,646	12,090	94%
11	JUI DER 66	220	1974				140,440	20,811	87%	137,710	63,535	68%			
12	LI SHENG	344	1979							28,232	13,229	68%	56,470	3,698	94%
13	MAN YU 11	442	1975				25,822	397,270	6%	174,803	207,486	46%	102,571	2,149	98%
14	MENG FA 236	498	1979	169,905	47,229	78%	48,915	20,052	71%	125,291	28,296	82%			
15	NONG JYI LIH	281	1969	54,902	4,808	92%	109,453	8,177	93%	264,835	7,215	97%	133,387	16,273	89%
16	NONG JYI YOW	218	1973	101,451	8,489	92%	146,535	3,325	98%	284,324	10,456	96%	99,058	5,452	95%
17	SHANG FU 1	267	1968				24,950	7,944	76%	264,495	29,266	90%	114,129	41,072	74%
18	SHANG FU 7	283	1974				62,099	4,931	93%	193,379	40,841	83%	145,283	30,673	83%
19	SHENG FU	478	1980							36,679	771	98%			
20	SUNG SING 1	201	1975				10,761	13,123	45%						
21	TAI YUAN 1	265	1971				56,155	34,152	62%	126,913	28,086	82%			
22	TUNG HONG 2	377	1969	407	134	75%	39,254	10,750	79%	250,698	55,040	82%			
23	WIN FAR 326	492	1980	75,335	91,308	45%	195,751	37,396	84%	261,171	61,264	81%	125,737	60,434	68%
24	WIN FAR 336	492	1980	155,998	43,583	78%	224,650	44,482	83%	198,499	50,318	80%	34,660	25,063	58%
25	YA SHUEN 201	459	1975	32,399	11,610	74%	193,765	27,301	88%	149,677	50,324	75%	21,677	37,599	37%
26	YA SHUENN 202	437	1979	157,866	79,443	67%	246,501	135,236	65%	149,563	102,199	59%	38,039	36,436	51%
27	YU TSAN	371	1980	46,022	20,033	70%	12,564	4,351	74%						
28	YUAN BAO 168	473	1979	117,312	27,459	81%	184,682	42,871	81%	103,506	23,473	82%	83,157	38,433	68%
		-	-	-	-	-	1,089,040	419,037	72%	2,036,759	1,076,471	65%	3,775,543	1,070,843	78%

Report on cases of fish laundering

Introduction

The Japan Coast Guard and Fisheries Agency of Japan (FAJ) are conducting investigation and inspection on freezer cargo vessels that transshipped frozen tunas from LSTLVs and shipped to Japan. Some evidence indicates that LSTLVs of Chinese Taipei, Peoples Republic of China (PRC) and Vanuatu are involved in fish laundering activities. The use of false vessel names, fishing areas, transshipping amounts, transshipment position and date, were found in these investigations and inspections. The FAJ has requested fisheries authorities of those countries and areas to investigate their LSTLVs.

Highlight of cases

1 C/V *Suruga No.1*

On September 30, 2004, FAJ conducted dockside inspection of a freezer cargo vessel named “*Suruga No. 1*” (2,596 GRT, Panama flag, operated by a Japanese company) at Shimizu. This inspection also disclosed organized laundering activities by 10 Chinese Taipei LSTLVs, 4 PRC LSTLVs, 2 Vanuatu LSTLVs and 6 unknown flag vessels. The activities included submission of false vessel names (e.g. IUU LSTLVs = Chinese Taipei’s LSTLVs, Chinese Taipei’s LSTLVs authorizes to fish in the Atlantic Ocean = Chinese Taipei’s or PRC’s LSTLVs authorized to fish in the Pacific Ocean) and false fishing area (e.g. Atlantic Ocean = Pacific Ocean). Several stowage plans (true and false) and other evidence collected on board the *C/V Suruga No. 1* showed that owners of the involved LSTLVs instructed these organized operation through the operator of *C/V Suruga No.1*. A series of hearings from the operating company of *C/V Suruga No.1* was also conducted and the result supported the findings of the dockside inspection. In this case, it was disclosed that Chinese Taipei’s LSTLVs used Pacific Ocean to hide the excessive catch of bigeye in the Atlantic Ocean.

2 C/V *Lung Yuin*

Since July 6, 2004, the Japan Coast Guard has been investigating a freezer cargo vessel named “*Lung Yuin*” (2,000 GRT, Panama flag, operated by a Chinese Taipei company) that entered Shimizu in alleged violation of domestic laws. Tunas transshipped by a total of 28 LSTLVs, 25 Chinese Taipei LSTLVs and 3 Vanuatu LSTLVs owned by Chinese Taipei residents were on board the *C/V Lung Yuin*. In the course of the investigation, 16 LSTLVs and 2 unknown flag vessels are under suspicion of submitting to the Japanese authority false information on fishing areas (e.g. eastern Pacific = western Pacific), vessel names (e.g. IUU LSTLVs = Chinese Taipei’s LSTLVs, or LSTLVs not authorized to fish for bigeye tuna = those authorized). Two logbooks (true and false) and other evidence collected on board *C/V Lung Yuin* disclosed an organized operation that produced all the false information under instruction from owners of the involved LSTLVs through the cargo vessel company’s headquarters.

The details of the laundering activities by LSTLVs found in those cases are attached.*

Appendix 7 to ANNEX 10

Chinese Taipei’s Explanatory Note to Japan’s Information Paper

Summary

To comply with the fisheries management measures adopted by various international fisheries management organizations, Chinese Taipei has in recent years taken necessary management measures, including requirement of installation of VMS, monthly reporting of catch statistics, deployment of observers on board fishing vessels, selection of sample vessels, and establishment of regime for the issuing of statistical documents.

* Available at the Secretariat.

As to the cases under investigation by Japan, it is noted that transport vessels have played a significant role of acting as an intermediate in the process of fish laundering. Therefore, intensification of the monitoring and control of transport vessels is a key element to prevent fish laundry.

In its Information Paper, Japan tries to use individual cases and indirect information to allegedly assume that there have been large quantities of Atlantic caught bigeye tuna in disguise as Indian Ocean catches. We feel this assumption is rather inappropriate and requires further clarification.

I Japan's doubt on Chinese Taipei 2002 Atlantic bigeye catch cleared

At the 2003 Commission meeting Japan reported an excessively amount of bigeye imported from Chinese Taipei, and requested the two parties underwent checking of catch figures.

Chinese Taipei sent its staff to Japan in May 2004 to conduct checking of fisheries data, and officials of the two sides confirmed the figures. The overage of some 2,000 t in Japanese import of bigeye tuna in 2002 and 2003 was mainly the result of issuing of statistical documents to the 13 vessels on behalf of the flag States pending completion of the re-registration procedure as authorized by the Commission [Rec. 01-23]. We reported this fact to the Commission at the 2003 Commission meeting, and required the Commission to grant additional 2,000 t of bigeye catch limit to accommodate with the change of vessels in operation. (See Appendix 3 to Annex 8, Panel Appendices, ICCAT Report 2002-2003(II))

II "Lung Yuin" and "Suruga No.1" cases

Japan arrested two freezer transport vessels, "*Lung Yuin*" and "*Suruga No. 1*" for violation of the reporting requirements.

To the cases of fish laundering by transport vessels, we are as much alarmed and regretful as others. Based on the information provided by Japan, our investigation shows that:

- Transshipment of catches on the high seas has been carried out commonly by all major distant fishing nations (including Japan, Korea and China), and presently ICCAT has not prohibited at sea transshipment. Though Japanese domestic regulations forbid at sea transshipment of catches, it seems that Japanese government has some understanding on the practical operation and accepts the existence of such practice.
- "*Lung Yuin*" operated by Chinese Taipei company: Among the 25 vessels under Chinese Taipei flag in the "*Lung Yuin*" case, their transshipment was carried out in the Pacific Ocean. Four (4) of them were found to have involved in fish laundry in the Pacific; they have been penalized with suspension of fishing license for a period of three months. Their violations do not appear to have any involvement in the fish laundry of Atlantic origin tuna.
- "*Suruga No. 1*" operated by Japanese company: There were 13 Chinese Taipei flag vessels involved in the "*Suruga No.1*" case, 6 of them were found to have involved in fish laundry, and they have been penalized with suspension of fishing license for a period of three months.

