

**RECOMMENDATION BY ICCAT ON PENALTIES APPLICABLE IN CASE OF
NON FULFILMENT OF REPORTING OBLIGATIONS**

GIVEN that following Article IX of the Convention, Contracting Parties agree to supply, on the request of the Commission, any available statistical, biological and other scientific information that the Commission may need for the purposes of this Convention and that all Task I and II data should be submitted annually to the Secretariat by July the year following the fishing activities;

RECALLING the *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Res. 01-16] and the *Recommendation by ICCAT on Compliance with Statistical Reporting Obligations* [Rec. 05-09];

FURTHER RECALLING that the *ICCAT Criteria for the Allocation of Fishing Possibilities* (Ref. 01-25) clearly links fisheries access with the obligation to provide accurate data on fishing effort and catch;

TAKING INTO ACCOUNT the *Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries* [Rec. 10-06], which provides that “CPCs that do not report Task I data for Atlantic shortfin mako sharks, in accordance with SCRS data reporting requirements, shall be prohibited from retaining this species, beginning in 2013 until such data have been received by the ICCAT Secretariat”;

NOTING that incomplete reporting or no data reporting also concerns species other than shortfin mako and that, despite the adoption of numerous measures intended to address the matter, lack of compliance with reporting obligations still is a problem for the Scientific Committee and for the Commission;

FURTHER NOTING that, in order that all ICCAT fisheries are managed in line with the precautionary approach, it is necessary to take measures aimed at eliminating or reducing non-reporting and misreporting;

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

1. CPCs shall include information in their Annual Reports on actions taken to implement their reporting obligations for all ICCAT fisheries, including shark species caught in association with ICCAT fisheries, in particular the steps taken to improve their Task I and Task II data collection for direct and incidental catches;
2. Actions taken by CPCs, as described in paragraph 1, shall be reviewed annually by ICCAT’s Compliance Committee, beginning in 2013;
3. CPCs that do not report Task I data, including zero catches, for one or more species for a given year, in accordance with SCRS data reporting requirements, shall be prohibited from retaining such species as of the year following the lack or incomplete reporting until such data have been received by the ICCAT Secretariat.