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

**R E P O R T
for biennial period, 2008-09
PART II (2009) - Vol. 1
English version COM**

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, 2008-2009, Part II (2009)*", which describes the activities of the Commission during the second half of said biennial period.

This issue of the Biennial Report contains the Report of the 21st Regular Meeting of the Commission (Recife, Brazil, November 9-15, 2009) 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 Annual Reports of the Contracting Parties of the Commission and Observers, relative to their activities in tuna and tuna-like fisheries in the Convention area.

The Report for 2009 is 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* (only published electronically) contains the Annual Reports of the Contracting Parties of the Commission and 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.

FABIO HAZIN
Commission Chairman

TABLE OF CONTENTS
REPORT FOR BIENNIAL PERIOD, 2008-2009, PART II (2009), Vol. 1

SECRETARIAT REPORTS

2009 Administrative Report	1
2009 Financial Report	15

PROCEEDINGS OF THE 21ST REGULAR MEETING OF THE COMMISSION

1. Opening of the meeting	36
2. Adoption of Agenda and arrangements	36
3. Introduction of Contracting Party Delegations	36
4. Introduction of Observers	36
5. Summary Report of the Standing Committee on Research and Statistics (SCRS)	37
6. Consideration of the Report of the Working Group on the Future of ICCAT and any necessary actions	38
7. Consideration of the Report of the Working Group on Sport and Recreational Fisheries	38
8. Consideration of the outcome of the 2 nd Meeting of Tuna RFMOs and any necessary actions	38
9. Report of the Standing Committee on Finance and Administration (STACFAD)	38
10. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein	39
11. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendations therein	40
12. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein	41
13. Assistance to developing coastal States and capacity building	42
14. Inter-sessional meetings in 2010	42
15. Election of Chair and Vice-Chairs	42
16. Other matters	42
17. Date and place of the next meeting of the Commission	43
18. Adoption of the report and adjournment.....	73

ANNEX 1 AGENDA	44
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ANNEX 2 LIST OF PARTICIPANTS	45
---	-----------

ANNEX 3 OPENING ADDRESSES & STATEMENTS TO THE PLENARY SESSIONS	72
---	-----------

3.1 Opening Addresses	72
3.2 Opening Statements by Contracting Parties	74
3.3 Opening Statements by Cooperating non-Contracting Parties, Entities or Fishing Entities ...	81
3.4 Opening Statements by Observers from Inter-governmental Organizations	82
3.5 Opening Statements by Observers from Non-governmental Organizations	83
3.6 Closing Statements	91

ANNEX 4 REPORTS OF INTER-SESSIONAL MEETINGS

4.1 Report of the Inter-sessional Meeting of the Conservation and Management Measures Compliance Committee (<i>Barcelona, Spain – March 24 to 27, 2009</i>)	92
4.2 Report of the 2 nd Joint Meeting of Tuna Regional Fisheries Management Organizations (RFMO) (<i>San Sebastian, Spain – June 29 to July 3, 2009</i>)	115
4.3 Report of the Meeting of the Working Group on the Future of ICCAT (<i>Sapporo, Japan – August 31 to September 3, 2009</i>)	139
4.4 Report of the Meeting of the Working Group on Sport and Recreational Fisheries (<i>Recife, Brazil, – November 6, 2009</i>)	157

ANNEX 5 RECOMMENDATIONS ADOPTED BY ICCAT IN 2009	161
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09-01 Recommendation by ICCAT to Amend the <i>Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna</i>	161
09-02 Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish	162
09-03 Recommendation by ICCAT on South Atlantic Swordfish Catch Limits	163
09-04 Recommendation by ICCAT for a Management Framework for the Sustainable Exploitation of Mediterranean Swordfish and Replacing ICCAT Recommendation 08-03 ...	165

09-05	Recommendation by ICCAT to Establish a Rebuilding Program on North Atlantic Albacore	167
09-06	Recommendation by ICCAT Amending Recommendation 08-05 to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean	169
09-07	Recommendation by ICCAT on the Conservation of Thresher Sharks Caught in Association with Fisheries in the ICCAT Convention Area	171
09-08	Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operation in the Convention Area	172
09-09	Recommendation by ICCAT Amending Three Recommendations in Conformity with the 2009 <i>Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area</i>	175
09-10	Recommendation by ICCAT Further Amending the <i>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</i>	176
09-11	Recommendation by ICCAT Amending Recommendation 08-12 on an ICCAT Bluefin Tuna Catch Documentation Program	181
ANNEX 6	RESOLUTIONS ADOPTED BY ICCAT IN 2009	198
09-12	Resolution by ICCAT for the Pilot Application of the Kobe 2 Decision Matrix	198
ANNEX 7	OTHER DECISIONS ADOPTED BY ICCAT IN 2009	200
7.1	Amendment to ICCAT's Financial Regulations: Regulation 4 – Provision of Funds	200
7.2	Reports of Inspections Under the ICCAT Joint Scheme of International Inspection	202
ANNEX 8	REPORT OF THE MEETING OF THE STANDING COMMITTEE ON FINANCE AND ADMINISTRATION (STACFAD)	205
	Table 1. 2010-2011 Commission Budget	210
	Table 2. Basic Information to Calculate the Contracting Party Contributions in 2010-2011	211
	Table 3. Contracting Party Contributions 2010	212
	Table 4. Contributions by Group 2010	213
	Table 5. Contracting Party Contributions 2011	214
	Table 6. Contributions by Group 2011	215
	Table 7. Catch and Canning Figures of the Contracting Parties	216
ANNEX 9	MEETINGS OF PANELS 1 TO 4	219
	Report of the Meeting of Panel 1	219
	Report of the Meeting of Panel 2	222
	Report of the Meeting of Panel 3.....	227
	Report of the Meeting of Panel 4	229
	Panel Appendices	238
ANNEX 10	REPORT OF THE MEETING OF THE CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE (COC)	277
	Appendix 2. Notes on Compliance Tables Adopted in 2009	302
	North Atlantic Albacore Compliance Table	304
	South Atlantic Albacore Compliance Table	305
	North Atlantic Swordfish Compliance Table	306
	South Atlantic Swordfish Compliance Table	307
	East Atlantic Bluefin Tuna Compliance Table	308
	West Atlantic Bluefin Tuna Compliance Table	309
	Bigeye Tuna Compliance Table	310
	White Marlin Compliance Table	311
	Blue Marlin Compliance Table	312
	Compliance with Size Limits in 2008	313
	Appendix 2. East Atlantic Bluefin Tuna Catch Report Form	314

ANNEX 11	REPORT OF THE MEETING OF THE PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF ICCAT STATISTICS AND CONSERVATION MEASURES (PWG)	315
	Appendix 2. Actions to be taken in Relation to non-Contracting Parties, Entities and Fishing Entities in 2009	319
	Appendix 3. Commission Chairman’s Letters to non-Contracting Parties, Entities or Fishing Entities	321
	Appendix 4. 2009 List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area	324
	Appendix 5. Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs	333
ANNEX 12	DOCUMENTS DEFERRED FOR DISCUSSION IN 2010	335
12.1	Draft Recommendation by ICCAT on Shortfin Mako Sharks	335
12.2	Draft Recommendation by ICCAT on the Conservation of Porbeagle	336
12.3	Draft Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT	338
12.4	Draft Recommendation by ICCAT on Reducing Incidental By-Catch on Seabirds	339
12.5	Draft Recommendation by ICCAT on Atlantic Sailfish	342
12.6	Draft Recommendation by ICCAT Regarding By-Catch of Sea Turtles	342

REPORT FOR BIENNIAL PERIOD, 2008-2009, PART II (2009)**SECRETARIAT REPORTS****ADMINISTRATIVE REPORT¹****1. Introduction**

This Administrative Report is presented in accordance with Article VII of the ICCAT Convention, including an outline of its activities during fiscal year 2009.

2. Contracting Parties to the Convention

The International Convention for the Conservation of Atlantic Tunas (ICCAT) is comprised of the following 48 Contracting Parties (as of December 31, 2009): Albania, Algeria, Angola, Barbados, Belize, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Croatia, Egypt, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Ghana, Guatemala, Guinea (Rep.), Honduras, Iceland, Japan, Korea (Rep.), Libya, Mauritania, Mexico, Morocco, Namibia, Nicaragua, Nigeria, Norway, Panama, Philippines, Russia, Senegal, Sierra Leone, South Africa, St. Tome and Principe, St. Vincent and the Grenadines, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States, Uruguay, Vanuatu and Venezuela.

3. ICCAT Regulations and Resolutions**– Adoption and entry into force of the Recommendations and Resolutions**

On December 18, 2008, the Secretariat officially transmitted the texts of the Recommendations and Resolutions adopted at the 16th Special Meeting of the Commission (Marrakech, Morocco, November 17 to 24, 2008) to the Contracting Parties and to non-Contracting Parties, Entities or Fishing Entities that have Atlantic coastlines or that fish tunas in the Convention area and to intergovernmental fishery organizations, requesting their cooperation in this regard.

The texts of the Recommendations and Resolutions adopted by the Commission in 2008 were published in the *Report for Biennial Period, 2008-2009, Part I (2008), Vol. 1*.

After the six months' grace period following the transmission of the Recommendations adopted by the Commission, the **Recommendations** mentioned above entered into force on June 17, 2009. On that date, the Contracting Parties were notified of the entry into force of these Recommendations. With regard to the **Resolutions** that were adopted at the 16th Special Meeting, 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.

– Adoption of the ICCAT Recommendation Amending the Recommendation by ICCAT to Establish a Multiannual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 08-05]

After including the changes from the last plenary session to the Recommendations adopted in the 16th Special Meeting of ICCAT, the Secretariat received two proposals to amend paragraph 21 of the *ICCAT Recommendation Amending the Recommendation by ICCAT to Establish a Multiannual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05]. During the Inter-sessional Meeting of the Compliance Committee, held in Barcelona, it was proposed to amend this paragraph and submit this amendment to a mail vote by all the Contracting Parties to the Commission, during the period from April 3 to May 13, 2009, for adoption. The results of the vote were the following:

Number of votes (with acknowledgement of receipt): 33
Number of valid votes issued: 33
Number of votes in favor: 23

¹Information as of December 31, 2009.

Number of votes against: 0
Number of abstentions: 6
Number of votes not issued: 4

Thus, paragraph 21, which was amended after the vote, was adopted and has become an integral part of Rec. 08-05.

Furthermore, the Secretariat has distributed to all Contracting Parties an objection to Annex 4 of Rec. 08-05 presented by Turkey concerning the allocation scheme for 2007-2010.

4. ICCAT Inter-sessional Meetings and Working Groups

In accordance with Commission decisions on this subject, the following meetings were held in 2009:

- Training Workshop on Data Collection and Improvement in the Caribbean Region (*Georgetown, Guyana, February 16 to 20, 2009*).
- 2008 ICCAT Working Group on Stock Assessment Methods (*Madrid, Spain, March 11 to 14, 2009*).
- Inter-sessional Meeting of the Compliance Committee (*Barcelona, Spain, March 24 to 27, 2009*).
- Inter-sessional Meeting of the Tropical Tuna Species Group (*Madrid, Spain, April 20 to 24, 2009*).
- Training Workshop (*Tangier, Morocco, March 18 to 22, 2009*).
- 2009 Atlantic Sailfish Stock Assessment Meeting (*Recife, Brazil, June 1-5, 2009*).
- Inter-sessional Meeting of the Sub-Committee on Ecosystems (*Recife, Brazil, June 8 to 12, 2009*).
- Joint GFCM/ICCAT Meeting of the Porbeagle (*Lamna nasus*) Stock Assessment (*Copenhagen, Denmark, June 22 to 27, 2009*).
- 2nd Joint Meeting of Tuna RFMOs (*San Sebastian, Spain, June 29 to July 3, 2009*).
- 2009 Atlantic Albacore Stock Assessment Session (*Madrid, Spain, July 13-18, 2009*).
- Meeting of the Working Group on the Future of ICCAT (*Sapporo, Japan, August 31 to September 3, 2009*).
- 2009 Atlantic Swordfish Stock Assessment Session (*Madrid, Spain, September 7 to 11, 2009*).
- 2009 Species Groups Meetings (*Madrid, Spain, September 28 to October 2, 2009*).
- 2009 Meeting of the Standing Committee on Research and Statistics (SCRS) (*Madrid, Spain, October 5-9, 2009*).
- Extension of the 2009 SCRS Meeting to Consider the Status of Atlantic Bluefin Tuna Populations with Respect to CITES Biological Listing Criteria (*Madrid, Spain, October 21-23, 2009*).

In 2009, the Chairman of the Commission organized various regional workshops for the members of ICCAT. In ICCAT Circular #2147/09, the Chairman explained that these workshops allowed Contracting Parties to share their opinions and views on all matters of importance concerning ICCAT as well as the Commission's priorities for 2010 and subsequent years. The Chairman released €40,000.00 to cover the expenses to organize the Workshops and finance the travel expenses for the representatives of developing Member States, including the travel expenses of the Secretariat:

- Workshop in the West African Region (*Mindelo, St. Vincent, Cape Verde, September 14 and 15, 2009*), with the participation of Angola, Brazil, Cape Verde, Equatorial Guinea, Ghana, Republic of Guinea, Mauritania, Namibia, Sao Tomé & Principe and Senegal.
- Training Workshop on Cooperativism and Associativism (*Mindelo, St. Vincent, Cape Verde, September 17 to 22, 2009*), with the participation of Angola, Brazil, Cape Verde, Equatorial Guinea, Republic of Guinea Bissau, Republic of Mozambique and Sao Tomé & Principe (Portuguese speaking countries although some are not members of ICCAT).
- Trip around the Mediterranean Region (*Istanbul, Turkey, October 26, 2009; Damascus, Syria, October 28, 2009; Rabat, Morocco, October 30, 2009*), with the participation of Turkey, Syria and Morocco.

5. Meetings at which ICCAT was represented

Within the framework of ICCAT's mission to inform other international organizations of the measures adopted by the Commission, the Secretariat participated in several meetings and technical consultations, which included various regional fisheries organizations (see **Appendix 1** to this Report, which summarizes the major topics discussed at these meetings).

- Second Session of the Consultation on the Agreement of Port State Measures (*Rome, Italy, January 26 to 30, 2009*).
- 28th Session of the FAO Committee on Fisheries (COFI) (*Rome, Italy, March 2 to 6, 2009*).
- Second Meeting of the Regional Fishery Body Secretariats Network (*Rome, Italy, March 9 to 11, 2009*).
- 8th Round of Informal Consultations of the Parties to the Agreement of the United Nations Convention on Highly Migratory Stocks (*New York, United States, March 16 to 19, 2009*).
- 33rd Session of the General Fisheries Commission for the Mediterranean (GFCM) (*Gammarth, Tunisia, March 23 to 27, 2009*).
- International Working Group on Tuna Purse Seine and Bait Boat Catch Species Composition Derived from Observers and Port Sampling Data (*Sète, France, June 15 to 19, 2009*).
- SGRN-STEFC Meeting (*Galway, Ireland, June 24 & 25, 2009*).
- CITES Meeting of the Standing Committee Working Group on Introduction from the Sea organized by CITES (*CITES, Geneva, Switzerland, September 14 to 16, 2009*).
- Meeting on Strategy to Develop Marine Fishing (*Agadir, Morocco, September 28 to 30, 2009*).
- Third FAO Expert Advisory Panel for the Assessment of Proposals to Amend Appendices I and II of CITES Concerning Commercially-Exploited Aquatic Species (*Rome, Italy, December 7 to 12, 2009*).

6. Tagging lottery

To encourage the return of tags, national laboratories give monetary awards and gifts to those persons who recover tags. To support these programs, ICCAT organizes an annual lottery with US\$500 prizes. The last lottery, held in 2009, awarded prizes to four tags, corresponding to the following categories: tropical tunas, temperate tunas, billfish, and sharks. Thus, the winning tags are as follows:

- *Tropical tunas (2009)*: Winning tag #HBF-431988, recovered on a slender tuna (*Allothunnus fallai*/SLT) by a U.S. citizen, five days after it was tagged during a U.S. tagging cruise.
- *Temperate tunas (2009)*: Winning tag #HCT-016600, recovered on a bluefin tuna (*Thunnus t. thynnus*/BFT) by a Spanish national, 326 days after it had been tagged during a Spanish tagging cruise.
- *Billfish (2009)*: Winning tag #HBF428417, recovered on an Atlantic blue marlin (*Makaira nigricans*/BUM) by Venezuelan national. No information is available on the tagging.
- *Sharks (2009)*: Winning tag #H!!315271 (the code H!! indicates that the recovered tag did not include the alphanumeric part), recovered on a blue shark (*Prionace glauca*/BSH) by a Portuguese national. No information is available on the tagging.

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

7.1 Letters concerning compliance with conservation measures

In accordance with the Commission's decision, on December 22, 2008, the Commission Chairman, Dr. Fabio H.V. Hazin, sent the following special letters (see **Appendix 3** to **Annex 11** of the *ICCAT Report for Biennial Period, 2008-2009, Part I, Vol. 1*):

Non-Contracting Parties, Entities or Fishing Entities

- **Bolivia**: Letter on maintaining the trade restrictive measures on bigeye tuna.
- **Cambodia**: Letter on maintaining identification in virtue of the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

- **Georgia:** Letter on maintaining the trade restrictive measures on bigeye tuna.
- **Sierra Leone:** Letter on maintaining identification in virtue of the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13] and another letter requesting information on Sierra Leone’s International Ship Registry.
- **Togo:** Letter notifying the lifting of identification in virtue of the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

On December 19, 2008, the Executive Secretary sent the following letters concerning Cooperating Status:

Cooperating non-Contracting Parties, Entities or Fishing Entities:

- **Netherlands Antilles:** Letter notifying the renewal of Cooperating Status.
- **Guyana:** Letter notifying the renewal of Cooperating Status.
- **Chinese Taipei:** Letter notifying the renewal of Cooperating Status.

7.2 Letters concerning fulfillment of budgetary obligations

In early 2009, the Executive Secretary notified all the Contracting Parties of the amount of their contributions to the 2009 budget. In June 2009, a first reminder was sent concerning the payment of contributions in arrears. Later, in October, a second reminder was sent to the Contracting Parties that had not made their corresponding payments. The following table shows the letters sent to those Contracting Parties with pending contributions.

	<i>1st Reminder Letter dated June 18, 2009</i>	<i>2nd Reminder Letter dated October 1, 2009</i>
Algeria	X	
Angola	X	
Barbados	X	X
Brazil	X	X
Cape Verde	X	X
Côte d’Ivoire	X	X
Gabon	X	X
Ghana	X	X
Guinea (Rep.)	X	X
Honduras	X	X
Korea, (Rep.)	X	
Namibia	X	X
Nicaragua	X	X
Nigeria	X	X
Panama	X	X
Philippines	X	
Russia	X	
Saint Vincent and the Grenadines	X	X
São Tomé & Príncipe	X	X
Senegal	X	X
Syrian Arab Republic	X	
Trinidad & Tobago	X	X
Tunisia		X
Turkey	X	X
UK (Overseas Territories)	X	
Uruguay	X	X
Vanuatu	X	X
Venezuela	X	X

8. Secretariat publications in 2009

The following publications were issued in 2009:

- *Report for Biennial Period, 2008-09, Part I (2008)*, Vols. 1, 2 and 3: English (Vol. 3 in electronic format only).
- *Report for Biennial Period, 2008-09, Part I (2008)*, Vols. 1, 2 and 3: French (Vol. 3 in electronic format only).
- *Report for Biennial Period, 2008-09, Part I (2008)*, Vols. 1, 2 and 3: Spanish (Vol. 3 in electronic format only).
- *Statistical Bulletin, Vol. 38*.
- Vols. 63 and 64 of the *Collective Volume of Scientific Papers* were issued. Vol. 63 is a special publication of the “World Symposium for the Study into Stock Fluctuations of Northern Bluefin Tunas (*Thunnus thynnus* and *Thunnus orientalis*) Including the Historic Periods”. Vol. 64 (7 volumes, 2704 pages) includes the reports of the inter-sessional meetings, the documents submitted at those meetings and those presented at the 2008 SCRS meeting. The publication is available in paper copy and on CD and is also available on the ICCAT web site.
- Special publication of the *Report of the Independent Performance Review of ICCAT*.
- *ICCAT Newsletter* (February and September, 2009).
- *ICCAT Manual, Chapter 2. Description of Species* (1st edition – January 2010).

9. Organization and management of Secretariat staff

9.1 Organization

The Secretariat is organized as follows:

Executive Secretary
Driss Meski

Assistant Executive Secretary
Victor Restrepo

Statistics Department

Taking into account ICCAT’s mandate aimed at the management and the conservation of tuna fishery resources, ICCAT members carry out an extensive range of scientific activities regarding monitoring and research. The Secretariat is directly involved in the coordination of some of these activities, although a large part of the practical work is carried out by the Contracting Parties. The Secretariat maintains a large number of databases that include information on fishery statistics which are useful for stock assessments and entries concerning compliance. The main tasks that are carried out are the requests for data, rules for data transmittal, the development of databases, the interface for the use of the databases, quality control of data, data mining and the publication of data, maintenance of the web site, management of information technology, tagging inventory, the preparation of reports and coordination with the SCRS.

The Department is comprised of eight staff members:

Victor Restrepo is the General Coordinator of the Department. Mr. Restrepo supervises the ICCAT web site as well as the tasks on information technology linked to the compliance databases.

Papa Kebe supervises the statistics group and the staff responsible for information technology that works on the statistical databases and who provide support to the functioning of the Secretariat as regards to computer equipment and the local network.

Laurence Kell supervises the activities linked to coordination with the SCRS regarding stock assessments and other scientific matters. Dr. Kell was hired as Population Dynamics Expert in May 2009 following a selection process, in accordance with the Commission’s decision.

Carlos Palma: Biostatistician.

The Department also includes:

Juan Luis Gallego, Juan Carlos Muñoz, Jesús Fiz and Penélope Cabello.

In November 2009, Ms. Penelope Cabello resigned from her position at the ICCAT Secretariat. In December 2009, Mr. Papa Kebe retired from ICCAT.

Compliance Department

In recent years, the Commission has adopted an increasing number of Recommendations and Resolutions that involve the submission of various types of information from the Contracting Parties, such as the lists of vessels, information on compliance, etc. The Compliance Department is responsible for compiling and distributing of a large volume of information. The Department's main tasks include the preparation of the compliance tables, maintaining the lists of vessels and the information on chartering agreements between vessels, bluefin tuna farming reports, data and validation of the ICCAT statistical document programs and the bluefin tuna catch documentation programs, the compendium of management regulations, requests for Cooperating Status, requests for observer status, preparation of the tables summarizing the actions carried out, Annual Reports, matters regarding compliance, the management of observer Programs, etc.

The Department is comprised of the following staff members:

Carmen Ochoa de Michelena, Compliance Officer.
Jenny Cheatele: Technical Officer.

In 2009, a person was hired, through an agency for part time employment, to provide support to the Department in data entry, on a short-term contract basis.

Department of Translation and Publications

The Department of Translation and Publications carries out tasks related to the compilation, adoption, translation and publication, in the three official languages of the Commission, of circulars, reports, scientific documents, ASFA and FIRMS entries, the coordination of peer reviews of scientific documents, publications in electronic format and correspondence.

The Department is comprised of the following seven staff members:

Pilar Pallarés: Head of Department.
Philomena Seidita: Technical Officer and translator.

The Department also includes the following translators: Rebecca Campoy, Christine Peyre, Christel Navarret, María Isabel de Andrés and María José García-Orad.

Department of Finance and Administration

This Department carries out all the administrative and financial tasks of the Secretariat. The main tasks of the Department consist of the preparation and control of the budget, bookkeeping, the preparation of the administrative and financial reports, ICCAT meetings, special funds, human resources at the Secretariat, purchases, travel, reception, filing, management of information on contracts, the inventory of the library and publications, photocopies, scanner and post.

The Department is comprised of the following six staff members:

Juan Antonio Moreno: Department Head, coordinates all the tasks related to the Department.
Other members of the Department include: Felicidad García, Cristóbal García, Africa Martín, Juan Angel Moreno and Esther Peña.

9.2 Hiring of new staff

Dr. Victor Restrepo was contracted in January, 2009.

Further to the selection process carried out in 2008 to recruit a Population Dynamics Expert, the Secretariat continued with this process in 2009 and contacted the candidate proposed by the Selection Committee. Dr. Laurence Kell was selected and started working in May 2009.

In mid-2009, the Secretariat contacted an agency for part time employment due to the volume of data from the Compliance Department to be entered. As a result, this reduced the workload of the Department during the peak period of work which could not be done by the Secretariat staff.

Finally, and in accordance with the decision adopted by the Commission in 2008, the Secretariat finalized the selection process for the post of administrative assistant and contracted Ms. Gisela Porto in December, 2009.

9.3 Future hiring

By-Catch Coordinator

In 2009, the Secretariat carried out the process aimed at carrying out a contract for a maximum duration of six months to develop a specialized report on by-catches of the tuna fisheries of the Atlantic and its adjacent seas, in accordance with the request from ICCAT's Scientific Committee, adopted by the Commission in 2008. The United States indicated it would provide voluntary financing of the. Thus, after an appeal for bids, three proposals to collaborate were received. Following a review of these, the Selection Committee chose Mr. John Cotter's proposal as being the most suitable to carry out these tasks.

Bluefin Research Program Coordinator (GBYP)

The large-scale bluefin tuna research program that will be starting will require the hiring of a Coordinator for the period of the program's duration.

Appendix 11 of the 2009 SCRS Report includes recommendations related to the hiring of this Coordinator.

9.4 Pension Plan of the Secretariat staff

In July 2009, representatives of Generali Worldwide and Van Breda International visited the Secretariat to hold an informative meeting with the ICCAT staff. During this meeting, the persons responsible for the Pensions Fund assured the Secretariat of the security of the ICCAT staff funds. The possibility of establishing these funds in Euros was proposed as a means to avoid the fluctuations in the currency exchange rates. The persons responsible for the fund indicated that in this case it would be convenient to develop a new contract and that the conditions would vary, considering that interest rates for U.S. dollars are higher than those for Euros.

Consequently, the Secretariat will continue to study the best possible option for the Commission staff.

10. Other matters

10.1 New ICCAT headquarters

The new headquarters offices are not yet available for the Secretariat due to some issues raised by the residents of the building. The change of the headquarters is pending some contacts with the Spanish Authorities aimed finalizing the procedures that will result in the definitive move to new headquarters. The Secretariat would like to express its sincere appreciation to the Kingdom of Spain for all the efforts made to finalize the work and to provide ICCAT with independent offices. It is evident that this new situation will generate additional expenses. These expenses are shown in the Budget.

10.2 Management of other programs

Since 2004, Japan established a fund to finance a five-year project for the improvement of data on the tuna fisheries. This project finalized on November 30, 2009. The Coordinator and his Assistant have monitored the activities and accounts of the project. As a continuation of this, a new project, entitled "ICCAT/Japan Data and Management Improvement Project" was initiated on December 1, 2009, which will also be financed by Japan and which will be managed in the same manner as the previous project.

Since 2005, the United States has contributed to the Special Data Fund established in accordance with [Rec. 03-21], to assist scientists from developing countries to participate in the meetings of the Scientific Committee.

In 2006, the United States provided funds to establish a fund for the prohibition of driftnets, and thereby contributing to compliance of the *Recommendation by ICCAT Relating to Mediterranean Swordfish* [Rec. 03-04].

In June 2006, a Memorandum of Understanding was signed between ICCAT and the Spanish Institute of Oceanography (IEO) regarding issues of common interest in research. The three-year contract is aimed at furthering the study on the biology, fishing and sustainable exploitation of species under ICCAT mandate by means of electronic tagging. During this period, €70,000.00 was received each year, in accordance with the agreement, to purchase tags which will be given to researchers.

Following the regional workshops organized in 2006 by the ICCAT Chairman, Workshops in the West African region, a course on cooperativism and associativism and a trip in the Mediterranean region were organized in 2009. Moreover, these funds covered part of the expenses incurred by the participation of ICCAT Chairmen at various meetings. To this end, Brazil funded a special contribution amounting to €30,000 in September 2009.

At the 2005 Meeting of the SCRS, the informal Group on the coordination of funds proposed the possibility to consider utilizing the balance of the BETYP Program to support ICCAT's statistical and scientific work. Following the SCRS meeting, the Secretariat received the approval and the confirmation to use these funds. In this regard, a Fund was created for archival tags, which is financed by Japan, and has a balance of €20,457.20. Given the inactivity of the fund, in 2009 the delegation of Japan indicated to the Secretariat that fund be used to cover the shortage of funds to cover the costs of the Meeting of the Working Group on the Future of ICCAT which was held in Sapporo, Japan, August 31 to September 3, 2009 and to apply the balance (€3,437.62) towards future ICCAT meetings.

The contract signed with the MRAG/CapFish Consortium for the ICCAT Regional Observers Program, in accordance with the ICCAT *Recommendation Establishing a Program for Transshipment by Large-scale Longline Fishing Vessels* [Rec. 06-11] was extended to April 2009. This program was financed in 2009 by voluntary contributions from the People's Republic of China, Korea, Japan, Philippines and Chinese Taipei and continues to be managed by the Secretariat.

In order to implement the provisions of the *Recommendation Amending the Recommendation by ICCAT to Establish a Multiannual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05], the Regional Observers Program was initiated in 2009. To date, funds have only been received from Turkey (€122,277.94) and Croatia (€79,840.49), and deployments at seven farms were carried out.

At the 20th Regular Meeting of the Commission (Antalya, Turkey, November 9-18, 2007), the Commission adopted the *Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area* [Rec. 07-08]. As was approved at the 2008 Meeting, the financing of this Program depends on extra-budgetary contributions. The European Community subsidized the majority of the costs, but other Contracting Parties, such as Albania, Algeria, People's Republic of China, Croatia, Egypt, Island, Japan, Korea, Libya, Morocco, Norway and Turkey have also contributed funds on a voluntary basis. Mr. Alberto Thais Parrilla is the person responsible for the management of this program.

Since 2008, the delegation of the United States has made numerous payments towards the U.S. Fund for Capacity Building of Developing Countries. In 2009, the total amounted to €302,798.32.

In June 2008, the Secretariat signed an agreement with the European Community to create a fund to support training in data collection and analysis, as well as to facilitate the participation at SCRS meetings of scientists from Contracting Parties that have lesser capacity to comply with their obligations in statistical matters. This fund was liquidated in June 2009.

A fund was also created in 2008 to cover expenses related to the hiring of the By-Catch Coordinator. Contributions to this fund in 2009 from the delegation of the United States amounted to €28,480.00.

At its 16th Special Meeting (Marrakech, Morocco, November 17-24, 2008), the Commission decided to establish a five-year coordinated bluefin tuna research program encompassing the entire Atlantic. The Secretariat signed a contract with the European Community regarding activities linked to the coordination of the program, the data searching, and aerial surveys that could start in 2009. In virtue of the aforementioned contract, the European Community will provide €600,000 the first year of the Program. Japan, the United States, Norway, Croatia and

Chinese Taipei have also made special contributions of €10,000, €71,200, €20,000, €7,000, and €3,000, respectively.

11. Conclusion

As a result of the preceding, the Secretariat is more and more requested to respond to the increasing requests from the Commission. This has resulted in a significant workload in all the departments (Statistics, Compliance, Publications and Finance & Administration), in spite of the goodwill of the current staff.

Therefore, the Secretariat requires reinforcement of its human and financial resources.

Appendix 1

MEETINGS AT WHICH ICCAT WAS REPRESENTED BETWEEN NOVEMBER 2008 AND NOVEMBER 2009

SUMMARY

This document provides information on the meetings of a scientific and administrative nature at which ICCAT was represented by member of the Secretariat staff or my other persons on behalf of the Secretariat. The basic information on each meeting includes the major points of the agenda as well any major implications for ICCAT.

2ND SESSION OF THE CONSULTATION ON THE AGREEMENT OF PORT STATE MEASURES

Location: FAO Headquarters, Rome, Italy (January 26 to 30, 2009)

Representative: Mr. Driss Meski (ICCAT Executive Secretary)

Comments: The objective of this session, in which more than 200 representatives from countries and international, intergovernmental and non-governmental organizations participated, was to develop a final version of the draft agreement to be submitted to the COFI meeting, to be held March 2 to 6, 2009. At the opening, Mr. Fabio Hazin, Chairman of the session, emphasized that the meeting would be dedicated to finalizing the articles that had not been reviewed during the June 2008 session and to go back to the articles that were the subject of some reservations. It was also mentioned that some delegations had circulated draft amendments that would be reviewed further as the work advanced.

Thus, discussion was carried out on some definitions. A large part of the discussion centered on matters of inspection at the port of the flag State, IUU fishing, and terminology. There were some differences among several delegations concerning the definition of a number of measures and it was difficult to reach a compromise on a final draft agreement for submission to the 2009 meeting of COFI.

It was therefore difficult reach agreement on many articles for which a large part continue to be in brackets. For this reason, it was agreed to hold a third session subsequently.

Report availability: The report will be available from FAO.

28TH SESSION OF THE FAO COMMITTEE ON FISHERIES (COFI)

Location: Rome, Italy, FAO Headquarters (March 2 to 6, 2009)

Representative: Mr. Driss Meski (ICCAT Executive Secretary)

Comments: The meeting had a busy agenda with some of the main topics being as follows: The importance of small-scale fisheries; illegal, unregulated and unreported fishing; climate change; management of deep sea

fisheries in the high seas; implementation of the Code of Conduct for Responsible Fisheries and related Plans of Action; fish trade to include certification schemes; aquaculture.

With respect to IUU fishing, there was support for continued efforts to negotiate an instrument that would specify minimum standards for port state measures applied to fishing vessels that enter their ports. There were also discussions on eco-labeling schemes and how they may relate to trade. The possibility of harmonizing eco-labeling schemes was considered. FAO Secretariat was tasked with developing best-practice guidelines for catch documentation schemes and for traceability. With regards to CITES it was agreed that FAO should continue to provide technical advice when proposals are made for listing commercially-exploited aquatic species.

Report availability: FAO Fisheries and Aquaculture Report, No. 902. Rome, FAO. 2009. 64 p.

SECOND MEETING OF THE REGIONAL FISHERY BODY SECRETARIATS NETWORK

Location: Rome, Italy (March 9 to 10, 2009)

Representative: Dr. Victor Restrepo (ICCAT Secretariat)

Comments: The meeting had a busy agenda which included a review of the 28th Session of COFI. In addition, the Network examined factors that affect fisheries management in the various RFOs; Responsible Fishery Management practices; the role of regional fishery bodies; and, the status of FIRMS and CWP.

In discussion, it was noted that the role and effectiveness of RFBs in fisheries management is heavily dependent on the financial and human resources available to each and every organization, particularly in the current global economic climate. It was noted that the tuna RFMOs were reviewing several issues in relation to strengthening the process for identifying and taking action against IUU fishing. In terms of fishery management, the need for capacity-building was emphasized so that all members of the RFOs can effectively carry out their data-collection and MCS activities.

It was noted that there was a lack of uniform understanding among RFOs of what is meant by an Ecosystem Approach to Fisheries Management (EAF).

Financial and human resource capacity limitations are being faced by a number of RSN members in addressing the EAF and in providing for the mitigation of potential impacts of fisheries on non-target species.

RSN reviewed progress made by FIRMS and agreed that future work should prioritize the comprehensive generation of fact sheets and expansion of the Partnership. With respect to CWP, it was noted that aquaculture matters would be included in future work.

Report availability: FAO Fisheries Report, No. 908. Rome, FAO. 2009. 48p.

8TH ROUND OF INFORMAL CONSULTATIONS OF THE STATES PARTIES TO THE AGREEMENT OF THE UNITED NATIONS CONVENTION ON HIGHLY MIGRATORY STOCKS

Location: United Nations Headquarters, New York, United States (March 16 to 19, 2009)

Representative: Mr. Driss Meski (ICCAT Executive Secretary)

Comments: In the framework of monitoring compliance of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of fish stocks that move within and outside the exclusive economic zones (straddling stocks) and highly migratory fish stocks, the 8th Round of the Informal consultations of the Parties to the Agreement of the United Nations Convention on Highly Migratory Stocks took place from March 16 to 19, 2009 in New York, United States.

This session, which was chaired by Ambassador David Bolton of the United States, was organized so as to discuss specific subjects in depth. Therefore, several workshops were created to discuss, in particular, some concrete aspects of the Agreement, based on the following five components: Ample participation of the Parties to the Agreement, strengthening of the capacity of the Parties, the compatibility of the conservation and

management measures established for the high seas and the EEZs, cooperation and port State measures. For each of the five components, several interventions were made that served as a basis for the discussion. Mr. Meski gave a presentation on the compatibility of conservation and management measures established for the high seas and the EEZs. Following the discussion, it was agreed to hold a preparatory meeting in March 2010 and the meeting of the Review Conference in May 2010.

Report availability: The report of the 8th Round will be published on the following site:

www.un.org/.../convention_agreements/fishstocksmeetings/icsp8report.pdf

GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN – 33RD SESSION

Location: Gammarth, Tunisia (March 23 to 27, 2009)

Representative: Dr. Pilar Pallares (ICCAT Secretariat)

Substantive Agenda Items: Meetings of the Compliance Committee and the Commission

Comments: At its 33rd Session, the Commission adopted a series of agreements and a series of recommendations and resolutions, among which the following are noteworthy:

- Creation of a Sub-Committee on Finances (CAF)
- Adoption of ICCAT Recommendations: [Rec. 08-03], [Rec. 08-05] and [Rec. 08-10]
- Adoption of the following Recommendations and Resolutions:
 - Res. GFCM/33/2009/1 On the Management of Demersal Fisheries in the GFCM area.
 - Res. GFCM/33/2009/2 On the Establishment of Geographical Sub-Areas in the GFCM Area Amending Resolution GFCM/31/2007/2.
 - Rec. GFCM/33/2009/1 On the Establishment of a Fisheries Restricted Areas (FRA) in the Gulf of Lions.
 - Rec. GFCM/33/2009/2 On a Minimum Mesh Size in the Conded of Demersal Trawls Nets.
 - Rec. GFCM/33/2009/3 On the Implementation of the GFCM Task 1 Statistical Matrix Repealing Resolution GFCM/31/2007/1
 - Rec. GFCM/33/2009/4 On Reporting of Aquaculture Data and Information.
 - Rec. GFCM/33/2009/5 On the Establishment of the GFCM Regional Fleet Register (RFR).
 - Rec. GFCM/33/2009/6 Concerning the Establishment of a GFCM Record of Vessels over 15 Meters Authorized to Operate in the GFCM Area Amending Recommendation GFCM/ 2005/2.
 - Rec. GFCM/33/2009/7 Concerning Minimum Standards for the Establishment of a Vessel Monitoring System (VMS) in the GFCM Area.
 - Rec. GFCM/33/2009/8 On the Establishment of a List of Vessels Presumed to Have Carried Out IUU Fishing in the GFCM Area, Amending Recommendation GFCM/2006/4.
 - Rec. GFCM/33/2009/9(A) Concerning the Recommendation [08-03] by ICCAT on Mediterranean Swordfish.
 - Rec. GFCM/33/2009/9(B) Concerning the Recommendation [08-05] by ICCAT Amending the Recommendation by ICCAT to Establish a Multiannual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean.
 - Rec. GFCM/33/2009/9(C) Recommendation 08-12 by ICCAT Amending Recommendation 07-10 on an ICCAT Bluefin Tuna Catch Documentation Program.

The Commission also outlined the activities of the various sub-committees for 2009 and discussed various subjects, among which the following are noted due to their proximity with ICCAT measures:

- Installation of a vessel monitoring system (VMS) for vessels over 15 m.
- Creation of a list of IUU vessels
- Establishment of capacity limits
- Performance Review

Report availability: The report of the meeting is available at: <http://www.fao.org/docrep/012/i0966e/i0966e00.htm>

INTERNATIONAL WORKING GROUP ON TUNA PURSE SEINE AND BAIT BOAT CATCH SPECIES COMPOSITION DERIVED FROM OBSERVER AND PORT SAMPLING DATA

Location: Sète, France (June 15 to 19, 2009)

Representative: Dr. Pilar Pallares (ICCAT Secretariat)

Substantive Agenda Items: Presentation and analysis of sampling and data processing methods to obtain species composition data on the catches of tropical tunas, that are followed in the Atlantic, Indian and eastern Pacific and central-western Pacific Oceans, with special emphasis on the comparison between methods based on port sampling and observer data.

Comments: At this meeting, convened by the IRD, representatives from the tuna organizations involved in tropical tuna research met together for the first time and jointly discussed the procedures followed to estimate the species composition of the catches of these species.

As for conclusions and recommendations, the following are noted:

- The procedures followed for the estimation are based on two clearly-identified sources:
 - Port sampling: IATTC, ICCAT and IOTC
 - Observer data: WCPFC
- The choice of one or the other methods depends on:
 - The characteristics of the fleets and the fisheries and the real possibilities of access to sampling.
 - The priorities that are established for the observer programs: by-catch and others vs. catch sampling.
- It is advisable that both sampling methods be maintained simultaneously for comparative purposes.
- The lack of randomness when choosing the sample is a source of bias in both systems, although the new on-board sampling system (spill sampling) initiated by the WCPO could diminish the problem.
- The stratification established in the current port sampling schemes should be revised.
- Predictive models to estimate catches by species should be developed when there are unsampled strata or to cover gaps in the historical series. Statistically this would be a most robust method than the current substitution criteria. The estimates of catches by species obtained from estimates based on sampling should only be used at the strata level, since they are reliable at a more detailed level.

Actions: The correction procedures that are currently follow in the Atlantic should be revised, in accordance with the recommendations from the group. This revision should be more in-depth in the case of fisheries such as those of Ghana, which have a large volume of catches and a poorly developed correction method.

Following the revisions, changes can be introduced to the historical series of tropical catches in the ICCAT database.

Report availability: SCRS/2009/131. *In Collect. Vol. Sci. Pap. ICCAT*, 65 (in press).

MEETING OF SGRN-STEFC ORGANIZED BY THE EUROPEAN COMMUNITY

Location: Galway, Ireland (June 24 and 25, 2009)

Representative: Mr. Papa Kebe (ICCAT Secretariat)

Substantive Agenda Items: Qualitative and quantitative assessment of the information submitted by the Member States of the European Community to the various RFMOs.

Comments: It is customary that the Scientific, Technical and Economic Committee on Fisheries annually organize meetings to assess the status of the submission of information from the European Community Member States. Before, other organizations, such as the GFCM and ICES, were invited to participate in this work. In 2009, the Committee requested ICCAT to take part in these discussions.

Thus, the representative from the ICCAT Secretariat prepared a PowerPoint presentation centered on the following:

- The major types of data required by ICCAT;
- The various databases developed by the ICCAT Secretariat;
- A quantitative assessment of the data submitted by the EC Member States to ICCAT;
- The protocol for exchange and submission of data at the level of ICCAT;
- A quantitative and qualitative assessment of the data from the Member States.

Following a lengthy discussion, the Committee thanked the ICCAT Secretariat and requested authorization to publish its document in the final report.

The appropriateness of using scientific data submitted to the SCRS for compliance purposes was also raised.

Actions: None.

Report availability: https://stecf.jrc.ec.europa.eu/c/document_library/get_file?uuid=87ae0b41-1d39-49e7-9df0-26758eea695d&groupId=1416

CITES MEETING OF THE STANDING COMMITTEE WORKING GROUP ON INTRODUCTION FROM THE SEA

Location: Geneva, Switzerland, CITES Headquarters (September 14 to 16, 2009)

Representative: Mr. Driss Meski (ICCAT Executive Secretary)

Comments: ICCAT was invited to participate in the Meeting of the Standing Committee Working Group created by the 57th Meeting of CITES on the subject of the introduction from the sea. The mission of this Working Group was to consider a definition for «transport to the State», clarification of the term «State of introduction » and the process of delivering a certificate of the introduction from the sea.

The Working Group meeting, chaired by Ambassador Cristian Maquieira of Chile, who is Chairman of the Standing Committee, noted the participation of representatives from Germany, Austria, the EC, United States, Iceland, Japan, Mexico, and New Zealand, as well as the observers from FAO, NEAFC, ICCAT, WWF and IWMC.

Following the opening by the Secretary General of CITES, the Chairman reviewed the agenda and the terms of reference of the Working Group. The CITES Secretariat pointed out what had been done by electronic correspondence and the proposals made by the different Parties to the Convention.

The representative from FAO presented an outline of the new agreement concluded recently on port State measures.

These two presentations were the subject of discussion and an exchange of viewpoints among the participants. ICCAT and NEAFC were requested present a summary of their activities. The ICCAT representative gave a historical review of the actions undertaken since ICCAT's creation, emphasizing the management measures and the recommendations adopted concerning the major species (bigeye tuna, swordfish and bluefin tuna). The intervention was followed with considerable interest and was the subject of a very rich discussion. Also, the participants were informed about what ICCAT is doing concerning the fight against IUU fishing, the monitoring of the fleet and the registries maintained at ICCAT, statistical documents and catch documents, the observer programs, as well as the possibilities of sanctions in case of non-compliance with the decisions taken. The recommendations adopted by ICCAT in 2008 were distributed to the participants. Recommendation 08-12 concerning the Bluefin Catch Document (BCD) particularly drew the attention of the participants.

After the presentations, the discussion was opened on the definitions and the major subject, which is the introduction from the sea. This was an occasion for the representative of ICCAT to clarify the role of the Commission in the management of tunas in its Convention area.

At the end of the general discussion, the Chairman submitted a draft resolution (14.6) from the WWF to the Working Group. During the course of the discussion on the proposal, the participants were made aware of the role the RFMOs can play and the importance of taking their actions into account in anything that CITES

undertakes concerning products from the sea. As can be noted from the report of the Working Group, cooperation between the RFMOs and CITES has been emphasized.

During the course of this meeting, there was no discussion on a specific species. This meeting was instead one of a procedural and clarification nature.

Report availability: A copy of the draft report is available at the Secretariat.

MEETING ON STRATEGY TO DEVELOP MARINE FISHING

Location: Agadir, Morocco (September 28 to 30, 2009)

Representative: Mr. Driss Meski (ICCAT Executive Secretary)

Comments: At the invitation of the Government of Morocco, the ICCAT Secretariat took part in the Meeting on Strategy to Develop Marine Fishing which was held in Agadir, Morocco, March 28 to 30, 2009. During the course of this meeting, the Minister of Agriculture and Fishing presented, on behalf of His Majesty the King, the general lines concerning the strategy for the development of fishing in Morocco.

THIRD FAO EXPERT ADVISORY PANEL FOR THE ASSESSMENT OF PROPOSALS TO AMEND APPENDICES I AND II OF CITES CONCERNING COMMERCIALY-EXPLOITED AQUATIC SPECIES

Location: FAO Headquarters, Rome, Italy (December 7 to 12, 2009)

Representative: Dr. Victor Restrepo (ICCAT Assistant Executive Secretary)

Comments: The Panel was convened in response to the agreement by the FAO Committee on Fisheries (COFI) on the Terms of Reference for an expert advisory panel to assess proposals to CITES Convention. The objectives were to assess each proposal from a scientific prospective in accordance with the CITES biological listing criteria and to comment on the technical aspects of the proposals in relation to biology, ecology, trade and management issues, as well as the likely effectiveness for conservation. FAO invited ICCAT to present the results of the most recent assessment on Atlantic bluefin tuna.

Report availability: FAO Fisheries Report, No. 925. Rome. FAO, 2010. 144 p.

2009 FINANCIAL REPORT¹

Introduction

Fiscal year 2009 has seen the consolidation of a positive trend as regards the regularization of the Commission's financial situation, although some Contracting Parties continue to have difficulties meeting their budgetary commitments. Consequently, the Working Capital Fund has improved considerably, and is considerably above the recommended minimum.

Therefore, the importance must be stressed of the Commission having adequate financial resources to carry out all the requirements requested.

1. Auditor's Report – Fiscal Year 2008

The auditing firm “BDO Audiberia Auditores, S.L.” prepared the Independent Auditor's Report corresponding to fiscal year 2008.

In accordance with Article 12 of the Commission's Financial Regulations, the Executive Secretary transmitted a copy of the Auditor's Report to the Governments of all the Contracting Parties in May 2009 (ICCAT Salida #198 AF/09). The Auditor's Report includes the ICCAT Budgetary Statements: Balance Sheet, Composition and Balance of the Working Capital Fund, Budgetary and Extra-budgetary expenses, Budgetary and Extra-budgetary Income Received, Status of the Contracting Party contributions, and the Explanatory Notes of these, corresponding to the fiscal year that ended on December 31, 2008. It should be noted that at the close of fiscal year 2008, the Balance Sheet showed an effective balance in Cash and Banks amounting to €3,634,583.34, corresponding to the available in the Working Capital Fund, €2,111,576.43 (which represents 86.47% of the Budget), the available in the Trust Funds (€1,306,365.53), debts for purchases or services (€87,797.79), provision for expenses of the fiscal period (€5,429.29), budgetary expenses of fiscal year 2009 paid in advance (€17,707.87), payments pending application (€3,851.90), and advances on future contributions (€144,974.07).

The balance of accumulated pending contributions at the close of fiscal year 2008 (corresponding to 2008 and previous years) amounted to a total of €1,656,556.67.

2. Financial status of the first half of the biennial budget – Fiscal year 2009

All the Commission's financial operations corresponding to fiscal year 2009 have been maintained in Euros. The accounting entries that originated in United States dollars are also registered in Euros, applying the official exchange rates facilitated monthly by the United Nations.

The 2009 Regular Budget, amounting to €2,714,755.90, was approved by the Commission at its 16th Special Meeting (Marrakech, Morocco, November 2008). The Balance Sheet (attached as **Statement 1**) shows the assets and liabilities to the close of fiscal year 2009, which is shown in detail in **Tables 1 to 6**, as well as that corresponding to 2008.

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

The total accumulated debt from budgetary and extra-budgetary contributions amounts to €1,819,834.75, which includes budgetary contributions from: Barbados (€3,782.43), Brazil (€45,868.91), Cape Verde (€13,029.37), Gabon (€24,445.39), Ghana (€90,182.89), Republic of Guinea (€0,832.52), Honduras (€58,733.93), Nicaragua (€13,079.28), Nigeria (€1,803.71), Panama (€207,182.02), Republic of Philippines (€1,333.59), St. Tome & Principe (€106,549.08), Senegal (€9,861.44), Trinidad & Tobago (€19,493.04), Tunisia (€3,607.95), Vanuatu (€19,577.74), and Venezuela (€1,567.78); extra-budgetary contributions from the following Contracting Parties: Honduras (€4,937.00), Nicaragua (€1,711.40), and Mauritania (€2,428.97); and the debts corresponding to Benin (€0,508.83) and Cuba (€66,317.48), which are no longer Contracting Parties to ICCAT.

¹ Information up to the close of fiscal year 2009.

Table 2 shows the liquidation of budgetary expenses at the close of the fiscal year 2009, broken down by chapters.

Budgetary expenses

Of the budget adopted by the Commission, 94.85% was spent. Following herewith are some general comments, by budget chapter.

Chapter 1 – Salaries: The salaries and remuneration of sixteen (16) Secretariat staff members were charged to this chapter: five staff in the Professional or Higher categories the Executive Secretary, the Assistant Executive Secretary (6 months) the Head of Finance and Administration, the Compliance Coordinator, and the Compliance Technician), six staff in the General Services category (four Translators in the Publications Department, an Administrative Secretary and a Mail and Photocopy Clerk), and five staff included in the Spanish Social Security system (a Translator in the Publications Department, a Mail and Photocopy Clerk, a Purchasing Assistant, an Administrative Secretary and a Assistant Bookkeeper).

In 2009, the United Nations Civil Service Commission published a new salary scale for staff in the Professional or Higher categories. All these increments are charged to this chapter, complying with the date of entry into force of this scale.

Therefore, the total amount charged to Chapter 1 includes the updating of the remuneration schemes to those in effect for staff classified in the United Nations categories, including tenure and 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, expenses for education allowance and education travel for the staff concerned, in accordance with Articles 16 and 17 of the aforementioned Staff Regulations, respectively, and the home leave travel expenses of staff contracted at the international level, in accordance with Article 27 of the Staff Regulations. Also included are expenses of an agency for employment of part time staff, with which a contract has been signed to cover the accumulated workload in the Compliance Department.

The amount charged to Chapter 1 represents 99.99% of the amount budgeted.

Chapter 2 – Travel: The amount incurred in this chapter of the budget amounts to €9,340.44 (94.59% of the amount budgeted) and corresponds to the trip expenses and per diem for Secretariat participation in meetings of international organizations and those of regional and/or international bodies.

Chapter 3 – Commission Meetings: This chapter includes expenses incurred amounting to €34,830.38 (100.31% of the amount budgeted), corresponding to trips foreseen by the Secretariat for the preparation and the costs of the 2009 annual Commission meeting held in Recife, which included expenses for the interpreters (travel, hotel, *per diem*, and honoraria), Secretariat expenses (travel, *per diem*, overtime, etc.), as well as other logistical expenses. The expenses generated by the extension of the dates of this meeting are accounted as extra-budgetary expenses (see the extra-budgetary expenses section of this Report).

Chapter 4 – Publications: The expenses charged to this chapter amounted to €4,463.55 (100.39% of the amount budgeted), corresponding to expenses incurred for the purchase of material for publications, i.e. paper and toner, (€6,771.27), reproduction of documents (€1,699.19), photocopier rental (€4,070.84), printer binding of the *Report for Biennial Period 2008-09, Part I, Vols. 1 and 2* in the three official languages of the Commission, the *Collective Volume of Scientific Papers, Vol. 63 No. 1* and *Vol. 64 (Nos. 1, 2, 3, 4, 5, 6 & 7)*, the *Statistical Bulletin, Vol. 38*, and the special publication of the *Report of the Independent Performance Review of ICCAT* (€7,381.88), publication of the *Collective Volume of Scientific Papers, Vols. 63 and 64* on DVD, and various illustrations (2,560.37). Also charged to this chapter was the SDL Trados 2007 Suite Professional software, for all the translators in the Department of Publications (€1,980.00).

Chapter 5 – Office Equipment: The only expenses charged to this Chapter were the purchase of an office chair and a set of desk drawers, a coat stand and two note boards, which amounted to €74.14 (6.90% of the amount budgeted).

Chapter 6 – Operating Expenses: The expenses incurred in this chapter amounted to €42,156.84 (63.18% of the amount budgeted), which corresponded to: office material (€9,610.14); communications expenses: mailing of official correspondence and ICCAT publications (€28,788.38), phone (€2,054.52), fax (€1,304.82); bank

charges (€1,299.10); audit (€4,122.52); office maintenance: insurance, office cleaning, garage rental, etc. (€3,061.48); and representation expenses (€20,915.88).

Chapter 7 – Miscellaneous: This chapter includes various expenses of a minor nature, such as minor repairs at the Secretariat offices. The expenses charged to this chapter amounted to €6,820.12, representing 102.45% of the amount budgeted.

Chapter 8 – Coordination of Research: The expenses incurred in this chapter amounted to €1,044,816.51 (93.74% of the amount budgeted), broken down according to the following sub-chapters:

A) *Salaries:* Expenses corresponding to the salaries of 10 Secretariat staff members have been charged to this sub-chapter: six staff in the Professional or Higher categories (the Assistant Executive Secretary (6 months), the Head of the Department of Statistics, the Population Dynamics Expert, the Biostatistician, the Publications Coordinator and the Publications Technician), a staff member in the General Services category (Information Technology Specialist), and three staff included in the Spanish Social Security system (two Database Programmers and a Technical Assistant).

The observations made under Chapter 1 concerning the salary scheme in effect in 2009 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 education allowance for staff entitled to this in accordance with Article 16 of the *ICCAT Staff Regulations*. This sub-chapter also includes the compensation for accumulated vacation time, in accordance with Article 34 of the Staff Rules, for two staff members who separated from service in 2009.

B) *Travel to improve statistics:* The amount charged to this sub-chapter was €28,751.74 and corresponds to trip and per diem expenses for Secretariat participation in meetings of other organizations.

C) *Statistics-Biology:* Expenses for the ARCGIS training course, those for the creation of species identification posters, the costs for the purchase of tags and flags for inspectors, as well as the ICCAT tagging lottery were charged to this sub-chapter (€14,889.56).

D) *Computer-related items:* The amount incurred in this sub-chapter was (€40,665.56) corresponded to the purchase of computers, software, memory expansion, and the purchase of diverse computer material.

E) *Database maintenance:* Expenses of this sub-chapter amounted to €4,925.11, corresponding to the purchase of annual licenses, specific software for statistics, and maintenance of the air conditioner for the room where the server is located.

F) *Telephone-Internet domain:* The expense charged for this concept amounted to €16,331.02, corresponding to the cost of annual maintenance of the ICCAT web page and electronic mail, as well as the ADSL computer line.

G) *Scientific meetings (including SCRS):* The amount spent in this sub-chapter amounted to €79,624.78 corresponding to expenses for the annual meeting of the Standing Committee on Research and Statistics (SCRS) held in Madrid: hotel where the meeting was held, interpreters' honoraria, Secretariat staff expenses and overtime, simultaneous translation equipment, material and transport. Also included are the expenses for the simultaneous translation equipment for the scientific meetings held in 2009 at the Headquarters.

H) *ICCAT Bluefin Year Program (BYP):* The Contracting Parties financed a budget of €15,084.61, as an ICCAT budgetary contribution to this Program. The breakdown of income and expenses is given in the table referring to this Program.

I) *ICCAT Enhanced Research Program for Billfish:* The Contracting Parties financed a budget of €30,000.00 as an ICCAT budgetary contribution to this Program. The breakdown of income and expenses is given in the table referring to this Program.

J) *Miscellaneous:* No expense has been charged to this sub-chapter.

Chapter 9 – Contingencies: The amount charged to this Chapter amounted to €47,386.70 (183.31% of the expenses budgeted) and corresponded to travel expenses, compensation for installation, and moving expenses for the incorporation of the Assistant Executive Secretary and the Population Dynamics Expert. Also included in this chapter are the moving expenses for the separation from service of the Head of the Statistics Department.

Chapter 10 – Separation from Service Fund: 100.00% of the amount budgeted (€31,020.00) for this chapter was transferred to the Separation from Service Fund (see Section 6 of this Report).

Extra-budgetary expenses

The extra-budgetary expenses incurred are explained in detail in Section 19 of this Report. Besides the expenses for the inter-sessional meetings, these also include printing costs of the *ICCAT Manual, Chapter 2* (€6,333.20), of which the major part will be financed by a voluntary contribution in 2010 from the ICCAT/Japan Data Improvement Project, and a contribution from the Secretariat to the ICCAT VMS Program for the 2008/2009 period (€29,600.25). Also included are the expenses for Dr. J. Powers (United States) (€10,153.25), to serve as Chairman of the Extended 2009 SCRS Meeting to consider the status of the Atlantic bluefin tuna stocks with respect to the biological criteria for inclusion in CITES. Also included are the expenses of the interpreters and the Secretariat generated due to the extension of the dates of the 2009 Commission meeting (€24,208.24), and the expenses related to the simultaneous interpretation in Arabic at the 2009 Commission meeting (€22,628.40). Lastly, expenses related to the financing the Commission Chairman’s travel (€17,665.96), and the negative differences in currency exchange (€7,592.09).

Table 3 shows the budgetary and extra-budgetary income received by the Commission in fiscal year 2009.

Extra-budgetary income

The contributions received and distributed by Groups were as follows:

Group	Contracting Parties				Contributions		
	No.	Total payment	Partial payment	Pending	Budget (€)	Paid (€)	%
A	8	8	0	0	1,547,410.87	1,547,410.87	100.00
B	7	3	2	2	570,098.74	417,844.55	73.29
C	19	14	0	5	515,803.62	247,759.12	48.03
D	12	4	1	7	81,442.68	49,357.21	60.60
Total	46	29	3	14	2,714,755.91	2,262,371.75	83.34

Of the budget approved, income received and applied towards 2009 contributions amounted to €2,262,371.75, which represents 83.34% of the budget. Only 29 of the 46 Contracting Parties included in the budget have paid their total contribution (Albania, Algeria, Angola, Belize, Canada, People’s Republic of China, Côte d’Ivoire, Croatia, Egypt, Equatorial Guinea, European Community, France-St. Pierre & Miquelon, Guatemala, Iceland, Japan, Korea, Libya, Mexico, Morocco, Namibia, Norway, Russia, South Africa, St. Vincent and the Grenadines, Syria, Turkey, United Kingdom-Overseas Territories, United States and Uruguay). Brazil paid 69.07% (€102,433.70), Tunisia 90.87% (€35,921.17), and Philippines 87.79% (€5,592.54).

The contributions to the 2009 Regular Budget pending payment from the Contracting Parties amounted to €52,384.16, which represents 16.66% of the budget.

The advance received in 2002 from Libya (€14,537.98), of which there was a balance of €10,924.37, has been applied in its entirety, as well as that received in 2008 (€2,208.83) has been applied towards Libya’s total contribution for 2009. This advance has also been applied towards Libya’s contribution to the VMS Program for 2009/2010, thereby showing a balance in Libya’s favor of €35,919.65, which will be applied towards the payment of future contributions. The advance received from Equatorial Guinea in 2007 (€25,931.99), of there was a balance remaining of €6,551.82, has been applied towards the total payment of its 2009 contribution, thereby showing a balance in Equatorial Guinea’s favor of €5,956.63, which will be applied towards payment of future contributions. Advances from Côte d’Ivoire and Namibia received in 2008 and amounting to €0.06 and 0.50, respectively, have been applied as partial payment of their 2009 contributions. There were advances received from Côte d’Ivoire, Egypt, Syria, United Kingdom (Overseas Territories) and Sierra Leone amounting to €0.81, €3,725.90, €0.42, €124.34 and €1.44, respectively, which will be applied towards payment of future contributions.

Extra-budgetary income

Extra-budgetary income received amounted to €383,047.70. This income includes: the 2009 contribution from Sierra Leone as a new Contracting Party (€2,428.97), observer fees (IGFA, Pew Charitable Trusts, Medisamak, WWF, Greenpeace, Oceana, CARICOM, FMAP, the Royal Society for the Protection of Birds, CIPS, ISSF, OPRT, Sustainable Fisheries Partnership, Argentina and Colombia), (€1,228.68), a voluntary contribution from Chinese Taipei (€100,000.00), a voluntary contribution from the ICCAT/Japan Data Improvement Project-JDIP (€9,968.32), the contribution received from the ICCAT/Japan Data Improvement Project (JDIP) for the entry of data from Ghana (€0,125.00), the voluntary contribution from the ICCAT Regional Observers Program (€10,000.00), bank interest (€1,570.82), reimbursement of Value Added Tax-VAT (€4,222.35), income received from the European Community for the liquidation of the 2008 Meeting in Marrakech (€8,151.31), income received from the European Community for the Inter-sessional Meeting of the Compliance Committee held in Barcelona (€87,072.71), income received from Japan for the 2009 meeting of the Working Group on the Future of ICCAT and from the Japan Fund for Tags (€7,925.31), and other income for positive differences in currency exchange (€354.23).

Income from accumulated pending contributions

Income from accumulated pending contributions, paid towards previous budgets, amounted to €286,859.05 and corresponds to the contributions to previous budgets paid by Gabon (€4,504.00), Ghana (€248,946.16), Philippines (€10,065.93), Syria (€4,650.61), Tunisia (€3,608.27), and United Kingdom (Overseas Territories) (€5,084.08).

Income received from new Contracting Parties towards previous budgets amounted to €4,676.00 and corresponds to a contribution received from Nicaragua.

Table 4 shows the composition and balance of the Working Capital Fund. The Fund is comprised of: the balance at the start of the fiscal year (€2,111,576.43) and the result of the fiscal year (€68,756.78) or the liquidation of income and expenses, applicable on January 1, 2010 towards the balance of the Fund. Consequently, at the start of fiscal year 2010, the Working Capital Fund will have an available balance of €2,180,333.21 (80.31% of the 2009 regular budget).

Table 5 shows Cash Flow in fiscal year 2009 as regards income and expenses.

Table 6 shows the status of Cash and Banks, with a balance of €4,571,968.74 which corresponds to the total available in the Working Capital Fund (€2,111,576.43) and the result of the fiscal year (€68,756.78), as well as that available in the ICCAT Enhanced Research Program on Billfish (€4,978.80), the ICCAT Bluefin Year Program (€1,639.05), the Special Data Fund (€2,948.84), the Separation From Service Fund (€24,991.40), the expenses of the ICCAT/Japan Data Improvement Project (JDIP) that are pending reimbursement (€1,580.11), the Regional Workshops Fund (€6,546.94), the Fund to Prohibit Driftnets (€32,548.02), the Fund for the ICCAT-IEO MOU (€493.54), the Japan Fund for Tags (€3,437.62), the U.S. Fund for Capacity Building (€60,967.29), the ICCAT VMS Program 2009/2010 (€42,771.66), the By-Catch Coordinator Fund (€60,339.00), the ICCAT Regional Observers Program (€362,544.23), the Bluefin Research Fund (€91,215.50), the available in the ICCAT Regional Observers Program for East Atlantic and Mediterranean Bluefin Tuna (€157,983.67), debts for purchases or services (€132,725.61), debts of the ICCAT VMS Program pending receipt (€26.61), budgetary expenses advanced (€10,888.56), advances on future contributions (€45,740.19), and the advances of the ICCAT Regional Observers Program (€185,353.33).

3. ICCAT Enhanced Research Program for Billfish

<i>ICCAT Enhanced Research Program for Billfish</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	457.80
INCOME	
Financed by ICCAT	30,000.00
Voluntary contribution from Chinese Taipei	5,000.00
<i>Total Income</i>	<i>35,000.00</i>
EXPENSES	
Program expenses	30,437.00
Bank charges	42.00
<i>Total Expenses</i>	<i>30,479.00</i>
Balance at the close of fiscal year 2009	4,978.80

4. Bluefin Year Program (BYP)

<i>ICCAT Bluefin Year Program</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	14,565.76
INCOME	
Financed by ICCAT	15,084.61
<i>Total Income</i>	<i>15,084.61</i>
EXPENSES	
Program expenses	18,000.00
Bank charges	11.32
<i>Total Expenses</i>	<i>18,011.32</i>
Balance at close of fiscal year 2009	11,639.05

5. Special Data Fund

At its 2003 Meeting, the Commission approved the *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* [Res. 03-21]. For this purpose, the Secretariat has received contributions from the United States since 2005 to continue the Special Data Fund. At the close of fiscal year 2009 the Fund showed the following balance:

<i>Special Data Fund</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	91,736.63
INCOME	
Voluntary contribution from the United States	17,800.00
<i>Total Income</i>	<i>17,800.00</i>
EXPENSES	
Scientists' travel	16,587.79
<i>Total Expenses</i>	<i>16,587.79</i>
Balance at the close of fiscal year 2009	92,948.84

6. Separation from Service Fund

<i>Separation from Service Fund</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	51,121.22
INCOME	
Financed by ICCAT	31,020.00
<i>Total Income</i>	<i>31,020.00</i>
EXPENSES	
Fund expenses	57,149.82
<i>Total Expenses</i>	<i>57,149.82</i>
Balance at the close of fiscal year 2009	24,991.40

7. ICCAT/Japan Data Improvement Project (JDIP)

From January 2005 to November 2009, the ICCAT/Japan Data Improvement Project (JDIP) has kept an independent bookkeeping of its accounts, and the amount of \$308,350/per annum. Even so, the management and payment of some Project expenses are carried out by ICCAT and canceled when these are expenses are reimbursed to ICCAT. To continue this project, on December 1, 2009, a new project was created entitled "ICCAT/Japan Data and Management Improvement Project", which will also be financed by Japan and managed in the same manner as the previous project.

8. Fund for Chairman's Regional Workshops

Since 2006, the Commission Chairman has provided funds to strengthen the exchanges among the Contracting Parties at the regional level. Since its creation, the fund has contributed towards organizing workshops in various areas. In 2009, the Commission Chairman held workshops in the West African region and a training course on cooperativism and associativism in Mindelo, Cape Verde. A trip was also made to the Mediterranean region. In September 2009, Brazil made a voluntary contribution of €30,000.00 to finance these workshops. The balance in the fund at the close of fiscal year 2009 was as follows:

<i>Fund for Regional Workshops</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	63,533.11
INCOME	
Voluntary contribution from Brazil	30,000.00
<i>Total Income</i>	<i>30,000.00</i>
EXPENSES	
Workshops in the West African region	26,191.37
Training Course on Cooperativism & Associativism	29,418.43
Trip to the Mediterranean region	7,093.48
Travel	37,300.14
Bank charges	76.63
<i>Total Expenses</i>	<i>100,080.05</i>
Balance at the close of fiscal year 2009	- 6,546.94

9. Fund to Prohibit Driftnets

In 2006 the Fund to Prohibit Driftnets was created to contribute to compliance of the *Recommendation by ICCAT Relating to Mediterranean Swordfish* [Rec. 03-04]. At the close of fiscal year 2009, the Fund showed the following balance:

<i>Fund to Prohibit Driftnets</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	32,548.02
INCOME	
Voluntary contribution	0.00
<i>Total Income</i>	<i>0.00</i>
EXPENSES	
Fund expenses	0.00
<i>Total Expenses</i>	<i>0.00</i>
Balance at the close of fiscal year 2009	32,548.02

10. Fund for the IEO/ICCAT Memorandum of Understanding (MOU)

In June 2006, a joint Memorandum of Understanding (MOU) was signed between the *Instituto Español de Oceanografía*-IEO (Spanish Institute of Oceanography) and ICCAT to collaborate in research matters of common interest. The objective is to advance in the study of the biology, fishing and sustainable exploitation of the ICCAT-managed species through electronic tagging.

<i>Fund for the IEO/ICCAT MOU</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	81,349.75
INCOME	
Voluntary contribution from IEO	0.00
<i>Total Income</i>	<i>0.00</i>
EXPENSES	
Fund expenses	80,839.25
Bank charges	16.96
<i>Total Expenses</i>	<i>80,856.21</i>
Balance at the close of fiscal year 2009	493.54

11. Japan Fund for Tags

This Fund was created in 2006. The balance accredited by Japan was €20,457.20. In 2009 the Secretariat received notice indicating that part of these funds (€17,019.58) were transferred and used to cover the expenses of the meeting held in Sapporo (see Section 19 of this Report).

12. U.S. Fund for Capacity Building

In 2008, the United States informed the Secretariat that it was going to make various voluntary contributions with the objective of creating a specific fund to finance activities aimed at increasing the capacity of data collection and management of those Contracting Parties that have lesser capacity. The balance at the close of fiscal year 2009 was as follows:

<i>U.S. Fund for Capacity Building</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	433,460.83
INCOME	
Voluntary contribution from the United States (11-08-09)	12,104.00
Voluntary contribution from the United States (18-09-09)	18,694.32
Voluntary contribution from the United States (25-09-09)	272,000.00
<i>Total Income</i>	<i>302,798.32</i>
EXPENSES	
Fund expenses	75,159.20
Bank charges	132.66
<i>Total Expenses</i>	<i>75,291.86</i>
Balance at the close of fiscal year 2009	660,967.29

13. ICCAT VMS Program

At the 20th Regular Meeting of ICCAT (Antalya, Turkey, November 9 to 18, 2007), the Commission adopted the *Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area* [Rec. 07-08]. As adopted at the 2007 meeting, the financing of the Program is being carried out by extra-budgetary contributions. The European Community subsidized the major part of the costs of this Program, but other Contracting Parties such as Croatia, Japan, Turkey, Morocco and the United States have also made voluntary contributions in the first period. The balance at the close of fiscal year 2009 was as follows:

<i>ICCAT VMS Program</i>	<i>Euros (€)</i>
INCOME	
Voluntary contribution from Croatia	6,723.09
Voluntary contribution from the European Community	128,800.00
Voluntary contribution from Japan	8,539.34
Voluntary contribution from Turkey	7,159.78
Voluntary contribution from Morocco	4,000.00
Voluntary contribution from the United States	3,215.00
Voluntary contribution from the European Community	9,896.62
Voluntary contribution from the Secretariat	29,600.25
<i>Total Income</i>	<i>197,934.08</i>
EXPENSES	
Startup expenses	7,250.52
Contract with CLS	138,892.00
Periodic expenses (Salaries & operating expenses)	51,791.56
<i>Total Expenses</i>	<i>197,934.08</i>
Balance 2008/2009	0.00

The funds of the first period have been settled with a contribution from the Secretariat (€29,600.25) As the Secretariat had anticipated at past STACFAD meetings in 2008 and 2009, the contributions received did not cover the total expenses of the first period. Thus, the Working Capital Fund has assumed this deficit.

The second annual period of the ICCAT VMS Program started in June. All the Contracting Parties that participate in Panel 2 are going to finance the Program. The balance at the close of fiscal year 2009 was:

<i>ICCAT VMS Program VMS 2009/2010</i>	
INCOME	
Contribution from Egypt	227.27 €
Contribution from Libya	4,302.36 €
Contribution from Japan	3,773.00 €
Contribution from Norway	226.00 €
Contribution from Albania	227.27 €
Contribution from Iceland	226.00 €
Contribution from Morocco	2,000.00 €
Contribution from the People's Republic of China	278.73 €
Contribution from Croatia	2,915.68 €
Contribution from the European Community	55,693.98 €
Contribution from Korea	601.18 €
Contribution from Algeria	5,000.00 €
Contribution from Turkey	3,105.04 €
<i>Total Income</i>	<i>78,576.51 €</i>
EXPENSES	
Periodic expenses (salaries y operating expenses)	35,782.85 €
Bank charges	22.00 €
<i>Total Expenses</i>	<i>35,804.85 €</i>
Balance 2009/2010	42,771.66 €

14. EC Fund for Capacity Building

In June 2008, the Secretariat signed an agreement with the European Community to create the EC Fund for Capacity Building, whose objective is to support training in data collection and analysis, as well as to facilitate participation at SCRS meetings of scientists from Parties with lesser capacity to comply with their obligations in statistical matters. The balance at the close of fiscal year 2009 was:

<i>EC Fund for Capacity Building</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	22,208.17
INCOME	
Voluntary contribution from the European Community	40,800.00
Voluntary contribution from the European Community	7,482.41
<i>Total Income</i>	<i>48,282.41</i>
EXPENSES	
Scientists' travel	48,215.54
Bank charges	66.87
<i>Total Expenses</i>	<i>48,282.41</i>
Balance at the close of fiscal year 2009	0.00

The duration of this fund ended in June 2009 and it was canceled once the contribution was received from the European Community in the amount of €7,482.41 to cover all the expenses.

15. By-Catch Coordinator Fund

This fund was created in 2008 to cover the expenses related to the hiring of the By-Catch Coordinator in 2009, taking into account that these expenses are not included in the Commission budget. For this purpose, the United States made a contribution in 2008 amounting to €44,516.00 and another in 2009 amounting to €28,480.00. In November 2009, the Secretariat signed a contract with Mr. John Cotter to prepare a special report in accordance

with the request from the scientific Committee. The cost of this contract will amount to €50,584. Therefore, the balance at the close of 2009 was:

<i>By-Catch Coordinator Fund</i>	<i>Euros (€)</i>
Balance at start of fiscal year 2009	44,516.00
INCOME	
Voluntary contribution from the United States	28,480.00
<i>Total Income</i>	<i>28,480.00</i>
EXPENSES	
Contract with J. Cotter (25%)	12,646.00
Bank charges	11.00
<i>Total Expenses</i>	<i>12,657.00</i>
Balance at close of fiscal year 2009	60,339.00

16. ICCAT Regional Observers Program

In April 2007, a contract was signed with the MRAG/CapFish consortium for the implementation of the ICCAT Regional Observers Program, in accordance with the *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11]. This Program was financed by voluntary contributions from China, Korea, Philippines, Japan and Chinese Taipei. The liquidation of the Program for the first year is as follows:

<i>ICCAT Regional Observer Program 2008/2009</i>	<i>Euros (€)</i>
INCOME	549,228.53
1.1 Income from contributions	528,602.73
1.2 Bank interest	20,625.80
EXPENSES	363,875.20
1. Contract with observer agency	
1.1 Training (8 observers)	20,098.88
1.2 Deployment of observers (1,433 days at sea)	196,058.28
1.3 Management and support activities	119,572.21
2. Travel	
2.1 Plane tickets (23 trips x €2,000)	15,604.07
3. Secretariat costs	
3.1 Staff hours	10,000.00
3.2 Contingencies	2,541.76
Balance 2008/2009	185,353.33

The balance remaining of €185,353.33 has been distributed among the Contracting Parties that participated during this period. This distribution is shown in the accounts of the advances of the Regional Observers Program and will be applied towards partial payments of the following contributions to this Program.

In April 2009, the contract was extended for one more year. The balance at the close of fiscal year 2009 was as follows:

<i>ICCAT Regional Observer Program 2009/2010</i>		<i>Euros (€)</i>
INCOME		523,555.64
<i>1.1 Income from contributions</i>		<i>521,472.33</i>
Contribution from the People's Republic of China	72,113.78	
Contribution from Korea	10,509.46	
Contribution from Philippines	15,438.60	
Contribution from Japan	222,074.56	
Contribution from Chinese Taipei	201,335.93	
<i>1.2 Other income</i>		<i>2,083.31</i>
Bank interest	2,083.31	
EXPENSES		161,011.41
1. Contract with observer agency		
<i>1.1 Training (4 observers)</i>		<i>0.00</i>
<i>1.2 Deployment of observers (1,433 days at sea)</i>		<i>95,006.87</i>
Days at sea	87,719.57	
Days of travel	7,287.30	
Equipment	0.00	
<i>1.3 Management and support activities</i>		<i>57,994.83</i>
Days at sea	57,732.93	
Days of travel	261.90	
2. Travel		
<i>2.1 Plane tickets (23 trips x €2,000)</i>		<i>7,900.85</i>
Plane tickets	7,900.85	
3. Secretariat costs		
<i>3.1 Contingencies</i>		<i>108.86</i>
Bank charges	108.86	
Balance at the close of fiscal year 2009		362,544.23

17. ICCAT inter-sessional meetings

With the aim of implementing the provisions of the *Recommendation by ICCAT Amending the Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05] in 2009, the ICCAT Regional Observers Program was established concerning bluefin tuna farms. As of this date, income has only been received from Turkey and Croatia, and seven farms have been deployed. The balance of the Program at the close of fiscal year 2009 was as follows:

<i>ICCAT Regional Observer Program for East Atlantic and Mediterranean Bluefin Tuna</i>	<i>Euros (€)</i>
INCOME	202,209.26
Voluntary contributions from Turkey	122,277.94
Voluntary contributions from Croatia	79,840.49
Bank interest	90.83
EXPENSES	44,225.59
1. Contract with observer agency	
1.1 Training	11,869.14
1.2 Management and support activities	7,143.84
1.3 Deployment of observers	25,046.60
2. Secretariat expenses	
2.1 Contingencies	166.01
Bank charges	166.01
Balance at the close of fiscal year 2009	157,983.67

18. Bluefin Tuna Research Program

At its 16th Special Meeting the Commission supported a coordinated research program on bluefin tuna in the entire Atlantic for a five-year period. Various Parties have made contributions to start activities in 2009 related to the coordination of the program, data mining and aerial surveys. The balance at the close of fiscal year 2009 was as follows;

<i>Bluefin Tuna Research Program</i>	<i>Euros (€)</i>
INCOME	
Voluntary contribution from Japan	10,000.00
Voluntary contribution from Chinese Taipei	3,000.00
Voluntary contribution from United States	71,200.00
Voluntary contribution from the European Community	480,000.00
Voluntary contribution from Norway	20,000.00
Voluntary contribution from Croatia	7,000.00
Bank interest	15.50
<i>Total Income</i>	<i>591,215.50</i>
EXPENSES	
Expenses	0.00
<i>Total Expenses</i>	<i>0.00</i>
Balance at the close of fiscal year 2009	591,215.50

19. ICCAT inter-sessional meetings

Inter-sessional Meeting of the Compliance Committee

The European Community invited the Commission to hold the Inter-sessional Meeting of the Compliance Committee in Barcelona, Spain, from March 24 to 27, 2009. For this purpose, the Secretariat signed a contract with the European Community, which has sent practically all the funds needed to cover the expenses for the meeting. The Working Capital Fund assumed the remainder of the expenses of this meeting, which amounted to:

<i>Meeting in Barcelona</i>	<i>Euros (€)</i>
INCOME	
Financed by the European Community	87,072.71
<i>Total Income</i>	<i>87,072.71</i>
EXPENSES	
Meeting expenses	87,220.39
<i>Total Expenses</i>	<i>87,220.39</i>
Balance at the close of fiscal year 2009	- 147.68

2009 Meeting of Working Group on the Future of ICCAT

Japan invited the Commission to hold the Meeting of the Working Group on the Future of ICCAT in Sapporo, Japan, from August 31 to September 3, 2009. To cover the expenses for the organization of the meeting, Japan sent a voluntary contribution amounting to €40,905.73 and notified the Secretariat that it could use the Japan Fund for Tags to cover the deficit in funds after attributing all the expenses produced at the meeting.

<i>Meeting in Sapporo</i>	<i>Euros (€)</i>
INCOME	
Financed by Japan	40,905.73
Transfer from the Japan Fund for Tags	17,019.58
<i>Total Income</i>	<i>57,925.31</i>
EXPENSES	
Meeting expenses	57,925.31
<i>Total Expenses</i>	<i>57,925.31</i>
Balance at the close of fiscal year 2009	0.00

Statement I. Balance sheet at the close of the fiscal period (Euros).

<i>A S S E T S</i>	<i>FISCAL YEAR 2009</i>	<i>FISCAL YEAR 2008</i>	<i>L I A B I L I T I E S</i>	<i>FISCAL YEAR 2009</i>	<i>FISCAL YEAR 2008</i>
A) NON-CURRENT ASSETS	130.720,56	128.364,33	A) NET ASSETS	2.311.053,77	2.239.940,76
I. Intangible assets	52.401,60	54.735,69	A-1) Working Capital Fund	2.180.333,21	2.111.576,43
Computer applications	83.543,82	66.762,34	I. Working Capital Fund	2.111.576,43	1.682.978,90
Depreciation of computer applications	-31.142,22	-12.026,65	1. Working Capital Fund	2.111.576,43	1.682.978,90
II. Fixed assets	78.318,96	73.628,64	II. Result of the Fiscal Year	68.756,78	428.597,53
Furniture	49.359,25	48.987,31	1. Result of the Fiscal Year	68.756,78	428.597,53
Data processing equipment	174.381,52	177.909,78	A-2) Net acquired assets	130.720,56	128.364,33
Other fixed assets	9.797,62	11.392,20	I. Net acquired assets	130.720,56	128.364,33
Depreciation of furniture	-40.467,73	-37.604,01	1. Net acquired assets - Fixed	78.318,96	73.628,64
Depreciation of data processing equipment	-109.141,54	-120.769,86	2. Net acquired assets - Intangible	52.401,60	54.735,69
Depreciation of other fixed assets	-5.610,16	-6.286,78	B) ACCUMULATED PENDING CONTRIBUTIONS	1.819.834,75	1.656.556,67
B) CURRENT ASSETS	6.402.718,66	5.312.699,78	I. Budgetary contributions	1.800.757,38	1.635.232,27
I. Receivables	1.819.861,36	1.660.408,57	1. Budgetary - current fiscal year	452.384,16	350.945,03
1. Receivables from past contributions	1.819.834,75	1.656.556,67	2. Budgetary - previous fiscal years	1.348.373,22	1.284.287,24
Past-due budgetary contributions	1.800.757,38	1.635.232,27	II. Extra-budgetary contributions	19.077,37	21.324,40
Past-due extra-budgetary contributions	19.077,37	21.324,40	1. Extra-budgetary - current fiscal year	2.428,97	0,00
2. Receivables trust funds	26,61	0,00	2. Extra-budgetary - previous fiscal years	16.648,40	21.324,40
Receivables ICCAT VMS Program	26,61	0,00	C) CURRENT LIABILITIES	2.402.550,70	1.544.566,68
3. Other receivables	0,00	3.851,90	I. Trust Funds	2.038.731,57	1.306.365,53
Payments pending application	0,00	3.851,90	1. ICCAT Enhanced Research Program for Billfish	4.978,80	457,80
II. End of period adjustments	10.888,56	17.707,87	2. ICCAT Bluefin Year Program (BYP)	11.639,05	14.565,76
1. Advanced budgetary expenses	10.813,24	17.582,93	3. Special Data Fund	92.948,84	91.736,63
2. Advanced expenses ICCAT VMS Program	75,32	124,94	4. Separation from Service Fund	24.991,40	51.121,22
III. Available	4.571.968,74	3.634.583,34	5. ICCAT/Japan Data Improvement Fund (JDIP)	0,00	-2.333,97
1. Cash on hand	925,72	470,65	6. ICCAT/Japan Data and Management Improvement Project (JDMIP)	-1.580,11	0,00
Cash on hand (Euros)	115,64	452,89	7. Fund for Regional Workshops	-6.546,94	63.533,11
Cash on hand (US\$)	810,08	17,76	8. Funds to Prohibit Driftnets	32.548,02	32.548,02
<i>[Fiscal year 2009: 1.220.00 US\$ x 0.664 €/US\$ = 810.08 €]</i>			9. IEO/ICCAT MOU Fund	493,54	81.349,75
<i>[Fiscal year 2008: 23.00 US\$ x 0.772 €/US\$ = 17.76 €]</i>			10. Japan Fund for Tags	3.437,62	20.457,20
2. Bank checking accounts (Euros)	3.148.920,62	2.642.054,83	11. ICCAT Regional Observers Program	362.544,23	443.086,50
BBVA - Acct. 0200176725 (Euros)	71.211,42	48.144,79	12. U.S. Fund for Capacity Building	660.967,29	433.460,83
BBVA - Acct. 0200173290 (Euros)	170.835,26	156.122,19	13. ICCAT VMS Program	42.771,66	9.658,51
BBVA - Time deposit (Euros)	1.000.000,00	800.000,00	14. EC Fund for Capacity Building	0,00	22.208,17
Banco Caixa Geral - Acct. 0150255223 (Euros)	7.574,04	7.574,04	15. By-Catch Coordinator Fund	60.339,00	44.516,00
Barclays - Acct. 0021000545 (Euros)	21.466,31	24.185,27	16. Bluefin Tuna Research Program	591.215,50	0,00
La Caixa - Acct. 0200071119 (Euros)	377.833,59	206.028,54	17. ICCAT Regional Observers Program for Bluefin Tuna	157.983,67	0,00
La Caixa - Time deposit (Euros)	1.500.000,00	1.400.000,00	II. Accrued expenses pending allocation	0,00	5.429,29
3. Bank checking accounts (US\$)	74.387,39	457.241,81	1. Accrued expenses pending allocation	0,00	5.429,29
BBVA - Acct. 2018012037 (US\$)	66.568,57	448.108,23	III. Creditors	132.725,61	87.797,79
<i>[Fiscal year 2009: 100.253.87 US\$ x 0.664 €/US\$ = 66.568.57 €]</i>			1. Creditors of budgetary expenses	74.952,32	66.598,21
<i>[Fiscal year 2008: 580.451.07 US\$ x 0.772 €/US\$ = 448.108.23 €]</i>			2. Creditors of extra-budgetary expenses	2.508,75	386,00
Barclays - Acct. 0041000347 (US\$)	5.660,82	6.624,58	3. Creditors of ICCAT Enhanced Research Program for Billfish	332,00	725,00
<i>[Fiscal year 2009: 8.525.33 US\$ x 0.664 €/US\$ = 5.660.82 €]</i>			4. Creditors for ICCAT/Japan Data Improvement Fund (JDIP) expenses	484,66	1.587,53
<i>[Fiscal year 2008: 8.581.06 US\$ x 0.772 €/US\$ = 6.624.58 €]</i>			5. Creditors of ICCAT/Japan Data and Management Improvement Project (JDMIP) expenses	1.580,11	0,00
La Caixa - Acct. 7200300668 (US\$)	2.158,00	2.509,00	6. Creditors of Regional Workshops expenses	2.229,49	0,00
<i>[Fiscal year 2009: 3.250.00 US\$ x 0.664 €/US\$ = 2.158.00 €]</i>			7. Creditors for U.S. Fund for Capacity Building expenses	0,00	2.060,00
<i>[Fiscal year 2008: 3.250.00 US\$ x 0.772 €/US\$ = 2.509.00 €]</i>			8. Creditors of ICCAT Regional Observers Program expenses	50.638,28	16.441,05
4. Bank checking accounts trust funds (Euros)	1.347.735,01	534.816,05	IV. End of period adjustments	231.093,52	144.974,07
BBVA - Acct. 0208513942 (Euros)	598.546,84	534.816,05	1. Advances on future contributions	45.740,19	69.685,57
BBVA -Acct. 0201518869 (Euros)	157.972,67	0,00	2. Advances on ICCAT Regional Observers Program	185.353,33	75.288,50
BBVA - Acct. 0201518371 (Euros)	591.215,50	0,00			
TOTAL ASSETS (A+B)	6.533.439,22	5.441.064,11	TOTAL LIABILITIES (A+B+C)	6.533.439,22	5.441.064,11

Table 1. Status of Contracting Party contributions (at the close of fiscal year 2009) (Euros).

<i>Contracting Party</i>	<i>Balance due at start of fiscal year 2009</i>	<i>2009 Contracting Party contributions</i>	<i>Contributions paid in 2009 or applied to 2009 Budget</i>	<i>Contributions paid in 2009 towards previous budgets</i>	<i>Balance due</i>
A) Regular Commission Budget:					
Albania	0,00	7.063,46	7.063,46	0,00	0,00
Algérie	0,00	17.366,07	17.366,07	0,00	0,00
Angola	0,00	19.326,14	19.326,14	0,00	0,00
Barbados	0,00	3.782,43	0,00	0,00	3.782,43
Belize	0,00	17.668,59	17.668,59	0,00	0,00
Brazil	0,00	148.302,61	102.433,70	0,00	45.868,91
Canada	0,00	78.614,38	78.614,38	0,00	0,00
Cap-Vert	308.449,02	4.580,35	0,00	0,00	313.029,37
China, People's Rep. of	0,00	31.972,37	31.972,37	0,00	0,00
Communauté européenne	0,00	974.465,69	974.465,69	0,00	0,00
Côte d'Ivoire 1/	0,00	12.297,09	12.297,09	0,00	0,00
Croatia	0,00	10.334,49	10.334,49	0,00	0,00
Egypt 2/	0,00	3.202,47	3.202,47	0,00	0,00
France - St. P. & M.	0,00	73.326,70	73.326,70	0,00	0,00
Gabon	128.266,66	10.682,73	0,00	14.504,00	124.445,39
Ghana	545.270,28	193.858,77	0,00	248.946,16	490.182,89
Guatemala, Rep. of	0,00	27.543,25	27.543,25	0,00	0,00
Guinea Ecuatorial 3/	0,00	10.595,19	10.595,19	0,00	0,00
Guinea, Rep. of	89.231,28	1.601,24	0,00	0,00	90.832,52
Honduras	55.531,46	3.202,47	0,00	0,00	58.733,93
Iceland	0,00	36.603,33	36.603,33	0,00	0,00
Japan	0,00	140.821,27	140.821,27	0,00	0,00
Korea, Rep. of	0,00	19.887,04	19.887,04	0,00	0,00
Libya 4/	0,00	12.911,18	12.911,18	0,00	0,00
Maroc	0,00	35.036,48	35.036,48	0,00	0,00
Mexico	0,00	58.395,23	58.395,23	0,00	0,00
Namibia 5/	0,00	21.343,49	21.343,49	0,00	0,00
Nicaragua Rep. de	11.478,04	1.601,24	0,00	0,00	13.079,28
Nigeria	0,00	4.803,71	0,00	0,00	4.803,71
Norway	0,00	36.603,33	36.603,33	0,00	0,00
Panama	143.511,43	63.670,59	0,00	0,00	207.182,02
Philippines, Rep. of	10.065,93	10.926,13	9.592,54	10.065,93	1.333,59
Russia	0,00	7.634,50	7.634,50	0,00	0,00
Saint Vincent and the Grenadines	0,00	14.640,25	14.640,25	0,00	0,00
São Tomé e Príncipe	101.745,37	4.803,71	0,00	0,00	106.549,08
Senegal	59.633,92	40.227,52	0,00	0,00	99.861,44
South Africa	0,00	39.640,91	39.640,91	0,00	0,00
Syrian Arab Republic 6/	4.650,61	4.938,97	4.938,97	4.650,61	0,00
Trinidad & Tobago	0,00	19.493,04	0,00	0,00	19.493,04
Tunisie	3.608,27	39.529,12	35.921,17	3.608,27	3.607,95
Turkey	0,00	181.453,54	181.453,54	0,00	0,00
United Kingdom (O.T.) 7/	5.084,08	37.052,01	37.052,01	5.084,08	0,00
United States	0,00	169.924,16	169.924,16	0,00	0,00
Uruguay	0,00	13.762,76	13.762,76	0,00	0,00
Vanuatu	9.418,57	10.159,17	0,00	0,00	19.577,74
Venezuela	42.461,04	39.106,74	0,00	0,00	81.567,78
Subtotal A)	1.518.405,96	2.714.755,91	2.262.371,75	286.859,05	1.683.931,07
B) New Contracting Parties:					
Honduras (30-01-01)	14.937,00	0,00	0,00	0,00	14.937,00
Nicaragua Rep. (11-03-04)	6.387,40	0,00	0,00	4.676,00	1.711,40
Sierra Leone (13-10-08) 8/	0,00	2.428,97	2.428,97	0,00	0,00
Mauritania (04-12-08)	0,00	2.428,97	0,00	0,00	2.428,97
Subtotal B)	21.324,40	4.857,94	2.428,97	4.676,00	19.077,37
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
Subtotal C)	116.826,31	0,00	0,00	0,00	116.826,31
TOTAL A)+B)+C)	1.656.556,67	2.719.613,85	2.264.800,72	291.535,05	1.819.834,75

1/ The advance of Côte d'Ivoire (€0.06) has been applied towards partial payment of its 2009 contribution. Moreover, a new advance has been received (€0.81), that will be applied towards payment of future contribution

2/ The advance from Egypt (€3,725.90), which will be applied towards payment of future contributions

3/ From the advance received from Equatorial Guinea in 2007 (€25,931.99), the remaining surplus (€16,551.82), which has been applied as total payment of its 2009 contribution. There is a balance in favour of Equatorial Guinea (€5,956.63), that will be applied towards future contribution

4/ From the advance received from Libya in 2002 (€114,537.98), the surplus (€10,924.37) has been applied as partial payment of its 2009 contribution. From the advance received in 2008 (€42,208.83)

total payment of its 2009 contribution and its VMS contribution has been applied, leaving a balance in favour of Libya(€35,919.65) that will be applied to future contributions.

5/ The advance from Namibia (€0.50), has been applied towards partial payment of its 2009 contribution

6/ The advance from Syria (€0.42) will be applied towards future contributions

7/ The advance from United Kingdom (Overseas Territories) (€124.34), will be applied towards payment of future contributions

8/ The advance from Sierra Leone (€12.44) will be applied towards payment of future contributions

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

<i>Chapters</i>	<i>2009 Budget</i>	<i>Fiscal Year 2009</i>	<i>2008 Budget</i>	<i>Fiscal Year 2008</i>
1. Budget and budgetary expenses				
Chapter 1. Salaries	1.083.607,30	1.083.461,95	948.884,85	929.208,45
Chapter 2. Travel	31.020,00	29.340,44	30.000,00	22.796,90
Chapter 3. Commission meetings (annual & inter-sessional)	134.420,00	134.830,38	130.000,00	130.000,00
Chapter 4. Publications	54.254,02	54.463,55	52.470,04	47.463,61
Chapter 5. Office Equipment	8.321,17	574,14	8.047,55	337,94
Chapter 6. Operating Expenses	225.000,00	142.156,84	200.000,00	125.237,47
Chapter 7. Miscellaneous	6.656,94	6.820,12	6.438,05	6.071,92
Chapter 8. Coordination of Research:				
a) Salaries	819.412,25	814.544,13	734.737,67	578.808,12
b) Travel to improve statistics	31.020,00	28.751,74	30.000,00	15.519,19
c) Statistics - Biology	25.850,00	14.889,56	25.000,00	9.655,97
d) Computer-related items	41.101,50	40.665,56	39.750,00	20.033,74
e) Database maintenance	39.770,60	4.925,11	38.462,86	32.611,62
f) Telephone line - Internet domain	26.160,20	16.331,02	25.300,00	16.306,53
g) Scientific meetings (including SCRS)	79.883,22	79.624,78	77.256,50	72.926,58
h) ICCAT Bluefin Year Program (BYP)	15.084,61	15.084,61	14.588,60	14.588,60
i) ICCAT Enhanced Research Program for Billfish	30.000,00	30.000,00	20.000,00	20.000,00
j) Miscellaneous	6.324,09	0,00	6.116,14	0,00
<i>Sub-total Chapter 8</i>	<i>1.114.606,47</i>	<i>1.044.816,51</i>	<i>1.011.211,77</i>	<i>780.450,35</i>
Chapter 9. Contingencies	25.850,00	47.386,70	25.000,00	6.893,80
Chapter 10. Separation from Service Fund	31.020,00	31.020,00	30.000,00	30.000,00
TOTAL BUDGETARY EXPENSES (Chapters 1 to 10)	2.714.755,90	2.574.870,63	2.442.052,26	2.078.460,44
2. Extra-budgetary expenses				
Negative differences in exchange rates		27.592,09		80,07
ICCAT Performance Review expenses:		0,00		106.265,35
2008 Tokyo meeting expenses		0,00		47.382,43
2008 Madrid meetings expenses		0,00		42.980,13
2008 Commission meeting expenses - Marrakech		0,00		381.082,33
ICCAT Manual expenses		16.333,20		0,00
Contribution to the 2008/2009 ICCAT VMS Program		29.600,25		0,00
Expenses extension of SCRS meeting (CITES)		10.153,25		0,00
Expenses extension of 2009 Commission meeting - Recife		24.208,24		0,00
Simultaneous translation expenses - Arabic - 2009 Commission Meeting		22.628,40		0,00
Chairmen's travel expenses		17.665,96		0,00
2009 Barcelona meeting expenses		87.220,39		0,00
2009 Sapporo meeting expenses		57.925,31		0,00
Other extrabudgetary expenses		0,00		421,69
TOTAL EXTRA-BUDGETARY EXPENSES		293.327,09		578.212,00
TOTAL EXPENSES INCURRED IN THE FISCAL PERIOD		2.868.197,72		2.656.672,44

Table 3. Budgetary and extra-budgetary income received (to the close of the fiscal period) (Euros).

<i>Income</i>	<i>Fiscal Year 2009</i>	<i>Fiscal Year 2008</i>
1. Budgetary income		
Contributions from Contracting Parties:		
Contributions paid or applied to the current budget	2.262.371,75	2.091.107,26
TOTAL BUDGETARY INCOME	2.262.371,75	2.091.107,26
2. Extra-budgetary income		
Contributions from new Contracting Parties:		
Contributions received from new Contracting Parties towards the fiscal period	2.428,97	3.224,51
Voluntary contributions:		
From observer fees at ICCAT meetings	11.228,68	9.635,29
From ICCAT/Japan Data Improvement Project (JDIP)	9.968,32	11.144,06
From ICCAT/Japan Data Improvement Project (JDIP) for the entry of Ghanaian data	10.125,00	0,00
From ICCAT Regional Observers Program	10.000,00	0,00
Chinese Taipei contribution to ICCAT	100.000,00	100.000,00
Financial interest	71.570,82	100.795,21
Reimbursement of VAT	4.222,35	8.077,59
Miscellaneous income		
Miscellaneous income	0,00	605,26
Positive differences in exchange rates	354,23	61.453,99
Income Commission meetings		
Income 2008 Tokyo meeting	0,00	46.329,65
Income 2008 Madrid meetings	0,00	41.255,38
Income 2008 Marrakech meeting	18.151,31	360.000,00
Income 2009 Barcelona meeting	87.072,71	0,00
Income 2009 Sapporo meeting	57.925,31	0,00
TOTAL EXTRA-BUDGETARY INCOME	383.047,70	742.520,94
3. Income from accumulated pending contributions		
Contributions from Contracting Parties		
Contributions paid towards previous budgets	286.859,05	246.745,03
Contributions from new Contracting Parties		
Contributions received from new Contracting Parties towards previous budgets	4.676,00	4.896,74
TOTAL INCOME FROM PENDING CONTRIBUTIONS	291.535,05	251.641,77
TOTAL INCOME IN THE FISCAL PERIOD	2.936.954,50	3.085.269,97

Table 4. Composition and Balance in the Working Capital Fund (at the close of fiscal year 2009) (Euros).

Balance available in the Working Capital Fund (at the start of fiscal year 2009)		2.111.576,43
<hr/>		
Result of fiscal year 2009		68.756,78
a) Budgetary result		-312.498,88
<i>Budgetary income</i>	2.262.371,75	
<i>Budgetary expenses (Chapters 1 to 10)</i>	2.574.870,63	
b) Extra-budgetary result		89.720,61
<i>Extra-budgetary income</i>	383.047,70	
<i>Extra-budgetary expenses</i>	293.327,09	
c) Contributions paid in the fiscal period towards previous budget		291.535,05
<i>Contributions to Regular Budgets</i>	286.859,05	
<i>Contributions from new Contracting Parties</i>	4.676,00	
Balance available at the start of fiscal year 2010		2.180.333,21

Table 5. Cash flow (at the close of fiscal year 2009) (Euros)

<i>Income and origin</i>		<i>Expenses and Application</i>	
Balance in Cash and Banks (at the start of fiscal year 2009)	3.634.583,34	Available in Trust Funds at the close of fiscal year 2008 applied in fiscal year 2009	1.306.365,53
Expenses advanced (at the start of fiscal year 2009)	17.707,87	Creditors (at the start of fiscal year 2009)	87.797,79
Payments pending application (at the start of fiscal year 2009)	3.851,90	Accrued expenses pending allocation (at the start of fiscal year 2009)	5.429,29
Income:		Advances on contributions at the close of fiscal year 2008 applied in fiscal year 2009	27.809,29
Contributions paid or applied in 2009 to the 2009 budget	2.262.371,75	Advances on Regional Observers Program at the close of fiscal year 2008 applied in fiscal year 2009	144.974,07
Extra-budgetary contributions from new Contracting Parties paid towards the 2009 budget	2.428,97	Expenses:	
Other extra-budgetary income received in 2009	380.618,73	Budgetary expenses of fiscal year 2009 (Chapters 1 to 10)	2.574.870,63
Contributions paid in fiscal year 2009 towards previous budgets		Extra-budgetary expense:	293.327,09
Contributions to Regular Budgets	286.859,05	Advances received pending application towards future contributions at the close of fiscal year 2009 (Côte d'Ivoire, Egypt, Equatorial Guinea, Libya, Sierra Leone, Syria and United Kingdom (OTs), Working Capital Fund)	45.740,19
Contributions from new Contracting Parties	4.676,00		2.111.576,43
Advances on future contributions received in 2009 (Côte d'Ivoire, Egypt, Sierra Leone, Syria and United Kingdom (OTs))	3.863,91	Result of fiscal year	68.756,78
Balances at the close of fiscal year 2009:		Available in the:	
ICCAT Enhanced Research Program for Billfish	4.978,80	ICCAT Enhanced Research Program for Billfish	4.978,80
ICCAT Bluefin Year Program (BYP)	11.639,05	ICCAT Bluefin Year Program (BYP)	11.639,05
Special Data Fund	92.948,84	Special Data Fund	92.948,84
Separation from Service Fund	24.991,40	Separation from Service Fund	24.991,40
ICCAT/Japan Data and Management Improvement Project (JDMIP)	-1.580,11	ICCAT/Japan Data and Management Improvement Project (JDMIP)	-1.580,11
Fund for Regional Workshops	-6.546,94	Fund for Regional Workshops	-6.546,94
Fund to Prohibit Driftnets	32.548,02	Fund to Prohibit Driftnets	32.548,02
IEO/ICCAT MOU	493,54	IEO/ICCAT MOU Fund	493,54
Japan Fund for Tags	3.437,62	Japan Fund for Tags	3.437,62
ICCAT Regional Observers Fund	493,54	ICCAT Regional Observers Fund	362.544,23
U.S. Fund for Capacity Building	3.437,62	U.S. Fund for Capacity Building	660.967,29
ICCAT VMS Program	42.771,66	ICCAT VMS Program	42.771,66
By-Catch Coordinator Fund	60.339,00	By-Catch Coordinator Fund	60.339,00
Bluefin Tuna Research Program	591.215,50	Bluefin Tuna Research Program	591.215,50
ICCAT Regional Observers Program for Bluefin Tuna	157.983,67	ICCAT Regional Observers Program for Bluefin Tuna	157.983,67
TOTAL INCOME AND ORIGIN	8.635.693,09	TOTAL EXPENSES AND APPLICATION	8.635.693,09

Table 6. Status of cash and banks (at the close of fiscal year 2009) (Euros).

<i>Summary</i>		<i>Breakdown</i>	
Balance in Cash and Banks	4.571.968,74	Available in the Working Capital Fund	2.111.576,43
		Result of fiscal period (application on January 1, 2010)	68.756,78
		Available in the ICCAT Enhanced Research Program for Billfish	4.978,80
		Available in the ICCAT Bluefin Year Program (BYP)	11.639,05
		Available in the Special Data Fund	92.948,84
		Available in the Separation from Service Fund	24.991,40
		Available in the ICCAT/Japan Data and Management Improvement Project (JDMIP)	-1.580,11
		Available in the Fund for Regional Workshops	-6.546,94
		Available in the Fund to Prohibit Driftnets	32.548,02
		Available in the IEO/ICCAT MOU	493,54
		Available in the Japan Fund for Tags	3.437,62
		Available in the ICCAT Regional Observers Program	493,54
		Available in the U.S. Fund for Capacity Building	3.437,62
		Available in the ICCAT VMS Program	42.771,66
		Available in the By-Catch Coordinator Fund	60.339,00
		Available in the Bluefin Tuna Research Program	591.215,50
		Available in the ICCAT Regional Observer Program for Bluefin Tuna	157.983,67
		Debts for purchases or services	132.725,61
		Total of advances received for application towards future contributions	50.638,28
		Total of advances received for their application to the Regional Observers Program	231.093,52
		Receivables ICCAT VMS Program	-26,61
		Expenses advanced	-10.888,56
TOTAL CASH IN CASH AND BANKS	4.571.968,74	TOTAL AVAILABLE	3.603.026,66

PROCEEDINGS OF THE 21st REGULAR MEETING OF THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

(Recife, Brazil – November 9 to 15, 2009)

1. Opening of the meeting

The Commission Chair, Dr. Fabio Hazin, opened the 21st Regular Meeting of the Commission on November 9, 2009, with the presence of the Minister of Fisheries and Aquaculture of Brazil. Reminding delegates that the ICCAT Convention entered into force 40 years ago, he considered that the Commission would have its credibility compromised without a clear commitment to implement the management and conservation measures needed to ensure the sustainability of the exploited stocks under its mandate. He insisted that ICCAT should fully abide by the scientific advice and stated that sanctions and penalties should be applied in case of non-compliance. Besides bluefin tuna and compliance issues, he also invited Contracting Parties to work on swordfish, bigeye tuna, northern albacore, and sailfish, stocks which condition had been assessed in 2009. The Dean of the Federal Rural University of Pernambuco emphasized that the strengthening of the control process was as important for the conservation of the stocks as the need to have management measures in conformity with scientific advice. Finally, the Minister of Fisheries and Aquaculture of Brazil, Mr. A. Gregolin, in his opening address, expressed the commitment of Brazil towards the conservation and management of natural resources and in particular of fisheries resources. He considered that ICCAT should move towards modernization and be institutionally reinforced. He informed the Commission that Brazil had recently ratified the FAO Compliance Agreement. Then Dr. Hazin invited the delegates to honor the memory of Mr. O. Rodriguez-Martín, the first Executive Secretary of ICCAT, who had recently passed away.

The opening addresses are attached as **ANNEX 3.1**.

2. Adoption of Agenda and meeting arrangements

Besides the agenda circulated in advance, the Chair expressed his intention to discuss the following issues under Agenda item 16 (“Other matters”): Clarification of the ICCAT voting rules; participation of NGOs at scientific meetings; restructuration of Panel 2 and Panel 3; communication policy of ICCAT; data dissemination and confidentiality; visa problems for scientists to participate in ICCAT meetings and Monaco’s proposal to include bluefin tuna in CITES. A delegation proposed to address Agenda item 8 (“Future of ICCAT”) after Agenda item 5 (“Report of SCRS”), a proposal that was accepted. Therefore, the Agenda was adopted with that modification. The amended Agenda is attached as **ANNEX 1**.

3. Introduction of Contracting Party delegations

The Executive Secretary introduced the following 39 Contracting Parties that attended the meeting: Algeria, Angola, Belize, Brazil, Canada, China, Côte d’Ivoire, Croatia, European Community, France (St. Pierre and Miquelon), Ghana, Guatemala, Iceland, Japan, Korea (Rep.), Libya, Mauritania, Mexico, Morocco, Namibia, Nicaragua, Norway, Panama, Philippines, Russian Federation, St. Vincent and the Grenadines, Sao Tomé & Príncipe, Senegal, Sierra Leone, South Africa, Syrian Arab Republic, Trinidad & Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States of America, Uruguay, Vanuatu and Venezuela.

The List of Participants is attached as **ANNEX 2**.

Mauritania, as a new Contracting Party to ICCAT, made an opening statement. The opening statements by the Contracting Parties to the plenary session are attached as **ANNEX 3.2**.

4. Introduction of Observers

The Executive Secretary presented the observers that had been admitted. A Representative from the Food and Agriculture Organization of the United Nations (FAO), depository of the ICCAT Convention, attended the meeting. Chinese Taipei and the Netherlands Antilles attended the meeting as Cooperating non-Contracting Parties, Entities or Fishing Entities. Argentina, Colombia and Monaco attended the meeting as non-Contracting

Parties. The following inter-governmental organizations also attended the meeting: Convention on the Conservation of the Antarctic Marine Living Resources (CCAMLR), Convention on International Trade in Endangered Species (CITES), and the General Fisheries Commission for the Mediterranean (GFCM). The following non-governmental organizations were also admitted as observers: Birdlife International, International Confédération Internationale de la Pêche Sportive (CIPS), Federation of European Aquaculture Producers (FEAP), Federation of Maltese Aquaculture Producers (FMAP), Greenpeace, International Game Fish Association (IGFA), International Seafood Sustainability Foundation (ISSF), Association of Professional Organizations of the Fishing Sector of the Mediterranean Coastal Countries (MEDISAMAK), OCEANA, Organization for the Promotion of Responsible Tuna Fisheries (OPRT), The Pew Environment Group, Sustainable Fisheries Partnership (SFP), and, the World Wide Fund for Nature (WWF).

The list of observers is included in the List of Participants (**ANNEX 2**). The opening statements to the Plenary Session, submitted in writing by the observers, are attached as **ANNEXES 3.3, 3.4, 3.5, and 3.6**, respectively.

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

The 2009 SCRS meeting was held in Madrid (Spain), from October 5 to 9, immediately after the meetings of the Species Groups. The SCRS Chair, Dr. G. Scott, presented a summary of the Report of the SCRS and indicated that the specific recommendations by species would be presented in the pertinent Panels.

Dr. Scott informed the participants that he would focus his presentation on the species for which updated assessments were conducted (i.e. sailfish, porbeagle, northern albacore, and Atlantic swordfish). He also presented a stock status report by species for 2009 as well as a summary of the Tropical Tunas and Sub-Committee on Ecosystems inter-sessional meetings conducted in 2009. He then welcomed the extra-budgetary funds that had allowed the participation of scientists to SCRS meetings and encouraged CPCs to continue contributing with these funds.

He then presented the recommendations made by the SCRS, highlighting the need to improve data collection through Atlantic-wide and well-coordinated observer programs and large-scale tagging programs. The SCRS Chair also reviewed other responses to various requests from the Commission and from the Working Group on the Future of ICCAT. Finally, the SCRS Chair recalled the proposed calendar of ICCAT scientific meetings for 2010. These included several stock assessments required by various Recommendations, as well as renewed effort to consider ways to address the Precautionary Approach as recommended by the Working Group on the Future of ICCAT. Concerning the proposed bluefin tuna assessment, it was suggested that scientists attempt to include data for the 2010 purse seine fishing season if possible.

Several delegations acknowledged the large volume of quality work conducted by the SCRS in a short amount of time and congratulated the SCRS Chair on his excellent presentation. A number of delegations asked questions about uncertainty in the stock assessments and whether recent efforts to improve data submission and data quality had paid off. The SCRS replied that progress had indeed been made for some stocks such as improved reporting for 2008 and 2009 for eastern bluefin, including new data types. However, such improvements will mostly help reduce uncertainty in the future. Substantial historical data gaps remain for stocks such as eastern bluefin, and it is necessary to undertake data-recovery activities.

Several delegations expressed satisfaction that the capacity-building funds were giving very good results in terms of broader participation by scientists in inter-sessional meetings as well as strengthening the human resource base in developing Contracting Parties through training programs. It was suggested that capacity-building funds and the Enhanced Research Program for Billfish intensify activities to better sample artisanal fisheries.

The delegate of Libya asked whether the SCRS would be more effective if it embraced a different paradigm in which the SCRS Chair would work directly with a research institute or a group of institutes that would be more directly involved in field activities. The SCRS Chairman replied that while the structure and functioning of SCRS are dictated by the *Basic Texts*, many of the scientists actively involved in SCRS meetings carry out substantial amounts of fieldwork throughout the year. Furthermore, in the specific case of bluefin tuna, the large-scale research program that is being initiated is aimed primarily at improving knowledge on the stock through intensive and well-coordinated fieldwork.

Finally, the SCRS Chair paid homage to Mr. Papa Kebe for his outstanding dedication to the SCRS and the Commission as a whole during the last 25 years, and wished him well in his retirement. All delegations joined in congratulating Mr. Kebe with a warm round of applause.

The Commission adopted the 2009 SCRS Report.

6. Consideration of the Report of the Working Group on the Future of ICCAT and any necessary actions

In presenting the report of the Working Group on the Future of ICCAT, the Chair of the Working Group, Ms. D. Warner-Kramer (United-States), reported the priorities that were identified for possible amendments to the ICCAT Convention: precautionary approach, eco-system considerations, contribution scheme, strengthening of the participation of non-Contracting Parties to the Convention, decision-making process, capacity building, and assistance to developing States. She also explained that the Working Group considered that there was no need to rewrite the Convention in its entirety but rather to revise some provisions. In addition, the Working Group identified a number of priorities that could be addressed in the short-term, without requiring any changes to the Convention. Many delegations endorsed both the priorities for amendment of the Convention in light of other international fisheries instruments and other Regional Fisheries Organizations and the areas identified for short-term action. The Commission decided to refer the suggestions for short-term action in the report of this Working Group to the Panels and the Compliance Committee for consideration. It was also decided that Ms. Warner-Kramer would act as a focal point for receiving input from CPCs before the forthcoming meeting of the Working Group in 2010. It was then concluded that the second Working Group would have to begin a process to carry out a review of the Convention taking into account a parallel process that could entail, in the long-term, amendments to the Convention.

The Commission adopted the Report of the Working Group on the Future of ICCAT (as attached in **ANNEX 4.3**).

7. Consideration of the Report of the Working Group on Sport and Recreational Fisheries

The Chair of the Working Group, Mr. Abdou Got Diouf (Senegal) presented the draft Report of the Meeting of the Working Group on Sport and Recreational Fisheries, held on November 6, 2009 in Recife (Brazil). The Working Group recommended that the Commission establish a methodology to collect data and request reliable data from CPCs. It was also requested that CPCs submit their reports on domestic management and monitoring measures in these fisheries, before 30 June 2010 if they had not already done so. As the United States was the only CPC to submit such a report, the U.S. delegate expressed regret that such reports had not been submitted by any other Contracting Party in time for the 2009 Recreational Working Group meeting. The Chair recommended that the Working Group continue its work before the forthcoming annual meeting. Some delegations informed the Commission that they would work on a definition for recreational fisheries and pleaded for more cooperation from CPCs for submission of accurate data to the SCRS.

The Commission adopted the Report of the Meeting of the Working Group on Sport and Recreational Fisheries (attached in **ANNEX 4.4**).

8. Consideration of the outcome of the 2nd Meeting of Tuna RFMOs and any necessary actions

The Commission took note of the Report of the Meeting (as attached in **ANNEX 4.2**), in particular, the "Proposals for immediate actions". The Commission expressed support for the Kobe process, including plans to convene a third meeting of tuna RFMOs in 2011. Several delegations considered that greater participation of CPCs and assistance to developing States should be ensured for "Kobe III". The Commission recommended the SCRS to use the "Kobe 2 Matrix" and adopted the *Resolution by ICCAT for the Pilot Application of the Kobe 2 Decision Matrix* (attached as **ANNEX 6 [Res. 09-12]**). The Commission also took note of the four inter-sessional meetings scheduled in 2010 within the framework of the tuna RFMOs and encouraged CPCs to participate in those meetings.

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

The Chair of STACFAD, Mr. J. Jones (Canada), reported to the Commission that the Committee had reviewed and adopted the Secretariat's "2009 Administrative Report, and the Secretariat's "2009 Financial Report". The

“Information on Past-due Amounts and Arrears Payment Plans” had also been approved, and the STACFAD Chair highlighted the progress made by Ghana in implementing its payment plan. He presented the “ICCAT Budget for Fiscal Years 2010-2011” and the revised “Regulation 4 – Provision of Funds” of the ICCAT Financial Regulations for approval by the Commission (see **ANNEX 7.1**).

The Commission adopted the Administrative Report, the Financial Report, the Information on Past-due Amounts and Arrears Payment Plans, the Budget and corresponding contributions (see **Tables 1 to 7 to ANNEX 8**) based on an alternative that raised the threshold of GDP to \$4000 per capita and used a three-year average of catch and canning figures (see **ANNEX 7.1**). This provided more stability in budget calculation. The STACFAD Chair noted that CPCS endorsed the need to update the Madrid Protocol and agreed to work urgently on this issue as part of the Working Group on the Future of ICCAT. Mexico informed the Commission that it would send a written statement to the Secretariat on the contributions. Turkey stated that it could ~~lift~~ withdraw its reservation concerning the contribution for 2010 and 2011 but needed to review the canning figures.

The Commission agreed that the extra-budgetary funds managed by the Secretariat for special purposes would be subject to an 8% administration charge, and would be administered in accordance with a set of standards to be determined. The Commission requested the Secretariat to establish a protocol on this issue. The Commission also decided that the travel expenses for the Commission Chair and the SCRS should continue to be financed by the Working Capital Fund for 2010. The Commission adopted the decision taken by the Heads of delegations concerning the performance evaluation of the Executive Secretary that shall be implemented in 2010.

It was agreed to adopt the Report of STACFAD by correspondence. The Report is attached as **ANNEX 8**.

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

The reports of the Panels were presented by their respective Chairs. The Commission reviewed the reports and the Recommendations proposed by the Panels.

Panel 1

The Chair of Panel 1, Dr. J. Djobo (Côte d’Ivoire), reported to the plenary the proposal agreed within the Panel for a Recommendation by ICCAT to Amend the Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna (see **ANNEX 5 [Rec. 09-01]**). The Commission adopted this Recommendation and decided to attach the EC proposal for a “Draft Recommendation by ICCAT to Amend the Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna [Rec. 04-01]” (attached as **Appendix 3 to ANNEX 9**) to the report of Panel 1, together with the proposal contained in Annex 1 of Rec. 08-01 (attached as **Appendix 4 to ANNEX 9**).

It was agreed that the Report of Panel 1 would be adopted by correspondence. The Report is attached as **ANNEX 9**.