It shows that the present cases are in fact individual cases, and they could be considered as cases not of generality in nature. Japan's description in the Information Paper is over exaggerated and unjustifiable.

III Growth in bigeye catch in the Indian Ocean due to restructure of fishing pattern

In Table 1 of its Information Paper, Japan tries to show the abnormal phenomena of our fishing activities in the Indian Ocean, both on the number of vessels in operation and the amount of catch, stating that while there has been little change of our fleet size in the Indian Ocean, the catch of bigeye tuna has drastically increased.

Figure 1 shows the trends of the annual of our catches of the major tuna species in the Indian Ocean during the past years (1995-2003). It shows that the overall catch during the period maintains around 100-110 thousand tons. The catch of albacore tuna decreased from 26,000 t in 2001 to 11,000 t in 2003, with a reduction of 15,000 t. In contrary, the catch of bigeye tuna increased from 37,000 t in 2001 to 52,000 t in 2003, with a growth of 15,000 t. Table 1 of Japan's Information Paper indicates there has been limited increase of the number of vessels operating in the Indian Ocean. Whereas, Figure 1 below reflects a restructuring on the fishing pattern of our fleet in the recent years, with a growth in the number of vessels fishing for bigeye tuna through the shifting of target

species from albacore to bigeye. Considering the normal catch of albacore by those vessels targeting on albacore being about 300 t, it means that about 50 longline vessels have shifted to fish for sashimi-quality ultra low temperature bigeye tuna. Furthermore, there were 20 re-registered fishing vessels in the Indian Ocean fishing for bigeye tuna. It is not unreasonable to have an increase of 15,000 t in the Indian Ocean bigeye catch, with 70 ultra low temperature vessels added to the fleet.

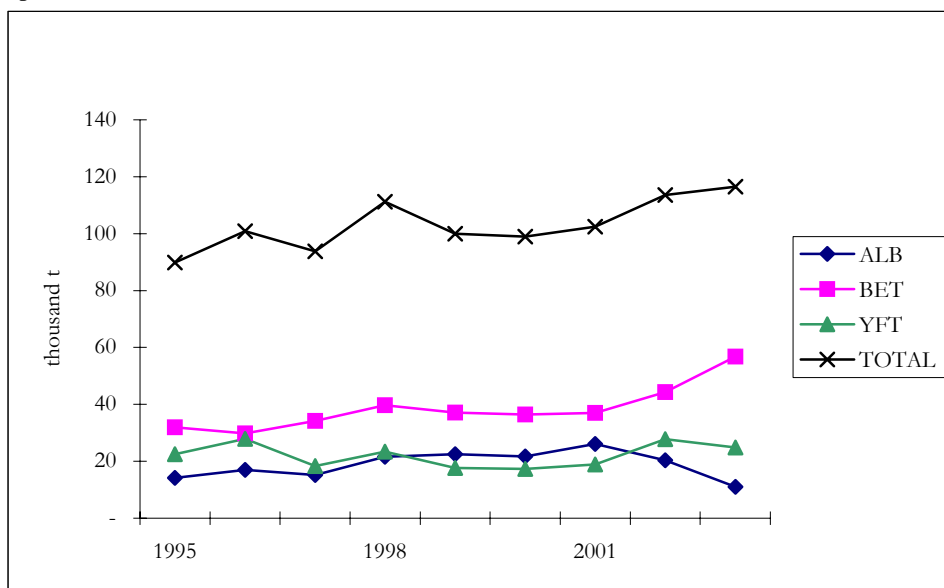


Figure 1. Indian Ocean tuna catch of Chinese Taipei.

IV Change in ratio of bigeye and yellowfin catch in the Indian Ocean due to restructure of fishing pattern

1 Japan took for granted that the increase in the ratio of bigeye and yellowfin in our catch in the Indian Ocean was due to fish laundering.

In the early days of development of ultra low temperature tuna fishery, restricted by fishing technology and mentality of skippers of fishing by quantity than by value, ultra low temperature tuna longline vessels focused more on catching of yellowfin tuna, and the ratio between bigeye tuna and yellowfin catch was about 1:1. Since 1995 the pattern of the fishery changed to target on bigeye tuna, and the ratio between bigeye and yellowfin catch in the Indian Ocean has changed accordingly with more weighting on bigeye catch, and maintained at about 2:1. The ratio of bigeye and yellowfin catch of about 300 ultra low temperature tuna longline vessels in the Indian Ocean has been 2:1 for quite some time, and therefore, one should note that this ratio did not change all of a sudden in the past 3 years.

2 Japan took for granted that the decrease of transport of tuna in the Atlantic Ocean by transport vessels of Chinese Taipei was due to fish laundering.

According to our information there are currently 53 ultra low temperature transport vessels, among which, 46 are operated by Japanese companies, 4 by Chinese Taipei companies, and 3 by Korean or Chinese companies.

As indicated in the Japanese Information Paper, there was some transshipment conducted by Chinese Taipei transport vessels in the Atlantic Ocean in 2001, and later such activity did not continue, thus implying the suspect of fish laundry. Actually, that vessel though owned by company of Chinese Taipei, but was chartered to and operated by Japanese company in 2001. The reason for the discontinuation of such activity in the Atlantic is that all Chinese Taipei companies, which own transport vessels also own fishing vessels. As the majority of their fleet is operating in the Indian and Pacific Oceans, their transport vessels only conduct transshipment in the Indian and Pacific Oceans. Therefore, it is not reasonable to make an assumption, saying that the drastic reduction of fish transport of the vessel was due to fish laundry.

3 Japan pointed out that the 28 longline vessels built before 1980 are not equipped with ultra low temperature freezers, and should not have bigeye catch.

The development of Chinese Taipei ultra low temperature tuna longline fishery could be traced back to 1970. According to the information of Taiwan Tuna Association, in 1980 Taiwan had 72 ultra low temperature tuna longline vessels. This is also recorded in Tuna Yearbook of Japan. It should be noted that among the 28 vessels listed on the Japanese Information Paper, 8 of them were in fact among the list of ultra low temperature tuna longline vessels previously agreed between the tuna associations of the two sides. Therefore, one cannot determine whether a vessel has the capacity of ultra low temperature freezing from the vessel's age, and it is the freezer on board that makes the difference. One can, therefore, come to a conclusion that this assumption made by Japan is irrelevant.

Anyone familiar with the operation of albacore longline fishery should be well aware that on conventional albacore longline vessels, there are four blast freezing rooms, with freezing capacity of -45° C, and storage capacity of 40 t. Japanese market is willing to accept this kind of frozen sashimi at a discount price, but it is still much higher than the one used for canning. As such, the skipper will usually keep the bigeye he caught in the freezing rooms, with half of the storage space, i.e. 20 t. If 2-3 transshipments are made in a year, the total catch of bigeye will accumulate to some 30-40 t. Among the vessels as referred to in Table 1 of Japan's Information Paper, at least 6 of them belong to this category. Their annual by-catch of 40 t of bigeye should not be considered as unreasonable. Without direct evidence, assuming that they have been involved in fish laundry is not justifiable.

Despite of the above description, Chinese Taipei will conduct an in-depth investigation on the other 14 vessels with smaller carrying capacity, but having a great increase in their bigeye catch.

