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

**R E P O R T
for biennial period, 2002-03
PART II (2003) - Vol. 1
English version**

MADRID, SPAIN

2004

INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

CONTRACTING PARTIES

(as of 31 December 2003)

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

COMMISSION OFFICERS

Commission Chairman

M. MIYAHARA, Japan
(since 27 October 2002)

First Vice-Chairman

A. SROUR, Morocco
(since 27 October 2002)

Second Vice-Chairman

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

Panel No.

PANEL MEMBERSHIP

Chair

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

SUBSIDIARY BODIES OF THE COMMISSION

Chairman

STANDING COMMITTEE ON FINANCE & ADMINISTRATION (STACFAD)

J. JONES, Canada
(since 21 November 1997)

STANDING COMMITTEE ON RESEARCH & STATISTICS (SCRS)

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

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

CONSERVATION & MANAGEMENT MEASURES COMPLIANCE COMMITTEE

F. WIELAND, EC
(since 19 November 2001)

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

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

ICCAT SECRETARIAT

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

FOREWORD

The Chairman of the International Commission for the Conservation of Atlantic Tunas presents his compliments to the Contracting Parties of the International Convention for the Conservation of Atlantic Tunas (signed in Rio de Janeiro, May 14, 1966), as well as to the Delegates and Advisers that represent said Contracting Parties, and has the honor to transmit to them the "**Report for the Biennial Period, 2002-2003, Part II (2003)**", 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 18th Regular Meeting of the Commission (Dublin, Ireland, 17-24 November 2003) and the reports of all the meetings of the Panels, Standing Committees and Sub-Committees, as well as some of the Working Groups. It also includes a summary of the activities of the Secretariat and a series of National Reports of the Contracting Parties of the Commission, relative to their activities in tuna and tuna-like fisheries in the Convention Area.

The Report for 2003 has been published in three volumes. **Volume 1** includes the Secretariat's Administrative and Financial Reports, the Proceedings of the Commission Meetings and the reports of all the associated meetings (with the exception of the Report of the Standing Committee on Research and Statistics -SCRS). **Volume 2** contains the Secretariat's Report on Statistics and Coordination of Research and the Report of the Standing Committee on Research and Statistics (SCRS) and its appendices. **Volume 3** contains the National Reports of the Contracting Parties of the Commission and Reports of Observers.

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

MASANORI MIYAHARA
Commission Chairman

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REPORT FOR THE BIENNIAL PERIOD, 2002-2003, PART II (2003)

SECRETARIAT REPORTS

2003 ADMINISTRATIVE REPORT¹

1. Contracting Parties to the Convention

In 2003, the Legal Services Department of the Food and Agriculture Organization of the United Nations (FAO) notified the Secretariat that on 20 March, 4 July and 7 August the Governments of Cyprus, Turkey, and Malta, respectively, had deposited instruments of adherence to the International Convention for the Conservation of Atlantic Tunas. In accordance with Article XIV, paragraph 3, Cyprus, Turkey and Malta are now full members of the Commission.

As of 31 December 2003, the International Commission for the Conservation of Atlantic Tunas is comprised of 37 Contracting Parties, as follows: Algeria, Angola, Barbados, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Croatia, Cyprus, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Ghana, Guinea Conakry, Honduras, Iceland, Japan, Korea, Libya, Malta, Morocco, Mexico, Namibia, Panama, Russia, St. Tome and Principe, Trinidad and Tobago, Tunisia, Turkey, South Africa, United Kingdom (Overseas Territories), United States, Uruguay, Vanuatu and Venezuela.

As regards the Panels, in 2003, and in virtue of Rule 12, paragraph 5, of the Rules of Procedure, Malta and Turkey joined Panels 2 and 4, and Cyprus joined Panel 2.

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

In accordance with its Article 3, the Protocol adopted in Madrid in June, 1992, will enter into force, for all the Contracting Parties, on the 90th day following the deposit with the Director General of FAO of the last instrument of approval, ratification or acceptance by three-quarters of the Contracting Parties, which should include all the Parties classified by the United Nations Conference on Trade and Development as of 5 June 1992, as developed market economy countries.

In March 2000, France deposited an instrument of approval with the Director General of FAO, which completes the list of developed market economy countries. Approval, ratification or acceptance is still pending from **one** of the countries that was not part of this category on 5 June 1992: Angola, Cape Verde, Côte d'Ivoire, Equatorial Guinea, and St. Tome and Principe. After repeated communications with these countries regarding this matter, the Executive Secretary again contacted them on 17 January and 18 June 2003, and sent a letter again to these Contracting Parties urging them to adhere to the Protocol as soon as possible so that it could enter into force, which would be of interest to all.

In March, July and August, Cyprus, Turkey and Malta accepted the Madrid Protocol upon becoming Contracting Parties to the Convention.

As of 31 December 2003, the following Contracting Parties had officially ratified or accepted the Protocol (some of these automatically accepted upon becoming Contracting Parties to the Convention):

Republic of Korea	Acceptance on 11 June 1993
Guinea Conakry	Acceptance on 21 September 1993
Canada	Ratification on 22 September 1993
South Africa	Acceptance on 30 September 1993
United States of America	Ratification on 24 August 1994
Russian Federation	Acceptance on 14 September 1994
United Kingdom	Acceptance on 10 November 1995
People's Republic of China	Acceptance on 24 October 1996

¹ The Administrative Report presented at the Commission Meeting in 2003 has been updated to 31 December 2003.

Morocco	Ratification on 9 December 1996
Brazil	Ratification on 15 January 1997
Uruguay	Acceptance on 24 July 1997
Croatia	Acceptance on 20 October 1997
European Community	Acceptance on 14 November 1997
Tunisia	Acceptance on 16 December 1997
Libya	Acceptance on 14 January 1998
Venezuela	Acceptance on 5 May 1998
Japan	Acceptance on 27 May 1998
Panama	Acceptance on 28 December 1998
Trinidad & Tobago	Acceptance on 30 March 1999
Namibia	Acceptance on 10 November 1999
France	Approval on 6 March 2000
Gabon	Acceptance on 26 October 2000
Barbados	Acceptance on 13 December 2000
Honduras	Acceptance on 30 January 2001
Algeria	Acceptance on 16 February 2001
Ghana	Acceptance on 23 November 2001
Mexico	Acceptance on 24 May 2002
Vanuatu	Acceptance on 25 October 2002
Iceland	Acceptance on 30 October 2002
Cyprus	Acceptance on 20 March 2003
Turkey	Acceptance on 4 July 2003
Malta	Acceptance on 7 August 2003

3. ICCAT Regulations and Resolutions

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

On 4 December 2002, the Secretariat officially transmitted to the Contracting Parties and non-Contracting Parties, Entities or Fishing Entities that have Atlantic coastlines or that fish tunas in the Convention area, and to intergovernmental fishery organizations, the texts of the Recommendations adopted at the 13th Special Meeting of the Commission (Bilbao, Spain 28 October to 4 November 2002), requesting their cooperation.

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

Following the six-months' grace period since the transmission of the Recommendations adopted by the Commission during which time no official objections were received, and in accordance with Article VIII of the Convention, the aforementioned Recommendations entered into force on 3 June 2003. As regards the Resolutions, these reflect decisions of a general nature that were adopted by the Commission during its last meeting and which are not governed by the notification and review process outlined in Article VIII of the Convention.

4. ICCAT inter-sessional meetings and working groups

In accordance with Commission decisions, the following related meetings were held in 2003:

- Meeting to Improve the Collection of Fisheries Statistics in Ghana (*Tema, Ghana, 3-5 February 2003*) (SCRS/2003/010).
- Inter-sessional Meeting of the Sub-Committee on Statistics (*Madrid, Spain, 24-27 March 2003*) (SCRS/2003/012).
- Working Group on Assessment Methods (*Shimizu, Japan, 7-11 April 2003*) (SCRS/2003/013).
- Mediterranean Swordfish Stock Assessment (*Madrid, Spain, 26-30 May*) (SCRS/2003/015).
- Working Group to Develop Integrated Monitoring Measures (*Funchal, Madeira, 26-28 May 2003*).
- Working Group on Process and Criteria for the Establishment of IUU Trade Restrictive Measures (*Funchal, Madeira, 29-30 May 2003*).
- Yellowfin Tuna Stock Assessment (*Merida, Mexico, 21-26 July 2003*) (SCRS/2003/016).
- Albacore Stock Assessments (North and South) (*Madrid, Spain, 15-20 September 2003*) (SCRS/2003/017).
- Meetings of Species Groups (*Madrid, Spain, 29 September-3 October 2003*).

- Meeting of the Sub-Committee on Statistics (*Madrid, Spain, 2-3 October 2003*).
- SCRS Plenary Sessions (*Madrid, Spain, 6-10 October 2003*).
- *Ad Hoc* Data Workshop (*Madrid, Spain, 11 October 2003*).
- Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies (*Dublin, Ireland, 15 November 2003*).

5. Meetings at which ICCAT was represented

Comments and summaries of the meetings at which ICCAT was represented are included in the Report on Statistics and Coordination of Research.

6. Bigeye Year Program (BETYP)

From September 2002 to September 2003, conventional tagging was carried out only in the Canary Islands, and “pop-up” tagging was carried out in the Azores. During this period, studies continued on the improvement of Ghanaian fishery statistics, on genetics and hard parts, as well as on the development of an integrated modeling program. The organization of the BETYP Symposium is in its final stage.

7. Tagging lottery

The annual lottery for participants in the ICCAT International Cooperative Tagging Program for Tuna and Tuna-like Species was held in Madrid, Spain on 10 October 2003, during the course of the SCRS Meeting. Three US\$500 prizes (tropical tunas, temperate tunas, and billfishes) and one US\$1000 prize (bigeye tuna) were awarded, corresponding to the following groups:

- *Tropical tunas* (1,276 tags entered in the lottery); Winner: Tag #BE-16701, for a skipjack tuna recovered by a French purse seiner.
- *Temperate tunas* (43 tags): Winner: Tag #HM-020114, for a bluefin tuna tagged recovered by Canada.
- *Billfishes* (115 tags): Winner: Tag #BF-153794, for a sailfish. There is no information on the recoverer; therefore a second drawing was made. The winner was Tag #BF 210907, for a blue marlin tagged by the United States and recovered by Venezuela.
- *Bigeye tuna* (177 tags): Winner: Tag #BE-002137, for a bigeye tuna recovered by a Spanish vessel.

8. Commission Chairman’s letters to various Parties, Entities or Fishing Entities

8.1 Letters concerning compliance with conservation measures

In accordance with the Commission’s decision, on 28 November 2002, the Commission Chairman, Mr. Masanori Miyahara, sent the following letters regarding the *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregation Devices (FADs)* [Ref. 99-1]; the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18]; the *Resolution by ICCAT on Becoming a Cooperating Party, Entity or Fishing Entity* [Ref. 01-17]; the *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* [Ref. 95-13], and other matters:

Contracting Parties

- **Ghana:** on non-compliance with the moratorium in the Gulf of Guinea [Ref. 99-1].

Non-Contracting Parties, Entities or Fishing Entities

- **Belize:** on possible lifting of bluefin, swordfish and bigeye trade sanctions [Ref. 98-18], and consideration of request for Cooperating Party status in 2003 [Ref. 01-17].
- **Bolivia:** on bigeye trade sanctions pursuant to the 1998 UU catches Resolution [Ref. 98-18] and identification under the Swordfish Action Plan [Ref. 95-13].
- **Cambodia:** regarding continuation of bigeye trade sanctions under the 1998 UU catches Resolution [Ref. 98-18].
- **Georgia:** identification pursuant to the 1998 UU catches Resolution [Ref. 98-18].
- **Indonesia:** identification pursuant to the 1998 UU catches Resolution [Ref. 98-18].

- **Seychelles:** identification pursuant to the 1998 UU catches Resolution [Ref. 98-18].
- **Sierra Leone:** regarding bluefin, swordfish and bigeye trade sanctions under the 1998 UU catches Resolution [Ref. 98-18].
- **St. Vincent and the Grenadines:** regarding the possible lifting of bigeye trade sanctions [Ref. 98-18], and consideration of request for Cooperating Party status [Ref. 01-17].
- **Thailand:** warning regarding bluefin tuna catches under the 1998 UU catches Resolution [Ref. 98-18].
- **Vanuatu:** identification pursuant to the 1998 UU catches Resolution [Ref. 98-18].

Further, on this same date, the Commission Chairman sent letters to the following non-Contracting Parties, Entities or Fishing Entities, to request information on their swordfish exports:

- **Costa Rica**
- **Senegal**
- **Singapore**
- **Togo**

The Document “Information Regarding the Commission Chairman’s Special Letters and the Subsequent Responses”² contains the various responses that the Secretariat received with regard to the aforementioned letters.

8.2 Letters concerning compliance with budgetary obligations

In accordance with a Commission decision, on 17 June 2003, the Chairman, Mr. Masanori Miyahara, sent letters to the following Contracting Parties regarding the payment of contributions pending payment to the Commission: Brazil (€292,388.49), Cape Verde (€219,389.67), People’s Republic of China (€6,558.29), Côte d’Ivoire (€45,041.68), Gabon (€110,826.60), Ghana (€22,454.84), Equatorial Guinea (€6,453.49), Guinea Conakry (€11,312.93), Honduras (€34,631.77), Morocco (€3,476.66), Panama (€24,090.13), United Kingdom-Overseas Territories (€16,792.08), Russia (€22,276.64), St. Tome & Principe (€9,986.96), Uruguay (€59,226.67), and Venezuela (€199,561.07).

Only two Contracting Parties partially complied with their financial obligations: Côte d’Ivoire paid €22,050.76 and St. Tome & Principe paid €15,716.61.

Ninety days after the Commission Chairman’s reminder, the Executive Secretary sent a letter to the aforementioned Contracting Parties requesting a response, also including letters to Cyprus (€6,606.61) and Vanuatu (€9,644.87). Following this new communication, responses were received from Russia, which paid €22,276.64, Ghana €87,475.50, the People’s Republic of China €47,675.00, Côte d’Ivoire €22,974.92, Morocco €42,062.18, United Kingdom (Overseas Territories) €10,899.87, Vanuatu €6,349.59, and the following cancelled their debts: Mexico (€9.27), Brazil (€292,388.49), Cyprus (€6,606.61), Malta (€3,674.75), and Turkey (€17,998.78).

9. Secretariat publications - 2003

Annex 1 shows the List of Documents Prepared by the Secretariat for the 2003 Meetings.

The following publications were issued in 2003:

- Statistical Bulletin, Vol. 32 (part in hard copy and part on diskette)
- Report for Biennial Period, 2002-03, Part I (2002) (Vols. 1, 2 and 3): English
- Report for Biennial Period, 2002-03, Part I (2002) (Vols. 1, 2 and 3): French
- Report for Biennial Period, 2002-03, Part I (Vols. 1, 2 and 3): Spanish
- Collective Volume of Scientific Papers, Vol. LV (printed copies and on CD ROM)
- Basic Texts (3rd Revision): English, French and Spanish
- Staff Regulations and Rules (November 2003): English, French and Spanish

10. Secretariat staff

Executive Secretary
Adolfo R. Lima

² This report is on file at the Secretariat.

Assistant Executive Secretary

Victor R. Restrepo

Department of Statistics

<i>Papa Kebe</i>	Department Head. Also responsible for the computer facilities and email management.
<i>Carlos Palma</i>	Biostatistician. Responsible for the development of the relational databases and the analysis of trade statistics
<i>Jenny Cheatle</i>	Statistics Secretary. Also responsible for updating and maintenance of the compliance lists.
<i>Juan Luis Gallego</i>	Responsible for data entry and network backups.
<i>Juan Carlos Muñoz</i>	Database programmer.

Publications*Julie M. Porter* Scientific Editor.**Finance Department**

Juan Antonio Moreno Financial and Administrative Officer.
Africa Martín Bookkeeping assistant.

Language Departments

Philomena M. Seidita (English); *Christel Navarret* and *Christine Peyre* (French); *Marisa de Andrés* and *María José García-Orad* (Spanish): Responsible for all translation work (reports, meeting announcements, all correspondence, etc). Among other tasks, they also share the responsibility of compiling the scientific documents for the *Collective Volume* series; the organization of the *Biennial Reports* (SCRS and Commission); maintain the files of correspondence with regional fisheries bodies; contacts with the Spanish Ministry of Foreign Affairs and the general archive; tracking the entry into force of the ICCAT regulations, the Statistical Document Programs, and the lists of the IUU fishing vessels.

Reception*Felicidad García* Receptionist.**Mailing, Publications**

Cristobal García Also responsible for the library and archive.
Juan Angel Moreno
Esther Peña Electronic archive.

Positive list of vessels*Jesús Fiz*

In February 2003, Ms. Esther Peña joined the Secretariat staff to carry out tasks related to the electronic archive. In June, Mr. Jesus Fiz, who works on the Positive Vessel List, and Mr. Juan Carlos Muñoz, who works in the Statistics Department, joined the Secretariat staff.

In addition, within the framework of the BETYP there is a BETYP Program Coordinator and a bookkeeping assistant charged to this Program's budget.

11. Secretariat's proposals to amend the Financial Regulations

Upon the entry into force of the Madrid Protocol, the adopted Financial Regulations will put the new changes into effect in accordance with the aforementioned Protocol (Regulation 4.1 of the Financial Regulations).

12. Staff Regulations and Rules**12.1 Secretariat's proposals to amend the Staff Regulations and Rules**

- It was proposed that Article 6.2.c Salaries and Allowances be modified, to adapt it to the current national regulations, regarding the incorporation of General Services staff in the General Regime of the Spanish Social Security System. The new text of this article would be as follows:

6.2.c) “...Participation in the Van Breda Retirement Benefit Plan is compulsory for those staff members in the General Services category whose date of employment is on or after January 1, 1983. By exception, those staff members who are nationals or residents of the country of the duty station could chose, at the time of their hiring, to take part in the Public Social Security System of the duty station, if this System so admits at that time. This choice will be unique and irrevocable.

Due to differences that could exist, in the costs as well as in contingencies covered by the Public Social Security System, the staff members who ultimately choose to take part in this System will not have the right to medical insurance, to accident and personal liability insurance regulated in paragraph e) of this same article and paragraph, and their salary will be adjusted such that the cost to the Commission is the same as if the staff member had not elected to take part in the Public Social Security System.

Staff members who are nationals or residents of the country of the duty station who have been hired prior to 1 March 2004 (date of entry into force of this amended text) and who up to this date were included in the Van Breda Pension Plan, can choose, prior to 1 September 2004 to withdraw from the aforementioned pension plan and take part in the Public Social Security System of the duty station, if this System so admits, according to the effects and economic conditions expressed in the previous paragraph. This choice will be unique and irrevocable.

The proposal was approved at the Commission meeting held in Dublin in November 2003.

- On the other hand, in accordance with the discussions held with the Chairman of STACFAD, the Secretariat proposed an amendment to Article 7.3 concerning overtime for the Professional or Higher categories. The proposed amendment was:

7.3 “... Staff members in the Professional category can only eligible for compensatory time off as applicable in paragraph a) above, with the exception of extra hours earned during meetings of the Commission and its subsidiary bodies.”

This proposal was not approved at the Commission meeting held in Dublin in November 2003.

12.2 Update on amendments to the Staff Regulations and Rules

In November 2003 the changes concerning the Van Breda Pension Plan, that were approved by the Commission at meeting in Rio de Janeiro (1999), and which had not been included, have been duly updated.

Annex 1

List of ICCAT Secretariat Documents Prepared for the 2003 Meetings

2003 Standing Committee of Research and Statistics

SCI-001	Tentative Agendas, Standing Committee on Research and Statistics
SCI-020	Secretariat’s Report on Statistics and Coordination of Research in 2002-2003
SCI-023	Statistical Correspondents
SCI-027	SCRS 2003 List of Documents
SCRS/2003/023	Update of the Proposed Partnership Between ICCAT and FIGIS-FIRMS. ICCAT Secretariat.
SCRS/2003/021	Overview of Data Deficiencies at ICCAT. ICCAT Secretariat.
SCRS/2003/026	ICCAT Database System: Current Status and Future Development. ICCAT Secretariat.
SCRS/2003/050	Update of the Mediterranean Swordfish Catch-at-size Database. ICCAT Secretariat.
SCRS/2003/064	Update of the Atlantic Yellowfin Catch-at-size Database. ICCAT Secretariat.
SCRS/2003/072	Application of MULTIFAN-CL in the Stock Assessment of Albacore. García, D., V. Restrepo, H. Arrizabalaga, C. Palma, I. Mosqueira, V. Ortiz de Zárate.
SCRS/2003/074	Update of the Atlantic Albacore Catch-at-size Database.
SCRS/2003/136	Estimates of Unreported Mediterranean Bluefin Tuna Catches in the NEI Combined Category. ICCAT Secretariat.

Publication Guidelines: Executive Summaries and Detailed Reports
 Guidelines for Authors of Scientific Papers for the 2003 SCRS and ICCAT Collective Volume Series

18th Regular Meeting of the Commission

PLE-001	Annotated Agendas 18 th Regular Meeting of the Commission Guidelines for the Presentation of Documents/Drafts
PLE-002	Tentative 2003 Commission Agenda
PLE-003	Tentative Commission Timetable
PA1-004	Tentative Agenda for Panel 1
PA2-005	Tentative Agenda for Panel 2
PA3-006	Tentative Agenda for Panel 3
PA4-007	Tentative Agenda for Panel 4
COC-008	Tentative Agenda of the Compliance Committee
PWG-009	Tentative Agenda of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)
PWG/COC-010	Tentative Agenda of the Joint Meeting of the Compliance Committee and PWG
STF-011	Tentative Agenda of the Standing Committee on Finance and Administration (STACFAD)
STF-012	Administrative Report
STF-013	Financial Report
PLE-014	Secretariat's Report on Statistics and Coordination of Research in 2002-2003
STF-018	Budgets 2004-2005
COC-019	Notes on the Preparation of the Compliance Annex 2003
COC-020	Information Submitted through National Reports and Other Reports in Accordance with ICCAT Regulations
PWG-021	Draft IUU List
COC-022	Establishment of an ICCAT Positive List of Vessels over 24 Meters
PWG-023	ICCAT Statistical Document Programs, Summary of Information
PWG-024	Statistical Documents Biannual Reports
PWG/COC-025	Information Regarding the Commission Chairman's Special Letters and the Subsequent Responses
PWG-026	Summary of Historical Actions Taken by the Commission
COC-031	Bluefin Tuna Farming Reports
PWG/COC-032	Vessel Charters
PLE-033	Compendium of Management Recommendations and Resolutions Adopted by ICCAT for the Conservation of Atlantic Tunas and Tuna-like Species
PWG-034	Update on Cooperating Party Requests
PWG-035	Vessels Participating in a Directed Fishery for Northern Albacore
PLE-041	Suggestions for Improving the ICCAT Commission Meeting
PLE-042	Panel Membership
STF-055	Information on Past Due Contributions
PLE-056	Guidelines for Documents
PWG/COC-069	Data Reporting
PWG-080	Summary Table of Information for 2003 PWG Actions
STF-103	Main Budgetary Implications for 2004

2003 FINANCIAL REPORT¹

1. Auditor's Report – 2002 Fiscal Year

The Executive Secretary sent a copy of the Auditor's Report to the Governments of all the Contracting Parties in June 2003 (ICCAT SALIDA 648). The General Balance at the close of Fiscal Year 2002 (**Statement 1** attached), showed an effective balance in Cash and Bank of €97,564.37, which included €1,145.80 available in the Working Capital Fund, €156,289.87 as anticipated payment of future contributions accumulated to the close of Fiscal Year 2002, and €90,128.70 available in other Program funds.

The balance of accumulated pending contributions at the close of Fiscal Year 2002 corresponding to 2002 and previous years amounted to a total of €1,865,190.10.

2. Financial status of the second half of the Biennial Budget – Fiscal Year 2003

All the financial operations of the Commission corresponding to Fiscal Year 2003 have been maintained in Euros. The accounting entries that originated in U.S. dollars are also registered in Euros, applying the official exchange rates facilitated monthly by the United Nations.

The 2003 Regular Budget of €1,679,601.62 was approved by the Commission at its 13th Special Meeting (Bilbao, November 2002). The General Balance (attached as **Statement 2**) shows the assets and liabilities to the close of Fiscal Year 2003, presented in detail **Tables 1 to 6**.

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

Of the budget approved, income of 2003 contributions amounted to €1,257,541.66. Only 17 of the 33 Contracting Parties included in this budget have paid their total contribution (Algeria, Angola, Barbados, Brazil, Canada, Croatia, European Community, France (St. Pierre & Miquelon), Iceland, Japan, Korea, Libya, Mexico, Namibia, Russia, Trinidad & Tobago and the United States). The People's Republic of China paid 79.12% (€3,669.04) towards its 2003 contribution, Côte d'Ivoire paid 99.93% (€2,050.76), Morocco paid 49.09% (€20,647.70) of its 2003 contribution, South Africa paid 99.90% (€7,581.75), Tunisia paid 98.31% (€23,513.83) and the United Kingdom (Overseas Territories) paid 82.00% (€6,850.45). Advances received in 2002 from Barbados (€105.86), Japan (€5,109.87), Korea (€90.23) and Tunisia (€4,830.04) were applied towards partial payment of their 2003 contributions, whereas the advances received from Libya (€14,537.98) and Namibia (€30,715.89) were applied towards the total payment of their 2003 contributions, with balances remaining, in favor of Libya (€90,183.35) and in favor of Namibia (€1,222.81) which will be applied towards payment of future contributions. In 2003, another advance was received from Namibia (€9,493.08), which together with the balance from the 2002 advance, will be applied toward the payment of future contributions, there remaining a balance of €30,715.89 in favor of Namibia. Advances were also received from Iceland (€12,880.61) and Turkey (€752.96), which will be applied towards the payment of future contributions.

The contributions to the 2003 Regular Budget that are pending payment from the Contracting Parties amount to €22,059.96, which represents 25.13 % of the budget.

The total of the accumulated debt from budgetary and extra-budgetary contributions amounts to €1,847,039.74, which includes, among others, the extra-budgetary contributions from Contracting Parties that have recently joined the Commission: Honduras and Vanuatu, and the debts of Benin, Cuba and Senegal, which are not longer Contracting Parties to ICCAT.

Table 2 presents the status of budgetary and extra-budgetary expenditures, to the close of Fiscal Year 2003, broken down by chapters.

Budgetary expenses

Following herewith are some general comments, by the various Budget chapters:

¹ The Financial Report presented at the 2003 Commission meeting was revised and updated to the close of fiscal year 2003.

Chapter 1 – Salaries: The salaries and remuneration of 13 Secretariat staff members were charged to this chapter: the Executive Secretary, the Assistant Executive Secretary, an Administrative and Financial Officer, five Translators in the Language Departments, a Receptionist, two Mail and Publications Clerks, and two locally contracted staff.

The total for Chapter 1 includes the updating of the remuneration schemes to those currently in effect for staff classified in the United Nations categories, including step (tenure) raises and contributions to the Van Breda Pension Plan. Also included are the Spanish Social Security costs for locally-contracted Secretariat staff.

Chapter 2 – Travel: The amount incurred in this chapter is €38,406.70 and corresponds to the travel and trip expenses for Secretariat participation in the following meetings: inter-sessional Commission meetings (€5,830.32), travel to Contracting Parties related to the Commission's work (€7,212.26), travel for invited visitors (€246.10), travel to participate in meetings of other international organizations (€10,290.82), and travel related to the benefits of Secretariat staff in the Professional category (€14,827.20), in accordance with Article 27 of the Staff Regulations and Rules.

Chapter 3 – Commission meetings: Expenditures included in this chapter amount to €108,759.39, which corresponds to a trip for the preparation of the next ICCAT meeting in New Orleans and the expenses for the Commission Meeting in Dublin. The European Community assumed part of the expenses incurred for holding the annual meeting outside the headquarters city, totaling €44,000.00 (which is 80% of the contribution from the European Community to this meeting). In addition, the United States assumed the expenses (€6,750.41) for the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies, which was held during the Commission Meeting in Dublin.

Chapter 4 – Publications: Expenditures charged to this chapter amount to €51,147.52, which correspond to the purchase of material for publications, such as paper and toner (€4,511.27), reproduction of publications (€31,449.89) and binding of the following publications: Statistical Bulletin, Biennial Report, 2002-2003, Part I, Vols. 1, 2 and 3 in the three official languages of the Commission, Collective Volume of Scientific Papers (5 volumes), Basic Texts (3rd Revision), and the Staff Regulations and Rules, in three languages (€5,186.36).

Chapter 5 – Office equipment: Expenses charged to this chapter amount to €4,612.07, including the purchase of diverse office furniture for the Secretariat.

Chapter 6 – Operating expenses: Expenditures incurred in this chapter total €129,102.15, corresponding to communications: mailing, phone and fax (€1,149.75); bank charges (€1,979.89); Audit (€10,260.60); maintenance contracts, garage rental and office cleaning (€33,545.47); representational expenses (€17,177.57); and office material and reproduction of documents (€14,988.87). The increase in the expenditure of this chapter is due to the important increase in postal rates for the mailing of official ICCAT correspondence, to the increase in phone and fax expenses and the rental costs of the Mita, Gestetner and Rank Xerox photocopiers.

Chapter 7 – Miscellaneous: This chapter includes various expenses of a minor nature, such as minor repairs at the Secretariat.

Chapter 8 – Statistics and research:

- A) *Salaries:* The salaries and remuneration of six Secretariat staff members were charged to this sub-chapter: the Head of the Statistics Department, the Scientific Editor, a Biostatistician, a Statistical Secretary, and two locally-contracted staff (a Database Programmer and a Data Entry Clerk). The observations made under Chapter 1 concerning the updating of salary schemes in effect in 2003 for staff classified in the United Nations categories also apply to this sub-chapter, as well as the costs for Spanish Social Security.
- B) *Travel to improve statistics:* The amount incurred in this sub-chapter is €34,141.20 and corresponds to the travel and trip expenses for Secretariat participation in the following meetings: travel related to SCRS inter-sessional meetings (€5,362.82), trips to participate in meetings of other organizations (€22,203.45), trips to improve statistics (€2,962.15), and trips for invited visitors (€3,612.78).
- C) *Statistics/Biology:* Expenses charged to this sub-chapter amount to €34,327.47 including: external translation work (€9,939.16); honorariums to a consultant for the Multifan course given at the Secretariat and expenses related to the participation of a consultant at the Peer Review System Meeting held at the Secretariat

(€18,294.32); the purchase of a portable computer and three computer monitors (€5,272.49); payment of the ICCAT lottery prizes (€21.50).

- D) *Computer-related items*: Expenditures incurred in this sub-chapter (€2,194.50) correspond to the purchase of computers and printers, a digital camera and a CD ROM Reader/Writer.
- *Database maintenance*: The amount spent for this concept amounts to €1,499.51, corresponding to the purchase of equipment, licenses, and memory expansion.
 - *Telephone line/Internet domain*: The amount spent for this concept amounts to €3,722.13, corresponding to connection costs and Internet maintenance.
- E) *Scientific meetings (including SCRS)*: The amount incurred in this sub-chapter amounts to €73,875.65, corresponding to expenses for the annual meeting of the Scientific Committee (SCRS) in Madrid. This amount includes payment to the Hotel Reina Victoria (where the plenary sessions of this scientific committee were held), payment to the interpreters, technical sound equipment, Secretariat staff overtime, and diverse office material for the meeting. The United States made an extra-budgetary contribution to assume the expenses of the *Ad Hoc* Data Workshop, which was held during the SCRS meeting (€9,770.91).
- F) *Bluefin Year Program (BYP)*: The Contracting Parties financed a budget of €4,163.69 as an ICCAT budgetary contribution to this Program. Chinese Taipei made a \$5,000 contribution (€4,610) for use in this Program. A breakdown of income and expenses is provided in the table referring to this Program.
- G) *Bigeye Year Program (BETYP)*: The Contracting Parties decided not to provide any special contribution to the Program this year. A breakdown of income and expenses is given in Appendix 5 to the 2003 SCRS Report, prepared by the BETYP Coordinator.
- H) *Billfish Research Program*: The Contracting Parties financed a budget of €10,944.67 as an ICCAT budgetary contribution to this Program. A breakdown of income and expenses is given in the table referring to this Program.
- I) *Miscellaneous*: Expenses charged to this sub-chapter amount to €4,775.

Chapter 9 – Contingencies: This chapter includes the purchase of two computers, to replace those stolen during the SCRS meeting held in Madrid.

Extra-budgetary expenditures

The extra-budgetary expenditures in Fiscal Year 2003 are explained in detail in Sections 5, 6 and 7 of this Report. The negative differences in currency exchange are also included as an extra-budgetary expense.

Table 3 shows the budgetary and extra-budgetary income received by the Commission during Fiscal Year 2003. The budgetary income amounted to €1,632,837.70, from Contracting Party contributions paid in 2003 towards the 2003 Budget (€1,192,657.95) and the contributions corresponding to previous years paid by Angola (€5.00), Brazil (€26,205.44), the People's Republic of China (€14,005.96), Côte d'Ivoire (€22,974.92), Ghana (€87,475.50), Sao Tome & Principe (€8,985.14), Trinidad & Tobago (€28,495.42), United Kingdom-Overseas Territories (€10,567.89) and Morocco (€1,414.48). This table also shows other income (extra-budgetary) received in 2003.

The extra-budgetary income received in this year includes: the contributions from Cyprus (€6,606.61), Mexico (€30.57), Malta (€3,674.75), Vanuatu (€6,349.59) and Turkey (€17,245.82); observer fees; a special contribution from Chinese Taipei; bank interest; reimbursement for publications; the return of Value Added Tax (VAT); the income shown in Sections 5, 6 and 7 of this Report; and the positive differences in currency exchange.

Table 4 shows the composition of the Working Capital Fund at the close of Fiscal Year 2003. The Fund shows a positive accounting balance of €79,554.30, which represents 10.69% of the 2003 Budget.

Table 5 shows Cash Flow during Fiscal Year 2003 as regards income and expenditures.

Table 6 shows the status of Cash and Bank, with a balance of €391,983.76, which corresponds to the total available in the Working Capital Fund (€179,554.30), as well as the available in funds for other programs (€77,896.65) and advances towards future contributions (€134,532.81).

3. Enhanced Research Program on Billfish

		<i>Euros</i>
Balance at start of Fiscal Year 2003		32,043.80
INCOME		
Financed by ICCAT	10,944.67	
Liquidation advance on account from USA	877.00	
Total income		11,821.67
EXPENDITURES		
Program expenses	22,209.87	
Bank charges	141.64	
Total expenditures		22,351.51
BALANCE AT THE CLOSE OF FISCAL YEAR 2003		21,513.96

4. Bluefin Year Program (BYP)

		<i>Euros</i>
Balance at start of Fiscal Year 2003		58,084.90
INCOME		
Financed by ICCAT	14,163.69	
Contribution of Chinese Taipei (\$5,000)	4,610.00	
Total income		18,773.69
EXPENDITURES		
Program expenses	20,431.96	
Bank charges	43.94	
Total expenditures		20,475.90
BALANCE AT THE CLOSE OF FISCAL YEAR 2003		56,382.69

5. ICCAT inter-sessional meetings in Madeira

The Regional Government of Madeira invited the Commission to hold the 3rd Meeting of the Working Group to Develop International Monitoring Measures and the 1st Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade Restrictive Measures, held from May 26 to 30, and assumed all the expenses for the organization of these meetings. The European Community made a special contribution (€1,034.79) to cover expenses, including the following: honorariums, trips and travel expenses for the interpreters, trips, travel expenses and overtime of the Secretariat staff who went to Madeira.

		<i>Euros</i>
INCOME		
Special contribution from the European Community		61,034.79
Total income		61,034.79
EXPENDITURES		
Total expenditures		43,145.89
BALANCE AVAILABLE		17,888.90*

*The European Community applied this balance from the Madeira meeting towards expenses of the Commission Meeting in Dublin.

6. Positive List of Vessels

In order to implement ICCAT Recommendation [Ref. 02-22] concerning the establishment of a Positive List of Vessels over 24 m authorized to fish in the Convention area, the Government of Japan made a special contribution of €63,000 to initiate this project at the Secretariat. The United States also made a contribution of €11,340.86 towards this project. To this effect, a person was hired to initiate this work and the necessary computer and office equipment was purchased.

	<i>Euros</i>
INCOME	
Special contribution from Japan	63,000.00
Special contribution from the United States	11,340.86
<i>Total income</i>	74,340.86
EXPENDITURES	
<i>Total expenditures</i>	74,340.86
BALANCE AVAILABLE	0.00

7. Special contribution from the United States

The Government of the United States made a special contribution of US\$47,084.87 (€41,894.18) for application as follows:

- Towards the observer program in Ghana: US\$16,000 (€14,032).
- To defray the costs of the *Ad Hoc* Data Workshop (Madrid, October 11, 2003) (€9,770.91) and the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies (Dublin, November 15, 2003) (€6,750.41).
- The remaining balance was applied as a contribution towards the Positive Vessel List (€11,340.86).

Statement 1. General Balance at the General Balance at the Close of Fiscal Year 2002 (Euros).

<i>Assets</i>		<i>Liabilities</i>	
	Euros		Euros
Available:			
BBVA:		Acquired holdings (net)	63,366.07
Acct. 0200176725 (Euros)	5,621.43	Guaranty deposit	370.01
Acct. 0200173290 (Euros)	97,205.79	Available in the Working Capital Fund	51,145.80
Acct. 2010012035 (US\$)	\$ 153,398.45	154,779.04	
Barclays:		Available in funds for Programs:	
Acct. 21000545 (Euros)	30,445.21	Billfish Research Program	32,043.80
Acct. 41000347 (US\$)	\$ 6,959.25	Bluefin Year Program (BYP)	<u>58,084.90</u>
		90,128.70	
Banco Simeon:		Advances on future contributions	156,289.87
Acct. 0150255223 (Euros)	2,040.26	Accumulated pending contributions	1,865,190.10
Cash on hand (Euros)	<u>450.76</u>		
Total available (Euros)	291,942.94		
(Exchange rate: 1US\$ = 1.009 Euros)			
Receivables:			
Past due contributions	1,865,190.10		
Fixed assets:			
Acquired before 2002			
Acquired during 2002	190,577.24		
Retired during 2002	16,124.70		
Total fixed assets, in use	<u>0.00</u>		
Accumulated depreciation	206,701.94		
Fixed assets (net)	<u>-143,335.87</u>		
	63,366.07		
Guaranty deposit	370.01		
TOTAL ASSETS	2,220,869.12	TOTAL LIABILITIES	2,226,490.55

Statement 2. General Balance at the Close of Fiscal Year 2003 (Euros).

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

Table I. Status of Contracting Party Contributions (Euros) (to the close of Fiscal Year 2003).

<i>Contracting Party</i>	<i>Balance due at start of Fiscal Year 2003</i>	<i>2003 Contracting Party contributions</i>	<i>Contributions paid in 2003 or applied to the 2003 Budget</i>	<i>Contributions paid in 2003 towards other budgets</i>	<i>Balance due as of close of FY</i>
A) Regular Commission Budget:					
Algerie	0.00	30,000.34	30,000.34	0.00	0.00
Angola	55.00	19,988.10	19,988.10	55.00	0.00
Barbados (1)	0.00	6,927.20	6,927.20	0.00	0.00
Brazil	226,205.44	101,147.00	101,147.00	226,205.44	0.00
Canada	0.00	28,904.30	28,904.30	0.00	0.00
Cap-Vert	199,937.38	19,452.29	0.00	0.00	219,389.67
China, People's Rep. of	14,005.96	42,552.33	33,669.04	14,005.96	8,883.29
Communauté Européenne	0.00	517,889.33	517,889.33	0.00	0.00
Côte d'Ivoire	22,974.92	22,066.76	22,050.76	22,974.92	16.00
Croatia	0.00	15,018.52	15,018.52	0.00	0.00
France (St.Pierre & Miquelon)	0.00	19,361.96	19,361.96	0.00	0.00
Gabon	90,503.76	20,322.84	0.00	0.00	110,826.60
Ghana	717,218.77	205,236.07	0.00	87,475.50	834,979.34
Guinea Ecuatorial	0.00	6,453.49	0.00	0.00	6,453.49
Guinée-Conakry	64,859.44	6,453.49	0.00	0.00	71,312.93
Honduras	6,787.79	12,906.98	0.00	0.00	19,694.77
Iceland (2)	0.00	12,950.32	12,950.32	0.00	0.00
Japan (3)	0.00	86,503.89	86,503.89	0.00	0.00
Korea, Rep. of (4)	0.00	19,774.41	19,774.41	0.00	0.00
Libya (5)	0.00	24,354.63	24,354.63	0.00	0.00
Maroc	21,414.48	42,062.18	20,647.70	21,414.48	21,414.48
Mexico	0.00	28,707.05	28,707.05	0.00	0.00
Namibia (6)	0.00	29,493.08	29,493.08	0.00	0.00
Panama	0.00	24,090.13	0.00	0.00	24,090.13
Russia	0.00	22,276.64	22,276.64	0.00	0.00
São Tome e Principe	100,188.01	13,011.59	0.00	28,985.14	84,214.46
South Africa	0.00	27,609.36	27,581.75	0.00	27.61
Trinidad & Tobago	28,495.42	23,097.87	23,097.87	28,495.42	0.00
Tunisie (7)	0.00	23,918.95	23,513.83	0.00	405.12
United Kingdom (Overseas Territories)	10,567.89	32,742.66	26,850.45	10,567.89	5,892.21
United States	0.00	116,833.49	116,833.49	0.00	0.00
Uruguay	44,903.03	14,323.64	0.00	0.00	59,226.67
Venezuela	136,390.34	63,170.73	0.00	0.00	199,561.07
Sub-total A)	1,684,507.63	1,679,601.62	1,257,541.66	440,179.75	1,666,387.84
B) New Contracting Parties:					
Honduras (30-Jan-2001)	14,937.00	0.00	0.00	0.00	14,937.00
Mexico (24-May-2002)	30.57	0.00	0.00	30.57	0.00
Vanuatu (25-Oct-2002)	3,295.28	6,349.59	3,054.31	3,295.28	3,295.28
Cyprus, Rep. of (20-Mar-03)	0.00	6,606.61	6,606.61	0.00	0.00
Turkey (04-Jul-03) (8)	0.00	17,245.82	17,245.82	0.00	0.00
Malta (07-Aug-03)	0.00	3,674.75	3,674.75	0.00	0.00
Sub-total B)	18,262.85	33,876.77	30,581.49	3,325.85	18,232.28
C) Withdrawals of Contracting Parties:					
Senegal (31-Dec-1988)	45,593.31	0.00	0.00	0.00	45,593.31
Cuba (31-Dec-1991)	66,317.48	0.00	0.00	0.00	66,317.48
Benin (31-Dec-1994)	50,508.83	0.00	0.00	0.00	50,508.83
Sub-total C)	162,419.62	0.00	0.00	0.00	162,419.62
TOTAL (A+B+C):	1,865,190.10	1,713,478.39	1,288,123.15	443,505.60	1,847,039.74

(1) The advance from Barbados (? 105.86) received in 2002 has been applied towards partial payment of its 2003 contribution.

(2) An advance from Iceland (? 12,880.61), received in 2003, will be applied towards payment of future contributions.

(3) The advance from Japan (? 5,109.87) received in 2002 (ICCAT inter-sessional meetings in Japan), has been applied in its entirety towards partial payment of its 2003 contribution.

(4) The advance from Korea (? 990.23) received in 2002 has been applied in its entirety towards partial payment of its 2003 contribution.

(5) The advance from Libya (? 114,537.98) received in 2002 has been applied towards the total payment of its 2003 contribution, with a balance of ? 90,183.35 remaining in favor of Libya which will be applied towards payment of future contributions.

(6) The advance from Namibia (? 30,715.89) received in 2002 has been applied towards the total payment of its 2003 contribution, with a balance remaining of ? 1,222.81 in favor of Namibia which will be applied towards future contributions.

In 2003 another advance (? 29,493.08) was received which, together with the balance from the advance of 2002, will be applied towards payment of future contributions, with a balance remaining of ? 30,715.89 in favor of Namibia.

(7) The advance from Tunisia (? 4,830.04) received in 2002 has been applied in its entirety towards the partial payment of its 2003 contribution.

(8) The advance from Turkey (? 752.96) received in 2003 will be applied towards payment of future contributions.

Table 2. Status of Budgetary and Extra-budgetary Expenditures (Euros) (to the close of Fiscal Year 2003)

<i>Chapters</i>	<i>2003 Budget</i>	<i>Expenditures to the end of Fiscal Year 2003</i>
1. Budget and budgetary expenditures:		
Chapter 1. Salaries	719,424.05	714,559.21
Chapter 2. Travel	41,847.27	38,406.70
Chapter 3. Commission Meetings (annual & inter-sessional)	112,509.47	108,759.39
Chapter 4. Publications	50,941.79	51,147.52
Chapter 5. Office Equipment	7,813.16	4,612.07
Chapter 6. Operating Expenses	109,384.20	129,102.15
Chapter 7. Miscellaneous	6,250.53	5,162.27
<i>Sub-total Chapters 1-7</i>	<i>1,048,170.47</i>	<i>1,051,749.31</i>
Chapter 8. Statistics and Research		
8A Salaries	382,116.43	367,905.51
8B Travel to improve statistics	35,409.23	34,141.20
8C Statistics/Biology	44,691.26	34,327.47
8D Computer-related items	22,533.15	22,194.50
- Data base revision	15,626.31	11,499.51
- Telephone line/Internet domain	9,375.79	3,722.13
8E Scientific meetings (including SCRS)	75,006.31	73,875.65
8F Bluefin Year Program (BYP)	14,163.69	14,163.69
8G Bigeye Year Program (BETYP)	0.00	0.00
8H Billfish Research Program	10,944.67	10,944.67
8I Miscellaneous	5,938.00	4,775.00
<i>Sub-total Chapter 8</i>	<i>615,804.84</i>	<i>577,549.33</i>
Chapter 9. Contingencies	15,626.31	8,052.72
TOTAL BUDGETARY EXPENDITURES (Chapters 1 to 9)	1,679,601.62	1,637,351.36
2. Extra-budgetary expenditures		
Expenses meeting in Madeira		61,034.79
Expenses Positive List of Vessels		74,340.86
Expenses financed by the USA		41,894.18
Expenses for Ghana		14,032.00
Negative differences in currency exchange		35,251.41
TOTAL EXTRA-BUDGETARY EXPENDITURES		226,553.24
TOTAL EXPENDITURES INCURRED IN 2003		1,863,904.60

Table 3. Budgetary and Extra-Budgetary Income Received (Euros) (to the close of Fiscal Year 2003)

1.1	Contributions received in 2003 towards the 2003 Budget:			
	Iceland	(28 January)	12,950.32	
	Canada	(11 February)	28,904.30	
	Angola	(11 February / 21 March)	19,988.10	
	Tunisie (partial)	(14 February / 22 May)	18,683.79	
	Communauté Européenne	(28 February)	517,889.33	
	Trinidad & Tobago	(14 March)	23,097.87	
	Algérie	(20 March)	30,000.34	
	Mexico	(24 March / 4 November)	28,707.05	
	France (St-Pierre et Miquelon)	(26 March)	19,361.96	
	Japan	(31 March)	81,394.02	
	United Kingdom (Overseas Territ.) (partial)	(9 & 29 April / 2 June / 11 November / 31 December)	26,850.45	
	South Africa (partial)	(10 April)	27,581.75	
	United States	(22 April)	116,833.49	
	Barbados	(6 May)	6,821.34	
	Korea, Rep. of	(8 May)	18,784.18	
	Croatia	(28 May)	15,018.52	
	Russia	(6 October / 12 December)	22,276.64	
	China, People´s Rep. of (partial)	(27 & 30 October)	33,669.04	
	Brazil	(30 December)	101,147.00	
	Côte d'Ivoire	(30 December)	22,050.76	
	Maroc	(31 December)	20,647.70	
				1,192,657.95
1.2	Contributions received in 2003 towards previous budgets:			
	Angola	(11 February)	55.00	
	São Tomé e Príncipe	(13 February / 9 July)	28,985.14	
	Brazil	(20 February / 30 December)	226,205.44	
	United Kingdom (Overseas Territories)	(28 February / 9 April)	10,567.89	
	Trinidad & Tobago	(14 March)	28,495.42	
	Côte d'Ivoire	(15 July / 30 December)	22,974.92	
	Ghana	(7 October)	87,475.50	
	China, People´s Rep. of	(27 October)	14,005.96	
	Maroc	(31 December)	21,414.48	
				440,179.75
1.3	Extra-budgetary contributions from new Contracting Parties received in 2003:			
	Mexico	(24 March)	30.57	
	Cyprus, Rep. of	(7 October)	6,606.61	
	Malta	(28 November)	3,674.75	
	Vanuatu	(28 November)	6,349.59	
	Turkey	(30 December)	17,245.82	
				33,907.34
1.4	Other extra-budgetary income:			
	Observer fees at ICCAT Meetings		7,098.73	
	Extra-budgetary contribution from Chinese Taipei to ICCAT		46,100.00	
	Contribution Madeira Meeting (Communauté Européenne)		61,034.79	
	Income Positive Vessel List		74,340.86	
	Special contribution from USA		41,894.18	
	Income in Ghana		14,032.00	
	Bank interest		2,801.72	
	Refund from VAT		10,358.24	
	Reimbursement for publications		1,830.09	
	Positive differences in currency exchange		1,193.74	
				260,684.35
TOTAL INCOME RECEIVED IN 2003:				1,927,429.39

Table 4. Composition and Balance of the Working Capital Fund (Euros) (at the close of Fiscal Year 2003)

Balance available in the Working Capital Fund (at the start of Fiscal Year 2003)		51,145.80
a) Status of income and expenditures of the Budget for Fiscal Year 2003		
Deposits:		
Contributions paid in 2003 and/or in advance for application to the 2003 Budget	1,257,541.66	
Deductions:		
Real budgeted expenditures (Chapters 1 to 9) in Fiscal Year 2003	1,637,351.36	-379,809.70
b) Other income and expenditures not included in Budget for Fiscal Year 2003		
Deposits:		
Contributions paid in 2003 towards previous budgets	440,179.75	
Extra-budgetary contributions from new Contracting Parties	33,907.34	
Other extra-budgetary income	<u>260,684.35</u>	
	734,771.44	
Deductions:		
Extra-budgetary expenditures	226,553.24	508,218.20
BALANCE AVAILABLE AT THE CLOSE OF FISCAL YEAR 2003		179,554.30

Table 5. Cash Flow (Euros) (to the close of Fiscal Year 2003)

<i>Income and Origin</i>		<i>Expenses & Application</i>	
Balance in Cash and Banks (at the start of Fiscal Year 2003)	297,564.37	Available in Program funds at the close of Fiscal Year 2002 applied in Fiscal Year 2003	90,128.70
Income:			
Contributions paid in 2003 and/or in advance for their application to the 2003 Budget	1,257,541.66	Advances on contributions to the close of Fiscal Year 2002 applied in Fiscal Year 2003	64,883.71
Contributions pending from previous budgets paid in 2003	440,179.75	Budgetary expenses for Fiscal Year 2003 (Chapters 1 to 9)	1,637,351.36
Extra-budgetary contributions from new Contracting Parties received in 2003	33,907.34	Extra-budgetary expenses	226,553.24
Other extra-budgetary income received in 2003	260,684.35	Available at the close of Fiscal Year 2003:	
Advances on future contributions received in 2003 (Namibia, Turkey, Iceland)	<u>43,126.65</u>	Available in the Working Capital Fund	179,554.30
	2,035,439.75	Advances received pending application to future contributions at the close of Fiscal Year 2003 (Libya, Namibia, Iceland, Turkey)	134,532.81
Balance at close of Fiscal Year 2003 for Programs:		Available in other Programs:	
Billfish Research Program	21,513.96	Billfish Research Program	21,513.96
Bluefin Year Program (BYP)	<u>56,382.69</u>	Bluefin Year Program (BYP)	<u>56,382.69</u>
	77,896.65		77,896.65
TOTAL INCOME & ORIGIN	2,410,900.77	TOTAL EXPENSES & APPLICATION	2,410,900.77

Table 6. Status of Cash and Banks (Euros) (at the close of Fiscal Year 2003)

<i>Summary</i>		<i>Breakdown</i>	
Balance in Cash and Banks	391,983.76	Available in the Working Capital Fund	179,554.30
		Total advances received for application to future contributions	134,532.81
		Available in Funds for other Programs	77,896.65
TOTAL CASH IN CASH AND BANKS	391,983.76	TOTAL AVAILABLE	391,983.76

PROCEEDINGS OF THE 18TH REGULAR MEETING OF THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS

(Dublin, Ireland - 17 to 24 November 2003)

1. Opening of the meeting

The 18th Regular Meeting of the Commission was opened on Monday, 17 October 2003, by the Commission Chairman, Mr. Masanori Miyahara. He thanked the Government of Ireland and the European Community for hosting the meeting in the beautiful city of Dublin. Mr. Miyahara welcomed all delegates and in particular the four new members: Cyprus, Malta, Turkey and Vanuatu. He also indicated that there has been a special seating arrangement for Cooperating non-Contracting Parties, Entities or Fishing Entities.

Mr. Miyahara emphasized that this year there was a need to focus on bigeye and albacore conservation measures, close the loopholes due to fish farming, agree on comprehensive statistical document instruments, and of course streamline the process.

Mr. Miyahara introduced Mr. Dick Roche, Minister of State at the Department of Foreign Affairs, Irish Government. Mr. Roche welcomed delegates to historical Dublin Castle, and to Ireland. He noted that two words stand out in the title of ICCAT: international and conservation. The broad mandate of ICCAT cannot be underestimated, and the Commission is charged with an important responsibility of ensuring sustainable tuna stocks for the future. Mr. Roche extended his best wishes for a successful meeting.

The introductory and opening addresses of the Commission Chairman and the Minister are attached as **ANNEX 3.1**.

2. Adoption of Agenda and arrangements

The Agenda, which had been circulated previously, was reviewed and adopted by consensus (**ANNEX 1**).

The Chairman then reviewed the schedule of work and presented a revised schedule. This was agreed to by the Plenary. The final schedule of work can be seen in **ANNEX 1**.

The Secretariat served as Rapporteur.

3. Introduction of Contracting Party Delegations

The following 29 Contracting Parties were in attendance: Algeria, Angola, Brazil, Canada, People's Republic of China, Côte d'Ivoire, Croatia, Cyprus, European Community, France (St. Pierre and Miquelon), Gabon, Ghana, Guinea Conakry, Iceland, Japan, Korea, Malta, Mexico, Morocco, Namibia, Russian Federation, South Africa, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States of America, Uruguay, and Vanuatu. The List of Participants is attached as **ANNEX 2**.

The Chairman requested, in accordance with his aim to streamline the proceedings, that there be no verbal opening statements by Contracting Parties, though the Chairman indicated that Delegates could submit opening statements in writing to be attached to the report (see **ANNEX 3.2**).

4. Introduction and admission of Observers

Again, there were no verbal opening statements by Observers, although the Chairman indicated that Observers could submit opening statements in writing to be attached to the report (see **ANNEX 3.3-3.5**). The Executive Secretary identified the Observers in attendance. A Representative from the Food and Agriculture Organization of the United Nations (FAO), the depository of the ICCAT Convention, attended the meeting. Delegates from Chinese Taipei and the Philippines as Cooperating non-Contracting Parties, Entities or Fishing Entities were admitted as Observers. Observers were also admitted from Belize, Israel, Netherlands Antilles, Norway, St. Vincent and the Grenadines, and from Caribbean Community (CARICOM), Forum Fisheries Agency (FFA), Inter-American Tropical Tuna Association (IATTC), Indian Ocean Tuna Commission (IOTC), International

Whaling Commission (IWC), Commission International de la Pêche Sportive (CIPS), Organization for the Promotion of Responsible Tuna Fisheries (OPRT), Recreational Fishing Alliance (RFA), Wildlife Conservation Society (WCS), Wrigley Institute of Environmental Studies (WIES), and World Wildlife Fund (WWF). The list of Observers is included in the List of Participants (**ANNEX 2**).