Panel 2

The Chair of Panel 2, Mr. F. Gauthiez (European Community) informed that the Panel had agreed on a “Draft Recommendation by ICCAT to Establish a Rebuilding Program on North Atlantic Albacore” and had approved the capacity plans for some Contracting parties (China, Croatia, European Community, Japan, Korea, Iceland, Libya, Morocco, Tunisia, Turkey and Chinese Taipei) (attached as **Appendix 5 to ANNEX 9**). He also presented a “Draft Recommendation Amending the Recommendation 08-05 to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean”, which was referred to the plenary for further discussion.

Following discussion, the Commission adopted the:

- *Recommendation by ICCAT to Establish a Rebuilding Program on North Atlantic Albacore [Rec. 09-05]*
- *Recommendation by ICCAT Amending the Recommendation 08-05 to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 09-06].*

These proposals are attached in **ANNEX 5 [Rec. 09-05]** and **[Rec. 09-06]**, respectively.

The Commission took note that Turkey expressed reservations in relation to paragraphs 7 and 9 of Recommendation 09-06 concerning the further reduction of fishing capacity and the limitation on the number of joint fishing operations.

The Commission agreed to attach the draft “Supplemental Recommendation by ICCAT to Further Amend the Observer Program of the Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean to the Report (see **Appendix 6 to ANNEX 9**).

It was agreed that the Report of Panel 2 would be adopted by correspondence. The Report is attached as **ANNEX 9**.

Panel 3

The Chair of Panel 3, Mr. M. Aguilar (Mexico), presented the report of the Panel that included the review of the stock of South Atlantic albacore by the SCRS.

It was agreed the Report of Panel 3 would be adopted by correspondence. The Report is attached as **ANNEX 9**.

Panel 4

The Chair of Panel 4, Mr. M. Miyahara (Japan), presented the proposals agreed within the Panel:

- *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish [Rec. 09-02],*
- *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits [Rec. 09-03], and*
- *Recommendation by ICCAT for a Management Framework for the Sustainable Exploitation of Mediterranean Swordfish and Replacing ICCAT Recommendation 08-03 [Rec. 09-04].*

These proposals were adopted by the Commission and are attached in **ANNEX 5 [Rec. 09-02], [Rec. 09-03] and [Rec. 09-04]**.

Following a discussion in plenary, the Commission also adopted the “*Recommendation on the Conservation of Thresher Sharks Caught in Association with Fisheries in the ICCAT Convention Area*”, noting the reservations expressed by Iceland and Norway to paragraph 1 of the Recommendation stemming from their respective national legislations prohibiting discards. This Recommendation is attached in **ANNEX 5 [Rec. 09-07]**.

The following proposals were deferred by the plenary to 2010:

- Draft Recommendation by ICCAT on Shortfin Mako Sharks,
- Draft Recommendation by ICCAT on the Conservation of Porbeagle,
- Draft Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT,
- Draft Recommendation by ICCAT on Reducing the Incidental By-catch of Seabirds
- Draft Recommendation by ICCAT on Atlantic Sailfish, and
- Draft Recommendation by ICCAT Regarding By-catch of Sea Turtles

These proposals are attached as **ANNEX 12.1, 12.2, 12.3, 12.4, 12.5 and 12.6**, respectively.

It was agreed that the Report of Panel 4 would be adopted by correspondence. The Report is attached as **ANNEX 9**.

11. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendations therein

The Chair of the Compliance Committee, Dr. C. Rogers (United States), informed the Commission that the Compliance Committee (COC) had approved the following:

- Report of the Inter-sessional Meeting of the Compliance Committee, which was endorsed by the Commission (see **ANNEX 4.1**)
- Compliance Tables (see **Appendix 2 to ANNEX 10**)
- Form for the Report of Inspections under the ICCAT Joint Scheme of International Inspection (see **ANNEX 7.2**)
- Revised “Catch Report Form” of Annex 5 of Rec. 08-05 for reporting weekly catches of eastern Atlantic and Mediterranean bluefin tuna, to include the number of the joint fishing operation where applicable (see **Appendix 3 to ANNEX 10**)
- *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels of 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area*, (see **ANNEX 5 [Rec. 09-08]**)
- *Recommendation by ICCAT Amending Three Recommendations in Conformity with the 2009 Recommendation Concerning the Establishment of an ICCAT Record of Vessels of 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area* (see **ANNEX 5 [Rec. 09-09]**).

These documents were endorsed by the Commission. The two Recommendations are attached in **ANNEX 5 [Rec. 09-08]** and **[Rec. 09-09]**, respectively. The inspection form is attached as **ANNEX 7.2 [Ref. 09-13]**. Based on the Actions Table, it was agreed that the Chair of the Compliance Committee would send letters of concern or letters of identification to CPCs.

In his presentation of the work of the Compliance Committee, Dr. Rogers pointed out the importance of the measures taken by the Committee regarding the letters of concern and identification to be sent to CPCs that do not comply with the ICCAT measures.

The Compliance Committee Chairman informed the Commission that he had referred the “Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs” to the PWG for consideration (see **Appendix 5 to ANNEX 11**).

It was agreed that the Report of the Compliance Committee would be adopted by correspondence. The Report is attached as **ANNEX 10**.

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

The PWG Chair, Ms. S. Lapointe (Canada), reported to the Commission the measures agreed by the PWG, including the actions to be taken in relation to non-Contracting Parties, Entities and Fishing Entities in 2009 (see **Appendix 2 to ANNEX 11**) and the letters to be sent from the ICCAT Chairman to the following non-Contracting Parties:

- Letters to Bolivia and Georgia maintaining sanctions in 2010, and
- Letter to Cambodia maintaining identification in 2010.

These above letters are attached as **Appendix 3 to ANNEX 11**.

The PWG also agreed to grant Cooperating Status to Colombia and to renew this status to Chinese Taipei, Guyana, and the Netherlands Antilles. It was decided that the Executive Secretary would inform these Parties, Entities, or Fishing Entities of the Commission’s decision.

The PWG further agreed on the “2009 List of Vessels Presumed to Have Carried Out Illegal, Unreported, and Unregulated (IUU) Fishing Activities in the ICCAT Convention Area” containing only the ICCAT and IOTC and WPFC IUU vessels due to the lack of background information on the IUU vessels of the IATTC. The adopted ICCAT IUU list is attached as **Appendix 4 to ANNEX 11**.

The PWG also agreed on a proposal for a *Recommendation by ICCAT Amending Recommendation 08-12 on an ICCAT Bluefin Tuna Catch Documentation Program*.

The PWG referred to plenary the draft *Recommendation by ICCAT Further Amending the Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported, and Unregulated (IUU) Fishing Activities in the ICCAT Convention Area*.

These Recommendations were adopted by the Commission and are attached as **ANNEX 5 [Rec. 09-11]** and **ANNEX 5 [Rec. 09-10]**, respectively.

The PWG had also considered the “Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Observer Programs”, but did not adopt this proposal. The Commission considered that CPCs should give more input concerning their own observer programs before returning to this issue and it was agreed that the draft proposal would be attached to the PWG report for reference (see **Appendix 5 to ANNEX 11**).

It was agreed that the Report of the PWG would be adopted by correspondence. The Report is attached as **ANNEX 11**.

13. Assistance to developing coastal States and capacity building

The Commission took note of the ICCAT Secretariat document summarizing the assistance provided in 2009 to developing coastal States.

14. Inter-sessional meetings in 2010

The Commission agreed to convene the Second Working Group on the Future of ICCAT. Brazil announced that it would host this meeting during the first semester of 2010 in Brasilia (Brazil). It was also decided to convene the Inter-Sessional Meeting of the Compliance Committee and the Integrated Monitoring Measures Working Group back-to-back. The European Community offered to host both meetings (venue and timing remained to be decided).

15. Election of Chair and Vice-Chairs

Dr. F. Hazin (Brazil) was re-elected Chairman of the Commission. Ms. Z. Driouich (Morocco) and Mr. P.N. Keita (Senegal) were elected First Vice-Chair and Second Vice-Chair of the Commission, respectively.

16. Other matters

Several delegations expressed their concerns about the amount of proposals to be discussed during the annual meeting and the difficulty for small delegations, in particular, to follow-up each proposal. One delegation reiterated the need for ICCAT to have a legal adviser, particularly for compliance issues. The Chairman urged all delegations to submit proposals as early as possible before the meeting in order to allow Parties to give them their full consideration.

The Commission decided to refer the following issues to the 2010 Working Group on the Future of ICCAT:

- Clarification of the voting rules (majority and quorum),
- Panel restructuring, based on an analysis by the Secretariat of the financial implications for Contracting Parties,
- Confidentiality and dissemination of data, as suggested in the Appendix 10 of the 2009 SCRS Report.

To encourage the constructive participation of NGOs in SCRS meetings, the Chair recommended that the Chair or Convener of each Working Group should apply the “*Guidelines and Criteria for Granting Observer Status at ICCAT Meetings*”.

The Commission accepted that the Chair together with the Secretariat circulated a press release of the annual meeting prior to receiving feedback from the CPCs.

The Commission took note of the difficulty for some scientists to obtain a visa for Spain to attend ICCAT meetings and requested the Secretariat to inform the Spanish authorities of the scientists' attendance.

The Commission decided that information on the measures adopted by ICCAT on bluefin tuna would be provided to CITES and that the Chair of the Commission, the SCRS Chair, and the Chair of Panel 2, and the ICCAT Executive Secretary would attend the 15th Meeting of CITES Conference of the Parties (Doha, Qatar, March 13 to 25, 2010), on behalf of ICCAT.

17. Date and place of the next meeting of the Commission

The delegate of EC offered to host the 17th Special Meeting of ICCAT in Paris, France. The Commission thanked the EC for its offer and agreed to hold the meeting in November 2010. It was proposed to hold the next special meeting of the Commission from 15 to 21 November 2010. However, some delegations informed the Commission that these were not convenient dates. It was later decided that the special meeting will be held November 17 to 27, 2010. The Commission also agreed that the Compliance Committee would meet during the first two days.

18. Adoption of the Report and adjournment

The Chair thanked the Government of Brazil for hosting the meeting. The Executive Secretary thanked all the delegates, the Government of Brazil, the interpreters, and the Secretariat staff for their work.

The report of the plenary sessions was adopted by correspondence.

The 2009 meeting of the Commission was adjourned on November 15, 2009.

AGENDA

1. Opening of the meeting
2. Adoption of Agenda and meeting arrangements
3. Introduction of Contracting Party Delegations
4. Introduction of Observers
5. Summary Report of the Standing Committee on Research and Statistics (SCRS)
6. Consideration of the Report of the Working Group on the Future of ICCAT and any necessary actions
7. Consideration of the Report of the Working Group on Sport and Recreational Fisheries
8. Consideration of the outcomes of the 2nd Meeting of Tuna RFMOs and any necessary actions
9. Report of the Standing Committee on Finance and Administration (STACFAD)
10. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein
11. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendations therein
12. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein
13. Assistance to developing coastal States and capacity building
14. Inter-sessional meetings in 2010
15. Election of Chair and Vice-Chairs
16. Other matters
17. Date and place of the next meeting of the Commission
18. Adoption of the report and adjournment

LIST OF PARTICIPANTS

CONTRACTING PARTIES**Commission Chairman****Hazin**, Fabio H. V.

Commission Chairman; Universidade Federal Rural de Pernambuco-UFRPE, Departamento de Pesca e Aqüicultura-DEPAq, Rua Desembargador Célio de Castro Montenegro, 32-Apto 1702, 52070-008, Monteiro Recife, Pernambuco, Brazil
 Tel: +55 81 3320 6500, Fax: +55 81 3320 6512, E-Mail: fhvhazin@terra.com.br

SCRS Chairman**Scott**, Gerald P.

SCRS Chairman, NOAA Fisheries, Southeast Fisheries Science Center Sustainable Fisheries Division, 75 Virginia Beach Drive, Miami, Florida 33149 United States
 Tel: +1 305 361 4261, Fax: +1 305 361 4219, E-Mail: gerry.scott@noaa.gov

STACFAD Chairman**Jones**, James B.

Regional Director General, Department of Fisheries and Oceans, P.O. Box 503 0, 343 University Avenue, Moncton, New Brunswick
 Tel: +1 506 851 7750, Fax: +1 506 851 2224, E-Mail: jonesj@dfo-mpo.gc.ca

ALGERIA**Bensegueni**, Nadir*

Directeur d'Etude, Ministère de la Pêche et des Ressources Halieutiques, Rue des Quatre Canons, 1600 Alger, El Bahir
 Tel: +213 21 43 31 84, Fax: +213 21 43 31 84, E-Mail: nadirbensegueni3@yahoo.ca

Chabbi, Benchabbi

Director de Estudios

ANGOLA**Talanga**, Miguel*

Ministère de la Pêche, Avenida 4 de Fevereiro, 26 - Edifício Atlântico 30, Luanda
 Tel: +244 923 606656, Fax: +244 912 488340, E-Mail: intercambio-director@angola-mimpescas.com

Bernardo, Adriano

Ministerio de las Pscas, Dirección Nacional de Pscas, Avenida 4 de Fevereiro, 26-Edifício Atlântico 30 Luanda
 Tel: +224 924 86 9249, Fax:E-Mail: bernardoadriano@yahoo.com.br

BELIZE**Wade**, Beverly*

Fisheries Administrator, Ministry of Agriculture and Fisheries, Belize Fisheries Department, Princess Margaret Drive, P.O. Box 148, Belize City
 Tel: +501 224 4552, Fax: +501 223 2983, E-Mail: bawade@yahoo.com;species@btl.net;immarbe@btl.net

Alcalde, Pablo

Rambla 25 de Agosto, 1825 n410, 11100 Montevideo, Uruguay
 Tel: +5982 915 2235, Fax: +5982 915 2236, E-Mail: palcalde@marplatense.com.uy

Corrado, Diego

Pescalegal Worldwide Organization, Felix Laborde 2640, 11100 Montevideo, Uruguay
 Tel: +5982 508 9821, Fax: +5982 508 9821, E-Mail: diegocorrado@pescalegal.org

Etchart Miranda, Jorge Nelson

Felix Laborde 2640, 11100 Montevideo, Uruguay
 Tel: +5982 508 9821, Fax: +5982 508 9821, E-Mail: jetchart@pescalegal.org

Maaz, Julio

Technical Advisor, IMMARBEL, P.O. Box 148, Princess Margaret Drive, Newtown Barracks, 501, Belize City
 Tel: +501 302 1505, Fax: + 501 672 3657, E-Mail: julio.maaz@gmail.com

* Head Delegate.

Lanza, Valerie

Fishing Vessels Manager, International Merchant Marine Registry of Belize (IMMARBE), Marina Towers - Suite 204, Newtown Barracks, Belize City
Tel: +501 223 5026, Fax: +501 223 5048, E-Mail: immarbe@btl.net;valerie@immarbe.com

Parada Guinaldo, Juana María

ORPAGU,C/Manuel Álvarez, 16 - BJ, 36780 La Guardia, Pontevedra, Spain
Tel: +34 669 090903, Fax: +34 986 611667, E-Mail: direccion@orpagu.com

Samaniego, Encarnación

Director General, International Merchant Marine Registry of Belize (IMMARBE), Suite 204, Marina Towers, Newtown Barracks, Belize City
Tel: +1 501 223 5026, Fax: +1 501 223 5048, E-Mail: esamaniego@immarbe.com

BRAZIL

Pío Correa, Luiz Maria*

Ministério das Relações Exteriores, Divisão do Mar, da Antártida e do Espaço, Esplanada dos Ministérios, Bloco H, Anexo I, 7º andar, Sala 736, 70170-900, Brasília, DF
Tel: +55 61 3411 8625, Fax: +55 61 3411 8617, E-Mail: lpcorrea@mre.gov.br

Alencar, Carlos Alexandre

Ministerio da Pesca e Aquicultura, Esplanada dos Ministerios, Bloco "D", Sala 252, CEP 70.043-900, Brasília, DF
Tel: +55 61 3218 3712, Fax: +55 61 3224 9998, E-Mail: alexalencar@seap.gov.br

Alves Barbosa, Francisco Osvaldo

Assesor Técnico, Ministerio da Agricultura, Pecuária e Abastecimento Secretaria Especial de Aquicultura e Pesca, Assessoria para Assuntos Internacionais, Esplanada dos Ministérios, Bloco "D" S/252, Brasília, DF
Tel: +55 61 32183807; 32183894, Fax: +55 61 32182877, E-Mail: fosvaldo@seap.gov.br

Bacha, Karim

Subsecretary of Development of Aquaculture and Fisheries, Special Secretariat of Aquaculture and Fisheries - SEAP, Esplanada dos Ministérios, Bloco "D", Ed Sede-2º Andar, Sala 220, Brasília, DF
Tel: +55 61 3218 3865, Fax: +55 61 3226 9980, E-Mail: karimb@seap.gov.br

Bryngelsson, Bengt

Latuna Cjom.Ind. Pescados LTDA.,Praça Mauá 13, Sala 1301 Centro, CEP 20081-240, Rio de Janeiro
Tel: +55 21 2223 0842, Fax: +55 21 2223 0842, E-Mail: rio@lubebrazil.com

Calzavara de Araujo, Gabriel

Ministerio da Agricultura, Pecuária e Abastecimento, Departamento de Pesca e Aquicultura-DPA/SARC, Esplanada dos Ministerios, Bloco "D"-Ed. Sede-9º andar- Sala 948, Brasília, DF
Tel: +55 61 225 5105, Fax: +55 61 224 5049, E-Mail: calzavara@agricultura.gov.br

Carvalho de Castillo, Pedro

UFRPE -DEPAQ, Avenida Dom Manuel Medeiros s/n - Dois Irmaos, Recife, PE
Tel: +55 81 3320 6530, E-Mail: pcastillo@gmail.com

Ferro Firmino Batista, Gabriela

Ministério das Relações Exteriores, Divisão de Defesa Comercial e Slavaguardas (DDF), Esplanada dos Ministerios, Bloco "N" Anexo "B", 3º Andar, Brasília,DF
Tel: +55 61 8144 7456, Fax:E-Mail: gabiferro@yahoo.com.br

Henrique de Lima, Luis

Ministério da Pesca e Aquicultura, Esplanada dos Ministerios - Edificio Sede, 2º andar, Sala 238, Brasília, DF
Tel: +5561321 83891, Fax: +55 61 3218 3886, E-Mail: luis.lima@mpa.gov.br

Lopes, Dirceu

Secretario Executivo, Ministério da Pesca y Aquicultura, , Esplanada dos Ministérios, Bloco "D", Ed Sede, 2º andar - Sala 220, 70900-000 Brasília, DF

Matos, Sergio

Ministerio da Pesca e Aquicultura, Avda. General San Martim, 1000, CEP-, Bongi, Recife - PE
E-Mail: sergio.matos@mpa.gov.br

Neves, Tatiana

Av. Dos Bancários, 76/22; CEP 11.030.300, Santos, Sau Paulo
Tel: +55 13 3261 3057, Fax: +55 13 3261 2537, E-Mail: tneves@projetoalbatroz.org.br

Oliveira, Sheila Maria
Tel:+55 61 99 83 7759;E-Mail: sheila.oliveira@vol.com.br

Pinheiro, Clemeson
IBAMA, SCEN, Trecho II, Via L4, Edificio Sede IBAMA s/n, Asa Norte, Brasilia, DF
Tel: +5561 3316 1202, Fax: +55 61 3316 1729, E-Mail: clemeson.silva@ibama.gov.br

Ramalho, José Angelo
Ministerio do Meio Ambienté, SEPN 505, Bloco B, Ed. Marie Prendi Cruz, Sala 402, 70.730.542, Brasilia, DF
Tel: +55 61 310 52031, Fax: +55 61 3274 1730, E-Mail: angelo.ramalho@mma.gov.br

Ribas Gallucci, Roberto
Ministry of the Environment of Brazil, Esplanada dos Ministérios, Bloco B, 700068900, Brasilia, DF
Tel: +5561 3317 1127, Fax: +5561 3317 1650, E-Mail: roberto.gallucci@mma.gov.br

Routledge, Eric
Ministério da Pesca e Aquicultura, Esplanada dos Ministerios, Bloco D - Sala 234, Brasilia, DF
Tel: +5561 3218 3722, Fax: +55 613218 3719, E-Mail: eric.routledge@mpa.gov.br

Ruffino, Mauro Luis
Ministerio da Pesca e Aquicultura, Esplanada dos Ministerios, Bloco "D" Edificio Sede, 2º Andar - Sala 238, Brasilia, DF
Tel: +55 61 3218 3884, Fax: +5561 3218 3836, E-Mail: maurobuffino@seap.com.br

Sheidt de Souza, Guilherme
Ministerio de Pesca e Aqüicultura (MPA), Esplanada dos Ministerios; Bloco "D" 2º Andar-Sala 244, 70043-900, Brasilia, DF

Studart, Paulo
Av. Barao de Studart, 251/900 - Meireles, Fortaleza, Ceara
Tel: +55 85 30677047, E-Mail: paulost@solconsultoria.net

Travassos, Paulo
Universidade Federal Rural de Pernambuco - UFRPE, Laboratorio de Ecologia Marinha - LEMAR, Departamento de Pesca e Aquicultura - DEPAQ, Avenida Dom Manoel Medeiros s/n - Dois Irmaos, CEP 52.171-900, Recife, Pernambuco
Tel: +55 81 3320 6511, Fax: +55 81 3320 6515, E-Mail: p.travassos@depaq.ufrpe.br

Yoshimura, Shuji
Eny Pescados Me, Av. Senador Salgado, Filho 3467 - Uberaba, CEP:81570, Cunitiba - PR
Tel: +55 41 7813 8279, Fax: +55 41 3376 4813

Zagaglia, Cláudia
Ministério da Pesca e Aquicultura, Esplanada dos Ministerios, Bloco "D" Sala 238, Brasilia
Tel: +55 61 3218 3726, Fax: +55 61 3218 3886, E-Mail: kkzagaglia@hotmail.com

CANADA

Scattolon, Faith*
Regional Director-General, Maritimes Region, Fisheries & Oceans Canada, 176 Portland Street, Dartmouth, Nova Scotia, B2Y 1J3
Tel: +1 902 426 2581; Fax: +1 902 426 5034; E-Mail: Faith.Scattolon@dfo-mpo.gc.ca

Atkinson, Troy
Industry Commissioner, 155 Chain Lake Drive, Suite #9, Halifax, Nova Scotia, B3S 1B3
Tel: +1 902 457 4968; Fax: +1 902 457 4990; E-Mail: hiliner@ns.sympatico.ca

Bruce, Walter
Prince Edward Island Fisherman's Association, RR #1, Elmira P.O., Charlottetown, Prince Edward Island, C0A 1K0
Tel: +1 902 357 2638; Fax: +1 902 357 2638; E-Mail: walterbruce@live.ca

Drake, Ken
Prince Edward Island Fisherman's Association, P.O. Box 154, Morell, Prince Edward Island, C0A 1S0
Tel: +1 902 961 3341; Fax: +1 902 961 3341; E-Mail: kendrake@eastlink.ca

Elsworth, Samuel G.
South West Nova Tuna Association, 228 Empire Street, Bridgewater, Nova Scotia, B4V 2M5
Tel: +1 902 543 6457; Fax: +1 902 543 7157; E-Mail: sam.fish@ns.sympatico.ca

Fraser, James Douglas

Industry Commissioner Huntley RR #2, Alberton, Prince Edward Island, C0B IB0
Tel: +1 902 853 2793; Fax: +1 902 853 2793; E-Mail: dougfraserpei@hotmail.com

Laquerre, Patrice

Legal Officer, Oceans and Environmental Law Division Foreign Affairs and International Trade Canada, 125 Sussex Drive, Lester B Pearson Tower C, Ottawa, Ontario, K1A 0G2
Tel: +1 613 944 3077; Fax: +1 613 992 6483; E-Mail: Patrice.Laquerre@international.gc.ca

Lapointe, Sylvie

Director, Straddling and Highly Migratory Fish Stocks, International Affairs Directorate, Fisheries & Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
Tel: +1 613 993 6853; Fax: +1 613 993 5995; E-Mail: Sylvie.Lapointe@dfo-mpo.gc.ca

Lecouffe, Marc

Resource Management Officer, Gulf Region, Fisheries & Oceans Canada, 343 Université Avenue (Gulf Fisheries Centre) PO Box 5030, Moncton, New Brunswick, E1C 9B6
Tel: +1 506 851 7845; Fax: +1 506 8512607; E-Mail: Marc.Lecouffe@dfo-mpo.gc.ca

Lester, Brian

Resource Management Officer, Fisheries and Aquaculture Management, Fisheries & Oceans Canada, 200 Kent Street Ottawa, K1E 0E6
Tel: +1 613 990 0090; Fax: +1 613 990 7051; E-Mail: Brian.Lester@dfo-mpo.gc.ca

Maclelean, Allan

Director, Conservation & Protection, Fisheries & Oceans Maritimes Region, P.O. Box 1035, 176 Portland Street, Dartmouth, Nova Scotia, B2Y 4T3
Tel: +1 902 426 2392; Fax: +1 902 426 8003; E-Mail: Allan.Maclelean@dfo-mpo.gc.ca

McMaster, Andrew

International Fisheries Advisor, International Affairs Directorate, Fisheries & Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
Tel: +1 613 993 1897; Fax: +1 613 993 5995; E-Mail: Andrew.Mcmaster@dfo-mpo.gc.ca

Neilson, John D.

Head, Large Pelagic and Pollock Projects, Population Ecology Section, St. Andrews Biological Station, Fisheries and Oceans Canada, 531 Brandy Cove Road, St. Andrews, New Brunswick, E5B 2L9
Tel: +1 506 529 5913; Fax: +1 506 529 5862; E-Mail: John.Neilson@dfo-mpo.gc.ca

Rashotte, Barry

Director General, Resource Management, Fisheries and Aquaculture Management, Fisheries & Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6
Tel: +1 613 990 0189; Fax: +1 613 954 1407; E-Mail: Barry.Rashotte@dfo-mpo.gc.ca

Tremblay, Denis

Resource Management Officer, Quebec Region, Fisheries & Oceans Canada, 104 Dalhousie Street, 3rd floor, Quebec City, Québec G1K 7Y7
Tel: +1 418 648 5927; Fax: +1 418 648 4667; E-Mail: Denis.Tremblay@dfo-mpo.gc.ca

CHINA

Liu, Xiaobing*

Director, Ministry of Agriculture, Division of International Cooperation Bureau of Fisheries, N° 11 Nongzhanguan Nanli, 100125 Beijing
Tel: +86 10 591 92928, Fax: +86 10 59192951, E-Mail: xiaobing.liuc@163.com;inter-coop@agri.gov.cn

Wang, Jian Dong

CNFC Based in Spain, c/ Eduardo Benot, 11 - 1 Planta, 35008, Las Palmas de Gran Canaria, Spain
Tel: +34 928 262 947, Fax: +34 928 266 090, E-Mail: cnfclas_jg@terra.es

Wei, Xi Feng

Deputy General Manager, Qingdao Furui Fisheries Co., Ltd, 2-101, No. 8 Building, No.1 Fuzhoubei Road, 266071, Qingdao
Tel: +86 532 8585 3551, Fax: +86 532 8585 3552, E-Mail: weixifen@vip.163.com

Zhang, Yun Bo

Deputy Director of High Sea Department, Distant Water Fisheries Branch of China Fisheries Association, Room 1216, JingChao Mansion, n° 5 Nongzhanguan Nanlu, Chaoyang District, 100125 Beijing
Tel: +86 10 6585 0667, Fax: +86 10 6585 0551, E-Mail: admin@tuna.org.cn

CÔTE D'IVOIRE

Djobo, Anvra Jeanson*

Directeur des Productions Halieutiques, Ministère de la Production Animale et Ressources Halieutiques, Rue des Pêcheurs, BP V19, Abidjan, Treichville
Tel: +225 21 25 6727//225 07930344, Fax: +225 21 350 409, E-Mail: jeanson_7@hotmail.com

Konan, Angaman

Conseiller Technique du Ministre, chargé des Pêches, Ministère de la Production Animale et des Ressources Halieutiques, 01 B.P. 185, Abidjan 01
E-Mail: congaman.konan19@yahoo.fr

Shep, Helguilè

Sous-Directeur des Pêches Maritime et Lagunaire, Ministère de la Production Animale et des Ressources Halieutiques, Rue des Pêcheurs; B.P. V-19, Abidjan, Treichville
Tel: +225 21 25 28 83//225 07619221, Fax: +225 21 350 409, E-Mail: shelguile@yahoo.fr;shep.helguile@aviso.ci

Solou, Henriette

Secrétaire Exécutif du Comité d'Administration du Régime Franc, Ministère Production Animale et Ressources Halieutiques, 01 B.P. 7219, Abidjan 01
Tel: +225 05 61 99 30, Fax: +225 21 35 0409, E-Mail: henriettesolou@yahoo.fr

CROATIA

Skakelja, Neda*

Croatian Director of Fisheries, Ministry of Agriculture, Fisheries and Rural Development, Directorate of Fisheries, Ulica Grada Vukovara, 78, 10000 Zagreb
Tel: +385 1 610 6577, Fax: +385 1 610 6558, E-Mail: nedica@email.htnet.hr;

Bozanic, Tonci

Ministry of Agriculture, Forestry and Water Management, Ulica Grada Vukovara, 78 Vukovaca 78, 10000 Zagreb
Tel: +385 1 6106 657, Fax: +385 1 6109 200, E-Mail: tonci.bozanic@mps.hr

Franicevic, Vlasta

Head of Unit Aquaculture, Ministry of Agriculture Fisheries and Rural Development, Directorate of Fisheries, Ivana Mazuranica 30, 23000 Zadar
Tel: +385 23 309 820, Fax: +385 23 309 830, E-Mail: mps-uprava-ribarstva@zd.htnet.hr

Kucic, Ljubomir

Hrvatska Gospodarska Komora, Rooseveltou Trg br.2, 10000 Zagreb, Brac
Tel: +385 14 826 066, Fax: +385 14 561 545, E-Mail: sardina@st.htnet.hr

Mirkovic, Miro

Kali Tuna doo, Put Vele Luke 70, 23272 Kali
Tel: +385 23 282802, Fax: +385 23 282810, E-Mail: miro@kali-tuna.hr

EUROPEAN COMMUNITY

Amilhat, Pierre*

Director International Affairs and Markets, European Commission, DG Maritime Affairs and Fisheries, Rue Joseph II, 99, 1049, Brussels, Belgium
Tel: + 322 299 2054, Fax: E-Mail: pierre.amilhat@ec.europa.eu

Agius, Carmelo

Scientific Advisor, Federation of Maltese Aquaculture Producers, 54, St. Christopher Street, VLT 1462, Valletta, Malta
Tel: +356 9949 8194, Fax: +356 21241170, E-Mail: carmelo.agius@um.edu.mt

Akesson, Rolf

Ministry for Agriculture and Fisheries, Fredsgatan 8, SE-103 33, Stockholm, Sweden
Tel: +46 70 519 0117, Fax: +46 8 20 64 96, E-Mail: rolf.akesson@agriculture.ministry.se

Amigo Chouciño, Genaro

Federación Nacional de Cofradías de Pescadores, c/Barquillo, 7 - 1º dcha., 28004 Madrid, Spain
Tel: +34 91 531 9804, Fax: +34 91 531 6320, E-Mail: fncp@fncp.e.telefonica.net

Ansell, Neil

European Commission, Directorate General for Maritime Affairs and Fisheries, Fisheries Conservation and Control Mediterranean and Black Sea and Horizontal Management of Fisheries Data, J/99, 01-90 Rue Joseph II, 99, B-1049, Brussels, Belgium
Tel: +32 2 2991342, Fax: +32 2 296 2338, E-Mail: neil.ansell@ec.europa.eu

Baelus, Benjamin

Koning Albert II - Laan 35, box 40, 1030 Brussels, Belgium
Tel: +322 552 7934, Fax: +322 552 7921, E-Mail: benjamin.baelus@lv.vlaanderen.be

Batista, Emilia

Direcção Geral das Pescas e Aquicultura, Av. De Brasília, 1449-030 Lisbon, Portugal
Tel: +351 21 303 5850, Fax: +351 21 303 5922, E-Mail: ebatista@dgpa.min-agricultura.pt

Bugeja, Raymond

Ministry for Rural Affairs and the Environment, Fisheries Conservation & Control Division, Marsaxlokk, Malta
Tel: +356 21 655 525, Fax: +356 21 659 380, E-Mail: maltafishcoop@maltanet.net; raymond@tamattewfish.farms.net

Cabanas Godino, Carlos

Subdirector General de Acuerdos y Organizaciones Regionales de Pesca, Secretaría General del Mar, c/ Velázquez, 144, 28006 Madrid, Spain
Tel: +3491 347 6040, Fax: +3491 347 6042, E-Mail: ccabanas@mapya.es

Conte, Fabio

Dipartimento delle Politiche Europee e Internazionali, Ministero delle Politiche Agricole, Alimentari e Forestali, Direzione Generale della Pesca Marittima e Acquacoltura, Viale dell'Arte 16, 00144 Rome, Italy
Tel: +39 06 5908 4502, Fax: +39 06 5908 4176, E-Mail: f.conte@politicheagricole.gov.it

Conte, Plinio

MIPAAF, Fisheries Department, Viale dell'Arte 16, 00144 Rome, Italy
Tel: +39 06 5908 3442, Fax: +39 06 5908 4176, E-Mail: p.conte@politicheagricole.gov.it

Crespo Sevilla, Diego

Organización de Productores Pesqueros de Almadraba, c/Luis de Morales 32, Edificio Forum, Planta 3; mod. 31, 41018 Sevilla, Spain
Tel: +34 95 498 7938, Fax: +34 95 498 8692, E-Mail: opp51@atundealmadraba.com

Dachicourt, Pierre-Georges

Président, Comité National des Pêches Maritimes et des Elevages Marins, 134, Avenue de Malakoff, 75116 Paris, France
Tel: +33 1 7271 1800, Fax: +33 1 7271 1850, E-Mail: cnpmem@comite-peches.fr; cmangalo@comite-peches.fr

De la Figuera Morales, Ramón

Jefe de Sección en la Subdirección General de Acuerdos y Organizaciones Regionales de Pesca, Secretaría del Mar, c/ Velázquez, 144, 28006 Madrid, Spain
Tel: +34 91 347 5940, Fax: +34 91 347 6049, E-Mail: rdelafiguera@mapya.es

De Pauw, Kristiaan

European Commission, Directorate-General for Maritime Affairs and Fisheries, Rue Joseph II, 99, 1049 Brussels, Belgium
Tel: +322 296 9083, Fax: +322 299 4206, E-Mail: kristiaan.de-pauw@ec.europa.eu

De Vries-van Loon, Patricia

Counselor, Ministry of Agriculture, Nature and Food Quality, Department of Fisheries, Prins Caluslaan, 8 P.O.Box 20401, 2500, Ek Den Haag, Holland
Tel: +31 70 378 5383, Fax: +31 70 378 6153, E-Mail: vriespm@minlnv.nl

Di Natale, Antonio

Director-AQUASTUDIO, Via Trapani, No. 6, 98121, Messina, Sicily, Italy
Tel: +39 090 346 408, Fax: +39 090 364 560, E-Mail: adinatale@acquariodigenova.it

Díaz Arsuaga, Joaquín

Director de Pesca y Acuicultura, Viceconsejería de Medio Ambiente, Planificación Territorial, Agricultura y Pesca, Gobierno Vasco, Paseo de Miraconcha, 9, 2007, San Sebastián, Spain
Tel: +34 945 019649, Fax: +34 945 019702, E-Mail: von-azkue@ej.gr.es

Donatella, Fabrizio

European Commission, Brussels, Belgium
Tel: +322 296 8038, Fax: +322 295 1433, E-Mail: fabrizio.donatella@ec.europa.eu

Duarte de Sousa, Eduarda

Principal Administrator, European Commission DG Maritime Affairs and Fisheries, Rue Joseph II, 99/03/78, 1049 Bruxelles, Belgium
Tel: +322 296 2902, Fax: +322 295 5700, E-Mail: eduarda.duarte-de-sousa@ec.europa.eu

Earle, Michaël

4C29 European Parliament, Rue Wiertz, 1047 Bruxelles, Belgium
Tel: +322 284 2849, Fax: E-Mail: michael.earle@europarl.europa.eu

Engwall, Ylva

Ministry for Agriculture and Fisheries, Fredsgatan, 8, SE-103 33, Stockholm, Sweden
Tel: +46 761 33 08 43, Fax: E-Mail: ylva.engwall@agriculture.ministry.se

Fenech Farrugia, Andreina

Director Fisheries Control, Ministry for Resources and Rural Affairs, Veterinary Regulation Fisheries Conservation and Control, Barriera Wharf, Valletta, Malta
Tel: +356 994 06894, Fax: +356 220 31221, E-Mail: andreina.fenech-farrugia@gov.mt

Fernández Aguirre, Antonio

DG MARE, Rue Joseph II - 99; 03/54, 1049 Brussels, Belgium
Tel: +322 295 1611, Fax: +322 295 5700, E-Mail: antonio-fernandez-aguirre@ec.europa.eu

Fernández Asensio, Pablo Ramón

Director Xeral de Ordenación e Xestión dos Recursos Mariños de Galicia, Xunta de Galicia, Consellería do Mar, Rúa do Valiño, 63-65, 15703 Santiago de Compostela, Spain
Tel: +34 981 544 007, Fax: +34 981 545 025, E-Mail: pablo.ramon.fernandez.asensio@xunta.es

Fernández Merlo, María del Mar

Subdirectora Adjunta de en la Subdirección General de Acuerdos y Organizaciones Regionales de Pesca, Secretaría General del Mar, c/Velázquez, 144, 28006 Madrid, Spain
Tel: +34 91 347 6047, Fax: +34 91 347 6042/49, E-Mail: marfmerlo@mapya.es

Ferrari, Gilberto

FEDERCOOPESCA, Via Torino 146, 00184, Rome, Italy
Tel: +33 06 4882 219, Fax: +39 6 48913917, E-Mail: ferrari.gil@confcooperarive.it; federcoopesc@confcooperative.it

Fini, Anna

Press Officer, DG Fisheries and Maritime Affairs, European Commission, Office J/99 04/45, Brussels, Belgium
Tel: +322 295 6158, Fax: +322 299 3040, E-Mail: anna.fini@ec.europa.eu

Fonteneau, Alain

I.R.D. - Unité de Recherches n° 109 (THETIS), Centre de Recherches Halieutique Méditerranéenne et Tropicale, B.P. 171, 34203 Sète Cedex, France
Tel: +33 4 99 57 3200, Fax: +33 4 99 57 32 95, E-Mail: alain.fonteneau@ifremer.fr

Fraga Estévez, Carmen

Presidenta de la Comisión de Pesca del Parlamento Europeo, Parlamento Europeo, Rue Wiertz ASP 11E 246, 1047 Brussels, Belgium
Tel: +322 284 5239, Fax: +322 284 9239, E-Mail: carmen.fragaestevez@europarl.europa.eu

Fromentin, Jean Marc

IFREMER - Dpt. Recherche Halieutique, BP 171 - Bd. Jean Monnet, 34203 Sète Cedex, France
Tel: +33 4 99 57 32 32, Fax: +33 4 99 57 32 95, E-Mail: jean.marc.fromentin@ifremer.fr

Galache Valiente, Pedro

Community Fisheries Control Agency - CFCA, Edificio Odriozola, Avenida García Barbón 4, 36201 Vigo, Spain
Tel: +34 986 120 635, Fax: +34 986 125 236, E-Mail: pedro.galache@cfca.europa.eu

García Ferrer, Miriam

European Commission, CHAR 9/144, DG Trade, 1049 Brussels, Belgium
Tel: +322 298 1002, Fax: +322 299 1046, E-Mail: miriam.garcia-ferrer@ec.europa.eu

Gauthiez, François

Directeur Adjoint, Agence des aires marines protégées, 42 bis, Quai de la Douane, 29200 Brest, France
Tel: +33 2 98 33 34 96; +33 6 87 95 15 59, Fax: E-Mail: francois.gauthiez@aires-marines.fr

Giannini, Luigi

FEDERPESCA, Via Emilio De Cavalieri, 7, 00198 Rome, Italy
Tel: +3906 852081, Fax: +39 06 8535 2992, E-Mail: marco.giachetta@federpesca.it; luigi.giannini@federpesca.it

Gierasimiuk, Iwona

B2 - Secretary, DG MARE, Unit B-1 "International Affairs, Law of the Sea and RFOs" J II 99 3/90, Rue Joseph II - 99; 03/90, 1049 Brussels, Belgium
Tel: +32 2 295 26 43, Fax: +32 2 295 57 00, E-Mail: iwona.gierasimiuk@ec.europa.eu

Giovannone, Vittorio

Ministero delle Politiche Agricole, Alimentari e Forestali, Ex. D.G. Pesca Maritima e dell'acquacoltura, Viale dell'Arte 16, 00144 Rome, Italy
Tel: +39 06 5908 4915, Fax: +39 06 5908 4176, E-Mail: v.giovannone@politicheagricole.it

Gobin, Charlotte

MEEDDM/LaDefense - Ministry of Ecology, Energy Sustainable Development and the Sea Water and Biodiversity
Directorate, Arche Sud - 92055 Défense, Paris, France
Tel: +331 40818212, E-Mail: charlotte.gobin@developpement-durable.gouv.fr

Gómez Aguilar, Almudena

Confederación Española de Pesca-CEPESCA, c/ Velázquez, 41 - 4°C, 28001 Madrid, Spain
Tel: +34 91 4323489, Fax: +34 91 435 5201, E-Mail: agomez@cepesca.com; onape@cepesca.es

Goujon, Michel

ORTHONGEL, 11 bis Rue des Sardiniers, 29900 Concarneau, France
Tel: +33 2 9897 1957, Fax: +33 2 9850 8032, E-Mail: orthongel@orthongel.fr

Gray, Alan

Senior Administrative Assistant, European Commission, DG Maritime Affairs and Fisheries, J-99 2/63, Rue Joseph II, 99; 03/66, 1049, Brussels, Belgium
Tel: +32 2 299 0077, Fax: +322 295 5700, E-Mail: alan.gray@ec.europa.eu

Grimaud, Vincent

European Commission DG MARE, Rue Joseph II, 99; 03/82, 1049 Brussels, Belgium
Tel: +322 296 3320, Fax: +322 295 5700, E-Mail: vincent.grimaud@ec.europa.eu

Gruppetta, Anthony

Director General, Ministry for Resources and Rural Affairs, Fisheries Conservation & Control Division, Barriera Wharf, Valletta, Malta
Tel: +356 794 72542, Fax: +356 259 05182, E-Mail: anthony.s.gruppetta@gov.mt

Hernández Sáez, Pedro

CARBOPESCA, c/ Velázquez 41 - 4° C, 28001 Madrid, Spain
Tel: +34 91 432 34 89, Fax: +34 91 435 5201, E-Mail: cepesca@cepesca.es; carbopesca@hotmail.com

Indjirdjian, Cédric

Ministère de l'agriculture et de la Pêche /DPMA,3, Place de Fontenoy, 75007 Paris, France
Tel: +331 4955 8295, Fax: +33 1 49558200, E-Mail: cedric.indjirdjian@agriculture.gouv.fr

Kempff, Alexandre

European Commission, DG Maritime Affairs and Fisheries, Policy Development and Co-ordination Fisheries Control Policy, Rue Joseph II, 99, 1049 Brussels, Belgium
Tel: +322 296 7804, Fax: +322 296 2338, E-Mail: alexandre.kempff@ec.europa.eu

Lainé, Valerie

Chef at unite "Controle", European Commission, DG Maritime Affairs and Fisheries, J-99 3/30, Rue Joseph II, 99, 1049, Brussels, Belgium
Tel: +322 296 5341, Fax: +322 296 2338, E-Mail: valerie.laine@ec.europa.eu; fisheries-bft-communications@ec.europa.eu

Laisné, Loïc

Director General of Fishing of France, Ministère de l'Agriculture et de la Pêche,3, Place de Fontenoy, 75007 Paris, France
Tel: +33 672 817371

Langendorff, Julius

European Commission, Directorate-General Environment, Unit E2-Multilateral Environmental Agreements, Av. De Beaulieu 9, 05- 107, Brussels, Belgium
Tel: +322 299 8829, Fax: +322 296 9558, E-Mail: julius.langendorff@ec.europa.eu

Larzabal, Serge

Président, Commission Thon Rouge, CNPMM Syndicat Marins CGT,12, Quai Pascal Elissalt, 64500, Ciboure Cedex, France
Tel: +33 6 80 21 19 95, Fax: +33 5 59 47 05 39, E-Mail: serge.larzabal@yahoo.fr

Lemeunier, Jonathan

Ministère de l'Agriculture et de la Pêche, Direction des Pêches Maritimes et de l'Aquaculture, 3, Place de Fontenoy, 75017 Paris, France
Tel: +33 1 4955 4390, Fax: +33 1 4955 8200, E-Mail: jonathan.lemeunier@agriculture.gouv.fr

Lubrano, Jean

Armement GERAL D. Jean II x III,7 Quai de la République, 6600 Port-Vendres, France
Tel: +33 6 22 20 7901, Fax: +33 4 9191 9605, E-Mail: medisamak@wanadoo.fr

Martínez Cañabate, David Ángel

ANATUN, Urbanización La Fuensanta 2, 30157 Algezares, Murcia, Spain
Tel: +34 968 554141, Fax: +34 91 791 2662, E-Mail: es.anatun@gmail.com

Maza Fernández, Pedro

FAAPE - ONAPE,c/ Velázquez 41 - 4° C, 28001 Madrid Spain
Tel: +34 91 432 3489, Fax: +34 91 435 5201, E-Mail: faapepesca@yahoo.es;cepesca@cepesca.es

McIntyre, Lesley

Sea Fisheries Protection Authority, Killybegs, Donegal, Ireland
Tel: +353 7497 31264, Fax: +353 7497 31819, E-Mail: lesley.mcintyre@sfpa.ie

Mendiburu, Gérard

Commission du Thon Tropical - CNPMM Armement Aigle des Mers, B.P. 337, 64500 Ciboure Cedex, France
Tel: +33 5 59 26 05 52, Fax: +33 5 59 26 05 52, E-Mail: mendiburu.gerard@wanadoo.fr

Mesquita, José

European Commission, DG Maritime Affairs and Fisheries, Rue Joseph II, 99 (6/72), B-1049 Brussels, Belgium
Tel: +322 296 0706, Fax: +322 297 9552, E-Mail: jose.mesquita@ec.europa.eu

Mirette, Guy

43 Rue Paul Iscir, 34300 Le Grau d'Agde, France
Tel: +33 6 1017 0887, Fax: +33 4 6721 1415, E-Mail: crie.e.grau.agde@wanadoo.fr

Monteiro, Eurico

Direcção Geral das Pescas e Aquicultura, Av. de Brasília, 1449-030 Lisbon, Portugal
Tel: +351 21 303 5886, Fax: +351 21 3035965, E-Mail: euricom@dgpa.min-agricultura.pt

Montesi, Carla

Commission Européenne, DG Maritime Affairs and Fisheries, Rue Joseph II, 99 - 6/84, B-1049 Brussels, Belgium
Tel: +322 2961453, Fax: +322 297 9552, E-Mail: carla.montesi@ec.europa.eu

Morón Ayala, Julio

Organización de Productores Asociados de Grandes Atuneros Congeladores - OPAGAC, c/Ayala, 54 - 2ºA, 28001 Madrid, Spain
Tel: +34 91 435 3137, Fax: +34 91 576 1222, E-Mail: opagac@arrakis.es

Musquar, Philippe

Rue Wiertz, 47 Bureau ATR 01K081, B-1047 Brussels, Belgium
E-Mail: philippe.musquar@europarl.europa.eu

Navarro Cid, Juan José

Grupo Balfegó, Polígono Industrial - Edificio Balfegó, 43860 L'Ametlla de Mar, Tarragona, Spain
Tel: +34 977 047700, Fax: +34 977 457 812, E-Mail: juanjo@grupbalfego.com

Niklahs, Volker

Conselheiro para Alimentação, Agricultura e Defesa do Consumidor, Embaixada da República Federal da Alemanha, SES Avenida das Nações, Qd.807, Lt. 25, 70415-900, Brasília, DF, Brazil
Tel: +5561 34427033, Fax: +5561 3443 7508, E-Mail: la-1@bras.diplo.de

Olaskoaga Susperregui, Andrés

Federación de Cofradías de Pescadores de Guipúzcoa, Paseo de Miracocha, 29, 20009, Donostia, San Sebastián, Spain
Tel: +34 94 345 1782, Fax: +34 94 345 5833, E-Mail: fecopegui@fecopegui.net

Ortiz de Zárate Vidal, Victoria

Ministerio de Ciencia e Innovación, Instituto Español de Oceanografía, C.O. de Santander, Promontorio de San Martín s/n, 39012 Santander, Cantabria, Spain
Tel: +34 942 291 716, Fax: +34 942 27 50 72, E-Mail: victoria.zarate@st.ieo.es

O'Shea, Conor

Regional Sea Fishery Control Manager, Sea Fisheries Protection Authority, West Cork Technology Park, Clonakilty, Cork, Ireland
Tel: +353 23 88 59300, Fax: +353 23 88 59720, E-Mail: conor.o'shea@sfpa.ie

Pamplona, Marcelo

Subsecretario Regional das Pescas, Secretaria Regional das Pescas do Ambiente et de Mar dos Açores, Edifício do Relógio, Colónia Alemá - Apartado 93, 9900 Horta, Faial, Açores, Portugal
Tel: +351 292 202 404 Fax: +351 292 202 430, E-Mail: mpamplona@drp.raa.pt

Pereira, Joao Gil

Universidade dos Açores, Departamento de Oceanografia e Pescas, 9900 Horta, Portugal
Tel: +351 292 200 431, Fax: +351 292 200 411, E-Mail: pereira@uac.pt

Pérez Martín, Margarita

Directora General de Pesca y Acuicultura, Dirección General de Pesca y Acuicultura, Consejería de Agricultura y Pesca - Junta de Andalucía, c/Tabladilla, s/n, 41071 Seville, Spain
Tel: +34 95 503 2262, Fax: +34 95 503 2142, E-Mail: gpesca.cap@juntadeandalucia.es

Piccinetti, Corrado

Director, Laboratorio di Biologia Marina e di Pesca dell'Università di Bologna in Fano, Viale Adriatico, 1/n, 61032 Fano, Marche, Italy
Tel: +39 0721 802689, Fax: +39 0721 801654, E-Mail: corrado.piccinetti@unibo.it

Polanco Mata, Alejandro

Director General de Recursos Pesqueros y Acuicultura, Secretaría General del Mar, c/Velázquez, 144, 28006 Madrid, Spain
Tel: +34 91 347 6034, Fax: +34 91 347 6049, E-Mail: drpesmar@mapya.es

Punkstins, Einars

Administrateur, European Parliament, ATR 01K085, Rue Wiertz, B-1047 Brussels, Belgium
Tel: +322 283 1048, Fax: +322 284 4909, E-Mail: einars.punkstins@europarl.europa.eu

Rodríguez-Marín, Enrique

Ministerio de Ciencia e Innovación, Instituto Español de Oceanografía, C.O. de Santander, Promontorio de San Martín s/n, 39004 Santander, Cantabria, Spain
Tel: +34 942 291 716, Fax: +34 942 27 50 72, E-Mail: rodriguez.marin@st.ieo.es

Rodríguez-Sahagún González, Juan Pablo

Gerente Adjunto, ANABAC, c/Txibitxiaga, 24, entreplanta apartado 49, 48370 Bermeo, Bizkaia, Spain
Tel: +34 94 688 2806, Fax: +34 94 688 5017, E-Mail: anabacoptuc@gmail.com

Romeva i Rueda, Raül

European Community, Rue Wiertz 60, DSP 86253, 1047 Brussels, Belgium
Tel: +322 2845645, E-Mail: raul.romeva@europarl.europa.eu

Salou, Joseph

SATHOAN, 28 Promenade JB Marty - Cap Saint Louis 3-B, 34200 Sete, France
Tel: +33 4 6746 0415, Fax: +33 4 6746 0513, E-Mail: sathoan@wanadoo.fr

Sans i Pairutó, Martí

Director General de Pesca i Afers Maritims, Direcció General de Pesca i Afers Marítims del DARP; Generalitat de Catalunya, Gran Via de les Corts Catalanes, 612-614, 1r, 08007 Barcelona, Spain
Tel: +34 93 304 6728, Fax: +34 93 304 6705, E-Mail: asintes@gencat.net

Skovsholm, Klavs

Council of the European Union, Secrétariat General du Conseil, Rue de la Loi, 175, B-1048 Brussels, Belgium
Tel: +322 2 281 8379, Fax: +322 281 6031, E-Mail: klaus.skovsholm@consilium.europa.eu

Spezzani, Aronne

Administrateur principal, Commission européenne, DG Mare, Rue Joseph II, 99, 1049 Brussels, Belgium
Tel: +322 295 9629, Fax: +322 296 3985, E-Mail: aronne.spezzani@ec.europa.eu

Teixeira de Ornelas, Jose Alberto

Director Regional das Pescas, Direcção Regional das Pescas, Estrada da Pontinha, Funchal, Madeira, Portugal
Tel: +351 291 203220, Fax: +351 291 229691, E-Mail: drpescas.madeira@mail.telepac.pt

Ulloa Alonso, Edelmiro

ANAPA/ARPOAN Puerto Pesquero, Edificio Cooperativa de Armadores - Puerto Pesquero s/n, 36202, Vigo, Pontevedra, Spain
Tel: +34 986 43 38 44, Fax: +34 986 43 92 18, E-Mail: edelmiro@arvi.org

Wendling, Bertrand

SaThoAn - Cap St. Louis 3B, 28 Promenade JB Marty, 34200 Sète, France
Tel: +33 6 0332 8977, Fax: +33 4 6746 0913, E-Mail: bwen@wandoo.fr

FRANCE (ST. PIERRE & MIQUELON)**Artano, Stéphane***

Président du Conseil Territorial de St. Pierre & Miquelon, Conseil Territorial, Place François Maurer, B.P. 4208, 97500 St. Pierre et Miquelon
Tel: +5 08 41 01 02, Fax: +5 08 41 22 97, E-Mail: president@cg975.fr; assistante-president@cg975.fr

Dalegre, Karine

Chargée de Mission à la Coordination des pêcheurs de l'Etang de Berre, 17 Rue Eugene Pelletan, 13500, Martigues, France
Tel: +33 4 4280 8342, Fax: +33 4 4280 8342, E-Mail: coordination.pecheurs@wanadoo.fr

Deschamps, Frederique

Comité des Ressources Halieutiques, 34 Rue Marechal Foch, BP 1748, 97500 Saint-Pierre et Miquelon
Tel: +33 05 08 413697, Fax: +05 08 417383, E-Mail: freddeschamps2001@yahoo.fr

Devis, Jean-Pascal

Chef du service de Saint-Pierre et Miquelon, L'administrateur des affaires maritimes, Service des Affaires Maritimes, BP 4206; 1, rue Gloanec, 97500 Saint-Pierre
Tel: +33 11 508 41 1536, Fax: +33 11 508 414834, E-Mail: jean-pascal.devis@developpment-durable.gouv.fr

Laurent-Monpetit, Christiane

Délégation Générale à l'Outre-mer, 27 Rue Oudinot, 75738, Paris, France
Tel: +331 53692466, Fax: +33 1 53692038, E-Mail: christiane.laurent-monpetit@outre-men.gov.fr

Mangalo, Caroline

Comité National des Pêches Maritimes et des Elevages Marins, 134, Avenue Malakoff, 75116 Paris, France
Tel: +33 1 7271 1800, Fax: +33 1 7271 1850, E-Mail: cmangalo@comite-peches.fr

GHANA**Quatey, Samuel Nii K.***

Director of Fisheries, Directorate of Fisheries, Ministry of Food and Agriculture, Ministry of Fisheries, P.O. Box GP 630, Accra
Tel: +233 20 8163412, Fax: +233 22 208 048, E-Mail: samquatey@yahoo.com

Akyeampong, Mike Kwabena

Chairman of Fisheries Commission, Ministry of Food & Agriculture, P.O. Box M.37, Accra
Tel: +233 21 675 155, Fax: +233 21 663250, E-Mail: mikemercurygh@yahoo.com

Ayertey, Samuel Boye

Trust Allied Fishing Ventures LTD, P.O. Box CO-1384, Tema
Tel: +233 208 132660, Fax: +233 22 213557, E-Mail: ayerteysam@yahoo.com; trustallied@yahoo.co.uk

Farmmer, John Augustus

President, Ghana Tuna Association, Managing Director Agnespark Fisheries, P.O. Box CO1828, Tema
Tel: +233 202 113230, Fax: +233 22 212579, E-Mail: farmer.john39@yahoo.com; johna.farmer@yahoo.com

GUATEMALA**De Lourdes Marroquin, Estrella***

Ministerio de Agricultura, Ganadería y Alimentación, Unidad de Manejo de la Pesca y Acuicultura-UNIPESCA, km. 22 Carretera al Pacífico. Edificio La Ceiba, 3er nivel Bárcenas, Villa Nueva
Tel: +502 6640 9320, Fax: +502 6640 9321, E-Mail: unipesca@maga.gob.gt

ICELAND

Benediktsdottir, Brynhildur*

Ministry of Fisheries and Agriculture Iceland, Skulagata 4, 150, Reykjavik
Tel: +354 5458300, Fax: +354 552 1160, E-Mail: brynhildur.benediktsdottir@slr.stjr.is

Jonsson, Karl Petur

Atlantis Group, Aroehodsi 15, IS-110, Reykjavik
Tel: +354 5157300, Fax: +354 5157309, E-Mail: karl@atlantis-ltd.com

Kristofersson, Maron

Atlantis Group 4f, Storchofda, 15, 110, Reykjavik
Tel: +354 515 7300, Fax: 354 515 7309, E-Mail: maron@atlantis-ltd.com

JAPAN

Miyahara, Masanori*

Counselor, Resources Management Department, Fisheries Agency, Ministry of Agriculture, Forestry and Fisheries, 1-2-1
Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 2045, Fax: +81 3 3502 0571

Fukui, Shingo

Assistant Director, Far Seas Fisheries Division, Resources Management Department, Fisheries Agency, Ministry of
Agriculture, Forestry and Fisheries, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8204, Fax: +81 3 3595 7332, E-Mail: shingo_fukui@nm.maff.go.jp

Ishikawa, Masahiro

President, Japan Tuna Fisheries Co-operative Associations, 2-31-1 Coi Eitai Bld. Eitai Koto-ku, Tokyo
Tel: +81 3 5646 2382, Fax: +81 3 5646 2652, E-Mail: gyojyo@japantuna.or.jp

Katsukura, Hiroaki

Vessel Owner, Federation of Japan Tuna Fisheries Co-operative Association, 2-31-1 Coi Eitai Bld. Eitai Koto-Ku, Tokyo
Tel: +81 3 5646 2382, Fax: +81 3 5646 2652, E-Mail: gyojyo@japantuna.or.jp

Kuwahara, Satoshi

Assistant Director, International Affairs Division, Resources Management Department, Fisheries Agency, Ministry of
Agriculture, Forestry and Fisheries, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8460, Fax: +81 3 3502 0571, E-Mail: satoshi_kuwahara@nm.maff.go.jp

Masuko, Hisao

Director, International Division, Japan Tuna Fisheries Co-operative Association, 2-31-1 Coi Eitai Bld. Eitai Koto-Ku, Tokyo
135-0034
Tel: +81 3 5646 2382, Fax: +81 3 5646 2652, E-Mail: gyojyo@japantuna.or.jp

Matsuura, Hiroshi

International Affairs Division, Resources Management Department, Fisheries Agency, Ministry of Agriculture, Forestry and
Fisheries, 1-2-1, Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8460, Fax: +81 3 3502 0571, E-Mail: hiroshi_matsuura2@nm.maff.go.jp

Muramoto, Akiko

Ministry of Foreign Affairs of Japan, 2-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8919
Tel: +81 3 5501 8000, Fax: +81 3 5501 8332, E-Mail: akiko.muramoto@mofa.go.jp

Nakamura, Masaaki

Adviser, Japan Tuna Fisheries Co-operative Association, 2-31-1 Coi Eitai Bld. Eitai Koto-Ku, Tokyo 135-0034
Tel: +81 3 5646 2382, Fax: +81 3 5646 2652, E-Mail: gyojyo@japantuna.or.jp

Nakano, Hideki

National Research Institute of Far Seas Fisheries, 5-7-1 Orido, Shimizu-Ku, Shizuoka-City, Shizuoka 424-8633
Tel: +81 54 336 6000, Fax: +81 54 335 9642, E-Mail: hnakano@affrc.go.jp

Ohashi, Reiko

Chief, International Division, Japan Tuna Fisheries Co-operative Association, 2-31-1 Coi Eitai Bld. Eitai Koto-Ku, Tokyo
135-0034
Tel: +81 3 5646 2382, Fax: +81 3 5646 2652, E-Mail: gyojyo@japantuna.or.jp

Ota, Shingo

Senior Fisheries Negotiator, International Affairs Division, Resources Management Department, Fisheries Agency, Ministry of Agriculture, Forestry and Fisheries, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-Mail: shingo_oota@nm.maff.go.jp

Satomi, Yoshiki

Ministry of Economy, Trade and Industry, 1-3-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8901
Tel: +81 3 3501 0532, Fax: +81 3 3501 6006, E-Mail: satomi-yoshiki@meti.go.jp

Takagi, Yoshihiro

Special Advisor International Relations, Overseas Fishery Cooperation Foundation - (OFCF), Sankaido Bldg. 9-13 Akasaka-1, Minato-Ku, Tokyo 107-0052
Tel: +81 3 3585 5087, Fax: +81 3 3582 4539, E-Mail: takagi@ofcf.or.jp

Uetake, Hideto

Vessel Owner, Japan Tuna Fisheries Co-operative Association, 2-31-1 Coi Eitai Bld. Eitai Koto-Ku, Tokyo
Tel: +81 3 5646 2382, Fax: +81 3 5646 2652, E-Mail: gyojyo@japantuna.or.jp

Yamakage, Yoko

2-31-1 Coi Eitai Bld. Eitai Koto-Ku, Tokyo
Tel: +81 3 5646 2382, Fax: +81 3 5646 2652, E-Mail: gyojyo@japantuna.or.jp

KOREA**Jeong, Il Jeong***

Director, International Fisheries Organization Division, Ministry for Food, Agriculture, Forestry and Fisheries (MIFAFF), 88 Gwanmunro Gwacheon-si, 427-719, Gyeonggi-do
Tel: +822 500 2422, Fax: +822 503 9174, E-Mail: ijeong@korea.kr; icdmomaf@chol.com

Jang, Ok Jin

Ministry for Food, Agriculture, Forestry and Fishery, International Fisheries Organization Division, 88 Gwanmunro Gwacheon-si, 427-719, Gyeonggi-do
Tel: +82 2 500 2401, Fax: +82 2 503 9104, E-Mail: jang62@korea.kr

Kim, Ho Woon

General Manager, Silla Co. Ltd., 286-7 Seokchon-Dong, Songpa-ku, Seoul
Tel: +82 2 3434 9712, Fax: +82 2 419 9360, E-Mail: Kimhoon@sla.co.kr

Lee, Chun Sik

General Manager, Grand Fishery, Co. LTD., 10 fl., Dong Bang Bldg, 25-4, 4-KA, Chung Ang-Dong, Chung-Ku, Busan
Tel: +82 51 465 1923, Fax: +82 51 465 1925, E-Mail: grship@unitel.co.kr

Lee, Kyung Soo

Deputy General Manager, Sajo Industries, Co.; Ltd, 157 Chung Jeong-Ro, 2Ga, Seodaemun-Gu, 120-707 Seoul
Tel: +82 10 4163 3656, Fax: +822 365 6079, E-Mail: kslee@sajo.co.kr

Park, In Keun

Korea Overseas Fisheries Association, Samho Center Building "A", 275-1 Yangjae-Dong, Seocho-Ku, Seoul
Tel: +82 2 589 1612, Fax: +82 2 589 1630, E-Mail: parkik@kosfa.org

Park, Jeong Seok

Assistant Director, Ministry for Food, Agriculture, Forestry and Fisheries, International Fisheries Organization Division, 88 Gwanmunro Gwacheon-si, 427-719, Gyeonggi-do
Tel: +82 2 500 2417, Fax: +822 503 9174, E-Mail: icdmomaf@chol.com

LIBYA**Zaroug, Hussein A.***

Chairman, General Authority for Marine Wealth, P.O. Box 8199, Tripoli
Tel: +218 21 334 0932, Fax: +218 21 333 0666, E-Mail: merai.h.a@gam-ly.org

Abukhder, Ahmed G.

Head of Department of Tech. Cooperation, General Authority for Marine Wealth, P.O. Box 81995, Tripoli
Tel: +218 21 3340932, Fax: +218 21 3330666, E-Mail: abuk53@gam-ly.org

Ibrahim, Ali Mohamed

Permanent Committee of Fisheries in Libyan Waters, General Authority for Marine Wealth, P.O. Box 81995, Tripoli
Tel: +218 21 3340 932, Fax: +218 21 333 7283, E-Mail: comafish200@yahoo.com;info@gam-ly.org

Omar, Elnaddab
Khalid Bon Walid St., Tripoli
Tel: +218 91 241 5272, Fax: +218 21 340 1820

Zbida, Abdussalam
Director - Libyan Commissioner to ICCAT, Secretariat of Agriculture, Animal and Water Wealth, Department of Marine Wealth, P.O. Box 80876, Tajura, Tripoli
Tel: +218 21 334 09 32; Movil +218 91 323 4015, Fax: +218 21 333 0666, E-Mail: a_m_zbida@yahoo.com

Zgozi, Salem W.
Fisheries Stock Assessment Division, Marine Biology Research Center, P.O. Box 30830, Tajura, Tripoli
Tel: +218 21 3690 001, Fax: +218 21 3690 002, E-Mail: info@gam-ly.org; salem_zgozi@yahoo.com

MAURITANIA

Taleb Ould Sidi, Mohamed Mahfoudh*
Conseiller Scientifique du Directeur de l'Institut Mauritanien de Recherches Océanographiques et des Pêches, Institut Mauritanien de Recherches Océanographiques et des Pêches (IMROP), Nouadhibou
Tel: +222 646 3839, E-Mail: mahfoudht@yahoo.fr; mahfoudh_MD@imrop.mr

MEXICO

Aguilar Sánchez, Mario*
Representante de la Comisión Nacional de Acuicultura y Pesca, CONAPESCA en USA, CONAPESCA/MEXICO, 1666 K St., Washington, DC 20006 United States
Tel: +1 202 2938 138, Fax: +1 202 887 6970, E-Mail: mariogaguilars@aol.com; maguilars@conapesca.sagarpa.gob.mx

Ramírez López, Karina
Jefe de Departamento DGIPA-INAPESCA, Instituto Nacional de la Pesca-SAGARPA, Av. Ejército Mexicano No.106, Colonia Exhacienda, Ylang Ylang, C.O. 94298 Boca de Río, Veracruz
Tel: +52 22 9130 4518, Fax: +52 22 9130 4519, E-Mail: kramirez_inp@yahoo.com; kramirez_lopez@yahoo.com.mx

MOROCCO

Driouich, Zakia*
Directrice des Pêches Maritimes et de l'Aquaculture (DPMA), Ministère de l'Agriculture et de la Pêche Maritime, Département de la Pêche Maritime; Quartier Administratif, Place Abdellah Chefchaouni; B.P. 476 Agdal, Rabat
Tel: +2125 37 688 246/44, Fax: +2125 3768 8245, E-Mail: driouich@mpm.gov.ma

Benmoussa, Abderraouf
Chef du service de la Coopération Multilatérale, Ministère de l'Agriculture, du Développement Rural et de la Pêche, B.P. 476, Haut Agdal, Rabat
Tel: +212 5376 88153 Fax: +212 537 688194, E-Mail: benmoussa@mpm.gov.ma

Benmoussa, Mohamed Karim
Administrateur, MAROMADRABA/MAROMAR Concessionnaire de madragues, BP 573, Larache
Tel: +212 6 113 68 88, Fax: +212 5 39 50 1630, E-Mail: mkbenmoussa@yahoo.fr

Bennouna, Kamal
Président de l'Association Nationale des Palangriers, Membre de la Chambre des Pêches Maritimes de la Méditerranée/Tanger, JNP Maroc, Port de Pêche, Agadir
Tel: +212 561159580, Fax: +212 528843025, E-Mail: lamakes@yahoo.es

Boulaich, Abdellah
La Madrague Du Sud, 23, Rue Moussa Ibnou Nouseir, 1er étage n° 1, Tanger
Tel: +212 39322705, Fax: +212 39322708, E-Mail: a.boulaich@hotmail.fr

Charkaoui, Mohamed Nagib
Vice Président de l'Association Unions des Armateurs de Pêches de Tanger, Tanger

El Ktiri, Taoufik
Chef de service de l'Application de la Réglementation et de la Police Administrative - DPTH, Direction des Pêches Maritimes et de l'Aquaculture, Ministère de l'Agriculture et de la Pêche Maritime, Département de la Pêche Maritime, Nouveau Quartier Administratif; BP 476, Haut Agdal, Rabat
Tel: +212 5 37 68 81 15, Fax: +212 5 37 68 8089, E-Mail: elktiri@mpm.gov.ma

Fernández Arias, Felipe
Directeur Général de la Société ALMADRABAS DEL NORTE, S.A.(ANSA), Zone Portuaire, 92000 Larache
Tel: +212 539914313, Fax: +212 539 914314, E-Mail: felipe@menara.ma

Idrissi, M'Hamed

Chef, Centre Régional de l'INRH à Tanger, B.P. 5268, 90000, Drabeb, Tanger
Tel: +212 539 325 134, Fax: +212 539 325 139, E-Mail: mha_idrissi2002@yahoo.com; m.idrissi.inrh@gmail.com

Lamoudni, Abdelali

Chef de la Division Commerciale, Office National des Pêches, 13, Rue Lieutenant Mahroud, B.P. 16243, 20300, Casablanca
Tel: +212 661 863731, Fax: +212 522 243694, E-Mail: a.lamoudni@onp.ma

Maarouf, Majida

Chef de la Division de la protection des ressources halieutiques, Ministère de l'Agriculture et de la Pêche Maritime, Département de la Pêche Maritime, Place Abdellah Chefchaoui, B.P. 476 Agdal, Rabat
Tel: +212 537 68 81 21, Fax: +212 537 68 8089, E-Mail: maarouf@mpm.gov.ma

Sigui, Mohammed

Membre de l'Association Union des Armateurs de Pêches de Tanger

Taleb, Saïd

Chef, Division de la Coopération, Institut National de Recherche Halieutique - INRH, 2, Rue de Tiznit, 20100, Casablanca
Tel: +212 522 297329, Fax: +212 522 266967, E-Mail: taleb@inrh.org.ma

NAMIBIA**Maurihungirire, Moses***

Ministry of Fisheries and Marine Resources, P/BAG 13355, 9000, Windhoek
Tel: +264 61 205 3114, Fax: +264 61 220 558, E-Mail: mmaurihungirire@mfmr.gov.na

Amutse, Bonny

Deputy Director Operations, Ministry of Fisheries and Marine Resources, P. Bag 13355, 9000, Windhoek
Tel: +264 61 0 53911, Fax: +264 61 22 45 66, E-Mail: bamutse@mfmr.gov.na

Bester, Desmond R.

Chief Control Officer Operations, Ministry of Fisheries and Marine Resources, Private Bag 394, 9000, Luderitz
Tel: +264 63 20 2912, Fax: +264 6320 3337, E-Mail: dbester@mfmr.gov.na;desmondbester@yahoo.com

Schwieger, Maximilian

Nambian LargfPelagic Association, P.O. Box 3427, 10000, Walvis Bay
Tel: +264 64 205 610, Fax: +264 64 200 474, E-Mail: max@corvima.com.na

Shuuluka, Olivia

Ministry of Fisheries and Marine Resources, P. Bag 13355, 9000, Windhoek
Tel: +264 61 205 3119, Fax: +264 61 244 161, E-Mail: oshuuluka@mfmr.gov.na

NICARAGUA**Guevara, Julio Cesar***

INATUN, Managua/Nicaragua, Km 2,5; Carretera Masalla, Plaza Basilea, Managua
Tel: + 507 204 4600, E-Mail: cpesca@gfextun.com;juliocg8@hotmail.com

NORWAY**Holst, Sigrun M.***

Deputy Director General, Ministry of Fisheries and Coastal Affairs, P.O. Box 8118 Dep, 0032, Oslo
Tel: +47 22 24 65 76; +47 918 98733, Fax: +47 22 24 26 67, E-Mail: sigrun.holst@fk.d.dep.no

Nottestad, Leif

Principal Scientist, Institute of Marine Research, P.O. Box 1870 Nordnesgaten, 33, 5817, Bergen
Tel: +47 55 23 68 09, Fax: +47 55 23 86 87, E-Mail: leif.nottestad@imr.no

Ognedal, Hilde

Senior Legal Adviser, Norwegian Directorate of Fisheries, Postboks 185 Sentrum, 5804, Bergen
Tel: +47 920 89516, Fax: +47 523 8090, E-Mail: hilde.ognedal@fiskeridir.no

Rodrigues Eusebio, Turid B.

Ambassador, Royal Norwegian Embassy in Brazil, Brasilia
Tel: +55 61 3443 8720, Fax: +55613443 2942, E-Mail: tbe@mfa.no

Sandberg, Per

Director, Statistics Department, Directorate of Fisheries, P.O. Box 185 Sentrum, Bergen
Tel: +47 80030179, Fax: +47 55 23 8141, E-Mail: per.sandberg@fiskeridir.no

Tallaksen, Einar

Ministry of Foreign Affairs, P.O. Box 8114, 0032, Oslo
Tel: +47 91 64 8588, Fax: +47 22 24 9580, E-Mail: eta@mfa.no

PANAMA

Novoy C., George Francis*

Sub-Administrador General, Autoridad de los Recursos Acuáticos de Panamá, Edificio el Paso Elevado, Frente a la Intersección de Vía Transísmica con Vía Tumba Muerto
Tel: +507 511 6015, Fax: +507 511 6071, E-Mail: gfnovoy@arap.gob.pa; gfnovoy@yahoo.com

Encinas, Alberto

Grupo Calvo,S.A.,Rua Sao Tomé 86
Tel: +55 1188 22 8493, E-Mail: alberto.encinas@calvo.es

Franco, Arnulfo Luis

Asesor, Autoridad Marítima de Panamá, Dirección General de Recursos Marinos y Costeros, Clayton 404-A, Ancón, Panamá,
Tel: +507 317 3644; celular: +507 66194351, Fax: +507 317 3627, E-Mail: afranco@cwpanama.net

Marques, Serafín

Grupo Calvo,S.A.,Rua Sao Tomé 86,Panamá
Tel: +55 1188 228493, E-Mail: serafinmarques@gomezdacosta.com.br

Belmonte Ríos, Antonio

Biólogo ANATUN, Urbanización la Fuensanta, 2, 30157 Murcia, Spain
Tel: +34 968 845265, Fax: +34 968 844525, E-Mail: antonio.belmonte@taxon.es

PHILIPPINES

Sy, Richard

OPRT Philippines Inc., Suite 701, Dasma Corporate Center 321, 1006, Manila, Damarinas St., Binondo,
Tel: +632 244 5565, Fax: +632 244 5566, E-Mail: syrcharld@pltdsl.net

RUSSIAN FEDERATION

Leontiev, Sergey*

Head of the Laboratory, VNIRO, The Russian Federal Research Institute of Fisheries & Oceanography, 17, V. Krasnoselskaya, 107140 Moscow
Tel: +7 499 264 9465, Fax: +7 499 264 9465, E-Mail: leon@vniro.ru

Nesterov, Alexander

Head Scientist, Atlantic Research Institute of Marine, Fisheries and Oceanography (AtlantNIRO), 5, Dmitry Donskoy Str., 236022 Kaliningrad,
Tel: +7 (4012) 925322/925457, Fax: + 7 (4012) 219997, E-Mail: nesterov@atlant.baltnet.ru; oms@atlant.baltnet.ru

SAO TOME & PRINCIPE

Eva Aurelio, José*

Ministerio dos Assuntos Economicos, Dirección de Pesca,C.P. 59,Sao Tomé
Tel: +239 222 091, Fax: +239 222 828; 239 224 245, E-Mail: aurelioeva57@yahoo.com.br

SENEGAL

Keita, Papa Namsa*

Directeur des Pêches Maritimes, Ministère de l'Economie Maritime de la Pêche et des Transports Maritimes, 1 Rue Joris, B.P. 289, Dakar
Tel: +221 33 823 0137, Fax: +221 33 821 4758, E-Mail: pnkeita@gmail.com; pmkeita@gmail.com; dopm@orange.sn

Ba, Boubacar

Secrétaire Général, Ministère de l'Economie Maritime de la Pêche et des Transports Maritimes, Dakar
Tel: +221 33849 5075, E-Mail: caro3877@hotmail.com

Diop, Moussa

Chef de Division Aménagement et Gestion à la Direction des Pêches Maritimes, Ministère de l'Economie Maritime, Direction des Pêches Maritimes, 1, Rue Joris, B.P. 289, Dakar
Tel: +221 33 823 01 37, Fax: +221 33 821 4758, E-Mail: myccadiop@yahoo.fr;dopm@orange.sn

Diouf, Abdou Got

Président, Fédération Sénégalaise de Pêche Sportive (FSPS),Bd de la Libération - B.P. 22568, Dakar
Tel: +221 33 822 3858, Fax: +221 33 821 4376, E-Mail: fsps@sentoosn

Matar, Sambou

Direction de la Protection et de la Surveillance des Pêches, Corniche Ouest, Fenêtre Mermoz, BP 3656, Dakar
Tel: +221 7764 12824, Fax: +221 3386 03119, E-Mail: agambile@yahoo.fr

Ndaw, Sidi

Chef du Bureau des Statistiques à la Direction des Pêches, Ministère de l'Economie Maritime, Direction des Pêches Maritimes, Building Administratif, B.P. 289, Dakar
Tel: +221 33 823 0137, Fax: +221 33 821 4758, E-Mail: sidindaw@hotmail.com;dopm@orange.sn

Talla, Marième Diagne

Chef du Bureau Législation et suivi des accords et convention, Ministère de l'Economie Maritime et des Transports Maritimes Internationaux, Direction des Pêches Maritimes, 1 Rue Joris, B.P. 289, Dakar
Tel: +221 33 823 0137, Fax: +221 33 821 4758, E-Mail: dopm@sentoosn

SIERRA LEONE**Kabba, Haja Afsatu Olayinka E.***

The Hon. Minister of Fisheries and Marine Resources, Ministry of Fisheries and Marine Resources, Jomo Kenyata Road, Brookfields Hotel Complex, Freetown
Tel: +232 33 620 495, Fax: +232 22 241 468, E-Mail: mohamedselsay@yahoo.co.uk

Seisay, Mohamed B. D.

Director of Fisheries, Ministry of Fisheries and Marine Resources, Jomo Kenyata Road, Brookfields Hotel Complex, Freetown
Tel: +232 76 622609, E-Mail: mohamedseisay@yahoo.co.uk

SOUTH AFRICA**Share, André***

Chief Director, Marine Resource Management, Marine and Coastal Management, Department of Environmental Affairs and Tourism, Private Bag X2 - Roggebaai, 8012, Cape Town
Tel: +27 21 402 3552, Fax: +27 21 421 5151, E-Mail: ashare@deat.gov.za

Clarke, Dylan

Marine Scientist, Large Pelagics Marine and Coastal Management, Department of Environmental Affairs and Tourism, Private Bag X2, Roggebaai, 8012, Cape Town
Tel: +27 21 402 3120, Fax: +27 21 402 3034, E-Mail: dclarke@deat.gov.za

Lucas, Don

S.A. Tuna Longline Association, 7 Neptune Street, Paarden Island, Cape Town
Tel: +27 21 510 7924, Fax: +27 21 510 1268, E-Mail: comfish@mweb.co.za

Ngadlela, Mqondisi

Compliance Director, Marine Resource Management, Marine and Coastal Management, Department of Environmental Affairs and Tourism, Private Bag X2-Roggebaai, 8012, Cape Town
Tel: +27 21 402 3020, Fax: +27 21 402 3433, E-Mail: mngadlela@deat.gov.za

Smith, Craig

Deputy Director, Pelagics and High Seas Fisheries Management, Marine & Coastal Management, Department of Environmental Affairs and Tourism, Private Bag X2, 8012, Cape Town
Tel: +27 21 402 3048, Fax: +27 21 421 7406, E-Mail: csmith@deat.gov.za

ST. VINCENT & THE GRENADINES**Ryan, Raymond***

Chief Fisheries Officer, Fisheries Division, Ministry of Agriculture and Fisheries, Government of St. Vincent and the Grenadines, Richmond Hill, Kingstown
Tel: +1 784 456 2738, Fax: +1 784 457 2112, E-Mail: fishdiv@vincysurf.com

SYRIA**Obeid, Ghassan***

Embaixada da República Árabe da Siria, Sector de Embaixadas Norte-Avenida das Nações Lote 11, CEP: 70434-900, Brasília, DF, Brazil
Tel: +55 61 3226 1260, Fax: +55 61 3223 2595, E-Mail: embsiria@hotmail.com

TRINIDAD & TOBAGO

Mohammed, Elizabeth*

Director of Fisheries (Ag.), Fisheries Division, Ministry of Agriculture, Land and Marine Resources, #35 Cipriani Boulevard, Newtown, Port of Spain

Tel: +1 868 623 5989/8525; +1 868 481 1675, Fax: +1 868 623 8542, E-Mail: eliza_moham@yahoo.com; emohammed@malmr.gov.tt

Choo, Michael

Emily Seafood International Ltd; National Fisheries Compound, 10, Production Avenue, Sae Lots, Port of Spain

Tel: +1 868 627 8227, Fax: +1 868 627 9132, E-Mail: manthchoo@hotmail.com

James, Colin

Embassy of the Republic of Trinidad and Tobago, Shis QL 02 Conjunto 02 Casa 01 Lago Sul, cep: 71665-028, Brasilia, Brazil

Tel: +55 61 3365 -1132, Fax: +5561 3365 1733, E-Mail: trinbagoemb@gmail.com; jamesco@foreign.gov.tt

Martin, Louanna

Senior Fisheries Officer (AG), Ministry of Agriculture, Land & Marine Resources, Fisheries Division, 35 Cipriani Boulevard, Port of Spain

Tel: +868 623 8542; +868 623 8525, Fax: +868 623 85420, E-Mail: lmartin@malmr.gov.tt; mfau@tstt.net.tt

TUNISIA

Hmani, Mohamed*

Directeur de la Conservation des Ressources, Ministère de l'Agriculture, de l'Environnement et des Ressources Hydrauliques, Direction Général de la Pêche et de l'Aquaculture, 30 Rue Alain Savary, 1002 Tunis

Tel: +216 71 890 784, Fax: +216 71 892 799, E-Mail: med.hmani@iresa.agrinet.tn; med.hmanii@agrinet.tn

Ben Hamida, Jawhar

Ministère de la Pêche Direction Générale de la Pêche, Fédération nationale de la pêche hauturière et d'aquaculture à l'Union Tunisienne de l'Agriculture et de la Pêche, 30 Rue Alain Savary, 1002 Tunis

Tel: +216 71 890 784, Fax: +216 71 799 401, E-Mail: jaouher.benhmdida@tunet.tn

Chouayakh, Ahmed

Ministère de l'Agriculture et des Ressources Hydrauliques, Direction Générale de la Pêche et de l'Aquaculture, 30 Rue Alain Savary, 1002 Tunis

Tel: +216 71 890 784, Fax: +216 71 799 401, E-Mail: chouayakh.ahmed@yahoo.fr

TURKEY

Kürüm, Vahdettin*

Head of Fisheries Department, Ministry of Agriculture and Rural Affairs, General Directorate of Protection and Control, Akay Cad. No. 3, Bakanliklar, 06100, Ankara

Tel: +90 312 4198319, Fax: +90 312 418 5834, E-Mail: vahdettink@kkgm.gov.tr

Bilgin Topcu, Burcu

Ministry of Agriculture and Rural Affairs, Department of External Relations and EU Coordination, Eskisehir Yolu, 9 km. Lodumlu, Ankara

Tel: +90 312 287 3360, Fax: +90 312 287 9468, E-Mail: burcu.bilgin@tarim.gov.tr

Elekon, Hasan Alper

Engineer, Ministry of Agriculture and Rural Affairs, General Directorate of Protection and Control, Department of Fisheries, Akay Cad No.3, Bakanliklar, Ankara

Tel: +90 312 417 4176/3013, Fax: +90 312 418 5834, E-Mail: hasanalper@kkgm.gov.tr

Özgün, Mehmet Ali

Sagun Group, Osmani EA2: nah Battal GA2: Caq Sagun Pla2q, 34887, Samnoira Kartal, Istanbul

Tel: +90 216 561 2020, Fax: +90 216 561 0717, E-Mail: mehmetfa@aktuna.com

Ültanur, Mustafa

Suar Koop, Fisheries Cooperatives Association, Konur Sok. 54-8 Kizilay, Ankara

Tel: +90 312 419 2288, Fax: +90 312 419 2289, E-Mail: ultanur@gmail.com

Yelegen, Yener

Engineer, Ministry of Agriculture and Rural Affairs, Akay Cad.No. 3, Bakanliklar, Ankara

Tel: +90 312 417 41 76, E-Mail: yenery@kkgm.gov.tr

UNITED KINGDOM (OVERSEAS TERRITORIES)**Carroll, Andrew***

Sea Fish Conservation Division - DEFRA, Area 2D Nobel House, 17 Smith Square, London
Tel: +44 207 238 316, E-Mail: carroll@defra.gsi.gov.uk; Andy.P.Carroll@defra.gsi.gov.uk

Wolfaardt, Anton

ACAP Coordinator, P.O. Box 585, FIQQ 1ZZ, Stanley, Falkland Islands
Tel: +500 22978, E-Mail: anton.wolfaardt@jncc.gov.uk

UNITED STATES**Lent, Rebecca***

Director, Office of International Affairs, National Marine Fisheries Service-NOAA, 1315 East-West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 9090, Fax: +1 301 713 2313, E-Mail: rebecca.lent@noaa.gov

Baske, Adam

U.S. Department of Commerce, National Oceanic and Atmospheric Administration, 14th St. And Constitution Ave. NW, Room 6224, Washington, DC 20230
Tel: +1 202 482 51339, Fax: +1 202 482 4307, E-Mail: adam.baske@noaa.gov

Blankenbeker, Kimberly

Foreign Affairs Specialist, Office of International Affairs, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-Mail: kimberly.blankenbeker@noaa.gov

Bogan, Raymond D.

Bogan and Bogan, Esquires, LLC, 501 Trenton Avenue, Point Pleasant Beach, Sea Girt, New Jersey 08742
Tel: +1 732 892 1000, Fax: +1 732 892 1075, E-Mail: bogan@boganlawjoffice.com

Campbell, Derek

NOAA/Office of General Counsel for International Law, 14 Street & Constitution Avenue NW, HCHB Room 7837, Washington, DC 20230
Tel: +1 202 482 0031, Fax: +1 202 482 0031, E-Mail: derek.campbell@noaa.gov

Conathan, Michael

U.S. Senate Committee on Commerce, Science and Transportation, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, 227 Hart Senate Office Building, Washington, DC 20510
Tel: +1 202 224 3757, Fax: +1 202 224 9334, E-Mail: michael_conathan@commerce.senate.gov

Cooper, Anne

US Senate Committee on Commerce, Science and Transportation, Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard, 420a Hart Senate Office Building, Washington, DC 20510
Tel: +1 202 224 3032, E-Mail: anne.cooper@commerce.senate.gov

Delaney, Glenn

601 Pennsylvania Avenue NW, Suite 900 South, Washington, DC 20004
Tel: +1 202 434 8220, Fax: +1 202 639 8817, E-Mail: grdelaney@aol.com

Díaz, Guillermo

NOAA/Fisheries, Office of Science and Technology /ST4, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 2363, Fax: +1 301 713 1875, E-Mail: guillermo.diaz@noaa.gov

Dubois, Todd C.

NOAA Fisheries Office of Law Enforcement, 8484 Georgia Ave. Suite 415, Silver Spring, Maryland 20910
Tel: +1 301 4272300, Fax: +1 301 427 2055, E-Mail: todd.dubois@noaa.gov

Dunn, Russell

NOAA - National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida, 33701
Tel: +1 727 824 5399, Fax: +1 727 824 5398, E-Mail: russell.dunn@noaa.gov

Fordham, Sonja V

Shark Alliance Policy Director, Shark Alliance, Pew Charitable Trusts, c/o Pew Environment Group, Bastion Tower 21, 5 Place du Champ de Mars, 1050 Brussels, Belgium
Tel: +32 495 101 468, E-Mail: sonjaviveka@gmail.com

Gleason, Mark H.

Knauss Sea Grant Fellow, US Senate Committee on Commerce, Science & Technology, Subcommittee on Oceans, Atmosphere, Fisheries & Coast Guard, 227 Hart Office Building, Washington, DC 20510
Tel: +1 202 224 3826, E-Mail: mark_gleason@commerce.senate.gov

Gnam, Rosemarie

U.S. Fish and Wildlife Service, Division of Scientific Authority for CITES, 4401 N. Fairfax Drive, Room 110, Arlington, Virginia 22203
Tel: +1 703 358 2497, Fax: +703 358 2276, E-Mail: rosemarie_gnam@fws.gov

Graves, John E.

Professor of Marine Science, Virginia Institute of Marine Science - College of William and Mary, P.O. Box 1346, Gloucester Point, Virginia 23062
Tel: +1 804 684 7352, Fax: +1 804 684 7157, E-Mail: graves@vims.edu

Hathaway, Julia

Committee on Natural Resources, 187 Ford House Office Building, Washington, DC 20515
Tel: +1 202 226 0200, Fax: +1 202 225 1542, E-Mail: julia.hathaway@mail.house.gov

Hunt, Stephanie

U.S. Dept. of Commerce, NOAA, 1401 Constitution Ave. NW, Rm. 5224, Washington, DC 20230
Tel: +1 202 482 5597, Fax: +1 202 482 4960, E-Mail: stephanie.hunt@noaa.gov

King, Melanie Diamond

NOAA - National Marine Fishery Service, Office of International Affairs, 1315 East West Highway F/IA, Silver Spring, Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-Mail: melanie.king@noaa.gov

Kramer, Robert

President, International Game Fish Association, 300 Gulf Stream Way, Dania Beach, Florida, 33004
Tel: +1 954 927 2628, Fax: +1 954 924 4299, E-Mail: rkramer@igfa.org

Madeira, Joshua

Sea Grant Fellow, Subcommittee on Insular Affairs, Oceans and Wildlife, Committee on Natural Resources, U.S. House of Representatives, Washington, DC 20515
Tel: +1 202 226 0200 Fax: +1 202 225 1542

McGowan, Michael

Bumble Bee Seafood's, 9655 Granite Ridge Rd. Suite 100, San Diego, California 92123
Tel: +1 858 715 4054, Fax: +1 858 715 4354, E-Mail: michael.mcgowan@bumblebee.com

McLaughlin, Sarah

Fishery Management Specialist, National Marine Fisheries Services, Highly Migratory Species Management Division, 55 Great Republic Drive, Gloucester, Massachusetts 01930
Tel: +978 2819279, Fax: +978 281 9340

Nelson, Russell

Nelson Resources Consulting, Inc., 765 NW 35 Street, Oakland Park, Florida 33309
Tel: +1 954 653 8295, Fax: +1 561 449 9637, E-Mail: drrsnnc@aol.com

Ortiz, Mauricio

NOAA Fisheries, Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, Florida, 33149
Tel: +1 305 361 4288, Fax: +1 305 361 4562, E-Mail: mauricio.ortiz@noaa.gov

Peel, Ellen

The Billfish Foundation, 5100 N. Federal Highway, Suite 200, 33308, Fort Lauderdale, Florida
Tel: +1 954 202 9267, Fax: +1 954 938 5311, E-Mail: ellen_peel@billfish.org

Pineiro, Eugenio

Chairman, Caribbean Fishery Management Council, 268 Muñoz Rivera Ave. Suite 1108, San Juan, Puerto Rico
Tel: +1 787 766 5926, Fax: +1 787 766 6239, E-Mail: iris-oliveras@yahoo.com; gpsfish@yahoo.com

Porch, Clarence E.

Chief, Sustainable Fisheries Division, Southeast Fisheries Science Center, National Marine Fisheries Service, 75 Virginia Beach Drive, Miami, Florida 33149
Tel: +1 305 361 4232, Fax: +1 305 361 4219, E-Mail: clay.porch@noaa.gov

Ricci, Nicole

Foreign Affairs Officer, Department of State, Office of Marine Conservation, 2100 C Street, Washington, DC 20520
Tel: +1 202 647 1073, Fax: +1 202 736 7350, E-Mail: RicciNM@state.gov

Robinson, Randall

U.S. State Department, 2201 C Street North West, Room 2758, Washington, DC 20520
Tel: +1 202647 3228, Fax: +1 202 736 7350, E-Mail: RobinsonR2@state.gov

Rogers, Christopher

Chief, Trade and Marine Stewardship Division, Office of International Affairs, National Marine Fisheries Service/NOAA (F/IA), US Department of Commerce, 1315 East-West Highway- Rm. 12657, Silver Spring, Maryland 20910
Tel: +1 301 713 9090, Fax: +1 301 713 9106, E-Mail: christopher.rogers@noaa.gov

Ruais, Richard P.

Executive Director, East Coast Tuna Association & Blue Water Fishermen's Association, 28 Zion Hill Road, Salem, New Hampshire 3079
Tel: +1 603 898 8862, Fax: +1 603 894 5898, E-Mail: rruais@aol.com

Salz, Ronald

U.S. Department of Commerce, NOAA, National Marine Fisheries Service, Fisheries Statistics Division F/ST1, 1315 East West Highway, Rm. 12359, Silver Spring, Maryland 20910
Tel: +1 301 713 2328, Fax: +1 301 713 4137, E-Mail: ron.salz@noaa.gov

Southward-Hogan, LeAnn

Office of Sustainable Fisheries, NOAA/National Marine Fisheries Service, 1315 East-West Highway, SSMC3-SF1, Silver Spring, Maryland 20910
Tel: +1 301 713 2347, Fax: +1 301 713 1917, E-Mail: leAnn.southward-Hogan@noaa.gov

Spring, Margaret

14th St. and Constitution Ave. NW, Washington, DC 20230
Tel: +1 202 482 3436, E-Mail: margaret.spring@noaa.gov

Stevens, Mark

Senior Program Officer, World Wildlife Fund-WWF US, 1250 24th St. NW, Washington, DC 20037
Tel: +1 202 297 5037, Fax: +1 202 223 6971, E-Mail: mark.stevens@wwfus.org

Thomas, Randi Parks

US Commissioner for Commercial Interests, National Fisheries Institute, 7918 Jones Branch Dr. #700, McLean, Virginia 22102
Tel: +1 703 752 8895, Fax: +1703 752 7583, E-Mail: Rthomas@nfi.org

Walline, Megan J.

General Counsel for Fisheries, U.S. Department of Commerce, SSMC3 1315 East-West Highway, Silver Spring, Maryland 20910
Tel: +301 713 9695, Fax: +1 301 713 0658, E-Mail: megan.walline@noaa.gov

Warner-Kramer, Deirdre

Senior Foreign Affairs Officer, Office of Marine Conservation (OES/OMC), U.S. Department of State, Rm. 2758, 2201 C Street NW, Washington, DC 20520-7878
Tel: +1 202 647 2883, Fax: +1 202 736 7350, E-Mail: warner-kramerdm@state.gov

Wulff, Ryan

Office of International Affairs, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-Mail: ryan.wulff@noaa.gov

URUGUAY**Montiel, Daniel***

Director Nacional, Dirección Nacional de Recursos Acuáticos - DINARA, Constituyente, 1497, Piso 1º, 11200, Montevideo
Tel: +5982 409 2969, Fax: +5982 401 3216, E-Mail: dmontiel@dinara.gub.uy

Domingo, Andrés

Dirección Nacional de Recursos Acuáticos - DINARA, Sección y Recursos Pelágicos de Altura, Constituyente 1497, 11200 Montevideo
Tel: +5982 40 46 89, Fax: +5982 41 32 16, E-Mail: adomingo@dinara.gub.uy

Isa Sakiara, Raúl Eduardo

Christophersen, S.A., Rincon 550, Montevideo

Tel: +598 2 916 0109, E-Mail: ops@christopersen.com.uy; raulisa@hotmail.com

Olaya, Alfredo

Goldenstar, S.A., Camino Aldebarán 6351, Montevideo

Tel: +598 2 222 0853, E-Mail: olayacarolina@hotmail.com

Yuen, Kai Ming

Goldenstar, S.A., Camino Aldebarán 6351, Montevideo

Tel: +598 2 222 0853, E-Mail: dyauklinks@adinet.com.uy

VANUATU

Parenté, Laurent*

Permanent Representative of the Republic of Vanuatu to the International Maritime Organization, P.O. Box 1435, Port Vila,

Tel: +33 6 99 51 12 07, E-Mail: laurentparente-vanuatu-imo@hotmail.com

VENEZUELA

Vicent, Pastor*

Oficina de Relaciones Internacionales, Instituto Socialista de la Pesca y Acuicultura (INSOPESCA), Av. Principal del Bosque entre Avenidad Santa Isabel y Santa Lucia; Torre Credicard, Piso 9, Chacaito, Caracas

Tel: +58 212 953 9972, E-Mail: pastorvicent@gmail.com

Maniscalchi, Lillo

AVATUN, Av. Miranda, Edif. Cristal Plaza Piso 3 L65, 6101, Cumana

Tel: +5829 3431 0966, Fax: +5829 3431 9117, E-Mail: lillomaniscalchi@yahoo.com

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)

Watanabe, Hiromoto

Fisheries Liason Officer, FAO - International Institutions and Liaison Service - Fisheries and Aquaculture Economics and Policy Division, Fisheries and Aquaculture Department - Room F-411, FIEL, Via delle Terme di Caracalla, 00153 Rome, Italy

Tel: +39 06 5705 5252, Fax: +39 06 5705 6500, E-Mail: Hiromoto.Watanabe@fao.org

OBSERVERS FROM COOPERATING NON-CONTRACTING PARTIES/ENTITIES/FISHING ENTITIES

CHINESE TAIPEI

Huang, Hong-Yen*

Director of Deep Sea Fisheries Division, Fisheries Agency, Council of Agriculture, No. 70-1, Sec1, Jinshan South Rd., 100, Taipei

Tel: +886 7 823 9828, Fax: +886 7 815 8278, E-Mail: hangyen@ms1.f.gov.tw

Chiu, Wen-Yu

Fisheries Agency, No.70-1, Sec. 1 Jinshan South Rd., 100 Taipei

Tel: +886 2 3343 6059, Fax: +886 2 3343 6128, E-Mail: wenyu@ms1.f.gov.tw

Chuang, Jer-Ming

No.2 Kaitatellau Blvd., Taipei

Tel: +886 988 677 796, Fax: E-Mail: jm4905@yahoo.com

Ho, Shih-Chieh

Secretary, Taiwan Tuna Association, 3F-2 No. 2 Yu-kang Middle 1st Road; Chien Tern District, 806, Kaohsiung

Tel: +886 7 841 9606, Fax: +886 7 831 3304, E-Mail: martin@tuna.org.tw

Hsia, Tracy Tsui-Feng

Specialist, Overseas Fisheries Development Council, , NO. 19, Lane 113, Sec.4 Roosevelt Road, 106 Taipei

Tel: +886 2 2738 1522; Ext 111, Fax: +886 2 2738 4329, E-Mail: tracy@ofdc.org.tw

Huang, Julia Hsiang-Wen

Assistant Professor, Institute of Marine Affairs and Resources Management, National Taiwan Ocean University, 2 Pei-Ning Road, 20224, Keelung

Tel: +886 2 24622192, Fax: +886 2 2463 3986, E-Mail: julia@ntou.edu.tw

Kung, Ho-Hsin

Fisheries Agency, Council of Agriculture, No. 70-1m - Sec. 1, Jinshan South Rd., 100, Taipei

Tel: +886 2 3343 6093, Fax: +886 2 3343 6128, E-Mail: hohsin@ms1.f.gov.tw

Lee, Hui-Yi

3F-2 N°2 Yu-kang Middle 1st Road Chien Jern District, Kaohsiung, Taipei
Tel: +886 7 841 9606, Fax: +886 7 831 3304, E-Mail: ivone@tuna.org.tw

Lin, Chi-Pang

KAO FONG FISHERY COMPANY, 20 F-1 No. 6 Min-Chuan 2nd; Chienchen District, 80660, Kaohsiung
Tel: +886 7 841 9606, Fax: +886 7 831 3304, E-Mail: martin@tuna.org.tw

Lin, Ding-Rong

Chief of International Fisheries Affaires Section, Fisheries Agency, Council of Agriculture, Deep Sea Fisheries Division,
No.70-1, Sec. 1, Jinshan South Rd., 100 Taipei
Tel: +886 2 334 36084, Fax: +886 2 334 36128, E-Mail: dingrong@msl.f.a.gov.tw

Sung, Raymond Chen-En

Legal Advisor, Overseas Fisheries Development Council, No. 19, Lane 113, Sec.4 Roosevelt Road, 106, Taipei
Tel: +886 2 2738 1522, Fax: +886 2 2738 4329, E-Mail: cesung2@gmail.com

Yang, Henry I-Chia

3F No.218 Wu Fu 4th Road, 803, Kaohsiung
Tel: +886 7 533 1200, Fax: +886 7 533 1211, E-Mail: yingjenfishery505@hotmail.com

NETHERLANDS ANTILLES**Mambi, Stephen A.***

Business Administration, Senior Policy Advisor, Directorate of Economic Affairs, Ministry of Economic and Labor Affairs of
the Netherlands Antilles, Pietermaai 25-B, Willemstad, Curaçao
Tel: +5999 4656236, Fax: +5999 4656316, E-Mail: stephenmambi@yahoo.com

Dilrosun, Faisal Farid

Secretary Fisheries Commission Netherlands Antilles, Directorate of Economic Affairs, Pietermaai 25 B, Willemstad,
Curaçao,
Tel: +5999 465 6236, Fax: +5999 465 6316, E-Mail: faisal.dilrosun@curacao-gov.an

Loinaz Eguiguren, Imanol

Overseas Tuna Company N.V., Poligono Industrial Landabaso, s/n, Edificio Albacora, 48370 Bermeo, Bizkaia, Spain
Tel: +34 94 618 7000, Fax: +34 94 618 6147, E-Mail: iloinaz@albacora.es

OBSERVERS FROM NON-CONTRACTING PARTIES**ARGENTINA****Sánchez, Ramiro**

Director Nacional de Planificación Pesquera, Subsecretaría de Pesca y Acuicultura, Av. Paseo de Colón 982, Anexo Jardín,
Edificio Pesca, C1063ACW, Buenos Aires
Tel: +55 61 336 62542, Fax: +55 6132 487083, E-Mail: rasanc@minprod.gov.ar

COLOMBIA**De la Pava Atehortua, Martha Lucia**

Instituto Colombiano Agropecuario – ICA, Carrera 13A #37-68 piso 4, Bogota
Tel: +57 1 288 4800, Fax: +57 1 288 4800, E-Mail: gerencia@comerpes.com; martha.delapava@ica.gov.co

Londoño García, Alejandro

Instituto Colombiano Agropicuario - ICA, Carrera 13A #37-68 piso 4, Bogotá
Tel: +57 1 3440476, Fax: +57 1 368 4970, E-Mail: gerencia@comerpes.com; agropesca@etb.net.co

MONACO**Van Klaveren, Patrick**

Ministre Conseiller, Agrégé de l'Université, Délégué Permanent auprès des Organismes Internationaux à caractère
scientifique, environnemental et humanitaire. Athos Palace; 2, rue de la Lijjernetta, 98000 Monaco
Tel: +377 98 98 81 48, Fax: +377 93 50 95 91, E-Mail: pvanklaveren@gouv.mc

OBSERVERS FROM INTER-GOVERNMENTAL ORGANIZATIONS**Commission for the Conservation of Antarctic Living Marine Resources (CCAMLR)****Pío Correa, Luis María**

Ministério das Relações Exteriores, Divisao do Mar, da Antártida e do Espaço, Esplanada dos Ministérios, Bloco H, Anexo I,
7º andar, Sala 736, 70170-900, Brasília - DF, Brazil
Tel: +55 61 3411 8625, Fax: +55 61 3411 8617, E-Mail: lpcorrea@mre.gov.br

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Morgan, David H.W.

Chief, Scientific Support Unit, CITES Secretariat, Maison internationale de l'environnement, Chemin des Anemones, 11-13, CH-1219, Chatelaine, Geneva, Switzerland
Tel: +41 22 917 81 23, Fax: +41 22 797 34 17, E-Mail: david.morgan@cites.org

General Fisheries Commission for the Mediterranean (GFCM)

Katavic, Ivan

Vice Président de la CGPM, Via delle Termi di Caracalla, 0152 Rome, Italy
E-Mail: ivan.katavic@fao.org; katavic@izor.hr

OBSERVER FROM NON-GOVERNMENTAL ORGANIZATIONS

Birdlife International

Small, Cleo

Senior Policy Officer, Birdlife International Global Seabird Programme, RSPB, The Lodge, Sandy, SG19 2DL, Bedfordshire, United Kingdom
Tel: +44 1767 693 586, Fax: +44 1767 692 365, E-Mail: cleo.small@rspb.org.uk

Wanless, Ross

P.O. Box 7119, 8012, Roggebaai, South Africa
Tel: +27214197347, E-Mail: gsp@birdlife.org.za

Confédération Internationale de la Pêche Sportive (CIPS)

Gaudin, Charline

Confédération Internationale de la Pêche Sportive, 135 Avenue Clot Bey, 13008, Marseille, France
Tel: +33 4 9172 6396, Fax: +33 4 91 72 63 97, E-Mail: ffmpaca@free.fr

Ordan, Marcel

Président, 135 Avenue Clot Bey, 13008, Marseille, France
Tel: +33 4 9172 6396, Fax: +33 4 91 72 63 97, E-Mail: ffmpaca@free.fr

Federation of European Aquaculture Producers (FEAP)

Tzoumas, Apostolos

Chairman of the FEAP Tuna Aquaculture Commission, Bluefin Tuna Hellas, S.A., 409 Vouliagmenis Avenue, 163 46 Athens, Greece
Tel: +30 210 976 1120, Fax: +30 210 976 1097, E-Mail: bluefin@bluefin.gr

Auletta, Paulo

Federation of Maltese Aquaculture Producers - FEAP, Akua Italia, s.r.l., St. Christopher Str., VLT 1462, Valletta, Malta
Tel: +39 33 9387 5562, Fax: +39 08 1006 1085, E-Mail: paolo.auletta@alice.it

Deguara, Simeon

Research and Development Coordinator, Federation of Maltese Aquaculture Producers-FMAP, 54, St. Christopher Str., VLT 1462 Valletta, Malta
Tel: +356 21223515, Fax: +356 2124 1170, E-Mail: sdeguara@ebcon.com.mt

Federation of Maltese Aquaculture Producers (FMAP)

Azzopardi, Charles

Malta Federation of Aquaculture Producers, 54, St. Christopher Street, Valletta, VLT 1462, Malta
Tel: +356 2122 3515, Móvil: +356 9949 6706, Fax: +356 2124 1170, E-Mail: office@bar.com.mt

Azzopardi, David

First and Fish Ltd, Tarxion Road, GXQ 2901, Ghaxaq, Malta
Tel: +356 21 809 460, Fax: +356 21 809 462, E-Mail: dvd@maltanet.net;david.azzopardi@ffmalta.com

Capitta, Giouanni

Malta Federation of Aquaculture Producers, 54, St. Christopher Street, Valletta, VLT 1462, Malta
Tel: +356 2122 3515, Fax: +356 2124 1170, E-Mail: gtanti@mareblumalta.com

Ellul, Saviour

Managing Director, Malta Fishfarming Ltd., Triq I-Industrija, KKP9023 Kirkop, Malta
Tel: +356 7949 3024, Fax: +356 2168 5075, E-Mail: sellul@ebcon.com.mt

Mifsud-Bonnici, Aron
111/6 St. Lucia Str. Valletta, Malta,
Tel: +356 212 46977, Fax: +356 2333 1005, E-Mail: info@mifsudbonnici.com

Refalo, John
Executive Secretary, Malta Federation of Aquaculture Producers, 54, St. Christopher Street, VLT 1462, Valletta, Malta,
Tel: +356 21 22 35 15, Fax: +356 21 24 11 70, E-Mail: john.refalo@bar.com.mt

GREENPEACE
Losada Figueiras, Sebastián
Oceans Policy Adviser, Greenpeace International, c/San Bernardo, 107, 28015 Madrid, Spain
Tel: +34 91 444 1400, Fax: +34 91 447 1598, E-Mail: slosada@greenpeace.org

Chartier, François
Greenpeace France, 22 Rue des Rasselins, 75020 Paris, France
Tel: + 331 4464 0202 Fax: +33 1 4464 0200; E-Mail: francois.chartier@greenpeace.org

Goncalves, Leandra
Greenpeace Brazil, Rua Alvarenga, 2331, 05509 006, Butanta-SP, Brazil
Tel: +55 119035 1155, E-Mail: leandra.goncalves@greenpeace.org

Mackenzie, Willie
Greenpeace UK, Canonsury Villas, NI 2PN, London, United Kingdom
Tel: +44 777 90 91734, E-Mail: willie.mackenzie@uk.greenpeace.org

Provost, François
Mediterranean Coordinator, Greenpeace Oceans Campaign, Ottho Heldringstraat 5, 1066 AZ, Amsterdam, Holland
Tel: +31 20 718200, Fax: +31 20718 2002, E-Mail: fprovost@greenpeace.org; fprovost@diala.greenpeace.org

International Game Fish Association (IGFA)
Graupera Monar, Esteban
Confederación Española de Pesca Marítima de Recreo Responsable, Molinets 6, 7320 Mallorca, Islas Baleares, Spain
Tel: +34 971 621507; +34 656 910693, Fax: +971 621 627, E-Mail: egraupera@gmail.com

Schratwieser, Jason
300 Guld, Stream Way, 33004, Dania Beach, Florida, United States
Tel: +1 954 924 4320, Fax: +954 924 4299, E-Mail: jschratwieser@igfa.org

International Seafood Sustainability Foundation (ISSF)
Jackson, Susan
P.O. Box 11110, McLean, Virginia 22102 United States
Tel: +1 703 226 8101, Fax: +1 703 226 8100, E-Mail: sjackson@iss-foundation.org

MEDISAMAK
Flores, Jean-François
Armateur, MEDISAMAK, 50 Rue Romain Rolland, 34200, Sète, France
E-Mail: floresjff@aol.com

Kahoul, Mourad
Vice-Président, Comité National des Pêches Maritimes et des Élevages Marins (CNPNE), 39 Rue de la Loge, 13002, Marseille, France
Tel: +33 6 2317 0404, Fax: +33 06 9191 9605, E-Mail: bluefintuna13@yahoo.fr

OCEANA
Bello, Maximiliano
Avenida General Bustamante 24, Oficina 2C, Providencia, Santiago de Chile, Chile
Tel: 56-2 795 7140, Fax: 56 2 795 7146, E-Mail: mbello@oceana.org

Cornax, María José
Fundación Oceana Europa, c/ Leganitos, 47 - 6º, 28013, Madrid, Spain
Tel: +34 911 440880, Fax: +34 911 440 890, E-Mail: mcornax@oceana.org

Griffin, Elizabeth
OCEANA, 1350 Connecticut Ave. NW, 5th floor, 20036, Washington, DC, United States
Tel: +1 202 467 1913, Fax: +1 202 833 2070, E-Mail: egriffin@oceana.org

Organization for Promotion of Responsible Tuna Fisheries (OPRT)

Ishida, Shuji

9F Sankaido Bldg. 9-13, Akasaka 1-Chome, Minato-ku, 107-0052 Tokyo, Japan
Tel: +81 3 3568 6388, Fax: +81 3 3568 6389, E-Mail: ishida@opr.or.jp

Oyama, Akira

9F Sankaido Bldg. 1-9-13 Akasaka, Minato-Ku, 107-0052, Tokyo, Japan
Tel: +81 3 3568 6388, Fax: +81 3 3568 6389, E-Mail: didit.akiraoyama@h8dion.ne.jp

Shinano, Yukio

9F Sankaido Bldg. 9-13 Akasaka, Minato-Ku, Tokyo 107-0052, Japan
Tel: +81 3 3568 6388, Fax: +81 3 3568 6389, E-Mail: yukio.shinano@mitsubishicorp.com

The Pew Environment Group

Fischer, Micaela

Senior Associate, 901 E Street NW, Suite 700, Washington, DC 20004, United States
Tel: +1 202 887 8856, Fax: +1 202 552 2299, E-Mail: mfischer@pewtrusts.org

Guilherme Alves Cavalcanti, Paulo

Dive Operator, Rua Dom Gerardo, 63, SL1.306, P.O. Box 20090-030-RJ, Brazil
Tel: +59 21 2223 4603, E-Mail: pinguin@ondaazul.com.br

Hepp, Jill

Manager, Global Shark Conservation, 901 E Street NW, Suite 700, 20004, Washington, DC, United States
Tel: +1 202 540 6395, Fax: +1 202 552 2299, E-Mail: jhepp@pewtrusts.org

Klotz, Daniel

Officer Communications, 901 E Street NW, Suite 700, Washington, DC 20004, United States
Tel: +1 202 887 8855, Fax: +1 202 552 2299, E-Mail: dklotz@pewtrusts.org

Lieberman, Susan

Director, International Policy, 901 E Street, 7th floor, Washington, DC, 20004 United States
Tel: +1 202 540 6361, Fax: +1 202 552 2299, E-Mail: slieberman@pewtrusts.org

Polti, Sandrine

Shark Alliance Policy Advisor/Senior Associate, EU Policy, Square du Bastion 1A, 1050, Brussels, Belgium
Tel: +322 274 1622, E-Mail: spolti@pewtrusts.org

Rand, Matt

Director, Global Sharks Conservation, 1200 18th Street NW, Suite 500, Washington, DC, 20036 United States
Tel: +1 202 285 4859, Fax: +1 202 552 2299, E-Mail: mrand@pewtrusts.org

Truda Palazzo, Jose

Consultant, 901 E Street NW, Suite 700, 20004, Washington, DC, United States
Tel: + 55 5 1929 49400, Fax: +1 202 552 2299, E-Mail: brazilian_wildlife@terra.com.br

Sustainable Fisheries Partnership (SFP)

Sousa, Pedro

Director, FishSource, Urb. Monte da Ria, 15, Faro, Portugal
Tel: +351 964 590 959, Fax: E-Mail: pedro.sousa@sustainablefish.org

World Wide Fund for Nature (WWF)

Tudela Casanovas, Sergi

WWF Mediterranean Programme Office Barcelona, c/ Carrer Canuda, 37 3er, 08002 Barcelona, Spain
Tel: +34 93 305 6252, Fax: +34 93 278 8030, E-Mail: studela@atw-wwf.org

Elliott, Wendy

WWF International, Avenue du Mont-Blanc, 1196 Gland, Switzerland
Tel: + 41 22 364 9532, Fax: +41 22 364 6624, E-Mail: welliott@wwfint.org

Ody, Denis

WWF International, 6 Rue des Fabres, 13006 Marseille, France
Tel: +33 74 96116944, Fax: +33 4 9611 6949, E-Mail: dody@wwf.fr

Parkes, Gemma
WWF Mediterranean Programme, Via Po 25/C, 00198 Rome, Italy
Tel: +39 06 844 97 224, Fax: +39 06 841 3866, E-Mail: gparkes@wwfmedpo.org

ICCAT Secretariat

C/ Corazón de María, 8 – 6th fl. 28002 Madrid - Spain
Tel: +34 91 416 5600; Fax: +34 91 415 2612; Email: info@iccat.int

Meski, Driss
Restrepo, Victor
Kebe, Papa
Pallares, Pilar
Moreno, Juan Antonio
Palma, Carlos
Ochoa de Michelena, Carmen
Cheatle, Jenny
Campoy, Rebecca
De Andrés, Marisa
Gallego Sanz, Juan Luis
García Piña, Cristóbal
García Rodríguez, Felicidad
García-Orad, Maria José
Martín, África
Moreno, Juan Angel
Navarret, Christel
Peyre, Christine
Suzuki, Takaaki

Interpreters

Arruda, Martina
Amari, Jaafar
Faillace, Linda
Ghostine, Salim
Liberas, Christine
López Ewert, Beatriz
Meunier, Isabelle
Silveira, Ricardo
Tedjini Roemmele, Claire

Auxiliary staff

Carvalho, Silvia
Diniz, Tatiana
Itani, Vanessa
Menelau, Nathalia
Menezes, Damires
Oliveira, Elaine
Tavares, Juliana
Teles, Ilka
Torquato, Walkiria
Valadares, Pietra

OPENING ADDRESSES & STATEMENTS TO THE PLENARY SESSIONS

3.1 OPENING ADDRESSES

By Dr. Fabio Hazin, ICCAT Chairman

First of all, in the name of the Commission, I would like to express my gratitude to the Brazilian Ministry of Fisheries and Aquaculture for hosting this meeting in my natal State, which was also the birthplace of the commercial tuna longline fishery in the Atlantic Ocean over 50 years ago. It is also emblematic that this year we are celebrating 40 years of the entering into force of the ICCAT Convention, an anniversary that has been crowned by the first meeting of the Working Group on the Future of ICCAT. I believe that the task assigned to this Working Group is a natural sequel to the performance review and one of utmost importance to the strengthening of the Commission in order to ensure its future. "But, let's not fool ourselves: there will be no future for ICCAT if we do not fully respect and abide by the scientific advice. If we do not follow the instructions science is giving us, our credibility will be irreversibly jeopardized and the mandate to manage tuna stocks will be surely taken out of our hands. Time has come for us to show the world that we do have the political will and the commitment to implement the measures needed to ensure the sustainability of tuna stocks in the Atlantic Ocean and the Mediterranean Sea. If we fail, other institutions will take over. And if one stock falls out of our hands, others may well do likewise. I believe you all recognize these words since they were taken verbatim from the letter I circulated last year, which, quite unfortunately, could not be more up to date.

After having met with several Contracting Parties prior to this meeting, however, during the several bilateral meetings and regional workshops, I am fully convinced that this year the Contracting Parties of ICCAT will leave Brazil with all conservation and management measures adopted by the Commission in full conformity with the scientific advice. And I am sure that we will not do it only as a way to escape from the threat of ICCAT losing its mandate to manage bluefin tuna in the Atlantic Ocean. We will do it simply because we have realized that this is the right thing to do. Because this is the only way to ensure the long term sustainability of the stocks exploited under ICCAT Convention.

But we also have to realize that to bring the ICCAT management regime to the conformity with science is not enough to ensure sustainability. For the management measures to work, we need to have in place an efficient mechanism for the monitoring and control of the fishing fleets, as well as a Compliance Committee capable, not only of detecting non-compliance problems but also, and even more importantly, of applying penalties proportional to the infringements detected so that we can make sure they will not happen again. We have been very much able to impose sanctions on non-members in the past and time has also come for ICCAT to show it does not have double standards, and that it is equally determined to also impose sanctions on its members in the same way it does with non-members. Surely, it is not going to be an easy task, but moving ahead with the work already done by the Compliance Committee, by advancing from the detection of compliance failures into the consequent sanctions, is a crucial step towards the future of the Commission. Of course, we should also make all possible efforts to help those facing compliance problems to rectify them, since in many instances these problems occur not because the Contracting Party is not willing to comply, but because it does not have the means to do so.

From all the aforesaid it becomes clear that, understandably, the bluefin tuna and compliance issues will again this year be our highest priorities. Nevertheless, it is important to note that ICCAT is not the International Commission for the Conservation of the Atlantic Bluefin Tuna, so the priorities of this meeting should also include other species such as swordfish, bigeye tuna, northern albacore and sailfish.

I am confident that all the delegations here present will make every effort to work cooperatively on these important issues and to ensure the success of this Commission in conserving the valuable fishery resources under our mandate.