V Estimated amount of Atlantic bigeye catch involved in the laundering activities

Japan pointed out that our catch ratio of yellowfin and bigeye has been unusual, and from its estimation of 3:1 ratio, it said "it is a safe and reasonable assumption that the bigeye amount over three times of the yellowfin amount is disguised Atlantic bigeye catch", and concluded that around 18,000 t of Atlantic bigeye tuna was estimated to be imported in 2003 under the disguise of Indian Ocean origin.

Japan's assumption is over exaggerating. As mentioned earlier, Japan's estimation has neglected some of the factors mentioned earlier above. We have made a review on the tuna imports by Japan, on a vessel and species basis, and found out more realistic factors. Given that an annual catch of 200 t of bigeye by vessels targeting on bigeye in the Indian Ocean is considered normal, and an annual by-catch of 40 t of bigeye by vessels in the Indian Ocean targeting on albacore is considered normal, it was found that there remains some 10% of the Indian Ocean fleet which do not meet these criteria. If we are to examine more closely to this sector of vessels, the quantity in excess of the normal catch is estimated to be about 4,000 t. We may either say they have performed extraordinary good fishing or they might have been involved in fish laundry, and further investigation on their activities is needed. Despite this hypothesis, it is difficult for anyone to draw to a conclusion that this estimated exceed-than-normal catch of 4,000 t, could be Atlantic catch in disguise, or in other words, laundering of Atlantic catch. Without concrete evidence, we cannot take for granted that they have involved in fish laundry.

One should not forget the possibility that there still exist some old IUU vessels that refused to join Japan's buyback program. In a number of papers, Japan has pointed out that despite the efforts made by both Japan and Chinese Taipei, a significant number of IUU large-scale tuna longliners were still undetected. These vessels have been seeking every possible chance to have their catch legalized, including by means of fish laundry. There should be more enhanced international cooperation in order that the last IUU vessel can be eliminated.

Conclusion

Chinese Taipei implemented a vessel buyback program during 1991-1995, during which 136 large-scale tuna longliners (over 100 GRT) were purchased by the government for scrap, and ever since the number of large-scale tuna longliners has been maintained at 610. In order to implement ICCAT decisions and the joint action plan between Taiwan and Japan for application of re-registration program, 48 ex-FOC tuna longliners were re-registered and managed under Chinese Taipei, and at the same time Chinese Taipei reduced 48 large-scale tuna longline fishing vessels. In other words the number of large-scale tuna longliners will still maintain at 610.

Since 1999 ICCAT has limited the number of our fleet in catching of bigeye at 125 vessels, and a catch limit of 16,500 t. In view of the imbalance between the fleet size and the catch limit available, some of the vessels that were operating in the Atlantic had since moved to other oceans, making the number of longliners targeting for bigeye to be 87 in 2004. With a per-vessel catch of 180 t per year, this fleet size of 87 vessels is considered to be in correspondence with their catch.

Despite of our compliance with ICCAT's request in 2001 for re-registration of ex-FOC/IUU tuna longliners, and authorization of issuing of statistical documents for the tuna catch by the IUU/FOC vessels pending the process of re-registration [Rec. 01-23], the Commission has not provided us with additional catch limits of 2,000 t to accommodate with the increase of fleet size. We officially made such a request in the 2003 Commission meeting (see Appendix 3 to Annex 8, Panel Appendices, ICCAT Report 2002-2003 (II)), and again hope the Commission will consider favorably our request.

We appreciate Japan taking its time in exploring the matter. From the above analysis, the so-called 18,000 t of bigeye catch of doubt should in fact be estimated to be not more than 4,000 t. Japan's accusation of a fish laundering activity in generality obviously does not exist. The increase of bigeye catch in the Indian Ocean was a result of restructuring of fishing pattern by 50 longliners which previously targeted on albacore, and an addition of 20 ex-FOC/IUU re-registered vessels, while we do not deny there could be individual violation cases in existence. For those violations with concrete evidence, the offenders have been penalized accordingly. In order to prevent possibility of fish laundry by individual boat owners, we suggest:

- Strict monitoring and control transshipment of catch on the high seas and the management of transport vessel should be conducted in a transparent manner. In the 2003 Commission meeting, we did support the need of strengthening monitoring and control of at sea transshipment.
- We shall continue our consultations with concerned countries on the matter and exchange with them any information to improve the control of issuing of statistical documents.
- To those fishing vessels which are found to have unusual activities, or have evidence to be conducting fish laundering, close investigation will be continued, and violators will penalized in accordance with the degree of the offence.
- Continued international cooperation in the exchange of information on the remaining of IUU fishing vessels, and relevant regional fisheries management organization should make concerted efforts in adopting harmonized measures in eliminating the last IUU fishing vessels.

Appendix 8 to ANNEX 10

Chinese Taipei's Request for Renewal of Cooperating Status

Chinese Taipei has been providing statistical data of fishing activities in the ICCAT convention are in the forms of Task I and Task II, to the Secretariat within the timeframe as requested. It has sent scientists to participate in the work of stock assessment and scientific research on tuna species under the purview of ICCAT.

We have implemented domestic measures to comply with the conservation and management measures adopted by ICCAT, and applied strict control on the activities of its fishing vessels within the convention area, to ensure that the catch limits and quota allocated to us are not overused.

Our Fisheries Agency has been conducting vessel monitoring by means of satellite-based automatic location communicators installed on board the vessels, for receiving four times a day the positions of all large-scale tuna longline vessels operating globally via satellite as from July 1, 2004, which is well ahead of the date of implementation as required by the Commission. Scientific observer program has been launched to collect fisheries information that is not readily available in the daily logbook, such as by-catch and biological samples. Gradual increase of observer coverage has been planned.

Since 1999, Chinese Taipei and Japan have cooperated with each other in the joint efforts to combat and eliminate IUU/FOC large-scale tuna longliners under a joint program. As of the end of October 2004, Japan has purchased for scrap some 44 second-hand longliners it exported, while Chinese Taipei has amended its regulations to allow those IUU/FOC large-scale tuna longliners newly built in its shipyard to seek re-registration

under its registry. Under this program, 48 ex-IUU/FOC large-scale tuna longliners have completed their re-registration. In addition, Chinese Taipei and Japan have jointly assisted owners of some 69 large-scale tuna longliners to seek legitimization in Vanuatu and Seychelles under a special arrangement.

Chinese Taipei has continued providing voluntary financial contributions to ICCAT, both for the administrative use by the secretariat and special fund for scientific research.

Despite the strenuous efforts made by the fisheries authorities, there have always been some rotten apples which cannot make thing prefect. Japan reported it has arrested two fish transport vessels, which violated its domestic reporting requirements, in assisting some fishing boat owners, including Chinese Taipei boat owners, to issue false statistical documents for the export of bigeye tuna to Japan. We are as much alarmed and regretful to this incident as the others. We have conducted a thorough investigation on the cases with the information provided by Japan. There were concrete evidences that eleven (11) vessels have been involved in falsification of shipping documents, and they have been penalized by suspension of their fishing license for a period of three months. We will continue to cooperate with Japan and other members of ICCAT to investigate and crack down any possible case of violation.