5. Election of the Executive Secretary

The Commission Chairman announced on 24 November 2003 that Mr. Driss Meski of Morocco had been elected as the next Executive Secretary of the Commission, and he extended his congratulations. Mr. Meski thanked the Commission for its confidence in him and stated that he will do his utmost to succeed in this important mission. Mr. Meski also paid tribute to the other candidates who had applied for the position, and to Dr. Adolfo Lima, the out-going Executive Secretary. The Commission Delegates also congratulated Mr. Meski (see **ANNEX 3.6**).

6. Decisions for improving the organization of Commission meetings

The Commission Chairman reviewed his decisions for improving the organization of Commission meetings and indicated that his proposals would be distributed in writing after the meeting, and he encouraged feedback in writing after that time. Mr. Miyahara summarized his decisions as follows:

- **Duration of meeting.** The practices applied at the 2003 meeting, including no verbal opening statements and maintaining a deadline for new proposals, should be continued. In addition, he indicated that the 2004 Commission meeting would be shortened (Monday to Sunday).
- **New proposals.** Delegates should present proposals (or at least the intention to do so) in advance of the meeting.
- **Openness of process.** The Chairman agreed that the openness of the meetings could be improved upon and made proposals to be studied for next year. He stated that simultaneous interpretation in the three official languages of the Commission should be available for any open discussion, and suggested that in the interest of time this might be accomplished by using concurrent sessions. He recognized that this could pose problems for small delegations, and that it would require additional resources (people, facilities and funding) for simultaneous interpretation. He asked the Secretariat to study this. He emphasized that while this issue should be studied for 2004, it might not be possible to implement all measures for the 2004 meeting.
- **Social functions.** The Commission Chairman asked that Wednesday to Friday of the Commission meeting week be kept free of social functions. This is a critical period in the week for the Commission to have uninterrupted time for work.

7. Report of the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures

At the opening Plenary session, this Agenda item was deferred to the Compliance Committee.

During the Final Plenary Session, the Chairman of the Compliance Committee noted that despite very weak participation (only nine Contracting Parties and one Cooperating non-Contracting Party, Entity or Fishing Entity), the Working Group made progress in 2003, but has not yet completed its task. The Report of the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures (**ANNEX 4.1**) was adopted by consensus, and the Commission agreed to maintain this Working Group and to include an item on the 2004 Commission meeting Agenda relative to this Working Group.

The Commission adopted the following Recommendations, by consensus:

- *Recommendation by ICCAT Concerning the Duties of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities in Relation to their Vessels Fishing in the ICCAT Convention Area* (see **ANNEX 5 [Ref. 03-12]**).
- *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* (see **ANNEX 5 [Ref. 03-13]**).

- *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area (see ANNEX 5 [Ref. 03-14]).*

The Delegate of Japan expressed concern about the difficulty of Japan's full implementation of the Vessel Monitoring System (ANNEX 5 [Ref. 03-14]) but indicated he will report back on the degree of success, and asked that this be noted in the record.

8. Report of the 1st Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade Restrictive Measures

During the opening Plenary session, this Agenda item was deferred to the Joint Meeting of the Compliance Committee and the PWG.

During the Final Plenary Session, the Report of the 1st Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade Restrictive Measures (ANNEX 4.2) was adopted, by consensus.

The Commission adopted the following Resolution, by consensus:

- *Resolution by ICCAT Concerning Trade Measures (see ANNEX 6 [Ref. 03-15]).*

9. Summary Report of the Standing Committee on Research and Statistics

9.1 SCRS Report

The 2003 SCRS meeting took place in Madrid, Spain, from 6-10 October. The SCRS Chairman, Dr. Joao Gil Pereira, presented an overview of the report to the Commission Plenary on the first day of the meeting. Discussions on each stock were deferred to the relevant Panel.

Dr. Pereira explained that 2003 had been another busy year with many inter-sessional meetings including the Meeting for Improving the Collection of Fisheries Statistics in Ghana (Tema, Ghana, 2 to 5 February 2003), the Inter-sessional Meeting of the ICCAT Sub-Committee on Statistics to establish data exchange protocols and standard codes (Madrid, 24-27 March 2003), and the Meeting of the ICCAT Working Group on Assessment Methods (Shimizu, Japan, 7-11 April 2003), as well as stock assessments for Mediterranean swordfish, Atlantic yellowfin and North and South Atlantic albacore, and a meeting to evaluate the effects of the moratorium on tropical tuna stocks.

Progress was reported on ICCAT's special research programs: the Bigeye Tuna Year Program (BETYP), the Bluefin Year Program (BYP), and the Enhanced Research Program for Billfish. All three Programs have made substantial improvement on the knowledge of these species and the Chairman referred the Commission to the results and budgets of these programs contained in the SCRS Report. Dr. Pereira noted that the final Symposium for the BETYP is planned for 8-9 March 2004, and will be followed by the Second World Meeting on Bigeye Tuna from 10-13 March 2004. He also drew the Commission's attention to the SCRS proposal for a research plan to enhance the current BYP.

Dr. Pereira noted, in particular, that the SCRS continues to be very concerned about the deteriorating quality of the data. This topic was discussed broadly in the Species Groups, by the Sub-Committee on Statistics, and at the SCRS Plenary. He noted that many Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities do not send data and/or meet submission deadlines.

The SCRS has proposed several meetings and assessments for 2004: the BETYP Symposium and Second World Meeting on Bigeye Tuna; a GFCM/ICCAT data preparatory meeting (for albacore and small tunas); an East Atlantic bluefin data preparatory meeting; blue and short-fin mako shark; and West Atlantic bluefin and skipjack assessments. He also noted the SCRS recommendation that the Commission be a signatory to the formal FIRMS Partnership Arrangement (see Agenda item 16.3).

Dr. Pereira explained that the entire suite of recommendations from the SCRS could be found in the various Detailed Reports and meeting reports of SCRS subsidiary bodies, and that those with direct implications for the Commission could be found in Section 16 of the SCRS Report. Without going into the details of all of the

recommendations highlighted in the SCRS Report, the SCRS Chairman did note that if the research recommendations are to be carried out, this will mean an increased workload for both national scientists and the Secretariat. Dr. Pereira made a plea to Commissioners to provide the necessary financial and human resources to do the work. He also emphasized that the Commission should facilitate scientists in accessing the necessary data.

Dr. Pereira also noted that the SCRS has prepared several responses to the Commission's requests on the topics of swordfish stock structure, Japanese catch and discards, and the impact of the moratorium on tropical tuna stocks.

The Delegate of Canada remarked on the broad problems with data quality and timeliness of submission, which sometimes results in the inability to conduct assessments, and noted that these are issues with which the Commission must deal. He also referred to the concept of precaution –the more uncertain we are, the more cautious we should be– and noted that the Commission seems to be doing the opposite. The Delegate of Canada suggested that the Commission revisit the principle of precaution, given the increased level of uncertainty in data and assessments.

The Delegate of the European Community asked the SCRS Chairman how the SCRS has adapted its working methods to the work of the Commission, remarking that the SCRS should concentrate more on stocks for which the Commission needs advice. The SCRS Chairman reviewed the criteria used by the SCRS to establish its work plan for the coming years. The maximum number of assessments per year should not exceed five, given that the preparatory work required for assessments both by scientists and the Secretariat is substantial, and that some scientists are involved in more than one stock assessment. In addition, the SCRS considers the Commission's Recommendations and Resolutions, and the SCRS has followed the Commission's requests. The SCRS also tries to fit in little-studied species (e.g., skipjack). In some cases, the SCRS has been unable to do an assessment because no data are available, and therefore data preparatory meetings are also scheduled (e.g., East Atlantic bluefin tuna). The Commission Chairman agreed to review the timing of assessments, and the timing of data submission in relation to the assessment schedule.

The Delegate of the EC also noted the number of proposals in the SCRS Report that required additional funding (e.g., the proposal for enhancing the current Bluefin Year Program). He noted that the unhealthy financial situation of the Commission does not lend itself to supporting such ambitious programs with the current resources. The SCRS Chairman responded that the proposal for the enhancement of the bluefin tuna research was directed at helping the Commission fulfill its objectives as stated in *Recommendation by ICCAT to Establish a Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies* [Ref. 02-11]. Dr. Pereira noted that there is a need to improve the research and knowledge to answer many of the Commission's questions, but that the current level of research funding by the Commission is very low so that one cannot expect answers to very important problems. The Commission Chairman requested that discussions of finance be taken up in STACFAD.

During the Final Plenary Session, the Commission Chairman noted that the SCRS Report was adopted by the Commission by consensus.

9.2 Data Workshop

An overview of the outcome of the Data Workshop (ANNEX 4.3), which was held in Madrid immediately after the 2003 SCRS, was also presented by the SCRS Chairman, who chaired the Data Workshop.

Dr. Pereira began his presentation by noting that the participation in the meeting was very low. He then went through the series of recommendations made by the Data Workshop. There are strong concerns about the quality of the data, missing data and under-reporting, poor sampling coverage, a paucity of size data for many species, and late submission of data. In addition, the Workshop noted that some countries lack the capacity to collect statistics and/or send scientists to ICCAT scientific meetings. There are a series of recommendations by the Workshop to improve data reporting, including help with training of scientists or technicians. As regards the trade data collected by ICCAT, there is almost no validation process in ICCAT to check if there is double-reporting. Dr. Pereira drew attention to the recommendations by the Workshop for the improvement of the Statistical Documents. The Workshop had several recommendations to address capacity-building, including support for the concept of re-establishing the ICCAT Port Sampling Program.

Several delegations noted the importance of the topic of the Data Workshop and its fundamental concern to ICCAT. There was concern that while the topic appeared on several agendas, the issues should not be dispersed.

The Commission Chairman requested that detailed discussions be referred to the Joint Meeting of the Compliance Committee and PWG (**ANNEX 11**).

The Delegate of the EC expressed concern about the coherence of the Data Workshop Report and requested additional information showing precisely what data are submitted by each Contracting Party. He again noted the very poor participation in the meeting and emphasized that instead of assigning blame, the Commission needs to find ways to assist Parties to comply with the Commission's data requirements.

During the final Plenary session, the Commission adopted the following Resolution, by consensus:

- *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* (see **ANNEX 6 [Ref. 03-21]**).

The Delegate of the United States indicated that the United States would start the fund indicated in operative paragraph 2 of the above Resolution (a fund to be used for training in data collection and for supporting scientific participation in SCRS sessions), with an extra-budgetary contribution of US\$15,000-20,000. The Delegate of Japan requested that the SCRS Chairman prioritize the spending of the fund, and include an explanation for the rationale for the expenditures.

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

The Reports of Panels 1, 2, 3, and 4 were presented by the respective Panel Chairpersons during the final Plenary session (see **ANNEX 8**). The Commission reviewed the Reports, and Recommendations and Resolutions proposed by the Panels, and adopted the following measures, by consensus:

Panel 1

- *Recommendation by ICCAT on Bigeye Tuna Conservation Measures* (see **ANNEX 5 [Ref. 03-01]**).
- *Resolution by ICCAT to Authorize a Temporary Catch Limit Adjustment in the Bigeye Tuna Fishery* (see **ANNEX 6 [Ref. 03-02]**).

Panel 2

- *Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2004-2006* (see **ANNEX 5 [Ref. 03-06]**).
- *Recommendation by ICCAT Concerning the Stock Assessment Schedule for Western Atlantic Bluefin Tuna* (see **ANNEX 5 [Ref. 03-08]**).
- *Recommendation by ICCAT on Bluefin Tuna Farming* (see **ANNEX 5 [Ref. 03-09]**).
- *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* (see **ANNEX 5 [Ref. 03-19]**).

Panel 3

- *Recommendation by ICCAT on the Southern Albacore Catch Limit and Sharing Arrangement for 2004* (see **ANNEX 5 [Ref. 03-07]**).

Panel 4

- *Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish and South Atlantic Swordfish* (see **ANNEX 5 [Ref. 03-03]**).
- *Recommendation by ICCAT Relating to Mediterranean Swordfish* (see **ANNEX 5 [Ref. 03-04]**).
- *Resolution by ICCAT to Authorize a Temporary Catch Limit Adjustment in the South Atlantic Swordfish Fishery* (see **ANNEX 6 [Ref. 03-05]**).
- *Resolution by ICCAT on Shark Fishery* (see **ANNEX 6 [Ref. 03-10]**).

During the discussion of the Panel 1 Report, the Commission requested that the SCRS postpone the skipjack assessment that the SCRS had proposed for 2004, and instead conduct a bigeye tuna assessment in 2004, some time following the BETYP Symposium. Further, Japan requested that Chinese Taipei clarify its commitment to keep within its bigeye catch limit, also recognizing the *Resolution by ICCAT to Authorize a Temporary Catch*

Limit Adjustment in the Bigeye Tuna Fishery (ANNEX 6 [Ref. 03-02]), and Chinese Taipei so agreed and thanked Japan for its support.

Panel 2 also adopted the Report of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies (see ANNEX 4.4) and recommended that the Working Group meet again in May 2004. During the discussion of the Panel 2 Report, the U.S. Delegate noted that at some time in the future, the Commission must address the issue of accumulation of carry-over for the North Atlantic albacore stock. The U.S. Delegate also noted that submission of bluefin tuna farming reports was poor in 2003 and requested that each year all Parties farming bluefin submit reports by the August deadline, including 2004. The Commission Chair confirmed that Parties should report in 2004, as per [Ref. 02-10] and [Ref. 03-09].

During the discussion of the Panel 3 Report, there was considerable debate about the proposed inter-sessional meeting of Panel 3 to work out the sharing arrangement for the South Atlantic albacore stock (operative paragraph 12 of *Recommendation by ICCAT on the Southern Albacore Catch Limit and Sharing Arrangement for 2004*) (see ANNEX 5 [Ref. 03-07]). To ensure its participation in difficult economic times, Namibia offered to host the proposed meeting in June 2004, but indicated it could not provide simultaneous interpretation. There was concern by several delegations that the meeting was to be only in English, and several delegates requested that there be simultaneous interpretation. The Delegate of Brazil offered an alternate venue, with simultaneous interpretation. It was agreed that the meeting should be held, and if possible simultaneous interpretation made available. The Commission Chairman asked the potential participants to work out a suitable venue keeping in mind the need to balance economic factors that might limit participation, and the need for simultaneous interpretation. If no satisfactory solution could be reached, the Commission Chairman asked the Panel Chairman to report back to the Commission.

During the discussion of Panel 4, the Delegate of Japan requested the Observer of Chinese Taipei to clarify Chinese Taipei's commitment to keep within its South Atlantic swordfish catch limit, also recognizing the *Resolution by ICCAT to Authorize a Temporary Catch Limit Adjustment in the South Atlantic Swordfish Fishery* (ANNEX 6 [Ref. 03-05]), and Chinese Taipei so agreed and thanked Japan for its support. The Delegate of Morocco made a statement related to the *Recommendation by ICCAT Relating to Mediterranean Swordfish* (ANNEX 5 [Ref. 03-04]) (see Appendix 15 to ANNEX 8).

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

The Chairman of the Compliance Committee, Mr. Friedrich Wieland, reported that the Compliance Committee reviewed and adopted the Compliance Tables that are attached to the Committee's report (**Appendix 3 to ANNEX 9**). In doing so, the Committee had to address a number of interpretive issues concerning applicable recommendations. Some of the issues gave rise to different opinions (e.g., the issue of year-to-year treatment of under-harvests in cases of autonomous quotas set by some Contracting Parties). This was further discussed in the Plenary session and it was agreed that there would be no carry-over provision in the case of the autonomous quotas for South Atlantic swordfish in the years 2001 and 2002, and that the underages from 2000 could only be added to the 2003 quotas of those Contracting Parties specifically mentioned in the *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits* [Ref. 02-03]. The Compliance Committee Chair also concluded that there was consensus that carry-overs of autonomous quotas for East Atlantic bluefin tuna were not possible.

The appropriateness of the protocol establishing the deadline for changing the draft tables (the first day of the Commission meeting) was noted and similar arrangements will be followed in the future. The Commission adopted the Compliance Tables (attached as **Appendix 3 to ANNEX 9**), noting the reservations by Turkey (see **Appendix 2 to ANNEX 9**).

Mr. Wieland explained that the Compliance Committee proposed the import ban against Equatorial Guinea be maintained. The Commission approved this action and the proposed special letter informing Equatorial Guinea of this action (**Appendix 4.1 to ANNEX 9**) and adopted the following:

- *Recommendation by ICCAT Concerning the Continuance of Trade Measures Against Equatorial Guinea* (see ANNEX 5 [Ref. 03-17]).

The Compliance Committee proposed that the identification status concerning Panama also be maintained. The Commission approved this action and the proposed special letter informing Panama of this action (**Appendix 4.2 to ANNEX 9**).

Mr. Wieland also indicated the following: The Delegate of Vanuatu informed the Committee that information on the measures Vanuatu has taken will be provided and the Committee will evaluate these measures once they become available; the Delegate of Ghana referred to the measures it has taken to comply with the moratorium in the Gulf of Guinea in 2002/2003 and the Committee encouraged Ghana to continue its efforts to ensure full compliance; and one delegation moved that measures under the Compliance Recommendation [Ref. 96-14] be taken in respect of Chinese Taipei's compliance failures in connection with North Atlantic swordfish and bigeye but this was resolved in the discussions in the Panels. Mr. Wieland also noted that the Committee briefly discussed the operation of the newly established Record of Authorized Vessels and noted that experience with this novel instrument was yet to be gathered and that the Committee will revisit this topic in due course.

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

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

Ms. Kimberly Blankenkoper, Chair of the PWG, reported to the Commission Plenary, and reviewed the two Recommendations that were being brought forward to the Commission for adoption. The Commission adopted the following, by consensus:

- *Recommendation on Criteria for Attaining the Status of Cooperating non-Contracting Party, Entity or Fishing Entity in ICCAT* (see **ANNEX 5 [Ref. 03-20]**).
- *Recommendation by ICCAT for Bigeye Tuna Trade Restrictive Measures on Georgia* (see **ANNEX 5 [Ref. 03-18]**).

The PWG Chair also noted that the following Recommendation related to statistical documents had been adopted by Panel 2:

- *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* (see **ANNEX 5 [Ref. 03-19]**).

The PWG Chair noted that the PWG had agreed to extend the Cooperating Status of Chinese Taipei and the Philippines. The Commission agreed with this decision and requested the Secretariat to draft and send these letters. In addition, Guyana was granted Cooperating Status. It was considered premature to take a decision regarding the requests for Cooperating Status from Belize, Cuba, Egypt and Guatemala and the issue was deferred until 2004. The Parties will be asked to reiterate their interest in receiving Cooperating Status and to take into account the provisions of the newly-adopted Recommendation on Cooperating Status (see **ANNEX 5 [Ref. 03-20]**). In the case of Netherlands Antilles, there was no consensus reached on the granting of Cooperating Status, and therefore it was not conferred. It was agreed that letters would be sent to inform these countries of the Commission's decisions (see **Appendix 5 to ANNEX 10**).

The PWG Chair noted that the PWG had agreed to the updated "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas" (attached as **Appendix 3 to ANNEX 10**). The Commission adopted this list as an information document with provisional status and noted that it was not being adopted pursuant to the *Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Ref. 02-23] and thus should not be published electronically on the ICCAT web site. It was agreed to append it to the meeting proceedings, however. The Chair reported that the Parties had undertaken a commitment to improve data and information over the coming months with respect to the vessel list so that a list in line with the terms of Recommendation 02-23 could be developed at the 2004 ICCAT meeting.

Ms. Blankenkoper noted that the Working Group conducted a case-by-case review of cooperation by non-Contracting Parties, Entities or Fishing Entities as summarized in the "Summary Table of Information for 2003 PWG Actions" (attached as **Appendix 4 to ANNEX 10**). The PWG agreed to draft and send letters (attached as

Appendix 5 to ANNEX 10), pursuant to the ICCAT Bluefin Tuna Action Plan [Ref. 94-3], the Swordfish Action Plan [Ref. 95-13], and the 1998 Resolution Concerning Unreported and Unregulated Catches [Ref. 98-18]. The PWG also discussed alleged involvement of Japanese business interests in the rapid expansion of bluefin tuna fisheries and farming activities in the Mediterranean and agreed to send a letter to Japan to call attention to this matter. The Commission adopted these decisions.

The Commission did not, however, have time to adopt the letters during the meeting and they were left for consideration by correspondence. The Commission agreed with the suggestion of the PWG, that the PWG Chair draft the special letters in consultation with the Secretariat and the Commission Chairman on behalf of the Commission.

Letters seeking additional information on catches, exports, and/or monitoring, control and surveillance scheme, to:

- Israel (**Appendix 5.11 to ANNEX 10**).
- Mauritania (**Appendix 5.12 to ANNEX 10**).
- Netherlands Antilles (**Appendix 5.13 to ANNEX 10**).
- Senegal (**Appendix 5.14 to ANNEX 10**).

Letters seeking additional information about vessels on the IUU list and/or vessel registration issues, to:

- Sri Lanka (**Appendix 5.17 to ANNEX 10**).
- Thailand (**Appendix 5.19 to ANNEX 10**).

Letter lifting identification status, to:

- Indonesia (**Appendix 5.10 to ANNEX 10**).

Letters of identification, pursuant to the 1998 UU catches Resolution, to:

- Costa Rica (**Appendix 5.4 to ANNEX 10**).
- Cuba (**Appendix 5.5 to ANNEX 10**).
- Seychelles (**Appendix 5.15 to ANNEX 10**).
- Togo (**Appendix 5.20 to ANNEX 10**).

Letters for lifting of sanctions to:

- Belize (**Appendix 5.1 to ANNEX 10**).
- St. Vincent and the Grenadines (**Appendix 5.18 to ANNEX 10**).

Letters continuing sanctions to:

- Bolivia (bigeye tuna, under the 1998 UU Catches Resolution) (**Appendix 5.2 to ANNEX 10**).
- Cambodia (bigeye tuna, under the 1998 UU Catches Resolution) (**Appendix 5.3 to ANNEX 10**).
- Sierra Leone (bluefin tuna, swordfish, bigeye tuna, under the 1998 UU Catches Resolution) (**Appendix 5.16 to ANNEX 10**).

Letter imposing sanctions to:

- Georgia (bigeye tuna, under the 1998 UU Catches Resolution) (**Appendix 5.7 to ANNEX 10**).

Letter regarding rapid expansion of bluefin tuna fisheries and farming operations in the Mediterranean to:

- Japan (requesting Japanese Government to ask their businesses not to support further development of bluefin tuna fisheries and farming operations in the Mediterranean (e.g., Israel)) (**Appendix 5.21 to ANNEX 10**).

The Observer from Israel made a statement regarding Israel's desire to become a Contracting Party and that it considered the Commission's request that Israel not expand its fishery to be unreasonable (see **ANNEX 3.4**).

The proposed Recommendations, the IUU vessel list, noting its provisional nature and limited distribution, and the summary of the 2003 PWG actions were adopted by the Commission, by consensus, with the remainder of the report to be adopted by mail. The Report of the PWG is attached as **ANNEX 10**.

13. Report of the Joint Meeting of the Compliance Committee and PWG and consideration of any proposed recommendations therein

During the final Plenary session, Ms. Kimberly Blankenbeker, Co-Chair of the Joint Meeting, reported on the very productive work of the 2003 Joint Meeting of the Compliance Committee and PWG (see ANNEX 11). The Commission adopted the following, by consensus:

- *Resolution by ICCAT Concerning Trade Measures* (see ANNEX 6 [Ref. 03-15]).
- *Recommendation by ICCAT to Adopt Additional Measures Against Illegal, Unreported and Unregulated (IUU) Fishing* (see ANNEX 5 [Ref. 03-16]).

The Commission took note that the new trade Resolution would replace ICCAT's Bluefin Tuna [Ref. 94-03] and Swordfish [Ref. 95-13] Action Plan Resolutions and the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18].

The *Recommendation by ICCAT to Adopt Additional Measures Against Illegal, Unreported and Unregulated (IUU) Fishing* was adopted; however, in the absence of a definition for IUU activities in the Recommendation, the Delegate of the European Community made the following statement for the record: "In the view of the European Community, vessels whose flag states do not dispose of a quota, catch limit or allocation of fishing effort, in the context of the management and conservation of ICCAT, are to be considered as vessels conducting IUU activities." The Delegate of Canada supported this statement by the European Community.

In addition, a draft recommendation prohibiting transshipments by large-scale tuna longline vessels was discussed, but could not be agreed upon. The Commission Chairman requested that the Commission return to this at its 2004 meeting (see ANNEX 7.1).

The Joint Meeting briefly discussed the newly established Record of Authorized Vessels and noted that some clarifications should be made to the current record to exclude vessels from non-Cooperating non-Contracting Parties, vessels less than 24 meters and vessels of third party flags. Delegates were also urged to submit reports to the Commission as per paragraph 6 of the *Recommendation by ICCAT Concerning the Establishment of and ICCAT Record of Vessels Over 24 meters Authorized to Operate in the Convention Area* [Ref. 02-22].

The proposed Recommendation and Resolution were adopted by the Commission, by consensus, with the remainder of the report to be adopted by mail. The Report of the Joint Meeting of the Compliance Committee and PWG is attached as ANNEX 11.

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

During the Final Plenary Session, Mr. Jim Jones, Chairman of STACFAD, summarized the Committee's work. He noted that a total 2004 budget of €1,937,860.99 had been approved by the Committee as well as the corresponding Contracting Party contributions to finance the budget, which were forwarded to the Commission for final adoption. The Commission adopted the 2004-2005 Budget, the 2004 Contracting Party contributions and the Catch and Canning figures, by consensus (see Tables 1-3 to ANNEX 12). The 2005 Budget and Contracting Party contributions are subject to review at the 2004 Commission Meeting.

The STACFAD Chairman also pointed out a change to Article 6.2.c of the *ICCAT Staff Regulations and Rules*. This was also adopted by the Commission, by consensus, and is attached as Appendix 3 to ANNEX 12.

The STACFAD Chairman also pointed out changes to Rule 4 of the ICCAT Financial Rules in anticipation of the ratification of the Madrid Protocol. This change was also adopted by the Commission, by consensus, and is attached as Appendix 6 to ANNEX 12.

Mr. Jones noted that STACFAD had been informed that the status of the ratification of the Madrid Protocol remained unchanged, i.e., ratification by one of five Contracting Parties is still required.

The STACFAD Chairman emphasized the urgency to have the new financial contribution scheme in place. The current balance in the Working Capital Fund is less than 3% of the budget and it should be in the order of 30%. The auditors have recommended that this balance should be an absolute minimum of 15% of the total budget. Mr. Jones also pointed out that only 75% of contributions are collected. The Committee urged members to pay, and noted that in 2004 there will be discussions on how to deal with those who are in arrears. The Delegate of

the European Community expressed his concern about the outstanding contributions. The result of this inaction is that those paying their full contribution are paying a much greater proportion of the budget than foreseen.

While the above-mentioned documents were adopted at the time of the meeting, it was agreed that the STACFAD Report itself would be adopted by mail. The Report of STACFAD is attached as **ANNEX 12**.

15. Plans for a revised Compendium of ICCAT conservation and management measures

Mr. Carlos Domínguez Díaz, Chairman of the Working Group to Consider the Development of a Compendium of Recommendations and Resolutions, presented the Report of the Working Group Meeting (**ANNEX 4.5**).

The Working Group proposed that the new-style Compendium should be a binding text that would be adopted by the Commission. Other features include: texts of Recommendations (binding) and Resolutions (non-binding) should be separated and only operative texts of existing instruments be included; the document should be organized by species (or groups of species), with an additional section for control, monitoring and compliance measures; each species/chapter would have a parallel structure; “article” references should be used to identify text; a glossary should be prepared and included with the Compendium; and information on objections should be included, probably for each species.

Mr. Domínguez Díaz outlined the work plan as follows: a draft should be ready for the Commission by the 2004 Commission meeting; this will be accomplished primarily through e-mail correspondence among a small group identified in **ANNEX 4.5**, with the possibility of a meeting to solve any discrepancies; the Secretariat proposed having a working draft of one species completed by May 2004.

The Commission adopted the Report and work plan (**ANNEX 4.5**).

16. Other matters

16.1 Sea turtles

At the 2003 Commission Meeting, the issue of sea turtle conservation was left for inter-sessional consideration. An amended draft resolution proposed by the EC and Japan was tabled for consideration by the Commission. The *Resolution by ICCAT on Sea Turtles* (see **ANNEX 6 [Ref. 03-11]**) was adopted.

16.2 Basic Texts

The Executive Secretary noted that a Third Edition of the *Basic Texts* had been prepared. The new version reflects the changes necessary due to the Paris Protocol. Also, the new version highlights some of the changes that will be needed when the Madrid Protocol enters into force, particularly in the Financial Regulations.

16.3 FIGIS-FIRMS

The Executive Secretary also noted the SCRS recommendation that ICCAT become a partner in FIGIS/FIRMS, a web-based platform for disseminating information that is being developed by FAO. The partnership would require ICCAT staff to maintain up-to-date summaries on the status of ICCAT stocks, very similar to the Executive Summaries of the SCRS Report. The Commission approved joining the FIGIS/FIRMS Partnership.

16.4 Recreational fishing

A draft Recommendation to adopt measures concerning recreational fisheries was tabled by the EC. There was no consensus on the text and the Commission Chairman requested that it be further considered during the 2004 meeting of the Commission (see **ANNEX 7.2**).

16.5 Dolphin by-catch

The Executive Secretary advised that in February 2003, the Secretariat had been contacted by an EC Producer Organization requesting information about dolphin by-catch in the Atlantic tuna fisheries. The Secretariat responded that based on the scientific observer reports available to ICCAT, no record or information relating to purse seine fishing on dolphins had been reported to ICCAT. Subsequently, in November, the Producer

Organization informed the Secretariat that the Earth Island Institute questioned the Secretariat's response. The Secretariat asked the Commission for advice. The Commission requested that the SCRS Chairman prepare a response, in consultation with the Sub-Committee on By-catches. The Commission also cautioned that ICCAT's fisheries should not be wrongly represented and a comprehensive response to the Earth Island Institute was necessary.

16.6 Farewell to the Executive Secretary

Noting that Dr. Adolfo Ribeiro Lima would be ending his appointment as ICCAT Executive Secretary in March 2004, Mr. Jim Jones of Canada thanked Dr. Lima for his many contributions to ICCAT as Executive Secretary since 1996.

Mr. Jones highlighted Dr. Lima's long association with ICCAT in different roles, from Delegate of Portugal, to Chairman of STACFAD, to Commission Chairman, and finally as Executive Secretary. Mr. Jones mentioned Dr. Lima's leadership and compassion as essential elements in the negotiations leading to the approval of the Madrid Protocol, and recognized Dr. Lima's disappointment that one signature was still needed for the Protocol to enter into force. Mr. Jones stated that Dr. Lima had done his work well, particularly in a difficult re-structuring of the Secretariat so that it could better satisfy the ever-growing demands from the Commission. Mr. Jones concluded that Dr. Lima had always been a good friend to ICCAT and to conservation and wished him a happy retirement from ICCAT.

Dr. Lima received tributes from the other Delegates around the table. Mr. Miyahara, Commission Chairman, also extended his sincere gratitude to Dr. Lima for his many contributions to ICCAT. Mr. Meski, the newly-elected Executive Secretary, also stated that it would be challenging for him to follow Dr. Lima's example, and joined the others in wishing him the best in his retirement. Dr. Lima then received a long standing ovation from all participants that were present in the room.

Dr. Lima thanked the Commissioners for their tribute, and noted that he would miss ICCAT after having served in various capacities for more than 20 years. He also thanked Dr. Victor Restrepo, Mr. Papa Kebe and Mr. Juan Antonio Moreno of the Secretariat staff, for having served as his closest aids in crucial times. Dr. Lima thanked Mr. Carlos Dominguez-Diaz and the Spanish authorities for their dedicated support to ensure the smooth operation of the Secretariat in Spain. Dr. Lima also extended a warm welcome to his successor, Mr. Meski, and reassured him that he would transfer an organized office with the utmost transparency.

Dr. Lima finally expressed his frustration that, due to budgetary considerations, he had not found an opportunity to propose to the Commission a change in the structure of the Secretariat such that several staff members could be re-classified from General Services to Professional Staff, as they would normally be in other inter-governmental organizations. Dr. Lima hoped that the Commission would consider this problem in the future.

17. Date of the next meeting of the Commission

The United States reconfirmed its offer to host the 2004 Meeting of the Commission in New Orleans. The dates for the next Commission Meeting were established as 15-21 November 2004. The Delegate of the United States urged participants who require a visa to enter the United States to initiate the process well in advance and if any difficulties are encountered to please advise him well so that he can assist in facilitating the process.

18. Election of Commission Officers

The Commission Chairman indicated that the Commission has to appoint new officers for the 2004-2005 biennial period.

The Delegate of Canada nominated Mr. Masanori Miyahara of Japan for a second term as Chairman of the Commission and the Delegate of the United States seconded this proposal.

The Delegate of Japan nominated Mr. Abdellah Srour of Morocco for a second term as First Vice-Chairman of the Commission and the Delegate of the European Community seconded this proposal.

The Delegate of the United States nominated Mr. Carlos Domínguez Díaz of the EC for a second term as Second Vice-Chairman of the Commission and the Delegates of the Morocco and Mexico seconded this proposal.

19. Adoption of the report and adjournment

While 15 Recommendations and 6 Resolutions, plus various other decisions, were adopted at the meeting, the Commission agreed that the remainder of the Proceedings as well as the reports of all auxiliary bodies, as indicated, would be adopted by correspondence. The entire Proceedings, as adopted, appears in this volume.

Special thanks were conveyed to the Irish Authorities for hosting an excellent meeting. The 2003 meeting of the Commission was adjourned on 24 November.

ANNEX 1

COMMISSION AGENDA

1. Opening of the meeting
2. Adoption of Agenda and arrangements
3. Introduction of Contracting Party Delegations
4. Introduction and admission of Observers
5. Election of the Executive Secretary
6. Decisions for improving the organization of Commission meetings
7. Report of the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures
8. Report of the 1st Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade-restrictive Measures
9. Summary Report of the Standing Committee on Research and Statistics
10. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein
11. Report of the Conservation and Management Measures Compliance Committee 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. Report of the Joint Meeting of the Compliance Committee and PWG and consideration of any proposed recommendations therein
14. Report of the Standing Committee on Finance and Administration (STACFAD)
15. Plans for a revised compendium of ICCAT conservation and management measures
16. Other matters
17. Date of the next meeting of the Commission
18. Election of Commission Officers
19. Adoption of the report and adjournment

Commission Timetable

Time	Mon 17	Tue 18	Wed 19	Thu 20	Fri 21	Sat 22	Sun 23	Mon 24
08:30-09:00	HD	--	--	HD	--	--	--	PWG
09:00-10:30	PLE	PA1	PWG	STF	PA4	PA3	--	PWG / STF
<i>Coffee</i>								
11:00-12:30	PLE	PA2	COC-PWG	COC	PA2	PA4	--	PA1
<i>Lunch</i>								
14:00-16:00	HD	HD / STF	PA3 / PA4	COC-PWG	COC	PA4 / PA2	--	PLE
<i>Coffee</i>								
16:30-18:00	HD	COC	--	--	STF	PWG	--	PLE
19:30-21:00	--	--	--	--	--	COC-PWG PWG	--	--

HD = Head Delegates only (closed session).

COC = Compliance Committee.

PWG = Permanent Working Group.

COC-PWG = Joint meeting.

STF = STACFAD.

PA1-PA4 = Panels 1 to 4.

PLE = Plenary session.

LIST OF COMMISSION PARTICIPANTS*

CONTRACTING PARTIES

Commission Chairman

Miyahara, Masanori*

ICCAT Chairman, Counselor, Resources Management Department, Fisheries Agency of Japan, 12-1 Kasumigaseki Chiyoda-Ku Tokyo, 100-8907, Japan
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: masanori_miyahara@nm.maff.go.jp

SCRS Chairman

Gil Pereira, Joao

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

ALGERIA

Neghli, Kamel*

Sous-Directeur, Ministère de la Pêche et des Ressources Halieutiques, Rue des Quatre Canons, Alger
Tel: +213 21 43 39 39, Fax: +213 21 43 39 38, E-mail: mprh@wissal.dz

ANGOLA

Dielobaka, Ndombele*

Avda 4 de Fevereiro, 30, Edifício Atlântico C.P. 83, Luanda
Tel: +2442 092 333 663, Fax: +2442 310 199, E-mail:

BRAZIL

Da Rocha Vianna, Hadil*

Ministerio das Relações Exteriores, Divisao do Mar, da Antartida e do Espaço, DMAE, Esplanada dos Ministerios, Bloco H, Anexo I-71 Andar, Sala 736, Brasília D.F. CEP 70 170 900
Tel: +55 61 411 6282, Fax: +55 61 411 6906, E-mail: hadil@mre.gov.br

Antonio, Celio

Subsecretary, Aquaculture and Fisheries Development, Esplanada dos Ministerios, Bloco D, 2 Andar, Sala 220, 70043-900 Brasília D.F.
Tel: +55 61 218 2910, Fax: +55 61 224 5049, E-mail: celioan@agricultura.gov.br

Dias Neto, Jose

IBAMA, Sain Av. L-4, Ed. Sede do Ibama, BL. "B" - Subsolo, 70800-200, Brasília D.F.
Tel: +55 61 316 1480, Fax: +55 61 316 12 38, E-mail: jose.dias-neto@ibama.gov.br

Duarte, Mariangela

Camara dos Deputados, Brasília DF
Tel: +61 318 3371, Fax: +013 3219 5013, E-mail: dep.mariangeladuarte@camara.gov.br

Fauze Hazin, Rodrigo

R. Chile, 216, Ribeiral, Natal RN
Tel: +84 211 4635, Fax: +84 201 2278, E-mail: rghazin@terra.com.br

Hazin, Fabio

UFRPE, Depto. Pesca, Rua Desembargador Celio de Castro Montenegro 32, Apto. 1702, Monteiro-Recife, PE 52070-008
Tel: +55 81 3302 1511, Fax: +55 81 3302 1512, E-mail: fhvhazin@terra.com.br

Martins, Colbert

Camara dos Deputados
Tel: +61 318 5319, Fax: +61 318 23 19, E-mail: dep.colbertmartins@camara.gov.br

Porto Daros, Romeu

SEAP, Bloco, D-4 Andar
Tel: +55 61 218 2112, Fax: +55 61 224 5049, E-mail: romeudaros@agricultura.gov.br

* Head Delegate.

Travassos, Paulo
 UFRPE, Depto. Pesca, Av. Dom Manuel de Medeiros, s/n, Dois Irmaos, Recife PE 52171-900
 Tel: +81 3302 1511, Fax: +81 3302 1512, E-mail: paulo.travassos@uol.com.br

CANADA

Jones, James B*
 Department of Fisheries and Oceans, 343 University Avenue Moncton, New Brunswick E1C 9B8
 Tel: +1 506 851 7750, Fax: +1 506 851 2224, E-mail: jonesj@dfo-mpo.gc.ca

Allen, Christopher J.
 Fisheries, Environment and Biodiversity Science Directorate, Dept. of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6
 Tel: +1 613 990 0105, Fax: +1 613 954 0807, E-mail: allenc@dfo-mpo.gc.ca

Atkinson, Troy
 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

Bouffard, Nadia
 Director, Atlantic Affairs, International Directorate, Dept. of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6
 Tel: +1 613 993 1860, Fax: +1 613 993 5995, E-mail: bouffardn@dfo-mpo.gc.ca

Chidley, Gerard
 P.O. Box 22, Renewals NL A0A 3N0
 Tel: +1 709 363 2900, Fax: +1 709 363 7014, E-mail: achidley@nf.sympatico.ca

Dean, Barry
 Department of Fisheries and Oceans, 16 Old Ferry Rd Cape, Tormentine NB E4M 2B2
 Tel: +1 506 538 9979, E-mail: mdean@nbnet.nb.ca

Elsworth, Samuel G.
 Southwest 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
 Huntley R.R.#2 Alberton, Prince Edward Island C0B 1B0
 Tel: +1 902 853 2793, Fax: +1 902 853 2793, E-mail:

Lapointe, Sylvie
 Senior International Fisheries Advisor, Atlantic Affairs, International Directorate, Fisheries Management, Department of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6
 Tel: +1 613 993 68 53, Fax: +1 613 993 59 95, E-mail: lapointesy@dfo-mpo.gc.ca

Linder, Glen
 Oceans Law Section (JLOA), Dept. of Foreign Affairs and International Trade, 125 Sussex Drive Ottawa, Ontario K1A 0G2
 Tel: +1 613 944 4718, Fax: +1 613 992 6483, E-mail: glen.linder@dfait-maeci.gc.ca

Neilson, John D.
 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: neilsonj@mar.dfo-mpo.gc.ca

Peacock, Greg
 Director, Resources Management, Dept. of Fisheries and Oceans, 176 Portland Street Dartmouth, Nova Scotia B2P 1J3
 Tel: +1 902 426 3625, Fax: +1 902 426 9683, E-mail: peacockg@dfo-mpo.gc.ca

Penney, Christine
 757 Bedford Highway, Bedford, Nova Scotia
 Tel: +1 902 457 2348, Fax: +1 902 443 8443, E-mail: cpenney@cffi.com

Rashotte, Barry
 Director, Atlantic Resources Management, Fisheries Management, Department of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6
 Tel: +1 613 990 0087, Fax: +1 613 954 1407, E-mail: rashottb@dfo-mpo.gc.ca

Wood Bryan

Dept. of Fisheries & Oceans, P.O. Box 1035, 176 Portland St., Dartmouth, Nova Scotia B2Y 1J3
Tel: +1 902 426 7627, Fax: +1 902 426 8003, E-mail: woodbm@mar.dfo-mpo.gc.ca

CHINA, PEOPLE'S REP.

Liu, Xiaobing*

Director-Division of International Cooperation, Bureau of Fisheries, Ministry of Agriculture, N° 11 Nongzhanguan Nanli, Beijing 100026

Tel: +86 10 641 92 974, Fax: +86 10 641 92 951, E-mail: inter-coop@agri.gov.cn

Cao, Hengzhen

CNFC International Fisheries Corp., 9F Gan Jia Kou Mansion, N° 21 San Li He Road, Haidian District, Beijing

Tel: +86 10 683 12288, Fax: +86 10 883 72176, E-mail: caohz@cnfc-ifc.com; hengzhencao@hotmail.com

Chen, Haiping

Deputy Division Director, Ministry of Foreign Affairs, N°2 Chao Yangmen Nandajie 100701, Beijing

Tel: +86 10 659 63727, Fax: +86 10 659 63 264, E-mail: chen_haiping@mfa.gov.cn

Liu, Zhanqing

CNFC National Fisheries Corporation, 9F.Gan Jia Kou Mansion, N° 21 San li He Road, Haidian District, Beijing

Tel: +86 10 683 12288, Fax: +86 10 883 72176, E-mail: liuzhanqing@terra.es

Zhang, Xiaoli

Third Secretary, Legal Department, Ministry of Foreign Affairs, N°2 Chao Yang Men Nan Dajie 100701 Beijing

Tel: +86 10 659 63 261, Fax: +86 10 659 63 276, E-mail: zhang_xiaoli@mfa.gov.cn

CÔTE D'IVOIRE

Kobenan, Kouassi Adjoumani*

Ministre, Ministère de la Production Animale et des Ressources Halieutiques, B.P. V-84 Abidjan

Tel: +225 20 22 9920, Fax: +225 20 213423, E-mail: adjoumani@aviso.ci

Djobo, Anvra Jeanson

Conseiller Technique Pêche, Ministère Production Animale et des Ressources Halieutiques, 01 B.P. 5521 Abidjan

Tel: +225 20 22 99 27, Fax: +225 20 22 9919, E-mail: jeanson_7@hotmail.com

Kouassi, Kouakou André

Ministère de la Production Animale et des Ressources Halieutiques, B.P. V-84 Abidjan

Tel: +225 20 22 9920, Fax: +225 20 213423, E-mail: appecie@yahoo.fr

N'Goran Ya, Nestor

Centre de Recherches Océanologiques, B.P. V-18 Abidjan

Tel: +225 21 355 880, Fax: +225 21 351 155, E-mail: ngoranya55@hotmail.com

CROATIA

Katavic, Ivan*

Ivana Lucica 8 Hrvatska, 10000 Zagreb

Tel: +385 16 346 236, Fax: +3851 634 6257, E-mail: ivan.katavic@mps.hr

Kucic, Ljubomir

Sardina d.d 21 410 Postira

Tel: +385 21 632244, Fax: +385 21 632236, E-mail: sardina@st.tel.hr

Skakeya, Neda

Directorate of Fishereis, Ivana Lucica 8, Hrvatska 10000, Zagreb

Tel: +385 91 2524196, Fax: +385 1 634 6257, E-mail: nedica@email.hinet.hr

Vidovic, Bozena

Institute of Oceanography and Fisheries, Sardina d.d 21 410 Postira

Tel: +385 98 214 126, Fax: +385 21 632 236, E-mail: sardina@st.tel.hr

CYPRUS

Gabrielides, Gabriel P.*

Director, Department of Fisheries and Marine Research, 13 Aiolou Street 1416 Nicosia

Tel: +357 22 80 7867, Fax: +357 22 78 1226, E-mail: ggabriel@cytanet.com.cy

Hadjistephanou, Nicos

Department of Fisheries and Marine Research, 13 Aeolou Street, 1416, Nicosia
Tel: +357 22 30 3866, Fax: +357 22 77 5955, E-mail: nhsteph@spidernet.com.cy

Hatzitheodosiou, Maria

Embassy of the Republic of Cyprus in Ireland, 71 Lower Leeson Str., Dublin 2, Ireland
Tel: +353 1 676 3060, Fax: +353 1 676 3099, E-mail: embassyof cyprusdub@eircom.net

Kakouris, Andreas

Embassy of the Republic of Cyprus in Ireland, 71 Lower Leeson Str., Dublin 2, Ireland
Tel: +353 1 676 3060, Fax: +353 1 676 3099, E-mail: embassyof cyprusdub@eircom.net

Matsakis, Marios

Cyprus Parliament, Nicosia
Tel: +357 99 623800, E-mail: mmatsakis@parliament.cy

EUROPEAN COMMUNITY**Spencer, John***

Head of Unit International & Regional Arrangements, European Commission, DG Fisheries J99 3/56, B-1049 Brussels, Belgium
Tel: +322 295 6858, Fax: +322 295 5700, E-mail: edward-john.spencer@cec.eu.int

Álvarez Yañez, Elvira

C/Maestro Serrano 9, 04004 Almería, Spain
Tel: +34 950 276 655, Fax: +34 950 276 778, E-mail: alsp@capjuntaandalucia.es

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, E-mail: anabac-optuc@jet.es

Aríz Tellería, Javier

IEO-Centro Oceanográfico de Canarias, Ctra. San Andrés s/n, Apdo. 1373, 38080 Sta. Cruz de Tenerife, Spain
Tel: +34 922 59 94 00, Fax: +34 922 24 95 54, E-mail: javier.ariz@ca.ieo.es

Batista, Emilia

Direcção Geral das Pescas e Aquicultura, Av. Brasilia, 1449-030 Lisboa, Portugal
Tel: +351 21 303 5850, Fax: +351 21 303 5922, E-mail: ebatista@dg-pescas.pt

Bel Accensi, Ferran

Asociación Armadores Atún Rojo del Mediterráneo, C/ Ramón y Cajal 23, 43860 L'Atmella Mar, Tarragona, Spain
Tel: +34 977 51 03 95, Fax: +34 977 51 00 52, E-mail: ferranbel@adecassessors.com

Blasco Molina, Miguel Angel

Jefe de Sección, Subdirección General de Organismos Multilaterales de Pesca, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 61 78, Fax: +34 91 347 60 49, E-mail: mblascom@mapya.es

Caggiano, Rosa

Ministry of Agriculture, DG Fisheries, V. Dell'Arte 16, 00144 Rome, Italy
Tel: +39 06 5908 4493, Fax: +33 06 5308 4176, E-mail: rosacaggiano@hotmail.com

Campos Quinteiro, Albino

Presidente, Asociación Nacional de Armadores de Buques Palangreros de Altura (ANAPA), C/Bolivia 20-2º, 36204 Vigo, Pontevedra, Spain
Tel: +34 986 42 05 11, Fax: +34 986 41 49 20, E-mail: tusapesca@ctv.es

Cork, Michael

Room 115, East Block, 10 Whitehall Place, London SW1A 2HH, United Kingdom
Tel: +44 207 270 8257, Fax: +44 207 270 8307, E-mail: michael.cork@defra.gsi.gov.uk

Craven, Cormac

Seafood Control Division, Department Commemorations, Marine & Natural Resources, Leeson Lane, Dublin 2, Ireland
Tel: +353 86 636 2537, E-mail: cormac.crqven@dcmnr.gov.ie

de Cárdenas González, Enrique

Jefe de Área de Gestión y Control, Subdirección General de Gestión y Control de la Actividad Pesquera, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 61 10, Fax: +34 91 347 60 37, E-mail: edecarde@mapya.es

De Diego y Vega, Amalia

Commission Européenne -DG Pêches, J-99 3/54, B-1049 Brussels, Belgium
Tel: +322 296 8614, Fax: +322 295 5700, E-mail: amalia.de-diego-y-vega@cec.eu.int

Della Monica, Pasquale

Via Campinola 1, 84010 Cetara (SA), Italy
Tel: +39 335 7811260, Fax: +39 089 262032, E-mail: pasquale.dellamonica@tiscali.it

Di Natale, Antonio

Research Director, AQUASTUDIO, Via Trapani, n1-6, 98121 Messina, Italy
Tel: +39 090 346 408, Fax: +39 090 364 560, E-mail: adinatale@acquariodigenova.it

Dion, Michel

ORTHONGEL, B.P. 127, 29181 Concarneau Cedex, France
Tel: +33 2 98 97 19 57, Fax: +33 2 98 50 80 32, E-mail: orthongel@wanadoo.fr

Domínguez Díaz, Carlos

Director General de Recursos Pesqueros, Secretaría General de Pesca Marítima, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 6030, Fax: +34 91 347 6032, E-mail: cdominguez@mapya.es

Donnarel, Jean-Louis

Min de Saunaty, 13016 Marseille, France
Tel: +33 06 07 05 34 57

Duarte de Sousa, Eduarda

Principal Administrator, European Commission, DG Fisheries, J-99 3/36, B-1049 Brussels, Belgium
Tel: +322 296 2902, Fax: +322 295 5700, E-mail: eduarda.duarte-de-sousa@cec.eu.int

Escobar Guerrero, Ignacio

Subdirector General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Marítima, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 6048, Fax: +34 91 347 6049, E-mail: iescobar@mapya.es

Espada Puerto, Mercé

Gran Vía Corts Catalanes 612, Barcelona, Spain
Tel: +34 93 304 6700, Fax: +34 93 304 6705, E-mail: amesppu@gencant.net

Fernández Asensio, Pablo Ramón

Delegación Territorial, Consejería de Pesca, Avda. Ramón Ganosa s/n 27863 Celeiro-Viveiro, Lugo, Spain
Tel: +34 982 55 50 02, Fax: +34 982 55 50 05, E-mail: pablo.ramon.fernandez.asensio@xunta.es

Fernández Beltrán, José Manuel

Organización de Productores Pesqueros de Lugo, Muelle s/n 27890 San Cibrao, Lugo, Spain
Tel: +34 982 57 28 23, Fax: +34 982 57 29 18, E-mail: oplugo@teleline.es

Flores, J.F.