By The Hon. Altemir Gregolin, Minister of State for Fishing and Aquiculture

Good morning to all of you! And my greetings to all of you!

First of all I would like to express the joy and satisfaction of the Brazilian people to welcome such an important meeting for the fisheries of the world.

Your presence here in Porto de Galinhas, the southern coast of the State of Pernambuco, where the tuna fisheries started in Brazil, makes us more proud and more joyful, and we are sure that we will leave this meeting firmer in our commitment to promote the sustainable development of fisheries.

We can affirm that this is the most important meeting of fisheries in the world.

On behalf of the Brazilian Government and on behalf of President Lula, I would like to wish you all a very pleasant stay in Brazil and all the luck in your meetings. Enjoy the natural beauties of our country to the fullest and get to know our culture that reflects the resistance, the braveness and joyfulness of our people. Enjoy our cooking and see that Brazil is like its people, hardworking, strong, brave, joyful and creative.

Brazil greets the ICCAT when it completes 40 years of existence as the regional body responsible for fishing coordination that has carried out its mandate, guaranteeing the fisheries activities of tuna and tuna-like with economic, social and environmental sustainability throughout the Atlantic.

Therefore, we see the role of the Chairmanship of the Commission as a mission of great responsibility, because it is the first time that the Chairmanship of ICCAT is carried out by a developing country.

Represented by Professor Fabio Hazin, Brazil feels honored for complying with this mission.

In Brazil, about 3.5 million people live on the fisheries, producing around 1 million tons a year, and generating an economic movement of 2.5 billion dollars. These are men and women who share a life of work and dedication so that aquaculture and fisheries are a source of income, wealth and pride for Brazil.

Today, with the creation of the Ministry of Fisheries and Aquaculture, the elaboration of a sustainable development plan and the approval of the new fisheries law in Brazil, we are a country that is consolidating a State policy for fisheries and aquaculture. We also created EMBRAPA Aquaculture and Fisheries that will develop research and technology for the sector.

We have developed a program for the concession of public waters for farming, both in continental water dams as much as in the sea. The decision of Brazil is to believe in the development of the sector as a strategy for food security, the reduction of poverty, the generation of jobs, work, income and social inclusion.

Brazil has a coastline of 8,500 km, 13% of the waters in the world, noble species, and a favorable climate. Most of the Amazon region, which is the greatest reserve of sweet water in the world, is here in Brazil. And the production of fish in this region allows its development without destroying the forest.

We produce 1 million tons and according to a study carried out by FAO, through farming we will be able to produce 20 billion tons of fish. We also have the privilege of a domestic market with 200 million consumers and a foreign market where the consumption of fish is increasing.

There is, therefore, a great potential of production market and the Brazilian Government's political decision is to invest in its development so as to put Brazil among the great producers of fish in the world. In the oceanic fishery we identify a great potential for development, most of all with tuna and tuna-like fish.

We have a strategy to occupy our Exclusive Economic Zone to act in the fisheries of tuna and to extend these fisheries to international waters because tuna is the species that is the most promising for our oceanic fisheries.

The Brazilian Government has adopted public policies to promote fishing with sustainability.

Brazil has been building its own oceanic fleet, a national fleet, in order to guarantee our sovereignty. The PROFROTA program has approved 54 projects, most of them are tuna fishing vessels; 18 projects have been financed and 8 vessels are already operating.

We also allow the nationalization of foreign boats that operate in Brazil through concession contracts. We are also investing in the infrastructure of our coastline, and have been building 20 public fishing terminals.

The region where we have the strongest tuna fisheries in northeast Brazil, where we have three terminals, one in Natal, one in Cabedelo, and the other one in Recife which is in the phase of development of the executive project.

Brazil participates in the major international fora for decision making on fisheries. This year Brazil has ratified adherence to the compliance agreement to promote international measures for the conservation and management of fishing resources by vessels on the high seas.

For us, it is very important that the ICCAT follows up in its process of modernization, thus insuring its strengthening and the preservation of its mandate. Our wish and goal is to strengthen ICCAT institutionally, and I believe that all of you that are here today have the same goal.

That is why it is important that there is much serenity and discernment in the discussions and firmness in the decisions, confirming therefore the mandate of ICCAT as the intergovernmental organization that is in charge of and capable of insuring the economic, social and environmental sustainability of the fisheries for tuna and tuna-like fish in the Atlantic.

I would also like to highlight the good moment of Brazil. The country, under the presidency of Lula, is undergoing a new process of growth with income distribution, stability and the strengthening of democracy. The world economic crisis was an opportunity for Brazil to demonstrate the soundness of its economy. For 2009, the country should have a growth of 2% in GDP and generate more than 1 million jobs. And in 2010 the growth should be of 5% of the GDP. In the Lula administration, 20 million people left their condition under the line of poverty, and 20 million people became part of the middle class.

This is a victory of Brazil. The Brazilians are more proud of their country than ever before. And the Olympic games of 2016 strengthen this feeling even more.

Finally, and to conclude, I hope we have an excellent meeting and that in your luggage when you go back to your countries you take a warm greeting from the Brazilian people.

3.2 OPENING STATEMENTS BY CONTRACTING PARTIES

Brazil

It is a great pleasure and an honor for the Brazilian delegation to host the 21st Regular Meeting of the International Commission for the Conservation of Atlantic Tunas, for the second time, exactly one decade after the first time ICCAT met in Brazil, in the beautiful city of Rio de Janeiro. We know that to surpass the beauty of the “wonderful city”, as Rio is known, is a very hard task, but we do hope that the warmth and rich culture of the people of Pernambuco will make this meeting as pleasant and enjoyable as the previous one. We would also like to praise the Secretariat for its hard work and efficient organization of such an important event, even more so this time than in previous occasions, since we had the opportunity, as the host, to follow it much more closely.

Again this year, quite unfortunately, we are forced to realize that ICCAT is facing very serious difficulties that challenge its credibility in an unprecedented way. As cautioned by the Chairman last year, ICCAT is now facing the risk of losing the mandate to manage the bluefin tuna stock, mainly because it has failed to abide by the scientific advice. It is needless to say how such a development could jeopardize the future of this Commission. In light of that, we reiterate the plea we made last year for all Contracting Parties to embrace the cause of leaving the meeting in Brazil with all measures adopted by the Commission in full conformity with scientific advice, not only in relation to bluefin tuna, but to all species under the mandate of the Commission. In case such a result is not achieved at the present meeting, Brazil will have no other choice but to conclude that ICCAT is not acting responsibly to conserve the stocks under its management regime and, as a consequence of that, would be compelled to support initiatives in other fora that can ensure the long-term sustainability of the species exploited under the ICCAT Convention.

It is also important to highlight, that, unfortunately, just to have the conservation and management measures adopted by the Commission in full conformity with scientific advice is not enough to ensure the sustainability of the stocks exploited. If an efficient system of monitoring and control is not in place, such measures will not be effective and, therefore, we consider the strengthening of the control process as important for the conservation of the stocks as the need to have management measures in conformity with scientific advice.

Furthermore, it is crucial to ensure full compliance with the conservation and management measures adopted by the Commission and, in this regard, Brazil greatly praises the significant progress achieved by the Compliance Committee during the Barcelona meeting, which, in our view, reflected quite positively on the credibility of the Commission. Nevertheless, again we have to warn that if the problems detected do not have practical consequences, reflected in penalties and sanctions, the credibility of ICCAT will be jeopardized in an even more serious manner than if it had not identified the compliance problems in the first place.

Finally, we would like to express our satisfaction with the realization of the first meeting of the Working Group on the Future of ICCAT and welcome the progress achieved by it, in spite of the fact that very few Contracting Parties were able to attend it. In our view, the task undertaken by this Working Group is the natural sequel to the performance review carried out by the Commission and one of utmost importance for the future of this Commission, particularly regarding the need to update its 40-year old Convention, in order to bring it in line with modern concepts of fisheries management, such as the precautionary and the ecosystem approaches. We understand that such a task is time-consuming and might take many years to be finished, but this is a further reason to expedite its work and not to postpone it. Of course, this Working Group will lose its meaning if, at the present meeting, the management and conservation measures adopted by the Commission do not conform to scientific advice, since in such a case the Commission will have its future gravely compromised, anyway.

As usual, the Brazilian delegation is ready to cooperate with you and all delegations to make this meeting a very successful one.

Canada

Canada is pleased to be here in beautiful, tropical Brazil for the 21st Regular Meeting of ICCAT. We would like to thank our Brazilian hosts for their excellent hospitality. We look forward to positive outcomes this week.

Canada is committed to sustainable fishing practices that contribute to healthy fish stocks and economic opportunities for fishers. We believe that conservation and management of fish stocks is best achieved through a combination of effective domestic, regional, and international fisheries management. However, this means Regional Fisheries Management Organizations such as ICCAT must manage their fisheries sustainably.

Over the last three years, ever since ICCAT celebrated its 40th anniversary, we have heard the same refrain; “This is the most important meeting in this Organization’s history”. This year, more than any other, this statement is absolutely true. If ICCAT members fail to take decisions that reduce overfishing and illegal fishing in the Eastern Atlantic and Mediterranean Bluefin Tuna fishery, the international community may take that responsibility out of ICCAT’s hands. The eyes of the world are on us. How are we going to respond?

Some members have criticized the interest of other organizations in the management of bluefin tuna and other species under ICCAT’s mandate. However, ICCAT’s track record for the management of eastern Atlantic and Mediterranean bluefin tuna, in particular, has been far from exemplary. While there have been significant improvements in the management and control of this fishery, we are still ignoring the basics: following the science advice.

Sustainable fisheries for tuna and tuna-like species in the Atlantic are attainable. We have continually repeated that, if ICCAT members can accept short-term sacrifices and take strong action, then we can be successful. Canada has been a major contributor to the science and management of North Atlantic swordfish, and so it is with considerable pleasure that we have seen the successful rebuilding of this stock. This noteworthy objective was achieved through considerable sacrifice on the part of swordfish harvesters and through investment in the science and management process. We have shown the world what is possible to achieve in this forum.

But simply following the science advice is not enough. All the Parties around this table must be willing to accept the consequences of not complying with management measures adopted by ICCAT. Where non-compliance is reported, Parties must not only answer questions regarding their operations, but be ready to accept penalties, if such non-compliance is confirmed.

We have taken some positive steps in recent years. We continue to work on the strengthening of the organization, using the ICCAT Performance Review as a guide. The Working Group on the Future of ICCAT held important discussions, and made a number of clear recommendations to the Commission and its individual Panels for follow-up. We would expect all the immediate action items, including species-specific recommendations, to be considered and acted upon this week. Discussions must also continue on developing a way forward on longer-term measures to strengthen the organization, including the possibility of updating the current Convention.

We are all well aware of the issues and what is at stake. We fully understand the implications of both action and inaction. We can demonstrate to the world that the management of tuna and tuna-like species in the Atlantic is in good hands. Or we can simply continue to fail, and relinquish the responsibility entirely.

Let us collectively make the right decision.

Croatia

The Croatian delegation would like, first of all, to express our deepest appreciation and thanks to the Government of Brazil, and our Commission Chair, Dr. Fabio Hazin, for having organized this meeting in the beautiful surroundings of a tropical paradise near Recife. Brazil is the place where ICCAT was forged many years ago, and hopefully this beautiful country and the location shall help in re-forging the power of the Commission in these challenging times. We should not forget, on this occasion, to congratulate Brazil and the Brazilian Government on recent victory in the election to host the 2016 Olympic Games.

The year behind us was a difficult and a challenging one, but we believe that the one ahead holds even more of a challenge. You will all remember the amount of work and effort that was put into drafting of the bluefin tuna plan in Morocco last year. But the work did not end there. Actually, it can be said that it began there. Croatia has, as many other CPCs, worked hard through the 2009 fishing season in order to secure the full adherence to the ICCAT management measures. This is the continued work that has actually been going on for years. But were we effective enough and were we on time? The answer to the first part of the question shall perhaps become obvious in the future, but the answer to the second part perhaps stems from the mistakes of the past.

The times when people could come to meetings, agree on measures, go home and forget about the agreed measures until the next year's meeting have long gone. The present situation of some stocks, in particular, the bluefin tuna stock, is not a promising one, and there is a realistic possibility that other organizations may take over. And if that happens, it will not be their fault. We will not have the luxury to blame it on somebody else, since it is the members of the ICCAT that hold the sole responsibility for the success or failure of the Commission, and ultimately the bluefin tuna. Given the choice, we'd rather opt for success than failure. To that end, Croatia has put a lot of working hours, manpower and funds in order to implement, in particular, the measures related to monitoring, surveillance and control, including the BCD, the observer programs and the VMS. To that end, Croatia is prepared to work with all the Parties around the table throughout the week in order to reach an agreement on future measures that need to be adopted if the bluefin tuna stock is to recover. In doing so, we believe that the adherence to the scientific advice is and may be the only way forward. Having said all this, Croatia firmly believes that we, all together, shall in the course of the forthcoming week find the strength and the courage to pass this very challenging exam. And, somewhere along the way, have the opportunity to enjoy the beautiful surroundings and the warm hospitality of our hosts.

Japan

On behalf of the Japanese delegation, I would like to say a few words at the beginning of the 21st Regular Meeting of the International Commission for Conservation of Atlantic Tunas.

First, I would like to express our deepest appreciation to the Government of Brazil and, in particular, our Commission Chair, Dr. Fabio Hazin, for preparing for and hosting this Commission meeting in the lovely resort of Recife, which I personally asked him to select as this year's venue. Thank you again, Fabio-san. On this occasion, the Japanese delegation would also humbly congratulate Brazil on her recent victory in the election for the host of the 2016 Olympic Games having beaten Japan, Spain and the United States.

The Japanese delegation came here to attend this annual meeting with special determination to make a difference from the past ICCAT as well as the past Japanese delegation. This year, the Commission must demonstrate its real ability to realize and ensure sustainability of Atlantic tuna resources and relevant resources, including not only bluefin tuna but also bigeye, swordfish, albacore and even sharks. Otherwise, we are afraid the credibility and integrity of ICCAT would be lost and hardly be rebuilt in future. That is why Japan will not spare any effort and will work harder on our own initiative than in past meetings to avoid such an irremediable deep damage to the Commission. All the CPCs have been making great effort for the conservation of Atlantic tunas over 40 years in this Commission, but the great results of our sweat and tears spent during this long period of time might well turn to nothing pending what we are going to do this week. Japan would like to work with all the participants here to conserve the Commission.

More specifically, Japan is determined to work out at this meeting conservation programs consistent with SCRS advice for not only bluefin tuna but all major species. Compliance is another matter of the highest importance. The Commission should be an effective and practical mechanism to check and ensure compliance of each CPC with conservation and management measures. In this mechanism, each CPC has to prove the compliance through presenting all the reports and data required under the established rules together with supplementary background information on its monitoring and enforcement activities. Japan is providing such information as a flag State of fishing vessels as well as a market State of Atlantic tuna products. In respect to the latter, Japan is not in a position any more to accept CDs or SDs of Atlantic bluefin and other tuna products for which compliance is questionable. We would strongly urge all the CPCs sending tuna products to Japan to demonstrate their compliance in respect to those products. It is not our task, but the flag and producing CPC's responsibility to verify and validate the information involved in such documents and proving compliance.

Finally, it is our sincere hope to achieve consensus on measures for bluefin and other important stocks this year. CITES COP 15 is scheduled in March 2010. Usually at CITES meetings, contracting parties' views differ widely. Given that ICCAT species are subject to discussion at the COP 15, what is really needed at present is close cooperation of all the CPCs. Achieving consensus on bluefin and other measures and taking a shared position toward CITES is highly desirable and even essential to maintain the integrity of the Commission. To this end, Japan will put forth its best effort. Even if we cannot work out an agreement in Recife, we cannot continue the status quo as we did in 2002 for the eastern Atlantic and Mediterranean bluefin tuna. In that case, the tuna fishery would be unregulated, namely IUU, and its eventuality would inevitably be suspension of that entire fishery next year. Japan, as a responsible market State, could not buy products of the fishery at all. We should realize it at the beginning of this meeting. And let's work hard to avoid it.

Having said so, however, I must say that this place is too nice for just work. Enjoying life is sometimes more important than tunas. Thus, it is also our strong hope that we have some time to enjoy our stay in this beautiful area this week.

Korea

It is a great pleasure for the Korean delegation to be here in such a beautiful and welcoming place as Recife, Brazil. On behalf of the Korean Government, we would like to express our sincere gratitude to the Government of Brazil and ICCAT Secretariat for hosting and organizing this important meeting in this wonderful city.

We would like to share our viewpoint on the important matters to be discussed at this meeting with the other distinguished delegates of the CPCs of the Commission. Regarding the future of ICCAT, we believe it is critical that the modernization of the Convention reflect the precautionary approach, ecosystem based management, and control of overfishing as discussed at the meeting in Sapporo.

As we all are well aware, the Commission is once again facing great challenges that will demand firm action in order to assure the fulfillment of its obligations. Korea has been making every effort and will continue to do so to comply with all conservation and management measures adopted by the Commission regarding northern bluefin tuna, bigeye tuna, and swordfish in the Atlantic Ocean. We would like to remind you that Korea was the third largest fishing country which caught approximately 6,000 to 10,000 tons of bigeye tuna and approximately 500 to 1,000 tons of swordfish in the mid-1980s. Yet, Korea, as a member of ICCAT, has voluntarily contributed, since the 1980s, to the recovery of these fish stocks.

In our view, the most essential thing is that all members of the ICCAT show their strong commitment by reaching consensus on the adoption of conservation and management measures, such as, the redistribution of quota allocation for bigeye tuna and swordfish in a fair and transparent manner.

Korea would like to strongly support the recommendations that ICCAT investigate and develop a strict penalty regime which either has the capacity to suspend member countries that systematically break ICCAT regulations or the ability to apply significant financial penalties for breaches in compliance as set out in the Report of the Independent Review Panel. It is apparent that a top priority for ICCAT is to ensure full compliance with the conservation and management measures adopted by its Commission. In this regard, in February 2008 the Korean Government established and initiated the “Distant Sea Fisheries Act” which stipulates penalties and sanctions, depending on the level of non-compliance, for national fishing vessels that do not comply with any compulsory measures adopted by ICCAT or other RFMOs.

Finally, our delegation is ready to work with all the Parties to reach consensus on the objectives before us, and is hopeful for a successful outcome.

Mauritania

The Islamic Republic of Mauritania is quite honored to have become a Contracting Party of CICAT and to take part in its 21st Regular Meeting as a member. We wholeheartedly thank the Government of Brazil for all the facilities provided and the welcome extended to our delegation.

Our presence at many ICCAT meetings prior to becoming a member is clear proof of the awareness and interest that the Islamic Republic of Mauritania accords to this organization.

Today, as members, we confront the responsibility that this implies in terms of the technical, scientific, political and financial commitments. You can count on our availability to fully play our part.

The efforts made over 40 years and the remarkable advances which have earned ICCAT the prestige it enjoys today, have encouraged and convinced us to become a member, while being conscious of the work still to be done. The major challenge lies in the capacity of our organization to attain the objectives of management and conservation of the tuna stocks in the Atlantic Ocean, while assuring fairness among the Parties. In our opinion, the interest of all the Parties, especially that of the coastal developing States, should be taken into account.

Mauritania confirms the importance of the tuna resources for its economic and social development. For our country, which is currently going through a phase of change, the fight against famine and malnutrition will continue to be of constant concern and will constitute the major focus of the political and social policy of the Government up to 2015. In this context, the sustainable utilization of the living marine resources takes on an increasing significance. In this sense, Mauritania requests a quota allocation, particularly for bigeye tuna.

In spite of our national priorities, we are willing to be guided by the decisions of the Commissions regarding the adequate allocations of catch to our country. These decisions will certainly take into account the importance of our exclusive economic zone for the tuna resources and the positive impact of the socio-economic effects of this activity for the development of our country.

Our country will make every effort to update our regulatory measures in this respect and to increase the effectiveness of the management and conservation measures on tunas, particularly in waters under its jurisdiction.

Consequently, Mauritania is committed to collaborate within the framework of ICCAT and with the other Contracting Parties towards further improving ICCAT conservation and management programs and to obtain fruitful results by utilizing the Atlantic tuna resources in a sustainable manner.

Namibia

Namibia hereby extends her appreciation to the Brazilian Government through the able Chairman of the ICCAT Commission, Prof. Fabio Hazin, to have selected this wonderful and conducive resort as venue for the 21st Regular Meeting of the Commission.

Realising that the oceans of the world are a global village besides the fact that *homo sapiens*- for mere issues of convenience- have delineated them through geopolitical boundaries. This approach disadvantages the residents (fish and others) of the oceans, in our endeavours to rectify anthropogenically induced mishaps. Namibia as a player in perpetual utilization of our global aquatic resources is proud to be part of the ICCAT convention in order to take up her nichè in this important assignment of saving our oceans and inherent biodiversity. We thus

continue to support the well crafted and scientifically verified measures adopted by the Commission at its annual meetings.

We are cognisant of the existence of a “tug-of-war” between ecological and economic considerations in fisheries management. As a matter of fact ensuring that management measures are based on the best scientific advice available and consistent with the precautionary approach has been compromised in the name of socioeconomic considerations in some instances and this should not be the case. Scientific advice in particular with respect to establishment of effective stock rebuilding measures and other measures to maintain stocks at sustainable levels has to be regarded as the “absolute truth” otherwise we could lose the battle against maintenance of sustainable levels of stocks under the purview of the Commission.

Secondly, we congratulate the Secretariat for having hired the services of a By-catch Coordinator. By-catch data are needed to aid in assessing likely impacts of fishing on dependent and related species. ICCAT needs access to this data in order to apply the ecosystem approach to fisheries in assessments; such data are of importance in proper quantification of biological material removal from the system under the jurisdiction of ICCAT.

As a developing State, Namibia congratulates those States that have contributed to the fund of assisting developing States in matters pertaining to participation in meetings organized by ICCAT, technical assistance, technology transfer, training and scientific cooperation. The “*enhancement of their ability to develop their own fisheries as well as to participate in high seas fisheries, including access to such fisheries*” is a pending clause within the ICCAT and needs proper application definition.

On a final note, we encourage the Commission to call upon the members to complete and implement their National Plan of Action for Sharks. As of late, some of the shark species have become a subject in the CITES due to non-compliance of many fishing nations to devise plans in order to address the issue of decline in abundance of these long-lived species. And, as a matter of fact, once a species is listed under the CITES Appendices it becomes very hard to get it removed. Commercially important fish species should thus be treated by CITES through collaboration with FAO as an authority in fisheries. RFMOs such as ICCAT are important tools to work in concert with FAO on these issues.

Let us hope for a successful and fruitful Commission meeting.

Senegal

The Republic of Senegal thanks the Republic of Brazil for hosting the 21st Regular Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

The Senegalese Delegation avails itself of this occasion to express its gratitude to the Government of Brazil and the people of Brazil for the warm welcome given to us.

We congratulate the Chairman and the Executive Secretary of ICCAT for the excellent organization of the meeting and for their disposition to respond to the requests of the Contracting Parties, particularly those of the developing countries.

The strengthening of the Senegalese delegation from year to year testifies, if need be, to the importance that Senegal accords to ICCAT since the resumption of its activities in this organization in December 2004.

Senegal is very pleased about the selection of the President of the Senegalese Federation of Sport Fishing, Mr. Abdou Diouf, to Chair the Working Group on Sport and Recreational Fisheries.

ICCAT is at a critical point in its development. All the Contracting Parties are conscious of the serious state of the majority of the fisheries under the competence of the organization. In effect, the measures adopted are not respected. Likewise, IUU fishing continues to threaten ICCAT’s capacity to establish and maintain an effective management regime.

It is essential that the Contracting Parties understand that if the pertinent recommendations of the SCRS are not correctly implemented to rebuild the threatened stocks, which will be a detriment of the credibility of our organization.

We dare to hope that the adoption and implementation of the recommendations of the various working groups, particularly those from the Working Group on the Future of ICCAT, will contribute towards strengthening ICCAT's capacity to better take charge of the sustainable management of the relevant species under its mandate.

The developing countries expect a lot from this 21st meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT), particularly a fair allocation of the quotas, a simplifying of the scheme to calculate the contributions, and the necessary technical and financial support to assure adequate management of the fishing activity and the progressive and sustainable development of the tuna fishing industry.

Senegal hopes that this meeting takes into account the concerns of the developing countries to facilitate their involvement in decision making and permit the correct and diligent implementation of the ICCAT recommendations.

Sierra Leone

It is my honour to represent my country as the Head of Delegation at this important meeting on issues relating to the conservation of Atlantic tunas. On behalf of the Government of Sierra Leone, under the leadership of The Hon. President, Dr. Ernest Bai Koroma, I wish to extend my sincere appreciation to the organizers of this meeting for their kind invitation that has facilitated the participation of my country.

As we are all aware, until recently, my country was not a member of this noble Commission. This status had far reaching implications regarding the commitment and cooperation towards the management of tuna stocks. Because of our status then, my country was considered a 'pariah' State in the global fight against illegal fishing activities on the high seas. Let me take this opportunity to underline our commitment to the ideals of the Commission and specifically acknowledge our new status as a member of the Commission.

Sierra Leone is a country in the West Africa subregion that benefits from seasonal migrations of tunas across its maritime waters. By all accounts, in view of the limited capacity to patrol the entire maritime waters, my country has not had equitable economic returns from the exploitation of these resources. We know that several tuna purse seiners and longliners operate in our waters without licences or authorization to fish. This is a huge challenge which, under my direction, we are determined to confront. Along with my determination, it is also my fervent appeal to this Commission to assist in this fight against this 'pillaging' of our waters.

I wish to inform this meeting that Sierra Leone has a Ministry of Fisheries and Marine Resources that has the sole mandate to issue fishing licences or authorization to all vessels (including tuna vessels) to fish in Sierra Leone waters. I also wish to state that the registration of a vessel and the carrying of a Sierra Leone flag do not entitle a vessel to fish in Sierra Leone waters without fishing licences. We have taken the steps to ensure that tuna fishing vessels with intent to fish in Sierra Leone maritime waters have local registration from the Sierra Leone Maritime Administration in Sierra Leone before qualifying for licensing by the Ministry of Fisheries and Marine Resources in Sierra Leone.

All vessels must obtain a fishing licence from the Ministry of Fisheries and Marine Resources and this duty cannot be outsourced to any external organization or persons.

United States of America

The United States would like to thank Brazil for hosting this 21st Regular Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) and for choosing such a beautiful setting for our discussions. We also want to offer our appreciation to our hosts as well as the Executive Secretary and his staff for the excellent meeting preparations.

Last year, the United States warned that ICCAT was at a crossroads. Our concern largely centered around the status of eastern Atlantic and Mediterranean bluefin tuna and the compliance problems that plagued that fishery, problems that were quickly driving the stock and fishery toward collapse. We and other concerned delegations pressed the eastern harvesters to adopt and implement conservation measures consistent with scientific advice as well as to take strong compliance action to fully address illegal, unreported, and unregulated (IUU) fishing. Unfortunately, this did not happen. One year later, we are here again with the same basic message. Now, however, the global scrutiny on ICCAT has intensified, particularly in light of the recent proposal to list Atlantic bluefin tuna on Appendix I of the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES).

This year, the Commission simply cannot afford to ignore the opportunity to adopt management measures for eastern Atlantic and Mediterranean bluefin tuna that ensure a high probability of ending overfishing and rebuilding the stock. And while significant strides were made during the 2009 fishing season to reduce illegal fishing, the Commission and its members must continue efforts to identify and eliminate IUU fishing of this stock by using all tools at their disposal. Anything short of this and ICCAT will lose all remaining credibility as a serious regional fisheries management organization and may well lose sole international management authority over Atlantic bluefin tuna.

In addition to eastern Atlantic and Mediterranean bluefin tuna, other fish stocks that need management attention this year include North and South Atlantic swordfish, North Atlantic albacore tuna, bigeye tuna, sailfish, and sharks. The United States strongly supports the establishment of science-based management measures for all stocks under ICCAT's purview. In the case of North Atlantic swordfish, the Commission has shown that it is capable of rebuilding stocks through the adoption of science-based quotas and diligent compliance.

Another important matter facing ICCAT this year includes the ongoing efforts to strengthen the Commission. Toward that end, the United States looks forward to discussing the recommendations of the Working Group on the Future of ICCAT and to considering next steps, including efforts to bring the ICCAT Convention more in line with modern fisheries instruments and continuing to improve the efficiency and more importantly the effectiveness of the Compliance Committee. In particular CPCs must demonstrate the political will to undertake concrete actions in response to instances of noncompliance.

The United States looks forward to working with its ICCAT partners to address these and other important issues over the next seven days. Without real progress to address past mistakes and ensure new ones are not made in the future, the organization, its resources, and the fishermen and communities that depend on them will suffer. The United States has confidence that all ICCAT members are ready to live up to our collective obligations as stewards of these important fisheries resources and their related ecosystems.

3.3 OPENING STATEMENTS BY COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES

Chinese Taipei

First of all, I would like to extend my appreciation to the Government of Brazil for choosing this beautiful city as the venue of this meeting. I would also like to thank the Secretariat and Mr. Fabio Hazin, our Chair for their efforts in preparing this meeting.

In the previous meeting there was the concern that there will have proposal for listing Atlantic and Mediterranean bluefin tuna in the Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The time has finally come. The Principality of Monaco intends to propose to list Atlantic and Mediterranean bluefin tuna under Appendix I of CITES. One of the very important issues for this meeting is to discuss how to address this sensitive issue, which will have tremendous impact on the global tuna fishery. There is no denial that ICCAT is the body established under the ICCAT Convention responsible for the conservation and management of Atlantic tunas and tuna-like species, and that the listing of ICCAT managed species in the CITES Appendix will jeopardize the creditability of the Commission. Many of us are not in favor of listing the bluefin stock in the CITES Appendix, but simply to say "no" is not enough. We have to prove to the world that ICCAT is capable of managing the Atlantic and Mediterranean bluefin tuna stock in a sustainable manner and ensuring recovery of the stock for the present and future generations.

Another matter of our concern is the future of ICCAT. The Working Group on the Future of ICCAT met earlier in September with low attendance. The Working Group managed to identify a number of options for the Commission to consider, indicating that the basic text of ICCAT is out-dated without the mechanisms of a model management regime. One of the options is to amend the ICCAT Convention to enable more inclusive membership, including all those who have a strong fishing interest in the ICCAT Convention area with a commitment to apply the ICCAT measures. ICCAT is the oldest established tuna management organization in existence, after IATTC, which has successfully amended its Convention which will enter into force in August 2010. Chinese Taipei is of the view that it is time for ICCAT to seriously consider amendment of its basic text so as to bring the ICCAT Convention in line with the latest developments of international instruments and best practices of major tuna RFMOs and to improve the effectiveness of ICCAT.

We are happy to see the results of the evaluation for some stocks as described in the report of the SCRS. For example, the stock status of northern swordfish and southern swordfish march with positive trend toward recovery, while bigeye tuna and albacore are in a stable state. The positive results are mostly attributable to the efforts or sacrifice from all fisheries, particularly from the longline fisheries. With this in mind, we consider the CPCs are entitled to fish against their quota allocated by ICCAT. On the basis that our fishing opportunities for bigeye tuna available are enough to accommodate additional fishing effort and considering the bigeye tuna resource is in a stable condition, Chinese Taipei would like to seek support from the Commission to temporarily allow several additional vessels to fish against the quota allocated to us.

Finally, we wish this session of ICCAT has fruitful results.

3.4 OPENING STATEMENTS BY OBSERVERS FROM INTER-GOVERNMENTAL ORGANIZATIONS

Food and Agriculture Organization of the United Nations (FAO)

FAO is very grateful for the invitation extended by the Secretariat of the International Commission for the Conservation of Atlantic Tunas (ICCAT) to observe its 21st Regular Meeting held in this beautiful city of Recife. FAO also wishes to express its gratitude for the warm hospitality provided by the Brazilian authorities. FAO has been keeping a close and effective working relationship with ICCAT and desires to continue such collaboration.

Regional Fishery Bodies (RFBs) including Regional Fisheries Management Organizations (RFMOs) play a unique role in facilitating international cooperation for the conservation and management of fish stocks. RFBs represent the best means of governing fish stocks that occur either as straddling or shared stocks between zones of national jurisdiction or between these zones and the high seas, or exclusively on the high seas. Therefore, to strengthen RFBs in order to conserve and manage fish stocks more effectively remains the major challenge facing international fisheries governance.

The 27th Session of the FAO Committee on Fisheries (COFI 27) held in March 2007 discussed RFBs related matter, as a stand-alone Agenda item for the first time in the history of COFI. Many Members requested that FAO continue supporting RFBs. At the 28th Session of COFI (COFI 28) in March 2009, under several substantial Agenda items such as, in particular, Progress in the implementation of the Code and International Plans of Action (Item 4), Management of deep-sea fisheries in the high seas (Item 7) and Combating IUU fishing (Item 8), the important role of RFBs were also repeatedly underscored. Immediately after the session of COFI, the Second Meeting of Regional Fishery Body Secretariats Network (RSN 2) was held in Rome and reconfirmed the significant role of and expectation for RFBs to play in global and regional fisheries governance.

There has been some remarkable progress recently made in global fisheries governance. Many distinguished delegates will be aware that COFI, acknowledging the urgent need for a comprehensive suite of port State measures, agreed to proceed with the development of a legally-binding agreement on port State measures based on the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing and the 2005 FAO Model Scheme on Port State Measures to Combat IUU Fishing. A Technical Consultation on Port State Measures continued its endeavour since June 2008 and the final resumed session was held in late August this year and concluded the discussion on the draft text. The FAO Council, which met in last September, decided to transmit the draft Agreement, together with a draft Conference Resolution, to the Conference of the Organization, which will meet from 18 November 2009, for consideration and approval. The Agreement is expected to be open to signature immediately after the approval by the Conference. Implementation of the instrument will also depend highly on cooperation and collaboration with and among RFBs.

I would also like to report that the Development of a Comprehensive Global Record of Fishing Vessels is also ongoing and a Technical Consultation is expected to be organized in 2010. For this particular matter, cooperation and collaboration with RFBs is also essential. As part of the COFI approved programme of work and in preparation for the Technical Consultation, several Global Record pilot projects are in the planning stages, including one involving the tuna RFMOs. ICCAT is directly involved through the joint tuna RFMO initiative to develop a comprehensive global record of tuna fishing vessels, including adopting a Unique Vessel Identifier (UVI) in the form of a Lloyd's Register (LR)/International Maritime Organization (IMO) number. FAO looks forward to working in collaboration with ICCAT and the other tuna bodies on this important outcome to combat IUU fishing. A General Information Paper on the nature and progress of this initiative is also available as a separate note for those interested.

I also wish to touch upon the issue on climate changes and fisheries. FAO organized an Expert Workshop on Climate Change Implications for Fisheries and Aquaculture from 7 to 9 April 2008 and presented a technical background document for the High-Level Conference on World Food Security: The Challenges of Climate Change and Bioenergy held in Rome from 3 to 5 June 2008. During the last session of COFI many members agreed that improvement in the management of fisheries and aquaculture would increase their resilience and adaptability to climate change. Fisheries and aquaculture will be one of the topics addressed by the Round Table on Climate Change that will meet during the upcoming World Summit on Food Security in Rome from 16 to 18 November 2009. While the matter is quite complex and broad in its scope, RFBs are expected to take an important role. The FAO Fisheries and Aquaculture Department has fostered the establishment of a Global Partnership on Climate, Fisheries and Aquaculture (PaCFA), allowing FAO and several relevant international organizations and agencies to develop a joint position in preparation of the UN Climate Change Conference to be held in Copenhagen in December 2009 as well as a joint strategic framework to assist in identifying priority actions in the medium- and long-terms. A policy brief on this matter is also available separately for those interested.

Finally, I would like to inform that FAO will organize the third Expert Advisory Panel for the Assessment of Proposal to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species from 7 to 12 December 2009 in order to assess proposals to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) with regard to commercially-exploited aquatic species including the one on Bluefin tuna (*Thunnus thynnus*). The report of the Panel is to be distributed to FAO Members and CITES Parties with all relevant information provided from ICCAT to assist it in its evaluation. In preparing its report, the Advisory Panel will consider the information contained in the proposals and any additional information received by the specified deadline from FAO Members and relevant RFMO. FAO is now preparing a letter to invite Member Countries and RFMOs to submit to the FAO Secretariat any additional information and any comments pertinent to the above listing proposals for due consideration by the Advisory Panel. The deadline for receipt of information and comments by the Fisheries and Aquaculture Department is 30 November 2009. This is to provide sufficient time for the FAO Secretariat to receive and process any comments received from FAO Members and relevant RFMOs and to provide that information to Panel members prior to the meeting. The Panel will take into consideration those comments received by that date.

In this highly internationalized fisheries arena, it is now almost impossible for FAO to work on global and regional fisheries issues without cooperation and collaboration with RFBs. Therefore, I would like to reaffirm FAO's strong expectation and commitment to work with RFBs continuously and in a collaborative manner.

ICCAT is one of the world's leading RFMOs, having a long history and much experience in the sustainable management of fisheries for Atlantic tunas. Therefore, it is highly expected that ICCAT will continue playing a significant role in regional action to secure sustainable and more responsible fisheries management.

In conclusion, I would like to convey to the meeting greetings from FAO's Assistant Director-General for Fisheries and Aquaculture, Mr. Ichiro Nomura, who wishes the meeting every success in its deliberations.

3.5 OPENING STATEMENTS BY OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

Federation of European Aquaculture Producers (FEAP)

We have come to this critical stage with regard to the management of Atlantic bluefin tuna as a result of two things:

- 1) First of all because of a multi-million dollar negative publicity campaign that has targeted the closure of selectively the eastern Atlantic bluefin tuna fishery in the name of fish stocks conservation.

However, the same entities that are so preoccupied with the conservation of this stock and have denounced ICCAT as being the disgrace of the tuna RFMOs, have consistently turned a blind eye on the worrying situation of other bluefin tuna stocks around the world, such as North Pacific bluefin tuna, a species almost identical biologically and reproductively to the eastern Atlantic bluefin tuna and competing in the same market: Catches of baby 0.5-1 kg fish of this stock have increased seven-fold in the past five years, reaching 150,000 pcs/yr, there are no TACs, no minimum size regulation, no assessment of fishing capacity involved, and yet all the above parties display a remorseful muteness about the concerned RFMO and fishery.

- 2) Secondly, as a result of an outdated stock assessment for the eastern Atlantic bluefin tuna stock that uses data that are at least three years old, which has been carried out with virtual population analyses that used commercial catch statistics completely unrepresentative both geographically and gear-wise: Over 70% of the fisheries of this stock is carried out by purse seine gear and in the Mediterranean, and both these features have not been accounted for in the stock assessment.

Despite the fact that there have been positive trends recorded in the CPUE indices of the fixed traps in the past three years, we are told we cannot take these into account before the 2010 stock assessment. If direct scientific observations and other works suggest a massive increase in juvenile abundance, we are told these data are insufficient and do not form an acceptable time series to take into account.

In current years it is very trendy to wear a conservationist's halo above one's head. Countries, politicians and media out of emotion or because they are finding an inexpensive way to boost their ecological provide are joining the bluefin tuna CITES listing bandwagon without paying due attention to the true scientific merits of such a proposal or its socio-economic consequences to other nations.

We hope that the distinguished Commissioners will not be swayed by the clearly biased emotional media approach and will decide to take into account all aspects related to this fishery, including the recent positive fishery indicators that will be evaluated in 2010, in order to agree on a practical way forward for the sustainability of these fish species in question as well as for the European fisher/farmer. After all, it is only fair that the precautionary approach principle should apply to both fish species and humans.

GREENPEACE

Failing to save bluefin tuna: at what cost for the ICCAT Commission?

As far back as 2002, ICCAT Contracting Parties agreed on a bluefin tuna management plan which disregarded the scientific advice available at that time. Additionally, not putting limits at that time to a fishery in rapid expansion in the Mediterranean, paved the way for huge investments which resulted in the building up of an enormous fishing and farming capacity. Millions of Euros in benefits have been made since by a few fishing, farming and trading companies from a small number of countries.

Most ICCAT members could not imagine at the time that the Atlantic bluefin fishery would have such a detrimental effect on the image and functioning of ICCAT as a management body in the years to follow. ICCAT has 48 Contracting Parties. Just eight of them¹ obtain the bulk of the benefits from the eastern bluefin tuna fishery,² the one where mismanagement is more evident and which has brought this Commission to the difficult position it is now at. The extent of mismanagement in the eastern bluefin tuna fishery has been such that it has become embarrassing. In 2008, the independent panel conducting the ICCAT performance review recommended "the suspension of fishing on bluefin tuna in the eastern Atlantic and Mediterranean". According to the panel "the management of ICCAT CPCs of this bluefin tuna fishery in the Mediterranean is widely seen as an international disgrace", and is a "fundamental failing of ICCAT processes, of CPCs commitment to compliance, good governance and adherence to international law."³

Sound fishery management? Come back later!

Since the extent of illegal practices in the Mediterranean bluefin tuna fishery became known to the wider public, the approach of this Commission has been that of damage control. The recent history of the management of Atlantic bluefin tuna is that of countries bargaining to do as little as possible in order to avoid the criticism derived from management decisions which are against the objectives of this Commission.

In November 2006 a new bluefin tuna management plan was approved. While both the quota and the fishing season were –once again– far from those recommended by scientists, ICCAT members gave assurances that the management plan was built on the basis of strong control measures which would guarantee compliance and on a commitment to act over the main problem in the fishery: excess fishing capacity.

In November 2007, ICCAT had to face again enormous criticism arising from yet another year of general disrespect for the rules. Greenpeace presented compelling evidence of illegal fishing.⁴ The ICCAT SCRS

¹ European Community, Morocco, Japan, Tunisia, Algeria, Libya, Turkey and Croatia.

² Chinese Taipei, China, Syria, Iceland and Egypt have quotas of less than 70 tons. Norway has set aside its quota for conservation purposes.

³ ICCAT, 2009. Report of the Performance Review of ICCAT.

⁴ Losada, Sebastian. *Pirate Booty: How ICCAT is failing to curb IUU fishing*. Greenpeace, September 2007.

estimated a catch of 61,000 t of eastern bluefin tuna in 2007.⁵ Those Contracting Parties benefiting from the fishery didn't accept a proposal to review the relevant recommendation in force and, in turn, a proposal to host a "Meeting of Managers and Stakeholders of Atlantic Bluefin Fishing" in Tokyo, in March 2008. Its main outcome was a declaration in which managers and stakeholders committed to, among others: 'fully comply with all the pertinent conservation and management measures adopted by ICCAT and, in particular, the provisions of the bluefin tuna recovery plan'⁶ A pitiful result for such an expensive exercise.⁷

In November 2008 the Commission had to face the continuing lack of control in the fishery and agreed on a reviewed version of the bluefin tuna recovery plan, with new control measures, a decreased TAC, a shorter fishing season, although still well above available scientific advice. It was clear during the discussions that relevant countries were not willing to accept any serious commitments to decrease fishing capacity.

Continued non-compliance in the fishery

Improvements in the control of fishing activities in the bluefin tuna fishery are clearly not enough, particularly after more than three years announcing that "next year it will be the year of compliance."

- A report by the EC concludes that in 2009 infractions were found in one third of all the tug boats inspected,⁸ the equivalent report from the 2008 fishing season⁹ found infringements in 40% of the inspections on tug boats. This is not a very encouraging improvement. This seems to imply that one third of the bluefin tuna transported in the Mediterranean for its caging is IUU fish.
- During the special meeting of the ICCAT Compliance Committee last March 2009¹⁰ it was observed that carrier vessels were not submitting VMS data to the Secretariat. It was also observed that "some CPCs have not yet established transmission of VMS data to the Secretariat."
- Numerous problems have continued to be reported in relation to joint fishing operations.
- One of the most important elements of the scheme set up by ICCAT to ensure compliance in the bluefin tuna fishery is the Bluefin Catch Document Scheme. There has been a minimum compliance with the five days reporting requirement and the quality of the data has been very poor in many cases.¹¹

Some of the above are examples of the lax enforcement of regulations by fishing, farming and importing nations engaged in this fishery. If a fishing vessel, tug boat or farm does not comply with the current management plan, the tuna caught, transported or fattened should be confiscated as IUU fish. If a country does not comply with the VMS requirements, it should not get access to the fishery and/or the market place. The reality is that recent history teaches operators that a vessel or country can fail to comply, and nothing, or very little, will happen.

Conclusions

- 1) Closing the bluefin tuna fishery is the only credible option available to ICCAT: Bluefin tuna is heavily over-exploited and there is a high risk of collapse of the fishery. Fishing and farming capacity in the bluefin tuna fishery continue to be well above sustainable limits. Recent attempts by the Commission to ensure compliance with the relevant regulations have deemed failed. It is obvious that that would be even harder under a scenario with a smaller quota. Until the problem of over-capacity is resolved in a satisfactory manner, there is simply no way this Commission will be credible and capable of ensuring that the bluefin tuna fishery is under control. Greenpeace additionally warns that until ICCAT finds a reasonable solution to the issue of applicable growth rates to farmed tuna, new fattening rates, if overestimated, will open the door for massive laundering of IUU catches.

⁵ Report of the Standing Committee on Research and Statistics (Madrid, Spain, September 29 to October 3, 2008). In *Report for Biennial Period, 2008-09, Part I (2008) – Vol. 2*.

⁶ Report of the Meeting of Managers and Stakeholders in Atlantic Bluefin Tuna (Tokyo, Japan, March 26-27, 2008). In *Report for Biennial Period, 2008-09, Part I (2008) – Vol. 1*.

⁷ The 2008 account of its control activities by the EC noted: "It can be concluded that despite all meetings with the stakeholders convened by the Commission and Member States before the start of the season, it has not been a priority of most operators in the fishery to comply with ICCAT legal requirements."

⁸ Report on the Implementation of the ICCAT Recovery Plan for Bluefin Tuna in 2009. 15 October 2009.

⁹ Specific Report Regarding Implementation of the Joint Development Plan for Bluefin Tuna Fishing Activities in 2008 in the Mediterranean Sea and Atlantic – Preliminary version (updated to 15 October except where otherwise indicated).

¹⁰ Report of the Inter-sessional Meeting of the Compliance Committee (see **ANNEX 4.1**).

¹¹ See page 17 of the Secretariat Report to the Compliance Committee (available from the Secretariat).

- 2) The extent of depletion of the stock has no other option available: The results of the projections elaborated by the ICCAT SCRS at its last meeting¹² show that an annual eastern bluefin tuna TAX of 15,000 t for the next 10 years would result in a probability of 87% that the spawning biomass in 2019 will remain below 20% the virgin biomass level. The probability that the stock continues to decline during 2009-2019 is additionally estimated at 26%. This is assuming a perfect implementation of such quota, something which the Commission has, up to date, proved unable to ensure.

Therefore, the latest work of the SCRS clearly shows that a 15,000 t quota would not result in a significant probability to recover the stock over a reasonable timeframe. The figures are not very different for a TAC of 8,000 t¹³. Such is the result of the failure of ICCAT to act based on science for far too long.

- 3) A CITES listing of Atlantic bluefin tuna under Appendix I of the Convention: The endangered status of the bluefin tuna stocks has resulted in a proposal by Monaco to list the species on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). We have stressed and will continue to stress that CITES does not manage fisheries. To the same extent that what CITES Contracting Parties decide on the Monaco proposal should be based in the extent of depletion of the species, and not on what this Commission agrees upon.

The SCRS concluded that the probability that the population of Atlantic bluefin tuna (both western and eastern stocks) meets the criteria for CITES Appendix I (i.e. is at a level below 15-20% of the historical baseline) is virtually 100 percent. Several countries around the world have already indicated their support for the proposal, which will be considered at CITES CoP 15, in March 2010.

International Game Fish Association (IGFA)

The International Game Fish Association (IGFA) is a non-profit organization that represents recreational anglers throughout the world. IGFA was established in 1939, has active members in 125 countries, is the governing body for international recreational fishing, and provides rules for ethical angling practices. Many of IGFA's members target highly migratory species managed by ICCAT.

IGFA has an International Committee of Representatives in nearly 90 countries including nearly all the ICCAT Contracting Party nations who have been chosen for their integrity, fishing knowledge and concern for sportsmanship and conservation. These international representatives report to IGFA on issues affecting our interests and are a primary way that IGFA participates in the international recreational fishing community.

IGFA wishes to express its appreciation to ICCAT for arranging this 21st Regular Meeting of the Commission and its gratitude to the city of Recife, Brazil, for hosting. We hope that IGFA, as an observer, will be able to contribute to the management policies of the Commission so that our marine resources are managed in a sustainable manner for all users.

IGFA would also like to express its appreciation to ICCAT for arranging the Working Group on Sport and Recreational Fisheries.

In many of the international fisheries commissions, recreational and charter fishing have not previously been adequately recognized as a significant user group that provides valuable revenues to many nations, especially with long-term secure access to well managed fish resources. IGFA strongly believes that responsible recreational fishing and fishing tourism brings very significant economic benefits to many countries that should be recognized in forums such as those provided by ICCAT. Existing examples of the positive economic benefits in the Commission's area of competence include Cape Verde, Guatemala, Mexico, Panama and the United States, just to name a few. To that end, IGFA recommends to all the Contracting Party nations of ICCAT to examine their recreational fisheries or prospective recreational fisheries, as a means to build a sustainable tourism economy within their jurisdiction. We hope that, as an observer, IGFA will be able to accurately represent recreational anglers, and contribute to the Commission so that our fisheries resources are managed in a sustainable manner for all users.

¹² "Extension of the 2009 SCRS Meeting to Consider the Status of Atlantic Bluefin Tuna Populations with Respect to CITES Biological Listing Criteria" (see **Appendix 17** of the 2009 SCRS Report).

¹³ A TAC of 8,000 t would result in a 77% probability of SSB in 2019 being lower than 20% the virgin biomass level.

IGFA would also like to draw the Commission's attention to the recreational/charter fishing requirements for a biomass well above MSY in order to sustain viable recreational fisheries. Specifically, marlin, sailfish, and spearfish are very important recreational species, and their utilization by this sector will frequently represent a more sustainable long-term economic return for members within the ICCAT area of competence. Subsequently, IGFA and its members remain concerned with the poor condition of these stocks, particularly white marline and blue marlin. It is imperative that by-catch of these recreationally important species is reduced and by-catch that does occur is accurately reported in a timely manner.

IGFA's primary interest in this meeting (as it has been in the past three meetings) is the conservation of bluefin tuna. Not only has this important fishery continued to decline over the past several years, but it has dominated the agenda of ICCAT subsequently resulting in a lack of adequate attention being given to the other species under ICCAT's control. It is imperative that severe and meaningful actions are taken to stabilize the Atlantic bluefin tuna population in a final effort to prevent these stocks from totally collapsing.

To that end, ICCAT scientists have recently stated that bluefin tuna stocks meet the criteria for a CITES Appendix 1 listing, which would ban international and commercial trade allowing the species to recover from ineffective fisheries management and control. Suspension of commercial fishing is the only way to ensure that the stocks will not meet the criteria for a CITES Appendix 1 listing.

OCEANA

Participants of the Second Joint Tuna RFMOs Meeting stressed "the need for tuna RFMOs to operate on the basis of a sound mandate which foresees the implementation of modern concepts of fisheries management, including science-based marine governance, ecosystem-based management, conservation of marine biodiversity and the precautionary approach" (see ANNEX 4.2).

"A simple reading of the state of the stocks under ICCAT's purview would suggest that ICCAT has failed in its mandate as a number of these key fish stocks are well below MSY."¹⁴

ICCAT Contracting Parties have not complied with the Convention objectives. Although substantial management measures have been adopted, cases such as the northern stock of Atlantic bluefin tuna, which has been called an "international disgrace", and pelagic sharks and Mediterranean swordfish, which have been over-exploited but remain unmanaged, undermine the credibility of the Commission and question its future.

Atlantic bluefin tuna has been driven to the verge of collapse due to over-exploitation, mismanagement and illegal fishing. There is a very high probability that stocks have been decimated to less than 15% of their virgin spawning stock biomass. Mediterranean swordfish is also over-exploited, and currently there is not any management measure in place to reverse this situation. If actions are not taken, this stock could face the same situation as bluefin tuna. Highly migratory sharks are caught in ICCAT fisheries, both as targeted and accidental catch, but have yet to be managed as outlined by the United Nations Convention on the Law of the Sea.

This year represents a pivotal meeting for the ICCAT Contracting Parties. It comes at a time when eight shark species and northern bluefin tuna have all been proposed for listing under the Convention on International Trade in Wild Fauna and Flora (CITES), due to the fact that international trade is the main factor driving their depletion. While these species fulfil the biological criteria required for listing under the CITES Appendices, only trade documentation and regulation, but not fisheries management, fall under the competence of CITES. Thus, this ICCAT is meeting in an opportunity for Contracting Parties to show that ICCAT is still relevant and is willing and able to manage highly migratory species in the Atlantic.

ICCAT is facing a crucial moment as its performance is being watched by the world. This meeting will not only determine the future of endangered species falling under ICCAT responsibility, but also the future of ICCAT itself.

Therefore, Oceana calls on the ICCAT Contracting Parties to reverse historical trends and immediately move towards precautionary fisheries management, respecting both the Convention's objectives and the new course of actions committed to in various forums. We strongly urge ICCAT Contracting Parties to adopt the following measures:

¹⁴ ICCAT. 2009, *Report of the Independent Performance Review of ICCAT*. pp. 5-97.

Atlantic bluefin tuna

- 1) Immediately adopt a 0 TAC for the eastern and western bluefin tuna stocks, to be maintained until they show signs of recovery.
- 2) The eastern stock fishery shall not be reopened unless the following measures are in place:
 - The fishery is managed strictly according to scientific advice.
 - Essential habitats of bluefin tuna are protected, specifically the main Mediterranean spawning grounds, through the declaration of science-based no-take zones or seasonal closures.
 - Fleet capacity is greatly reduced in accordance with real fishing possibilities.
 - Stock control, monitoring and surveillance measures are enforced.

Pelagic sharks

- 1) Prohibit retention of shark species determined to be endangered or critically endangered by the IUCN, as well as of particularly vulnerable or depleted species.
- 2) For all other shark species caught in ICCAT fisheries, introduce science-based limits on catch, including by-catch. In cases where scientific advice is unavailable, introduce precautionary catch limits.
- 3) Improve the ICCAT finning ban by requiring that sharks be landed with their fins still wholly or partially attached in a natural manner.

Mediterranean swordfish

- 1) Adopt a comprehensive science-based management plan intended to recover the stock including, amongst other things, the following measures:
 - A list of vessels authorized to catch, tranship or land swordfish in the Mediterranean. Specific provisions must guarantee the removal of the authorization for those vessels having on board and/or using driftnets for fishing activities.
 - At the very least, establish a TAC, not exceeding the level of currently declared catches. Time closures and a minimum landing size must be established in accordance with scientific advice.

The Pew Environment Group

On behalf of the Pew Environment Group delegation, I want to thank everyone at the International Commission for the Conservation of Atlantic Tunas for allowing us the opportunity at this meeting to discuss ways to improve the conservation status of Atlantic tunas and sharks.

We appreciate that the Contracting Parties to ICCAT have taken steps in the past to put in place measures to protect shark populations including the 2004 binding ban on shark finning, mandatory reporting of shark catch data and compilation of shark stock assessments. However, even with these measures, much more must be done to ensure concrete management and conservation measures are in place and effectively enforced to limit shark exploitation and ensure long-term sustainable fisheries.

As top predators in the ocean, sharks play a critical role in keeping marine ecosystems healthy and the food web in balance. Yet up to 70 million sharks are killed annually for the shark fin market and scientists believe that many shark populations are threatened with extinction. Most sharks are slow growing, mature late, and produce few young, making them especially vulnerable to over-fishing and slow to recover once depleted. Yet there are few limits on the number of sharks taken from the world's oceans. As you know, it has not been a full decade since the United Nations called on RFMOs to prepare Regional Plans of Action for Sharks, but we find that sustainable management of sharks is still largely absent around the globe.

The Pew Environment Group urges you to take strong action on sharks at this meeting by working to reach consensus on a number of key conservation measures that will help protect shark populations in the Atlantic Ocean. Specifically, we urge you to support the following measures that will help ensure that the shark populations under ICCAT's management purview are protected from extinction:

- A prohibition on the retention and landing of exceptionally vulnerable bigeye thresher sharks, as recommended by ICCAT scientists;
- Concrete measures to ensure a significant reduction in fishing mortality of overfished North Atlantic shortfin mako sharks, in line with previous ICCAT Recommendations;
- Precautionary measures to cap fishing for blue sharks to prevent over-fishing;
- An ambitious schedule for hosting a special porbeagle shark management meeting of representatives from interested RFMOs, as resolved in 2008; and
- A prohibition on the removal of shark fins at sea in order to improve enforcement of the shark finning ban and facilitate collection of species-specific catch data. This will help improve enforcement of the agreed shark finning ban from the binding 2004 Recommendation and facilitate more accurate collection of species-specific catch and landings data. This is far preferable to any proposal to allow shark fins to be transported at sea in bags or other devices that separate the fins from the body of the shark.

Also of pressing concern is the status of the Atlantic bluefin tuna. For over 30 years, ICCAT has wasted countless opportunities to set science-based catch limits and curb over-fishing of Atlantic bluefin. Now, populations of bluefin are nearing the point of commercial extinction. In response to this decline, the Principality of Monaco has submitted a proposal to include the Atlantic bluefin tuna on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). ICCAT scientists this October confirmed the dire state of the Atlantic bluefin, and found that the species clearly qualified for inclusion in CITES Appendix I at a special meeting of the Standing Committee on Research and Statistics, held on October 21-23 in Madrid.

A CITES Appendix I listing for Atlantic bluefin tuna is the only enforceable and effective tool left to the international community that could prevent the bluefin's commercial extinction and rebuild its stocks for future generations. We encourage all ICCAT Parties to support Monaco's proposal to list Atlantic bluefin tuna on Appendix I at the CITES meeting in March 2010. We also urge you to request that ICCAT formally provide the report of the SCRS meeting to the CITES Secretariat, for distribution to the CITES Parties.

Furthermore, you can take the critical action of supporting a zero quota for all stocks of the North Atlantic bluefin fishery at this meeting. A zero quota will show the world that ICCAT is ready to heed the science, and recognize the importance of fully alleviating fishing pressure on North Atlantic bluefin until stocks recover.

The Pew Environment Group team that is here looks forward to working with all of you this week. Please feel free to contact Matt Rand, Director, Global Shark Conservation, Pew Environment Group (mrand@pewtrusts.org) or me (slieberman@pewtrusts.org), or any of the Pew team, if we may be of assistance.

World Wide Fund for Nature (WWF)

At its 21st Regular Meeting, ICCAT will be judged, once again, especially by the decisions it makes on the management of Atlantic bluefin tuna. The global spotlight on this species is the result of ICCAT's systematic failure to adopt a rational and science-based approach to manage the fishery.

The collective failure of ICCAT has now reached a tipping point. Recent analyses by ICCAT's own scientists (SCRS) show that the current level of depletion of both East and West Atlantic bluefin tuna stocks is extreme, with historical decline of the stocks in the order of 85-90%¹⁵. This same study shows that only a suspension of fishing (a TAC set at zero) would have the potential to recover the East Atlantic stock in a reasonable timeframe. The West Atlantic stock is not showing signs of recovery despite low catch quotas over the last decade.

The deterioration of the stocks goes in parallel with persistent reports of illegal, unregulated and unreported (IUU) activities in the Mediterranean. This disastrous situation is made worse by the continuous increase in total potential catch capacity. SCRS has estimated in 2009 that capacity increased from 61,000 tonnes in 2007 to 68,061 t in 2008.

WWF calls on ICCAT Contracting Parties (CPs) to take the only possible decision this year: a multi-annual suspension of the fishery for Atlantic bluefin tuna. Such a suspension provides the best chance for both stocks to

¹⁵ From the "Extension of the SCRS Meeting to Consider the Status of Atlantic Bluefin Tuna Populations with Respect to CITES Biological Listing Criteria" (see **Appendix 17 to the 2009 SCRS Report**).

start recovery and, in the case of the East Atlantic stock, would allow for the necessary adjustment of the bloated fleet. Only a suspension of fishing now can create the conditions for a sustainable fishing in the future.

The endangered status of the stocks is directly caused by the disastrous management of Atlantic bluefin tuna by ICCAT and has resulted in a proposal to list the species on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which would ban all international commercial trade. A recent ad hoc meeting of SCRS¹⁵ concluded that the probability that the population of Atlantic bluefin tuna (both western and eastern stocks) meets the criteria for CITES Appendix I (i.e. is at a level below 15-20% of the historical baseline) is virtually 100 per cent. Several countries around the world have already indicated their support for the proposal, which will be considered at CITES CoP15 in March 2010.

The ad hoc meeting of the SCRS also reported that the only measure with a greater than 50 per cent chance of ensuring that Atlantic bluefin tuna no longer meet the criteria for a listing in Appendix I of CITES by 2019 is to set the TAC as zero. Therefore, the only option left for ICCAT to ensure that Atlantic bluefin tuna do not keep qualifying for CITES Appendix I in the future is to implement a full suspension of the fishery now.

The world will be watching ICCAT at this meeting in Recife. It is time for ICCAT to regain its credibility, demonstrate that it is capable of delivering sustainable fisheries management, and implement a full suspension of the Atlantic bluefin tuna fishery.

WWF is particularly concerned by the following information relation to IUU activities, which has been reported in the media or revealed by expert sources:

- The Guardian reported that at-sea inspections by the French navy vessel *Arago* found 22 breaches of ICCAT regulations by purse seine vessels harvesting bluefin tuna in the eastern Mediterranean in May 2009. The report includes heavy criticism of the Turkish fishing fleet, which had a 10-fold discrepancy between the reported catch and observed catches by *Arago* divers¹⁶.
- Algerian newspapers reported 210 tonnes of illegally caught bluefin tuna in Algerian waters by the Turkish vessel *Akuadem II*. According to the sources, a trial is currently taking place in Algiers to determine the fate of the accused group of Algerian and Turkish ship owners, as well as two high-level officials from the Algerian Ministry of Fisheries¹⁷.
- A report by ATRT released in May 2009 reports that 46 per cent of the farmed tuna in Spain reaching the Japanese fresh market from July 2008 to April 2009 consisted of juveniles that were caught below the minimum legal weight of 30 kg. Incidence of juveniles below the legal size was also significant in shipments from Italy¹⁸.
- A report by ATRT released in October 2009 revealed that the net value of the international trade in illegally caught Atlantic bluefin tuna over the last 10 years amounted to more than €3 billion¹⁹.

WWF expects Contracting Parties to shed light on these issues in a transparent and open way during the meeting of the ICCAT Committee on Compliance (COC).

Furthermore, WWF is deeply concerned about the reliability of the extremely high figures for growth rates of bluefin tuna in farms derived from several industry-sponsored studies. WWF calls on ICCAT not to endorse these figures without replicating the studies in a transparent and open manner, involving full SCRS participation. Growth rate figures are key for calculating the original input of wild-caught tuna into cages, and their overestimation can leave an open door for laundering unreported tuna in farms. The extreme disparity between the values used so far by ICCAT and the new values submitted by the industry, calls for precaution.

¹⁶ <http://www.guardian.co.uk/environment/2009/sep/17/bluefin-tuna-fishing>

¹⁷ http://www.letempsdz.com/index.php?option=com_content&task=view&id=24934&Itemid=1

¹⁸ <http://latribune-online.com/national/23884.html>

¹⁹ <http://www.timesonline.co.uk/tol/news/environment/article6888276.ece>

3.6 CLOSING STATEMENTS

Food and Agriculture Organization of the United Nations (FAO)

As I informed in my opening statement on the first day of the Commission meeting, 9 November 2009, FAO will organize the Third Expert Advisory Panel for the Assessment of Proposal to Amend Appendices I and II of CITES Concerning Commercially-exploited Aquatic Species from 7 to 12 December 2009 in order to assess proposals to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) with regard to commercially-exploited aquatic species including the one on bluefin tuna (*Thunnus thynnus*). The report of the Panel is to be distributed to FAO Members and CITES Parties with all relevant information provided from ICCAT to assist it in its evaluation.

In preparing its report, the Advisory Panel will consider the information contained in the proposals and any additional information received by the specified deadline from FAO Members and relevant Regional Fishery Management Organizations (RFMOs). FAO issued the circular letter dated 11 November to invite Member Countries and the RFMOs including ICCAT to submit to the FAO Secretariat any additional information and any comments pertinent to the above listing proposals for due consideration by the Advisory Panel. The letter was transmitted to Permanent Representatives via the Permanent Representative's website and through FAO representatives to those Member States without Permanent Representative as well as directly to the RFMOs by e-mail.

The deadline for receipt of information and comments by the Fisheries and Aquaculture Department is 30 November 2009. This is to provide sufficient time for the FAO Secretariat to process any comments received from FAO Members and relevant RFMOs and to provide that information to Panel members prior to the meeting. The Panel will take into consideration those comments received by that date.

REPORTS OF INTER-SESSIONAL MEETINGS

4.1 REPORT OF THE INTER-SESSIONAL MEETING OF THE CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE (Barcelona, Spain – March 24 to 27, 2009)

1. Opening of the meeting

The Inter-Sessional meeting of the Conservation and Management Measures Compliance Committee (COC) was opened on Tuesday, March 24, 2009 in Barcelona, Spain under the chairmanship of Dr. Chris Rogers (USA).

The Chairman of ICCAT, Mr. Fabio Hazin, welcomed all parties to Barcelona and thanked the EC for hosting the meeting. He stated that it was time for ICCAT to show the world that it is committed to the protection of tuna. The rules should apply to all, including non ICCAT members.

The Executive Secretary, Mr. Driss Meski, informed the meeting of the recent passing of one of the ICCAT interpreters, Ms. Christine Marie Pierre Bourgoïn. A minute of silence was observed.

The Chair of the Compliance Committee reminded parties of the Terms of Reference of the Committee [Ref. 95-15] and the *Recommendation by ICCAT to Hold a Compliance Committee Inter-Sessional Meeting in 2009* [Rec. 08-13] which established the need for this inter-sessional meeting. There was a sense of urgency to ensure that measures are in place for the 2009 fishing season. The Chair recalled that issues previously highlighted by the SCRS included a lack of data and undeclared catches.

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

2. Nomination of Rapporteur

Mr. Conor O'Shea (European Community) was appointed Rapporteur.

3. Adoption of Agenda and meeting arrangements

The Agenda was adopted with one amendment proposed by the Chair. A new Agenda item 4 was inserted which allowed parties present to give a synopsis of the questionnaire they had submitted in advance of the meeting. The revised Agenda is attached at **Appendix 1 to ANNEX 4.1**.

4. Initial review of responses to Questionnaire

The Chair invited CPCs to give a brief synopsis of the questionnaires they had completed and submitted prior to the meeting. Following the presentation of the synopsis by each CPC, other CPCs were invited to raise any preliminary queries they had on the questionnaire of the CPC concerned.

Following the "tour de table", the Chair summarized the main points raised by the CPCs as follows:

- Parties were concerned about declarations of overharvest and believed a remedy must be found to address this.
- Joint Fishing Operations (JFOs) were mentioned several times and were considered problematic by CPCs present. There were issues of monitoring and control of these JFOs, and parties expressed a need for clear authorization procedures together with follow up by the involved parties regarding approval of requests for JFOs.
- Parties noted that in some cases trade data (import and export figures) did not correspond. It was understood that differences could be due to conversion factors, growth rates, etc., but this needs to be examined in greater detail.

- Some parties were unclear about accounting for fish caught in traps and transferred to processing vessels. There was uncertainty about whether landing or transfer documents should be completed.
- Concerns were raised by CPCs about the capacity controls in the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] and the apparent lack of implementation by some CPCs.
- Several concerns were raised about application of the Catch Documentation Scheme (CDS). In particular, accounting for catches under a chartering arrangement and correct implementation of the scheme when the catch is exported through an intermediary country required clarification.
- Concerns were raised regarding the enforcement of minimum size limits at landing.
- Concerns were raised regarding reported infractions and the enforcement actions taken by CPCs.
- It was noted that some CPCs do not appear to be fully complying with VMS requirements. In response, several parties raised technical issues regarding transfer of VMS data to the ICCAT Secretariat.
- IUU catches of bluefin tuna continue to be a serious concern. SCRS reported that up to 60,000 t of bluefin may have been caught, which is nearly double the authorized TAC. Several parties noted such fish have a market and therefore this matter must be investigated.
- Several parties noted the need for clarity on the issue of the required level of observer coverage. It was suggested that a common terminology would provide a basis to calculate the percentage of observer coverage.
- Monitoring and recording of catches taken in sport and recreational fishing was seen as incomplete for some parties, especially with regard to Task II data.

The Chair then led an examination of the “Tabulation of Responses Received to the Compliance Questionnaire” for the purposes of reviewing the situations of CPCs not present at the meeting. In some cases CPCs had not responded to the questionnaire. In other cases, responses were incomplete or indicated that compliance issues existed.

In the case of Panama, it was noted that no response to the questionnaire had been received. It was a concern that many of the tugs and carrier vessels were Panamanian flagged and VMS requirements were not being fulfilled. A second issue was raised in that there appeared to be transshipments by Panamanian vessels in EC ports in 2007 and 2008. The Committee agreed that the situation of Panama required further examination.

5. Review of implementation of and compliance with Rec. 06-05 based on the answers to the questionnaire on compliance

6. Review of implementation of and compliance with Rec. 06-07 based on the answers to the questionnaire on compliance

7. Examination of the compliance status of Contracting Parties based on point 6 of Rec. 08-13:

- a) undeclared overshooting of the CPC’s quota;*
- b) unjustified failing to provide catch and farming reports within the agreed ICCAT deadlines;*
- c) failing to participate in the meeting of the COC where the concerned CPCs compliance status is discussed;*
- d) lack of meaningful monitoring, verification and enforcement measures;*
- e) failing to implement the Bluefin tuna catch documentation on the market.*

Items 5, 6 and 7 of the Agenda were taken together in order to have a comprehensive review of each party’s response to the questionnaire. The Chair led a detailed examination of each CPC’s responses to the questionnaire by asking each Party for explanations and inviting comments and questions by other CPCs.

Libya

The Delegate from Libya provided information on vessels that were no longer active and differences in the methodology used to compile the 2007 and 2008 catch data. The delegate updated the meeting of changes

currently taking place in Libyan law to take into consideration Rec. 08-05. Libya provided information on the procedures followed to validate BCDs and on queries regarding import and export records.

A discussion ensued on JFOs conducted by Libyan vessels with EC and Turkish vessels.

The Delegate of the EC advised that the catch of any EC vessels involved in the JFOs with Libya had been recorded against EC quotas. They stated that the main element of EC control of a JFO is the assignment of an individual quota to the EC vessel. There is a requirement to record catches on a daily basis and a distribution key for each vessel is agreed beforehand.

In the case of Turkey in 2008, six Turkish vessels were listed as being involved in JFOs with Libya. There appeared to be a discrepancy between the catch figures recorded by Libya for these vessels and the figures reported by Turkey. The two parties agreed to investigate the catch figures and report back to the Committee in November 2009.

The EC expressed surprise that no infractions were detected by Libya in 2007 and 2008 because this has been recognized by the Committee as a difficult period for monitoring and control.

Libya also provided information on how its VMS system operated with all the information being sent directly to the ICCAT Secretariat. Libya confirmed the intent to put the infrastructure in place over the next two years to establish its own monitoring center.

The Delegate of Japan indicated he was happy to have this type of discussion and thanked the Delegate of Libya for the candid replies. Japan reminded CPCs of the purpose of the inter-sessional to identify non-compliance, to recommend actions for the CPCs and also to make improvements to monitoring and control measures.

The Delegate from Libya stated that its implementation situation is much better than it was a few years ago but asked parties to understand that more time is needed to improve.

The Delegate of Libya reported spotting three aircraft at the start of the fishing season but the nationality of these aircraft was not identified.

Uruguay

No questions were raised on the questionnaire submitted.

Japan

The Delegate from Japan provided an explanation on how the catch resulting from the charter arrangement with Algeria was dealt with.

The Delegate of EC asked Japan and the Secretariat to provide information on the implementation of the transshipment observer program and any problems encountered. Japan advised that so far no serious problems had been encountered but that it does have a concern about cost. The Secretariat acknowledged that the program was expensive, but recalled for CPCs that the Secretariat had undertaken a competitive tender process. The Secretariat believed that the program was working well but noted that placing an observer on a carrier vessel presents some logistical issues.

Japan was asked to provide information on how it calculates the percentage of observer coverage and whether the observer is on a vessel for the entire season. The Delegate of Japan responded that it is based on the number of fishing vessels and that an observer covers one voyage, although a vessel may make several voyages in a season. The Delegate of the United States commented that a common terminology was needed in order to agree on a basis to calculate the percentage of observer coverage.

Following the introduction of a document by the United States on an analysis of trade data, a discussion took place on how trade data was calculated. The Delegate of the United States stated that trade statistics provide an important catch monitoring tool and parties need to be diligent in analyzing the data.

The Delegate of Japan explained that one of the problems in using trade data to verify catches is that in some cases the date indicated on statistical documents is the date fish were harvested and in other cases it is the export date.

The Delegate of the EC stated that differences in the import and export statistics could be due to a carryover problem (especially for fish held in cages), double counting of processed product, different dates used for harvest from the wild or harvest from cages, etc.

The Delegate of Morocco raised the issues of recording gross or processed weight on the documents and also applying conversion factors for processed product. It was confirmed that the import and export data obtained from catch documents are intended to be processed weights.

All parties agreed to have further discussions at the margin of the meeting to reconcile trade figures and to address other concerns with this important issue of trade data.

Turkey

The Delegate of Turkey provided information on how Turkey was managing its fleet capacity. Turkey is looking at ways to manage fleet capacity by area. Further, Turkey informed the committee that regulatory efforts were underway to freeze bluefin tuna fishing capacity in 2009, followed by reductions to 50% of current levels in 2010 and to 30% of current levels in 2011. Turkey emphasized that its fleet was multi-purpose and did not only fish for bluefin tuna. Therefore, these levels should be considered targets and the actual reductions will depend on a balance of the needs for several different fisheries.

The Delegate of Libya noted that the number of Turkish vessels on the ICCAT list in 2008 (98) is greater than that in 2007 (76). Turkey advised that the number of licenses had increased but the number of vessels active in the bluefin fishery (that caught fish) was 46 in 2007 and 33 in 2008.

The Delegate of the EC asked about how the 46 purse seiners are controlled and, as it is a large fleet, how Turkey ensures that all listed vessels are not targeting bluefin tuna.

The Delegate of Turkey advised that from 1 May to 1 Sept fishing vessels are not allowed to fish for anything. Only authorized fishing vessels are allowed to fish for tuna and tuna-like species with a special permit in that time period. The vessels have a VMS system, designated ports and the same control measures as in other CPCs.

The Delegate of France (on behalf of St. Pierre & Miquelon) noted that, based on the number of licenses issued by Turkey, the allocation was equal to approximately 10 t per vessel. Noting that the SCRS had used estimates of catch of 300 t per large vessel, he asked how in practical terms the system works to ensure catch quotas are not exceeded.

The Delegate of Libya raised the issue of Turkish vessels involved in JFOs with Libyan and EC vessels. The catch figures reported by Libya were greater than those reported by Turkey for the same vessels. In one case, there was a significant difference which the parties agreed warranted further investigation. The Delegation of Turkey undertook to work with Libya to resolve the differences in catch figures. The Delegate of Turkey indicated that action will be taken against the vessel if wrongdoing is discovered. It was noted that beginning in 2009, Turkish vessels will have an individual quota.

The EC Delegation undertook to work with Libya and Turkey on JFO discrepancies. It was agreed that active vessel management is necessary to monitor catches properly. SCRS has used estimates from 150 to 300 t for a 40 m purse seine vessel. The EC speculated that a 10 t quota is unrealistic and encourages fraud. There was a need to be more transparent on JFOs. Use should be made of the ICCAT website giving all details on JFOs which will allow CPCs to properly monitor these JFOs.

The Delegate of Japan raised concerns on the way Turkey was implementing the BCD program. It was questioned whether fish were being transferred to farms without a BCD being presented. Japan noted that this would not be in accordance with the procedure in Rec. 07-10. The Delegate of Turkey explained that this was a practical issue. Fish arriving at a farm are not allowed to be transferred into farming cages, but are accepted on a provisional basis until the BCD arrives.

The Delegate of Libya raised the issue of IUU activities involving the fishing vessels *Menara I* and *Menara II*. The Delegate of Turkey advised that Turkey never issued registration to these vessels or placed them on the

ICCAT authorized vessel list. The EC informed the Committee that an inquiry is underway to investigate these vessels.

Canada

The Delegate of Canada provided information on how Canada manages its two annual recreational tournaments. Any catch comes from the commercial quota. Fish are weighed, measured and tagged and a minimum landing size applies.

Questions were raised about the lack of 2008 trade data in Canada's response to the questionnaire. The Delegate of Canada indicated that a manual data entry process was underway and updates would be provided. The Delegate of Japan pointed out many mistakes in entries of BCDs issued by Canada, and requested Canada to improve the situation. The Delegate of Canada said that it would consider the problem upon receiving actual cases.

United Kingdom (Overseas Territories)

No questions were raised on the questionnaire submitted.

Egypt

While Egypt had responded that the questionnaire was "Not Applicable", an information paper was submitted regarding its bluefin fishery development plans. No questions were raised by the other CPCs.

Croatia

The Delegate of Croatia provided information on Croatia's VMS system which is now in place. While Croatia was receiving VMS data from its vessels, there were technical issues regarding the transmission of this data to the ICCAT Secretariat.

The Delegate of Japan asked about the number of active vessels that were not successful in catching bluefin tuna. The Delegate of the United States asked about requirements for the BCD for fish placed in cages and Croatia indicated fish are not accepted without presenting a validated BCD.

The Delegate of Morocco expressed interest in the methods used to estimate the size of fish placed in cages and the Delegate of Croatia indicated that video cameras were used.

The EC Delegate asked if Croatia intended to continue raising smaller fish to market size or would change to a fattening operation with larger fish. The Delegate of Croatia stated that Croatia plans to continue its current operations.

Brazil

No questions were raised on the questionnaire submitted.

Tunisia

Tunisia provided information on an overharvest of approximately 13% of its 2008 quota. While Tunisia had under-harvested in the past, this is the first time the quota had been exceeded. Tunisia explained that it had closed the fishery before the ICCAT deadline and was being transparent in reporting final catch figures. Tunisia emphasized that it has implemented all ICCAT recommendations and has a vessel observer program in place. Several parties supported the transparency of Tunisia for declaring its overharvest in 2008.

The Delegate of Libya raised a question regarding a JFO involving Libyan, Italian and Tunisian vessels. Libya had not authorized its vessels to participate. Tunisia had approved participation by its vessel.

The Delegate of Japan questioned the landing declarations noting that the average size of some fish was less than 30 kg. Tunisia indicated that these catches were within the margin of tolerance of 8% and Tunisia will work towards the proper implementation of the minimum size requirement. Tunisia explained that the fishing guards and observers are able to verify the landing records.

Morocco

The U.S. Delegate asked for clarification of the reported by-catch figures. Morocco indicated that vessels which target small pelagic species have occasional by-catch of bluefin tuna which amounted to 9 t in 2008. Morocco was also questioned about its VMS program and replied that 100% of vessels **over** 24 m authorized for bluefin tuna have VMS and also have two observers. About 5% of smaller vessels targeting swordfish and small pelagics have VMS.

Equatorial Guinea

No questions were raised on the questionnaire submitted.

Syria

Syria was planning on having two Syrian vessels targeting bluefin tuna in 2010, but indicated that it would be willing to fish its 2010 quota through a joint fishing operation. Syria would need assistance from other CPCs on training, monitoring, control, etc. For 2009, the fisheries sector is being restructured, for which reason there would be some delay in submitting the final Syrian bluefin tuna management plan for 2009. Syria requested that this belated submission be accepted by the Compliance Committee. The Syrian delegate also indicated that, in order to minimize pressure on the Mediterranean bluefin stock, Syria would not fish its quota in 2009, but carry this over to 2011.

No questions were raised on Syria's fishery development plan. However, the United States inquired about the average size of fish taken as by-catch in the Syrian near-shore fisheries. Syria responded that the by-catch is mostly smaller fish and this is a reason for developing a directed fishery further offshore.

Norway

No questions were raised on the questionnaire submitted. Norway reported that it had taken one bluefin tuna as by-catch off Ireland and it had been traded. Norway further reported that it was finalizing implementation of the BCD program.

United States of America

The Delegate of the United States provided information on the U.S. sport and recreational fishery. Bluefin of 185 cm or less are regarded as a recreational catch and cannot be sold. Permitted recreational vessels are allowed to take one commercial size bluefin tuna per year, which is called a "trophy" fish. In 2008, 13 trophy fish were reported, i.e. with a length greater than 185cm. As this catch is recreational, the trophy bluefin tuna cannot be sold. All recreational tournaments must be registered and all catches of bluefin tuna must be reported within 24 hours by telephone or internet.

Failure to do so is subject to investigation and prosecution. The U.S. Coast Guard carries out at-sea inspections. The National Oceanographic and Atmospheric Administration (NOAA) Enforcement Officers carry out dockside fishing vessel inspections, including in cooperation with local State Enforcement Authorities. The EC asked the Delegate of the United States about compliance with the 10% allowance for small bluefin tuna. The U.S. Delegate replied that daily catch limits are adjusted to keep the recreational fleet within the allowable limit and that the United States has been in compliance with the provisions of relevant bluefin tuna recommendations. The EC also inquired about reducing monetary gain from the catch of small fish. The U.S. Delegate clarified that these fish cannot be sold. The EC and Japan Delegates had several questions on mortality of released fish. The U.S. Delegate indicated that mortality is estimated and reported to ICCAT as part of the scientific data transmitted to the Secretariat.

The EC noted discrepancies in the trade data between the EC and the United States. The parties agreed to consult with a view to resolving the differences.

China

The Delegate of China provided information on how China implemented the CDS program and that it has partially implemented the program. The Bureau of Fisheries, Ministry of Agriculture has informed buyers of the legislative requirements and instructed them not to buy IUU products. With respect to VMS, China indicated it

has implemented the recommendation but has technical difficulties in transmitting data from its vessels to the Chinese monitoring station and then forwarding the data to the Secretariat. China provided information on an overharvest in 2008 and that it will be subject to a payback in 2009. Only two vessels are authorized to fish in 2009 to avoid a repetition of overharvest. There was a practical problem of this fish not being allowed to be exported to Japan until the issue of adjusting for the overharvest was resolved.

The Delegate of Japan expressed concern about how importers can check that the BCDs are fully validated. In Japan's view, this is the responsibility of Government officials. Japan asked how can the Chinese Government use ICCAT Regional Transshipment Observers to validate BCDs as this is not in conformance with the rules. The Delegate of China indicated that the observers verify catch but do not validate documents.

The Delegate of China indicated that China is working very hard to establish the ICCAT bluefin CDS. Information on catches is received from industry. He indicated that his country needs to look at implementation actions further, but noted the practical difficulty presented by the bluefin being caught in distant waters. China is looking to learn from other CPCs with distant water fleets, including the possibility of implementing a tagging program similar to Japan's.

The Delegate of Japan raised the issue of a large amount of tuna being processed in the free trade zone. China does not have any official monitoring scheme and this is a problem. Japan encouraged China to improve import controls and to monitor activities which occur in the free trade zone.

The Delegate of Japan noted that China's response to the questionnaire indicated landings in Japanese ports. Japan clarified that landings are not authorized for foreign vessels. China clarified that those were not direct landings, but transshipments.

Algeria

The Delegate of Algeria provided information on its observer program and emphasized that 100% of chartered vessels must have observers on board. Algeria keeps tight control to ensure that there are no difficulties in reporting catch and effort. This involves fishery control staff, the Coast Guard and scientific observers. On the national fleet, Algeria also has an observer program. With JFOs, Algeria needs to place a number of observers on different vessels. Because of difficulties in the past, JFOs will not be allowed in 2009. Algeria is trying to focus monitoring efforts on certain areas but it has a large coastline and must manage its artisanal fleet.

The Delegate of Japan asked about a proposed Algerian fleet renewal program. Algeria advised that this was a total fleet program so not all the vessels will be targeting bluefin tuna. These vessels will target small pelagics as part of the effort to reorganize the artisanal fleet.

Algeria has been late in implementing VMS. In 2008, all Algerian vessels were equipped with VMS. However, there was a problem as the data were not in the format required by ICCAT. Three different systems are used at present so an integration program is underway. In 2009, the VMS data will be collected in the correct format and will be sent to ICCAT.

There were questions about how the catch of chartered Japanese vessels was accounted for in the trade data reported by Algeria. The Chair noted that Algerian quota harvested by chartered vessels must be counted as Algerian catch and should be reflected in trade statistics if catch by chartered vessels is exported. Given other available information, some parties noted a difficulty in reconciling the catch information provided.

Korea

The Delegate of Japan asked about how Korea validates BCDs. Korea indicated that the owner/operator of the fishing vessel informs the company headquarters in Korea of all catches, landings and transshipments. The company in turn informs the Ministry, which can contact the observer directly if it is necessary to verify information. Korea noted that only two BCDs were validated in 2008.

The Delegate of Japan inquired about a transfer of live bluefin to Malta with regard to validating the BCD. The Korean Delegate indicated that in this instance, the BCD was completed and delivered with the fish.

Korea noted it found discrepancies with the trade data of several parties and suggested the Secretariat convene a working group to reconcile trade data. The EC noted that when it received Korea's notification of a JFO with

two French vessels, it did not meet EC requirements and was not approved. Korea noted that the JFO was authorized by two flag States, the Korean and the French government, and that 335 metric tons were already counted for the 2008 Korean quota.

France (St. Pierre & Miquelon)

The United Kingdom (Overseas Territories) noted there were no trade activities in respect of the bluefin tuna eastern stock and asked if there was any trade in the western stock.

The Delegate of France (St. Pierre & Miquelon) indicated that all catches were made by a vessel under charter from Canada. The products are landed in Canada and traded from the Canadian territory.

European Community

The U.S. Delegate asked the EC about JFOs, in particular, how they must be authorized under EC procedures and for what reasons the requests might be refused. Given the 2008 JFO which occurred with Korean and French vessels, the U.S. asked how JFO can be controlled if it is not authorized.

The EC Delegate advised that vessels in JFOs are fully monitored through the use of logbooks, VMS, catch reporting every five days, a crosschecking system, and real-time monitoring of catches on a daily basis. Each vessel over 24m has to have an individual quota. The EC has good cooperation with other CPCs in JFOs and while there may be difficulties with JFOs not being authorized, each EC vessel in a JFO has been fully monitored in terms of logbook checks and recording of catches against the vessel quota. The EC also uses other technologies such as Vessel Detection Systems. They also have independent 24/7 control which can be used on weekends when they cannot get full access to ICCAT information for third country vessels on the high seas.

Japan noted that JFOs are a concern for all parties and commended the EC for making great efforts. The establishment of a monitoring center in Vigo, Spain is to be welcomed. EC vessels are at the center of JFOs and EC should play a key role in monitoring activities.

The EC advised that on April 1 they will have put in effect new measures to monitor the EC fleet. They have 12 patrol boats and also aircraft available. The EC has introduced a specific monitoring program which was adopted on March 23, 2009. EC inspectors are available throughout the marketing chain, including at farms and at all points of transfer. In 2008, many infractions were detected and fines were imposed. The EC noted that it was the only CPC that closed its bluefin fishery for purse seiners on June 16 and this decision prevented overfishing in 2008.

The U.S. Delegate noted that catches of 11,125 t were initially reported for 2008 and there was a large increase in the amount reported in the Compliance Questionnaire.

The EC advised that 2008 data supplied as catch reporting were provisional. As a result of crosschecks and inspections, the figures were verified and updated as required. The definitive figures will be in the EC 2008 Annual Report. The EC advised that some artisanal fishing continued until the end of the calendar year. As checks are completed on catch reports, the total catch figure may be updated again.

The United States also requested information on the Panamanian vessel mentioned in the questionnaire. In response, the EC clarified that the Panamanian vessel was a processing vessel that landed the bluefin tuna in a community port.

The United States welcomed the increased monitoring and early closure of the bluefin fishery in 2008 but asked why the fishery was shut down so abruptly if individual vessels were assigned quotas. It was asked what catch data were missing from the early reports which led to the big increase in revised figures.

The EC Delegate advised that the catch rates increase exponentially in June compared with May. The catch level in a day can be very high. In June, fishermen tend to catch spawners, which are larger fish. Catch estimates were based on several factors, vessel reports, inspections, SCRS data, etc. Given the 5-day reporting requirement, the EC reported data on a provisional basis. In the meantime, with all the crosschecks and the inclusion of the artisanal fisheries data, the figure has increased to 14,963 t. This quantity includes catches by purse seiners having exhausted their quota (closure of the fishery on June 16, 2008) and also the catches by other fleets (longliners, baitboats and pelagic trawlers).

The United States requested clarification that a transfer document is used instead of a logbook. The EC responded that a transfer document is required along with a logbook and the vessel is subject to a fine for an infraction.

The Delegate of Japan inquired about the implementation of the bluefin CDS, which covers both domestic and international trade, and whether any information is available on artisanal trade within the EC.

The EC advised that they had written to Japan to confirm the full implementation of the bluefin tuna CDS by the EC in the context of domestic trade. The definition of domestic trade in Rec. 08-12 was intended to address movement between EC Member States. For bluefin tuna landed in a Member State and where the bluefin do not leave this Member State the catch is documented by a vessel logbook and sales notes data pending the validation of the BCD in accordance with paragraph 9d of Rec. 08-12.

The Delegate of Japan reiterated the significant amount of domestic consumption within the EC and believes a BCD should be used to document catches even within a Member State. The EC referred again to the systematic inspection of domestic landings and the use of logbooks and sales notes. Nearly 100% of the bluefin caged in the EC farms is exported, so the amounts consumed domestically are artisanal fisheries landings. On average, about 20% to 30% of fish caught is consumed in the EC.

The Delegate of Canada asked about sales of fish within EC and if there is a cross reference between sales notes and BCDs. The EC responded that cross references are carried out on logbooks, landing declarations, sales notes and BCDs.

The Delegate of Canada commended the EC on the considerable efforts put into monitoring and control in 2008, and asked if it is possible to provide an estimate of the total weight of fish associated with the catch reporting infringements that were detected. The EC could not provide the figure, but noted that the levels of fines are commensurate with the gravity of the offence. The EC assured the Committee that all enforcement authorities are aware of the serious situation for bluefin tuna.

Canada recalled that, at the annual meeting in Morocco, the EC mentioned infractions associated with gillnet activity and requested an update on the situation. The EC advised that gillnets were prohibited since 2002 and the authorities continue to eradicate this type of activity. Before the end of 2009, the matter of driftnets should be effectively addressed.

The EC Delegate expressed concern that other CPCs have not sufficiently participated in monitoring and control of the bluefin fishery. The EC emphasized that it has a huge enforcement effort and it is important that all CPCs cooperate even though it is very expensive. There is also a need to involve CPCs that do not have fishing opportunities but provide tugs and transshipment vessels, as these vessels must also comply with the rules. The EC believes that the Secretariat should inform other CPCs that any vessels that do not comply will be detained as IUU vessels and it is very important that this message is sent out to those CPCs. The Chair and the Secretariat requested the assistance of the EC in drafting a communication for all CPCs that would highlight the EC efforts and intentions for monitoring the 2009 bluefin fishery.

Chinese Taipei

No questions were raised on the questionnaire submitted.

The Chairman then brought attention to the three CPCs that submitted a reply to the Questionnaire but were not present at the inter-sessional meeting to discuss their responses.

Albania

No questions were raised on the questionnaire submitted.

Iceland

The Delegate of Japan asked for clarification on the response to question 5 in Part A, which noted that if the Icelandic quota is not fished, it is transferred to the EC. The Chair advised that this was allowed for in the allocation scheme of Rec.02-08. The EC agreed with the Chair's interpretation but noted for the record that the transfer provision has never been used.

Mexico

No questions were raised on the questionnaire submitted.

Discussion on VMS

Given the number of questions raised by CPCs about implementation of the VMS requirements for the eastern Atlantic and Mediterranean fisheries, it was decided to continue with a general discussion on VMS to clarify the compliance issues.

The Delegate of China asked why frequent transmission of VMS data is necessary if the catch data are sent every five days. Is the VMS transmission necessary if nobody is looking at this vessel position information? The Chair advised that it was needed to plan and conduct at sea enforcement operations. China then asked if there should be a possibility of allowing the vessels to send VMS data directly to the Secretariat.

The Executive Secretary said that the SCRS was interested in access to the VMS data and that the Commission agreed in Marrakech that the Secretariat can allow access, provided that individual vessel information is kept confidential.

The EC Delegate stated that VMS is very important in order to know when the EC fleet enters other waters. It is used as part of cross checking procedure for logbooks and other reports. In addition, the EC Vessel Detection System is used to crosscheck the VMS data. There is a need for good cooperation so that CPCs can exchange data on exit and entry. It is very important that patrol vessels have access to fishing vessel VMS data and tug VMS data to make at sea inspection more efficient. The EC support SCRS access to VMS data so that fishing effort can be calculated.

The Delegate of Japan noted that there are very few Japanese flagged carrier vessels. Some vessels are flagged to other countries but are operated by Japanese companies and are required to have VMS. Japan questioned whether it is a requirement to provide carrier VMS information to the Commission.

The Delegate of Algeria asked if Japan sends VMS data to ICCAT for the vessels chartered by Algeria and Japan confirmed that it does so.

The Executive Secretary advised that the Secretariat only receives VMS data from fishing vessels and believed it had no mandate to get this information from carrier vessels. The Delegate of Libya remarked that carrier vessels were a very important part of the harvesting chain so we should consider the mandate of VMS and include carrier vessels. The Delegate of Turkey noted that Article 49 of Rec. 06-05 requires that carrier vessels should be included in the VMS program when carrying bluefin tuna. The Executive Secretary expressed concern that it was not clear that carrier vessels should have VMS and there was a need to address this at the November 2009 meeting.

It was Morocco's understanding that all vessels in the chain should have VMS and they understood this was mentioned at the Kobe meeting.

The Delegate of Turkey advised that in Article 3 of Rec. 06-05 the definition of a fishing vessel covers all vessels, including carrier vessels, and it is clear that VMS is required.

The Delegate of Japan stated that it is the flag State's responsibility and that this is a practical problem and is not working. Panama has flagged a number of these carrier vessels so they need to be asked to address these shortcomings. The EC remarked that there is a need to control all vessels. Therefore, they need to have VMS. The spirit of the bluefin recovery recommendation requires it.

The U.S. Delegate pointed out that, consistent with Recommendation 06-05, Rec. 08-05 defines fishing vessels to include carrier vessels and this applies from January 31, 2008.

The Chair confirmed that Rec. 06-05 and Rec. 07-10, taken together, include a VMS requirement for carrier vessels with BFT on board. However, the Chair advised CPCs to consult Rec. 08-05 as it comes into effect, to ensure that the changes which replace Rec. 06-05 have clarified the VMS requirement relative to carrier vessels for the 2009 season.

8. Examination of interim suspension or reduction of quota due to non-transmission of Task I and Task II reports for the year 2007

The Chair referred delegates to the meeting document which summarized the Task I and Task II data received from the concerned parties in advance of the meeting. The Chair noted that data were received from all parties in advance of the meeting with the exception of France (St. Pierre & Miquelon). In reply, the delegate from France indicated the bluefin tuna fishing conducted by St. Pierre & Miquelon was with a chartered vessel from Canada. It was noted that the French authorities will meet with the Canadian authorities immediately after the COC meeting to establish an information exchange protocol and the transmission of data within the scope of this chartering. Canada confirmed that it would work with France to provide the data. The U.S. noted that although parties responded to the data submission deadline for the compliance inter-sessional, it was problematic that only three parties had supplied data in time for the 2008 stock assessment. Canada noted that the Compliance Committee should maintain this item on its agenda in order to improve the data situation for SCRS.

The Delegates then discussed the situations where data were received, but not in the format requested by SCRS. In most cases, the problems were related to spatial and temporal stratification of the data. In other cases, delegates noted the data reporting forms are not consistent with how the fisheries are currently operated, particularly live transfers to cages. It was decided to revisit this issue under the "Other Matters" agenda item in order to make recommendations to SCRS.

Finally, the Chair asked the delegates if they had any proposals for interim suspension or reduction of bluefin tuna quota in response to the data transmission issues. No proposals were made.

9. Examination of implementation of market measures in accordance with Rec. 06-05

The Chair noted that some discussion had already occurred on this subject as part of the review of the questionnaires. Parties were requested to report on any market measures (import prohibitions or import denials) that have been implemented pursuant to the obligations under Rec. 06-05 and under the CDS. Several parties indicated they were working bilaterally in the margins of the meeting to resolve discrepancies in trade data that had previously been identified. Several delegates commented that the confusion in trade figures is most likely related to specifying the date of catch relative to the date of export, especially in the case of live fish transferred to cages. Other parties noted that there may be some confusion in converting net weight to gross weight on BCDs and commercial trade documents.

10. Possible actions to be taken arising from Agenda items 5 to 9

Overall, it was noted that the new process of detailed examination of implementation programs must be continued for ICCAT to improve the functioning of its Compliance Committee. It was recommended that a systematic review of implementation of the bluefin tuna measures be conducted each year as needed until the level of compliance is demonstrated to have improved.

There was some discussion of the requirement for attendance at the Inter-sessional Compliance Committee Meeting as stipulated in Recommendation 08-13. It was noted that Panama, Iceland and Mexico had activities related to bluefin tuna, but did not attend the meeting. While Iceland and Mexico had responded to the questionnaire and informed the Secretariat that they could not attend that meeting, Panama had not. The Committee decided to send a letter to Panama regarding its lack of implementation of VMS for its flag carrier and tow vessels and to Iceland for clarification of its joint fishing operation with Libya and for an update on its reported difficulty with VMS implementation.

The Committee discussed the most productive way to record the outcome of the meeting and to determine next steps. It was decided to reflect on the discussions in several important areas where problems were identified by the CPCs: capacity controls, catch documentation, joint-fishing operations; and vessel monitoring systems.

– Capacity controls

The Committee expressed its concern with the problem of excess fishing capacity in the bluefin tuna fisheries as a whole, noting however that some CPCs had a level of capacity already above its fishing possibilities while others were still developing their fishing capacity to make it commensurate with its possibilities. The Committee

agreed that each CPC involved in the bluefin tuna fisheries should present a plan for managing its fishing capacity prior to the next commission meeting as established by Rec. 08-05.

Several CPCs indicated that they were implementing capacity reduction programs to conform more closely to their allocations of bluefin tuna. Turkey indicated that its current fisheries law did not provide the legal basis to limit licenses in all cases. To account for this shortcoming, specific authorizations are needed for directed fishing on bluefin tuna and a portion of the allocation is reserved for by-catch. Changes to the law are underway and Turkey informed the Committee that it is working to reduce its fleet by 50% in 2010 and to 30% of the current level by 2011, with some flexibility needed for the actual level of reduction to be achieved. Tunisia was questioned about managing its fishing capacity in light of its increased bluefin tuna catches in 2008. Tunisia indicated that it was allowing no new investment in fishing vessels except for replacement and also was converting some vessels from purse seiners to trawlers. In addition, Tunisia was not authorizing any charters of foreign vessels. The CPCs welcomed these efforts by Turkey and Tunisia and requested that these parties provide updates on their progress at the Compliance Committee Meeting in November.

– Catch Documentation Scheme

Several CPCs indicated that they were still implementing aspects of the CDS. For example, China is undertaking the administrative processes but does not yet have a mandatory collection of BCDs upon import. Other parties have not yet implemented procedures for completing the BCD in the case of landings by artisanal fisherman and expressed their concern that this could be very problematic. In addition, the EU explained its application of the program with regard to fish that are consumed in the domestic market of the country of landing and emphasized that the BCD is required for all product traded between member states. The EU and other CPCs indicated they would undertake to cooperate in a review of any discrepancies in trade figures associated with the catch documents and identified at the special COC meeting and would provide reconciled figures to the Secretariat by July 31, 2009.

The Committee recommended that the CDS program be reviewed to determine what amendments are needed to clarify the requirements in relation to the problems raised. In the meantime, the Committee acknowledged the need to develop implementation guidelines. Also, the Committee recognized that artisanal fisheries in developing countries were not fully considered when the requirements of the BCD program were established and expressed its understanding of the difficulties that the current system may present to them. The Committee recognized that new procedures might be needed to accommodate the special requirements of artisanal fisheries in developing countries. The Committee also recognized the need to provide technical assistance to new members of the Commission such as Syria and Egypt. Progress reports on implementing the BCD program were requested from all parties with particular attention to the issues identified during the Inter-sessional Meeting of the Compliance Committee. These progress reports should be submitted on the same schedule as the CPC annual reports.

– Joint Fishing Operations

The joint fishing operations that were notified to the Secretariat in 2008 included:

- Croatia/EC-Italy (although this JFO did not take place)
- Libya/Iceland
- Korea/EC-France (reported by Korea but not authorized by EC)
- Libya/EC-Italy/EC-Greece
- Libya/EC-France/Morocco
- Libya/EC-Italy/Morocco
- Libya/EC-France/EC-Malta
- Libya/Turkey
- Libya/EC-France
- Libya/Tunisia
- Libya/Tunisia/EC-Italy (reported by Tunisia but not authorized by Libya)
- Morocco/Turkey

There were questions raised about the activities of Turkish vessels with Algeria and Morocco, and whether these were, in fact, joint fishing operations or chartering arrangements. The Committee determined that in 2008, some

of these joint fishing operations were undertaken in an opportunistic manner, some of them without authorization and/or sufficient control. It was agreed that past JFO activities would be investigated where inconsistencies were identified during the special COC meeting and that the results of this work would be reported to ICCAT this fall at its annual meeting.

The CPCs understand that the participants learned from the issues encountered in the 2008 operations. The Committee recommended that, in 2009, CPCs authorizing JFOs must report this information for posting on the password-protected section of the ICCAT website. If the operations are not posted at least 10 days prior to the beginning of the operation, CPCs can consider the operations as unauthorized. CPC's which participate in JFO's for its flag vessels should monitor the operations closely to ensure that activities are in conformance with the authorization and that all required reports are submitted.

For information purposes, the EC, Tunisia, Libya, Turkey and Korea indicated they would undertake JFOs in 2009. The Committee expressed its expectation that the parties involved in such operations will undertake joint enforcement and communicate these arrangements to the Secretariat in advance in conformity with the relevant Recommendations. The United States requested that involved parties provide updated reports on the monitoring and control of JFOs for posting to the password-protected section of the ICCAT website.

– Vessel Monitoring Systems

The Secretariat advised that some CPCs have not yet established transmission of VMS data to the Secretariat. China indicated that it receives messages from its vessels to its monitoring station, but cannot communicate from the monitoring station to the Secretariat. China is working with the Secretariat to have messages transmitted directly from vessels to ICCAT and will report on progress when this is accomplished. Croatia indicated that the problem was also in communicating with the Secretariat and noted that the cause of this problem is understood and will be resolved before the 2009 fishing season. Algeria indicated it is in the process of improving the format for transmitting data to the Secretariat. The Secretariat noted that all parties in need of technical assistance should request details on the data transmission formats.

In addition, several parties have not yet achieved automated transmission of geographic positions. The Committee requested that the Secretariat produce an analytical report on the status of VMS data transmissions from each CPC, including the types of systems in use, the data elements collected and received, and other factors relevant to an analysis of the effectiveness of the system for enforcement purposes. This report should be distributed to CPCs as soon as possible and would be considered by the Compliance Committee at the November meeting.

11. Other matters

The Committee discussed several issues under this Agenda item.

The Delegate of Korea presented his country's situation regarding carry forward of the under-harvest of bluefin tuna from 2006 and applying this amount to adjust quotas in subsequent years. Under the provisions of Rec. 06-05, Korea was allowed to carry forward 50% of the unharvested quota. However, Korea had not submitted its apportionment plan at the 2007 annual meeting and did not provide this to the Secretariat by the February 29, 2008 deadline. The Delegate of Korea explained that changes in the government administration prevented submission of the plan by the deadline. This issue was holding up a shipment of bluefin tuna to Japan because Japan was concerned about importing product above the quota authorized for Korea in the allocation key of Rec. 06-05. The Delegate of Korea requested that the Committee approve the carryover plan. For this matter, an information document was circulated and the delegation of Korea explained the carryover amounts would be 170 metric tons in 2007 and 166.95 metric tons in 2008.

The Delegate of Japan noted that this situation was awkward in that the fish had already been harvested in 2008 and that it should not become a precedent for future actions of the Compliance Committee. However, the Delegate of Japan noted that Korea had voluntarily reduced its allocation of bluefin tuna beginning in 2002 and this contributed to conservation under the recovery plan. For this reason, Japan supported flexibility by the Compliance Committee. Several other delegations supported the call for flexibility; there were no objections to Korea's proposal, it was agreed that this matter be referred to the Compliance Committee at the November 2009 meeting with the understanding of the need for flexibility.

The Delegate of China also requested flexibility for his country's situation regarding bluefin tuna over-harvest in 2008. This product was also awaiting approval for import by Japan. China had declared the over-harvest and announced plans to reduce the number of authorized vessels fishing for bluefin tuna in 2009. The Delegate of China also noted that China's under-harvest from 2006 could be carried forward to 2008 consistent with Rec. 06-05 except that the Compliance Committee did not adopt the compliance table for eastern bluefin in 2008. It was agreed that the Compliance Committee should examine this situation at the November 2009 meeting with the understanding of the need for flexibility.

In response to prior discussion on compliance of CPCs with data reporting obligations, several delegations expressed the need for further guidance from the SCRS with respect to the transmission of Task I and Task II data. In consideration of the issues associated with data, the Committee noted for the record the need for SCRS to carry out the following:

- Update the electronic forms used for submission of statistics in order to reflect recent changes in fishing activities, in particular transfer of live fish and farming operations.
- Clearly specify the minimum requirements for temporal and spatial stratification of Task I and Task II statistics for different gear types.
- Develop means to evaluate the quality of statistical data submitted by CPCs, taking into account the need for capacity building by developing CPCs.

On this last point, the Secretariat noted the availability of funds for assistance with scientific data collections. Several delegations supported the scheduling of future regional workshops to assist with capacity building.

In response to concerns about the difficulties of monitoring JFOs which were discussed at several points during the meeting, the Committee agreed that the Secretariat should post all the information received from CPCs on JFO authorizations on the password-protected portion of the ICCAT website. It was stressed that the new measures of the *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05] should help to correct some of the problems experienced in 2008. CPCs were encouraged to voluntarily implement the control measures of Rec. 08-05 in advance of its entry into force and to commit sufficient enforcement resources. The CPCs also agreed to note any continuing problems and to bring recommendations for improvement to the Panel 2 meeting in November 2009.

Implementation of the VMS requirements associated with Rec. 06-05 was also discussed. It was recommended that the Secretariat transmit a letter to all CPCs to remind them of the requirements for VMS on all vessels associated with the harvesting and transport of eastern bluefin, including towing vessels and carrier vessels. The EC noted that vessels operating without VMS are a serious infringement and such vessels are to be considered as engaging in IUU fishing. Several delegations expressed a need for technical assistance in establishing a VMS program.

The Delegate of Tunisia recalled a prior discussion on his country's over-harvest of bluefin tuna in 2008 and requested flexibility in determining a payback plan. Tunisia proposed reductions in 2009 and 2010 that would take into account the under-harvest that had been previously approved for carryover in those years by the Commission. Several delegations supported the need for flexibility in applying the adjustment rules because ICCAT should not discourage the declaration of over-harvest. It was agreed that Tunisia should present its payback plan to the Compliance Committee at the November 2009 meeting.

The Delegate of the EC recalled that the weather day provisions of paragraph 21 of Rec. 08-05 contained an error which rendered the provision not credible or feasible. The EC proposed that the reference to a wind speed of 7 knots be amended to read a wind force of Level 5 on the Beaufort scale. Several delegations supported the need for an amendment of the weather day provision. However, a number of delegates suggested a Level 4 on the Beaufort scale as an appropriate alternative. It was noted by the United States that the relevant point was to control the harvest by purse seine vessels to the assigned quota, so the exact level of wind speed was less important. The Committee Chair and the Secretariat expressed concern that the Compliance Committee did not have competence to amend a recommendation of Panel 2. Due to the urgency of implementing Rec. 08-05, it was agreed that a proposal for mail vote would be advanced to all parties by the Chairman of the Commission.

12. Adoption of the report and adjournment

The Chairman thanked the CPCs for their responses to the questionnaire and for the informative discussions during the course of the meeting. The Chairman also thanked the rapporteur, the interpreters, and the Secretariat staff for their work in support of the meeting. The meeting was adjourned on March 27, 2009.

The Report of the Inter-sessional Meeting of the Compliance Committee was adopted by correspondence.

Appendix 1 to ANNEX 4.1

Agenda

1. Opening of the meeting
2. Nomination of rapporteur
3. Adoption of the agenda and meeting arrangements
4. Initial review of responses to questionnaire
5. Review of implementation of and compliance with Rec. 06-05 based on the answers to the questionnaire on compliance
6. Review of implementation of and compliance with Rec. 06-07 based on the answers to the questionnaire on compliance
7. Examination of the compliance status of Contracting Parties based on point 6 of Rec. 08-13:
 - a) undeclared overshooting of the CPC's quota
 - b) unjustified failing to provide catch and farming reports within the agreed ICCAT deadlines
 - c) failing to participate in the meeting of the COC where the concerned CPC's compliance status is discussed
 - d) lack of meaningful monitoring, verification and enforcement measures
 - e) failing to implement the bluefin tuna catch documentation on the market
8. Examination of interim suspension or reduction of quota due to non-transmission of Task I and Task II reports for the year 2007
9. Examination of implementation of market measures in accordance with Rec. 06-05
10. Possible actions to be taken arising from Agenda items 5 to 9
11. Other matters
12. Adoption of the report and adjournment

Appendix 2 to ANNEX 4.1

List of Participants

CONTRACTING PARTIES

ALGERIA

Alem, Kamel *

Directeur des Pêches Maritimes et Océaniques, Ministère de la Pêche et des Ressources Halieutiques, Rue des Quatre Canons, 16000, Alger

Tel: +213 662 02 66 32; Fax: +213 21 43 3197; E-Mail: sg@mpeche.gov.dz;

BRAZIL

Hazin, Fabio H. V.

Commission Chairman, Universidade Federal Rural de Pernambuco-UFRPE, Departamento de Pesca e Aquicultura-DEPAq, Rua Desembargador Célio de Castro Montenegro, 32 - Apto 1702, Monteiro Recife, Pernambuco

Tel: +55 81 3320 6500; Fax: +55 81 3320 6512; E-Mail: fabio.hazin@depaq.ufrpe.br

Henrique de Lima, Luis

Secretaria Especial de Aquicultura E Pesca, Esplanada dos Ministerios, Bloco D, 2º Andar, Sala 2238, Brasilia, DF

Tel: +61 3218 3891; Fax: +61 3218 3886; E-mail: luislima@seap.gov.br

* Head Delegate.

Travassos, Paolo

Depto. de Pesca e Aquicultura/UFRPE, R. Dom Mandel de Medeiros, s/n, Dois Irmaos, Recife, PE

Tel: + 55 81 3320 06511; Fax: +55 81 332 06515; E-mail: p.travassos@depaq.ufrpe.br

CANADA**Scattolon, Faith***

Regional Director-General, Maritimes Region, Department of Fisheries & Oceans, 176 Portland Street, Dartmouth, Nova Scotia B2Y 1J3

Tel: +1 902 426 2581; Fax: +1 902 426 5034; E-Mail: scattolonf@mar.dfo-mpo.gc.ca

Lapointe, Sylvie

Director Straddling and Highly Migratory Fish Stocks, International Directorate - Fisheries, Department of Fisheries & Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6

Tel: + 1 613 993 68 53; Fax: + 1 613 993 59 95; E-Mail: Lapointesy@dfo-mpo.gc.ca

MacLean, Allan

Director, Conservation & Protection, Fisheries & Oceans Maritimes Region, P.O. Box 1035, 176 Portland Street, Dartmouth, Nova Scotia B2Y 4T3

Tel: +1 902 426 2392; Fax: +1 902 426 8003; E-Mail: MacLean@mar.dfo-mpo.gc.ca

McMaster, Andrew

International Fisheries Advisor, Straddling and Highly Migratory Fish Stocks, International Fisheries Directorate, Fisheries and Aquaculture Management, Fisheries and Oceans Canada 200 Kent St.8th floor, Ottawa, Ontario K1A 0E6

Tel: +1 613 993 1897; Fax: +1 613 993 5995; E-Mail: andrew.mcmaster@dfo-mpo.gc.ca

Nguyen, Huy

Legal Officer, Foreign Affairs and International Trade Canada, Oceans and Environmental Law Section (JLO), 125 Sussex, Drive, Ottawa, Ontario K1A 0G2

E-Mail: huy.nguyen@international.gc.ca

Rashotte, Barry

Director General Resource Management, Fisheries Management, Department of Fisheries & Oceans, 200 Kent Street, Ottawa Ontario K1A 0E6

Tel: +1 613 990 0189; Fax: +1 613 954 1407; E-Mail: rashottb@dfo-mpo.gc.ca

CHINA**Liu, Xiaobing***

Director, Ministry of Agriculture, Division of International Cooperation Bureau of Fisheries, N° 11 Nongzhanguan, Nanli, 100125, Beijing

Tel: +86 10 591 92928; Fax: +86 10 59192951; E-Mail: inter-coop@agri.gov.cn;Xiaobing.liuc@163.com

Heping, Liu

Manager, China National Fisheries Corp., 9F Gan Jia Kou Mansion, N° 21 San Li He Road, Haidian District, 100026, Beijing

Tel: +86 10 6831 2288; Fax: +86 10 8837 2176

Liu, Zhanqing

General Manager, China National Fisheries Corp.,9F Gan Jia Kou Mansion, N° 21 San Li He Road; Haidian District, 100026, Beijing

Tel: +86 10 6831 2288; Fax: +86 10 8837 2176; E-Mail: liuzhanqing@cnfc.com.cn

Zhang, Yun Bo

Distant Water Fisheries Branch of China Fisheries Association, Room 9019, Jing Chao Mansion, No. 5 Nongzhanguan Nanlu, Chaoyang District, 100125 Beijing

Tel: +86 10 6585 0667; Fax: +86 10 6585 0551; E-Mail: admin@tuna.org.cn

CROATIA**Skakelja Neda***

Croatian Director of Fisheries, Ministry of Agriculture, Fisheries and Rural Development, Directorate of Fisheries, Ulica Grada Vukova 78, 10000, Zagreb

Tel: +385 1 610 6577; Fax: +385 1 610 6558; E-Mail: nedica@email.htnet.hr; nedica@mps.hr

Franicevic, Vlasta

Head of Unit Aquaculture, Ministry of Agriculture Fisheries and Rural Development, Directorate of Fisheries, Ivana Mazuranica 30, 23000 Zadar

Tel: +385 23 309 820; Fax: +385 23 309 830; E-Mail: mps-uprava-ribarstva@zd.htnet.hr; ribarstva@zd.htnet.hr

EGYPT

Sattar, Hamdan Abdel*

Jefe de la Administración General, Gabinete de la Organización General de Desarrollo de los Recursos pesqueros
Tel: +202 2262 0117; Fax: +202 2262 0117; E-Mail: GAFRD.EG@hotmail.com

Gerges, Makram A.