This incident of fish laundry through transport vessels should not be treated as a general case. We should state that the majority of our industry is in fact complying with the measures of our government and ICCAT. When there are only a minority of the fishermen who have committed a violation, whether the international community is going to penalize the majority who are in fact innocent. For the interests of the majority that is innocent, the Fisheries Agency of Chinese Taipei will take stringent measures to control on all fishing activities by its fleet, with the following actions:

- 1 Continue to implement satellite-based VMS program, at an interval of 4 position reports per day.
- 2 Increased deployment of scientific observers on board tuna longliners to improve data collection.
- 3 Implementation of a pilot sampling program at selective overseas ports of landing and/or destination, to improve collection of biological data.
- 4 Implementation of the process of at sea transshipment as adopted by ICCAT, in order to monitor and control the activities of transshipment.
- 5 Stringent control of issuing of statistical documents to ensure that the quantity of fish exported is corresponding to the quota.
- 6 Take appropriate measures to ensure that no vessels that target on albacore tuna shift to target on bigeye tuna without prior authorization.
- 7 Continue to require all vessels fishing on bigeye tuna to make monthly reporting of catch, to ensure quota is not over used, and when 80% of the quota is reached, weekly reporting will be required.
- 8 Scrutinize the activities of tuna longline fishing, and when any sign of unusual activity has been detected, thorough investigation will be followed.
- 9 Close cooperation with import or market and landing States, particularly Japan and the United States, to facilitate exchanging information on trading of tuna.
- 10 Close cooperation with all States to eliminate the remaining IUU fishing vessels that have escaped the previous joint action plan between Chinese Taipei and Japan.
- 11 To investigate the quantity of overused catch limit, through consultations with concerned countries, and submit a payback plan for consideration by the Commission.
- 12 To plan for adjustment of excessive fishing effort of LSTLVs corresponding to the catch limits.

Though there has been some shortfall in our fisheries management, with all the work we have performed in the past and our long-term cooperation with ICCAT, our determination of stringent actions to monitor and control of

our fishing fleet, we feel we should deserve continuation of the Cooperating Status as accorded by the Commission.

Appendix 9 to ANNEX 10

Statement to the PWG by CARICOM on Behalf of Guyana

During Guyana's first year as a Cooperating Party to ICCAT, Guyana ensured that all its best available data were reported to ICCAT before the stipulated deadline. Both Task I and Task II catch data were reported, together with the requested information on the fishing vessels engaged in the harvest of tuna-like and shark resources. Additionally, for the first time, Guyana prepared and submitted a separate national report in 2004.

The Commission is asked to note that Guyana has not been able to make progress in recording its shark catches by individual species, given that the majority of Guyana's shark catches are landed dressed, making species identification extremely difficult. In this regard, the Commission is reminded that Guyana is a Developing State with limited available technical, as well as financial resources. This country also has HIPC status. Notwithstanding, in 2004, a research proposal has been developed to address the issue of improving identification of shark catches, using external technical expertise. This proposal will be implemented at the earliest opportunity, as soon as funding becomes available.

The Commission should also note that in view of limited capabilities to monitor its existing tuna-like and shark fisheries at this time, Guyana has not attempted to encourage any new offshore pelagic fishing activities in 2004, despite the opportunity to do so, afforded by its Cooperating Party status.

In conclusion Guyana has complied with ICCAT reporting requirements, to the fullest extent made possible by Guyana's present available resources. In addition, Guyana has not commenced any new fishing activities that would pose a threat to ICCAT conservation and management efforts. At this time, Guyana wishes to reaffirm its commitment to cooperate fully with ICCAT in the conservation and management of Atlantic tuna and tuna-like species within the Convention Area.

DOCUMENTS DEFERRED FOR DISCUSSION IN 2005

11.1 DRAFT RECOMMENDATION BY ICCAT CONCERNING MANAGEMENT AND APPLICATION OF UNDERAGES AND/OR OVERAGES OF THE QUOTAS/CATCH LIMITS

RECOGNIZING the need to simplify the rules by generalizing the treatment of underage and overage, both at the level of management and compliance, and to draw up clear rules;

TAKING ACCOUNT the deliberations of ICCAT Working Party on Compliance, held in Murcia, Spain on 11 November 2001.

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

1 Management measures

- a For any species under a quota/catch limit management, the overage of a given year shall be deducted from either the quota/catch limit of the management period immediately after or of the following year.
- b For any species subject to quota/catch limit management, the underage of a given year may be added either to the quota/catch limit of the management period immediately after or of the following year, within a maximum limit of 10% of the initial quota/catch limit.

The total of the underages carried over during the management period or the period of the management plan applicable to the stock concerned may not exceed 30% of the annual quota/catch limit allocated initially.

- c The provisions referred to in sub-paragraphs a) and b) do not apply when a recommendation on a stock specifically deals with overages and underages.
- d The provisions of subparagraphs a) and b) do not apply to the quotas fixed autonomously by the Contracting Parties.

2 Application measures

- a If in the applicable management period a Contracting Party exceeds its quota/catch limit, this limit will be reduced in the next management period by 100% of the amount exceeding such quota/catch limit. However, ICCAT may authorize other alternative actions, and,
- b If a Contracting Party exceeds its quota/catch limit during two consecutive management periods, the Commission will recommend appropriate measures, which may include a reduction in the quota/catch limit amounting to 125 % of the overage.

11.2 DRAFT RECOMMENDATION BY ICCAT CONCERNING THE DEFINITION OF LARGE-SCALE FISHING VESSELS

NOTING that several ICCAT recommendations and resolutions refer to vessels greater than 24 meters length overall, large-scale fishing vessels and/or large scale tuna longline vessels, including the *Recommendation Concerning the Establishment of an ICCAT Record of Vessels over 24 Meters Authorized to Operate in the Convention Area* [Rec. 02-22], and the *Recommendation Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-13];

RECOGNIZING that a significant number of vessels just below 24 meters length overall have been and continue to be built and are operating in the ICCAT convention area;

INTERESTED in closing any potential loopholes with regard to efforts by fishing vessels just below 24 meters length overall to circumvent ICCAT's conservation and management measures;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RECOMMENDATIONS THAT:

- 1 Large-scale fishing vessels (LSFVs) and large-scale tuna longline vessels (LSTLVs) be defined as vessels larger than 15 meters in length overall in all ICCAT documents.
- 2 Any references in ICCAT's recommendations and resolutions to vessels "over 24 meters length overall" be changed to "over 15 meters length overall".

**11.3 DRAFT RECOMMENDATION BY ICCAT CONCERNING THE CHANGE IN THE REGISTRY AND
FLAGGING OF VESSELS OVER 15 METERS IN LENGTH**

RECALLING that ICCAT has adopted an extensive variety of conservation and management measures aimed at achieving the objective of the Convention of maximum sustainable catches of tunas and tuna-like species in the Convention area,

CONCERNED that, in spite of the adoption of these measures, large longliners that carry out illegal, unregulated and unreported fishing activities in the Convention area resort to constant changes in vessel names, registration and flags as new stratagems to undermine the effectiveness of the ICCAT conservation and management measures,

CONVINCED of the need to adopt new measures that result in halting the use of these practices to evade the ICCAT conservation and management measures,

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

- 1 As a prior condition for the registration or flagging of vessels over 15 meters in length, the Contracting and non-Contracting Parties will require the presentation of a Certificate of Cancellation from the previous Registry or Flag (CPRF), issued by the previous Contracting Party or non-Contracting Party State.
- 2 The CPRF should be accompanied by a report on the history of compliance of ICCAT conservation and management measures by the subject vessel of the Certificate.

**11.4 DRAFT RECOMMENDATION BY ICCAT ON THE MANAGEMENT OF TRANSSHIPMENT BY
LARGE-SCALE TUNA LONGLINE FISHING VESSELS**

RECALLING that the Commission adopted the *Resolution by ICCAT Concerning the Measures to Prevent the Laundering of Catches by Illegal, Unreported and Unregulated (IUU) Large-Scale Tuna Longline Fishing Vessels* [Res. 02-25]

EXPRESSING GRAVE CONCERN that organized tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transhipped at sea under the names of duly licensed fishing vessels;

RECOGNIZING a need to improve management on transshipment of tuna and tuna-like species caught by large-scale tuna longline fishing vessel (LSTLVs);

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

- 1 The Commission shall establish and maintain an ICCAT record of freezer cargo vessels conducting transshipment of tuna and tuna-like species from LSTLVs (hereinafter referred to as the "Longline-FCVs") in the Convention Area.
- 2 The Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (CPCs) whose residents or companies own and/or operate Longline-FCVs shall, with a prior notification to the Longline-FCVs' flag States, submit electronically, where possible, to the ICCAT Executive Secretary by July 1, 2005, the list of

those Longline-FCVs that conduct transshipment in the Convention Area. This list shall include the following information:

- Name of vessel, flag, register number
- International radio call sign
- Length, gross registered tonnage and carrying capacity
- Name and address of owner(s) and operator(s)

The initial ICCAT record of Longline-FCVs shall consist of all the lists submitted under this paragraph.