Comité Régional des Pêches Maritimes et des Elevages Marins PACA, 39 rue de la Loges, 13002 Marseille, France
Tel: +33 04 91 56 78 33, Fax: +33 04 91 91 96 05, E-mail:

Gallart García, José María

ASOPESCA, Parque Nicolás Salmerón 33, 04002 Almería, Spain
Tel: +34 950 237008, Fax: +34 950 237494, E-mail: asopesca@cajamar.es

Gallego Calvar, Carmen

Parlamento de Galicia, Pazo do Horreo, s/n, 15704 Santiago de Compostela, Spain
Tel: +34 981 55 15 30, Fax: +34 981 55 14 18, E-mail: muicha-socialista@parlamentodegalicia.es

Gaona Ortiz, Francisco Emilio

Agente de Aduanas, C/Alamo 15, Tentegorra, 30205 Cartagena, Murcia, Spain
Tel: +34 968 55 37 24, Fax: +34 968 16 20 04, E-mail: gaona@arrakis.es

Gauthiez, Francois

MAAPAR-DPMA, 3 Place Fontenoy, 75007 Paris, France

Tel: +33 1 49 55 82 31, Fax: +33 1 49 55 82 00, E-mail: francois.gauthiez@agriculture.gouv.fr

Giachetta, Marco

FEDERPESCA, Via E. de Cavalieri 7, Italy

Tel: +39 06 855 4198, Fax: +39 06 8535 2992, E-mail: marco.giachetta@federpesca.it

Glanville, Alan

Ireland

Tel: +353 51 383 165, Fax: +353 51 383 547

González Garcés, Alberto

Centro Oceanográfico de Vigo, Apartado 1552, 36200 Vigo, Spain

Tel: +34 986 49 21 11, Fax: +34 986 49 23 51, E-mail: alberto.gonzalez.garces@vi.ieo.es

Gormanly, Breda

Department of Marine, Leeson Lane, Dublin 2, Ireland

Tel: +353 87 929 4674

Gray, Alan

Commission Européenne, DG Pêches, J-99 3/34, B-1049 Brussels, Belgium

Tel: +32 2 299 0077, Fax: +322 295 5700, E-mail: alan.gray@cec.eu.int

Groisard, Bernard Joseph

Président de la Commission du Thon Blanc, 43 Rue du Puits-Neuf, 85350 Ile D'Yeu, France

Tel: +33 2 51 58 34 17, Fax: +33 2 51 58 77 49, E-mail:

Guernalec, Cyrille

Comité National des Pêches Maritimes et des Elevages Marins, 51 Rue Salvador Allende, 92027 Nanterre Cédex, France

Tel: +33 1 47 75 01 01, Fax: +33 1 46 00 06 02, E-mail: cguernalec@comite-peches.fr

Hayes, Colm

Perm. Rep. of Ireland, Rue Froissant 89-93, Brussels, Belgium

Tel: +32 2 823 374, E-mail: colm.hayes@ijeagh.gov.ie

Hermida Trastoy, Andrés

Dirección Xeral de Estructuras y Mercados de la Pesca, Rua do Sar 75, 15702 Santiago de Compostela, A Coruña, Spain

Tel: +34 981 546 347, Fax: +34 981 546 288, E-mail: andres.hermida.trastoy@xunta.es

Hernández Saez, Pedro

Pescadores de Carboneras SCA, C/ Bailen, 04140 Carboneras, Almería, Spain

Tel: +34 950 130 050, Fax: +34 950 454 539, E-mail: pescador@larural.es

Holmquist, Joergen

99, Rue Joseph II, 1000 Brussels, Belgium

Tel: +32 2 295 5192

Junquera, Susana

Commission Européenne, DG Pêches, J-79 2/78, B-1049 Brussels, Belgium

Tel: +322 298 4727, Fax: +322 295 5700, E-mail: susana.junquera@cec.eu.int

Kahoul, Mourad

Président, Comité Régional des Pêches Maritimes et des Elevages Marins PACA, 39 rue de la Loges, 13002 Marseille, France

Tel: +33 04 91 56 78 33, Fax: +33 04 91 91 96 05, E-mail: clpmem-peche.marseille@wanado.fr

Keating, Michael

BIM, Crofton Road, Dun Laoghaire, Dublin, Ireland

Tel: +353 1 2144230, E-mail: keatinge@bim.ie

Lainé, Valerie

Commission Européenne, DG Pêches, J-99 3/30, B-1049 Brussels, Belgium

Tel: +322 296 5341, Fax: +322 295 5700, E-mail: valerie.laine@cec.eu.int

Larzabal, Serge

Syndicat des Marins CGT, Quai P. Elissalt, 64500 Ciboure, France
Tel: +33 5 59 47 10 34, Fax: +33 5 59 47 05 39, E-mail:

Lema Varea, Laura

Atuneros Congeladores ANABAC, Txibitxiaga 24-Entreplanta, 48370 Bermeo, Vizcaya, Spain
Tel: +34 94 688 2806, Fax: +34 94 688 5017, E-mail: laura.lema@vi.ieo.es

Ligeard, Christian

Sous-Directeur Pêches Maritimes, MAAPAR-DPMA, 3 Place Fontenoy, 75007 Paris, France
Tel: +33 1 49 55 82 21, Fax: +33 1 49 55 82 00, E-mail: christian.ligeard@agriculture.gouv.fr

Maher, Denis

EU/International Section, Department of the Marine and Natural Resources, Leeson Lane, Dublin 2, Ireland
Tel: +353 1 678 2512, Fax: +353 1 678 2449, E-mail: denis.maher@dcmnr.gov.ie

Martín Fraguero, Juan Carlos

Director Gerente, Asociación de Armadores de Buques de Pesca de Marín, Puerto Pesquero, Apdo. Correos no. 13, 36900 Marín, Pontevedra, Spain
Tel: +34 986 882 169, Fax: +34 986 883 178, E-mail: armadores.marin@cesatel.es

Martínez Pérez, María Dolores

C/Alamo 15, Tentegorra, 30205 Cartagena, Murcia, Spain
Tel: +34 968 55 37 24, Fax: +34 968 16 20 04, E-mail: gaona@arrakis.es

McDermott, Sean

Ireland

McKenna, Patricia

European Parliament Offices, 43 Moleswork St., Dublin, Ireland
Tel: +353 1 6616833, E-mail: mckennap@iol.ie

Mendiburu, Gérard

Armement Aigle des Mers, B.P. 337, 64500 Ciboure, France
Tel: +33 5 59 26 05 52, Fax: +33 5 59 26 05 52, E-mail:

Metaxatos, Angelina

DG Fisheries, Acharnon 381, Athens, Greece
Tel: +30 210 212 5273, Fax: +30 210 202 2086, E-mail: a381u062@minagric.gr

Morón Ayala, Julio

OPAGAC, C/Ayala 54-2A, 28001 Madrid, Spain
Tel: +34 91 575 8959, Fax: +34 91 576 1222, E-mail: opagac@arrakis.es

Murphy, Clare

European Commission, DG Fisheries, Rue de la Loi 170, B-1049 Brussels, Belgium
Tel: +322 299 3945, Fax: +322 299 3945, E-mail: clare.murphy@cec.eu.int

Olaizola Elizazu, Esteban

Presidente de la Federación de Cofradías de Pescadores de Guipúzcoa, Organización de Productores de Pesca de Guipúzcoa (OPEGUI), Paseo Miraconcha 9 Bajo, 20007 Donostia, San Sebastián, Spain
Tel: +34 943 461 306, Fax: +34 943 455 833, E-mail: garmen@bezeroak.euskaltel.es

Olivos Pascual, Cristina

Commission Européenne, DG Pêches, 200 Rue de la Loi J-99 7/34, B-1049 Brussels, Belgium
Tel: +322 296 5614, Fax: +322 296 2338, E-mail: cristina.olivos@cec.eu.int

Ortega Martínez, Concepción

Asociación Empresarial Espaderos Guardeses, C/Manuel Alvarez 6-1C-D, 36780 A Guardia, Pontevedra, Spain
Tel: +34 986 61 2515, Fax: +34 986 61 2516, E-mail: gerencia@espaderosguardeses.com

Ottolenghi, Francesca

Ministry of Agriculture, DG Fisheries, Consultant Consorzio Mediterraneo, Via Nazionale 243, 00184 Rome, Italy
Tel: +39 06 4782 4705, Fax: +39 06 4788 3077, E-mail: ottolenghi@mediterraneo.coop

Pamplona, Marcelo

Director Regional das Pescas, Direcção Regional das Pescas dos Açores, Edifício do Relógio, Colónia Alemá, 9900 Horta, Açores, Portugal
Tel: +351 292 20 8800, Fax: +351 292 39 1127, E-mail: mpamplona@drp.raa.pt

Parres, Alain

Comité National des Pêches Maritimes, France
Tel: +33 1 42 66 32 60, Fax: +33 1 47 42 91 12, E-mail: alain.parres@wanadoo.fr

Peñalva, Miguel Ángel

C/ Pechuan 1, Madrid, Spain
Tel: +34 91 782 33 00, Fax: +34 91 561 53 04, E-mail: miguel-angel.penalva@calvo.es

Pérez Martín, Margarita

Jefa del Servicio de Ordenación de Recursos Pesqueros y Acuícolas, Consejería de Agricultura y Pesca, Junta de Andalucía, C/Tabladilla s/n, 41071 Sevilla, Spain
Tel: +34 95 503 2262, Fax: +34 95 503 2142, E-mail: margarita.perez.martin@juntadeandalucia.es

Piccinetti, Corrado

Laboratorio biologia marina e pesca di Fano, Viale Adriatico, 1N-61032 Fano (PU), Italy
Tel: +39 0721 802689, Fax: +39 0721 801654, E-mail: cpiccinetti@mobilia.it

Pintos López, Juan Antonio

Organización de Palangreros Guardeses, Manuel Álvarez 16-Bajo, 36780 A Guardia, Pontevedra, Spain
Tel: +34 986 60 9045, Fax: +34 986 61 1667, E-mail: orpagu@interbook.net

Rigillo, Riccardo

Ministry of Agriculture, DG Fisheries, V. Dell'Arte 16, 00144 Rome, Italy
Tel: +39 06 5908 47 46, Fax: +39 06 5308 41 76, E-mail: r.rigillo@politicheagricole.it

Rodríguez Marín, Enrique

IEO-Centro Oceanográfico de Santander, Apdo. 240, 39080 Santander, Spain
Tel: +34 942 29 10 60, E-mail: rodriguez.marin@st.ieo.es

Rodríguez Moreda, Mercedes

Organización de Productores Pesqueros de Lugo, Muelle s/n, 27890 San Cibrao, Lugo, Spain
Tel: +34 982 57 28 23, Fax: +34 982 57 29 18, E-mail: oplugo@teleline.es

Rodríguez Muñoz, Carmen

Jefa de Servicio de la Subdirección General de Comercialización Pesquera, Dirección General de Estructuras y Mercados, Secretaría General de Pesca Marítima, C/Corazón de Maria, 8-5ª planta, 28002 Madrid, Spain
Tel: +34 91 347 36 94, Fax: +34 91 347 84 45, E-mail: carmenr@mapya.es

Rodríguez-Sahagún, Juan Pablo

Gerente Adjunto, ANABAC, Txibixiaga 24-Entreplanta, 48370 Bermeo, Vizcaya, Spain
Tel: +34 94 688 2806, Fax: +34 94 688 5017, E-mail: anabac@telefonica.net

Santiago Burrutxaga, Josu

Director de Pesca, Departamento de Agricultura y Pesca del Gobierno Vasco, 101010 Vitoria, Gasteiz, Spain
Tel: +34 94 501 9650, Fax: +34 94 501 9989, E-mail: j-santiago@ej-gv.es

Souleres, Vanessa

CLS, 8-10 Rue Hermès, Parc Technologique du Canal, 31526 Ramonville, France
Tel: +33 5 6139 4869, Fax: +33 5 6139 4797, E-mail: vanessa.souleres@cls.fr

Spezzani, Aronne

Commission Européenne, DG Pêches, 200 Rue de la Loi, 1049, Brussels, Belgium
Tel: +322 295 9629, Fax: +322 299 4817, E-mail: aronne.spezzani@cec.eu.int

Surly, Olivier

CLS, 8-10 Rue Hermès, Parc Technologique du Canal, 31526 Ramonville, France
Tel: +33 5 6139 3721, Fax: +33 5 6139 4797, E-mail: olivier.surly@cls.fr

Teixeira de Ornelas, Jose Alberto

Director Regional das Pescas, Direcção Regional das Pescas, Estrada da Pontinha, Funchal 9000 Codex, 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 Vendedores. Ofic.1-6, 36202 Vigo, Pontevedra, Spain
Tel: +34 986 43 38 44, Fax: +34 986 43 92 18, E-mail: edelmiro@arvi.org

Vant, Xavier

MAAPAR-DPMA, Chargé de mission pour les affaires internationales, 3 Place Fontenoy, 75007 Paris, France
Tel: +33 1 49 55 82 36, Fax: +33 1 49 55 82 00, E-mail: scavier.vant@agriculture.gouv.fr

Velasco, Juan Manuel

39 Chesham Place, London SW1X 5B, United Kingdom
Tel: +207 2355 005

Wieland, Friedrich

Head of Unit, Common Organization of Markets and Trade, European Commission, DG Fisheries J-99 3/7, B-1049 Brussels, Belgium
Tel: +322 296 3205, Fax: +322 295 9752, E-mail: friedrich.wieland@cec.eu.int

FRANCE (St. Pierre and Miquelon)

Plantegenest, Marc*

Président, Conseil Général, Place Monseigneur Maurer, B.P. 187, 97500 Saint-Pierre et Miquelon
Tel: +5 08 41 45 16, Fax: +5 08 41 44 79, E-mail: cgspm.president@wanadoo.fr; developpement.spm@wanadoo.fr

Basle, Thierry

Rue Borda, Palais Royal, B.P. 4365, 97500 Saint Pierre et Miquelon
Tel: +508 41 15 15, Fax: +508 41 15 16, E-mail: thierry.basle@cheznoo.net

Detcheverry, Michel

1 rue Gloanec, B.P. 4206, 97500 Saint-Pierre et Miquelon
Tel: +508 411530, Fax: +508 414834, E-mail: Michel.Detcheverry@equipement.gouv.fr

Jaccachury, Paul

1er. Vice-Président, Conseil Général, Place Monseigneur Maurer, B.P. 4208, 97500 Saint-Pierre et Miquelon
Tel: +5 08 41 01 02, Fax: +5 08 41 22 97, E-mail: cgspm@wanadoo.fr; pjacca@cheznoo.net

Sinquin, Valerie

Ministère de L'outre-mer, 27 Rue Oudinot, 75007 Paris, France
Tel: +01 5369 2746, Fax: +01 5369 2197, E-mail: valerie.sinquin@outre-mer.gouv.fr

Theault, Charles

Blu constant Colmay, B.P. 4380, 97500 Saint Pierre et Miquelon
Tel: +508 41 15 20, Fax: +508 41 97 60, E-mail: nouvpech.cltheaulty@cheznoo.net

GABON

Pambo, Louis Gabriel*

Directeur Général des Pêches et de l'Aquaculture, Ministère d l'Economie Forestière des Eaux de la Pêche, Chargé de l'Environnement et de la Protection de la Nature, B.P. 9498 Libreville, Gabon
Tel: +241 74 89 92, Fax: +241 76 46 02, E-mail: dgpa@internetgabon.com

Kombila Moussirou, Maurice

Directeur des Pêches Industrielles, Ministère d l'Economie Forestière des Eaux de la Pêche, Chargé de l'Environnement et de la Protection de la Nature, B.P. 9498 Libreville, Gabon
Tel: +241 76 26 30, Fax: +241 76 46 02

GHANA

Kwei, Eric A.*

Pioneer Food Cannery, P.O. Box 40, Tema, Ghana
Tel: +233 2220 2250, Fax: +233 2220 2982, E-mail: e.tugbah@heinz.com.gh

Akita, Edward

Minister of Fisheries, P.O. Box 37, Accra, Ghana
Tel: +233 21 662 810, Fax: +233 21 678 670, E-mail: eddy.akita@yahoo.co.uk

Anang, Emelia Roseline

Fisheries Department, P.O. Box 630, Accra, Ghana
Tel: +233 21 772302, Fax: +233 22 202982, E-mail: mfrd@africaonline.com.gh

Kudjordji, Joseph K.

President, Ghana Tuna Association, c/o Inter-Seas Fisheries Ltd., P.O. Box CO 986, Tema, Ghana
Tel: +233 22 204 292, Fax: +233 22 202 984, E-mail: komla@ghana.com; komlari@aol.co.uk

Tackey, Miltiades Godfrey

President, National Fisheries Associations of Ghana, P.O. Box 868, Tema, Ghana
Tel: +233 20 8111530, Fax: +233 22 210806, E-mail: niitackey@hotmail.com

GUINEA REP.**Bah, Abdourahim***

Directeur National, Ministère de la Pêche et de l'Aquaculture, Direction Nationale de la Pêche Maritime, B.P. 307, Guinea Conakry
Tel: +224 415228, Fax: +224 451926, E-mail: rahimbah13@yahoo.fr

ICELAND**Skarphedinsson, Thorir***

Ministry of Fisheries, Skúlagata 4, IS-150 Reykjavík
Tel: +354 545 8370, Fax: +354 562 1853, E-mail: thorir@hafro.is

JAPAN**Miyahara, Masanori***

ICCAT Chairman, Counselor, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki Chiyoda-Ku, Tokyo, 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: masanori_miyahara@nm.maff.go.jp

Furukawa, Tadao

Fishery Division, Economic Bureau, Ministry of Foreign Affairs, 2-11-1 Shibakoen, Minato-Ku, Tokyo 105-8519
Tel: +81 3 6402 2234, Fax: +81 3 6402 2233, E-mail: tadao.furukawa@mofa.go.jp

Hanafusa, Katsuma

Director for International Negotiations, 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, E-mail: katsuma_hanafusa@nm.maff.go.jp

Hatakeyama, Yoshikatu

President, Northern Miyagi Tuna Fisheries, Co-operative Association, 2-3-18 Sakanamachi, Kesenuma-Shi, Miyagi-Ken 988-0013
Tel: +81 226 22 5577, Fax: +81 226 22 7598, E-mail: gyojyo@japantuna.or.jp

Kawakami, Tateo

Manager, International Business and Planning Division, Federation of Japan Tuna Fisheries Co-operative Associations, 2-3-22 Kudankita Chiyoda-Ku, 102-0073 Tokyo
Tel: +81 3 3264 6167, Fax: +81 3 3234 7455, E-mail: gyojyo@intldiv.japantuna.or.jp

Kobayashi, Hidetaka

Director, Agricultural and Marine Products Office, 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: kobayashi-hidetaka@meti.go.jp

Nakamura, Masaaki

Executive Director, Japan Tuna Tokyo, Federation of Japan Tuna Fisheries Co-operative Associations, 2-3-22 Kudankita Chiyoda-Ku, 102-0073 Tokyo
Tel: +81 3 3264 6167, Fax: +81 3 3234 7455, E-mail: gyojyo@intldiv.japantuna.or.jp

Niimi, Keiji

Far Seas Fisheries Division, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8204, Fax: +81 3 3591 5824, E-mail: keiji_niimi@nm.maff.go.jp

Ohashi, Reiko

Staff, International Business and Planning Division, Federation of Japan Tuna Fisheries Co-operative Associations, 2-3-22 Kudankita Chiyoda-Ku, 102-0073 Tokyo
Tel: +81 3 3264 6167, Fax: +81 3 3234 7455, E-mail: gyojyo@intldiv.japantuna.or.jp

Omori, Ryo

Section Chief, International Affairs Division, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: ryou_omori@nm.maff.go.jp

Suzuki, Ziro

Director, Division of Pelagic Fishery Resources, National Research Institute of Far Seas Fisheries, 5-7-1 Shimizu-Orido, Shizuoka City, Shizuoka 424-8633
Tel: +81 543 36 60 41, Fax: +81 543 35 96 42, E-mail: zsuzuki@fra.affrc.go.jp

Suzuki, Takaaki

Far Seas Fisheries Division, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: takaaki_suzuki@nm.maff.go.jp

Takagi, Yoshihiro

Managing Director for International Relations, Overseas Fishery Cooperation Foundation, 9-13, Akasaka-1, Minato-Ku, Tokyo 107-0052
Tel: +81 3 3585 5381, Fax: +81 3 3582 4539, E-mail: takagi@ofcf.or.jp

Takamura, Nobuko

Interpreter, Federation of Japan Tuna Fisheries Co-Operative Associations, 2-3-22 Kudankita Chiyoda-Ku, 102-0073 Tokyo
Tel: +81 3 3264 6167, Fax: +81 3 3234 7455, E-mail: gyojyo@japantuna.or.jp

Takase, Miwako

Deputy Director, International Affairs Division, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: miwako_takase@nm.maff.go.jp

Uetake, Hideto

President, Kanzaki Suisan Co. Ltd., 14 Minatomachi, Kushikino-Shi, Kagoshima-Ken 896-0036
Tel: +81 996 32 3185, Fax: +81 996 33 1165, E-mail: gyojyo@japantuna.or.jp

KOREA, REP.

Hong, Lae Hyung*

Deputy Director, International Cooperation Division, Ministry of Maritime Affairs and Fisheries, 139 Chungjeong-Ro 3, Seodaemun-gu, Seoul 120-715
Tel: +82 2 3148 6991, Fax: +82 2 3148 6996, E-mail: honglaehyung@hanmail.net

Kim, Pyoung Jeon

Assistant Director, Fisheries Policy Division, 139 Chungjeong-Ro 3, Seodaemun-gu, Seoul 120-715
Tel: +82 2 3148 6812, Fax: +82 2 3148 6815, E-mail: kimpj@momof.go.kr

Kwon, Oh Seung

Assistant Director, International Cooperation Division, Ministry of Maritime Affairs and Fisheries, 139 Chungjeong-Ro 3, Seodaemun-gu, Seoul 120-715
Tel: +82 2 3148 6994, Fax: +82 2 3148 6996, E-mail: kos20@momaf.go.kr

MALTA

Gruppetta, Anthony*

Director General, Ministry for Rural Affairs & the Environment, Fisheries Conservation & Control Div., Fort San Lucian, Marsaxlokk, BB 06
Tel: +356 21 655 525, Fax: +356 21 659 380, E-mail: anthony.s.gruppetta@gov.mt

Camilleri, Matthew

Fort San Lucian, Marsaxlokk, BB 06
Tel: +356 21 650 933, Fax: +365 21 659 380, E-mail: matthew.camilleri@gov.mt

MEXICO

Compeán Jiménez, Guillermo*

Director en Jefe, Instituto Nacional de Pesca, Calle Pitágoras nº 1320, Colonia Santa Cruz Atoyac, C.P. 03310, Delegación Benito Juárez, México DF
Tel: +52 55 5422 3002, Fax: +52 55 5604 9169, E-mail: compean@inp.semarnat.gob.mx

García Robles de Szyszlo, Fernando
Segundo Secretario, Embajada de México en Irlanda, Dublin, Ireland
Tel: 260 06 99, Fax: , E-mail: embasmex@indigo.ie

Solana Sansores, Luis-Rafael
Instituto Nacional de Pesca-SAGARPA, Calle Pitágoras n° 1320, 3° piso, Colonia Santa Cruz Atoyac, C.P. 03310, Delegación Benito Juárez, México DF
Tel: +52 555 5422 3002, Fax: +52 555 5604 9169, E-mail: rafael_solana@hotmail.com

Villarello, Blanca
Av. Franklin Roosevelt 94, 1050 Ixelles Brussels, Belgium
Tel: +322 644 1300, Fax: +322 644 2835, E-mail: icoafb@pophost.eunet.be

MOROCCO

Fahfouhi, Abdeslam*
Chef de la Division de la Protection des Ressources Halieutiques, Ministère des Pêches Maritimes, Nouveau Quartier Administratif, B.P. 476 Rabat
Tel: +212 37 68 81 21, Fax: +212 37 68 81 21, E-mail: fahfouhi@mpm.gov.ma

Ghallab, Aadel
Embassy of the Kingdom of Morocco, 39 Douglan Road, Bollsbridge, Dublin 4, Ireland
Tel: +353 1 660 9449, Fax: +353 1 660 9468

Meski, Driss
Directeur de la Coopération et des Affaires Juridiques, Ministère des Pêches Maritimes, B.P. 476, Agdal, Rabat
Tel: +212 37 68 81 96, Fax: +212 37 68 81 94, E-mail: meski@mpm.gov.ma

Mina, Tounsi
Ambassade du Royaume du Maroc, 39 Douglan Road, Bollsbridge, Dublin 4, Ireland
Tel: +353 1 660 9449, Fax: +353 1 660 9468

Saous, Mustapha
MCFM, Immeuble TREFICO, Port d'Agadir
Tel: +212 48 84 58 78, Fax: +212 37 65 63 03, E-mail: petitmehdi@yahoo.com

Srour, Abdellah
Directeur, Centre Régional de l'INRH à Tanger, B.P. 5268, Dradeb, Tanger
Tel: +212 3932 5134, Fax: +212 3932 5139, E-mail: a.srour@menara.ma

NAMIBIA

Maurihungirire, Moses*
Ministry of Fisheries and Marine Resources, P.O. BOX 50521, Windhoek
Tel: +264 6120 53071, Fax: +264 6122 0558, E-mail: mmaurihungirire@mfmr.gov.na

Bauleth D'Almeida, Graca
P.O. Box 912, Swakopmund
Tel: +264 61 2053071, Fax: +264 61 220558, E-mail: gdalmeida@mfmr.gov.na

Louw, Francois
Marco Fishing, P.O. Box 29, Lüderitz
Tel: +264 63 203341, Fax: +264 63 203196, E-mail: francois@marcofishing.com.na

RUSSIAN FEDERATION

Kukhorenko, Konstantin G.*
Director, ATLANTNIRO, 5 Dmitry Donskoy Str., 236000 Kaliningrad
Tel: +7 0112 21 56 45, Fax: +7 0112 21 99 97, E-mail: atlant@baltnet.ru

Leontiev, Serguei
VNIRO, 17 V. Krasnoselskaya, 107140 Moscow
Tel: +7 095 264 9465, Fax: +7 095 264 9465, E-mail: leon@vniro.ru

SOUTH AFRICA

Van Zyl, Johan A.*
Department of Environmental Affairs and Tourism, Marine and Coastal Management, Private Bag X2, Roggebaai, 8012 Cape Town
Tel: +27 21 402 3020, Fax: +27 21 402 3360, E-mail: jvzyl@mcm.wcape.gov.za

Buthlezi, Phakamani

Department of Environmental Affairs and Tourism, P.O. Box 34010, Rhodes Gift 7707, Cape Town
Tel: +27 21 402 3020, Fax: +27 21 421 5151, E-mail: pbuthle@mcm.wcape.gov.za

Kaye, Andrew

South African Tuna Association, P.O. Box 15121, Vlaeberg, Cape Town 8012
Tel: +27 21 422 3322, Fax: +27 21 422 3324, E-mail: andrew@kaytrad.co.za

Lucas, Don

South African Tuna Longline Association, 13 Bradwell Road, Vredehoek, Cape Town 8001
Tel: +27 21 510 7924, Fax: +27 21 510 1268, E-mail: comfish@mweb.co.za

Penney, Andrew

Pisces Environment Services (Pty) Ltd., 22 Forest Glade, Tokai Road, Tokai 7945
Tel: +27 21 7154 238, Fax: +27 21 7154 238, E-mail: apenney@pisces.co.za

TRINIDAD & TOBAGO

Jobity, Ann Marie*

Director of Fisheries, Fisheries Division, Ministry of Agriculture Land & Marine Resources, 35 Cipriani Boulevard, Port of Spain
Tel: +1 868 623 5989, Fax: +1 868 623 8542, E-mail: fishdiv@tsst.net.tt

TUNISIA

Chouayakh, Ahmed*

Ministère de l'Agriculture de l'Environnement et des Ressources Hydrauliques, Direction Générale de la Pêche et de l'Aquaculture, 32 rue Alain Savary, 1002 Tunis
Tel: +216 71 890 784, Fax: +216 71 799 401

Jaw Her, Ben Hmida

Nouveau port de pêche, 3065 Sfax
Tel: +21 6 98 319 885, Fax: +21 3 74 497 704, E-mail: jawhar.benhmida@tunet.tn

TURKEY

Oray, Isik Kemal*

Faculty of Fisheries, University of Istanbul, Ordu Cad. N1 200, 34470 Laleli, Istanbul
Tel: +90 212 514 0388, Fax: +90 212 514 0379, E-mail: isikoray@yahoo.com, isikoray@hotmail.com

Anbar, Nedim

OYID, Atarturk Bulv. No. 141, B-Blok, D-101 Ankara
Tel: +90 532 2202175, Fax: +90 312 4198057, E-mail: nanbar@superonline.com

Celik, Gulseren

Embassy of Turkey, 11 Clyde Road, Ballsbridge, Dublin, Ireland
Tel: 668 52 40

Gozgozoglul, Erkan

Ministry of Agriculture and Rural Affairs, Milli Mudafa, cd. No. 20, Kizilay, Ankara
Tel: +90 312 4183278, Fax: +90 312 4170026, E-mail: egozgozoglul@tarim.gov.tr

Gultek, Adnan

Ministry of Agriculture and Rural Affairs, Milli Mudafa, cd. No. 20, Kirilay, Ankara, Turkey
Tel: +90 312 4189729, Fax: +90 312 4170026, E-mail: agultek@tarim.gov.tr

Kilic, Hasan

Akay cod. No. 3, Bakanliklar, Ankara
Tel: +90 312 4174176, Fax: +90 312 4198319, E-mail: hasank@kkgm.gov.tr

Kocak, Durali

Akay cod. No. 3, Bakanliklar, Ankara
Tel: +90 312 4174176, Fax: +90 312 418 6318, E-mail: duralik@kkgm.gov.tr

Ozten, Ercan

Embassy of Turkey, 11 Clyde Road, Ballsbridge, Dublin, Ireland
Tel: +353 1 6685240, Fax: +353 1 6685014

Ultanur, Mustafa
Polaris Is Merkeri, Ahî Euren Cod. No 1, Kat 10, Maslak, Istanbul
Tel: +90 533 424 0827, Fax: +90 212 346 0525, E-mail: mustafa.ultanur@dardanel.com.tr

UNITED KINGDOM (Overseas Territories)

Clifton, Emma*
Maritime Section Aviation, Maritime and Energy Department, Foreign and Commonwealth Office, King Charles St. London SW1 2AH
Tel: +44 207 008 2628, Fax: +44 207 008 3189, E-mail: emma.clifton@fco.gov.uk

Braithwaite, Sheila
Permanent Secretary, Government of the British Virgin Islands Road Town, Tortola BVI, UK Virgin Islands
Tel: +1 284 494 3701, Fax: +1 284 494 4283, E-mail: snaomib@hotmail.com

Christopher, Hon. J. Alvin
Minister, Ministry of Natural Resources and Labour, Government of the British Virgin Islands Road Town, Tortola BVI, UK Virgin Islands
Tel: +1 284 494 2781, Fax: +1 284 494 4283

Willock, Julian
Assistant Secretary, Ministry of Natural Resources and Labour, Government of the British Virgin Islands, Road Town, Tortola BVI, UK Virgin Islands
Tel: +284 494 3701, Fax: +284 494 4283, E-mail: julianwillock@hotmail.com

UNITED STATES

Hogarth, William T.*
Assistant Administrator for Fisheries, National Marine Fisheries Service, 1315 East-West Highway Silver Spring, Maryland 20910
Tel: +1 301 713 2239, Fax: +1 301 713 1940, E-mail: bill.hogarth@noaa.gov

Beemer, Shana
64 Mayhew Avenue, Babylon, New York 11702
Tel: +1 631 587 1337, E-mail: skmiller76@optonline.net

Beideman, Nelson R.
Blue Water Fishermen's Association, 910 Bayview Avenue, P.O. Box 398, Barnegat Light, New Jersey 08006
Tel: +1 609 361 9229, Fax: +1 609 494 7210, E-mail: nelson@bwfa.org

Blankenbeker, Kimberly
Foreign Affairs Specialist, Office of Sustainable Fisheries, National Marine Fisheries Services/NOAA, 1315 East West Hwy, Rm. 13114, Silver Spring, Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-mail: kimberly.blankenbeker@noaa.gov

Bogan, Raymond
526 Bay Avenue, Point Pleasant Beach, New Jersey 08742
Tel: +1 732 899 9500, Fax: +1 732 899 9527, E-mail: bkb@nji.com

Brennan, Bill
U.S. Department of Commerce/NOAA, 14th St. & Constitution Ave. NW, Washington, DC
Tel: +1 202 482 6076, Fax: +1 202 482 6000, E-mail: bill.brennan@noaa.gov

Bruce, Bonnie
U.S. House of Representatives, Washington, DC 20515
Tel: +1 202 226 0200, Fax: +1 202 225 1542, E-mail: bonnie.bruce@mail.house.gov

Carlsen, Erika
National Oceanic Atmospheric Administration, National Marine Fisheries Services, 1315 East West Hwy, Silver Spring, Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-mail: erika.carlsen@noaa.gov

Delaney, Glenn
U.S. Commissioner for Commercial Industry, 601 Pennsylvania Avenue NW, Suite 900, Washington, DC 20004
Tel: +1 202 434 8220, Fax: +1 202 639 8817, E-mail: grdelaney@aol.com

Ding, Steve

U.S. House of Representatives, Washington, DC 20515
E-mail: steve.ding@mail.house.gov

Donofrio, James

P.O. Box 3080, New Gretna, New Jersey 08224
Tel: +1 609 294 3315, Fax: +1 609 294 3816, E-mail: jdrfa@cs.com

Dunnigan, John H.

Director, Office of Sustainable Fisheries, National Marine Fisheries Service-NOAA, 1310 East-West Hwy, Room 14528
Silver Spring, Maryland 20910
Tel: +1 301 713 2334, Fax: +1 301 713 0596, E-mail: jack.dunnigan@noaa.gov

Easley, Otha

NOAA Fisheries, Office for Law Enforcement, 8484 Georgia Ave., Suite 415, Silver Spring, Maryland 20910
Tel: +1 301 427 2300, Fax: +1 301 427 2055, E-mail: otha.easley@noaa.gov

Foley III, Peter F.

President, Boone Bait Co. Inc., P.O. Box 2966, Winter Park, Florida 32790
Tel: +1 407 975 8775, Fax: +1 407 975 8776, E-mail:

Genovese, Michael

600 Shunpike Road, Cape May Court House, New Jersey 08210
Tel: +1 609 465 3251, Fax: +1 609 465 8108, E-mail: toowd@iwon.com

Gilchrest, Wayne

2245 Rayburn Building, Washington, DC 20515
Tel: +1 202 225 5311, Fax: +1 202 225 0254, E-mail: www.house.gov/gilchrest

Graves, John

Professor of Marine Science, Chair, Department of Fisheries Science, Virginia Inst. of Marine Science, School of Marine
Science, P.O. Box 1346-Rt. 1298 Greate Rd., Gloucester Point, Virginia 23062
Tel: +1 804 684 7352, Fax: +1 804 684 7157, E-mail: graves@vims.edu

Hayes, Robert

U.S. Commissioner for Recreational Interests, Ball Janik LLP, 1455 F Street NW, Suite 225, Washington, DC 20004
Tel: +1 202 638 3307, Fax: +1 202 783 6947, E-mail: rhayes@dc.bjllp.com

Husted, Rachel

National Marine Fisheries Service-NOAA, 1315 East-West Highway, Room 14528 Silver Spring, Maryland 20910
Tel: +1 301 713 2239, Fax: +1 301 713 1940, E-mail: rachel.husted@noaa.gov

Kerstetter, David

Virginia Institute of Marine Science, College of William and Mary, Gloucester Point, Virginia 23062
Tel: +1 804 684 7434, Fax: +1 804 684 7157, E-mail: bailey@vims.edu

Kraniotis, Patricia

NOAA, Office of General Counsel for International Law, 14th St. & Constitution Ave, NW, Rm. 7837, Washington, DC
20230
Tel: +1 202 482 3816, Fax: +1 202 371 0926, E-mail: patricia.kraniotis@noaa.gov

Lauck, Elisabeth

Marine Conservation Program, 2300 Southern Blvd., Bronx, New York 10460, United States
Tel: +1 718 220 2151, Fax: +1 718 364 4275, E-mail: llauck@wcs.org

Lindow, Emily

U.S. Department of Commerce-NOAA, Office of the Under Secretary, 14th Street and Constitution Ave NW, Rm. 5805,
Washington, DC 20230
Tel: +1 202 482 0853, Fax: +1 202 408 9674, E-mail: emily.lindow@noaa.gov

Lutcavage, Molly

Department of Zoology, University of New Hampshire, Durham, New Hampshire
Tel: +1 603 862 2891, Fax: +1 603 862 2717, E-mail: molly.lutcavage@unh.edu

McCall, Mariam

NOAA-Office of the General Counsel for Fisheries, 1315 East-West Hwy, Silver Spring, Maryland 20910
Tel: +1 301 713 2231, Fax: +1 301 713 0658, E-mail: mariam.mccall@noaa.gov

Powers, Joseph E.

NOAA Fisheries, Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, Florida 33149-1099
Tel: +1 305 361 4295, Fax: +1 305 361 4219, E-mail: joseph.powers@noaa.gov

Pride, Robert H. III

780 Pilot House Dr., Suite 300-B, Newport News, Virginia 23606
Tel: +1 757 596 1740, Fax: +1 757 596 1842, E-mail: bpride@ebunsinc.com

Rogers, Christopher

Chief, Highly Migratory Species Division, National Marine Fisheries Service/NOAA, 1315 East-West Hwy, Rm. 13458, Silver Spring, Maryland 20910
Tel: +1 301 713 2347, Fax: +1 301 713 1917, E-mail: christopher.rogers@noaa.gov

Ruais, Richard P.

Executive Director, East Coast Tuna Association, 28 Zion Hill Road, Salem, New Hampshire 03079
Tel: +1 603 898 8862, Fax: +1 603 894 5898, E-mail: rruais@aol.com

Scott, Gerald P.

National Marine Fisheries Service-NOAA, Southeast Fisheries Science Center, Sustainable Fisheries Division, 75 Virginia Beach Drive, Miami, Florida 33149-1099
Tel: +1 305 361 4220, Fax: +1 305 361 4219, E-mail: gerry.scott@noaa.gov

Thompson, Nancy

National Marine Fisheries Service-NOAA Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, Florida 333149
Tel: +1 305 361 4285, Fax: +1 305 361 4219, E-mail: nancy.thompson@noaa.gov

Ware, Catherine

U.S. House of Representatives, Washington, DC 20515
Tel: +1 202 226 2311, Fax: +1 202 225 4273, E-mail: catherine.ware@mail.house.gov

Warner-Kramer, Deirdre

Office of Marine Conservation, OES/OMC, Rm. 5806, Department of State, Washington, DC 20520-7818
Tel: +1 202 647 2883, Fax: +1 202 736 7350, E-mail: warner-kramerdm@state.gov

Willens, Todd

U.S. House of Representatives, Washington, DC 20515
Tel: +1 202 226 9302, E-mail: todd.willens@hotmail.com

Zbicz, Dorothy

U.S. Department of State, 2201 C Street NW, Washington, DC 20520-7818
Tel: +1 202 647 3073, Fax: +1 202 647 1106, E-mail: zbiczdc@state.gov

URUGUAY

Flangini, Yamandú*

Director Nacional, Dirección Nacional de Recursos Acuáticos, Constituyente 1497, Montevideo
Tel: +598 409 29 69, Fax: +598 401 32 16, E-mail: yflangini@dinara.gub.uy

Amestoy, Fernando

Dirección Nacional de Recursos Acuáticos, Constituyente 1497, Montevideo
Tel: +598 409 29 69, Fax: +401 32 16, E-mail: famestoy@dinara.gub.uy

VANUATU

Amos, Moses*

Director, Vanuatu Fisheries Department, Port Vila
Tel: +678 23119, Fax: +678 23641, E-mail: mosesamos@vanuatu.com.vu

Alphonse, Delaveru

Vanuatu Maritime Authority Secretary
Tel: +678 42856

Johnson, David

VMS System Administrator, P.O. Box 1640, Port Vila
Tel: +678 25887, Fax: +678 25608, E-mail: tunafishing@vanuatu.com.vu

Pene, Patrick J.
VMS, P.O. Box 1640, Port Vila
Tel: +678 25887, Fax: +678 25608

FOOD & AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)

Watanabe, Hiromoto
FAO, Room F411 FIPL, Viale delle Terme di Caracalla, 00100 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 OR FISHING ENTITIES

CHINESE TAIPEI

Sha, James*
Fisheries Agency, N° 2 Chao-Chow St., Taipei 100
Tel: +886 2 23511452, Fax: +886 2 23411953, E-mail: james@msl.fao.gov.tw

Chen, Shih-Hsien
Taiwan Tuna Association, 3F-2 N°2 Yu-kang, Middle 1st Road, Chien Jern District, Kaohsiung, Taipei
Tel: +886 7 841 9606, Fax: +886 7 831 3304

Chern, Yuh-Chen
Division of Deep Sea Fisheries, Fisheries Agency, N° 2 Chao-Chow St., Taipei 100
Tel: +886 2 3343 6111, Fax: +886 2 3343 6268, E-mail: yuhchen@msl.fao.gov.tw

Gau, Michael Sheng-Ti
Department of Government & Law, National University of Kaohsiung, Floor 10, No.51, Gwang-Hsing St. Zwo-Ing District, 813, Kaohsiung
Tel: +886 952 073 422, Fax: +886 7 5581 745, E-mail: mikegau@nuk.edu.tw

Ho, Shih-Chieh
Taiwan Tuna Association, 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: martin@tuna.org.tw

Ho, Peter S.C.
President, Overseas Fisheries Development Council, 19 Lane 113, Sect. 4, Roosevelt Road, Taipei 106
Tel: +886 2 2738 2478, Fax: +886 2 2738 4329, E-mail: pscho@ofdc.org.tw

Huang, I-Cheng
Taiwan Tuna Association, 3F-2 N°2 Yu-kang, Middle 1st Road, Chien Jern District, Kaohsiung, Taipei
Tel: +886 7 841 9606, Fax: +886 7 831 3304

Huang, Li-Fang
B1. Katakalan 2, Taipei
Tel: +886 2 2348 2528, E-mail: lfhuang@mofa.gov.tw

Lee, Chih-Hsing
Taiwan Tuna Association, 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: davidle8@ksmail.seed.net.tw

Li, Chi-Ming
Taiwan Tuna Association, 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: chmetwn@seed.net.tw

Lu, Yu-Chu
Taiwan Tuna Association, 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: seafood@msz.hinet.net

Ni, I-Hsun
Dept. of Environmental Biology & Fisheries Science, National Taiwan Ocean University, 2 Peining Rd., Keelung 202
Tel: +886 2463 2341, Fax: +886 2463 2341, E-mail: niih@mail.ntou.edu.tw

Tsai, Tien-Hsiang
Division of Deep Sea Fisheries, Fisheries Agency, 2 Chao-Chow St., Taipei
Tel: +886 2334 36119, Fax: +886 2334 36268, E-mail: ted@msl.fao.gov.tw

Yeh, Shean-Ya

Professor, Rm. 408, Institute of Oceanography, National Taiwan University, P.O. Box 23-13, Taipei
Tel: +886 2 2363 7753, Fax: +886 2 2366 1197, E-mail: sheanya@ccms.ntu.edu.tw

PHILIPPINES**Adora, Gil***

Bureau of Fisheries and Aquatic Resources, 860 Arcadia Building, Quezon City
Tel: +632 372 5058, Fax: +632 372 7447, E-mail:

Arriola, Luis T.

COO Giant Ocean Corp., Asian Profiles, Inc., Bingo Asia Inc., 604 Marbella 2, 2071 Roxas Boulevard, Malate, Manila
Tel: +632 524 7495, Fax: +632 530 3812, E-mail: itarriola@yahoo.com

Sy, Richard

Suite 701, Dazma Corporate Center, 321 Damarinas St., Binondo Manila
Tel: +632 244 5565, Fax: +632 244 5566, E-mail: sunwarm@tri-sys.com

OBSERVERS FROM INTER-GOVERNMENTAL ORGANIZATIONS**CARIBBEAN COMMUNITY (CARICOM)****Anderson, Winston**

General Counsel, CARICOM Secretariat, Bank of Guyana Building, Georgetown, Guyana
Tel: +1 592 226 7813, Fax: +1 592 226 7816, E-mail: generalcounsel@caricom.org

Singh-Renton, Susan

Caribbean Regional Fisheries Mechanism, 3rd Floor, Corea's Building, Halifax Street, St. Vincent and the Grenadines, West Indies
Tel: +1 784 457 3474, Fax: +1 784 457 3475, E-mail: ssinghrenton@vincysurf.com

FORUM FISHERIES AGENCY (FFA)**Atwood, John**

Legal Counsel, Forum Fisheries Agency, P.O. Box 629, Honiara, Solomon Islands
Tel: +677 21124, Fax: +677 23995, E-mail: john.atwood@ffa.int

INTER-AMERICAN TROPICAL TUNA COMMISSION (IATTC)**Allen, Robin L.**

IATTC, 8604 La Jolla Shores Drive La Jolla, California 92037-1508, United States
Tel: +1 858 546 7100, Fax: +1 858 546 7133, E-mail: rallen@iattc.org

INDIAN OCEAN TUNA COMMISSION (IOTC)**Ardill, David**

Indian Ocean Tuna Commission, P.O. Box 1011, Fishing Port Victoria, Mahe, Seychelles
Tel: +248 22 54 94, Fax: +248 22 43 64, E-mail: David.Ardill@iotc.org

INTERNATIONAL WHALING COMMISSION (IWC)**Escobar Guerrero, Ignacio**

Subdirector General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Marítima, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 6048, Fax: +34 91 347 6049, E-mail: iescobar@mapya.es

OBSERVERS FROM NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES**BELIZE****Mouzouropoulos, Angelo***

Director General, International Merchant Marine Registry of Belize Marina Towers, Suite 204, Newton Barra, Belize City
Tel: +501 223 5026/31

Wade, Beverly

Belize Fisheries Department, Ministry of Agriculture, Fisheries & Cooperatives, Princess Margaret Drive, P.O. Box 148, Belize City
Tel: +501 224 4552, Fax: +501 223 2983, E-mail: species@btl.net

ISRAEL**Sonin, Oren***

Director of Fisheries Division, Department of Fisheries and Aquaculture, Ministry of Agriculture and Rural Development, The Agricultural Center, P.O. Box 30, Beit Dagan 50250
Tel: +972 3 948 5426, Fax: +972 3 948 5735, E-mail: orenson3@netvision.net.il

NETHERLANDS ANTILLES

Cova, Errol*

Minister of Economic Affairs

Tel: +5999 4630432, Fax: +5999 4619282, E-mail: errol.cova@gov.au

Mambi, Stephen

Senior Policy Advisor to the Directorate of Economic Affairs, Somezplein 4, Curacao

Tel: +5999 4656236, Fax: +5999 4656316, E-mail: samcur@attglobal.net

Monte, Caryl

Av. Herrmann Debraix 1160, Brussels, Belgium

Tel: +32 2 679 1631, Fax: +32 2 679 1779, E-mail: bre-na@minbuzu.nl

NORWAY

Tvedt, Idun*

Ministry of Fisheries, P.O. Box 8118, Dept. 0032 Oslo

Tel: +47 222 46486, Fax: +47 222 49585, E-mail: idun.aarak-tvedt@fid.dep.no

Lobach, Terje

Directorate of Fisheries, P.O. Box 185, Sentrum, N-5804 Bergen

Tel: +47 55 23 8139, Fax: +47 55 23 8090, E-mail: terje.lobach@fiskeridir.no

ST. VINCENT AND THE GRENADINES

Ryan, Raymond*

Chief Fisheries Officer, Fisheries Division, Ministry of Agriculture, Lands and Fisheries, Kingstown

Tel: +1 784 456 1410, Fax: +1 784 457 2112, E-mail: fishdiv@caribsurf.com

Choo, Michael

C/O National Fisheries Co. Ltd., Sea Lots, P.O. Box 896, Port of Spain, Trinidad and Tobago

Tel: +868 623 7171, Fax: +868 627 9132, E-mail: manthechoo@hotmail.com

OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

COMMISSION INTERNATIONALE DE LA PÊCHE SPORTIVE (CIPS)

Ordan, Marcel

Président, FIPS Mer, Viale Abruzzi 79, 20131 Milan, Italy

Tel: +39 02 2043952, Fax: +39 02 2046863

ORGANIZATION FOR THE PROMOTION OF RESPONSIBLE TUNA FISHERIES (OPRT)

Campen, Sally J.

1350 Beverly Road, McLean, Virginia 22101, United States

Tel: +1 703 980 9111, Fax: +1 703 783 0292, E-mail: sjcampen@aol.com

WILDLIFE CONSERVATION SOCIETY (WCS)

Lauck, Elisabeth

Marine Conservation Program, 2300 Southern Blvd., Bronx, New York 10460, United States

Tel: +1 718 220 2151, Fax: +1 718 364 4275, E-mail: llauck@wcs.org

WRIGLEY INSTITUTE OF ENVIRONMENTAL STUDIES (WIES)

Locken, Cindy

University of Southern California, 2805 Perkins Lane, Redondo Beach, California 90278, United States

Tel: +1 213 740 6780, Fax: +1 213 740 6720, E-mail: dianaw@usc.edu

Webster, Diana G.

University of Southern California, 2805 Perkins Lane, Redondo Beach, California 90278, United States

Tel: +1 213 740 6780, Fax: +1 213 740 6720, E-mail: dianaw@usc.edu

WORLD WILDLIFE FUND (WWF)

Osio, Chato

Marine Unit, WWF Mediterranean Program Office, Via Po 25/c, 00198 Rome, Italy

Tel: +39 06 8449 7443, Fax: +39 06 8413 866, E-mail: cosio@wwfmedpo.org

Raymakers, Caroline

TRAFFIC Europe (WWF-Belgium), 90 Bd. E. Jacquain, 1000 Brussels, Belgium

Tel: +32 2 343 8258, Fax: +32 2 343 2565, E-mail: craymakers@traffic-europe.com

RECREATIONAL FISHING ALLIANCE (RFA)

Moore, Herbert

Director of Government Affairs, Recreational Fishing Alliance, 5738 Route 9, P.O. Box 3080, New Gretna, New Jersey 08224 United States

Tel: +1 609 294 3315, Fax: +1 609 294 3816, E-mail: HerbMooreRFA@aol.com

ICCAT SECRETARIAT

Corazon de Maria, 8 – 6th floor, 28002 Madrid, Spain

Tel: +34 91 416 56 00, Fax: +34 91 415 26 12, E-mail: info@iccat.es

Ribeiro Lima, Adolfo

Restrepo, Victor

Kebe, Papa

Moreno Rodríguez, Juan Antonio

Porter, Julie M.

Palma, Carlos

Cheatle, Jenny

de Andres Irazazabal, Marisa

Fitz, Jesus

Gallego Sanz, Juan Luis

García Piña, Cristóbal

Martín Sánchez, Africa

Moreno Rodríguez, Juan Angel

Navarret, Christel

Peña Iglesias, Esther

Peyre, Chrsitine

Seidita, Philomena

Auxiliary Translation Staff

Fernandez de Bobadilla, Maria Ana

Interpreters

Castel, Mario

Faillace, Linda

Liberas, Cristine

Meunier, Isabelle

Sanchez, Lucia

Tedjini-Roemmele, Claire

INTRODUCTORY AND OPENING ADDRESSES & STATEMENTS TO THE PLENARY SESSIONS

3.1 INTRODUCTORY AND OPENING ADDRESSES

By Mr. Masanori Miyahara, Chairman of the Commission

The Honorable Mr. Dick Roche, Minister of State at the Department of Foreign Affairs of Ireland, Distinguished Delegates from Contracting Parties, Distinguished Delegates from Observer Delegations, Ladies and Gentlemen:

It is indeed an honor for me to open the 18th Regular Meeting of the Commission in the beautiful and historical city of Dublin. It is particularly impressive to be sitting here at this modern conference center, embedded in this complex known as “Dublin Castle”, where the modern and the old form such a powerful combination. And, it is particularly enjoyable to have such friendly hosts as our Irish friends are.

And now I would like to turn my attention to the work ahead. For many years, ICCAT has been at the forefront of many activities that are of interest to all regional fishery bodies that have a mandate to manage high seas fisheries. This year I hope that you will join me, once again, to continue to set the pace.

We continue to grow. Since we last met in Bilbao, four more countries have joined our Commission. They are Vanuatu, Cyprus, Turkey and Malta. I sincerely welcome them on behalf of the other members of the Commission.

Last year, we successfully concluded very difficult negotiations of sharing arrangements for Atlantic swordfish and eastern bluefin tuna. At the same time, we established instruments that will allow us to keep better track of all large-scale vessels fishing for tuna and tuna-like species in the Atlantic. We established both “positive” list measures and “negative” list measures that are now being implemented.

This year we need to focus again on some species. In particular, we need to decide upon conservation and management measures for bigeye tuna and for South Atlantic albacore. We need to close the loopholes that have been opened by the current practice of bluefin tuna farming, which is making it difficult to collect reliable data for this species.

At the same time, this year we need to continue to agree on comprehensive instruments for monitoring, control and surveillance. We need to finalize the streamlining of the process that leads to trade sanctions for those States that behave in ways that diminish the effectiveness of our management regime. The Working Groups that met earlier this year in Madeira made tremendous progress on both these issues. It is now up to this meeting, through the Compliance Committee and the Permanent Working Group, to agree on the most urgent measures and to decide on a future course for negotiating the more contentious issues.

On behalf of the Commission, I extend my deepest appreciation to the Government of Ireland and to the European Community for hosting this meeting. And now, distinguished Delegates, it is my honor to introduce the Honorable Mr. Dick Roche for the opening address.

By Mr. Dick Roche, Minister of State at the Department of Foreign Affairs of Ireland

Mr. Chairman, Distinguished Delegates:

On behalf of the Irish Government, I am pleased to welcome you to Dublin for the 18th Regular Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

In particular, I would like to welcome you to historic Dublin Castle as a fitting venue for a meeting of such international importance in the fisheries sector.

Two words stand out in the title of ICCAT: international and conservation.

The Commission is a truly global organization with delegates here today from more than 40 nations worldwide.

Your deliberations and decisions this will have global implications not only for the Atlantic tuna stocks, but also for the fishermen and ancillary workers who depend on them for their livelihood.

The mandate of the Commission and its Delegates to put in place effective conservation measures for Atlantic tuna and tuna-like species cannot be underestimated. ICCAT like other international organizations are guardians of our shared maritime resources.

Rational exploitation, based on sustainable catch levels and guided by scientific advice, is the key to addressing the conservation imperative.

The Commission is charged with achieving a balance between this imperative and adequate income earning opportunity for our fishermen. The stocks must be future proofed because without them our fishermen themselves have no future.

Your work, in Dublin, is of critical importance and I want to wish you well as you embark on a difficult voyage.

In particular, I want to convey our hopes for a successful meeting to your Chairman, Mr. Masanori Miyahara, under whose guidance and wise counsel the Commission will reflect and consider this week.

A successful outcome will, of course, be a team effort and therefore much will on the chairpersons of each of the Panels and the various committees and working groups that will meet during the Dublin conference, and most importantly on you the Delegates.

I also want to extend a warm welcome to Dr. Adolfo Lima and his permanent staff at ICCAT. This is the most important week of their working year. I am confident they will assist you, the Delegates, in their usual professional and efficient manner.

In conclusion, I want to thank the Authorities at Dublin Castle for making these excellent facilities available and the staff of the Irish Sea Fisheries Board (BIM) and the Department of Communications, Marine and Natural Resources for their assistance in organizing this event.

Ireland is proud to host the 18th Regular Meeting of the Commission and I hope that in the midst of your very heavy work schedule you have time to enjoy your stay in our capital city.

3.2 OPENING STATEMENTS BY CONTRACTING PARTIES TO THE PLENARY SESSIONS

Algeria

Algeria is very honored to take part in the 18th Regular Meeting of ICCAT in this lovely city of Dublin and wholeheartedly thanks the European Community for its invitation and the Irish Government for hosting the annual Commission meeting.

In these past years, the sincere and sustained efforts of the Commission, through all its Parties and structures, have been crowned by success, particularly during the meeting that took place in Bilbao, concerning the important decisions made by ICCAT. Therefore, the number and the complexity of the conservation and management measures implemented by the parties continue to increase.

In this sense, Algeria has made every effort since its adherence that was effective in 2001 to implement these regulations and to increase the efficiency of the tuna conservation and management measures, particularly in the waters under its jurisdiction.

In pledging to faithfully follow these efforts, Algeria again wishes everyone a successful 18th Regular Meeting that constitutes, among others, a first step to assess the degree of implementation and efficiency of the measures adopted in Bilbao.

ICCAT's efforts always result in an improvement in the quality and the efficiency of its work and its deliberations, which undeniably reaffirm the Commission's prestige, and Algeria is pleased that this has encouraged more countries to adhere recently.

The competence of the ICCAT Executive Secretary has largely contributed to this success in playing a considerable role in the optimization of the efficiency of the work and the monitoring of the measures adopted. Algeria wishes success to the future Executive Secretary and assures him of its undeniable support.

In concluding, Algeria congratulates the ICCAT Secretariat for its excellent work and expresses its full disposition to cooperate in a constructive way with all the delegations, to whom it wishes a pleasant stay in the city of Dublin.

Brazil

The Brazilian Delegation would like to thank the Irish Government for hosting the 18th Regular Meeting of the Commission. We are very pleased to be in the historical city of Dublin and to benefit from the hospitality of its people. We would also like to welcome Cyprus, Malta, Turkey and Vanuatu who have joined ICCAT as Contracting Parties in the last year. As usual, we would like to extend our sincere thanks to the Secretariat for the hard work in successfully setting up one more meeting of the Commission.

One of the most important commitments of the new Brazilian Government is the struggle against famine. Within this context, the sustainable use of marine living resources is of increasing significance. With the aim of improving the country's capacity to manage adequately this important sector, the new Brazilian Administration established a Special Secretariat for Aquaculture and Fisheries, which is of ministerial level and reports directly to the Presidency of the Republic.

Brazil concurs with the ICCAT Chairman on the priority issues to be dealt with here in Dublin: the selection of a new Executive Secretary, the management of tropical species, compliance issues, as well as procedures and criteria relating to trade sanctions. With regard to that last point, the Brazilian Delegation is convinced that the results of the work done intersessionally should be fully taken into account in the deliberations of the 18th Regular Meeting of ICCAT in order to avoid duplication of efforts and the waste of precious time.

Annual meetings constitute valuable occasions for delegations to reiterate their commitments to the principles ICCAT takes as a basis in the pursuit of its goals. Annual meetings constitute as well opportunities for delegations to provide for the necessary explanation and justification in the case of non-compliance of the Commission's rules. In relation to the budgetary problem of ICCAT and to the financial obligations of Contracting Parties, Brazil believes that a realistic approach should prevail in the debates on these issues. On the one hand, the Commission cannot carry out its activities without the necessary funds. On the other hand, the economic situation of many developing country members of ICCAT impedes them from complying fully with their financial obligations to the Commission. The balance between these two crucial circumstances must be taken into account in the debates on eventual measures that might apply the withdrawal of rights of indebted ICCAT members.

Finally, the Brazilian Delegation would like to pay tribute to Dr. Adolfo Lima for his year of efficient work in command of the Secretariat and wholeheartedly wishes him the best of luck.

Canada

We are delighted to be in Dublin and would like to thank the Irish Government for hosting the 18th Regular meeting of the Commission.

Although Canada approached last year's meeting of the Commission with guarded expectations, overall we viewed the results, while not totally acceptable, as a step in the right direction, not only for the stocks that we have the obligation to manage, but also for our organization.

The experience of the two previous Commission meetings had left us with diminished hope that ICCAT could effectively deal with the complex set of issues that lay before it. For at past meetings, it is Canada's view and that of many watching us that ICCAT had moved several steps backwards, something that caused us great concern given the speed of real progress to date in facing up to our responsibilities as a regional fisheries management organization. The absence of consensus, the excuse of scientific uncertainty and the view by many

members that the conservation of these stocks come second to the needs of their respective industries, has led ICCAT to renege on its responsibility to conserve tuna and tuna-like species.

In Bilbao, we made some noticeable strides forward. Management regimes for southern swordfish and eastern bluefin were re-established and a spirit of compromise and cooperation was rekindled. Nonetheless, we all left the 2002 commission meeting knowing that we are still fishing many stocks above sustainable levels, that we continue to take far too many small and juvenile fish, and that compliance with existing measures amongst ICCAT members is a growing concern.

Also, last year the SCRS was unable to complete stock assessments for several major stocks because members had not supplied data, even though the provision of data is essential for the functioning of ICCAT. Unfortunately, the situation has not improved this year. As such, we must take measures this year to assure that this basic requirement is met by all members and cooperating parties. Canada believes that those not meeting this basic responsibility of ICCAT should be held to account.

Canada believes that if we do not change our ways, ICCAT is living on borrowed time. We cannot expect to maintain our credibility as an effective regional fisheries management organization if we continue to tie the hands of our scientists with lack of data, ignore non-compliance by members, and fail to address fishing activities by all in a fair and transparent manner.