Senior Advisor, International Relations & Technical Cooperation, General Authority for Fish Resources Development, El Cairo

Tel: +202 2262 0117; Fax: +202 2262 0117; E-Mail: magerges@hotmail.com

Salem, Ahmed

General Authority for Fish Resources Development (GAFRD), 4, El Tayaran Street, Nasr City District, 11765, Cairo

Tel: +202 2262 0117; Fax: +202 2262 0117; E-Mail: AhmedSalem.GAFRD@gmail.com

EQUATORIAL GUINEA

Bikoro Eko Ada, José*

Técnico de Pesca del Departamento, Ministerio de Pesca y Medio Ambiente, Gabinete del Ministro, Presidente Nasser s/n, Malabo

Tel: +240 274391; Fax: +240 092556

EUROPEAN COMMUNITY

Amilhat, Pierre*

Director, European Commission DG Maritime Affairs and Fisheries, Rue Joseph II, 99, 1049 Brussels, Belgium

Tel: + 322 299 2054; E-Mail: pierre.amilhat@ec.europa.eu

Chaouat, Sabrina

Commission Europeenne, DG Maritime Affairs and Fisheries, Rue Joseph II, 99, 1049 Brussels, Belgium

Tel: +322 296 1548, Fax: +322 295 5700, E-Mail: sabrina.chaouat@ec.europa.eu

Duarte de Sousa, Eduarda

Principal Administrator, European Commission DG Maritime Affairs and Fisheries, J-99 3/36, Rue Joseph II, 99, 1049 Brussels, Belgium

Tel: +322 296 2902; Fax: +322 295 5700; E-Mail: eduarda.duarte-de-sousa@ec.europa.eu

Gray, Alan

Senior Administrative Assistant, European Commission - DG Maritime Affairs and Fisheries, J-99 2/63, Rue Joseph II, 99, 1049, Brussels, Belgium

Tel: +32 2 299 0077; Fax: +322 295 5700; E-Mail: alan.gray@ec.europa.eu

Grimaud, Vincent

European Commission DG Maritime Affairs and Fisheries, Rue Joseph II, 99, 1049 Brussels, Belgium

Tel: +322 296 3320; Fax: +322 295 5700; E-Mail: vincent.grimaud@ec.europa.eu

Insunza Dahlander, Jacinto

Asesor Jurídico, Federación Nacional de Cofradías de Pescadores, c/ Barquillo, 7 – 1º Dcha, 28004 Madrid, Spain

Tel: +34 91 531 98 04; Fax: +34 91 531 63 20; E-Mail: fncp@fncp.e.telefoica.net

Jilek, Jiri

Permanent Representation of the Czech Republic to the EU, Secretary for Fisheries and Integrated Maritime Policy, Rue Caroly 15, 1050, Brussels, Belgium

Tel: +322 2139 196; Fax: +322 2139184; E-Mail: jiri_jilek@mzv.cz

Kempff, Alexandre

European Commission DG Maritime Affairs and Fisheries, Policy development and Co-ordination, Rue Joseph II, 99, 1049, Brussels, Belgium

Tel: +322 296 7804; Fax: +322 296 2338; E-Mail: alexandre.kempff@ec.europa.eu

Lainé, Valerie

Chef at unite "controle", European Commission DG Maritime Affairs and Fisheries, J-99 3/30, Rue Joseph II, 99, 1049, Brussels, Belgium

Tel: +322 296 5341; Fax: +322 296 2338; E-Mail: valerie.laine@ec.europa.eu; fisheries-bft-communications@ec.europa.eu

Lemmens, Tim

Josef II Straat 99, Office 1/90, 1049 Brussels, Belgium

Tel: + 02 29 81484; E-Mail: tim.lemmens@ec.europa.eu

Skovsholm, Klavs

Council of the European Union, Secrétariat General du Conseil, Rue de la Loi, 175, B-1048, Brussels, Belgium
Tel: +322 2 281 8379; Fax: +322 281 6031; E-Mail: klaus.skovsholm@consilium.eu.int

Blasco Molina, Miguel Angel

Jefe de Servicio, Secretaría General del Mar, Subdirección General de Relaciones Pesqueras Internacionales, c/Velázquez, 144, 28006 Madrid, Spain
Tel: +34 91 347 61 78; Fax: +34 91 347 6042; E-Mail: mblascom@mapya.es

Brull Cuevas, Maria del Carmen

Panchilleta, S.L.U., Pesqueries Elorz, S.L.U., Cala Pepo No. 7, 43860 L'Ametlla de Mar, Tarragona, Spain
Tel: +34 977 456 783; Fax: +34 639 185 342; E-mail: bccarme@panchilleta.e.telefonica.net

Bugeja, Raymond

Ministry for Rural Affairs and the Environment, Fisheries Conservation & Control Division, Marsaxlokk, Malta
Tel: +356 21 655 525; Fax: +356 21 659 380; E-Mail: maltafishcoop@maltanet.net

Cabanas Godino, Carlos

Subdirector General de Acuerdos y Organizaciones Regionales de Pesca Secretaría General del Mar, c/ Velázquez, 144, 28006 Madrid, Spain
Tel: +3491 347 6040; Fax: +3491 347 6042; E-Mail: ccabanas@mapya.es

Carroll, Andrew

Sea Fish Conservation Division-DEFRA, 17 Smith Square, London, United Kingdom
Tel: +44 207 238 3316; E-mail: Carroll@defra.gsi.gov.uk; Andy.P.Carroll@defra.gsi.gov.uk

Cau, Dario

Italian Fisheries Ministry, Viale dell'Arte 16, 100 Roma, Italy
Tel: +3906 5908 4527; móvil:+393479549438; E-Mail: dariocau@yahoo.com

Conte, Fabio

Ministero delle Politiche Agricole, Alimentari e Forestali, Direzione Generale della Pesca Marittima e Acquacoltura, Viale dell'Arte 16, 00144 Rome, Italy
Tel: +39 06 5908 4502; Fax: +39 06 5908 4176; E-Mail: f.conte@politticheagricole.gov.it

Conte, Plinio

MIPAAF, Italian Fisheries Department, Viale dell'Arte 16, 00144 Roma, Italy
Tel: +39 06 5908 3442; Fax: +39 06 5908 4176; E-Mail: p.conte@politticheagricole.gov.it

De Leiva Moreno, Juan Ignacio

Desk Manager of Operations, Mediterranean and Black Sea Unit Operational Coordination, Community Fisheries Control Agency Edificio Odriozola; Avenida García Barbón 4, E-36201 Vigo, Spain
Tel: +34 986 12 06 58; E-Mail: Ignacio.de-leiva@cfca.europa.eu

Fenech Farrugia, Andreina

Principal Scientific Officer, Ministry for Resources and Rural Affairs, Veterinary Regulation Fisheries Conservation and Control, Albertown, Malta
Tel: +356 994 06894; Fax: +356 259 05182; E-Mail: andreina.fenech-farrugia@gov.mt

Galache Valiente, Pedro

Community Fisheries Control Agency - CFCA Edificio Odriozola; Avenida García Barbón 4, 36201 Vigo, Spain
Tel: +34 986 120 635; Fax: +34 986 125 236; E-Mail: pedro.galache@cfca.europa.eu

Gruppetta, Anthony

Director General, Ministry for Resources and Rural Affairs, Fisheries Conservation & Control Division, Barriera Wharf, Valletta, Malta
Tel: +356 794 72542; Fax: +356 259 05182; E-Mail: anthony.s.gruppetta@gov.mt

Kountourakis, Ioannis

Ministry of Rural Development & Food, Directorate General for Fisheries, Directorate for Aquaculture and Inland Waters, Syggrou 150, 17671 Kallithea, Athens, Greece
Tel: +30 210 928 7199; Fax: +30 210 9287140; E-Mail: syg021@minagric.gr

Lemeunier, Jonathan

Ministère de l'Agriculture et de la Pêche, Direction des Pêches Maritimes et de l'Aquaculture, 3, Place de Fontenoy, 75007 Paris, France
Tel: +33 1 4955 8236; Fax: +33 1 4955 8200

Lopes, Eduardo

Direcção Geral das Pescas e Agricultura, Av. Brasilia, 1449-030 Lisbon, Portugal
Tel: +351 213 035 820; Fax: +351 213 035 922; E-Mail: eduardol@dgpa.min-agricultura.pt

Marcos, Javier Vega

Técnico de la Viceconsejería de Pesca, Gobierno de Canarias, Spain
Tel: 928 301 563; Fax: 928 305 573; E-Mail: jvegmar@gobiernodecanarias.org

Navarro Cid, Juan José

Grupo Balfegó, Polígono Industrial - Edificio Balfegó, 43860 L'Ametlla de Mar, Tarragona, Spain
Tel: +34 977 047700; Fax: +34 977 457 812; E-Mail: juanjo@grupbalfego.com

Olaskoaga Susperregui, Andrés

Federación de Cofradías de Pescadores de Guipúzcoa, Paseo de Miraconcha, 29, 20009 Donostia, San Sebastian, Spain
Tel: +34 94 345 1782; Fax: +34 94 345 5833; E-Mail: fecopegui@euskalnet.net

O'Shea, Conor

Regional Sea Fishery Control Manager, Sea Fisheries Protection Authority, West Cork Technology Park, Clonakilty, Cork, Ireland
Tel: +353 23 59300; Fax: +353 23 59720; E-Mail: conor.o'shea@sfpa.ie

Pallota, Oreste

MIPAAF, Viale Dell'Arte, 16, 00144 Rome, Italy
Tel: +339 065 908 4856

Ribalta Aymami, Oriol

Penyanegasi, 5, Sabadell 08206 Spain
Tel: 609 380 664; Fax: +93 726 2300; Email: orioloriol@yahoo.com

Rodon Peris, Jordi

Jefe Sección Ordenación Pesquera, Dirección General de Pesca i Afers Marítims del DARP; Generalitat de Catalunya, Gran Via de les Corts Catalanes, 612-614, 1r, 08007 Barcelona, Spain
Tel: +34 93 304 6728; Fax: +34 93 304 6705; E-Mail: jordirodon@gencat.net

FRANCE (ST. PIERRE & MIQUELON)

Gauthiez, François*

Sous-Directeur des Ressources Halieutiques, Ministère de l'Agriculture et de la Pêche, Direction des Pêches Maritimes et de l'Aquaculture, 3, Place de Fontenoy, 75007 Paris, France
Tel: +33 1 4955 8221; Fax: +33 1 4955 8200; E-Mail: francois.gauthiez@agriculture.gouv.fr

JAPAN

Miyahara, Masanori*

Chief Counselor, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Tokyo, Chiyoda-Ku 100-8907
Tel: +81 3 3591 2045; Fax: +81 3 3502 0571

Masuko, Hisao

Director, International Division, Japan Tuna Fisheries Co-operative Association, 2-31-1 Eitai Koto-Ku, Tokyo 135-0034
Tel: +81 3 5646 2382; Fax: +81 3 5646 2652; E-Mail: gyojyo@japantuna.or.jp

Matsuura, Hiroshi

International Affairs Division, Resources Management Department, Fisheries Agency of Japan, 1-2-1, Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8460; Fax: +81 3 3502 0571; E-Mail: hiroshi_matsuura2@nm.maff.go.jp

Ota, Shingo

Senior Fisheries Negotiator, International Affairs Division, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Tokyo, Chiyoda-Ku 100-8907
Tel: +81 3 3591 1086; Fax: +81 3 3502 0571

Satomi, Yoshiki

Ministry of Economy, Trade and Industry, 1-2-1, Kasumigaseki, Chiyoda-Ku, Tokyo
Tel: +81 3 3501 0532; Fax: +81 3 3501 6006; E-Mail: satomi-yashoki@meti.go.jp

Tanaka, Kengo

Assistant Director, Far Seas Fisheries Division, Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Tokyo, Chiyoda-Ku 100-8907
Tel: +81 3 3502 8204; Fax: +81 3 35 95 7332

KOREA**Jeong, Il Jeong***

Director, International Fisheries Organization Division, Ministry for Food, Agriculture, Forestry and Fisheries (MIFAFF), 88 Gwanmunro Gwacheon-si, Gyeonggi-do
Tel: +822 500 2422; Fax: +822 503 9174; E-Mail: ijeong@korea.kr; icdmomaf@chol.com

Jang, Dosoo

Councilor, Korean Ocean Research and Development Institute (KORDI)
Tel: +8231 400 6505; E-Mail: dsjang@kordi.re.kr

Lee, Kyung Soo

General Manager, Sajo Industries Co., Ltd, 57 Chung Jeong-Ro, 2-GA Seodaemun-Gu, 120-707 Seoul
Tel: +82 2 3277 1815; Fax: +82 2 392 1100; E-Mail: kslee@sajo.co.kr

Park, Jeong Seok

Assistant Director, Ministry for Food, Agriculture, Forestry and Fisheries, International Fisheries Organization Division, 88 Gwanmunro Gwacheon-si, Gyeonggi-do
Tel: +82 2 500 2430; Fax: +822 503 9174; E-Mail: icdmomaf@chol.com

Seok, Kyu-Jin

Counsellor, International Fisheries Affairs, Ministry for Food, Agriculture, Forestry and Fisheries, International Fisheries Organization Division, 88 Gwanmunro Gwacheon-si, Gyeonggi-do
Tel: +82 2 500 2430; Fax: +822 503 9174; E-Mail: icdmomaf@chol.com; pisces@mifaff.go.kr

Yun, Yoo Suk

2175 Kang Jae-Dong, Seocho-Lin, Seoul
Tel: + 82 2 589 3078; Fax: +82 2 589 5497; E-mail: ysyun@dongwon.com

LIBYA**Zaroug, Hussein A.***

Chairman, General Authority of Marine Wealth, P.O. Box 81995, Tripoli
Tel: +218 21 334 0932; Fax: +218 21 333 0666; E-Mail: merai.h.a@gam-ly.org

Abukhder, Ahmed G.

Head of Department of Tech. Cooperation, General Authority of Marine Wealth, P.O. Box 81995, Tripoli
Tel: +218 21 3340932; Fax: +218 21 3330666; E-Mail: abuk53@yahoo.com; abuk53@gam-ly.org

Fahema, Marwan T.

General Authority of Marine Wealth, Permanent Committee of Fisheries in Libyan Water, P.O. Box 81995, Tripoli
Tel: +218 9137 41702; Fax: +218 21 333 0666; E-Mail: marwan.fahema@yahoo.com; info@gam-ly.org

MORROCO**El Ktiri, Taoufik***

Chef de service à la Direction des Pêches Maritimes et de l'Aquaculture, Ministère de l'Agriculture, du Développement Rural et de la Pêche, Direction des Pêches Maritimes et de l'Aquaculture, Nouveau Quartier Administratif, Haut Agdal, Rabat
Tel: +212 37 68 81 15; Fax: +212 37 68 8089; E-Mail: elktiri@mpm.gov.ma

Harim, Mokhtar

Vice-Président de la Société Agrapelit, S.A., AGRAPELIT, S.A., Dakhla
Tel: +212 6113426; Fax: +212 28931341; E-Mail: milles@arrakis.es

Idrissi, M'Hammed

Chef, Centre Régional de l'INRH à Tanger, B.P. 5268, 90000 Drabeb, Tanger
Tel: +212 39 325 134; Fax: +212 39 325 139; E-Mail: mha_idrissi2002@yahoo.com; m.idrissi.inrh@gmail.com

NORWAY**Holst, Sigrun M.***

Deputy Director General, Ministry of Fisheries and Coastal Affairs, P.O. Box 8118, Dep. 0032 Oslo
Tel: +47 22 24 65 76; +47 918 98733; Fax: +47 22 24 26 67; E-Mail: sigrun.holst@fkd.dep.no

Ognedal, Hilde

Norwegian Directorate of Fisheries, Postboks 185 Sentrum, 5804 Bergen
Tel: +4792089516; Fax: +4755238090; E-Mail: hilde.ognedal@fiskeridir.no

Sandberg, Per

Directorate of Fisheries,, P.O. Box 185 Sentrum, Bergen, Nordness
Tel: +47 55 800 30 179; Fax: +47 55 238 090; E-Mail: per.sandberg@fiskeridir.no

SYRIAN ARAB REPUBLIC

Krouma Issam*

The Director General of Fisheries, Ministry of Agriculture and Agrarian Reform, Fisheries Resources Department, Al-Jabri Street, P.O. Box 60721, Damascus
Tel: +963 11 54 499 388, Fax: +963 11 54 499 389; E-Mail: issamkrouma@mail.sy; issam.krouma1@gmail.com

TURKEY

Kürüm, Vahdettin*

Head of Fisheries Department, Ministry of Agriculture and Rural Affairs, General Directorate of Protection and Control, Akay Cad. No. 3, Bakanliklar, Ankara
Tel: +90312 4198319; Fax: +90312 418 5834; E-Mail: vahdettink@kkgm.gov.tr

Anbar, Nedim

Advisor to the Minister on ICCAT and BFT matters, KKGm, Su Urunleri D. Bsk-ligi, Akay Cad. No. 3, Bakanliklar, 6640 Ankara
Tel: +90 312 419 8319; Fax: +90 312 418 5834; E-Mail: nanbar@akua-group.com

Elekon, Hasan Alper

Ministry of Agriculture and Rural Affairs, General Directorate of Protection and Control, Akay Cad no. 3 - Bakanliklar, Ankara
Tel: +90 312 417 4176/3013; Fax: +90 312 418 5834; E-Mail: hasanalper@kkgm.gov.tr

TUNISIA

Mohamed, Hmani *

Ministère de l'Agriculture et des Ressources Hydrauliques, Direction Générale de la Pêche et de l'Aquaculture, 32 Rue Alain, Savary, 1002 Belvédère, Tunis
Tel: +216 71 890 784; Fax: +216 71 892 799

UNITED KINGDOM (OVERSEAS TERRITORIES)

Parnell, Scott *

Sustainable Fisheries Manager, Polar Regions Unit, Overseas Territories Directorate, Foreign and Commonwealth Office, WH.2.302 King Charles street, London
Tel: +44 207 008 2614; E-Mail: scott.parnell@fco.gov.uk

Carroll, Andrew

Sea Fish Conservation Division - DEFRA Area 2D Nobel House, 17 Smith Square, London
Tel: +44 207 238 3316; E-Mail: carroll@defra.gsi.gov.uk; Andy.P.Carroll@defra.gsi.gov.uk

Trott, Tammy

Acting Senior Marine Resources Officer, Department of Environmental Protection, P.O. Box CR 52, Crawl, Bermuda
Tel: +441 293 5600; Fax: +441 293 2716; E-Mail: ttrott@gov.bm

UNITED STATES

Lent, Rebecca*

Director, Office of International Affairs, National Marine Fisheries Service-NOAA1315 East-West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 9090; Fax: +1 301 713 2313; E-Mail:rebecca.lent@noaa.gov

Blankenbeker, Kimberly

Foreign Affairs Specialist, Office of International Affairs, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 2276; Fax: +1 301 713 2313; E-Mail: kimberly.blankenbeker@noaa.gov

Bogan, Raymond

Bogan and Bogan, Esquires, LLC, 526 Bay Avenue, 8742, Point Pleasant Beach, New Jersey
Tel: +1 732 899 9500; Fax: +1 732 899 9527; E-Mail:rbogan@boganlawjoffice.com

Campbell, Derek

NOAA/Office of General Counsel for International Law, 14 Street & Constitution Avenue, N.W. HCHB Room 7837, Washington, DC 20230
Tel: +1 202 482 0031; Fax: +1 202 482 0031; E-Mail: derek.campbell@noaa.gov

Díaz, Guillermo

NOAA/Fisheries, Office of Science and Technology, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 2363; Fax: +1 301 713 1875

Kramer, Robert

President, International Game Fish Association, 300 Gulf Stream Way, Dania Beach, Florida 33004
Tel: +1 954 927 2628; Fax: +1 954 924 4299; E-Mail: rkramer@igfa.org

Paterni, Mark

Office for Law Enforcement, U.S. Department of Commerce, NOAA Fisheries Enforcement, National Marine Fisheries Service, 8484 Georgia Ave. Suite 415, Silver Spring, Maryland 21042
Tel: +1 301 427 2300; Fax: +1 301 427 2313; E-Mail: mark.paterni@noaa.gov

Ricci, Nicole

Foreign Affairs Officer, Department of State, Office of Marine Conservation, 2100 C Street, Washington, DC 20520
Tel: +1 202 647 1073; Fax: +1 202 736 7350; E-Mail: RicciNM@state.gov

Rogers, Christopher

Chief, Trade and Marine Stewardship Division, Office of International Affairs, National Marine Fisheries Service/NOAA (F/IA2), US Department of Commerce, 1315 East-West Highway- Rm. 12657, Silver Spring, Maryland 20910
Tel: +1 301 713 9090; Fax: +1 301 713 9106

Schulze-Haugen, Margo

Chief, Highly Migratory Species Division, Office of Sustainable Fisheries, U.S. National Marine Fisheries Service, 1315 East-West Highway, Rm. 13458, Silver Spring, Maryland 20910
Tel: +1 301 713 2347; Fax: +1 301 713 1917; E-Mail: margo.schulze-haugen@noaa.gov

Thomas, Randi Parks

U.S. Commissioner for Commercial Interests, National Fisheries Institute, 7918 Jones Branch Dr. #700, McLean, Virginia 22102
Tel: +1 703 752 8895; Fax: +1 703 752 7583; E-Mail: Rthomas@nfi.org

Walline, Megan J.

General Counsel for Fisheries, U.S. Department of Commerce, SSMC3 1315 East-West Highway, Silver Spring, Maryland 20910
Tel: +301 713 9695; Fax: +1 301 713 0658; E-Mail: megan.walline@noaa.gov

URUGUAY**Domingo, Andrés***

Dirección Nacional de Recursos Acuáticos - DINARA, Sección y Recursos Pelágicos de Altura, Constituyente 1497, 11200 Montevideo
Tel: +5982 40 46 89; Fax: +5982 41 32 16

OBSERVERS FROM COOPERATING NON-CONTRACTING PARTIES, ENTITIES, FISHING ENTITIES**CHINESE TAIPEI****Chung, Kuo-Nan**

Overseas Fisheries Development Council, No. 19, Lane 113, Sec.4 Roosevelt Road 106, 106 Taipei
Tel: +886 2 2738 1522; Fax: +886 2 2738 4329; E-Mail: kuonan@msl.fa.gov.tw

Hsia Tracy, Tsui-Feng

Secretary, Overseas Fisheries Development Council, No. 19, Lane 113, Sec.4 Roosevelt Road 106, 106 Taipei
Tel: +886 2 2738 1522 Ext. 111; Fax: +886 2 2738 4329; E-Mail: tracy@ofdc.org.tw

OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS**Federation of European Aquaculture Producers (FEAP)****Azzopardi, David**

First and Fish Ltd., Tarxlon Road, Glaxaq, Malta
Tel: +356 21 809 460; Fax: +356 21 809 462; E-Mail: dvd@maltanet.net;david.azzopardi@ffmalta.com

Refalo, John

Executive Secretary, Malta Federation of Aquaculture Producers, 54, St. Christopher Street, VLT 1462, Valletta, Malta
Tel: +356 21 22 35 15; Fax: +356 21 24 11 70; E-Mail: john.refalo@bar.com.mt

International Game Fish Commission (IGFA)

Graupera Monar, Esteban

Confederación Española de Pesca Marítima de Recreo Responsable, Molinets 6, 07320 Mallorca, Islas Baleares, Spain
Tel: +971 621 507; Mobile: +34 656 910 093; E-mail: egraupera@gmail.com

OCEANA

Cornax, Maria José

Fundación Oceana Europa, c/ Leganitos, 47 - 6º, 28013 Madrid, Spain
Tel: +34 911 440880; Fax: +34 911 440 890; E-Mail: mcornax@oceana.org

Schroeer, Anne

OCEANA c/ Leganitos 47- 6º, 28013 Madrid, Spain
Tel: +34 911 440 491; Fax: +34 911 440 890; E-Mail: aschroeer@oceana.org

ICCAT SECRETARIAT

C/ Corazón de María 8 – 6th Fl., 28002 Madrid, Spain
Tel: + 34 91 416 5600; Fax: +34 91 415 2612; E-Mail: info@iccat.int

Meski, Driss

Restrepo, Víctor

Cheatle, Jenny

Seidita, Philomena

Fiz, Jesús

García-Orad, Maria José

Moreno, Juan Angel

Ochoa de Michelena, Carmen

Peyre, Christine

Interpreters

Baena Jiménez, Eva

Faillace, Linda

Liberas, Christine

Linaae, Cristina

Matthews, John

Meunier, Isabelle

ICCAT Regional Observer Program

Parkes, Graeme

Marine Resources Assessment Group Limited (MRAG), 18 Queen Street, London W1J 5PN, United Kingdom
Tel: +44 207 557 755; Fax +44 207 499 5388; E-mail: g.parkes@mrage.co.uk

Heineken, Chris

Capricorn Fisheries Monitoring (CAPFISH), Unit 15 Foregate Square, Table Bay Boulevard, 8002 Cape Town, P.O. Box 50035, Waterfront, Cape Town 8001, South Africa
Tel: +021 425 2161; Fax: 425 1994; Cell: 082 788 6737; Email: chris@capfish.co.za

4.2 REPORT OF THE 2nd JOINT MEETING OF TUNA REGIONAL FISHERIES MANAGEMENT ORGANIZATIONS (RFMOs) (San Sebastian, Spain, June 29 – July 3, 2009) *

The European Community organized and hosted the Second Joint Meeting of Tuna RFMOs from June 29 to July 3, 2009 in San Sebastian, Spain.

Welcoming remarks were given by M. Miyahara (Chairman of the First Joint Meeting), P. Amilhat (EC, Director for International Affairs and Markets, DG-MARE), P. Unzalu (Advisor of the Environment, Territorial Planning, Agriculture and Fishing of the Basque Country), S. Corcuera (Acting Mayor of Donostia-San Sebastian) and E. Espinosa (Minister of the Environment and Rural and Marine Affairs of Spain). The meeting included participants from 50 Members and cooperating non-Members of the five tuna RFMOs (IATTC: Inter-American Tropical Tuna Commission, ICCAT: International Commission for the Conservation of Atlantic Tunas, IOTC: Indian Ocean Tuna Commission, WCPFC: Western and Central Pacific Fisheries Commission, and CCSBT: Commission for the Conservation of Southern Bluefin Tuna), as well as representatives of the Secretariats of the five tuna RFMOs, four inter-governmental organizations, and twelve non-governmental organizations. The Agenda is attached as **Appendix 2 to ANNEX 4.2** and the List of Participants is attached as **Appendix 3 to ANNEX 4.2**.

Mr. Ernesto Penas Lado (EC) was elected as the Chairperson. It was agreed to call the joint meetings of the tuna RFMOs the “Kobe Process.” A Workshop to review actions agreed at the first Joint Meeting of Tuna RFMOs (Workshop 1) was established, and Mr. Miyahara was selected to convene it. A Workshop to discuss fishing capacity issues (Workshop 2) was also established, and Mr. Glenn Hurry (Australia) was selected to convene it. P. Toschik (United States), V. Restrepo (ICCAT) and A. Gray (EC) served as Rapporteurs for the meeting and Workshops 1 and 2.

The Agenda was discussed, and several participants noted that they would have preferred to have had more input into the preparation of the Agenda and schedule prior to the meeting. It was agreed to improve the process of agenda and schedule development for future meetings.

The meeting proceeded based on three principles proposed by the Chair: First, to build on the work of Kobe I rather than starting discussions anew; second, to reinforce the mandate of the existing five tuna RFMOs; and, third, to go beyond reinforcing current work of the RFMOs and seek to address issues at a global level where the work of the individual RFMOs is not sufficient.

The two Workshops were held sequentially. The Conveners’ reports of these Workshops summarize the discussions and conclusions in the view of the Conveners.*

Based initially on the discussions held during the two Workshops, the meeting developed and adopted by consensus a Course of Actions (**Appendix 1 to ANNEX 4.2**). The Course of Actions includes a number of elements for immediate action, as well as a work plan for 2009-2011, until the Third Joint Meeting takes place. The work plan calls for four inter-sessional Workshops to be held. First, an International Workshop on RFMO Management of Tuna Fisheries (to be held in 2010 and potentially hosted by the Forum Fisheries Agency, FFA); Second, a Workshop on Improvement and Harmonization of Monitoring and Control Measures (to be held in 2010 and potentially hosted by Japan); Third, a Workshop on Issues Relating to By-Catch (to be held in 2010 and funded, in part, by the United States); and Fourth, a Workshop on the scientific process in the RFMOs, noting that this was not intended to imply that the individual RFMO scientific bodies were not doing their job, but rather to provide an opportunity to share best practices and discuss areas for coordination and harmonization (to be held in 2010 and potentially hosted by the European Community). In agreeing to recommend the use of the Kobe II Strategy Matrix (**Attachment 1 to Appendix 1 to ANNEX 4.2**), the participants noted that this was an improvement to harmonize the presentation of scientific advice in a simple and useful format. It was noted that the next step in applying the Kobe II Strategy Matrix was to have each RFMO complete the headings of the tables (management targets, probability levels, time frames) for a few key species. Then the science bodies can present stock assessments results by completing the cells in the table. Such improvements in presentation format could be discussed at the meeting of the scientific experts. The co chairs for the four Workshops will be selected at the Workshops.

* Due to the extensive volume of the report, the complete text, including opening statements and annexes, is available from the Secretariat and/or at the following address: <http://www.iccat.int/en/meetings.asp>

The participants also discussed the possibility of holding a Ministerial meeting in association with Kobe III. Some participants were of the view that this would provide necessary additional political will to implement the Kobe Process, but other participants preferred to maintain the Kobe Process outside a political framework. Several other matters were discussed, but consensus was not reached on how to address them. There was no agreement on this issue.

In reference to development of a compliance evaluation process, the participants discussed the process used in ICCAT. Some participants were unfamiliar with this process, and so it was not referenced as a model process. However, it was suggested that the ICCAT Secretariat should provide information on the ICCAT process to other RFMOs for consideration in the further developing of their own compliance evaluation process.

The Forum Fisheries Agency (FFA) members made the following statement: “The Course of Action document, and in particular the immediate actions, represent very good progress. We are very pleased with the focus on improving fisheries management through a range of options, and the recognition that allocation is a fundamental priority. However Chair, on immediate action 1.a, FFA members are concerned that we are taking a considerable risk in agreeing to this text. In the past, FFA members have been severely impacted upon by abuse of very similar provisions. We echo the sentiments of our colleague from Tuvalu. FFA members will not stand for any attempts to use this to threaten our sovereign rights or development aspirations. Any such abuse we believe will seriously jeopardize the future of the Kobe process. FFA members have moved from our initial position in the spirit of good faith and cooperation. We would urge in the strongest sense possible for all participants to implement it through RFMO processes likewise.”

The Chairman thanked participants for the fruitful discussions. He also thanked the interpreters, the ICCAT Secretariat and local authorities for logistical support. The Second Joint Meeting of the Tuna RFMOs was closed and the report adopted by correspondence.

Appendix 1 to ANNEX 4.2

Course of Actions of Kobe Process 2009-2011

The Participants of the Second Joint Tuna RFMOs Meeting held in San Sebastian, Spain, from June 29 to July 3, 2009.

1. Reconfirming their firm commitment to the Course of Actions adopted in Kobe in January 2007.
2. Considering that some of the actions agreed at the meeting in Kobe in 2007 have been implemented, but that there is more work to be accomplished, and that concrete actions should be taken to implement the Course of Actions of Kobe without delay.
3. Noting the current tuna RFMOs' performances and the risk that these bodies lose some of their relevance as international management organizations, taking into account the performance of the RFMOs and the status of the tuna stocks worldwide, considering then that there is an urgent need for immediate action to strengthen their performance in the short term.
4. Stressing the need for tuna RFMOs to operate on the basis of a sound mandate which foresees the implementation of modern concepts of fisheries management, including science-based marine governance, ecosystem-based management, conservation of marine biodiversity and the precautionary approach.
5. Desiring to strengthen, where appropriate, the co-operation between tuna RFMOs with the objective of agreeing on common standards, approaches and working methods based on best practice for the purpose of simplification and with the view of avoiding unnecessary duplication of work.
6. Welcoming the independent performance reviews carried out and ongoing by CCSBT, ICCAT and IOTC, and urging those RFMOs to consider implementation, as appropriate, of the recommendations of those reviews. Emphasizing the need for IATTC and WCPFC to conduct performance reviews without delay, as agreed in the Kobe Action Plan.

7. Noting with concern that the independent performance reviews carried out so far have identified fundamental shortcomings on such as failure to adopt measures that reflect scientific advice, lack of complete and accurate data collection and untimely provision of data, non compliance, lack of participation of important players, and the need for institutional and legal reform, which need to be addressed without delay.
8. Conscious that many of these shortcomings should be addressed individually by the concerned RFMOs but also recommendations on harmonization and coordination of measures of the tuna RFMOs within the framework of the Kobe process and that such work could greatly enhance the functioning of these RFMOs.
9. Emphasizing in particular the need for compatible and best practice standards on issues like transshipment monitoring and control, Vessel Monitoring Systems (VMS), observer requirements, by-catch mitigation measures, catch documentation and positive and negative non-discriminatory negative market measures as well as scientific data collection and reporting, which tend to differ from one organization to the next.
10. Urging the participants who are negotiating the Port State Measures Agreement to conclude those negotiations as soon as possible.
11. Emphasizing that compliance with basic reporting requirements established within the RFMOs is essential for the functioning of tuna RFMOs, and noting with great concern that compliance with reporting requirements in several organizations is poor and needs to be enhanced through appropriate sanctions and through cooperation including capacity building, in particular developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies.
12. Noting that all RFMOs should introduce a robust compliance review mechanism by which compliance record of each Party is examined in depth on a yearly basis.
13. Recognizing the need to address these shortcomings with a comprehensive system of non discriminatory sanctions to be developed through the RFMOs to be applied to Parties and non Parties alike that repeatedly fail to comply with their obligations or responsibilities.
14. Agreeing that this system of sanctions developed through RFMOs should include incentives to encourage swift and transparent recognition of overfishing, and reinforced sanctions for unreported overfishing and quota overages.
15. Taking into account the special needs of developing coastal States, in particular, small island developing States, territories and States with small and vulnerable economies, and recognizing the need to find mechanisms to enhance the capacity of these States to benefit from and participate in the tuna fisheries and to fulfill their obligations as parties to RFMOs.
16. Recognizing that overfishing is a threat to tuna fisheries and to the ecosystem in which they operate and that, consequently RFMOs should strive to evaluate, control, and reduce as necessary the level of fishing mortality, including through reducing overcapacity in their fisheries.
17. Recognizing further that despite the efforts to address the problems of overcapacity at regional level, the problem needs to be also tackled at the global level through the development of a coordinated management effort, in all five tuna RFMOs, and therefore agreeing that this work should be one of the priorities of the Kobe process in the coming years.
18. Acknowledging the need to reconcile the aspirations of developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies to benefit from tuna fisheries and the need to harness capacity in relation to the state of the tuna stocks.
19. Stressing the importance of sound scientific advice as the basis for fishery management decisions. Considering the critical role of high quality science, incorporating an assessment of uncertainty and risk, for scientific advice to be presented in as clear a form as possible, and calling on scientists from different tuna fisheries to exchange information and harmonize methodologies.
20. Conscious that tuna fisheries must be conducted in full respect of international commitments regarding the conservation of biodiversity and the implementation of the ecosystem approach. Considering that, within this context, it is necessary to improve our knowledge on the effects of tuna fishing on non-target species.

Proposals for immediate action

1. The participants agree to call on RFMOs to take the following actions:
 - a. The participants agreed that global fishing capacity for tunas is too high, and that this problem needs to be urgently addressed. The participants recognized that in order to address this problem it is imperative that members of RFMOs collaborate at a global level, and that each flag State or fishing entity ensure that its fishing capacity is commensurate with its fishing opportunities as determined by each tuna RFMO, including through a fair, transparent, and equitable process for the allocation of fishing opportunities among its members. The participants agreed that this problem should be addressed in a way that does not constrain the access to, development of, and benefit from sustainable tuna fisheries, including on the high seas, by developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies.
 - b. Tuna fishing capacity should not be transferred between RFMO areas and, as appropriate within RFMO areas, unless in accordance with the measures of the RFMOs concerned.
 - c. The establishment of a global Register of active vessels, with contributions by the five RFMOs. This list will not be understood as providing individual or collective fishing rights. It will be without prejudice to any system of rights provided for in the existing RFMOs. The preparation of this list will be coordinated by the Secretariats of the tuna RFMOs.
 - d. The implementation of a robust compliance review mechanism within each RFMO recording the actions by the Parties and non Contracting Parties, on a yearly basis, with a view to possible sanctions to Parties and non Contracting Parties found to be non compliant and possible incentives for good compliance.
 - e. Improve the request for scientific advice to clearly articulate risk and uncertainty to decision makers (**Attachment 1 to Appendix 1 to ANNEX 4.2**).
 - f. Consistent with the FAO IPOA-Sharks, establish precautionary, science-based conservation and management measures for sharks taken in fisheries within the convention areas of each tuna RFMO, including as appropriate:
 - Measures to improve the enforcement of existing finning bans;
 - Prohibitions on retention of particularly vulnerable or depleted shark species, based on advice from scientists and experts;
 - Concrete management measures in line with best available scientific advice with priority given to overfished populations;
 - Precautionary fishing controls on a provisional basis for shark species for which there is no scientific advice; and
 - Measures to improve the provision of data on sharks in all fisheries and by all gears.
 - g. Provide accurate, timely and complete data, and adopt measures to address the current low rate of compliance by RFMO participants with the obligations for data provision under the rules of each RFMO and any other relevant international instrument.
 - h. The tuna RFMO Secretariats continue their collaboration to advance implementation of a combined vessel register that incorporates a unique vessel identifier (UVI). The Secretariats will advance this through meetings of their members and on-going collaboration with the competent organizations concerned, such as Lloyds Register-Fairplay, as appropriate, to include all of the tuna fishing vessels and to avoid unnecessary duplication.
 - i. To start work between RFMOs on harmonizing and making compatible the procedures and criteria for the listing and delisting from the respective RFMO IUU list, with the aim of developing a global IUU list. As a first step, an indicative list combining the tuna RFMOs IUU lists should be prepared.

- j. Enhance the ability of developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies, to conserve and manage highly migratory fish stocks and to develop their own fisheries for such stocks; enable them to participate in high seas fisheries for such stocks, including facilitating access to such fisheries; and to facilitate their participation in the work of tuna RFMOs and relevant technical Workshops. The Workshops agreed will consider how to address this principle.
2. The participants agreed to organize:
- a. An international Workshop on RFMO management of tuna fisheries, with an emphasis on reducing overcapacity. This exercise should include all fishing gear. This process is time limited and is to be developed through an international Workshop in 2010 and completed prior to Kobe 3 in 2011 [Kobe 1 Items 2, 3 and 13]. The Forum Fisheries Agency (FFA) offered to host this Workshop.
 - b. An international Workshop on improvement, harmonization and compatibility of monitoring, control and surveillance measures, including monitoring catches from catching vessels to markets. Japan offered to support this Workshop in 2010 [Kobe 1 points 5 and 8].
 - c. An international Workshop on tuna RFMO management issues relating to by-catch and to call on RFMOs to avoid duplication of work on this issue. The United States offered to provide support for this Workshop. The Workshop is planned for 2010 [Kobe 1 items 10, 11, 12 and 14].
 - d. A meeting of experts to share best practices on the provision of scientific advice. EC offered to host this meeting. The Workshop is planned for 2010 [Kobe 1 points 4 and 14].

The process from 2009 to 2011

1. These Workshops should report on their work by the end of September 2010. The reports shall be sent to the acting Chair of the Joint Tuna RFMOs Meeting who will transmit them to the RFMOs Secretaries in view of their dissemination to RFMOs Contracting Parties and Cooperating non Contracting Parties/Members and Cooperating non Members.
2. The United States indicated its keen interest in hosting Kobe III in 2011. To that end, options for funding and venue will be explored and communicated to the current Chair. The draft Agenda, the schedule of the meeting, and the relevant documents, will be circulated well in advance and simultaneously to all members of tuna RFMOs, so the participants will have plenty of opportunity to participate in its construction.

Terms of Reference for the Workshops

A. Terms of Reference for an international Workshop on RFMO management of tuna fisheries

The following Terms of Reference were proposed for the international Workshop on RFMO management of tuna fisheries, and agreed by the Participants.

Objective:

- To recommend measures to ensure the long term sustainability of the world's tuna fisheries, by addressing the core issues of allocation of fishing opportunities within the tuna RFMOs, the management of harvesting capacity in a way that retains the profitability of the world's tuna fleet and accommodates the rights and entry of developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies into these fisheries, and the means to achieve that, including the orderly transition of fishing effort/capacity.
- The Workshop should focus on future management options and initiatives, not just on the causes and symptoms of overcapacity.
- This process is time limited and is to be developed through an international Workshop in 2010 and completed prior to Kobe 3 in 2011.

In carrying out its work, the Workshop will take into account the need to provide adequate capacity building assistance to developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies to facilitate their participation and preparation for this Workshop.

The draft Agenda, the schedule of the meeting, and the relevant documents, will be circulated well in advance and simultaneously to all members of tuna RFMOs, so the participants will have plenty of opportunity to participate in its construction.

B. Terms of Reference for an international Workshop on improvement and harmonization of monitoring and control measures within the Tuna RFMOs

The Workshop will carry out work to standardize and harmonize, to the degree possible, operational aspects of:

- 1) Vessel Monitoring Systems (VMS), including:
 - The content, frequency and format of VMS messages
 - Guidelines for centralized centers at RFMO Secretariats
- 2) Observer Programs, including:
 - Minimum standards or best practices for regional observer programs
 - Minimum levels of observer coverage for different gear types
- 3) Transshipment controls, including:
 - Minimum standards or best practices for in-port and at sea transshipment control and monitoring
- 4) Monitoring catches from catching vessel to market, including:
 - Extension of existing bigeye SDPs to cover fresh products and products destined for canneries
 - Minimum standards or best practices for Catch Document Systems

In carrying out its work, the Workshop will take into account the need to provide adequate capacity building assistance to developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies to facilitate their participation and preparation for this Workshop.

The draft Agenda, the schedule of the meeting, and the relevant documents, will be circulated well in advance and simultaneously to all members of tuna RFMOs, so the participants will have plenty of opportunity to participate in its construction.

C. Terms of Reference for an international Workshop on tuna RFMO management of issues relating to by-catch:

Proposed objective:

- To review the available information on incidental catch of non-target species and juveniles of target species.
- To provide advice to tuna RFMOs on best practice, methods and techniques to assess and to reduce the incidental mortality of non-target species, such as seabirds, turtles, sharks, marine mammals, and of juveniles of target species.
- To develop and coordinate relevant research programs and observer programs.
- To make recommendations on mechanisms to streamline the work of the tuna RFMO Working Groups in this field in order to avoid duplication.

In carrying out its work, the workshop will take into account the need to provide adequate capacity building assistance to developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies to facilitate their participation and preparation for this workshop.

The draft Agenda, the schedule of the meeting, and the relevant documents, will be circulated well in advance and simultaneously to all members of tuna RFMOs, so the participants will have plenty of opportunity to participate in its construction.

D. Terms of Reference for Workshop on Science

The Workshop will make recommendations on:

Improving the provision of scientific advice

- Common standards for data collection of target and non target species needed for scientific evaluations and stock assessments;
- Reporting requirements in support of the above standards;
- Harmonized data validation methods;
- Clear delineation of confidentiality requirements which can be implemented at a national level without compromising the need for scientific data collection;
- Enhanced co-operation between tuna RFMOs on stock assessment, inter alia through joint meetings, notably to reduce the number of meetings;
- Identification of necessary scientific initiatives such as tagging programs and a common scientific methodology to deal with their outcomes and results;
- Investigate standardized assessments methods;
- Development of harmonized user friendly scientific reports, including standardized tables providing the TAC levels/target fishing mortality levels that allow overfishing to be halted and overfished stocks to be rebuilt under several time frames. These TAC levels/target fishing mortality levels would be determined with specific probability levels to ensure a precautionary approach to fishery management;
- Common standards for dissemination and publication of scientific works.

In carrying out its work, the Workshop will take into account the need to provide adequate capacity building assistance to developing coastal States, in particular small island developing States, territories, and States with small and vulnerable economies to facilitate their participation and preparation for this Workshop.

The draft Agenda, the schedule of the meeting, and the relevant documents, will be circulated well in advance and simultaneously to all members of tuna RFMOs, so the participants will have plenty of opportunity to participate in its construction.

Attachment 1 to Appendix 1 to ANNEX 4.2

The Kobe II Strategy Matrix

At the first global summit of Tuna RFMOs (Kobe, Japan, January 2007), the Course of Actions document included recommendations to standardize the presentation of stock assessments and to base management decisions upon the scientific advice, including the application of the precautionary approach. Regarding standardization, it was agreed that stock assessment results across all five tuna RFMOs should be presented in the “four quadrant, red-yellow-green” format now referred to as the Kobe Plot. This graphical aid has been widely embraced as a practical, user-friendly method for presenting stock status information. The next logical step is a “strategy matrix” for managers that lays out options for meeting management targets, including if necessary, ending overfishing or rebuilding overfished stocks.

The Strategy Matrix would be a harmonized format for RFMO science bodies to convey advice. Based on targets specified by the Commission for each fishery, the matrix would present the specific management measures that would achieve the intended management target with a certain probability by a certain time. The probabilities and timeframes to be evaluated would be determined by the Commission. In the case of fisheries managed under TACs, the outputs would be the various TACs that would achieve a given result. In the case of fisheries managed by effort limitations, the outputs would be expressed as, for example, fishing effort levels or time/area closures,

as specified by the Commission. It would also indicate where there are additional levels of uncertainty associated with data gaps. Managers would then be able to base management decisions upon the level of risk and the timeframe they determine are appropriate for that fishery.

Presenting stock assessment results in this format would also facilitate the application of the precautionary approach, by providing Commissions with the basis to evaluate and adopt management options at various levels of probability. Commissions would establish management objectives and reference points, taking into account the precautionary approach and convention objectives. Additional supportive management measures may be necessary to complement the application of the precautionary approach.

The matrix below provides examples of how this information could be presented, for example, when the management target is to end overfishing, rebuild a depleted stock, or maintain a sustainable fishery.

Strategy Matrix for Setting Management Measures

<i>Management Target</i>	<i>Time Frame</i>	<i>Probability of Meeting Target</i>			<i>Data Rich/ Data Poor</i>
		<i>A%</i>	<i>B%</i>	<i>C%</i>	
<Fishing Mortality Target>	In x years				
	In y years				
	In z years				

<i>Management Target</i>	<i>Time Frame</i>	<i>Probability of Meeting Target</i>			<i>Data Rich/ Data Poor</i>
		<i>A%</i>	<i>B%</i>	<i>C%</i>	
<Biomass Target>	In x years				
	In y years				
	In z years				

<i>Management Target</i>		<i>Probability of Maintaining Status Quo</i>			<i>Data Rich/ Data Poor</i>
		<i>A%</i>	<i>B%</i>	<i>C%</i>	
<Status Quo>					

Appendix 2 to ANNEX 4.2

Agenda

Section I - Opening

1. Opening by organizer
2. Election of Chair
3. Appointment of rapporteur and workshop Conveners
4. Adoption of Agenda and meeting arrangements

Section II - Status reports

5. Review of agreed actions in Kobe in 2007 (reports by RFMOs)

Section III - Future challenges

6. Workshop to review actions agreed in Kobe, in particular:
 - Review and follow up to performance reviews as well as governance issues
 - Enhanced co-operation on data collection and scientific work
 - Means to avoid data gaps
 - Identification of means and areas for enhanced co-operation and harmonization of work between tuna RFMOs

7. Workshop on capacity issues, in particular:
 - Discuss concrete actions that can be taken to ensure that fishing capacity is commensurate with fishing opportunities available, and
 - How to integrate the aspirations of developing nations

Section IV - Closing

8. Adoption of meeting report, action plan and inter-sessional workplan
9. Next meeting
10. Closing

Appendix 3 to ANNEX 4.2

List of Participants

DELEGATIONS FROM MEMBERS AND CPCs

AUSTRALIA

Hurry, Glenn

Chief Executive Officer, Australian Fisheries Management Authority, Box 7051, Canberra Business Centre, ACT 2610, Canberra

Tel: +612 6225 5301/5400, Fax: +612 6225 5300, E-Mail: glenn.hurry@afma.gov.au

Willock, Anna

International Fisheries, Dept. of Agriculture, Fisheries and Forestry, GPO Box 858, ACT 2905, Canberra

Tel: +61 2 6272 5561, E-Mail: anna.willock@daff.gov.au

BRAZIL

Hazin, Fabio H. V.

Commission Chairman, Universidade Federal Rural de Pernambuco - UFRPE / Departamento de Pesca e Aquicultura-DEPAq, Rua Desembargador Célio de Castro Montenegro, 32 - Apto 1702, Monteiro Recife, Pernambuco

Tel: +55 81 3320 6500, Fax: +55 81 3320 6512, E-Mail: fabio.hazin@depaq.ufrpe.br

CANADA

Lapointe, Sylvie

Director Straddling and Highly Migratory Fish Stocks, International Directorate - Fisheries, Department of Fisheries & Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6

Tel: +1 613 993 68 53, Fax: +1 613 993 59 95, E-Mail: Lapointesy@dfo-mpo.gc.ca

Laquerre, Patrice

Oceans Law Division, Department of Foreign Affairs and International Trade, 125, Sussex, Ottawa, KIA OG2

Tel: +1 613 944 3077, Fax: +1 613 992 6483, E-Mail: patrice.laquerre@international.gc.ca

Rashotte, Barry

Director General Resource Management, Fisheries Management, Department of Fisheries & Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6

Tel: +1 613 990 0189, Fax: +1 613 954 1407, E-Mail: rashottb@dfo-mpo.gc.ca

Scattolon, Faith

Regional Director-General, Maritimes Region, Department of Fisheries & Oceans, 176 Portland Street, Dartmouth, Nova Scotia, B2Y 1J3

Tel: +1 902 426 2581, Fax: +1 902 426 5034, E-Mail: scattolonf@mar.dfo-mpo.gc.ca

Sullivan, Loyola

Ambassador, Fisheries Conservation, Foreign Affairs and International Trade, 354 Water Street, Suite 210, St. John's, Newfoundland & Labrador A1C 5W8

Tel: +1 709 772 8177, Fax: +1 709 772 8178, E-Mail: loyola.sullivan@international.gc.ca

CHINESE TAIPEI

Fu, Chia Chi

Overseas Fisheries Development Council, 19, Lane 113, Roosevelt Road, Sec. 4, 106 Taipei

Tel: +886 2 27381522, Fax: +886 2 2738 4329, E-Mail: joseph@ofdc.org.tw

Ho, Peter Shing Chor

President, Overseas Fisheries Development Council, No. 19 Lane 113, Roosevelt Road Sec. 4, 106, Taipei
Tel: +886 2 2738 1522, Fax: +886 2 2738 4329, E-Mail: pscho@ofdc.org.tw

Hu, Nien-Tsu Alfred

The Center for Marine Policy Studies, National Sun Yat-sen University, 70, Lien-Hai Rd., 804, Taipei
Tel: +886 7 525 5799, Fax: +886 7 525 6126, E-Mail: omps@mail.nsysu.edu.tw

Huang, Hong-Yen

Fisheries Agency, Council of Agriculture, No.1 Yungang North, 1st Road, Chien Chen District, 80672 Kaohsiung
Tel: +886 7 823 9828, Fax: +886 7 815 8278, E-Mail: hangyen@ms1.f.gov.tw

Lee, Kuan-Ting

Taiwan Tuna Association, 3F-2, No. 2 Yungang Middle 1st Road, Chien Chen district, 80672 Kaohsiung
Tel: +886 7 841 9606, Fax: +886 7 831 3304, E-Mail: simon@tuna.org.tw

Li, Charles C.P.

Taiwan Tuna Purse Seiners Association, Room 401 No.3 Yu-gang East 2nd Road, Chien Chen district, 80672, Kaohsiung
Tel: +886 7 813 1619, Fax: +886 7 813 1621, E-Mail: charles@tppsa.org.tw

Lin, Ding-Rong

Chief of Atlantic Ocean Fisheries Section, Council of Agriculture, Deep Sea Fisheries Division, Fisheries Agency,
No.1 Yungang North 1st Road, Chien Chen district, 80672, Kaohsiung
Tel: +886 2 334 36126, Fax: +886 2 334 36128, E-Mail: dingrong@ms1.f.gov.tw

Lin, Yu-Ling

The Center for Marine Policy Studies, National Sun Yat-sen University, 70, Lien-Hai Rd., 804, Kaohsiung City
Tel: +886 7 525 5799, Fax: +886 7 525 8126, E-Mail: lemma@mail.nsysu.edu.tw

Tsai, Chiung-Hui

Taiwan Deep Sea Tuna Purse Seiners Boat-Owners and Exporters, Room 423, No.3 Yu-gang East, 2nd Road, Chien
Chen District, 80672, Kaohsiung
Tel: +886 7 811 3140, Fax: +886 7 831 1873, E-Mail: janettsai@fongkuo.com.tw

Tsai, Eric H.L.

Taiwan Tuna Purse Seiners Association, Room 401 No. 3 Yu-gang East 2nd Road, Chien Chen district, 80672 Kaohsiung
Tel: +886 7 813 1619, Fax: +886 7 813 1621, E-Mail: eriktsai@gmail.com

Tsay, Tzu-Yaw

Deputy Director-General of the Fisheries Agency, Fisheries Agency, Council of Agriculture, No. 1 Yungang North 1st Rd.
Chien Cheng District, 80672, Kaohsiung
Tel: +886 7 8239827, Fax: +886 7 813 5208, E-Mail: tzuyaw@ms1.f.gov.tw

Yu, Lissy Hsiu-Min

Department of International Organizations, Ministry of Foreign Affairs, N0.2 Kaitakeland Blvd., 100, Taipei
Tel: +886 2 234 82527, Fax: +886 2 2361 7694, E-Mail: hmyu@mofa.gov.tw

ECUADOR

Maldonado, Monica

Ceipa, Av. 2 edificio banco del Pichincha, piso 9 of.903, Manta
Tel: +593 5 2620584, Fax: E-Mail: ceipa@aiaisat.net

Paladines, Abel

Induatun S.A, Avda. 2 calle 11. Edif. Bance del pichincha, 9 of. 901, Manta
Tel: +593 5292 3107, E-Mail: induatun@aiaisat.net

Torres, Luis

Ministerio de Agricultura, Ganadería, Acuicultura y Pesca, Av. 3 y calle 12 - Edificio Pinoargote, Guayaquil
Fax: +593 05 262 7911, E-Mail: luis.torres@pesca.gov.ec

Trujillo Bejarano, Rafael

Director Ejecutivo, Cámara Nacional de Pesquerías, Avda.9 de Octubre 424, Edif. Gran Pasaje, Piso 8, Of. 802, Guayaquil
Tel: +593 4 230 6142, Fax: +593 4 256 6346, E-Mail: subpesca@supiter.espoltel.net; direjec@camaradepesqueria@com

EL SALVADOR

Calvo García-Benavides, Manuel
CALVOPESCA, EL Salvador, c/ Pechuan, 1 - 1º, 28002 Madrid, Spain
Tel: 91782 3300, Fax: 91 782 3312, E-Mail: mane.calvo@calvo.es

Salaverria, Sonia
E-Mail: soniasalaverria@yahoo.com

Sánchez Plaza, Carlos
Calvo Pesca Atlántico, c/ Pechuan, 1 - 1º, 28002 Madrid Spain
Tel: +3491 782 3300, Fax: +34 91 561 5304, E-Mail: carlos.sanchez@calvo.es

EUROPEAN COMMUNITY

Alexandrou, Constantin
Head of Unit International and Regional Arrangements, European Commission, DG Maritime Affairs and Fisheries, Rue Joseph II, 99, 1049 Brussels, Belgium
Tel: +322 296 9493, Fax: +322 295 5700, E-Mail: constantin.alexandrou@ec.europa.eu

Amilhat, Pierre
Director, European Commission, DG Maritime Affairs and Fisheries, Rue Joseph II, 99, 1049 Brussels, Belgium
Tel: + 322 299 2054, E-Mail: pierre.amilhat@ec.europa.eu

Aldereguia, Carlos
Secretaría del Long Distance RAC, c/ Velázquez, 41, 4º C, 28001, Madrid, Spain
Tel: +91 432 3623, Fax: +91432 3624, E-Mail: carlos.aldereguia@ldrac.eu

Angulo Errazquin, Jose Angel
Director Gerente, Asociación Nacional de Armadores de Buques Atuneros Congeladores, c/Fernández de la Hoz 57, 5º - Apt.10, 28003, Madrid, Spain
Tel: +34 91 442 6899, Fax: +34 91 442 0574

Ariz Telleria, Javier
Instituto Español de Oceanografía, C.O. de Canarias, Apartado 1373, 38080 Santa Cruz de Tenerife, Islas Canarias
Tel: +34 922 549 400, Fax: +34 922 549 554, E-Mail: javier.ariz@ca.ieo.es

Attanasio, Domenico
Dipartimento delle Politiche Europee e Internazionali, Ministero delle Politiche Agricole, Alimentari e Forestali, Direzione Generale della Pesca Marittima e Acquacoltura, Viale dell'Arte 16, 00144, Rome, Italy
Tel: +39 06 5908 4915, Fax: +39 06 5908 4176, E-Mail: attanasio50@libero.it

Azkue, Jon
Federación de Confradías de Pescadores de Gipuzkoa, Paseo Miraconcha, 9 bajo, 2007, San Sebastian, Spain
Tel: +34 94 345 1782, Fax: +34 94 345 5833, E-Mail: fecopegui@euskalnet.net

Cabanas Godino, Carlos
Subdirector General de Acuerdos y Organizaciones Regionales de Pesca, Secretaría General del Mar, c/ Velázquez, 144, 28006 Madrid, Spain
Tel: +3491 347 6040, Fax: +3491 347 6042, E-Mail: ccabanas@mapya.es

Cesari, Roberto
European Commission, DG MARE, Rue Joseph II - 99, 1049, Brussels, Belgium
Tel: +32 2299 4276, Fax: +32 2295 5700, E-Mail: roberto.cesari@ec.europa.eu

Conte, Fabio
Dipartimento delle Politiche Europee e Internazionali, Ministero delle Politiche Agricole, Alimentari e Forestali, Direzione Generale della Pesca Marittima e Acquacoltura, Viale dell'Arte 16, 00144, Rome, Italy
Tel: +39 06 5908 4502, Fax: +39 06 5908 4818, E-Mail: f.conte@politicheagricole.gov.it

de la Figuera Morales, Ramón
Secretaría del Mar, c/ Velázquez, 144, 28006 Madrid, Spain
Tel: +34 91 347 5940, E-Mail: rdelafiguera@mapya.es

Diaz Arsuaga, Jokin
C/San Sebastián, 1; Vitoria-Gasteiz; Spain
Tel:+ 688672875; E-Mail: Jokin-Diaz@Ej-Gv.Es

Donatella, Fabrizio
Commission Europeenne, Bruxelles, Belgium
E-Mail: fabrizio.donatella@ec.europa.eu

Duarte de Sousa, Eduarda
Principal Administrator, European Commission DG Maritime Affairs and Fisheries, J-99 3/36, Rue Joseph II, 99, 1049, Bruxelles, Belgium
Tel: +322 296 2902, Fax: +322 295 5700, E-Mail: eduarda.duarte-de-sousa@ec.europa.eu

Ekwall, Staffan
European Commission, DG MARE, Rue Joseph II - 99, 1049, Brussels, Belgium
Tel: +32 2299 6907, Fax: +32 2295 5700, E-Mail: staffan.ekwal@ec.europa.eu

Fenech Farrugia, Andreina
Principal Scientific Officer, Ministry for Resources and Rural Affairs, Veterinary Regulation Fisheries Conservation and Control, Alberttown, Malta
Tel: +356 994 06894, Fax: +356 259 05182, E-Mail: andreina.fenech-farrugia@gov.mt

Fernández Merlo, Maria del Mar
Subdirectora General Adjunta de Acuerdos y Organizaciones Regionales de Pesca, Secretaría General del Mar, C/Velázquez, 144, 28006 Madrid, Spain
Tel: +34 91 347 6047, Fax: +34 91 347 6042/49, E-Mail: marfimerlo@mapya.es

Garat Perez, Javier
Secretario General, CEPESCA, c/Velázquez, 41 - 4º, 28001, Madrid, Spain
Tel: +34 91 432 3489, Fax: +34 91 435 5201, E-Mail: javiergarat@cepesca.es; cepesca@cepesca.es

Garavilla Legarra, Estanislao

Garmendia, Miren
Paseo Miraconcha 9-BAJO; 20007 Spain
Tel:+34 943 451782; E-Mail: miren@fecopegui.net

Gómez Aguilar, Almudena
Confederación Española de Pesca - CEPESCA, c/ Velázquez, 41 - 4º, 28001 Madrid, Spain
Tel: +34 91 4323489, Fax: +34 91 435 5201, E-Mail: agomez@cepesca.com; onape@cepesca.es

Goujon, Michel
ORTHONGEL, 11 bis Rue des Sardiniers, 29900 Concarneau, France
Tel: +33 2 9897 1957, Fax: +33 2 9850 8032, E-Mail: orthongel@orthongel.fr

Gray, Alan
Senior Administrative Assistant, European Commission - DG Maritime Affairs and Fisheries, J-99 2/63, Rue Joseph II, 99, 1049 Brussels, Belgium
Tel: +32 2 299 0077, Fax: +322 295 5700, E-Mail: alan.gray@ec.europa.eu

Hohannesson, Joacim
Swedish Board of Fisheries, Box 423, 40216, Göteborg, Sweden
Tel: +46 3174300, Fax: E-Mail: joacim.johannesson@fiskeriverket.se

Insunza Dahlander, Jacinto
Asesor Jurídico, Federación Nacional de Cofradías de Pescadores, c/Barquillo, 7 - 1º Dcha., 28004, Madrid, Spain
Tel: +34 91 531 98 04, Fax: +34 91 531 63 20, E-Mail: fncp@fncp.e.telefonica.net

Lemeunier, Jonathan
Ministère de l'Agriculture et de la Pêche, Direction des Pêches Maritimes et de l'Aquaculture, 3, Place de Fontenoy, 75017 Paris, France
Tel: +33 1 4955 4390, Fax: +33 1 4955 8200

Lopes, Eduardo
Direccion Geral das Pescas e Aquicultura, Avda. Brasília, 1449-030 Lisbon, Portugal
Tel: +351 213 035820, Fax: +351 213 03 5922, E-Mail: eduardol@vgpa.min-agricultura.pt

Lykouressi, Eleftheria
European Commission; DG Maritime Affairs and Fisheries, Unit B-2 Regional Fisheries Organisations; J II - 99 3/90, Rue Joseph II - 99, B-1046, Brussels, Belgium
Tel: +32 298 5479, Fax: +32 229 5700, E-Mail: eleftheria.lykouressi@ec.europa.eu

Mendiburu, Gérard

Commission du Thon Tropical - CNPMM Armement Aigle des Mers, B.P. 337, 64500, Ciboube Cedex, France
Tel: +33 5 59 26 05 52, Fax: +33 5 59 26 05 52, E-Mail: mendiburu.gerard@wanadoo.fr

Monteagudo, Juan Pedro

Asesor Científico, ANABAC/OPTUC, c/Txibitxiaga, 24 - entreplanta, 48370 Bermeo, Vizcaya, Spain
Tel: +34 94 688 2806, Fax: +34 94 688 5017, E-Mail: monteagudog@yahoo.es; monteagudo.jp@gmail.com

Montesi, Carla

Commission Européenne - DG MARE, Rue Joseph II, 99 - 6/84, B-1040 Brussels, Belgium
Tel: +322 2961453, E-Mail: carla.montesi@ec.europa.eu

Morón Ayala, Julio

Organización de Productores Asociados de Grandes Atuneros Congeladores-OPAGAC, c/Ayala, 54-2ºA, 28001 Madrid, Spain
Tel: +34 91 435 3137, Fax: +34 91 576 1222, E-Mail: opagac@arrakis.es

Murua, Hilario

AZTI - Tecnalía /Itsas Ikerketa Saila, Herrera Kaia Portualde z/g, 20110 Pasaia, Gipuzkoa, Spain
Tel: +34 943004800 - ext. 821, Fax: +34 943 004801, E-Mail: hmurua@pas.azti.es

Penas Lado, Ernesto

Director, Commission Européenne - D.G. Affaires Maritimes et de la Pêche, Mer Baltique, Mer du Nord et Etats membres non-côtiers, 200, Rue de la Loi - J-99 (3/44), B-1046, Brussels, Belgium
Tel: +322 296 37 44, Fax: +322 295 57 00, E-Mail: ernesto.penas-lado@ec.europa.eu

Rivalta, Fabio

Dipartimento delle Politiche Europee e Internazionali, Ministero delle Politiche Agricole, Alimentari e Forestali, Direzione Generale della Pesca Marittima e Acquacoltura, Viale dell'Arte 16, 00144 Rome, Italy
Tel: +39 06 5908 4915, Fax: +39 06 5908 4176, E-Mail: f.rivalta@politicheagricole.it

Rodríguez-Sahagún González, Juan Pablo

Gerente Adjunto, ANABAC, c/ Txibitxiaga, 24, entreplanta apartado 49, 48370 Bermeo, Bizkaia, Spain
Tel: +34 94 688 2806, Fax: +34 94 688 5017, E-Mail: anabac@anabac.org; anabac@optuc.e.telefonica.net

Sánchez Criado, Teresa

Jefa de Servicio, Secretaría General del Mar, Subdirección General de Relaciones Pesqueras Internacionales, c/ Velázquez, 144, 28006 Madrid, Spain
E-Mail: tsanchez@mapya.es

Sarazá, Maria L.

Agriculture Office, Ministry of Agriculture, Embajada de los Países Bajos, c/ Castellana, 259 - D-36, 28046, Madrid, Spain
Tel: +34 91 353 75 21, Fax: +34 91 353 7567, E-Mail: ml.saraza@minbuza.nl

Skovsholm, Klavs

Council of the European Union, Secrétariat General du Conseil, Rue de la Loi, 175, B-1048 Brussels, Belgium
Tel: +322 2 281 8379, Fax: +322 281 6031, E-Mail: klaus.skovsholm@consilium.eu.int

Uria Echevarria, Jon

ALBACORA, S.A., Poligono Industrial Landabaso, S.A. - Edificio Albacora, 48370 Bermeo, Bizkaia, Spain
Tel: +34 94 618 70 00, Fax: +34 94 618 61 47

Valsecchi, Adolfo

France

Vergine, Jean Pierre

Administrateur principal, Commission européenne DG MARE J-99 3/51, Rue Joseph II, 99, 1049 Brussels, Belgium
Tel: +322 295 1039, Fax: +322 295 9752, E-Mail: jean-pierre.vergine@ec.europa.eu

FEDERATED STATES OF MICRONESIA

Pangelinan, Eugene R.

National Oceanic Resource Management Authority, P.O. Box PS122, FM 96941, Palikir
Tel: +691 320 2700/5181, Fax: +691 320 2383, E-Mail: eugenep@mail.fm

FIJI ISLANDS

Ray Kini Baleikasavu

Principal Assistant Secretary, Ministry of Foreign Affairs, International Co-operation and Civil Aviation, Levels 8 & 9
Suvavou House, Victoria Parade; P.O. Box 2220 Government Building, Suva
Tel: +679 330 9645; Fax: +679 330 1741; E-Mail: foreignaffairs@govnet.gov.fj

Naqali, Sanaila

Director of Fisheries, Ministry of Fisheries and Forests, P.O. Box 2218; Government Building, Suva, Fiji Islands
Tel: +679 330 1611, Fax: +679 331 8769, E-Mail: naqali@hotmail.com

FRANCE

Clot, Thierry

Terres Australes et Antarctiques Françaises, France

Laurent- Monpetit, Christiane

27 Rue Oudinot, 75738 Paris – France

Tel: +331 53692466; Fax: +33 1 53692038 ; E-Mail: christiane.laurent-monpetit@oultre-men.gov.fr

Tribon, Pierre

Ministère de l'Agriculture et de la Pêche, Direction des Pêches Maritimes et de l'Aquaculture/SDRH/BAEI, 3, Place de Fontenoy, 75700, Paris 07 SP, France

Tel: +33 01 4955 5355, Fax: +33 01 4955 8200, E-Mail: pierre.tribon@agriculture.gouv.fr

FRENCH POLENISIA

Yen Kai Sun, Stephen

Chef du Service de la Pêche de Polynésie Française

Tel: +689 502550, Fax: +689 434979, E-Mail: stephen.yen-kai-sun@peche.gov.pf

GUATEMALA

Cifuentes Velasco, Bryslie Siomara

Legal Advisor, Management of Fisheries and Aquaculture Unit, Ministry of Agriculture, Livestock and Food

E-Mail: brysliec@hotmail.com

Odilio Romero, Manuel

Bodiom, s/n borio, Bodiom, s/n borio, 15930, A Coruña, Spain

Tel: +34 981 845400, E-Mail: moromero@jeaalsa.com

GUINEA ECUATORIAL

Asumu Ndong, Lorenzo

Inspector General de Servicios, Ministerio de Pesca y Medioambiente, Presidente Nasser s/n, Malabo

Tel: +240 09 28 19; Mobile:+240273774, Fax: +240 09 2953, E-Mail: londomas@yahoo.es

Nsue Otong, Carlos

Viceministro de Pesca y Medio Ambiente, Ministerio de Pesca y Medio Ambiente, c/ Presidente Nasser s/n, Malabo

GUINEA (REP.)

Ounouted, Raymond

Ministre de la Pêche et de l'Aquaculture, Ministère de la Pêche et de l'Aquaculture, B.P. 307, Conakry

Tel: +224 41 36 60, Fax: +224 41 35 23

Sylla, Ibrahima Sory

Directeur National de la Pêche Maritime, Ministère de la Pêche et de l'Aquaculture, Av. De la République - Commune de Kaloum - B.P. 307, Conakry

Tel: +224 30415228; 224 60260734, Fax: +224 30 451926, E-Mail: isorel2005@yahoo.fr; youssoufh@hotmail.com

INDONESIA

Abdul Latif, Musthofa Taufik

Ministro Consejero, Embajada de Indonesia, Encargado de Asuntos de Economía, Calle de Agastia 65, 28004, Madrid, Spain

Tel: +34 91413 0294, Fax: +34 91413 8994, E-Mail: kbri@embajadadeindonesia.es

Agus Siswa Putra, Dwi

Secretary General, Indonesia Tuna Long Line Association (ATLI), JL, Ikan Tuna Raya I, Pelabuhan Benoa Denpasar, Bali

Tel: +633 6172 7399, E-Mail: atli.bali@gmail.com

Cahyono, Hanung

Head of Legal Division, Ministry of Marine Affairs and Fisheries (MMAF), DG of Capture Fisheries, Bld Mina Bahari II, 17th floor; i. Medan Merdeka Timur n° 16, Jakarta Pusat
Tel: +62 21 351 9070, Fax: +62 21 352 1781, E-Mail: noengcah@yahoo.com

Endroyono, Endroyono

Deputy Director of Monitoring and Evaluation, DG of Capture Fisheries, Ministry of Marine Affairs and Fisheries (MMAF), JI Medan Merdeka Timur n° 16; Bld Mina Bahari II, 17th floor, Jakarta Pusat

Sukoyono, Suseno

Minister's Advisor, Ministry of Marine Affairs and Fisheries Economy, Social and Cultural Affairs, JI Medan Merdeka Timur n° 16; Bld Mina Bahari II, 17th floor, Jakarta Pusat
E-Mail: ssn_id@yahoo.com; suseño.sukoyono@gmail.com

Widjajanti, Erni

Deputy Director of IEEZ and High Seas Affairs, DG of Capture Fisheries, Ministry of Marine Affairs and Fisheries (MMAF) Ministry of Marine Affairs and Fisheries (MMAF), Bld Mina Bahari II, 17th floor; i. Medan Merdeka Timur n° 16, Jakarta Pusat

JAPAN

Miyahara, Masanori

Councillor, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 2045, Fax: +81 3 3502 0571, E-Mail: masanori_miyahara1@nm.maff.go.jp

Fukui, Shingo

Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 6582, Fax: +81 3 3595 7332, E-Mail: shingo.fukui@nm.maff.go.jp

Fukuma, Akio

Japan Far Seas Purse Seine Fishing Association
E-Mail: japan@kaimaki.or.jp

Kasai, Sumito

Japan Far Seas Purse Seine Fishing Association
E-Mail: japan@kaimaki.or.jp

Kawamoto, Taro

Japan Far Seas Purse Seine Fishing Association
E-Mail: japan@kaimaki.or.jp

Koya, Takashi

Fisheries Agency of Japan, Far Seas Fisheries Division Resources Management Department, 1-2-1 Kasumigaseki, 100-8907, Tokyo, Chiyoda-Ku
Tel: +81 3 3502 8460, Fax: +81 3 3502 0571

Kuwahara, Satoshi

Fisheries Agency of Japan, Far Seas Fisheries Division Resources Management Department, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8460, Fax: +81 3 3502 0571, E-Mail: satoshi_kuwahara@nm.maff.go.jp

Murata, Mitsunori

National Ocean Tuna Fishery Association, Co-op Building, 7F 1-1-12 Uchikanda, Chiyoda Ku, Tokyo 101-8503
Tel: +81 3 3294 9634, Fax: +81 3 3294 9607, E-Mail: mi-murata@zengyoren.jf-net.ne.jp

Nakamura, Masaaki

Adviser, Japan Tuna Fisheries Co-operative Association, 2-31-1 Eishin Bld. Eitai Koto-Ku, Tokyo 135-0034
Tel: +81 3 5646 2382, Fax: +81 3 5646 2652, E-Mail: gojyo@japantuna.or.jp

Notomi, Yoshihiro

National Offshore Tuna Fisheries Association of Japan, 1-3-1 Uchikanda, Chiyodaku, Tokyo 101-0047
Tel: +81 3 3245 3721, Fax: +81 3 3295 3740, E-Mail: notomi@kimkatsukyo.or.jp

Ota, Shingo

Senior Fisheries Negotiator, International Affairs Division, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571

Satomi, Yoshiki

Ministry of Economy, Trade and Industry, 1-3-1 Kasumigaseki, Tokyo 100-8901
Tel: +81 3 3501 0532, Fax: +81 3 3501 6006, E-Mail: satomi-yoshiki@meti.go.jp

Shima, Kazuo

Japan Far Seas Purse Seine Fishing Association
E-Mail: japan@kaimaki.or.jp

Shimamura, Kazuyuki

Mission of Japan to EU, Avenue de P. Uruguay 22, 1000 Brussels, Belgium
Tel: +322 500 7756, E-Mail: kazuyuki-shimamura@mission-japan.eu

KIRIBATI

Mweretaka, Monoo

Ministry of Fisheries and Marine Resources, Ag Office Box 62, Tarawa
E-Mail: monoo@legal.gov.ri

Nauan, Bootii

Ministry of Fisheries and Marine Resources, Tarawa
E-Mail: mbnauan@gmail.com; botiin@mfmrd.gov.ki

KOREA (REP.)

Ahn, Chiguk

Deputy Director, Ministry for Food, Agriculture, Forestry and Fishery, International Fisheries Organization Division, 88 Gwanmunro Gwacheon-si, Gyeonggi-do 427-719
Tel: +82 2 3674 6994, Fax: +82 2 3674 6996, E-Mail: ahnjik@mifaff.go.kr; icdmomaf@chol.com; chiguka62@yahoo.com

Choi, Kukil

Ministry for Food, Agriculture, Forestry and Fisheries, International Fisheries Organization Division, 88 Gwanmunro Gwacheon-si, Gyeonggi-do, 427-719, Seoul
Fax: +82 2 753 8331, E-Mail:

Lee, Kwang Se

Managing Director, Fisheries Division, Silla Co., Ltd., Seoul
Tel: +822 3434 9777, Fax: +822 417 9360, E-Mail: kslee@silaco.kr; tunalee@sla.co.kr

Lee, Myeong Ho

SAJO Industries, 157 Chung Jeong-ro 2-ga, Seodaemun-gu, 120-707 Seoul
Tel: +82 23 277 1699, Fax: +82 2 313 8079, E-Mail: skyahnjs@naver.com

Lee, Sang Mook

Agencia consular de la república de corea en las palmas de Gran Canaria, Luis Doreste Silva, nº 601, Las Palmas, Canary Islands, Spain
E-Mail: sm4995@hanmail.net

Min, Byung Goo

Dongwon Industries Co., LTD, 275 Yangjae Seocho-ku
Tel: +822 589 3072, Fax: +822 589 4397, E-Mail: bgmin@dongwon.com

Moon, Dae-Yeon

Senior Scientific, National Fisheries Research and Development Institute, Distant Water Fisheries Resources Division, 408-1 Shirang-Ri Kijang-Up, Busan, Kijang-gun
Tel: +82 51 720 2320, Fax: +82 51 720 2337, E-Mail: dymoon@nfrdi.re.kr

Shin, Hyunai

Korean Overseas Fisheries Association, 6th Fl. Sambo Building "A" 275-1, Yangjue-dong, Seocho-Ku, Seoul
Tel: +82 2 589 1612, Fax: +82 2 589 1630, E-Mail: fleur@kosfa.org

MADAGASCAR

Ramanantsoa, Mamy Andriamalala

Tel: Fax: E-Mail: ram_mamy1@yahoo.fr

MALAYSIA

Jan Mohammad, Gulamsarwar

E-Mail: gulamsarwar@dof.gov.my

MAURITANIA

Taleb Sidi, Mahfoudh Ould

Conseiller Scientifique du Directeur de l'Institut Mauritanien de Recherches Océanographiques et des Pêches, Institut Mauritanien de Recherches Océanographiques et des Pêches (IMROP)

Tel: +222 646 3839, E-Mail: mahfoudht@yahoo.fr

MAURITIUS

Mundodh, Munesh

E-Mail: mumunbodh@mail.gov.mu

MOROCCO

El Ktiri, Taoufik

Chef de service à la Direction des Pêches Maritimes et de l'Aquaculture, Ministère de l'Agriculture et de la Pêche Maritime, Département de la Pêche Maritime, Nouveau Quartier Administratif, Haut Agdal, Rabat

Tel: +212 5 37 68 81 15, Fax: +212 5 37 68 8089, E-Mail: elktiri@mpm.gov.ma

MEXICO

Aguilar Sánchez, Mario

Representante de la Comisión Nacional de Acuicultura y Pesca, CONAPESCA en USA, CONAPESCA/MEXICO, 1666 K St., Washington, DC 20006, United States

Tel: +1 202 2938 138, Fax: +1 202 887 6970, E-Mail: mariogaguilars@aol.com; maguilars@conapesca.sagarpa.gob.mx

NAURU

Deiye, Charleston

Chief Executive Officer, Nauru Fisheries & Marine Resources Authority, Aiwo

Fax: +674 444 3733, E-Mail: charlestondeiye@yahoo.com.au

Jeremiah, Murin

E-Mail: murin.jeremiah@naurugov.nr

NEW ZEALAND

Hooper, Matthew

International Policy Manager, New Zealand Ministry of Fisheries, PO Box 1020, Wellington, New Zealand

Tel: +64 4 819 4612, Fax: +64 4 819 4644, E-Mail: matthew.hooper@fish.govt.nz

Hore, Arthur

International Policy Manager, Ministry of Fisheries, P.O. Box 1020, Wellington

Tel: +64 4 819 4612, Fax: +64 4 819 4644, E-Mail: arthur.hore@fish.govt.nz

MacKay, Don

The New Zealand Mission to the United Nations in Geneva, 2 ch des Fins, Case postale 334, 1211, Geneva, Switzerland

Tel: +41 22 929 0351, Fax: +41 22 929 0374, E-Mail: don.mackay@mfat.govt.nz

NICARAGUA

Sánchez, Rodolfo Antonio

INPESCA - Ministerio de Fomento, Industria y Comercio (MIFIC), Del Busto Jose Marti, 5 Cuadras al Este Bo. Largaespada, Managua

E-Mail: rsanchez@inpesca.gob.ni

NORWAY

Holst, Sigrun M.

Deputy Director General, Ministry of Fisheries and Coastal Affairs, P.O. Box 8118 Dep, 0032 Oslo

Tel: +47 22 24 65 76; +47 918 98733, Fax: +47 22 24 26 67, E-Mail: sigrun.holst@fkd.dep.no

Lobach, Terje

The Royal Norwegian Directorate of Fisheries, Strandgaten 229, P.O. Box 185 Sentrum, Bergen

Tel: +47 55 23 8139, Fax: +47 55 23 8090, E-Mail: terje.lobach@fiskeridir.no

PAKISTAN

Afridi, Muhammad Ali

Federal Secretary to the Government of Pakistan, Ministry of Livestock Dairy Development and Fisheries (MoLDD)

Ahmed, Najeeb

Liaison Officer to Minister (MoLDD), Ministry of Livestock Dairy Development and Fisheries (MoLDD)

Akhtar, Nasim
Chief Executive Officer, Fisheries Development Board of Pakistan
E-Mail: nasimakhtar_2000@yahoo.com

PANAMA

Díaz, Marta Patricia
FIPESCA, Paso Elevado Transísmica-EDIF. ARAP
Tel: +507 5116006; 3173862, E-Mail: pinky_diaz@hotmail.com;fishingconsultantspty@gmail.com

Franco, Arnulfo Luis
Asesor, Autoridad Marítima de Panamá, Dirección General de Recursos Marinos y Costeros, Clayton 404-A, Ancón, Panamá
Tel: +507 317 3861; celular:+507 66194351/66771000, Fax: +507 317 3627,
E-Mail: afranco@cwpanama.net;alfranco27@yahoo.com

Guevara, Julio
Comercial Atunera, Calle 50, Panamá
Tel: + 507 204 4600, E-Mail: smd.fishingconsultants@gmail.com

PAPUA NEW GUINEA

Brownjohn, Maurice
National Fisheries Authority, P.O. Box 2016; Port Moresby, National Capital District
Tel: +675 309 0444, Fax: +675 320 3024, E-Mail: mauricebrownjohn@gmail.com;nfa@fisheries.gov.pg

Ilakini, Justin
National Fisheries Authority, P.O.Box 2016; Port Moresby, 121, Port Moresby National Capital District
E-Mail: jilakini@fisheries.gov.pg

Pakop, Noan
National Fisheries Authority, P.O. Box 2016, 121, Port Moresby
Tel: + 675 309 0444, Fax: +675 320 2061, E-Mail: npakop@fisheries.gov.pg

PHILIPPINES

Tabios, Benjamin F.S.
Assistant Director for Administrative, Bureau of Fisheries & Aquatic Resources, PCA Bldg., Elliptical Road, Diliman, Quezon City
E-Mail: benjo_tabios@yahoo.com

SAMOA

Bartley, Matilda
Ministry of Foreign Affairs, Trade, P.O. BOX L 1829, Apia
E-Mail: matilda@mfat.gov.ws

SAO TOMÉ & PRINCIPE

Eva Aurelio, José
Ministerio dos Assuntos Económicos Direcção de Pesca, C.P. 59, Sao Tomé
Tel: +239 222 091, Fax: +239 222 828; 239 224 245, E-Mail: aurelioeva57@yahoo.com.br

SENEGAL

Diop, Ndèye Tické Ndiaye
Directeur des Pêches Maritimes, Ministère de l'Economie Maritime, Direction des Pêches Maritimes, 1, Rue Joris, B.P. 289, Dakar
Tel: +221 33 823 0137, Fax: +221 33 821 4758

Ndaw, Sidi
Chef du Bureau des Statistiques a la Direction des Pêches, Ministère de l'Economie Maritime, Direction des Pêches Maritimes, Building Administrative, B.P. 289, Dakar
Tel: +221 33 823 0137, Fax: +221 33 821 4758, E-Mail: sidindaw@hotmail.com;dopm@orange.sn

SEYCHELLES

Clarisse, Roy
Director Fisheries Management, Seychelles Fishing Authority
Tel: +248 670300, Fax: +248 224508, E-Mail: rclarisse@sfa.sc

Payet, Rondolph Joseph
Managing Director, Seychelles Fishing Authority, P.O. Box 449 - Fishing Port, Mahe
Tel: +248 670 300, Fax: +248 224508//610339, E-Mail: rpayet@sfa.sc; rpayet@gmail.com

SOLOMON ISLANDS

Ramofafia, Christian

SOUTH AFRICA

Kroese, Marcel

IMCS NETWORK, 8484 Georgia Ave. Suite 415, Silver Spring, Maryland 20910, United States

Tel: +27 21 402 3120, Fax: +27 21 421 7406, E-Mail: mkroese@deat.gov.za;marcel.kroese@noaa.gov

SRI LANKA

Ranasinghe, Indra

Director General, Ministry of Fisheries and Aquatic Resources, Maligawatta, 01, Colombo

E-Mail: iranapiu@yahoo.com

SYRIAN ARAB REPUBLIC

Krouma, Issam

The Director General of Fisheries, Ministry of Agriculture and Agrarian Reform, Fisheries Resources Department, Al-Jabri Street, P.O. Box 60721, Damascus

Tel: +963 11 54 499 388/, Fax: +963 11 54 499 389, E-Mail: issamkrouma@mail.sy; issam.krouma1@gmail.com

TANZANIA

Moreni Mngulwi, Baraka Senzighe

Assistant Director (Fisheries Marketing and Infrastructure Development), Ministry of Livestock Development and Fisheries, Fisheries Development Division, P. O. Box 2462, Dar es Salaam

Tel: +255 22 2860470, Fax: +255 22 2860472, E-Mail: bmngulwi@yahoo.co.uk

Thailand

Pokapunt, Weera

Expert on Marine Fisheries, Department of Fisheries, Kasetkand, Chatuchak, 10900, Bangkok

Thummachua, Smith

Chief of Overseas Fisheries Management and Economic Cooperation Group, Fisheries Foreign Affairs Division,

Department of Fisheries, Kasetkand, Chatuchak, 10900, Bangkok

E-Mail: thuma98105@yahoo.com

TONGA

Faanunu, Ulungamanu

Deputy Secretary for Fisheries, Ministry of Agriculture & Food, Forest and Fisheries, Fisheries Department,

E-Mail: ulungaf@tongafish.gov.to

Vailala Matoto, Sione

Head of Fisheries, Ministry of Agriculture & Food, Forest and Fisheries, Fisheries Department, P.O. Box 811, Nukualofa,

E-Mail: vailala@kalianet.to

TURKEY

Elekon, Hasan Alper

Ministry of Agriculture and Rural Affairs, General Directorate of Protection and Control, Akay Cad No.3-Bakanliklar, Ankara

Tel: +90 312 417 4176/3013, Fax: +90 312 418 5834

Ültanur, Mustafa

OYID, Turkish Tuna Exporters Association, Ataturk Bulvari n° 141; Bulvar Palas B Blok Daire 101, Bakanliklar, 06100, Ankara

Tel: +90 312 419 8032, Fax: +90 312 419 8057, E-Mail: mustafa.ultanur@dardanel.com.tr;gensek@oyid.com

TUVALU

Malua, Siouala

E-Mail: vaitulu@gmail.com

Ulumutu, Sikela

E-Mail: sikelau@gmail.com

UNITED KINGDOM (OVERSEAS TERRITORIES)

Clarke, Shelley

Imperial college London - WCPFC, 1675 Sasama Kami; Kawane-cho, Shimada-shi, Shizuoka-Ken 428-0211, Japan

Tel: +55 81 547 54 0275, Fax: +55 81 0547 54 0275, E-Mail: shelley.clarke@imperial.ac.uk

Mees, Chris

Marine Resources Assessment Group Limited (MRAG), 18 Queen Street, London W1J 5PN
Tel: +44207557755, Fax: +442074995388, E-Mail: c.mees@mrage.co.uk

Parkes, Graeme

Marine Resources Assessment Group Limited (MRAG), 18 Queen Street, London W1J 5PN
Tel: +44207557755, Fax: +442074995388, E-Mail: g.parkes@mrage.co.uk

UNITED STATES OF AMERICA

Barrows, Christopher

Chief of Fisheries Law Enforcement, US Coast Guard, Commandant (CG-5314), U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington DC 22152
Tel: +1 202 372 2187, Fax: +1 202 372 2193, E-Mail: chris.m.barrows@uscg.mil

Bogan, Raymond D.

Bogan and Bogan, Esquires, LLC, 607 Beacon Blvd., Sea Girt, New Jersey 08750
Tel: +1 732 892 1000, Fax: +1 732 892 1075, E-Mail: bogan@boganlawjoffice.com

Campbell, Derek

NOAA/Office of General Counsel for International Law, 14 Street & Constitution Avenue, N.W. HCHB Room 7837 Washington, DC 20230
Tel: +1 202 482 0031, Fax: +1 202 482 0031, E-Mail: derek.campbell@noaa.gov

Dubois, Todd C.

NOAA Fisheries Office of Law Enforcement, 8484 Georgia Ave, Suite 415, Silver Spring, Maryland 20910
Tel: +1 301 427 2300, E-Mail: Todd.Dubois@Noaa.Gov

Feder, Judson

501 W. Ocean, Long Beach, 90802 Long Beach, California
Tel: +1 5629804067, E-Mail: judson.feder@noaa.gov

Fletcher, Robert

San Diego

Fox Jr., William W.

Vice Chair, ISSF Board of Director; Vice President & Managing Director for Fisheries, WWF-US, International Seafood Sustainability Foundation - ISSF, P.O. Box 60633, San Diego, California 92166
Tel: +1 619 222 2489, E-Mail: bill.fox@wwfus.org

Hogan, David

U.S. Dept. of State, Arlington, Virginia

Krampe, Paul

American Tunaboat Association, 1 Tuna Lane Suite 1, 92024, San Diego, California
Tel: +1 619 233 6407, Fax: E-Mail: krampepaul@aol.com

Lent, Rebecca

Director, Office of International Affairs, National Marine Fisheries Service-NOAA, 1315 East-West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 9090, Fax: +1 301 713 2313, E-Mail: rebecca.lent@noaa.gov

Mcinnis, Robney

National Marine Fisheries Service, 501 W. Ocean Blvd. Suite 4200, Long Beach, California 90802
Tel: +1 562 980 4005, Fax: +1 562 980 4018, E-Mail: miki.hirano@noaa.gov

Robinson, William L.

National Marine Fisheries Services, Pacific Islands Regional Office (NMFS/PIRO), 1601 Kapiolani Boulevard Suite 1110, Honolulu, Hawaii 96814
E-Mail: bill.robinson@noaa.gov

Rogers, Christopher

Chief, Trade and Marine Stewardship Division, Office of International Affairs, National Marine Fisheries Service/NOAA (F/IA2), US Department of Commerce, 1315 East-West Highway- Rm. 12657, Silver Spring, Maryland 20910
Tel: +1 301 713 9090, Fax: +1 301 713 9106

Thomas, Randi Parks

U.S. Commissioner for Commercial Interests, National Fisheries Institute, 7918 Jones Branch Dr. #700, McLean, Virginia 22102
Tel: +1 703 752 8895, Fax: +1 703 752 7583, E-Mail: Rthomas@nfi.org

Toschik, Pamela

NOAA, National Oceanic & Atmospheric Administration, Office of International Affairs, 14th Street & Constitution Avenue NW, Room 6224, Washington, DC 20230
Tel: +1 202 482 4347, Fax: +1 202 482 4307, E-Mail: pamelatoschik@noaa.gov

Warner-Kramer, Deirdre

Senior Foreign Affairs Officer, Office of Marine Conservation (OES/OMC), U.S. Department of State, Rm. 2758, 2201 C Street, NW, Washington, DC 20520-7878
Tel: +1 202 647 2883, Fax: +1 202 736 7350, E-Mail: warner-kramerdm@state.gov

Wilex, Bradley

National Marine Fisheries Service - NMFS, 1315 East West Hwy. SSMC 3, Rm. 12623, Silver Spring, Maryland 20910
Tel: +1 301 713 7276, Fax: +1 301 713 9106, E-Mail: Brad.wilex@noaa.gov

URUGUAY

Domingo, Andrés

Dirección Nacional de Recursos Acuáticos - DINARA, Sección y Recursos Pelágicos de Altura, Constituyente 1497, 11200 Montevideo
Tel: +5982 40 46 89, Fax: +5982 41 32 16, E-Mail: adomingo@dinara.gub.uy

VANUATU

Emeele E., Christopher

Tuna Fishing (Vanuatu) LTD, P.O. Box 1640, Port Vila
Tel: +678 25887, Fax: +678 25608, E-Mail: tunafishing@vanuatu.com.vu

Jimmy, Robert A.

Acting Director of Fisheries, Dept. of Agriculture Quarantine, Forestry and Fisheries, Private Mail Bag 045, Sac Postal Prive 45, Port Vila

Mango, Matteo

PO BOX 1640, Port Villa
E-Mail: matteo@trimarinegroup.com

RFMO SECRETARIATS

COMMISSION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA (CCSBT)

Kennedy, Robert

Executive Secretary, P.O. Box 37, ACT 2600, Canberra, Australia
Tel: +612 6282 8396, Fax: +612 6282 8407, E-Mail: rkennedy@ccsbt.org

INTER-AMERICAN TROPICAL TUNA COMMISSION (IATTC)

Compeán Jiménez, Guillermo

Director, c/o Scripps Institute of Oceanography, 8604 La Jolla Shores Drive, La Jolla, California 92037, United States
Tel: +1 858 546 7100, Fax: +1 858 546 7133, E-Mail: gcompean@iattc.org

Hallman, Brian S.

Fisheries Management and Policy, 22nd & C St., N.W., La Jolla, California 92037, United States
Tel: +1 858 546 7100, Fax: +1 858 546 7133, E-Mail: bhallman@iattc.org

INDIAN OCEAN TUNA COMMISSION (IOTC)

Anganuzzi, Alejandro

Secretary, P.O. Box 1011 - Fishing Port Victoria, Victoria, Mahe, Seychelles Rep.
Tel: +248 22 54 94, Fax: +248 22 54 64, E-Mail: alejandro.anganuzzi@iotc.org

INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT)

Meski, Driss

Executive Secretary, C/ Corazón de María, 8 – 6th Fl., 28002 Madrid, Spain
Tel: +34 91 416 5600, Fax: +34 91 415 2612, E-Mail: info@iccat.int

Restrepo, Victor

Assistant Executive Secretary, C/ Corazón de María, 8 – 6th Fl., 28002 Madrid, Spain
Tel: +34 91 416 5600, Fax: +34 91 415 2612, Fax: +34 91 415 2612, E-Mail: victor.restrepo@iccat.int

Scott, Gerald P.

SCRS Chairman, NOAA Fisheries, Southeast Fisheries Science Center Sustainable Fisheries Division, 75 Virginia Beach Drive, Miami, Florida 33149, United States
Tel: +1 305 361 4261, Fax: +1 305 361 4219, E-Mail: gerry.scott@noaa.gov

WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION (WCPFC)

Downing, Trevor

Projects Director, Lloyds Register Fairplay, Lombard House, 3 Princess Way, Redhill, Surrey, RH1 1UP, United Kingdom
Tel: +44 1737 379000, Fax: +44 1737 3790001, E-Mail: trevor.downing@irfairplay.com

Nandan, Satya

WCPFC, 301, East 48th Street, New York, New York 10017, United States
Tel: +1 212 752-4249, E-Mail: satya.n.nandan@gmail.com

Wright, Andrew

The Executive Secretary, Kaselelieh Street, P.O. Box 2356, 96940, Pohnpei State, Kolonia, Federated States of Micronesia
Tel: +691 320 1992, Fax: +691 320 1108, E-Mail: wcpfc@mail.fm;andrew.wright@wcpfc.int

INTERGOVERNMENTAL ORGANIZATIONS

AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS (ACAP)

Papworth, Warren

Executive Secretary, University of Mar del Plata CONICET, Funes 3250, 7600, Mar de Plata, Argentina
Tel: +61 3 6233 3123, Fax: +61 3 6233 5497, E-Mail: warren.papworth@acap.aq

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)

Driscoll, Shaun

Project Manager (Global Record), Viale delle Terme di Caracalla, 00153 Rome, Italy
Tel: +39 06 57055034, E-Mail: shaun.driscoll@fao.org

Majkowski, Jacek

Fishery Resources Officer, Marine Resources Service Fishery Resources Division, Via delle Terme di Caracalla, 100, Rome, Italy
Tel: +39 06 5705 6656, Fax: +39 06 5705 3020, E-Mail: jacek.majkowski@fao.org

Metzner, Rebecca

Viale delle Terme di Caracalla, 00153, Rome, Italy
Tel: +39 06 5705 6718, Fax: +39 06 5705 6500, E-Mail: rebecca.metzner@fao.org

FORUM FISHERIES AGENCY (FFA)

Manarangi-Trott, Lara

WCPFC Liaison Officer, Pacific Islands, 1 FFA Road - P.O. Box 629, Honiara, Solomon Islands
Tel: +677 21124, Fax: +677 23995, E-Mail: lara.manarangi-trott@ffa.int

Norris, Wesley

P.O. Box 629, Honiara, Solomon Islands
E-Mail: wesley.norris@ffa.int;wez.norris@ffa.int

SOUTHEAST ASIAN FISHERIES DEVELOPMENT CENTER (SEAFDEC)

Siriraksophon, Somboon

Policy and Program Coordinator, Department of Fisheries, Ladyao, Chatuchak, 10900, Bangkok, Thailand
Tel: +66 (0) 2940 6333, Fax: +66 (0) 2940 6336, E-Mail: somboon@seafdec.org

NON-GOVERNMENTAL ORGANIZATIONS

BIRDLIFE INT.

Small, Cleo

Senior Policy Officer, Global Seabird Programme, RSPB, The Lodge, Sandy, SG19 2DL, Bedfordshire, United Kingdom
Tel: +44 1767 693 586, Fax: +44 1767 692 365, E-Mail: cleo.small@rspb.org.uk

Waugh, Susan

Global Seabird Programme, Level One, 90 Ghuznee Street; P.O. Box631, 6140 Wellington, New Zealand

BLUE OCEAN INSTITUTE (BOI)

Eric, Gilman

Dk-2100 Copenhagen, Denmark

Tel: + 45 30320497, E-Mail: eric.gilman@iucn.org

FEDERATION OF MALTESE AQUACULTURE PRODUCERS (FMAP)

Deguara, Simeon

E-Mail: sdeguara@ebcon.com.mt

GREENPEACE

Losada Figuires, Sebastian

Oceans Policy Losada, c/San Bernardo, 107, 28015 Madrid, Spain

Tel: +34 91 444 1400, Fax: +34 91 447 1598, E-Mail: slosada@es.greenpeace.org

Toribau, Lagi

c/San Bernardo, 107, 28015 Madrid, Spain

INTERNATIONAL SEAFOOD SUSTAINABILITY FOUNDATION (ISSF)

Jackson, Susan

P.O. Box 11110, Mclean, Virginia 22102, United States

Tel: +1 703 752 5392, Fax: +1 703 752 5391, E-Mail: sjackson@iss-foundation.org

INTERNATIONAL UNION FOR CONSERVATION OF NATURE (IUCN)

Simard, François

Deputy Head, Senior Advisor, Fisheries Global Marine Programme, 28 rue Mauverney, CH-1196, Gland, Switzerland

Tel: +41 22 999 0298, Fax: +41 22 999 0025, E-Mail: francois.simard@iucn.org

OCEANA

Cornax, Maria José

c/ Leganitos, 47 - 6º, 28013 Madrid, Spain

Tel: +34 911 440880, Fax: +34 911 440 890, E-Mail: mcornax@oceana.org

Scheroeer, Anne

c/ Leganitos 47- 6º, 28013 Madrid, Spain

Tel: +34 911 440 491, Fax: +34 911 440 890, E-Mail: aschroeer@oceana.org

ORGANIZATION FOR PROMOTION OF RESPONSIBLE TUNA FISHERIES (OPRT)

Tabata, Kentaro

Head of Secretariat, 9F Sankaido Bldg. 9-13 Akasaka, 1-Chome Minato-Ku, Tokyo, Japan 107-0052

Tel: +81 3 3568 6388, Fax: +81 3 3568 6389

PEW ENVIRONMENTAL GROUP

Bours, Hélène

Greenpeace International, 15, Route d'Amonines, B-6987 Rendeux, Belgium

Tel: +32 8447 7177, E-Mail: bours.helene@scarlet.be

Rand, Matt

Director of the Global Campaign to Save Sharks,, 1200 18th Street NW, Suite 500, 20036, Washington, DC, United States

Tel: +1 202 285 4859

THE OCEAN CONSERVANCY

Fordham, Sonja V

Policy Director, Shark Alliance, Shark Conservation Program Director, c/o Pew Environment Group, Bastion Tower 21, 5
Palce du Champ de Mars, 1050 Brussels, Belgium

Tel: +32 495 101 468, E-Mail: sonja@oceanconservancy.org

Polti, Sandrine

The Pew Environment Group, The Pew Charitable Trusts, Square du Bastion 1A, 1050 Brussels, Belgium

Tel: +322 274 1620, Fax: E-Mail: sandrine.polti@gmail.com

TRAFFIC

Sant, Glenn

Global Marine Programme Leader, P.O. Box U115; University of Wollongong, NSW 2522, Australia

Tel: +61418416030, E-Mail: glenn.sant@traffic.org

Takahashi, Soyo

Fisheries Officer, East Asia, 6th. Fl. Nihonseimei Akabanebashi; Bldg, 3-1-14; Shiba Minato-ku, 105-0014, Tokyo, Japan
Tel: +81 3 3769 1716, E-Mail: soyo@trafficj.org

WORLD WIDE FUND FOR NATURE (WWF)

García Rodríguez, Raúl

WWF España, c/Gran Vía de San Francisco, 8 - Esc.D, 28005, Madrid, Spain
Tel: +34 91 354 0578, Fax: +34 91 365 6336, E-Mail: pesca@wwf.es

Graham, Alistair

Advisor, WWF International, 37 Rocky Bay Road, Cygnet 7112, Tasmania, Australia
Tel: +61 439 568 376, Fax: +34 93 278 8030, E-Mail: alistairgraham1@bigpond.com

Jorge, Miguel

WWF International, Sweden
E-Mail: mjorge@wwfint.org

INDEPENDENT EXPERT

Joseph, James

Inter-American Tropical Tuna Commission-IATTC, 2790 Palomino Circle, 92037-1508, La Jolla, California, United States
Tel: +1 858 454 5057, Fax: +1 858 454 2604, E-Mail: jjoseph@iattc.org

ICCAT Translation staff

Campoy, Rebecca
De Andrés, Marisa
Navarret, Christel

Simultaneous interpreters

Dominique, Claire
Faillace, Hermelinda
Liberas, Christine
Margarete Linaae, Christine
Meunier, Isabelle
Sánchez Del Villar, Lucía

Auxiliary staff

Gonzalez, Meritzel
Aizpuru, Maite
Barea, Maria Del Mar
Sánchez, Ainara
Sanders, Claudia
Otamendi, Iñaki
Ondarra, Elene
Vallejo, Nerea

4.3 REPORT OF THE MEETING OF THE WORKING GROUP ON THE FUTURE OF ICCAT (Sapporo, Japan – August 31 to September 3, 2009)

1. Opening of the meeting

The meeting was opened by the Chairman of the Commission, Dr. Fabio Hazin. Mr. Masanori Miyahara (Japan) welcomed participants. Both stressed the importance of this meeting as the first in a series of meetings to embark on a process of strengthening ICCAT

A list of participants is attached as **Appendix 2 to ANNEX 4.3**.

The Agenda was adopted without change and is attached as **Appendix 1 to ANNEX 4.3**.

2. Election of Chair

Ms. Deirdre Warner-Kramer (USA) was elected Chairperson of the Working Group on the Future of ICCAT.

3. Appointment of Rapporteur

Ms. Melanie D. King (USA) was appointed rapporteur.

4. Working Group workplan

The Working Group reviewed its mandate and decided that it would review the recommendations of the Independent Performance Review of ICCAT, the report of the Second Joint Meeting of Tuna RFMOs (Kobe II), and other documents prepared by the Secretariat and recommend issues that the Commission should address regarding possible amendments to the ICCAT Convention as well as other actions that could be taken to improve the effectiveness of ICCAT.

5. Review of the ICCAT Convention, including its decision making process and structure, considering, in particular:

- a) Developments in international law since the Convention's signature (1966), including conventions, recommendations and resolutions of other Regional Fisheries Management Organizations (RFMOs)*
- b) Issues arising from the Joint Tuna RFMO meetings*
- c) ICCAT Performance Review*

The Working Group reviewed the ICCAT Convention in light of the recommendations of the Independent Performance Review of ICCAT, the Kobe II Report, the practices of other RFMOs, and developments in international law since the signing of the Convention. In particular, the Working Group focused on the recommendations of the Independent Performance Review and considered which of these recommendations might involve changes to the ICCAT Convention.

The Working Group identified several priorities for the Commission to consider in the context of possible amendments to the ICCAT Convention.

Precautionary approach. The Working Group discussed soliciting advice from the SCRS on how the precautionary approach could be best expressed in the Convention. Some Parties noted the 1995 United Nations Fish Stocks Agreement provided helpful language in this regard. The Working Group also noted that the incorporation of the precautionary approach into the Convention might involve looking at the Convention's objective itself.

Ecosystem considerations, including by-catch. The Working Group noted that, in particular, Article IV.1 of the Convention may need to be revised to allow for the scientific study of all species associated with ICCAT fisheries as well as Article VIII.1 to allow adoption of conservation and management measures to address

species caught in conjunction with ICCAT-managed fisheries. It was noted that 1995 United Nations Fish Stocks Agreement and other tuna RFMO agreements have text that could provide a model for the ICCAT Convention.

Contribution scheme. The Working Group noted that the Commission should consider improvements to the process for calculating contracting party fees to make it simpler, more transparent, more predictable, and fair. Some Parties noted that the current scheme was out of step with the current value of ICCAT fisheries, in particular, due to the practice of basing fees on total quantity of catch and canning without taking into account the value of the CPCs' catch from respective ICCAT fisheries. While the Working Group recognized that, especially in light of the process to develop and adopt the Madrid Protocol, revising this aspect of the Convention could be a particularly lengthy and difficult process, the Working Group considered this to be an important task.

Provisions to strengthen participation of non-Parties to the Convention. The Working Group recognized that the Convention could be amended to include possibilities for entities and fishing entities that have strong interest in ICCAT fisheries to commit to applying ICCAT measures and maintain a stronger and more stable relationship with the Commission, as has been done in other tuna RFMOs.

Decision-making processes. The Working Group recommends that the Commission consider amendments that would allow flexibility to adjust time for entry into force of recommendations on a more timely basis according to Article VIII, clarification of voting rules, establishing a requirement that voting should only occur when efforts to seek consensus have failed, additional due process and conditions to the objection process, without any prejudice to the right of a CPC to object, and the adoption of dispute settlement procedures.

Capacity building and assistance to developing States. The Working Group noted provisions in other RFMO conventions establishing formal mechanisms for providing assistance to developing States Parties, and recommended that the Commission consider incorporating this type of provision in the Convention.

A summary of these priority issues for consideration is attached as **Appendix 3 to ANNEX 4.3**. There was general agreement that any changes to the Convention should take the form of amendments to key articles and that there was not, at this point, the need to draft a new convention. While recognizing that other issues regarding the Convention could be raised by CPCs, the Working Group recommended that the Commission review the priority issues identified in **Appendix 3 to ANNEX 4.3** and determine the appropriate next steps in this regard.

6. Other actions needed for the strengthening of ICCAT

Based on the priority issues identified above, the recommendations of the ICCAT Performance Review, the Kobe II Report, and other issues currently facing ICCAT, the Working Group also considered actions, listed in **Appendix 4 to ANNEX 4.3**, that the Commission, or in some cases specific bodies of the Commission, should take that would produce more immediate results in strengthening the work of ICCAT.

The Working Group noted that the Performance Review Panel recommended that the Commission consider the need to adopt the ecosystem approach or ecosystem-based management in a more formal and systematic manner. The SCRS Chairman presented a paper outlining important considerations and options (**Appendix 5 to ANNEX 4.3**). The Working Group recognized that substantial additional funding and resources to support the monitoring and research within CPCs will be needed to accomplish this, and it is expected that many years and substantial research and data collection investments will be required for implementation, testing, and adaptation of ecosystem-based management. Nonetheless, the Working Group identified some ways of moving forward, including through the strengthening of observer programs, tagging programs, and port sampling.

In light of the need to ensure that all major fleets involved in ICCAT fisheries cooperate in their management, the Working Group recommended that the Commission take interim measures to enhance the ability of Cooperating non-Contracting Parties, Entities, and Fishing Entities to participate meaningfully in ICCAT.

The Working Group also recommended establishing a pilot project for using the Kobe II Strategy Matrix. A number of the ICCAT performance review recommendations call for science-based management decisions and the application of the precautionary approach as a general practice to be adopted by ICCAT, as well as in specific cases of stock management. In order to consider the applicability of the Kobe II Strategy Matrix in the ICCAT context, the Working Group recommended that SCRS at its 2009 meeting identify the stocks and management measures (TAC, minimum size, closed areas, etc) for which sufficient information exists to enable

analysis of timelines and probability levels. The Kobe II Strategy Matrix requires fishery managers first to determine the management objectives (probabilities, targets, time frames) before requesting work on it by the scientists. The Working Group therefore recommends that ICCAT determine at the 2009 Annual Meeting which stocks, measures, and management objectives are appropriate for analysis. At the 2010 ICCAT Annual Meeting the relevant Panel(s) should consider the utility of the Matrix in evaluating management alternatives. Based on the results of these pilot applications, the Commission may consider potential expansion of the use of this Matrix.

The Working Group considered a paper presented by the United States on principles for decision making on conservation and management measures (attached as **Appendix 6 to ANNEX 4.3**). The Working Group took note of the principles and that further consideration was needed to see how the principles could be applied in practical terms. A way forward may be to apply the principles as part of the pilot project for using the Kobe II Strategy Matrix.

The Working Group agreed that there was a role for more socioeconomic analysis to inform ICCAT's decision-making. The Working Group noted that there needs to be additional clarity about what considerations this analysis would include and whether it would be best done through the SCRS or elsewhere. The SCRS Chair noted that it would be a good idea for the Commission to ask SCRS to develop a plan for incorporating socioeconomic data into its work.

The Working Group discussed possible structural changes to ICCAT, including consolidating responsibility for all bluefin tuna fisheries in Panel 2 and albacore tuna into Panel 3. The Working Group also considered creating a new Panel 5 with responsibility for sharks and associated species. The Working Group noted that such a change could have implications for CPC contributions and overall Panel membership and recommended that the Commission study this issue further.

The Working Group strongly encouraged the two Working Groups on Capacity and on Integrated Monitoring Measures to continue their work.

The Working Group also recommended that the Commission adopt recommendations that consolidate all existing measures applicable to an issue. Some CPCs were of the view that the Commission should reconsider the issue of codification of ICCAT measures.

The Working Group underscored the critical importance of capacity building work and assistance to developing States CPCs. It was noted that such capacity building and assistance was particularly important in the following three areas: (1) data collection and scientific work; (2) implementation of ICCAT obligations, particularly monitoring, control, and surveillance; and (3) development of ICCAT fisheries. The Working Group strongly recommended that ICCAT develop a coordinated strategy for capacity building and assistance programs, which could include gathering information on the needs of developing States CPCs, possibly through a questionnaire or survey, and reviewing other mechanisms for assistance, such as bilateral programs between CPCs and similar programs available through other organizations. The Working Group recognized the importance of ensuring that developing States CPCs were aware of potential assistance already available.

The Working Group recommended that the Commission enhance support for the Compliance Committee Chair in order to improve the effectiveness of the Compliance Committee process and increase CPC compliance with ICCAT's conservation and management measures, as well as data reporting. The Working Group's recommendations in this regard, attached as **Appendix 7 to ANNEX 4.3**, include the creation of a Compliance Task Force to assist in analyzing information and preparing reports, creation of a penalty schedule as a guide for applying sanctions to noncompliant CPCs, and holding a Compliance Committee meeting prior to and separate from the annual Commission meeting.

The Working Group recognizes that ICCAT Panels have a responsibility to review species specific issues and develop appropriate Recommendations for the consideration of the Commission. As such, the Working Group feels that the appropriate Panels must consider, during the 21st Regular Meeting of the Commission, relevant recommendations and conclusions from the Performance Review, as specified in **Appendix 8 to ANNEX 4.3**, for possible development of corresponding ICCAT Recommendations for each of the stocks referenced. In the event that a Panel decides not to act on a referred Recommendation from the Performance Review, the Panel should provide an explicit rationale for its decision, for the consideration of the Commission.

Turkey expressed its dissent for the inclusion of recommendations 38 and 46 of the Performance Review Panel into the list of “Indicative List of Performance Review Recommendations to be Considered by Panels” and requested inclusion of recommendations 4 and 54 in respect of allocation issues to be considered by relevant Panels. In particular, Turkey stated that ICCAT has already developed and adopted strict measures to effectively control, monitor and report the catch, transfer and grow-out of BFT in the farming operations through ICCAT Recommendations 08-05 and 08-12, and that the process for implementation of “ICCAT Regional Observer Program” has been initiated. Turkey expressed its view that there was no reason to re-discuss these issues in the next Panel 2 meeting until ICCAT has the outcomes of this process (observer reports, compliance reports, etc.).

The Working Group had an extended discussion of the issues surrounding quota allocations and the carry-forward of unused quota. The Working Group agreed that the development of a mathematical formula for the application of allocation criteria was not practical. Regarding the elimination of the carry forward, while there was some agreement on the need to eliminate stockpiling, some Parties noted the need for flexibility, and it was recommended that the Panels consider this matter on a stock-by-stock basis.

The Working Group also encouraged the SCRS to consider the recommendations of the Performance Review Panel relevant to its work, attached as **Appendix 9 to ANNEX 4.3**, at its next meeting. In the event that the SCRS decides not to act on a referred Recommendation from the Performance Review, the SCRS should provide an explicit rationale for its decision, for the consideration of the Commission.

The Working Group recommends that it meet again at a time and place to be determined by the Commission, but preferably as soon as possible, to continue its work in light of decisions and actions taken by the Commission as well as other activities.

7. Other matters

The Working Group noted that the future of the Commission could be strongly affected by the listing of ICCAT species by the Convention in International Trade in Endangered Species of Flora and Fauna (CITES) and that there was a need for ICCAT to improve its relationship with CITES overall. The Working Group supported the initiative of the Chairman of the Commission to take up this issue at the 21st Regular Meeting of the Commission in November 2009.

No other matters were discussed.

8. Adoption of the Report

The Report was adopted by correspondence.

9. Adjournment

The 2009 Meeting of the Working Group on the Future of ICCAT was adjourned on September 3, 2009.

Appendix 1 to ANNEX 4.3**Agenda**

1. Opening of the Meeting
2. Election of Chair
3. Nomination of Rapporteur
4. Working Group workplan
5. Review of the ICCAT Convention, including its decision making process and structure, considering, in particular:
 - a) Developments in international law since the Convention's signature (1966), including conventions, recommendations and resolutions of other Regional Fisheries Management Organizations;
 - b) Issues arising from the Joint Tuna RFMO meetings;
 - c) ICCAT Performance Review
6. Other actions needed for the strengthening of ICCAT
7. Other matters
8. Adoption of the Report
9. Adjournment

Appendix 2 to ANNEX 4.3**List of Participants****CONTRACTING PARTIES****BRAZIL****Hazin, Fabio H.V.***

Commission Chairman, Universidade Federal Rural de Pernambuco-UFRPE/Departamento de Pesca e Aquicultura-DEPAq, Rúa Desembargador Célio de Castro Montenegro, 32-Apto 1702, Monteiro Recife, Pernambuco,
 Tel: +55 81 3320 6500, Fax: +55 81 3320 6512, E-Mail: fabio.hazin@depaq.ufrpe.br

De Lima, Luis Henrique

Ministerio da Pesca e Agricultura
 Esplanada dos Ministerios, Bloco D, 2º Andar, Edificio Sede, Sala 236, Brasilia, DF
 Tel: +55 61 321 83891; Fax: +55 61 3218 3886, E-Mail: niosño,a@seap.gov.br

Mourao, Andre

Ministry of External Relations, Ministerio das Relacoes Exteriores, Esplanada dos Ministerios, 70170-900 Brasilia
 Tel: +55 61 3411 8622, Fax: +55 61 3411 8617, E-Mail: aniyrai@mre.gov.br

Travassos, Paulo

Universidade Federal Rural de Pernambuco-UFRPE, Laboratorio de Ecologia Marinha-LEMAR, Departamento de Pesca e Aquicultura-DEPAq, Avenida Dom Manoel Medeiros s/n, Dois Irmaos, Recife, Pernambuco
 Tel: +55 81 3320 6511, Fax: +55 81 3320 6512, E-Mail: p.travassos@depaq.ufrpe.br

CANADA**Scattolon, Faith***

Regional Director-General, Maritimes Region, Department of Fisheries & Oceans, 176 Portland Street, Dartmouth, Nova Scotia, B2Y 1J3
 Tel: +1 902 426 2581, Fax: +1 902 426 5034, E-Mail: scattolonf@mar.dfo-mpo.gc.ca

McMaster, Andrew

International Fisheries Advisor, Straddling and Highly Migratory Fish Stocks, International Fisheries Directorate; Fisheries and Aquaculture Management; Fisheries and Oceans Canada, 8E233, 200 Kent St., 8th floor, Ottawa, Ontario K1A 0E6
 Tel: +1 613 993 1897, Fax: +1 613 993 5995, E-Mail: andrew.mcmaster@dfo-mpo.gc.ca;

* Head Delegate.

CÔTE D'IVOIRE

Djobo, Anvra Jeanson*

Directeur des Productions Halieutiques, Ministère Production Animale et Ressources Halieutiques, 01 B.P. 5521, Abidjan 01
Tel: +225 21 25 28 83//225 07930344, Fax: +225 21 350 409, E-Mail: jeanson_7@hotmail.com

EGYPT

Osman, Mohamed Fathy*

Professor and Chairman of Fish Nutrition, Head of General Authority of Fisheries Resources Development (GAFRD),
Department at the Faculty of Agriculture, Aim Shams University, 4, El Tayaran Street, Nasr City District, Cairo
Tel: +202 226 20130, Fax: +202 2262 0117, E-Mail: osmohad30@yahoo.com;gafrd_eg@hotmail.com

EUROPEAN COMMUNITY

Duarte de Sousa, Eduarda*

Principal Administrator, European Commission DG Maritime Affairs and Fisheries, J-99 3/36, Rue Joseph II, 99, 1049
Brussels, Belgium
Tel: +322 296 2902 Fax: +322 295 5700 E-Mail: eduarda.duarte-de-sousa@ec.europa.eu

Grimaud, Vincent

European Commission DG Maritime Affairs and Fisheries, Rue Joseph II, 99, 1049 Brussels, Belgium
Tel: +322 296 3320 Fax: +322 295 5700 E-Mail: vincent.grimaud@ec.europa.eu

Cau, Darío

Italian Fisheries Ministry, Viale dell'Arte 16, 00144 Roma, Italy
Tel: +3906 5908 4527; Mobile: +39 34 7954 9438, Fax: +39 06 5908 4176, E-Mail: dariocau@yahoo.com;
FMC@guardicostiera.it

Conte, Fabio

Dipartimento delle Politiche Europee e Internazionali, Ministero delle Politiche Agricole, Alimentari e Forestali, Direzione
Generale della Pesca Marittima e Acquacoltura, Viale dell'Arte 16, 00144, Rome, Italy
Tel: +39 06 5908 4502, Fax: +39 06 5908 4176, E-Mail: f.conte@politicheagricole.gov.it

Fenech Farrugia, Andreina

Director Fisheries Control, Ministry for Resources and Rural Affairs, Veterinary Regulation Fisheries Conservation and
Control, Barriera Wharf, Valletta, Malta
Tel: +356 994 06894, Fax: +356 220 31221, E-Mail: andreina.fenech-farrugia@gov.mt

O'Shea, Conor

Regional Sea Fishery Control Manager, Sea Fisheries Protection Authority, West Cork Technology Park, Clonakilty, Cork
Ireland
Tel: +353 23 88 59300, Fax: +353 23 88 59720, E-Mail: conor.o'shea@sfpa.ie

Segovia, Luis Fernando

Segundo Jefatura de Misión, Ministro Consejero, Embajada de España, 3-29 Roppongi 1-chome, Minato-ku 106-0032,
Tokyo, Japón

FRANCE (ST. PIERRE & MIQUELON)

Lemeunier, Jonathan

Ministère de l'Agriculture et de la Pêche, Direction des Pêches Maritimes et de l'Aquaculture, 3, Place de Fontenoy, 75017
Paris, France
Tel: +33 1 4955 4390, Fax: +33 1 4955 8200, E-Mail: jonathan.lemeunier@agriculture.gouv.fr

JAPAN

Miyahara, Masanori*

Councillor, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku,
Tokyo 100-8907
Tel: +81 3 3591 2045, Fax: +81 3 3502 0571, E-Mail: masanori_miyahara1@nm.maff.go.jp

Fukui, Shingo

Fisheries Agency of Japan, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8204, Fax: +81 3 3595 7332, E-Mail: shingo.fukui@nm.maff.go.jp

Kuwahara, Satoshi

Fisheries Agency of Japan, Government of Japan, Far Seas Fisheries Division Resources Management Department, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8460, Fax: +81 3 3502 0571, E-Mail: satoshi_kuwahara@nm.maff.go.jp

Maruyama, Yasushi

Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8460, Fax: +81-3-3502-0571, E-Mail: yasushi_maruyama@nm.maff.go.jp

Ota, Shingo

Senior Fisheries Negotiator, International Affairs Division, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Tokyo, Chiyoda-Ku, 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-Mail: shingo_ota@nm.maff.go.jp

KOREA**Choi, Yongseok***

Embassy of the Republic of Korea in Japan, 1-2-5 Minami-Azabu, Minato-Ku, 106-8577 Tokyo, JAPON
Tel: +81 3-5476-3268, Fax: +81 03-3453-8964, E-Mail: 88badaro@hanmail.net

Park, Jeong Seok

Assistant Director, Ministry for Food, Agriculture, Forestry and Fisheries, International Fisheries Organization Division, 88 Gwanmunro Gwacheon-si, Gyeonggi-do 427-719
Tel: +82 2 500 2417, Fax: +822 503 9174, E-Mail: icdmomaf@chol.com

Seok, Kyu-Jin

National Fisheries Research Development Institute, MIFAFF, 408-1 Sirang-ri, Gijang-eup, Gijang-Kun, 408-1, Busan
Tel: +82-51-720-2321, E-Mail: icdmomaf@chol.com; pisces@mifaff.go.kr

SENEGAL**Diop, Moussa***

Chef de Division Aménagement et Gestion à la Direction des Pêches Maritimes, Ministère de l'Economie Maritime, Direction des Pêches Maritimes, 1, Rue Joris, B.P. 289, Dakar
Tel: +221 33 823 01 37, Fax: +221 33 821 4758, E-Mail: myccadiop@yahoo.fr; dopm@orange.sn

TURKEY**Elekon, Hasan Alper**

Engineer, Ministry of Agriculture and Rural Affairs, General Directorate of Protection and Control, Department of Fisheries, Akay Cad No. 3 - Bakanliklar, Ankara
Tel: +90 312 417 4176/3013, Fax: +90 312 418 5834, E-Mail: hasanalper@kkgm.gov.tr

UNITED KINGDOM (OVERSEAS TERRITORIES)**Parnell, Scott***

Sustainable Fisheries Manager, Polar Regions Unit, Overseas Territories Directorate, Foreign and Commonwealth Office, WH.2.302 King Charles Street, London, SW1A 2AH, United Kingdom
Tel: +44 207 008 2614 Fax: +44 020 7008 2086, E-Mail: scott.parnell@fco.gov.uk

Ward, Deborah S.