- 3 Each CPC whose residents or companies own and/or operate Longline-FCVs shall promptly notify, after the establishment of the initial ICCAT record of Longline-FCVs, the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record of Longline-FCVs at any time such changes occur.
- 4 The ICCAT Executive Secretary shall maintain the ICCAT record of Longline-FCVs, and take any measure to ensure publicity of the record and through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs whose residents or companies own and/or operate Longline-FCVs.
- 5 The flag CPCs of the LSTLVs shall take necessary measures, under their applicable legislation, to prohibit transshipment of tuna and tuna-like species caught by their LSTLVs to Longline-FCVs which are not entered into the ICCAT record of Longline-FCVs and to prevent such transshipment at sea unless the Longline-FCVs have onboard an ICCAT observer provided under paragraph 7.
- 6 CPCs whose residents or companies own and/or operate Longline-FCVs shall:
 - a Take necessary measure to ensure that each Longline-FCV accepts an ICCAT observer dispatched by the ICCAT Executive Secretary,
 - b Take necessary measures to ensure the safety of ICCAT observers during their boarding.
 - c Ensure, to the extent possible under domestic law, that the owners and/or operators of the Longline-FCVs on the ICCAT record of Longline-FCVs are not engaged in or associated with tuna fishing activities conducted by LSTLVs not entered into the ICCAT record established by [Rec. 02-22].
- 7 The Commission shall establish an observer program to monitor at-sea transshipment by July 1, 2005, in consultation with the concerned CPCs. This program shall include:
 - i Full observer coverage on Longline-FCVs conducting at-sea transshipment in the Convention Area.
 - ii Issuance of a Note of Confirmation by an observer to the Longline-FCV at the end of each at-sea transshipment.
 - iii Exchange of all information among all the relevant CPCs in a timely manner.

The costs to implement this program shall be borne by a special contributions from the flag CPCs of LSTLVs conducting at-sea transshipment in proportion of numbers of those LSTLVs.
- 8 To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Statistical Document Programs:
 - i Flag CPCs of the LSTLVs or, if the vessel is under charter arrangement, the exporting CPC shall validate statistical documents for the fish transshipped at sea only after confirming by use of the information obtained in the above observer program that the transshipment was conducted with a Longline-FCV on the ICCAT record of Longline-FCVs and with an ICCAT observer onboard that Longline-FCV.

- ii In validating such statistical documents, Flag CPCs of the LSTLVs or, if the vessel is under charter arrangement, the exporting CPC shall ensure that the point of at-sea transshipment shall be described in the "Point of Export" section in the Statistical Document.
 - iii CPCs shall require that the species covered by Statistical Document Programs caught by LSTLVs in the Convention Area and transhipped at sea, when imported into the territory of a Contracting Party, be accompanied by statistical documents validated in accordance with i) above as well as a Note of Confirmation provided in paragraph 7 ii).
- 9 With respect to in-port transshipment, flag CPCs of the LSTLVs or, if the vessel is under charter arrangement, the exporting CPC shall make necessary arrangement with port States and importing CPCs to exchange information on transshipment. Such arrangements shall be reported to the Commission at its 2005 meeting and annually thereafter for Commission's review.
- 10 The Commission and the CPCs concerned shall communicate with each other, and make the best effort with FAO and other relevant regional fishery management bodies to develop and implement appropriate measures, where feasible, including the establishment of records of similar nature in a timely manner so as to avoid adverse effects upon tuna resources in other oceans.

Explanatory memorandum

1 Background

At the 2003 Commission meeting, a proposal to prohibit at-sea transshipment was discussed. During the course of the discussion, Japan promised to develop a way to manage at-sea transshipment for discussion at the 2004 Commission meeting.

2 Purpose

To establish a positive list on freezer carrier vessels that accept transshipment from large-scale tuna longline vessels (Longline-FCVs) and deploy ICCAT observers on them to monitor at-sea transshipment of tuna and tuna-like species caught by large-scale tuna longline vessels (LSTLVs). At-sea transshipment by LSTLVs will be allowed only when an observer is onboard the Longline-FCVs on the positive list. Monitor and control of at-sea transshipment is conducted by flag CPCs of LSTLVs and importing CPCs based on observer information.

3 Explanation of each paragraph of the proposal

(1) Establishment of a positive list on freezer carrier vessels (para1-4)

Tuna freezer carrier vessels that accept transshipment from LSTLVs are in many cases registered in countries with open registry but the owner/operator of these vessels are in all cases the residents of CPCs, i.e. Japan and Chinese Taipei. The positive list of Longline-FCVs shall be established by July 1, 2005 based on the information provided by CPCs whose residents or companies own and/or operate Longline-FCVs after prior notification to flag states of Longline-FCVs.

(2) Management of at-sea transshipment

The attachment shows a flow chart of management of at-sea transshipment by LSTLVs and Longline-FCVs based on this proposed recommendation.

(a) The role of flag CPC of LSTLVs (para5)

- Prohibit at-sea and in-port transshipment by its LSTLVs to Longline-FCVs which are not entered into the positive list of Longline-FCVs.
- At-sea transshipment is allowed only when an ICCAT observer is onboard a Longline-FCV on the positive list of Longline-FCVs.

(b) The role of CPCs whose residents or companies own and/or operate Longline-FCVs (para6)

- Ensure that each Longline-FCV accepts an ICCAT observer,
- Ensure the safety of ICCAT observers during their boarding.
- Ensure that the owners and/or operators of the Longline-FCVs on the positive list are not engaged in or associated with tuna fishing activities conducted by LSTLVs not on the positive list established by [Rec. 02-22].

(c) Establishment of observer program (para. 7)

The Commission shall establish an observer program to monitor at-sea transshipment by July 1, 2005. This program will include:

- i Full observer coverage
- ii Issuance of a Note of Confirmation
- iii Exchange of all information

The costs to implement this program shall be borne by a special contributions from the flag CPCs of LSTLVs conducting at-sea transshipment.

(d) Measures pertaining to species covered by Statistical Document Programs (para8)

- Flag CPCs of the LSTLVs shall validate statistical documents for the fish transshipped at sea only after confirming by use of the information obtained in the above observer program that the transshipment was conducted with a Longline-FCV on the positive list of Longline-FCVs and with an ICCAT observer onboard that Longline-FCV.
- In validating such statistical documents, Flag CPCs of the LSTLVs shall ensure that the point of at-sea transshipment shall be described in the “Point of Export” section in the Statistical Document.
- CPCs shall require that the species covered by Statistical Document Programs caught by LSTLVs in the Convention Area and transshipped at sea, when imported into the territory of a Contracting Party, be accompanied by statistical documents validated in accordance with i) above as well as a Note of Confirmation provided in paragraph 7 ii).