On a more positive note, commitments from some to improve data collection and reduce the harvest of small fish were made. Canada would like to take this opportunity to congratulate those who have made this commitment. They have advised us that they will be delivering the goods. We will hold them to this.

As the regional management fisheries organization responsible for the conservation of tunas and tuna-like species in the Atlantic, ICCAT must adopt and implement effective management measures that will ensure a sustainable fishery for future generations to enjoy.

Are we providing “effective management”? In Canada’s view the answer to this question is not yet. Our rules are too often unclear and inconsistent with international norms, and are applied inconsistently and sometimes arbitrarily.

Is there a conservation ethic within ICCAT? In Canada’s view the answer to this question is sadly no. Our scientists are unable to complete stock assessments, as members do not provide basic fisheries data. We continue to engage in unsustainable practices such as excessive harvests of juvenile fish and fishing above any reasonable calculation of maximum yield. Canada believes that the time to address these issues is now.

At the Madeira inter-sessional meetings, Canada outlined what it referred to as the four “C”s that should guide ICCAT: conservation, clarity, consistency and compliance. Upon reflection, we would add a fifth “C”: cash, as ICCAT is an organization whose members habitually do not meet their financial obligations to the Commission. Again, Canada believes that those who do not contribute to the organization should not be considered full members of the organization.

Without any of these Cs we risk eroding our credibility as an effective regional fisheries management organization. We all know and recognize the challenges ahead of us. Last year we made important strides to address them. We look forward to working closely this week with all ICCAT members to maintain this momentum. Let’s make the best of this opportunity.

Côte d’Ivoire

Côte d’Ivoire is honored to take part in the 18th Regular Meeting of the Commission. First of all, in my position as Minister of Animal Production and Fishery Resources and on behalf of the Government of Côte d’Ivoire I would like to thank the Chairman who has made it possible for the Commission to make considerable progress.

Further, I would like to thank ICCAT, which provides my country with the opportunity to participate in this important meeting that is taking place in this beautiful city of Dublin.

Côte d’Ivoire reaffirms the importance of the tuna resources and their contribution to the national GDP. It reaffirms as well the importance of the durable management of the fisheries for food security, the realization of the socio-economic objectives and the well being of the fishers and their families.

Today more than ever we are confronted with new challenges in view of the growing population and we must be able to draw upon the necessary force, will and the wisdom to find solutions to the fundamental questions of conservation and the optimal and durable utilization of the fishery resources.

We must thus engage in managing the stocks so that they are consolidated and improved in order to offer new fishing opportunities to the users who comply with good management measures such as those promulgated by ICCAT.

This is the only way that we can assure the longevity of the fishery resources and the protection of the marine environment for present and future generations.

This meeting will, among other matters, review the preliminary results obtained from the implementation of measures aimed at preventing, combating and eliminating illegal, unreported and unregulated fishing, including fishing activities by vessels flying flags of convenience and vessels without nationality.

As regards the allocation criteria, we believe that the moment has come to apply these to the species that this year will be subject to the allocation of quotas.

In this perspective, Côte d'Ivoire, which is in a difficult position due to the constant pressure from the fishers to have some catch quotas, requests an allocation of bigeye tuna quota of about 3,000 t. This would be a great relief for our tuna canning factories which generate more than 5,000 direct jobs and more than 45,000 indirect jobs.

Finally, Côte d'Ivoire reaffirms its pledge to make its modest contribution to the success of the work as it has always done and wishes full success to the 18th Regular Meeting of the Commission.

Cyprus

The Republic of Cyprus would first of all like to express its appreciation to the Government of Ireland who is hosting this 18th Regular Meeting of ICCAT on behalf of the European Community.

Cyprus, which is going through a phase of change, is very happy to be a new member of ICCAT. Cyprus acknowledges the work of ICCAT in conserving tuna stocks and as a new member looks forward to observing and respecting all ICCAT decisions and will do its utmost to accomplish the objectives of the Organization. Cyprus, eager to promote responsible fishing, has also become a Contracting Party to the U.N. Fish Stocks Convention and the FAO Compliance Agreement.

In its efforts for sustainable exploitation of fishery resources, Cyprus is, *inter alia*, upgrading its monitoring and control capabilities. A Fishing Vessel Register is already in place and a satellite monitoring system will soon be functioning. Furthermore, to reduce fishing effort from Cyprus flag vessels, legislation has been introduced to encourage re-flagging of foreign owned fishing vessels from the Cyprus Register of Ships.

Cyprus is the largest island in the eastern Mediterranean and is surrounded by bluefin tuna grounds. Fishing constitutes a traditional activity and a source of living for many families. Consequently, Cyprus intends to continue its fishing practices in a responsible manner.

European Community

First of all, on behalf of the European Community, I would like to extend a warm welcome to all the participants at this year's ICCAT meeting here in Dublin. In particular, a special welcome is reserved for those Contracting Parties who have joined ICCAT during the last year.

This ever-growing membership, now at 37 Contracting Parties, poses its own challenges for the operation of the organization.

The major challenge is the organization's capacity to attain the objectives that it has set itself for managing and conserving the tuna stocks of the Atlantic Ocean. The continued expansion of ICCAT over recent years brings to the fore the issue of arriving at consensus on effective conservation policy. In our view, increased dialogue and consultation is essential to ensure that all Parties' interests are taken into consideration when decisions are being taken.

ICCAT has become more heterogeneous, reflecting the wide diversity of its membership in terms of economic development and fisheries development. All this demands an organization that is sufficiently resolved and flexible, or to put it another way, one that is not over-bureaucratic.

The procedures and processes in force when we had an organization of 15 to 20 Parties are probably no longer appropriate to an organization of 37. We need to avoid over-complicating the organization and its objectives through too much legislation. It would be wiser to take the other direction and simplify the legislative and administrative burden on the organization and on its Parties. In this context, we should ensure that the deadlines that we set in Recommendations are realistic. To promote this objective, management measures should be developed in a manner that promotes effective implementation objectives that cannot be realistically attained should be avoided.

A good example, as recent events have demonstrated, we should not burden the organization and its Contracting Parties with a proliferation of inter-sessional working groups. In recent years, the number of Regional Fisheries Organizations has expanded, and therefore there are increasing demands on Parties to participate in their work. Therefore, we must be rigorous and realistic in our calls for inter-sessional activities. In order for such meetings to be fully effective a minimum participation is necessary. If not, this can only lead to a sterile debate, both at the inter-sessional and at the subsequent annual meeting.

Similarly, the SCRS needs to adapt its working methods. If the Commission has moved to a multi-annual approach in management terms, then so too the SCRS needs to adapt itself to the multi-annual demands in relation to assessment. There is no need to review each stock, each year. That also means we need to rationalize the data requirements deadlines to reflect that timetable.

At last year's meeting in Bilbao, ICCAT made a major management advance, through the adoption of multi-annual management plans for bluefin tuna and swordfish. By the adoption of these measures, we have also seen the effective application of the Allocation Criteria agreed in 2001.

We would expect to see similar approaches adopted at this meeting for the albacore and tropical tunas. Furthermore, the momentum that was generated regarding the actions to combat IUU fishing activities should be maintained. This is a continuing battle, as those involved in such activities are quick to adapt and find ways to evade corrective action.

We fully concur with our distinguished Chairman, Miyahara-san, on the priority issues to be addressed in the days ahead. In particular, those relating to the selection of the new Executive Secretary, the management of the tropical tunas, notably bigeye tuna, and albacore, procedures and criteria relating to trade sanctions, and compliance issues.

This last point, compliance, is of particular concern for the European Community. We have seen that the sacrifices by certain fleets for conservation objectives and the result of these actions have been damaged and undermined by the actions of other Contracting Parties' fleets. This activity is putting the credibility of the organization as a whole into question. ICCAT has to be seen to be standing up against this blatant disregard of the organization.

We shall also have to look at the complex and challenging issue of tuna farming. We need to build on our work of last year on how best to monitor these activities, which have implications for the management of the resource from an assessment and control perspective.

A priority for the Community is the budgetary problem faced by ICCAT. There is a growing trend for Contracting Parties not to respect their financial obligations. This is putting the organization into serious operational difficulties. ICCAT shall have to consider additional measures to address this problem including withdrawing rights from Parties if they continue this practice of non-payment, or late payment, of their obligatory contributions. The result of this non-payment effectively means that the Community and others have unfairly to cover a greater share of the budget.

In developing the budget of the organization, more transparency also has to be provided regarding allocation and expenditure. In that regard, the Community, at this session, will look very closely at any proposal for additional expenditure or the continuation of existing projects, as regards their cost effectiveness for the organization.

Finally, I would like to turn to the question of the selection of the Executive Secretary. The person who is selected will be the motor of the executive arm of the organization. He will be responsible for the administrative and financial well being of the organization. Given the challenges that I have earlier pointed out, this will not be an easy task. This is not a beauty contest. It is one of the major decisions to be taken at this session, and it is one that must not be taken lightly. We need a high caliber person for this responsibility, a person who has the confidence of all members.

I would like to close by reiterating the Community's commitment to the organization, its desire for transparency, dialogue, and consultation with our partners in ICCAT. We look forward to a very busy week, which with the willingness and similar commitment of all around the table should provide the results that we expect from this leading regional fisheries organization.

Japan

First of all, on behalf of the Japanese Delegation, I would like to express our sincere gratitude to City of Dublin and the Government of Ireland as well as European Community for hosting this year's Commission meeting.

I can say that ICCAT is definitely the most productive and capable regional fisheries management organization in the world and the decisions and activities of this Commission are recognized as a model to lead other fisheries organizations.

In the long history of ICCAT, last year's meeting was a particularly remarkable step forward. The Commission took decisive actions to eliminate IUU fishing activities including the "Positive listing measure". And the members agreed to management measures for eastern bluefin tuna and southern swordfish, which had been problems pending for a long-time. We should concentrate our efforts on the implementation of these measures. This year, we are facing further challenging matters.

I would like to mention the following specific issues to which Japan assigns priority this year.

First, we are very concerned about the rapid increase of bluefin tuna farming having an adverse impact on the Commission's conservation effort for eastern bluefin tuna. An especially serious problem is an expansion of farming activities to non-Contracting Parties that have no quota for eastern bluefin tuna. Furthermore, the data on fish transferred to the farming facilities are very unclear and this uncertainty significantly hinders the proper stock assessment of bluefin tuna. We will raise this issue in Panel 2 and propose a measure to address this matter.

Second, Japan appreciates the establishment of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategy. For over 20 years, Japan has been questioning the validity of the two stocks management of Atlantic bluefin tuna based upon the arbitrary boundary of 45 degrees W. The so-called western stock of bluefin tuna was always at the historically lowest level when it was assessed again and again for the last two decades. It is time to review fundamentally both the science and the management of Atlantic bluefin tuna. This is not an easy task and calls for time, effort and patience of all the concerned members. We are committed to this work and would like to request all the members concerned to contribute to the goal to adopt sound conservation and management measures of Atlantic bluefin tuna.

Third, this year the Commission has to review the bigeye conservation measures. This matter involves two major fisheries: longline and purse seine fisheries. We hope that the Commission will establish balanced measures for both fisheries that will cover the coming three years.

Fourth, the Commission adopted the positive listing measure at the 2002 meeting. We should maintain this momentum and continue efforts to eliminate IUU fishing in the Convention area. To this end, Japan proposes some measures to ensure effectiveness of the positive listing measure.

Finally, Japan commits itself to work with the other delegations during these weeks to further improve the conservation and management programs of ICCAT and produce fruitful results. Thank you.

Korea

On behalf of the Korean delegation, let me say that it is my distinct honor to give an address in front of specialists regarding Atlantic tunas and tuna/like species, here at the 18th annual meeting of ICCAT in the beautiful city of Dublin.

ICCAT is one of the oldest fishery organizations and has led the trend of international tuna organizations. The Korean Government extends its respect for the hard work ICCAT has done to successfully manage tuna resources in the Atlantic Ocean.

I understand that one of the crucial issues is the “control and enforcement scheme”. I firmly believe that the most important thing is how we will design the details of this scheme. This is the key factor that will determine the successful conservation of tuna resources and help to optimize the benefits for fishing and non/fishing states and entities.

The Korean Government strongly supports the proper conservation measures that ICCAT has kept on track. The only thing that we would like to add is that control measures should be at a rational level that can be accepted by fishing states and entities. However, we do not have any objection with regard to strong measures to stop the illegal, unreported and unregulated fishing in the ICCAT area.

As you are well aware, various regional fishery organizations, including the Western and Central Pacific Fisheries Commission (WCPFC) are discussing the detailed measures for monitoring and controlling IUU fishing. I firmly believe that ICCAT will be a role model for this international organization for tuna.

The key issues at the 18th Regular Meeting will be the election of the new Executive Secretary, as well as the control and enforcement scheme. The Korean Delegation hopes that we can find an impartial and competent Executive Secretary who can ensure the sustainable use of tuna resources in the ICCAT area.

In closing, I would like to extend my sincere appreciation and hospitality to the organizers for their hard work in making this meeting possible.

Malta

The Maltese delegation is very pleased to be present at this ICCAT Regular Session representing Malta as a Contracting Party for the first time. In past years, as a close observer of ICCAT, Malta has always adhered to ICCAT regulations and regulations and has formally adopted them through the General Fisheries Commission for the Mediterranean (GFCM). Malta now looks forward to continue contributing to the conservation and sustainability of large pelagic fisheries within the framework of its strengthened collaboration with ICCAT and its other Contracting Parties.

The history of the Maltese bluefin tuna fishery dates back to the early 1900s, and regulations and policies by the local authorities have been drawn up from time in order to responsibly manage this important industry. The growth and development of the fishery through the years was affected by financial constraints and military activities, but has evolved from a relatively small coastal trap fishery (*tunnara*) to a highly regulated longline fishery landing an average of about 350 metric tons per year since the late 1980s. The fishery for this highly migratory species and swordfish accounts for about 60 percent of landings by Maltese vessels, both in terms of weight and value. A tuna purse seine pilot fishery has also recently been launched and the Fisheries Conservation and Control Division (FCCD) will be carrying out a comparative exercise in view of a possible changeover. Malta is also involved in bluefin tuna farming with catches originating from fleets of neighboring countries. This activity is monitored very closely for production quantities, the quality of the produce and environmental impacts.

Malta has highly regarded the United Nations Convention on the Law of the Sea (UNCLOS) as the foundation for international fisheries policies and responsible fisheries management, and has fully implemented the Convention regulations throughout the years. It has also ratified the Agreement on Straddling and Highly Migratory Fish Stocks, which is an UNCLOS instrument of particular relevance to the subject matters addressed by ICCAT. Malta has complied with all the obligations laid down in this Agreement, even before ratification, including the responsibilities for collecting and exchanging data necessary for stock assessments. In fact, the Malta Center for Fisheries Sciences, within the FCCD, has been involved in collaborative research work on bluefin tuna, swordfish and *Coryphaena hippurus* for the past five years within the framework of the GFCM

FAO sub-regional projects and the subsidiary scientific committees of ICCAT. In addition, Malta is a core participant of the initiative to study the domestication aspects of bluefin tuna through the Domestication of *Thunnus thynnus* (DOTT) 5th RTD Framework Program of the European Commission and has also set up research cages in its waters to conduct other trials.

Mexico

Mexico wishes to express its appreciation to the Government of Ireland for kindly hosting this 18th Regular Meeting of ICCAT in which the Mexican Delegation is pleased to have the opportunity to participate.

As a promoter of the Code of Conduct for Responsible Fishing, Mexico reiterates its interest and commitment to continue working within the framework of the Commission to attain the objective of promoting the measures and methods aimed at achieving the maintenance of the stocks of tunas and tuna-like species in the Atlantic Ocean at levels that permit a maximum sustainable catch of these species.

For this reason, Mexico is pleased to have the opportunity to collaborate in carrying out actions that contribute to this objective. Such is the case of the ICCAT Yellowfin Tuna Stock Assessment Session that was held in Mexico last July and for which we appreciate the participation of the ICCAT Contracting Parties, and we encourage the continued development of this type of actions that favor improved knowledge on the state of the resources that are managed by this Commission, which is a fundamental element in taking decisions for appropriate administration of the fishery resources.

On the other hand, the measures that this Commission may establish, particularly trade measures to promote adequate implementation of the management measures, should be applied in a manner that recognizes the right of the States to trade the fish and fish products caught in accordance with sustainable methods, and they should be interpreted and applied according to the principles, rights and obligations established by the World Trade Organization, and applied in an equitable, transparent and non-discriminatory manner.

In this same context, Mexico wholeheartedly supports the objective of eliminating, combating and discouraging illegal, unregulated and unreported fishing activities. All initiatives aimed at such an objective, by regional fisheries management organizations such as ICCAT, should be within the framework of the FAO International Plan of Action Against Illegal, Unregulated and Unreported Fishing.

Mexico is convinced that in the case of highly migratory species, agreement is needed from all the coastal States in the region and those whose fleets fish in the area, to assure rational utilization and effective conservation of the marine living resources. This should be done through multi-lateral agreements and we should establish measures that assure compliance of these objectives. This is what has motivated Mexico to participate actively in ICCAT, at this time and for the second consecutive year as a full member.

Our country sustains that historical rights should not be the only or the major criterion to define the allocation of quotas. The distribution of the resources within the Exclusive Economic Zone of the coastal countries, compliance with the conservation and management measures and the state of the resource should also be considered, as they are the principles reflected in the allocation criteria that were adopted.

Furthermore, Mexico is disposed to strictly apply the criteria for the allocation of catch quotas, which without a doubt will give our Commission a more equitable allocation based on principles of international law, and it urges the ICCAT members to cooperate.

Finally, I hereby express my Government's wish to continue cooperating with the Commission to attain the sustainable utilization of the marine living resources of the Atlantic.

Trinidad and Tobago

Trinidad and Tobago is very pleased to be present at the 18th Regular Meeting of ICCAT here in this delightful city of Dublin and wishes to take this opportunity to thank the Government of the Republic of Ireland and the European Union for graciously hosting this meeting. As a Contracting Party to ICCAT, Trinidad and Tobago looks forward to actively participating in the relevant sessions and wishes the Commission a fruitful and successful meeting.

For the year 2003, Trinidad and Tobago exerted considerable effort to ensure that its catch limit for North Atlantic swordfish of 125 t was not exceeded having regard to our past situation of overage. In 2002, and consistent with the ICCAT Recommendation [Ref. 02-02] relating to the rebuilding program for North Atlantic swordfish, Trinidad and Tobago succeeded in obtaining an increase in its catch limit for North Atlantic swordfish from 87 to 125 t. This was due to the increase in the Total Allowable Catch for North Atlantic swordfish based on the 2002 SCRS Report. Trinidad and Tobago informed the Commission that its swordfish fishery was in a state of overage, the 2002 catch of swordfish amounting to 92 t and the catch limit of 87 t having been exceeded for that year. At the 2002 Commission Meeting, Trinidad and Tobago proposed to eliminate its existing overage during the period 2003-2004, thereby reducing its annual catches in 2003 and 2004 to an amount lower than the proposed catch limits for those years. Trinidad and Tobago is satisfied that it has met this objective in 2003. Our swordfish catches were capped at 75 t in 2003 and fishing for this species by the industry was not permitted once this catch limit had been reached. Our actions in 2003, therefore, have conformed to our proposal to eliminate the situation of overage in our North Atlantic swordfish fishery.

The minimum size tolerance level of 15% for North Atlantic swordfish continued to pose a daunting challenge. This level was exceeded by 3% in 2003. Trinidad and Tobago fully supports the recommendation pertaining to the minimum size tolerance level, as this is an essential component for the management and conservation of this species. However, as pointed out at the 2003 meeting, our national longline fleet operates within our Exclusive Economic Zone and not on the high seas. Trinidad and Tobago intends to pursue an investigation into the fishing areas and the impacts of the gear used by our longline fleet on the capture of undersized fish and to put the appropriate management measures in place. Trinidad and Tobago wishes to reiterate that these undersized swordfish are sold locally since the minimum size regulations preclude the export of undersized fish to international markets.

Trinidad and Tobago has taken action consistent with ICCAT Recommendation [Ref. 02-13] to amend the plan to rebuild blue marlin and white marlin populations. There are four major sport fishing tournaments that are held annually in Trinidad and Tobago which target these species. A tag and release system is promoted at these competitions and sport fishermen are awarded more points for release of these species. On the other hand, they are penalized for presenting blue marlin, white marlin or sailfish at the scales below a certain minimum eligible size. This action ensures that the sport fishing tournaments are conducted in a manner consistent with ICCAT's management recommendations.

In 2002, Trinidad and Tobago sought clarification with respect to the process of compilation of the list of IUU fishing vessels and we note with satisfaction that this was adequately addressed at the 2002 Commission meeting. We operate a transshipment port for tunas and tuna-like species as part of our port State responsibility. Trinidad and Tobago intends to implement measures through a Memorandum of Agreement with these companies, which would be given the force in law to ensure that all relevant data and information on these vessels are submitted to the national fisheries authorities.

With respect to our national longline fleet, a Trip Reporting System is fully operational and the industry is fully supportive of this management measure. Thus, in 2003 we have taken all necessary measures to ensure that the actions of our longline fleet do not diminish ICCAT conservation and management measures. We wish to thank the Commission for affording us this opportunity to address this meeting and reiterate our immense pleasure at being present in this delightful city of Dublin.

Turkey

I am pleased and honored to address on behalf of the Turkey at the Eighteenth Regular Meeting of the International Commission for the Conservation of Atlantic Tunas.

Since 1992, Turkey has attended the ICCAT meetings as an observer. In September 2003, Turkey attended the SCRS meeting as a full member of ICCAT.

Today I am very pleased to advise that Turkey is here as full member of ICCAT. We are conscious of the responsibilities of becoming a member of ICCAT as we were before.

Turkey, with a coastline of 8,333 km on the Black Sea, Sea of Marmara, Aegean Sea and the Mediterranean Sea, is dependent on tuna fisheries. For about 10,000 years bonitos and bluefin tuna have been living in Turkish waters. Writers of old have reported on the bonitos and bluefin tunas in the Bosphorus and Dardanelles. The name Golden Horn (Halic) actually comes from the large numbers of these fish that are present in these habitats.

As a coastal developing State with a long historical catch and as a country with spawning areas and habitats of bluefin tuna in her waters, Turkey warrants special recognition.

The needs of the coastal States whose economies are dependent on the exploitation of marine resources in the eastern Mediterranean Sea were not taken into consideration.

Since 1992 Turkey has been carrying out research on tunas in Turkish waters and is documenting new scientific results for bluefin tuna fisheries. With that, Turkey has provided the basis for the management and conservation of highly migratory species.

The delegation of Turkey would like to thank the Chairman, the organizers and all of the participants of the Eighteenth Regular Meeting of the Commission for their efforts.

We would also like to thank the Irish Government and the EC for giving us the opportunity to hold this meeting in this wonderful city of Dublin.

United Kingdom (in respect of its Overseas Territories)

The United Kingdom (in respect of its Overseas Territories) participating in ICCAT would like to thank the Irish Government for hosting the 18th Regular Meeting of ICCAT. We would also like to extend out thanks to the ICCAT Secretariat for its hard work in preparing this meeting.

The United Kingdom represents six Overseas Territories at ICCAT: Anguilla, Bermuda, the British Virgin Islands, the Falkland Islands, St. Helena and its dependencies Tristan da Cunha and Ascension Islands, and the Turks and Caicos Islands.

We continue to be concerned about the effect of IUU fishing on the stocks managed by ICCAT, especially at it affects our Overseas Territories, and so we welcome the positive outcome of the working groups on measures to combat IUU fishing. We hope that this meeting will take forward that work and thereby provide ICCAT parties with a set of tools to combat IUU fishing as well as fishing in contravention of ICCAT conservation and management measures.

It is essential that we act in a responsible way to safeguard the stocks managed by ICCAT. We should ensure that total allocations are set in accordance with the precautionary principle and area based on the best scientific advice available.

We look forward to participating in discussions over the coming week and hope that all parties present are able to work together constructively to ensure ICCAT's continued success.

United States

It is a pleasure to be in Dublin for the 18th Regular Meeting of the Commission. The members of ICCAT are facing many complex and challenging issues. As in previous years, we can work together to advance the conservation of ICCAT species. The U.S. priorities for this year's meeting reflect several guiding principles. First, we are committed to rebuilding over-fished species. The recovery of North Atlantic swordfish is a clear example of how we can work cooperatively to take responsible actions that enable an over-fished stock to rebuild to the biomass supporting the maximum sustainable yield (MSY). Our second guiding principle is to pursue effective monitoring and reporting, as well as compliance by ICCAT members with the Commission's binding recommendations. Finally, we must continue moving forward to address non-member fishing that threatens our shared fishery resources.

Despite our differing domestic priorities, while here at ICCAT we should all keep in mind the primary objective of the Convention: to manage ICCAT stocks at levels that will support the MSY. Stock management issues of primary importance this year include new measures for bigeye tuna and albacore. The United States supports the development of multi-year measures with total allowable catches that, for bigeye tuna and South Atlantic albacore, will limit fishing mortality to levels that will support MSY, and for North Atlantic albacore, will rebuild the stock to MSY levels, while maintaining flexibility for small harvesters.

Integrated management of bluefin tuna is a very important matter for the United States. We appreciate the work of SCRS to analyze various mixing scenarios, and the Commission's efforts to organize a workshop in May 2004 to examine the mixing issue more closely. The purpose of the working group is to evaluate available biological information relative to the issues of the stock structure and mixing and to develop options for implementing alternative approaches for managing mixed populations of bluefin tuna. An important component of this workshop will be a special session where scientific experts share the startling results of their tagging, genetic, and micro-constituent chemistry research with fishery managers.

In the meantime, there is clear evidence that a substantial number of bluefin tuna present in the western management area cross the boundary and become vulnerable to the fishery in the eastern management area, and this has serious implications for the rebuilding plan for the western Atlantic. The SCRS has advised that catches of bluefin tuna in the eastern Atlantic and Mediterranean must be reduced to sustainable levels, and we urge all parties to exercise control over their fisheries to ensure that the scientific advice is respected. Protection of fish less than the minimum size is of particular concern. The rapid expansion of farming operations for bluefin tuna also presents a serious challenge to sustainable management as it has created difficulties in collecting catch data and assessing compliance with quotas. The United States supports additional efforts to control caging operations.

The United States is greatly encouraged by the improved status of North Atlantic swordfish. We must all continue to support this rebuilding program, protecting the strong younger age classes so that they can mature into reproductively active adults, ensuring sustainability of the fishery. In the United States, we have been successful in identifying "hot spots" and implementing time/area closures in these areas to protect small swordfish.

In contrast to North Atlantic swordfish, ICCAT's rebuilding program for blue marlin and white marlin is still in the early stages. We recognize that there are difficulties associated with data collection for by-catch species. However, we hope all parties will work with the SCRS to improve data for the next assessments of white marlin and blue marlin, which should in turn improve the quality of scientific advice available to the Commission. In the meantime, we urge all parties to explore other means to prevent further decline of marlin populations, including the voluntary release of live marlin in all fisheries not currently restricted by the terms of the rebuilding plan.

ICCAT is facing a critical time with respect to data collection. For some stocks, the SCRS cannot conduct robust stock assessments because data are missing, inadequate, or submitted too late to be useful. As members of the Commission discussed with great seriousness at the recent inter-sessional, data collection and reporting are the most fundamental responsibilities of Contracting Parties. We believe that the Commission should explore ways to implement the recommendations of the Data Workshop. ICCAT must find effective ways to ensure that all parties collect basic catch and effort data, and report these data before the annual deadlines, as this provides the necessary foundation for sound management decisions.

Compliance issues will continue to be one of the highest priority areas for the United States. Without full compliance by all parties, we cannot expect our management measures to achieve their intended effects. ICCAT has already taken some critical steps in recent years to address the problem of IUU fishing. In addition to improving the implementation of existing measures, we should broaden the current regime to improve the use of quota penalty and trade-related tools. We are determined to be able to close markets to imports of ICCAT species when it will further the effectiveness of ICCAT conservation regimes. Similarly, we should support on-going efforts to improve monitoring and control measures, which are essential for effective implementation of ICCAT's rules.

In closing, we look forward to a productive meeting. The United States would like to thank the Chairman for his leadership, the Secretariat for their on-going support of the Commission's important work, and the Government of Ireland for hosting this meeting in the splendor of the Dublin Castle.

Uruguay

The Delegation of Uruguay thanks the Government of Ireland for hosting the meeting and the ICCAT authorities for the organization of the 18th Regular Meeting of the Commission in which we participate indicating our full determination to contribute to the reinforcement of procedures aimed at the conservation of tuna and tuna-like species, as well as the elimination of illegal, unreported and unregulated fishing.

Our country, with a short history of fishing, has had to adapt the necessary regulations on monitoring and administration of the resources within the framework of international regulations to its legislation and judicial order. Notwithstanding, today the fishing activity constitutes an important component of the economy, which helps us have a better life for our people, particularly at this time in which, like all Latin America, we are undergoing a profound recession that has been affecting us for more than three years.

We have to deal with the activity of vessels that fly our flag, but which do not have the ethics to respect what this flag means to us and our effort to face the international community as a serious, responsible, faithful flag country that is compliant with the commitments it assumes.

The control mechanisms available on a worldwide level have certainly not assured that these have the desired efficiency. We now feel surer about implementing corrective measures, although perhaps we have not yet reached a satisfactory level. In one way or another, one State alone cannot eradicate or even discourage illegal fishing. If the willingness to prevent, discourage and eliminate illegal fishing is part of the commitment of a group of nations, the desired objective will be much easier to attain. For this, it is essential that the coordinated actions be strongly linked to the respect for the rights of each nation, and avoiding supposed privileges, which are always favorable to some nations, to the detriment of others.

This coordination should start with the respect for compliance of the international regulations adopted at big conventions, where the States have had an opportunity to express their points of view, and to consider the attention that should be given those presented by others.

Our primary objective is to point out the general rules, based on the principles established in the 1982 Convention on the Law of the Sea.

With respect to that, each one's rights can be clearly established in setting the maritime jurisdictional framework, avoiding expansionist positions on the common public areas of public use. This position will make it possible for all of us to know the framework of our rights, while respecting those of others.

High seas fishing is part of a common asset and as such we should understand the need to regulate it to avoid the damage that we will all feel, now and in the very near future.

We are not ashamed to recognize the need to learn, to gain experience, to correct errors. He is a fool who does not go back to correct errors. It is not good to maintain the error as a solution, but to face it and correct it.

Uruguay is ready to work in this sense. We feel committed. We regret our errors, but from regret we move towards efforts to comply with our commitments in an ethical and honest way.

There is no doubt that we are faced with a depleted sea which we should recover for future generations or today's young generation. We are ready to help in this work, although we also know that neither our errors nor our tiny fleet have contributed in a significant way to this undesirable reality of today.

But there are no excuses for those who in small or large measure are responsible. Our responsibility is to take action aimed at recuperation, to seek the best solutions to eliminate illegal fishing that only increases the current situation. In this sense, we consider participation in ICCAT as an opportunity to unite and coordinate international efforts to achieve the conservation of tuna and tuna-like species in the Atlantic.

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

Chinese Taipei

First of all, on behalf of my delegation, I would like to extend my appreciation to the Government of Ireland for hosting this 18th Special Meeting of ICCAT in this historical venue and for its warm hospitality. The shifting of the venue for ICCAT from one year to the other allows us to have the chance to visit many cities and countries. With a heavy agenda in front of us, we still hope we have a chance to see other parts of Dublin rather than just the hotel and the meeting venue. My appreciation also goes to the Secretariat for arranging the logistics of the meeting.

With regard to the approach for improving the organization of Commission meeting, we note that both the Chairman's and the U.S. suggestions have some merit. From our experience in attending the Commission meeting, every year the last day of the meeting is quite a state of chaos with the inflow of amended and new proposals and there is hardly any time for thorough discussions. We also hope that there will be time for informal discussions or drafting sessions to avoid entering into a debate in the plenary. However, it is important that we not be excluded from such informal sessions.

In addition, Chinese Taipei has an important fishing fleet that has been operating for more than 30 years in the Convention area, and it is not eligible to become an ICCAT member even though it has great intention to become one. Its views and experiences offered in at appropriate times will contribute to the work of the Commission. I appreciate the kind consideration of the Commission to make special arrangement so that Chinese Taipei can be seated at a location close enough to the conference table to be noticeable by the Chair and be invited to speak on all fisheries issues of interest at any time. I would like to extend my thanks to all of you, and particularly the Commission Chairman, for his efforts and thoughtfulness in the arrangements.

As members of the Commission are aware, Chinese Taipei and Japan have been cooperating with each other in implementing a joint program to combat and eliminate IUU fishing activities. I can say that so far the result is prominent. Japan has scrapped 42 ex-Japanese IUU/FOC large-scale tuna longline vessels and we have re-registered 45 IUU/FOC tuna longline vessels newly built in our shipyards. In addition, under the joint efforts between Japan and Chinese Taipei, in cooperation with Vanuatu and Seychelles, special arrangements have been made to legitimize 69 IUU/FOC large-scale tuna longliners. Practically speaking, the IUU/FOC vessels built within the recent five years have been almost eliminated. Among the ex-IUU vessels, 26 vessels were operating in the Atlantic Ocean, including 13 scrapped and 13 re-registered. Scrapping of the 13 vessels will reduce the catch by some 3,250 t of tuna (estimated catch of 250 t per vessel, as suggested by Japan; see pp. 292 ICCAT Report 2002-2003 (I) Appendix 1 to ANNEX 12, Report by Japan on the Current Situation of IUU LSTLVs) and the re-registering of the 13 vessels will enable bringing these vessels under proper control and their catches will be regulated and reported by our government. From the above description, the Commission should be glad to hear that we have nearly achieved such a goal. However, the implementation of this joint program has caused a temporary increase in the size of our fleet. We hope the Commission will consider an increase in the catch limit of tuna to accommodate such an adjustment, since the present catch limit to be shared among the legitimately licensed vessels is already too low for the fleet to be viable. We will raise this issue at an appropriate time during the meeting.

Taking this opportunity, I would like to pay my special tribute to Dr Lima, who will be retiring as Executive Secretary, for his excellent performance and impartiality during his office. I wish him all the best in his retirement. The Commission will be electing a new Executive Secretary. I hope the new Executive Secretary will do his best to continue in the footsteps of his predecessor to achieve the objective of the Commission. Finally I wish you all a very successful meeting.

Philippines

On behalf of the Government of the Philippines, I would like to express the pleasure to participate in this 18th Regular Meeting of ICCAT. I would also like to express our thanks to the Government of Ireland and particularly to the Authorities and the people of Dublin for their hospitality.

The Government of the Republic of the Philippines is committed to the sustainable development and management of fishery resources, wherever oceans they are found as evidenced of our being a Cooperating non-Contracting Party to ICCAT and IOTC, as well as signatory to the Convention on the Conservation of Highly Migratory Fish Stocks in the Western Pacific and Central Pacific. Moreover, just very recently we have also applied for Cooperating non-Contracting Party status to the Commission for the Conservation of Southern Bluefin Tuna (CCSBT). We would like to inform you that the Senate of the Philippines just very recently approved the accession of the Philippines to ICCAT and IOTC.

The Philippines since 1998, even before it was granted Cooperating non-Contracting Party Status, has endeavored to comply with all the requirements of ICCAT, particularly in the provision of statistical information, on catches and participated in various Commission meetings and has honored its commitments to comply with the conservation and management measures adopted by the Commission.

Our eventual membership in this important regional fisheries management body reaffirms the commitment of the Government of the Philippines to collaborate in the sustainable development of fisheries, through the application of conservation and management measures based on the best scientific evidence.

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

Belize

You will recall that at the 17th Regular Meeting of ICCAT in Murcia in 2001 as well as at the 13th Special Meeting of the Commission held in Bilbao in November 2002, we expressed our commitment to implement measures to eliminate the activities of fishing vessels that were identified as diminishing the effectiveness of ICCAT conservation measures, to adopt revised registration standards and to implement effective monitoring, control and surveillance methods to our fishing fleet. As the result, the Commission Chairman wrote to us on 28 November 2002 that “the Commission is encouraged by these serious measures taken by Belize...” and that “the Commission decided that one more year was required to determine the effectiveness of Belize’s monitoring and enforcement activities.”

We now wish to refer to our 2003 National Report which was submitted to the ICCAT Secretariat and outlines, *inter alia*, the measures that we have taken which include the de-registration of non-compliance fishing vessels, the implementation of the High Seas Fishing Act 2003 (HSFA) as well as our fishing vessel licensing, monitoring (VMS) and catch and effort reporting. Our HSFA conforms with the FAO Compliance Agreement, Fish Stocks Agreement and the IPOA. Consequently, as reported to ICCAT on 4 August 2003 at the time of submission of our statistics, there are no Belize registered fishing vessels on the high seas catch tuna, tuna-like species or sharks within the ICCAT Convention area.

We have come to this meeting with three requests, namely:

- *The lifting of all existing sanctions against Belize.* The voluntary shedding of the non-compliance element of our fishing fleet as well as other non-compliant vessels of all types has diminished the income of our Shipping Registry considerably. The lifting of sanctions would be evidence of a positive and pragmatic encouragement to Belize as well as an appropriate expression of reciprocity.
- *The granting to Belize of Cooperating Status.* You will recall that we had submitted our application shortly prior to the last meeting in Bilbao in 2002.
- *The granting to Belize of quotas for fishing the following species in the Atlantic which, according to our data, would cover our anticipated requirements:*

Albacore	2,000 t (agreed quota to be divided equally between North and South Atlantic)
Bigeye tuna	6,000 t
Swordfish	2,000 t (agreed quota to be divided equally between North and South Atlantic)

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

We cannot over-emphasize the importance to our delegation to leave this meeting with concrete results with which we can underpin our polity of cooperation with ICCAT and other conservation organizations. Belize is a developing maritime nation, an integral part of which is its Shipping Registry from which it derives a substantial benefit in much needed foreign exchange. Therefore, the economic dislocation which we have sustained by virtue of de-registration of non-compliant vessels must be halted. The securing of quotas is an essential element of this process. Furthermore, Belize considers that it has every right to wish to participate in fishing in the Atlantic within the confines of conservation measures.

Israel

There is a growing interest in Israel to exploit bluefin tuna, and other large pelagic fish, such as swordfish, in a sustainable way. Israel started with fishing trials for these species in 1991.

Commercial fisheries in Israeli territorial and surrounding waters were started in April 2000 by two longline vessels that have been operating from Haifa port.

During the last few years there has been a growing awareness regarding the potential of these species in Israeli waters and one more longline vessel started operating this summer (2003) and two more will be licensed in 2004.

From our calculations, a longline vessel can fish as much as 60 t of bluefin tuna per year.

As it seems that bluefin tuna are spending time in the territorial waters of Israel and in nearby waters, and can be exploited commercially, the State of Israel, through the Fisheries Department, Ministry of Agriculture and Rural Development, is interested in developing the bluefin tuna fisheries.

In the coming years, we shall try to find out more about the bluefin tuna population around our waters and the best ways to exploit this population in a sustainable way.

All data collected will be submitted to ICCAT on a yearly basis.

Since we are also interested in tuna farming for on-site growing of the capture bluefin tuna, the final steps are now being taken to establish cooperation with Turkey.

In the near future, after dealing with official matters, we will start operating purse seine as well as longline vessels to carry out mariculture of bluefin tuna by Israel possible.

Israel, therefore, wants to join ICCAT as a Contracting Party. On this occasion, we are asking ICCAT for a bluefin tuna quota of 2000 t per year.

St. Vincent and the Grenadines

St. Vincent and the Grenadines is pleased to address this the 18th Regular Meeting of ICCAT in Dublin. We are grateful for the invitation as well as the opportunity to bring to the Commission the concerns and needs and measures taken by our country to regulate all Vincentian registered vessels fishing on the high seas.

Substantial efforts are being made to fulfill our reporting and compliance obligations to ICCAT as a fishing nation, with a fundamental policy of sustainable use of all our resources, to gain full recognition as a cooperating party. To this end, we have enacted legislation and have continued our effort to refine this legislation. We are currently monitoring vessels utilizing a satellite vessel monitoring system, and vessels are currently reporting detailed statistics. We have embarked on an Action Plan for the regulation of all vessels (local and foreign), a Plan that has been regarded as ambitious. However, we are satisfied that substantial work has been done by the Government to ensure compliance with ICCAT Convention measures. It is now for this Commission to encourage the continuation of such efforts and as well as the participation of St. Vincent and the Grenadines as a member rather than an observer.

Our fishing industry, local and high seas, is an important source of revenue to us as a small island developing state with limited natural and financial resources. Our country recognizes the need to obtain reasonable quota allocations and anticipates that our rights as a developing coastal state to fish resources in the ICCAT Convention area will be fully accommodated and respected. In this regard, we request that these deliberations take account of our needs as a small developing state and the remedial measures we have taken by lifting sanctions for bigeye tuna and providing our vessels with the opportunity to continue compliance with ICCAT management measures, thereby facilitating their continued regulation. We also request that consideration be given to our need and entitlement under international law for reasonable quota allocations as a coastal fishing State.

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

Food & Agriculture Organization of the United Nations (FAO)

The Food and Agriculture Organization of the United Nations (FAO) is very grateful for the invitation extended by ICCAT's Secretariat to observe the Eighteenth Regular Meeting of the Commission.

FAO would also like to express heartfelt gratitude for the leading role of ICCAT during the Third Meeting of Regional Fishery Bodies held last March at FAO Headquarters. The meeting reviewed the decisions of the Twenty-fifth Session of COFI relating to regional fishery bodies affecting the management of fisheries and approaches to incorporate ecosystem consideration into fisheries management, etc., which many regional fishery bodies face in carrying out their work.

FAO has been keeping a close and effective working relationship with ICCAT. The collaboration between the two organizations has been remarkably evolved recently, such as the collaboration in the field of fishery statistics in the framework of the Coordinating Working Party on Fishery Statistics (CWP), collaboration in the FIRMS-FIGIS project and collaboration between ICCAT and GFCM. FAO sent appropriate officers to the Sub-Committee on Statistics held in Madrid, 23 October 2003, and the Standing Committee on Research and Statistics (SCRS) also held in Madrid, 6-10 October 2003. It is FAO's desire that such collaboration should be further enhanced.

ICCAT is undoubtedly one of the leading organizations that are tackling the issue of IUU fishing. The efforts and experiences of ICCAT are providing valuable examples for other regions and nations to follow. FAO also wishes to strengthen its working relationship with ICCAT on this issue.

I will carefully and conscientiously observe the proceedings of this meeting and report appropriately to the management of the FAO Fisheries Department.

Taking this opportunity, FAO wishes to express again the appreciation for the assistance and cooperation received from ICCAT.

Finally, I hope that the meeting will be marked with success and that the outcome will serve to promote sustainable and responsible tuna fisheries in the Atlantic Ocean.

Thank you very much for the opportunity to make this statement on behalf of FAO.

Caribbean Community (CARICOM)

On behalf of the Member States of the Caribbean Community (CARICOM), I wish to thank the Commission for its invitation to participate in the 18th Regular Meeting of the Commission. I also wish to acknowledge the efforts of the Government of Ireland to host this meeting. As in previous years, CARICOM looks forward to participating in all sessions open to observers.

ICCAT trade sanctions: Regarding ICCAT trade sanctions currently affecting the CARICOM Member States of Belize and St. Vincent and the Grenadines, I am pleased to advise the Commission that significant progress has been made by these States to improve their cooperation with ICCAT at all levels. Firstly, both States have enacted into law the necessary legislation for controlling the activities of their fishing vessels on the high seas. This legislation provides for compliance with international fisheries conservation and management measures, and equips the States with the essential tools to investigate and penalize those persons and vessels found to be involved in illegal fishing activities.

Secondly, and very importantly, neither Belize nor St. Vincent and the Grenadines has licensed vessels to harvest species currently regulated by an ICCAT quota.

Thirdly, both States have introduced vessel monitoring systems, and are now fulfilling their statistical reporting commitments in accordance with ICCAT requirements. Moreover, there is also clear evidence of practiced management compliance by both States. Belize has investigated all reported instances of illegal fishing activities brought to its attention by ICCAT Contracting Parties, and has dealt with the vessels concerned, quickly and in

accordance with its legislation. In addition, no Belizean fishing vessel is targeting regulated tuna and tuna-like species within the ICCAT Convention area.

In response to concerns over the level of albacore catches reported by St. Vincent and the Grenadines in 2001, this country took action to rectify this issued during the first half of 2002. St. Vincent and the Grenadines is also improving its statistical reports.

In conclusion, both Belize and St. Vincent and the Grenadines are now complying fully with ICCAT conservation and management measures, or at the very least, are doing so at levels comparable to those achieved by ICCAT Contracting Parties. Furthermore, the recent accomplishments by Belize and St. Vincent and the Grenadines have required considerable deployment of resources by these two developing States. The Commission will recall the 2002 recommendations to suspend the sanctions imposed on these two countries by January 2004, unless documentary evidence is presented to indicate non-compliant activities. Neither State has received any evidence to show that it has failed to complete the necessary actions required to bring its fishing practices into conformity with ICCAT conservation and management measures.

Noting all of the above, CARICOM asks the Commission to lift, and not simply suspend, the trade sanctions currently imposed on these countries by 1 January 2004.

Complementary measures: Besides the imposition of trade sanctions on exporting countries, CARICOM asks the Commission to consider and develop additional complementary methods of dealing more directly and completely with the problem of over-fishing. The greater burden of conservation action should be placed on developed States, which have more resources available to ensure stricter monitoring and enforcement of ICCAT regulations.

Consistency and transparency: CARICOM notes that the SCRS is able to obtain data on Atlantic bigeye tuna and eastern Atlantic bluefin tuna from fleets categorized as “NEI” (Not Elsewhere Included). While the scientific data cannot be used to identify countries fishing in contravention of ICCAT measures, ICCAT has established statistical document programs for monitoring international trade of the two fish stocks in question. The continued use of the “NEI” category by the SCRS therefore implies a breakdown in the implementation of these statistical document programs, or the application of different standards to different fleets. If the latter is true, it is not fair that some countries are sanctioned by ICCAT because of alleged illegal fishing activities, while others are not identified by ICCAT but allowed to continue fishing these species without agreed catch allocations.

Cooperating Party status applications: Two CARICOM countries, Belize and Guyana, have submitted applications for ICCAT Cooperating Party status, for consideration by the Commission in 2003. Belize has clearly demonstrated its commitment to comply fully with ICCAT conservation and management measures, as evident from the remedial actions described earlier. CARICOM therefore trusts that the Commission will respond favorably to Belize’s application, in order to encourage the continuation of the strong compliance actions being implemented by this country.

Guyana’s waters are very rich in living marine resources and, at present, Guyana has substantial fisheries for a range of marine resources, including sharks. In respect of its shark fisheries, it should be noted that Guyana is working to improve reporting of catches at the individual species level. To date, Guyana has not made use of the tuna and tuna-like resources present in its offshore waters. As a developing State, Guyana needs to explore and develop the full potential of these additional offshore large pelagic fish resources. As a coastal State, Guyana is also entitled to harvest the available stocks of the species concerned, and has a responsibility to optimize the usage of the resources within its EEZ in accordance with international law. However, given the migratory nature of these resources, Guyana appreciates the need to establish suitable sharing arrangements with other harvesting countries.

In its application to ICCAT, Guyana signaled its firm commitment to respect the Commission’s conservation and management measures. Firstly, Guyana recognized the Commission’s authority for the management of tuna and tuna-like resources within the Atlantic Ocean and adjacent seas. Secondly, Guyana’s application indicated a clear intention to cooperate fully with ICCAT to ensure coordinated development of Guyana’s offshore large pelagic fisheries. To the extent so far necessary, Guyana has made every effort to comply with ICCAT’s statistical reporting and compliance requirements. Noting this, and the fact that the Commission has not had cause to query any of Guyana’s large pelagic fishing activities, CARICOM looks forward to positive consideration by the Commission of Guyana’s application.

Swordfish and billfish recovery plans: In a letter dated 21 July 2003, the CARICOM State of Grenada provided the Commission Chairman with an update of that country's continuing contributions to the ICCAT swordfish recovery plan. These contributions have been very successful in limiting swordfish catches. In addition, Grenada advised the Commission Chairman of the resumption of biological sampling of billfish catches. CARICOM is pleased with this positive development in view of the importance of billfish fisheries in Grenada. Grenada's longline fishery is largely artisanal in nature (mostly wooden boats with manually operated longline reels). In view of this, the catch reductions recommended under the present rebuilding plan for blue marlin and white marlin should not apply to Grenada, but only to large-scale mechanized longline and purse seine fishing operations. In its letter of 21 July 2003, Grenada has sought formal clarification of this matter. If the current recommendation makes no distinction between the two types of fisheries, CARICOM asks that the recommendation be amended to include this distinction, specifically in terms of taking into account the special interests of developing States and avoidance of a disproportionate burden of conservation action on small, developing States. This request is entirely fair and in accordance with international law.

General management issues: The issue of the application of the blue marlin and white marlin rebuilding plan to Grenada draws attention to a general need for texts of ICCAT management recommendations and resolutions to include clauses that differentiate properly between the conservation actions required of developed and developing States, and between developed and developing fisheries.

For example, the Commission's catch quota recommendations should accommodate those catches taken by artisanal and small-scale fisheries. These fisheries often prove the only source of protein to local coastal communities. Artisanal fisheries are complex in nature and distribution, and it is widely accepted that they cannot be adequately sampled. Ignoring their existence and impact on Atlantic tuna resources just because the countries are not members of ICCAT would appear to be injudicious, especially if ICCAT's responsibility covers the overall conservation of Atlantic tuna and tuna-like resources, and is not restricted to conserving catch quotas for ICCAT Contracting Parties.

In the case of minimum size regulations and tolerance limits, ICCAT needs to consider the restricted range in which artisanal and small-scale fisheries operate. In the CARICOM region, these fisheries are usually limited to coastal waters, where the harvest of certain amounts of juvenile fish is unavoidable. Considering the limited capacity of artisanal and small-scale fishers within the CARICOM region to change their traditional fishing areas and methods, and recognizing the essential role they play in ensuring food security of the countries concerned, ICCAT minimum size regulations should accommodate for higher tolerance levels in these fisheries. In contrast, minimum size regulations and associated catch tolerance levels should be stricter in the large-scale fisheries that operate further offshore, and which do not have the capacity to modify their fishing areas and methods.

The implementation of stock rebuilding programs should consider compromises that are practical and take into account developmental difference among States. In the case of developed fisheries that are already operating at full capacity, rebuilding actions requires catch quota reductions. In contrast, developing fisheries, particularly those in developing States, should be requested only to limit their fishing effort and catches to present levels. Imposing catch quota reductions on developing fisheries doubles the burden of conservation action required: the countries concerned suffer (i) economic losses in the same way as those with developed fisheries, as well as (ii) a halt on economic development. This is inequitable, especially where developing States are involved, and in view of the fact that the stock declines are really the result of excessive harvesting activities by the developed fisheries.

These comments merit careful consideration by the Commission, and I thank you for your time and attention.

Forum Fisheries Agency (FFA)

The observer mission of the South Pacific Forum Fisheries Agency sincerely appreciates the invitation from the Chairman, on behalf of the Members, to attend this meeting. Our attendance at this meeting provides a welcome opportunity for us to observe first-hand how you deal with issues that are of great interest to FFA members, and to meet with you informally to discuss matters of mutual interest.

Our observer mission comprises Mr. Sautia Maluofenua, Director of Fisheries for the Government of Tuvalu, and Mr. John Atwood, the Legal Counsel based at the Agency's Secretariat in Honiara, Solomon Islands.

The Forum Fisheries Agency (FFA) was established in 1979 to help coordinate and advance the efforts of Pacific Island countries in their management of their fisheries resources. It comprises 17 Pacific Island members. The

tuna fishery in the FFA region is currently the richest tuna fishing region in the world, worth on the order of US\$2 billion in 2002. Most of the catch is taken from the EEZs of Pacific Islands countries, and not from the high seas. Most of the fishing activity is undertaken by Japan, Korea, Chinese Taipei and the United States, although domestic tuna fisheries in the Pacific Island countries are the fastest growing sectors within the fishery at present.

Well over half of the FFA members have now ratified the Western and Central Pacific Tuna Convention, with the others expected to follow shortly, and that Convention is likely to come into force during 2004. Our primary interest in attending this meeting is to gain insights into how your Commission functions, as we believe those insights will assist the FFA members as they participate in the establishment of a significant tuna commission in their own region. Of special interest to us is to understand your approaches to the participation and involvement of developing coastal states in the substantive work of ICCAT, and in your approaches to management and compliance issues.

We would like to reiterate that we are very pleased to be able to attend this meeting, and we look forward to having the opportunity to exchange ideas with the participants at this meeting. We also look forward to continuing strong and cooperative relationships between the FFA and ICCAT.

Recreational Fishing Alliance (RFA)

The Recreational Fishing Alliance (RFA) is a U.S. grassroots political action organization representing individual recreational fishermen and the recreational fishing industry. Our members and affiliates include over 80,000 individual anglers, boat builders, fishing tackle manufacturers, party and charter boat businesses, bait and tackle retailers, marinas, and other businesses that rely on healthy, sustainable marine fisheries.

Recreational fishing for ICCAT species has an extremely large socio-economic impact in the United States. It is a multi-billion dollar industry that supports over 100,000 U.S. jobs and is part of the social fabric of many coastal communities.

U.S. recreational fishermen have a strong conservation ethic and employ sustainable, inefficient rod and reel gear that traditionally has not led to over-fishing. Unfortunately, the days of abundant stocks of transatlantic bluefin tuna, bigeye tuna and marlin are distant memories for many U.S. recreational fishermen. Therefore, we encourage an increased level of cooperation among ICCAT nations.

Considering the transatlantic nature of ICCAT species, the only way to sustainably target these fish is through cooperation in this forum and to ensure that ICCAT measures are implemented and complied with when we return to our respective nations. ICCAT quotas and conservation measures have a major impact on U.S. commerce. Therefore, the RFA views ICCAT as a trade agreement as well as a conservation agreement and many on Capitol Hill now agree.

One of the top ICCAT goals for the RFA is for other contracting nations to reduce their landings of blue marlin and white marlin as the United States has done. Currently, U.S. recreational and commercial fishermen are staring down the barrel of a white marlin Endangered Species Act (ESA) listing. Such a listing would be a devastating blow to the U.S. recreational fishing sector that voluntarily releases over 98% of the white marlin encountered and complies with additional U.S. restrictions. An ESA listing leading to a CITES listing could have negative implications for many ICCAT nations.

Other important ICCAT goals for the RFA are the reduction in landings of juvenile bluefin, Yellowfin and bigeye tuna in the eastern Atlantic. These transatlantic species will never recover to the levels once enjoyed without cooperation and compliance with ICCAT quotas and conservation measures. U.S. recreational fishermen are carefully regulated by the National Marine Fisheries Service (NMFS) through minimum size limits, bag limits, seasons, permits, reporting requirements, and other domestic measures.

We encourage all ICCAT nations to work together as partners in conservation to achieve these goals to build sustainable fisheries for all Atlantic fishermen. Without cooperation and a commitment to compliance for each contracting nation, the U.S. recreational fishing industry and your constituents have a lot to lose.

3.6 OTHER STATEMENTS TO THE PLENARY SESSIONS

by Mr. Kobenan Kouassi Adjoumani, Côte d'Ivoire Minister in Charge of Fisheries

On behalf of the African continent, I would like to thank you for the confidence you have shown in one of us, in according him your vote for the Executive Secretary of our common organization.

The African countries have worked with you towards the advancement of the Commission and to defend common causes.

Today, as we have hoped, you have placed confidence in an African to lead the ICCAT ship, and we think that it would be ungrateful if we did not express to you all our recognition and profound gratitude.

There is a saying: "The real leader is not the one who knows everything, but the one who can learn everything from his advisors and collaborators".

Thus, we hope that each ICCAT Contracting Party will lend a "strong hand" to the new Executive Secretary so that he can succeed. He has learned from you and, with your framework, he will know how to apply that which he has retained from lessons from the master.

Therefore, being confident and knowing how much you want him to succeed in this difficult mission, we rely on your good care to assure that he will better benefit from your respective experiences.