Foreign and Commonwealth Office (UK), King Charles Street, London, SW1A 2AH United Kingdom
Tel: +44 020 7008 3986, Fax: +44 020 7008 2086, E-Mail: Debbie.Ward@fco.gov.uk

UNITED STATES**Lent, Rebecca***

Director, Office of International Affairs, National Marine Fisheries Service-NOAA, 1315 East-West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 9090, Fax: +1 301 713 2313, E-Mail: rebecca.lent@noaa.gov

Rogers, Christopher

Chief, Trade and Marine Stewardship Division, Office of International Affairs, National Marine Fisheries Service/NOAA (F/IA), U.S. Department of Commerce, 1315 East-West Highway- Rm. 12657, Silver Spring, Maryland 20910
Tel: +1 301 713 9090, Fax: +1 301 713 9106, E-Mail: christopher.rogers@noaa.gov

Blankenbeker, Kimberly

Foreign Affairs Specialist, Office of International Affairs, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-Mail: kimberly.blankenbeker@noaa.gov

King, Melanie Diamond

NOAA-National Marine Fishery Service, 1315 East West Highway F/IA, Silver Spring, Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-Mail: melanie.king@noaa.gov

Park, Caroline

NOAA Office of the General Counsel for Fisheries, 1315 East-West Highway, SSMC3-Rm. 15141, Silver Spring, Maryland 20910
Tel: +1 301 713 9675, Fax: +1 301 713 0658, E-Mail: caroline.park@noaa.gov

Thomas, Randi Parks

U.S. Commissioner for Commercial Interests, National Fisheries Institute, 7918 Jones Branch Dr. #700, McLean, Virginia 22102
Tel: +1 703 752 8895, Fax: +1 703 752 7583, E-Mail: Rthomas@nfi.org

Warner-Kramer, Deirdre

Senior Foreign Affairs Officer, Office of Marine Conservation (OES/OMC), U.S. Department of State, Rm. 2758, 2201 C Street, NW, Washington, DC 20520-7878
Tel: +1 202 647 2883, Fax: +1 202 736 7350, E-Mail: warner-kramerdm@state.gov

OBSERVERS FROM COOPERATING NON-CONTRACTING PARTIES, ENTITIES, FISHING ENTITIES

CHINESE TAIPEI

Huang, Hong-Yen*

Fisheries Agency, Council of Agriculture, No. 7^o-1, Sec1, Jinshan South Rd., 100 Taipei
Tel: +886 7 823 9828, Fax: +886 7 815 8278, E-Mail: hangyen@ms1.fa.gov.tw

Kung, Ho-Hsin

Fisheries Agency, Council of Agriculture, No. 7^o-1m - Sec. 1, Jinshan South Rd., 100 Taipei
Tel: +886 2 3343 6093, Fax: +886 2 3343 6128, E-Mail: hohsin@ms1.fa.gov.tw

Kuo, Chin-Lau

Taipei Economic and Cultural Representative Office in Japan, 20-2 Shirokanedai 5-Chome, Minato-Ku, 108-0071, Tokyo, Japan
Tel: +81 3 3280 7886, Fax: 81 3 3280 7928, E-Mail: hongchy@ms49.nin

Hsia, Tracy, Tsui-Feng

Secretary, Overseas Fisheries Development Council, No. 19, Lane 113, Sec.4 Roosevelt Road, 106 Taipei
Tel: +886 2 2738 1522 (Ext. 111), Fax: +886 2 2738 4329, E-Mail: tracy@ofdc.org.tw

Sung, Raymond Chen-En

Legal Adviser, Overseas Fisheries Development Council, No. 19, Lane 113, Sec.4 Roosevelt Road, 106, Taipei
Tel: +886 2 2738 1522, Fax: +886 2 2738 4329, E-Mail: cesung2@gmail.com

SCRS Chairman

Scott, Gerald P.

SCRS Chairman, NOAA Fisheries, Southeast Fisheries Science Center Sustainable Fisheries Division, 75 Virginia Beach Drive, Miami, Florida, 33149
Tel: +1 305 361 4261, Fax: +1 305 361 4219, E-Mail: gerry.scott@noaa.gov

ICCAT SECRETARIAT

C/ Corazón de María, 8 – 6th fl., 28002 Madrid, Spain
Tel: + 34 91 416 5600; Fax: +34 91 415 2612; E-Mail: info@iccat.int

Meski, Driss
Restrepo, Victor
Kebe, Papa
Seidita, Philomena
García-Orad, María José
Navarret, Christel

Interpreters

Faillace, Linda
Liberas, Christine
Linaae, Cristina
Meunier, Isabelle
Sánchez del Villar, Lucia
Tedjini Roemmele, Claire

Appendix 3 to ANNEX 4.3

**Recommendations for Priority Issues Identified
in the Review of the ICCAT Convention**

- Precautionary Approach
- Ecosystem considerations, including by-catch
- Contribution scheme
- Provisions to strengthen participation of non-Parties to the Convention
- Decision-making processes:
 - Timing of entry into force of recommendations
 - Voting rules
 - Objection procedures
 - Dispute settlement procedures
- Capacity-building and assistance to developing States

Appendix 4 to ANNEX 4.3

Recommendations for Other Actions Needed to Strengthen ICCAT

Ecosystem-based management

- The Commission should embark upon identifying a fuller range of goals for the Convention Area ecosystem components impacted by the fleets, especially those related to concerns beyond targeted species, and to make these operational.
- The SCRS should then use models which incorporate best knowledge of ecosystem dynamics and account for the identified goals to identify critical data gaps, and ecological processes, and guide research and data collection needed for testing and implementation of EBFM.
- It is apparent that the data demands for fully implementing EBFM are more intense than for single species fishery management approaches, but until the necessary investments are made and research is done, it is not possible to know what the optimal management tools and their data requirements will be for EBFM. However, at a minimum, it is critical to have a full accounting of the catch composition and disposition of the fleets impacting ICCAT species of concern as well ecologically related species. As such, the Commission should take steps designed to intensify and improve scientific observer programs, sampling programs, tagging programs, and research to support these requirements.

- Until a full EBFM approach can be implemented, the Commission should consider, implementing precautionary management as a Best Practice to address, to the degree possible, unaccounted ecosystem concerns.

Commission functioning

- Take interim steps to enhance the participation of Cooperating non-Contracting Parties, Entities, and Fishing Entities.
- Establish a pilot project for using the Kobe 2 Strategy Matrix.
- Develop mechanisms to incorporate socio-economic analysis into decision-making.
- Consider reorganizing Panels 2 and 3 and consider establishing new Panel 5 for sharks and associated species.
- Continue work on capacity, including in the Capacity Working Group, and in particular expand its focus beyond bluefin tuna fisheries.
- Continue work on MCS, including in the Integrated Monitoring Working Group, with a particular focus on adopting and implementing port State measures in light of the finalization of the text at FAO, and observer programs.
- Continue work on catch documentation schemes and other market measures.
- Prohibit the stock piling of carryovers.
- Adopt recommendations that consolidate all existing measures applicable to an issue.
- ICCAT and its Members should fully engage in the Kobe II Workshops planned for 2010, as they are addressing issues central to the strengthening of ICCAT.

Capacity-building and assistance to developing States

- Undertake a comprehensive study of existing capacity-building and assistance programs within ICCAT.
- Consider a survey to identify capacity-building needs among ICCAT members.
- Develop a coordinated strategy for ICCAT assistance and capacity-building programs.

Compliance Committee

- Build on the 2009 Compliance Committee inter-sessional meeting and continue improving the Committee's functioning, including developing mechanisms to assist the Chairman of the Committee, and to ensure transparency and due process in submission and review of information.
- Hold additional sessions of the Compliance Committee separate from the annual Commission meeting.

Panels

- Consider relevant recommendations and conclusions from the Performance Review for possible development of ICCAT Recommendations, or a detailed rationale for any decision not to act on each recommendation, for the consideration of the Commission.

SCRS

- Consider relevant recommendations and conclusions from the Performance Review for possible implementation, or a detailed rationale for any decision not to act on each recommendation, for the consideration of the Commission.

Appendix 5 to ANNEX 4.3**Ecosystem-Based Fishery Management**

The Performance Review Panel recommended that the Commission consider the need to adopt the ecosystem approach or ecosystem-based management in a more formal and systematic manner. It is generally acknowledged that Ecosystem Based Fishery Management (EBFM) is, at the moment, not well defined and open to a broad array of interpretation. It is also generally acknowledged that the task of progressing towards EBFM will be difficult and require substantial new investments into long-term monitoring with means other than simple fisheries data.

Improving management to take ecological and ecosystem effects into account will require greatly expanded monitoring and research; improvement in the understanding of interactions among fleets, the fish they catch, and the predators and prey of the harvested species; as well as understanding costs and benefits for different management alternatives.

Substantial additional funding and resources to support the monitoring and research within CPCs will be needed to get this work done. The expected benefits of EBFM include explicit incorporation of societal goals into fishery management, more stable and predictable long-term yields, and the maintenance of ecosystem goods and services into the future (Marasco *et al.* 2007)¹.

Although it is expected that many years and substantial research and data collection investments will be required for implementation, testing, and adaptation of EBFM, there are some ways of moving forward. The Working Group on the Future of ICCAT (WGFI) recommends:

- 1) The Commission should embark upon identifying a fuller range of goals for the Convention area ecosystem components impacted by the fleets, especially those related to concerns beyond targeted species, and to make these operational.
- 2) The SCRS should then use models which incorporate best knowledge of ecosystem dynamics and account for the identified goals to identify critical data gaps, and ecological processes, and guide research and data collection needed for testing and implementation of EBFM.
- 3) It is apparent that the data demands for fully implementing EBFM are more intense than for single species fishery management approaches, but until the necessary investments are made and research is done, it is not possible to know what the optimal management tools and their data requirements will be for EBFM. However, at a minimum, it is critical to have a full accounting of the catch composition and disposition of the fleets impacting ICCAT species of concern as well ecologically related species. As such, the Commission should take steps designed to intensify and improve scientific observer programs, sampling programs, and research to support these requirements.
- 4) Until a full EBFM approach can be implemented, the Commission should consider implementing precautionary management as a Best Practice to address, to the degree possible, unaccounted ecosystem concerns.

¹ Richard J. Marasco, Daniel Goodman, Churchill B. Grimes, Peter W. Lawson, Andre E. Punt, and Terrance J. Quinn II. 2007. Ecosystem-based fisheries management: some practical suggestions. *Can. J. Fish. Aquat. Sci.* 64: 928-939.

**Principles on Decision Making for Conservation and Management
Measures in light of ICCAT Objectives**

1. *Maximum sustainable catch (also known as maximum sustainable yield (MSY)), status determination criteria, and reference points*

For each managed stock, ICCAT should specify the MSY, criteria for determining the status of the stock (e.g., when overfishing is occurring and when a stock is overfished), and conservation and management reference points.

MSY is not a static concept. It is an estimate of the long-term average catch that can be taken from a stock under prevailing ecological and environmental conditions and fishery characteristics (e.g., gear selectivity, location of fishing activities, and distribution of catch among fleets). MSY should be re-estimated as needed [at periodic intervals?] to address changes in ecological and environmental conditions and fishery characteristics.

MSY should take into consideration the catch of fish retained for any purpose, as well as the mortality of discarded fish. Interactions of a stock with other species in the ecosystem should also be taken into consideration to the extent possible.

Conservation (“limit”) reference points should be used to constrain harvesting within safe biological limits within which stocks can produce MSY. Management (“target”) reference points should be used to meet management objectives.

2. *Best available scientific information and precautionary approach*

MSY and conservation and management measures should be based on the best scientific information available at the time of the decision.

The absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management actions that are needed. ICCAT shall be more cautious when information is uncertain, unreliable, or inadequate.

In conducting stock assessments and developing conservation and management measures, ICCAT should take into account uncertainties relating to the size and productivity of stocks, reference points, stock condition in relation to such reference points, levels and distributions of fishing mortality, the impact of fishing activities on non-target and associated or dependent species, and existing and predicted oceanic, environmental, and socio-economic conditions.

Reference points should be stock-specific and account for reproductive capacity, the resilience of each stock, and the characteristics of fisheries exploiting the stock, as well as other sources of mortality and major sources of uncertainty. Scientific and management uncertainty should both be taken into consideration.

When information for determining reference points is poor or absent, provisional reference points (or reasonable proxies) should be used, based on the best scientific information available.

3. *Decision making on conservation and management measures*

Conservation and management measures should be designed to maintain or restore stocks at levels capable of producing MSY.

Management strategies shall seek to maintain or restore stocks at levels consistent with agreed-upon reference points. ICCAT should adopt conservation and management actions that would take effect immediately when reference points are triggered.

Management strategies shall ensure that the risk of exceeding limit reference points is very low. Measures should have at least a 50% probability of achieving the conservation and management objectives for stock. Higher probabilities should be used, as appropriate, to address the uncertainty that current conditions will prevail during the entire period of a management action.

If a stock falls below a limit reference point, or is at risk of falling below the limit reference point, conservation and management action should be initiated to facilitate stock recovery. Management strategies shall ensure that target reference points are not exceeded on average.

The fishing mortality rate that generates MSY should be regarded as a minimum standard for limit reference points.

For stocks that are experiencing overfishing, conservation and management measures should be designed to end the overfishing immediately.

For overfished stocks, the biomass that would produce MSY may serve as a rebuilding target. ICCAT should specify a time period for rebuilding that is as short as possible, taking into account the status and biology of the stock and socio-economic and ecosystem considerations.

For stocks that are not experiencing overfishing or overfished, management strategies shall ensure that fishing mortality does not exceed that which corresponds to MSY, and that the biomass does not fall below a predefined threshold.

ICCAT decisions should be based on the scientific advice of SCRS. If a CPC proposes a measure that is inconsistent with SCRS advice, ICCAT should not adopt the measure unless the CPC explains why it is not following SCRS advice and what the probability is that the proposal will accomplish the conservation and management objectives for the stock.

Appendix 7 to ANNEX 4.3

Future of ICCAT Working Group Suggestions for Improvements in COC Process

Compliance Task Force

Due to the level of work required to analyze information and prepare reports for the annual meeting, CPCs should consider providing assistance to the Chair of the Compliance Committee through a Compliance Task Force. Options for establishing this Task Force could include election of one or two vice chairs, formation of a small working group of CPC delegates familiar with the compliance information (Friends of the Chair), hiring additional staff within the ICCAT Secretariat, or contracting independent consultants with knowledge and expertise about the ICCAT fisheries. The budget for this activity would be discussed by STACFAD and agreed by the Commission at the 2009 meeting. Based on budget evaluation and an affirmative decision by the Commission, the preferred approach to obtaining expert assistance (CPC delegates, Secretariat staff or consultants) would be decided at the 2009 ICCAT Meeting and work would begin in 2010. In the mean time, the Secretariat will continue to work with the COC Chair to develop more user-friendly presentations and analyses that will inform the COC and facilitate its work.

The role of the Task Force would be to compile and analyze information from numerous sources, including:

- ICCAT databases constructed from information submitted by CPCs.
- Relevant CPC data (e.g., logbook, observer, and trade data) not currently required to be submitted to ICCAT. The Task Force would formally request this data in order to verify reports to ICCAT or clarify any questions or concerns of the Task Force. Confidentiality agreements may be required.
- Other appropriate sources (e.g., public sources or third party sources).

Based on the analysis of this information, the Task Force would note, for each CPC, potential failures to implement conservation measures (quota levels, minimum size limits, time/area closures, etc.), problems in

reporting the required data, or deficiencies in monitoring and control activities. The results of the analysis of the Task Force would be shared with the concerned CPC prior to the Compliance Committee meeting. The CPCs would have an opportunity to provide information to clarify or refute the identified concerns. A revised document, including CPC responses, would be used as the basis for a systematic review of each CPC's compliance at the annual Compliance Committee meeting.

Penalty schedule and incentives

Due to the need to improve compliance with ICCAT measures, the Compliance Committee should develop a penalty schedule. The penalty schedule would create categories of compliance deficiencies in terms of the potential adverse impact on ICCAT's management programs. The penalty schedule would also specify appropriate sanctions for each category. The sanctions should be designed to provide an incentive to improve compliance and should consider the need for capacity building. Such sanctions could include reductions to quotas or allocations, trade measures, fleet limits, special reporting requirements, independent monitoring, or other penalties. Once adopted by the commission, the penalty schedule would serve as guidance for the Compliance Committee to apply to each CPC after completing the systematic review of compliance. In applying the penalty schedule, the Compliance Committee would consider actions that CPCs have taken, or will take, under their domestic enforcement authorities in the exercise of their flag state, port state or market state responsibilities, and also actions taken by CPCs to build their enforcement and data collection capabilities. Positive incentives for transparency and good compliance should also be developed.

Separate Compliance Committee meeting

Due to the amount of time needed for a systematic review of each CPC, the Compliance Committee meeting should be held during a period of time separate from and prior to the annual Commission meeting. The selection of the meeting dates should consider the time needed for data compilation and analyses, in particular data submitted by July 31st as required under ICCAT procedures. In addition, the scheduling of the meeting should consider minimizing travel costs so as to ensure participation by all CPCs. As deemed necessary by the Commission, special inte-sessional meetings of the Compliance Committee could be scheduled to address particular concerns about management of a certain species or about implementation of specific monitoring programs.

Results of the COC deliberations, including the determinations of non-compliance and the appropriate penalties, would be forwarded to the plenary session at the annual meeting. Should additional time be necessary for discussions at the annual meeting, specific sessions may be scheduled for continuation of the Compliance Committee deliberations.

Appendix 8 to ANNEX 4.3

**Indicative List of Performance Review Panel
Findings and Recommendations to be Considered by Panels**

The following are taken from the report of the ICCAT Performance Review Panel. In all cases within the excerpted findings and recommendations, the reference to "the Panel" refers to the Performance Review Panel itself, and not to an ICCAT stock management Panel.

Panel 1

- 23. The Panel is concerned that there appears to be little knowledge and information on skipjack tuna. The Panel considers that skipjack tuna fisheries should be managed in such a way as not to cause conservation concerns for other species, particularly including other species of tunas.
- 26. Given the steady decline in catches of yellowfin tuna, the Panel is surprised that stock assessments are not conducted more frequently.

35. The Panel recommends that ICCAT develop and adopt more effective measures to deal with the catch of small yellowfin tuna including closer regulation and reduction in the use of FADs on the West Africa coast.
36. The Panel recommends that more effective measures be developed and adopted to deal with the catch of small bigeye tuna including closer regulation of FAD use; that efforts continue to be made to improve the timeliness and accuracy of Task I and Task II data; that ICCAT continues to rigorously follow the scientific advice in the setting of overall total allowable catches for the fishery to have a high probability that the stock stays above B_{MSY} and that if longlining activity increases in a response to demand, that this be immediately factored into management decisions.
37. The Panel notes that with skipjack prices around \$2000 per ton, further pressure will be applied to these stocks and ICCAT will have no measure in place to manage the additional catches. This does not appear to be a sound approach for the management of this fishery.

Panel 2

19. For albacore tuna, the Panel recommends that catches for the northern stock be decreased such that fishing mortality is consistent with F_{MSY} . The Panel also recommends that more information be collected for Mediterranean albacore and that an assessment be conducted at the earliest possible date.
20. For bluefin tuna, the Panel concludes that the Commission objectives are not being met, and by far.
38. The Panel recommends that all fishing for East Atlantic and Mediterranean bluefin tuna be immediately suspended until the CPCs involved in those fisheries, their nationals and companies operating in their waters, agree to fully abide by the rules and recommendations of ICCAT and international fisheries law. The Panel considers that this decision is the only way to stop the continuation of what is seen by observers and by other CPCs as a travesty in fisheries management.
39. The Panel further recommends that the suspension only be lifted when ICCAT CPCs adopt measures consistent with ICCAT decisions and individual CPCs can demonstrate that they can control and report on their catch. Alternatively the Panel recommends that ICCAT implements a full Secretariat based auditing and inspection regime for bluefin tuna fishing in the eastern Atlantic and Mediterranean.
40. In addition the Panel recommends that the extent and consequences of mixing of the East and West Atlantic stocks be fully evaluated as a matter of priority, including, if necessary through further field studies and research program to better understand migratory and spawning patterns. The basis for management should be made consistent with the results of those investigations as soon as the results are available. This recommendation is not to be used in any way as an excuse for inaction on the first recommendation; it is supplementary research.
41. The Panel further recommends that ICCAT consider an immediate closure of all known bluefin tuna spawning grounds at least during known spawning periods.
46. Consistent with the recommendations for bluefin tuna fisheries in the east Atlantic and Mediterranean, the Panel recommends that in respect of bluefin tuna farming all fishing for eastern and Mediterranean bluefin be suspended immediately until all CPCs involved in farming activities develop and implement controls necessary to effectively control, monitor and report the catch, transfer and grow-out of bluefin tuna in the farming operations in the Mediterranean. The new measures to be taken should include: the adoption of the recommendations on farming outlined in Rec. 06-07; the development of consistent auditable systems to monitor the number and weight of fish transferred into the grow-out cages; the use of independent auditors to randomly check farming operations with CPC representatives; full catch and market documentation; and the development of a strict penalty regime to be applied to member nationals or companies found in violation of the farming provisions.

Panel 4

21. While recognizing the difficulties of collecting reliable data on marlins and sailfish, particularly when caught as relatively rare by-catches in fisheries aimed principally at other species, the Panel notes that the duty to conserve all species under the purview of ICCAT implies an obligation to collect and make available relevant information to assess the status of the resources and the effect of exploitation on them.
22. On sailfish, the Panel considers that it would be prudent to stabilize or reduce fishing mortality, but the paucity of information makes it difficult to quantify any reduction that may be required.
24. The Panel notes that recommending a TAC of 14,000 t for North Atlantic swordfish, when MSY is estimated to be 14,100 t leaves very little margin for uncertainties in the assessment and error of implementation.
25. The Panel considers that swordfish fisheries in the Mediterranean are in need of further coordinated management in order to achieve the Commission's objective. The apparent success of past management initiatives in the north Atlantic should provide sufficient incentives for the Commission and CPCs to act decisively in the management of Mediterranean swordfish fisheries.
27. The Panel notes with great concern that, three years after it became mandatory through Rec. 04-10 for CPCs to report Task I and Task II data for sharks, in accordance with ICCAT data reporting procedures, including available historical data, most parties are still not complying with the recommendation. The Panel recommends that CPCs comply with Rec. 04-10 immediately.
42. The Panel is concerned at the status of the blue and white marlin stocks. The Panel considers that Recommendation 06-09 could be enhanced with the immediate provision of improved data to the SCRS. The Panel is concerned that there may be insufficient data for the next stock assessment (in 2010) to confidently assess stock size and status. Recommendation 06-09 should be reviewed to ensure that effective assessment and decisions can be taken and implemented in relation to these stocks no later than 2010.
43. The Panel is concerned at the management of the fisheries on Mediterranean swordfish and recommends that the implementation of 07-01 be closely monitored and if necessary decisions to reduce the catch to levels consistent with scientific advice be taken at the Commission's 2008 meeting; that drift netting and gill netting cease immediately in the Mediterranean; and that action is taken by Mediterranean CPCs to immediately improve the quality and timeliness of data for this species provided to ICCAT.
45. The Panel is concerned that with the present situation in relation to data and compliance, the conclusion could be drawn that some parties to ICCAT hold in contempt the resolutions and recommendations in relation to the management of sharks and shark by-catch and the provision of related data. The Panel recommends that CPCs immediately take the management of shark fisheries and shark by-catch seriously and implement and comply with the ICCAT recommendations and resolutions to provide accurate and reliable data to the SCRS.

In addition, the following Recommendations from the Performance Review should be considered by all Panels, as they may be applicable to the management of multiple ICCAT species.

47. The Panel strongly recommends that ICCAT immediately discontinue the practice of allowing the carry forward of uncaught allocations in all fisheries.
48. The Panel recommends that for all fisheries in ICCAT, fishing capacity is immediately adjusted to reflect fishing opportunities or quota allocations.
51. The Panel recommends that the SCRS endeavor to provide simple, succinct and user-friendly advice to fisheries managers and Commissioners on the status of ICCAT stocks and the expected effects of potential management measures; that ICCAT Contracting Parties review their current management recommendations to ensure that they align with the current scientific assessment of the status of the stocks; and that ICCAT consider seriously the structure and basis of its decision making framework particularly in relation to fisheries management. A decision making framework should be adopted that guides the outcome of decisions and forces discipline consistent with the objectives of ICCAT on CPCs.

52. The Panel recommends that, once the binding criteria for allocation are developed pursuant to previous recommendation and agreed the current allocations should be reviewed and either confirmed or amended; that ICCAT should consider allowing the purchase and transferability of quota from existing to new members as a method to encourage compliance and the entry of new members; and that any future allocations to new members should be fairly negotiated and the agreed criteria strictly applied. In reviewing current allocations paragraphs 2, 16, 17, 18 and 22 of 01-25 should be applied and those parties found not to be in compliance should have their allocations reduced until they do comply with these provisions.
55. The Panel noted the importance of the recreational and sport fishing sectors and the interest shown by the sector in providing submission to the review (two of the eight submissions received were from the sport fishing fraternity). The Panel noted with concern that the Working Group on Sport and Recreational Fishing scheduled to meet in 2007 or early 2008 will now not meet until 2009.
56. The Panel recommends that ICCAT CPCs take this issue seriously and be more inclusive towards the recreational and sport fishing sector in future deliberations of ICCAT regarding fisheries management. While RFMOs were established principally to manage commercial fisheries, the “real interest” of recreational and charter industries predates the commercial sectors in some of these fisheries. In addition the recreational and charter industries have developed to the point where they are effective lobby groups in their own right and good public policy would suggest that they be incorporated into the ICCAT process.

Appendix 9 to ANNEX 4.3

Indicative List of Performance Review Panel Findings and Recommendations to be Considered by SCRS

The following are taken from the report of the ICCAT Performance Review Panel. In all cases within the excerpted findings and recommendations, the reference to “the Panel” refers to the Performance Review Panel itself, and not to an ICCAT stock management Panel.

19. For albacore tuna, the Panel recommends that catches for the northern stock be decreased such that fishing mortality is consistent with FMSY. The Panel also recommends that more information be collected for Mediterranean albacore and that an assessment be conducted at the earliest possible date.
26. Given the steady decline in catches of yellowfin tuna, the Panel is surprised that stock assessments are not conducted more frequently.
28. The Panel urges CPCs to make data and scientific expertise available to the SCRS so that progress can be achieved in short order on evaluating the effect the fisheries under the purview of ICCAT have on seabirds and turtles.
29. The Panel recommends that CPCs ensure that scientists participating in SCRS activities have a good balance between quantitative skills and knowledge of the fisheries and of tuna biology.
30. The Panel recommends that CPCs send trained and knowledgeable scientists to the SCRS meetings for all fisheries in which they have substantial involvement.
31. The Panel recommends that CPCs collect accurate Task I and Task II data from all their fisheries according to ICCAT protocols and report them in a timely fashion to the ICCAT Secretariat. The Panel further recommends that consideration be given to modify the ICCAT observer program to collect such data.
32. The Panel recommends that the provision of Rec. 07-08 preventing access to VMS data less than 3 years old by SCRS scientists be removed at the next Commission meeting and that SCRS scientists be immediately given access to current VMS data.
33. The Panel recommends that ICCAT identifies three or four priority knowledge gaps that need to be resolved and that scientific programs be developed to resolve those issues in a timely manner.

34. The Panel recommends that for stocks where fishing mortality is estimated to be close to FMSY or biomass is expected to be less than or close to BMSY, comprehensive conventional tagging programs be developed and carried out to estimate fishing mortality and biomass more reliably.
40. In addition the Panel recommends that the extent and consequences of mixing of the East and West Atlantic stocks be fully evaluated as a matter of priority, including, if necessary through further field studies and research program to better understand migratory and spawning patterns. The basis for management should be made consistent with the results of those investigations as soon as the results are available. This recommendation is not to be used in any way as an excuse for inaction on the first recommendation; it is supplementary research.
49. Given the numerous references and recommendations and resolutions in the ICCAT Compendium relating to improvements in data collection, the Panel finds it difficult to formulate a recommendation that might make a difference. The Panel strongly believes that: misreporting must stop immediately; CPCs must collect and report Task I and Task II data in a timely manner within the agreed time limits; effort should be continued to build capacity in developing CPCs and improve reporting by developed CPCs and CPCs who continually fail to comply should be subject to an appropriate penalties regime. Such a regime should be severe and be enforceable.
51. The Panel recommends that the SCRS endeavor to provide simple, succinct and user-friendly advice to fisheries managers and Commissioners on the status of ICCAT stocks and the expected effects of potential management measures; that ICCAT Contracting Parties review their current management recommendations to ensure that they align with the current scientific assessment of the status of the stocks; and that ICCAT consider seriously the structure and basis of its decision making framework particularly in relation to fisheries management. A decision making framework should be adopted that guides the outcome of decisions and forces discipline consistent with the objectives of ICCAT on CPCs.

4.4 REPORT OF THE MEETING OF THE WORKING GROUP MEETING ON SPORT AND RECREATIONAL FISHERIES (Recife, Brazil – November 6, 2009)

1. Opening of the Meeting

The meeting was opened by the Commission Chairman, Dr. Fabio Hazin, who welcomed the participants and stressed the important nature of this meeting which is held for the first time in accordance with *Resolution by ICCAT to Establish a Working Group on Sport and Recreational Fisheries* [Res. 06-17].

2. Election of the Chairman

Mr. Abdou Got Diouf (Senegal) was elected as Chairman of the Working Group on sport and recreational fisheries.

3. Designation of the rapporteur

Mr. Jonathan Lemeunier (European Community) was designated as rapporteur.

The Agenda was adopted with no changes and is attached as **Appendix1 to ANNEX 4.4**.

4. Review of the biological and economic impact of the sport and recreational activities on the stocks under ICCAT mandate and assessment of the level of catches.

Dr. Gerry Scott, SCRS Chairman, conducted a presentation on the information currently available on data regarding sport and recreational fisheries which is currently available. Dr. Scott indicated that there did not exist an official definition of these fisheries prior to 2006, catches were declared by gear categories which did not indicate whether there was intention to trade. At present, the data collection is being carried out following two categories of activities: a rod and reel (RR) category and a “*sport*” (SP) category. Furthermore, Dr. Scott stated that from the available data it is impossible to distinguish the catches which have been taken by fishermen carrying a sport or recreational fishing license or adhering to a sport organization. Moreover, some catches carried out with rod and reel are commercialized and thus the collection of data by gear does not probably adjust to the definitions of sport and recreational fisheries as stated in Recommendation 08-05 as non-commercial fisheries.

A survey which started in 1997 and which was updated in 2007 by the SCRS identified the type of sport and recreational fisheries by CPC and by species managed by ICCAT. It seems that some CPCs have not collected or declared these fishery statistics to ICCAT during all the years of the survey and for all the species. Some CPCs do not have mechanisms or infrastructures to collect reliable data on sport and recreational fisheries. In general, the Task I data show a decline of total catches for all species and flags in recent years (from 17,500 t in 2004 to 6,000 t in 2008). This decline could be a result of the reduction in fishing mortality associated with some fisheries where there is a satisfactory level of transmittal including in particular, a decline of rod and reel catch landings, but also due to the lack of programs adapted for the collection of data in some States.

The Working Group agreed on the important nature of sport and recreational fisheries in socio-economic terms and on the need to substantially improve the knowledge of these fisheries for an improved assessment of their potential impact on the stock species under ICCAT mandate. It was recognized that at present it is difficult to calculate this impact considering the limited data transmitted to ICCAT. Thus, a consensus was reached on the urgent need to make all the reliable data available and define common methodologies for the collection of these data: the collection models developed by the CPCs with significant experience regarding the management of sport and recreational fisheries could also serve as guidelines. Moreover, it was stated that the implementation of tagging and sampling programs, including studies of post-mortality release, could provide valuable additional information for scientific assessment of the impact of these fisheries.

Sport and recreational fisheries Associations (CIPS, IGFA) intervened during the meeting of the Working Group and presented some specific proposals as well as their concerns. Underlining the socio-economic importance of

this type of fishery, the Associations recognized the need to proceed with the collection of data and expressed their will and intention to collaborate to this end.

5. Identification of management approaches of sport and recreational activities in ICCAT fisheries

The Working Group recognized that the concepts on sport and recreational fisheries comprise very different activities: thus, the Working Group considered that currently one of the main objectives is to work with the aim of developing of a common definition at ICCAT level allowing the encompassing of all these realities. The discussions mainly focused on the non commercial nature of these fisheries which could be a main criterion of this definition. In response to a proposal and with the information of CPCs that participated in the Working Group, the Secretariat distributed a document comprising the different definitions that currently exist at the level of FAO, ICCAT (Rec. 08-05), the European Community and other authorities (see **Appendix 2 to ANNEX 4.4**). This document will serve as a basis for consideration by ICCAT with the aim of reaching a common definition of sport and recreational fisheries. It was recognized that this list of definitions was not exhaustive and could be completed with additional definition proposals.

Later, the CPCs presented their internal mechanisms for the management, control and monitoring of their sport and recreational fisheries: thus it is shown that the levels of management, control and monitoring of these fisheries could be very different according to the States and that it is globally necessary to significantly strengthen the management mechanisms applicable in this field. It was also recognized that some CPCs (in particular United States) have more experience in this field from which other CPCs could benefit when developing standardized management, control and monitoring measures. In this regard, some CPCs have requested assistance from ICCAT and its members which would enable them to improve the organization of the management and monitoring of their sport and recreational fisheries.

In general, the Working Group considered under ICCAT's mandate it can establish certain rules and guidelines regarding the management of sport and recreational fisheries for the species contemplated by the Convention, which does not exclude in any form the actual competences of the CPCs to adopt at internal level specific mechanisms adapted to the context and national fisheries. In this regard, it was stressed that it should be established that all CPCs must notify their complete information to ICCAT on the implementation of national mechanisms. One of the main objectives of the Working Group is to guarantee that the CPCs establish an appropriate monitoring of their sport and recreational fisheries activities.

6. Review of the recommendations focused on the next procedures to be carried out to manage the sport and recreational fisheries activities in the Convention Area.

On the basis of the discussions that were maintained during the first meeting, the Working Group on sport and recreational fisheries proposed a work plan to the ICCAT Commission in accordance with the guidelines below:

- The Working Group recommends the Commission to request all CPCs to submit detailed, complete and reliable data on their sport and recreational fisheries for all species under the ICCAT mandate, including estimates of post-release mortality, where available.
- To aim to establish a framework for the presentation of these data, during its 2010 meeting, the Commission should define common methodologies for the collection of data, based on a proposal of the SCRS and including, in particular, the data from sampling, tagging and counting programs.
- During its 2010 meeting, the Commission should also work to develop a common definition of sport and recreational fisheries on the basis of the attached document (**Annex 2**) and complementary definition proposals which could be presented by the CPCs, considering the criteria related to the non commercial nature of these fisheries.
- Prior to June 30, 2010, all CPCs will provide a report describing their sport and recreational fisheries and detailing the mechanisms implemented by CPCs at national level aimed at managing, controlling and monitoring these fisheries.
- During the 2010 meeting, the Commission will review the different measures that could be adopted at ICCAT level regarding management, control and monitoring.

It was also recommended that the Working Group continue to work during the inter-sessional period to prepare the Commission's work during its 2010 meeting. The work carried out during the inter-sessional period will be

supported by a think tank Group, composed of CPCs that have advanced experience regarding the management of sport and recreational fisheries (in particular Canada, European Community and United States) and other CPCs interested, as well as observer organizations (in particular CIPS and IGFA).

7. Other matters

No other matters were discussed.

8. Adoption of the report

The report was adopted by the ICCAT Commission during its 2009 plenary session.

9. Closure

After discussing all the items of the Agenda, the Chairman of the Working Group on sport and recreational fisheries thanked all the delegations of CPCs for their active participation and the first meeting of the Working Group was adjourned.

Appendix 1 to ANNEX 4.4

Agenda

1. Opening of the Meeting
2. Election of Chair
3. Nomination of Rapporteur
4. Examination of the biological and economic impact of recreational and sport fishing activities on ICCAT managed stocks and assessment of the level of harvest.
5. Identification of approaches for managing the recreational and sport fishing activities in ICCAT fisheries.
6. Consideration of recommendations for next steps to manage the recreational and sport fishing activities in the Convention area.
7. Other matters
8. Adoption of the Report
9. Adjournment

Appendix 2 to ANNEX 4.4

Definitions of Sport and Recreational Fisheries

1. From Rec. [08-05]:
 - "Sport fishery" means a non-commercial fishery whose members adhere to a national sport organization or are issued with a national sport license.
 - "Recreational fishery" means a non-commercial fishery whose members do not adhere to a national sport organization or are not issued with a national sport license.
2. From: FAO Studies and Reviews No. 81 (2007) "*Recreational Fisheries in The Mediterranean Countries: A Review of Existing Legal Frameworks*"

In general, recreational fisheries can be defined as a non-commercial (i.e. not for sale, barter, or trade) subset of capture/harvest fisheries; motivated by catching fish for fun, pleasure, or sport.¹⁰ More formally, Cacaud (2005) defined recreational fisheries as "all types of fishing activities including sport fishing activities undertaken by any individual, with or without a boat, for leisure purposes, and does not involve the selling of

fish or other aquatic organisms”. This definition further assumes that RF activities are not motivated by a dependence on fish for food. Within this broad definition, one may further categorize recreational fisheries into amateur, tourism, and sport/competition recreational fishing; each having their own associated goals and defined as follows:

Amateur fishing,¹ for the purposes of this review, is defined as unorganized hobby fishing.

Unorganized in the sense that it is not associated with specific events or competitions. Catches from amateur fishing are either released (catch & release) or are retained for private consumption.

*Sport fishing*² is described as “an organized activity involving free competition between fishermen to catch the largest fish of certain species, the largest number of specimens or the largest total weight depending on the rules of each particular competition” (SFITUM, 2004).

Tourism fishing can be understood as a fishing activity carried out by a third party who organizes a fishing expedition for tourists. Tourism fishing can be conducted by commercial fishermen (*pescaturismo*) or by recreational fishing professionals (“charter”); one main difference being the type of the boat used (commercial fishing boat vs. leisure boat). The aim of charter fishing is mainly to fish; whereas, with the concept of *pescaturismo*, the purpose is not only fishing but also to practice snorkelling, to eat on board fish cooked in a traditional way and just enjoy a day on a boat in middle of the sea. Legislation will differ for each segment of tourism fishing.

3. From FAO Glossary of Fisheries Terms

Recreational Fisheries: Harvesting fish for personal use, fun, and challenge (e.g. as opposed to profit or research). Recreational fishing does not include sale, barter or trade of all or part of the catch.

4. From the Senegalese Sports Fisheries Federation (FIPS)

- In general and according to FIPS basic texts (regulations), sport fisheries is understood as the catch or the attempt to catch a fish, at the surface or in deep waters with the aid of a rod, reel, fishing line or hook. This aimed at an achievement which is based on international regulations for sea or fresh water fishing.
- Some specialists define sport fisheries as being a non-commercial fishing activity, with various objectives, including tournaments, sport, recreation, exploitation and relaxation. Likewise, CIPS prefers to refer to the term sport fisheries when referring to recreational angling. Recreational fishing can also be defined as the fishing activity which is mainly carried out for sport purposes with a second objective to catch fish for consumption.

We can therefore regroup together the definitions (recreational fishing, sport fishing and leisure fishing) under sport fisheries. By this term, we understand all the angling activities carried out for recreational, enjoyment or sport purposes, without the main objective for commercialization.

5. From the European Community

Recreational Fisheries means a non-commercial fishing activity exploiting marine living aquatic resources for recreation, tourism or sport.

¹ Amateur fishing is sometimes referred as recreational fisheries. For the purpose of this study we will understand as recreational fisheries, amateur fisheries, sport fisheries and tourism fisheries.

² Sport fishing is also referred to as tournament, competition and contest, and big-game fishing.

RECOMMENDATIONS ADOPTED BY ICCAT IN 2009**09-01****BET****RECOMMENDATION BY ICCAT TO AMEND THE *RECOMMENDATION BY ICCAT ON A MULTI/YEAR CONSERVATION AND MANAGEMENT PROGRAM FOR BIGEYE TUNA***

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

1. The terms of the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] shall be extended through 2010 except for:
 - The Total Allowable Catch (TAC) for 2010 is 85,000 t. If the total catch in 2010 exceeds 85,000 t, that excess amount shall be deducted from catch limits of Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPC) in 2011 on a prorata basis.
 - The catch limit for Korea shall be 2,100 t.
 - For developing coastal CPCs not shown in the Table in 4 a) of the Recommendation [04-01], if the catch exceeds 3,500 t in 2010, an appropriate catch limit shall be established for that CPC for the following years.
 - Notwithstanding Recommendation [04-01] and Recommendation [06-01], Chinese Taipei may allow seven additional longline vessels to fish for bigeye tuna in the Convention area only in 2010 and 2011.
 - Notwithstanding the Recommendation [04-01], Philippines may allow two additional longline vessels to fish for bigeye tuna in the Convention area only in 2010 and 2011.
2. All underages or overages of the annual catch limit of bigeye tuna in 2010 may be added to or shall be deducted from the annual catch limit in 2011 and/or 2012.
3. The 2,000 t transfer of bigeye tuna catch limit from Japan to China in 2010 and 800 t transfer of bigeye tuna catch limit from Japan to Korea in 2010 shall be authorized.
4. The 2,500 t transfer of bigeye tuna catch limit from the European Community to Ghana in 2010 shall be authorized.
5. By 31 March 2010, Ghana shall submit to ICCAT an action plan in order to strengthen the collection of statistical data (Task I and II) and to develop control measures so as to ensure the full implementation of conservation and management measures.
6. The 2010 meeting of the Commission shall review the draft recommendations concerning the time-area closure, attached to the Report of Panel 1.

09-02

SWO

**SUPPLEMENTAL RECOMMENDATION BY ICCAT TO AMEND
THE REBUILDING PROGRAM FOR NORTH ATLANTIC SWORDFISH**

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

1. The terms of the 2006 *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02] shall be extended through 2010 except for:
 - The Total Allowable Catch (TAC) in 2010 is 13,700 t.
 - If the total catch in 2010 exceeds 13,700 t, the excess amount shall be deducted from the quota/catch limit for each Contracting Party, and Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPC) on a prorate basis in 2011.
 - The European Community shall be allowed to count up to 200 t of its swordfish catch taken from the North Atlantic management area against its uncaught South Atlantic swordfish quota.
2. The table in paragraph 4 of Rec. 06-02 shall be revised as follows:

	<i>Catch Year</i>	<i>Adjustment Year</i>
North Atlantic swordfish	2007	2009
	2008	2010
	2009	2011
	2010	2012

3. 2007-2008 in paragraph 5 of Rec. 06-02 shall be replaced with “2009-2010”.
4. The 100 t transfer of swordfish catch limit from Senegal to Canada in 2010 shall be authorized.
5. In advance of the next assessment of North Atlantic swordfish, the SCRS shall develop a Limit Reference Point (LRP) for this stock. Future decisions on the management of this stock shall include a measure that would trigger a rebuilding plan, should the biomass decrease to a level approaching the defined LRP as established by the SCRS.

09-03

SWO

**RECOMMENDATION BY ICCAT ON
SOUTH ATLANTIC SWORDFISH CATCH LIMITS**

CONSIDERING that the SCRS indicates that the current estimated fishing mortality rate is likely below that which would produce Maximum Sustainable Yield (MSY), and the current biomass is likely above that which would result from fishing at F_{MSY} in the long term;

CONSCIOUS that the SCRS recommends that annual catch should not exceed the estimated MSY (about 15,000 t);

RECOGNIZING that this multi-annual approach for the management of South Atlantic swordfish reflects the thrust of the *ICCAT Criteria for the Allocation of Fishing Possibilities*, adopted by the Commission in 2001, for the period concerned;

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

1. For 2010, 2011 and 2012, the Total Allowable Catch (TAC) and the catch limits shall be as follows:

(Unit: t)

	2010	2011	2012
TAC (1)	15,000	15,000	15,000
Brazil (2)	3,666	3,785	3,940
European Community	5,282	5,082	4,824
South Africa	932	962	1,001
Namibia	1,168	1,168	1,168
Uruguay	1,165	1,204	1,252
United States (3)	100	100	100
Cote d'Ivoire	125	125	125
China	263	263	263
Chinese Taipei (3)	459	459	459
United Kingdom	25	25	25
Japan (3)	901	901	901
Angola	100	100	100
Ghana	100	100	100
St. Tome & Principe	100	100	100
Senegal	389	401	417
Philippines	50	50	50
Korea	50	50	50
Belize	125	125	125

- (1) The total catch for the three-year management period of 2010-2012 shall not exceed 45,000 t (15,000 t x 3). If the yearly total catch of any of the three years exceeds 15,000 t; the TAC(s) for the following year(s) shall be adjusted to ensure that the three-year total will not exceed 45,000 t. If the total catch in 2012 exceeds 15,000 t and if the three-year total catch exceeds 45,000 t, the exceeded amount for three years shall be adjusted in the next management period. In general, these adjustments shall be carried out through prorated reduction of the quota for each CPC.
- (2) Brazil may harvest up to 200 t of its annual catch limit within the area between 5 degrees North latitude and 15 degrees North latitude.
- (3) Japan's, the U.S.A's and Chinese Taipei's underage in 2009 may be carried over to 2010 up to 800 t, 100 t and 400 t, respectively, in addition to their quotas specified in this table. Those CPCs may also carry over unused portions during 2010-2012 but such carried over amounts each year shall not exceed the amounts specified here.

2. Any unused portion or excess of the annual quota/catch limit may be added to/shall be deducted from, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way for South Atlantic swordfish:

<i>Catch Year</i>	<i>Adjustment Year</i>
2010	2012
2011	2013
2012	2014

However, the maximum underage that a party may carryover in any given year shall not exceed 50% of the quota of previous year.

3. Japan shall be allowed to count up to 400 t of its swordfish catch taken from the part of the North Atlantic management area that is east of 35 degrees W and south of 15 degrees N, against its uncaught South Atlantic swordfish quota.
4. The European Community shall be allowed to count up to 200 t of its swordfish catch taken from the North Atlantic management area against its uncaught South Atlantic swordfish quota.
5. The 50 t quota transfers from South Africa, Japan and United States to Namibia (total: 150 t) , the 25 t quota transfers from United States to Côte d'Ivoire and the 25 t quota transfer from United States to Belize shall be authorized. The quota transfers shall be reviewed annually in response to a request from an involved CPC.
6. None of the arrangements in this Recommendation shall be deemed to prejudice a future arrangement relating to South Atlantic Swordfish.

09-04

SWO

**RECOMMENDATION FOR A MANAGEMENT FRAMEWORK FOR
THE SUSTAINABLE EXPLOITATION OF MEDITERRANEAN SWORDFISH
AND REPLACING ICCAT RECOMMENDATION 08-03**

RECOGNISING that the Commission's Standing Committee on Research and Statistics (SCRS) indicated in its 2007 stock assessment that the fishing mortality needs to be reduced to move the stock toward the Convention objective of biomass levels which could support Maximum Sustainable Yield (MSY), and that seasonal closures are considered to be beneficial in moving the stock condition closer to the Convention objective,

NOTING that the SCRS in its assessment in 2007, as reaffirmed in its 2009 advice, estimated that fish less than three years old usually represent 50-70% of the total yearly catches in terms of numbers and 20-35% in terms of weight and indicates that a reduction in the volume of juvenile catches would improve yield per recruit and spawning biomass per recruit levels,

RECALLING the *Recommendation by ICCAT Relating to Mediterranean Swordfish* [Rec. 03-04], which encourages Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) to take measures to reduce juvenile Mediterranean swordfish catches,

TAKING INTO ACCOUNT the SCRS advice given in 2008 and 2009, advocating seasonal closures pending the adoption of a more comprehensive management plan for Mediterranean swordfish,

TAKING INTO ACCOUNT that the SCRS advise that swordfish and in particular juvenile swordfish is also caught as a by-catch in other fisheries and that all catches of swordfish should stop during the closed period,

TAKING INTO ACCOUNT that *Recommendation by ICCAT on Mediterranean Swordfish* [Rec. 08-03] needs to be replaced to set the basis for such a more comprehensive management plan for Mediterranean swordfish,

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

1. Catching of swordfish, both as a targeted fishery and as by-catch, shall be prohibited in the Mediterranean during the period from 1 October to 30 November each year, until a long-term management plan is decided by ICCAT. Mediterranean swordfish shall not be retained on board, transhipped or landed during the period of closure.
2. CPCs shall monitor the effectiveness of this closure and submit relevant information on appropriate controls and inspections to ensure compliance with the measure by 15 October each year.
3. CPCs shall ensure the maintenance or development of adequate scientific information in the formats requested by ICCAT and in the smallest time-area possible on the swordfish catches, on the size and age distributions of all swordfish catches and on the fishing effort (fishing days per vessel, number of hooks per vessel, longline units per vessel, overall length of longline per vessel) by each pelagic longline fishery for highly migratory pelagic stocks in the Mediterranean. They shall provide these data annually by 30 June to the SCRS.
4. The Commission shall establish and maintain an ICCAT list of all fishing vessels authorized to catch swordfish in the Mediterranean Sea and make it available at the latest by 31 August each year. For the purposes of this recommendation, vessels not entered into the ICCAT list of all vessels authorized to catch swordfish in the Mediterranean Sea are deemed not to be authorized to catch, retain on board, tranship, transport, process or land swordfish.
5. CPCs shall communicate electronically to the ICCAT Secretariat not later than 30 June each year, the list of its fishing vessels that were authorized to carry out pelagic longline fisheries for highly migratory pelagic species in the Mediterranean during the preceding year in the format set out in the Guidelines for Submitting Data and Information Required by ICCAT. The list of vessels shall contain the following information for each vessel:

- name of vessel;
 - register number;
 - external marking;
 - previous name (if any);
 - previous flag (if any);
 - type of vessel, length and gross tonnage (GT) and/or gross registered tonnage (GRT);
 - period(s) fished and total annual number of fishing days by fishery (i.e. by target species and area);
 - geographical areas, by ICCAT statistical rectangles, where fishing by fishery (i.e. by target species and area) was carried out;
 - number of hooks used by fishery (i.e. by target species and area);
 - number of longline units used by fishery (i.e. by target species and area);
 - overall length of all longline units by fishery (i.e. by target species and area).
6. Procedures referred in the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels over 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area* [09-08] shall apply *mutatis mutandis*.
 7. CPCs shall grant special fishing permits to vessels authorized to participate in pelagic longline fisheries for highly-migratory pelagic stocks in the Mediterranean for each fishery (i.e. by target species and area).
 8. The SCRS shall provide in 2010 an updated assessment of the state of the stock on the basis of updated data from 2009. It shall assess the effects of the seasonal closure and provide advice on possible spatial temporal closures, as well as other possible technical measures, pertaining notably to rigging techniques, hook sizes and shapes, with a view to reducing by-catches of juvenile swordfish by pelagic longline fisheries. On the basis of the information provided under paragraph 5, the SCRS shall also provide an assessment of fishing capacity and possibly on a minimum catching size to achieve high yields and compatible with the selectivity of the fishing gear.
 9. Based on such scientific advice, the ICCAT shall decide, by end of 2010, a more comprehensive long-term management plan for swordfish including, in particular, the identification of closure periods for specific areas, the establishment of fishing effort reference level and technical measures for all pelagic longline fisheries catching swordfish either as targeted or as by-catch.
 10. This Recommendation replaces the *Recommendation by ICCAT on Mediterranean Swordfish* [Rec. 08-03].

09-05

ALB

**RECOMMENDATION BY ICCAT TO ESTABLISH A REBUILDING PROGRAM
ON NORTH ATLANTIC ALBACORE**

RECALLING the 1998 Recommendation by ICCAT Concerning the Limitation of Fishing Capacity on Northern Albacore [Rec. 98-08] and the Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2008-2009 [Rec. 07-02];

NOTING that the objective of the Convention is to maintain populations at levels that will support maximum sustainable catch (usually referred to as MSY);

CONSIDERING that the 2009 Standing Committee on Research and Statistics (SCRS) stock assessment concluded that the northern albacore stock is overfished and overfishing is occurring, and recommended a level of catch of no more than 28,000 t to meet the Convention management objective by 2020;

RECALLING the importance that all fleets participating in the northern albacore fishery submit the required data (catch, effort and catch-at-size) on their fisheries for transmission to the SCRS;

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

1. The establishment of a Total Allowable Catch (TAC) of 28,000 t for 2010 and 2011.
2. This catch limit shall be allocated among the ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) according to the following:

<i>Party</i>	<i>2010 and 2011 Quota</i>
European Community	21,551.3 t
Chinese Taipei	3,271.7 ¹ t
United States	527 t
Venezuela	250 t

3. With the exception of Japan, CPCs other than those mentioned in paragraph 2 shall limit their catches to 200 t.
4. Japan shall endeavour to limit its total northern albacore catches to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic Ocean.
5. Any unused portion or excess of a CPC's annual quota/catch limit may be added to/shall be deducted from, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way:

<i>Year of Catch</i>	<i>Adjustment Year</i>
2010	2012 and/or 2013
2011	2013 and/or 2014

However, the maximum underage that a Party may carry-over in any given year shall not exceed 25% of its initial catch quota.

If, in any year, the combined landings of CPCs exceed the TAC of 28,000 t, the Commission will re-evaluate the northern albacore recommendation at its next Commission meeting and recommend further conservation measures, as appropriate.

¹ Chinese Taipei will each year transfer 100 t from its quota to St. Vincent and the Grenadines.

6. The 1998 *Recommendation by ICCAT Concerning the Limitation of Fishing Capacity on Northern Albacore* [Rec. 98-08] remains in force.
7. The SCRS shall monitor the northern albacore stock and provide advice to the Commission on the appropriate management measures to achieve and maintain the Convention objectives.
8. This Recommendation replaces *Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2008-2009* [Rec. 07-02];

09-06

BFT

**RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION 08-05 TO
ESTABLISH A MULTI-ANNUAL RECOVERY PLAN FOR BLUEFIN TUNA
IN THE EASTERN ATLANTIC AND MEDITERRANEAN**

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

Total Allowable Catch (TAC) and associated conditions

1. The total allowable catches for eastern Atlantic and Mediterranean bluefin tuna shall be set at 13,500 t in 2010. The allocation scheme established by Recommendation 08-05 shall remain unchanged.¹
2. The SCRS shall present a Kobe II strategy matrix reflecting recovery scenarios of eastern Atlantic and Mediterranean bluefin tuna in accordance with the multiannual recovery plan of the present Recommendation.
3. The Commission shall establish at its 2010 meeting a three-year recovery plan for 2011-2013 with the goal of achieving B_{MSY} through 2022 with at least 60% of probability, on a basis of the SCRS advice described in paragraph 2 above.
4. If the SCRS stock assessment detects a serious threat of fishery collapse, the Commission shall suspend all the fisheries for eastern Atlantic and Mediterranean bluefin tuna in 2011. Contracting Party, and Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPCs) shall immediately intensify research activities so that SCRS can conduct further analysis and present recommendations on conservation and management measures necessary to resume the fisheries.

Closed fishing season

5. Purse seine fishing for bluefin tuna shall be prohibited in the eastern Atlantic and Mediterranean during the period from 15 June to 15 May.
6. The bad weather clause allowing for a possible extension of up to 5 days until 20 June (paragraph 21 of Rec. 08-05) shall be cancelled.

Further reduction of fishing capacity

7. Without prejudice to paragraph 45 of Rec. 08-05, each CPC shall reduce its fishing capacity referred to in paragraphs 42, 43 and 44 of Rec. 08-05 so as to ensure that the discrepancy between its fishing capacity and its fishing capacity commensurate with its allocated quota in 2011, 2012 and 2013, in accordance with the methodology approved at the 2009 annual meeting, shall be reduced by:
 - a) at least 50% in 2011
 - b) 20% in 2012
 - c) 5% in 2013
8. Management plans on fishing capacity for the remaining period shall be submitted annually for discussion and approval by the Commission.

Joint fishing operations

9. For each CPC, the number of joint fishing operations between CPCs from 2010 shall be limited to the level of 2007, 2008 or 2009. Before the start of the fishing season, each concerned CPC shall notify the number of its joint fishing operations with other CPCs to the ICCAT Secretariat.

¹ Note from the Secretariat: At the 2010 Inter-sessional Meeting of the Compliance Committee (Madrid, Spain, - February 24 to 26, 2010), the allocation scheme for 2010 was adopted and is appended to this Recommendation.

Inter-sessional meeting on compliance

10. The Commission shall review and determine each CPC's compliance, in particular that with paragraph 1 above and paragraph 46 of Recommendation 08-05, at its special session before the 2010 fishing season starts.
11. The Commission shall decide on the interim suspension or reduction of quota for the declared non compliant CPC, depending on the extent of the established non-compliance.

**Appendix to the Recommendation Amending Recommendation 08-05 to Establish
a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic And Mediterranean**

<i>CPC</i>	<i>2010 Rec. 08-05</i>	<i>%</i>	<i>2010 Rec. 09-06</i>	<i>Adjusted quotas 2010</i>	<i>Notes 2010</i>
Albania	50	0.2506266	33.83	33.83	
Algeria	1,012.13	5.0733333	684.9	684.9	
China (People's Rep.)	56.86	0.2850125	38.48	38.48	
Croatia	581.51	2.9148371	393.5	393.5	
Egypt	50	0.2506266	33.83	33.83	
European Union **	11,237.59	56.328772	7,604.38	7,086.38	(-500t) - (-18t)
Iceland	46.11	0.2311278	31.2	31.2	
Japan	1,696.57	8.5041103	1,148.05	1,148.05	
Korea (Rep.)	119.9	0.6010025	81.14	81.14	
Libya	857.33	4.2973935	580.15	725.15	+145t
Morocco	1,891.49	9.4811529	1,279.96	1,606.96	+327t
Norway	46.11	0.2311278	31.2	31.2	
Syria	50	0.2506266	33.83	33.83	
Tunisia	1,573.67	7.8880702	1,064.89	1,109.51	+202t-157.38t
Turkey*	619.28	3.1041604	419.06	419.06	
Chinese Taipei	61.48	0.3081704	41.6	41.6	
TOTAL	19,950.00	13,500.00	13,500.02	13,498.62	

* Objection to 2007-2010 quota (Annex 4 of Rec. 08-05).

** Includes voluntary reduction of 18 t.

09-07

BYC

**RECOMMENDATION BY ICCAT ON THE CONSERVATION OF THRESHER SHARKS
CAUGHT IN ASSOCIATION WITH FISHERIES IN THE ICCAT CONVENTION AREA**

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Res. 01-11], the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10], the *Recommendation by ICCAT to Amend the Recommendation 04-10 on the Conservation of Sharks Caught in Association with the Fisheries Managed by ICCAT* [Rec. 05-05], the *Supplemental Recommendation by ICCAT Concerning Sharks* [Rec. 07-06] and the *Recommendation by ICCAT on the Conservation of Bigeye Thresher Sharks (*Alopias superciliosus*) Caught in Association with Fisheries Managed by ICCAT* [Rec. 08-07],

CONSIDERING that thresher sharks of the family *Alopiidae* are caught as by-catch in the ICCAT Convention area,

NOTING that at its 2009 Meeting the Standing Committee on Research and Statistics (SCRS) recommended that the Commission prohibit retention and landings of bigeye thresher shark (*Alopias superciliosus*),

RECALLING the need to annually report Task I and Task II for catches of sharks in conformity with the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10],

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

1. Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit, retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of bigeye thresher sharks (*Alopias superciliosus*) in any fishery with exception of a Mexican small-scale coastal fishery with a catch of less than 110 fish.
2. CPCs shall require vessels flying their flag to promptly release unharmed, to the extent practicable, bigeye thresher sharks when brought along side for taking on board the vessel.
3. CPCs should strongly endeavor to ensure that vessels flying their flag do not undertake a directed fishery for species of thresher sharks of the genus *Alopias spp.*
4. CPCs shall require the collection and submission of Task I and Task II data for *Alopias spp* other than *A. superciliosus* in accordance with ICCAT data reporting requirements. The number of discards and releases of *A. superciliosus* must be recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.
5. CPCs shall, where possible, implement research on thresher sharks of the species *Alopias spp* in the Convention area in order to identify potential nursery areas. Based on this research, CPCs shall consider time and area closures and other measures, as appropriate.
6. *Recommendation by ICCAT on the Conservation of Bigeye Thresher Sharks (*Alopias superciliosus*) Caught in Association with Fisheries Managed by ICCAT* [Rec. 08-07] is superseded by this Recommendation.

09-08

GEN

**RECOMMENDATION BY ICCAT CONCERNING THE ESTABLISHMENT
OF AN ICCAT RECORD OF VESSELS 20 METERS IN LENGTH OVERALL
OR GREATER AUTHORIZED TO OPERATE
IN THE CONVENTION AREA**

RECALLING that ICCAT adopted at its 2000 meeting a *Recommendation by ICCAT Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-like Species in the Convention Area*,

FURTHER RECALLING that ICCAT adopted at its 1994 meeting a *Resolution by ICCAT Regarding the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas*,

FURTHER RECALLING that the Commission has been taking various measures to prevent, deter and eliminate the illegal, unreported and unregulated (IUU) fisheries conducted by large-scale tuna fishing vessels,

NOTING that large-scale fishing vessels are highly mobile and easily change fishing grounds from one ocean to another, and have high potential of operating in the Convention area without timely registration with the Commission,

RECALLING that the FAO Council adopted on June 23, 2001 an International Plan of Action (IPOA) aiming to prevent, to deter and to eliminate illegal, unreported and unregulated fishing, that this plan stipulates that the regional fisheries management organization should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing and in particular to establish records of vessels authorized and records of vessels engaged in IUU fishing,

CONSIDERING the information Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs), have provided in 2005 on the number and type of vessels between 15 and 24 meters,

RECOGNIZING that an increasing number of vessels just below 24 meters length overall are being constructed and are operating in the ICCAT Convention area,

CONCERNED that effort and catch by vessels below 24 meters warrants an increased level of monitoring and control.

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

1. The Commission shall establish and maintain an ICCAT record of fishing vessels 20-meters in length overall or greater (hereinafter referred to as “large scale fishing vessels” or “LSFVs”) authorized to fish for tuna and tuna-like species in the Convention Area. For the purpose of this recommendation, LSFVs not entered into the record are deemed not to be authorized to fish for, retain on board, transship or land tuna and tuna-like species.
2. Each CPC shall submit, to the ICCAT Executive Secretary, the list of its LSFVs that are authorized to operate in the Convention area. Where possible, this shall be submitted electronically. This list shall include the following information:
 - Name of vessel, register number
 - Previous name (if any)
 - Previous flag (if any)
 - Previous details of deletion from other registries (if any)
 - International radio call sign (if any)
 - Type of vessels, length, gross registered tonnage (GRT), and, where possible, Gross Tonnage (GT)
 - Name and address of owner(s) and operator(s)
 - Gear used
 - Time period authorized for fishing and/or transshipping

The initial ICCAT record shall consist of all the lists submitted under this paragraph.

3. Each CPC shall promptly notify, after the establishment of the initial ICCAT record, the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record at any time such changes occur.
4. The ICCAT Executive Secretary shall maintain the ICCAT record, 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.
5. The flag CPCs of the vessels on the record shall:
 - a) Authorize their LSFVs to operate in the Convention area only if they are able to fulfill in respect of these vessels the requirements and responsibilities under the Convention and its conservation and management measures;
 - b) Take necessary measures to ensure that their LSFVs comply with all the relevant ICCAT conservation and management measures;
 - c) Take necessary measures to ensure that their LSFVs on the ICCAT record keep on board valid certificates of vessel registration and valid authorization to fish and/or transship;
 - d) Ensure that their LSFVs on the ICCAT record have no history of IUU fishing activities or that, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, their LSFVs are not engaged in or associated with IUU fishing;
 - e) Ensure, to the extent possible under domestic law, that the owners and operators of their LSFVs on the ICCAT record are not engaged in or associated with tuna fishing activities conducted by LSFVs not entered into the ICCAT record in the Convention area; and
 - f) Take necessary measures to ensure, to the extent possible under domestic law, that the owners of the LSFVs on the ICCAT record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them.
6. CPCs shall review their own internal actions and measures taken pursuant to paragraph 5, including punitive and sanction actions and in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission at its 2003 meeting and annually thereafter. In consideration of the results of such review, the Commission shall, if appropriate, request the flag CPCs of LSFVs on the ICCAT record to take further action to enhance compliance by those vessels to ICCAT conservation and management measures.
7.
 - a) CPCs shall take measures, under their applicable legislation, to prohibit the fishing for, the retaining on board, the transshipment and landing of tuna and tuna-like species by the LSTVs which are not entered into the ICCAT record.
 - b) To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Statistical Document Programs:
 - i) Flag CPCs or, if the vessel is under a charter arrangement, the exporting CPC shall validate statistical documents only for the LSFVs on the ICCAT record,
 - ii) CPCs shall require that the species covered by Statistical Document Programs caught by LSFVs in the Convention area, when imported into the territory of a Contracting Party be accompanied by statistical documents validated for the vessels on the ICCAT record and,
 - iii) CPCs importing species covered by Statistical Document Programs and the flag States of vessels shall cooperate to ensure that statistical documents are not forged or do not contain misinformation.
8. Each CPC shall notify the ICCAT Executive Secretary of any factual information showing that there are reasonable grounds for suspecting LSTVs not on the ICCAT record to be engaged in fishing for and/or transshipment of tuna and tuna-like species in the Convention area.

9.
 - a) If a vessel mentioned in paragraph 8 is flying the flag of a CPC, the Executive Secretary shall request that CPC to take measures necessary to prevent the vessel from fishing for tuna and tuna-like species in the Convention area.
 - b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-Contracting Party without cooperating status, the Executive Secretary shall compile such information for future consideration by the Commission.
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 a similar nature in a timely manner so as to avoid adverse effects upon tuna resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU LSFVs from the Atlantic to other oceans.
11. The 2000 *Recommendation by ICCAT Concerning Registration and Exchange of Information of fishing Vessels Fishing for Tuna and Tuna-like Species in the Convention Area* [Rec. 00-17] is hereby repealed.
12. 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] is replaced by this recommendation.

09-09

GEN

**RECOMMENDATION BY ICCAT AMENDING THREE RECOMMENDATIONS
IN CONFORMITY WITH THE 2009 RECOMMENDATION BY ICCAT CONCERNING
THE ESTABLISHMENT OF AN ICCAT RECORD OF VESSELS 20 METERS IN LENGTH OVERALL
OR GREATER AUTHORIZED TO OPERATE IN THE CONVENTION AREA**

RECOGNISING that the 2009 Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area [Rec. 09-08] replaces the 2002 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];

NOTING three previously adopted Recommendations that make reference to Recommendation 02-22, in some cases adopting the conditions and procedures established in that Recommendation *mutatis mutandis*,

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

1. References to the 2002 “*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]” be replaced by “*Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area*” in the following provisions:
 - i) *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* [Rec. 03-19], in the first paragraph of the preamble;
 - ii) *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05], in paragraph 56 and 58.
 - iii) *Recommendation by ICCAT Amending Ten Recommendations and Three Resolutions* [Rec. 08-11] in Paragraph 2 (iii) and Paragraph 5.
2. References to “Recommendation [02-22]” be replaced by “Recommendation [09-08]” in the second paragraph of the preamble of the *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* [Rec. 03-19].

**RECOMMENDATION BY ICCAT FURTHER AMENDING 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**

RECALLING that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, to deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU). This plan stipulates that the identification of the vessels carrying out Illegal Unregulated and Unreported (IUU) activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way.

RECALLING that ICCAT has already adopted measures against IUU fishing activities and, in particular, against large-scale tuna longline vessels,

CONCERNED by the fact that IUU fishing activities in the ICCAT area continue, and these activities diminish the effectiveness of ICCAT conservation and management measures,

FURTHER CONCERNED that there is evidence of a large number of vessel owners engaged in such fishing activities which have re-flagged their vessels to avoid compliance with ICCAT management and conservation measures, and to evade the ICCAT-adopted non discriminatory trade measures,

DETERMINED to address the challenge of an increase in IUU fishing activities by way of counter-measures to be applied in respect to the vessels, without prejudice to further measures adopted in respect of flag States under the relevant ICCAT instruments.

CONSIDERING the results of the ICCAT *Ad Hoc* Working Group on Measures to Combat IUU Fishing, which was held in Tokyo from May 27 to 31, 2002,

CONSCIOUS of the urgent need to address the issue of large-scale fishing vessels as well as other vessels conducting IUU fishing and fishing related activities in support of IUU fishing,

NOTING that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organization (WTO) Agreement.

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

Definition of IUU Activities

1. For the purposes of this recommendation, the fishing vessels flying the flag of a non-Contracting Party, or a Cooperating non-Contracting Party, Entity or Fishing Entity, or a Contracting Party are presumed to have carried out illegal, unreported and unregulated fishing activities in the ICCAT Convention area, *inter alia*, when a Contracting Party or a Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPC) presents evidence that such vessels:
 - a) Harvest tunas and tuna-like species in the Convention area and are not registered on the ICCAT list of vessels authorized to fish for tuna and tuna-like species in the ICCAT Convention area;
 - b) Harvest tuna and tuna-like species in the Convention area, whose flag State is without quotas, catch limit or effort allocation under relevant ICCAT conservation and management measures;
 - c) Do not record or report their catches made in the ICCAT Convention area, or make false reports;
 - d) Take or land undersized fish in contravention of ICCAT conservation measures;
 - e) Fish during closed fishing periods or in closed areas in contravention of ICCAT conservation measures;
 - f) Use prohibited fishing gear in contravention of ICCAT conservation measures;

- g) Transship with, or participate in joint operations such as re-supply or re-fuelling vessels included in the IUU vessels list;
- h) Harvest tuna or tuna-like species in the waters under the national jurisdiction of the coastal States in the Convention area without authorization and/or infringes its laws and regulations, without prejudice to the sovereign rights of coastal States to take measures against such vessels,
- i) Are without nationality and harvest tunas or tuna-like species in the ICCAT Convention area, and/or
- j) Engage in fishing activities contrary to any other ICCAT conservation and management measures.

Information on alleged IUU activities

2. CPCs shall transmit every year to the Executive Secretary at least 120 days before the annual meeting, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the Convention Area during the current and previous year, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list shall be based on the information collected by CPCs, *inter alia*, under relevant ICCAT recommendations and resolutions.

Draft IUU List

3. On the basis of the information received pursuant to paragraph 2, the ICCAT Executive Secretary shall draw up a Draft IUU List. This list shall be drawn up in conformity with **Annex 1**. The Secretary shall transmit it together with the current IUU List as well as all the evidence provided to CPCs, and to non-Contracting Parties whose vessels are included on these lists before at least 90 days before the annual meeting. CPCs and non-Contracting Parties, shall transmit their comments, as appropriate, including evidence showing that the listed vessels have neither fished in contravention to ICCAT conservation and management measures nor had the possibility of fishing tuna and tuna-like species in the Convention area, at least 30 days before the annual meeting of ICCAT.

The Commission shall request the flag State to notify the owner of the vessels of its inclusion in the Draft IUU List and of the consequences that may result from their inclusion being confirmed in the IUU list adopted by the Commission.

Upon receipt of the Draft IUU List, CPCs shall closely monitor these vessels included in the Draft IUU List in order to determine their activities and possible changes of name, flag and/or registered owner.

Provisional IUU List

4. On the basis of the information received pursuant to paragraph 3, the Executive Secretary shall draw up a Provisional List which he will transmit two weeks in advance to the Commission meeting to the CPCs and to the non-Contracting Parties concerned, together with all the evidence provided. This list shall be drawn up in conformity with **Annex 1**.
5. CPCs may at any time submit to the ICCAT Executive Secretary any additional information, which might be relevant for the establishment of the IUU list. The ICCAT Executive Secretary shall circulate the information, at latest before the annual meeting, to the CPCs and to the non-Contracting Parties concerned, together with all the evidence provided.
6. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) shall examine, each year, the Provisional List, as well as the information referred to in paragraphs 3 and 5. The results of this examination may, if necessary, be referred to the Conservation and Management Measures Compliance Committee.

The PWG shall remove a vessel from the Provisional List if the flag State demonstrates that:

- The vessel did not take part in any IUU fishing activities described in paragraph 1, or
- Effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution and imposition of sanctions of adequate severity.

7. Following the examination referred to in paragraph 6, at each ICCAT annual meeting, the PWG shall:
 - i) Adopt a Provisional IUU Vessel List following consideration of the Draft IUU List and information and evidence circulated under paragraphs 3 and 5. The Provisional IUU Vessel List shall be submitted to the Commission for approval.
 - ii) Recommend to the Commission which, if any, vessels should be removed from the IUU Vessel List adopted at the previous ICCAT annual meeting, following consideration of that List, of the information and evidence circulated under paragraph 5 and the information received in accordance with paragraph 14.

IUU List

8. On adoption of the list, the Commission shall request non-Contracting Parties, whose vessels appear on the IUU List:
 - To notify the owner of the vessel identified on the IUU Vessels List of its inclusion on the list and the consequences which result from being included on the list, as referred to in paragraph 9.
 - To take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.
9. CPCs shall take all necessary measures, under their applicable legislation:
 - So that the fishing vessels, support vessels, refueling vessels, the mother-ships and the cargo vessels flying their flag do not assist in any way, engage in fishing processing operations or participate in any transshipment or joint fishing operations with vessels included on the IUU Vessels List;
 - So that IUU vessels are not authorized to land, tranship re-fuel, re-supply, or engage in other commercial transactions;
 - To prohibit the entry into their ports of vessels included on the IUU list, except in case of *force majeure*;
 - To prohibit the chartering of a vessel included on the IUU vessels list;
 - To refuse to grant their flag to vessels included in the IUU list, except if the vessel has changed owner and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag CPC determines that granting the vessel its flag will not result in IUU fishing;
 - To prohibit the imports, or landing and/or transshipment, of tuna and tuna-like species from vessels included in the IUU list;
 - To encourage the importers, transporters and other sectors concerned, to refrain from transaction and transshipment of tuna and tuna-like species caught by vessels included in the IUU list;
 - To collect and exchange with other CPCs any appropriate information with the aim of searching for, controlling and preventing false import/export certificates regarding tunas and tuna-like species from vessels included in the IUU list.
10. The ICCAT Executive Secretary will take any necessary measure to ensure publicity of the IUU vessels list adopted by ICCAT pursuant to paragraph 7, in a manner consistent with any applicable confidentiality requirements, and through electronic means, by placing it on the ICCAT web site. Furthermore, the ICCAT Executive Secretary will transmit the IUU Vessels List to other regional fisheries organizations for the purposes of enhanced co-operation between ICCAT and these organizations in order to prevent, deter and eliminate illegal, unreported and unregulated fishing.
11. Upon receipt of the final IUU vessel list established by another regional fisheries management organization (RFMO) managing tuna or tuna-like species and supporting information considered by that RFMO, and any other information regarding the listing determination, the Executive Secretary shall circulate this information to the CPCs. Vessels that have been included on or deleted from the respective lists shall be included on or deleted from the ICCAT IUU Vessel List as appropriate, unless any Contracting Party

objects to the inclusion on the final ICCAT IUU list within 30 days of the date of transmittal by the Executive Secretary on the grounds that:

- i) there is satisfactory information to establish that:
 - a) The vessel did not engage in the IUU fishing activities identified by the other RFMO, or
 - b) That effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution, and imposition of sanctions of adequate severity,

or
- ii) There is insufficient supporting information and other information regarding the listing determination to establish that none of the conditions in sub-paragraph i) above have been met.

In the event of an objection to a vessel listed by another RFMO managing tuna or tuna-like species being included on the final ICCAT IUU Vessel List pursuant to this paragraph, such vessel shall be placed on the Draft IUU Vessel List and considered by the PWG pursuant to paragraph 6.

12. This recommendation shall apply to fishing vessels 20 meters or greater in length overall and, *mutatis mutandis*, fish processing vessels, tug and towing vessels, vessels engaged in transshipment, and support vessels. The Commission shall, at its annual meeting in 2011, review and, as appropriate, revise this recommendation with a view to its extension to other types of IUU fishing activities.
13. Without prejudice to the rights of flag States and coastal States to take proper action consistent with international law, CPCs shall not take any unilateral trade measures or other sanctions against vessels provisionally included in the Draft IUU List, pursuant to paragraph 4, or which have been already removed from the list, pursuant to paragraph 6, on the grounds that such vessels are involved in IUU fishing activities.

Deletion from the IUU vessels list

14. A non-Contracting Party whose vessel appears on the IUU List may request the removal of this vessel from the list during the inter-sessional period by providing the following information:
 - It has adopted measures so that this vessel conforms with ICCAT conservation measures,
 - It is and will continue to assume effectively its responsibilities with respect to this vessel in particular as regards the monitoring and control of the fishing activities executed by this vessel in the ICCAT Convention area,
 - It has taken effective action in response to the IUU fishing activities in question including prosecution and imposition of sanctions of adequate severity; and/or
 - The vessel has changed ownership and that the new owner can establish the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it and that the new owner has not participated in IUU fishing.

Inter-sessional modification of the IUU Vessels List

15. The non-Contracting Party shall send its request for the removal of a vessel from the IUU Vessels List to the ICCAT Executive Secretary accompanied by the supporting information referred to in paragraph 14.
16. On the basis of the information received in accordance with paragraph 14, the ICCAT Executive Secretary will transmit the removal request, with all the supporting information to the Contracting Parties within 15 days following the notification of the removal request.
17. The Contracting Parties will examine the request to remove the vessel and arrive at a conclusion on either the removal from, or the maintenance of the vessel on the IUU Vessels List by mail within 30 days following the notification by the Executive Secretary. The result of the examination of the request by mail

will be checked by the Executive Secretary at the end of the 30-day period following the date of the notification by the Executive Secretary referred to in paragraph 16.

18. The Executive Secretary will communicate the result of examination to all Contracting Parties.
19. If the result of the exercise indicates that there is a majority of the Contracting Parties in favor of removal of the vessel from the IUU List, the Chairperson of ICCAT, on behalf of ICCAT, will communicate the result to all the Contracting Parties and to the non-Contracting Party which requested the removal of its vessel from the IUU list. In the absence of a majority, the vessel will be maintained on the IUU List and the Executive Secretary will inform the non-Contracting Party accordingly.
20. The ICCAT Executive Secretary will take the necessary measures to remove the vessel concerned from the ICCAT IUU Vessels List, as published on the ICCAT web site. Moreover, the ICCAT Executive Secretary will forward the decision of removal of the vessel to other regional fishery organizations.

General dispositions

21. This recommendation replaces the *Recommendation by ICCAT Amending 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. 06-12] and the *Recommendation by ICCAT Amending ICCAT's List of Fishing Vessels Presumed to be Engaged in Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas* [Rec. 07-09].
22. This Recommendation shall apply *mutatis mutandis* to vessels referred to in paragraph 12 flying the flag of CPCs.

Annex 1

Information to be included in all IUU Lists (Draft, Provisional and Final)

The Draft IUU List, as well as the Provisional IUU List shall contain the following details, where available:

- i) Name of vessel and previous names;
- ii) Flag of vessel and previous flag;
- iii) Name and address of owner of vessel and previous owners, including beneficial owners, and owner's place of registration;
- iv) Operator of vessel and previous operators;
- v) Call sign of vessel and previous call sign;
- vi) Lloyds/IMO number;
- vii) Photographs of the vessel;
- viii) Date vessel was first included on the IUU List;
- ix) Summary of activities which justify inclusion of the vessel on the List, together with references to all relevant documents informing of and evidencing those activities

09-11

SDP

**RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION 08-12 ON AN ICCAT
BLUEFIN TUNA CATCH DOCUMENTATION PROGRAM**

RECOGNIZING the situation of Atlantic bluefin tuna stocks and the impact that market factors have on the fishery;

TAKING INTO ACCOUNT the rebuilding plan for western Atlantic bluefin tuna and the recovery plan for eastern Atlantic and Mediterranean bluefin tuna that ICCAT has adopted, including the need for complementary market related measures;

RECOGNIZING the necessity to clarify and improve the implementation of the bluefin tuna catch documentation scheme, providing detailed instructions for the issuance, numbering, completion and the validation of the bluefin tuna catch document,

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

**PART I
GENERAL PROVISIONS**

1. Each Contracting Party, Cooperating non-Contracting Party, Entity and Fishing Entity (hereafter referred to as CPCs) shall take the necessary steps to implement an ICCAT Bluefin Tuna Catch Documentation Scheme for the purpose of identifying the origin of any bluefin tuna in order to support the implementation of conservation and management measures.
2. For the purpose of this Program:
 - a) "Domestic trade" means:
 - trade of bluefin tuna harvested in the ICCAT Convention area by a vessel or trap, which is landed in the territory of the CPC where the vessel is flagged or where the trap is established, and
 - trade of farmed bluefin tuna products originating from bluefin tuna harvested in the ICCAT Convention area by a vessel which is flagged to the same CPC where the farm is established, which is supplied to any entity in this CPC, and
 - trade between the Member States of the European Community of bluefin tuna harvested in the ICCAT Convention area by vessels flagged to one Member State or by a trap established in one Member State.
 - b) "Export" means:

Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of the CPC where the fishing vessel is flagged or where the trap or farm is established to the territory of another CPC or non-Contracting Party, or from the fishing grounds to the territory of a CPC which is not the flag CPC of the fishing vessel or to the territory of a non-Contracting Party.
 - c) "Import" means:

Any introduction of bluefin tuna in its harvested or processed form (including farmed) into the territory of a CPC, which is not the CPC where the fishing vessel is flagged or where the trap or the farm is established.
 - d) "Re-export" means: Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of a CPC where it has been previously imported.

- e) “flag State” means the State where the fishing vessel is flagged; “trap State” means the State where the trap is established; and “farm State” means the State where the farm is established.

3. CPCs shall require a completed Bluefin Tuna Catch Document (BCD) for each bluefin tuna:
- landed at its ports,
 - delivered to its farms, and
 - harvested from its farms.

Each consignment of bluefin tuna domestically traded, imported into or exported or re-exported from its territories shall be accompanied by a validated BCD, except in cases where paragraph 12(c) applies and, as applicable, an ICCAT transfer declaration or a validated Bluefin Tuna Re-export Certificate (BFTRC). Any such landing, transfer, delivery, harvest, domestic trade, import, export or re-export of bluefin tuna without a completed and validated BCD or a BFTRC shall be prohibited.

4. In order to support an effective BCD, CPCs shall not place bluefin tuna into a farm not authorized by the CPC or listed in the ICCAT record.
5. Farm CPCs shall ensure that bluefin tuna catches are placed in separate cages or series of cages and partitioned on the basis of flag CPC origin. By derogation, if the bluefin tuna are caught in the context of a joint fishing operation, farm CPCs shall ensure that bluefin tuna are placed in separate cages or series of cages and partitioned on the basis of joint fishing operations.
6. Farm CPCs shall ensure that bluefin tuna are harvested from farms in the same year in which they were caught, or before the beginning of the purse seiners fishing period, if harvested in the following year. In the case where harvesting operations are not completed before this date, farm CPCs shall complete and transmit an annual carry-over declaration to the ICCAT Secretariat within 15 days after this date. Such declaration shall include:
- quantities (expressed in kg) and number of fish intended to be carried over,
 - year of catch,
 - size composition,
 - flag CPC, ICCAT number and name of the catching vessel,
 - references of the BCD corresponding to the catches carried over,
 - name and ICCAT number of the fattening facility,
 - cage number, and
 - information on harvested quantities (expressed in kg), when completed.
7. Quantities carried over in accordance with paragraph 6 shall be placed in separate cages or series of cages in the farm on the basis of the catch year.
8. Each CPC shall provide BCD forms only to catching vessels and traps authorized to fish bluefin tuna in the Convention area, including as by-catch. Such forms are not transferable. Each BCD form shall have a unique document identification number. Document numbers shall be specific to the flag or trap State and assigned to the catching vessel or trap.
9. Domestic trade, export, import and re-export of fish parts other than the meat (i.e., heads, eyes, roes, guts and tails) shall be exempted from the requirements of this Recommendation.

PART II

VALIDATION OF BCDs

10. The catching vessel master or trap operator, or its authorized representative, or the operator of farms, or the authorized representative of the flag, farm, or trap State, shall complete the BCD by providing the required information in appropriate sections and request validation in accordance with paragraph 12 for a BCD for catch landed, transferred to cages, harvested, transhipped, domestically traded or exported on each occasion that it lands, transfers, harvests, tranships, domestically trades or exports bluefin tuna.

11. A validated BCD shall include, as appropriate, the information identified in **Annex 1** attached. A BCD format is attached as **Annex 2**. Instructions for the issuance, numbering, completion and validation of the BCD are attached as **Annex 3**. In cases where a section of the BCD format does not provide enough room to completely track movement of BFT from catch to market, the needed information section of the BCD maybe expanded as necessary and attached as an annex using the original BCD format and number. The authorized representative of the CPC shall validate the annex as soon as possible but not later than the next movement of BFT.
12. a) The BCD must be validated by an authorized government official, or other authorized individual or institution, of the flag State of the catching vessel, the State of the seller/exporter, or the trap or farm State that caught, harvested, domestically traded or exported the bluefin tuna.
- b) The CPCs shall validate the BCD for all bluefin tuna products only when all the information contained in the BCD has been established to be accurate as a result of the verification of the consignment, and only when the accumulated validated amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to catching vessels or traps, and when those products comply with other relevant ICCAT provisions of the conservation and management measures.
- c) Validation under 12(a) shall not be required in the event that all bluefin tuna available for sale are tagged by the flag State of the catching vessel or the trap State that fished the bluefin tuna.
- d) Where the bluefin tuna quantities caught and landed are less than 1 metric ton or three fish, the logbook or the sales note may be used as a temporary BCD, pending the validation of the BCD within seven days and prior to export.

PART III VALIDATION OF BFTRCs

13. Each CPC shall ensure that each bluefin tuna consignment which is re-exported from its territory be accompanied by a validated Bluefin Tuna Re-export Certificate (BFTRC). In cases where bluefin tuna is imported live, the BFTRC shall not apply.
14. The operator who is responsible for the re-export shall complete the BFTRC by providing the required information in its appropriate sections and request its validation for the bluefin tuna consignment to be re-exported. The completed BFTRC shall be accompanied by a copy of the validated BCD(s) relating to the bluefin tuna products previously imported.
15. The BFTRC shall be validated by an authorized government official or authority.
16. The CPC shall validate the BFTRC for all bluefin tuna product only when:
- a) all the information contained in the BFTRC has been established to be accurate,
 - b) the validated BCD(s) submitted in support to the BFTRC had been accepted for the importation of the products declared on the BFTRC and
 - c) the products to be re-exported are wholly or partly the same product on the validated BCD(s).
 - d) a copy of the BCD(s) shall be attached to the validated BFTRC.
17. The validated BFTRC shall include the information identified in **Annex 4** and **Annex 5** attached.

PART IV VERIFICATION AND COMMUNICATION

18. Each CPC shall communicate a copy of all validated BCDs or BFTRCs, except in cases where paragraph 12(c) applies, within five working days following the date of validation, or without delay where the expected duration of the transportation should not take more than five working days, to the following:
- a) the competent authorities of the country where the bluefin tuna will be domestically traded, or transferred into a cage or imported, and
 - b) the ICCAT Secretariat.

19. The ICCAT Secretariat shall extract from the validated BCDs or BFTRCs communicated under paragraph 18 above the information marked with an asterisk (*) in **Annex 1** or **Annex 4** and enter this information in a database on a password protected section of its website, as soon as practicable.

At its request, the SCRS shall have access to the catch information contained in the database, except the vessel or trap names.

PART V TAGGING

20. CPCs may require their catching vessels or traps to affix a tag to each bluefin tuna preferably at the time of kill, but no later than the time of landing. Tags shall have unique country specific numbers and be tamper proof. The tag numbers shall be linked to the BCD and a summary of the implementation of the tagging program shall be submitted to the ICCAT Secretariat by the CPC. The use of such tags shall only be authorized when the accumulated catch amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to vessels or traps.

PART VI VERIFICATION

21. Each CPC shall ensure that its competent authorities, or other authorized individual or institution, take steps to identify each consignment of bluefin tuna landed in, domestically traded in, imported into or exported or re-exported from its territory and request and examine the validated BCD(s) and related documentation of each consignment of bluefin tuna. These competent authorities, or authorized individuals or institutions, may also examine the content of the consignment to verify the information contained in the BCD and in related documents and, where necessary, shall carry out verifications with the operators concerned.
22. If, as a result of examinations or verifications carried out pursuant to paragraph 21 above, a doubt arises regarding the information contained in a BCD, the final importing State and the CPC whose competent authorities validated the BCD(s) or BFTRCs shall cooperate to resolve such doubts.
23. If a CPC involved in trade of bluefin tuna identifies a consignment with no BCD, it shall notify the findings to the exporting State and, where known, the flag State.
24. Pending the examinations or verifications under paragraph 21 to confirm compliance of the bluefin tuna consignment with the requirements in the present Recommendation and any other relevant Recommendations, the CPCs shall not grant its release for domestic trade, import or export, nor, in the case of live bluefin tuna destined to farms, accept the transfer declaration.
25. Where a CPC, as a result of examination or verifications under paragraph 21 above and in cooperation with the validating authorities concerned, determines that a BCD or BFTRC is invalid, the domestic trade, import, export or re-export of the bluefin tuna concerned shall be prohibited.
26. The Commission shall request the non-Contracting Parties that are involved in domestic trade, import, export or re-export of bluefin tuna to cooperate with the implementation of the Program and to provide to the Commission data obtained from such implementation.

PART VII NOTIFICATION AND COMMUNICATION

27. Each CPC that validates BCDs in respect of its flag catching vessels, traps or farms in accordance with paragraph 12(a), shall notify the ICCAT Secretariat of the government authorities, or other authorized individuals or institutions (name and full address of the organization(s) and, where appropriate, name and title of the validating officials who are individually empowered, sample form of document, sample impression of stamp or seal, and as appropriate tag samples) responsible for validating and verifying BCDs or BFTRCs. This notification shall indicate the date at which this entitlement comes into force. A copy of the provisions adopted in national law for the purpose of implementing the bluefin tuna catch documentation program shall be communicated with the initial notification, including procedures to

authorize nongovernmental individuals or institutions. Updated details on validating authorities and national provisions shall be communicated to the ICCAT Secretariat in a timely fashion.

28. The information on validating authorities transmitted by notifications to the ICCAT Secretariat shall be placed on the password protected page of the database on validation held by the ICCAT Secretariat. The list of the CPCs having notified their validating authorities and the notified dates of entry into force of the validation shall be placed on a publicly accessible website held by the ICCAT Secretariat. CPCs are encouraged to access this information to help verify the validation of BCDs and BFTRCs.
29. Each CPC shall notify to the ICCAT Secretariat the points of contact (name and full address of the organization(s)) that should be notified when there are questions related to BCDs or BFTRCs.
30. Copies of validated BCDs and notification pursuant to paragraphs 27, 28 and 29 shall be sent by CPCs to the ICCAT Secretariat, by electronic means, whenever possible.
31. The Commission shall consider the introduction of an electronic system as informed by results reported to the Commission from the electronic statistical document pilot programs conducted by CPCs in accordance with *Recommendation by ICCAT on an Electronic Statistical Document Pilot Program* [Rec. 06-16]. Those CPCs which implement an electronic system in advance of the Commission shall ensure the electronic system meets the requirements of this measure and has the ability to produce paper copies upon request of national authorities from the exporting and importing Parties.
32. Copies of BCDs shall follow each part of split shipments or processed product, using the unique document number of the BCD to link them.
33. CPCs shall keep copies of documents issued or received for at least two years.
34. CPCs shall provide to the ICCAT Secretariat a report each year by October 1 for the period from July 1 of the preceding year to June 30 of the current year to provide the information described in **Annex 6**.

The ICCAT Secretariat shall post these reports on the password protected section of the ICCAT website, as soon as practicable.

At its request, the SCRS shall have access to the reports received by the ICCAT Secretariat.
35. The *Recommendation by ICCAT Amending Recommendation 07-10 on an ICCAT Bluefin Tuna Catch Document Program* [Rec. 08-12] is repealed and replaced by this Recommendation.

Data to be Included in Bluefin Tuna Catch Document (BCD)

1. ICCAT Bluefin tuna catch document number*

2. Catch Information

Vessel or trap name*

Flag State*

ICCAT Record No.

Date, area of catch and gear used*

Number of fish, total weight, and average weight*¹

ICCAT Record number of Joint Fishing Operation (if applicable)*

Tag No. (if applicable)

Government validation

Name of authority and signatory, title, signature, seal and date

3. Trade Information for live fish trade

Product description

Exporter/Seller information

Transportation description

Government validation

Name of authority and signatory, title, signature, seal and date

Importer/buyer

4. Transfer information

Towing vessel description

ICCAT Transfer Declaration No.

Vessel name, flag

ICCAT Record No.

Number of fish dead during transfer

Total weight of dead fish (kg)

Towing cage description

Cage number

5. Transshipment information

Carrier vessel description

Name, Flag State, ICCAT Record No., Date, Port name, Port state, position

Product description

(F/FR; RD/GG/DR/FL/OT)

Total weight (NET)

Government validation

Name of authority and signatory, title, signature, seal and date

6. Farming information

Farming facility description

Name, flag of farm*, ICCAT FFB No.* and location of farm

Participation in national sampling program (yes or no)

Cage description

Date of caging, cage number

Fish description

Estimates of number of fish, total weight, and average weight*¹

* See Paragraph 19.

¹ Weight shall be reported by round weight where available. If round weight is not used, specify the type of product (e.g. GG) in the "Total Weight" and "Average Weight" section of the form.

ICCAT regional observer information

Name, ICCAT No., signature

Estimated size composition (<8 kg, 8-30 kg, >30 kg)

Government validation

Name of authority and signatory, title, signature, seal and date

7. Harvesting information*Harvesting description*

Date of harvest*

Number of fish, total (round) weight, and average weight*

Tag numbers (if applicable)

ICCAT regional observer information

Name, ICCAT No., signature

Government validation

Name of authority and signatory, title, signature, seal and date

8. Trade information*Product description*(F/FR; RD/GG/DR/FL/OT) ²

Total weight (NET)*

Exporter/Seller information

Point of export or departure*

Export company name, address, signature and date

State of destination*

Description of transportation (relevant documentation to be attached)

Government validation

Name of authority and signatory, title, signature, seal and date

Importer/buyer information

Point of import or destination*

Import company name, address, signature and date³

² When different types of products are recorded in this section, the weight shall be recorded by each product type.

³ DATE to be filled by IMPORTER/BUYER in this section is the date of signature.

Bluefin Tuna Catch Document Form

1. ICCAT BLUE FIN TUNA CATCH DOCUMENT (BCD)					N° CC-YY-XXXXXX			1/2	
2. CATCH INFORMATION									
VESSEL/TRAP									
NAME :				FLAG		ICCAT RECORD No.			
CATCH DESCRIPTION									
DATE (ddmmyy)		AREA		GEAR					
No. of FISH		TOTAL WEIGHT (kg)		AVERAGE WEIGHT (kg)					
TAGS No. (if applicable)						ICCAT RECORD No. of Joint Fishing Operation (if applicable)			
GOVERNMENT VALIDATION									
NAME OF AUTHORITY						SEAL			
TITLE									
SIGNATURE									
DATE									
3. TRADE INFORMATION FOR LIVE FISH TRADE									
PRODUCT DESCRIPTION									
LIVE WEIGHT (kg)		No. of FISHES		ZONE					
EXPORTER/SELLER									
PT EXPORTATION/DEPARTURE			COMPANY			ADDRESS			
FARM OF DESTINATION			STATE		ICCAT FFB No.				
SIGNATURE									
DATE									
TRANSPORTATION DESCRIPTION				(Relevant documentation to be attached)					
GOVERNMENT VALIDATION									
NAME OF AUTHORITY						SEAL			
TITLE									
SIGNATURE									
DATE									
IMPORTER/BUYER									
COMPANY				PT IMPORTATION / DESTINATION (city, country, State)					
ADDRESS									
DATE OF SIGNATURE		SIGNATURE							
ANNEX(ES): YES / NO (circle one)									
4. TRANSFER INFORMATION									
TOWING VESSEL DESCRIPTION									
ICCAT TRANSFER DECLARATION No.									
NAME		FLAG		ICCAT RECORD No.					
No. of FISH DEAD DURING TRANSFER				TOTAL WEIGHT OF DEAD FISH (kg)					
TOWING CAGE DESCRIPTION									
ANNEX(ES): YES / NO (circle one)				CAGE No.					
5. TRANSHIPMENT INFORMATION									
CARRIER VESSEL DESCRIPTION									
NAME		FLAG		ICCAT RECORD No.					
DATE(ddmmyy)		PORT NAME		PORT STATE					
POSITION (LAT/LONG)									
PRODUCT DESCRIPTION (Indicate net weight in kg for each type of product)									
F	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT F (kg)			
FR	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT FR (kg)			
GOVERNMENT VALIDATION									
NAME OF AUTHORITY						SEAL			
TITLE									
SIGNATURE									
DATE									
ANNEX(ES): YES / NO (circle one)									

ICCAT BLUE FIN TUNA CATCH DOCUMENT (BCD)				N° CC-YY-XXXXXX				2/2		
6. FARMING INFORMATION										
FARMING FACILITY DESCRIPTION	NAME		STATE		ICCAT FFB No.					
	SAMPLING NATIONAL PROGRAM ? Yes or No (circle one)				LOCATION					
CAGE DESCRIPTION	DATE(ddmmyy)		CAGE No.							
FISH DESCRIPTION	No. OF FISH		TOTAL WEIGHT (kg)		AVERAGE WEIGHT (kg)					
ICCAT REGIONAL OBSERVER INFO.	NAME		ICCAT No.		SIGNATURE					
	SIZE COMPOSITION		< 8 Kg		8-30 Kg		> 30 Kg			
GOVERNMENT VALIDATION										
	NAME OF AUTHORITY				SEAL					
	TITLE									
	SIGNATURE									
	DATE									
ANNEX(ES): YES / NO (circle one)										
7. HARVESTING INFORMATION										
HARVESTING DESCRIPTION										
	DATE (ddmmyy)		FISH No.		TOTAL ROUND WEIGHT (kg)					
	AVERAGE WEIGHT (kg)		TAG No. (if applicable)							
ICCAT REGIONAL OBSERVER INFO.	NAME		ICCAT No.		SIGNATURE					
GOVERNMENT VALIDATION										
	NAME OF AUTHORITY				SEAL					
	TITLE									
	SIGNATURE									
	DATE									
8. TRADE INFORMATION										
PRODUCT DESCRIPTION (Indicate net weight in kg for each type of product)										
F	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT F (kg)				
FR	RD (kg)	GG (kg)	DR (kg)	FL (kg)	OT(kg)	TOTAL WT FR (kg)				
EXPORTER/SELLER										
	PT EXPORTATION/ DEPARTURE		COMPANY			ADDRESS				
	STATE OF DESTINATION									
	SIGNATURE									
	DATE									
	TRANSPORTATION DESCRIPTION (Relevant documentation to be attached)									
GOVERNMENT VALIDATION										
	NAME OF AUTHORITY				SEAL					
	TITLE									
	SIGNATURE									
	DATE									
IMPORTER/BUYER										
	COMPANY		PT IMPORTATION / DESTINATION (city, country, State)							
	ADDRESS									
	DATE		SIGNATURE							
ANNEX(ES): YES / NO (circle one)										

**Instructions for the Issuance, Numbering, Completion and Validation
of the Bluefin Tuna Catch Document (BCD)**

1. GENERAL PRINCIPLES

(1) Language

If a language other than an official ICCAT language (English, French and Spanish) is used in completing the BCD, the English translation shall be attached to this document.

(2) Numbering

CPCs shall develop unique numbering system for BCDs using their ICCAT country code or ISO code in combination with at least a 8-digit number, of which at least two digits will indicate the year of catch.

Example: CA-09-123456 (*CA stands for Canada*)

In case of split shipments, or processed products, copies of the original BCD shall be numbered by supplementing the number of the original BCD with a 2-digit number.

Example: CA-09-123456-01, CA-09-123456-02, CA-09-123456-03, etc.

The numbering shall be sequential and preferably printed. The serial numbers of blank BCDs issued shall be recorded by the name of the recipient.

2. CATCH INFORMATION

(1) Completion

(a) *General principles:*

This section is applicable to all catches of bluefin tunas.

The master of the catching vessel or the trap operator or their authorised representative or the authorised representative of the flag or trap State shall be responsible for the completion and the request for validation of the CATCH INFORMATION section.

CATCH INFORMATION section shall be completed no later than the end of transfer, transshipment or landing operation.

Remark: in case of joint fishing operation, as defined by paragraph 2(f) of ICCAT Recommendation 08-05, the master of each catching vessel involved in the joint fishing operation shall complete a BCD form for each catch.

(b) *Specific instructions:*

"FLAG": indicate the flag or trap State.

"ICCAT Record No": indicate the ICCAT number of the catching vessel or trap authorised to fish bluefin tuna in the ICCAT Convention area. This information is not applicable to catching vessels which fish bluefin tuna as by-catch.

"GEAR": indicate the fishing gear using the following codes:

BB	Baitboat
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-water trawl
PS	Purse seine
RR	Rod and reel
SPHL	Sport handline
SPOR	Sport fisheries unclassified
SURF	Surface fisheries unclassified
TL	Tended line
TRAP	Trap
TROL	Troll
UNCL	Unspecified methods
OT	Other type

"TOTAL WEIGHT": indicate the round weight in kilograms. If round weight is not used at the time of catch, indicate the type of product (e.g. GG). In case of joint fishing operation, quantity reported shall correspond to the allocation key defined for each catching vessel.

"AREA": indicate Mediterranean, western Atlantic, eastern Atlantic or Pacific.

"TAGS No (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

(2) Validation

The flag or trap State shall be responsible for the validation of the CATCH INFORMATION section unless bluefin tuna are tagged in accordance with Paragraph 20 of the Recommendation.

3. TRADE INFORMATION FOR LIVE FISH TRADE

(1) Completion

(a) *General principles:*

This section is only applicable to export of live bluefin tunas.

The master of the catching vessel or his authorised representative or the authorised representative of the flag State shall be responsible for the completion and the request for validation of the TRADE INFORMATION FOR LIVE FISH TRADE section.

The TRADE INFORMATION FOR LIVE FISH TRADE section shall be completed before the first transfer operation, i.e. the transfer of fish from the catching vessel net to the transport cage.

Remark: in case that a quantity of fish dies during the transfer operation and is domestically traded or exported, the original BCD (CATCH INFORMATION section completed shall be copied for the fish, and TRADE INFORMATION section of the copied BCD shall be completed by the master of the catching vessel or his authorised representative or the authorised representative of the flag State and transmitted to the domestic buyer/importer. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the CPC. Without the government validation, any BCD copy is null and void.

(b) *Specific instructions:*

"ZONE": indicate the area of transfer, Mediterranean, western Atlantic, eastern Atlantic or Pacific.

"POINT OF EXPORT/DEPARTURE": indicate the CPC name of the fishery zone where the bluefin tuna were transferred or indicate "high seas" otherwise.

"TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) Validation

The flag State shall not validate documents where the CATCH INFORMATION section is not completed.

4. TRANSFER INFORMATION

(1) Completion

(a) *General principles:*

This section is only applicable to live bluefin tunas.

The master of the catching vessel or his authorised representative or the authorised representative of the flag State shall be responsible for the completion of the TRANSFER INFORMATION section.

The TRANSFER INFORMATION section shall be completed no later than the end of the first transfer operation, i.e. the transfer of fish from the catching vessel net to the transport cage.

At the end of the transfer operation, the master of the catching vessel shall provide the BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the master of the tug vessel.

The completed BCD shall accompany the transfer of fish during transport to farm, including transfer of live bluefin tuna from the transport cage to another transport cage or transfer of dead bluefin tuna from the transport cage to an auxiliary vessel.

Remark: in case that some fish die during the transfer operation, the original BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) shall be copied, and TRADE INFORMATION section of the copied BCD shall be completed by the domestic seller/exporter or his authorised representative or the authorised representative of the flag State and transmitted to the domestic buyer/importer. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the CPC. Without the authorized government validation, any BCD copy is null and void.

(b) *Specific instructions:*

"No. OF FISH DEAD DURING TRANSFER" and "TOTAL WEIGHT OF DEAD FISH": information completed (if applicable) by the master of the tug vessel.

"CAGE No.": indicate each number of cages in the case of a tug vessel having more than one cage.

(2) Validation

Validation of this section is not required.

5. TRANSSHIPMENT INFORMATION

(1) Completion

(a) *General principles:*

This section is only applicable to dead bluefin tunas.

The master of the transshipping fishing vessel or his authorized representative or the authorized representative of the flag State shall be responsible for the completion and the request for validation of the TRANSHIPMENT INFORMATION section.

The TRANSHIPMENT INFORMATION section shall be completed at the end of the transshipment operation.

(b) *Specific instructions:*

"DATE": indicate the date of the transshipment.

"PORT NAME": indicate the designated port of transshipment.

"PORT STATE": indicate the CPC of the designated port of transshipment.

(2) Validation

The flag State shall not validate documents where the CATCH INFORMATION section is not completed and validated.

6. FARMING INFORMATION

(1) Completion

(a) *General principles:*

This section is only applicable to live caged tunas.

The master of the tug vessel shall provide the BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the farm operator at the time of caging.

The farm operator or his authorized representative or an authorized representative of the farm CPC shall be responsible for the completion and the request for validation of the FARM INFORMATION section.

The FARM INFORMATION section shall be completed at the end of the caging operation.

(b) Specific instructions:

"CAGE No": indicate each number of cage.

"ICCAT Regional Observer Information": indicate name, ICCAT # and signature.

(2) Validation

The farm State shall be responsible for the validation of the FARM INFORMATION section.

The farm State shall not validate BCDs where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections are not completed and, where applicable, validated.

7. HARVESTING INFORMATION

(1) Completion

(a) *General principles:*

This section is only applicable to dead farmed tunas.

The farm operator or his authorized representative or an authorized representative of the farm CPC shall be responsible for the completion and the request for validation of the HARVEST FROM FARM INFORMATION section.

The HARVESTING INFORMATION section shall be completed at the end of the harvesting operations.

(b) *Specific instructions:*

"TAGS No (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

"ICCAT Regional Observer Information": indicate name, ICCAT # and signature.

(2) Validation

The farm CPC shall be responsible for the validation of the HARVESTING INFORMATION section.

The farm State shall not validate BCDs where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE, TRANSFER INFORMATION and FARMING INFORMATION sections are not completed and, where applicable, validated.

8. TRADE INFORMATION

(1) Completion

(a) *General principles:*

This section is applicable to dead bluefin tunas.

The domestic seller or exporter or their authorized representative or an authorized representative of the State of the seller/exporter shall be responsible for the completion and the request for validation of the TRADE INFORMATION section.

The TRADE INFORMATION section shall be completed prior to the fish being domestically traded or exported.

(b) *Specific instructions:*

"TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) Validation

The State of the seller/exporter shall be responsible for the validation of the TRADE INFORMATION section unless bluefin tuna are tagged in accordance with Paragraph 20 of the Recommendation.

Remark: in cases where more than one domestic trade or export results from a single BCD, a copy of the original BCD shall be validated by the State of the domestic seller or exporter and shall be used and accepted as an original BCD. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the concerned CPC. Without the authorized government validation, any BCD copy is null and void.

In cases of re-export, the RE-EXPORT CERTIFICATE (**Annex 5**) shall be used to track further movements, which shall be related to the catch information of the original BCD of the catch via the original BCD number.

When bluefin tuna is caught by a CPC using the tagging system, exported dead to a country, and re-exported to another country, the BCD accompanying the re-exported certificate does not have to be validated. However, the re-exported certificate shall be validated.

After import, a bluefin tuna may be divided into several pieces, which then may be subsequently exported. The re-exporting country shall confirm that the re-exported piece is part of the original fish accompanied by the BCD.

Annex 4

Data to be Included in the Bluefin Tuna Re-export Certificate (BFTRC)

1. Document number of the BFTRC*

2. Re-export section

Re-exporting CPC/Entity/Fishing Entity

Point of re-export*

3. Description of imported bluefin tuna

Product type F/FR RD/GG/DR/FL/OT⁴

Net weight (kg)*

BCD number(s) and date(s) of importation*

Flag(s) of fishing vessel(s) or state of establishment of the trap, where appropriate

4. Description of bluefin tuna to be re-exported

Product type F/FR RD/GG/DR/FL/OT*⁴

Net weight (kg)*

Corresponding BCD number(s) from section 3

State of destination

5. Statement of re-exporter

Name

Address

Signature

Date

6. Validation by governmental authorities

Name and address of the authority

Name and position of the official

Signature

Date

Government seal

7. Import section

Statement by the importer in the CPC of import of the bluefin tuna consignment

Name and address of the importer

Name and signature of the importer's representative and date

Point of import: City and CPC*

Note: Copies of the BCD(s) and Transport document(s) shall be attached.

⁴ When different types of products are recorded in this section, the weight shall be recorded by each product type.

1. DOCUMENT NUMBER		ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE			
2. RE-EXPORT SECTION: RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY POINT OF RE-EXPORT					
3. DESCRIPTION OF IMPORTED BLUEFIN TUNA					
Product Type <i>F/FR RD/GG/DR/FL/OT</i>		Net Weight (kg)	Flag CPC	Date of import	BCD No.
4. DESCRIPTION OF BLUEFIN TUNA FOR RE-EXPORT					
Product Type <i>F/FR RD/GG/DR/FL/OT</i>		Net Weight (kg)	Corresponding BCD number		
F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Guttled, DR=Dressed, FL=Fillet, OT=Others (Describe the type of product:)					
STATE OF DESTINATION:					
5. RE-EXPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Name		Address	Signature	Date	
6. GOVERNMENT VALIDATION: I validate that the above information is complete, true and correct to the best of my knowledge and belief.					
Name & Title		Signature	Date	Government Seal	
7. IMPORT SECTION IMPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
Importer Certification					
Name		Address	Signature	Date	
Final Point of Import: City		State/Province	CPC		

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

Note: Valid transport document and copies of the BCDs shall be attached.

Report on the Implementation of the ICCAT Bluefin Tuna Catch Documentation Programme

Reporting CPC:

Period of reference: 1 July [2XXX] to 30 June [2XXX]

1. Information extracted from BCDs

- number of BCDs validated
- number of validated BCDs received
- total amount of bluefin tuna products traded domestically, with breakdown by fishing areas and fishing gears
- total amount of bluefin tuna products imported, exported, transferred to farms, re-exported with breakdown by CPC of origin, re-export or destination, fishing areas and fishing gears
- number of verifications of BCDs requested to other CPCs and summary results
- number of requests for verifications of BCDs received from other CPCs and summary results
- total amount of bluefin tuna consignments subject to a prohibition decision with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), reasons for prohibition and CPCs and/or non-Contracting Parties of origin or destination

2. Information on cases under Part VI paragraph 21.

- number of cases
- total amount of bluefin tuna with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), CPCs or other countries referred to in Part VI paragraph 21.

RESOLUTIONS ADOPTED BY ICCAT IN 2009**09-12****GEN****RESOLUTION BY ICCAT FOR THE PILOT APPLICATION OF
THE KOBE 2 DECISION MATRIX**

RECALLING that the Recommended Course of Actions from the first Global Summit of Tuna RFMOs in Kobe, Japan, included the standardization of stock assessment presentations, and that management decisions be based upon scientific advice, including the use and application of the precautionary approach;

NOTING that the first Global Summit of Tuna RFMOs agreed that stock assessment results be presented in a standardized “four quadrant, red-yellow-green” format that is now referred to as the “Kobe Plot”, which is widely embraced as a practical, user-friendly method to present stock status information;

RECOGNIZING that at the Second Joint Meeting of Tuna RFMOs in June 2009 in San Sebastian, Spain, it was recognized that the logical step following the Kobe Plot is a “strategy matrix” for fishery managers, laying out options for meeting management targets, such as ending overfishing and rebuilding overfished stocks, in a standardized manner;

ACKNOWLEDGING the Strategy Matrix as a harmonized format for RFMO science bodies to convey advice, the Commission would specify targets for each fishery, and the matrix would present the specific management measures that would achieve the intended management target with a certain probability by a certain time, and the probabilities and timeframes to be evaluated would be determined by the Commission;

HIGHLIGHTING that this format for presenting stock assessment results facilitates the application of the precautionary approach by providing Commissions with the basis to evaluate and adopt management options at various levels of probability;

UNDERSCORING the findings and recommendations of the First Working Group on the Future of ICCAT (Sapporo, Japan) for the use of the best available scientific information and precautionary approach, including a pilot application of the Kobe II strategy matrix on two ICCAT stocks to be assessed in 2010;

COMMITTING to improved data collection, reporting, accountability and transparency of stock status and rebuilding goals for Atlantic bluefin and bigeye tuna stocks;

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

The SCRS should complete the following matrix with the corresponding levels of catch to provide management advice to the Commission in 2010 for bluefin and bigeye tunas as follows:

Strategy Matrix for Setting Management Measures

<i>Management Target</i>	<i>Time Frame*</i>	<i>Probability of Meeting Target</i>				<i>Data Rich/Data Poor</i>
		<i>50%</i>	<i>60%</i>	<i>75%</i>	<i>90%</i>	
F _{MSY}	In 1 year					
	In 3 years					
	In 5 years					

<i>Management Target</i>	<i>Time Frame*</i>	<i>Probability of Meeting Target</i>				<i>Data Rich/Data Poor</i>
		<i>50%</i>	<i>60%</i>	<i>75%</i>	<i>90%</i>	
B _{MSY}	In 5 year					
	In 10 years					
	In 15 years					

* In cases where a rebuilding timeframe has already been agreed, the SCRS should base its advice on that time frame.

OTHER DECISIONS ADOPTED BY ICCAT IN 2009

7.1 AMENDMENT TO ICCAT'S FINANCIAL REGULATIONS: REGULATION 4 – PROVISION OF FUNDS

1. The appropriations for a financial period shall be financed by annual contributions made by members of the Commission pursuant to Article X-2 of the Convention and in accordance with the following Basic Principles of the New Calculation Scheme * :

- (a) Each Contracting Party shall contribute annually to the Budget of the Commission an amount equivalent to US\$ 1,000 for the Commission membership and an amount equivalent to US\$ 1,000 for each panel membership, as provided for in the Convention (Article X, paragraph 2).
- (b) Contributions for Commission expenses in excess of the amount made under item one shall be determined by a formula which considers both the economic capabilities of the member countries and their tuna harvest and canning production. This formula includes the following criteria:
 - (i) Member countries are classified into four groups: Group A: members defined as developed market economies by the appropriate United Nations economic organizations. Group B: members not included in group A whose GNP per capita exceeds [US\$ 4,000] (adjusted to 1991 dollar values) and whose combined round weight of catch and net weight of canned products of Atlantic tuna and tuna-like fishes exceeds [5,000 t]. Group C: whose GNP per capita exceeds [US\$ 4,000] or whose combined round weight of catch and net weight of canned products of Atlantic tuna and tuna-like fishes exceeds [5,000 t]. Group D: members not included in groups A, B and C.
 - (ii) The total Commission Budget shall be assigned to each of the four groups according to the formula given below. Within each group, the contribution for each Contracting Party shall be calculated by the method defined in Article X, paragraph 2, of the Convention (Each Contracting Party shall contribute annually to the budget of the Commission an amount equal to: (a) US\$ 1,000 (one thousand United States dollars) for Commission membership. (b) US\$ 1,000 (one thousand United States dollars) for each Panel membership. (c) If the proposed budget for joint expenses for any biennium should exceed the whole amount of contributions to be made by the Contracting Parties under (a) and (b) of this paragraph, one-third of the amount of such excess shall be contributed by the Contracting Parties in proportion to their contributions made under (a) and (b) of this paragraph. For the remaining two-thirds the Commission shall determine on the basis of the latest available information: (i) the total of the round weight of catch of Atlantic tuna and tuna-like fishes and the net weight of canned products of such fishes for each Contracting Party; (ii) the total of (i) for all Contracting Parties. Each Contracting Party shall contribute its share of the remaining two-thirds in the same ratio that its total in (i) bears to the total in (ii). That part of the budget referred to in this sub-paragraph shall be set by agreement of all the Contracting Parties present and voting.)

Group D: The percentage of the total budget assigned to this group shall be [0.25] percent per member in the Group.

Group C: The percentage of the total budget assigned to this group shall be [1.0] percent per member in the Group.

Group B: The percentage of the total budget assigned to this group shall be [3.0] percent per member in the Group.

Group A: The percentage of the total budget remaining after the assignment to groups B, C and D.

Note: The U.S. dollar amounts and t amounts in [] are variables, which may be modified, by Commission decision.

2. As soon as the Commission has approved the budget for a financial period, the Executive Secretary shall send a copy thereof to all members of the Commission, notifying them of their yearly assessments during the financial period and requesting them to deposit the corresponding amount.

* As modified by the Madrid Protocol, which entered into force on March 10, 2005.

3. Contributions to the budget shall be payable in such currencies as the Commission may decide.
4. New members of the Commission whose membership becomes effective during the first six months of any year shall be liable to pay the full amount of the annual contribution they would have been required to pay if they had been members of the Commission when assessments were made under Article X-2 of the Convention.
5. New members of the Commission whose membership becomes effective during the last six months of any year shall be liable to pay half the amount of the annual contribution referred to in paragraph 4 above.
6. The appropriations for a financial period may also be financed by voluntary contributions from members of the Commission or from other sources, any other income accruing to the Commission.

7.2 *REPORTS OF INSPECTIONS UNDER THE ICCAT JOINT SCHEME OF INTERNATIONAL INSPECTION*

REPORT OF INSPECTION N°

- | | |
|-------------------------------------|---------------------------------|
| 1. Inspector(s) | Inspector's witness |
| 1.1 Name..... | Name..... |
| 1.2 Nationality..... | Nationality..... |
| 1.3 Contracting Parties..... | Contracting Parties |
| 1.4 ICCAT Identity Card number..... | ICCAT Identity Card number..... |
2. Vessel carrying the Inspector
 - 2.1 Name and Registration
 - 2.2 Flag.....
 3. Vessel inspected
 - 3.1 Name and Registration.....
 - 3.2 Flag.....
 - 3.3 Captain (Name and address).....
 - 3.4 Ship owner (Name and address).....
 - 3.5 ICCAT Record number.....
 - 3.6 Type of vessel.....
 4. Position
 - 4.1 As determined by the inspector: Lat.Long.....
 - 4.2 As determined by the captain of the fishing vessel: Lat.Long.....
 - 4.3 Time (GMT) when position was recorded:
 5. Date (dd/mm/yyyy).....
 6. Time
 - 6.1 On arrival on board.....
 - 6.2 Of departure from the vessel.....
 7. Fishing gear on board

Purse seine	<input type="checkbox"/>	Pole & Line (Baitboat)	<input type="checkbox"/>
Long line	<input type="checkbox"/>	Trolling lines	<input type="checkbox"/>

Other (specify)

Towing cage(s) Yes No Number of cages:.....

8. Statement of photographs taken with description of subjects:

9. List of documents inspected and comments:

9.1 Log book Yes No Infringement Yes No

9.2 BCD Yes No Infringement Yes No

9.3 Transfer / transhipment declaration

Yes No Infringement Yes No

9.4 Other (specify)

10. Results of the inspection of the fish on board:

10.1 Species observed on board

SPECIES				
TOTAL CATCH (kg)				
INFORMATION SOURCE				
PRODUCT TYPE				
SAMPLE INSPECTED				
% UNDER MIN SIZE				

10.2 Species declared to be in the cage/s

Transfer document No..... Date of first transferFarm of Destination.....

Catching vessel name.....

ICCAT No.....

Cage NoSpecie.....Individuals No..... Weight (kg).....