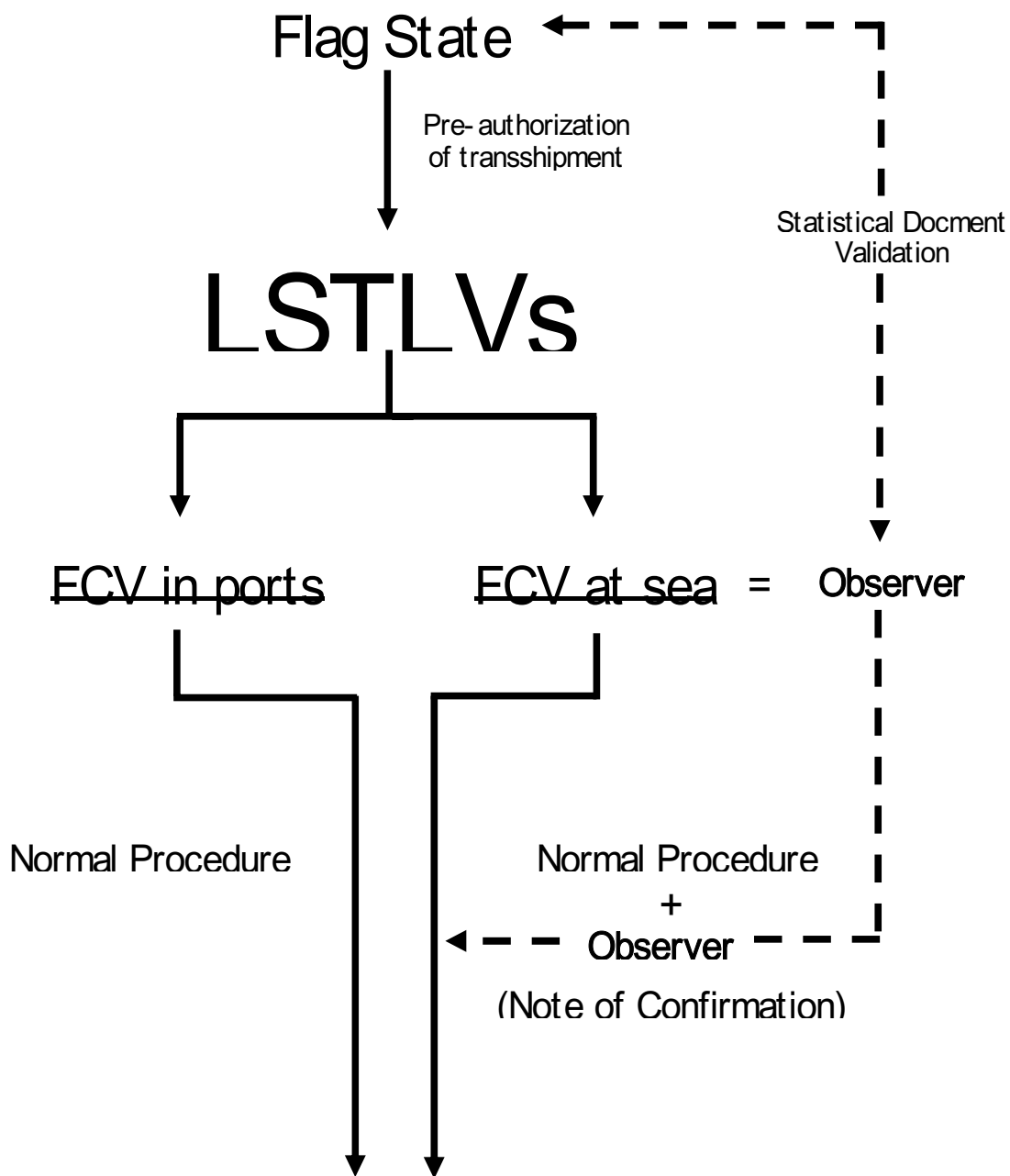
(e) Transshipment in ports (para9)

Transshipment in ports will be allowed as before. However, enhanced monitoring is desirable. In this sense, flag CPCs of the LSTLVs shall make necessary arrangement with port States and importing CPCs to exchange information on transshipment.

(f) Other tuna RFMOs (para10)

The Commission and CPCs will request other tuna RFMOs to adopt a similar measure.

Flow Chart of management of at-sea transshipment



11.5 DRAFT RECOMMENDATION BY ICCAT ON THE REPORT OF TRANSSHIPMENTS BY LARGE-SCALE TUNA LONGLINE FISHING VESSELS

RECALLING ICCAT's 1997 *Recommendation by ICCAT on Transshipments and Vessel Sightings, 1998 Recommendation by ICCAT Concerning the Ban on Landings and Transshipments of Vessels from Non-Contracting Parties Identified as Having Committed a Serious Infringement* and the 2002 *Resolution by ICCAT Concerning the Measures to Prevent the Laundering of Catches by Illegal, Unreported and Unregulated (IUU) Large-Scale Tuna Longline Fishing Vessels*;

TAKING ACCOUNT of the need to collect catch data of large-scale longline tuna vessels to improve the scientific assessments of tropical tunas,

RECOGNIZING the importance of preventing the laundering of catches by illegal, unreported and unregulated (IUU) tuna vessels;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

- 1 Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as the "CPCs") should ensure that their duly licensed large-scale tuna longline fishing vessels (LSTLVs) report electronically via the CPC to the Secretariat each transshipment at sea in the Convention area.
- 2 The report shall be made at least twenty-four (24) hours in advance and shall include the date, time, geographical position of the vessel and total round weight by species to be transshipped in kilograms (rounded to the nearest 100 kilograms) and the call signs of vessels transshipped to and from.
- 3 The Commission shall establish and maintain an ICCAT record of freezer cargo vessels conducting transshipment of tuna and tuna-like species from LSTLVs (hereinafter referred to as the "FCVs") in the Convention area. This record shall include the following information:
 - Name of vessel, flag, register number
 - International radio call sign
 - Length, gross registered tonnage and carrying capacity
 - Name and address of owner and operator
- 4 The flag CPCs of the LSTLVs shall take necessary measures to prohibit transshipment of tuna and tuna-like species caught by their LSTLVs to FCVs which are not entered into the ICCAT record of FCVs.
- 5 Competent authorities of each CPC shall automatically transmit the information referred in paragraph 1 to the Executive Secretary. The Executive Secretary shall transmit the information to other CPCs, especially with patrol boats in the Convention area as soon as possible.
- 6 The transshipments in the Convention area, which are not duly reported pursuant to paragraphs 1 and 2, are presumed as illegal transshipment activities.
- 7 The Commission shall investigate the transshipment activities referred in paragraph 6 and, if those are proved true, notify CPCs of the detailed information on the vessels involved in those activities to take necessary measures including trade measures.

11.6 RECOMMENDATION BY ICCAT REGULATING TRANSSHIPMENTS BY LONGLINE TUNA VESSELS

RECALLING the ICCAT Recommendation on transshipments and the observation of the vessels of 1997, and the ICCAT Recommendation concerning the prohibition of landing and transshipments by non-Contracting Parties vessels identified as having committed a serious offense,

TAKING ACCOUNT the need to ensure the control of catches by the longline tuna vessels and to combat IUU activities,

TAKING ACCOUNT the need to collect catch data of large longline tuna vessels to improve the scientific assessments of tropical tunas,

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF
ATLANTIC TUNAS (ICCAT) RECOMMENDS THAT:

High seas prohibition

- 1 Contracting Parties, Entities, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) take the necessary measures to prohibit the transshipment on the high seas by their longline tuna vessels.

Coastal State authorization

- 2 The longline tuna vessels that catch tuna and tuna-like species in the ICCAT area, may only transship or process if they have prior authorization from the CPC in whose port or maritime waters subject to the sovereignty or jurisdiction of these CPCs the operation will take place. The longline tuna vessels shall be permitted to carry out transshipments only if they have obtained such prior authorization to transship from the Contracting Parties concerned.

Flag State authorization

- 3 CPCs should ensure that their duly licensed longline tuna fishing vessels obtain a prior authorization from their Flag State at sea or in port transshipment. They should also ensure that transshipments are consistent with the reported catch amount of each vessel in validating the Statistical Document and require the reporting of transshipment.