REPORTS OF INTER-SESSIONAL MEETINGS

4.1 REPORT OF THE 3RD MEETING OF THE WORKING GROUP TO DEVELOP INTEGRATED MONITORING MEASURES (Funchal, Madeira – 26 to 28 May 2003)

1. Opening of the meeting

The ICCAT Chairman, Mr. Masanori Miyahara, opened the meeting and thanked the Autonomous Region of Madeira and the European Community for hosting this meeting. Mr. Miyahara's Opening Address is attached as **Appendix A to ANNEX 4.1**.

Dr. Alberto João Jardim, President of the Regional Government of Madeira, welcomed ICCAT to Madeira and provided a brief introduction to the history of the island.

The List of Participants is attached as **Appendix 2 to ANNEX 4.1**. A representative from the Taipei Economic and Cultural Center at Lisbon presented a statement from Chinese Taipei and regrets that the SARS epidemic had prevented delegates from Chinese Taipei from attending the meeting. Opening statements were also presented in writing by Brazil and Canada (**Appendix 3 to ANNEX 4.1**).

2. Election of the Chairperson

The Chair of the Compliance Committee, Mr. Friedrich Wieland (European Community), was elected Chairperson of the Working Group.

3. Adoption of the Agenda

The Tentative Agenda was adopted and distributed at the session (attached as **Appendix 1 to ANNEX 4.1**).

4. Appointment of the Rapporteur

Dr. Dorothy Zbicz (United States) was appointed Rapporteur.

5. Further development of elements for integrated monitoring

The Chair recommended using the *General Outline of Integrated Monitoring Measures Adopted by ICCAT* (see Annex 7 to the 2002 Commission Report) as a point of departure for discussion. Other documents presented are included in **Appendix 4 to ANNEX 4.1**.

The Delegate of the European Community presented the EC proposal on an ICCAT Control and Enforcement Scheme and its Explanatory Table (attached as **Appendix 4.1 to ANNEX 4.1**). Other delegations thanked the European Community for its work in compiling this document. The Working Group agreed to work through the *General Outline*, using the EC proposal as reference for the discussion. Several delegations expressed the desire for concrete outcomes from this meeting, including possibly measures in operational language to be forwarded to the Commission at the next annual meeting.

5.1 Flag State duties

The Working Group discussed issues concerning authorization to fish, especially whether these requirements should be extended to vessels less than 24 meters in length. Several delegations suggested that a new document was needed to operationalize these principles and put them into a form to be presented to the Commission.

Delegations mentioned for the record that ICCAT already has existing regulations on 1.iii Regulation of transshipment [Ref. 98-11] and 1.iv. Operation and Control of Chartering [Ref. 02-21].

In discussions of 1.v. on recording and reporting requirements, the Working Group noted that ICCAT has requirements in place, although not as many as in the outline. The Secretariat reported that the SCRS has already initiated a process to revamp the *Field Manual* to include all current ICCAT requirements, but the process could take a couple of years to complete. The delegations also discussed the pros and cons of moving to more high tech electronic means of compiling and reporting data. In discussions of the costliness of data collection, the European Community mentioned a program through the General Fisheries Commission for the Mediterranean (GFCM) to finance data collection for Mediterranean countries in order to mirror what it is undertaken internally within the Community.

In discussions of 1.vi concerning vessel monitoring systems (VMS), the Working Group agreed that the vessel monitoring pilot project needs to be evaluated, but in a technical setting. The ICCAT Chair, Mr. Miyahara, stated that this should be done both in the fall Data Workshop, and also at the 2003 annual meeting. As the Secretariat reports, one problem is that very few Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) have submitted reports on their VMS programs. Others suggested that while VMS is good for some purposes, such as monitoring closed areas, it is not well suited for determining what a vessel is doing. The delegations discussed size requirements for vessels requiring VMS, as well as the level of resolution required and whether VMS should be required on vessels operating within EEZs as well as the high seas. While some CPCs have now or will soon have 100% VMS coverage, others will need assistance to put programs in place. Several delegations mentioned the importance of confidentiality of data. The Working Group agreed that future discussions over the subject of VMS should include definition of terms.

The delegations discussed 1.vii on follow-up on violations, emphasizing this should fall under flag state duties. They indicated that prompt follow-up to violations is the key to compliance and deterrence. The importance of transparency was stressed as was the fact that if some countries do not report their violations then it makes those who do, look bad. Some emphasized the importance of taking into account national laws and due process since information cannot be divulged while an investigation is pending.

5.2 Obligations of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities

The Working Group mentioned that these provisions already exist in ICCAT's existing Recommendations and Resolutions. Data reporting will be addressed at the Data Workshop to be held after the SCRS meeting. It was agreed that data collection is extremely important and ICCAT must improve reporting compliance. Although the possibility of inter-sessional PWG or Compliance Committee meetings was mentioned at the 2002 annual meeting, this idea was not agreed upon as it was too difficult for many CPCs to attend. The Working Group stressed the need for productive and efficient work of the Compliance Committee during the 2003 annual meeting and recommended adoption of more specific rules and procedures this fall to help facilitate the work of that body.

5.3 Compliance and enforcement

The Delegate of Japan introduced a document Comments by the Japanese delegation on the EC proposal for ICCAT Control and Enforcement Scheme (attached as **Appendix 4.2 to ANNEX 4.1**). This document presented two types of boarding and inspection: (1) routine boarding and inspection on an at-random basis, and (2) boarding and inspection based on suspected serious violations. In discussions of this document, the parties exchanged views on a number of issues, including reciprocity, equity, differences in national laws regarding third Party boarding and special needs of developing countries. Some delegations suggested that other types of monitoring, such as VMS, port inspection or observer programs could be more effective than third party boarding and inspection, given the size of the ICCAT Convention area and the nature of the majority of ICCAT's conservation and management measures. They questioned the actual need for a boarding and inspection program. Others suggested the importance of boarding and inspection as a fundamental part of a monitoring program to demonstrate ICCAT's commitment to respect for conservation measures. Some suggested the importance of moving forward on this issue in a stepwise manner. Some parties questioned the idea of splitting up boarding activities in the manner suggested by Japan. In particular, it was noted that routine, random boarding was important as a deterrent. It was also noted that determining what constitutes adequate suspicion of a serious violation to support boarding would be difficult.

Discussions also touched on the *1995 Agreement For The Implementation 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 Straddling Fish Stocks and Highly Migratory Fish Stocks* (U.N. Fish Stocks Agreement) and its sections on boarding and inspection. Some wanted to be sure that ICCAT did not fall short of standards in the U.N.

Agreement, while others mentioned the problem caused by the fact that not all ICCAT CPCs have ratified it. At least one party noted that challenging the rights on boarding and inspection, as set out in the UN Fish Stocks Agreement was not at issue. Instead, ICCAT should agree on how to exercise those rights. The Chair reminded the Working Group that under the U.N. Agreement, regional fishery management organizations have a grace period of two years (from either date of adoption or entry into force) to implement boarding and inspection schemes. Otherwise, Articles 21 and 22 will automatically apply as a default mechanism. One party noted that the Agreement specifies the date of adoption as the time from which the two-year period is to run. Others mentioned the need for a consistent approach in all the RFMOs, while taking into account the different contexts. One Party mentioned that Articles 21 and 22 of the U.N. Agreement were mainly designed for straddling stocks; since highly migratory stocks have different needs due to their wider distribution areas, different inspection measures are required. The idea of an ICCAT vessel to do inspections at sea was suggested.

The Working Group noted that the issue of boarding and inspection was complicated but that discussions had been helpful in clarifying the issues. The Working Group agreed that additional discussions on this matter were needed.

Under discussion of 3.3.iv on port inspections, the Delegate of Japan mentioned that they could provide some assistance to other CPCs on forwarding data ahead to ports to prevent delays in offloading. Japan offered to provide further information on this at the 2003 annual meeting. Other delegations suggested that it may soon be time to re-evaluate ICCAT's port inspection program given the time that has elapsed since its adoption. The Working Group concurred with this suggestion.

Under 3.3.vii, the Working Group discussed the desirability of using observer programs for monitoring and compliance considering their costliness, difficulty in recruiting, availability of technological alternatives, need for flexibility of application across different fisheries, and how data collected on the high seas could be used in domestic enforcement. Several delegations expressed concern over possible threats to existing ICCAT scientific observer programs if observer programs for monitoring and compliance were added. Others noted that observers are a part of the suite of monitoring, control and surveillance measures

The Parties took note of a document submitted by Chinese Taipei relating views on a number of the issues under discussion. This document is attached as **Appendix 4.3 to ANNEX 4.1** for reference.

5.4 Program to promote compliance by non-Contracting Party, Entity or Fishing Entity vessels

The Working Group discussed that the implementation of the positive and negative vessel lists, to be discussed in the Trade Workshop, should address this section.

5.5 Summary of discussions and proposed Recommendations

After discussions of the General Outline were completed, discussions continued on the basis of a Chairman's Paper. Based on these discussions, the Chair produced three documents. The Working Group approved changes to these three draft recommendations and agreed that they be submitted in their bracketed versions to the Commission for consideration at its next annual meeting. (Draft Recommendation by ICCAT Concerning the Duties of Flag States in Relation to Their Vessels Fishing in the ICCAT Convention Area (**Appendix 5.1 ANNEX 4.1**); Draft Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area (**Appendix 5.2 to ANNEX 4.1**); and Draft Recommendation by ICCAT Concerning the Establishment of a Vessel Monitoring System in the ICCAT Convention Area (**Appendix 5.3 to ANNEX 4.1**).

6. Future work program

The Working Group concurred that although progress was made at this meeting, several issues concerning integrated monitoring measures still need to be addressed further. Some of these include: data collection; reporting and transmission; boarding and inspection; review of the port inspection scheme; transshipment; observer programs; and implementation of the positive vessel list.

The delegates also discussed the idea of coordinating the process to revise the ICCAT Compendium with the integrated monitoring measures process. It was suggested that such a discussion should take place within the Commission rather than the Working Group.

Noting that progress was made but that the task given to the Working Group has not yet been completed, it is recommended that the Commission authorize the Working Group to continue its work. Some parties noted that, to the extent possible, such work should be conducted during ICCAT annual meetings. The ICCAT Chairman emphasized the importance of expediting this work, especially in light of international criticism.

7. Other business

No other business was discussed.

8. Adoption of the report

The Working Group agreed that a draft of the meeting report would be made available before completion of the 1st Meeting of the Working Group on IUU Trade Restrictive Measures (held 29-30 May 2003) and that the final report would be adopted by mail. The report was subsequently adopted by mail, and the Commission adopted the Report at its 18th Regular Meeting (17-24 November 2003).

9. Adjournment

The delegations thanked the Chair for his leadership.

The 3rd Meeting of the ICCAT Working Group to Develop Integrated Monitoring Measures was adjourned on Wednesday, May 28, 2003.

Appendix A to ANNEX 4.1

Opening Address by M. Miyahara, Commission Chairman

Mr. Alberto Joao Jardim, President of the Regional Government of Madeira, Mr. Joao Carlos Abreu, Minister of Tourism of Madeira, Distinguished Delegates, Ladies and Gentlemen:

It is with great pleasure and a sense of being fortunate that we find ourselves, once again, on the beautiful island of Madeira for another ICCAT meeting. This is the fourth of our meetings here, as ICCAT celebrated two previous Commission meetings and one previous SCRS meeting on this island. We extend our deepest appreciation to the Government of the Autonomous Region of Madeira and to the European Community for making Madeira the venue for this meeting.

This week we will actually be having two different but related meetings. These are the “3rd Meeting of the Working Group on Integrated Monitoring Measures” and the “1st Meeting of the Working Group on the Application of Trade Restrictive Measures”. ICCAT has been one of the leading regional fishery management bodies in developing instruments to improve the effectiveness of its conservation measures and, in particular, those instruments that relate to the fight against illegal, unreported and unregulated fishing.

Last November, the Commission reached important consensus on multiple conservation measures and sharing arrangements. This year is the time to strengthen the means by which those conservation measures will become more effective and those sharing arrangements will be more respected.

The Working Group on Monitoring Measures has made much progress, resulting in a General Outline of Monitoring Measures. We now need to continue to work together here this week to specify in more detail the actions that must evolve from this General Outline. The Working Group on Trade Restrictive Measures also has much work ahead of it related to the specification of criteria and procedures for the establishment and lifting of trade restrictive measures.

I now have the honor to introduce to you the President of the Regional Government of Madeira, Mr. Alberto Joao Jardim, for his opening address.

Appendix 1 to ANNEX 4.1

Agenda

1. Opening of the Meeting
2. Election of the Chairperson
3. Adoption of the Agenda
4. Appointment of the Rapporteur
5. Further development of elements for integrated monitoring
 - 5.1 Flag State duties
 - 5.2 Obligations of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities
 - 5.3 Compliance and enforcement
 - 5.4 Program to promote compliance by non-Contracting Party, Entity or Fishing Entity vessels
 - 5.5 Summary of discussions and proposed Recommendations
6. Future work program
7. Other business
8. Adoption of the report
9. Adjournment

Appendix 2 to ANNEX 4.1

List of Participants

CONTRACTING PARTIES

Commission Chairman

Miyahara, Masanori
 ICCAT Chairman, Counsellor, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
 Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: masanori_miyahara@nm.maff.go.jp

ALGERIA

Bensegueni, Nadir*
 Ministère de la Pêche et des Ressources Halieutiques, Rue des 4 Canons, Alger
 Tel: +213 21 43 3184, Fax: +213 21 43 31 84, E-mail: mprh@wissal.dz

BRAZIL

Célio, Antônio*
 Sub-Secretário de desenvolvimento de aquíicultura e Pesca, da SEAP/PR, Esplanada dos Ministérios, Bloco D sala 946, CEP 70043-900 Brasília, D.F.
 Tel: +55 61 218 2112, Fax: +55 61 224 5049, E-mail: celioan@agricultura.gov.br

Datoguia, Sérgio Coutinho

Vice-Presidente do Sindicato dos Armadores de Pesca do Estado de Sao Paulo; Conselho Nacional da Pesca e Aquíicultura, Conepe, SCN-Quadra 02-Lote D, Torre A-Sala525, Liberty Mall, Brasília, D.F. 70710-500
 Tel: +55 61 328 8147, Fax: +55 61 328 8147, E-mail: seegio@itafish.com.br

Doki, Nobumitsu

Director da Koden Indústria, Comércio e Exportação Ltda. CONEPE-Conselho Nacional de Pesca e Aquicultura, SCN-Qd.02, Lote D, Torre A, Sala 525, Liberty Mall, Brasília, DF-70 710-500
 Tel: +55 61 328 8147, Fax: +55 61 328 8147, E-mail: conepe@sagres.com.br

Hazin, Fabio H. V.

Ministerio da Agricultura, Pecuária e Abastecimento, Dpto. de Pesca e Aquicultura, Rua Desembargador Célio de Castro Montenegro, 32, Apto 1702, Monteiro, Recife PE 52070-008
 Tel: +55 81 3302 1511, Fax: +55 81 3302 1512, E-mail: fhvhazin@terra.com.br

* Head Delegate.

Osvaldo A. Barbosa, Francisco

Assessor técnico da SEAP/PR, Ministério da Agricultura, Pecuária e Abastecimento, Dpto. de Pesca e Aquicultura, Esplanada dos Ministérios Bloco "D", sala 946, 70043 900, Brasília, D.F.

Tel: +55 61 218 2880, Fax: +55 61 224 5049, E-mail: fosvaldo@agricultura.gov.br

Perciavalle, Giacomo Vicente

Director da Fripesca Captura e Comércio de Pescados Ltda. CONEPE, Conselho Nacional da Pesca e Aquicultura, SCN-Qd o2, Lote D, Torre A, Sala 525, Liberty Mall, Brasília DF 70.710-500

Tel: +55 61 328 8147, Fax: +55 61 328 8147, E-mail: conepe@sagres.com.br

Pugas, José Maria

Presidente da Federação dos Pescadores do Rio de Janeiro, Rua Visconde de Rio Branco, 10-A, Niteroi-RJ

Tel: +55 21 2618 0032, Fax: +55 21 2621 8488, E-mail: r.pugas@uol.com.br

CANADA

Jones, James B.*

Department of Fisheries and Oceans, 343 University Avenue, Moncton, New Brunswick E1C 9B8

Tel: +1 506 851 7750, Fax: +1 506 851 2224, E-mail: jonesj@dfo-mpo.gc.ca

Climenhage, Denise J.

Senior Trade Policy Officer, Trade Policy, Economic and Policy Analysis, Department of Fisheries & Oceans, 200 Kent St. Station 14W116, Ottawa, Ontario K1A 0E6

Tel: +1 613 990 3682, Fax: +1 613 990 9574, E-mail: climenhaged@dfo-mpo.gc.ca

Lapointe, Sylvie

Senior International Fisheries Advisor, Atlantic Affairs, International Directorate, Fisheries Management, Department of Fisheries & Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Tel: +1 613 993 68 53, Fax: +1 613 993 59 95, E-mail: lapointesy@dfo-mpo.gc.ca

Rashotte, Barry

Director, Atlantic Resources Management, Fisheries Management -Department of Fisheries & Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Tel: +1 613 990 0087, Fax: +1 613 990 7051, E-mail: rashottb@dfo-mpo.gc.ca

Saunders, Allison

Oceans Law Section (JLOA), Dept. of Foreign Affairs and International Trade, 125 Sussex Drive, Ottawa, Ontario K1A 0G2

Tel: +1 613 996 2643, Fax: +1 613 992 6483, E-mail: allison.saunders@dfait-maeci.gc.ca

Steele, Paul

Chief, Enforcement Operations, Conservation and Protection, Department of Fisheries & Oceans, 200 Kent St., Ottawa, Ontario K1A 0E6

Tel: +1 613 990 0109, Fax: +1 613 941 2718, E-mail: steelep@dfo-mpo.gc.ca

EUROPEAN COMMUNITY

Spencer, John*

Head of Unit International &Regional Arrangements, European Commission DG Fisheries J/99 3/56, B-1049 Brussels, Belgium

Tel: +322 295 6858, Fax: +322 295 5700, E-mail: edward-john.spencer@cec.eu.int

Batista, Emilia

Direcção Geral das Pescas e Aquicultura, Av. Brasília 1499-039 Lisboa, Portugal

Tel: +351 21 303 5700, Fax: +351 21 303 5702, E-mail: ebatista@dg-pescas.pt

Blasco Molina, Miguel Angel

Secretaría General de Pesca Marítima, c/ José Ortega y Gasset, 57, 28006 Madrid, Spain

Tel.: +34 91 347 6178, Fax: +34 91 347 6049, E-mail: mblascom@mapya.es

De Diego y Vega, Amalia

Commission européenne, DG Pêche, J-99 3/54, B-1049 Brussels, Belgium

Tel: +322 296 86 14, Fax: +322 295 57 00, E-mail: amalia.de-diego-y-vega@cec.eu.int

Duarte de Sousa, Eduarda

Principal Administrator, European Commission, DG Fisheries J-99 3/36, B-1049 Brussels, Belgium

Tel: +322 296 2902, Fax: +322 295 5700, E-mail: eduarda.duarte-de-sousa@cec.eu.int

Erasmus, Viola

Ministero Politiche Agricole e Forestali, Direzione Generale della Pesca, Viale dell'arte n° 16,00144 Rome, Italy
Tel: +39 06 590 84856, Fax: +39 06 590 84818, E-mail: mipafcontrollo@libero.it

Escobar Guerrero, Ignacio

Subdirector General de Organismos Multilaterales de Pesca, Secretaría General de Pesca Marítima, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 6048, Fax: +34 91 347 6049, E-mail: iescobar@mapya.es

Fernández Asensio, Pablo Ramón

Delegación Territorial, Consejería de Pesca, Avda. Ramón Ganosa s/n, 27863 Celeiro, Viveiro, Lugo, Spain
Tel: +34 982 55 1767, Fax: +34 982 55 1760, E-mail: pablo.ramon.fernandez.asensio@xunta.es

Fernández Beltrán, José Manuel

Muelle s/n, 27890 San Ciprian, Lugo, Spain
Tel: +34 982 57 2823, Fax: +34 982 572918, E-mail: oplugo@teleline.es

González Sánchez, Jose Luis

Subdirector General de Gestión y Control de la actividad pesquera, Secretaria General de Pesca Marítima, c/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel.: +34 91 347 6035, Fax: +34 91 347 6037, E-mail: jlgonzal@mapya.es

Gouveia, Lidia

Direcção Regional das Pescas, Estrada da Pontinha, Funchal-9050-017 Codex, Madeira, Portugal
Tel: +351 291 203200, Fax: +351 291 229691, E-mail: lidiagouveia@hotmail.com

Lainé, Valérie

Commission européenne, DG Pêche J-99 3/30, B-1049 Brussels, Belgium
Tel: +322 296 53 41, Fax: +322 295 57 00, E-mail: valerie.laine@cec.eu.int

Olivos Pascual, Cristina

Commission européenne, DG Pêche, J-99 7/34, B-1049 Brussels, Belgium
Tel: +322 29656 14, Fax: +322 296 23 38, E-mail: cristina.olivos@cec.eu.int

Rodríguez Muñoz, Carmen

Jefa del Servicio de la Subdirección General de la Comercialización Pesquera, Dirección General de Estructuras y Mercados, Secretaría General de Pesca Marítima, c/ Corazón de Maria 8-5 planta, 28020 Madrid, Spain
Tel.: +3491 347 3694, Fax: +3491 347 8445, E-Mail: carmenr@mapya.es

Teixeira, Alexandre

DGPA, Inspeção de Pescas, Av. Brasilia, Alges, 1400 Lisboa, Portugal
Tel: +351 21 302 5136, Fax:+351 21 302 5101, E-mail: alexandreteixeira@igp.pt

Teixeira de Ornelas, Jose Alberto

Director Regional das Pescas, Direcção Regional das Pescas, Estrada da Pontinha, Funchal-9050-017 Codex, Madeira, Portugal
Tel: +351 291 203200, Fax: +351 291 229691, E-mail: dnpescas.madeira@mail.telepac.pt

Vant, Xavier

Ministère de l'Alimentation, de l'Agriculture, de la Pêche et des Affaires Rurales, Direction des Pêches Maritimes et de l'Aquaculture, 3 Place de Fontenoy, 75007 Paris, France
Tel.: +33 14 955 8236, Fax: +33 14 955 8200, E-mail: xavier.vant@agriculture.gouv.fr

Vergine, Jean Pierre

Commission européenne, J-79 2/79, B-1049 Brussels, Belgium
Tel: +322 295 1039, Fax: +322 295 9752, E-mail: jean-pierre.vergine@cec.eu.int

Wieland, Friedrich

Head of Unit, Common Organization of Markets and Trade, European Commission DG Fisheries J-99 3/7, B-1049 Brussels, Belgium
Tel: +322 296 3205, Fax: +322 295 9752, E-mail: friedrich.wieland@cec.eu.int

JAPAN

Miyahara, Masanori*

ICCAT Chairman, Counsellor, Resources Management Department, Fisheries Agency of Japan, 1-2-1, Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: masanori_miyahara@nm.maff.go.jp

Fukuda, Takumi

Deputy Director, Far Seas Fisheries Division, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 2443, Fax: +81 3 3591 5824, E-mail: takumi_fukuda@nm.maff.go.jp

Kamikawana, Kazuhide

International Div., Federation of Tuna Fisheries Co-Operative Associations, 2-3-22 Kudankita, Chiyoda-Ku, Tokyo 102-0073
Tel: +81 3 3264 6167, Fax: +81 3 3234 7455, E-mail: section3@intldiv.japantuna.or.jp

Nakamura, Masaaki

Executive Director, Federation of Japan Tuna Fisheries Co-operative Associations, 2-3-22 Kudankita, Chiyoda-Ku, Tokyo 102-0073
Tel.: +81 3 3264 6167, Fax: +81 3 3234 7455, E-mail: kokusaibu@intldiv.japantuna.or.jp

Omori, Ryo

Section Chief, International Affairs Division, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: ryou_omori@nm.maff.go.jp

Shimizu, Ichiro

Assistant Director, Agricultural and Marine Products Office, 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: shimizu-ichiro@meti.go.jp

Sunahara, Tatsuo

Fishery Division, Economic Bureau, Ministry of Foreign Affairs, 2-11-1, Shibakoen, Minato-Ku, Tokyo 105-8519
Tel: +81 3 6402 2234, Fax: +81 3 6402 2233, E-mail: tatsuo.sunahara@mofa.go.jp

MOROCCO

El Ktiri, Taoufik*

Direction de la Pêches Maritimes et de l'Aquaculture, Ministère des Pêches Maritimes, Nouveau Quartier Administratif, Agdal, Rabat
Tel :+ 21237 68 8115, Fax :+212 37 68 8213, E-Mail : elktiri@mpm.gov.ma

MEXICO

Belmontes Acosta, Ricardo*

Director de Asuntos Pesqueros Internacionales, Comisión Nacional de Acuicultura y Pesca, Av. Camarón Sábalo s/n Esq. Tiburón, Mazatlán, Sinaloa
Tel: +52 66 99 13 0940, Fax: +52 66 99 13 0935, E-mail: rbelmontesa@conapesca.sagarpa.gob.mx

TUNISIA

Chriaa, Taoufik*

Directeur Général de la Pêche et de l'Aquaculture, Ministère de l'Agriculture, de l'Environnement, et des Ressources Hydrauliques, 32 rue Alain Savary, 1002 Tunis
Tel: +216 71 892 753, Fax: +216 71 799 401, E-mail:

UNITED STATES

Rogers, Christopher*

National Marine Fisheries Service/NOAA, Chief Highly Migratory Species Division, 1315 East-West Highway, Rm. 13458, Silver Spring Maryland 20910
Tel: +1 301 713 2347, Fax: +1 301 713 1917, E-mail: christopher.rogers@noaa.gov

Blankenbeker, Kimberly

Foreign Affairs Specialist, Office of Sustainable Fisheries - National Marine Fisheries Services NOAA, 1315 East West Hwy, Rm. 13115, Silver Spring, Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-mail: kimberly.blankenbeker@noaa.gov

Easley, Otha

NOAA Fisheries, Office for Law Enforcement, 8484 Georgia Ave., Suite 415, Silver Spring, Maryland 20910
Tel: +1 301 427 2300, Fax: +1 301 427 2055, E-mail: otha.easley@noaa.gov

Kraniotis, Patricia

NOAA Office of General Counsel, 14th and Constitution Avenue, Washington, DC 20230
Tel: +1 202 482 3816, Fax: +1 202 371 0926, E-mail: patricia.kraniotis@noaa.gov

McCall, Mariam

NOAA-Office of the General Counsel for Fisheries, 1315 East-West Highway, Silver Spring, Maryland 20910
Tel: +1 301 713 2231, Fax: +1 301 713 0658, E-mail: mariam.mccall@noaa.gov

Ruais, Richard P.

Executive Director, East Coast Tuna Association, 28 Zion Hill Road, Salem, New Hampshire 03079
Tel: +1 603 898 8862, Fax: +1 603 894 5898, E-mail: rruais@aol.com

Warner-Kramer, Deirdre

Office of Marine Conservation, OES/OMC, Rm. 5806, Department of State, Washington, DC 20520-7818
Tel: +1 202 647 2883, Fax: +1 202 736 7350, E-mail: warner-kramerdm@state.gov

Zbicz, Dorothy

U.S. Department of State, 2201 C Street NW, Washington, DC 20520-7818
Tel: +1 202 647 3073, Fax: +1 202 647 4353, E-mail: zbiczdc@state.gov

OBSERVERS FROM COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES

CHINESE TAIPEI

Huang, Lien Sheng

Rua Castilho 32-1, 1250-070 Lisboa, Portugal
Tel: +351 21 3151279, Fax: +351 21 315 1288, E-mail: tecc@netcabo.pt

OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

GREENPEACE

Bours, H el ene

Greenpeace International, Route d'Amonines, 15, B-6987 Rendeux, Belgium
Tel: +32 84 47 71 77, Fax: +32 84 47 79 73, E-mail: helene.bours@diala.greenpeace.org

Losada, Sebasti an

Greenpeace, San Bernardo, 107, 28015 Madrid, Spain
Tel: +34 91 444 1400, Fax: +34 91 447 1598, E-mail: slosada@diala.greenpeace.org

ICCAT SECRETARIAT

Coraz n de Mar a 8-6^a planta, 28002 Madrid, ESPA A,
Tel: +34 91 416 5600, Fax: +34 91 415 2612, E-mail: info@iccat.es

Ribeiro Lima Adolfo

Restrepo V ctor

de Andr s Marisa

Garc a Pi a Crist bal

Garc a Rodr guez Felicidad

Navarret Christel

Seidita Philomena

Interpreters

Baena Eva J.

Faillace Linda

Meunier Isabelle

S nchez Lucia

Bourgoin Christine

Jeelof-Wuhrmann Jolyn

Appendix 3 to ANNEX 4.1

Opening Statements

BY CONTRACTING PARTIES

Brazil

First of all, I would like to congratulate you on your election as Chair of the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures and, at the same time, reaffirm that you can rely on the full support of the Delegation of Brazil to assure the success of this meeting. The Brazilian delegation also believes that to attain this objective it is essential that the Working Group carry out its work based on a more in-depth evaluation of the issues already presented in the document adopted by the Commission, as has been positively indicated in item 5 of the Tentative Agenda. My delegation further considers that the faithful observance of the principles outlined in the first part of the approved document is crucial for the success of our efforts. In this sense, we reiterate that the integrated monitoring measures should fully conform to the ICCAT Convention, as well as with

the pertinent rules of international law, particularly those of the United Nations on the Law of the Sea, the FAO Code of Conduct for Responsible Fishing, and the International Action Plan to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Under no hypothesis will my delegation accept to reopen the negotiation of the terms contained in those instruments. We also consider it essential that the special needs of the developing countries be duly considered, not only with relation to the implementation of the integrated monitoring measures but also to the right of those countries to develop their fishing sector and, to participate in a fair manner with the most developed nations in oceanic fishing. Finally, it is essential to assure that the monitoring measures agreed upon here be applied in a transparent and non-discriminatory manner.

Canada

Canada is pleased to participate at this inter-sessional meeting of the Commission and wishes to thank the Madeira authorities for such a fine venue and for the marvelous weather.

The focus of this inter-sessional meeting is to further develop the work done at the 2001 Brussels and 2002 Tokyo inter-sessional meetings, and reviewed at the regular meetings of the Commission.

Canada has long expounded on the need for ICCAT to be a leader of regional fisheries management organizations in conservation.

We can only do this by ensuring that our management decisions are always based on sound scientific advice. And by ensuring that we have clearly articulated our management requirements, and that we have applied them in a consistent manner.

As well, ICCAT must ensure that members and non-members comply with these sound management measures.

This is what I refer to as the “4 Cs” of ICCAT: conservation, clarity, consistency and compliance. Without anyone of these, we run the risk of eroding conservation, confidence and credibility as a regional fisheries management organization.

We, ourselves, have recognized some of our deficiencies. We know that in many instances, we are not providing sufficient basic data on catches to allow our scientists to do proper stock assessments. We know that non-compliance with our rules, by both members and non-members, often goes unchallenged. We also know that this cannot continue if we are to remain a credible regional fisheries management organization.

That is why we are here this week in Madeira. We will examine means to improve integrated monitoring for members and to further develop consistent trade measures to be applied against non-members who choose to undermine ICCAT conservation and management measures.

In October, we will also need to meet on the issue of data provision.

These are opportunities that we can ill afford to waste. We know it and now much of the world is starting to notice. The recent report released in *Science & Nature* has heightened concern worldwide with the state of our precious tuna and swordfish stocks. This kind of attention puts us all under a finer microscope.

We must make progress at these meetings. We must make progress on the 4“C”s: conservation, clarity, consistency and compliance. Because if we do not others will eventually do it for us. We have an opportunity this week. Let’s ensure that we make the best of it.

Canada’s aim will be to have ICCAT set the highest standards in conservation and management. We look forward to a full set of discussions here this week.

BY COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES

Chinese Taipei

I would like to extend my sincere thanks to the Government of Portugal and the City of Funchal for accommodating facilities for this meeting, and the efforts made by the Secretariat to make this meeting possible.

The SARS epidemic currently affecting my country has rendered the absence of representatives from Chinese Taipei necessary to avoid jeopardizing the success of the two Working Group meetings by such a serious disease. Therefore, I, from the Economic and Cultural Center of Chinese Taipei in Lisbon, am participating in the meetings instead.

The bulk of the comments regarding the proposed materials would have been raised by our government. However, in my capacity I can only express the major comments. For the Meeting of the Working Group on Integrated Monitoring Measures, the issue of boarding and inspection on the high seas is a matter of great complexity and controversy. To us, it is a matter of paramount concern, and critical for the decision of keeping our Cooperating Status with this Commission. Where a mechanism of boarding and inspection on the high seas is developed, it shall be designed in such a way that all Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities of the Commission shall bear the same obligations and enjoy the same rights. In addition, any scheme adopted should not compromise the general principle of the need to respect the fundamental human right of fishermen.

For the Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade Restrictive Measures, Chinese Taipei generally recognizes the significance of establishing a comprehensive compliance mechanism to enforce the conservation and management of fishery resources within the ICCAT area. It is indisputable that trade measures may serve a useful and effective means in dealing with non-compliance of ICCAT's recommendations. Nevertheless, trade restrictive measures should be applied in a non-discriminatory manner and in concert with WTO rules.

Thank you for giving me the opportunity of expressing our position. I hope this meeting will be successful and fruitful.

Appendix 4 to ANNEX 4.1

Documents Submitted for Discussion

4.1 EC Proposal for ICCAT Control And Enforcement Scheme

Article 1 - *Definitions*

For the purpose of this Scheme:

- A. "Fisheries resources" are those referred to in Article IV of the Convention;
- B. "Regulated resources" are those of the fisheries resources which are subject to recommendations under the Convention and are listed in Annex I;
- C. "Fishing vessel" means any vessel used or intended for use for the purpose of fishing;
- D. "Infringement" means any activity or omission of a fishing vessel which gives clear grounds for suspecting that a violation of applicable provisions of both this scheme and any other relevant recommendation under the Convention has occurred and which will be noted in an inspection report in accordance with the scheme.
- E. "Observation" means any observation by a Contracting Party vessel or aircraft of Contracting Parties' vessels that may be fishing contrary to ICCAT conservation measures.
- F. "IUU activity" means illegal, unregulated and unreported fishing activity of fishing vessels in the ICCAT Convention Area, as established by Contracting Parties and Non Contracting, Co-operating Parties, Entities or Fishing Entities in accordance with the ICCAT recommendations and resolutions and, in particular, on the basis of the present scheme.
- G. "IUU list" means the list adopted by ICCAT of vessels engaged in illegal, unregulated or unreported fishing in the ICCAT Convention Area, whether that of vessels flying the flag of a Contracting Party or of a Cooperating non-Contracting Party, Entity or Fishing Entity, or that of vessels flying the flag of a non-Contracting Party.
- H. "Fishing" means:
 - (i) searching for, catching, taking or harvesting fish;
 - (ii) engaging in any other activity which can reasonably be expected to result in the locating, catching, taking or harvesting of fish for any purpose;
 - (iii) placing, searching for or recovering fish aggregating devices or associated electronic equipment such as radio beacons;
 - (iv) any operations at sea directly in support of, or in preparation for, any activity described in subparagraphs (i) to (iv), including transshipment;

- (v) use of any other vessel, vehicle, aircraft or hovercraft, for any activity described in subparagraphs (i) to (v) except for emergency involving the health and safety of the crew or the safety of a vessel.
- I. "Vessels entitled to fly its flag" and "vessels entitled to fly the flag of a State" includes vessels entitled to fly the flag of a Member of a regional economic integration organisation.
- J. "Transshipment" means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel either at sea or in port.
- K. "Regulatory Area" means the waters of the Convention Areas as defined in Article I of the Convention, which lie beyond the water under the fisheries jurisdiction of Contracting Parties.

Article 2

1. This scheme shall apply to all fishing vessels used or intended for use for the purpose of fishing activities conducted on fisheries resources in the Convention area.
2. The Commission may decide to improve compliance with the conservation and management measures for the vessels fishing in some area to implement an inspection scheme including for boarding and inspection of vessels on the high seas in the Convention Area on a reciprocal basis as defined in Part IV.
3. The Commission may decide to implement an observer scheme as defined in Part VI to improve compliance with the conservation and management measures for the vessels fishing in some area. In this case, the Commission decides upon the appropriate level of coverage for the vessels fishing in the Convention Area.

Part I – Duties of the Flag state

Article 3 - *Authorisation to fish*

Each Contracting Party shall:

1. Authorise the use of fishing vessels flying its flag for fishing activities under Article 2 only where it is able to exercise effectively its responsibilities in respect of such vessels;
2. Ensure that only authorised fishing vessels flying its flag conduct fishing activities under Article 2;
3. Ensure that fishing vessels flying its flag comply with the applicable recommendations adopted under the Convention.
4. Without prejudice of the primacy responsibility of the Flag State, to the greatest extent possible, take measures, or co-operate, to ensure that its nationals fishing in the Convention Area and its industries comply with the provisions of this Convention.
5. To require vessels fishing on the high seas to have at all times, and where required on board, a valid licence, authorisation or permit to fish.

Article 4

No longer pertinent following the adoption of Recommendation 02-22 concerning the ICCAT the Establishment of an ICCAT Record of vessels Over 24 Meters Authorised to Operate in the Convention Area. This article can be deleted or the recommendation 02-22 can be incorporated.

Article 5 - *Vessel documentation*

Each Contracting Party shall:

1. Ensure that each of its fishing vessels carry on board documents issued and duly certified by the competent authority of that Contracting Party, containing as minimum information:
 - a) Licence, permit or authorisation to fish, if required, and the terms and conditions attached to the licence, permit or authorisation;
 - b) Vessel name;
 - c) Port in which registered and the number(s) under which registered;
 - d) International call sign;
 - e) Names and addresses of owner(s) and where relevant, the charterer;
 - f) Overall length;
 - g) Engine power, in KW/horsepower, where appropriate.
2. Check above documents on a regular basis;

3. Ensure that any modification to the documents and to the information referred to in paragraph 1 is certified by the competent authority of that Contracting Party.

Article 6 - *Marking of fishing vessels*

Each Contracting Party shall ensure that its fishing vessels authorised to fish in the Convention area are marked in such a way that they can be really identified with generally accepted standards such as the FAO Standard specification for the marking and identification of Fishing vessels.

Article 7 - *Marking of gear*

1. Each Contracting Party shall ensure that gear used by its fishing vessels authorised to fish in the Convention Area is marked as follows: the ends of nets, lines and gear anchored in the sea shall be fitted with flag or radar reflector buoys by day and light buoys by night sufficient to indicate their position and extent. Such lights should be visible at a distance of at least 2 nautical miles in good visibility.
2. Marker buoys and similar objects floating and on the surface and intended to indicate the location of fixed fishing gear shall be clearly marked at all time with the letter(s) and/or number(s) of the vessel to which they belong.
3. Fish aggregating devices shall be clearly marked at all time with the letter(s) and / or number(s) of the vessel to which they belong.

Article 8 - *Recording of catch*

1. Each Contracting Party shall ensure that all fishing vessels flying its flag and authorised to fish in the Convention Area keep a bound fishing logbook.
2. Fishing logbooks shall contain the information provided in “*ICCAT Field Manual*”

Article 9 - *Vessel Monitoring System*

1. Each Contracting Party, Cooperating non contracting Party, Entity and Fishing Entity, shall implement no later than (...), a Vessel Monitoring System (hereinafter referred to as VMS) for its fishing vessels exceeding 20 metres between perpendiculars or 24 metres length overall which fish for ICCAT species on the high sea outside the Exclusive Economic Zone of any coastal state and:
 - a) Require its fishing vessel, fishing in the Regulatory Area, to be equipped with an autonomous system able to automatically transmit a message to a land-based Fisheries Monitoring Centre (hereinafter referred to as FMC) allowing a continuous tracking of the position of a fishing vessel by the Contracting Party of that fishing vessel in conformity with the specifications and schedule set out defined by the Commission.
 - b) Ensure that the satellite tracking device fitted on board the fishing vessels, shall enable the vessel to transmit, at any time, to the Contracting Party, Cooperating non-contracting Party, Entity and Fishing Entity the following data:
 - (i) the vessel identification;
 - (ii) the most recent geographical position of the vessel (longitude, latitude) with a margin of error lower than 500 metres, with a confidence interval of 99%;
 - (iii) the date and time of the fixing of the said position of the vessel.
2. Each Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity shall take the necessary measures to ensure that the FMC (receives through the VMS the messages requested in paragraph 1.b).
3. Each Contracting Party, Cooperating non contracting Party, Entity or Fishing Entity shall ensure that the Masters of fishing vessels flying its flag shall ensure that the satellite tracking devices are permanently operational and that the information identified in paragraph 1.b) is transmitted every 6 hours. In the event of a technical failure or non-operation of the satellite-tracking device fitted on board a fishing vessel, the device shall be repaired or replaced within one month. After this period, the master of a fishing vessel is not authorised to commence a fishing trip with a defective satellite-tracking device. Furthermore where a device stops functioning or has a technical failure during a fishing trip lasting more than one month, the repair or the replacement has to take place as soon as the vessel enters a port; the fishing vessel shall not be authorised to continue or commence a fishing trip without the satellite tracking device having been repaired or replaced.

4. Each Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity shall ensure that a fishing vessel with a defective satellite-tracking device shall communicate, at least daily, reports containing the information in paragraph 1b) to the FMC by other means of communication (radio, telefax or telex).

Article 10 - *Hail system*

1. Until (...) fishing vessels, which are not equipped with satellite tracking, ... and which are engaged in fishing activities conducted on regulated resources shall report by radio, telefax or telex including, inter alia, information on the official numbers (radio call sign and registration number), the name of the fishing vessel, message sequence number, type of message, the date, the time (UTC) and the geographical position (latitude and longitude) when transmitting the report, to their competent authorities or to the ICCAT Executive Secretary, if the Contracting Party so desires, as well as:
 - a) the geographic position at the beginning of the fishing operation;
 - b) the geographic position at the end of the fishing operation.

Article 11 - *Transshipments and vessel sighting*

1. Contracting Parties shall ensure that fishing vessels and mother vessels flying their flag only transfer or receive at sea transshipment of ICCAT species from Contracting Parties and Cooperating (Parties, Entities, or Fishing Entities) as defined in the "Resolution on Becoming a Cooperating Party, Entity or Fishing Entity" adopted by the Commission in 1997. Such transshipment activities shall be reported annually to the Commission.
2. Any sightings of vessels that appear to be without nationality (stateless) that may be fishing for ICCAT species shall be reported immediately to the appropriate authorities of the Contracting Party whose vessel or aircraft made be sighting. Where there are reasonable grounds for suspecting that a fishing vessel targeting ICCAT species on the high seas is stateless, a Contracting Party may board and inspect the vessel. Where evidence so warrants, the Contracting Party may take such action as may be appropriate in accordance with international law. Any Contracting Party receiving a report of a sighting or conducting an action against a stateless fishing vessel shall immediately notify the ICCAT Secretariat, which, in turn, shall notify all other Contracting Parties. In addition, Contracting Parties are encouraged to establish points of contact to facilitate co-operation and other appropriate action.
3. A vessel is presumed to fish in a manner inconsistent with ICCAT conservation measures, or to carry out IUU fishing activities if it is sighted while engaged in a fishing activity in accordance to point 1 of Recommendation 02-23.
4. Any sighting made by a Contracting Party vessel or aircraft of Contracting Parties' vessels in accordance with paragraph 3 shall be reported immediately to the appropriate authorities of the flag State making the sighting. That Contracting Party shall then immediately notify the appropriate authorities of the flag State of the sighted vessel. The Contracting Party making the sighting and the Contracting Party whose fishing vessels were sighted shall provide the pertinent information to the ICCAT Secretariat for review by the Compliance Committee.
5. Any sighting made by a Contracting Party vessel or aircraft of non-Contracting Party, Entity or Fishing Entity vessels in accordance with paragraph 3 shall be reported immediately to the appropriate authorities of the flag State making the sighting. The Contracting Party shall then immediately notify the appropriate authorities of the flag State of the sighted vessel as well as the ICCAT Secretariat, which, in turn, shall notify all other Contracting Parties.

Part II – Contracting Party Obligations

Article 12

Without prejudice of the obligation of transmission of the statistics of the ICCAT Field Manual for Statistics and Sampling, each Contracting Party shall report to the Secretariat provisional statistics of catches of fisheries listed in Annex I by species and stock area, taken in the ICCAT Area on a quarterly basis; whether or not that Party has quota allocations for the stocks from which catches were obtained.

1. The Secretary shall, within 10 days following the quarterly deadlines for receipt of the provisional catch statistics collate the information received and circulate it to the Contracting Parties.
2. Each Contracting Party shall ensure that its fishing vessel engaged in fishing activities conducted on regulated resources subject to TAC and/or quota shall communicate the monthly catch report by VMS, radio, telefax or telex to their competent authorities.

3. Fish from stocks for which fishing opportunities are fixed shall not be retained on board or landed unless the catches have been taken by vessels of a Contracting Party or Co-operating Parties, Entities or Fishing Entities having a quota and that quota is not exhausted.

Part III – Compliance and Enforcement

Article 13 - *General principles for inspection and surveillance*

1. Each Contracting party shall enforce any conservation and management measures adopted by ICCAT.
2. In order to ensure compliance with all the rules in force, each Contracting Party within its territory and within maritime waters subject to its sovereignty or jurisdiction shall monitor, inspect and maintain surveillance of all activities on the species relevant of the ICCAT particularly fishing itself, transshipment, landing, marketing, transport and storage of tuna and the recording of landings and sales.
3. Each Contracting Party shall monitor and, where applicable, inspect and maintain surveillance of the activities of its vessels in the high seas in order to ensure compliance with conservation and management measures.
4. Each Contracting Party shall make available to their inspectors adequate means to enable them to carry out their surveillance and inspection tasks. To that end, they shall assign where necessary inspection vessels and aircraft to the scheme.
5. Control and surveillance shall be carried out by inspectors duly authorised by the Contracting Parties.
6. Each Contracting Party shall ensure, where it has been established, in accordance with its laws, that a fishing vessel flying its flag which has been involved in a serious infringement of The Conservation and Management Measures adopted by ICCAT, ceases fishing activities on the high seas. Moreover, the Contracting Party shall ensure that the vessel does not engage in such activities in the Convention Area until such time as the outstanding sanction(s) imposed by the flag State in respect of the said violation has been complied with.
7. All investigations and judicial proceedings shall be carried out expeditiously. Sanctions applicable in respect of violation shall be dissuasive enough to be effective in securing compliance and to discourage violations wherever they occur and shall deprive offenders of the benefits occurring from their illegal activities. Measures applicable in respect of masters and other officers of fishing vessels shall include provisions that may permit *inter alia* refusal, withdrawal or suspension of authorisation to serve as masters or officers on such vessels.
8. Each Contracting Party, where it has serious grounds for believing that a fishing vessel flying the flag of another state has engaged in any activity that undermines the effectiveness of conservation and management measures adopted for the Convention Area, shall draw this to the attention of the flag state concerned and may draw the matter to the attention of the Commission. To the extent permitted by its national laws and regulations, it shall provide the flag state with full supporting evidence and may provide the Commission with a summary of such evidence. The Commission shall not circulate such information until such time as the flag state has had an opportunity to comment within a reasonable time, on the allegation and evidence submitted or to object as the case may be.
9. Each member shall transmit to the Commission an annual statement of compliance measures, including imposition of sanctions for any violation it has taken in accordance with this article.
10. Where appropriate, in the case of mutual agreement between the respective Contracting Parties, inspectors assigned by one Party may be placed on board the inspection vessels or aircraft of other Parties.
11. In the case of mutual agreement between the respective Contracting Parties, the flag state may authorise an inspecting state to carry out inspections on board those of its fishing vessels. In any case, the flag state may, at any time, take action to fulfil its obligations under the scheme with respect to an alleged violation. Where the vessel is under the direction of the inspection state, the inspecting state shall, at the request of the flag state, release the vessel to the flag state along with full information on the progress and outcome of its investigation.

Part IV – Inspection Scheme at Sea

Article 14

In case where the Commission decides to implement the inspection scheme at sea, including procedures for boarding and inspection of vessels on a reciprocal basis, the following common standards for the conduct of inspection apply:

1. Control and surveillance shall be carried out by inspectors of the fishery control service of the Contracting Parties following their assignment to the scheme.

2. Each Contracting Party shall ensure that the assigned inspectors from another Contracting Party shall be allowed to carry out an inspection on board of those fishing vessels to which the Scheme applies. Furthermore, it shall adopt measures obliging the masters of the fishing vessels to co-operate with the assigned ICCAT inspectors and to ensure their safety throughout the inspection in the Regulatory Area.
3. Each Contracting Party shall ensure that inspections carried out by that Party shall be carried out in a non-discriminatory manner and in accordance with the Scheme. The number of inspections shall be based upon fleet size, taking into account the time spent in the Regulatory Area. In its inspections, each Contracting Party shall aim at ensuring equal treatment between all Contracting Parties with fishing vessels operating in the Regulatory Area through an equitable distribution of inspections.
4. Inspectors shall avoid the use of force except when and to the degree necessary to ensure the safety of the inspectors. When carrying out inspections on board fishing vessels, inspectors shall not carry any firearms.
5. Without limiting the capability of inspectors to carry out their mandates, inspections shall be made so that the fishing vessel, its activities and the catch retained on board do not suffer undue interference and inconvenience.

Article 15 - Means of inspection

1. Each Contracting Party shall notify the ICCAT Executive Secretary, before 1 January of each year, of the names of the inspectors designated and affected by Contracting Parties and special inspection vessels as well as the type of aircraft and the details of their identification (registration, number, name, radio call-sign) which they are assigning to the scheme for that year. Modifications by Contracting Parties to such notifications shall be communicated to the Executive Secretary giving one month's notice.
2. The Executive Secretary shall circulate to all Contracting Parties the notifications received from any Contracting Party under the scheme within 15 days of receipt.
3. Any vessel assigned to the Scheme and carrying assigned inspectors, as well as the boarding craft deployed by that vessel shall carry a special flag or pennant in the format defined by the Commission to indicate that inspectors on board may carry out inspection duties in accordance with the scheme. Aircraft assigned to the scheme shall have their international radio call-sign clearly displayed.
4. Each Contracting Party shall keep a record for their assigned inspection vessels and aircraft of the date and hour of the start and termination of their duties under the scheme. The Contracting Party shall notify this information to the ICCAT Executive Secretary. The Executive Secretary shall promptly inform the other Contracting Parties accordingly.
5. The Commission may decide that Contracting Parties shall have, for specific fisheries and during a specified period, an inspector or other designated authority present in the Regulatory Area to receive and respond, without delay, to a notice of apparent infringement.

Article 16 - ICCAT inspector

1. Each inspector shall carry special documentation of identity as an ICCAT inspector issued by the respective Contracting Party. Each inspector shall carry and produce this document of identity when boarding a fishing vessel.
2. Inspectors shall carry out their duties in accordance with the rules set out in the Scheme, but they shall remain under the operational control of the authorities of their Contracting Parties and shall be responsible to them.

Article 17

1. Surveillance shall be based on sightings of fishing vessels by assigned inspectors from an inspection vessel or aircraft assigned to the scheme.
2. The inspector shall complete the observation report in the form defined by the Commission.
3. A copy of each observation report shall be forwarded without delay by electronic transmission to the Contracting Party of the vessel concerned or a designated authority of that Contracting Party and to the Executive Secretary.

Article 18 - Inspection Procedure

1. No boarding shall be conducted without prior notice by radio being sent to the fishing vessel or without the fishing vessel being given the appropriate signal using the International code of Signals, including the identity of the inspectors, whether or not such notice is acknowledged as received.

2. An inspector has the authority to examine all relevant areas, decks and rooms of the fishing vessels, catch (whether processed or not), nets, or other gear, equipment, and any relevant documents which the inspector deems necessary to verify the compliance with the measures established by ICCAT and to question the master or a person designated by the master. Inspections shall be carried out so that a vessel suffers the minimum interference and inconvenience and that degradation of the quality of the fish is avoided.
3. The fishing vessel to be boarded shall not be required to stop or manoeuvre when fishing, shooting or hauling.
4. In conformity with the provision of Article 14 paragraph 5, the duration of an inspection shall not exceed 4 hours, or until the net is hauled in and the net and catch are inspected, whichever is longer. In the case of an infringement being detected the inspectors may stay on board for the time necessary for the completion of measures provided for in Article 19 paragraph B. However, in special circumstances relating to the size of a fishing vessels, and the quantities of fish retained on board, the duration of the inspection may exceed the limits stipulated above. In such a situation, the inspection Party shall in no case stay longer on board the fishing vessel than the time required to complete the inspection. The reasons for exceeding the limit stipulated above shall be recorded in the inspection report.
5. There shall be no more than two inspectors in an inspection party from one Contracting Party boarding a fishing vessel of another Contracting Party.
6. Each inspection shall be documented by completing an inspection report in the format standardised by the Commission or on a form produced by the national government that collects the same quality of information.
7. In carrying out their inspection, the inspectors may request of the master any assistance required. The report of the inspection may be commented upon by the master and shall be signed by the inspectors at the end of the inspection. A copy of the inspection report shall be given to the master of the fishing vessel.
8. Inspectors shall not interfere with the master's ability to communicate with the authorities of the flag State during the boarding and inspection.
9. Each Contracting Party shall ensure that its inspection platforms manoeuvre at a safe distance from the fishing vessels according to good seamanship.

Article 19 - Obligation of the vessel master during the inspection procedure

The master of a fishing vessel shall:

1. Facilitate prompt and safe boarding;
2. Co-operate with and assist in the inspection of the fishing vessel conducted pursuant to these procedures, and shall not obstruct, intimidate or interfere with the inspectors in the performance of their duties;
3. Allow the inspectors to communicate with their authorities by whatever means appropriate;
4. Provide access to relevant areas, decks and rooms of the fishing vessel, catch (whether processed or not) nets or other gear, equipment and any relevant documents, and
5. Facilitate safe disembarkation by the inspectors.

Article 20 - Infringement Procedures

1. If the inspectors find that there are clear grounds for believing that a fishing vessel flying the flag of a Contracting Party has engaged in any activity contrary to the ICCAT's management measures or in IUU activities, they shall:
 - a) Note the infringement in the inspection report;
 - b) Take all necessary measures to ensure security and continuity of the evidence for subsequent dockside inspection. An identification mark may be affixed securely to any part of the fishing gear which appears to the inspectors to have been in contravention of applicable measures;
 - c) In order to facilitate Contracting Party action on the infringement, immediately attempt to communicate with an inspector or designated authority of the Contracting Party of the inspected fishing vessel.
2. The Contracting Party inspecting a fishing vessel shall communicate in writing the details of an infringement to the designated authorities of the Contracting Party of the inspected vessel within the working day following the inspection whenever possible.
3. An original of the inspection report with any supporting documentation shall be forwarded promptly to the appropriate authorities of the Contracting Party of the inspected fishing vessel as well as a copy to the Executive Secretary.

Article 21 - Procedures for serious infringements

1. Notwithstanding the provision of Article 1. D or the purposes of this article, a serious infringement means:
 - a) Fishing without a valid authorisation issued by the flag Contracting Party;
 - b) Fishing without or after attainment of a quota;
 - c) Use of prohibited fishing gear;
 - d) Serious mis-recording of catches;
 - e) Preventing an inspector from carrying out his duties;
 - f) Directed fishing for a stock which is subject to a moratorium or for which fishing is prohibited;
 - g) Falsifying or concealing the markings, identity or registration of a fishing vessel;
 - h) Concealing, tampering with or disposing of evidence relating to an investigation;
 - i) Multiple violations which together constitute a serious disregard of conservation and management measures.
2. If an ICCAT inspector considers that there are clear grounds for believing that a fishing vessel has committed a serious infringement, he shall promptly notify the flag Contracting Party of that infringement in accordance with Article 20.
3. The flag Contracting Party shall respond to the notification without delay and shall ensure that the fishing vessel concerned is inspected within five working days by an inspector duly authorized by that Contracting Party.
4. In order to preserve the evidence, the inspector shall take all necessary measures to ensure security and continuity of the evidence whilst minimizing interference with and inconvenience to the operation of the vessel.
5. The inspector is entitled to remain on board the fishing vessel for the period necessary to provide information to the duly authorized inspector concerning the infringement or until the response of the flag Contracting Party is to require the inspector to leave the fishing vessel.
6. The Flag State shall, if evidence so warrants, require the fishing vessel to proceed immediately to a port designated by that Contracting Party for a thorough inspection under its authority and in the presence of an ICCAT inspector from any other Contracting Party that wishes to participate.
7. The Flag State may authorize the inspecting Contracting Party to bring the fishing vessel without delay to a port designated by the flag Contracting Party.
8. If the fishing vessel is not called to port, the Flag State must provide due justification in a timely manner to the Executive Secretary and to the inspecting Contracting Party. The Executive Secretary shall make such justification available on request to any Contracting Party.
9. Where a fishing vessel is required to proceed to port for a thorough inspection pursuant to paragraph 6 and 7, an ICCAT inspector from another Contracting Party may, subject to the consent of the Contracting Party of the fishing vessel, board the fishing vessel as it is proceeding to port, may remain on board the fishing vessel as it proceeds to port and may be present during the inspection of the fishing vessel in port.