11. Infringements of ICCAT conservation and management measures observed (description of infringement with mention of legal reference, and if serious violation(s) have been detected, please complete the attached sheet)

12. Inspector's comments (if necessary use a complementary sheet specifying: "*attachment to ICCAT report number xxx*")

13. Inspector's signature _____ Witness' signature _____

14. Observer's name, comments and signature

15. Captain's comments and signature

SERIOUS VIOLATIONS OBSERVED

Vessel name: _____ Vessel flag: _____ ICCAT number: _____

- fishing without a license, permit or authorization issued by the flag CPC,
- failure to maintain sufficient records of catch and catch-related data in accordance with the Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;
- fishing in a closed area;
- fishing during a closed season;
- intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by the ICCAT;
- significant violation of catch limits or quotas in force pursuant to the ICCAT rules;
- use of prohibited fishing gear;
- falsification or intentionally concealment of the markings, identity or registration of a fishing vessel;
- concealment, tampering with or disposal of evidence relating to investigation of a violation;

- multiple violations which taken together constitute a serious disregard of measures in force pursuant to the ICCAT;
- assault, resistance, intimidation, sexual harassment, interference with, or undue obstruction or delay of an authorized inspector or observer;
- intentional tampering with or disabling the vessel monitoring system;
- fishing with assistance of spotter planes;
- interference with the satellite monitoring system and/or operates without VMS system;
- transfer activity without transfer declaration;
- other (specify)

Inspector's signature _____

Witness' signature _____

Date _____

REPORT OF THE MEETING OF THE STANDING COMMITTEE ON FINANCE & ADMINISTRATION (STACFAD)

1. Opening of the meeting

The 2009 meeting of the Standing Committee on Finance and Administration (STACFAD) was opened on Wednesday, November 11, by the Committee Chairman, Mr. J. Jones (Canada).

2. Adoption of the Agenda

The Agenda, which had been circulated in advance of the meeting, was adopted (**Appendix 1 to ANNEX 8**).

3. Appointment of the Rapporteur

The ICCAT Secretariat was designated rapporteur.

4. Reports from the Secretariat

4.1 2009 Administrative Report

The 2009 Administrative Report was presented by the Chairman, who reviewed its contents, i.e. events of an administrative nature that had occurred at the Secretariat and in the Commission in 2009: Contracting Parties to the Convention, the adoption and entry into force of the Recommendations and Resolutions in 2009, ICCAT inter-sessional meetings and Working Groups; meetings at which ICCAT was represented (Appendix 1 to the Administrative Report), tagging lottery, Chairman's letters to various Parties, Entities and Fishing Entities (concerning compliance with the conservation measures and compliance with budgetary obligations), list of publications and Secretariat documents, organization and management of Secretariat staff (organization, new hiring, future hiring and Secretariat staff pension plan), change in the auditing firm and other matters such as the new Secretariat headquarters and the management of other programs.

The Chairman emphasized that in 2009, 15 ICCAT inter-sessional and Working Group meetings had been held, as well as the regional Workshops encouraged by the Chairman, which shows the complexity of our organization.

The Chairman also pointed out that the Secretariat was managing more than 10 projects established as trust funds, and which amounted to €1,306,365.53 at the end of last year, and added that this had had considerable impact on the administrative work, and would be discussed in more detail in Item 9 of this Report. After a short review of the Trust Funds, the Chairman clarified that although the EC Fund for Capacity Building was not included in the Administrative Report it was included in the Financial Report.

The Delegate of the European Community requested clarification on the table in the Report referring to compliance with budgetary obligations in the case of Tunisia, and emphasized that each year more letters were being sent regarding this matter.

The Secretariat explained that no letter was sent to Tunisia in June since a payment had been received at that time, and in the receipt acknowledging payment, mention was made of the pending debt.

The Delegate from the United States was grateful for such a detailed report including an explanation of the Secretariat's work. The Delegate referred to Item 3 of the Report concerning the mail vote, and indicated that this Committee should deal with the rules governing the constitution of a quorum, as it was its responsibility. The Delegate recalled that following the announcement of the results of the voting, the U.S. delegation had requested information on how the voting procedures indicated in Article VIII of the Convention had been carried

out, and added that although they considered there had been a quorum, the necessary standard for the adoption of the recommendation had not been met.

The Chairman responded that this matter would be discussed again at the plenary.

The Delegate of Namibia was pleased that the Regional Workshops had been carried out as they provided an opportunity to share points of view and opinions among the Parties. As regards the meetings where ICCAT was represented, the Delegate asked what were the criteria and procedures for such participation, and if this task was only the Secretariat's responsibility. Moreover, the delegate pointed out he had received information that the payment of Namibia's 2009 contribution would be made shortly.

The Chairman explained that the Secretariat attended just a few of the meetings to which it has been invited, and only selected those meetings that had some impact on our organization.

The Executive Secretary added that a large number of invitations were received and only those that the Secretariat should attend were chosen, either because the other regional organizations participated or to provide information about our organization.

The Administrative Report was adopted.

4.2 2009 Financial Report

The Chairman presented the Financial Report which had been distributed in advance. The Chairman recalled that the report included information up to October 20, 2009.

He pointed out that the amount available in the Working Capital Fund was very high and allowed for a wide margin.

The Delegate of the European Community noted that the Fund was very high and that it should be reduced in phases, to adjust it to the percentage recommended by the auditors, i.e. 30%. The delegate indicated that the Fund could be used to scientific studies or operating expenses over the short-term. He also noted the matter of the arrears of the contributions and pointed out it was not fair that there were Parties that did not comply with their obligations. Further, he informed the Committee that the EC had already made a contribution to the Bluefin Tuna Research Program.

The Chairman explained that the level of the Working Capital Fund should be a minimum of 15% and that the ideal level was 30%. He noted that since the current level of the Fund was quite high, it allowed for considerable financial flexibility. He recalled that last year the ICCAT Performance Review was financed by the Fund. He proposed exercising caution regarding this Fund and that the financing of fixed expenses and operating expenses should be avoided, using the Fund for projects and programs in the short-term.

The Delegate of Brazil expressed agreement with the Chairman and indicated that having a high level in the Working Capital Fund would facilitate confronting unexpected delays in the contributions, as has occurred in the past. He also indicated that the SCRS Chairman's travel expenses should be covered from the Fund.

The Financial Report was adopted.

5. Review of progress of the payment of arrears

At the second session, the Chairman presented a document which provided details on the status of the delays in the payments from the Contracting Parties, and pointed out that Cape Verde, Gabon, Republic of Guinea, Honduras, Nicaragua, Panama, and St. Tome and Principe has arrears of more than two years. He informed that Ghana had recently made a payment of €10,000, for which it had regularized its situation. The Chairman pointed out that Ghana was the only Party that had submitted a plan to regularize payment, which it was completing.

The Delegates of Nicaragua, Panama and St. Tome and Principe expressed that they were trying to solve this problem and that actions had been initiated in this respect.

The Delegate of the European Community expressed concern for the high percentage of the debt. He proposed submitting the non-payment of the contributions to the plenary sessions, to discuss the withdrawal of voting rights in accordance with the provisions of the Convention.

Other delegations that had not complied with the payment of their 2009 contributions indicated that they had initiated the procedures to liquidate their pending debts.

The Chairman appreciated these efforts and proposed that in 2010 the Parties involved submit Action Plans to the Secretariat in order to carry out a review at the next meeting, indicating that this would be included on the Agenda for the next meeting.

6. Budget and Contracting Parties contributions 2010-2011

The Chairman presented the proposal for the budget and contributions of the Contracting Parties for 2010-2011. He pointed out that the budget had been transmitted to all the Parties in July and that no comments had been received. He referred to the document that provided a detailed explanation of how the Contracting Party contributions are calculated.

During the first session it was explained that **Table 1** contained the budget proposal, with a 7.4% increase over that of 2009, and that the regularization of the VMS Coordinator was included in the ICCAT budget, as well as the hiring of a person for the Department of Finance and Administration.

The Delegate of the European Community stated that the budget was reasonable and that we would have to wait to include the SCRS Recommendations.

Further to last year's discussions, the Chairman pointed out that the travel expenses for the Commission and SCRS Chairmen were not included in the budget and he proposed that in the short-term these be covered by the Working Capital Fund in order to consider the possibility of including them in the future in the regular ICCAT budget

The Delegate of the European Community supported financing such travel from the Fund and that before including this in the budget, we should know the repercussions. With regard to the SCRS recommendations, the delegate requested a listing by priorities.

The SCRS Chairman presented the requests required by the Scientific Committee.

The Delegate of Chinese Taipei informed the Committed that new contributions would be made in 2010, as has been done in previous years.

At the second session, the Chairman explained in detail how the contributions are calculated according to the Madrid Protocol. He recalled that with the adoption of the Protocol and the new calculation scheme, the developed countries assumed a greater proportion of the ICCAT Budget. He further explained that there were four Groups and that the Parties were distributed among these, based on information from UNCTAD and the catch and canning figures. The Groups were configured so that Group A assumed 85% of the budget, Groups B and C 14%, and Group D 1%. He explained, however, that since the year of adoption up to now the number of Contracting Parties of the Commission had doubled, which resulted in a situation that in large measure went beyond the initial spirit of the calculation scheme advocated in the Madrid Protocol.

The Chairman stated that the proposal presented by the Secretariat for the next biennial period contained a change in the percentages per member of each Group, as an alternative to bring it closer in line with the proportions established initially, and he pointed out some examples and situations that could occur.

The Delegate of the European Community stated that the change proposed required more study and that it would be better if the Working Group on the Future of ICCAT would dwell deeper into this matter over the long-term.

The Delegate of Brazil pointed out that there were Contracting Parties that had considerably lowered their catch and canning figures.

The Chairman explained that the changes of the Parties among the groups depended on their economy and their catch and canning figures, and the change of a Party in a Group directly affected the rest. He also noted that an alternative to stabilize the calculations could be an average of the catch and canning figures of the last three years, and he added that a document on this had been prepared.

The Delegate of Brazil stated that an average would be much more correct, and that the reference figures should include all the species, even those of lesser value.

The Delegate of Canada expressed that the proposal involved a change in the Financial Regulations, and that it should be accompanied by a proposal of amendment.

The Delegate of the United States indicated that the calculation had to be revised and adjusted, over both the short and long-term, in order to achieve more stability in view of the important increase in the Contracting Parties.

The Delegate of Norway stated that the Parties in Group A should assume their responsibility and pay the corresponding amount.

The Chairman presented a document with a proposal that contained a change in the amounts expressed in dollars enclosed in [], in Regulation 4.1 (b) (i), establishing a threshold of US\$4,000, since as it indicates in the Note to Regulation 4 of the Financial Regulations, this figure could be changed by decision of the Commission. This proposal included the average of the catch and canning figures for 2005, 2006 and 2007, to give more stability to the calculations and to regularize the contributions. The amendment of Regulation 4 of the Financial Regulations is attached as **ANNEX 7.1**.

The Delegate of the European Community stated that the solution proposed was a good one and added that new alternatives would have to be studied and that perhaps the auditors could assist in this task.

The Delegates of Brazil and Canada supported the proposal.

The Delegate of Turkey expressed some reservations on the proposal and that they would have to check their figures.

Mexico and St. Vincent and the Grenadines also stated that they reserved their opinions.

The budget was referred to the plenary sessions for adoption (see **Tables 1 to 7**).

7. Consideration of programs which may require additional financing

The Chairman informed that in the past few days contributions had been received from Norway (€20,000) and Croatia (€7,000) towards the Bluefin Tuna Research Program.

8. Election of Chair

The Delegate of Tunisia proposed that Ms. Sylvie Lapointe (Canada) assume the Chair of STACFAD. This proposal was seconded by South Africa, the United States and the European Community. Consequently, Ms. Lapointe was elected to serve as Chairperson for the next two years.

Following the election, several delegations, as well as the Executive Secretary, expressed appreciation to Mr. Jones for the excellent work throughout his 12 years as Chairman of the Committee, and wished him much success henceforth.

9. Other matters

The Chairman explained that the Secretariat currently administers several funds for capacity building and data improvement, integrated as Trust Funds. He stated that maintaining these funds and individual accounts increases, to a large extent, the Secretariat's work load and resources in terms of staff time for administration and

coordination, and that some of these funds already include the concept of making extra-budgetary contributions to the Commission. He indicated that the ideal percentage for this concept was 8% of the budget of each Fund.

The Chairman also proposed that the Commission develop minimum formal procedures for the coordinated focus of the disbursement of the funds for data and capacity building.

The Executive Secretary added that the auditors oversee the procedure for the management of each of these funds, which varies depending on the donor. As an example, he noted that the ICCAT/Japan Data Improvement Project contributed 5% of its budget annually towards the ICCAT Working Capital Fund.

Various delegations expressed agreement with the development of this manual on procedures.

10. Adoption of the Report and adjournment

The Report of STACFAD was adopted by correspondence.

The meeting of STACFAD was adjourned by the Chairman, Mr. Jones.

Table 1. 2010-2011 Commission Budget (Euros).

<i>Chapters</i>	<i>2009</i>	<i>Increase</i>	<i>2010</i>	<i>Increase</i>	<i>2011</i>
1. Salaries	1,083,607.30	10.34%	1,195,609.39	2.00%	1,219,521.58
2. Travel	31,020.00	0.00%	31,020.00	2.00%	31,640.40
3. Commission meetings (annual & inter-sessional)	134,420.00	0.00%	134,420.00	2.00%	137,108.40
4. Publications	54,254.02	0.00%	54,254.02	2.00%	55,339.10
5. Office Equipment	8,321.17	0.00%	8,321.17	2.00%	8,487.59
6. Operating Expenses	225,000.00	0.00%	225,000.00	2.00%	229,500.00
7. Miscellaneous	6,656.94	0.00%	6,656.94	2.00%	6,790.08
8. Coordination of Research					
a) Salaries	819,412.25	16.04%	950,847.03	2.00%	969,863.97
b) Travel to improve statistics	31,020.00	0.00%	31,020.00	2.00%	31,640.40
c) Statistics-Biology	25,850.00	-14.89%	22,000.00	2.00%	22,440.00
d) Computer-related items	41,101.50	-2.68%	40,000.00	2.00%	40,800.00
e) Database maintenance	39,770.60	-24.57%	30,000.00	2.00%	30,600.00
f) Phone line-Internet domain	26,160.20	-19.73%	21,000.00	2.00%	21,420.00
g) Scientific meetings (including SCRS)	79,883.22	-6.11%	75,000.00	2.00%	76,500.00
h) Miscellaneous	6,324.09	0.00%	6,324.09	2.00%	6,450.57
<i>Sub-total Chapter 8</i>	<i>1,069,521.86</i>	<i>9.97%</i>	<i>1,176,191.12</i>	<i>2.00%</i>	<i>1,199,714.94</i>
9. Contingencies	25,850.00	-61.32%	10,000.00	2.00%	10,200.00
10. Separation from Service Fund	31,020.00	0.00%	31,020.00	2.00%	31,640.40
11. Research Programs					
a) ICCAT Billfish Research Program	30,000.00	0.00%	30,000.00	2.00%	30,600.00
b) ICCAT Bluefin Year Program (BYP)	15,084.61	0.00%	15,084.61	2.00%	15,386.30
<i>Sub-total Chapter 11</i>	<i>45,084.61</i>	<i>0.00%</i>	<i>45,084.61</i>	<i>2.00%</i>	<i>45,986.30</i>
TOTAL BUDGET	2,714,755.90	7.47%	2,917,577.25	2.00%	2,975,928.80

Table 2. Basic information to calculate the Contracting Party contributions in 2010-2011.

Contracting Parties	Groups ^a	GNP ^b 2007	GNP ^b 1991	Catch ^c	Canning ^d	Catch + Canning	Panels ^e				Total Panels	Contracting Parties
							1	2	3	4		
Albania	D	3,263	3,168	0	0	0	-	X	-	-	1	Albania
Algérie	D	3,895	3,782	3,398	0	3,398	-	X	-	X	2	Algérie
Angola	D	3,846	3,734	3,214	0	3,214	X	-	-	X	2	Angola
Barbados	C	12,768	12,396	275	0	275	-	-	-	-	0	Barbados
Belize	C	4,462	4,332	662	0	662	X	X	X	X	4	Belize
Brazil	B	7,023	6,818	40,473	15,164	55,637	X	X	X	X	4	Brazil
Canada	A	43,191	41,933	2,683	0	2,683	X	X	-	X	3	Canada
Cap-Vert	C	2,551	2,477	10,391	0	10,391	X	-	-	-	1	Cap-Vert
China, People's Rep. of	C	2,517	2,444	9,456	0	9,456	X	X	-	X	3	China, People's Rep. of
Communauté Européenne	A	34,683	33,673	185,501	253,309	438,811	X	X	X	X	4	Communauté Européenne
Côte d'Ivoire	D	1,059	1,028	2,544	0	2,544	X	-	-	X	2	Côte d'Ivoire
Croatia	C	11,111	10,787	955	394	1,349	-	X	-	-	1	Croatia
Egypt	D	1,755	1,704	0	0	0	-	X	-	-	1	Egypt
France (St. P. & M.)	A	40,408	39,231	51	0	51	X	X	-	X	3	France (St. P. & M.)
Gabon	C	8,356	8,113	29	0	29	X	-	-	X	2	Gabon
Ghana	C	612	594	68,297	10,300	78,597	X	-	-	-	1	Ghana
Guatemala, Rep. de	C	2,539	2,465	10,931	0	10,931	X	-	-	-	1	Guatemala, Rep. de
Guinea Ecuatorial	C	22,602	21,944	0	0	0	X	-	-	X	2	Guinea Ecuatorial
Guinea, Rep. of	D	458	445	241	0	241	-	-	-	-	0	Guinea, Rep. of
Honduras	D	1,489	1,446	0	0	0	X	-	-	-	1	Honduras
Iceland	A	62,514	60,693	0	0	0	-	X	-	-	1	Iceland
Japan	A	34,348	33,348	29,060	0	29,060	X	X	X	X	4	Japan
Korea, Rep. of	C	19,487	18,919	3,037	0	3,037	X	X	-	X	3	Korea, Rep. of
Libya	C	9,083	8,818	1,290	0	1,290	X	X	-	-	2	Libya
Maroc	C	2,326	2,258	12,067	935	13,002	X	X	-	X	3	Maroc
Mauritania	D	907	881	0	0	0	X	-	-	-	1	Mauritania
Mexico	B	8,346	8,103	11,683	459	12,141	X	X	X	X	4	Mexico
Namibia	D	3,291	3,195	4,171	0	4,171	X	-	X	X	3	Namibia
Nicaragua, Rep. de	D	1,034	1,004	0	0	0	-	-	-	-	0	Nicaragua, Rep. de
Nigeria	D	1,022	992	0	0	0	X	-	-	X	2	Nigeria
Norway	A	82,357	79,958	12	0	12	-	X	-	-	1	Norway
Panama	B	5,944	5,771	9,141	0	9,141	X	X	-	-	2	Panama
Philippines, Rep. of	D	1,630	1,583	2,272	0	2,272	X	-	-	-	1	Philippines, Rep. of
Russia	C	9,016	8,753	900	0	900	X	-	-	-	1	Russia
Saint Vincent and Grenadines	C	4,447	4,317	2,817	0	2,817	X	X	-	X	3	Saint Vincent and Grenadines
São Tomé e Príncipe	D	556	540	571	0	571	X	-	-	X	2	São Tomé e Príncipe
Senegal	C	910	883	5,620	5,688	11,308	X	-	-	X	2	Senegal
Sierra Leone	D	364	353	0	0	0	-	-	-	-	0	Sierra Leone
South Africa	B	5,719	5,552	5,382	0	5,382	X	-	X	X	3	South Africa
Syrian Arab Republic	D	1,815	1,762	496	0	496	-	X	-	-	1	Syrian Arab Republic
Trinidad & Tobago	C	15,473	15,022	3,492	0	3,492	X	-	-	X	2	Trinidad & Tobago
Tunisie	C	3,358	3,260	6,081	2,285	8,366	-	X	-	X	2	Tunisie
Turkey	B	6,477	6,288	38,642	0	38,642	X	X	X	X	4	Turkey
United Kingdom (O.T.)	A	45,060	43,748	473	0	473	-	-	-	X	1	United Kingdom (O.T.)
United States	A	44,594	43,295	25,798	16,325	42,122	X	X	X	X	4	United States
Uruguay	C	6,879	6,679	1,290	0	1,290	X	-	-	X	2	Uruguay
Vanuatu	D	1,908	1,852	2,060	0	2,060	-	-	-	-	0	Vanuatu
Venezuela	B	8,441	8,195	8,005	1,134	9,139	X	-	-	X	2	Venezuela

a), b), c), d), e): See the legends in the Annex.

Table 3. Contracting Party Contributions 2010 (Euros).

Exchange rate: 1 €= 1.479 US\$ (11/2009)											
<i>Contracting Party</i>	<i>Group^a</i>	<i>Catch + Canning^a</i>	<i>Panels^a</i>	<i>% Catch + Canning^b</i>	<i>% Member + Panels^c</i>	<i>Membership fee^d</i>	<i>Panel Membership^e</i>	<i>Variable fees for Member^f</i>	<i>Variables fees Catch-Canning^g</i>	<i>Total fees^h</i>	<i>Contracting Party</i>
Albania	D	0	1	0.00%	5.71%	676.00	676.00	1,772.25	0.00	3,124.25	Albania
Algérie	D	3,398	2	17.92%	8.57%	676.00	1,352.00	2,658.37	11,113.93	15,800.31	Algérie
Angola	D	3,214	2	16.95%	8.57%	676.00	1,352.00	2,658.37	10,512.18	15,198.55	Angola
Barbados	C	275	0	0.18%	1.89%	676.00	0.00	3,077.58	571.41	4,324.99	Barbados
Belize	C	662	4	0.42%	9.43%	676.00	2,704.00	15,387.92	1,373.18	20,141.10	Belize
Brazil	B	55,637	4	42.77%	20.00%	676.00	2,704.00	33,884.26	144,924.90	182,189.16	Brazil
Canada	A	2,683	3	0.52%	13.79%	676.00	2,028.00	79,583.56	6,032.00	88,319.55	Canada
Cap-Vert	C	10,391	1	6.61%	3.77%	676.00	676.00	6,155.17	21,565.49	29,072.66	Cap-Vert
China, People's Rep. of	C	9,456	3	6.02%	7.55%	676.00	2,028.00	12,310.34	19,623.67	34,638.01	China, People's Rep. of
Communauté Européenne	A	438,811	4	85.50%	17.24%	676.00	2,704.00	99,479.45	986,668.73	1,089,528.18	Communauté Européenne
Côte d'Ivoire	D	2,544	2	13.41%	8.57%	676.00	1,352.00	2,658.37	8,319.92	13,006.29	Côte d'Ivoire
Croatia	C	1,349	1	0.86%	3.77%	676.00	676.00	6,155.17	2,799.63	10,306.80	Croatia
Egypt	D	0	1	0.00%	5.71%	676.00	676.00	1,772.25	0.00	3,124.25	Egypt
France (St. P. & M.)	A	51	3	0.01%	13.79%	676.00	2,028.00	79,583.56	115.57	82,403.13	France (St. P. & M.)
Gabon	C	29	2	0.02%	5.66%	676.00	1,352.00	9,232.75	60.88	11,321.63	Gabon
Ghana	C	78,597	1	50.00%	3.77%	676.00	676.00	6,155.17	163,115.08	170,622.25	Ghana
Guatemala, Rep. de	C	10,931	1	6.95%	3.77%	676.00	676.00	6,155.17	22,685.48	30,192.65	Guatemala, Rep. de
Guinea Ecuatorial	C	0	2	0.00%	5.66%	676.00	1,352.00	9,232.75	0.00	11,260.75	Guinea Ecuatorial
Guinea, Rep. of	D	241	0	1.27%	2.86%	676.00	0.00	886.12	788.17	2,350.29	Guinea, Rep. of
Honduras	D	0	1	0.00%	5.71%	676.00	676.00	1,772.25	0.00	3,124.25	Honduras
Iceland	A	0	1	0.00%	6.90%	676.00	676.00	39,791.78	0.00	41,143.78	Iceland
Japan	A	29,060	4	5.66%	17.24%	676.00	2,704.00	99,479.45	65,340.87	168,200.32	Japan
Korea, Rep. of	C	3,037	3	1.93%	7.55%	676.00	2,028.00	12,310.34	6,302.79	21,317.13	Korea, Rep. of
Libya	C	1,290	2	0.82%	5.66%	676.00	1,352.00	9,232.75	2,676.49	13,937.24	Libya
Maroc	C	13,002	3	8.27%	7.55%	676.00	2,028.00	12,310.34	26,983.50	41,997.84	Maroc
Mauritania	D	0	1	0.00%	5.71%	676.00	676.00	1,772.25	0.00	3,124.25	Mauritania
Mexico	B	12,141	4	9.33%	20.00%	676.00	2,704.00	33,884.26	31,626.29	68,890.55	Mexico
Namibia	D	4,171	3	21.99%	11.43%	676.00	2,028.00	3,544.50	13,640.87	19,889.37	Namibia
Nicaragua, Rep. de	D	0	0	0.00%	2.86%	676.00	0.00	886.12	0.00	1,562.12	Nicaragua, Rep. de
Nigeria	D	0	2	0.00%	8.57%	676.00	1,352.00	2,658.37	0.00	4,686.37	Nigeria
Norway	A	12	1	0.00%	6.90%	676.00	676.00	39,791.78	27.73	41,171.51	Norway
Panama	B	9,141	2	7.03%	12.00%	676.00	1,352.00	20,330.56	23,810.89	46,169.45	Panama
Philippines, Rep. of	D	2,272	1	11.98%	5.71%	676.00	676.00	1,772.25	7,429.28	10,553.52	Philippines, Rep. of
Russia	C	900	1	0.57%	3.77%	676.00	676.00	6,155.17	1,867.11	9,374.28	Russia
Saint Vincent and Grenadines	C	2,817	3	1.79%	7.55%	676.00	2,028.00	12,310.34	5,845.53	20,859.86	Saint Vincent and Grenadines
São Tomé e Príncipe	D	571	2	3.01%	8.57%	676.00	1,352.00	2,658.37	1,866.31	6,552.69	São Tomé e Príncipe
Senegal	C	11,308	2	7.19%	5.66%	676.00	1,352.00	9,232.75	23,467.88	34,728.64	Senegal
Sierra Leone	D	0	0	0.00%	2.86%	676.00	0.00	886.12	0.00	1,562.12	Sierra Leone
South Africa	B	5,382	3	4.14%	16.00%	676.00	2,028.00	27,107.41	14,019.28	43,830.69	South Africa
Syrian Arab Republic	D	496	1	2.62%	5.71%	676.00	676.00	1,772.25	1,622.12	4,746.37	Syrian Arab Republic
Trinidad & Tobago	C	3,492	2	2.22%	5.66%	676.00	1,352.00	9,232.75	7,246.38	18,507.13	Trinidad & Tobago
Tunisie	C	8,366	2	5.32%	5.66%	676.00	1,352.00	9,232.75	17,361.56	28,622.31	Tunisie
Turkey	B	38,642	4	29.71%	20.00%	676.00	2,704.00	33,884.26	100,655.56	137,919.82	Turkey
United Kingdom (O.T.)	A	473	1	0.09%	6.90%	676.00	676.00	39,791.78	1,064.29	42,208.07	United Kingdom (O.T.)
United States	A	42,122	4	8.21%	17.24%	676.00	2,704.00	99,479.45	94,712.37	197,571.82	United States
Uruguay	C	1,290	2	0.82%	5.66%	676.00	1,352.00	9,232.75	2,677.87	13,938.63	Uruguay
Vanuatu	D	2,060	0	10.86%	2.86%	676.00	0.00	886.12	6,735.95	8,298.07	Vanuatu
Venezuela	B	9,139	2	7.03%	12.00%	676.00	1,352.00	20,330.56	23,805.68	46,164.24	Venezuela

a), b), c), d), e), f), g), h): See the legends in the Annex.

Table 4. Contributions by group 2010. Fees Expressed in Euros.

<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>Fees^f</i>	<i>Panels fees^g</i>	<i>Other fees^h</i>	<i>Total feesⁱ</i>
A	8	21	513,212.30	---	60.00%	5,408.00	14,196.00	1,730,942.35	1,750,546.35
B	6	19	130,081.67	3.00%	18.00%	4,056.00	12,844.00	508,263.91	525,163.91
C	18	35	157,191.00	1.00%	18.00%	12,168.00	23,660.00	489,335.91	525,163.91
D	16	19	18,966.67	0.25%	4.00%	10,816.00	12,844.00	93,043.09	116,703.09
TOTAL	48	94	819,451.63		100.00%	32,448.00	63,544.00	2,821,585.25	2,917,577.25

a), b), c), d), e), f), g), h), i): See the legends in the Annex.

Table 5. Contracting Party Contributions 2011 (Euros).

		Exchange rate: /1 €= 1.479 US\$ (11/2009)									
Contracting Party	Group ^a	Catch + Cannine ^a	Panels ^a	% Catch + Cannine ^b	% Member + Panels ^c	Membership fee ^d	Panel Membership ^e	Variable fees for Member ^f	Variables fees Catch-Cannine ^g	Total fees ^h	Contracting Party
Albania	D	0	1	0.00%	5.71%	676.00	676.00	1,816.71	0.00	3,168.71	Albania
Algérie	D	3,398	2	17.92%	8.57%	676.00	1,352.00	2,725.06	11,392.74	16,145.80	Algérie
Angola	D	3,214	2	16.95%	8.57%	676.00	1,352.00	2,725.06	10,775.89	15,528.95	Angola
Barbados	C	275	0	0.18%	1.89%	676.00	0.00	3,143.64	583.67	4,403.32	Barbados
Belize	C	662	4	0.42%	9.43%	676.00	2,704.00	15,718.21	1,402.65	20,500.87	Belize
Brazil	B	55,637	4	42.77%	20.00%	676.00	2,704.00	34,584.48	147,919.78	185,884.26	Brazil
Canada	A	2,683	3	0.52%	13.79%	676.00	2,028.00	81,193.25	6,154.00	90,051.26	Canada
Cap-Vert	C	10,391	1	6.61%	3.77%	676.00	676.00	6,287.29	22,028.38	29,667.67	Cap-Vert
China, People's Rep. of	C	9,456	3	6.02%	7.55%	676.00	2,028.00	12,574.57	20,044.88	35,323.45	China, People's Rep. of
Communauté Européenne	A	438,811	4	85.50%	17.24%	676.00	2,704.00	101,491.57	1,006,625.60	1,111,497.17	Communauté Européenne
Côte d'Ivoire	D	2,544	2	13.41%	8.57%	676.00	1,352.00	2,725.06	8,528.63	13,281.69	Côte d'Ivoire
Croatia	C	1,349	1	0.86%	3.77%	676.00	676.00	6,287.29	2,859.72	10,499.00	Croatia
Egypt	D	0	1	0.00%	5.71%	676.00	676.00	1,816.71	0.00	3,168.71	Egypt
France (St. P. & M.)	A	51	3	0.01%	13.79%	676.00	2,028.00	81,193.25	117.91	84,015.17	France (St. P. & M.)
Gabon	C	29	2	0.02%	5.66%	676.00	1,352.00	9,430.93	62.18	11,521.11	Gabon
Ghana	C	78,597	1	50.00%	3.77%	676.00	676.00	6,287.29	166,616.24	174,255.53	Ghana
Guatemala, Rep. de	C	10,931	1	6.95%	3.77%	676.00	676.00	6,287.29	23,172.41	30,811.70	Guatemala, Rep. de
Guinea Ecuatorial	C	0	2	0.00%	5.66%	676.00	1,352.00	9,430.93	0.00	11,458.93	Guinea Ecuatorial
Guinea, Rep. of	D	241	0	1.27%	2.86%	676.00	0.00	908.35	807.94	2,392.29	Guinea, Rep. of
Honduras	D	0	1	0.00%	5.71%	676.00	676.00	1,816.71	0.00	3,168.71	Honduras
Iceland	A	0	1	0.00%	6.90%	676.00	676.00	40,596.63	0.00	41,948.63	Iceland
Japan	A	29,060	4	5.66%	17.24%	676.00	2,704.00	101,491.57	66,662.49	171,534.06	Japan
Korea, Rep. of	C	3,037	3	1.93%	7.55%	676.00	2,028.00	12,574.57	6,438.08	21,716.65	Korea, Rep. of
Libya	C	1,290	2	0.82%	5.66%	676.00	1,352.00	9,430.93	2,733.94	14,192.87	Libya
Maroc	C	13,002	3	8.27%	7.55%	676.00	2,028.00	12,574.57	27,562.69	42,841.26	Maroc
Mauritania	D	0	1	0.00%	5.71%	676.00	676.00	1,816.71	0.00	3,168.71	Mauritania
Mexico	B	12,141	4	9.33%	20.00%	676.00	2,704.00	34,584.48	32,279.85	70,244.33	Mexico
Namibia	D	4,171	3	21.99%	11.43%	676.00	2,028.00	3,633.42	13,983.06	20,320.48	Namibia
Nicaragua, Rep. de	D	0	0	0.00%	2.86%	676.00	0.00	908.35	0.00	1,584.35	Nicaragua, Rep. de
Nigeria	D	0	2	0.00%	8.57%	676.00	1,352.00	2,725.06	0.00	4,753.06	Nigeria
Norway	A	12	1	0.00%	6.90%	676.00	676.00	40,596.63	28.29	41,976.92	Norway
Panama	B	9,141	2	7.03%	12.00%	676.00	1,352.00	20,750.69	24,302.94	47,081.63	Panama
Philippines, Rep. of	D	2,272	1	11.98%	5.71%	676.00	676.00	1,816.71	7,615.64	10,784.35	Philippines, Rep. of
Russia	C	900	1	0.57%	3.77%	676.00	676.00	6,287.29	1,907.19	9,546.47	Russia
Saint Vincent and Grenadines	C	2,817	3	1.79%	7.55%	676.00	2,028.00	12,574.57	5,971.00	21,249.57	Saint Vincent and Grenadines
São Tomé e Príncipe	D	571	2	3.01%	8.57%	676.00	1,352.00	2,725.06	1,913.13	6,666.19	São Tomé e Príncipe
Senegal	C	11,308	2	7.19%	5.66%	676.00	1,352.00	9,430.93	23,971.61	35,430.54	Senegal
Sierra Leone	D	0	0	0.00%	2.86%	676.00	0.00	908.35	0.00	1,584.35	Sierra Leone
South Africa	B	5,382	3	4.14%	16.00%	676.00	2,028.00	27,667.58	14,308.99	44,680.57	South Africa
Syrian Arab Republic	D	496	1	2.62%	5.71%	676.00	676.00	1,816.71	1,662.81	4,831.52	Syrian Arab Republic
Trinidad & Tobago	C	3,492	2	2.22%	5.66%	676.00	1,352.00	9,430.93	7,401.92	18,860.84	Trinidad & Tobago
Tunisia	C	8,366	2	5.32%	5.66%	676.00	1,352.00	9,430.93	17,734.21	29,193.14	Tunisia
Turkey	B	38,642	4	29.71%	20.00%	676.00	2,704.00	34,584.48	102,735.61	140,700.09	Turkey
United Kingdom (O.T.)	A	473	1	0.09%	6.90%	676.00	676.00	40,596.63	1,085.82	43,034.45	United Kingdom (O.T.)
United States	A	42,122	4	8.21%	17.24%	676.00	2,704.00	101,491.57	96,628.07	201,499.64	United States
Uruguay	C	1,290	2	0.82%	5.66%	676.00	1,352.00	9,430.93	2,735.35	14,194.28	Uruguay
Vanuatu	D	2,060	0	10.86%	2.86%	676.00	0.00	908.35	6,904.93	8,489.28	Vanuatu
Venezuela	B	9,139	2	7.03%	12.00%	676.00	1,352.00	20,750.69	24,297.62	47,076.31	Venezuela

a), b), c), d), e), f), g), h): See the legends in the Annex.

Table 6. Contributions by group 2011. Fees Expressed in Euros.

<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>Fees^f</i>	<i>Panels fees^g</i>	<i>Other fees^h</i>	<i>Total feesⁱ</i>
A	8	21	513,212.30	---	60.00%	5,408.00	14,196.00	1,765,953.28	1,785,557.28
B	6	19	130,081.67	3.00%	18.00%	4,056.00	12,844.00	518,767.18	535,667.18
C	18	35	157,191.00	1.00%	18.00%	12,168.00	23,660.00	499,839.18	535,667.18
D	16	19	18,966.67	0.25%	4.00%	10,816.00	12,844.00	95,377.15	119,037.15
TOTAL	48	94	819,451.63		100.00%	32,448.00	63,544.00	2,879,936.80	2,975,928.80

a), b), c), d), e), f), g), h), i): See the legends in the Annex.

Table 7. Catch and canning figures (in t) of the Contracting Parties.

<i>Parties</i>	2005			2006			2007			<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>	
Albania			0			0			0	Albania
Algérie	3,403 t		3,403	3,197 t		3,197	3,595 t		3,595	Algérie
Angola	3,847 t		3,847			0	5,796 t		5,796	Angola
Barbados	126 t		126	420 t		420	280 t		280	Barbados
Belize	5 t		5		234	234	1,746	0	1,746	Belize
Brazil	42,103	14,007	56,110	39,367 t	15,742 co	55,109	39,949 t	15,742 co	55,691	Brazil
Canada	2,748 t		2,748			2,920	2,380		2,380	Canada
Cap-Vert	365 t		365	18,580 t		18,580	12,229 t		12,229	Cap-Vert
China, People's Rep. of	8,969 t		8,969	8,959 t		8,959	10,439 t		10,439	China, People's Rep. of
Communauté Européenne	198,597	250,089	448,686	190,791	258,445	449,237	167,115	251,394	418,509	Communauté Européenne
Côte d'Ivoire	1,985 t		1,985	2,829 t		2,829	2,818 t		2,818	Côte d'Ivoire
Croatia	1,017	627	1,644	1,023	555	1,578	825		825	Croatia
Egypt			0			0			0	Egypt
France (St. P. & M.)	61	0	61			0	93		93	France (St. P. & M.)
Gabon	44 t		44	44 t		44			0	Gabon
Ghana	83,582 t	10,300 co	93,882	52,395 t	10,300 co	62,695	68,914 t	10,300 co	79,214	Ghana
Guatemala, Rep. de	10,293 t	0	10,293	11,172	0	11,172	11,328	0	11,328	Guatemala, Rep. de
Guinea Ecuatorial			0			0			0	Guinea Ecuatorial
Guinea, Rep. of			0	723		723			0	Guinea, Rep. of
Honduras			0			0			0	Honduras
Iceland	0	0	0	0	0	0	0	0	0	Iceland
Japan	25,059		25,059	27,025		27,025	35,095		35,095	Japan
Korea, Rep. of	2,895 t		2,895	2,699 t		2,699	3,517 t		3,517	Korea, Rep. of
Libya	1,164 t		1,164	1,347 t		1,347	1,358 t		1,358	Libya
Maroc	9,909	600	10,509	13,707	1,083	14,790	12,585	1,122	13,707	Maroc
Mauritania			0			0			0	Mauritania
Mexico	10,984 p		10,984	12,132	524	12,656	11,932	852	12,784	Mexico
Namibia	3,627 t		3,627	4,355		4,355	4,531		4,531	Namibia
Nicaragua, Rep. de			0			0			0	Nicaragua, Rep. de
Nigeria			0			0			0	Nigeria
Norway			0	27		27	10		10	Norway
Panama	20,962 t		20,962	1,337		1,337	5,124		5,124	Panama
Philippines, Rep. of	2,046		2,046	2,085	0	2,085	2,684	0	2,684	Philippines, Rep. of
Russia	287		287	780		780	1,632		1,632	Russia
Saint Vincent and Grenadines	258 t		258	3,776 t		3,776	4,416 t		4,416	Saint Vincent and Grenadines
São Tomé e Príncipe			0	1,328 t		1,328	384 t		384	São Tomé e Príncipe
Senegal	6,896	7,997	14,893	5,610	4,568	10,178	4,355	4,498	8,853	Senegal
Sierra Leone			0			0			0	Sierra Leone
South Africa	5,236 t		5,236	5,380	0	5,380	5,530	0	5,530	South Africa
Syrian Arab Republic	460	0	460	552	0	552	476	0	476	Syrian Arab Republic
Trinidad & Tobago	4,472 t		4,472	3,126	0	3,126	2,877	0	2,877	Trinidad & Tobago
Tunisie	6,535	2,310	8,845	5,785	2,152	7,937	5,923	2,392	8,315	Tunisie
Turkey	72,749		72,749	33,240		33,240	9,936		9,936	Turkey
United Kingdom (O.T.)	228 t		228	673 t		673	519 t		519	United Kingdom (O.T.)
United States	22,499 p	17,349	39,848	25,675	19,311	44,986	29,219	12,314	41,533	United States
Uruguay	1,592		1,592	1,348 t		1,348	931 t		931	Uruguay
Vanuatu	2,267 t		2,267	2,545 t		2,545	1,367 t		1,367	Vanuatu
Venezuela	7,320	1,313	8,633	9,903	1,045	10,948	6,791 t	1,045 co	7,836	Venezuela
TOTAL	564,590	304,592	869,182	497,089	313,725	810,815	478,699	299,659	778,358	TOTAL

p = Preliminary data

p+ = Only partial data (quick estimates or selected gears, species, regions only)

co = Transfer of the latest data received.

t = Obtained from the database, because there was no official communication

(Data updated until 28 July 2009.)

ANNEX: Legends

Table 2

- 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\$ 4,000 and whose combined catches and canning of tuna exceeds 5,000 t / Group C: Members whose GNP per capita exceeds US\$ 4,000 or whose combined catches and canning of tuna exceeds 5,000 t / Group D: Members whose GNP per capita does not exceed US\$ 4,000, 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 1.03 (Source: U.S. Federal Reserve Board's "Broad Index")
- c Average 2005-2006-2007 Catches (t)
- d Average 2005-2006-2007 Canning (t)
- e Panel membership: Panel 1 = Tropical tunas; Panel 2 = Temperate tunas-North; Panel 3 = Temperate tunas-South; and Panel 4 = Other specie

Table 3 and 5

- a Table 2
- 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 Panel
- g Variable fee in proportion to the percentage according to catch and canning
- h Total contribution

Tables 4 and 6

- a Number of Contracting Parties per Group (Table 2)
- 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 of the budget financed for each Group
- f Commission membership fees within each Group
- g Panel membership within each Group
- h Other fees: 1/3 for Commission and Panel membership and 2/3 for catch and canning
- i Total contribution

Agenda

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. Reports from the Secretariat
 - 4.1 2009 Administrative Report
 - 4.2 2009 Financial Report
5. Review of progress of the payment of arrears
6. Budget and Contracting Party contributions for 2010/2011
7. Consideration of Programs which may require additional funding
8. Election of Chair
9. Other matters
10. Adoption of the report and adjournment

REPORTS OF THE MEETINGS OF PANELS 1 TO 4

REPORT OF THE MEETING OF PANEL 1

1. Opening of the meeting

Dr. Jeanson Anvra Djobo (Côte d'Ivoire) chaired the meeting of Panel 1.

2. Adoption of the Agenda

The Agenda was adopted without changes (attached as **Appendix 1 to ANNEX 9**).

3. Election of Rapporteur

Mr. Benmoussa Abderraouf (Morocco) was appointed Rapporteur for Panel 1.

4. Review of Panel membership

Mr. Driss Meski, Executive Secretary, presented the list of members of Panel 1. The requests of Mauritania and Sierra Leone to become members of the Panel were accepted.

With these two new members, Panel 1 currently comprises the following 35 members: Angola, Belize, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Equatorial Guinea, European Community, France (Saint Pierre and Miquelon), Gabon, Ghana, Guatemala, Honduras, Japan, Korea (Rep.), Libya, Mauritania, Mexico, Morocco, Namibia, Nigeria, Panama, Philippines, Russia, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, St. Vincent and the Grenadines, Trinidad and Tobago, Turkey, United States of America, Uruguay and Venezuela.

5. Report of the Standing Committee for Research and Statistics (SCRS)

The SCRS Chairman presented the Executive Summaries of the three tropical tuna species: bigeye, yellowfin and skipjack. An assessment was carried out on Atlantic yellowfin and eastern and western Atlantic skipjack in 2008. Bigeye tuna will be assessed in 2010.

The assessment of skipjack tuna in the East and West Atlantic fisheries characterizes the state of the stocks as being in conformity with the objectives of the Convention, whereas the yellowfin and bigeye tuna stocks have been increasing recently and are expected to be in conformity with the objectives of the Convention if the current level of catches continues into the future. However, there is concern about the transfer of fishing effort from the Indian Ocean to the Atlantic Ocean.

The SCRS Chairman also presented the results of an evaluation of alternative time-area closures and their potential impacts on the yield and mortality rates for bigeye and yellowfin tuna. He noted that the availability of detailed data for such analyses was limited, and that the analyses depended on a number of assumptions such as the levels of natural mortality of juveniles..

The Parties expressed their continued concern about the presence of vessels from the Indian Ocean and noted the suitability of recommending precautionary measures that include an expansion of the time-area closure. In addition, a large-scale tagging program could help address some of the uncertainties inherent in the stock assessments.

The Parties noted their concern about the possible continuation of illegal, unreported and unregulated fishing (IUU) and the possibility of laundering the catches.

The Panel 1 members also expressed their concern about the large proportion of juveniles in the bigeye catches of some surface fleets and the impacts on the maximum yield of the stocks. Many Parties requested re-examining the efficacy of the time-area closures for the protection of juveniles.

The SCRS Chairman observed that a decline in the catches of juveniles could increase the biomass of adult fish to different degrees depending on the level of natural mortality, and that the establishment of larger and longer closed areas would reduce the catch of juveniles.

A statement submitted by the United States to Panel 1 is attached (**Appendix 2 to ANNEX 9**).

The European Community expressed its concern regarding the availability and the quality of the data for the scientific Committee to carry out the analyses of the time-area closures. These closures will not have the expected effects if they delimit in space and time according to the criteria scientifically evaluated, but the appropriate monitoring and control measures are not implemented. In this regard, the EC pointed out the availability of the European research institutes to collaborate with the Parties concerned in improving the statistics.

6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*

Several Parties noted the data indicating a large proportion of bigeye and yellowfin juveniles which constitute 70% of the total catch and expressed the need to review the closed area in force with the aim of expanding these time and area limits making them more effective.

Parties raised the need for prudent management based on a precautionary approach in order to maintain or rebuild the stocks of the three species concerned in conformance with the Convention's objectives, and to consider other supplementary measures based on SCRS data.

A draft recommendation aimed at amending the *ICCAT Recommendation on the Multi-Annual Conservation and Management Program on Bigeye Tuna* [Rec. 04-01] was submitted jointly by Japan, China, Ghana and Korea.

This proposal establishes the TAC at 85,000 t for 2010, establishes catch limits for Korea, and permits an increase in fishing effort for Chinese Taipei and Philippines for 2010 and 2011.

The draft recommendation authorizes the transfer of 2,000 t and 800 t of the catch limit of bigeye tuna from Japan to China and Korea, respectively, as well as the transfer of 2,500 t of the catch limit of bigeye tuna from the EC to Ghana for 2010.

This draft recommendation was agreed within Panel 1 and forwarded to the plenary pending the drafting of an additional paragraph (paragraph 6). The Commission accepted the additional paragraph and adopted the "*Recommendation by ICCAT to Amend the Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna*" (see **ANNEX 5 [Rec. 09-01]**).

The delegate of Ghana informed the Panel that the bigeye quota level for Ghana was unrealistic, and should be revised in the light of historical species composition which is different than originally reported due to improvements in data collection and data mining. Ghana has made great efforts in this regard and the current catch limits penalize these efforts. The delegate of the United States and Japan supported the position of Ghana, but the EC expressed concerns over the need for better control of the Ghanaian fleet. It was agreed that there would be no payback of Ghanaian overharvest in 2010, but that this issue would be revisited once the 2011 quotas were set.

The draft recommendations of the European Community, Ghana and Côte d'Ivoire are annexed to this report to be reviewed at the next session of the 2010 Commission (see **Appendices 3 and 4 to ANNEX 9**).

7. Research

The Chairman of the SCRS presented the main research items envisaged by the Committee on the stocks relevant to Panel 1. The SCRS recommended large-scale conventional tagging experiments for the collection of

required data which will enable the estimation stock size and mortality rates for these species and, as a result, better quantify the state of the stocks.

Panel 1 members also discussed the need to improve data collection and reporting, particularly for some of the major fisheries that operate in the Gulf of Guinea. In this respect, the observer from ISSF made the following statement:

"ISSF is a partnership between tuna processors and traders, scientists and WWF, the global conservation organization, and we share the concern about the accuracy and completeness of data available to RFMO scientists. The companies participating in ISSF, transacting in over 50% of the tropical tunas caught each year, globally, have committed to provide their tuna landings and purchase data directly to the RFMO scientific bodies, starting with data from 2009. The specific data to be provided has been agreed upon by scientists from each RFMO and includes species / size composition data, down to an individual fishing trip level. We have also provided detailed information on accurate species identification to the processors. Of immediate relevance to ICCAT, this data initiative will include data from processors in Ghana."

8. Election of the Chairman

The Parties elected Côte d'Ivoire to continue to Chair Panel 1 for a new mandate of two years. Dr. Jeanson Anvra Djobo appreciated the confidence placed in his country and accepted to continue as Chair.

9. Other matters

The Chairman presented the recommendations included in Appendix 8 of the Working Group on the Future of ICCAT concerning the limited knowledge and the lack of information that exists for skipjack and the few assessments made on yellowfin stocks.

The Chairman recalled the recommendations of the Performance Review Committee for consultation by the panels concerning the adoption of strict regulations in order to address the catches of small yellowfin and small bigeye.

The Parties expressed their concerns regarding the catch limits and the management measures to be taken for a rational exploitation of the stocks for the three species.

10. Adoption of the report and adjournment

The Report of Panel 1 was adopted by correspondence.

The 2009 meeting of Panel 1 was adjourned.

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-France).

2. Adoption of Agenda

The Agenda was adopted and is attached as **Appendix 1 to ANNEX 9**.

3. Appointment of Rapporteur

Ms. Denis Tremblay (Canada) was designated Rapporteur of Panel 2.

4. Review of Panel 2 membership

Panel 2 is comprised of 23 members and all of these attended all or part of the discussions: Albania, Algeria, Belize, Brazil, Canada, China, Croatia, Egypt, European Community, France (St. Pierre and Miquelon), Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Norway, Panama, St. Vincent and the Grenadines, Syria, Tunisia, Turkey, and United States of America.

5. Report of the Standing Committee on Research and Statistics (SCRS)

Dr. Gerald Scott, Chairman of the SCRS, presented the Executive Summaries on the stock of northern albacore and the West Atlantic and East Atlantic and Mediterranean bluefin tuna stocks.

These Summaries can be consulted in Sections 8.4 and 8.5 of the 2009 Report of the Standing Committee on Research and Statistics (SCRS).

5.1 Albacore (North and Mediterranean)

A formal assessment of the North stock was carried out in 2009. This stock could be in a better state. The MSY estimated for this stock is 29,000 t although the TAC for 2008-2009 was established at 30,200 t. The 2008 catches amounted to 20,300 t. The fishing possibilities can exceed the TAC. The SCRS Chairman indicated that in order to allow the rebuilding of this stock from now until 2020 a catch level which does not exceed 28,000 t should be established.

There has never been an assessment carried out for the Mediterranean component. An assessment of this stock is envisaged in 2011. Considerable data preparatory work shall be required to carry out the assessment and a data preparatory meeting in this regard is scheduled in 2010. The catches for 2007 amounted to 6,500 t. A coordinated research program will be necessary to improve knowledge on this stock. A proposal in this regard will be presented to the Commission in 2010.

No questions were raised.

5.2 Bluefin tuna (West Atlantic)

No assessment was carried out in 2009. Some new information is available regarding fishing yields.

A new growth curve was calculated from length frequency data and otoliths. This could have a significant impact on the assessment and the management advice. The age at maturity continues to be estimated at 8 years despite the presence of having observed a mature fish of 6 years.

The estimates of the reproductive biomass show slow progress towards rebuilding. However, the biomass for 2007 was less than that of 1998. A reduction of fishing mortality of mature fish was noted. Recent estimates of biomass and fishing mortality remain the same in the red area of the quadrant.

The catch per unit effort (CPUE) shows a downward trend for U.S. rod and reel fishery and the Japanese longline index also shows a significant reduction. The larval index in the Gulf of Mexico remains very low. However, Canadian CPUEs show an increase, particularly in the Gulf of St. Lawrence. It is suggested that this could be due to a change in the availability of fish, but additional research will be necessary to validate this information.

The catches are less than the TAC since 2003. The Committee noted that it is too early to detect changes in the size of the stock. Some fishery indicators indicate that the stock is rebuilding slowly but several years are needed to validate this at the statistical level.

The stock is not rebuilding as quickly as foreseen. The SCRS strongly recommends not increasing the TAC, given the uncertainty regarding the degree of mixing and recruitment. Recommendation 08-04 with a TAC of 1,900 t in 2009 and 1,800 t in 2010 presents a 75% probability of leading to a biomass exceeding the B_{MSY} target under the hypothesis of low recruitment and less than 50% chance if the hypothesis of high recruitment is considered.

Several questions were asked of the SCRS Chairman concerning, in particular, the impact of the recreational fishery on the stock, minimum size, yield, stock mixing and the work carried out on the micro-elements of otoliths. In his responses, the SCRS Chairman stressed that the minimum size currently required is below the size at maturity. As regards the level of the impact of recreational fisheries, it was noted that all the information from these fisheries is integrated in the assessment and thus is part of the estimated fishing mortality. Regarding the estimate of yield, new fishery independent indices should be developed to improve the estimation of the variations. More tagging should be carried out for a better understanding of East-West mixing. To this effect, work carried out on micro-elements of otoliths has allowed to differentiate fish from the East and from the West Atlantic. It is, however, essential to increase the area coverage of sampling so as to integrate this information in the assessment.

5.3 Bluefin tuna (East Atlantic and Mediterranean)

The SCRS expressed its concerns on the quality and quantity of information on the catches and the catches by age since 2000, in particular, regarding the under-reporting of the Contracting Parties, IUU fishing, and the loss of information due to the development of fattening farms. Some recent improvements are noted, however, in Task II data since 2005. New sources of data have now become available, such as the weekly reports, VMS and farming reports. The VMS can result in the development of an index on fishing effort. Presently, however, the SCRS cannot extract the pertinent information with the available data. For example, it is impossible to know if a vessel is fishing or is moving with the current resolution (six hours) or even determine the species fished. To be able to use these data a confidentiality agreement should also be concluded by the Commission.

The best catch estimates (25,760 t) are consistent with the large reduction of reported catches (~ 10,000 t less than the catches reported from 2003 to 2007). However, these estimates do not include the potential IUU catches.

A greater abundance of small fish in the northwest Mediterranean has been noted based on aerial surveys and at-sea observations. This could indicate that the increase in the minimum size produces benefits or improves recent recruitment. These results are all preliminary and require additional observations and more quantitative analysis in the next stock assessments.

The indices for longline and traps targeting large fish indicate a recent increase following a decline in the 1970s. For troll fishing, the lack of time series on the catch composition, fishing effort, and the spatial distribution of these fisheries does not allow analysis of the trends, even though, in recent years, a substantial improvement in data collection has been observed. Fishery-independent indices as well as a large-scale tagging program are required.

There is uncertainty on the potential over the long term and future possibilities, particularly concerning the yield that will be observed.

The best scenarios leading to a recovery of the stock should establish a short-term yield of 15,000 t or less or even a prohibition of fishing in the Mediterranean from May to July and a size limit.

Fishing mortality is more than three times higher than the F_{MSY} . The result of this year's analysis shows that the current management program cannot result in rebuilding. The best advice of the Committee is to establish a mortality level at F_{MAX} or $F_{0.1}$ with lower catches in the following years ($\leq 15,000$ t). Measures should be taken to reduce fishing capacity and IUU fishing in order to improve the situation. Any deferment of effective management measures is likely to require stricter measures in the future in order to achieve the Commission's objectives.

There are several uncertainties related to fishery statistics and key biological processes; thus, the SCRS strongly supports the bluefin tuna research program. This six-year program requires 19 million Euros. The first year of the program was financed with the support of some Contracting Parties.

The Recommendation Amending the Recommendation by ICCAT to Establish a Multiannual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 08-05] implemented two observer programs. The assessment of these programs in 2009 was not possible since the data were not available. The Secretariat should develop standard reporting forms and request the Contracting Parties to provide information prior to the 2010 SCRS meeting. The Commission should consider the possibility of adopting the rules and procedures suggested for the protection, access and distribution of ICCAT data for the development of guidelines and procedures for the submission of observer data. The Commission should also include the scientific tasks for the observer programs.

The studies carried out on the growth of tuna in farms appear to show that growth of the fish in terms of size and weight could be much greater than at present. It is essential to obtain information on the size of the fish when they are introduced into the cage to avoid significant bias in the stock assessment.

The questions raised by the delegates on the information provided by the SCRS on this stock focused on the advisable TAC level, the quantity and quality of data collected, and on the abundance of juvenile fish. The SCRS Chair explained that the decision on the level of TAC is a matter for the Commission taking into account the level of risk of the different current scenarios. As regards the quality and quantity of data, these two elements could certainly be improved, particularly for the purse seiner fishery where information on catch rates and the size of catches could improve the quality of the stock assessment. Finally, Dr. Scott indicated that juvenile fish are generally more abundant in spring and summer.

6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

6.1 Bluefin tuna (East Atlantic and Mediterranean)

The delegations around the table then indicated their priorities on measures that could be implemented to achieve the objectives of the Commission.

All the delegates underlined the importance of respecting the scientific advice given by the SCRS, the importance of fighting against overcapacity from now on and guaranteeing full compliance of the management measures adopted.

The Chairman of the Panel indicated he first wished to consider the matter of over-capacity and various documents on this subject were discussed (the "Reports on E-BFT Fishing/Farming Capacity Management Plans", the "Response to the EC Request for Estimation of Capacity in BFT-E Fisheries", and the "Capacity Overview of all CPCs").

Each Contracting Party participating in East Atlantic and Mediterranean bluefin tuna fishing is required to submit its plan to reduce fishing capacity. The criteria that should be followed are the freeze on capacity in 2009, a 25% reduction of over-capacity in 2010, and the submission of a capacity reduction plan for the 2011 to 2013 period. During the review of this matter the Panel, the European Community proposed a work methodology which was validated and is reflected in its Capacity Plan, included in **Appendix 5 to ANNEX 9**.

China, the European Community, Croatia, Iceland, Japan, Korea, Morocco, Syria, Tunisia, Turkey, and Chinese Taipei presented their plans in response to the aforementioned criteria, on the basis of quotas corresponding to a TAC of 19,950 t in 2010.

Algeria was unable to submit its plan, but. It was agreed that before the end of November 2009 Algeria would submit its plan.

Albania and Egypt did not present capacity reduction plans.

Plans to reduce farming capacity were presented from to the Panel from Croatia, the European Community, Tunisia and Turkey and were confirmed by the Panel.

The Draft “Supplemental Recommendation by ICCAT to Further Amend the Observer Program of the Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean, attached to this- Report (**Appendix 6 to Annex 9**), was reviewed by the Panel. The members of the Panel took due note of this proposal, which shall be considered when the eastern Atlantic and Mediterranean bluefin Recommendation is reviewed in 2010.

Two recommendations were presented to the Panel that amended Rec. 08-05, which establishes a multi-annual recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean. The first, the “Draft Recommendation by ICCAT to Amend Recommendation 08-05” was submitted by Libya, and the second, the “Draft Recommendation Amending Recommendation 08-05 to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean”, was submitted by the European Community, Japan, Morocco, Tunisia and the ICCAT Chair. The two proposals were the subject of discussion among the delegates present. Libya’s proposal for amendment was not supported by the Panel. Some delegates expressed their opinion that they preferred that the TAC suggested in the latter proposal be less than 13,500 t and suggested a TAC of 8,500 t.

Japan presented a proposal that foresees an urgent closure of the fishery if the SCRS considers there is a significant risk of stock collapse. This proposal was not adopted but part of its provisions is included in the “Draft Recommendation by ICCAT Amending Recommendation 08-05 to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean, adopted by the Panel.

Turkey expressed a reservation regarding paragraph 7 of the recommendation on capacity measures, and paragraph 9 as proposed. Tunisia and Turkey requested that paragraph 9 of the recommendation be amended such that the reference period of 2007-2009 be used to establish the number of joint fishing operations. Turkey maintained its objection to the breakdown of allocations adopted by ICCAT in 2008.

Further, some corrections were introduced to the text. With these changes and Libya’s announcement that it withdrew its proposal, the Panel forwarded the *Recommendation by ICCAT Amending Recommendation 08-05 to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* to the Commission for adoption. It is attached in **ANNEX 5 [Rec. 09-06]**.

The European Community recalled that, in accordance with paragraph 14d of Rec. 08-05, the matter of the payback of quota overages should be reviewed taking into account general transparency as well as incentives in regard to the overages, within framework of the next inter-sessional meetings of the Commission on compliance in 2010.

Lastly, Norway expressed that in the last few days, the SCRS had shown that the lower the TAC the higher the probability of a recovery of the stock and healthy fisheries. However, Norway considered that the majority of the Contracting Parties had clearly shown they were ready to take a great risk. Nevertheless, Norway indicated it would not block the consensus. Unfortunately, the choice made by the majority of the Contracting Parties will lead to a very long recovery period and in the worst case, there would be no recovery at all, with all the socio-economic impacts that this would involve.

The Capacity Management Plans adopted by the Panel are attached as **Appendix 5 to ANNEX 9**.

The statements submitted to Panel 2 by the United States, and those from the observers from Monaco, FEAP and the Joint statement by PEW-Greenpeace-WWF-Oceana are attached as **Appendices 7, 8, 9, and 10 to ANNEX 9**.

6.2 Bluefin tuna (West Atlantic)

The European Community presented a proposal for “Draft Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program” to establish a list of western bluefin tuna catching vessels and a system of monthly reporting of catches. There was disagreement on the need for such a measure, given the well managed nature of the western fishery and the measure was not agreed. No new management measures were adopted for West Atlantic bluefin tuna.

6.3 Northern and Mediterranean albacore

A recommendation for a “Draft Recommendation by ICCAT to Establish a Rebuilding Program on North Atlantic Albacore”. This proposal was a compromise solution between the proposed “Draft Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2010-2012” submitted by the European Community, and the “Draft Recommendation by ICCAT to Establish a Rebuilding Program for North Atlantic Albacore, presented by the United States. The proposal for a *Recommendation by ICCAT to Establish a Rebuilding Program on North Atlantic Albacore* was unanimously adopted by the Panel and is attached in **ANNEX 5 [Rec. 09-05]**.

7. Research

The Panel Chair expressed his wish to discuss the possibility of using private financing for the bluefin tuna multi-annual research plan. The Panel members unanimously supported this proposal.

8. Election of Chair

The European Community was re-elected to Chair Panel 2. The delegate of the EC thanked the Panel for their confidence and accepted to continue as Chair.

9. Other matters

a) SCRS Report which examines the state of the stocks of Atlantic bluefin tuna with respect to the CITES biological listing criteria

The Panel was referred to SCRS report on the “Extension of the SCRS Meeting to Consider the Status of Atlantic Bluefin Tuna Populations with Respect to CITES Biological Listing Criteria” (see **Appendix 17 to the 2009 SCRS Report**).

Some Contracting Parties commented on the Dr. Scott’s presentation, which dealt with the difficulty of analyzing this report due to the considerable differences among the SSB scenarios, the length of the historical series, and the availability to the public of the report to be able to use it at the CITES meeting in March, 2010.

The Panel designated Dr. François Gauthiez, Dr. Fabio Hazin, Dr. Gerald Scott, and the Executive Secretary to represent ICCAT as the next meeting of CITES which will be held in Qatar in March, 2010.

No other matters were discussed.

10. Adoption of the Report and adjournment

The Report of Panel 2 was adopted by correspondence.

The 2009 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 Executive Secretary, Mr. Driss Meski, opened the session of Panel 3 and introduced the current Chairman, Mr. Mario Aguilar (Mexico).

2. Adoption of Agenda

Mr. Aguilar took the floor to inform on and request the adoption of the Panel Agenda. As there were no comments, the Agenda was adopted by the Panel members (attached as **Appendix 1 to ANNEX 9**).

3. Appointment of Rapporteur

The Secretariat was nominated Rapporteur for Panel 3.

4. Review of Panel 3 membership

Panel 3 currently comprises nine members as follows: Belize, Brazil, European Community, Japan, Mexico, Namibia, South Africa, Turkey and United States of America.

5. Report of the Standing Committee on Research and Statistics (SCRS)

Recalling that for southern albacore stocks, the *Recommendation by ICCAT on the Southern Albacore Catch Limits for 2008, 2009, 2010 and 2011* [Rec. 07-03] establishes catch limits for 2008, 2009, 2010 and 2011, the Chairman requested, Dr. Scott, SCRS Chairman, to review the current status of the stocks under this Panel, in accordance with the last meeting of the SCRS held in October 2008.

Dr. Scott reviewed the current state of the stocks covered by this Panel, based on the last meeting of the SCRS held in October 2009.

5.1 South Atlantic albacore

The SCRS Chairman informed the Panel that the last assessment was conducted in 2007.

South Atlantic albacore is a stock principally caught by longline and baitboat fleets.

The catches in since 2003 had been well below the Total Allowable Catch (TAC) which results in the current state of this stock indicating current biomass values above the biomass that produces maximum sustainable yield, and current fishing mortality values below that which produces maximum sustainable yield (MSY). Under these conditions, it is possible that the status of the stock could have improved.

The delegate of South Africa requested clarification as to whether there had been any improvement in the reporting of size sampling data for this species, as this concern had been raised last year. The SCRS Chair indicated that this had not been examined thoroughly as no stock assessment had been held in 2009, but there did not seem to be any indication that there had been improvements.

5.2 Southern bluefin tuna

Dr. Scott indicated that this stock is currently managed by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), and referred delegates to the report of that for more information.

6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*

The SCRS Chair informed the Panel that in the opinion of the SCRS there was no need to make any change to the current management regime of southern Albacore.

7. Research

Dr. Scott noted that there were several general recommendations by the SCRS which also applied to southern albacore, in particular that of improved size sampling coverage, especially for the longline fishery. He also indicated that a tagging program for temperate tunas in the southern hemisphere would have significant benefits in terms of SCRS ability to estimate stock status.

The delegate of South Africa stressed the importance of improving the size sampling data, and reminded the members of the Panel of their obligations under Recommendation 07-03 to ensure the reporting of accurate and validated southern albacore catch and effort data to ICCAT in full accordance with the ICCAT requirements for the provision of Task I and Task II catch, effort and size data. It was agreed that achieving a higher level of size sampling was of utmost importance to improving the level of certainty regarding stock status.

8. Election of Chair

The Parties elected Mexico to continue to chair Panel 3. The Delegate of Mexico appreciated the confidence placed in his country and accepted to continue as Chair.

9. Other matters

No other matters were discussed by the Panel.

10. Adoption of the report and adjournment

The Report of Panel 3 was adopted by correspondence.

The 2009 meeting Panel 3 was adjourned.

REPORT OF THE MEETING OF PANEL 4

1. Opening of the meeting

The meeting was opened by the Chairman of Panel 4, Mr. Masanori Miyahara (Japan).

2. Adoption of Agenda

The Agenda was adopted without change (attached as **Appendix 1 to ANNEX 9**).

3. Appointment of the Rapporteur

Mr. Josh Madeira (United States) was appointed as the Rapporteur for Panel 4.

4. Review of Panel Membership

United Kingdom (Overseas Territories) has joined the Panel membership.

Panel 4 is comprised of the following 28 members: Algeria, Angola, Belize, Brazil, Canada, China (People's Rep.), Côte d'Ivoire, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Japan, Korea (Rep.), Mexico, Morocco, Namibia, Nigeria, Sao Tome & Principe, Senegal, South Africa, St. Vincent and the Grenadines, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States of America, Uruguay, Venezuela.

5. Report of the Standing Committee on Research and Statistics (SCRS)

The SCRS conducted new stock assessments for several species in 2009, including porbeagle sharks, North Atlantic swordfish, South Atlantic swordfish, sailfish and seabirds.

5.1 Sharks

The SCRS Chairman presented a summary of the porbeagle stock assessment that resulted from a joint ICCAT-ICES inter-sessional meeting held June 22 to 27, 2009 in Copenhagen, Denmark.

Porbeagle sharks are separated into four distinct Atlantic stocks, including SW, SE, NW and NE. In general, data for the southern hemisphere are too limited to provide a robust indication on the status of the stocks or sustainable catch levels.

The NW Atlantic stock biomass is well below that which would support MSY, but fishing mortality is less than F_{MSY} , resulting in a recent increase in stock biomass. Independent Canadian assessments indicated that the NW Atlantic stock could rebuild to B_{MSY} with limited or no fishing mortality, but recovery will require very long timeframes.

The NE Atlantic porbeagle stock is more depleted than the NW stock due to a longer history of targeted fishing. A lack of CPUE data adds uncertainty in characterizing the stock status compared to virgin biomass, but exploratory assessments indicate that current biomass is below B_{MSY} and that recent fishing mortality is near or above F_{MSY} . Model scenarios for rebuilding include significant uncertainty and widely varying timescales.

No new assessments were conducted on blue sharks or shortfin mako sharks (last assessment in 2008), but new catch data revealed that landings of both species declined from 2007 reported figures. The SCRS Chairman noted that northern shortfin mako is likely to be below the biomass that could support MSY, and that the 2008 harvest levels are likely to be under-reported.

The SCRS Chairman reiterated the recommendation for species-specific and precautionary management measures for shark species of concern, particularly in data poor situations. Landing size restrictions, technical measures and time/area closures were suggested to protect different life stages and minimize by-catch,

particularly for porbeagle stocks. The SCRS Chairman urged Contracting Parties to utilize quotas and other measures to control porbeagle fishing mortality in non-ICCAT directed fisheries that fall under their jurisdiction, and to develop consistent measures with relevant RFMOs.

Following the presentation on sharks, the United States inquired which shark species should be prioritized. The SCRS Chair cited a range of shark species of concern, as identified by the 2008 Ecological Risk Assessment, and cautioned that species with the greatest biological vulnerability should be prioritized for management.

South Africa commented on the ability of observers to identify mako and porbeagle sharks with the fins attached. The SCRS Chair confirmed that reporting data would be more accurate if mako and porbeagle catch were landed with fins attached.

Japan questioned the impact of by-catch versus directed fisheries on porbeagle fishing mortality. The SCRS Chairman responded that porbeagle by-catch is less significant relative to targeted fishing mortality in the North Atlantic, but considerable uncertainty exists over the impact of by-catch in the South Atlantic.

5.2 Swordfish

North Atlantic and South Atlantic swordfish were assessed in 2009.

The SCRS reported reduced total swordfish catch in the North and South Atlantic of approximately 6,000 t in 2008, resulting in catches below the Total Allowable Catch (TAC). The SCRS attributed catch reductions to socio-economic factors and changes in the target species for some fleets, but trade statistics suggest that unreported catch may be significant.

5.2.1 Mediterranean swordfish

An assessment of Mediterranean swordfish was conducted in 2007 and management options were evaluated in 2008. No new information was presented in relation to the stocks for 2009.

However, the SCRS Chair noted that effort in the North and South Atlantic and the Mediterranean are now about equal and that fishing pressure in the Mediterranean should be reduced to move this stock toward biomass levels that could approach B_{MSY} even though we have not seen significant declines.

Morocco and the European Community questioned the rationale and impact of the existing time/area closures required in Rec. 08-03. The SCRS Chairman noted that, according to a 2008 SCRS analysis, a three-month closure was recommended to provide the best opportunity for rebuilding. The analysis included several factors, including closures, to estimate the probability of achieving Commission objectives, but the impact of the closure relative to the other factors could not be determined because the factors were estimated in aggregation. The SWO-Med Species Group intends to evaluate the closure in 2011.

5.2.2 North Atlantic swordfish

For North Atlantic swordfish, SCRS reported that biomass is likely just above that which would achieve B_{MSY} , and fishing mortality has likely been below F_{MSY} since 2005.

Model results indicate that there is a greater than 50% probability that the North Atlantic swordfish stock is at or above B_{MSY} , signifying that stock has achieved the Commission's rebuilding objective [Rec. 99-02]. However, the SCRS warned that successful rebuilding of this stock could have been compromised if Contracting Parties had caught their total allocated share, since the TAC (established in Rec. 06-02 and Rec. 08-02) was set in excess of scientific recommendations.

The Kobe II Strategy Matrix predicted that a TAC of approximately 13,000 t would provide a 75% probability of maintaining the North Atlantic swordfish stock at a level consistent with the Convention objective over the next decade.

5.2.3 South Atlantic swordfish

The SCRS estimated that there is a 78% probability that the South Atlantic swordfish stock is at or above B_{MSY} , signifying that the stock has achieved the Commission's rebuilding objective. However, South Atlantic

swordfish estimates include considerable uncertainty because the calculations are based exclusively on catch data.

The current South Atlantic swordfish TAC is 17,000 t, but SCRS suggested that, due to the considerable uncertainty, a TAC of approximately 15,000 t would be an appropriate precautionary limit to maintain the current catch levels.

Following the presentation, the SCRS Chairman reiterated that if the Contracting Parties had caught the full TAC, that it is unlikely that the Commission would have met its objective for both North and South Atlantic swordfish.

Several Parties questioned SCRS model selection, assessment analysis and estimates of uncertainty. The SCRS Chairman responded that stock assessment models are chosen based on scientific expertise, scheduling and other resource restrictions of the Commission. Models are updated to the extent practicable to include changing fleet characteristics. Additional CPUE information is needed to improve South Atlantic swordfish estimates. Catch only data in the South Atlantic may result in overly optimistic stock estimates, so a precautionary TAC is appropriate to maintain current stock levels within the Commission objectives.

Korea questioned the impact of a 2-3% increase in current catch levels and requested the ratio of target catch to by-catch for North Atlantic and South Atlantic swordfish stocks. The SCRS Chairman recommended measures that keep the stock in its current condition. The overall TAC for both stocks must decrease to ensure that the Commission meets its objectives, but individual Contracting Parties may be able to increase their catch to the limit of their allocated quota. The relative impact of by-catch is more significant in the South Atlantic due to the bigeye fishery, but actual ratios were unknown.

The United States cautioned the Commission to avoid establishing a precedent of reallocating quota from Contracting Parties with strict ecosystem-based management measures to Contracting Parties lacking equivalent measures.

5.3 Blue marlin and white marlin

No information was presented regarding blue marlin or white marlin.

5.4 Sailfish

The SCRS completed its first full assessment of eastern and western stocks of sailfish in 2009.

SCRS advised that considerable uncertainty exists for both stocks, with greater data uncertainty in the western stock.

The eastern and western stocks of sailfish may have been reduced to stock sizes below B_{MSY} , though data uncertainty makes identification of stock trends difficult. Model results suggest that eastern stocks are more productive than western stocks, but eastern stocks have shown little evidence of stock recovery.

Unreported artisanal catch may represent a significant portion of the total catch, particularly along the coast of West Africa.

The SCRS recommends practical and alternative methods to reduce catch and assure timely reporting of catch and effort for eastern sailfish stocks. Western stocks should not exceed current levels.

Following the presentation, the United States inquired about the magnitude of the artisanal sailfish catch and whether the artisanal catch necessitated precautionary measures. The SCRS Chairman responded that there are no estimates of artisanal catch and encouraged the development of new artisanal monitoring methodologies. Additional precaution is warranted due to the depressed stocks and unquantified uncertainty.

5.5 Seabirds

The SCRS completed its first seabird assessment in 2009.

The SCRS assessment coupled seabird population characteristics with longline fishing fleet by-catch rates and distribution information to estimate the impact of by-catch on high priority seabird populations.

Despite significant data limitations and high uncertainty, the SCRS concluded that ICCAT fisheries have measurable impacts on populations of seabirds, including some species that are threatened with extinction. Assessments indicated that minimizing seabird mortality due to ICCAT fisheries can result in improvement in future seabird population status.

Despite Rec. 07-07 that requires Contracting Parties to provide data on interactions with seabirds, including incidental catch, scant data were submitted to the Commission.

The SCRS advised that no single measure can effectively mitigate seabird by-catch. A suite of simultaneous measures, including observer and logbook programs, are necessary. At a minimum, the SCRS suggested mandatory requirements for the use of tori lines throughout the Convention area until direct observations indicate that by-catch levels are of insignificant magnitude for seabird populations.

Following the presentation, several Contracting Parties spoke in support of stronger management measures for seabirds, including the Agreement on the Conservation of Albatrosses and Petrels (ACAP). They urged Contracting Parties to improve observer programs for seabird by-catch, implement domestic regulations, and manage seabirds within an ecosystem-based management approach.

In discussions on observer coverage, the SCRS Chairman recommended a sampling fraction of no less than 20%.

Japan raised concerns that seabird by-catch is not limited to longline fisheries and questioned the impact of gillnets on seabird mortality. The SCRS Chairman responded that the seabirds considered in the assessment were not known to interact with gillnets and recommended expanded sampling coverage and a more precautionary management approach.

6. Measures for the conservation of stocks and implementation of the ICCAT *Criteria for the Allocation of Fishing Possibilities*

6.1 *Swordfish*

6.1.1 *North Atlantic swordfish*

The Chairman proposed two revisions to the management plan for North Atlantic swordfish.

There was overall consensus that the TAC should be aligned with the recommendations of the SCRS to achieve Commission objectives, but significant differences arose over TAC allocation. In particular, several “Contracting Parties” (as defined in Rec. 06-02) did not catch their quota, leading other delegations to request increased quota share to satisfy their existing fishing capacity or, in the case of developing Contracting Parties, to expand capacity and satisfy food security concerns. Many of the Contracting Parties noted the quota underage of the United States, the European Community and Senegal as examples of quota that could be reallocated.

In response, Japan, Turkey and the United States reminded the delegations of sacrifices made over the last decade that facilitated recovery of the stock to meet Commission objectives, and suggested that it would be unfair to penalize those Contracting Parties. The United States, Canada and the European Community noted their ecosystem-based management measures, seasonal closures and monitoring programs and urged against transfer of quota from Contracting Parties that have managed the resource responsibly.

Several Contracting Parties expressed concern over the quota allocation the table in Rec. 06-02, and suggested that all Contracting Parties should be listed together in one allocation table, rather than the existing tiered allocation scheme.

In an attempt to reconcile some of the differences amongst the delegations, the Chairman proposed “Panel 4 Chair’s suggestion on the new management program for Northern Atlantic Swordfish”. This proposal would set a new North Atlantic Swordfish TAC of 13,500 t in accordance with the SCRS recommendation and establish new quota shares for “Other Contracting Parties” and “Others” based on their catch from the previous year. The remaining quota would be allocated to the four primary “Contracting Parties” under the same allocation scheme

as Rec. 06-02, with the exception of a transfer of under-harvest from the United States to developing Contracting Parties. Additional measures would allow developing Contracting Parties to increase their quota share, but the overall three-year total TAC could not exceed 40,500 t.

Canada proposed a revised TAC of 13,700 t, and suggested that all parties should be allocated their share based on their previous year's quota, as outlined in the Chair's proposal. However, Canada expressed reservations about any proposed allocation formula that did not consider socio-economic implications of the allocation. The European Community shared Canada's concerns and advocated to include catch history, socio-economic impacts and ecosystem-based management in any new quota allocation.

Mexico objected on the grounds that it planned a fishery expansion based on the previous quota.

The United States was willing to negotiate the proposed allocation formula, but insisted that if any quota was to be transferred, it must be transferred as a "scientific quota" to encourage other Contracting Parties to develop ecosystem-based management measures.

After lengthy debate, the Contracting Parties agreed on the Chairman's second proposal, *Draft Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish*, that extended Rec. 06-02 through 2010 with a TAC of 13,700 t. The proposal included a prorated catch reduction if the TAC is exceeded in 2010. In addition, the European Community can count up to 200 t of its North Atlantic swordfish catch against its uncaught South Atlantic swordfish quota, and Senegal agreed to transfer 100 t of quota to Canada in 2010. The proposal was adopted by the Panel and forwarded to the Plenary for adoption (see **ANNEX 5 [Rec. 09-02]**).

Canada and the United States agreed to establish a research plan to develop Best Management Practices, observer standards, monitoring requirements and by-catch estimates to minimize impacts on sea turtles and the marine ecosystem. However, the United States noted its displeasure with the quota transfer from Senegal to Canada, since that quota was initially allocated to the United States.

Korea voiced concern that their proposal to establish a by-catch quota for North Atlantic swordfish and South Atlantic swordfish was not heard.

6.1.2 South Atlantic swordfish

The Chairman proposed three management measures for South Atlantic swordfish. The first proposal, the "Panel 4 Chair's Suggestion on the New Management Program for Southern Atlantic Swordfish", proposed an annual TAC of 15,000 t in accordance with the SCRS recommendation, and was nearly identical in concept to the Chairman's first North Atlantic swordfish proposal. There was disagreement over the quota allocation scheme and competing requests by Contracting Parties for unused quota.

The Chairman's second proposal, "Panel 4 Chair's WP: South Atlantic Swordfish", recommended an annual TAC of 15,000 t and a proportional allocation reduction (based on Rec. 06-03), with an exception for Contracting Parties that have an allocation of 100 t or less. This proposal also transferred 25 t of under-harvest to Belize and Côte d'Ivoire, respectively, from the United States.

Contracting Parties could not come to consensus on this proposal due to potential socio-economic impacts, objections by developing countries, objections on the transfer of quota without ecosystem-based management measures and objections by Contracting Parties that have previously reduced their South Atlantic swordfish quota.

The Chairman's third proposal, "Draft Recommendation by ICCAT on South Atlantic Swordfish Catch Limits", included an annual TAC of 15,000 t from 2010-2012, with a cap of 45,000 t over the three-year plan. The quota allocation was prorated for all Contracting Parties based on Rec. 06-03, with an exception for Parties with quotas less than 100 t. Unused quota may be applied in designated adjustment years (2012- 2014), with a maximum annual overage allowance of 50%. Special allowances for Japan, Brazil, and the European Community allowed those Parties to apply limited quota share from South Atlantic swordfish to North Atlantic swordfish quotas. The proposal also included transfers of quota under-harvest from South Africa, Japan and the United States to developing Contracting Parties, including Namibia, Côte d'Ivoire and Belize.

South Africa expressed reservations on the proportional quota reductions because of the disproportionate impact on their quota share, and the inability of several Contracting Parties to demonstrate flexibility to accommodate developing countries that have complied with ICCAT management measures. In the spirit of consensus, South Africa agreed to the proposal.

Brazil offered a counter proposal on the floor to provide annual unused quota share exclusively to the European Community, but the Chairman dismissed this motion because of expected objections by other Contracting Parties.

China requested that their underage carryover to 2010 be consistent with the carryover provision that applies to Japan, the United States and Chinese Taipei. The Chairman stated that China's request would be duly noted in the report.

An amended version of the Chair's Draft *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits* was adopted by the Panel, and forwarded to the Plenary for final approval (see **ANNEX 5 [Rec. 09-03]**).

6.1.3 Mediterranean swordfish

The European Community tabled the-Draft *Recommendation for a Management Framework for the Sustainable Exploitation of Mediterranean Swordfish and Replacing ICCAT Recommendation 08-03*, to strengthen management measures for Mediterranean swordfish, including an expanded time/area closure, additional catch permits, additional reporting and monitoring requirements, and further assessment by SCRS. The proposal expanded the time/area closure in the Mediterranean from two months to three months.

The Panel adopted the measure by consensus without any debate and forwarded it to the Plenary for final approval (see **ANNEX 5 [Rec. 09-04]**).

[Morocco introduced a proposal, "Draft ICCAT Recommendation Amending Recommendation 03-04 on Mediterranean Swordfish", to provide additional time for their compliance with the driftnet prohibition [Rec. 03-04], and to endorse their compliance Action Plan.

In introducing the proposal, Morocco noted that additional time is necessary to implement Morocco's National Action Plan to Regulate the Use of Driftnets presented at the 2004 ICCAT annual meeting (see Appendix 9 to ANNEX 8 of the 2004 Meeting Report), and to that end presented the document entitled "Summary of the Current Progress of the Action Plan to Eliminate Drift Gillnets in the Moroccan Coasts" (see **Appendix 11 to ANNEX 9**), a plan that includes regulatory measures, vessel conversion strategies and supplemental training programs to shift effort away from driftnet fisheries. Morocco indicated it would report annually to the Commission on implementation and enforcement of the Action Plan. No Parties objected to appending this summary to the Panel 4 Report.

Morocco pledged to complete implementation of the driftnet ban by December 31, 2011.

Several Contracting Parties vehemently objected to Morocco's continued delay in implementation of the driftnet fishing ban, and the Panel did not reach consensus on Morocco's proposal for a "Draft Recommendation by ICCAT Amending Recommendation 03-04 on Mediterranean Swordfish". The United States also stated that it did not agree with the statement made by the European Community in the Compliance Committee that ICCAT Parties had tacitly agreed to a derogation for Morocco from obligations in Rec. 03-04, but noted instead that ICCAT, through its compliance process, had not to date determined that additional actions by the Commission were necessary to address Morocco's delay in implementing its obligations under this measure. In addition, four observers (Pew Environment Group, Oceana, WWF and Greenpeace) expressed concerns about the inconsistencies between this proposal and several United Nations General Assembly resolutions (see **Appendix 14 to ANNEX 9**).

In the review process of the Report, Morocco expressed its reservations regarding paragraphs 3 to 6 above which are enclosed in brackets [].

6.2 Sharks

Six proposals were tabled on shark species, including mako (2), porbeagle (2), thresher, and one general shark measure. The Panel debated five of these proposals and adopted the *Recommendation by ICCAT on the*

Conservation of Thresher Sharks Caught in Association with Fisheries in the ICCAT Convention Area (see **ANNEX 5 [Rec. 09-07]**).

6.2.1 Bigeye thresher shark

The European Community tabled a “Draft Recommendation on the Conservation of Thresher Sharks Caught in Association with Fisheries in the ICCAT Convention Area” [PA4-806] to provide protective measures for the bigeye thresher shark and the genus *Alopias spp.* The proposal prohibits all fishing vessels, including recreational and sport vessels, from retaining, landing, or selling bigeye thresher sharks. This proposal aligned with the SRCS recommendation on bigeye thresher sharks, would be easily enforceable due to the unique characteristics of bigeye thresher sharks and would provide needed Task I and Task II data for future assessments.

Mexico objected to the strict language that would not allow small-scale local catch (as by-catch) by artisanal fleets for subsistence purposes. In addition, several other Contracting Parties joined Mexico in objection to paragraph (5) that required recreational and sport vessels to collect extensive reporting data on incidental catch that could result in increased post-release mortality.

Mexico, Brazil and the United States suggested that the prohibition should apply to longline fisheries since these operations have the greatest impact on bigeye thresher shark mortality. Japan and the European Community countered that the prohibition should apply to all fisheries to minimize mortality and facilitate enforcement.

After lengthy discussions, the Contracting Parties amended the proposal to clarify that the prohibition applies only to bigeye thresher sharks in any fishery, eliminated paragraph (5) regarding sport and recreational fishing and added an exception so that Mexico could have an allowance of 110 fish for small-scale coastal catch. The amended proposal was adopted and forwarded to the Plenary for final approval (see **ANNEX 5 [Rec. 09-07]**).

6.2.2 Shortfin mako shark

The European Community and the United States presented separate proposals to reduce the mortality of shortfin mako sharks with landings limitations, measures to enhance live release and additional monitoring and reporting requirements.

Several Contracting Parties expressed support for this measure, but consensus was not achieved due to the addition of a clause that would exempt shortfin mako by-catch from the landings limit. The European Community and the United States objected to the language that was added to exempt shortfin mako sharks caught as by-catch, since by-catch is a leading cause of shortfin mako shark mortality. Japan refused to adopt the measure without a by-catch exemption.

The proposal for a “Recommendation by ICCAT on Shortfin Mako Sharks” was forwarded to the Plenary with reservations by the European Community and the United States, but the Contracting Parties could not come to consensus. This proposal will be revisited in 2010 (see **ANNEX 12.1**).

6.2.3 Porbeagle shark

Canada and the European Community presented a “Draft Recommendation by ICCAT on the Conservation of Porbeagle” to manage porbeagle sharks in the northeast Atlantic and northwest Atlantic. The proposal would prohibit targeted porbeagle fisheries in the Convention area but would allow existing directed fisheries within a Party’s national jurisdiction to continue if the TAC complies with SRCS recommendations. Additional measures require monitoring data for directed fisheries, by-catch limits in the Convention area, minimum size limits and other measures to reduce mortality.

The European Community noted that ICCAT should take appropriate measures to protect porbeagles so that a CITES listing would be unnecessary, but several Contracting Parties expressed concerns that the measures in the proposal were not in line with scientific advice and that porbeagle shark measures should be coordinated with other relevant RFMOs. Several Contracting Parties could not support the proposal, and noted the importance of following through on the commitments made in Resolution 08-08 to hold a joint meeting of RFMOs concerned with porbeagle fisheries so that management measures for this species could be coordinated and considered in this context.

Morocco objected to several provisions in the proposal, including an inconsistency between paragraph (1) that prohibits directed fisheries for porbeagle in the Convention area and paragraph (4) that allows directed fisheries within domestic waters.

Consensus could not be achieved and the proposal will be considered again in 2010 (see **ANNEX 12.2**).

6.2.4 Shark conservation

The United States, Brazil and Belize proposed “Draft Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT” to require that all sharks landed have their fins naturally attached to the first point of landing, and additional measures to enhance shark conservation.

There was support for this proposal from several CPCs, while some other CPCs expressed strong concern over the practical difficulties to implement this proposal.

There was no consensus and the Chairman directed the Panel to reconsider the proposal in 2010 (see **ANNEX 12.3**).

6.3 Seabirds

Since various proposals on seabirds were presented, the Chair proposed that these be combined into one proposal. This proposal, the “Recommendation by ICCAT on Reducing Incidental By-catch of Seabirds”, was tabled by Japan and Korea to reduce by-catch impacts on high priority seabird populations through fishery mitigation measures. Longline vessels fishing within the Convention area would be required to employ two mitigation measures, including mandatory tori lines required for all vessels fishing south of 20°S.

While South Africa and Uruguay proposed to delete two mitigation measures listed in Table 1 of the proposal, offal discharge control and line shooting, because of common use of these measures in their water, Japan requested to maintain them in the Table. The matter was forwarded to Plenary.

The Contracting Parties could not come to consensus, and the Chair recommended reconsideration of this proposal in 2010 (see **ANNEX 12.4**).

6.4 Sailfish

The United States presented a proposal, “Draft Recommendation by ICCAT on Atlantic Sailfish”, to reduce sailfish mortality from pelagic longline fisheries and improve data collection.

Several Parties supported the proposal. However, Japan expressed concern because it applied only to longline vessels, and suggested that the majority of sailfish mortality comes from artisanal fisheries that are explicitly exempted.

The Chairman suggested a technical amendment to make the measures applicable to all fishing vessels including recreational and sport fishing vessels. The United States requested additional time to consider the implications of the Chairman’s change, and requested postponement of this proposal until 2010 (see **ANNEX 12.5**).

6.5 Sea turtles

The United States tabled “Draft Recommendation by the United States Regarding By-catch of Sea Turtles”, to reduce sea turtle interactions and post-mortality in ICCAT pelagic longline fisheries. This proposal would require pelagic longline fisheries to provide comprehensive reporting and onboard disentanglement gear to minimize impacts on sea turtles. In addition, the proposal would require additional SCRS research on sea turtle interactions in ICCAT fisheries.

The European Community objected to this proposal because of gear requirements, specifically circle hooks since their fleets currently use J-hooks.

The Contracting Parties did not reach consensus, and the Chair suggested that this proposal be considered again in 2010 (see **ANNEX 12.6**).

The Chairman urged the United States and Canada to follow through on their commitment to engage in collaborative work to address sea turtle by-catch in pelagic longline fisheries. The Chair requested that the results of their work be presented at the 2010 ICCAT meeting.

7. Research

Pursuant to the *Supplemental Recommendation by ICCAT to amend the Rebuilding Program for North Atlantic Swordfish* (see **ANNEX 5 [Rec. 09-02]**), the Contracting Parties request that the SCRS develop a Limit Reference Point (LRP) for this stock to facilitate precautionary management plans.

Pursuant to the *Recommendation by ICCAT for a Management Framework for the Sustainable Exploitation of Mediterranean Swordfish and Replacing ICCAT Recommendation 08-03* (see **ANNEX 5 [Rec. 09-04]**), the Contracting Parties request that SCRS provide an updated assessment of the Mediterranean swordfish stock in 2010.

No additional research items were requested.

8. Election of Chair

The European Community motioned that Japan continue to chair Panel 4. China and Brazil supported this motion, and it was adopted by consensus. The delegate of Japan thanked the Panel for the confidence placed in his country and agreed to continue as Chair.

9. Other matters

No other matters were discussed.

The Statements by Mexico and the United States are attached as **Appendices 12 and 13 to ANNEX 9**.

10. Adoption of the report and adjournment

The Report of Panel 4 was adopted with the reservations expressed by Morocco in Section 6.1.3.

The 2009 Meeting of Panel 4 was adjourned.

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)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Election of Chair
9. Other matters
10. 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. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Election of Chair
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)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Election of Chair
9. Other matters
10. 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)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Election of Chair
9. Other matters
10. Adoption of the report and adjournment

Appendix 2 to ANNEX 9**Statement by the United States to Panel 1**

The United States approaches Panel One discussions with a growing sense of trepidation. As the Commission is aware, the 2007 assessment of Atlantic bigeye tuna (BET) and the 2008 assessment of Atlantic yellowfin tuna (YFT) estimated biomass levels to be slightly below the Convention's management objective (levels capable of supporting the maximum sustainable yield (MSY)).

Nevertheless, despite repeated efforts of the United States and other CPCs to highlight issues which may preclude or delay achievement of the Convention's management objectives for these species, many issues of concern remain unaddressed. Of primary concern are the substantial catches of juvenile bigeye and yellowfin tunas and the ineffective nature of the "Piccolo" area closure in the Gulf of Guinea, as adopted in 2004. Levels of small juvenile bigeye tuna (<3.2 kg) caught in surface fisheries remain unacceptably high, and according to the SCRS reached nearly 70 percent of the total surface catch in terms of numbers of fish in 2007 and continues to increase. Despite concerns regarding this increasing trend, there has been an observed increase in the number of tropical purse seine vessels participating in this fishery in 2007 and 2008, and this appears to be continuing in 2009. The United States believes the observed increase in capacity forebodes ever greater increases in the catches of small fish.

The high catches of small juvenile fish have the real potential of leading to rapid declines in the stock abundance in the near future. Furthermore, yield per recruit and maximum sustainable yield would increase if more of these juvenile fish were allowed to grow before being caught. As a result, the United States agrees with the SCRS recommendation that a larger time/area closure would be more precautionary than the current, ineffective small closure. We call on the Commission to adopt this so that it can be implemented in 2010, as stated in Recommendation 08-01.

The difficulties faced by the Commission regarding eastern Atlantic bluefin tuna exemplify the problems associated with delaying appropriate management action. Simple and modest action now to address the disproportionately high catches of small fish can help the Commission avoid more difficult and economically disruptive decisions in the future.

The United States also recalls paragraph six of Recommendation 04-01 which requires review, and if necessary, revision of Total Allowable Catch (TAC) and catch limits based on the 2007 stock assessment of bigeye tuna. Based on the 2007 stock assessment, the existing bigeye TAC of 90,000 t, and the SCRS recommendation that total catch of bigeye tuna not exceed 85,000 t, the United States believes that action should be taken to bring management recommendations into conformity with SCRS advice. Under current regulations, if major harvesting countries were to take their entire catch limit, and other countries maintained recent catch levels, then the total catch could exceed 100,000 t.

It is the sincere expectation of the United States that these issues, particularly the high proportion of catches of small juvenile bigeye and yellowfin, can be resolved in a timely manner to ensure the long-term sustainability of these stocks with minimal disruption to the fishery.

Appendix 3 to ANNEX 9

Draft Recommendation by ICCAT to Amend the *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna*

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;

EXPRESSING GRAVE CONCERN about the difficulties encountered by the Standing Committee on Research and Statistics (SCRS) in investigate the state of the stock of bigeye tuna from the Atlantic because of the lack of reliable data collection mechanisms by CPCs;

IN VIEW THEREFORE OF THE NEED to closely monitor the fishing activities by fishing vessels;

AWARE of the considerable efforts that have already been carried out by Contracting Parties involved in these fisheries;

RECOGNIZING the contribution that a reduction in the harvest of juvenile tunas in the Gulf of Guinea can contribute to the long-term sustainability of the stocks;

NOTING that the implementation of a closed area/season, to be applied to fishing in association with floating objects, including fish-aggregating devices (FADs), significantly contributes to the reduction of the catches of juvenile bigeye tuna;

RECOGNIZING that timely reporting of catch will assist greatly in the monitoring of the fisheries;

RECOGNIZING the necessity to adopt control measures to ensure the respect of the management measures and to improve the scientific assessment of those stocks is necessary;

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 2010 to 2011.

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.
 - 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
 - c) Each CPC shall adjust fishing effort commensurate with the available fishing possibilities.
 - d) 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 85,000 t for each of the years 2010 and 2011.
4. The following catch limits shall be applied for the two year period, based on the average catch of Atlantic bigeye tuna in 1991 and 1992 and taking account of recent developments, for the following CPCs:

<i>CPC</i>	<i>2010</i>	<i>2011</i>
China	5572	5572
European Community	22667	22667
Ghana	4722	4722
Japan	23611	23611
Panama	3306	3306
Chinese Taipei	15583	15583

5. The TAC and catch limits for 2012 shall be established in accordance with the evolution of the stock and the latest scientific assessment available. The relative shares of the CPCs for 2012 shall remain unchanged from those in operative paragraph 4.a of the current Recommendation.
6. 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.

Underage or overage of catch

7. All underages or overages of the annual catch limit of bigeye tuna may be added/to or shall be deducted from the annual catch limit as follows:

<i>Year of catch</i>	<i>Adjustment Year</i>
2010	2011 and/or 2012
2011	2012 and/or 2013

However, the maximum underage that a CPC may transfer in any given year shall not exceed 30% of its annual catch limit.

8. Notwithstanding paragraph 7, if any Contracting Party exceeds its catch limit during any two consecutive management periods, the Commission will recommend appropriate measures, which may include, but are not limited to, reduction in the catch limit equal to a minimum of 125% of the excess harvest, and, if necessary, trade restrictive measures. Any trade measures under this paragraph will be import restrictions on the subject species and consistent with each Party's international obligations. The trade measures will be of such duration and under such conditions as the Commission may determine.

Communication of catches and fishing effort

9. a) Each CPC shall ensure that its catching vessels fishing actively for bigeye tuna shall communicate by electronic or other means, to their competent authorities, a weekly catch report, with, as a minimum, information on the catch amount, including nil catch returns, the date and the location (latitude and longitude) of the catches, and the fishing effort. This report shall be transmitted by the latest Monday noon with the catches taken in the Plan Area during the preceding week ending Sunday midnight GMT. This report shall include information on the number of days in the fishing area since the beginning of the fishing or since the last weekly report.

Such weekly catch reports does not apply to fishing vessels which send electronic daily catch reports for bigeye tuna, including for nil catches.

- b) CPC shall collect the data referred to in subparagraph a and, before the end of the next month, shall submit to ICCAT by electronic transmission or other means, the quantities caught and the fishing effort deployed during the previous month by the fishing vessels flying their flag. The reports shall be transmitted without delay to the ICCAT Secretariat in accordance with the format set out in **Annex 1**.

Data collection

10. 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.

11. 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.

Area/time closure

12. Fishing around, under, or in association with floating objects, including fish-aggregating devices (FADs), shall be prohibited:
 - a) from 1 January to 28 February each year, and
 - b) in the area delimited as follows:
 - Northern limit: African Coast
 - Southern limit: parallel 10° South latitude
 - Western limit: meridian 5° West longitude
 - Eastern limit: meridian 5° East longitude
13. The prohibition in paragraphs 12 includes:
 - launching any floating objects, with or without buoys;
 - fishing around, under, or in association with artificial objects, including vessels;
 - fishing around, under, or in association with natural objects;
 - towing floating objects outside the area.
14. SCRS is requested to analyze in 2012 the efficacy of the area/season closure in paragraph 12 in reducing catches of small juvenile bigeye and Yellowfin fishes and the impacts the affected fish stocks.

VMS

15. CPCs shall implement a vessel monitoring system for on each of their fishing vessels over 15 m, in accordance with the 2003 Recommendation by ICCAT concerning minimum standards for the establishment of a Vessel Monitoring System in the ICCAT Convention area [Rec. 03-14].

During the closure period referred to in paragraph 12, each CPC shall communicate without delay messages pursuant to this paragraph to the ICCAT Secretariat, in accordance with the data exchange formats and protocols adopted by the Commission under Annexes 1 and 2 of Recommendation [07-08].

ICCAT Secretariat shall notify CPCs of any presence of a national vessel in the area referred to in paragraph 12. CPCs shall immediately enquired the situation and report to ICCAT of the results without delay.

16. ICCAT Secretariat shall report to the Compliance Committee during each annual meeting on the presence detected and the results of the corresponding enquiry by the CPC concerned.

Observers on board

17. 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.
18. Observers shall undertake robust data collection on all aspects of the total catch (including by-catch such as sea turtles, marine mammals, seabirds, etc.), which, at a minimum, includes size, biological samples to determine age, and catch per unit of effort information by species. The biological data collected on the fleet as a whole by these observers shall be provided to the SCRS.
19. For the scientific aspects of the program, the SCRS shall report on the coverage level achieved by each CPC and provide a summary of the data collected and any relevant findings associated with that data. SCRS shall also provide any recommendations to improve the effectiveness of CPC observer programs.

ICCAT Regional Observer Program

20. The ICCAT Regional Observer Program in **Annex 2** shall be established to ensure observer coverage of 100% of all fishing vessels over 20 m fishing for bigeye tuna in the area referred to in paragraph 12.

Port sampling plan

21. The Commission requests the SCRS to develop by 2010 a port sampling plan aimed at collecting fishery data for bigeye, Yellowfin, and Skipjack tunas that are caught in the vicinity of the restricted area referred to in paragraphs 11.

Beginning in 2011, the port sampling program shall be implemented in all ports receiving such catches from fishing vessels.

Data and information collected from the program shall be reported to ICCAT each year beginning in 2012, describing, at a minimum, the following by country of landing and quarter:

- species composition;
- landings by species,;
- length composition, and
- weights.

Biological samples suitable for determining life history should be collected as practicable.

Conditions associated to the fishing possibilities

22. CPCs shall notify the ICCAT Secretariat by 15 November each year of their ability to implement this Recommendation, in particular the provisions in paragraphs 2 (capacity limitation), 9 (communication of catches and fishing effort), 12 (area/time closure), 15 (VMS), 17 (observers on board), 20 (ICCAT regional Observer Program) and 21 (port sampling plan).
23. Fishing vessels which at any time do not comply with any of the provisions referred to in paragraph 22 shall not be allowed to participate in the bigeye tuna fishery and must stay to port until compliance with the abovementioned provisions is achieved.
24. CPCs shall take the following action where a vessel flying its flag has:
- a) failed in its reporting requirement referred to in paragraph 9 (communication of catches and fishing effort) and 21 (port sampling plan)
 - b) committed any infringement to the provisions of the present Recommendation.

CPCs shall ensure that a physical inspection takes place under its authority in its ports or by another person designated by the flag CPC when the vessel is not in one of its ports.

25. CPCs shall report on their implementation of and compliance with this Recommendation, with a particular emphasis on the area/time closure prohibition referred to in paragraph 12, to ICCAT by August 1, each year. The Executive Secretary shall report to the Compliance Committee during each annual meeting of ICCAT.

General provisions

26. This Recommendation replaces Rec. 04-01 and Rec. 08-01.

Minimum specification for logbooks:

1. The logbook must be numbered by sheets.
2. The logbook must be filled in every day (midnight) or before port arrival
3. The logbook must be completed in case of at sea inspections
4. One copy of the sheets must remain attached to the logbook
5. Logbooks must be kept on board to cover a period of one-year operation.

Minimum standard information for logbooks:

1. Master name and address
2. Dates and ports of departure, Dates and ports of arrival
3. Vessel name, register number, ICCAT number and IMO number (if available).
4. Fishing gear:
 - a) Type FAO code
 - b) Dimension (length, mesh size, number of hooks, etc.)
5. Operations at sea with one line (minimum) per day of trip, providing:
 - a) Activity (fishing, steaming, etc.)
 - b) Position: Exact daily positions (in degree and minutes), recorded for each fishing operation or at noon when no fishing has been conducted during this day.
 - c) Record of catches:
6. Species identification:
 - a) by FAO code
 - b) round (RWT) weight in kg per day
 - c) number of pieces per day
7. Master signature
8. Observer signature
9. Means of weight measure: estimation, weighing on board and counting.
10. The logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

Minimum information in case of landing, transshipment/transfer:

1. Dates and port of landing /transshipment/transfer
2. Products
 - a) presentation
 - b) number of fish or boxes and quantity in kg
3. Signature of the Master or Vessel Agent

ICCAT Regional Observer Program

1. Each CPC shall require its fishing vessels involved in the bigeye tuna fishery in the Atlantic to carry an ICCAT observer during all the fishing activities in the Convention area.
2. By 1 November each year, CPCs shall notify to the ICCAT Executive Secretariat a list of its observers.
3. The Secretariat of the Commission shall appoint the observers before 15 November each year, and shall place them on board the fishing vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer program. An ICCAT observer card shall be issued for each observer.
4. The Secretariat shall issue a contract listing the rights and duties of the observer and the master of the vessel. This contract shall be signed by both parties involved.
5. The Secretariat shall establish an ICCAT observer program manual.

Designation of the observers

6. The designated observers shall have the following qualifications to accomplish their tasks:
 - sufficient experience to identify species and fishing gear;
 - satisfactory knowledge of the ICCAT conservation and management measures assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
 - the ability to observe and record accurately;
 - a satisfactory knowledge of the language of the flag of the vessel observed.

Obligations of the observer

7. Observers shall:
 - a) have completed the technical training required by the guidelines established by ICCAT;
 - b) be nationals of one of the CPCs and, to the extent possible, not of the flag State of the fishing vessel;
 - c) be capable of performing the duties set forth in point 8 below;
 - d) be included in the list of observers maintained by the Secretariat of the Commission;
 - e) not have current financial or beneficial interests in the bigeye tuna fishery,

Observer tasks

8. The observer tasks shall be in particular:
 - a) to monitor the fishing vessels' compliance with the relevant conservation and management measures adopted by the Commission.

In particular the observers shall:

- i) record and report upon the fishing activities carried out;
 - ii) observe and estimate catches and verify entries made in the logbook;
 - iii) sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
 - iv) verify the position of the vessel when engaged in catching activity;
 - v) carry out scientific work such as collecting task II data when required by the Commission, based on the directives from the SCRS.
- b) establish general reports compiling the information collected in accordance with this paragraph and provide the master and operator the opportunity to include therein any relevant information.

- c) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
 - d) exercise any other functions as defined by the Commission.
9. Observers shall treat as confidential all information with respect to the fishing and transfer operations of the fishing vessels and accept this requirement in writing as a condition of appointment as an observer;
10. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
11. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 12 of this program.

Obligations of the flag States of fishing vessels

12. The responsibilities regarding observers of the flag States of the fishing vessels and their masters shall include the following, notably:
- a) Observers shall be allowed to access to the vessel personnel and to the gear and equipment;
 - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 8:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication;
 - c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e) The flag States shall ensure that masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag State of the fishing vessel, copies of all raw data, summaries, and reports pertaining to the trip. The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

Observer fees

- a) The costs of implementing this program shall be financed by the fishing vessel's owners. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program;
- b) No observer shall be assigned to a vessel for which the fees, as required under subparagraph a), have not been paid.

Appendix 4 to ANNEX 9

**Draft Supplemental Recommendation by ICCAT to Amend the Multi-Year
Conservation and Management Program for Bigeye Tuna**

(Annex 1 [to Rec. 08-01])

Reference Document Proposal by Ghana and Côte d'Ivoire

CONSIDERING the recent analysis by the Standing Committee on Research and Statistics (SCRS) which concluded that changes to the Gulf of Guinea time and area closure adopted in the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] are less effective at protecting small juvenile bigeye (BET) and yellowfin (YFT) tunas (<3.2 kg) than the previous closure specified in the 1999 *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregating Devices (FADs)* [Rec. 99-01];

CONCERNED that small juvenile bigeye tuna represent approximately 70 percent of bigeye catches, in number of fish, with a generally increasing trend (SCRS):

NOTING that, in 2005, SCRS identified modifications that would improve the effectiveness of the area/season closure applied to purse seine vessels and baitboats flying a CPC flag;

RECALLING the overfished status of Atlantic bigeye tuna and the 2007 and 2008 SCRS recommendations to reduce the total allowable catches of this species;

OBSERVING the mixed composition of the surface fisheries occurring in the Gulf of Guinea and SCRS recommendations to reduce fishing mortality of small juvenile yellowfin tuna to increase long-term sustainable yield:

RECOGNIZING the contribution that a reduction in the harvest of juvenile tunas in the Gulf of Guinea can contribute to the long-term sustainability of the stocks;

INTENDING to implement measures to substantially reduce the expected catch of small juvenile bigeye and yellowfin tunas (<3.2 kg) from recent levels;

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

1. The terms of the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Plan for Bigeye Tuna* [Rec. 04-01] are extended through December 31, 2010, except as provided for below.
2. Paragraph 8 of the *Recommendation by ICCAT on a Multiyear Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] is replaced by the following:

Purse seine and baitboat vessels flying the flag of CPCs shall be prohibited from fishing around, under, or in association with floating objects, including fish-aggregating devices (FADs), during the time period and in the area specified in paragraph 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01.

- a) Vessels fishing in the area referenced in paragraph 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 during the period referenced in paragraph 3(a) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 shall retain and report all catches of Atlantic tunas to the Secretariat.
- b) CPCs shall establish domestic procedures to identify and sanction vessels flying their flags that do not comply with the area restrictions. CPCs shall report on their implementation of such procedures and compliance with the restrictions referenced in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 to the Secretariat by August 1, each year. The

Executive Secretary shall report to the Commission on compliance with the aforementioned restrictions in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 during each annual meeting of the Commission.

3. Paragraph 9 of the Recommendation 04-01 is replaced by the following:

The time period and area referred to in paragraph 8 of Recommendation 04-01 are the following:

- a) The time period is from 1 November of one year to 31 January of the following year.
- b) The area is defined as:
 - Southern limit: parallel 4° South latitude
 - Northern limit: parallel 5° North latitude
 - Western limit: meridian 20° West longitude
 - Eastern limit: the African Coast.
- c) The Commission requests that the SCRS analyze all relevant data and recommend for consideration by the Commission at the 2010 annual meeting, a more effective restricted area that would reduce the relative proportion of small juvenile bigeye tuna and yellowfin caught, prevent growth overfishing, and increase the long-term sustainable yield.

4. Paragraph 10 of Recommendation 04-01 is replaced by the following:

The prohibition in paragraphs 8 and 9 of Recommendation 04-01 includes:

- Prohibition on launching any floating objects, with or without buoys;
- Prohibition on fishing around, under, or in association with artificial objects, including vessels;
- Prohibition on fishing around, under, or in association with natural objects;
- Prohibition on towing floating objects outside the area identified in paragraph 2 of Recommendation 04-01.

5. Paragraph 11 of Recommendation 04-01 is replaced by the following:

The Commission requests the SCRS to analyze in 2011, the efficacy of the area restrictions in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 in reducing catches of small juvenile bigeye and yellowfin fishes and the impacts of these area restrictions on these affected fish stocks.

6. Paragraph 15 of Recommendation 04-01 is revised as follows to add a new paragraph:

CPCs shall ensure that all purse seine and longline vessels and not less than 50 percent of all baitboats affected by the measure have an observer on board vessels engaged in fishing activities on trips taking place during the period referred to in paragraph 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01, who shall observe the respect of the measure. The biological data collected on the fleet as a whole by these observers shall be provided to the SCRS for the purpose of carrying out analyses identified in paragraph 4 of Recommendation 04-01.

- a) Observers shall undertake robust data collection on all aspects of the total catch (including by-catch such as sea turtles, marine mammals, seabirds, etc.), which, at a minimum, includes size, biological samples to determine age, and catch per unit of effort information by species.
- b) The observers should possess the following skills in order to discharge their duties:
 - Sufficient experience to identify species and gear
 - Knowledge of the ICCAT conservation measures
 - Ability to carry out elementary scientific tasks, e.g., collecting samples, as requested and observe and record accurately,
 - Knowledge of the language of the flag of the vessel observed.

7. Paragraph 16 of Recommendation 04-01 is replaced by the following:

The Commission requests the SCRS to develop by 2010 a port sampling plan aimed at collecting fishery data for bigeye, yellowfin, and skipjack tunas that are caught in the vicinity of the restricted area referred to in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01. Beginning in 2011, the port sampling program shall be implemented in all ports receiving such catches from fishing vessels. Data and information collected from the program shall be reported to the Secretariat each year beginning in 2012, describing, at a minimum, the following by country of landing and quarter: species composition, landings by species, length composition, and weights. Biological samples suitable for determining life history should be collected as practicable.

8. Paragraph 17 is added:

The Commission requests the SCRS to conduct an assessment of bigeye tuna in the year 2010 and every four years thereafter.

9. This Recommendation amends Recommendation [04-01].

Appendix 5 to ANNEX 9

Reports on Eastern Bluefin Tuna Capacity Management Plans

Eastern Bluefin Tuna Fishing Capacity Plans

China

Chinese Fisheries Authority only authorizes four longliners to conduct eastern bluefin tuna fishing for many years. In the east bluefin tuna fishing season in 2009, authorizations of east bluefin tuna has been reduced from four to two longliners. During the 2010-2013 period, the level will be limited to two.

Before 2009, China had four longliners actively fishing for east bluefin tuna. However, the number of active fishing vessels in 2009 was two, namely *Jin Feng No. 1* and *Jin Feng No. 3*. During the 2010-2013 period, the number will be limited. However, depending on actual catch taken, the duration of the fishing will vary from a few weeks to a few months until the fishing quota is exhausted. The Chinese Fisheries Authority will keep close look on the actual catch, so as to avoid any overharvest.

The target species for those two longliners are bigeye tuna, but during the east bluefin tuna fishing season (normally October-December each year), the vessels conduct east bluefin tuna fishing in different areas of the Atlantic under the quota allocated to China.

The two vessels belong to the same company and therefore an individual quota has not been allocated to each of them. As soon as the quota is exhausted, the two vessels will leave the east bluefin tuna fishing area.

Croatia

Pursuant to the provisions of the paragraph 41 of ICCAT Recommendation 08-05, Croatia is hereby providing the information on the fleet capacity management plan for period from 2010 to 2013. Further to the provisions of paragraphs 42 to 48 of ICCAT Recommendation 08-05, it should be noted that Croatian fleet falls under the provisions of Annex I of the same Recommendation (the Croatian fleet operates exclusively within the Adriatic Sea, and hence is under the scope of paragraph 28 and Annex I).

In 2007, Croatia initiated the establishment of the new Fishing Fleet Register. The Register is still being structured and finalized. Setting up of the Fishing Fleet Register implied certain corrections and changes of available information. Since the Fishing Fleet Register had to be aligned with the Register of Boats and Merchant Fleet Register of Croatia, further corrections had to be introduced. Data entered into the Fishing Fleet Register are obtained from vessel registration documentation, but as of 2008 direct verification by the Directorate of Fisheries (DF) of the Ministry of Agriculture, Fisheries and Rural Development (MAFRD) was also introduced. Additional data include information on gears, CFR, individual quota where applicable, ICCAT number, engine, etc. The Fishing Fleet Register is being set up in accordance with internationally accepted standards regarding data content of such registers. Following the establishment of the functional Register, re-

measurement of fleet was undertaken. Data on all vessels were duly communicated to the ICCAT Secretariat. According to the verifications undertaken, the total capacity of the Croatian bluefin tuna fleet expressed in GT is 15,359 GT, including the catch fleet as well as ancillary vessels such as tug boats and vessels operating on farms. The fleet is segmented to bluefin tuna purse seiners and hook and line gears. In setting up the Register, all vessels participating in the bluefin tuna fishery were included (i.e. tugs and vessels that operate as assistance vessels on farms). As has been reported to ICCAT, the total number of vessels licensed to operate in purse seine bluefin tuna fishery in Croatia is 63. Additionally, 19 vessels are licensed as hook and line gears (these vessels do not leave the territorial waters of Croatia, and basically operate exclusively within the baselines). The total number of licensed vessels is 127, and in addition to 63 purse seiners and 19 coastal hook and line vessels, 17 vessels participate only in farm activities and 28 are tug boats. All this information has been duly communicated to the ICCAT Secretariat.

As stipulated in the paragraph 46, the CPCs need to assess the necessity for adjustment of their fleet capacity and ensure that it is commensurate with allocated quota. Croatia's quota in 2009 was 650 tons, of which 625 t were allocated to purse seiners, 10 t to hook and line gears and 5 t to sports and recreational fisheries. The quota was distributed evenly among purse seiners following a conformity test undertaken in March 2009. The conformity test took into account all the technical parameters of the vessels. The single individual quota amounted to 11.7 t per vessel. Following the transfers of allocated individual quotas among vessels, the final list of vessels authorized for the 2009 fishing season and their respective ITQs was compiled and published. Since the Croatian fleet, as can be verified by VMS data for the 2009 season which were sent to the Secretariat, does not operate outside the Adriatic Sea, the number of vessels had to be limited to the number of vessels that operated in the Adriatic Sea in 2008, which was 33. Therefore, the implementation of the catch plan for 2009 implied the allocation of individual quotas and the MAFRD published the final list of the authorized vessels and their respective quotas and communicated it to the ICCAT Secretariat. The information was communicated prior to the beginning of the fishing season. No transfer of quota took place during the fishing season. Allocation of individual quotas and introduction of ITQ system resulted in a reduction of fleet activity to a total of 29 vessels in the 2009 fishing season. Only 12 of those vessels were longer than 29 m LOA, and 10 were less than 24 m LOA. In accordance with that indicated above, in the 2009 fishing season Croatia has, pursuant to relevant provisions, limited the number of vessels that participated in the purse seine tuna fishery to 29, with a corresponding tonnage of approximately 5,000 t.

It should be noted that most of the vessels licensed and authorized for the bluefin tuna fishery also hold a valid license in the small pelagic fishery, and the bluefin tuna fishery represents a seasonal segment of their activity as the fleet basically relies on other species rather than on bluefin tuna. Given that this is the case, calculation of fleet capacity has to take into account a relatively high significance of other species and the multi-purpose nature of the vessels, as their activity in the tuna fishery is only seasonal. However, Croatia has limited the capacity of its bluefin tuna fleet, introducing the entry-exit scheme for this fleet segment. Licenses may be sold and/or transferred from one vessel to another, provided that the GT and the kW of the fleet does not increase. Although this applies to bluefin tuna licenses and fleet, it also reflects as significant restriction for the development of the small pelagic fleet as well.

Croatia applies a strict monitoring, surveillance and control regime, particularly given the fact that all of its purse seine catches are transferred to towing cages and tugged to farms. This fact enables close monitoring of quantities caged and detailed comparison with the catch quota. To that end, Croatia has set up a comprehensive system including verification of catches, and authorization of transfers and monitoring and inspection of cages.

Given that the quota system has been introduced in the bluefin tuna fishery, catch and landing data, as well as effort data, it is difficult to properly assess and estimate catch rates and fleet capacity in terms of tons of catch per GT of the fleet. Calculations of the possible catch rate per vessel or per GT in quota systems are by definition skewed. In addition to ITQ, effort calculations are further skewed by the changes in duration of the season and the number of days at sea. In the case of Croatia, where fleet capacity has to be calculated taking into account the multi-species character of its activity, and given all the other constraints, matching the fleet capacity with available quota is considered rather difficult as the very existence of these fishermen is largely dependent not only on seasonal tuna catches but on catches of other species in other parts of the year as well. However, taking into account the available scientific results, and the necessity of applying the precautionary approach, Croatia plans to gradually reduce the overall bluefin tuna fleet capacity, beginning with a target initial reduction of 5 to 10%. Changes to this benchmark shall be introduced based on results and the effectiveness of the initial phase, as well as on further scientific results and possible measures.