Notification obligations

– Fishing vessel:

- 4 The Master of a longline tuna vessel who transships to another vessel, hereinafter referred to as “the receiving vessels”, any quantity of catches of tuna and tuna-like species fished in the Convention area shall at the time of the transshipment inform the CPCs whose flag its vessel is flying of the species and quantities involved, of the date of the transshipment and the location of catches and shall submit to its flag State an ICCAT transshipment declaration in accordance with the format set out in the annex.

– Receiving vessel:

5. Not later than 24 hours before the beginning and at the end of a transshipment when this takes place in a port or in maritime waters subject to the sovereignty or jurisdiction of Contracting Parties, the master of the receiving vessel shall inform the competent authorities of that Contracting Party of the quantities of catches of tuna and tuna-like species on board his vessel and transmit the ICCAT transshipment declaration to these competent authorities within 24 hours.
- 6 The master of the large longline tuna boats must notify the following information to the coastal Contracting Party concerned at least 24 hours in advance:
 - the names of the transshipping fishing vessels
 - the names of the cargo vessels
 - the tonnage by species to be transshipped
 - the day of transshipment

– Landing State:

- 7 The master of the receiving vessel shall, 48 hours before landing, submit an ICCAT transshipment declaration to the competent authorities of the CPC where the landing takes place.
- 8 CPCs referred to in paragraphs 2, 60 and 7 shall take the appropriate measures to verify the accuracy of the information received and shall cooperate with the flag State to ensure that landings are consistent with the reported catches amount of each vessel.
- 9 Each CPC shall notify each year to ICCAT the details by its flag vessels on the transshipments in accordance with paragraphs 2, 3, 4, 5, 6 and 7.

TRANSHIPMENT DECLARATION

(1) General rule

In the case of transshipment, the master of the fishing vessel shall enter the quantities on the transshipment declaration. A copy of the transshipment declaration shall be handed to the master of the recipient vessel.

(2) Procedure for completion

- (a) Entries on transshipment declaration shall be legible and indelible.
- (b) No entry on the transshipment declaration may be erased or altered. If a mistake is made, the incorrect entry shall be struck out with a line and followed by a new entry initialled by the master or his agent.
- (c) One transshipment declaration should be completed for each transshipment operations.
- (d) Each page of the transshipment declaration shall be signed by the master.

(3) Responsibilities of the master in respect of the landing declaration and the transshipment declaration

The master of the vessel shall certify with his initials and signature that the estimated quantities entered on the transshipment declaration are reasonable. The copies of the transshipment declaration must be kept for one year.

(4) Information to be provided

The estimates of the quantities transhipped are to be indicated as follows, for each species, on one of the declaration forms in respect of a particular voyage:

- **Presentation of fish** (reference n° 1)
“Presentation” means the way fish has been processed. Indicate the nature of this processing if any: GUT for gutting, HEAD for heading, FILLET for filleting, etc ... Where no processing has taken place, WHOLE for whole fish.
- **Measurement unit for landed quantities** (reference n° 3)
 Give the unit of weight used (e.g. basket, box, etc.) for landing fish and the weight of the unit in kilograms. This unit may be different from that used in the logbook.
- **Total weight species transhipped** (reference n° 4)
 Give the weight or quantities actually trans-shipped for all species listed in ICCAT logbook. The weight should correspond to the weight of fish as landed, i.e. after any processing on board. Conversion coefficients will be applied subsequently by the appropriate authorities in the CPC to calculate the corresponding live weight.
- **Transshipment area** (reference n° 2)
“Transshipment area” refers to the position of the boat. Round off minutes and record degree of latitude and longitude. Be sure to record N/S and E/W.

(5) Procedure of transmission

- (a) In the case of transshipment to a vessel flying the flag of a CPC State or registered in a CPC, the first copy of the transshipment declaration shall be handed over to the master of the recipient vessel. The original shall be handed over or dispatched, as the case may be, to the authorities of the CPC whose flag the vessel is flying or in which it is registered, within 48 hours of completion of transshipment or on arrival in port.
- (b) In the case of transshipment to a vessel flying the flag of a non-member country, the original document shall be handed over or sent, as the case may be, as soon as possible to the CPC whose flag the fishing vessel is flying or in which it is registered.
- (c) In cases where it is impossible for the master to dispatch the original of the transshipment declarations to the authorities of the CPC whose flag the vessel is flying or in which it is registered within the time limits specified, the information required in respect of the transshipment declaration shall be transmitted by radio or by other means to the authorities concerned.
 The information shall be transmitted via the radio stations usually used, preceded by the name, the call sign and external identification of the vessel, and the name of its master.

In cases where it is not possible for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel or by any other method.

The master shall ensure that information transmitted to radio stations is passed on in writing to the relevant authorities.

11.7 MANAGING CAPACITY IN ICCAT FISHERIES: A WHITE PAPER**OUTLINE****I Statement of the problem****II A global framework**

- (A) Food and Agriculture Organization
- (B) World Trade Organization
- (C) Other regional organizations

III Proposal

- (A) 2004 - ICCAT Working Group on Capacity
- (B) 2005 - Report on Definitions and Measures
- (C) 2006 - Contracting Party Reports
- (D) 2007 - An ICCAT Plan of Action for the Management of Fishing Capacity

I Statement of the problem

Overcapacity is a serious problem in many ICCAT managed fisheries as it contributes to poor stock productivity, unsatisfactory economic performance, and excessively contentious management discussions. ICCAT, like other Regional Fishery Management Organizations (RFMOs) and most national governments, has experienced problems in its efforts to effectively and efficiently manage fisheries. Overcapacity may be directly responsible for overharvest in these fisheries. Generally, overcapacity is sustained and aggravated by several factors:

- The failure of Contracting Parties, and Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) to effectively manage or control participation in ICCAT fisheries;
- The growing interest of developing state CPCs to enter these fisheries, increasing the level of participation;
- Significant numbers, and the additional harvest capacity, of newly built fishing vessels that have been deployed in ICCAT fisheries;
- Illegal, unreported, and unregulated (IUU) operations by both member and non-member vessels, and;
- Over-financing of vessel capacity by governments.

Overharvests undermine the conservation and management objectives of ICCAT. In a number of situations, overcapacity may be a contributing factor and is a problem that merits serious consideration. The main purpose of this paper is to propose a process whereby ICCAT and its CPCs can begin developing a workable response to this difficult and complex problem.

II A global framework

Overcapacity is obviously not a problem unique to the ICCAT fisheries. It threatens the achievement of management objectives in many domestic and international fisheries. Consequently, overcapacity in ICCAT fisheries should not be isolated from the larger global context. In fact, problems of excess effort and capacity exist in practically all the major world fisheries for tuna and tuna-like species. Purse seine and longline vessels can be, and have been, easily and quickly moved from one ocean to another. Fishing vessels are entering many of these fisheries at an unsustainable pace. In both the Atlantic and Pacific fisheries, managers face difficult choices in seeking to constrain participation without compromising the demands of developing states.

The United States believes that ICCAT should take advantage of recently implemented and ongoing global and regional capacity related initiatives. A useful global framework is provided by agreements and negotiations sponsored by the Food and Agriculture Organization (FAO) and the World Trade Organization (WTO), and analogous capacity related issues faced by other RFMOs, principally the recently established Western and Central Pacific Fishery Commission (WCPFC).

(A) Food and Agriculture Organization. FAO sponsored technical and policy level consultations leading to an International Plan of Action (IPOA) for the Management of Fishing Capacity in 1999 (IPOA-capacity) and to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing in 2001 (IPOA-IUU). The IPOA-capacity (Part III, para. 15) called on signatories to develop:

Assessments of fishing capacity at the regional level (within the relevant regional fisheries organizations or in collaboration with them, as appropriate) and at the global level (in collaboration with FAO) for transboundary, straddling, highly migratory and high seas fisheries, as well as in the identification of regional or global fisheries and fleets requiring urgent measures.

