

Requests for clarification from the Permanent Working Group (PWG)

1) Access Agreements

- 1.1 Para 5 of the [Recommendation by ICCAT on Access Agreements \[Rec. 14-07\]](#) stipulates that: *Flag CPCs and coastal CPCs involved in the agreements specified in paragraph 1 shall provide a summary of the activities carried out pursuant to each agreement, including all catches made pursuant to these agreements, in their annual report to the Commission.*

A question has been raised regarding the reporting period which the summary should cover; e.g. should those agreements which concluded in 2022 be reported through the Annual Report submitted in 2023, or should partial reporting for 2023 also be included. Given that in most cases the information contained in Annual Reports refers to year previous to the report being submitted, the Secretariat believes that the former is correct and that only information on access agreements which concluded the year before would be required. Confirmation of this is requested.

- 1.2 Advice regarding the three points detailed below is also requested to establish clear principles to guide report completion.

- i) In CP39A, concerning the "Number of Vessels - No Vessels," is interpreted as the count of vessels holding licenses to target ICCAT species in a given year. It is worth noting that the EU Sustainable Fisheries Partners Agreement (SFPA) also specifies a maximum number of vessels that can operate within each category/gear. However, this maximum number does not necessarily match the actual number of licensed vessels. Reporting the number of vessels with licenses is more informative than the maximum potential, and thus, reporting the former is recommended. Confirmation of this from PWG is requested.
- ii) In CP39B, the "Number of Vessels - No Vessels" should include all vessels licensed to target ICCAT species that were active during the given year. The same logic applies to reporting catches; only catches from vessels listed in the "Number of Vessels - No Vessels" column should be reported. This approach excludes bycatches of ICCAT species that may have been caught by vessels licensed for fisheries other than ICCAT species. Confirmation of this from PWG is requested.
- iii) Lastly, in CP39B, it is important to clarify that the quota refers specifically to the CPC quota and not to any other catch limit or catch reference associated with a species in a given agreement.

2) Transshipment declarations

The Secretariat would like clarification as to which Transshipment Declarations should be submitted to the Secretariat in accordance with paragraph 21 of the [Recommendation by ICCAT on transshipment \[Rec. 21-15\]](#).

- i) The Secretariat has understood that this related only to at-sea transshipment declarations, and that in-port transshipment declarations should be sent only to the CPC authorities as indicated in paragraph 3.3 of Appendix 3 of [Rec. 21-15](#). However, one CPC has indicated that their understanding of paragraph 21 of [Rec. 21-15](#) requires in-port transshipment declarations to be sent also to the Secretariat. Given the quantity of these, and the fact that not all CPCs send in-port transshipment declarations, clarification as to whether or not these should be sent is needed. This interpretation was endorsed by the Working Group on Integrated Monitoring Measures (IMM) and confirmation of PWG is not requested.
- ii) The Secretariat is of the opinion that the declarations referred to in [Rec. 21-15](#) are those which relate to ICCAT species or taken in conjunction with ICCAT fisheries. Notwithstanding, the Secretariat continues to receive declarations and associated documentation (e.g., pre-transshipment notification) relating to non-ICCAT species (e.g., squid) from vessels which are not on the ICCAT Record. Confirmation is sought that these documents are not required and should not be sent to the Secretariat. This interpretation was endorsed by IMM and confirmation of PWG is not requested.

The Secretariat further notes that in some cases it is in copy of irrelevant email exchanges between the flag CPC authorities and the vessel masters in relation to transshipment, and that the volume of emails caused by all these cases is combined is large, causing a significant amount of additional work to sort out the required information from that which is not required. CPCs are requested to refrain from submitting, either directly or through their vessel masters, any documentation which the ICCAT conservation and management measures do not require to be sent to the Secretariat.

3) Supply Declarations

According to paragraph 23 of **Rec. 21-15**, *"A separate supply declaration is not required when the supply activity is conducted in association with transshipment that is monitored by an ICCAT Regional Observer"*. As ICCAT ROP observers include all supply transshipments which they witness, clarification is sought as to whether supply declarations are required to be submitted to the ICCAT Secretariat if no ICCAT species are being transhipped at the same time, even if an ICCAT observer is on board, or whether the monitoring by an ICCAT observer is sufficient.

The Secretariat would also like to note that many CPCs are not using the ICCAT format for supply declarations, which makes it difficult to identify these and to ensure they are correctly processed. The use of the correct format, or the inclusion of M:GEN41 (or CP54) in the title of the email would greatly facilitate this.

4) IUU Cross Listing

When there is discrepancy between the information from two different Regional Fishery Management Organisations (RFMOs) which cross list with ICCAT, the Secretariat seeks confirmation as to whether the information provided by the RFMO which originally listed the vessel should be taken as valid, even if the second RFMO provides additional information? Or should such additional information be included on the ICCAT Illegal, Unregulated and Unreported (IUU) list even when provided by an RFMO which was not the original lister of the vessel.