Freezing/adjustment of capacity

The tables provided below give the planned capacity for Croatia during the 2010-2013 period. Croatia has limited the total number of bluefin tuna licenses and authorizations in line with all the relevant provisions, and the fleet shall be adjusted in accordance with the provisions.

Croatia intends to address the issue of excess capacity in a manner to reduce the discrepancy by 25% in 2010 and to continue the reduction during the 2010-2013 period. The reduction percentage was calculated against the quota allocation as it is presently in force and taking into account the latest SCRS tables.

In terms of other vessels (tug, support, towing, auxiliary), Croatia has frozen the capacity to that authorized in 2008

Planned capacity during the 2010-2013 period – Croatia.

<i>Category</i>	<i>Catch rate</i>	<i>No. 2008</i>	<i>No. 2009</i>	<i>No. 2010</i>	<i>No. 2011</i>	<i>No. 2012</i>	<i>No. 2013</i>	<i>Cap 2008</i>	<i>Cap 2009</i>	<i>Cap 2010</i>	<i>Cap 2011</i>	<i>Cap 2012</i>	<i>Cap 2013</i>
PS 40	70.66	3	5	5	4	3	2	211.98	353.3	353.3	282.64	211.98	141.32
PS 24-40	49.78	30	34	22	19	15	13	1493.4	1692.52	1095.16	945.82	746.7	647.14
PS 24	33.68	31	24	15	13	11	5	1044.08	808.32	505.2	437.84	370.48	168.4
LL 24-40	5.68					0		0	0	0	0	0	0
LL 24	5					0		0	0	0	0	0	0
HL	5	16	19	16	15	14	12	80	95	80	75	70	60
BB	19.8	4						79.2	0	0	0	0	0
TOTAL		84	82	58	51	43	32						
TOTAL PS		64	63	42	36	29	20	2908.66	2949.14	2033.66	1741.3	1399.16	1016.86
Quota		2008	2009	2010	2011	2012	2013						
		833	641	582	539	437	437						
Overcapacity		2075.66	2308.14	1451.66	1202.3	962.16	579.86						
REDUCTION 0.376076													

European Community

1) Freezing of fishing capacity

Tables 1 and 2 below indicate the planned EC fishing capacity for the period 2010-2013 in total number as well as in GT. It has to be noted that the number and GT of vessels for 2011-2013 are only indicative and will be adapted once the TAC and quotas for these years are known.

Table 1. Number of catching vessels and traps in the EC for 2008-2013.

Category	Area	Number of vessels and traps						Reduction compared to 2008				
		2008	2009	2010	2011	2012	2013	2009	2010	2011	2012	2013
PS large (>40m)	Med	37	39	36	30	29	29	-2	1	7	8	8
PS med (24-40m)	Med	62	48	40	28	26	24	14	22	34	36	38
PS small (≤24m)	Med	36	7	1	1	1	1	29	35	35	35	35
<i>PS total</i>		<i>135</i>	<i>94</i>	<i>77</i>	<i>59</i>	<i>56</i>	<i>54</i>	<i>41</i>	<i>58</i>	<i>76</i>	<i>79</i>	<i>81</i>
LL med (24-40m)	Med	14	13	14	14	14	14	1				
LL small (≤24m)	Med	227	194	208	208	208	208	33	19	19	19	19
<i>LL total</i>		<i>241</i>	<i>207</i>	<i>222</i>	<i>222</i>	<i>222</i>	<i>222</i>	<i>34</i>	<i>19</i>	<i>19</i>	<i>19</i>	<i>19</i>
BB >24m	Atl.	62	61	61	61	61	61	1	1	1	1	1
BB ≤24m	Atl.	9	8	8	8	8	8	1	1	1	1	1
Handline	Med	6	2	2	2	2	2	4	4	4	4	4
Other artisanal	Med	366	350	337	337	337	337	16	29	29	29	29
Handline	Atl.	29	36	29	29	29	29	-7				
Trawler	Atl.	78	75	78	78	78	78	3				
Other artisanal	Atl.	42	33	33	33	33	33	9	9	9	9	9
Total		968	866	847	829	826	824	102	121	139	142	144
Trap	Med	6	6	6	6	6	6					
Trap	Atl.	9	9	7	7	7	7		2	2	2	2

Table 2. GT of catching vessels and traps in the EC for 2008-2013.

Category	Area	GT						Reduction compared to 2008				
		2008	2009	2010	2011	2012	2013	2009	2010	2011	2012	2013
PS large (>40m)	Med	10368	10867	10053	4163	3848	3848	-499	315	6205	6520	6520
PS med (24-40m)	Med	10317	8772	7473	4751	4331	3912	1545	2844	5566	5986	6405
PS small (≤24m)	Med	1877	455	80	80	80	80	1423	1797	1797	1797	1797
<i>PS total</i>		<i>22562</i>	<i>20093</i>	<i>17606</i>	<i>8994</i>	<i>8260</i>	<i>7840</i>	<i>2469</i>	<i>4956</i>	<i>13568</i>	<i>14302</i>	<i>14722</i>
LL med (24-40m)	Med	1671	1590	1665	1665	1665	1665	81	6	6	6	6
LL small (≤24m)	Med	7393	6167	6764	6764	6764	6764	1226	629	629	629	629
<i>LL total</i>		<i>9064</i>	<i>7757</i>	<i>8429</i>	<i>8429</i>	<i>8429</i>	<i>8429</i>	<i>1307</i>	<i>635</i>	<i>635</i>	<i>635</i>	<i>635</i>
Baitboat >24m	Atl	10368	10336	10336	10336	10336	10336	32	32	32	32	32
Baitboat ≤24m	Atl	373	243	243	243	243	243	130	130	130	130	130
Handline	Med	72	21	21	21	21	21	51	51	51	51	51
Other artisanal	Med	4484	4210	4443	4443	4443	4443	274	41	41	41	41
Handline	Atl	1436	2285	1436	1436	1436	1436	-849	0	0	0	0
Trawler	Atl	9212	8777	9212	9212	9212	9212	435	0	0	0	0
Other artisanal	Atl	629	563	563	563	563	563	66	66	66	66	66
Total		58200	54285	52289	43677	42942	42523	3915	5911	14523	15258	15677

For other vessels which in 2009 refers to vessels not involved in the direct catching of fish (e.g. tugs), one cannot estimate the capacity and therefore calculate a capacity reduction. As such the EC has frozen the number of vessels the figures of which are presented in **Table 3**.

Table 3. EC management plan up to 2013 for "other fishing vessels".

Category	Number of vessels					
	2008	2009	2010	2011	2012	2013
Auxiliary	7	112	7	7	7	7
Support	133	25	133	133	133	133
Towing	14	18	14	14	14	14
Tug	147	127	147	147	147	147
Total	301	282	301	301	301	301

2. Reduction of fishing capacity

The "reduction of fishing capacity" is the difference of the baseline fishing capacity in 2008 and the desired fishing capacity achieved in 2010. The reduction must be equal or greater than 25% of the discrepancy between the baseline fishing capacity (2008) and the allocated quota for 2010. Therefore in accordance with the provisions of [08-05] this can be expressed as the following formula:

$$\text{Reduction} = \frac{(C_8 - C_{10})}{(C_8 - Q_{10})} \geq 25\%$$

Whereas the quota is a factor defined in ICCAT Recommendation 08-05 (in 2010 the TAC is 19,550 t and the EC quota 11,238 t), the best available advice to calculate the capacity is the most recent SCRS report. This report describes two different sets of catch rates: the "Best Catch rate" and the "Potential Catch rate". The exercise on the calculation of EC fishing capacity is therefore executed twice: the first time based on the "Best Catch Rate" and the second time on the "Potential Catch Rate".

It should be noted that by using any of the methodologies, the reduction of EC fishing capacity for 2010 is more than the 25% required in ICCAT Recommendation 08-05, resulting in 74% and 35%, respectively.

Calculation of the EC fishing capacity using the SCRS “Best Catch Rate”

Table 4. EC Fishing capacity using SCRS “Best Catch Rate”.

Catch rate			No. of vessels and traps						Total probable yield (tons)					
Category	Area	Catch Rate	2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013
PS large (>40m)	Med.	93 t	37	39	36	30	29	29	3437	3623	3344	2787	2694	2694
PS med (24-40m)	Med.	73t	62	48	40	28	26	24	4545	3518	2932	2052	1906	1759
PS small (≤24m)	Med.	64t	36	7	1	1	1	1	2300	447	64	64	64	64
<i>PS total</i>			<i>135</i>	<i>94</i>	<i>77</i>	<i>59</i>	<i>56</i>	<i>54</i>	<i>10282</i>	<i>7589</i>	<i>6340</i>	<i>4903</i>	<i>4664</i>	<i>4517</i>
LL med (24-40m)	Med.	7.1t	14	13	14	14	14	14	99	92	99	99	99	99
LL small (≤24m)	Med.	5.0t	227	194	208	208	208	208	1135	970	1040	1040	1040	1040
<i>LL total</i>			<i>241</i>	<i>207</i>	<i>222</i>	<i>222</i>	<i>222</i>	<i>222</i>	<i>1234</i>	<i>1062</i>	<i>1139</i>	<i>1139</i>	<i>1139</i>	<i>1139</i>
Baitboat >24m	Atl.	12.5t	62	61	61	61	61	61	775	763	763	763	763	763
Baitboat ≤24m	Atl.	12.5t	9	8	8	8	8	8	113	100	100	100	100	100
Handline	Med.	5.0t	6	2	2	2	2	2	30	10	10	10	10	10
Other artisanal	Med.	5.0t	366	350	337	337	337	337	1830	1750	1685	1685	1685	1685
Handline	Atl.	5.0t	29	36	29	29	29	29	145	180	145	145	145	145
Trawler	Atl.	10.0t	78	75	78	78	78	78	780	750	780	780	780	780
Other artisanal	Atl.	5.0t	42	33	33	33	33	33	210	165	165	165	165	165
Total			968	866	847	829	826	824	15399	12369	11127	9690	9451	9304
Trap	Med.	130t	6	6	6	6	6	6	780	780	780	780	780	780
Trap	Atl.	130t	9	9	7	7	7	7	1170	1170	910	910	910	910
Total			983	881	860	842	839	837	17349	14319	12817	11380	11141	10994

The "Total Probable Yield" has been calculated by multiplying the catch rate for each vessel type by the number of vessels and can be considered as the "fishing capacity". Applying the formula above, the required "capacity reduction" can therefore be calculated as:

$$\text{Reduction} = \frac{(C_8 - C_{10})}{(C_8 - Q_{10})} = \frac{(17.349 - 12.817)}{(17.349 - 11.238)} = 74,2\% \geq 25\%$$

Calculation of the EU fishing capacity using the SCRS “Potential Catch Rate”

Table 5. EC fishing capacity using SCRS “Potential Catch Rate”.

Catch rate			Number of vessels and traps						Total probable yield (tons)					
Category	Area	Catch rate	2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013
PS large (>40m)	Med	104 t	37	39	36	30	29	29	3837	4044	3733	3111	3007	3007
PS med (24-40m)	Med	89 t	62	48	40	28	26	24	5537	4286	3572	2500	2322	2143
PS small (≤24m)	Med	70 t	36	7	1	1	1	1	2506	487	70	70	70	70
<i>PS total</i>			<i>135</i>	<i>94</i>	<i>77</i>	<i>59</i>	<i>56</i>	<i>54</i>	<i>11879</i>	<i>8818</i>	<i>7375</i>	<i>5681</i>	<i>5399</i>	<i>5220</i>
LL med (24-40m)	Med	10.3 t	14	13	14	14	14	14	144	134	144	144	144	144
LL small (≤24m)	Med	4.2 t	227	194	208	208	208	208	953	815	874	874	874	874
<i>LL total</i>			<i>241</i>	<i>207</i>	<i>222</i>	<i>222</i>	<i>222</i>	<i>222</i>	<i>1098</i>	<i>949</i>	<i>1018</i>	<i>1018</i>	<i>1018</i>	<i>1018</i>
BB >24m	Atl.	12.5 t	62	61	61	61	61	61	775	763	763	763	763	763
BB ≤24m	Atl.	12.5 t	9	8	8	8	8	8	113	100	100	100	100	100
Handline artisanal	Med	10.0 t	6	2	2	2	2	2	60	20	20	20	20	20
Other artisanal	Med	19.0 t	366	350	337	337	337	337	6954	6650	6403	6403	6403	6403
Handline	Atl.	10.0 t	29	36	29	29	29	29	290	360	290	290	290	290
Trawler	Atl.	25.0 t	78	75	78	78	78	78	1950	1875	1950	1950	1950	1950
Other artisanal	Atl.	19.0 t	42	33	33	33	33	33	798	627	627	627	627	627
Total			968	866	847	829	826	824	23916	20161	18545	16851	16569	16390
Trap	Med	300 t	6	6	6	6	6	6	1800	1800	1800	1800	1800	1800
Trap	Atl.	300 t	9	9	7	7	7	7	2700	2700	2100	2100	2100	2100
Total			983	881	860	842	839	837	28416	24661	22445	20751	20469	20290

$$\text{Reduction} = \frac{(C_8 - C_{10})}{(C_8 - Q_{10})} = \frac{(28.416 - 22.445)}{(28.416 - 11.238)} = 34,8\% \geq 25\%$$

Iceland

The Icelandic Ministry of Fisheries and Agriculture allocation of the bluefin tuna quota is as follows.

At the beginning of each year the Ministry announces the Icelandic quota. Icelandic vessel owners are required to apply to the Ministry within a specific time indicating details of fishing, i.e. vessel, gear and port of landing. Each individual vessel is thereafter allocated its share of the yearly quota with a fishing license –valid for one fishing season (year). The allocation of fishing quota is then incorporated into a management plan for each year and reported to ICCAT within the time frame set (March 1).

Japan

1. Freezing of fishing capacity

- a) The number of Japanese large scale longline vessels and the corresponding gross registered tonnage (GRT) during the periods from January 1, 2007 and July 1, 2008 are 49 and 21,587 t.
- b) Japan, before 2010, has reduced its fishing capacity by buy-back schemes in advance. The present number of the vessels is 33 (33% reduction from 49) and the present GRT is 14,427 (33% reduction from 21,587 t).

2. Demonstration that the current capacity is commensurate with allocated quota

- a) According to the 2008 ICCAT Report, the probable large-scale longline vessel’s catch in the East Atlantic, per vessel and per year, has been estimated at 50 tons. Each Japanese catching vessel has had more individual quota than its capacity estimated by the SCRS estimated (50 t).

- b) Each Atlantic bluefin tuna caught by Japanese designated catching vessels shall be tagged and the daily catch information with tag numbers shall be reported to the Fisheries Agency on the following day in accordance with Japanese laws and regulations. Furthermore, the Fisheries Agency designates eight domestic ports in which landing of bluefin tuna is authorized and all the landings are subject to inspection by the Agency. In case of any non-compliance with the individual quota, the vessel owner is subject to penalties such as suspension of its fishing license and port confinement.
- c) Japanese fisheries laws and regulations have provided an individual quota system of bluefin tuna. Japan has allocated more than 50 t by each vessel per year, as shown in the table below. The Japanese fishing capacity is commensurate with its allocated quota based and has been strictly managed.

	2009	2010	2011-2013
Allocated quota (t)	1871.44	1696.57	
No. of large-scale longline vessels ≥ 40 m (GRT)	33	33	*1
Amount of quota per vessel of the Japanese Government (t) *2	56.7	51.4	*3
Probable large-scale LL catch per year estimated by SCRS	50	50	

*1 Capacity will be adjusted to Japanese allocated quota to be decided.

*2 Japanese fisheries laws and regulations have provided an individual quota system for bluefin tuna. Japan has allocated more than 50 t by each vessel per year.

*3 The amount of quota per vessel will be adjusted to be commensurate with its allocated quota.

Korea

The Korean Government established a management plan for bluefin tuna over the 2010-2013 period. Only one vessel (*Sajomelita*) is authorized to catch bluefin tuna within its quota during the period because Korea currently only has one purse seiner vessel to catch bluefin tuna.

Libya

Since ICCAT implemented a multi-annual recovery plan [Rec. 08-05], Libya established a national capacity management plan starting from 2007 as follows:

- Total Libyan fishing fleet: 52 vessels
- Number of vessels authorized in 2007: 40
- Percentage of reduction: 23%
- Number of vessels authorized in 2008: 30
- Percentage of reduction: 38.5%
- Number of vessels authorized in 2009: 28
- Percentage of reduction: 48%

Libya will authorize the number of vessels according to Recommendation 08-05 requirement concerning fishing capacity reduction (25%). Thus, the total fishing fleet in 2010 will be equal to 35 vessels considering that SCRS estimated reasonable catch capacity as shown in the following table.

Category	Catch rate	Number of vessels and traps						Total yield (t)						
		2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013	
PS large (≥ 40 m)	70.66	1						70.66						
PS med (24-40m)	49.78	31	30	29	29	29	29	1543.2	1493.4	1443.62	1443.62	1443.6	1443.6	
PS small (≤ 124 m)	33.68	2	1	1	1	1	1	67.36	33.68	33.68	33.68	33.68	33.68	
PS total		34	31	30	30	30	30	1681.2	1527.1	1477.3	1477.3	1477.3	1477.3	
LL large (≥ 40 m)	25	5	5	5	5	5	5	125	125	125	125	125	125	
LL total		5	5	5	5	5	5	125	125	125	125	125	125	
Total		39	36	35	35	35	35	1806.2	1652.1	1602.3	1602.3	1602.3	1602.3	
Trap	130													
Total		39	36	35	35	35	35	1806.2	1652.1	1602.3	1602.3	1602.3	1602.3	

Overcapacity reduction from 2008 to 2010 (19,950 t)

Quota 2010 (Q10)	1002
Fishing capacity 2008 (C08)	1806
Fishing capacity 2010 (C10)	1602
Reduction, % (R)	0.254

The vessels reduced from the Libyan fleet targeting bluefin tuna will be directed to target other species, to logistics services, for marine research after significant modification or scraping.

Morocco

Regulatory support: At national level: Circular concerning the freeze sea-related investments (1992).
At regional level: Articles 40 to 48 of ICCAT Recommendation 08-05.

Introduction:

In the framework of the implementation of the regulatory provisions mentioned, the Kingdom of Morocco has frozen its fishing capacity directed at eastern bluefin tuna in all the segments concerned in 2009.

East bluefin tuna catches by the Moroccan fleet:	2,343 t
Morocco's adjusted quota:	2,400 t (transfer of 15.26 t to 2011)
Balance:	57 t
Other conservation measures taken by Morocco:	Release of 3,818 bluefin tuna from traps following the consumption of the 2009 quota allocated to that segment.

- Traps

- a) Number of traps authorized by the fisheries administration as of July 1, 2008: 20 units.
- b) Number of operational/fixed traps in 2009: 17

Volume caught: 1,908 t

Comment: The average catch per trap for 2009 was 112.2 t, which is similar to the SCRS tables (an average of 115 t for the Moroccan traps compared to an average 130 t for the European Union's traps). As a comparison, this average was 125.4 t in 2008. Thus, the fishing capacity of the traps has been proportional to the quota allocated to them, in accordance with Article 40 of Rec. 08-05.

- Vessels directly targeting bluefin tuna

“Tuna purse seiner” type (PS > 24 m LOA)

- i) Number of vessels authorized to directly target bluefin tuna: 5
- ii) Number of vessels that carried out fishing operations directed at bluefin tuna in 2009: 4

Volume caught: 364 t.

Comment: The average catch per vessel of this category is 72.8 t, which complies with the best catch rates for this category, as defined by the SCRS (71 t) for 2009. Thus, the fishing capacity of the Moroccan purse seiners that directly targeted bluefin tuna in 2009 was proportional to the quota allocated to them, in accordance with Article 40 of Rec. 08-05.

- Vessels catching bluefin tuna as by-catch

a) “Longliner” type

- i) Number of vessels authorized to catch bluefin tuna as by-catch in the framework of the quota allocated to the coastal fleet: 63, of which 62 <24 m LOA.
- ii) Number of vessels that have caught bluefin tuna as by-catch: 3; volume caught: 1 t.

b) “Purse seiner” type < 24 m LOA

- i) Number of vessels authorized to catch bluefin tuna as by-catch in the framework of the quota allocated to the coastal fleet: 6
- ii) Number of vessels that caught bluefin tuna as by-catch: 0; volume caught: 0 t.

c) “Trawler” type

- i) Number of vessels authorized to catch bluefin tuna as by-catch in the framework of the quota allocated to the coastal fleet: 3
- ii) Number of vessels that caught bluefin tuna as by-catch: 0; volume caught: 0 t.

Comment: The incidental catches of bluefin tuna made by these vessels amount to 1 t, i.e. an average catch of 0.013 t per vessel identified in this segment, which is much lower than the catch rate for this category as defined by the SCRS (71 t) for 2009.

- Capacity Management Plan

Although the Kingdom of Morocco has the right to develop its fishing capacity on eastern bluefin tuna in accordance with the provisions of Article 45 of Rec. 08-05, no new vessels have been authorized to carry out fishing directed at bluefin tuna in 2009.

Likewise, the number of vessels (72) that can catch bluefin tuna as by-catch has not increased compared to 2008 or earlier years.

It should be noted that these are national vessels, authorized to target other pelagic and tuna-like species and which can catch bluefin tuna incidentally and as by-catch during their fishing operations for other species.

These vessels have been included in the list of bluefin tuna fishing vessels to avoid their by-catch being considered as IUU catches. All these vessels have already been included in the list established by ICCAT Rec. 02-00.

Moreover, this vessel category that incidentally fishes bluefin tuna caught 1 t in 2009.

- Plan for adjustment of fishing capacity

In view of the above-mentioned information and data, the Kingdom of Morocco will, in the scope of the collective effort carried out for the conservation of eastern bluefin tuna stocks, make the adjustments that are presented in the following table.

Bluefin Tuna Fishing Capacity Management Plan – Morocco.

	<i>Potential catches</i>	<i>No. of vessels and traps</i>						<i>Total estimated catches</i>						
		2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013	
PS large	70.7	1	1	1	1	1	1	70.7	70.7	70.7	70.7	70.7	70.7	
PS med.	49.8	3	3	3	2	2	2	149.4	149.4	149.4	99.6	99.6	99.6	
PS small	33.7	1	1	1	1	1	1	33.7	33.7	33.7	33.7	33.7	33.7	
<i>PS Total</i>		5	5	5	4	4	4	0.0	0.0	0.0	0.0	0.0	0.0	
LL large	25	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	
LL med.	5.7	0	1	1	1	1	1	0.0	5.7	5.7	5.7	5.7	5.7	
LL small	5	0	63	3	3	3	3	0.0	315.0	15.0	15.0	15.0	15.0	
<i>LL Total</i>		0	64	4	4	4	4	0.0	0.0	0.0	0.0	0.0	0.0	
Baitboat	19.8	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	
Hand line	5	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	
Trawl	10	3	1	1	1	1	1	30.0	10.0	10.0	10.0	10.0	10.0	
Other artisanal	5							0.0	0.0	0.0	0.0	0.0	0.0	
								0.0	0.0	0.0	0.0	0.0	0.0	
Total		3	1	1	1	1	1	0.0	0.0	0.0	0.0	0.0	0.0	
Trap	112.3	15	17	16	11	11	11	1684.5	1909.1	1796.8	1235.3	1235.3	1235.3	
								Quota	2729.0	2400.0	2076.0	1437.0	1422.0	1422.0
								Potential catches	1968.3	2493.6	2081.3	1470.0	1470.0	1470.0
								Balance	760.7	-93.6	-5.3	-33.0	-48.0	-48.0

Important: The reduction of trap fishing capacity will be carried out according to a system of annual rotation. The proposals for the reduction of the fishing capacity for 2011 are included for information purposes and will depend on the quota allocated to Morocco.

Tunisia

In the framework of the fishing management plan, the competent Tunisian authority will adopt principally, during the 2010-2013 period, the following mechanisms for the administration of its tuna fleet:

- Submit the construction of tuna fishing vessels to a prior authorization agreed upon by the competent authority. The objective of this procedure is to control the fishing effort of the tuna fisheries and the control of the development of the fleet so as not to exceed fishing capacity.
- Prohibit vessel chartering: It should be noted in this respect that the Tunisian legislation prohibits fishing by vessels other than Tunisian vessels. The chartering of vessels is thus prohibited for fishing in Tunisian waters.
- Suspend all investments destined for the acquisition of new tuna fishing vessels, except when it concerns the replacement of outdated vessels in order to improve working conditions and to assure the safety of the crew on board.
- Implement the provisions which organize the exercise of bluefin tuna fishery (fishing season, minimum size of the catch, catch reports, etc.) in accordance with the ICCAT recommendations.

In this sense, the 2010-2013 program will be based on the following actions:

- Freeze on the number of fishing vessels targeting bluefin tuna to 42 vessels for the 2010-2013 fishing seasons.

It should be noted that Tunisia has already proceeded to an important reduction of its tuna fleet in the last four years. In effect, the number of tuna fishing vessels declined from 52 in 2004 to 42 in 2008, i.e. a reduction of 10 vessels.

Tunisia considers that it does not now have over-capacity and that it is not necessary to further reduce its capacity during the 2010-2013 period.

Therefore, the number of vessels will remain at the same level as the number of tuna vessels in 2008, i.e. 42 tuna vessels: 41 using purse seine and only one fishing with longline.

- Freeze on the number of “other fishing vessels” at 22 vessels during the aforementioned period.
- No authorization will be granted for exploitation of the traps in the framework of the 2010-2013 plan.

Turkey

1) Adjustment of fishing capacity

The following measures have been adopted in order to commensurate Turkey’s bluefin tuna fishing capacity with its allocated quota:

- Total number of Bluefin Tuna Fishing Permits to be issued and thus the total number of bluefin tuna fishing vessels will be adjusted to a level which is below that of 2008 and/or earlier.
- No new Bluefin Tuna Fishing Permit shall be issued for the vessels not having such permit in the past (new entrance to the fleet shall not be allowed).
- Any alterations of a previously authorized activity (whether authorized to fish for or transport/transfer bluefin tuna) will not be allowed for a given vessel in the fleet.
- Fishing for bluefin tuna will be conducted in respect of catching vessels’ individual quotas.

2) Freezing of fishing capacity

In accordance with paragraph 42 of the *Recommendation by ICCAT to Establish a Multiannual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05], Turkey has limited the number and corresponding gross registered tonnage of its fishing vessels to the number and tonnage of its vessels that fished for bluefin tuna during the period from January 1, 2007 to July 1, 2008.

3) Reduction of fishing capacity

Background information

- During the inter-sessional meeting of ICCAT's Compliance Committee which was held on March 24-27, 2009 in Barcelona, Turkey had committed to freeze its current bluefin tuna fishing capacity in 2009 and to continue with reductions to 50% of current levels in 2010 and to 30% of current levels in 2011.
- Turkey has also declared with its letter dated 04/05/2009 that the bluefin tuna fishing capacity reduction would started to be applied as from the 2009 fishing season with a 36% reduction from the 2008 fleet.

Planned capacity reduction

Turkey has reduced its fishing capacity referred to in paragraph 42 of ICCAT Recommendation [08-05] as follows;

- The total number of authorized bluefin tuna catching vessels has been decreased to 58 in 2009, a 41% decrease when compared to 2008.
- The total number of authorized bluefin tuna other vessels (tug boats) has been decreased to 76 in 2009, a 21% decrease when compared to 2008.

By taking into account paragraphs 46 and 47 of ICCAT Recommendation [08-05], further capacity reductions planned for the period 2010-2013 are given in attached **Table 1**.

Additional information

- Turkey has duly presented its fishing capacity plan [PA2-601] to ICCAT before the annual Commission meeting as referred to in paragraph 42 of ICCAT Recommendation 08-05.
- According to the aforementioned plan, Turkey's total number of authorized bluefin tuna catching vessels has been decreased 41% as compared to 2008 and more than a 50% reduction shall be achieved in 2010.
- With this reduction, Turkey completely fulfilled its commitment given at the Inter-sessional Meeting of the Compliance Committee held in Barcelona in March 2009 in accordance with Rec. 08-05, with a greater sacrifice than any other CPC, from its bluefin tuna fishing fleet.
- Turkey regretfully observed that, despite no such sacrifice having been made by any CPC other than Turkey, the presented capacity reduction plan of Turkey has not been approved.
- Turkey fully recognizes the importance to mitigate over-capacity on fish stocks and reaffirms its commitment to fully abide with ICCAT's management and conservation measures.
- Turkey also recognizes the need to take socio-economic impacts into consideration while setting up any large-scale fishing capacity reduction plans.
- The bluefin tuna fishery in Turkey is subject to an "ICCAT authorized special fishing permit" under strict control and conducted during the fishing ban (May 1-September 1).
- During the closed fishing season, the bluefin tuna fishery is of great socio-economic importance in terms of employment and daily subsistence of fishermen and their families.
- Turkey has taken effective measures to commensurate its fishing capacity with the allocated quota and bluefin tuna fishing activities have been conducted in respect of catching vessels' individual quotas and total TAC.
- At present, individual quotas assigned to bluefin tuna catching vessels are economically sufficient since there has been a group of vessels involved in a single catch operation. Therefore, SCRS estimations with regard to "best catch rates/purse seiner" should be re-assessed for this type of fishery.
- Turkey would also like to emphasize the lack of fair and equitable implementation of TAC allocation is the main reason ending the profitability of bluefin tuna fishing, but not its importance in terms of providing subsistence for fishermen.
- By taking into account paragraphs 46 and 47 of ICCAT Recommendation 08-05, as well as the socio-economic considerations presented above, further capacity reductions planned for the period 2010-2013 shall be determined and communicated to ICCAT before April 2010.

Table 1. Eastern bluefin tuna fishing capacity management plan, 2010-2013 – Turkey.

<i>Category</i>	<i>Catch Rate</i>	<i>Number of vessels</i>						<i>Capacity</i>					
		2008	2009	2010	2011	2012	2013	2008	2009	2010	2011	2012	2013
PS 40	70.66	41	32	12	11	9	9	2897.06	2261.12	847.92	777.26	635.94	635,94
PS 24-40	49.78	49	24	11	10	8	8	2439.22	1194.72	547.58	497.8	398.24	398,24
PS 24	33.68	3	0	0	0	0	0	101.04	0	0	0	0	0
TOTAL		93	56	23	21	17	17	5437.32	3455.84	1395.5	1275.06	1034.18	1034,18
Quota		2008	2009	2010	2011	2012	2013						
		887	683	619	574	466	466						
Overcapacity		4550.32	2772.84	776.5	701.06	568.18	568.18						
Quota + %25			853.75	773.75	717.5	582.5	582.5						
Overcapacity %			3.060	0.254	0.221	0.219	0.219						

REDUCTION	547%
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Note that Turkey has an objection to Annex-4 of Recommendation 08-05 regarding the bluefin tuna quota allocation scheme for the years 2007-2010.

Chinese Taipei

1. Background

- 1.1 According to paragraph 41 of the ICCAT Recommendation 08-05 *Amending the Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean*, Chinese Taipei herewith submits its Fishing Capacity Management Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean (hereinafter referred to as east bluefin tuna) over 2010-2013.
- 1.2 In efforts to conserve fisheries stocks, Chinese Taipei voluntarily take the policy of not to operate in the east bluefin tuna fishing area in the 2007 and 2008. The authority of Chinese Taipei had taken further measure which prohibited fishing vessels from fishing east bluefin tuna during the 2009 fishing season. In order to have time for the bluefin tuna in Atlantic to recover, it is decided that our east bluefin tuna quota (66.3 tons) for 2009 be carried over to the year 2011.

2. Fishing capacity management plan for eastern bluefin tuna for 2010

- 2.1 According to the Recommendation 08-05, Chinese Taipei's east bluefin tuna quota is 61.48 tons in 2010. However, whether fishing vessels will be authorized to resume the fishing of east bluefin tuna, Chinese Taipei will take into account the result of the east bluefin tuna stock status to make sure that the level of stock does not decline continually.
- 2.2 If our fishing vessels resume east bluefin tuna fishery, we will certainly submit annual work plan no later than 1 March according to the Recommendation 08-05. The annual work plan will specify the number of fishing vessels and the quota allocated to individual fishing vessels to ensure strict compliance of the catch limits, and fishing vessels will be required to tranship their catches at designated ports and deploy observers on board.

3. Fishing capacity management plan for bluefin tuna over 2011-2013

- 3.1 On February 23, 2009, the Fisheries Agency of Chinese Taipei notified the ICCAT Secretariat that Chinese Taipei had imposed a prohibition on catching east bluefin tuna in the 2009 fishing season. According to paragraph 15 of Recommendation 08-05, as a result of such voluntary non usage of 66.3 t of the east bluefin tuna quota in 2009, Chinese Taipei has decided to carry over this unused portion to 2011.
- 3.2 For the fishing capacity management plan for east bluefin tuna in the eastern Atlantic and Mediterranean over 2011-2013, Chinese Taipei will maintain the same position as our east bluefin tuna management plan for 2010, that is to say, we will take the status of east bluefin tuna stock into account before our fishing vessels resume fishing for east bluefin tuna.

4. Conclusion

Despite the right for fishing east bluefin tuna based on the historical performance as pointed out above, resumption of the fishing activity of the fishing vessels of Chinese Taipei will depend on the recovery of eastern bluefin tuna as shown in the stock assessment.

Eastern Bluefin Tuna Farming Capacity Management Plans

Croatia

Pursuant to the provisions of the paragraph 49 of ICCAT Recommendation 08-05, Croatia is hereby providing the information on the farming capacity management plan for period from 2010 to 2013.

Croatia has adopted a Regulation on catch, farming and trade of bluefin tuna (OG 39/09, 67/09) on March 31, 2009. This Regulation includes the provisions of ICCAT Recommendations 06-07, 08-12 and 08-05 and transposes them into national legislation in full. By way of this Regulation, Croatia has limited its farming capacity, in accordance with the paragraph 50 of ICCAT Recommendation 08-05, to that registered in the ICCAT list of authorized farms as of July 1, 2008. The farming capacity limit in Croatia is hence set at 7,880 tons.

In September 2009, Croatia has adopted a Ministerial Decree on allocation criteria which establishes the limit of the input of wild caught bluefin tuna into farms for 2010. The Decree contains the maximum limit of input of wild caught bluefin tuna into Croatian farms for 2010, with 2,947 tons individually allocated to farms. 775 tons are not allocated to farms for 2010 and are maintained by the National Fund. The Decree also contains the criteria and the allocation of individual maximum inputs for Croatian farms for 2010. Croatia intends to retain in a national fund a certain quantity of input quota, as a safety guarantee for sustainable continuation and development of bluefin tuna farming industry.

Farms are allowed to lease their allocated input quota, provided that this information is communicated to the Department of Fisheries of the Ministry of Agriculture, Fisheries and Rural Development (FD MAFRD) no later than April 1, 2010.

In accordance with paragraph 52 of ICCAT Recommendation 08-05, the result of this allocation for 2010 is as follows:

<i>ICCAT Serial Number</i>		<i>Maximum input quantity (kg)</i>
AT001HRV00001	DRVENIK TUNA	830,086.33
AT001HRV00003	KALI TUNA	673,926.17
AT001HRV00004	MARITUNA	313,541.66
AT001HRV00006	SARDINA	527,221.07
AT001HRV00007	BEPINA KOMERC	53,782.75
AT001HRV00008	JADRAN TUNA	448,228.25
AT001HRV00009	ZADAR TUNA	100,213.77

The Croatian national reserve is managed by the FD MAFRD.

In accordance with paragraph 53, Croatia shall consider further changes in the plan depending on the decisions of the Commission at its annual meeting in 2010. The allocation table per farm shall be reviewed in 2010 after the fishing season, in order to accommodate, if necessary, changes in the sector and/or company structure.

European Community

Table 1 below summarizes the farming capacity limitations per Member State. The column "Caging (t) ref." refers to the maximum input quantity specifies in paragraph 52 as per the criteria laid down in paragraph 52. Member State data is presented in **Table 2**.

Table 1. Overview of farming management plan.

<i>Member State</i>	<i>Number of farms</i>	<i>Capacity (t) 2008</i>	<i>Ref.</i>	<i>Cagings (t)</i>			
				<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
Cyprus	3	3000	2195	2195	2195	2195	2195
Spain	14	11852	5855	5855	5855	5855	2855
Greece	2	2100	785	785	785	785	785
Italy	15	13000	3764	3764	3764	3764	3764
Malta	8	12300	8768	8768	8130	8130	8130
Total EU	42	42252	21366	21366	20728	20728	20728

Table 2. Management for farm capacity and cagings per EC Member State.

MS	Farm name	ICCAT	Capacity (t) 2008	Cagings				
				Ref.	2010	2011	2012	2013
CYP	Kimagro Fishfarming Ltd.	ATEC1CYP00001	1000	1468.0	1468.0	1468.0	1468.0	1468.0
CYP	Kitiana Fisheries Ltd.	ATEC1CYP00002	1000	413.0	413.0	413.0	413.0	413.0
CYP	Telia (Tuna) Ltd.	ATEC1CYP00003	1000	313.6	313.6	313.6	313.6	313.6
ESP	ATUNES DE LEVANTE	ATEC1ESP00001	1000	530.0	530.0	530.0	530.0	530.0
ESP	ATUNES DE MAZARRON	ATEC1ESP00002	942					
ESP	CALADEROS DEL MEDITERRANEO	ATEC1ESP00003	1000	1386.4	1000.0	1000.0	1000.0	1000.0
ESP	ENSENADA DE BARBATE	ATEC1ESP00004	350					
ESP	BALFEGO TUNA, S.L.	ATEC1ESP00005	1000	1232.5	1000.0	1000.0	1000.0	1000.0
ESP	PICIFACTORIAS DE LEVANTE	ATEC1ESP00006	800	450.0	450.0	450.0	450.0	450.0
ESP	TUNA FARMS GROSA, S.L.	ATEC1ESP00007	800					
ESP	TUNA FARMS OF MEDITERRANEO	ATEC1ESP00008	800	510.0	510.0	510.0	510.0	510.0
ESP	RICARDO FUENTES E HIJOS	ATEC1ESP00009	1260					
ESP	TUNA GRASO	ATEC1ESP00010	1000					
ESP	VIVER ATUN CARTAGENA	ATEC1ESP00011	1000	527.7	527.7	527.7	527.7	527.7
ESP	VIVEROS MARINOS SAN PEDRO	ATEC1ESP00012	1000	399.0	399.0	399.0	399.0	399.0
ESP	NATURE PESCA, S.L.	ATEC1ESP00013	500	226.0	226.0	226.0	226.0	226.0
ESP	SERVICIOS ATUNEROS DEL MEDITERRANEO,S.L.	ATEC1ESP00014	400	593.0	400.0	400.0	400.0	400.0
ESP	“Reserva Nacional”				811.9	811.9	811.9	811.9
GRC	BLUEFIN TUNA HELLAS, S.A.	ATEC1GRC00001	1000	785.0	785.0	785.0	785.0	785.0
GRC	POSEIDON TUNA HELLAS, S.A.	ATEC1GRC00002	1100					
ITA	New Eurofish, s.r.l.	ATEC1ITA00001	1500	932.4	932.4	932.4	932.4	932.4
ITA	Ora Ora Maricoltura s.r.l.	ATEC1ITA00002	800					
ITA	Soc. Coop. Pescatori S. Francesco di Paola	ATEC1ITA00003	800	264.7	264.7	264.7	264.7	264.7
ITA	Tuna Fish s.p.a.	ATEC1ITA00004	700					
ITA	Pescazzurra s.r.l.	ATEC1ITA00005	1500	1113.1	1113.1	1113.1	1113.1	1113.1
ITA	Consorzio Operatori del Tonno del Mediterraneo	ATEC1ITA00006	1500	619.4	619.4	619.4	619.4	619.4
ITA	Soc. Ittica Trappeto a.r.l.	ATEC1ITA00007	600					
ITA	Jonica Pesca s.r.l.	ATEC1ITA00008	2000	529.0	529.0	529.0	529.0	529.0
ITA	Procida Tuna Farm s.r.l.	ATEC1ITA00009	300	15.0	15.0	15.0	15.0	15.0
ITA	Iorio Gennaro	ATEC1ITA00011	600					
ITA	IORIOMAR s.r.l.	ATEC1ITA00013	500					
ITA	Akua Italia s.r.l.	ATEC1ITA00014	800	290.0	290.0	290.0	290.0	290.0
ITA	La Favorita s.n.c.	ATEC1ITA00015	500					
ITA	Ittica Offshore del Tirreno, s.p.a.	ATEC1ITA00016	300					
ITA	DE. MO. PESCA di Pasquale della Monica & C. s.a.s.	ATEC1ITA00017	600					
MLT	AJD Tuna Ltd.	ATEC1MLT00001	2500	2500.0	2500.0	2318.0	2318.0	2318.0
MLT	Malta Mariculture Ltd.	ATEC1MLT00002	800	423.0	423.0	392.0	392.0	392.0
MLT	Fish and Fish Ltd.	ATEC1MLT00003	1500	1262.5	1262.0	1170.0	1170.0	1170.0
MLT	Malta Fishfarming Ltd.	ATEC1MLT00004	1500	819.7	819.7	760.0	760.0	760.0
MLT	Veterinary Regulation Fihseries Conservation & Control Division	ATEC1MLT00005	1500					
MLT	Ta Matthew Fish Farms Ltd.	ATEC1MLT00007	1500	1500.0	1500.0	1391.0	1391.0	1391.0
MLT	Mare Blu Tuna Farm Ltd.	ATEC1MLT00008	1500	1586.6	1586.6	1471.0	1471.0	1471.0
MLT	Deep Sea Aquaculture	ATEC1MLT00009	1500	676.6	676.6	628.0	628.0	628.0

Libya

Libya has only one farm registered on the ICCAT Record of Farms, with a capacity of 1000.0 t. This Farm operated for the first time in the 2006 season, where 237.0 tons of live bluefin tuna was caged. Due to technical problems this farm did not operate during the years, 2007, 2008 and 2009.

Libya expects to operate this farm starting in the 2010 season, with an expected capacity of 700.0 t, gradually increasing it to accommodate the Libyan allocated quota by 2013 as follows:

- 2010: 700.0 t
- 2011: 800.0 t
- 2012: 850.0 t
- 2013: 1000.0 t

Morocco

Morocco has three farms authorized as of July 1, 2008, and notified to the Commission. Only one of these farms is operational and it has not reported any farming operation since its installation.

As regards to the other two farms, the companies concerned have a time limit of one year from the issuance of the final agreement to specify their investment. After that time limit the authorizations will be null and void.

Tunisia

In accordance with ICCAT Recommendation 08-05 and within the framework of its plan for the management of farming capacity, the competent authority will adopt, for the 2010-2013 period, a freeze on the farming capacity at the current volume registered in ICCAT and which amounts to 2,400 tons.

It should be noted that the investments to carry out farming projects currently in exploitation were made in 2003, taking into account Tunisia's bluefin tuna catch quota.

To assure the economic viability of these projects and to be harmony with ICCAT Recommendation 08-05, Tunisia envisages not granting authorizations to its farms in the 2010-2013 period to increase their farming capacity and intends to maintain the total farming capacity of their current facilities at their current level.

Turkey

In accordance with Paragraphs 49 to 53 of the *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05], the table indicating the maximum inputs of wild caught bluefin tuna to be allowed for 2010-2013 are shown below.

In preparation of the below-given table, the maximum level of the input quantities (including both domestic catches and imported bluefin tuna) registered by ICCAT in 2005, 2006, 2007 or 2008 for the Turkish bluefin tuna fattening farms has been taken into account.

As shown in the following table, the listed bluefin tuna farms shall continue their bluefin tuna fattening activities by implementing the rules of maximum bluefin tuna quantity stocking established for 2010-2013.

ICCAT No.	Project Conductor	2010-2013 Planned maximum input (kg)			
		2010	2011	2012	2013
AT001TUR00001	DARDANEL SU URUNLERI A.S.				
AT001TUR00010		1617.100	1617.100	1617.100	1617.100
AT001TUR00002	KEMAL BALIKÇILIK A.S.				
AT001TUR00011					
AT001TUR00012		1607.206	1607.206	1607.206	1607.206
AT001TUR00013	AK-TUNA GEMICILIK BALIKCILIK TURIZM DIS TIC.LTD.STI				
AT001TUR00003		626.800	626.800	626.800	626.800
AT001TUR00004	AKUA-DEM DENIZ MAHSULLERI				
	PAZ.IHR.LTD.STI	546.730	546.730	546.730	546.730
AT001TUR00005	AKUA-KOCAMAN SU URUNLERI				
	URETIM LTD. STI	546.730	546.730	546.730	546.730
AT001TUR00006	BASARANLAR SU URUNLERI				
	YETISTIRICILIGI SAN. VE TIC.LTD.STI.	733.187	733.187	733.187	733.187

Note: All figures in the report are presented using “.” as decimal separation.

Appendix 6 to ANNEX 9

Draft Supplemental Recommendation by ICCAT to Further Amend the Observer Program of the Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean

ACKNOWLEDGING the need to improve data collection in many ICCAT fisheries, including quantifying total catch (including by-catch) composition and disposition by various fleets;

RECOGNIZING that SCRS strongly supports the use of observer programs to collect scientific information as an important complement to regular logbook collection and other sampling activities that ICCAT typically uses to estimate Task 1 and II data and should be more broadly implemented by Contracting Parties and Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs);

UNDERSCORING the SCRS recommendation that CPCs adequately fund observer programs in order to meet data reporting obligations;

HIGHLIGHTING the SCRS recommendation that scientific work should be undertaken in the eastern Atlantic and Mediterranean bluefin tuna fishery that includes (a) representative size samples, (b) catch and fishing effort information, (c) access to biological samples, and (d) in general, activities that support the Bluefin Research Program (GBYP):

COMMITTED to improving data collection and contributing to research pertaining to Atlantic bluefin tuna;

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

The following amendments to the *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Eastern Atlantic and Mediterranean Bluefin Tuna* (Rec. 08-05) be made, as indicated:

CPC Observer Program

88. Each CPC shall ensure observer coverage on its catching vessels actively fishing for bluefin tuna over 15 m in overall length of at least:

- 20% of its active purse seine vessels between 15 m and 24 m in overall length;
- 20% of its active pelagic trawlers,
- 20% of its active longline vessels,
- 20% of its active baitboats,
- 100% during the harvesting process for tuna traps.

The observer tasks shall be, in particular, to:

- a) monitor a catching vessel compliance with the present recommendation,
- b) record and report upon the fishing activity, which shall include, inter alia, the following:
 - amount of catch (including by-catch), that also includes species disposition, such as retained on board or discarded dead or alive,
 - area of catch by latitude and longitude,
 - measure of effort (e.g., number of sets, number of hooks, etc.), as defined in the ICCAT Field Manual for different gears.
 - date of catch,
- c) observe and estimate catches and verify entries made in the logbook,
- d) sight and record vessels that may be fishing contrary to ICCAT conservation measures.

In addition, the observer shall collect detailed Task II information (catch and effort and representative size composition of the catch) for target and by-catch species and, to the extent possible, carry out other scientific work, in particular collecting biological samples such as muscle tissue, gonads, otoliths, and spines, as recommended by SCRS.

Observers to be deployed in the eastern Atlantic and Mediterranean bluefin tuna fishery shall have the following qualifications to accomplish their tasks:

- sufficient experience to identify species and fishing gear;
- satisfactory knowledge of the ICCAT conservation and management measures;
- the ability to observe and record accurately;
- the ability to collect biological samples;
- not be a crew member of a fishing vessel being observed or an employee of a fishing vessel company involved in the observed fishery.

In implementing this observer requirement, CPCs shall:

- a) ensure representative temporal and spatial coverage to ensure that the Commission receives adequate and appropriate data and information on catch, effort, and other scientific and management aspects, taking into account characteristics of the fleets and fisheries;
- b) ensure robust data collection protocols;
- c) ensure observers are properly trained and approved before deployment;
- d) ensure, to the extent practicable, minimal disruption to the operations of vessels fishing in the Convention area.

Data and information collected under each CPCs observer program shall be provided to the SCRS and the Commission, as appropriate, in accordance with requirements and procedures to be developed by the Commission by 2009 taking into account CPC confidentiality requirements.

For the scientific aspects of the program, the SCRS shall report on the coverage level achieved by each CPC and provide a summary of the data collected and any relevant findings associated with that data. SCRS shall also provide any recommendations to improve the effectiveness of CPC observer programs.

Appendix 7 to ANNEX 9**Statement by the United States to Panel 2**

Once again, ICCAT's most immediate and critical challenge is the eastern Atlantic and Mediterranean bluefin fishery. Although the Recovery Plan was improved in 2008, it continues to allow fishing well above the scientific advice. SCRS continues to warn that the eastern bluefin tuna stock and fishery could collapse if fishing mortality is not reduced substantially. Immediate, decisive, and enforceable action is needed to protect this stock. In the same regard, the northern albacore stock is overfished and overfishing is occurring. We must take immediate action.

As several CPCs around this table have stated before, it is unacceptable for ICCAT year after year to adopt measures that do not conform with the Convention's objectives. It is critical that Panel 2 recommend science-based TACs and other measures to protect the eastern bluefin tuna stock with greater than a 50% probability of rebuilding. Because the productivity of the western bluefin tuna stock and fisheries are linked to the health of the eastern bluefin tuna stock, effective management in the East is essential not only to prevent an eastern collapse but also to ensure that measures taken in the West are not undermined.

SCRS has evaluated three alternative management strategies, each with a higher probability of rebuilding the eastern bluefin tuna stock by 2023 and a lower probability of stock collapse than the current approach. These include enforceable $F_{0.1}$ or F_{MAX} strategies (implying significantly reduced short term yields), a closure of the Mediterranean in May, June, and July with a minimum size of 25 kg, or a suspension of fishing for 1, 3, or 5 years followed by an $F_{0.1}$ strategy. Action to end overfishing using these science-based approaches must be adopted, and must be adopted now. If we cannot reach agreement on effective and appropriate measures, it may be necessary to seek a closure of the eastern bluefin tuna fishery.

Observer programs are essential to the collection of data used for both compliance and stock assessments. To ensure effective oversight of the fishery and compliance with the eastern bluefin tuna Recovery Plan, it is critical that there be full implementation of the regional observer program, i.e., 100% observer coverage of purse seine vessels over 24 m and purse seine vessels involved in joint fishing operations, and during cage transfer and harvest. A one or more year suspension of the eastern and Mediterranean bluefin tuna fishery would allow time for implementation. Recognizing the SCRS request for broader implementation of scientific information collection to complement logbook collection and other sampling activities, the United States has prepared a proposal to enhance the eastern bluefin tuna CPC observer program. It specifically addresses activities that support the Bluefin Research Program (GBYP).

ICCAT's lack of effective action to manage eastern bluefin tuna has attracted an unprecedented level of international attention, particularly following the proposal by the Principality of Monaco to list bluefin tuna under CITES Appendix I. There will be increased pressure placed on parties to support that action unless ICCAT takes decisive action this year to stop overfishing and ensure rebuilding, including addressing Illegal, Unregulated, and Unreported fishing in the fishery. The highest levels of the U.S. government are watching this issue closely. The Obama Administration recently sent a letter to all CPCs highlighting the importance of this issue and reiterating our support for Monaco's proposal unless ICCAT takes decisive action to end overfishing. On November 9, the U.S. Senate passed a resolution that noted the critical need for ICCAT to act.

In addition to revising the eastern bluefin tuna Recovery Plan, the United States urges Panel 2 to adopt a rebuilding program for northern albacore that is consistent with SCRS advice.

This is ICCAT's last chance to prove itself as an effective regional fishery management organization and demonstrate that its members have both the will and the ability to implement science based management measures for both the northern albacore and bluefin tuna stocks. That said, we are committed and ready to work with all members to conserve the northern albacore and bluefin tuna stocks and preserve ICCAT's credibility.

Appendix 8 to ANNEX 9

Statement by the Observer from Monaco to Panel 2

The Principality of Monaco, after having duly consulted range States and other governments involved in the Atlantic bluefin tuna fishery, has submitted a proposal to include Atlantic bluefin tuna in Appendix I of CITES.* The proposal is primarily based on scientific information from ICCAT's SCRS.

Subsequent to the submission of the proposal, ICCAT's SCRS held an extra-ordinary meeting to consider whether Atlantic bluefin tuna meets the biological criteria for CITES Appendix I. The report of this meeting, which is the best and most up to date analysis of this topic, is available as **Annex 17 to the 2009 SCRS Report** ICCAT [PA2-604].

CITES Appendix I prohibits international trade for commercial purposes, but does not make any provisions related to catches, and has no impact on domestic fisheries within a country's EEZ that do not involve international trade. The fishery is and will remain the mandate of ICCAT.

Having heard the discussions of the preceding days, it is clear that the regulation of catch levels is only one piece of the puzzle, and we need to implement controls from the catch through to the end consumer. Once IUU fishing has occurred, illegal trade follows, and eliminating this trade will assist with reducing IUU. CITES is a tool able to effectively control international trade.

It is not a matter of ICCAT *or* CITES, but governments using ICCAT and CITES together to achieve the best possible management of our living natural resources. CITES involvement, in synergy with ICCAT, is fully legitimate.

It is commonly stated that in CITES, removing species from the Appendices, or moving species from one Appendix I to Appendix II is very difficult. Monaco has specifically prepared for this eventuality by proposing a draft resolution to accompany the CITES listing which sets out a process for downlisting Atlantic bluefin tuna in the future. The resolution "requests the [CITES] Animals Committee, in consultation with ICCAT, to review the status of the western and eastern Atlantic and Mediterranean stocks of *Thunnus thynnus* in light of any intervening actions at ICCAT and, if warranted, requests the Depositary Government to submit a proposal to the subsequent meeting of the Conference of the Parties to the Convention to list *Thunnus thynnus* on Appendix II of the Convention or to remove it from the Appendices." From past experience in CITES, this approach has been effective in facilitating the downlisting of species from the Appendices.

The Principality of Monaco believes that CITES and ICCAT together can provide an effective international governance mechanism that will help ensure sustainable management of Atlantic bluefin tuna, to the benefit of the species, the ecosystem, and in particular all of the socioeconomic players involved. The Principality of Monaco welcomes your comments and dialogue on these topics.

Appendix 9 to ANNEX 9

Statement by the Observer of FEAP to Panel 2

During the meeting of the SCRS in October of this year, various documents were presented that pointed out possible signs of recovery of the eastern bluefin tuna stock.

The European Federation of Aquaculture Producers (FEAP) would like to point out a series of considerations in this respect which, given that this matter should still be considered with due caution and until the next stock assessment, produce relevant results that deserve to be taken into account.

First of all, to indicate that the density of the bluefin tuna schools observed by research carried out in the Gulf of Lion from 2000 to 2003 has remained stable, which is a positive factor for the stock and also shows a good relation with analyses made in previous studies. Likewise, the values observed in 2009 are more than double the previous values (SCRS/2009/142).

* Convention on International Trade in Endangered Species of Wild Fauna and Flora (the Washington Convention).

Secondly, CPUE was studied based on a fleet that has operated exclusively in the Balearic fishing ground in the last nine years. CPUE was stable from 2000 to 2006 and increased significantly from 2007 (SCRS/2009/156).

Third, in studying the indices of relative abundance of bluefin tuna caught by Morocco's Atlantic traps in the area of influence of the Strait of Gibraltar between 1986 and 2001, a cyclic trend of 13 years was noted, with two peaks, in 1988 and 2001. Further, it should be noted that the CPUE for 2002 to 2009 is 2.4 times higher than that for the 1986-1996 period. Likewise, there is an increasing trend in abundance (in number) of the spawning stock, since 2004, accompanied by an increase in average weight, which suggests an improvement in the biomass of the spawning stock in the last five year (SCRS/2009/198).

Fourth, the observations carried out in the different fisheries in 2009 (Atlantic traps and live bait fishery in the Bay of Biscay) indicate that the initial results of putting into practice the conservation measure that prohibits the catch of bluefin tuna less than 30 kg could be evident from the appearance, sometimes in an important manner, of fish between the ages of 2 and 6 years. Some of the potentially protected cohorts have already become part of the spawning stock. It is estimated that 2,520,000 fewer bluefin tuna have been caught since the start of the implementation of this conservation measure in 2007 (SCRS/2009/167).

Based on the discussions expressed in these reports, FEAP considers that the measures applied in Recommendations 06-05 and 08-05 show positive evidence of stock recovery. Therefore, FEAP expresses its support for the current Bluefin Tuna Rebuilding Plan, and asks the Contracting Parties to give the time required to achieve the objectives set, together with a correct implementation of compliance and capacity.

Appendix 10 to ANNEX 9

Joint Statement by the Observers from PEW, Greenpeace, WWF and Oceana to Panel 2

Following more than 30 years of decline, the International Commission for the Conservation of Atlantic Tunas' (ICCAT) scientists have confirmed the dire state of the Atlantic bluefin tuna during a special meeting of the Standing Committee on Research and Statistics this October. There is now no question that the species qualifies for inclusion in CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) Appendix I. An Appendix I listing for Atlantic bluefin tuna will complement and strengthen the management actions that need to be taken by ICCAT.

Countless opportunities have been lost by ICCAT to set science-based catch limits, curb overfishing of Atlantic bluefin tuna, and control the rampant illegal, unregulated and unreported (IUU) fishing which occurs throughout the fishery. Now, populations of Atlantic bluefin tuna are nearing commercial extinction. The undersigned organizations therefore call upon ICCAT to take the essential action at its 2009 meeting of adopting a zero quota for all stocks of the North Atlantic bluefin tuna fishery until their populations have fully recovered.

Summary of the Current Progress of the Action Plan to Eliminate Drift Gillnets in the Moroccan Coasts

	<i>Content</i>	<i>Progress status</i>	<i>Next stage/deadline</i>	<i>Observations</i>
Regulatory aspect	Development of the text of the law (19-07) aimed at the regulation of the use of driftnets for their prohibition in national waters. This text of the law foresees a one-year grace period from the date of its publication in the Official Journal (see the text of the law).*	The text was prepared and submitted to a first reading at the Government Council on 7 July 2007 and referred to the House of Productive Sectors (Chamber of Deputies on 15 July 2008)	Presentation of the text of the law for the Minister before Parliament during the next months, with a view towards its adoption and publication during the course of 2010 for its implementation starting in January 2012.	The text of the law has been the subject of a long process of dialogue with the professionals since 2007 in order to facilitate its adoption in the House of Productive Sectors.
Technical aspect	Reconversion of the mixed longliners to purse seiners Target: 53 vessels	33 vessels have been reconverted voluntarily in 2008.	20 vessels will be reconverted to purse seiners before the end of 2009 with compensation for the fishing gear. The budget needed for this action is 1 million Euros.	The results of the evaluations carried out by the INRH on the stocks of small pelagics do not show significant possibilities of reconversion to purse seine in the Mediterranean. This is also discussed in GFCM at the level of the fishing capacity deployed on the resources of small pelagics in the Mediterranean, which limits the possibility of reconversion to purse seiners of the fleet historically having the authorizations for seine fishing of longline type purse seiners.

* Available from the Secretariat.

	<p>Reconversion of longline vessels to other selective fishing methods.</p> <p>Target: 192 vessels</p>	<p>Preparation of financial arrangements for:</p> <ul style="list-style-type: none"> - Compensation of the fishing gear based on economic criteria: 128 longline vessels. - Compensation of the vessels wishing to leave the fishery due to the decision for driftnet elimination: 64 longline vessels. 	<p>Indemnity for 64 vessels in 2010 and 64 vessels remaining in 2011.</p> <p>The total cost of this action is 7.68 million Euros.</p> <p>Finalization of the financial arrangement for this action, with a budget of 32 million Euros.</p> <p>Start the plan for course of action before the end of 2011.</p>	<p>The fishing possibilities offered to the operators subject to the decision of driftnet withdrawal are the Atlantic swordfish, bigeye, albacore and small tunas fisheries using surface longline and others gears authorized in these fisheries.</p>
Supplemental measures	<p>Training of the fishers to use other selective fishing methods.</p>	<p>The instructors have benefited from a training program in 2008 in Spain within the framework of bilateral cooperative with Spain.</p>	<p>Training of fishermen on other selective fishing methods at the socio-professional training centers starting in 2010.</p>	
	<p>Social plan for the reinsertion of the fishers resulting from the plan to abandon the fishing.</p>	<p>Creation of an employment observatory that will be in charge of developing a redeployment plan of the employees in the fishing sector and in other sectors.</p>	<p>The legal framework of the observatory is currently on-going.</p>	<p>The employment observatory is an arrangement that is included among the priorities of the “Fishing Plan” which represents the new strategy of management and development of the fishing sector in Morocco.</p>

Appendix 12 to ANNEX 9**Statement by Mexico on Sharks to Panel 4**

Historically, Mexico has assigned special importance to the conservation of sharks. Evidence of this are the efforts made in this sense, both at the national level and in promoting cooperation at the multi-lateral level.

During the 21st Regular Meeting of the International Commission for the Conservation of Atlantic Tunas, various initiatives were presented for the conservation of shark species, whose objective, indeed justified, is to avoid the accelerated deterioration of some species in particular. Likewise, having supported the draft recommendations presented relative to bigeye thresher (*Alopias superciliuosus*), in particular their Annex 1, Mexico requests specific consideration which establishes a very reduced limit and only incidental catches of this species.

We point out the importance of the sustainable use of sharks for the Mexican population, as these are a component of food security for certain fishing communities, which is why the sustainability of these species is a priority.

In this respect, Mexico would like to point out its commitment, not only to develop an effective resolution, but to review its Annex 1 in the coming months, as it affects Mexico, and to put forth additional efforts towards the achievement of the objectives of the resolution, working jointly with the corresponding communities.

Mexico greatly appreciates the cooperation and efforts by the CPCs in the conservation of sharks, and recognizes and welcomes the important work of the various environmental groups, who have advanced in considerably in studies on sharks.

Appendix 13 to ANNEX 9**Statement by the United States to Panel 4**

Success. This is a term rarely used to describe the result of CPC implementation of ICCAT conservation and management measures. Yet, the 2009 SCRS swordfish stock assessment concluded that the North Atlantic swordfish stock is at or above B_{MSY} , thus the Commission's rebuilding objective has been achieved. The sacrifices of U.S. fishermen, as part of an ecosystem approach to management, contributed significantly to this success, and the commitment of all Parties is needed to ensure continued success. The Commission must follow scientific advice when adopting new management measures and must ensure compliance with established quotas, reporting and observer coverage requirements, and sampling requirements in order to maintain the stock at a level that can sustain MSY.

The United States commends the SCRS on the first Atlantic-wide assessment of Atlantic sailfish stocks. The assessment concluded that the biomass of the eastern stock is likely below the level capable of supporting the MSY and estimated that the western stock is possibly below MSY. Given the SCRS recommendations that catches of the eastern stock should be reduced from current levels; that catches from the western stock should not exceed current levels; and the conclusion that any reduction of catches from the western stock is likely to help stock growth and reduce the likelihood of the stock being overfished, the United States supports taking management actions now to help avoid the need for more stringent actions in the future. The United States also urges all CPCs to continue to improve data collection and reporting for sailfish and other billfish, including spearfish, given SCRS concerns regarding incomplete and/or inaccurate reporting of catches.

With regard to sharks, the ecological risk assessment conducted by the SCRS concluded that bigeye thresher, longfin mako and shortfin mako sharks have high vulnerability to over-exploitation and low biological productivity compared to other shark species examined. The United States welcomes the progress made at the 2007 and 2008 annual meetings to reduce fishing mortality in fisheries targeting porbeagle and shortfin mako sharks and on the measure adopted on live release of bigeye thresher sharks. More progress can and must be made regarding conservation of the species identified as the most vulnerable, specifically bigeye thresher and shortfin mako sharks. Given the susceptibility of many pelagic shark species to overfishing, the lack of international safeguards for these species, and existing data reporting requirements, CPCs have an obligation to

improve data reporting and enhance the management of sharks. In addition, the United States continues to be concerned by the lack of improvement in the quantity and quality of shark data submitted to the Commission and urges CPCs to redouble their efforts to address this situation.

For blue marlin and white marlin, more reliable data are needed for upcoming stock assessments and to move forward into Phase 2 of the rebuilding plan. The United States believes these data deficiencies must be resolved. The United States calls on the Commission to explore techniques to reduce marlin by-catch and improve post-release survival in an effort to achieve the Commission's management objectives, and to pursue an ecosystem approach to fisheries management. Gear modifications, such as circle hooks, have been proven in some fisheries to be viable methods to reduce by-catch mortality and should be explored. SCRS advice is clear that the Commission should adopt precautionary management measures for high priority by-catch species. The United States is pleased that the SCRS Sub-Committee on Ecosystems, in collaboration with various seabird conservation organizations, finalized the seabird assessment in 2009. Given that the assessment indicated that some ICCAT fisheries seem to have an impact on seabird populations, the United States suggests that the Commission consider additional seabird conservation measures, as appropriate, to address seabird interactions.

Appendix 14 to ANNEX 9

Joint Statement by the Observers from Greenpeace, Oceana, Pew Environment Group and WWF to Panel 4

The undersigning conservation NGOs would like to express their astonishment for the statements witnessed during the first session of the Compliance Committee of this 21st Regular Meeting of the Commission in relation to the introduction of derogations for existing ICCAT Recommendations.

We believe such is another example of the disregard of some members of this Commission for existing applicable rules, which is unfortunately coupled with the fact that a majority of ICCAT members do not speak up against such lack of compliance.

We would like to submit the following considerations:

On the process: The ICCAT basic texts establish clear procedures for the approval, application and entry into force of ICCAT Recommendations, including the mechanisms for CPCs to object to such recommendations. In particular:

Article VIII

- 1.a *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 [...]*
2. *Each recommendation made under paragraph 1 of this Article shall become effective for all Contracting Parties six months after the date of the notification from the Commission transmitting the recommendation to the Contracting Parties, except as provided in paragraph 3 of this Article.*
- 3.a *If any Contracting Party in the case of a recommendation made under paragraph 1(b)(i) above, or any Contracting Party member of a Panel concerned in the case of a recommendation made under paragraph 1(b)(ii) or (iii) above, presents to the Commission an objection to such recommendation within the six months period provided for in paragraph 2 above, the recommendation shall not become effective for an additional sixty days [...]*
5. *The Commission shall notify each Contracting Party immediately upon receipt of each objection and of each withdrawal of an objection, and of the entry into force of any recommendation.*

We want to express our deep concern for the disregard of ICCAT rules and procedures that a "tacit derogation" to Recommendation 03-04, as supported by several parties during the first session of the ICCAT Compliance Committee, would imply. Article 3 of Recommendation 03-04 by ICCAT relating to Mediterranean swordfish entered into force on 19 June 2004 and clearly prohibits the use of driftnets for large pelagics in the

Mediterranean.* The lack of enforcement of such measure by any ICCAT CPC over five years after its entry into force should be properly dealt with by the Compliance Committee.

On the continued use of driftnets in the Mediterranean: As reported by WWF in 2004 the continued use of driftnets by Morocco results in the killing of approximately 4,000 common and striped dolphins in the Alboran Sea each year, as well as 25,000 pelagic sharks. Greenpeace in 2006, 2007 and 2008 and Oceana in 2007, 2008 and 2009, have provided extensive evidence of the use of driftnets by the Italian, French and Turkish fleets.

The use of driftnets is therefore a major problem to be addressed in the Mediterranean and a few CPCs continue to benefit from the lack of action by the ICCAT Compliance Committee on this matter.

We call on the Compliance Committee to impose appropriate sanctions on countries which continue to use prohibited gear

On the future of ICCAT: We must stress that the current discussions on the future of ICCAT and efforts to restore credibility are seriously undermined if this Commission continues to walk backwards instead of forward in terms of practical implementation of ecosystem based management and the precautionary approach.

A derogation to the ICCAT Recommendation prohibiting the use of driftnets goes completely against the calls heard during the inauguration of this 21st regular meeting of this Commission for steps to be taken that ensure restoration of the credibility of ICCAT as a conservation and management organization. Endorsing the killing of 4,000 dolphins and 25,000 sharks as by-catch in an illegal fishery will certainly take this Commission away from such a goal.

Addendum (on ICCAT's commitment to compliance): The ICCAT Resolution on large-scale pelagic driftnets transmitted to Contracting Parties on 3 February 1997 stated:

CONSIDERING that in November, 1993, and November, 1994, ICCAT adopted Resolutions in support of the Resolutions of the United Nations General Assembly, 44/225, 45/197 and 46/215, concerning large-scale, high seas, pelagic driftnets and their impact on the living marine resources of the world's oceans and seas, requesting its Contracting Parties to support these Resolutions;

CONSIDERING that it was brought to the attention of the Contracting Parties of the Commission that in 1995 such large-scale, high seas, pelagic driftnet fishing continued in the areas of ICCAT competence and that this activity in some fisheries was increasing;

[...]

REAFFIRMS the importance it gives to compliance with the Resolutions of the United Nations 44/225, 45/197 and 46/215,

[...]

CHARGES the Compliance Committee and the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) to monitor compliance with the U.N. Resolutions within the ICCAT Convention Area with a view to adopting adequate measures.

We respectfully call on the Compliance Committee and the PWG at this 21st Regular Meeting of ICCAT to adopt adequate measures against countries found in non compliance with UN Resolutions 44/225, 45/197 and 46/215, as agreed by ICCAT CPCs in 1996, 13 years ago.

* Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall prohibit the use of driftnets for fisheries of large pelagics in the Mediterranean.

REPORT OF THE MEETING OF THE CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE (COC)

1. Opening of the meeting

The meeting of the Conservation and Management Measures Compliance Committee (COC) was opened on Saturday November 7, 2009 in Recife, Brazil under the chairmanship of Dr. Chris Rogers (USA).

2. Appointment of the Rapporteur

Mr. Conor O'Shea (European Community) was appointed Rapporteur.

3. Adoption of the Agenda

The Agenda was adopted without amendment and is attached as **Appendix 1 to ANNEX 10**.

4. Review of the Report of the Inter-sessional Meeting of the Compliance Committee (Barcelona, March 2009)

The Chair provided a summary of the Report of the Inter-sessional Meeting of the Compliance Committee. The report had been adopted by correspondence. The Chair noted that the use of the questionnaire and the subsequent detailed examination of the questionnaires in Barcelona had been very useful. Four areas of significant concern had been identified:

- Fishing capacity in the Mediterranean bluefin tuna fisheries
- Implementation of the Bluefin Catch Documentation Scheme
- Joint fishing operations for bluefin tuna
- Implementation of VMS for eastern Atlantic and Mediterranean bluefin

The Chair noted the work that had been done bilaterally following the meeting to resolve discrepancies in trade statistics and encouraged the involved CPCs to continue this work. The Chair recalled issues regarding under and over harvests concerning China, Korea, and Tunisia that had been deferred for consideration at the annual meeting. There was also a request for follow up with Iceland in respect of implementation of VMS and joint fishing operations and with Panama regarding VMS implementation for its carrier vessels.

Panama informed the meeting that they had legislation requiring VMS for fishing vessels since 1999 and had passed new legislation in 2009 for carrier vessels regarding VMS. Panama also informed the meeting that a new legislation banned transshipments on the high seas.

Iceland provided information on a 2008 joint fishing operation with Libya which was carried out. In 2009, the Icelandic vessel applied to participate in a joint fishing operation again but the Icelandic authorities did not give authorization even though there had been no specific compliance issues in 2008. In the case of VMS, there had been a problem because it was the first time Iceland had participated in the fishery. The vessel did send VMS data to Iceland but the Coast Guard was not aware the vessel was participating in an ICCAT fishery so the information was not sent to ICCAT. They had tried to send the data after the event but it was not in the correct format. Iceland has set up a protocol to ensure this does not happen in the future.

Japan requested follow up information on several items highlighted in the inter-sessional report: a data discrepancy between Libya and Turkey, information on IUU fishing that was under investigation by Libya and information on joint fishing operations involving Turkey, Morocco, and Algeria.

Many CPCs agreed that the Barcelona meeting had been very important for the ICCAT compliance process and agreed that transparency was important. It was noted that identifying problems, such as resolving trade data

discrepancies, was only the first stage in the process and there is a need to go to the next stage of applying sanctions where necessary.

Turkey responded to the Japanese requests for information in respect of the joint fishing operations and informed the meeting that in 2008 they had a joint fishing operation with Morocco and a charter arrangement with Algeria. The discrepancies in data between Libya and Turkey had not been resolved and would require further bilateral efforts. In the case of IUU vessels, the Turkish authorities never issued fishing licences to vessels on the IUU list.

China informed the meeting that they had reduced the number of vessels fishing for bluefin tuna from 4 to 2. They had also reduced the length of the fishing season. It is now closed and catches are below quota for this year. They have reported all the weekly and monthly data to the ICCAT Secretariat as required.

Morocco referred to questions on joint fishing operations that were contained in the report. They had provided answers in the questionnaire. In the case of Morocco, the joint fishing operations were authorized and were not charters. Morocco requested that an additional paragraph be added to the report and provided text as follows:

“Questions have been asked on the activities of Turkish vessels with Algeria and Morocco and whether it was in fact a JFO or chartering arrangement. Clarifications have been presented by the delegates of the concerned CPC’s. In 2008, the Committee decided that JFO’s had taken place.”

The Chair noted that the Barcelona meeting report had already been adopted by mail and suggested the text would be added to this report.

The United States requested information on the monitoring of joint fishing operations, the technical issues on VMS raised in respect of Croatia and Algeria, the charter operations involving France (St. Pierre & Miquelon) and Canada, and the Japanese vessels operating in Algerian waters that resulted in an apparent trade data discrepancy.

Libya informed the meeting that the joint fishing operation with Morocco took place in full compliance with ICCAT requirements. On other joint fishing operations, Libya had withdrawn licenses from vessels that were not complying with the rules. In respect of VMS, the system is provisional and it is a good system. They are now building a monitoring centre for monitoring Libyan vessels and all Libyan waters.

The Executive Secretary clarified issues in regard to VMS. There were no problems with VMS from Libya. There had been a VMS problem with China, Croatia and Panama which are now resolved.

Following a discussion, it was agreed that VMS was very important and that VMS data could be cross-checked with the information contained in other databases, particularly weekly and monthly catch reports. It would also be necessary to compare the number of messages submitted by vessels as they might be incomplete or not covering an entire fishing trip. There was a need for a database that would include all the VMS and vessel data. There was also a need to consider technical problems a vessel may have in transmitting the data.

Japan provided information on the Algerian charter arrangement involving Japanese vessels. As they were not involved in a bareboat charter, the vessels kept their Japanese nationality. The catches are counted against the Algerian quota and observers were present. Japan noted that chartering will be no longer possible in the future based on Recommendation 08-05.

France (on behalf of St. Pierre & Miquelon) advised that the exchanges of data on a charter agreement between them and Canada are now permanent following bilateral contacts. France (St. Pierre & Miquelon) informed the meeting that the charter agreement would be evaluated in 2010.

The EC noted that in cases where trade discrepancies were not resolved there was a need for follow up. Consideration should be given for these discrepancies to be classified as IUU product.

Canada noted that there were still a number of unresolved items and that these should be closed out before the end of the COC.

The Chair agreed and indicated that unresolved questions would be discussed under the respective Agenda items.

5. Review of implementation of and compliance with the ICCAT requirements

5.1 Statistical Requirements

Mr. Papa Kebe from the ICCAT Secretariat gave a presentation on the “Secretariat Report on Statistics and Coordination of Research in 2009”, which listed the statistical reports submitted to ICCAT. The report indicated whether data had been submitted, the timeliness of submission, and any areas where data had not been submitted.

Many CPCs highlighted the importance of data being submitted in a timely manner. It was also noted that quality of the data was an equally important requirement. A discussion ensued on the appropriateness of the SCRS or the ICCAT Secretariat managing data quality issues and it was agreed that it was the responsibility of, and also a requirement for, CPCs to carry out quality control of data prior to it being submitted and to ensure data are correct.

Several CPCs suggested that a new grading system should be used to record the receipt of data, its timeliness, and its quality.

The Chair conducted a *tour de table* of those present regarding the contents and omissions recorded in Tables 1 to 4 of the Secretariat Report.

Belize indicated it does not collect the data presented under table 4. It is intending to hire port observers in 2010 to carry out this work.

Brazil noted that it had submitted all the data required, albeit late. This was due to the restructuring of the Fisheries and Aquaculture Ministry in June. The delay was a few weeks and will not re-occur.

Canada indicated that in the case of Table 4 and species other than bluefin tuna, they need more time to supply these data.

China noted that ICCAT rules on data reporting were complicated. Different submission dates were a problem and a uniform date would help. Task I data do not change. Some data were submitted on time but China had to resubmit as the SCRS had not received these data.

Cote d'Ivoire acknowledged that Task I data were handed in late and noted that Task II could not be sent as they were not yet fully processed. Côte d'Ivoire is restructuring services in the data collection area and is taking all the necessary measures to ensure that late submission does not happen again.

Croatia noted there was a significant restructuring in the Ministry and that most data were submitted on time. Catch-at-size information is still being processed.

The EC indicated it had submitted all the data, although some were late. There is a need to improve the format of the data report as some EC Member States are shown as not providing data when in fact they do not fish for those species. The EC also welcomed some of the data format and procedural improvements suggested by the ICCAT Secretariat. The EC noted an important point highlighted in the report on the historical underestimate of some Ghanaian purse seine tuna catches. It shows how the Secretariat can work cooperatively with CPCs to improve data.

France (St. Pierre & Miquelon) noted that it only fishes one species in a directed fishery. In 2008, it chartered a vessel from Canada. Only small quantities are involved for size sampling for albacore taken as by-catch.

Ghana thanked Japan and the EC for their assistance in improving its catch data. Ghana confirmed that everything has been submitted. While there is a note in Table 2 that some data are missing, Ghana indicated that all data were submitted at the same time. In addition, some tables in the report are not applicable to Ghana.

Japan provided all the data required although the delay is due to the characteristics of its fishing operations. Given the length of distant water fishing trips and the time to transport catch, landing data may not be available for six months. Japan is hoping to make progress on this with improvements in at-sea reporting. In the case of sharks, these are mostly landed abroad so it is hard to carryout size sampling. Japan will work with the port state of landing to address this.

Korea explained that no data in some cases is indicative of no catches to report. Korea is working on providing catch-at-size data for 2010.

Libya noted that it did send information and therefore the table is incorrect. Libya recalled numerous contacts with the Secretariat over this. The ICCAT Secretariat confirmed that Task I data and fleet characteristics were sent by Libya. Task II data were supplied but could not be processed. The Secretariat has met with Libya and outlined the requirements.

Morocco noted that the Table 1 information on its fleet was originally sent in accordance with Rec. 02-22 and it did submit the list within the deadline. This is updated when new information is available so the original list was provided in 2003 and subsequently updated. An email was sent to the Secretariat indicating that the 2009 list was the same as that of 2008. Other information was sent after the deadline but sometimes a delay is needed to send accurate information following crosschecks. Morocco will compare notes with the Secretariat to see what they have received. Morocco also noted difficulty in species identification issues with sharks.

Namibia sent the required data but acknowledged they were late. The Commission was assured this will not happen again.

Nicaragua indicated it does not have data to report and does not have any vessels in excess of 24m. Nicaragua does have an artisanal fishery and it is very difficult to collate this information. It was acknowledged that the nature of its fleet and its fisheries should have been communicated to the Secretariat.

Norway considered that non-compliance and non-reporting should be distinguished. Norway informed the meeting that it did not have fisheries for bluefin tuna in 2007. Norway had previously been informed that it should submit a negative report so that is why a zero catch report was sent in to the Secretariat.

Panama submitted data but these data were late. New legislation on fisheries reporting should address this. Delays sometimes occur in the information being made available to the fisheries authorities.

The Russian Federation affirmed that all information was sent together rather than in the separate transmissions established by the schedule. Any missing data will be sent again. Some difficulties were noted in providing catch-at-size data.

Senegal provided Task I information on time but some Task II data were not submitted and some data are not available. Senegal is aware of some of the shortcomings and is addressing this.

South Africa asked the Secretariat to reflect over the last three years to see if there has been an improvement in data submission by the CPCs and identify where assistance might be required. Table 4 is very scant and this is a very important type of information. In the case of South Africa, some data were late such as southern albacore catches. In other cases, South Africa did not have any catches to report, in particular bluefin tuna, blue marlin, sailfish, porbeagle and white marlin.

Syria acknowledged its deficiencies for not submitting data. However, the blanks in Tables 1, 2 and 3 may indicate that Syria does not have fisheries for certain species. Syria requested assistance from the Secretariat in compiling data and understanding the reporting forms.

Trinidad had some problems with Task II data and there was a change of personnel in the Ministry resulting in administrative delays. Trinidad has difficulties in providing some of the size sampling data but is working with SCRS and the JIDP to address this.

Tunisia expressed its concern about bluefin data and noted its data were submitted on time.

Turkey indicated that data for applicable species were submitted but late because there was a need to verify the data. Also, due to a lack of human resources, it was not always possible to submit everything on time. This is being dealt with by augmenting the current staff. In cases of blanks in the tables, Turkey does not fish for these species. Table 4 data were submitted but do not appear to have been received by Secretariat.

The United States noted the lack of some Task II size information for the longline fleet. These data are not available for billfish as domestic regulations allow for no retention of by-catch.

The United Kingdom (Overseas Territories) affirmed that Table 2 data were sent on time, that Table 3 data for Bermuda were also sent and that Table 4 data will be sent for following year. It will be necessary to follow up with the Secretariat to understand which data were not received.

Uruguay confirmed that blank entries in the tables are for species that are not caught in its fisheries. Entries in Table 7 indicated that Uruguay had submitted historical data. Uruguay supported South Africa's suggestion that the Secretariat study the historical evolution of compliance. Rather than sanctions, incentives are needed to help CPCs to comply.

Venezuela confirmed that it had submitted data for all species. Blanks in the tables are appropriate when certain species are not caught in its fisheries. Table 1 data were sent at the same time so it is necessary to follow up with the Secretariat to determine where these are.

Iceland noted that all data were submitted but accept that some data were late.

Chinese Taipei confirmed that blanks in the tables indicate that no catch was reported.

Ghana noted that it does not agree with the conclusion in the report on Ghanaian underestimation of purse seine catches of some species. It was indicated that the analysis is still in progress.

The Chair opened the floor for discussion on the Secretariat's report on data and statistics and the responses made by CPCs.

Japan asked Korea and Chinese Taipei for information on the verification process for bigeye landings.

Korea informed the meeting that they had 22 vessels fishing. There was a two-stage process of inspection. First, is at the high seas transshipment stage, with ICCAT observers. About 30% of catches are exported directly to Japan and about 70 % are landed in Pusan, Korea where the catch is inspected. The inspection agency issues a landing permit on receipt of all data relevant to the catch. Inspection agents also supervise landings processed at airports.

Chinese Taipei advised that they carry out crosschecks of the catch by various means, including VMS monitoring, a national observer programme covering 10% of vessels, and the use of electronic logbooks. In addition, Chinese Taipei dispatched a patrol boat to conduct boarding and inspection for its vessels in the area of the Atlantic Ocean. Also, there is a high seas observer programme at transshipment. There is also an import inspection scheme in South Africa where the vessels land the catch.

Japan stated that there is room for improvement and a need to work on the verification process in the pelagic longline fishery. There had been some IUU activity in the past and some questionable activities appeared to be taking place. The ICCAT regional observer cannot accurately estimate quantities by species at sea, so the observer reports cannot be used to verify quantities. In Japan, they use 15 government inspectors to verify catch data and it is unfair that only Japan was doing this. In Japan's view, one Chinese Taipei inspector in South Africa is not sufficient and using non-governmental surveyors in Korea is not sufficient either. Japan noted a need for improved monitoring from Korea and Chinese Taipei.

The United States believed that this was a useful process to review data submissions but there is always room for improvement. They noted that 27% of CPCs are not submitting Task I data, 42% are not providing Task II, and 56% are not submitting size sampling information. A quarter of all bluefin tuna catching vessels are not included. The United States was not sure if there has been any improvement since last year. For example, fleet data for Algeria and Morocco were missing, EC Spain did not provide Task I data on time, size data for Turkey were not available. They noted that an improvement has taken place in tropical tuna fisheries and recognized that Ghana has made improvements.

Libya stated that extra effort was required to improve reporting and there should be an evaluation of the situation. There should be help, not finance, but advice, to improve the data collection and reporting procedures. The EC clarified that the EC represents all the Member States and therefore they are treated as one in terms of representation at ICCAT. In response to the query from the United States, the Spanish data were sent late and had to be sent again because of formatting errors. The EC has done a great deal of work in submitting data and the Compliance Committee must recognize that improvements have taken place. The Committee must identify CPCs that have not submitted data or if the data are incomplete. The EC noted that Japan had provided

information that Asian fleets do not return to port on a regular basis and the EC believes this needs to be looked at as a potential problem. In the EC, from 1 January 2010, all vessels over 24 metres will have electronic logbooks and will have to make daily catch reports.

South Africa noted that at the point of validation it was difficult to verify catch amounts to the exact kilogram – sometimes due to the absence of ICCAT or national observers. In the case of South Africa, 115,000 t of marine products entered its ports of which 70% were tuna and tuna-like species.

Morocco provided information on a U.S. request regarding fleet data. Data on fleet characteristics were submitted in 2003 in conformity with Rec. 02-22 and updated as required. In its view, Morocco had provided the all the required information.

The Executive Secretary noted that there was an interpretation problem for Morocco about the requirements for data submission on fleets. Table 1 is not the same as the list of vessels over 24 metres [Rec. 02-22] and the data in Table 1 are used by the SCRS in evaluating fishing effort. The Compliance Committee Chair confirmed that Morocco had to submit its fleet characteristics and distinguish it from the record of vessels.

The EC suggested that there should be an incentive system for CPCs to submit quality data such as a points system. The EC has recently brought in a penalty points system for IUU.

In a following discussion, it was considered that Tables 9a, 9b and 9c could be deleted from the Secretariat's report on statistics since these tables were prepared for use by SCRS and therefore were not relevant for further consideration by the Compliance Committee.

5.2 Bluefin tuna management measures

The Chair recalled that CPCs had asked for a historical perspective on situations of non-compliance. To this end, it was necessary to review all the non-compliance issues in their entirety. Last year, a table was put together on the compliance issues and actions, similar to the table used by the PWG. The Chair noted that CPCs should first discuss the facts, evaluate the problems by CPCs, and then agree on appropriate actions. A table would again be used to facilitate this process.

Turkey informed the meeting that they are implementing all of Recommendation 08-05 except for the vessel observer programmes because of administrative issues. They maintained an objection to the Annex 4 allocation scheme of Rec. 06-05 but had respected the catch level. They had established individual catch limits for vessels over 24 meters. It was compulsory to have VMS and Catch Documents. They have specific catch limits for by-catches in non-bluefin fisheries. They also observe all monitoring and control measures. They had presented a second report to the Secretariat on fishing capacity. The number of permits issued had been adjusted to less than those authorized in 2008. In 2010, there would be a 41% decrease in catching vessels and a 21% reduction in support vessels. They were also making adjustments to farming capacity. They intended to submit this report in next few days. In the case of monitoring transfer and caging, they initially had a national observer programme and then implemented the ICCAT Regional Observer Programme.

Japan requested Turkey to provide information on any joint fishing operations in 2009 and also measures taken against vessels that did not have a bluefin authorization, in particular, reported activity of Turkish vessels in Algerian waters.

The Executive Secretary confirmed that all 2009 joint fishing operations were authorized and notified to the ICCAT Secretariat even if the information was not always transmitted at least ten days before the start of the operation.

Turkey reported that they had 2 joint fishing operations in 2009, and that the other parties and Turkey had fully assigned observers that were trained nationally. They had reported all the catch information and had informed the Secretariat at least 10 days before. In 2009, there was a closed season for the purse seine fleet and other vessels. All authorizations were given in accordance with the ICCAT Recommendations. In the Algerian case, there were ongoing legal proceedings involving two towing and one support vessel, but not fishing vessels. There was no case of illegal fishing by Turkish vessels. They understood that Algerian fishing vessels were involved and the vessels had been detained in an Algerian port. The Turkish company involved had informed the Turkish authorities in advance and also the Algerian authorities had been informed. These support vessels were

licensed as “BFT other”. Some VMS data were available and Turkey had been monitoring their activity. They have provided supporting documentation to Algeria.

The EC expressed concern that Turkey had not submitted a plan on their farming operations. Also, BCD’s had not been validated by observers. There was no report on caging operations. There had been no reduction in Turkey’s fleet capacity. The number of infringements detected was of concern as 63% of times vessels inspected by an EC Inspector, an infringement was detected. In some cases, vessels inspected had no ICCAT number. In other cases, no transfer declarations were onboard, which is a clear requirement of Recommendation 08-05. In other cases, BCDs were not onboard vessels or BCDs and Transfer Declarations were incomplete. No video record was available of the transfer operations. Turkey did not appear to be interpreting the applicable Recommendations correctly. Documents supposed to be on one vessel were on another vessel. There were examples of no VMS transmission, incomplete logbooks, original BCD not available, incomplete declarations, unnumbered BCDs, and vessels not registered on the ICCAT list.

Turkey responded that it had asked its vessel operators to respond to the inspection reports provided by the EC. In some cases, the reason for no documentation was that the vessels had no fish and therefore no documents were required. In other cases, there were language difficulties between the vessel skippers and Inspectors and also that the inspection reports provided were not in Turkish and had to be translated. Turkey acknowledged a need for further training of skippers in the documentary procedures required. It was assured that all vessels were on the ICCAT list. Turkey noted that it had informed the ICCAT Secretariat that it would not be in a position to implement full observer coverage but one observer per vessel group. In some cases all the documentation for a group of vessels was held on one vessel and in the case of joint fishing operations the documents were held onboard other CPC’s vessels. Turkey also had been informed by the skipper of one of their vessels that an EC patrol vessel and divers were inspecting cages without authorization. Only ICCAT Inspectors were authorized to carry out inspections. Turkey had strengthened its fishery control operations and was acquiring two high speed patrol vessels. In many cases, there was insufficient information provided by the EC for Turkey to sanction all the vessels concerned but warnings had been issued in some cases.

The EC emphasized the objectivity of its joint inspections regime. Of 451 inspections, 65 were of vessels of other CPCs and 41 infringements had been detected. Inspections were carried out on a non-discriminatory basis. All vessels in the surveillance area were monitored and the same inspection methodology was applied. Inspectors received training on the documentation required on a vessel and how it must be completed. The EC advised that the Community Fisheries Control Agency (CFCA) provides training for EC Member States and also invited other CPCs to attend this training. They were also open to an exchange of Inspectors and were in favor of joint Inspections and noted that the EC is the only CPC carrying out inspections in the Mediterranean.

The EC commented further that it had examined the answers provided by Turkey and there appears to be a problem with the way Turkish operators are implementing the Bluefin Catch Document Scheme. In particular, the Turkish interpretation of the transfer authorization must also be looked at as the EC believes it is not in line with Rec. 08-05. This also applies to the availability of video records of transfer onboard vessels as inspectors must be able to view the videos. The EC expressed a willingness to work with Turkey to try and resolve these issues but believed that serious infringements were detected in the 2009 fishery.

Japan requested information from Turkey on the authorization of fishing vessels, tugs, etc. They must all be notified to ICCAT so all CPCs can see who is fishing for bluefin tuna. Concern was already raised in Barcelona on overcapacity issues in the Turkish fleet. Japan had believed that overcapacity would be addressed by Turkey this fishing season, but from the EC report, this does not appear to be the case. The individual quota allocated to Turkish vessels is 10 t, which appears very low, and there are reports of Turkish vessels catching 200 t in other waters. They also had concerns over tugboats. Warnings were not a sufficient response for the infringements highlighted by the EC. The most serious concern to Japan was in the implementation of the Bluefin Catch Documents by Turkey. Japan wished to know who is verifying the catch documents if there is no observer on the catching vessel. Japan noted that the Turkish fleet was the second largest in the Mediterranean but they had no inspection vessels on the fishing grounds. Each CPC must conduct inspections on the fishing grounds.

Turkey advised that its bluefin tuna farming plan was drafted and was ready to be submitted. It was their understanding that the method of dealing with domestic transfers of vessel quotas could be decided by each CPC. In the case of capacity reduction, they were not waiting until 2010 to reduce their fleet. There would be a 41% reduction in catching vessels and 21% in tugboats. They had a large number of tugboats because Turkey was a receiving country for fish to be farmed. The Coast Guard regularly carried out inspections. There was a need for more clarity in the procedures for the validation of BCDs. Turkey could not put an official on board all

vessels. Reduction of fishing capacity commitments were made for 2010 and Turkey had already presented this capacity management plan to ICCAT. It was recognized that the amounts of individual vessel quota is not economical but Turkish vessels operate as a group fishery. Turkey stated that they can only warn vessels that were alleged to have committed an infringement as they needed to have evidence to go further. Perhaps after further discussions with the EC on the inspection reports this might be possible. Turkey has already presented a report to Chair of COC on its implementation of the Bluefin Catch Documents. The transfer declarations are fully endorsed by observers and were verified. Turkey does not accept an operation as valid unless a document is presented.

Tunisia reported on the efforts it made to comply with all the bluefin tuna requirements. Fishing authorizations they provided to all vessels were posted to the ICCAT list. Individual quota was allocated to vessels based on their technical characteristics. Minimum weight for marketed bluefin tuna was in conformity with ICCAT rules. Fishing season and closed area dates were strictly complied with. Notification of catches was recorded and reported to ICCAT. Inspections took place in the fishing areas. VMS was operational for vessels over 24 meters and over 7000 messages were sent in 2009. Coastal inspectors monitored the fishing operations. Port inspections were also carried out. Inspection of cages and follow up was conducted in accordance with the ICCAT Recommendation on farming. A national observer scheme was operated during 2009 for inspecting vessels and cages. Catch at size and quantities were verified by comparing logbooks during transfer to cages. Tunisia has a management programme in place for farming and fishing capacity. There is a ban on chartering arrangements. They do not allow any investment on any new bluefin vessels except for replacement of existing vessels and intend to freeze the number of vessels involved in bluefin tuna fisheries. There had already been a 25% reduction in the fleet in the last few years. Tunisia used traps in the past and has now stopped this. Tunisia will comply with the Recommendation on farming capacity and will not be granting authorizations for new cages. Japan reminded Tunisia that Rec. 08-05 required 100% coverage by observers or inspectors and that transfer operations to towing cages should also be verified. Tunisia had informed ICCAT in Arabic of its list of national observers but did not have enough observers to provide 100% coverage due to limited resources. A total of 13 observers were appointed and moved around as required. The inspection services were also carrying out verification. Japan asked Tunisia for the names of the inspectors and wanted to be informed of the number of joint fishing operations. Tunisia had not authorized any joint fishing operations in 2009.

The EC informed the meeting that they had monitored Tunisian vessels and had detected three serious infringements in 13 inspections. The infringements related to no video record being available, no BCDs on board, no observer on board, no registration of transfers or transfer declarations, incomplete transfer declarations, incomplete logbooks and BCDs, and evidence of transshipments at sea. The EC had close contacts with the Tunisian authorities regarding VMS and any concerns were addressed promptly. Sanctions were required for the fishing vessels as transshipments at sea are banned.

Tunisia responded to the EC inspection reports. One skipper did not complete his logbook at sea. However, when the vessel reached port, the logbook was filled in correctly and was verified. In other cases, vessels were not required to have a logbook (e.g., tugs) but only a copy of the transfer declaration. Some of the vessels had not yet carried out any transfers so they did not require documents. The absence of the transfer document on one vessel was because the document had already been sent to the competent authority. In another case, the document was given to the Algerian catching vessel for validation by its authority.

On the transshipment at sea, it was determined that both vessels belong to the same operator and represent a single fishing unit. The transfer was from a net to a vessel and not from vessel to vessel.

The United States asked Tunisia what was done for observers instead of the ICCAT ROP. They noted there was no report on the annual fishing plan and tuna farming capacity.

Tunisia responded that a plan for reduction in catching capacity for 2010-2013 was submitted to ICCAT and noted that they have already reduced the fleet over the last 3-4 years from 52 to 42 vessels. In the case of the ROP for 2009, there had not been any contact with the agency responsible for implementation given the high costs of the BFT-ROP. Tunisia had decided to deploy national inspectors since April 2009 for the fishing vessels and the farms.

The EC expressed its concern about the interpretation of Tunisia concerning transshipment according to Rec. 08-05 and asked the COC to decide whether transshipment had taken place among Tunisian vessels. The Chair suggested that this should first be dealt with in Panel 2 to clarify the intentions of Rec. 08-05 and then revisited in the Compliance Committee.

Norway indicated that they had not fished for bluefin tuna in 2009.

Morocco reported on the table on bluefin tuna fattening farms; three facilities were listed but only one was operational. One bluefin vessel was authorized to provide fish but did not catch any. Morocco explained that no capacity plan had been presented since as a developing State the freezing of capacity was not applicable to Morocco (paragraph 45 of Rec. 08-05). Morocco has 20 traps authorized but, of these, only 17 were operational. The inspection scheme provided 100% coverage of the operations. The list of observers for the traps would be communicated. Morocco also had 25 national observers available for fishing operations.

The EC informed the meeting that it had inspected several Moroccan vessels and found no infringements.

Libya reported that its bluefin tuna farming plan has already been submitted and had only one farm, which was not active for the last three years. Sampling data were available for longliners but not for the cages. The capacity management plan had already been submitted. In 2008, Libya licensed 32 vessels and in 2009, only 27 vessels were licensed. Libya was waiting to see how quotas would be adjusted before finalizing its capacity plan. Libya had not deployed any inspection vessels but a Coast Guard observer was placed on each vessel for monitoring all activities. All transfers had been recorded on video and all records were available. All BCDs and documents were verified by the Coast Guard. Libya had six authorized joint fishing operations, all with the EC and all documents had been exchanged.

The EC informed the meeting that they had notified 10 days in advance of joint fishing operations with Libya. Both Libya and the EC have complied with the rules. Two Libyan vessels were inspected by the EC and one infringement was detected. Libya took immediate action and withdrew the vessel license and should be commended for this.

Korea reported that it had submitted its reports on the bluefin tuna fishery as required. Only one vessel was authorized for a joint fishing operation and it is less than 24 m but has VMS, which is reported to Korea. There was 100% observer coverage. Catches of 335 t in 2008 and 132 t in 2009 were brought to an EC-Malta farm. Government officials check with observer reports to verify catches.

The EC informed the meeting that they had carried out four inspections of the Korean vessel. One infringement was detected in that the logbook was not properly filled in and there was a problem with the fishing authorization. The EC had not received any reply from Korea on this.

Korea indicated they had never received the report.

The Executive Secretary reported that all Inspection reports were forwarded to the CPC concerned.

One CPC requested access to all the inspection reports. The Executive Secretary informed the delegates that there was a summary of the inspection reports in the "Secretariat's Report to the Compliance Committee and that the complete reports, as well as the responses of CPCs to allegations, were available upon request to the Secretariat. Starting in 2010, the Secretariat will post the inspection reports on a password protected section of the ICCAT web site.

The EC suggested that there was a need to update procedures in respect of the Joint Inspection Scheme, especially with regard to reporting forms. The EC will propose an inspection format that will be clearer and easier to use. At present, there is no standard format. The EC proposal will also address the issue of language interpretation problems.

Japan reported to the meeting that the 2009 fishing season had started in August and it was not in a position to make a report. Japan would be sending an inspection vessel to the Atlantic. In the case of the Japanese vessels operating in Algerian waters under chartering arrangements, it should be left to the Algerian authorities to carry out inspections and to provide observer coverage. Libya asked Japan about the catches and the landing of the chartering arrangements. Japan explained that it would carry out a full landing inspection when the catches arrive in Japan.

The EC reported that all the information required on its 2009 bluefin tuna fisheries had been made available. Individual quotas are assigned to purse seiners. The EC has implemented a control programme under the auspices of the CFCA, which had 27 inspection vessels in the Mediterranean and eight aircraft. In 2009, 451 inspections were conducted by 400 inspectors. In total, 274 sea patrol days were undertaken, 238 land

inspections were completed, and surveillance aircraft completed 79 patrol days. The EC also conducted a risk analysis to determine the best use of enforcement resources. In all, 51 Infringements were detected on EC vessels and 41 on non-EC vessels. EC vessels were less inclined to commit infringements as they knew of consequences. The EC congratulated its Member States for their efforts. Most of the infractions detected referred to documentation and sanctions were applied immediately. All joint fishing operations were monitored very carefully. No overfishing took place and the Community quota was not caught. In two cases, in Malta and Spain, bluefin tuna were released where fish were believed to be illegal. All catch reports, VMS data, monthly catch reports, and reports of serious infringements were sent to the ICCAT Secretariat. A national observer programme was also in place. Special measures to monitor catch rates were put in place when a vessel reached 80% of its quota. Each vessel's flag State is asked to provide information on the measures they have in place to ensure the quota would not be exceeded. This year there was no fishing with air support and this measure was strictly enforced. A summary of the infractions by EC vessels was given. Of infractions detected, one vessel was not on the authorised list, six vessels had VMS problems, three fished in the closed season, and 24 vessels had documentation problems. All these were being dealt with by the Member State and information provided from the Member State will be forwarded to ICCAT. The EC expressed its view that the EC fishery is the best monitored and infractions are the most harshly punished.

The United States noted that Morocco had also released fish to avoid overharvest.

Many CPCs congratulated the EC on the efforts they had made in 2009.

Croatia reported that its bluefin tuna plans and reports had been submitted late and that the list of observers would be submitted. Croatia has taken efforts to ensure compliance. Croatia has a national observer programme and has also implemented the ICCAT ROP. National observers are placed on vessels to verify transfers along with inspectors. There are a sufficient number of personnel to carry out the task and inspectors and patrol boats to monitor activity. Croatia has submitted data on sport fisheries and a quota was allocated and monitored. Croatia is still gathering data on the recreational fishery, which closed on October 15. Croatia did not authorize any joint fishing operations.

China reported that they had two fishing vessels that have just finished fishing operations so China has not yet had time to submit a report. A quota of 43 t was available to them. The catches were monitored and the vessels have been ordered to withdraw from the fishery to prevent any possible overharvest. VMS data were transferred to the ICCAT Secretariat. The vessels plan to tranship in Cape Verde.

Several CPCs raised serious concerns over a table presented regarding joint fishing operations. The table appeared to indicate that the 10 day prior-notification requirement had not been respected. Several of the CPCs involved in joint fishing operations advised that they would provide the necessary details, which would give a more accurate assessment of the time of first fishing after notification.

5.3 Bluefin Tuna Catch Documentation Scheme: Swordfish and Bigeye Statistical Documents

The Executive Secretary outlined a report on the Bluefin Catch Document (BCD) implementation programme noting that the Secretariat was having a great deal of problems. BCDs should arrive earlier and in some cases, they were still getting documents from June catches. Some are illegible and are returned. Many were not received within five days. There was a lack of lists of observers, the use of duplicate ID numbers, and some documents did not follow the protocol, and some documents were incomplete. There was a need for complete and legible documents if the program is to be effective for verification by harvesting states, port States and market States.

Japan noted a request for clarification of procedures from the Secretariat in their report on the implementation of the BCD programme. It was hoped that the BCD Working Group would address this during the course of the meeting.

The EC indicated that they had some proposals to make on BCDs. Guidelines on procedures were important for effective implementation. The EC did not want to change the system too much, just clarify certain issues so all CPCs would have the same understanding. There was a need for document traceability and follow up in order to verify. Amendments were needed to take into account joint fishing operations and carryovers. That is, fattening and catches of one year should not be mixed with catches of other years. There was a need for guidelines to complete the document. There was need to clarify responsibilities and who was responsible for what portions of the document.

Brazil noted that in the new EC IUU Regulation, the ICCAT Swordfish and Bigeye Statistical Documents were not recognized and a separate EC document would have to be used. They requested that the EC consider recognizing the ICCAT documents and this was supported by several other CPCs.

The EC advised that the BCD was recognized because it allows traceability from the point of landing. They would examine the issue further and at present, each RFMO's catch documents were being examined one by one to ascertain if they could be used to meet the EC's internal regulations.

5.4 Other conservation and management measures

The Chair summarized the main issues contained in the Secretariat's Report to the Compliance Committee as:

- Annual reports were only received from less than half of the CPCs. This is a fundamental document, which forms the basis for evaluating member compliance.
- Vessel lists are not updated or information supplied is incomplete. It is essential for CPCs to keep the vessel list up to date in order for port States and market States to fulfil their respective obligations.
- Chartering reports were not received in all cases. Chartering reports are necessary to ensure that catches are associated with the appropriate CPC allocation, especially for species subject to catch documentation schemes.

The Chair also noted that the ban on driftnets in the Mediterranean Sea had entered into force in 2004 but there continued to be reports of illegal use of driftnets.

The EC, the United States and Brazil asked what action should be taken for CPCs that do not submit annual reports and vessel lists, as this pattern was being repeated every year with no consequences. There needs to be consistency with the work and approaches taken by the PWG. It was suggested that a list of penalties should be drawn up in the Working Group on the Future of ICCAT.

Uruguay noted their annual report was submitted on the October 7 and suggested that incentives for those that do comply could be helpful in resolving the problem. Uruguay supported the suggestion by South Africa that historical submission patterns should also be examined to determine the issues which are preventing CPCs from meeting their reporting obligations.

Morocco noted that managing the driftnet situation was a very important issue as the ban creates economic difficulties for those fishermen who have to stop using this type of gear. It was Morocco's understanding that they had until January 1, 2012 to phase out driftnets. In Morocco, it had come to their attention that this type of fishery would be classified as illegal under EC internal regulations from January 1, 2010.

The EC advised that Morocco was correct in its interpretation of the EC IUU regulations. The EC has examined the ICCAT documentation on the implementation of the driftnet ban and takes the view that a tacit derogation for Morocco is provided for until 2012.

The Chair advised that it was not the function of the Compliance Committee to provide derogations for driftnets and that this was more appropriate for Panel 4, which had developed the measure in 2003. He suggested that CPCs should pursue explicit derogations, if appropriate, in the context of Panel 4. With respect to the EC IUU regulation and Morocco, it was noted that the EC interpretation was independent of the Compliance Committee and a reflection of its internal legal guidance.

Turkey thanked Oceana for the information on reports of illegal driftnet activity in Turkey. They advised that it was illegal to use driftnets in Turkey and an investigation had been undertaken following receipt of the information. Sanctions were imposed following inspections into illegal activity. It appeared that certain types of nets were modified by fishermen to target swordfish and albacore and these modifications made the gear beyond the scope of the current regulation. Addressing this situation may require a regulatory change.

The WWF expressed surprise at the derogation for driftnets. A report in 2004 showed a large number of dolphins and pelagic sharks were taken as by-catch in these driftnet fisheries. The ban was adopted further to Recommendation 03- 04 and they believed that was sufficient time for a phase out. The WWF requested a legal interpretation of the "tacit derogation".

Several CPCs recognized the driftnet by-catch issue raised by WWF. The Chair stated that the driftnet phase-out plan presented by Morocco in 2007 was not a derogation of ICCAT's rules. The Chair informed the meeting that there was no mechanism for a tacit derogation under the terms of reference for the Compliance Committee. While the Committee can decide that no further compliance action by ICCAT is necessary to address a particular non-compliance situation, it must be clearly stated that the CPC measures taken, or to be taken, provide an acceptable solution to address situations of non-compliance.

5.5 Compliance with quotas, catch limits and minimum size

The Compliance Tables, which included updates provided by the CPCs at the beginning of the meeting, were examined species by species. The Chair noted that only 25 of 48 CPCs submitted compliance tables and that few CPCs had presented the overage/underage tables explaining their adjusted quota and carryover intentions prior to the meeting, which continued to impede the work of the Committee.

Northern albacore

Vanuatu noted that there had been an issue regarding its catches of northern albacore since 2006 and apologized for the delay in resolving it. An explanation was provided regarding vessels chartered to Namibia. Namibia confirmed that there were chartering arrangements with Vanuatu in 2006.

Vanuatu has strictly respected the quota in 2007 and instructed the 4 vessels concerned to move out of the ICCAT area.

Senegal stated that it was not involved in this fishery.

Morocco informed the meeting that its adjusted quota for 2009 was 300 t.

The EC noted that any quantities not harvested could only be carried over up to 25%. In the case of the EC, the reasons for the under-harvests were weather conditions and changing fishing patterns and also a change in the type of fishing gear. The EC noted that CPCs are required to provide an explanation if they wish to apply for a carryover of quota. The EC requested that a column for 2010 be added to the table to reflect adjusted quotas. The United States requested clarification on the EC interpretation of the percentage carryover permitted.

The EC stated that Recommendation 07-02 was very clear regarding a 25% carryover.

The Chair stated his understanding that carryover rules in Recommendation 06-04 would apply in 2009 or 2010 and the carryover rules in Recommendation 07-02 would apply in 2010. In such case where the recommendation allows for flexibility in adjustment years, it is important for the CPCs to clearly state their plans in the template provided by the Secretariat.

Venezuela indicated that it had increased its monitoring measures and had sampled the landings in order not to exceed its quota. Canada noted that Venezuela had not exceeded the quota in 2008 but there may be a need to continue to monitor the situation. The Chair recommended that this issue be addressed in Panel 2.

Southern albacore

South Africa thanked Vanuatu for its efforts to clarify its albacore catches and chartering activities and noted that a zero catch was declared for 2008. Records in South African ports indicate landings of 278 t. South Africa requested that Vanuatu submit data for 2008 to the SCRS.

Vanuatu advised that four vessels were asked to leave the ICCAT area and may have made landings from the IOTC area into South Africa. Vanuatu informed the meeting that it would submit data to the SCRS.

South Africa expressed its concern regarding vessels from the Philippines as they had declared 795 t into South African ports yet only 98 t were reported by the Philippines to ICCAT. They noted that these vessels did not have VMS.

Japan noted that the figures regarding its albacore catches were correct and that albacore was taken as by-catch. Unfortunately, the by-catch was larger than the 4% permitted. Japan was working with fishermen to ensure this does not re-occur.

Northern swordfish

The EC reported temporary closures by Member States to avoid over-harvest and this resulted in under-harvest which will be carried over according to the rules. The EC also noted over-harvests by Korea.

Korea advised that swordfish was a by-catch of 10% to 15% in the bigeye fishery so this is why they could not keep to the 50 t quota. They intend to discuss the allocation further in Panel 4. Japan, the EC and Brazil stressed that it is an issue to be addressed in the Compliance Committee and not in Panel 4. Japan recalled that it had for a time prohibited swordfish retention on board its bigeye vessels because it had exhausted its by-catch allowance. Japan suggested that Korea should also have a zero by-catch allowance to correct their over-fishing. Korea asked Japan if they had information on the survival rate of released swordfish. Japan informed the meeting that over 50% survived but the purpose of zero by-catch would be for fishermen to avoid catching swordfish and this is what Japanese fishermen had done. Brazil noted that with 100% release required, more than half the fish would survive. Several parties agreed that release of all swordfish would provide an incentive for the Korean vessels to avoid areas of swordfish abundance.

Korea stated that when the bigeye tuna catch had increased the swordfish by-catch had also increased. Korea had taken measures to try to avoid a repeat of this in the future.

The Chair stated that this is a compliance issue and that the non-compliance by Korea would be recorded accordingly and addressed under Agenda item 7.

Brazil noted that its adjusted quotas of 100 t should be 75 t due to the limits on carry forward of under-harvest.

Côte d'Ivoire noted that its adjusted quota entries in the northern swordfish table for 2008-2009 were blank. They have a 50 t quota and request a carryover for 2009 of 50% of the unconsumed amount, giving a correct figure of 75 t.

Senegal reported problems of under activity of its fleet so it requested carryover of the allowable under-harvest to 2010. Belize also requested a carryover.

Southern swordfish

Namibia indicated that the figure given for 2008 is an underestimate and the correct figure would be reported to the Secretariat.

Japan informed the meeting that the SCRS figures for Japan are based on the calendar year whilst the catch data in the Compliance Table are based on the fishing year. This accounts for the different figures.

The United States requested information from Korea on their reported catch figures (different figures in the Compliance Tables than at SCRS). Korea responded that a similar by-catch situation has occurred in the South as in the North Atlantic.

The EC indicated that it wished to carryover 50% of its under-harvest for 2010.

Côte d'Ivoire indicated that they also wished to carryover the allowable under-harvest of 2009 to 2010.

Eastern bluefin tuna

The Chair noted that there were several issues discussed at the inter-sessional meeting regarding under-harvests being carried forward and over-harvest adjustments under Recommendation 06-05. Carryover plans were received from Korea and China and a payback plan was offered by Tunisia. It was agreed in Barcelona that these plans would be discussed at the Compliance Committee meeting.

Korea informed the meeting that it had an under-harvest of 673 t in 2006. The plan allowed Korea to carry over up to 50% of this amount. The under-harvest was to be used in 2007 and 2008. Due to governmental reorganization, the Fisheries Ministry was restructured and this delayed the submission of information. The 2008 fishing plan contained the carry forward amounts and this information was sent to the Secretariat, but after the established deadline. The Chair noted that the issue was not the carryover amount, but that Korea had missed the deadline for submitting the plan. There were no objections to the plan when it was raised in the Barcelona.

China informed the meeting that they had an under-harvest in previous years (2006) and were now asking for flexibility to carry forward and apologized for the late submission of the plan.

The Chair noted no objections to this from the CPCs present.

The Chair drew CPCs' attention to an over-harvest in 2008 by Tunisia. After discussions in Barcelona, Tunisia was required to present a payback plan.

Tunisia informed the meeting that its bluefin tuna fishery had been closed early and it had withdrawn vessel authorizations to avoid over-harvest. Tunisia noted a slight over-harvest in 2008 and informed CPCs that it had under-harvests in many previous years. This has placed a huge burden on the fishermen. Tunisia is proposing a measure that would require payback over four years of 50% of the over-harvested amount.

The EC thanked Tunisia for their transparency in this issue. The EC supported Tunisia's request.

The United States praised Tunisia for their transparency but did not agree with payback of 50% over four years. The payback should be paid back in its entirety in the following year as required under Recommendations 06-05 and 08-05. The United States recalled that other CPCs such as Morocco had actually released fish to avoid over-harvest.

China supported Tunisia's request.

Canada supported the intervention by the United States.

Norway supported the U.S. proposal and noted there were clear rules in place on payback.

The Chair noted that there was clearly an over-harvest and this should be dealt with later under recommended actions in Agenda item 7.

The Chair noted that in respect of the EC, the table footnotes in the document should be amended to reflect the situation regarding the 2007 over-harvest and the provisions of Recommendation 08-05 regarding this payback.

Following a request for information from the EC on how the IUU figures had been calculated, the Chair of SCRS stated that the Committee had used various lists and information to estimate total catch in 2008. This process indicated a probable catch of 25,000 t, but did not account for any possible IUU catch. The SCRS then used the vessel list to estimate a potential catch of 34,000 t if all authorized vessels were active. A third estimate was made assuming that all control measures had been ignored, which was not the case, and this was 68,000 t. The information is contained in the SCRS report.

The EC noted that despite all the control measures, if the over-capacity issue is not dealt with there will always be a possibility of exceeding the quota.

The SCRS Chair stated that the catch could be at or below the TAC depending on the actual activity of vessels on the authorized list. CPCs could address this by accurately posting only active vessels to the list.

The EC drew the CPCs' attention to the new EC IUU Regulation and how this would affect imports. It was reinforced that if the SCRS was reporting IUU fishing, then action needed to be taken.

The Chair recalled that in 2006, it had been suggested that a group of experts be convened to examine where this IUU activity was taking place. As the IUU problem apparently still existed, this type of analysis could be an action taken up by this Committee.

China and Morocco seconded the EC proposal. Morocco noted that there was potential over-fishing of nearly 60,000 t in 2008 and 32,000 t in 2009 and this had now been reduced but was still not acceptable.

Japan reminded CPCs about the discussions held previously in respect of Algeria and potential overfishing. Algeria informed the meeting about 2009 illegal fishing that was currently before the Algerian courts and would provide an answer when a decision was available.

The United States, Canada and Turkey asked for specific information on how the SCRS had come to their conclusions on the reduced level of over-fishing.

Libya inquired as to where the IUU fishing was taking place. It was likely CPCs who were conducting this IUU fishing. The SCRS cannot publish statistics unless it can be assured of their veracity.

The Chair noted that as in prior years, we still did not have this specific information on the flag States of vessels engaged in IUU. If CPCs had specific information they were asked to present it to the Secretariat.

Western bluefin tuna

The EC requested information on whether under-harvests could be carried forward in the western bluefin fishery.

The United States informed the meeting that the level of under-harvests that could be carried forward was being reduced to 10%.

Korea noted that in all the tables, the Japanese data were provisional for 2007 and 2008.

Japan informed the meeting that one vessel had not yet landed its 2007 catch. Due to new measures on reporting, this should not be an issue in the future. Japan was still gathering the information. Japan also informed the meeting that the 2007 fishing season was from August 2007 to July 2008.

The EC noted that the United States stated there was no IUU activity in the western bluefin fishery. The SCRS had calculated a percentage in the East but it was asked if SCRS had applied the same methodology in the West. The EC asked if the sport and recreational catches had been recorded and included in the Compliance Tables.

The SCRS Chair advised that the Committee did not conduct such a study as it did not have the basic data to perform the analysis: an authorized vessel list and VMS data. These were not requirements in the western bluefin measures.

The United States informed the meeting that they had extensive monitoring of all fishing activities and all catches were recorded. The United States asked if there were any quotas set aside for sport and recreational fishery in the eastern Atlantic.

The EC suggested that consideration should be given to having an authorized vessel list for the western bluefin fisheries. The EC has set aside part of the bluefin tuna quota for the sport and recreational fishery. There is an obligation on Member States to set up a program to record catches from recreational fishing and Community funds were provided to do so.

Iceland informed the meeting that they had set aside part of their quota for by-catch and recreational catches.

Bigeye tuna

The Chair noted that the figures in respect of Belize should be amended because the 2100 t threshold was not a catch limit, but a reference point for determining minor harvesting nations which were exempted from catch limits.

Japan noted that since 2006 Korea's catch of bigeye had increased significantly.

Korea informed the meeting that the catches had increased as vessels had moved to the Atlantic because of the Somali pirate situation in the Indian Ocean. Korea had exceeded the limit in 2007 and 2008 but had taken measures to address this with vessel catch limits.

Ghana informed the meeting that the figures in the Compliance Tables were from the SCRS and not from the fishery management authorities. Ghana has had an identification problem with yellowfin tuna. This is a mixed fishery which makes it difficult to manage and to account for catches by species.

China noted that there was a mistake in the 2009 table and the footnote should be deleted. China requested a carryover of under-harvest in 2009 for 2010.

The EC questioned the Ghana figures, noting with concern that for 2007, 13,700 t were indicated in the SCRS Report, but only 4,633 t in the Compliance Tables. Given the 5,000 t catch limit for Ghana, an 8,000 t over-harvest seems to have disappeared. The EC requested that Ghana be asked to update its figures and would provide assistance if required. Accurate catch statistics were vital. Ghana should be asked to improve its statistical reporting and its control measures. Assistance could be given in VMS and a port sampling program. It was unclear which vessels were operating. If there was an over-harvest there must be 100% payback. Ghana must face up to its responsibilities as there is a difference of 10,000 t.

Ghana advised that over the last 3 or 4 years, SCRS has provided schemes to assist in data collection. The fisheries are mixed (yellowfin and bigeye) so it was not possible to catch one species only and this made it very difficult to estimate species composition of the catch. There was a fish species identification problem and catches were recorded as yellowfin. Ghana informed the meeting that it had at-sea observers and port samplers.

The EC noted an over-harvest for Korea and the Philippines, to be recorded and to be addressed in Panel 1.

The Chair noted that several CPCs had exceeded the baseline of 2100 t. Although these minor harvesting nations were exempted from catch limits, it was envisioned that these CPCs would maintain harvest levels consistent with prior years.