The FAO IPOA-capacity did not merely propose technical studies and assessments. Under Immediate Actions for Major International Fisheries Requiring Urgent Measures, the IPOA-capacity (Part III, para. 39) provided that:

States should take immediate steps to address the management of fishing capacity for international fisheries requiring urgent attention, with priority being given to those harvesting transboundary, straddling, highly migratory and high seas stocks which are significantly overfished-

FAO has sponsored technical studies and consultations from 1998 to the present on definitions and measures of capacity and overcapacity, and we recommend that ICCAT take advantage of this work. It is worth noting that FAO has adopted output-based definitions and measures of capacity, which are highly suitable to the MSY-linked management targets used in ICCAT.

(B) World Trade Organization. In November 2001, WTO adopted a Ministerial Declaration to initiate the Doha Round of global trade negotiations which included a commitment to improve WTO disciplines on fish subsidies, in particular subsidies that promote overfishing and overcapacity. In the following year, the World Summit on Sustainable Development called on governments to eliminate subsidies that contribute to illegal, unreported, and unregulated fishing and to overcapacity. A WTO global trade agreement that successfully disciplines the use of capacity enhancing subsidies in the fisheries sector should support and facilitate ICCAT efforts to constrain participation in ICCAT fisheries to sustainable levels.

(C) Other Regional Fishery Management Organizations. Excessive levels of effort and capacity are common problems in world fisheries for tuna and tuna-like species. Indeed, the problem has been globalized by the ease with which existing and new capacity can be moved from one region to another. Accordingly, in the Pacific tuna fisheries, the regional organization responsible for tuna fisheries in the eastern Pacific (Inter-American Tropical Tuna Commission, (IATTC)) has instituted a cap on capacity (defined by well capacity of the purse seine vessels) for some fisheries. In the western and central Pacific, the WCPFC faces similar problems, especially in the fishery for bigeye and yellowfin tuna: excessive capacity and participation by vessels, unsustainable additions of newly built vessels, significant levels of illegal activities, and fundamental differences between historical participants and new entrants.

The United States urges that ICCAT address the problem of overcapacity within the global context. Ideally, the major regional organizations that manage tuna fisheries (ICCAT, IATTC, WCPFC, the Commission for the Conservation of Southern Bluefin Tuna, and the Indian Ocean Tuna Commission) should strive, as much as possible, to coordinate actions and measures that affect capacity in these fisheries. Further, we suggest that a reasonable goal would be agreements on global capacity caps, and national sub-allocations of those capacity caps in all major world fisheries for tuna and tuna-like species that require such constraints. Eventually, the caps should be followed by commitments to reduce fishing capacity to more sustainable levels.

III ICCAT action

(A) November 2004 - ICCAT Working Group on Capacity

The United States suggests that ICCAT agree to a resolution at the 14th Annual Special Meeting of the Commission to form a working group (WG) on fishing capacity. The terms of reference should clearly state that the WG will eventually make recommendations to the Commission and the CPCs, and develop an ICCAT plan of action based on CPC reports and commitments. The WG on capacity should focus on conducting technical consultations to identify suitable definitions, consistent with those adopted in the FAO plan of action and in other RFMOs, and measures of harvest capacity for ICCAT fisheries. FAO, which has sponsored and organized several technical consultations on this issue, may be able to assist such a project.

(B) November 2005 - Definitions and Measures

The WG will report to the Commission on progress achieved thus far, including recommendations to the Commission and CPCs, on the following:

- Definitions and measures of capacity and overcapacity appropriate to ICCAT fisheries;
- The relationship between these capacity metrics and MSY-based management objectives;
- Additional recommendations on how to address IUU fishing operations;
- Linkages with capacity management in other tuna and tuna-like fisheries of other oceans,
- Advice to CPCs on actions/measures they can take to improve capacity management in ICCAT.

(C) November 2006 - Reports from ICCAT CPCs on Capacity Issues

The CPCs will report to the Commission on vessel participation in the ICCAT fisheries, including actions that they will take to manage capacity in these fisheries if necessary. The CPC reports may refer to any topics they deem most appropriate but, at a minimum, should address the following: (1) permits/limited entry; (2) implementation of UN Fish Stocks and FAO Compliance Agreements; (3) actions to prevent IUU operations; (4) measures to prevent the spillover of capacity between Atlantic, Indian, and Pacific Ocean tuna fisheries; (5) trade measures and documentation programs; (6) monitoring and enforcement; (7) elimination of capacity-enhancing subsidies; (8) buybacks; (9) administrative caps on capacity; and (10) market-based instruments, such as tradable exclusive quotas, fees, and auctions, that constrain capacity.

(D) November 2007 - An ICCAT Plan of Action for the Management of Fishing Capacity

The WG will develop, and ICCAT will adopt, a regional plan of action for the management of fishing capacity in ICCAT fisheries under its jurisdiction by the annual meeting in November 2007. The ICCAT plan of action should apply to all the ICCAT fisheries but should also include a pilot project for capacity management that matches harvest capacity and available quota for at least one ICCAT managed fishery. The United States suggests that an excellent candidate for this pilot project would be the Atlantic bigeye tuna fishery. Ultimately, ICCAT management goals should be caps on capacity for all ICCAT fisheries that require them and, over some agreed period of time, capacity reduction targets that apply to all CPCs while accommodating the reasonable needs of developing states.

11.8 RESOLUTION BY ICCAT TO ESTABLISH A WORKING GROUP ON CAPACITY

RECALLING that the Commission's management objective is to maintain populations of tuna and tuna-like species at levels that will support maximum sustainable yield;

RECOGNIZING that stocks under ICCAT's jurisdiction are fully or over fished;

AGREEING that overcapacity threatens the achievement of ICCAT's management objective for tuna and tuna-like species;

GIVEN the need to assess and constrain overcapacity in fleets participating in many ICCAT fisheries, and seeking eventually to develop a plan of action that is consistent with other Regional Fisheries Management Organizations to address this problem in a comprehensive manner;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RESOLVES THAT:

- 1 A Working Group on Capacity shall be established to define and assess the problem of overcapacity in fisheries that could undermine the conservation objectives of ICCAT. This Working Group should make recommendations to the Contracting Parties on corrective actions and develop a formal ICCAT Plan of Action for the Management of Fishing Capacity in its fisheries. The terms of reference for the Working Group are as follows:
 - a To develop definitions and measures of harvest capacity and overcapacity that are appropriate to the unique features of ICCAT fisheries, and to report to ICCAT by November 2005 on these findings;

- b To prepare by November 2007, for consideration by the Commission , an ICCAT draft Plan of Action for the Management of Fishing Capacity in the ICCAT fisheries, including a pilot project with a detailed capacity management program for at least one major ICCAT fishery;
 - c To provide technical and analytical support for the Commission in evaluating the effects of limiting eventual agreement by the ICCAT Contracting Parties on caps on harvest capacity for fisheries that require them;
 - d The Working Group should identify situations where a CPCs overcapacity is directly responsible for overharvest and recommend measures for CPCs to maintain compliance with the conservation and management goals of ICCAT.
- 2 The Working Group should meet as early as possible in 2005, and focus initially on developing appropriate definitions and measures, drawing on the technical work and expertise of the U.N. Food and Agriculture Organization (FAO) and other Regional Fisheries Management Organizations (RFMOs).
 - 3 The Working Group should be supported by ICCAT Secretariat staff. Broad representation from ICCAT's Contracting Parties is encouraged. FAO and RFMO experts on capacity should be invited to participate. In addressing this work program, the Working Group should, as much as possible, include in its deliberations experts in the management of ICCAT fisheries and economics.
 - 4 Identify analytical needs that should be addressed by SCRS relative to capacity issues.
 - 5 Include precautionary approach for fisheries where appropriate capacity has not been adequately determined such that present capacity will not be increased, and capacity-enhancing subsidies will not occur.