Article 22 - Follow-up in case of infringement

1. The appropriate authorities of a Contracting Party notified of an infringement committed by a fishing vessel of that party shall take prompt action to receive and consider the evidence of the infringement and conduct any further investigation necessary for the follow-up to the infringement and, whenever possible, inspect the fishing vessel concerned. Each Contracting Party shall designate the appropriate authorities mandated for receiving evidence of infringement and shall inform the Executive Secretary of the address of those authorities. The Executive Secretary shall subsequently inform all other Contracting Parties.
2. The Contracting Party whose fishing vessels were inspected and suspected to have committed an infringement shall provide the pertinent information to the ICCAT Secretariat for review by the Compliance Committee.

Article 23 - Treatment of reports of inspectors

Each Contracting Party shall consider and act on reports from inspectors of other Contracting Parties under the Scheme on the same basis as reports from its own inspectors. Contracting Parties shall co-operate in order to facilitate judicial or other proceeding arising from a report submitted by an inspector.

Article 24 - Reporting of infringements

1. Each Contracting Party shall report without delay, any serious infringement as listed in Article 21 to the Executive Secretary. For other infringements, each Contracting Party shall report to the Executive Secretary by (...) of each year for the previous twelve month the status of the proceeding relative to infringements of ICCAT measures. The infringements shall continue to be listed on each subsequent report until the action is concluded in accordance with the relevant provisions of national laws.
2. The report required in paragraph 1 above shall indicate the current status of the case (i.e. case pending, under appeal, still under investigation, etc.) and any sanctions or penalties imposed shall be described in specific terms (i.e. level of fines, value of forfeited fish and/or gear, written warning given, etc.) and shall include an explanation if no action has been taken.

Article 25 - Measures taken by Contracting Parties

1. Each Contracting Party shall ensure that the appropriate measures be taken, including administrative action or criminal proceedings in conformity with their national law, against the natural or legal persons responsible where ICCAT measures have not been respected.
2. The proceedings initiated pursuant to paragraph 1 shall, in accordance with the relevant provisions of national law, be capable of effectively depriving those responsible of the economic benefit of the infringements or of providing sanctions proportionate to the seriousness of such infringements, thus effectively discouraging future infringements.

Article 26 - Reports on inspection activities

Each Contracting Party shall report to the Executive Secretary by (...) each year for the previous calendar year:

1. The number of inspections specifying the number of inspections on the vessels of each Contracting Party and in the case of infringement, the date and position of the inspection of the named vessel and the nature of infringement.
2. The number of air hours flown on ICCAT patrol, the number of sightings and the number of surveillance reports established as well as the follow-up of such reports.

Part V – Port Inspection Scheme

Article 27

1. Inspection shall be carried out by the appropriate authorities of the Contracting Parties, who will monitor compliance with the Commission's conservation measures for all ICCAT species at their own ports, without discrimination. Inspectors shall produce identification as provided by the national government.
2. To facilitate these inspections, Contracting Parties shall require fishing vessels and vessels involved in fishing-related activities that intend to use their ports or landing facilities to notify, at least 72 hours before their estimated time of entry into port, the following data:
 - a) The time of arrival at the port of landing;
 - b) A written declaration that they have not engaged in or supported IUU activities in the Convention Area;
 - c) Proof that they are registered on the ICCAT list of vessels authorised to fish for tuna and tuna-like species in the Convention Area;
 - d) The catches detained on board;
 - e) The area or areas where the catches were made;
 - f) The vessel's name, registry number and flag.
 Landing operations may not commence until authorised by the competent authorities of that Contracting Party.
3. In order to combat IUU activities, the inspectors shall monitor whether the fishing vessels that have been granted access to port have engaged in IUU activities in accordance to point 1 of Recommendation 02-23.
4. If, in the course of an inspection, the inspector finds that the vessel that has been granted access to the port has engaged in IUU activities, the Port State shall prohibit the landing and/or the transhipment of the catches.
5. The Contracting Parties shall promptly inform the Flag State of the vessel concerned and the ICCAT Secretariat of any vessels denied port access or permission to land or tranship. The Secretariat shall promptly convey such reports to all Contracting Parties.

6. In the case of an apparent violation by a foreign fishing vessel, the inspector shall draw up a report of the inspection on a form standardised by the Commission, or on a form produced by the national government that collects the same quality of information. The inspector must sign the report in the presence of the master of the vessel, who shall be entitled to add or have added to the report any observations, and to add his own signature. The inspector should note in the vessel's logbook that an inspection was made. Copies of the form must be sent to the flag state of the vessel and to the ICCAT Secretariat within 10 days. In the case of a violation by a domestic vessel, domestic procedures will be followed for documentation, which must also provide the same quality of information as the standard ICCAT form.
7. An inspector may examine the fish, fishing gear, fish samples, and all relevant documents, including fishing logbooks and cargo manifest (in the case of a mother ship or carrier vessel), to verify compliance with ICCAT measures. The master of the vessel is required to cooperate with the inspector. Inspections shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the quality of the fish is avoided.
8. Parties shall consider and act on reports of apparent violations by foreign inspectors on a similar basis as the reports of national inspectors in accordance with their national legislation. Contracting Parties shall collaborate, in accordance with their legislation, in order to facilitate judicial or other proceedings arising from reports of inspectors acting under these arrangements.
9. For cases in which an apparent violation has occurred, the vessel's flag state shall notify ICCAT of actions taken to address the violation.
10. All parties shall inform their vessel masters who are fishing on ICCAT species of the regulations. The masters shall also be instructed to cooperate with the inspectors in national as well as foreign ports.
11. Parties whose vessels enter, land or tranship their catches in ports other than their own, can send their own inspectors to inspect their own vessels with respect to the observance of the Commission's regulations, having previously obtained an invitation from the port state in which the inspection shall be executed.
12. In addition, parties are encouraged to enter into bilateral agreements/arrangements that allow for an inspector exchange programme designed to promote compliance with ICCAT's management measures. The countries' national report should include a description of such programmes.

Part VI – Observer Scheme

Article 28

When the Commission decides to implement the observer program, the following common standards for the conduct of observation apply:

1. Each Contracting Party shall require all its vessels fishing in the specific area to accept observers on the basis of the following:
 - a) Each contracting Party shall have the primary responsibility to obtain, for placement on its vessels, independent and impartial observers;
 - b) No vessel shall be required to carry more than one observer pursuant to this Observer Scheme at any time.
2. Each Contracting party shall provide to the ICCAT secretariat a list of the observers they will be placing on the vessel in the specific area.
3. Observers shall:
 - a) Monitor a vessel's compliance with the relevant conservation measures. In particular, they shall:
 - (i) Record and report upon the fishing activities of the vessel and verify the position of the vessel when engaged in fishing,
 - (ii) Observe and estimate catches with a view to identifying catch composition and monitoring discards, by-catches, and the taking of undersized fish,
 - (iii) Record the gear type, mesh size and attachments employed by the master,
 - (iv) Verify entries made to the logbooks;
 - b) Collect catch and effort data on a set-by-set basis,
 - c) Carry out such scientific work (for example, collecting samples) as requested by the Commission based on the advice of the Scientific Committee,
 - d) Within 30 days following completion of an assignment on a vessel provide a report to the Contracting Party of the vessel and to the ICCAT Executive Secretary which shall make the report, available to any contracting Party that requests it. Copies of reports sent to other Contracting Parties shall not include location of catch in latitude and longitude but will include daily totals of catch by species and division;
 - e) Not unduly interfere with the lawful operation of the vessel and, in carrying out their functions, they shall give due consideration to the operational requirement of the vessel and shall communicate regularly with the captain for this purpose.

4. When an apparent infringement of the conservation is identified by an observer, the observer shall, within 24 hours, report it to the flag Contracting Party and to the Executive Secretary, using an established code.
5. Contracting Parties shall take all necessary measures to ensure that observers are able to carry out their duties. Subject to any other arrangement between the relevant Contracting Parties, the salary of an observer shall be covered by the sending Contracting Party.
6. The vessel on which an observer is placed shall provide suitable food and lodging during the observer's deployment. The master of the vessel shall ensure that all necessary cooperation is extended to observers in order for them to carry out their duties including providing access, as required, to the retained catch, and catch which is intended to be discarded.
7. The Contracting Parties may conclude bilateral arrangement for the placing of observers by a Contracting Party on vessels flying the flag of another Contracting Party with the consent of that Party.

Part VII - Programme to Promote Compliance by non-Contracting Party Vessels

Article 29

1. Contracting Parties may exchange information through the Commission and shall inform the Commission of activities of fishing vessels flying the flags of the non-Contracting Parties to this Convention and which are engaged in fishing operations in the Convention Area and any action taken in response to non-Contracting Party fishing. The Commission shall share information on such activities with other appropriate regional or sub-regional organisations and arrangements.
2. The Contracting Parties may, either directly or through the Commission, take measures, which are consistent with international law and which they deem necessary and appropriate, to deter fishing activities by fishing vessels of non-Contracting Parties which undermine the effectiveness of conservation and management measures adopted by the Commission.

Article 30

1. A vessel flying the flag of a non-Contracting Party, Entity or Fishing Entity, which has been sighted in the ICCAT Convention Area, in conformity with the conditions of article 11, is presumed to be undermining ICCAT conservation measures.
2. When a vessel of a non-Contracting Party, Entity or Fishing Entity referred to in paragraph 1 enters voluntarily a port of any Contracting Party, it shall be inspected by authorised Contracting Party officials knowledgeable of ICCAT measures and shall not be allowed to land or tranship any fish until this inspection has taken place. Such inspections shall include the vessel's documents, notably the licence, permit or authorisation specifying the permitted catches, logbooks, fishing gear, catch on board, the certificates which indicate the position of the vessel at the time the catches were made and any other matter relating to the vessel's activities in the Convention Area.
3. Landings and transhipment of all fish from vessels of a non-Contracting Party, Entity or Fishing Entity which have been inspected pursuant to paragraph 2, shall be prohibited in all Contracting Party ports if such inspection reveals that the vessel has onboard species subject to ICCAT conservation measures, unless the vessel establishes that the fish were caught outside the Convention Area or in compliance with the relevant ICCAT conservation measures and requirements under the Convention. To this end, a licence, permit or authorisation to fish issued by the Flag State authorising the vessel to fish outside the Convention Area, as well as the documents which prove the position of the vessel at the time when it undertakes the catches outside the Convention Area, must be presented to the competent authorities of the port of inspection.
4. Information on the results of all inspection of vessels of Non-Contracting Parties, Entities or Fishing Entities, conducted in the ports of Contracting Parties, and any subsequent action, shall be transmitted immediately to the Commission. The Secretariat shall transmit this information to all Contracting Parties and to the relevant flag State(s).

Part VIII – Measures to Combat IUU Fishing

Article 31

No longer pertinent following the adoption of Recommendation 02-23 to establish a list of vessels presumed to have carried out illegal, unreported and unregulated fishing activities in the ICCAT Convention area.

Explanatory Table on the EC Proposal for a Control and Enforcement Scheme

<i>Key elements of the EC proposal distributed in Tokyo (May 2002)</i>	<i>Reference to the general presentation of the integrated monitoring measures adopted in Bilbao (Nov 2002)</i>	<i>Provisions in force in ICCAT</i>
Art. 1 <i>Definitions</i>		
Art. 2 <i>Area of application</i> - All fishing vessels - Reciprocal inspection scheme by decision of the Commission - Observer scheme by decision of the Commission		No provision in the ICCAT regulatory measures in force.
Part I - DUTIES OF THE FLAG STATE		
Art. 3 <i>Authorization to fish</i> Each Contracting Party: 1. Authorize fishing if it is able to exercise its responsibilities. 2. Ensure that only authorized vessels can fish. 3. Ensure that the vessels respect the obligations of ICCAT. 4. Responsibility for nationals and industries. 5. License or authorization on board.	Point 1 i , a, b, c, e	Recommendation 02-22. 1. Recommendation 02-22 point 5 a). 2. No provision in ICCAT. 3. Recommendation 02-22 point 5 b). 4. No provision in ICCAT. 5. Recommendation 02-22 point 5 c).
Art. 4 <i>Notification of fishing vessels</i> No longer pertinent following the adoption of Recommendation 02-22. This article could be deleted or Recommendation 02-22 could be incorporated.	Point 1 ii	Recommendation 02-22.
Art. 5 <i>Vessel documentation</i> 1. Carry documents on board containing: license, authorization or permit, vessel name, port and registration number, etc. 2. Monitoring of these documents. 3. Certified modifications.	Point 1 i , e	No provision in the ICCAT regulatory measures in force.
Art. 6 <i>Marking of fishing vessels</i> Generally accepted standards for marking and identification of the vessels.		No provision in the ICCAT regulatory measures in force.
Art. 7 <i>Marking of fishing gear</i> 1. Method 2. Vessel identification number or letter. 3. FADs marked with the vessel identification number or letter..		No provision in the ICCAT regulatory measures in force.
Art. 8 <i>Recording of catch</i> 1. Logbook 2. Follow ICCAT "Field Manual"	Point 2	"ICCAT Field Manual"
Art. 9 <i>Vessel Monitoring System</i> 1. All vessels over > 24 m should be equipped with a VMS system that ensures, at all times, transmission of the vessel identification, position, date and time. 2. National monitoring center that receives messages. 3. Transmission every 6 hours. Failure. 4. Daily report in case of system failure.	Point 1 vi	Recommendation 97-12 (expires) Pilot project for 10% of the vessels > 24 m. Ended in 2000.
Art. 10 <i>Communication system</i> Vessels not equipped with VMS shall transmit a report containing, particularly, the current geographic position, the position at the beginning and end of the fishing operations.	Point 1 v	No provision in the ICCAT regulatory measures in force.

<p style="text-align: center;">Art. 11</p> <p><i>Transshipments and vessel sighting</i></p> <p>1. Transshipments only to Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity vessels. Inspection, information to the Commission.</p> <p>2. Sighting of stateless vessel to be reported to the authorities of the sighting State. Inspection, information to the Secretariat and to the Contracting Parties.</p> <p>3. Fishing activities presumed to be IUU.</p> <p>4. In case of sighting of an IUU vessel of a Contracting Party, report to the competent authorities of the sighter who will contact the authorities of the flag. Information to the Secretariat.</p> <p>5. In case of sighting of a non-Contracting Party vessel, immediate information to the sighting State. Report to the flag State and to the Secretariat who will inform all the Contracting Parties.</p>	<p>Point 1 <i>iii</i></p> <p>Point 3</p>	<p>Recommendation 97-11.</p> <p>1. = Recommendation 97-11 point 1.</p> <p>2. = Recommendation 97-11 point 2.</p> <p>3. No longer pertinent following the adoption of Recommendation 02-23. Refer to the definition of IUU fishing in this recommendation.</p> <p>4. = Recommendation 97-11 point 3.</p> <p>5. = Recommendation 97-11 point 4.</p>
Part II - CONTRACTING PARTY OBLIGATIONS		
<p style="text-align: center;">Art. 12</p> <p>1. Quarterly transmission of provisional statistics on catches.</p> <p>2. The Secretariat will circulate the statistics.</p> <p>3. Monthly report to the flag State on catches subject to TAC or quota.</p> <p>4. Retention on board authorized only when flag has a quota and that quota is not exhausted.</p>	<p>Point 2</p>	<p>Field Manual.</p>
Part III - COMPLIANCE AND ENFORCEMENT		
<p style="text-align: center;">Art. 13</p> <p><i>General principles for inspection and surveillance</i></p> <p>1. Each Party shall assure compliance.</p> <p>2. Each Party shall monitor and inspect, within its territory and maritime waters, all activities on ICCAT species.</p> <p>3. Monitoring and inspection on the high seas by the flag State.</p> <p>4. Vessels and aircraft available to inspectors.</p> <p>5. Duly authorized inspectors.</p> <p>6. Halt fishing activities in case of serious infraction.</p> <p>7. Investigations, and dissuasive sanctions.</p> <p>8. Vessel flying flag of another State. Information and evidence should be communicated to the flag State. ICCAT shall inform all the Parties after reaction from flag State.</p> <p>9. Annual report on infractions and sanctions.</p> <p>10. and 11. Mutual agreement for exchange of inspectors.</p>	<p>Point 1 <i>I a</i></p> <p>Point 2 <i>ii</i></p> <p>Point 3</p>	<p>No provision in the ICCAT regulatory measures in force.</p>
Part IV - INSPECTION AT SEA		
<p style="text-align: center;">Art. 14</p> <p><i>Inspections at sea</i></p> <ul style="list-style-type: none"> - Reciprocity. - Inspectors assigned to the scheme. - Vessel master's duty to cooperate. - Non-discrimination. - No interference with fishing operations. 	<p>Point 3.i</p>	<p>No provision in the ICCAT regulatory measures in force.</p>
<p style="text-align: center;">Art. 15</p> <p><i>Means of inspection</i></p> <ul style="list-style-type: none"> - Notification of the inspectors, vessels and aircraft assigned to the scheme. - Information to the Contracting Parties. - Identification of the means of inspection. - Information on inspection times. - Mandatory presence during a specific period and for a specific fishery. 	<p>Point 3.i</p>	<p>No provision in the ICCAT regulatory measures in force.</p>

<p>Art. 16 <i>ICCAT inspector</i></p> <ul style="list-style-type: none"> - Identification of the inspector. - Responsibility vis-à-vis to the Contracting Party that designated the inspector. 	<p>Point 3.i</p>	<p>No provision in the ICCAT regulatory measures in force.</p>
<p>Art. 17 <i>Surveillance</i></p> <ul style="list-style-type: none"> - Observations by the inspectors assigned to the scheme. - Inspector's report. - Transmission to the flag Contracting Party. 	<p>Point 3.ii</p>	<p>No provision in the ICCAT regulatory measures in force.</p>
<p>Art. 18 <i>Inspection procedure</i></p> <ul style="list-style-type: none"> - Prior notice. - Inspector's authority. - No interference or deterioration. - Duration of the inspection and exceptions. - Number of inspectors (2) - Report according to ICCAT format. - Master's duty to assist. - Right of vessel master to comment on the report and to communicate with the flag State. - Safe distance from inspection platforms. 	<p>Point 3.ii</p>	<p>No provision in the ICCAT regulatory measures in force.</p>
<p>Art. 19 <i>Vessel master's obligation</i></p> <ul style="list-style-type: none"> - Facilitate boarding. - Cooperation. - Authorization for communication. - Access to the areas, gear - Facilitate disembarkation 	<p>Point 3.ii</p>	<p>No provision in the ICCAT regulatory measures in force.</p>
<p>Art. 20 <i>Infringement procedures</i></p> <ul style="list-style-type: none"> - If the inspectors suspect an infraction: - Note it in the report. - Ensure security of the evidence. - Communicate to the flag State. - Inspecting Contracting Party communicate to the flag State. - Copy of the report to the flag State and to the Executive Secretary. 	<p>Point 3.ii</p>	<p>No provision in the ICCAT regulatory measures in force.</p>
<p>Art. 21 <i>Procedures for serious infringement</i></p> <ul style="list-style-type: none"> - Definition of a serious infringement. - If it is suspected that infringement is serious, notify flag State. - Response from the flag State and inspection by the flag State. - Security of the evidence. - Inspector on board until transmission of the information to the authorized inspector or until the flag State requires him to leave the vessel. - Flag State, if it so wishes, may require that vessel proceed to a port for inspection under its authority and in the presence of an inspector of another Contracting Party. - Flag State may designate a port and authorize the inspecting Contracting Party to bring vessel to port. - If the vessel is brought to port, the flag State must justify to the inspecting Party and to the Executive Secretary. - Subject to the consent of the flag State when the vessel proceeds to port, an inspector of another Party could be present during inspection. 	<p>Point 3.iii</p>	<p>No provision in the ICCAT regulatory measures in force.</p>

<p>Art. 22 <i>Follow-up in case of infringement</i></p> <ul style="list-style-type: none"> - Flag State has obligation to ensure follow-up. - Designation of the appropriate authorities, and information to ICCAT. - Transmission of information to ICCAT for review by Compliance Committee. 	Point 3. ii and iii	No provision in the ICCAT regulatory measures in force.
<p>Art. 23 <i>Treatment of inspection reports</i></p> <ul style="list-style-type: none"> - Same value as the reports by Party's inspections. 	Point 3.ii and iii	No provision in the ICCAT regulatory measures in force.
<p>Art. 24 <i>Reporting of infringements</i></p> <ul style="list-style-type: none"> - Immediate transmittal to ICCAT of serious infringements. - For other infringements, transmittal of a report on the follow-up, penalties or justification if no action has been taken. 	Point 3.ii and iii	No provision in the ICCAT regulatory measures in force.
<p>Art. 25 <i>Measures taken by the Contracting Parties</i></p> <ul style="list-style-type: none"> - Duty of the flag State to take appropriate actions. - Proportional sanctions. 	Point 3.ii and iii	No provision in the ICCAT regulatory measures in force.
<p>Art. 26 <i>Reports on inspection activities.</i></p> <p>Annual reports on</p> <ul style="list-style-type: none"> - Number of inspections - Date and vessel position - Nature of the infraction - Number of hours of aerial surveillance, number of observations and monitoring of reports. 	Point 3	No provision in the ICCAT regulatory measures in force.
Part V - PORT INSPECTION		
<p>Art. 27</p> <ol style="list-style-type: none"> 1. Non-discriminatory inspections by the port State. 2. 72 h before arrival, notification of time of arrival; report of conformity with conservation measures; inscription in vessel registry; catches on board; fishing area; name, flag and license; authorization to land. 3. Verification if IUU. 4. Prohibition of landings and/or transshipment if IUU. 5. Immediate information to ICCAT on the refusals of landing and/or transshipment. ICCAT shall inform the other CPs. 6. Standard report and transmission to the flag State and to ICCAT. 7. Master's cooperation, access to all the pertinent documents, no interference with the vessel operations and non- deterioration of the fish. 8. Follow-up of reports, treatment like national inspection reports. Cooperation between Parties for follow-up. 9. Notify ICCAT of the sanctions imposed. 10. Information to the vessel masters concerning the conservation measures and the duty to cooperate with the inspectors. 11. Port State can invite flag State to assist in the inspection. 12. Inspector exchange programs. 	Point 3	<p>Recommendation 97-10. ICCAT Port Inspection Scheme.</p> <p>Recommendation 02-23 IUU List.</p> <ol style="list-style-type: none"> 1. = Recommendation 97-10 point 1. 2. New. 3. = Recommendation 02-23 point 1. 4. = Recommendation 02-23 point 9 b. 5. New. 6. = Recommendation 97-10 point 2. 7. = Recommendation 97-10 point 3. 8. = Recommendation 97-10 point 4. 9. = Recommendation 97-10 point 5. 10. = Recommendation 97-10 point 6. 11. = Recommendation 97-10 point 7. 12. = Recommendation 97-10 point 7.

Part VI - OBSERVATION SCHEME		
<p style="text-align: center;">Art. 28</p> <p>Common standards to apply if the Commission decides to implement an observer scheme:</p> <ol style="list-style-type: none"> 1. Responsibility of the flag State. Independent and impartial observers. One observer only. 2. Transmission of the list of observers to ICCAT. 3. Observer's tasks: <ul style="list-style-type: none"> - Monitor in accordance with ICCAT - Collect catch and effort data. - Verify catch composition, by-catches, discards, small fish, logbooks - Reports and confidentiality - No interference in the normal functioning of the vessel. 4. If infringement presumed, inform the Party of the flag and the Executive Secretary. 5. Observer's duties and salary. 6. Catch retained on board and duty to cooperate. 7. Arrangements for exchange of observers. 		No provision in the ICCAT regulatory measures in force.
Part VII - PROGRAM TO PROMOTE COMPLIANCE BY NON-CONTRACTING PARTY VESSELS		
<p style="text-align: center;">Art. 29</p> <ol style="list-style-type: none"> 1. Exchange of information on activities of NCP vessels in the ICCAT area. Sharing of information with other RFOs. 2. The Contracting Party can directly or via ICCAT adopted measures to discourage activities that undermine the effectiveness of the ICCAT measures. 		1 and 2 provisions identical to 02-23 (IUU List).
<p style="text-align: center;">Art. 30</p> <ol style="list-style-type: none"> 1. A non-Contracting Party vessel observed in the ICCAT area is presumed to undermine ICCAT measures. 2. Mandatory port inspection before landing. 3. Prohibition of landing at the ports of all the Contracting Parties if the fish are from the ICCAT area. 4. Results of the inspections and monitoring will be transmitted to all the Contracting Parties and the flag State. 		<p>Recommendation 98-11 Prohibition of landing and transshipment.</p> <ol style="list-style-type: none"> 1. = Recommendation 98-11 point 1. 2. = Recommendation 98-11 point 2. 3. = Recommendation 98-11 point 3. 4. = Recommendation 98-11 point 4.
Part VII - MEASURES TO COMBAT IUU FISHING		
<p style="text-align: center;">Art. 31</p> <p>List of IUU vessels.</p>		<p>Recommendation 02-23</p> <p>No longer pertinent following the adoption of Recommendation 02-23. This article could be deleted or replaced by the text of Recommendation 02-23.</p>
	Point 1 <i>iv</i>	<p>Chartering</p> <p>Eventually incorporate Recommendation 02-21 concerning the chartering of fishing vessels.</p>

4.2 Comments by the Japanese Delegation on the EC Proposal for ICCAT Control and Enforcement Scheme

1. General comments

The EC proposal is comprehensive. Japan highly appreciates EC for producing this useful document. But it seems to be too ambitious to include many elements (VMS, at-sea inspection, port inspection, etc.) into a single

volume. Since some of them are already established by the Commission and enforced, it is not appropriate to substantially amend these elements without thorough reviews on their workability. At this time, the highest priority should be placed on the at-sea inspection scheme, which ICCAT did not establish. VMS would also need a high priority. But technical review of the current pilot program of VMS is required beside the documentation of a rule.

Regarding the discussions on other items (i.e., Part V, VI, VII, and VIII), we should defer discussion on them to later opportunities, after examining the need of reconsideration on those measures currently in effect.

Since we have another paralleled work in ICCAT to compile the “Compendium” of the existing rules, it has to be decided whether a new MCS scheme should be established as an independent document, or the new elements involved in the EC proposal and reviewed by the Commission should eventually be incorporated into the Compendium. In this sense, we should clarify the task to be done in this inter-sessional meeting to avoid the duplication and inconsistency.

If we consider the at-sea inspection scheme, reference to the Article IX.3 (system of international enforcement) of the Convention may be made in order to define its status.

As a matter of formality, this document should not be looked as a new convention or agreement but as the specific rules the Commission decides. In that sense, the term “Article” in this scheme should be changed to “Rule”, “Section” or other proper low-key word (See, NAFO-CMM).

2. Boarding and inspection by international inspector

Japan regards boarding and inspection of fishing vessels as one of the most important tools to ensure compliance with conservation and management measures. In every fishing season, the Japanese authorities dispatch designated patrol vessels to the Atlantic Ocean and Mediterranean Sea to enforce ICCAT rules to Japanese fishing vessels. However, boarding and inspection is not sole effective tool but one of the options available for the enforcement activities.

Since ICCAT measures are likely to be the *de-facto* standard of international tuna management and will be used for reference in other fora, utmost care needs to be taken to develop new control and enforcement measures over fishing vessels. In particular, Japan emphasizes that “the flag CPC principle” concerning the management of fishing vessels on the high seas is a basic norm of international fisheries management. Any nation that purports to deploy its flagged fishing vessels for high seas fisheries must bear full responsibility for ensuring that its vessels flying its flag fully comply with international resource conservation and management measures.

In reality, however, the capacities of flag CPCs to control their vessels are not always at the level required for those CPCs. Enforcement activities at sea are essential to implementation of the conservation and management measures, but very costly and heavy burden of the flag CPCs. Therefore, what ICCAT needs to devise at this time is a mechanism to assist flag CPCs to fulfill their responsibility of at-sea inspection, especially for those with little capacity of at-sea inspection, so that all the vessels operating on the high seas will be subject to proper and equitable control.

This basic proposition should be applied when we consider boarding and inspection of fishing vessels. Toward the successful work of the Commission in this field, Japan would like to highlight the following three key issues regarding boarding and inspection by international inspectors:

i) High sea boarding and inspection should be conducted on the basis of the needs of inspection in an equitable manner

Boarding in the high sea area is an activity conducted usually in a rough sea condition and involves a significant danger to both boarding inspection teams and fisherman receiving them. On the other hand, boarding inspection is just one of the MCS measures which has its scope and objectives. Thus boarding inspection should be limited to the cases where boarding is needed to implement conservation and management measures. For instance, fishing areas and seasons can be monitored and controlled effectively through such other MCS measures than boarding inspection as VMS and sightings by patrol vessels and aircrafts.

Even in case where catch limits/quotas are in effect, landing inspection at ports is much more effective than boarding inspection at sea particularly for small fishing vessels producing fresh tunas and frequently returning to ports. Boarding inspection should also be avoided for those vessels.

Boarding inspection at high seas by the third party other than flag CPCs should be focused upon the fishing vessels whose flag CPCs are not capable of conducting it. Boarding by foreign inspectors is not an easy job and burdensome for fishing vessels. Language barriers pose a further difficulty and burden. It is highly desirable that flag CPCs conduct boarding inspection. At present, Japan is the only distant fishing nation that dispatches and operates patrol vessels actively for fishery surveillance in the Convention area.

Boarding inspection, if necessary, should be conducted at the same level of frequency and coverage over the fishing vessels of all CPCs. Otherwise, it is not equitable or sufficient for successful implementation of conservation and management measures agreed in the Commission. While Japan may also ask, if necessary, the third party to conduct boarding inspection where and when the Japanese patrol vessels are not available, a clear priority of the third party boarding and inspection must be given to the fishing vessels of other parties who cannot conduct it.

ii) Boarding inspection scheme should be implemented after preparatory arrangements are made among the participating parties

As already mentioned in the above, high sea boarding, particularly that by the third party is a dangerous action. To ensure safety of the vessels and human right of crew, every effort should be exhausted to make the side of fishing vessels well prepared physically and mentally for such boarding. Appropriate gears such as a safe ladder and guiding ropes are necessary to be equipped with. More importantly, mutual trust should be garnered between inspectors and the inspected before actual implementation of the boarding. For this purpose, the flag CPCs should talk with the inspecting CPCs and give in advance sufficient instructions and guidance to the fishermen involved. Therefore, prior preparatory arrangements have to be made among the participating parties.

However, this requirement should not be used as an excuse to avoid high sea boarding and inspection. The flag CPCs that have no sufficient capacity for inspection must have arrangements with those who have such capacity. Even if a flag CPC operates its patrol vessel in the Convention area, it should also have an arrangement to cover the area and period without the patrol vessel.

iii) Pre-arrangement is not necessary for boarding inspections in case of serious violations.

This requirement, however, should not hinder investigation in cases of serious violations significantly undermining the Commission conservation and management measures and requiring immediate inspection. The boarding inspection by the third party, or other prompt equivalent actions by the flag CPC should be mandatory whether or not the pre-arrangement exists. (See concept paper on the next page.)

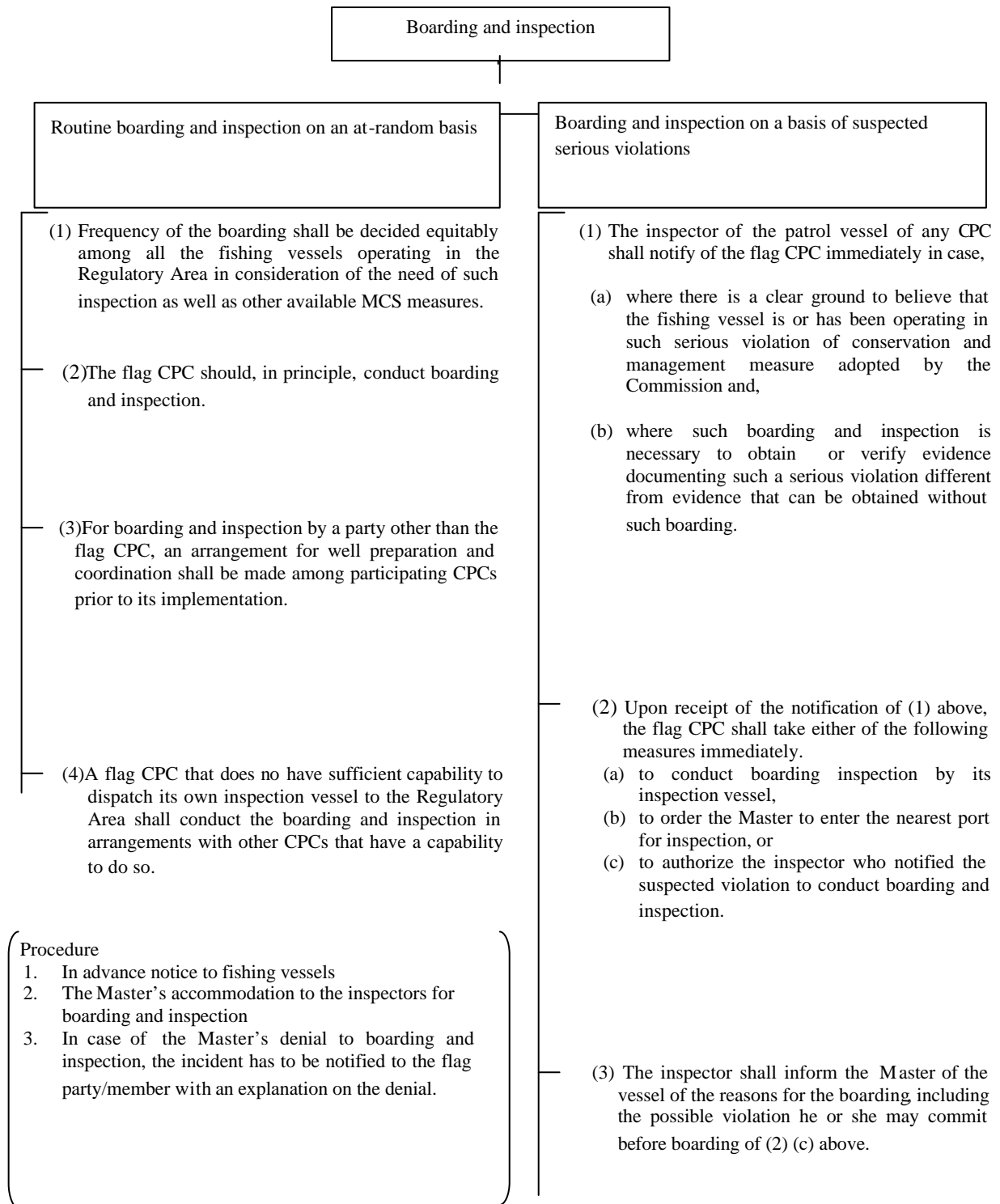
iv) Use of force should never be allowed during high sea boarding and inspection activities including stopping, slowing or boarding a fishing vessel

Even in case of serious violation requiring boarding for collection of evidences, the boarding should be accomplished not by force.

It is unnecessary to create a paragraph about the use of force, because the Scheme of Joint International Inspection and Surveillance of NAFO clearly stipulates that the use of arm in relation to the inspections is prohibited, and, in particular, the inspectors shall not carry firearms.

In case where the master of the fishing vessel refuses the boarding inspection for possible serious violations, the vessel shall be stopped through the order of the flag CPC, not by force.

Concept Paper on the Procedure for Boarding and Inspection



4.3 Letter dated May 22, 2003 to Commission Chairman from the Head Delegate of Chinese Taipei to ICCAT

I am writing this letter to inform you that we are not able to send representatives from my Agency to attend the 2003 ICCAT inter-sessional meetings to be held in Madeira from 26 to 31 of this month. The epidemic of SARS currently hitting Taipei has rendered our absence necessary to avoid jeopardizing the success of the two Working Groups' meetings by such serious disease. We are considering requesting the Taipei Economic and Cultural Center at Lisbon, Portugal, to attend the meetings instead. If they attend the meetings, please provide them assistance.

Having carefully read the materials proposed at the 13th Special Meeting of the Commission and to be discussed at the Madeira meetings, we found that there remains room for further discussion and possible revision in the several draft proposals. I could only express the major ones through this letter at this moment.

For the Meeting of the Working Group to Develop Integrated Monitoring Measures, one of the important principles has been specified in the Needs and Principles of the General Outline of the Monitoring Measures Proposed by the Working Group to Develop Integrated Monitoring Measures [see Annex 7 to the 2002 Commission Report]. That is, the monitoring measures should be applied by the Contracting Parties and by Cooperating non-Contracting Parties, Entities and Fishing Entities. This important general principle was not followed since Cooperating non-Contracting Parties, Entities and Fishing Entities were ignored in the document of the EC draft recommendation [**Appendix 4.1 to ANNEX 4.1**]. Therefore, we suggest that paragraph 1 of Article 2 of [**Appendix 4.1 to ANNEX 4.1**] should be modified into "This scheme shall apply to all fishing vessels *of Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs)* used for or intended for use for the purpose of fishing activities conducted on fisheries resources in the Convention area." The Articles thereafter concerned should include CPCs in order to respect the rights of Cooperating non-Contracting Parties, Entities and Fishing Entities. If the monitoring measures cannot be equally applied to the Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities, we have difficulty to agree on these.

Being unable to share with all the delegations verbally our views and suggestions, we consider it most appropriate to convey to you our general comments and particular suggestions for the various drafts in writing as attached. It would be highly appreciated if you could consider to accommodate our suggestions during the meetings.

As you may recall your suggestion to Mr. James Sha, our Deputy Director-General, at the 4th Prep Com Meeting of WCPFC that we will still have a chance to participate in the 2003 Commission Meeting and express our opinions. Therefore, I kindly hope that you, in the capacity of honorable ICCAT Chairman, could give our delegation a special slot of time at the 2003 Commission Meeting for further comment on the decisions made by the inter-sessional meetings.

Please accept the assurance of my highest consideration.

(signed)

Yuh-Chen Chern

Head of Chinese Taipei Delegation to ICCAT

Cc: Dr. Adolfo Ribeiro Lima, Executive Secretary of ICCAT

Outline of the Positions of Chinese Taipei for the May 2003 Meeting of the ICCAT Working Group to Develop Integrated Monitoring Measures in Relation to the EC Draft Recommendation [Appendix 4.1 to ANNEX 4.1]

1. The scheme of control and enforcement on monitoring measures should be applied by Contracting Parties as well as Cooperating non-Contracting Parties, Entities and Fishing Entities

As specified in the Needs and Principles of the General Outline of the Monitoring Measures Proposed by the Working Group to Develop Integrated Monitoring Measures [see Annex 7 to the 2002 Commission Report], the monitoring measures should be applied by the Contracting Parties and by Cooperating non-Contracting Parties, Entities and Fishing Entities. Hence, paragraph 1 of Article 2 should be modified to: "This scheme shall apply to all fishing vessels *of Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing*

Entities (CPCs) used for or intended for use for the purpose of fishing activities conducted on fisheries resources in the Convention area.” The Articles thereafter concerned should include CPCs in order to respect the rights of Cooperating non-Contracting Parties, Entities and Fishing Entities.

2. *As conducting high seas boarding and inspection procedure, the sequence should be organized as flag state duties, bilateral arrangements and ICCAT duties*

As indicated in the Needs and Principles of the General Outline of the Monitoring Measures [see Annex 7 to the 2002 Commission Report], flag state duties are one of the components of monitoring measures. The flag State should have the primary rights to take monitoring measures in regard to vessels entitled to fly its flag in the ICCAT Convention area, including conducting high seas boarding and inspection.

It should be when the flag State cannot fulfill its duty to effectively control and monitor its vessels that another State, with the flag State’s approval, may then intervene by reaching a bilateral agreement or, as indicated in this EC draft, a mutual agreement should first be concluded before such kind of boarding and inspection may be carried out.

Should a bilateral agreement still not effectively control and monitor vessels, ICCAT may finally intervene to conduct boarding and inspection procedure. An objective, impartial, and transparent procedure shall be established for inspector designated by ICCAT to observe, so as to receive trust and ensure rights and interests of inspected vessels.

3. *An ad hoc Dispute Settlement Panel shall be established for the purposes of addressing all possible disputes and damages arising from the implementation of the boarding and inspection procedure under this scheme.*

Boarding and inspection is an issue of high sensitivity. It can be expected that all members of the Commission will have a strong opinion towards this scheme. Our main concern is that implementation of this boarding and inspection scheme, by the nature of things, will lead to a lot of disputes. There shall be prompt and efficient remedies for the damages suffered by fishing vessels and their crew. As a result, it is preferable to establish an *ad hoc* panel specifically designated for the purpose of settling disputes arising from the implementation of this scheme and awarding the damages to those who are unjustifiably suffering.

4. *Transmission of information by the satellite-tracking device shall be at least every 24 hours, and the device shall be repaired or replaced within two months.*

Paragraph 3, Article 9, establishes that the transmission of information by satellite tracking device shall be at least every six hours, and the devices shall be repaired or replaced within one month. As we know, the moving of tuna longline fishing vessels is relatively slow. Therefore, transmitting the information required by ICCAT at least 24 hours is appropriate and at the same time without disturbing the normal operation of vessels. Further, repair or replacement of the device sometimes needs assistance from transport vessels or other fishing vessels to transport a new device. Prolonging the limit period from one month to two months is recommended.

Appendix 5 to ANNEX 4.1

Draft Recommendations

5.1 Draft Recommendation by ICCAT Concerning the Duties of Flag States in Relation to their Vessels Fishing in the ICCAT Convention Area

In accordance with the Needs and Principles set forth in the General Outline of Integrated Monitoring Measures Adopted by ICCAT in 2002 to ensure effective monitoring measures;

Considering the deliberations of the ICCAT Working Group to Develop Integrated Monitoring Measures held in Madeira from 26 to 28 May 2003;

The International Commission for the Conservation of Atlantic Tunas (ICCAT) Recommends that:

1. In order to control vessels entitled to fly their flags in the ICCAT Convention Area, flag Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as “CPCs”) shall:
 - a) adopt measures so that their vessels comply with and do not undermine ICCAT conservation and management measures;
 - b) authorize their vessels to fish in the ICCAT Convention Area by means of fishing authorizations, licenses, or permits;
 - c) ensure they do not authorize their vessels to fish in the ICCAT Convention Area unless they are able to effectively exercise their responsibilities in respect of such vessels, including monitoring and controlling their fishing activities;
 - d) ensure that their vessels do not conduct unauthorized fishing within areas under the national jurisdiction of other States, through appropriate cooperation with coastal States concerned, and other relevant means available to the flag State;
 - e) require their vessels fishing on the high seas to carry the license, authorisation or permit on board at all times and to produce it on demand for inspection by a duly authorized person;
 - f) investigate, follow-up and report on actions taken in response to an alleged violation by a vessel.]
2. Each flag CPC shall establish a national record of fishing vessels entitled to fly its flag and authorized to fish in the ICCAT Convention Area, which should include vessels of other States authorized under charter agreements, and transmit this information to ICCAT.]
3. Each flag CPC shall ensure that its fishing vessels authorized to fish in the Convention Area , as well as their fishing gears, are marked in such a way that they can be readily identified in accordance with generally accepted standards such as the FAO standard specification for the marking and the identification of fishing vessels.

5.2 Draft Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area

In accordance with the Needs and Principles set forth in the *General Outline of Integrated Monitoring Measures Adopted by ICCAT* in 2002 to ensure effective monitoring measures;

Considering the deliberations of the ICCAT Working Group to Develop Integrated Monitoring Measures held in Madeira from May 26 to 28, 2003;

The International Commission for the Conservation of Atlantic Tunas (ICCAT) recommends that:

[Each flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (CPC) shall ensure that all fishing vessels flying its flag and authorized to fish in the Convention Area keep a [bound] fishing logbook. Fishing logbook shall record the information required in the “*ICCAT Field Manual for Statistics and Sampling.*”]

5.3 Draft Recommendation by ICCAT Concerning the Establishment of a Vessel Monitoring System in the ICCAT Convention Area

In accordance with the Needs and Principles set forth in the *General Outline of Integrated Monitoring Measures Adopted by ICCAT* in 2002 to ensure effective monitoring measures;

Considering the deliberations of the ICCAT Working Group to Develop Integrated Monitoring Measures held in Madeira from 26 to 28 May 2003;

Recognizing the developments in satellite-based vessel monitoring systems (VMS), and the possible utility within in ICCAT;

The International Commission for the Conservation of Atlantic Tunas (ICCAT) recommends that:

1. Each flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereinafter referred to as “CPC”) shall implement no later than (at a date to be decided by the Commission) a Vessel Monitoring System (hereinafter referred to as VMS) for its fishing vessels exceeding 20 metres between perpendiculars or 24 metres length overall and:

- a) Require its fishing vessel to be equipped with an autonomous system able to automatically transmit a message to the land-based Fisheries Monitoring Centre (hereinafter referred to as FMC) of the flag CPC allowing a continuous tracking of the position of a fishing vessel by the CPC of that fishing vessel.
 - [b) Ensure that the satellite tracking device fitted on board the fishing vessels shall enable the vessel to continuously collect and transmit, at any time, to the FMC of the flag CPC the following data:
 - i) the vessel's identification;
 - ii) the most recent geographical position of the vessel (longitude, latitude) with a margin of error lower than 500 metres, with a confidence interval of 99%;
 - iii) the date and time of the fixing of the said position of the vessel.
 - iv) the vessel's speed and direction.]
2. Each CPC shall take the necessary measures to ensure that the FMC receives through the VMS the messages required in paragraph 1.b).
 - [3. Each CPC shall ensure that the masters of fishing vessels flying its flag shall ensure that the satellite tracking devices are permanently operational and that the information identified in paragraph 1.b) is transmitted [at least every 6 hours]. In the event of a technical failure or non-operation of the satellite-tracking device fitted on board a fishing vessel, the device shall be repaired or replaced within one month. After this period, the master of a fishing vessel is not authorized to commence a fishing trip with a defective satellite-tracking device. Furthermore where a device stops functioning or has a technical failure during a fishing trip lasting more than one month, the repair or the replacement has to take place as soon as the vessel enters a port; the fishing vessel shall not be authorized to [continue or] commence a fishing trip without the satellite tracking device having repaired or replaced.]
 4. Each CPC shall ensure that a fishing vessel with a defective satellite tracking device shall communicate, at least daily, reports containing the information in paragraph 1.b) to the FMC by other means of communication (radio, telefax or telex).
 5. Until (at a date to be decided by the Commission) fishing vessels referred to in paragraph 1 which are not yet equipped with VMS shall report by radio, telefax or telex including, *inter alia*, information on the official numbers (radio call sign and registration number), the name of the fishing vessel, message sequence number, type of message, the date, the time (UTC) and the geographical position (latitude and longitude) when transmitting the report, to their competent authorities, as well as:
 - a) the geographic position at the beginning of the fishing operation;
 - b) the geographic position at the end of the fishing operation.
 6. CPCs are encouraged to extend the application of this Recommendation to their fishing vessels of less than 20 metres between perpendiculars or 24 metres length overall if they consider this to be appropriate to ensure the effectiveness of ICCAT conservation and management measures.

4.2 REPORT OF THE 1ST MEETING OF THE WORKING GROUP ON PROCESS AND CRITERIA FOR THE ESTABLISHMENT OF IUU TRADE RESTRICTIVE MEASURES (*Funchal, Madeira, 29-30 May 2003*)

1. Opening of the Meeting

The meeting was opened by M. Miyahara, ICCAT Chairman. He welcomed all participants. (The list of participants is attached as Appendix 2 to the Report of the 3^d Meeting of the Working Group to Develop Integrated Monitoring Measures, ANNEX 4.1.)

2. Election of the Chairman

Ms. Kimberly Blankenbeker, Chair of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), was elected as meeting Chair.

3. Adoption of the Agenda

The Chair proposed that the Agenda, which had been previously circulated, be amended to include a new item to review the Working Group's Terms of Reference (**Appendix 1 to ANNEX 4.2**). The Chair explained that the review was intended to remind participants of the mandate in preparation for subsequent discussions. The Chair also suggested that the two items on "review of current ICCAT process" and "further developments for the imposition/removal of trade restrictive measures" be dealt with together, since the documents that were tabled (**Appendix 2 to ANNEX 4.2**) also dealt with these issues together. The Working Group accepted these proposals.

4. Appointment of the Rapporteur

The Secretariat was appointed Rapporteur.

5. Review of the Terms of Reference

The meeting Chair reviewed the Working Group's mandate, contained in the *Resolution by ICCAT Regarding Process and Criteria for ICCAT IUU Trade Restrictive Measures* [Ref. 02-27]. Participants noted that the Commission, at its 2002 annual meeting, had focused its efforts to fight Illegal, Unreported and Unregulated (IUU) fishing on the development of the so-called "positive" and "negative" vessel lists and, therefore, it had to postpone discussions of trade sanctions until 2003. The ICCAT Chairman stated his view that more clarity was necessary about the process leading up to the imposition of trade restrictive measures in order for the Compliance Committee and PWG to carry out their work more effectively.

6. Review of current ICCAT process for the imposition/removal of trade restrictive measures

The Chair explained that the current ICCAT process to combat illegal activities relies primarily upon five ICCAT instruments:

- (1) The 1994 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* (BFT Action Plan [Ref. 94-3]),
- (2) The 1995 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* (SWO Action Plan [Ref. 95-13]),
- (3) The 1998 *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* (UU Catches Resolution [Ref. 98-18]),
- (4) The 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Ref. 96-14], and
- (5) The 1997 *Recommendation by ICCAT Regarding Compliance in the South Atlantic Swordfish Fishery* [Ref. 97-8].

The Chair also explained that (1) to (3) above relied upon information showing that particular actions would diminish the effectiveness of ICCAT's conservation and management measures. There is concern that the BFT and SWO Action Plans contemplate the taking of trade restrictive measures against non-Contracting Parties, Entities or Fishing Entities without cooperating status (NCPs) but is not clear about the application of trade measures against Contracting Parties. On the other hand, the UU Catches Resolution clearly contemplates the taking of trade restrictive measures against both NCPs, and Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs).

The Chair summarized the process leading up to the imposition/lifting of sanctions that has been used by the Commission in the past.

7. Further developments for the imposition/removal of trade restrictive measures

and

8. Consideration of all relevant factors

During initial discussions of these Agenda Items, participants expressed some degree of frustration with the current ICCAT criteria and procedures. The Working Group agreed that its mandate required work at two levels: first, to fulfill a more immediate need aimed at defining more clear procedures for implementing already-existing ICCAT instruments; and, second, to consider the development of a new instrument that would be more comprehensive and that would be applicable irrespective of species, gear, or membership status. The Working Group agreed that the first need would be the priority for the meeting.

The Delegate from EC introduced a document that contained two draft Resolutions (see Appendix 4.7 to Annex 5 of the 2002 Commission Report). The Delegate explained that these proposals were an example of a more comprehensive approach for developing clear and consistent procedures for trade restrictive measures. The Delegate noted that these proposals had already been presented at the 2002 inter-sessional meetings in Tokyo and at the 2002 Commission Meeting, but that their consideration had been postponed until the current meeting.

Some delegations expressed support for the approach taken by the EC as a way to make progress in the longer term and encouraged the EC to focus on elements that would fill existing gaps. The EC delegate noted that several provisions in their proposal needed to change in order to reflect some of the instruments adopted by ICCAT in 2002. The EC delegate stated his view that the Working Group should take on a stepwise approach rather than continue the current piece-meal one. The Working Group discussed whether or not members and non-members should be evaluated using different criteria and whether ICCAT's trade-related instruments should be Resolutions or Recommendations. Differing views were expressed on these points and all agreed to consider these issues further. The EC noted its intent to table modified proposals at the 2003 meeting of the Commission that give due consideration to the provisions of the "negative" list adopted by ICCAT in 2002. Some parties expressed a preference that a single comprehensive document be developed, if possible.

The Delegate of Japan introduced document which had been originally presented by Japan at the 2002 Commission meeting and which had been modified with suggestions by Canada and USA (see Annex 9.3 of the 2002 Commission Report). The delegate explained that the proposal was intended to develop more clear procedures and criteria for implementing the BFT and SWO Action Plans and the UU Catches Resolution. The delegate referred to the difficulties that can occur when a non-Contracting Party becomes an ICCAT member in order to avoid trade sanctions, as illustrated in Figure 1 of the document. He underscored the need to settle this issue. He also stressed the need to be able to maintain an initial identification against a country or to return a sanctioned country to identified status to speed the taking of trade action where warranted. The Delegate noted that Figure 2 in the same Appendix was a schematic of how the proposed Resolution would operate.

With regard to the interim step of streamlining and clarifying ICCAT's current trade-related proposals, the Working Group agreed to use the Japan/Canada/USA proposal as the basis for work, using square brackets to mark text around which there was no consensus. The EC delegate stated that while his delegation would contribute to this work, he had reservations about the approach and would thus consider the entire text to be within brackets.

Development of a draft Resolution

Starting from the Japan/Canada/USA document, participants worked on the elaboration of a Draft Resolution by ICCAT on Supplementary Procedures for ICCAT Trade-related Measures (attached as **Appendix 3 to ANNEX 4.2**). The following are some of the major issues discussed during this exercise:

– *The relative importance of trade restrictive measures with respect to other tools for combating illegal fishing.* Participants noted that, consistent with FAO's *International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*, trade restrictive measures should be used in a manner that recognizes the rights of states to trade fish and fish products. Several participants advocated the notion that, for CPCs, trade restrictive measures should be used as a last resort after other tools (e.g., reductions in quota allocations) have proved to be unsuccessful (see paragraph 6.bis). There was significant debate as to the appropriateness of including this idea, which some viewed as a substantive policy issue rather than one of procedure. It was suggested that such a notion simply defined more clearly the notion of “effective measures” as set out in paragraph 5 of the UU Catches Resolution. At least one party noted that this concept was of such importance that it would have to be incorporated, if not into the current document, into ICCAT’s trade regime in some way - otherwise the present document would not be acceptable.

– *Specificity.* Several participants stated their view that trade restrictive measures should not be limited to particular fisheries such as large-scale tuna longline vessels (LSTLVs) targeting a particular species (see paragraph A). However, the ICCAT practice to-date has been to develop specific instruments to deal with specific conservation issues; as cases of illegal fishing by large-scale longline vessels and illegal fishing of bluefin tuna and swordfish have been well documented, the existing Action Plans were developed to fight these cases.

– *Treatment of Parties.* Some delegations expressed the view that different criteria should be applied when evaluating the fishing activities of CPCs and NCPs. Others felt it was more appropriate to have one set of criteria for the purposes of the current exercise. The two alternatives for paragraph B.2 reflect these differing views.

– *The process of Identification.* Several participants stated their view that the Identification process in the UU Catches Resolution could be confusing. In this respect, the draft document refers to specific paragraphs in the UU Catches Resolution (e.g., paragraphs B.3 and B.4 refer to paragraph 2 in the UU Catches Resolution). However, one delegation questioned whether the text should refer to a different paragraph (paragraph 4 of the UU Catches Resolution, instead of paragraph 2).

– *Recurring illegal fishing activities.* Several participants stated that once trade restrictive measures are lifted for a given party, then the entire process would need to be re-initiated from the beginning in case of a repeat offense. In other words, to be consistent with international law, the lifting of sanctions should be unconditional. Other participants argued that if the type of repeat illegal fishing activities was the same, then the process should be initiated at the stage of Identification pursuant to paragraph 2 of the UU Catches Resolution (see paragraph 9). They highlighted the difficulty in obtaining data and assessing flag state control when a country is under sanction and the lengthy time needed to recommend sanctions if the process returns to the beginning.