White marlin and blue marlin

The Chair recalled that landings limits had reference years of 1996 or 1999 and CPCs were to reduce catches to 33% for white marlin and 50% for blue marlin. There is a need for clarity on the landing limits and CPCs should take measures as needed to ensure catches are reduced to the target level.

Korea advised that the catches were a by-catch in other fisheries. Korea looked for assistance in avoiding this by-catch and agreed to make a payback. A Regional Observer Program could be used to distinguish between live and dead fish rather than discarding them all overboard.

Japan noted that Korea's by-catch had increased significantly over the last few years.

Brazil agreed that all white marlin caught should be released/discarded. In Brazil they have prohibited the sale of marlins so any retained fish must be donated.

Trinidad and Tobago informed the meeting that they had revised their historical catch limits. The catches were by-catches and have increased due to the expansion of the fleet and a change in fishing patterns.

The EC indicated that it has exceeded its limit due to catches by the artisanal fleet in the French Antilles.

Mexico advised that it did not have a quota prior to joining ICCAT and all the white marlin catches were by-catch.

The Chair noted that all the catches were by-catches. However, the catches appeared to be increasing. There appeared to be inconsistency in the way Parties were dealing with carry forwards. There was a need for a consistent interpretation of the rules.

The United States expressed its concern about an increase in white marlin landings. The post-release survival rate based on studies was very good and encouraged CPCs to consider this option. The United States was also concerned with Japan's catch of blue marlin which had increased since 2005 and also the method they were using to calculate a carry forward particularly in light of the rebuilding plan.

Japan noted the prohibitive low level of the catch limits for white marlin and had highlighted this before. Japan was willing to review the program and believed it needed to be overhauled. It was emphasized that catches were taken as by-catch, thus it could not be strictly controlled.

Sierra Leone also raised concerns with the limit set in the management plan.

The Chair noted his concern with the interpretation by Japan on carry forwards. The rules must be interpreted uniformly. The Recommendation indicated that catches were to be reduced to certain target levels. Thus, it was

the intention that carry forwards should not take place, but it was not prohibited. All CPCs other than Japan expressed this view in how they submitted information for the Compliance Tables. The interpretation should be that in the future carry forwards should not take place.

The Chair also noted there was an issue regarding Mexico's allocation that needed to be resolved in the future.

Mexico noted that it had 100% observer coverage and that white marlin and blue marlin were caught as by-catch. Full information was supplied on the catch.

Minimum size table

Japan requested clarification regarding the use of "N/A" for Tunisia and Turkey where these CPCs had reported a catch of bluefin tuna.

Tunisia advised that its undersized fish were 0% in the 2008 fishing season. There was one fishing operation with 8% tolerance.

The Chair thanked Tunisia for the clarification but noted that N/A was not an appropriate entry for the table. If the true figure is zero, then 0% should be indicated.

The revised Compliance Tables were adopted and are attached as **Appendix 2 to ANNEX 10**.

5.6 Review of reports submitted pursuant to the implementation of Recs. 06-14 and 08-09

One report had been received under the procedures of Rec. 06-14. South Africa had taken action against a Chinese Taipei vessel that had 1.6 t of shark fins on board. Chinese Taipei confirmed that it is responding to the situation and appropriate actions are being taken against the vessel.

One report had been received under the procedures of Rec. 08-09. Given the nature of the information and its bearing on other matters to be discussed, the Chair allowed the presentation of the report earlier in the meeting rather than revisit the issues under this agenda item.

Oceania, a non-governmental organization, presented a report to the meeting. They welcomed the new procedures ICCAT had adopted to broaden the scope of information available to the Compliance Committee and affirmed the importance of this process. They wished to stress the short deadlines which they were given to compile and submit their report which did not allow time for full information. The report highlighted some potential infringements observed in the ICCAT fisheries, in particular, the bluefin tuna fishery. Oceania provided details as follows:

Vessels from the EC/Tunisia/Libya were observed on June 16, 2008 operating South of Malta after the EC closure. The EC vessel was Italian. The Libyan vessels were not on the 2008 ICCAT vessel list. Oceania wished to know what measures were being taken to control these vessels and noted that Libya withdrew the licences in October 2009.

Oceania reported on a landing of 2 t by small longline vessels in a non designated port in Italy. They were highlighting the fact that these small landings were taking place. They noted that the Italian media reported 50 t of illegal bluefin tuna landings in the fishing season.

They also highlighted illegal drift nets being used in the Mediterranean in Italian waters and also in Turkey. The vessels concerned were under 12 meters and the technical characteristics of the nets show they were driftnets. They noted that the EC had provided a definition of driftnets in 2007 and stated that there should be no more exemptions for driftnets

They also noted a discrepancy in Italian figures sent to Japan. EuroStat shows a zero figure for exports to Japan. There appeared to be a substantial difference in the figures when the Statistical Documents figures were examined. The period in question was November to December 2008.

The EC thanked Oceania for the efforts to observe the fisheries and assured all parties that the EC does take seriously all the reports they have received. Infringements had been detected and vessels were sanctioned. In the

case of apparent illegal landings by artisanal vessels in 2008, the EC noted that on the same day of the Oceania report, two vessels were caught making illegal landings in another port. The EC stated that driftnets are banned in the fisheries of EC Member States and serious action has been taken to stop driftnets in Italy, including prison terms for fishermen. The European Court of Justice had imposed sanctions on Italy to stop this illegal drift netting and this shows that strong action is being taken and the EC is firmly committed to stopping the use of driftnets. Monitoring action continues at the ports highlighted but no infringements have been detected. In the case of the 2008 closure, the EC closed the bluefin tuna fishery to everyone on June 16 to avoid overfishing and reminded all CPCs that this was before the end of the season authorized by ICCAT.

Other CPCs also welcomed the inclusion of the information provided by Oceania in the discussions of the Compliance Committee. Several Parties, including Turkey and Libya, provided responses to the particular situations identified by Oceania in its report. The Chair acknowledged that the deadlines established under Rec. 08-09 required early submission, but noted that this is essential for productive use of the information. It was stressed that CPCs needed time to investigate alleged infractions and prepare responses in advance of the meeting. The Chair encouraged CPCs and NGOs to submit more information of this type for future meetings.

6. Review of the ICCAT Regional Observer Programs (ROP) and consideration of any necessary actions

- *Implementation and results to date of the ICCAT Regional Observer Program (transshipment)*
- *Reports from Contracting Parties participating in the Regional Observer Program*

The Secretariat reported on the ICCAT Regional Observer Program for transshipment. The program commenced in April 2007 and was renewed in 2008 and 2009. The Secretariat regularly receives reports from participants and they make payments towards its operating costs as required. The Secretariat also had cooperated with the IOTC and the CCSBT to allow for coordination with observer deployment in their regional observer programs.

It was noted that China had not submitted its report for 2009 and China undertook to assure the Committee that it would provide a report for 2010.

It was noted that one vessel operated by Japan had not submitted the required transshipment declarations to the Secretariat, and in other cases these had been submitted late. Japan informed the Committee that it would investigate the reasons for the late reports.

- *Implementation and results to date of the ICCAT Regional Observer Program (bluefin farms)*

The Secretariat presented a report on the ICCAT Regional Observer Program for Bluefin Tuna. There were two elements to the program: observers on purse seiners and vessels involved in JFOs and observers at the tuna farms. It was noted that in Circular 296/09, the Chairman of ICCAT had encouraged CPCs to participate in the regional observer scheme from the beginning of the 2009 fishing season, even though Rec. 08-05 had not yet entered into force at that time. Commitments to early implementation of the eastern bluefin tuna MCS measures were also expressed by several CPCs at the Inter-sessional Meeting of the Compliance Committee (Barcelona, March 2009).

Regardless of the intentions of the CPCs, there was not enough time for the Secretariat to implement the program for the 2009 harvesting operations, only for the farms. The Secretariat also noted that in some cases factory vessels are used to harvest bluefin from the cages at the farms and the observer cannot always observe the operation directly but has to do so from a distance. The Secretariat suggested that in those circumstances there may be a requirement to change Recommendation 08-05 to allow for placement of observers directly on the factory vessels. The Chair noted that no Party had raised a concern regarding placing observers on factory vessels and if there are any issues with the authority to place observers or with observer safety aboard the vessels, the CPCs should address this in their respective national legislation and authorization procedures that implement Rec. 08-05.

The EC believed that the implementation of the regional observer program for bluefin tuna should be dealt with very carefully and proposed setting up a regional system based on their experience in other Regional Fishery Management Organizations. The ICCAT program was developed in a short time span without an open tender procedure that resulted in a very expensive program. As an example, the EC indicated a seasonal cost of 500,000 Euros for the regional program for a farm in Malta which far exceeded the cost of a national observer program.

The EC also noted that in the contract documents, the responsibilities of the ICCAT observer were greater than those allowed for in the Recommendation. Some concerns were also raised about the possible discounting of fees for some CPCs and that, in the case of Turkey, Turkish nationals had been deployed rather than independent third parties as envisioned in the Recommendation. A procedural issue was also raised in that the observer had not validated some of the BCDs in the Turkish operations. In the EC, national observers were placed at all the farms. Each caging operation was monitored and there were missions to verify the observer reports. The EC is in favor of the Observer Program but it must be cost effective and transparent. The EC committed itself to implement the BFT-ROP in 2010 with observers on all the operation vessels.

Several CPCs expressed concern that in 2009 the EC had not implemented the ICCAT ROP in accordance with Recommendation 08-05 and that the national observer scheme the EC used was not consistent with the requirements of the Recommendation. It was generally expressed that there was a need to look in detail at the full implementation of Recommendation 08-05 by all CPCs.

Tunisia supported the comments of the EC. The cost of the Regional Observer Program was too high and farms could not afford to pay these costs.

Turkey informed the Committee that they had participated in the regional program at the farms. The observers used were Turkish nationals, as one of the requirements was that the observer could speak Turkish. The estimated cost was approximately 50,000 Euros per farm. Turkey noted that Turkish farms had fully complied with the observer program requirements and had fully paid for the scheme.

The Secretariat provided clarifications on the implementation of the scheme and how it had managed it to date. Initially, the Secretariat issued a circular to inform CPCs of the approach it were going to take. It was extremely difficult to implement this Recommendation in the short time frame available and the Secretariat had not received ~~no~~ any response to their its circular from the affected CPCs. Once the date for replies had passed, the Secretariat contacted the company dealing with the transshipment ROP to set up an observer program. Again no feedback was received from any CPC. It was not easy to get observers and, for example in Turkey, to get Turkish speakers at short notice. The Secretariat always worked in the best interest of the CPCs.

The EC informed the CPCs on how they had implemented the national observer scheme. The EC put a lot of effort in control and enforcement and had made the greatest effort of all CPCs in the 2009 fishing year. The EC stated that it could not accept a system that was not transparent and where the costs were different for each CPC. The EC was not convinced that what occurred in Turkey did comply with the requirements of the regional observer program. The EC affirmed to all CPCs that no illegal bluefin tuna was placed in EC farms.

The Secretariat provided more information on the costs associated with the scheme. In the case of Turkey, it was clarified that they are paying the same daily rate for observers. However, travel costs were lower because they were employing Turkish nationals. Additionally, some farms offered free accommodation which lowered expenses for the observer. Finally, all the Turkish observers employed had prior experience, so the normal 5 days of training was reduced to 2 days, allowing additional cost savings.

The Chair noted that several Parties had expressed concerns that the EC had not complied with the regional observer program required by Rec. 08-05. In response, the EC had informed the Committee about the measures it had taken in lieu of the ICCAT program. Any required follow up on the issue would be taken up under Item 7 of the Compliance Committee Agenda.

As a final note, the EC stated that it is going to participate in setting up the ICCAT Regional Observer scheme for future years. The Secretariat had commenced a tender process and one of the items the EC was looking for was transparency. Additionally, the EC was looking for more support from other CPCs in implementing the ICCAT Joint Inspection Scheme.

– *Selection of agency for future implementation of the Bluefin Tuna Regional Observer Program*

The Executive Secretary informed the meeting that a call for tender had been published. They had asked CPCs to publicize this tender. The deadline for receipt of tenders was November 1, 2009 and four tenders had been received, one each from a Korean, English, Spanish and Anglo/Franco company. He suggested a small group be formed made up of representatives from the EC/Japan/a Mediterranean country (Turkey or Croatia) and the United States that would evaluate the tenders, but that the group would be open to any Contracting Party

interested in participating. This small group met during the course of the ICCAT meeting and reported out that two of the four tenders warranted further consideration but more information was needed from the two companies in order to make a final decision. The Secretariat agreed to pursue this matter after the meeting with the members of the review committee.

7. Actions required in relation to issues of non-compliance by Contracting Parties arising from Items 4, 5, and 6

The Chair introduced the Draft on “Actions to be Taken Against Contracting Parties, Entities and Fishing Entities in 2009”, a Chair’s Table that was an attempt to summarize non-compliance issues by CPCs. It was based on all the information received by the Secretariat up to and including reports submitted during the meeting and included information from both 2008 and 2009 to provide a historical perspective. There was a need for the Committee to decide the appropriate actions to address situations of non-compliance. The Chair outlined possible sanctions available to the Compliance Committee under its terms of reference and other active ICCAT recommendations. These actions ranged from a letter of concern or a letter of identification up to and including trade sanctions. The Chair reminded CPCs of the discussions on data reporting deficiencies that took place at the 2008 ICCAT meeting where the format for a letter of concern was discussed but was not adopted in plenary.

Many CPCs noted that the non submission or late submission of data was a very serious issue that has continued to restrict ICCAT in its scientific work. CPCs also noted that any letter issued should acknowledge improvements made and outline the reason for the letter being issued. The letters should also provide information on how ICCAT could assist CPCs in complying, particularly with the data reporting requirements.

Each CPC’s situation was examined and CPCs were requested to respond to the information contained in the summary table. In light of the historical records, reports, discussions and responses received during the meeting, the Chair proposed a course of action for each CPC. The Chair requested the CPCs to comment on the proposed actions and, if appropriate, to offer alternative actions with a justification. Several CPCs expressed concern about the criteria used to distinguish between a Letter of Concern and a Letter of Identification. The Chair indicated that the Committee should take into consideration the CPC’s history in the compliance issue, improvements, or responsive actions, assistance requested from ICCAT and other sources, and the impact the situation has for ICCAT’s scientific or management programs. Some delegations expressed the need for consideration of the situation of new members and suggested the Secretariat assist new members in understanding the requirements. The EC suggested a point system that would make these decisions more transparent and it was agreed that the Committee should work on such a system for the future.

Following a lengthy discussion regarding all the non-compliance issues highlighted in the Chair’s document, CPC’s agreed on the following actions:

- *Albania*: Letter of Concern regarding reporting deficiencies.
- *Algeria*: Letter of Identification to be issued regarding reporting deficiencies and shortcomings in the implementation of the Bluefin Tuna Catch Documents.
- *Angola*: Letter of Identification regarding reporting deficiencies.
- *Barbados*: Letter of Identification regarding reporting deficiencies.
- *Belize*: Letter of Concern regarding reporting deficiencies.
- *Brazil*: Letter of Identification regarding reporting deficiencies.
- *Canada*: No letter – no action to be taken.
- *Cape Verde*: Letter of Identification regarding reporting deficiencies.
- *China*: Letter of Identification regarding reporting deficiencies and implementation of the catch/statistical document schemes
- *Côte d’Ivoire*: Letter of Identification regarding reporting deficiencies.
- *Croatia*: Letter of Concern regarding reporting deficiencies.
- *Egypt*: Letter of Identification regarding reporting deficiencies.

- *European Community*: Letter of Identification regarding reporting deficiencies, use of gill nets, implementation of the Regional Observer Program, overharvest of blue marlin and notification of joint fishing operations.
- *France (St. Pierre & Miquelon)*: Letter of Identification with specific reference regarding non submission of a chartering report.
- *Gabon*: Letter of Identification regarding reporting deficiencies.
- *Ghana*: Letter of Identification regarding reporting deficiencies, in particular, in respect of bigeye tuna catches.
- *Equatorial Guinea*: Letter of Concern regarding reporting deficiencies.
- *Guatemala*: Letter of Identification regarding reporting deficiencies.
- *Guinea (Rep.)*: Letter of Identification regarding reporting deficiencies and IUU vessel.
- *Honduras*: Letter of Identification regarding reporting deficiencies and unauthorized vessel operating in the Mediterranean.
- *Iceland*: No letter – no action to be taken.
- *Japan*: Letter of Identification regarding reporting deficiencies and concern about catches of billfish and South albacore.
- *Korea (Rep.)*: Letter of Identification regarding reporting deficiencies, overharvest of south albacore, north albacore, South Atlantic swordfish and white marlin.
- *Libya*: Letter of Identification regarding reporting deficiencies, joint fishing operations notification and implementation of VMS.
- *Morocco*: Letter of Identification regarding reporting deficiencies and the use of driftnets.
- *Mauritania*: Letter of Concern regarding reporting deficiencies.
- *Mexico*: Letter of Identification regarding reporting deficiencies and overharvest of blue marlin and white marlin noting the situation regarding Mexico's quota.
- *Namibia*: Letter of Identification regarding reporting deficiencies.
- *Nicaragua*: Letter of Identification regarding reporting deficiencies.
- *Nigeria*: Letter of Identification regarding reporting deficiencies.
- *Norway*: No letter – no action to be taken.
- *Panama*: Letter of Identification regarding reporting deficiencies.
- *Philippines*: Letter of Identification regarding reporting deficiencies and discrepancy in data of south albacore catches landed into South Africa, VMS and bigeye tuna management plan.
- *Russia*: Letter of Identification regarding reporting deficiencies.
- *Sao Tome & Principe*: Letter of Identification regarding reporting deficiencies.
- *Senegal*: Letter of Identification regarding reporting deficiencies.
- *Sierra Leone*: Maintain Identification and note concerns regarding reporting deficiencies and vessel licensing and registration procedures.
- *South Africa*: Letter of concern regarding reporting deficiencies in particular in chartering.
- *St. Vincent & the Grenadines*: Letter of Concern regarding reporting deficiencies.
- *Syria*: Letter of Concern regarding reporting deficiencies.
- *Trinidad and Tobago*: Letter of Identification regarding reporting deficiencies and overharvest of blue marlin and white marlin.
- *Tunisia*: Letter of Identification regarding reporting deficiencies, in particular concerning Bluefin Catch Documents, and bluefin tuna overharvest. The letter would also confirm 100% payback of overharvest of 308.6 t of bluefin tuna in 2008 to take place in equal instalments of 154.3 t in 2010 and 2011.

- *Turkey*: Letter of Identification regarding reporting deficiencies, bluefin tuna fishing capacity plan and use of driftnets.
- *United Kingdom (Overseas Territories)*: Letter of Identification regarding reporting deficiencies.
- *United States of America*: Letter of Concern regarding implementation of the Bluefin Tuna Catch Documentation Scheme.
- *Uruguay*: No letter – no action to be taken.
- *Vanuatu*: Letter of Identification regarding reporting deficiencies.
- *Venezuela*: Letter of Identification regarding reporting deficiencies and a management plan for north albacore.

8. Election of Chair

Dr. Chris Rogers was re-elected Chair of the Compliance Committee.

9. Other matters

– IUU vessel matters

The Chair noted that two issues had been raised in respect of the ICCAT IUU vessel list. First, two IUU vessels were referred by the PWG because of their association with CPs. Second, the Committee had previously discussed vessels in the bluefin tuna fishery that had not provided VMS data to the Secretariat as required.

Korea advised of a situation regarding the vessel “Tonina V” that had been listed as IUU (with current flag: “unknown”) following a vessel sighting report by the EC. The vessel sighted in the Mediterranean Sea (Tonina V) was not flagged to Korea and a Korean vessel with a similar name (Tonina No. 5) was operating in the Pacific. The IUU listing was causing difficulty in marketing the catches of the legitimate Korean vessel. Korea requested that the vessel sighted in the Mediterranean should be deleted from the list. Japan noted that it was clear that two vessels were involved, and proving that one was operating in the Pacific does not change the circumstances that led to the listing of the vessel sighted in the Mediterranean Sea.

The Chair stated that the listed vessel could not be deleted in these circumstances and specific new information about the current ownership and operating conditions of the listed vessel would be required first. The Chair advised Korea and the EC to consult on the information that led to the original listing, then follow the procedures for deleting the vessel intersessionally.

The Chair advised of a second vessel on the ICCAT IUU list, “Daniaa”, No. 20080001. The Secretariat had been contacted by the Republic of Guinea as they wished to place the vessel on the ICCAT list of authorized vessels. It was recalled that this vessel was listed as flag unknown after the 2008 ICCAT meeting where the Republic of Guinea confirmed that the vessel did not have a fishing authorization. The Chair noted that the delisting procedures had not been followed. The Chair advised the Republic of Guinea to follow the procedures for deleting the vessel intersessionally.

Pending deletion of the vessel, Korea requested that the reference to being operated by a Korean company be removed, as the company concerned was no longer operating the vessel. The Chair advised that the vessel should remain listed but the reference to operation by a Korean company should be deleted.

The Chair then recalled prior discussions and new information supplied by the Secretariat that indicated that several vessels had bluefin tuna catch records reported to the Secretariat but had not transmitted VMS.

The EC thanked the Secretariat for their efforts in providing the detailed information. In one case, the subject vessel did transmit data as required. In another case, the VMS information was available to the EC, but due to a technical problem, the information was not transmitted to the Secretariat. And, in another case the vessel was not active.

Turkey advised that three vessels had been listed as not providing VMS. Two vessels were not authorized in 2009 and were not at sea. The final case was still being investigated.

Croatia advised that vessels listed as not providing VMS records were not active in 2009.

China advised that two vessels listed as not providing VMS were fishing for bigeye tuna and not for bluefin tuna.

Morocco noted that a vessel listed as not having reported VMS data was a longline vessel fishing for swordfish which had taken some by-catch of bluefin tuna in 2006/2007, but was not active in 2008 or 2009 and hence should not be on the list.

Libya advised that of the seven vessels listed, six vessels were not authorized to fish, as they had no VMS. In another case, a vessel having a technical problem with its VMS temporarily took the VMS unit from another vessel of the same company, so there was a misidentification issue.

Given the explanations provided by the relevant CPCs, none of the subject vessels were proposed for inclusion on the IUU vessel list based on the VMS issue. The Chair concluded this issue suggesting that CPCs annually sent that kind of information to the Secretariat.

– *Sierra Leone*

The Chair advised that Sierra Leone had been identified by the Commission in 2008 when it was not yet a Contracting Party. Now that Sierra Leone had joined the Commission, the Compliance Committee was charged to review the identification.

Sierra Leone informed the meeting of new management initiatives taken because of their history. Sierra Leone had established a committee to carry out surveillance in their waters and they were taking steps to regularize the enforcement situation.

Since August, they have detained one vessel for IUU fishing. The vessel was from Chinese Taipei and Sierra Leone had been assisted by the U.S. Coast Guard. The delegate also noted that there had been a problem in the past regarding the registration and licensing of Sierra Leone fishing vessels. The procedure had been changed so that all fishing vessels had to be registered and licensed in Sierra Leone. The Sierra Leone delegate stated that the New Orleans registry service no longer represents the Ministry of Fisheries and Marine Resources and all vessels were required to come to Sierra Leone to collect their fishing license.

The Executive Secretary advised that the New Orleans registration service continued to contact the Secretariat and that all of the Sierra Leone vessels posted to the ICCAT list had been provided by that registry service. To clarify the situation, it was requested that Sierra Leone resubmit its vessel list directly from the Ministry of Fisheries and Marine Resources.

– *Time of receipt of reports*

Mexico requested that when reports were being received in the ICCAT Secretariat, that the time of transmission rather than the time of receipt should be used to record if reports had been submitted on time. This would take account of time zone issues. This procedure was agreed by the Committee.

– *Bluefin Tuna Weekly Catch Reports*

Following a request from the ICCAT Secretariat, the Bluefin Tuna Weekly Catch Report format (Annex 5 of Rec. 08-05) was amended to include the number of the joint fishing operation where appropriate (see **Appendix 3 to ANNEX 10**). This was needed to correctly assign catches to flag States and avoid double counting.

The Chair reminded CPCs of several documents that had been submitted and were to be discussed under “Other matters”. They were the “Compliance Committee Chairman’s Proposal for an ICCAT Schedule of Compliance Actions”, the “Compliance Committee Chairman’s Proposal for a Compliance Task Force and Meeting Schedule”, and the “Draft Recommendation by ICCAT Established a Point system for Cases of Non-Compliance with ICCAT Statistical Data Collection Requirements”. The subjects raised were important to the future operations of the Compliance Committee and required more time to discuss than was available. The Chair requested that CPCs submitted comments in writing before the next inter-sessional meeting in order to improve the Compliance Committee. CPCs’ comments on those documents would be circulated by the Secretariat.

– *Inspection Form*

The EC introduced a proposed Inspection Form, to provide a standard reporting format. Many CPCs welcomed the new Inspection Form for Joint Inspections but also raised concerns regarding the use of the English language. ICCAT inspectors and vessel skippers alike could have difficulty understanding the form when it was completed in English. It was agreed that the form would be in English but CPCs could supply the Secretariat with a version of the form in their language, which would then be added as an Appendix. It was agreed that the form should be used and further discussed at next year's meeting on MCS measures. The "Form for the Report of Inspections Under the ICCAT Joint Scheme of International Inspection is attached in **ANNEX 7.2**

– *Change to ICCAT Vessel List requirements*

The United States introduced two draft Recommendations. The first document would require vessels 20 meters and over to be reported and recorded on the ICCAT list of authorized vessels, a change from the current 24 meters. If this amendment was accepted, there would be a need to amend several other ICCAT recommendations so they would conform to the new 20-meter standard. These conforming amendments were presented in the second draft Recommendation above. The United States noted that the amendments would not change the ICCAT definition of a large-scale fishing vessel.

The EC agreed that the requirement for vessels to be listed should be changed to 20 meters but that there should not be an automatic change to all recommendations affecting listed vessels without first examining the implications of the changes.

The Chair confirmed that the document, as proposed, would only amend the length criteria for posting vessels to the ICCAT list. Other measures, which impose requirements on listed vessels, would have to be addressed in the future. With that clarification, the *Recommendation by ICCAT Amending Three Recommendations in Conformity with the 2009 Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area* document was adopted by the Committee (see **ANNEX 5 [Rec. 09-09]**).

10. Adoption of the report and adjournment

The Chair thanked the interpreters, the ICCAT Secretariat, and the Rapporteur for their work. The Chair also acknowledged the extraordinary efforts of the Parties to improve compliance with ICCAT measures and to enhance the transparency of the compliance process.

The Report of the Compliance Committee was adopted by correspondence.

The 2009 Compliance Committee adjourned on Sunday, November 15.

Appendix 1 to ANNEX 10**Agenda**

1. Opening of the Meeting
2. Appointment of Rapporteur
3. Adoption of the Agenda
4. Review of the Report of the inter-sessional meeting of the Compliance Committee (Barcelona, March 2009)
5. Review of implementation of and compliance with the ICCAT requirements
 - 5.1 Statistical requirements
 - 5.2 Bluefin tuna management measures
 - 5.3 Bluefin Tuna Catch Documentation Scheme; swordfish and bigeye statistical documents
 - 5.4 Other conservation and management measures
 - 5.5 Compliance with quotas, catch limits and minimum size
 - 5.6 Review of reports submitted pursuant to the implementation of Recs. 06-14 and 08-09
6. Review of the ICCAT Regional Observer Programs (ROP) and consideration of any necessary actions
 - Implementation and results to date of the ICCAT Regional Observer Program (transshipment)
 - Reports from Contracting Parties participating in the Regional Observer Program
 - Implementation and results to date of the ICCAT Regional Observer Program (bluefin farms)
 - Selection of agency for future implementation of the Bluefin Tuna Regional Observer Program
7. Actions required in relation to issues of non-compliance by Contracting Parties arising from Items 4, 5 and 6
8. Election of Chair
9. Other matters
10. Adoption of Report and adjournment

Compliance Tables Adopted in 2009

(Compliance in year 2008, reported in 2009)

1. General

In the draft Compliance Tables, figures in **bold** indicate that the figures have been reported by the Contracting Party on a Reporting Table, in accordance with Recommendation 98-14. As adopted by the Commission (at the 17th Regular Meeting, Murcia, Spain, November 2001), where no catch figures have been reported by CPCs, Task I data have been used, which may in some cases include SCRS estimates. Where catch figures have been reported, but no balances and adjustments, these have been calculated by the Secretariat, usually on an annual basis.

Please note that in some cases where arithmetic may seem to be erroneous, this is due to calculations which have been carried over from previous tables, as only current management periods are shown.

2. Species specific

2.1 Northern albacore

General: Over-harvests must be adjusted and under-harvests of up to 50% of the initial catch limit/quota may be carried over to the following year or biennially [Recs. 03-06 and 06-04].

Specific: Japan shall endeavor to limit its total northern albacore catch to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic [Recs. 03-06 and 06-04].

100 t of the Chinese Taipei northern albacore catch limit will be transferred to St. Vincent and the Grenadines for 2008 and 2009.

2.2 Southern albacore

General: Over-harvests must be adjusted, but under-harvests cannot be carried over [Rec. 04-04, 07-03].

Specific: Japan shall endeavor to limit its total southern albacore catch to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic South of 5°N [Rec. 04-04, 07-03].

CPCs actively fishing for southern albacore are Brazil, Namibia, South Africa and Chinese Taipei, which share a TAC of 26,336.3 t [Rec. 04-04, 07-03]. This sharing arrangement was agreed within Panel 3 in 2007 but is not reflected in Recommendation 07-03.

2.3 Northern swordfish

General: Over-harvests must be adjusted, and under-harvests may be carried over to the following year or biennially. Starting in 2007, not more than 50% of the initial catch limit may be carried over [Recs. 02-02 and 06-02].

Specific: USA may harvest up to 200 t of its annual catch limit within the area between 5°N and 5°S. 25t is transferred from the USA catch limit to Canada for the years 2003-2008 inclusive.

20 t of the catch limit of UK (OTs) is transferred to France (St. Pierre & Miquelon) for the years 2007 and 2008 [Rec. 06-02].

Japan's catch limit shall be considered in light of the two-year period. Under-harvests from 2006 may be added to the total two-year catch limit. Japan shall be allowed to count up to 400 t of its North swordfish catch East of 35°W and South of 15°N against its South Atlantic swordfish under-harvest. [Recs. 02-02 and 06-02]

2.4 Southern swordfish

General: Over-harvests must be adjusted, but under-harvests may not be carried over for the period 2003-2006 (subject to the exceptions below) [Rec. 02-03]. From 2007-2009, under-harvest of up to 50% of the initial catch limit/quota may be carried over to the following year or biennially [Rec. 06-03].

Specific: Japan and USA may carry over under-harvests of the period 2002-2006 [Rec. 02-03], as can those who lodged an objection to Rec. 97-08 (Brazil, South Africa and Uruguay).

Japan, USA and Chinese Taipei may carry over the following amounts from 2006 to 2007: Japan = up to 800 t; USA= up to 100 t; Chinese Taipei up to 400 t [Rec. 06-03].

100 t transferred from Japan to Chinese Taipei in 2003 [Rec. 03-05].

Japan shall be allowed to count up to 400t of its North swordfish catch East of 35°W and South of 15°N against its South Atlantic swordfish under-harvest [02-03 and 06-03].

Brazil may harvest up to 200t of its annual catch limit within the area between 5°N and 15°N [Recs. 02-03 and 06-03].

2.5 Bluefin tuna east

General: For under-harvests in 2005 and 2006, not more than 50% of under-harvests can be carried over either to 2007 or in accordance with the carry over plans submitted and approved in 2007. No other carryover of under-harvests is permitted from 2007 onwards. Over-harvests in 2005 and 2006 shall not be deducted from future allocations [Rec. 06-05].

Specific: Turkey has lodged an objection to the quota allocation for 2007-2010 (Annex 4 of Rec. 08-05).

2.6 Bluefin tuna west

General: Over-harvests must be adjusted, and under-harvests may be carried over to the following year for the years 1998-2006 [Rec. 98-07]. From 2007, carry over of under-harvest may not exceed 50% of the initial TAC allocation, except for quotas of 25 t or less [Rec. 06-06].

Specific: 100 t transferred from the USA under-harvest to Mexico for the years 2007 and 2008 [Rec. 06-06].

50 t transferred from the USA under-harvest to Canada for the years 2007 and 2008 [Rec. 06-06].

Canada, Japan and USA may add 50% of unused dead discard allowance to their catch limits. 100% of over-harvest of discards must be deducted from their catch limits.

2.7 Bigeye

General: Over-harvests must be adjusted, and under-harvests of up to 30% of the quota may be carried over to the following year or biennially [Rec. 04-01].

Specific: Catch limit for Chinese Taipei for 2006 was set by Rec. 05-02.

1,250 t transferred from Japan to China and 1250 t transferred from Japan to Chinese Taipei in 2003 [Rec. 03-02]. 2000 t transferred from Japan to China for the years 2005-2008 [Rec. 05-03].

2.8 Marlins

General: Limits only apply to commercial longline and purse seine vessels. Adjustments may be made in accordance with Rec. 00-14. Only reported adjustments have been shown.

North Atlantic Albacore Compliance Table Adopted in 2009.

All quantities are in metric tons

YEAR	Initial catch limits					Current catches				Balance				Adjusted quota/catch limit					
	2005	2006	2007	2008	2009	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008	2009	2010
TAC	34500	34500	34500	30200	30200														
BARBADOS	200	200	200	200	200	10.9	9.0	7.0	7.0	189.1	191.0	293.0				300.0	300.0	300.0	
BELIZE	100	200	200	200	200	0.0	0.0	21.8	26.2	100.0	200.0	178.2	173.8	100.0	300.0	300.0	300.0	300.0	
BRAZIL	200	200	200	200	200	0.0	0.0	0.0	0.0	200.0	200.0	200.0		300.0	300.0	300.0	300.0	300.0	
CANADA	200	200	200	200	200	52.1	27.3	22.2	33.4	147.9	172.7	177.8	166.6	300.0	300.0	300.0	300.0	300.0	
CHINA	200	200	200	200	200	111.6	202.0	59.0	24.4	188.4	98.0	241.0	275.6	300.0	300.0	300.0	300.0	300.0	
E.C.	28712	28712	28712	25462	25462	34947.5	29232.1	17803.1	16397.6	15106.0	11588.4	25264.9	20652.8	50053.5	40820.5	43068.0	37050.4	31827.5	31827.5
FRANCE (St. P & M)	200	200	200	200	200	2.1	0.0	3.2	0.2	297.9	300.0	296.8	299.8	300.0	300.0	300.0	300.0	300.0	
JAPAN	615	692	709	708	?	1040.0	368.0	356.0	437.0					n.a	n.a	n.a	n.a	n.a	n.a
KOREA	200	200	200	200	200	59.0	31.0	37.0	10.0	141.0	169.0	263.0	290.0		300.0	300.0	300.0	300.0	
MAROC	200	200	200	200	200	178.0	98.0	96.0	99.0	102.0	202.0	204.0	201.0	280.0	300.0	300.0	300.0	300.0	
St. VINCENT		200	200	200	200		76.0	263.0	154.0		124.0	37.0	183.0		200.0	300.0	337.0	400.0	
TRINIDAD & TOBAGO	200	200	200	200	200	9.1	12.4	18.4	15.9	291.0	187.6	281.6	184.1	300.0	300.0	300.0	300.0	300.0	
UK-OT	200	200	200	200	200	1.0	0.0	0.2	0.2	199.0	200.0	299.8	299.8	300.0	300.0	300.0	300.0	300.0	
USA	607	607	607	538	538	486.5	399.6	532.1	248.0	239.1	446.5	378.8	593.5	725.6	846.1	910.5	672.5	672.5	
VANUATU	200	200	200	200	200	507.0	235.0	94.6	0.0	-307.0	-35.0	50.4				145.0	225.2	200.0	
VENEZUELA	270	270	270	250	250	175.0	321.0	375.0	222.0	-245.5	-296.5	-401.5		-70.5	24.5	-26.5	-151.5	-123.5	
CHINESE TAIPEI	4453	4453	4453	3950	3950	2540.0	2357.0	1297.0	1107.0	1913.0	2387.0	5069.0	4718.0	4453.0	4744.0	6366.0	5825.0	5825.0	
TOTAL CATCH						40108.9	33359.4	20978.6	18774.9										
Recommendation number	03-06	03-06	06-04	07-02	07-02									03-06	03-06	06-04	07-02	07-02	07-02

JAPAN is to endeavour to limit North Albacore catches to no more than 4% of its total bigeye tuna catch (6.8% in 2005, 2.1% in 2006, 2% in 2007 and 2.5% in 2008).

JAPAN: 2008 figures are provisional.

CHINESE TAIPEI: Adjusted quota of 2008 is 5825 t (5925 t = 3950 t + 3950 t * 50% - 100 t) due to the underage of 2006 exceeding 50% of 2008 catch quota and a transfer of 100 t to St. Vincent & The Grenadines.

CHINESE TAIPEI: Adjusted quota of 2009 is 5825 t (5925 t = 3950 t + 3950 t * 50% - 100 t) due to the underage of 2007 exceeding 50% of 2009 catch quota and a transfer of 100 t to St. Vincent & the Grenadines.

ST. VINCENT & THE GRENADINES: 2008 Adjusted quota includes 100 t transfer from Chinese Taipei .

TRINIDAD & TOBAGO: All landings are by-catches.

South Atlantic Albacore Compliance Table Adopted in 2009.

YEAR	Initial quota /catch limit					Reference years	Current catches				Balance				Adjusted quota (only applicable in case of overharvest)					
	2006	2007	2008	2009	2010	Average 1992-1996	2005	2006	2007	2008	2005	2006	2007	2008	2006	2007	2008	2009	2010	
TAC	30915	30915	29900	29900	29900															
BRAZIL	TAC share 27500					TAC share 26336.3*	TAC share 26336.3*	555.8	360.8	535.1	487.0	13324.2	8866.0	8826.0	11621.0					
NAMIBIA								3107.0	2245.0	1196.0	1958.0									
SOUTH AFRICA								3198.0	3735.0	3797.1	3468.0									
CHINESE TAIPEI								10730.0	12293.0	13146.0	9966.0									
BELIZE	360.0	360.0	360.0	360.0	360.0	327.0	0.0	54.4	31.9	31.0	180.0	54.4	328.1	31.1				360.0	510.0	
CHINA	100.0	100.0	100.0	100.0	100.0	0.0	94.9	100.0	35.0	24.6	5.1	0.0	65.0	75.0	n.a	n.a	n.a	n.a		
EC	1914.7	1914.7	1914.7	1914.7	1914.7	1740.6	621.2	705.1	782.9	1011.6	1293.5	1209.6	1132.0	903.1						
GUATAMALA	100.0	100.0	100.0	100.0	100.0			40.0												
JAPAN	394.0	402.0	391.0	?			320.0	295.0	797.0	1511.0										
KOREA	100.0	100.0	100.0	100.0	100.0	9.0	42.0	81.0	31.0	137.0	68.0	19.0	34.0	-37.0					63.0	
PANAMA	119.9	119.9	119.9	119.9	119.9	109.0	0.0		18.0	5.0	119.9									
PHILIPPINES	100.0	100.0	100.0	100.0	100.0	0.0	61.0	0.0	20.0	98										
ST V & G	100.0	100.0	100.0	100.0	100.0			65.0	160.0	47.0		35.0	-60.0	53.0	100.0	135.0	75.0	128.0		
UK-OT	100.0	100.0	100.0	100.0	100.0	40.0	0.0	62.0	45.0	94.8	100.0	38.0	55.0	5.2						
URUGUAY	100.0	100.0	100.0	100.0	100.0	40.0	32.0	93.0	34.0	59.0	68.0	7.0	66.0	41.0						
USA	100.0	100.0	100.0	100.0	100.0	0.2	0.0	0.0	0.0	0.0	100.0	100.0	100.0	100.0						
VANUATU	100.0	100.0	100.0	100.0	100.0		684.0	0.0	96.4		-584.0									
TOTAL CATCH							19351.0	20129.3	20725.4	18898.0										
Rec. number	04-04	04-04	07-03	07-03	07-03										04-04	04-04	07-03	07-03	07-03	

JAPAN is to 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 (3.0% in 2006, 7.9% in 2007 and 15.4% in 2008).

JAPAN: 2008 figures are provisional.

BELIZE 150 t of carry over from 2007 to 2008.

* The sharing arrangement with a TAC of 26,333.6 t was agreed within Panel 3 in 2007; however, only the total TAC is reported in Rec. 07-03.

North Atlantic Swordfish Compliance Table Adopted in 2009.

YEAR	Initial quota					Current catches				Balance				Adjusted quota					
	2005	2006	2007	2008	2009	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008	2009	2010
TAC	14000	14000	14000	14000	14000														
BARBADOS	25	25	45	45	45	38.7	39.0	27.0	39.0	2.8	-11.2	6.8		41.5	27.8	33.8	51.8	45.0	
BELIZE			130	130	130	0.0	0.0	8.7	1.0	0.0	0.0	121.3				130.0	195.0	195.0	
BRAZIL	50	50	50	50	50	0.0	0.0	0.0	0.0	50.0	50.0	50.0	50.0	100.0	100.0	100.0	100.0	100.0	
CANADA	1348	1348	1348	1348	1348	1557.9	1403.6	1266.2	1334.0	104.9	29.5	30.0	31.0	1662.8	1433.1	1296.2	1365.0	1343.2	
CHINA	75	75	75	75	75	108.0	72.0	85.0	91.0	5.2	3.0	11.0	5.0	113.2	75.0	96.0	96.0	96.0	
COTE D'IVOIRE			50	50	50	0.0	0.0			0.0	0.0					50.0	75.0	75.0	
EC	6718	6718	6718	6718	6718	6600.3	6491.6	6304.1	5069.2	1100.1	268.9	1514.0	1917.7	7700.4	6760.5	7818.1	6986.9	8232.0	
FRANCE (St. P & M)	35	35	40	40	40	48.4	0.0	82.0	47.6	18.8	48.3	-3.2	60.7	67.2	48.3	78.8	108.3	56.8	
JAPAN	842	842	842	842	842	760.0	820.0	1144.0	986.0	339.0	288.0	1653.0	1509.0	842.0	842.0	2797.0	2495.0	2351.0	
KOREA			50	50	50	51.0	21.0	195.0	160.5		-21.0	-145.0	-255.5				-95.0	-205.5	
MAROC	335	335	850	850	850	325.0	341.0	229.0	430.0	17.2	1.2	621.0	421.2	342.2	342.2	850.0	851.2	1275.0	
MEXICO	110	110	200	200	200	41.0	31.0	35.0	33.0	69.0	79.0	165.0	167.0	110	110	200	200	283.5	
PHILIPPINES			25	25	25	0.0	0.0	0.0	18.0									25.0	
SENEGAL			400	400	400	108.0	0.0	38.0	0.0									600.0	
ST V & G.			130	130	75	7.0		51.0	13.8	-7.0		24.0	37.0			130.0	99.0	112.0	
TRINIDAD & TOBAGO	125	125	125	125	125	91.0	19.2	28.5	49.0	56.9	105.8	96.5	76.0	147.9	181.9	188.0	188.0	188.0	
UK-OT	35	35	35	35	35	5.0	0.0	3.0	9.9	162.0	197.0	209.0	22.6	162.0	197.0	212.0	32.5	51.0	
USA	3907	3907	3907	3907	3907	2205.6	2261.8	2682.8	2530.0	6113.5	7758.7	3194.5	3330.5	8319.1	10020.5	5860.5	5860.5	5860.5	
VANUATU			25	25	25	29.0	14.0			-29.0	-14.0					25.0	25.0	25.0	
VENEZUELA	85	85	85	85	85	55.0	22.0	30.0	11.0	209.2	63.0			264.2	85.0	294.2	148.0	142.0	
CHINESE TAIPEI	310	310	270	270	270	140.0	172.0	103.0	82.0	170.0	160.0	302.0	323.0	310.0	332.0	405.0	405.0	405.0	
Recommendation number	02-02	02-02	06-02	06-02	06-02									02-02	02-02	02-02	06-02	06-02	06-02
DISCARDS																			
Canada						106.3	38.0	60.8	38.7										
USA																			
TOTAL DISCARDS																			
TOTAL CATCH						12132.2	11669.2	12285.3	10905.0										

CANADA: Includes 25 t transfer from USA in 2002-2009. 2007 discards have been deducted from 2009 quota. USA adjusted quota does not include this transfer.

JAPAN: Balance for 2004 includes 184 t allowances from Japanese S.SWO quota (Rec. 02-02). Balance for 2005 includes 257 t allowances from Japanese S. SWO quota (Rec. 02-02). and balance for 2006 includes 266 t allowance from Japanese S.SWO quota (Rec. 04-02). Total balances for the 2002-2006 period shall be applied to the 2007-2008 period (Rec. 06-02).

JAPAN: 2008 figures are provisional.

USA: Catches from 2005 to 2008 include discards.

UK-OT: 20 t transferred to France (SPM) from UK-OT for 2007 and 2008 (Rec. 06-02).

CHINESE TAIPEI: 2007 adjusted quota is 405 t (=270 t +270 t*50%) due to the underage of 2005 exceeding 50% of 2007 catch limit.

CHINESE TAIPEI: 2008 adjusted quota is 405 t (=270 t +270 t*50%) due to the underage of 2006 exceeding 50% of 2008 catch limit.

CHINESE TAIPEI: 2009 adjusted quota is 405 t (=270 t + 270 t*50%) due to the underage of 2007 exceeding 50% of 2009 catch limit.

SENEGAL: 50% of 2008 underage is adjusted to 2009 quota.

South Atlantic Swordfish Compliance Table Adopted in 2009.

YEAR	Initial quota				Current catches				Balance				Adjusted quota					
	2006	2007	2008	2009	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008	2009	2010
TAC	16055	17000	17000	17000														
ANGOLA		100	100	100	3.00													
BELIZE		150	150	150	0.0	0.0	119.70	32.00			30.00	88.00			150.00		210.00	
BRAZIL	4365	4720	4720	4720	3785.5	4430.2	4152.50	3407.00	2871.6	2806.40	3373.90	3673.00	6657.10	7236.6	7526.40	7080.00	7080.00	
CHINA	315	315	315	315	91.3	300.00	473.00	470.00	260.9	15.00	-1.00	2.00	352.20	315.00	472.00	472.00	421.00	
CHINESE TAIPEI	720	550	550	550	744.00	377.00	671.00	727.00	52.00	395.00	274.00	97.00	796.00	772.00	945.00	824.00	647.00	
COTE D'IVOIRE	100	150	150	150	75.00	39.47	17.41	90.00	25.00	60.52	132.59					225.00	227.00	
EC	5780	5780	5780	5780	5894.60	5741.90	5798.40	4417.10	-44.60	-6.50	-63.00	1356.40			5735.40	5773.50	5717.00	6458.20
GABON					0.00													
GHANA		100	100	100	55.00	32.00	65.00	177.00			35.00				100.00	135.00	58.00	
JAPAN	1500	1315	1215	1080	709.00	1498.00	1422.00	803.00	3534.00	2736.00	693.00	1105.00	4243.00	4234.00	2115.00	1908.00	1880.00	
KOREA	0	50	50	50	65.00	98.00	94.00	76.50			-44.00	-70.50			50.00	6.00	-20.50	
NAMIBIA	1140	1400	1400	1400	919.00	1454.40	1829.00	1239.00	221.00	-314.40	-212.00				825.60	1188.00	1349.00	
PHILIPPINES		50	50	50	1.00	12.00	58.40	45.00									50.00	
SAO TOME & PRINCIPE	0	100	100	100	147.00	138.00		138.00							100.00		100.00	
SENEGAL		300	400	500		0.00	77.00	138.80			223.00	271.20			300.00		411.00	462.00
SOUTH AFRICA	1140	1200	1200	1200	199.00	185.50	207.00	142.00	2201.00	3155.50	4148.00	1658.00	2400.00	3341.00	4355.00	1800.00	1800.00	
UK-OT	25	25	25	25	0.00	0.00	0.00	0.00	25.00	25.00	25.00	37.50				37.50	37.50	
URUGUAY	850	1500	1500	1500	843.00	620.00	464.00	370.00	-248.00	-18.00	1018.00	1130.00	595.00	602.00	1482.00	1500.00	2250.00	
USA	100	100	100	100	0.00	0.00	0.00	0.00	100.00	100.00	200.00	200.00	544.60	644.60	200.00	200.00	200.00	
VANUATU		20	20	20			5.53	6.00									20.00	
RUSSIA					1.00				-1.00									
TOTAL					9655.60	10496.27	15453.94	12278.40										
Recommendation number	02-03	06-03	06-03	06-03									02-03	02-03	06-03	06-03	06-03	06-03

No carry over is allowed for S-SWO in 2002-2006 unless specifically stated in Rec. 02-03 or in cases where a party objected to Rec. 97-08, as in the case of Brazil, South Africa and Uruguay.

JAPAN: Adjusted quota in 2005 and 2006 exclude 257 t and 266 t, respectively, to count as Japanese N-SWO catch (Rec. 02-03). Japanese underages in 2006 are carried over to 2007

up to 800 t (Rec. 06-03).

JAPAN: 2008 figures are provisional.

CHINESE TAIPEI: 2008 adjusted quota includes 274 t of 2007 underage.

CHINESE TAIPEI: 2009 adjusted quota includes 97t of 2008 underage.

SOUTH AFRICA will transfer 600 t of its uncaught quota of 2007 to 2009 providing an adjusted quota of 1800 t for 2009.

East Atlantic Bluefin Tuna Compliance Table Adopted in 2009.

YEAR	Initial quota					Current catch				Balance				Adjusted quota						
	2005	2006	2007	2008	2009	2010	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008	2009	2010
TAC	32000.00	32000.00	29500.00	28500.00	22000.01	19950.00														
ALBANIA					50.00	50.00														50.00
ALGERIE	1600.00	1700.00	1511.27	1460.04	1117.42	1012.13	1530.00	1698.00	1511.00	1311.00	-7.00	-2.00	0.00	149.00	1523.00	1693.00	1511.27	1460.04	1117.42	
CHINA	74.00	74.00	65.78	63.55	61.32	56.86	23.7	42.00	72.00	119.00	105.00	75.78	31.67	-17.56	128.7	117.78	103.67	101.44	43.76	
CROATIA	945.0	970.0	862.31	833.08	641.45	581.51	1017.0	1022.6	825.31	834.03	52.0	-0.6	36.90	-0.10	1069.0	1022.0	862.31	833.08	640.00	
EGYPT					50.00	50.00														50.00
EC	18331.00	18301.00	16779.55	16210.75	12406.62	11237.59	20600.30	19166.50	21801.30	14963.50	-2269.30	-865.50	-5021.75	1247.30	18331.00	18301.00	16779.55	16210.75	11906.62	
EC-Malta	Others quota		355.59	343.54			345.60	263.00									355.59	343.54		
EC-Cyprus	Others quota		154.68	149.44			148.80	110.00									154.68	149.44		
ICELAND	50.00	60.00	53.34	51.53	49.72	46.11	0.00	0.00	0.00	50.00	50.00	60.00	53.34	1.53	Balance to EC				51.53	0.72
JAPAN	2890.00	2830.00	2515.82	2430.54	1871.44	1696.57	3022.00	1760.00	2238.24	2254.30	-40.00	1030.00	792.68	176.25	2982.00	2790.00	3030.92	2430.54	1871.44	
KOREA	1728.90	741.90	177.80	171.77	132.26	119.00	987.00	68.00	276.00	335.00	741.90	673.90	166.95	3.72	1728.90	741.90	347.80	338.72	132.26	
LIBYA	1400.00	1440.00	1280.14	1236.74	946.52	857.33	1090.70	1254.00	1359.00	1317.80	843.50	1029.50	0.00	64.19	1934.20	2283.50	1359.00	1381.99	1091.52	
MAROC	3127.00	3177.00	2824.30	2728.56	2088.26	1891.49	2497.00	2386.00	3059.00	2478.00	1054.00	1562.00	92.30		3551.00	3948.00	3151.30	3055.50	2415.26	
NORWAY	under others quota		53.34	51.53	49.72	46.11	0.00	0.00	0.00	0.29			53.34				53.34	51.53	49.72	
SYRIA			53.34	51.53	50.00	50.00			49.60	40.50							53.34	51.53	50.00	
TUNISIE	2583.00	2625.00	2333.58	2254.48	1735.87	1573.67	3249.00	2545.00	2195.00	2679.24	948.00	1028.00	138.60	-314.76	4197.00	3573.00	2333.60	2364.48	1937.87	
TURKEY			918.32	887.19	683.11	619.28	990.00	806.00	879.07	879.17			8.12				918.00	879.17	665.47	
CHINESE TAIPEI	331.00	480.00	71.12	68.71	66.30	61.48	277.00	9.00	0.00	0.00	54.00	471.00	68.71	68.71	331.00	480.00	333.60	68.71	0.00	
TOTAL CATCH							34737.4	30107.5	34265.5	27261.8										
Rec. number	02-08	02-08	06-08	06-08	08-05										02-08	02-08	06-08	06-08	08-05	08-05

ALGERIA: Transfer of 90 t of its 2009 quota to 2011 (1117.42 t - 90 t = 1027.42 t, is the quota for 2009).

CHINA: Adjusted quota for 2008 is 101.44 t: half of balance in 2006 (75.8 t) to be adjusted in 2008. Overages in 2008 will be paid back in 2009.

LIBYA: the underage in 2005 and 2006 may be carried over to 2009 and 2010 with 145 t in 2009 and in 2010 respectively [Rec.08-05].

JAPAN: 2008 figures are provisional.

TURKEY: Turkey has lodged an objection to the quotas for 2007-2010 (Annex 4 of Rec. 08-05).

TUNISIA: Has indicated that it intends to distribute its under harvest of 514 t over the period up to 2010 as follows: 2008 = 110 t; 2009= 202 t and 2010= 202 t.

MOROCCO: Quotas for 2007 and 2010 are adjusted as follows: Balance of 2005+2006 x 50% = 1308 t. This will be spread over 4 years by adding 327 t per year to initial quota.

CHINESE TAIPEI: Adjusted quota of 2007 includes 50% of underharvest of 2005 + 2006. 2009 quota is carried over to 2011 (Rec.08-05).

EC: Rec. 08-05 requires that 4020.00 t of the 5021.75 t overharvest in 2007 is to be deducted over 2009-2012 (500 t in 2009 and 2010, 1510 t in 2011 and 2012).

ICELAND: Transfer of 49 t of 2009 quota to 2011.

KOREA: 336.95 t (50% of underage in 2006) was spread over the years 2007 (170 t) and 2008 (166.95 t).

West Atlantic Bluefin Tuna Compliance Table Adopted in 2009.

YEAR	Initial quota						Current catches				Balance				Adjusted quota/limit						
	2005	2006	2007	2008	2009	2010	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008	2009	2010	
TAC	2700	2700	2100	2100	1900	1800															
CANADA	620.15	620.15	546.4	546.4	505.29	495	599.7	732.9	491.70	574.8	134.9	25.00	79.70	51.4	731.8	755.1	571.4	626.2	556.7		
FRANCE (St. P & M)	4.00	4.00	4.00	4.00	4.00	4.00	4.90	0.00	4.4	3.1	8.8	12.8	12.4	13.3	13.7	12.8	16.8	16.4	17.3		
JAPAN	478.25	478.25	380.47	380.47	329.79	311.02	592.22	245.60	382.54	418.82	-119.46	113.19	111.12	72.77	472.76	358.79	493.66	491.59	402.56		
MEXICO	25.00	25.00	25.00	25.00	95.00	95.00	10.00	14.00	7.00	7.00	15.00	11.00	93.00	118.00	25.00	25.00	100.00	125.00	95.00		
UK-OT	4.00	4.00	4.00	4.00	4.00	4.00	0.00	0.00	0.00	0.00	23.80	27.80	31.80	35.8	23.80	27.80	31.80	35.80	4.00		
USA	1489.60	1489.60	1190.00	1190.12	1034.92	977.44	687.80	477.20	849.00	937.0	1193.6	2206.0	936.2	848.2	1881.4	2683.2	1785.2	1785.2	1552.4		
TOTAL LANDING							1893.82	1469.70	1734.64												
Discards	2005	2006	2007	2008	2009	2010	2005	2006	2007	2008	2005	2006	2007	2008	2005	2006	2007	2008	2009		
CANADA	5.6	5.6	n.a	n.a	n.a		0.00	0.00	0.70	0.0	5.6	5.6	n.a	n.a							
JAPAN	5.60	5.60	n.a	n.a			0.00	0.00	n.a		5.60	5.60	n.a		5.60	5.60	n.a	n.a			
USA	67.70	67.70	n.a				46.40	29.40			21.3										
TOTAL DISCARDS	73.3	73.3					46.4	29.4	0.7		26.9	11.2									
TOTAL REMOVAL							1940.2	1499.1	1735.3												
Rec. number	02-07	02-07	06-06	06-06	08-04	08-04									02-07	02-07	02-07	06-06	08-04	08-04	

JAPAN: 2008 figures are provisional.

USA balance for 2005 has been reduced by 125 t, 50 t of which is allocated to Canada and 75 t of which is allocated to Mexico for the year 2007.

USA balance for 2006 balance reduced by 150 t, 50 t of which is to be allocated to Canada and 100 t of which is to be allocated to Mexico in 2008.

CANADA: Balance and adjustments for 2004-2006 include 50% of unused dead discard allowance from the previous year. Includes a 73 t transfer from Mexico as per Rec. 08-04.

Bigeye Tuna Compliance Table Adopted in 2009

YEAR	Initial catch limit					Reference years		Current catches				Balance				Adjusted catch limits				
	2005	2006	2007	2008	2009	Average (91-92)	1999 (SCRS 2000)	2005	2006	2007	2008	2005	2006	2007	2008	2006	2007	2008	2009	2010
TAC	90000	90000	90000	90000	90000															
ANGOLA						0.0	0.0	75.0	0.0											
BARBADOS						0.0	0.0	21.8	18.0	14.0	14.0									
BELIZE						0.0	0.0	0.0	3.6	60.2	70.1									
BRAZIL						570.0	2024.0	1080.7	1479.3	1593.4	957.6									
CANADA						46.5	263.0	186.6	196.1	141.6	130.2									
CAP VERT						128.0	1.0	1092.0	1437.0	1147.0	1068.0									
CHINA	5400	5700	5900	5900	5900	0.0	7347.0	6200.2	7200.0	7399.0	5685.0	699.8	0.0	700.8	2415.8	7200.0	8099.8	8100.8	7900.0	
COTE D'IVOIRE						0.0	0.0	0.0	0.0	0.0	302.0									
EC	25000	24500	24000	24000	24000	26672.0	21970.0	19496.4	15552.5	13740.7	11780.5	24981.0	30955.2	17759.3	19569.5	46507.7	31500.0	31350.0	31200.0	31200.0
FRANCE (P & M)						0.0	0.0	5.8	0.0	2.2	2.6									
GABON						0.0	184.0	0.0	0.0											
GHANA	4000	4500	5000	5000	5000	3478.0	11460.0	2333.0	9141.0	4633.0	9269.0	341.0	-4538.7	-4077.4	4602.3	461.3	922.6	5000.0		
GUATEMALA						0.0	0.0	1003.0	999.0	836.0	998.0									
JAPAN	27000	26000	25000	25000	25000	32539.0	23690.0	15380.0	17295.0	17737.0	17704.0	9620.0	6705.0	5263.0	10559.0	24000.0	23000.0	28263.0	29900.0	
KOREA						834.0	124.0	681.0	1829.0	2136.0	2599.0									
LIBYA						254.0	0.0	0.0	4.0											
MAROC						0.0	700.0	519.0	887.0	700.0	802.0									
MEXICO						0.0	6.0	4.0	3.0	3.0	1.0	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a
NAMIBIA						0.0	423.0	436.0	436.6	41.0	146.0									
PANAMA	3500	3500	3500	3500	3500	8724.5	26.0	2310.0	2415.0	2922.0	2263.0	1190.0	1635.0	1128.0	4050.0	4050.0	4628.0	3500.0		
PHILIPPINES						0.0	943.0	1742.0	1815.0	2368.0	1874.0									
RUSSIA						0.0	8.0	1.0	1.0	26.0	-									
SAO TOME & P						0.0	0.0	6.0	4.0											
SENEGAL						7.0	0.0	721.0	1267.0	805.0										
SOUTH AFRICA						57.5	41.0	221.0	83.8	171.0	224.0	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	
St. V. & GR.						0.5			114.0	567.0	171.0									
TRINIDAD & T.						131.5	19.0	9.0	11.6	27.3	68.8									
UK-OT						6.5	8.0	1.0	25.0	18.5	28.3									
URUGUAY						38.0	59.0	62.0	83.0	22.0	27.0	n.a	n.a		n.a	n.a				
USA						893.5	1261.0	484.4	991.4	527.3	488.0									
VANUATU						0.0	0.0	403.0	52.0	132.0	131.8									
VENEZUELA						373.2	128.0	243.0	261.0	318.0	122.0									
CHINESE TAIPEI	16500	4600	16500	16500	16500	12698.0	16837.0	11984.0	2965.0	12116.0	10418.0	2916.0	1635.0	5700.0	61170.0	4600.0	17816.0	16535.0	19850.0	
NETH. ANTILLES						0.0	0.0	0.0	416.0	251.0	581.0									
TOTAL CATCH										70455.2	67925.9									
Rec. number	04-01	04-01, 05-02	04-01, 05-03, 06-01	04-01, 05-03, 06-01	08-01										04-01, 05-03, 06-01	04-01, 05-03, 06-01	04-01, 05-03, 06-01	08-01	08-01	

JAPAN: Adjusted quotas of Japan in 2005-2009 exclude 2000 t transferred to China (Res. 05-03 and Rec. 08-01).

JAPAN: 2008 figures are provisional.

CHINESE TAIPEI: 2005 adjusted quota has been reduced by 1600 t in accordance with the provision of Rec. 04-01.

CHINESE TAIPEI: 2007 adjusted quota has been reduced by 1600 t in accordance with the provision of Rec. 04-01 and plus 2916 t of 2005 underage (17816 t = 16500 t - 1600 t + 2916 t).

CHINESE TAIPEI: 2008 adjusted quota has been reduced by 1600 t in accordance with the provision of Rec. 04-01 and plus 1635 t of 2006 underage (16535 t = 16500 t - 1600 t + 1635 t).

CHINESE TAIPEI: 2009 adjusted quota has been reduced by 1600 t in accordance with Rec. 04-01 and plus 4950 t due to the underage of 2007 exceeding 30% of 2009 catch limit (19850 t = 16500 t - 1600 t + 4950 t).

White Marlin Compliance Table Adopted in 2009.

	Initial landings						Reference years		Current landings				Balance			
	2005	2006	2007	2008	2009	2010	1996	1999	2005	2006	2007	2008	2005	2006	2007	2008
							(PS+LL)	(PS+LL)	LL+PS	LL+PS	LL+PS		LL+PS	LL+PS	LL+PS	
BRAZIL	51.81	51.81	51.81	51.81	51.81	51.81	70.00	158.00	243.70	89.70	52.20	46.60				
CANADA	2.60	2.60	2.60	2.60	2.60	2.60	8.00	5.00	4.70	3.20	2.20	2.60	-2.4	-0.6	0.40	0.00
CHINA	9.90	9.90	9.90	9.90	9.90	9.90	9.00	30.00	8.60	5.60	9.90	4.50	1.3	4.3	0.00	5.40
COTE D'IVOIRE	2.31	2.31	2.31	2.31	2.31	2.31	1.00	7.00	0.00	0.00	0.00	1.60				
EC	46.50	46.50	46.50	46.50	46.50	46.50	148.00	127.00	30.00	79.40	48.40	67.60	18.80	-30.60	-1.90	-21.10
JAPAN	37.00	37.00	37.00	37.00	37.00	37.00	112.00	40.00	40.00	26.00	33.00	36.00	-3.00	11.00	4.00	1.00
KOREA	19.47	19.50	19.50	19.50	19.50	19.50	59.00	0.00	7.00	2.00	94.00	78.00	12.50	17.50	-74.50	-133.00
MEXICO	3.63	3.63	3.63	3.63	3.63	3.63	0.00	11.00	25.00	16.00	13.00	13.00	-21.40	-12.40	-9.40	-9.40
PHILIPPINES	4.00	3.96	3.96	3.96	3.96	3.96	0.00	12.00	0.00	0.00		1.20	3.96	4.00		
TRINIDAD & TOBAGO	4.30	4.30	4.30	4.30	4.30	4.30	8.20	13.00	5.90	5.40	12.10	10.30	-1.60	-1.10	-7.80	-6.00
VENEZUELA	50.04	50.04	50.04	50.04	50.00	50.00	152.00	43.00	27.10	6.00	24.00	10.00	22.90	44.00	26.00	
CHINESE TAIPEI	186.80	186.80	186.80	186.80	186.80	186.80	586.00	465.00	56.00	44.00	54.00	38.00	130.80	142.80	132.80	148.80
TOTAL	418.36	418.35	418.35	418.35	418.31	418.31			448.00	277.30	342.80	309.40				
USA(# of fish whm+bum)	250	250	250	250	250				143	130	98	117	107	120	152	133
<i>Recommendation number</i>	<i>02-13</i>	<i>02-13</i>	<i>06-09</i>	<i>06-09</i>	<i>06-09</i>											

BRAZIL: Reported catches in 2008 include live and dead releases. About 6.7 t of marlins discarded were recorded by the observers: 5.8 t live and 0.9 t dead.

MEXICO: Landings are only retained dead by-catch. All live marlins are released.

JAPAN: 2008 figures are provisional.

JAPAN: COC 2009 determined that carryover of underharvest is not authorised.

TRINIDAD & TOBAGO: Landings are only by-catches.

TRINIDAD & TOBAGO: Catch limits have been adjusted in accordance with Rec. 06-09 and revised historical statistics accepted by the SCRS at its 2009 meeting.

Blue Marlin Compliance Table Adopted in 2009.

	Initial limits						Reference years		Current landings				Balance			
	2005	2006	2007	2008	2009	2010	1996	1999	2005	2006	2007	2008	2005	2006	2007	2008
							(PS+LL)	(PS+LL)	LL+PS	LL+PS			LL+PS	LL+PS	LL+PS	
BARBADOS	9.50	9.50	9.50	9.50	9.50	9.50	0.00	19.00	0.00	0.00	0.00		9.50	9.50		
BELIZE							0.00	0.00			3.77					
BRAZIL	254.40	254.40	254.40	254.40	254.40	254.40	308.00	509.00	611.60	297.60	252.90	160.20				
CHINA	100.50	100.50	100.50	100.50	100.50	100.50	62.00	201.00	96.30	99.00	65.00	12.70	4.2	1.0	35.50	87.80
EC	103.00	103.00	103.00	103.00	103.00	103.00	206.00	200.00	47.00	166.30	174.30	158.60	56.00	-63.30	-71.30	-55.60
JAPAN	839.50	839.50	839.50	839.50	839.50	839.50	1679.00	790.00	487.00	767.00	911.00	1123.00	352.50	92.50	-71.50	-283.50
KOREA	72.00	72.00	72.00	72.00	72.00	72.00	144.00	0.00	36.00	6.00	0.00	0.00	36.00	66.00	0.00	0.00
MAROC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.00	0.00	0.00	0.00	-12.00	0.00		
MEXICO	17.50	17.50	17.50	17.50	17.50	17.50	13.00	35.00	86.00	64.00	91.00	81.00	-68.5	-46.50	-73.50	-63.50
PHILIPPINES	35.50	35.50	35.50	35.50	35.50	35.50	0.00	71.00	0.00	0.00		7.80	35.50	35.50		
SOUTH AFRICA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.90	1.60	0.00	0.00	-1.90	-1.60	
T & TOBAGO	9.90	9.90	9.90	9.90	9.90	9.90	13.90	19.70	6.90	12.00	14.50	34.00	3.00	-2.10	-4.60	-24.10
VENEZUELA	30.37	30.40	30.40	30.40	30.40	30.40	60.74	30.00	29.00	12.00	21.00	15.00	1.40	18.40	9.40	
CHINESE TAIPEI	330.00	330.00	330.00	330.00	330.00	330.00	660.00	486.00	151.00	99.00	233.00	148.00	179.00	231.00	97.00	182.00
TOTAL									1562.80	1524.80	1768.07	1740.30				
USA(whm+bum)	250	250	250	250	250	250			143	130	98	117	107	120	152	133
Rec. number	02-13	02-13	06-09	06-09	06-09	06-09										

BRAZIL: Reported catches for 2008 include live and dead releases. About 19.8 t of marlins discarded were recorded by the observers: 19.5 t live and 0.3 t dead.

MEXICO: Landings are only retained dead by-catch. All live marlin are released.

JAPAN: 2008 figures are provisional.

JAPAN: COC 2009 determined that carryover of underharvest is not authorised.

TRINIDAD & TOBAGO: Landings are only by-catches.

TRINIDAD & TOBAGO: Catch limits have been adjusted in accordance with Rec. 06-09 and revised historical statistics accepted by the SCRS at its 2009 meeting.

Compliance with Size Limits in 2008.

<i>Species</i>	<i>SWO</i>		<i>BFT</i>				
	<i>Area</i>	<i>AT.N</i>	<i>AT.S</i>	<i>AT.E</i>	<i>AT.E</i>	<i>AT.E</i>	<i>Adriatic</i>
<i>Recommendation Number</i>	06-02	06-02	06-05 for BB, TROL, TRAW <17 m	06-05 for BB, TROL, TRAW >17 m	06-05 all other gears	06-05 Catches taken for farming purposes	06-06
Min Weight (kg)	25 or 15		8	8	30	8	30
Min Size (cm)	125 or 119		--	--	--		115
Tolerance (% of total)	15% 125cm - 0% 119cm		10% of quota with max. 200 t between 6.4 and 8 kg per CPC	0%	8% between 10-30 kg	0%	10% of quota
Albania							
Algeria							
Angola							
Barbados							
Belize	n.a		n.a	n.a	n.a	n.a	n.a
Brazil		<15%					
Canada	<1%						<1%
Cap Vert							
China							
Côte d'Ivoire							
Croatia						0%	
EC	12.00%	5%		0%	<8%		
Egypt							
France (St. P & M)	0	n.a	n.a	n.a	n.a	n.a	n.a
Gabon							
Ghana	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Guinea Ecuatorial							
Guinée République							
Guatemala							
Honduras							
Iceland					0%		
Japan	<15%	<15%	n.a	n.a	0.01%	n.a	0.00%
Korea	<1%	<1%	n.a	n.a	n.a	n.a	n.a
Libya	n.a	n.a	n.a	n.a	0%	n.a	n.a
Maroc	<15%	n.a	0%	0%	0%	n.a	n.a
Mexico							0
Namibia							
Nicaragua							
Nigeria							
Norway	n.a	n.a	n.a	n.a	n.a	n.a	n.a
Panama							
Philippines							
Russia							
Sao Tome							
Senegal							
South Africa	n.a	0.10%	n.a	n.a	n.a	n.a	n.a
SVG	<1%	n.a	n.a	n.a	n.a	n.a	n.a
Syria							
Trinidad & Tobago	0	n.a	n.a	n.a	n.a	n.a	n.a
Tunisie	n.a	n.a	0%	0%	0%	n.a	n.a
Turkey	n.a	n.a	n.a	n.a	n.a	n.a	n.a
UK-OT	0	0	0	0	0	0	0
USA	1.55	0	n.a	n.a	n.a	n.a	5.1
Uruguay		10.00%					
Vanuatu							
Venezuela			n.a	n.a	n.a	n.a	n.a
Chinese Taipei	1.28%	2.04%	n.a	n.a	n.a	n.a	n.a
Guyana							
Neth. Antilles							

**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 2009 meeting of the PWG was opened on Thursday, 12 November, 2009, under the chairmanship of Ms. Sylvie Lapointe (Canada).

2. Appointment of the Rapporteur

Ms. Miriam García Ferrer (European Community) was designated rapporteur for the PWG meeting.

3. Adoption of the Agenda

The Agenda was adopted without any changes (attached as **Appendix 1 to ANNEX 11**).

4. Implementation and functioning of Statistical Document Programs

The Chair referred to the "Secretariat Report to the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures". The Secretariat had inserted a comment about the fact that some Contracting Parties continue to submit information on exports, using the biannual report forms for reporting imports and exports with re-export certificates. The Secretariat did not know how to treat this information as there is no requirement to submit information on exports under the existing recommendations. The Chair insisted that, as clarified at the 2008 Commission meeting, biannual reports of statistical documents should relate to imports and re-export reports should relate to imports which have been imported through a third party.

5. Implementation and functioning of the Bluefin Tuna Catch Document

The Chair referred to the problems encountered by the Secretariat in relation to the Bluefin Tuna Catch Document (BCD): BCDs were not being submitted within the time established (five working days following validation); problems of legibility of the documents; non-compliance with the sequence established for the numbering of BCDs; point of export and point of import information often not filled in, as well as information relative to the fishing gear or the geographic area.

In light of the challenges in the implementation of the BCD, Japan and the EC had submitted a proposal for a "Draft Recommendation by ICCAT Amending Recommendation 08-12 on an ICCAT Bluefin Tuna Catch Documentation Program". This had been discussed in a small working group on the margins of the meeting. Japan presented the document and explained that the proposal included instructions for the issuance, the numbering, the completion and the validation of the BCD in order to provide further clarity. Following discussions, it was not possible to reach agreement on the timing of validation (either before caging fish to farms, either before transferring fish to towing cages) and it was concluded that there would be no reference to this in the instructions. Furthermore, there was no consensus on the elimination of the derogation for small-scale fisheries requested by Turkey so the original text was maintained. Finally, the text on carry-over included in the recommendation was redrafted to ensure proper control of these activities.

The Delegate of the EC referred to the trade information to be completed by the importer and to the importance to be duly completed and transmitted to ICCAT. The EC would like this issue to be addressed in 2010. The Delegate of Japan expressed the difficulties to implement such a provision. Japan did try to provide a copy if requested but it was hesitant to put some wording in the recommendation.

The Chair agreed with some concerns raised during the PWG that reviewing the BCD should not be an annual exercise and that some time should be given for its implementation. The amended *Recommendation by ICCAT Amending Recommendation 08-12 on an ICCAT Bluefin Tuna Catch Documentation Program* was adopted (see ANNEX 5 [Rec. 09-11]).

6. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2006 Recommendation by ICCAT Concerning Trade Measures [Rec. 06-13]

The Commission agreed on the following "Actions to be Taken in Relation to non-Contracting Parties, Entities and Fishing Entities in 2009" (attached as **Appendix 2 to ANNEX 11**):

Bolivia: A response had been received to the letter sent in 2006 in relation to the request for information on two vessels that had been reported as IUU. As the information was not clear, the Commission agreed to maintain the sanctions and continue the correspondence in that regard.

Cambodia: Information relative to MCS actions taken by Cambodia had been requested following the decision in 2008 to maintain identification. Japan explained that, in the framework of bilateral contacts with Cambodia, it had asked Cambodia to address this issue. Considering the fact that the information remained unclear, it was decided to maintain the identification and request further information.

Georgia: Trade sanctions had been maintained for a number of years. It was noted that very active correspondence with Georgia had taken place since then. Given the fact that Georgia was considering to request Cooperating Status, the Commission should send a more positive message, although trade sanctions would still be maintained. The Chair encouraged Contracting Parties to address this issue in the framework of their bilateral contacts with Georgia.

Sierra Leone: The Chair proposed to delete Sierra Leone from the list as it had become an ICCAT Contracting Party, valid October 2008, and this would be dealt with by the Compliance Committee.

Togo: No action was required as the identification had been lifted in 2008 and a letter had been sent thanking Togo for its cooperation.

The Chairman's letters to Cambodia, Bolivia and Georgia are attached as **Appendix 3 to ANNEX 11**.

The Chair referred to the Secretariat Report to the PWG for the improvement of ICCAT statistics and conservation measures and notably to the trade information reported under the ICCAT Statistical Document and Catch Document Programmes. It showed imports from Oman and Ecuador in 2008. The United States explained that the case of Oman was not relevant to ICCAT as the products in question imported into the United States were labelled wrongly as Mediterranean when they were from the Indian Ocean. In relation to Ecuador, the United States noted that questions had been raised about the validity of statistical documents for some imports of swordfish and was investigating them. In light of the concerns about this case, the Chair concluded that the United States would inform the PWG at a later meeting about the results of its investigations. There was one remark on the Secretariat report concerning the lack of definition of "relevant information" in the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13]. Considering that several Contracting Parties have requested clarifications on the latter from the Secretariat, the Chair welcomed any suggestions.

7. Review and development of the IUU vessel list pursuant to Recommendations 06-12 and 07-09

The Chair explained that, as the normal procedure for incorporating lists from other tuna RFMOs had not been respected, the list of IUU vessels from IATTC had been included as an Addendum to the provisional list of IUU vessels. A vessel from Chinese Taipei had been wrongly removed from the IUU list and had, therefore, been included again. Chinese Taipei stressed that it had taken the necessary actions to meet the criteria for not including this vessel in ICCAT's provisional list, following inclusion in the WCPFC list. It explained that the procedure for listing and delisting vessels in WCPFC was still pending final settlement. China requested the removal of this vessel from the final ICCAT IUU list. China's proposal receiving no objection, the vessel was removed from the list but it was made clear that this action would be without prejudice to the listing decision to be taken by WCPFC the following month.

The "2009 List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area" was adopted (attached as **Appendix 4 to ANNEX 11**).

The United States gave an overview of a proposal presented jointly with Canada and Norway. The proposal referred to a joint recommendation further amending 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. The aim was to incorporate the recommendations of the Working Group on the Future of ICCAT, and to respond to the call from the joint tuna RFMO process to harmonize the IUU vessel lists as much as possible. The amended *Recommendation by ICCAT Further Amending 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* is attached in **ANNEX 5 [Rec. 09-10]**.

8. Requests for Cooperating Status

The status of the three current countries that enjoy Cooperating Status was renewed without objection. Although it was not necessary, Netherlands Antilles had renewed its request for Cooperating Status. Japan asked Chinese Taipei to ensure appropriate controls of Chinese Taipei investments in foreign countries in relation to fishing activities of small-scale long liners. The Chair concluded that this would be reflected in the report. Chinese Taipei confirmed it was fully complying with all ICCAT measures for its vessels. For those small-scale longline vessels flying flags of other countries but invested in by its nationals, Chinese Taipei stressed the responsibility for observing the measures by those vessels should be the flag States. Nevertheless, Chinese Taipei is determined to collect all the information available in relation to those foreign vessels' fishing activities with the cooperation of the States concerned.

The Chair explained that an application for Cooperating Status had been received from Colombia. From the information available, there was one Colombian flagged vessel operating in ICCAT Convention area taking small quantities of tuna and tuna like species, and some shark. Colombia also issued licenses to ICCAT CPCs to fish for these species in Colombia waters. This request was widely supported by the Commission and further information was requested (notably on the species it was fishing for and on the number of third country flag vessels fishing in Colombian waters). The Chair welcomed Colombia to ICCAT and explained that the additional information would be circulated.

9. Election of the Chair

Mr. André Share, the Delegate of South Africa, was elected by consensus the next Chair of the PWG.

10. Other matters

The Chair explained that the COC had referred to the PWG the discussion on a "Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs", proposed by the United States. The United States had put forward this proposal to reflect the outcome of long discussions on this subject. The key points were the inclusion of minimum standards for observer coverage and data collection of the total catch and other aspects of the fishing operation. The SCRS would, first in 2010 and periodically thereafter, review the scientific data collection requirements set out in the recommendation in order to advise on any adjustments and improve its effectiveness. There was a need to improve the data collection and it would also incorporate the ecosystem approach to management.

From the discussion, it was clear that Parties were not ready yet to adopt the recommendation. Several delegates had concerns about the costs that such increased coverage would represent. There was a commitment from the PWG to move forward on this issue and to find the appropriate body to pursue discussions, such as the Working Group on Integrated Monitoring Measures. The Chair asked CPCs to provide information on existing observer programs. Discussion ensued on the "Draft Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Observer Programs" which is attached to this report for reference (see **Appendix 5 to ANNEX 11**).

The Chair drew the attention to two of the recommendations of the Report on the Future of ICCAT that fell within the competence of the PWG: to continue working on the catch documentation scheme and other market

measures, including moving from the statistical documents to catch documentation schemes; to enhance and strengthen the participation of non-parties to the Convention.

11. Adoption of the report and adjournment

The 2009 Report of the PWG was adopted by correspondence.

The 2009 meeting of the PWG was adjourned.

Appendix 1 to ANNEX 11

Agenda

1. Opening of the meeting
2. Appointment of the Rapporteur
3. Adoption of the Agenda
4. Implementation and functioning of Statistical Document Programs
5. Implementation and functioning of the Bluefin Tuna Catch Document Scheme
6. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2006 *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13]
7. Review and development of the IUU vessel list pursuant to Recommendations 06-12 and 07-09
8. Requests for Cooperating Status
9. Other matters
10. Adoption of the report and adjournment

Appendix 2 to ANNEX 11

Actions to be Taken in Relation to non-Contracting Parties, Entities and Fishing Entities in 2009

	<i>2008 Actions</i>	<i>Direct Response to Chair's letter</i>	<i>Catch data reported</i>	<i>SDP validation information provided</i>	<i>Reported as IUU under 06-12 or 07-09</i>	<i>Unreported Atlantic catch estimates from SDP 2007/08</i>	<i>Unreported catch estimate from other trade data</i>	<i>Observations/ other information</i>	<i>2009 Actions</i>
COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES									
CHINESE TAIPEI	Cooperating Status renewed. Secretariat to send letter informing Chinese Taipei of this.	Yes	Yes	Yes	Yes, but see ICCAT IUU List	No	No	Explanation and report on actions taken has been provided by Chinese Taipei in relation to possible IUU activities of <i>Jinn FengTsair No. 1</i>	Cooperating Status renewed. Secretariat to send letter informing Chinese Taipei of this.
COLOMBIA	Not applicable	Not applicable	Yes (partial)	No	No	No	No		Cooperating Status granted. Chair to send letter informing Colombia of decision and outlining information required and on species caught and third party vessels
GUYANA	Cooperating Status renewed. Secretariat to send letter informing Guyana of this.	Yes	No	No (no export of these species).	No	No	No		Cooperating status renewed. Secretariat to send letter informing Guyana of this.
NETHERLANDS ANTILLES	Cooperating Status renewed. Secretariat to send letter informing Netherlands Antilles of this.	Yes	Yes	No (may not be relevant).	No	No	No		Cooperating Status renewed. Secretariat to send letter informing Netherland Antilles of this.

OTHER NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES									
BOLIVIA	Maintain sanctions and send a letter to Bolivia requesting precise information required by the Commission.	Response received to letter sent in 2006, and in relation to request for information on two vessels.	No	No	Yes - 2 vessels issued with special license. See ICCAT IUU List for more details.	Not since 2005.	No		Maintain sanctions. Chair to send letter requesting more information.
CAMBODIA	Maintain identification as insufficient information to warrant further steps. Send a letter to Cambodia informing them and requesting information required by the Commission. Japan to maintain further bi-lateral contacts.	Yes	No	No	No	No	No		Maintain identification. Chair to send letter encouraging efforts and requesting more information.
GEORGIA	Maintain sanctions.	Yes	No	No	No	No	No		Maintain sanctions. Chair to send letter thanking responses and encouraging efforts. Request additional information on target species and encourage Georgia to become member or seek cooperating status. Secretariat will endeavor to solicit responses. Also encourage parties to reach out bilaterally to Georgia.

Appendix 3 to ANNEX 11

**Commission Chairman's Letters to
Non-Contracting Parties, Entities or Fishing Entities**

1. Maintain sanctions in 2010– *Bolivia*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2009 annual meeting, the Commission took a decision to continue the prohibition on the import of bigeye tuna and its products in any form from Bolivia by ICCAT Contracting Parties, as well as those non-Contracting Parties, Entities or Fishing Entities with Cooperating Status, in accordance with the Commission's *Recommendation by ICCAT Regarding Bolivia Pursuant to the 1998 Resolution concerning the unreported and unregulated catches of tuna by large-scale longline vessels in the Convention Area* [Rec. 02-17], a copy of which 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], which has since been replaced by the *Recommendation by ICCAT concerning Trade Measures* [Rec. 06-13].

As you will recall, the Commission imposed trade sanctions on Bolivia in 2002 due to evidence of an increasing number of IUU vessels operating under the Bolivian flag at that time, full details of which were again sent to your administration by the ICCAT Secretariat in 2007, and due to the increase in landings and transshipments of bigeye by these vessels.

The Commission was very encouraged to learn from previous correspondence that Bolivia was taking actions to ensure full monitoring and control of its vessels and intended to abide by the conservation and management measures currently in place, but regretted that no information indicating that such measures had been completed had yet been received, despite acknowledgement of my letter of 18 December 2008.

In order to reconsider its position *vis à vis* Bolivia, the Commission would be grateful to receive detailed information on the following:

- 1) the specific measures relating to monitoring, control and surveillance which Bolivia has adopted with respect to its fishing vessels;
- 2) Bolivia's total catch of Atlantic tuna and tuna-like species since 2002, by gear and area. A list of the species currently covered by the ICCAT mandate is attached for your information;
- 3) the markets to which Bolivia exports bigeye tuna and/or its products.

In the event of the Commission receiving, at least 30 days prior to the next Commission meeting, full information as outlined above and is satisfied that Bolivia has demonstrated positive action, the Commission will reconsider the issue, and sanctions may be lifted at that time. The next Commission meeting will be held in Paris, France, 15-21 November 2010.

In closing, the Commission would like to invite Bolivia to participate in the 2010 ICCAT meeting as an observer. Further, the Commission would remind Bolivia that it can join ICCAT or seek cooperating status if Bolivia 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]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

– *Georgia*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2009 annual meeting the Commission took a decision 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

non-Contracting Parties, Entities or Fishing Entities with Cooperating Status, in accordance with the Commission's *Recommendation by ICCAT Regarding Bigeye Tuna Trade Restrictive Measures on Georgia* [Rec. 03-18] a copy of which 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], which has since been replaced by the *Recommendation by ICCAT concerning Trade Measures* [Rec. 06-13]

The Commission is very encouraged by the correspondence received from Georgia in 2009, indicating that Georgia has taken measures to ensure that no illegal, unreported or unregulated fishing activities occur in the ICCAT Convention area. Notwithstanding, some concerns remained in relation to the two vessels reported to be fishing in the Atlantic Ocean, and it would be appreciated if further information on the activities of these vessels, including the type of fishing operations and the species caught, could be sent to the Commission for further review.

In the event of the Commission receiving, at least 30 days prior to the next Commission meeting, full information as outlined above and is satisfied that Georgia has demonstrated positive action, the Commission will reconsider the issue, and sanctions may be lifted at that time. The next Commission meeting will be held in Paris, France, 15-21, November 2010, and it is hoped that a positive conclusion can be reached at that time

In closing, the Commission would like to invite Georgia to participate in the 2010 ICCAT meeting as an observer. Information concerning that meeting will be furnished in due course. Further, the Commission would remind Georgia that it can join ICCAT or seek cooperating status if Georgia 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]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

2. Maintain Identification in 2010

– Cambodia

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2009 annual meeting of ICCAT, the Commission decided to continue to identify Cambodia in accordance with the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

As you will recall, trade restrictive measures had previously been placed on bigeye tuna products from Cambodia as a result of illegal, unreported and unregulated (IUU) activities of fishing vessels flying the flag of Cambodia. These trade restrictive measures were lifted in 2004 as a result of subsequent cooperation by Cambodia and recognition of its efforts to deregister vessels involved in IUU activities.

The Commission was encouraged by the correspondence maintained with the Secretariat in 2008 and is grateful for the continuing efforts made by Cambodia. Nevertheless, the Commission would be grateful to receive detailed information regarding your MCS measures, and process and rules for vessel registration, as well as confirmation that Cambodia has submitted to the Food and Agriculture Organization (FAO) information on those Cambodian vessels that fish on the high seas, which is required by the FAO Compliance Agreement.

The Commission will again review the situation of Cambodia at its next meeting, scheduled to be held in Paris, France, 15-21, November 2010. Information concerning actions taken by Cambodia relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. The Commission sincerely hopes that the information requested can be supplied by that time, in order to reach a positive decision in relation to Cambodia.

In closing, the Commission would like to invite Cambodia to participate in the 2010 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind Cambodia that it can join ICCAT or seek Cooperating Status if Cambodia 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]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

2009 List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC/RFMO</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20040005	Not available	JAPAN- sighting of tuna longliner in the Convention area, not on ICCAT Record of Vessels	24/08/2004	1788	Unknown	Unknown	BRAVO	NO INFO	T8AN3	NO INFO	NO INFO	AT	
20040006	Not available	JAPAN- Reefer company provided documents showing frozen tuna had been transhiped.	16/11/2004	PWG-122	Unknown	Unknown	OCEAN DIAMOND	NO INFO	NO INFO	NO INFO	NO INFO	AT	
20040007	Not available	JAPAN- Communications between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic	16/11/2004	PWG-122	Unknown	Unknown	MADURA 2	NO INFO	NO INFO	(P.T. PROVISIT)	(Indonesia)	AT	

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC/RFMO</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20040008	Not available	JAPAN-Communications between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic	16/11/2004	PWG-122	Unknown	Unknown	MADURA 3	NO INFO	NO INFO	(P.T. PROVISIT)	(INDONESIA)		
20050001	Not available	BRAZIL - fishing in Brazilian waters with no licence	03/08/2005	1615	Unknown	Saint Vincent & Grenadines	SOUTHERN STAR 136	HSIANG CHANG	NO INFO	KUO JENG MARINE SERVICES LIMITED	PORT OF SPAIN TRINIDAD & TOBAGO	AT	
20060001	Not available	SOUTH AFRICA- vessels had no VMS, suspected of having no tuna licence and of possible at-sea transhipments	23/10/2006	2431	Unknown	Unknown	BIGEYE	NO INFO	FN 003883	NO INFO	NO INFO	UNKN	
20060002	Not available	SOUTH AFRICA- vessels had no VMS, suspected of having no tuna licence and of possible at-sea transhipments	23/10/2006	2431	Unknown	Unknown	MARIA	NO INFO	FN 003882	NO INFO	NO INFO	UNKN	

ICCAT REPORT 2008-2009 (II)

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC/RFMO</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20060003	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Panama	NO. 101 GLORIA	GOLDEN LAKE	NO INFO	NO INFO	NO INFO	MEDI	
20060004	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Panama	MELILLA NO. 103	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060005	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Panama	MELILLA NO. 101	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC/RFMO</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20060006	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Panama	TONINA V	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060007	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Panama	LILA NO. 10	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060008	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	No 2 CHOYU	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	

ICCAT REPORT 2008-2009 (II)

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC/RFMO</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20060009	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	ACROS NO. 3	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060010	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	ACROS NO. 2	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20060011	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	No. 3 CHOYU	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC/RFMO</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20060012	Not available	E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the MED during closed season	16/10/2006	2259	Unknown	Honduras	ORIENTE No. 7	NO INFO	NO INFO	NO INFO	NO INFO	MEDI	
20080001	Not available (previously on ICCAT Record as AT000GUI00002	Japan- Bluefin tuna caught and exported without quota	14/11/2008	COC-311/2008	Unknown [Guinea Rep]	Rep. Of Guinea	DANIAA [Guinea Rep]	CARLOS	3X07QMC	ALPHA CAMARA (Guinean company)	NO INFO	E-ATL or MEDI	Longliner
20080002	Not available	ICCAT Chairman information	27/06/2008	1226	Bolivia	Turkey	CEVAHIR	SALIH BAYRAK TAR		J.L. JALABERT - S. PEREZ	11210 FRANCE - 66690 FRANCE	MEDI	Purse seiner

ICCAT REPORT 2008-2009 (II)

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC/RFMO</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20080003	Not available	ICCAT Chairman information	27/06/2008	1226	Bolivia	Turkey	ABDI BABA I	EROL BÜLBÜL		J.L. JALABERT - S. PEREZ	11210 FRANCE - 66690 FRANCE	MEDI	Purse seiner
20080004	Not available (former ICCAT Register number AT000LIB0 0039)	ICCAT Chairman information	27/06/2008	1226	Unknown	Libya (previously British)	SHARON I	MANARA I (previously POSEIDON)	NO INFO	MANARAT AL SAHIL Fishing Company	AL DAHRS. Ben Walid Street	MEDI	Purse seiner
20080005	Not available (former ICCAT Register number AT000LIB0 0041)	ICCAT Chairman information	27/06/2008	1226	Unknown	Libya (Previously Isle of Man)	GALA I	MANARA II (previously ROAGAN)	NO INFO	MANARAT AL SAHIL Fishing Company	AL DAHRS. Ben Walid Street	MEDI	Purse seiner

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC/RFMO</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/Operator Name</i>	<i>Owner/Operator Address</i>	<i>Area</i>	<i>Gear</i>
20090001	7826233	IOTC. Contravention of IOTC resolutions 02/04, 02/05 and 03/05	13/04/2009	E09-1304	Unknown	Equatorial Guinea	OCEAN LION	No info	No info	No info	No info	IN	
2009002	Not available	IOTC	13/04/2009	E09-1304	Unknown	Georgia	YU MAAN WAN	No info	No info	No info	No info	IN	
2009003	Not available	IOTC	13/04/2009	E09-1304	Unknown	Unknown	GUNUAR MELYAN 21	No info	No info	No info	No info	IN	

ICCAT REPORT 2008-2009 (II)

<i>Serial Number</i>	<i>Lloyds/IMO Number</i>	<i>Reporting CPC/RFMO</i>	<i>Date Informed</i>	<i>Reference #</i>	<i>Current Flag</i>	<i>Previous Flag</i>	<i>Name of Vessel (Latin)</i>	<i>Name (Previous)</i>	<i>Call Sign</i>	<i>Owner/ Operator Name</i>	<i>Owner/ Operator Address</i>	<i>Area</i>	<i>Gear</i>
20090005	9130793 (Reg No. = APNN-8383)	WCPFC (French Polynesia)	22/05/09	E09-2031	Venezuela	Panama Federated States Of Micronesia	DANIELE F	CAPE OF GOOD HOPE	YYKE (Previous = 3EDK; V6ZW)	AGRICOLA PALMARICH AL CA (PREVIOUSL Y TRI- MARINE INTERNATIO NAL)	PUERTO SUCRE, VENEZUELA (Previous = San Pedro, California, USA and Pohnpei, Federated States of Micronesia	WPO	

Photograph available:



Appendix 5 to ANNEX 11

**Draft Recommendation by ICCAT to Establish Minimum Standards
for Fishing Vessel Scientific Observer Programs**

RECALLING that Article IX of the Convention requires Contracting Parties to furnish, on the request of the Commission, any available statistical, biological and other scientific information needed for the purposes of the Convention;

FURTHER RECALLING the 2001 *Resolution on the Deadlines and Procedures for Data Submission* [Res. 01-16], in which the Commission established clear guidelines for the submission of Task I and Task II data;

TAKING ACCOUNT OF the observations in the report of the Independent Review Panel on the performance of ICCAT about the completeness and reliability of data for many ICCAT fisheries and its recommendation that Commission members and cooperating non-members collect and transmit to the Secretariat in a timely way accurate Task I and Task II data;

ACKNOWLEDGING that poor quality data impacts the ability of the SCRS to complete robust stock assessments and provide management advice as well as the ability of the Commission to adopt effective conservation and management measures;

DETERMINED to ensure the collection of data accounting for all sources of mortality in ICCAT fisheries, for both target species and by-catch, to improve the certainty of future scientific advice and to enhance the ability of the Commission to take and monitor the implementation of conservation and management measures, while taking into account ecosystem considerations;

ACKNOWLEDGING the discussion and recommendations of the Future of ICCAT Working Group concerning the importance of observer programs in developing and implementing an ecosystem approach to management;

WELCOMING the planned future work of the SCRS Sub-Committee on Ecosystems and the Sharks Working Group to advise on minimum observer coverage levels needed to ensure sufficient data and information are available to support robust species estimates, particularly of by-catch species;

TAKING INTO ACCOUNT the needs of developing States with regard to capacity building;

RECOGNIZING the United Nations General Assembly Sustainable Fisheries Resolution 63/112, which encourages the development of observer programs by regional fisheries management organizations and arrangements to improve data collection;

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

1. Notwithstanding stricter observer program requirements that may be in place or adopted by ICCAT in the future for specific fisheries, each CPC shall ensure the following with respect to its domestic observer programs:
 - a) A minimum of 5% observer coverage of fishing effort in pelagic longline, purse seine, and baitboat fisheries, as measured in number of sets or trips for purse seine fisheries; fishing days, number of sets, or trips for pelagic longline fisheries; or in fishing days in baitboat fisheries;
 - b) Representative temporal and spatial coverage of the operation of the fleet to ensure the collection of adequate and appropriate data on catch (including by-catch), effort, and other scientific and management aspects, taking into account characteristics of the fleets and fisheries;
 - c) Data collection on all aspects of the total catch and other aspects of the fishing operation, as specified in paragraph 2 below.

2. In particular, CPCs shall require observers, *inter alia*, to:
 - a) record and report upon the fishing activity, which shall include at least the following:
 - i) data collection that includes quantifying total target catch and by-catch (including sea turtles, marine mammals, and seabirds), fishing effort, size composition, disposition status (i.e., retained, discarded dead, released alive) and the collection of biological samples, at a minimum, to estimate age (e.g., otoliths, spines, scales);
 - ii) area of catch by latitude and longitude;
 - iii) fishing effort information (e.g., number of sets, number of hooks, etc.);
 - iv) date of each fishing operation;
 - v) other scientific work as recommended by SCRS.
 - b) observe and record catches;
 - c) observe and record the use of by-catch mitigation measures;
 - d) where possible, sight and record vessels that may be fishing contrary to ICCAT conservation measures, including name, type of vessel, position information, fishing activities carried out, call sign, Lloyds/IMO number, and ICCAT number, if known.
3. In implementing these observer requirements, CPCs shall ensure use of robust data collection protocols and that observers are properly trained and approved before deployment. Toward that end, CPCs shall ensure that their observers have the following qualifications to accomplish their tasks:
 - sufficient experience to identify species and collect information on different fishing gear configurations;
 - satisfactory knowledge of the ICCAT conservation and management measures;
 - the ability to observe and record accurately;
 - the ability to collect biological samples; and
 - not be a crew member of the fishing vessel being observed or an employee of a fishing vessel company involved in the observed fishery.
4. CPCs shall report information collected under domestic observer programs to the SCRS for stock assessment and other scientific purposes consistent with domestic confidentiality requirements, including the coverage level achieved within their respective fisheries and details on how this level was calculated.
- 4bis CPCs shall report to the Commission on their domestic observer programs currently in place, including the following information:
 - i) level of observer coverage and how measured;
 - ii) data required to be collected;
 - iii) data protocols in place;
 - iv) observer training requirements;
 - v) observer qualifications.

In order to enable SCRS to review this information and provide recommendations pursuant to paragraph 5, this information shall be submitted to ICCAT by July 31, 2010.
5. SCRS shall report to the Commission on the coverage level achieved by each CPC and provide a summary of the data collected and any relevant findings associated with that data. In addition, SCRS shall, first in 2010 and periodically thereafter, review the scientific data collection requirements set out in this recommendation and advise on any adjustments that may be needed to improve the effectiveness of CPC observer programs in order to meet the data needs of the Commission.
6. ICCAT shall review this recommendation at its 2010 annual meeting and consider revising it in light of information on CPC observer programs received pursuant to paragraph 4 and SCRS advice pursuant to paragraph 5.
7. Paragraphs 1-4 of this Recommendation shall enter into force June 1, 2011, or at such earlier date as the Commission may decide.

DOCUMENTS DEFERRED FOR DISCUSSION IN 2010

12.1 DRAFT RECOMMENDATION BY ICCAT ON SHORTFIN MAKO SHARKS

CONSIDERING that shortfin mako sharks (*Isurus oxyrinchus*) are caught in association with fisheries managed by ICCAT, with the largest volume captured by pelagic longline fisheries;

RECOGNIZING that total North Atlantic shortfin mako shark landings reported to ICCAT in 2008 were reduced by 14 percent from 2007 levels, and that the obligation per Recommendation 07-06 to reduce mortality in fisheries targeting North Atlantic shortfin mako sharks needs to continue;

NOTING that in spite of this reduction of fishing mortality the 2008 ICCAT Standing Committee on Research and Statistics (SCRS) stock assessment indicated North Atlantic shortfin mako stock was depleted to about 50 percent of the biomass estimated for the 1950s, and some model outcomes indicated that the stock biomass was near or below the level that would support MSY and current harvest levels are above F_{MSY} ;

ALSO NOTING that the 2008 ecological risk assessment conducted by the SCRS concluded that the shortfin mako shark is one of the least productive of all shark species, making it susceptible to overfishing even at very low levels of fishing mortality;

FURTHER NOTING that although the 2008 SCRS stock assessment could not draw conclusions about the status of the South stock of Atlantic shortfin mako, a precautionary management approach for the Southern stock would be appropriate;

ACKNOWLEDGING SCRS recommended size limits as an effective management measure for shark fisheries;

ALSO RECOGNIZING the need to improve species-specific Task I and Task II data for sharks, as recommended by SCRS;

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

1. Each Contracting Party, Cooperating non-Contracting Party, Entity and Fishing Entity (CPC) shall ensure that annual landings of North and South Atlantic shortfin mako sharks from all fishing vessels, do not exceed the CPC's respective 2004-2008 average landings from respectively the North and the South Atlantic stocks except for by-catch for which the Commission shall establish appropriate measures in 2010;
2. In no case shall CPCs carry forward under-harvest of their respective landing limits as established in paragraph 1 of this Recommendation;
3. CPCs shall take the necessary measures, to the extent practicable, to ensure that all releases of live shortfin mako sharks are conducted in a manner that maximizes survival;
4. CPCs shall greatly enhance effort for the collection and submission of shortfin mako Task I and Task II data from recreational and sport fisheries as required in ICCAT data reporting procedures and develop conservation and management measures to limit mortality of shortfin makos in sport and recreational fisheries.
5. CPCs are encouraged to undertake research that would provide information that may enable the identification of potential parturition or nursery areas. Such information shall be made available to the SCRS.
6. As part of the next assessment for pelagic sharks, SCRS evaluate and advise the Commission on:

- a) the annual catch levels of shortfin mako that would support MSY on a continuing basis, with a range of probabilities of success;
 - b) minimum and maximum landing lengths that would afford protection to juveniles and breeding stocks of shortfin mako, respectively;
7. CPCs should circulate the shark identification guides approved by SCRS to fishermen and scientific observers in 2010, to improve the accuracy of species-specific data collection for sharks.
8. CPCs who do not provide Task I and Task II data for these species are not allowed to land this species.

12.2 DRAFT RECOMMENDATION BY ICCAT ON THE CONSERVATION OF PORBEAGLE

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Res. 01-11], the *Recommendation by ICCAT Concerning the Conservation of Sharks caught in association with fisheries managed by ICCAT* [Rec. 04-10], the *Recommendation of ICCAT to amend the Recommendation 04-10 on the Conservation of Sharks caught in association with the fisheries managed by ICCAT* [Rec. 05-05], the *Supplemental Recommendation by ICCAT concerning Sharks* [Rec. 07-06] and the *Resolution by ICCAT on Porbeagle Shark (Lamna nasus)* [Res. 08-08],

FURTHER RECALLING that porbeagle (*Lamna nasus*) is captured in ICCAT Convention area in targeted fisheries and as by-catch and that in 2007 the Commission recommended reducing fishing mortality in fisheries targeting porbeagle, unless sustainable harvest levels are determined through peer-reviewed stock assessment.

CONSIDERING that the 2008 ICCAT shark stock assessment meeting concluded that there is a single stock of porbeagle in the North East Atlantic and adjacent waters, a single stock in the North West Atlantic and differentiates two different regions of distribution in the South Atlantic,

FURTHER CONSIDERING that the joint ICCAT-ICES inter-sessional meeting foreseen by ICCAT Resolution 08-08 to further assess porbeagle shark took place on 22-27 June 2009 and recommended that:

- Research projects at the regional (stock) level should be developed in order to increase our available knowledge on porbeagle sharks,
- In the South Atlantic, the Commission should consider adopting precautionary measures, including restricting fisheries affecting the stock(s) to by-catch only and/or restricting fishing activities in areas known to have high abundance of important live-history stages (e.g. mating, pupping and nursery grounds),
- In the North East Atlantic, the Commission should consider adopting TACs which provide high probability of allowing stock rebuilding,
- In the North West Atlantic, the Commission should adopt management measures that support the recovery objectives of the Canadian Management Plan,
- In both the North East and the North West Atlantic:
 - The Commission should restrict fishing activities in areas known to have high abundance of important live-history stages (e.g. mating, pupping and nursery grounds),
 - high-seas fisheries should not target porbeagle and all by-catch should be reported,
 - by-catch data collection and reporting would require scientific observer sampling at a higher level of coverage,

NOTING that for the two North Atlantic stocks fishing quotas and other measures have been introduced by several contracting parties but that given the depleted state of the stocks and their low productivity stock rebuilding under the current exploitation patterns is projected to take decades,

ACKNOWLEDGING that due to the uncertainty in the assessments, conservative management measures for all stocks are appropriate under the precautionary approach and that target fishing should not proceed without a program to evaluate sustainable catch levels,

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

Until such time as sustainable levels of harvest can be determined through peer reviewed stock assessments by the SCRS or other recognized scientific organizations and areas known to have high abundance of important life-history stages (e.g. mating, pupping and nursery grounds) have been identified by the SCRS, fisheries in the Convention area will not target porbeagle.

CPCs shall ensure that incidental catches of porbeagle shall not, at any time, exceed 5% by live weight of catches of other species retained on board.

Notwithstanding paragraphs 1 and 2, in waters under national jurisdiction in the North Atlantic, directed fisheries may be conducted and no by-catch limits shall be necessary provided that:

- no new targeted fisheries for this species is authorized and:
 - in the North East Atlantic, porbeagle fishing mortality is kept to levels in line with scientific advice (for 2010 the 2009 ICCAT-ICES advice), notably to ensure the recovery of the North East Atlantic stock to Convention objectives within 25 to 50 years.
 - In the North West Atlantic, where CPCs implement management plans which ensure that combined porbeagle shark fishing mortality from both directed and by-catch fisheries is kept to levels in line with scientific advice (for 2010 the 2009 ICCAT-ICES advice).

CPCs shall communicate the list of vessels authorized to participate in directed fisheries for porbeagle in waters under national jurisdiction during 2008. The list shall contain the following information for each vessel:

- name of the vessel;
- register number;
- international radio call sign (if any);
- main gear used to carry out the directed fishery;
- seasonal period(s) authorized for fishing porbeagle;

In order to protect porbeagle sharks at important life history stages (e.g. juvenile fish and mature, spawning females), CPCs shall implement appropriate measures, such as:

- Time area closures to restrict directed fishing effort on identified pupping grounds, or
- Implementation of minimum and maximum catching sizes based on scientific advice. In such cases, catches of individuals below or above the minimum and maximum sizes shall be released to sea alive, where possible, and in no circumstances shall be retained on board, transshipped, landed, transferred, stored, displayed, sold or offered for sale.

In a further effort to protect juvenile porbeagle sharks, fishing vessels should, where appropriate, leave areas where specimens smaller than 125 cm fork length constitute greater than 10% of all porbeagle sharks caught by number of individuals.

All catches, by-catches, dead discards and alive releases shall be recorded in national logbooks and reported with geographic reference to ICCAT.

In no circumstances shall specimens of porbeagle shark caught in recreational and sport fisheries be retained on board, transshipped, landed, stored, displayed, sold or offered for sale. CPCs shall make every effort to collect information on estimated size and sex of porbeagle shark caught in recreational and sport fisheries CPCs shall ensure that vessels engaging in recreational and sport fishing shark species are equipped with instruments suitable to release alive porbeagle sharks in a manner that causes the least amount of harm.

All CPCs conducting fishing activities involving sharks shall submit Task I and Task II data for porbeagle shark, as required by ICCAT data reporting procedures (including estimates of dead discard, alive released and size frequencies), in advance of the next SCRS assessment.

CPCs are encouraged to implement research and monitoring projects at regional (stock) level, to include scientific observer sampling, where appropriate on porbeagle shark in the Convention area in order to identify areas of high abundance of important life-history stages (e.g. mating, pupping and nursery grounds) and implement the research recommendations of the joint 2009 ICCAT-ICES inter-sessional meeting.

12.3 DRAFT 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 to cooperate through regional fisheries organizations to ensure the sustainability of shark stocks;

ALSO RECALLING that the FAO International Plan of Action for Sharks calls on States to facilitate improved species-specific catch and landings data and monitoring of shark catches;

CONSIDERING that despite national and regional agreements on shark finning, sharks continue to be finned;

CONSCIOUS that the use of fin-to-carcass-weight ratios is not an adequate means of ensuring that sharks are not finned;

RECOGNIZING the need to collect species-specific data on catch, effort, discards, and trade as a basis for improving the conservation and management of shark stocks;

AWARE that identifying sharks by species is rarely possible when the fins have been removed from the carcasses;

FURTHER RECALLING that, in 2007, the UN General Assembly encouraged States to consider the adoption of finning regulations that require all sharks to be landed with their fins naturally attached;

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 adopt 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 require that all sharks be landed with their fins naturally attached (fully or partially) to the point of first landing;
3. Fishing vessels are prohibited from retaining on board, transshipping, or landing any fins harvested in contravention of the Recommendation.
4. 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.
5. CPCs shall, where possible, undertake research to identify ways to make fishing gears more selective.
6. CPCs shall, where possible, conduct research to identify shark nursery areas.
7. The Commission shall consider appropriate assistance to developing CPCs for the collection of data on their shark catches.
8. This Recommendation applies only to sharks caught in association with fisheries managed by ICCAT.

9. This Recommendation replaces *Recommendation by ICCAT Concerning the Conservation of Sharks caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10].

12.4 DRAFT RECOMMENDATION BY ICCAT ON REDUCING INCIDENTAL BY-CATCH OF SEABIRDS

RECALLING Recommendation by ICCAT on Reducing Incidental By-catch of Seabirds in Longline Fisheries [Rec. 07-07]:

RECOGNISING the need to strengthen mechanisms to protect seabirds in the Atlantic Ocean;

TAKING INTO ACCOUNT the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds);

ACKNOWLEDGING that to date some Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as “CPCs”) have identified the need for, and have either completed or are near finalizing, their National Plan of Action on Seabirds;

RECOGNISING the concern that some species of seabirds, notably albatrosses and petrels, are threatened with global extinction;

NOTING that the Agreement on the Conservation of Albatrosses and Petrels has entered into force;

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

1. The Commission shall develop mechanisms to enable CPCs to record data on seabird interactions, including regular reporting to the Commission, and seek agreement to implement such mechanisms as soon as possible thereafter.
2. CPCs shall collect and provide all available information to the Secretariat on interactions with seabirds, including incidental catches by their fishing vessels.
3. CPCs shall seek to achieve reductions in levels of seabird by-catch across all fishing areas, seasons, and fisheries through the use of effective mitigation measures.
4. Fishing operations shall be conducted in such a way that hooklines¹ sink beyond the reach of seabirds as soon as possible after they are put in the water.
5. CPCs shall ensure that all longline vessels fishing within the Convention area use at least two of the mitigation measures in **Table 1** below, including one from Column A in the area south of 20 degrees South latitude and should do the same in other Convention areas.
6. Mitigation measures used shall conform to the minimum technical standards for the measures as shown in **Attachment 1 to Annex 12.4**.
7. The design and deployment for bird scaring lines shall meet the specifications provided in **Attachment 2 to Annex 12.4**.
8. CPCs shall collect and provide to the Secretariat information on how they are implementing this measure and all available information on interactions with seabirds, including by-catch by their fishing vessels. This is to include details of species to the extent possible where available to enable the SCRS to annually estimate seabird mortality in all fisheries within the Convention Area.
9. The SCRS shall review information from CPCs and make appropriate recommendations, if necessary, to the Commission on any modifications.

¹ Hookline is defined as the groundline or mainline to which the baited hooks are attached by snoods.

10. The Commission shall consider adopting additional measures for the mitigation of any incidental catch of seabirds in light of available scientific advice, if necessary.
11. This Recommendation replaces the *Resolution by ICCAT on Incidental Mortality of Seabirds* [Res. 02-14] and *Recommendation by ICCAT on Reducing Incidental By-catch of Seabirds in Longline Fisheries* [Rec. 07-07].

Table 1. Seabird mitigation measures.

<i>Column A</i>	<i>Column B</i>
	Night setting with minimum deck lighting
Bird-scaring lines (Tori lines)	Bird-scaring lines (Tori lines)
	Blue-dyed squid bait
	Offal discharge control *
	Line shooting device *
	Weighted branch lines

* These measures are not applicable South of 20°S.

Attachment 1 to Annex 12.4

<i>Mitigation Measure</i>	<i>Description</i>	<i>Specification</i>
Night setting with minimum deck lighting	No setting between nautical dawn and before nautical dusk. Deck lighting to be kept to a minimum	Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date. Minimum deck lighting should not breach minimum standards for safety and navigation.
Bird-scaring lines (tori lines)	A bird-scaring line shall be deployed during longline setting to deter birds from approaching the branch line.	Design and deployment for bird-scaring lines are provided in Attachment 2 of this Recommendation.
Blue-dyed squid bait	All bait must be dyed to the color and shade shown in accordance with the specification.	The standardized color shall be equivalent to bait dyed using “Brilliant Blue” food dye (Color Index 42090, also known as Food Additive Number E133) mixed at 0.5% for a minimum of 20 minutes.
Management of offal discharge	No offal discharge during setting. Strategic offal discharge may occur during hauling.	No offal discharge during setting. Offal discharge during hauling should be avoided if possible. If offal discharge is essential during hauling, it must be from the opposite side of the boat to hauling activity.
Line-setter or line-shooter	Permits a mainline to be set slack (no tension astern)	Position line-setter as close to the water line as feasible. Ensure mainline is pulled at a constant speed and slightly faster than the speed of vessel during linesetting, to ensure lines are set slack to aid sinking rate. Avoid setting into propwash.

Suggested Guidelines for Design and Deployment of Tori Lines

Preamble

These guidelines are designed to assist in preparation and implementation of tori line regulations for longline vessels. While these guidelines are relatively explicit, improvement in tori line effectiveness through experimentation is encouraged. The guidelines take into account environmental and operational variables such as weather conditions, setting speed and ship size, all of which influence tori line performance and design in protecting baits from birds. Tori line design and use may change to take account of these variables provided that line performance is not compromised. On-going improvement in tori line design is envisaged and consequently review of these guidelines should be undertaken in the future.

Tori line design

1. It is recommended that a tori line 150 m in length be used. The diameter of the section of the line in the water may be greater than that of the line above water. This increases drag and hence reduces the need for greater line length and takes account of setting speeds and length of time taken for baits to sink. The section above water should be a strong fine line (e.g. about 3 mm diameter) of a conspicuous colour such as red or orange.
2. The above water section of the line should be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.
3. The line is best attached to the vessel with a robust barrel swivel to reduce tangling of the line.
4. The streamers should be made of material that is conspicuous and produces an unpredictable lively action (e.g. strong fine line sheathed in red polyurethane tubing) suspended from a robust three-way swivel (that again reduces tangles) attached to the tori line, and should hang just clear of the water.
5. There should be a maximum of 5-7 m between each streamer. Ideally each streamer should be paired.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.
7. The number of streamers should be adjusted for the setting speed of the vessel, with more streamers necessary at slower setting speeds. Three pairs are appropriate for a setting speed of 10 knots.

Deployment of tori lines

1. The line should be suspended from a pole affixed to the vessel. The tori pole should be set as high as possible so that the line protects bait a good distance astern of the vessel and will not tangle with fishing gear. Greater pole height provides greater bait protection. For example, a height of around 6 m above the water line can give about 100 m of bait protection.
2. The tori line should be set so that streamers pass over baited hooks in the water.
3. Deployment of multiple tori lines is encouraged to provide even greater protection of baits from birds.
4. Because there is the potential for line breakage and tangling, spare tori lines should be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted.
5. When fishers use a bait casting machine (BCM), they must ensure coordination of tori line and machine by:
 - i) ensuring the BCM throws directly under the tori line protection, and
 - ii) when using a BCM that allows throwing to port and starboard, ensure that two tori lines are used.
6. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.

12.5 DRAFT RECOMMENDATION BY ICCAT ON ATLANTIC SAILFISH

RECALLING the 2009 assessment of Atlantic sailfish which concluded that fishing mortality rates for East Atlantic sailfish are likely above F_{MSY} and biomass is likely below levels capable of supporting B_{MSY} ; and, that West Atlantic sailfish are possibly above F_{MSY} and biomass is possibly below levels capable of supporting B_{MSY} ;

ACKNOWLEDGING the advice of the Standing Committee on Research and Statistics (SCRS) that catches of Atlantic sailfish should be reduced from current levels;

FURTHER RECALLING provisions of ICCAT Recommendation [06-09] to rebuild Atlantic blue and white marlin populations and improve data collection for Atlantic billfishes;

COGNIZANT that artisanal fishermen represent a large part of sailfish catches for both East and West Atlantic sailfish stocks;

NOTING SCRS concerns regarding incomplete reporting of sailfish catches and associated increases in uncertainty in stock status determinations;

DESIRING to resolve uncertainty in Atlantic sailfish stock status determinations and achieve Commission management objectives for this species;

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

Mortality Reduction

1. All Atlantic sailfish brought to pelagic longline vessels alive shall be released in a manner that maximizes their survival. The provisions of this paragraph do not apply to artisanal fisheries or sailfish that are dead when brought alongside the vessel.
2. Contracting parties, non-contracting parties, entities, and fishing entities (CPCs) shall promote the voluntary release of all live sailfish in all fisheries.

Data Collection and Improvement

3. All CPCs shall endeavor to improve monitoring and reporting of landings and discards of Atlantic sailfish, with an emphasis on improving data associated with artisanal fisheries as referred to by SCRS in its 2009 report.

12.6 DRAFT RECOMMENDATION BY ICCAT REGARDING BY-CATCH OF SEA TURTLES

GIVEN THAT some Parties are already reporting data on incidentally caught sea turtles to the SCRS;

NOTING the need to improve the collection of scientific data regarding all sources of mortality for sea turtle populations, including but not limited to, data from fisheries within the Convention area;

NOTING, in the FAO Code of Conduct for Responsible Fisheries and U.N. Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, a call for the minimization of waste, discards, catch of non-target species (both fish and non-fish species), and impacts on associated or dependent species, in particular endangered species;

BEING AWARE that at the 24th FAO-COFI Session in March 2001, some Members advocated that FAO should take the initiative for the issue of sea turtle conservation and management, taking into account the necessity for a holistic approach;

RECALLING Resolution 03-11 on sea turtles encourages “technical measures to reduce the incidental catch of turtles”;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF
ATLANTIC TUNAS RECOMMENDS THAT:

1. Each CPC shall provide to the Secretariat a comprehensive report detailing the CPCs existing domestic management measures to reduce or limit sea turtle interactions and post-release mortality in ICCAT pelagic longline fisheries;
2. CPCs shall also report
 - a) collaborations on scientific research, and
 - b) technical advice received from other CPCs.
3. All ICCAT pelagic longline vessels shall carry on board disentanglement and release gear capable of releasing sea turtles in a manner that maximizes the probability of their survival;
 - a) CPCs shall require the use of such gear to maximize the probability of sea turtle survival;
 - b) CPCs shall train fishermen in the proper use of such gear;
4. SCRS shall review and present to the Commission a summary of pertinent available scientific literature regarding the efficacy of certain gears, hooks and/or baits, fishing techniques, and other measures that reduce sea turtle interactions and mortality. SCRS shall provide the Commission with a recommendation detailing best practices to minimize sea turtle interactions and mortalities;
5. Upon receipt of the SCRS report and recommendations, the Commission shall consider measures to limit sea turtle interactions by ICCAT fisheries within the Convention area.