– *The behavior of vessels and the behavior of States.* Some delegations argued that the criteria being discussed under paragraph B.2 referred to the behavior of vessels, and that it would be more appropriate to develop criteria to reproach States for not controlling their vessels. Other participants noted that existing instruments use criteria at the vessel level to help evaluate the how a flag state is carrying out its duties and therefore this draft proposal should aim to clarify those vessel-level criteria.

– *Scope of proposal.* Several participants expressed concern that the intent of paragraph C was not clear. The Chair explained that the intent of the paragraph was not to supplant the BFT and SWO Action Plans, but rather to ensure that when these Action Plans are being implemented, the provisions under paragraph B of the current proposal be taken into account. It was noted that gaps in the coverage provided by the various Action Plans existed because not all fisheries and all species were contemplated (the SWO and BFT Action Plans cover these two species for all gears, and the UU Catches Resolution covers all species for LSTLVs only). The delegate of Japan stated that if the UU Catches Resolution were amended to cover other types of large-scale vessels, then paragraphs A and C would not be necessary.

– *Binding nature of the instruments.* The Working Group noted that non-binding Resolutions have provided a foundation upon which binding trade action has been taken. Some parties stated their preference for developing binding Recommendations for this purpose. Several participants stated that the CPCs issues in paragraph 6.bis would be best addressed through a Recommendation such as the compliance instruments for bluefin tuna and swordfish [Ref. 96-14 and Ref. 97-08], appropriately amended.

Consideration of other non-compliance issues

The Working Group discussed the problem of CPC activities that diminish the effectiveness of ICCAT conservation measures, but which are not directly contemplated by the existing compliance recommendations. The Delegate of Japan stated that the Commission might want to consider extending the compliance Recommendation [Ref. 96-14] to cover tropical species such as bigeye tuna. Such an extension could provide an effective instrument for dealing with violations such as those by Ghana. Alternatively, he suggested a way forward might be the expansion of the UU Catches Resolution to all large-scale vessels. The delegate of the EC stated that, at the last Commission meeting, his delegation had proposed taking action against Ghana in response to multiple violations of ICCAT conservation measures. He stated that ICCAT has full authority to enforce its regulations as is contemplated under Article IX, paragraph 3 of the Convention.

In response to a question about information requested by the Commission of Ghana in respect of its compliance with the *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregation Devices* [Ref. 99-01], the Executive Secretary stated that a letter had just been received and that it would be translated and circulated to Contracting Parties immediately after the meeting.

The Working Group agreed that this issue would need to be considered fully at the 2003 Commission meeting.

9. Consideration of additional measures for listing and de-listing IUU Fishing activities

The Working Group agreed that the Commission should consider, at its 2003 meeting, whether to extend 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* [Ref. 02-23] so that it would cover (a) vessels other than large-scale longliners, and (b) Contracting Parties.

10. Future work program

The Chair noted that much work remained to be done before the 2003 meeting of the Commission. She encouraged parties to consult with each other in order to make the draft Resolution (**Appendix 3 to ANNEX 4.2**) acceptable to all Contracting Parties so that it could be considered for adoption by the Commission early in the 2003 meeting and used by the PWG and Compliance Committee. In addition, she asked that parties consult in the drafting of additional Resolutions and Recommendations that would close existing gaps. Such work may include:

- Drafting a new measure that specifies the various tools for dealing with CPCs and the priority with which the different instruments should be applied.
- Extending the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Ref. 96-14] to species other than bluefin tuna and swordfish, such as bigeye tuna.
- Extending 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* [Ref. 02-23] to vessels other than large-scale longliners and to Contracting Parties.
- Extending the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18] to cover other types of vessels.
- Discussing the legal ramifications of using Resolutions or Recommendations.

Considering the need to develop a more comprehensive approach to trade restrictive measures, the Working Group recommended to the Commission that it continue its work in the future. The Working Group expressed concern that few Contracting Parties were present at the meeting and hoped for broader participation in the future.

11. Other business

No other business was discussed.

12. Adoption of the report

The Chair explained that the report would be adopted by mail. The Report was subsequently adopted by mail, and the Commission adopted the Report at its the 18th Regular Meeting (17-24 November 2003).

13. Adjournment

Participants commended the Chair for her excellent guidance and all the effort spent in leading the discussions. The outstanding efforts of the Secretariat and the interpreters were recognized. The meeting was adjourned.

Appendix 1 to ANNEX 4.2

Agenda

1. Opening of the Meeting
2. Election of the Chairman
3. Adoption of the Agenda
4. Appointment of the Rapporteur
5. Review of the Terms of Reference
6. Review of current ICCAT process for the imposition/removal of trade restrictive measures
7. Further developments for the imposition/removal of trade restrictive measures
8. Consideration of all relevant factors
9. Consideration of additional measures for listing and de-listing IUU Fishing activities
10. Future work program
11. Other business
12. Adoption of the report
13. Adjournment

Appendix 2 to ANNEX 4.2

Documents Submitted for Discussion

- Criteria for the Imposition and Removal of Trade Restrictive Measures for Consideration submitted by Canada (see Appendix 4.6 to Annex 5 of 2002 Commission Report)
- Trade Measure Proposal by EC and Explanatory Memorandum (see Appendix 4.7 to Annex 5 of 2002 Commission Report)
- Draft Resolution by ICCAT on the Introduction of Supplementary Procedure on ICCAT Trade-related Schemes proposed by Japan, Canada and the United States and Explanatory Memorandum Presented by Japan on the Proposed Resolution (see Annex 9.3 of the 2002 Commission Report)
- Summary of Historical Actions Taken by the Commission (see **Appendix 2 to ANNEX 10**)
- Canada's Table Comparing Trade Measure Instruments (see Appendix 4.8 to Annex 5 of 2002 Commission Report)
- Outline of the Positions of Chinese Taipei for the 2003 Meeting of the ICCAT Working Group on Process and Criteria for the Establishment of IUU Trade Restrictive Measures (see text following)

1. It is necessary for the resulting draft document to be capable of fitting in with the existing ICCAT measures and serving as a truly supplementary tool, instead of creating a brand new measure.

The mandate of this Working Group meeting is to develop criteria and a process for the fair, transparent, and consistent application of the existing ICCAT measures, including trade restrictive measures, to prevent, deter and

eliminate IUU fishing. It reminds us of the main focus of such a meeting, namely, the creation of procedural rules (to deliberate on criteria and procedure), instead of making new substitutive law (measures to counter IUU fishing). In this context, we support the idea underlying the Japan/Canada/U.S. draft resolution, i.e., to create a transparent and fair procedure to supplement the existing UU Catches Resolution. Meanwhile, we appreciate the EC's efforts in providing two draft resolutions to give separate treatment to non-Contracting Parties, on the one hand, and Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities on the other hand. The differential approach by the EC is commendable for meeting one of the mandates of such a Working Group, namely, to lay out the differences between Contracting Parties and non-Contracting Parties. We are fully aware of the possible compromise between two such kinds of approaches in the course of the Working Group meeting. To be emphasized, whatever way the Working Group meeting should decide to take, it is necessary that the resulting draft document be capable of fitting in with the existing ICCAT measures and serve as a truly supplementary tool, instead of creating a brand new measure.

2. Any criterion which is by nature vague and incapable of objective judgment cannot serve as a useful tool for imposing TRM fairly, transparently, and consistently.

Among the mandates of the Working Group meeting is the further development and elaboration of criteria allowing for the imposition or removal of trade restrictive measures (TRM) in a fair, transparent, consistent and non-discriminatory manner. Any criterion that is by nature vague and incapable of objective judgment, cannot serve as a useful tool for imposing TRM fairly, transparently and consistently. The criteria listed in paragraph B.2 (h) of the Japan/Canada/U.S. (see Annex 9.3 of the 2002 Commission Report) draft resolutions as well as in paragraph 3(f) of the EC draft resolution (see Annex 9.1 of the 2002 Commission Report) cannot be evaluated by any objective standard. Such criteria, being in conflict with the guiding principle underlying the above mandate, should be deleted to avoid jeopardizing the integrity of such draft resolution.

3. Inherently the making of the list of certain activities diminishing the effectiveness of ICCAT conservation measures is to list out clear criteria. It is inappropriate to employ the catchall provision.

Under the above-mentioned mandate, the *raison d'être* of paragraph B of the Japan/Canada/U.S. draft resolution (Annex 9.3 of the 2002 Commission Report) is to list certain irregular activities commonly considered to reach the higher level of seriousness so as to justify the imposition of the grave trade restrictive measures (TRM). Inherently, the making of the list of certain activities diminishing the effectiveness of ICCAT conservation measures is to list out clear criteria. It is inappropriate to employ the catchall provision like sub-paragraph 2(g). For the sake of consistency in the logic of paragraph B, we suggest that sub-paragraph 2(g) be deleted.

4. The larger vessels are capable of posing much greater threat to fisheries resources management. They should be dealt with by ICCAT as a matter of urgency.

With respect to the vessels to be regulated by the various draft resolutions, there are two approaches to be considered. One is the EC approach that focuses on all fishing vessels. The other approach adopted by the Japan/Canada/U.S. draft resolution is to apply their Supplementary Procedure to LSTLVs. We are of the opinion that vessels larger than 24 meters in length should be the target of ICCAT regulations to be adopted by the Working Group meeting. Since large-scale vessels are capable of posing much greater threat to fisheries resources management, they should be dealt with by ICCAT as matter of urgency.

5. The composition of Compliance Committee should reflect the basic principle of universal participation.

A designated Compliance Committee with the authority to identify any offence of the ICCAT cannot exclude all interested parties in ICCAT from participating in its operation. Thus, we strongly suggest that, apart from Contracting Parties of ICCAT, Cooperating non-Contracting Parties have a meaningful and constructive position in the Compliance Committee.

6. The national implementation of ICCAT's recommendation using trade sanctions should be under a proper supervision. A dispute settlement mechanism among Parties over the imposition of trade-related measures should be formulated.

Certainly, the use of trade measures is unable to achieve its goal without national enforcement action. In order to deter the abuse of such means and to prevent undesirable trade barriers, a more delicate device should be formulated to supervise any individual trade ban. In addition, as the international community generally prefers multilateral approach to unilateral measure, we are of the view that any members of ICCAT should refrain from

invoking unilateral trade measures without the proper supervision of the Commission. Ideally, a dispute settlement mechanism among Parties and interested Parties over the imposition of trade-related measures should be formulated.

7. ICCAT should note seriously the relationship between its compliance mechanism invoking trade sanctions and trade rules of WTO.

Trade restrictive measures, according to ICCAT's draft resolution, will be applied in a non-discriminatory manner. Nonetheless, such, measures, usually in the form of an import ban, would be arguable in conflict with Quantitative Restrictions set in Article XI of the GATT 1994. It remains unclear whether the measures may qualify as general exceptions in Article XX mainly because no similar dispute has been brought to the WTO. It should be noted that the WTO has noticed the use of trade measures by environmental organizations, including ICCAT. To secure the mutual supportiveness of two institutions, exchange of relevant information regarding the invocation of trade restrictive measures is essential. We, nevertheless, would like to remind the Commission that the approval of the procedure of applying trade sanctions by all ICCAT members might not necessarily guarantee the eventual justification under specific WTO rules.

Appendix 3 to ANNEX 4.2

Draft Resolution by ICCAT on Supplementary Procedures for ICCAT Trade-related Measures

Recalling the Commission's 1994 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* (BFT Action Plan: [Ref. 94-3]), the 1995 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* (SWO Action Plan: [Ref. 95-13]), the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* (Compliance Recommendation: [Ref. 96-14]), the 1997 *Recommendation by ICCAT Regarding Compliance in the South Atlantic Swordfish Fishery* (Compliance Recommendation [Ref. 97-08]), and the 1998 *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* (UU Catches Resolution: [Ref. 98-18]);

Also recalling the 2001 *Resolution by ICCAT Concerning More Effective Measures to Prevent, Deter and Eliminate IUU Fishing by Tuna Longline Vessels* [Ref. 01-19];

Noting the adoption of *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* [Ref. 02-22] in its 2002 meeting;

Noting that trade restrictive measures should be implemented only as a last resort, where other measures have proven unsuccessful to prevent, deter and eliminate IUU fishing;

Also noting that trade restrictive measures should be adopted and implemented in accordance with international law, including principles, rights and obligations established in WTO Agreements, and implemented in a fair, transparent and non-discriminatory manner.

The International Commission for the Conservation of Atlantic Tunas (ICCAT) resolves that;

- A. As far as the fishing activities are conducted by Illegal, Unreported and Unregulated (IUU) large-scale tuna longline vessels (LSTLVs), the UU Catches Resolution, instead of the BFT and SWO Action Plans, should be applied to the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter "CPCs") and non-Contracting Parties, Entities or Fishing Entities without cooperating status (hereinafter "NCPs") exploiting Atlantic bluefin tuna and swordfish. For the purpose of this paragraph, the CPCs and NCPs which have already been sanctioned pursuant to the three schemes (94-3, 95-13, and 96-14) because of the fishing activities by their LSTLVs are deemed to be sanctioned pursuant to the UU Catches Resolution.]
- B. The following supplementary procedures should be applied in implementing the UU Catches Resolution:
 - 1. In making identifications and deciding whether to recommend that trade restrictive measures be imposed, the Compliance Committee and/or PWG should take into consideration any relevant matters, including the nature, circumstances, extent, and gravity of fishing activities that may have diminished the effectiveness of ICCAT conservation and management measures.

- [2. The Compliance Committee and/or the PWG should identify CPCs and NCPs which diminish the effectiveness of ICCAT conservation and management measures if, *inter alia*, there is evidence that their LSTLVs:
- a) Harvest tunas and tuna-like species in the ICCAT Convention area and are not included in the ICCAT Record of vessels authorized to operate in the Convention area,
 - b) Harvest tuna and tuna-like species in the Convention area, when the CPCs do not have any 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, [and/or]
 - f) Use prohibited fishing gear in contravention of ICCAT conservation measures,
 - [g) Conduct any other fishing activity in contravention of ICCAT conservation and management measures, and/or
 - h) Are not controlled effectively by their flag CPC or NCP.]]
- [2. alternative. The Compliance Committee should identify CPCs which diminish the effectiveness of ICCAT conservation and management measures if, on the basis of the information received under paragraph 1 of Resolution 98-18 or under any other ICCAT relevant instrument, there is, *inter alia*, evidence that:
- a) they repeatedly fail to submit Task I data to the Commission or,
 - b) they repeatedly fail to fulfill their obligations to take the necessary measures to ensure that vessels flying their flag do not engage in or, as appropriate, discontinue fishing activities which contravene ICCAT conservation and management measures;
- The PWG should identify NCPs which diminish the effectiveness of ICCAT conservation and management measures if, on the basis of the information received under paragraph 1 of Resolution 98-18 or under any other ICCAT relevant instrument, there is, *inter alia*, evidence that:
- a) they do not cooperate with ICCAT in providing relevant catch data to the Commission or,
 - b) they fail to fulfill their cooperation obligation by not taking measures to ensure that vessels flying their flag discontinue or, as appropriate, do not engage in fishing activities referred to in paragraph 1 of Recommendation 02-23.]
3. When the Commission requests a CPC or NCP under the identification made pursuant to paragraph 2 of the UU Catches Resolution, “to take all necessary measures so as not to diminish the effectiveness of the ICCAT conservation and management measures,” the Commission should notify it of the following:
 - a) the reason(s) for the identification with all available supporting evidence;
 - b) an opportunity for the identified CPC or NCP to submit its opinion to the Commission in writing [number] days prior to the Annual meeting of the Commission regarding the identification (e.g., evidence refuting the identification, action plan and implementation for the improvement and/or its result, etc.); and
 - c) in the case of a NCP, an invitation to participate as an Observer at the Annual meeting where the issue will be discussed.
 4. The Executive Secretary should, by more than one means, transmit the Commission’s request to the authority of the identified CPC or NCP. The Executive Secretary should seek to obtain confirmation from the CPC or NCP under the identification made pursuant to paragraph 2 of the UU Catches Resolution that it received the notification.
 5. The Contracting Parties should jointly and individually request identified CPCs and NCPs to rectify their fishing activities so as not to diminish the effectiveness of ICCAT conservation and management measures.
 6. In reviewing the circumstances of CPCs or NCPs after the identification made pursuant to paragraph 2 of the UU Catches Resolution, those CPCs or NCPs that have or have not rectified their fishing activities in accordance with the request of the Commission should be subject to one of the following actions:
 - a) Trade restrictive measures
 - b) Continuation of identification status: subject to annual monitoring
 - c) Lifting of identification status
 - [6.bis. In the case of CPCs, to the extent possible, penalties related to the reduction of existing quotas or catch limits should be used in the first instance. Only after all existing tools have been exhausted, consideration should be given to the application of trade restrictive measures. The application of penalties related to the reduction of existing quotas or catch limits should be extended to other activities which diminish the effectiveness of ICCAT conservation and management measures, besides catches above quotas or catch limits.]
 7. The Commission should notify the CPCs and NCPs identified in paragraph 6 above of the actions envisioned to be taken against them, in accordance with the procedure specified in paragraph 3 and 4 above.

8. In order for the Commission to recommend the lifting of the identification status or of the trade restrictive measures, the Compliance Committee and/or the PWG should review annually whether the situation leading to the identification and/or the trade restrictive measure has been rectified by the CPC or NCP. Such decision should also take into consideration whether the achieved improvement will be properly maintained in the future by taking concrete actions.
 - [9. When the Compliance Committee and/or the PWG identifies that the CPC or NCP from which trade restrictive measures have been lifted, again diminishes the effectiveness of ICCAT conservation and management measures in the same manner as when the trade restrictive measures were previously taken for that CPC or NCP, the Commission should decide on appropriate action in accordance with paragraph 6 above. Before making this decision, the Commission should request the CPC or NCP concerned to present its explanation on its fishing activities.]
- [C. The procedures described in the section B above should, *mutatis mutandis*, be applied to the consideration of measures against non-Contracting Parties under the Bluefin tuna and Swordfish Action Plan Resolutions.]

4.3 REPORT OF THE AD HOC DATA WORKSHOP (Madrid, Spain, 11 October 2003)

1. Opening of the Meeting

The Executive Secretary, Dr. Adolfo R. Lima, opened the *Ad Hoc* Data Workshop (“the Workshop”). Dr. Lima thanked the participants for attending.

The Workshop was convened in response to the *Resolution by ICCAT for a Data Workshop* [Ref. 02-30] (see **Appendix 3 to ANNEX 4.3**).

Six Contracting Parties and one Cooperating non-Contracting Party, Entity or Fishing Entity were in attendance (23 participants). The List of Participants is attached as **Appendix 2 to ANNEX 4.3**. Concern for the low participation in the Workshop was expressed by several delegations, and it was recommended that this type of meeting, in future, should be held in conjunction with the Commission meeting in order to improve participation. The European Community regrets the poor participation of the Contracting Parties at this meeting, which weakened the extent of recommendations to the Workshop since they could not be discussed by all the Parties.

2. Election of the Chairman

The United States proposed and the Workshop agreed that the SCRS Chairman, Dr. Joao Pereira, chair the session.

3. Appointment of the Rapporteur

The ICCAT Secretariat served as Rapporteur of the meeting.

4. Adoption of the Agenda

The Agenda was modified slightly and adopted (**Appendix 1 to ANNEX 4.3**).

5. Review of data deficiencies, by species and considerations relating to catch data

5.1 Reports of the Secretariat and the SCRS Chairman

Dr. Victor Restrepo presented SCRS/2003/021. This paper provided an overview of data deficiencies for the major species assessed by ICCAT. The review focused on the data available at the ICCAT Secretariat, with emphasis on reported catches, size samples and catch/effort data. The document showed that there is poor coverage in size/area/effort for many species. Furthermore, a substantial part of the total landings by species is reported after the deadlines set by the Commission.

The SCRS Chairman noted that on 4 October 2003, a group of scientists met at the ICCAT Secretariat to discuss issues related to the Workshop. He presented his summary of the conclusions reached at that meeting. In doing so he commented on the Secretariat’s document and presented some additional data to augment it.

He noted that the Secretariat’s document stands on its own as a general summary of the data held institutionally by ICCAT. The paper was prepared intentionally on a very aggregated level in order to avoid discussions by country and to focus instead on individual species.

The SCRS Chairman noted that the Secretariat’s paper contained several important conclusions. One of them, crucial to the terms of reference for the Workshop, is the fact that ICCAT as an institution has practically no mechanisms for validating the data that are submitted to it. Therefore, the trustworthiness of the data held by the Secretariat depends overwhelmingly upon the quality control mechanisms at the source of the data.

Another important conclusion, based on partial responses to a Survey on Statistic Collection Systems circulated by the Secretariat, indicates that many countries with important tuna fisheries do not have the data collection programs in place that are required or recommended by ICCAT. The Secretariat’s paper also demonstrated

several problems that are a direct consequence of poor data coverage. For example, for some species, a significant part of the size data (Task II) needs to be constructed (“substituted”) based on assumptions; if the coverage of observations was improved, there would not be a need to make so many substitutions.

Finally, the Secretariat’s paper showed that many countries submit their data after the deadlines. Also it often happens that major historical data revisions are submitted during the stock assessment sessions, long after the deadlines. This practice is disruptive to the conduct of the meetings where many analyses are conducted sequentially; a late data revision can be a cause for mistakes that propagate through the analyses in the meeting.

The Chairman noted that, as mentioned in the Secretariat’s paper, many countries appear not to have the data collection programs that are necessary for providing detailed statistics to ICCAT. Lack of capacity could range from lack of data collection infrastructure to lack of resources for sending scientists to meetings. Dr. Pereira recommended that ICCAT should investigate ways of finding resources for capacity-building.

5.2 Review of responsibilities for providing data

The Secretariat informed the Workshop that there are a number of ICCAT instruments that call on Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities to submit fisheries data. These obligations are clearly stated in Article IX (paragraph 2) of the ICCAT Convention, Rule 13 (paragraph 2) of the Rules of Procedure, the *Resolution on the Collection of Statistics on the Atlantic Tuna Fisheries* [Ref. 66-01], and the *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Ref. 01-16], as well as under the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, and the FAO Code of Conduct for Responsible Fishing, as detailed in the Secretariat’s annual “Request for Atlantic Tuna and Shark Statistics”.

The Secretariat noted that early in each calendar year, the Executive Secretary sends out a “Request for Atlantic Tuna and Shark Statistics” to all Contracting Parties, and non-Contracting Parties, Entities or Fishing Entities operating tuna and/or shark fisheries in the Atlantic Ocean and Adjacent Seas. This includes a request for Task I (catch and fishing power (fleet) statistics), Task II (catch and effort statistics and size data), and catch-at-size data. These requirements are readily available on the ICCAT web site (www.iccat.es).

5.3 Species-by-species considerations relating to the credibility/reliability of catch data

The data deficiencies were discussed species-by-species, and presented by the respective SCRS Rapporteurs. It was noted that for every assessment, the Species Groups write a Detailed Report that explains what data and analyses were used, provides results, and lists a series of recommendations. Rapporteurs summarized some of these recommendations in relation to catch data (presented in SCRS/2003/021 and summarized in **Appendix 4 To ANNEX 4.3**). The term “fishing parties” is used to refer to Contracting Parties and non-Contracting Parties, Entities or Fishing Entities that catch a given species.

5.3.1 Bluefin tuna

Dr. J. M. Fromentin, Rapporteur for the East Atlantic Bluefin Species Group, stated that the data problems for this species are so serious that a reliable assessment could not be conducted in 2000 or 2002. This is due to a deterioration of data as a result of both the deterioration of catch data leading up to (over-reporting prior to 1996 in order to have catch history), and following (under-reporting after 1997 to meet compliance targets) the imposition of quotas, and the development of bluefin farming (especially since 2000). He noted that considerable catches in the Mediterranean go to cages, making it essential for the SCRS to have information about the origin of the catch, the magnitude of the catch, and the amount and the size distribution from farming. Dr. Fromentin emphasized that there is a need for observers on-board the cages, as well as good estimates of bluefin growth while in the cages. The fact is that the tools for stock assessment simply cannot be used, as the available data are insufficient. Dr. Fromentin noted that some solutions to these problems could be found in the SCRS proposal for an enhanced Bluefin Tuna Research Program being proposed to the Commission this year.

The Delegate of the EC made a general comment agreeing that the quality of the bluefin data must be improved. He further noted that unless there is a commitment by all Contracting Parties, improvements in data quality as a result of this meeting would be limited. All Contracting Parties need to take note of the recommendations, including the improvement of the eastern bluefin data. The EC recognized that some fishing parties might need the help of the Commission to make improvements.

The Delegates of Morocco and the United States strongly supported the comments by the EU. The U.S. Delegate then added that the Workshop needs to instill in the Commission a sense of urgency that data are the cornerstone to our work in ICCAT.

The Delegates of the EC and Japan raised the problems associated with collecting effort data from the purse seine fleets. It was emphasized that the data collection methods are well established, but that the problem is how to analyze the data to generate meaningful indices of relative abundance for use in stock assessment. The United States further emphasized the need to collect data on as fine a scale as possible. The bluefin Rapporteur noted that there are methodological difficulties in using purse seine CPUE data as an index of abundance and emphasized the need to develop alternate methods to calculate indices of relative abundance (e.g., aerial surveys).

The Chair and the bluefin Rapporteur summarized actions that could promote improvements to the eastern bluefin data: observers at the cages, observers on-board the purse seiners, and greater participation in the scientific meetings. Dr. Fromentin emphasized that, most importantly, there is an urgent need to determine *total catch*. He noted that he had no solution to reverse mis-reporting as a result of the imposition of quotas, but that the farming problem could be tackled.

5.3.2 Billfish

Dr. D. Die, Rapporteur for the Billfish Species Group, emphasized the importance of on-board observer programs to determine the species composition of billfish (and other) by-catch taken by longline. Better sampling methods for separating species should be incorporated by those who report "unclassified" billfish, and efforts should be made to learn more about the unreported catches. Dr. Die stressed that the Commission's contribution to the Enhanced Research Program for Billfish provides much needed capacity-building in the form of training and sampling, especially in West African countries.

Dr. Die noted, in response to a comment from the EC on the marlin recovery plan, that the presence of the recovery plan may have had a *negative* impact on the quality of the scientific data. The Delegate of Canada asked if the improving trend of statistics for marlins reported officially meant that the data were more accurate and reliable, and if so, could there be lessons learned here that are applicable for other species. Dr. Die noted that over the past 10-15 years there has been an improvement in the quality of the reporting, however, historical reporting rates are still unknown. The EC Delegate remarked on the high cost of an on-board observer program to monitor the infrequent longline catches of billfish. Dr. Die emphasized that the longline catches are significant in terms of total billfish catches. Both the EC and the United States Delegates noted that on-board observer programs should be designed to monitor the entire catch (including by-catch) of a fishery, not just a single species.

5.3.3 Tropical species

Dr. R. Pianet, general Rapporteur for the Tropical Tunas Species Groups, noted that bigeye, yellowfin and skipjack are often caught together, using three major gears (purse seine, longline, baitboat). The purse seine and baitboat catch data are generally good, and he noted the recent capacity-building exercise to assist Ghana in improving their statistical collection and sampling schemes (SCRS/2003/010). Longline catch data for the major fleets (Japan, China and Chinese Taipei) are also good, however there is a problem estimating important catches from the IUU fleets. In general, size sampling should be improved for some fleets, and in particular for the longline fleets in which yellowfin and bigeye are very under-sampled, or even no sampling as is the case for the IUU fleets. This sampling should be carried out preferably during the landings/transhipments at port. On the other hand, sampling of the catches (by weight and by size) of by-catches and discards can only be carried out by observers on board.

The Delegate of the United States noted that data from longline vessels is sparse and it was recommended that the number of observations per operation should be increased such that as much as 20% of the catch should be sampled for size.

Dr. Pianet noted that additional sampling at ports would considerably improve the size data, especially for some fleets. Prompted by a comment from the EC, Dr. Pianet noted that the system of port sampling and logbooks for the tropical species is well established. There is, however, a need for training. Dr. P. Pallarés, Chair of the Subcommittee on Statistics, reiterated the recommendation of the SCRS that the revised ICCAT Manual be

completed without delay. She noted that technical support and training is crucial to realizing improvements in data collection for some fishing parties.

The Chair noted the proposal for a port sampling scheme was not intended for routine monitoring of the entire Atlantic, but only for specific cases that would be identified as critical, such as for IUU longliners and the Russian purse seine fleets. The example of Ghana was discussed (see SCRS/2003/010 and SCRS/2003/012), and it was noted that in addition to improved port sampling, there is a need for full cooperation from the canneries as well as vessel owners. A case such as Ghana would benefit from capacity-building in the form of port and cannery sampling, as well as from training.

5.3.4 Small tunas

Dr. Pianet noted that there are very poor statistics for small tunas including problems with species identification and under-reporting. Further, there is little participation in the Small Tunas Species Group meetings. The Chairman remarked that it seemed that some fishing parties do not consider that small tunas are a part of their responsibility.

5.3.5 Swordfish

Dr. G. Scott, Rapporteur of the Atlantic Swordfish Species Group, noted that North Atlantic swordfish is considered one of the more data-rich species in ICCAT, such that for more than two thirds of the catch, nearly every fish is measured. In general the level of detail is very good and there is confidence in the stock assessment. However, for the South Atlantic, several important fleets have very little data (inadequate size samples, and lack of catch and effort information), and conflicting signals from target and non-target fisheries cannot be resolved. In addition, for the South Atlantic stock, scientists from major fleets do not attend the stock assessment sessions. Dr. Scott emphasized the importance of capacity-building through training, as well as the attendance of scientists at stock assessment sessions.

5.3.6 Summary

The Workshop supported all of the recommendations regarding data collection from the SCRS.

The Chairman expressed his deep concern for the submission of statistics that are not credible, and asked how the SCRS should deal with these situations, should data be known to be incorrect. The SCRS can only make alternate estimates or refuse some data for assessment purposes. The SCRS has a protocol for revisions to historical data, but no formal protocol to reject current submissions. He asked that the Commission give the SCRS guidance on how much "power" the SCRS has to check the credibility of data, and to reject data. The Chairman requested a more formal mechanism, especially for Task I data.

The Delegate of Japan noted that for practical purposes this decision has to come from the appropriate Species Group, which in turn makes recommendations to the SCRS. There were examples of this in both the albacore and billfish meetings in 2003.

The Delegate of Canada noted that the onus for the validation of catch lies with the fishing party of origin, and this is a difficult topic; however, the completion of the ICCAT Survey on Statistical Collection Systems should help in this regard. The Delegate further suggested that donor agencies and other groups concerned with capacity-building in developing countries be apprised formally of critical data deficiencies as identified by ICCAT. In that manner, scarce resources for development work could be more efficiently focused on key areas of fisheries of concern to ICCAT.

5.4 Utility of catch data derived from trade statistics

The Chairman reiterated that ICCAT has almost no validation mechanism in place. The Statistical Document Programs can serve as a way to crosscheck the reported Task I catches, but this method is not without its problems. For bluefin tuna, the species with the longest practice of implementation of statistical documents (BFTSD; [Ref. 94-5]), there are several problems in comparing the bi-annual summary reports to Task I catches: double counting of fish and the conversion factors used for various fish products; gear and area of origin; the non-application to live fish transfers from purse seine to transport cages (transport of fish destined for farming). Some of these problems would be alleviated if the individual documents (as opposed to aggregated summaries) were transmitted in electronic format to the Secretariat. The documents for swordfish [Ref. 01-22] and bigeye

tuna [Ref. 01-21] have a very recent history and have not been used yet to estimate unreported catches. However, the ICCAT Recommendations that established them contain important exemptions from reporting (e.g., statistical document requirement only for frozen bigeye products, and bigeye tuna caught by purse seiners and pole and line (bait) vessels and destined principally for the canneries in the Convention area are not subject to the statistical document requirement), and thus their use may be limited.

The Delegate of Japan noted that the submission of both the bi-annual reports from statistical documents and the annual report on farming data are essential in order to understand the full history of bluefin transactions. The BFTSD should indicate if the fish was farmed. He noted that only Japan and the United States have recently reported imports of bluefin, and questioned if this information was complete, as there are some other countries that import bluefin and then re-export it to Japan.

Concern was expressed, particularly by the EC, about problems associated with the statistical document programs (e.g., unreliable information, false records, and/or no documents) and that these should be addressed before they are used as detailed scientific data. There are still many inconsistencies to resolve, especially regarding re-exports and transshipments. In the first stage, the EC Delegate proposed that the Contracting Parties exchange data beforehand to resolve these problems before utilizing the individual documents to validate the data on catches. The Delegate of Japan agreed that as a major importing country, they could provide individual records of imports (protecting any confidential information, as required) so that they could be crosschecked with the exporting fishing party.

The Delegate of the EC expressed concern that this detailed level of checking could take substantial Secretariat resources. The Secretariat confirmed that the SCRS request for the detailed information from Statistical documents was intended to make global comparisons between Task I and export data, a task that can be performed with the current resources. However, a very detailed level of crosschecking of individual import/export transactions is beyond the current capabilities of the Secretariat.

The Chairman noted that the *Recommendation by ICCAT on Bluefin Tuna Farming* [Ref. 02-10] might also serve as a crosschecking mechanism to improve total catch estimates for Mediterranean bluefin tuna. The Chairman added that, at the time of the Workshop, only one Contracting Party had submitted a farming report and thus it was too early to evaluate the performance of this instrument as a validation mechanism. The Delegate of the EC noted that there is a one-year delay, or longer, before ICCAT instruments can be implemented by the EC or by many other Contracting Parties. Therefore, it is expected that farming reports from the EC and other important farming countries in the Mediterranean will become available in 2004.

The Workshop concluded that certain requirements in relation to the BFTSD should be reinforced to take better account of the concerns raised, in particular relating to farming (see [Ref. 02-10]) and re-export (see [Ref. 97-4]). Given the Swordfish and Bigeye Statistical Document Programs are based on the same template, they may share the same re-export concerns, which also need to be addressed. There is a need to simplify the documents and improve the reporting.

6. Recommendations for improving the collection and reporting of catch data

The Workshop endorsed all of the SCRS recommendations regarding data collection outlined in section 5 and **Appendix 4 to ANNEX 4.3**. The following are direct recommendations from the Workshop, some having financial implications for the Commission (i.e., *ICCAT Manual*, ICCAT research programs, scientific participation, and port sampling).

6.1 Reliability of catch statistics

ICCAT survey. The Commission should formalize the request for the completion of the ICCAT Survey on Statistic Collection Systems, which is now only on a voluntary basis. Of the more than 90 Parties believed to be fishing for tuna or tuna-like species in the ICCAT Convention area, only 17 returned completed questionnaires (seven replied stating that they did not operate tuna fisheries in the Convention area).

Observer programs. In order to characterize the total catch composition across the full range of species in the Atlantic and Mediterranean, comprehensive at-sea observer data are essential. In the case of bluefin tuna farming, observers are needed both on the purse seiners and at the cages. Logbooks are essential, but because of the self-reporting nature, must be augmented with observer data.

ICCAT Manual. In order to facilitate training and standardize data collection procedures and protocols, the completion and publication of the ICCAT Manual should proceed without delay. The Workshop suggested that the Commission support the SCRS proposal to complete the manual in two years.

ICCAT research programs. The Workshop suggested that the Commission support the SCRS recommendations for contributions to the Enhanced Research Program for Billfish and the new proposal for an enhanced Bluefin Tuna Research Program, as these include components related to improved data collection and sampling.

6.2 Utility of trade statistics

Availability of data from statistical documents. The Workshop suggested that the Commission examine the possibility that information from individual Bluefin, Swordfish and Bigeye Statistical Documents as well as the bi-annual reports be submitted to the Secretariat, in an electronic format. The BFTSD should indicate if the fish was farmed. These data should be made available to the SCRS in order to confirm the ocean of the catch, and to eliminate duplication in the case of re-exports.

Improvements to statistical documents. Certain requirements in relation to the BFTSD should be reinforced to take better account of the concerns raised, in particular relating to farming and re-export. Given the Swordfish and Bigeye Statistical Document Programs are based on the same template, they may share the same re-export concerns, which also need to be addressed. There is a need to simplify the documents and improve the reporting.

6.3 Capacity-building

Training. Education and training in the collection of statistics data are key to obtaining reliable and complete data. This may require Commission funding to enable ICCAT scientists to provide the training, and to encourage scientists from developing countries to participate. The Commission's contribution to the Enhanced Research Program for Billfish already provides much needed capacity-building in the form of training and sampling, especially in West African countries. Further, the revised *ICCAT Manual* is an essential tool to facilitate training and standardize data collection procedures and protocols, and the Commission should support its swift publication (see above).

Scientific participation. There is a need for improved scientific participation in SCRS data preparatory and stock assessment sessions. A special fund of €30-40,000 should be established to promote the attendance of scientists from countries that have major fleets who cannot attend due to lack of national resources.

Port sampling. There is a need to further develop capacity for developing nations. This might be done through the reestablishment of the ICCAT Port Sampling Program (with staff paid by the Commission) for direct sampling of landings at specific problem ports. This would mean increased funding needs, but the potential benefits are likely to outweigh the costs. At this time, the Workshop is seeking the Commission's support for the concept of re-establishing the ICCAT Port Sampling Program; the specific target ports and costs can then be developed by the SCRS and the Secretariat. The EC Delegate recalled the problem of evaluating costs associated with the implementation of a port sampling program.

6.4 General

Future meetings. It was recommended that this type of meeting, in future, should be held in conjunction with the Commission meeting in order to improve participation.

7. Other matters

The Executive Secretary thanked the United States for the extra-budgetary contribution that made this *Ad Hoc* Data Workshop possible.

8. Adoption of the report

The Chairman announced that the meeting report would be sent to all participants for adoption by mail. He asked that participants return their comments promptly in order to have the reports available to the Commission meeting in November 2003. The Report was subsequently adopted by mail, and distributed to all Contracting

Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities. The Commission adopted the Report at its 18th Regular Meeting (17-24 November 2003).

9. Adjournment

The Chairman thanked the participants for attending this meeting. He especially thanked SCRS participants for adding an additional day to their long SCRS schedule.

Dr. Pereira thanked both the Secretariat and the interpreters for their important contributions to the meeting.

The *Ad Hoc* Data Workshop was adjourned.

Appendix 1 to ANNEX 4.3

Agenda

1. Opening of the Meeting
2. Election of the Chairman
3. Election of the Rapporteur
4. Appointment of the Agenda
5. Review of data deficiencies, by species and considerations relating to catch data
 - 5.1 Reports of the Secretariat and the SCRS Chairman
 - 5.2 Review of responsibilities for providing data
 - 5.3 Species-by-species considerations relating to the credibility/reliability of catch data
 - 5.4 Utility of catch data derived from trade statistics
6. Recommendations for improving the collection and reporting of catch data
7. Other matters
8. Adoption of the report
9. Adjournment

Appendix 2 to ANNEX 4.3

List of Participants

CONTRACTING PARTIES

SCRS Chairman

Pereira, Joao Gil*

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

CANADA

Neilson, John D.*

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: neilsonj@mar.dfo-mpo.gc.ca

CYPRUS

Hadjistephanou, Nicos*

Department of Fisheries and Marine Research, 1416 Nicosia
Tel: +357 223 03866; Fax: +357 227 75955; E-mail: nhsteph@spidernet.com.cy

EUROPEAN COMMUNITY

Blasco Molina, Miguel Angel

c/ José Ortega y Gasset, 57 28006 Madrid, Spain
Tel: +34 91 347 6178; Fax: +34 91 347 6049; E-mail: mblascom@mapya.es

* SCRS Scientist present at the 2003 SCRS Meeting.

Cárdenas González, Enrique*

Jefe de Área de Gestión y Control, Ministerio de Agricultura, Pesca y Alimentación, c/José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 6110; Fax: +34 91 347 6037; E-mail: edecarde@mapya.es

Di Natale, Antonio*

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

Fromentin, Jean-Marc*

IFREMER, Centre de Recherches Halieutique Méditerranéenne et Tropicale, B.P. 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

Gallizioli, Giorgio

Commission Européenne, DG Pêches, 200 Rue de la Loi J-99 7/11 B-1049 Brussels, Belgium
Tel: +322 295 5047; Fax: +322 296 2338; E-mail: giorgio.gallizioli@cec.eu.int

Junquera, Susana*

Commission Européenne, DG Pêches J-79 2/78 B-1049 Brussels, Belgium
Tel: +322 298 47 27; Fax: +322 295 57 00; E-mail: susana.junquera@cec.eu.int

Lainé, Valerie

Commission Européenne, DG Pêches J-99 3/30 B-1049 Brussels, Belgium
Tel: +322 296 53 41; Fax: +322 295 57 00; E-mail: valerie.laine@cec.eu.int

Mosqueira Sánchez, Iago

AZTI Fundazioa, Txatxarramendi Ugarte a z/g 48395 Sukarrieta, Bizkaia, Spain
Tel: +34 94 602 94 00; Fax: +34 94 687 00 06; E-mail: mosqueira@suk.azti.es

Olivos Pascual, Cristina

Commission Européenne, DG Pêches, 200 Rue de la Loi J-99 7/34 B-1049 Brussels, Belgium
Tel: +322 296 56 14; Fax: +322 296 23 38; E-mail: cristina.olivos@cec.eu.int

Pallarés, Pilar*

Ministerio de Ciencia y Tecnología (MCYT), Instituto Español de Oceanografía, Corazón de María 8, 28002 Madrid, Spain
Tel: +34 91 347 3620; Fax: +34 91 413 5597; E-mail: pilar.pallares@md.ieo.es

Pianet, Renaud*

I.R.D. UR no. 109, Centre de Recherche Halieutique Méditerranéenne et Tropicale, Avenue Jean Monnet, B.P. 171, 34203 Sète Cedex, France
Tel: +33 4 99 57 32 39; Fax: +33 4 99 57 32 95; E-mail: pianet@ird.fr

JAPAN

Fukuda, Takumi

Deputy Director, Far Seas Fisheries Division, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku Tokyo 100-8907
Tel: +81 3 3502 2443; Fax: +81 3 3591 5824; E-mail: takumi_fukuda@nm.maff.go.jp

Miyake, Makoto Peter*

Japan Tuna, 3-3-4 Shimorenjaku Mitaka-Shi, Tokyo 181-0013
Tel: +81 422 46 3917; Fax: +81 422 43 7089; E-mail: p.m.miyake@gamma.ocn.ne.jp

Suzuki, Ziro*

National Research Institute of Far Seas Fisheries, 5-7-1 Shimizu-Orido, Shizuoka City, Shizuoka 424-8633
Tel: +81 543 36 60 41; Fax: +81 543 35 96 42; E-mail: zsuzuki@fra.affrc.go.jp

MOROCCO

El Ktiri, Taoufik*

Direction des Pêches Maritimes et de l'Aquaculture, Ministère des Pêches Maritimes, Nouveau Quartier Administratif Agdal, Rabat
Tel: +212 37 68 81 15; Fax: +212 37 68 82 13; E-mail: elktiri@mpm.gov.ma

UNITED STATES**Carlsen, Erika**

National Oceanic Atmospheric Administration, National Marine Fisheries Services, 1315 East West Hwy Silver Spring, Maryland 20910

Tel: +1 301 713 2276; Fax: +1 301 713 2313; E-mail: erika.carlsen@noaa.gov

Die, David*

Cooperative Unit for Fisheries Education and Research, University of Miami, 4600 Rickenbacker Causeway, Miami, Florida 33149

Tel: +1 305 361 4607; Fax: +1 305 361 4457; E-mail: ddie@rsmas.miami.edu

Dunnigan, John H.

Director, Office of Sustainable Fisheries, National Marine Fisheries Service-NOAA, 1310 East-West Highway, Rm. 14528, Silver Spring, Maryland 20910

Tel: +1 301 713 2334; Fax: +1 301 713 0596; E-mail: jack.dunnigan@noaa.gov

Scott, Gerald P.*

National Marine Fisheries Service-NOAA, Southeast Fisheries Science Center, Sustainable Fisheries Division, 75 Virginia Beach Drive Miami, Florida 33149-1099

Tel: +1 305 361 4220; Fax: +1 305 361 4219; E-mail: gerry.scott@noaa.gov

OBSERVERS FROM COOPERATING NON-COOPERATING PARTIES, ENTITIES OR FISHING ENTITIES**CHINESE TAIPEI****Yeh, Shean-ya***

Institute of Oceanography, National Taiwan University, P.O. Box 23-13 Taipei

Tel: +886 2 2363 7753; Fax: +886 2 2392 5294; E-mail: sheanya@ccms.ntu.edu.tw

ICCAT SECRETARIAT

Corazón de María 8 - 6ª planta, 28002 Madrid - ESPAÑA

Tel: +34 91 416 5600, Fax: +34 91 415 2612, E-Mail: info@iccat.es

Ribeiro Lima, Adolfo**Restrepo, Victor****Kebe, Papa****Porter, Julie M.****Cheatle, Jenny****Gallego, Juan Luis****García Piña, Cristobal****García Rodríguez, Felicidad****Moreno Rodríguez, Juan Angel****Muñoz, Juan Carlos****Navarret, Christel****Seidita, Philomena***Auxiliary Translation Staff*

Fernández de Bobadilla, Maria Ana

Auxiliary Reception Staff

Barbero Arribas, Laura

Interpreters

Baena, Eva M

Castel, Mario

Goslin, Ann

Bourgoin, Christine

Meunier, Isabelle

Tedjini-Roemmele, Claire

Appendix 3 to ANNEX 4.3**Resolution by ICCAT for a Data Workshop [Ref. 02-30]**

RECOGNIZING that collection and submission of accurate fishery data such as basic catch, effort and size frequency data by time and area to ICCAT for the species covered by the Convention is indispensable for better scientific work including stock assessments which provide the basis for proper conservation and management measures adopted by ICCAT;

EXPRESSING concern that the quality of such fishery data continues to deteriorate for some fisheries and for some fisheries relevant data have never been available to the Commission;

RECOGNIZING the urgent need for the Commission to collect adequate fishery data in a timely manner to conduct better stock assessments;

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

1. An *ad hoc* joint Workshop of ICCAT scientists and managers be convened in 2003, perhaps in conjunction with another inter-sessional meeting, with the view to improving collection and provision of data related to fishing, including farming, of the species covered by the Commission by Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities and other non-Contracting Parties.
2. The Workshop should:
 - a) review data deficiencies for each species under the purview of ICCAT,
 - b) consider the credibility of catch data and the utility of using trade data collected under the Statistical Document Programs; and
 - c) develop recommendations to improve collection and reporting of catch data adequate to conduct or improve the work of SCRS, PWG, and the Compliance Committee.
3. All Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities and the Commission Chairman, SCRS Chairman, Compliance Committee Chairman, SCRS Species Group Rapporteurs, and Chair of the Sub-Committee on Statistics should be invited to participate. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities are encouraged to include scientists and managers on their delegations.
4. The ICCAT Secretariat should provide technical and administrative support for the Workshop.

Appendix 4 to ANNEX 4.3

Summary of Species-by-Species Recommendations for Improving Statistics

Bluefin Tuna

- Fishing parties should report reliable data on catch, effort, and size in the format requested, and on as fine a scale as possible. These obligations are considered a minimum standard.
- Uncertainty about catches has become greater due to (1) a probable increase in the level of unreported catches following the imposition of quotas, and (2) the development of bluefin tuna farming. Efforts should be made to improve knowledge of farming operations.
- The substitutions of size data used for the calculation of the catch at size need to be revised for the years prior to 1998. The quality of the size data (sample size) submitted should also be verified.

Billfishes

- When possible, on-board observer programs should be enhanced to define the species composition of billfish by-catch from longline and purse seine fisheries by considering the distribution and abundance of billfish in the design of these programs, or alternatively, statistically robust procedures that improve estimations of catch for all billfish species be developed and applied. It is recommended that the analytical procedures used to estimate catch by species always be documented, so that uncertainty in the estimates of catch can be better quantified.
- Sampling/reporting procedures for separating billfish species for those fisheries that continue to report unclassified billfish should be developed.
- Knowledge about the landings of billfish from countries that have traditionally not reported billfish should continue to be improved, but from where substantial catches are likely to be occurring by making contacts with the scientists/administrators of those countries, especially those in West Africa.

Tropical Tunas

Bigeye

- Conduct port sampling on Ghanaian fisheries (purse seiners and baitboats) in order to provide better catch by species and size data. Verify historical species composition.
- Size data are still missing from many fisheries. All countries catching this species should conduct pertinent level of size sampling and provide to the ICCAT.

Considering the uncertainties in IUU catches, in particular those of 2002, full participation in the Statistical Document Program for all countries trading tuna is stressed.

Yellowfin

- Data should be submitted on a timely basis.

Small tunas

- Catch and effort statistics, as well as biological information for small tuna are incomplete or lacking for many fishing parties catching these species in the Atlantic and Mediterranean. It is strongly recommended that these data be provided.

Swordfish

- Not all fishing parties report required detailed Task II (catch and effort and size frequency data by fine-scale strata) relative to Atlantic swordfish. SCRS has continually recommended that fishing parties should report catch, catch-at-size (by sex) and effort statistics by as small an area as possible (5°x5° or preferably 1°x1°), and by month, by the ICCAT deadlines. In terms of size-frequency sampling, SCRS has recommended that fishing parties should carry out an adequate level of size sampling (perhaps 20%); and when possible sampling by sex, preferably by month and on as fine a scale as possible (5°x5°, preferably 1°x1°).
- The detailed data (Task II catch, effort, and size frequency) reported for the major fleet catches of North Atlantic swordfish are considered sufficient to conduct age- and sex-structured analysis of stock status, although size-frequency substitutions are made to fill in for fleets with missing or inadequate information.
- The detailed data for the South Atlantic swordfish fisheries are not considered sufficient to conduct age- and sex-structured analysis of stock status. Furthermore, there is insufficient analysis or availability of catch per unit effort statistics from some important South Atlantic swordfish fisheries to permit the SCRS to provide scientific advice on appropriate catch levels to meet Commission objectives for this stock.

Albacore

- Data must be reported by the ICCAT deadlines.
- Compilation of albacore fishery statistics for the Mediterranean Sea is a priority
- Fishing parties should increase or maintain adequate collecting and processing systems for basic statistics and report Task I and Task II by as small an area as possible and by month.
- If standard units of measure are not reported to ICCAT, then national scientists should also provide appropriate conversion factors.

Sharks

It is not generally the responsibility of ICCAT to maintain databases on by-catch species. However, the Commission has asked the SCRS to conduct assessments of shortfin mako and blue sharks in 2004 [Ref. 01-11]. The basic data reported for these species still contain many gaps; this is evident from Table 7 in SCRS/2003/021 that shows presence/absence of catch data for blue and shortfin mako shark as reported by various countries. If stock assessments are to be conducted in 2004, then these gaps need to be filled.

4.4 REPORT OF THE WORKING GROUP TO DEVELOP INTEGRATED AND COORDINATED ATLANTIC BLUEFIN TUNA MANAGEMENT STRATEGIES (Dublin, Ireland, 15 November 2003)

1. Opening of the Meeting

The meeting was opened by the Commission Chairman, Mr. Masanori Miyahara.

2. Election of the Chairman

The Panel 2 Chairman, Mr. François Gauthiez (EC-France) was elected chair of the Working Group.

3. Appointment of the Rapporteur

Ms. Erika Carlsen (United States) was appointed Rapporteur for the Working Group. The List of Participants is attached as **Appendix 1 to ANNEX 4.4**.

4. Adoption of the Agenda

The group discussed the draft agenda with regard to the functioning and future work plan for the Working Group. In discussions, the group developed and adopted an agenda for the next meeting of Working Group (**Appendix 2 to ANNEX 4.4**). It was decided that the substantive work under items 5 and 6 of the revised agenda would be deferred to the next meeting of the Working Group, which the EC offered to host in France.

5. Review of information relevant to stock structure and mixing
and

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

Agenda items 5 and 6 were deferred to the next meeting of the Working Group.

7. Other matters

The Chairman reviewed the organization of the next meeting of the Working Group, especially with regard to agenda items 5 and 6 and the process of identifying scientists to present information on bluefin tuna stock structure and mixing. The Working Group decided that Parties would be responsible for identifying scientists to present information and participate in the future discussions of the Working Group. It was also agreed that the identification of scientists would be made in close consultation with the SCRS Chair. The next meeting was tentatively scheduled for May of 2004 in France and it was agreed that the meeting should be not be less than 4 days in length. Following the revised agenda and the terms of reference of the Working Group, it was agreed that the first part of the meeting would involve scientific presentations on information relevant to stock structure and mixing, including biological, historical fisheries data, and other information. The other part of the meeting would involve consideration of alternative management options and the feasibility of alternative scenarios. It was also agreed that the scientific part and the management part of meeting should not be separated and be relevant to each other. The Working Group will report on its work from the 2004 meeting at the 2004 meeting of Commission, including any possible recommendations resulting from the joint working group of ICCAT and SCRS and other scientific experts.

The Working Group instructed the SCRS Chairman to propose an overview presentation of the current state of knowledge on the issue.

It was also noted by Canada that the ongoing work of the Working Group did not preclude Panel 2 from continuing to develop recommendations for the appropriate management of Atlantic bluefin tuna.

The Delegate of Japan expressed its strong commitment to the Working Group and indicated its intention for hosting a future meeting of the Working Group.

The Delegate of Japan presented its information paper on caged bluefin tuna but the group decided to defer discussions on farming to Panel 2.

Dr. G. Scott (United States) introduced the background document submitted to the Working Group by the United States titled, "Atlantic Bluefin Tuna – Pursuit of Scientific Advice for Evaluating Potential Revised Management Procedures for Mixed Populations."

8. Recommendations

The Working Group will meet again in May 2004.

9. Adoption of the Report

The Report of the Working Group was adopted during the meeting of Panel 2 and the Commission adopted the Report at its 18th Regular Meeting (17-24 November 2003).

10. Adjournment

The meeting was adjourned.

Appendix 1 to ANNEX 4.4

List of Participants *

CONTRACTING PARTIES

Commission Chairman

Miyahara, Masanori

Counselor, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907

Tel: +81 33 591 1086; Fax: +81 33 502 5071; E-mail: masanori_miyahara@nm.maff.go.jp0

SCRS Chairman

Gil Pereira, Joao

Universidade dos Açores - Departamento de Oceanografia e Pescas, 9900-Horta, Açores, Portugal

Tel: +351 292 200 431, Fax: +351 292 200 411, E-mail: pereira@notes.horta.uac.pt

CANADA

Jones, James B.*

Department of Fisheries and Oceans, 343 University Avenue Moncton, New Brunswick E1C 9B8

Tel: +1 506 851 7750, Fax: +1 506 851 2224, E-mail: jonesj@dfo-mpo.gc.ca

Allen, Christopher J.

Fisheries, Environment and Biodiversity Science Directorate, Dept. of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6

Tel: +1 613 990 0105, Fax: +1 613 954 0807, E-mail: allenc@dfo-mpo.gc.ca

Bouffard, Nadia

Director, Atlantic Affairs, International Directorate, Dept. of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6

Tel: +1 613 993 1860, Fax: +1 613 993 5995, E-mail: bouffardn@dfo-mpo.gc.ca

Chidley, Gerard

P.O. Box 22, Renewals, NL A0A 3N0

Tel: +1 709 363 2900, Fax: +1 709 363 7014, E-mail: achidley@nf.sympatico.ca

* Head Delegate.

Dean, Barry

Department of Fisheries & Oceans, 16 Old Ferry Rd., Cape Tormentine, New Brunswick E4M 2B2
Tel: +1 506 538 9979, E-mail: mdean@nbnet.nb.ca

Elsworth, Samuel G.

Southwest 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

Huntley R.R.#2 Alberton, Prince Edward Island C0B IB0
Tel: +1 902 853 2793, Fax: +1 902 853 2793

Lapointe, Sylvie

Senior International Fisheries Advisor, Atlantic Affairs, International Directorate, Fisheries Management, Department of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6
Tel: +1 613 993 68 53, Fax: +1 613 993 59 95, E-mail: lapointesy@dfo-mpo.gc.ca

Neilson, John D.

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: neilsonj@mar.dfo-mpo.gc.ca

Rashotte, Barry

Director, Atlantic Resources Management, Fisheries Management, Department of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6
Tel: +1 613 990 0087, Fax: +1 613 954 1407, E-mail: rashottb@dfo-mpo.gc.ca

EUROPEAN COMMUNITY

Spencer, John*

Head of Unit International and Regional Arrangements, European Commission, DG Fisheries-J/99 3/56, B-1049 Brussels, Belgium
Tel: +322 295 6858, Fax: +322 295 5700, E-mail: edward-john.spencer@cec.eu.int

Blasco Molina, Miguel Angel

Jefe de Sección, Subdirección General de Organismos Multilaterales de Pesca, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 61 78, Fax: +34 91 347 60 49, E-mail: mblascom@mapya.es

de Cárdenas González, Enrique

Jefe de Area de Gestion y Control, Subdireccion General de Gestion y Control de la actividad pesquera, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 61 10, Fax: +34 91 347 60 37, E-mail: edecarde@mapya.es

De Diego y Vega, Amalia

Commission Européenne, DG Pêche, J-99 3/54, B-1049 Brussels, Belgium
Tel: +322 296 8614, Fax: +322 295 5700, E-mail: amalia.de-diego-y-vega@cec.eu.int

Di Natale, Antonio

Research Director, AQUASTUDIO, Via Trapani, n1 6, 98121 Messina, Italy
Tel: +39 090 346 408, Fax: +39 090 364 560, E-mail: adinatale@acquariodigenova.it

Domínguez Díaz, Carlos

Director General de Recursos Pesqueros, Secretaría General de Pesca Marítima, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 6030, Fax: +34 91 347 6032, E-mail: cdominguez@mapya.es

Duarte de Sousa, Eduarda

Principal Administrator, European Commission, DG Fisheries J-99 3/36, B-1049 Brussels, Belgium
Tel: +322 296 2902, Fax: +322 295 5700, E-mail: eduarda.duarte-de-sousa@cec.eu.int

Escobar Guerrero, Ignacio

Subdirector General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Marítima, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 6048, Fax: +34 91 347 6049, E-mail: iescobar@mapya.es

Gauthiez, Francois

MAAPAR - DPMA, 3 Place Fontenoy, 75007 Paris, France
Tel: +33 1 49 55 82 31, Fax: +33 1 49 55 82 00, E-mail: francois.gauthiez@agriculture.gouv.fr

González Garcés, Alberto

Centro Oceanografico de Vigo, Apartado 1552, 36200 Vigo, Spain
Tel: +34 986 49 21 11, Fax: +34 986 49 23 51, E-mail: alberto.gonzalez.garces@vi.ieo.es

Gray, Alan

Commission Européenne, DG Pêche J-99 3/34, B-1049 Brussels, Belgium
Tel: +322 299 0077, Fax: +322 295 5700, E-mail: alan.gray@cec.eu.int

Junquera, Susana

Commission Européenne, DG Pêche J-79 2/78, B-1049 Brussels, Belgium
Tel: +322 298 4727, Fax: +322 295 5700, E-mail: susana.junquera@cec.eu.int

Lainé, Valerie

Commission Européenne, DG Pêche J-99 3/30, B-1049 Brussels, Belgium
Tel: +322 296 5341, Fax: +322 295 5700, E-mail: valerie.laine@cec.eu.int

Maher, Denis

EU/International Section, Department of the Marine and Natural Resources, Leeson Lane, Dublin 2, Ireland
Tel: +353 1 678 2512, Fax: +353 1 678 2449, E-mail: denis.maher@dthead.ip

Olivos Pascual, Cristina

Commission Européenne, DG Pêche, 200 Rue de la Loi J-99 (7/34), B-1049 Brussels, Belgium
Tel: +322 296 5614, Fax: +322 296 2338, E-mail: cristina.olivos@cec.eu.int

Piccinetti, Corrado

Laboratorio biologia marina e pesca di Fano, Viale Adriatico, 1N - 61032 Fano (PU), Italy
Tel: +39 0721 802689, Fax: +39 0721 801654, E-mail: cpiccinetti@mobilia.it

Rigillo, Riccardo

V. Cesare de Fabritus 133, CAP 00136, Italy
Tel: +39 06 5908 47 46, Fax: +39 06 5308 41 76, E-mail: r.rigillo@politicheagricole.it

Rodriguez Marin, Enrique

IEO, Centro Oceanográfico de Santander, Apartado 240, 39080 Santander, Spain
Tel: +34 942 29 10 60, E-mail: rodriguez.marin@st.ieo.es

Vant, Xavier

MAAPAR - DPMA Charge de mission pour les affaires internationales, 3 Place Fontenoy, 75007 Paris, France
Tel: +33 1 49 55 82 36, Fax: +33 1 49 55 82 00, E-mail: scavier.vant@agriculture.gouv.fr

JAPAN

Miyahara, Masanori*

ICCAT Chairman, Counselor-Resources Management Department, Fisheries Agency of Japan, 1-2-1, Kasumigaseki Chiyoda-Ku 100-8907 Tokyo
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: masanori_miyahara@nm.maff.go.jp

Furukawa, Tadao

Fishery Division Economic Bureau, Ministry of Foreign Affairs, 2-11-1 Shibakoen Minato-Ku, Tokyo 105-8519
Tel: +81 3 6402 2234, Fax: +81 3 6402 2233, E-mail:

Hanafusa, Katsuma

Director, International Negotiations, Fisheries Agency of Japan, 1-2-1 Kasumigaseki Chiyoda-Ku 100-8907, Tokyo
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: katsuma_hanafusa@nm.maff.go.jp

Nakamura, Masaaki

Executive Director, Japan Tuna Tokyo, Federation of Japan Tuna Fisheries Co-operative Associations, 2-3-22, Kudankita Chiyoda-Ku 102-0073 Tokyo
Tel: +81 3 3264 6167, Fax: +81 3 3234 7455, E-mail: gyojyo@intldiv.japantuna.or.jp

Niimi, Keiji

Far Seas Fisheries Division Resources Management Department, Fisheries Agency of Japan, 1-2-1, Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: keiji_niimi@nm.maff.go.jp

Omori, Ryo

Section Chief, Fisheries Agency of Japan, International Affairs Division, Resources Management Department, Fisheries Agency of Japan, 1-2-1 Kasumigaseki, Chiyoda-Ku, 100-8907 Tokyo
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: ryou_omori@nm.maff.go.jp

Suzuki, Takaaki

Far Seas Fisheries Division Resources Management Department, Fisheries Agency of Japan, 1-2-1, Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3591 1086, Fax: +81 3 3502 0571, E-mail: takaaki_suzuki@nm.maff.go.jp

Suzuki, Ziro

National Research Institute of Far Seas Fisheries, 5-7-1 Shimizu-Orido, Shizuoka City, Shizuoka 424-8633
Tel: +81 543 36 60 41, Fax: +81 543 35 96 42, E-mail: zsuzuki@fra.affrc.go.jp

Takagi, Yoshihiro

Managing Director for International Relations, Overseas Fishery Cooperation Foundation, 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

Takase, Miwako

Deputy Director, Far Seas Fisheries Division, 1-2-1 Kasumigaseki, Chiyoda-Ku, 100-8907 Tokyo
Tel: +81 3 3502 2443, Fax: +81 3 3591 5824, E-mail: miwako_takase@nm.maff.go.jp

MALTA

Gruppetta, Anthony*

Director General, Ministry for Rural Affairs & the Environment, Fisheries Conservation & Control Div., Fort San Lucian, Marsaxlokk, BB 06
Tel: +356 21 655 525, Fax: +356 21 659 380, E-mail: anthony.&gruppetta@gov.mt

Camirelli, Matthew

Fort San Lucian, Marsaxlokk, BB 06
Tel: +356 21 650 933, Fax: +365 21 659 380, E-mail: matthew.camilleri@gov.mt

MOROCCO

Fahfouhi, Abdeslam*

Chef de la Division de la Protection des Ressources Halieutiques, Ministère des Pêches Maritimes, Nouveau Quartier Administratif, B.P. 476, Rabat
Tel: +212 37 68 81 21, Fax: +212 37 68 81 21, E-mail: fahfouhi@mpm.gov.ma

Meski, Driss

Directeur de la Coopération et des Affaires Juridiques, Ministère des Pêches Maritimes, B.P. 476 Agdal, Rabat
Tel: +212 37 68 81 96, Fax: +212 37 68 81 94, E-mail: meski@mpm.gov.ma

Saous, Mustapha

MCFC Immobile TREFICO, Port d'Agadir
Tel: +212 48 84 58 78, Fax: +212 37 65 63 03, E-mail: petitmehdi@yahoo.com

Srouf, Abdellah

Directeur, Centre Régional de l'INRH à Tanger, B.P. 5268, Dradeb, Tanger
Tel: +212 3932 5134, Fax: +212 3932 5139, E-mail: a.srouf@menara.ma

UNITED STATES

Hogarth, William T.*

HEAD, Assistant Administrator for Fisheries, National Marine Fisheries Service, 1315 East-West Highway Silver Spring, Maryland 20910
Tel: +1 301 713 2239, Fax: +1 301 713 1940, E-mail: bill.hogarth@noaa.gov

Beemer, Shana

64 Mayhew Avenue Babylon, New York 11702
Tel: +1 631 587 1337, Fax: , E-mail: skmiller76@optonline.net

Beideman, Nelson R.

Blue Water Fishermen's Association, 910 Bayview Avenue, P.O. Box 398, Barnegat Light, New Jersey 08006
Tel: +1 609 361 9229, Fax: +1 609 494 7210, E-mail: nelson@bwfa.org

Blankenbeker, Kimberly

Foreign Affairs Specialist, Office of Sustainable Fisheries, National Marine Fisheries Services/NOAA, 1315 East-West Hwy, Rm. 13114, Silver Spring, Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-mail: kimberly.blankenbeker@noaa.gov

Carlsen, Erika

National Oceanic Atmospheric Administration, National Marine Fisheries Services, 1315 East-West Hwy, Silver Spring Maryland 20910
Tel: +1 301 713 2276, Fax: +1 301 713 2313, E-mail: erika.carlsen@noaa.gov

Delaney, Glenn

U.S. Commissioner for Commercial Industry, 601 Pennsylvania Avenue NW, Suite 900, Washington, DC 20004
Tel: +1 202 434 8220, Fax: +1 202 639 8817, E-mail: grdelaney@aol.com

Genovese, Michael

600 Shunpike Road, Cape May Court House, New Jersey 08210
Tel: +1 609 465 3251, Fax: +1 609 465 8108, E-mail: dgenovese@iwon.com

Husted, Rachel

National Marine Fisheries Service-NOAA, 1315 East-West Highway, Room 14528, Silver Spring, Maryland 20910
Tel: +1 301 713 2239, Fax: +1 301 713 1940, E-mail: rachel.husted@noaa.gov

Kerstetter, David

Virginia Institute of Marine Science, College of William and Mary, Gloucester Point, Virginia 23062
Tel: +1 804 684 7434, Fax: +1 804 684 7157, E-mail: bailey@vims.edu

Lindow, Emily

U.S. Department of Commerce-NOAA, Office of the Under Secretary, 14th Street and Constitution Ave NW, Rm. 5805, Washington, DC 20230
Tel: +1 202 482 0853, Fax: +1 202 408 9674, E-mail: emily.lindow@noaa.gov

Lutcavage, Molly

Department of Zoology, Univ. of New Hampshire, Durham, New Hampshire
Tel: +1 603 862 2891, Fax: +1 603 862 2717, E-mail: molly.lutcavage@unh.edu

Powers, Joseph E.

NOAA Fisheries-Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, Florida 33149-1099
Tel: +1 305 361 4295, Fax: +1 305 361 4219, E-mail: joseph.powers@noaa.gov

Pride, Robert

780 Pilot House Dr., Suite 300-B, Newport News, Virginia 23606
Tel: +1 757 596 1740, Fax: +1 757 596 1842, E-mail: bobpride@cox.net

Rogers, Christopher

Chief, Highly Migratory Species Division, National Marine Fisheries Service/NOAA, 1315 East-West Highway (Rm. 13458), Silver Spring, Maryland 20910
Tel: +1 301 713 2347, Fax: +1 301 713 1917, E-mail: christopher.rogers@noaa.gov

Ruais, Richard P.

Executive Director, East Coast Tuna Association, 28 Zion Hill Road, Salem, New Hampshire 03079
Tel: +1 603 898 8862, Fax: +1 603 894 5898, E-mail: rruais@aol.com

Scott, Gerald P.

National Marine Fisheries Service-NOAA-Southeast Fisheries Science Center, Sustainable Fisheries Division, 75 Virginia Beach Drive, Miami, Florida 33149-1099
Tel: +1 305 361 4220, Fax: +1 305 361 4219, E-mail: gerry.scott@noaa.gov

Thompson, Nancy

National Marine Fisheries Service-NOAA-Southeast Fisheries Science Center, Sustainable Fisheries Division, 75 Virginia Beach Drive, Miami, Florida 33149-1099
Tel: +1 305 361 4285, Fax: +1 305 361 4219, E-mail: nancy.thompson@noaa.gov

Zbicz, Dorothy

U.S. Department of State, 2201 C Street NW, Washington, DC 20520-7818
Tel: +1 202 647 3073, Fax: +1 202 647 1106, E-mail: zbiczdc@state.gov

OBSERVERS FROM COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES

CHINESE TAIPEI

Sha, James*

Fisheries Agency, N° 2 Chao-Chow Street, Taipei 100
Tel: +886 2 23511452, Fax: +886 2 23411953, E-mail: yuhchen@ms1.f.a.gov.tw

Huang, Li-Fang

B1. Katakalan 2, Taipei
Tel: +886 2 2348 2528, E-mail: lfhuang@mofa.gov.tw

Ni, I-Hsun

Dept. of Environmental Biology & Fisheries Science, National Taiwan Ocean University, 2 Peining Road, Kaolung 202
Tel: +886 2462 2192, Fax: +886 2463 2341, E-mail: niih@mail.ntou.edu.tw

Tsai, Tien-Hsiang

Division of Deep Sea Fisheries, Fisheries Agency, 2 Chao-Chow Street, Taipei
Tel: +886 2334 36119, Fax: +886 2334 36268, E-mail: ted@ms1.f.a.gov.tw

Yeh, Shean-Ya

Institute of Oceanography, National Taiwan University, P.O. Box 23-13, Taipei
Tel: +886 2 2363 7753, Fax: +886 2 2366 1197, E-mail: sheanya@ccms.ntu.edu.tw

OBSERVERS FROM INTER-GOVERNMENTAL ORGANIZATIONS

INTERNATIONAL WHALING COMMISSION (IWC)

Escobar Guerrero, Ignacio*

Subdirector General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Marítima, C/ José Ortega y Gasset 57, 28006 Madrid, Spain
Tel: +34 91 347 6048, Fax: +34 91 347 6049, E-mail: iescobar@mapya.es

OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

ORGANIZATION FOR THE PROMOTION OF RESPONSIBLE TUNA FISHERIES (OPRT)

Campen, Sally J.*

Consultant, Federation of Japan Tuna Fisheries Co-operative Associations, 1350 Beverly Road #115, McLean, Virginia 22101-3917
Tel: +1 703 980 9111, Fax: +1 520 244 4820, E-mail: sjcampen@aol.com

ICCAT SECRETARIAT

Corazon de Maria, 8 – 6th floor, 28002 Madrid, Spain
Tel: +34 91 416 56 00, Fax: +34 91 415 26 12, E-mail: info@iccat.es

Ribeiro Lima, Adolfo

Restrepo, Victor

Kebe, Papa

Porter, Julie M.

Palma, Carlos

Cheatle, Jenny

de Andres Irazazabal, Marisa

Fiz, Jesus

Gallego Sanz, Juan Luis

Garcia Piña, Cristobal

Moreno Rodriguez, Juan Angel

Navarret, Christel

Peña Iglesias, Esther

Peyre, Chrstine

Seidita, Philomena

Auxiliary Translation Staff

Fernandez de Bobadilla, Maria Ana

Interpreters

Castel, Mario

Faillace, Linda

Liberas, Cristine

Meunier, Isabelle

Sanchez, Lucia

Tedjini-Roemmele, Claire

Appendix 2 to ANNEX 4.4

Agenda

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

4.5 REPORT OF THE WORKING GROUP TO CONSIDER THE DEVELOPMENT OF A COMPENDIUM OF RECOMMENDATIONS AND RESOLUTIONS (*Dublin, Ireland, 16 November 2003*)

1. Opening of the meeting

The Executive Secretary, Dr. A.R. Lima, opened the Meeting of the Working Group to Consider the Development of a Compendium of Recommendations and Resolutions. Dr. Lima thanked the participants for attending. The List of Participants is attached as **Appendix 2 to ANNEX 4.5**.

The Workshop was convened in response to the *Resolution by ICCAT Regarding Consolidation of its Resolutions and Recommendations* [Ref. 02-29] (see **Appendix 3 to ANNEX 4.5**).

2. Election of the Chairman

Dr. Lima suggested that Mr. Carlos Domínguez Díaz serve as Chairman, and the Working Group agreed.

3. Appointment of the Rapporteur

The ICCAT Secretariat served as Rapporteur of the meeting.

4. Adoption of the Agenda

The Agenda was adopted (**Appendix 1 to ANNEX 4.5**).

5. Discussion on the objectives of a revised Compendium

The Working Group agreed that there should be a revised compendium of Recommendations and Resolutions, and that it should replace the current Compendium as the legal corpus. The objective of the revised structure would be to provide a more clear and transparent document. It was suggested that NAFO has a useful model structure.

6. Review of the Compendium prepared by the Secretariat

Several delegations reiterated that the current Compendium of ICCAT Recommendations and Resolutions is very cumbersome, making it difficult to follow at meetings and to implement domestically.

7. Recommended structure for a revised Compendium

The following elements for the structure for the revised Compendium were agreed upon and are put forth for the Commission's approval:

- The document would be a new legal text (not just a reference tool to facilitate the work). The revised Compendium would contain only the operative text of the existing Recommendations and Resolutions. The existing complete texts would, however, be kept in a separate record, as would the rationale for any future amendments to the revised Compendium.
- The document would be structured to facilitate implementation by Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities.
- Texts of Recommendations (binding) and Resolutions (non-binding) would be separated.

- The document would be organized by species (or groups of species), with an additional section for control, monitoring and compliance measures.
- Each species/chapter would have a parallel structure.
- “Article” references should be used to identify text.
- A glossary should be prepared and included with the Compendium.
- Information on objections should be included, probably for each species.

8. Recommended work plan and process for incorporating new decisions into the compiled text

The Chairman emphasized that the job of the Working Group is not to make decisions on the content of ICCAT texts, rather to present the existing information in a more accessible and transparent fashion. The Working Group agreed that an alternative structure would not be presented to the Commission until the revised Compendium is complete, although there might be questions of clarification in the interim. It was noted that the exercise of preparing the revised Compendium would identify gaps or inconsistencies that the Commission might wish to address. One example that was raised was that formats for submitting data are currently not part of the binding instruments and perhaps should be in the future.

The following work plan was agreed upon by the Working Group:

- The Secretariat will prepare a preliminary working draft in consultation with key contacts from the participants in the Working Group (key contacts identified in **Appendix 2 to ANNEX 4.5**).
- This working draft will be in English and will include Recommendations and Resolutions up to and including those that entered into force in 2002.
- The initial step will be to complete one species as a model template, agree upon that template by correspondence with key contacts, and then develop the remainder of the Compendium.
- It is anticipated that the complete working draft will be available by May 2004, but that as sections are completed they will be sent to the key contacts by e-mail.

While much work will be completed by correspondence with key contacts (by e-mail), it was agreed that at some point the Working Group would have to meet in Madrid to finalize the text before presenting it to the Commission for approval.

9. Other matters

The Secretariat informed the Working Group that a Compendium of *all* ICCAT Recommendations and Resolutions (historical and active) had been prepared and is available on CD and on the web (www.ICCAT.es). The Secretariat noted that there are several important policy documents that are not Recommendations or Resolutions (e.g., the *ICCAT Criteria for the Allocation of Fishing Possibilities*), which were also included in this complete Compendium. It was noted that the Working Group might also have to deal with such documents in the revised Compendium structure.

10. Adoption of the report

It was agreed that the report would be made available to Working Group participants once prepared. The Report was subsequently adopted by the Working Group, and the Commission adopted the Report at its 18th Regular Meeting (17-24 November 2003).

11. Adjournment

The Meeting of the Working Group to Consider the Development of a Compendium of Recommendations and Resolutions was adjourned.

Appendix 1 to ANNEX 4.5

Agenda

1. Opening of the Meeting
2. Election of the Chairman
3. Appointment of the Rapporteur
4. Adoption of the Agenda
5. Discussion on the objectives of a revised Compendium
6. Review of the Compendium prepared by the Secretariat
7. Recommended structure for a revised Compendium
8. Recommended work plan and process for incorporating new decisions into the compiled text
9. Other matters
10. Adoption of the report
11. Adjournment

Appendix 2 to ANNEX 4.5

List of Participants

CONTRACTING PARTIES

CANADA

Lapointe, Sylvie*

Senior International Fisheries Advisor, Atlantic Affairs, International Directorate, Fisheries Management, Department of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6

Tel: +1 613 993 68 53, Fax: +1 613 993 59 95, E-mail: lapointesy@dfo-mpo.gc.ca

Linder, Glen

Oceans Law Section (JLOA), Dept. of Foreign Affairs and International Trade, 125 Sussex Drive Ottawa, Ontario K1A 0G2

Tel: +1 613 944 4718, Fax: +1 613 992 6483, E-mail: glen.linder@dfait-maeci.gc.ca

Rashotte, Barry

Director, Atlantic Resources Management, Fisheries Management, Department of Fisheries & Oceans, 200 Kent St. Ottawa, Ontario K1A 0E6

Tel: +1 613 990 0087, Fax: +1 613 954 1407, E-mail: rashottb@dfo-mpo.gc.ca

EUROPEAN COMMUNITY

Domínguez Díaz, Carlos*

Director General de Recursos Pesqueros, Secretaría General de Pesca Marítima, C/ José Ortega y Gasset 57, 28006 Madrid, Spain

Tel: +34 91 347 6030, Fax: +34 91 347 6032, E-mail: cdominguez@mapya.es

Escobar Guerrero, Ignacio

Subdirector General de Organismos Multilaterales de Pesca, Secretaria General de Pesca Marítima, C/ José Ortega y Gasset 57, 28006 Madrid, Spain

Tel: +34 91 347 6048, Fax: +34 91 347 6049, E-mail: iescobar@mapya.es

Lainé, Valerie*

Commission Européenne, DG Pêches J-99 3/30, B-1049 Brussels, Belgium

Tel: +322 296 5341, Fax: +322 295 5700, E-mail: valerie.laine@cec.eu.int

Olivos Pascual, Cristina*

Commission Européenne, DG Pêches J-99 (7/34), 200 Rue de la Loi, B-1049 Brussels, Belgium

Tel: +322 296 5614, Fax: +322 296 2338, E-mail: cristina.olivos@cec.eu.int

JAPAN

Furukawa, Tadao

Fishery Division Economic Bureau, Ministry of Foreign Affairs, 2-11-1 Shibakoen Minato-Ku, Tokyo 105-8519

Tel: +81 3 6402 2234, Fax: +81 3 6402 2233

* Key contacts for future work by correspondence.

Takase, Miwako*

Deputy Director, Far Seas Fisheries Division, 1-2-1 Kasumigaseki Chiyoda-Ku, 100-8907 Tokyo
Tel: +81 3 3502 2443, Fax: +81 3 3591 5824, E-mail: miwako_takase@nm.maff.go.jp

KOREA**Hong, Lae Hyung**

Deputy Director, International Cooperation Division, Ministry of Maritime Affairs and Fisheries, 139 Chungjeong-Ro 3, Seodaemun-gu, Seoul 120-715
Tel: +82 2 3148 6991, Fax: +82 2 3148 6996, E-mail: honglaehyung@hanmail.net

Kwon, Oh Seung*

Assistant Director, International Cooperation Division, Ministry of Maritime Affairs and Fisheries, 139 Chungjeong-Ro 3, Seodaemun-gu, Seoul 120-715
Tel: +82 2 3148 6994, Fax: +82 2 3148 6996, E-mail: kos20@momaf.go.kr

UNITED STATES**Husted, Rachel***

National Marine Fisheries Service-NOAA, 1315 East-West Highway, Rm. 14528, Silver Spring, Maryland 20910
Tel: +1 301 713 2239, Fax: +1 301 713 1940, E-mail: rachel.husted@noaa.gov

McCall, Mariam

NOAA-Office of the General Counsel for Fisheries, 1315 East-West Highway Silver Spring, Maryland 20910
Tel: +1 301 713 2231, Fax: +1 301 713 0658, E-mail: mariam.mccall@noaa.gov

Rogers, Christopher

Chief, Highly Migratory Species Division, National Marine Fisheries Service/NOAA, 1315 East-West Highway, Rm. 13458, Silver Spring, Maryland 20910
Tel: +1 301 713 2347, Fax: +1 301 713 1917, E-mail: christopher.rogers@noaa.gov

OBSERVERS FROM COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES**CHINESE TAIPEI****Gau, Michael Sheng-Ti***

Department of Government & Law, National University of Kaohsiung, Floor 10, No.51, Gwang-Hsing St., Zwo-Ing District, 813, Kaohsiung
Tel: +886 952 073 422, Fax: +886 7 5581 745, E-mail: mikegau@nuk.edu.tw

Ni, I-Hsun

Dept. of Environmental Biology & Fisheries Science, National Taiwan Ocean University, 2 Peining Road, Kaolung 202
Tel: +886 2462 2192, Fax: +886 2463 2341, E-mail: niih@mail.ntou.edu.tw

ICCAT SECRETARIAT

Corazon de Maria, 8 – 6th floor, 28002 Madrid, Spain
Tel: +34 91 416 56 00, Fax: +34 91 415 26 12, E-mail: info@iccat.es

Ribeiro Lima, Adolfo
Restrepo, Victor
Kebe, Papa
Porter, Julie

Appendix 3 to ANNEX 4.5**Resolution by ICCAT Regarding Consolidation of its Resolutions and Recommendations [Ref. 02-29]**

RECOGNIZING the desirability of improving the coherence and accessibility of its recommendations and resolutions;

ALSO RECOGNIZING that the complexity of this work may have many implications, such as those of a legal, procedural or practical nature;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION

OF ATLANTIC TUNAS RESOLVES THAT:

1. A Working Group meeting of interested Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities should be held [date] in [location]* to consider the development of a Compendium of ICCAT recommendations and resolutions.
2. The Working Group should consider the structure for such a Compendium as well as any overall issues entailed in reflecting the resolutions and recommendations in a Compendium, including how best to preserve their respective non-binding and binding nature.
3. The Working Group should determine if the draft Compendium prepared by the Secretariat is an appropriate structure for a future Compendium and whether it accurately reflects the ICCAT recommendations and resolutions currently in force. The Working Group should recommend to the Commission alterations of an editorial nature to improve the structure and/or drafting of the text and remove inconsistencies and redundancies.
4. The Working Group should also identify issues raised by its review where further guidance is required from the Commission and make recommendations to the Commission on how these issues may be addressed.
5. The Working Group should also recommend to the Commission a process for the incorporation of new decisions taken by the Commission into the compiled text.

* Note from Secretariat: The 2002 Commission agreed that the date and location would be decided by correspondence with Head Delegates. The Working Group subsequently met in Dublin, Ireland, 16 November 2003.

RECOMMENDATIONS ADOPTED BY ICCAT IN 2003

[03-01]

RECOMMENDATION BY ICCAT ON BIGEYE TUNA CONSERVATION MEASURES

RECALLING that in 1997 the Commission urged Parties to reduce catches of bigeye tuna to levels below maximum sustainable yield (MSY);

RECOGNIZING that in 1998 the Commission requested the Standing Committee on Research and Statistics (SCRS) to develop stock rebuilding scenarios to levels that reflect MSY;

RECALLING the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures for Fishing Vessels Larger than 24 m Length Overall (LOA)* [Ref. 98-03] limiting the number of fishing vessels, which will fish for bigeye tuna in the Convention area, to the average number of its fishing vessels actually having fished for bigeye tuna in the Convention area for the years 1991 and 1992;

CONSIDERING that the SCRS recommends that starting in 2004 the level of total catch in the Atlantic be maintained at the 2001 catch level, in order to restore the biomass of bigeye tuna to a level that would allow MSY to be attained;

TAKING INTO ACCOUNT the need to consider the deliberations of the Second World Meeting on Bigeye Tuna in Madrid and the BETYP Symposium in March 2004, for the purposes of the management of this stock;

RECALLING that in 1999, the Commission adopted the *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregating Devices (FADs)* [Ref. 99-01] for the application of a moratorium on FAD fishing, considering that the full application of that Recommendation will reduce the catch of small bigeye;

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

1. Each Contracting Party and Cooperating non-Contracting Party, Entity or Fishing Entity shall, in 2004, limit their catch of Atlantic bigeye tuna to the average catch of Atlantic bigeye tuna taken by all their vessels in 1991 and 1992.
2. Notwithstanding the provisions of paragraph 1 above,
 - a) China shall limit in 2004 its catch of bigeye tuna to 5,000 t, while the number of its vessels registered with the Commission shall not exceed 60 for 2004 and thereafter.
 - b) The Commission shall request Chinese Taipei to limit in 2004 its catch of Atlantic bigeye tuna to 16,500 t and the number of its fishing vessels fishing for Atlantic bigeye tuna to 125.
 - c) The Commission shall request the Philippines to limit in 2004 and thereafter the number of its fishing vessels fishing for Atlantic bigeye tuna to five (5).
3. The provisions of paragraph 1 shall not apply to Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities whose reported 1999 catch, as provided to the SCRS in 2000, was less than 2,100 t.
4. Underages/overages of the 2004 catch limit for bigeye tuna may be added to/must be subtracted from the 2005 and/or 2006 catch limits for bigeye tuna.
5. The SCRS will conduct an analysis of the effectiveness of the current minimum size recommendations and will advise in 2004 on alternative measures for the protection of juvenile bigeye, taking into account the current moratorium.

[03-03]

**RECOMMENDATION BY ICCAT TO AMEND THE
THE REBUILDING PROGRAM FOR NORTH ATLANTIC
SWORDFISH AND SOUTH ATLANTIC SWORDFISH**

CONSIDERING the heavy workload of SCRS in 2005 and in view of the recommendation of SCRS,

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

1. Paragraph 12 of the *Recommendation by ICCAT Relating to the Rebuilding Program for North Atlantic Swordfish* [Ref. 02-02] be amended to read “In year 2006 and thereafter every three years, SCRS shall conduct a stock assessment and provide advice relative to paragraphs 2 and 3.”
2. Paragraph 2 of the *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits* [Ref. 02-03] be amended to read: “In year 2006, SCRS shall conduct a stock assessment and provide advice.”

[03-04]

**RECOMMENDATION BY ICCAT
RELATING TO MEDITERRANEAN SWORDFISH**

NOTING that the Commission's Standing Committee on Research and Statistics (SCRS) in its May 2003 Mediterranean Swordfish assessment has indicated the presence of a stable recruitment pattern and that the current exploitation pattern and level of exploitation are sustainable, as long as the stock does not decline;

RECOGNIZING that the SCRS recommended that the current levels of exploitation not be exceeded, under the current exploitation patterns;

CONSIDERING that the SCRS also indicated that the percentage of juveniles in the catches is relatively high and a reduction in their catches would improve the yield and spawning biomass per recruit.

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

1. In order to protect small swordfish, Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall take the necessary measures to reduce the mortality of juvenile swordfish in the entire Mediterranean.
2. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall take the necessary technical measures for their longline fisheries in order to ensure compliance with the objective.
3. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall prohibit the use of driftnets for fisheries of large pelagics in the Mediterranean.

[03-06] RECOMMENDATION BY ICCAT ON NORTH ATLANTIC ALBACORE CATCH LIMITS FOR THE PERIOD 2004-2006

CONSIDERING that, to maintain the stability of the spawning stock biomass of northern albacore, the Standing Committee on Research and Statistics (SCRS) recommends that catches do not exceed their current level of 34,500 t;

RECALLING the importance that all fleets, in particular longliners, 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:

1. The establishment of a Total Allowable Catch (TAC) of 34,500 t for 2004, 2005 and 2006.
2. This catch limit shall be allocated among the ICCAT Contracting Parties according to the following table:

<i>Party</i>	<i>2004, 2005 and 2006 Quota</i>
European Community	28,712 t
United States	607 t
TOTAL	29,319 t

3. With the exception of Venezuela, which is allocated a quota of 270 t, and Japan, Contracting Parties other than those mentioned in paragraph 2 shall limit their catches to 200 t.
4. Japan shall endeavor 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. For the non-Contracting Parties, Entities or Fishing Entities, the catch limit for 2004, 2005 and 2006 shall be 4,459 t*
6. All underages or overages of the quota/annual catch limit of northern albacore may be added to or shall be deducted from the quota/catch limit as follows:

<i>Year of catch</i>	<i>Adjustment year</i>
2004	2006 and/or 2007
2005	2007 and/or 2008
2006	2008 and/or 2009

However, the maximum underage that a Party may transfer in any given year shall not exceed 50% of its initial catch quota:

7. The 1998 *Recommendation by ICCAT Concerning the Limitation of Fishing Capacity on Northern Albacore* [Ref. 98-8] remains in force.
8. The SCRS shall conduct an assessment of this stock in 2005.

* This total includes a special allocation for Chinese Taipei of 4,453 t, as it has Cooperating Status.

[03-07]

**RECOMMENDATION BY ICCAT ON THE SOUTHERN
ALBACORE CATCH LIMIT & SHARING ARRANGEMENT FOR 2004**

NOTING that the current best estimate of the MSY of the southern albacore resource is 30,915 t, and that certainty in this MSY estimate has improved substantially following the 2003 southern albacore assessment;

NOTING FURTHER the conclusions of the 2003 Albacore Assessment Meeting, and of the 2003 SCRS Report, that the southern albacore stock is not considered to be over-exploited, that the current best estimate of $B_{\text{current}}/B_{\text{MSY}}$ is 1.66, that the current best estimate of $F_{\text{current}}/F_{\text{MSY}}$ is 0.62, and that current average catches are close to MSY;

RECOGNIZING that further work is needed before sharing arrangements for southern albacore based on the *ICCAT Criteria for the Allocation of Fishing Possibilities* can be developed and agreed on;

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

1. The annual total catch limit for albacore caught in the Atlantic Ocean south of 5°N shall be set at 29,200 t for 2004, this being close to the current best estimate of the Replacement Yield (RY) of the stock.
2. For the purpose of this Recommendation, Brazil, Namibia, South Africa and Chinese Taipei shall be considered to be Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore. All other Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall be considered to be not actively fishing for southern albacore.
3. The annual catch limit for southern albacore caught by those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore shall be set at 27,500 t per year for 2004.
4. Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for southern albacore shall make every effort to improve their catch reporting systems to ensure the reporting of all southern albacore catches during 2004 to the ICCAT Secretariat within two months of those catches having been made.
5. The ICCAT Secretariat shall notify all those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities referred to in paragraph 2 above when a cumulative catch level of 22,000 t is reached, that being 80% of their catch limit of 27,500 t.
6. Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities referred to in paragraph 2 above shall immediately initiate multi-lateral discussions when the 22,000 t warning level is reached, in order to decide on steps to be taken to prevent total catches by those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities from exceeding their 27,500 t catch limit.
7. Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities referred to in paragraph 2 above immediately implement measures to stop fishing for southern albacore when their established catch limit of 27,500 t is reached, so as to ensure that the limit is not exceeded.
8. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities not actively fishing for southern albacore and having caught, on average, less than 100 t of southern albacore per year during 1998 - 2002 shall be subject to a catch limit of 100 t.
9. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities not fishing actively for southern albacore and having caught, on average, more than 100 t of southern albacore during 1992 - 1996, but excluding Japan, shall be subject to an annual catch limit of 110% of their respective average 1992 - 1996 catches of albacore in the Atlantic Ocean south of 5°N.
10. Japan shall endeavour to limit its total catch of southern albacore to 4% by weight of its total longline bigeye tuna catch in the Atlantic Ocean south of 5°N.

11. No provision shall be made for carry-over of any under-harvests made under this sharing arrangement.
12. Those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing for southern albacore should participate in an inter-sessional meeting of Panel 3 to develop proposals for a sharing arrangement based on the *ICCAT Criteria for the Allocation of Fishing Possibilities* adopted in 2001.
13. The southern albacore catch limit and sharing arrangement shall be reviewed and revised at the 2004 ICCAT Commission meeting, based on the outcome of the Panel 3 inter-sessional meeting to develop a sharing arrangement based on the ICCAT allocation criteria.
14. This Recommendation replaces, in its entirety, the 2002 *Recommendation by ICCAT on the Southern Albacore Catch Limit and Sharing Arrangement for 2003* [02-06].

[03-08]

**RECOMMENDATION BY ICCAT CONCERNING THE
STOCK ASSESSMENT SCHEDULE FOR
WESTERN ATLANTIC BLUEFIN TUNA**

NOTING the nature of mixing between western and eastern Atlantic bluefin tuna;

RECOGNIZING the need to develop comprehensive conservation measures over the entire Atlantic Ocean;

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

Notwithstanding paragraph 7 of the *Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna* [Ref. 98-07], the SCRS shall conduct a stock assessment of western Atlantic bluefin tuna in 2005 in conjunction with the scheduled stock assessment of eastern Atlantic bluefin tuna and thereafter every two years.

[03-09]

**RECOMMENDATION BY ICCAT
ON BLUEFIN TUNA FARMING**

TAKING INTO ACCOUNT the increasing development of bluefin tuna farming activities, especially in the Mediterranean;

RECALLING the conclusions of 6th GFCM/ICCAT Meeting on Stocks of Large Pelagic Fishes in the Mediterranean Sea relative to the effects of the bluefin tuna farming and on the solutions that could be studied to regulate this activity;

CONSIDERING the advice of the 2001 Standing Committee on Research and Statistics (SCRS) on effects of bluefin tuna farming in the Mediterranean on the collection of data and consequently on stock assessment procedures;

DESIRING to gradually implement effective management measures that permit the development of bluefin tuna farming in a responsible and sustainable manner in relation to the management of bluefin tuna;

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) whose flag vessels fish or transfer quantities of bluefin tuna to cages for farming shall undertake the necessary measures:
 - a) to require that the captains of vessels carrying out transfer operations of bluefin tuna for farming maintain vessel logs and report the quantities transferred and the number of fish as well as the date, place of harvest and name of the vessel and of the company responsible for the farming.
 - b) to require the reporting of the total amount of the transfers of bluefin tuna for fattening and farming, carried out by their flag vessels, and include this information in the Task I data.
 - c) to set up and maintain a list of their flag vessels that fish for, provide or transport bluefin tuna for farming purposes (name of the vessel, flag, license number, gear type), i.e., fishing boat, transport vessel, vessels with pools, etc.
2. The CPCs under whose jurisdiction are located the farms for bluefin tuna in the Convention area shall adopt the necessary measures to:
 - a) ensure that a caging declaration is presented by the operator in accordance with the ICCAT format in the attached Annex, on each fishing or transport vessel that participated in the transfer of tuna to cages for fattening, including the quantities of bluefin tuna destined for farming. This declaration shall include information relative to the quantities (in t) of fish transferred to the cages, the number of fish, the date, the place, the location of the harvest, the name of the vessel, as well as its flag and license number,
 - b) recommend that the tuna farms and the scientific institutes obtain data on the size of the fish caught as well as the date, time and area of harvest and the fishing method used, in order to improve statistics for stock assessment purposes,
 - c) ensure the reporting of the quantities of bluefin tuna placed in cages and of estimates of the growth and mortality while in captivity and of the amounts sold (in t),
 - d) set up and maintain a registry of the farming facilities under their jurisdiction,
 - e) establish a sampling program for the estimation of the numbers-at-size of the bluefin tuna caught, e.g., through scientific observers on-board the vessels or at the farming sites. Such programs shall be transmitted to and validated by the SCRS.

3. The CPCs that export farmed bluefin tuna products shall ensure that the description of these products includes "Farming" in the ICCAT Bluefin Tuna Statistical Document (BTSD) or the ICCAT Bluefin Tuna Re-exportation Certificate (refer to [Ref. 03-19]).
4. The CPCs shall transmit, each year, to the Executive Secretary, prior to 31 August:
 - the list of flag vessels provided for in paragraph 1c),
 - the results of the program referred to in paragraph 2e),
 - the quantities of bluefin tuna caged during the previous year,
 - the quantities marketed during the previous year.
5. The CPCs mentioned in this recommendation as well as the Contracting Parties that import bluefin tuna shall cooperate, particularly through the exchange of information.
6. The Commission shall request non-Contracting Parties that farm bluefin tuna in the Convention Area to cooperate in the implementation of this recommendation.
7. Based on the information referred to in paragraph 4, on the BTSD reports and the Task I data, the Commission shall review the effectiveness of these measures.
8.
 - a) The Commission shall establish and maintain an ICCAT record of farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBs). For the purposes of this Recommendation, FFBs not entered into the record are deemed not to be authorized to operate for farming of bluefin tuna caught in the Convention area.
 - b) Each CPC under whose jurisdiction FFBs are located shall submit electronically, where possible, to the ICCAT Executive Secretary by 31 August 2004 the list of its FFBs that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
 - name of the FFB, register number,
 - names and addresses of owner (s) and operator (s),
 - location,
 - farming capacity (in t)
 - c) Each CPC shall notify, after the establishment of the ICCAT record of FFBs, the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record of FFBs at any time such changes occur.
 - d) The ICCAT Executive Secretary shall maintain the ICCAT record of FFBs, and take any measure to ensure publicity of the record through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.
 - e) The CPCs under whose jurisdiction FFBs are located shall take the necessary measures to ensure that their FFBs comply with the relevant ICCAT measures.
 - f) To ensure the effectiveness of ICCAT conservation and management measures pertaining to bluefin tuna:
 - i) CPCs under whose jurisdiction FFBs are located shall validate Bluefin Tuna Statistical Documents only for the farms on the ICCAT record of FFBs,
 - ii) CPCs shall require farmed bluefin tuna, when imported into their territory to be accompanied by statistical documents validated for FFBs on the ICCAT record of FFBs and,
 - iii) CPCs importing farmed bluefin tuna and the States that authorize the FFB shall cooperate to ensure that statistical documents are not forged or do not contain misinformation.
9. This recommendation replaces the *Recommendation by ICCAT on Bluefin Tuna Farming* [Ref. 02-10].

ICCAT DECLARATION ON CAGING

<i>Vessel name</i>	<i>Flag</i>	<i>Registration number</i>	<i>Date of catch</i>	<i>Place of catch</i>	<i>Date of caging</i>	<i>Quantity placed in cage (kg)</i>	<i>Number of fish placed in cage</i>	<i>Farming facility*</i>

* Farming facility authorized to operate for farming of bluefin tuna caught in the Convention area.

**[03-12] RECOMMENDATION BY ICCAT CONCERNING THE DUTIES
OF CONTRACTING PARTIES & COOPERATING NON-
CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES IN
RELATION TO THEIR VESSELS IN THE ICCAT CONVENTION AREA**

IN ACCORDANCE WITH the Needs and Principles set forth in the *General Outline of Integrated Monitoring Measures Adopted by ICCAT*, adopted by the Commission in 2002 to ensure effective monitoring measures;

CONSIDERING the deliberations of the ICCAT Working Group to Develop Integrated Monitoring Measures held in Madeira from 26 to 28 May 2003;

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

1. In order to control vessels entitled to fly their flags and authorized to fish species managed by ICCAT in the Convention area, flag Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) shall:
 - a) adopt measures so that their vessels comply with and do not undermine ICCAT conservation and management measures;
 - b) authorize their vessels to fish in the ICCAT Convention area by means of fishing authorizations, licenses, or permits;
 - c) ensure they do not authorize their vessels to fish in the ICCAT Convention area unless they are able to effectively exercise their responsibilities in respect of such vessels, including monitoring and controlling their fishing activities;
 - d) ensure that their vessels do not conduct unauthorized fishing within areas under the national jurisdiction of other States, through appropriate cooperation with coastal States concerned, and other relevant means available to the flag CPC;
 - e) require their vessels fishing on the high seas to carry the license, authorization or permit on board at all times and to produce it on demand for inspection by a duly authorized person;
 - f) investigate and follow-up on an alleged violation by a vessel and report the results of such investigation, as well as the actions taken whenever that violation has been confirmed.
2. Each flag CPC shall establish and maintain an up-to-date record of fishing vessels entitled to fly its flag and authorized to fish species managed by ICCAT in the Convention area, which should include vessels of other flags authorized under charter agreements.
3. Each flag CPC shall ensure that its fishing vessels authorized to fish species managed by ICCAT in the Convention area, as well as their fishing gears, are marked in such a way that they can be readily identified in accordance with generally accepted standards such as the FAO standard specification for the marking and the identification of fishing vessels.

[03-13]

**RECOMMENDATION BY ICCAT CONCERNING THE
RECORDING OF CATCH BY FISHING VESSELS IN
THE ICCAT CONVENTION AREA**

IN ACCORDANCE WITH the Needs and Principles set forth in the *General Outline of Integrated Monitoring Measures Adopted by ICCAT*, adopted by the Commission in 2002 to ensure effective monitoring measures;

CONSIDERING the deliberations of the ICCAT Working Group to Develop Integrated Monitoring Measures held in Madeira from 26 to 28 May 2003;

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

Each flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity shall ensure that all fishing vessels flying its flag and authorized to fish species managed by ICCAT in the Convention area be subject to a data recording system. All commercial fishing vessels over 24 m length overall shall keep a bound or electronic logbook recording the information required in the *ICCAT Field Manual for Statistics and Sampling*. In the case of sport fishing vessels, other comparable data-collection systems shall be acceptable.

[03-14] RECOMMENDATION BY ICCAT CONCERNING MINIMUM STANDARDS FOR THE ESTABLISHMENT OF A VESSEL MONITORING SYSTEM IN THE ICCAT CONVENTION AREA

IN ACCORDANCE WITH the Needs and Principles set forth in the *General Outline of Integrated Monitoring Measures Adopted by ICCAT*, adopted by the Commission in 2002 to ensure effective monitoring measures;

CONSIDERING the deliberations of the ICCAT Working Group to Develop Integrated Monitoring Measures held in Madeira from 26 to 28 May 2003;

RECOGNIZING the developments in satellite-based vessel monitoring systems (VMS), and the possible utility within ICCAT;

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

1. Each flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereinafter referred to as CPC) shall implement no later than (at a date to be decided by the Commission) a Vessel Monitoring System (hereinafter referred to as VMS) for its commercial fishing vessels exceeding 20 meters between perpendiculars or 24 meters length overall and:
 - a) require its fishing vessel to be equipped with an autonomous system able to automatically transmit a message to the land-based Fisheries Monitoring Center (hereinafter referred to as FMC) of the flag CPC allowing a continuous tracking of the position of a fishing vessel by the CPC of that fishing vessel.
 - b) ensure that the satellite tracking device fitted on board the fishing vessels shall enable the vessel to continuously collect and transmit, at any time, to the FMC of the flag CPC the following data:
 - i) the vessel's identification;
 - ii) the most recent geographical position of the vessel (longitude, latitude) with a margin of error lower than 500 metres, with a confidence interval of 99%;
 - iii) the date and time of the fixing of the said position of the vessel.
2. Each CPC shall take the necessary measures to ensure that the FMC receives through the VMS the messages required in paragraph 1.b).
3. Each CPC shall ensure that the masters of fishing vessels flying its flag shall ensure that the satellite tracking devices are permanently operational and that the information identified in paragraph 1.b) is collected at least every 6 hours for transmission on, at least, a daily basis. In the event of a technical failure or non-operation of the satellite tracking device fitted on board a fishing vessel, the device shall be repaired or replaced within one month. After this period, the master of a fishing vessel is not authorized to commence a fishing trip with a defective satellite tracking device. Furthermore, when a device stops functioning or has a technical failure during a fishing trip lasting more than one month, the repair or the replacement has to take place as soon as the vessel enters a port; the fishing vessel shall not be authorized to commence a fishing trip without the satellite tracking device having been repaired or replaced.
4. Each CPC shall ensure that a fishing vessel with a defective satellite tracking device shall communicate, at least daily, reports containing the information in paragraph 1.b) to the FMC by other means of communication (radio, telefax or telex).
5. Until (at a date to be decided by the Commission) fishing vessels referred to in paragraph 1 which are not yet equipped with VMS shall report at least daily by radio, telefax or telex. Such reports must include, *inter alia*, information on the official numbers (radio call sign and registration number), the name of the fishing vessel, the date, the time (UTC) and the geographical position (latitude and longitude) when transmitting the report, to their competent authorities, as well as:

- a) the geographic position at the beginning of the fishing operation;
 - b) the geographic position at the end of the fishing operation.
6. CPCs are encouraged to extend the application of this Recommendation to their fishing vessels of less than 20 meters between perpendiculars or 24 meters length overall if they consider this to be appropriate to ensure the effectiveness of ICCAT conservation and management measures.

[03-16]

**RECOMMENDATION BY ICCAT TO ADOPT
ADDITIONAL MEASURES AGAINST ILLEGAL,
UNREPORTED AND UNREGULATED (IUU) FISHING**

MINDFUL of the need to improve the control and management of quotas and catch limits fixed by ICCAT,

CONCERNED by the fact that the activities of IUU fishing in the ICCAT Convention area continue, and that these activities undermine the effectiveness of the ICCAT conservation and management measures,

NOTING that certain vessels catch, land, place in cages for farming, market and/or transship tuna and tuna-like species when their flag State has no quota, catch limit or effort allocation in accordance with ICCAT conservation and management measures,

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

Consistent with their rights and obligations under international law, Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) take the necessary measures to prohibit landings from fishing vessels, placing in cages for farming and/or the transshipment within their jurisdiction of tunas or tuna-like species caught by IUU fishing activities.

**[03-17] RECOMMENDATION BY ICCAT CONCERNING THE
CONTINUANCE OF TRADE MEASURES
AGAINST EQUATORIAL GUINEA**

RECOGNIZING ICCAT's authority and responsibility to manage, at the international level, the stocks of tuna and tuna and tuna-like species in the Atlantic Ocean and in its adjacent seas;

NOTING the obligation of all the Contracting Parties to comply with ICCAT's conservation and management measures;

EXPRESSING CONCERN about the state of over-fishing of bluefin tuna and bigeye tuna in the Atlantic Ocean;

AWARE that the management of the tuna stocks in the ICCAT Convention area cannot be effective unless all the Contracting Parties comply with the ICCAT conservation and management measures;

AWARE that large longliners registered in Equatorial Guinea are fishing in the Atlantic and have bigeye tuna as their primary target;

RECALLING the *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* [Ref. 95-13] adopted by the Commission in 1994 to guarantee the effective conservation of this species;

ALSO RECALLING the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Ref. 96-14] and the 1998 *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area* [Ref. 98-18], which indicate the possibility of imposing strict restrictions consistent with the international obligations of each Contracting Party;

CALLING ATTENTION to the decisions taken by the Commission in 1999 (*Recommendation by ICCAT Regarding Equatorial Guinea Pursuant to the 1996 "Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries"* [Ref. 99-10]) and in 2000 (*Recommendation by ICCAT Regarding Equatorial Guinea Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-scale Longline Vessels in the Convention Area* [Ref. 00-16]) which, respectively, prohibit imports of Atlantic bluefin tuna and its products and Atlantic bigeye tuna and its products from Equatorial Guinea;

CAREFULLY REVIEWING at its 2003 meeting the information concerning the Commission's efforts after several years to obtain Equatorial Guinea's compliance with the ICCAT conservation and management measures, and noting that no substantial action has been taken by them to remedy this situation; and

ALSO NOTING that this Recommendation does not prejudice the rights and obligations of the Contracting Parties based on other international agreements;

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

1. Contracting Parties continue to take appropriate measures consistent with the provisions of the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Ref. 96-14] and the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area* [Ref. 98-18] to the effect of prohibiting the import of Atlantic bluefin tuna and Atlantic bigeye tuna and their products in any form from Equatorial Guinea, effective from the entry into force of this Recommendation.
2. The Commission will again request Equatorial Guinea to abide by its obligations as a Contracting Party to ICCAT by complying with all the ICCAT conservation and management measures, and by providing catch statistics to ICCAT in accordance with the ICCAT-established procedures.
3. The Contracting Parties will lift the import prohibitions adopted in this Recommendation upon the decision of the Commission, and upon notification from the ICCAT Executive Secretary that Equatorial Guinea's fishing activities have been brought into conformity with ICCAT conservation and management measures.

**[03-18] RECOMMENDATION BY ICCAT FOR BIGEYE TUNA
TRADE RESTRICTIVE MEASURES
ON GEORGIA**

RECOGNIZING the authority and responsibility of ICCAT to manage populations of tuna and tuna-like species in the Atlantic Ocean and adjacent seas, at the international level;

NOTING the need for all non-Contracting Parties, Entities or Fishing Entities fishing for such species in the Atlantic Ocean or its adjacent seas to join ICCAT or to cooperate with ICCAT's conservation and management measures;

EXPRESSING CONCERN with regard to the overfished status of bigeye tuna in the Atlantic Ocean;

RECOGNIZING that large-scale longline vessels registered in Georgia are fishing in the Atlantic Oceans and are harvesting bigeye tuna;

RECALLING the adoption in 1998 of the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18];

CALLING ATTENTION to the 2002 decision by the Commission, based on data and associated information submitted by Contracting Parties, Cooperating non-Contracting Parties, Entities, or Fishing Entities to identify Georgia pursuant to Resolution [Ref. 98-18] and that the Commission duly notified Georgia of the identification and requested that it rectify the situation;

CAREFULLY REVIEWING the information regarding efforts by the Commission to obtain the cooperation of Georgia since the 2002 meeting, including information that Georgia has taken insufficient action to rectify the situation and continues to operate in a manner that diminishes the effectiveness of ICCAT conservation and management measures by, *inter alia*, increasing harvests of bigeye tuna and failing to control effectively the large-scale longline vessels that appear on the ICCAT list of vessels believed to engaged in illegal, unreported, and unregulated fishing activities in the ICCAT Convention area and other areas.

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities, or Fishing Entities take appropriate measures consistent with the provisions of the Resolution [Ref. 98-18] to the effect that the import of Atlantic bigeye tuna and its products in any form from Georgia be prohibited effective from the time this Recommendation enters into force.
2. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities lift the import prohibitions on Georgia upon the decision of the Commission and receipt of notification from the ICCAT Executive Secretary that fishing practices of Georgia have been brought into conformity with ICCAT measures.
3. The Commission again request Georgia to cooperate with ICCAT by ensuring that vessels entitled to fly its flag fish in a manner consistent with ICCAT conservation and management measures and by providing catch statistics in accordance with ICCAT procedures.
4. The Commission continue to encourage participation by Georgia in ICCAT meetings.

[03-19]

**RECOMMENDATION BY ICCAT CONCERNING THE
AMENDMENT OF THE FORMS OF THE ICCAT
BLUEFIN/BIGEYE/SWORDFISH STATISTICAL DOCUMENTS**

NOTING that the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessel Over 24 Meters Authorized to Operate in the Convention Area* [Ref. 02-22] prescribes that both exporting and importing Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) shall cooperate to ensure that the forgery of or misinformation in statistical documents is avoided;

RECOGNIZING that additional information such as vessel length and time of harvest is necessary for better implementation of Commission's conservation and management measures and for the smooth implementation of the Recommendation [02-22];

CONSIDERING that the Standing Committee on Research and Statistics (SCRS) and Ad Hoc Data Workshop are strongly concerned about the quality of the catch data including statistics related to bluefin farming;

FURTHER RECOGNIZING the necessity of better data collection on farming tuna through the Statistical Document Program;

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

1. The sample forms of the statistical documents and the re-export certificate and instruction sheets in the following Recommendations and Resolution shall be replaced by the attached forms and instructions respectively.
 - a) *Resolution by ICCAT Concerning the Effective implementation of the ICCAT Bluefin Tuna Statistical Document Program* [Ref. 94-5]
 - b) *Recommendation by ICCAT Concerning the Implementation of the ICCAT Bluefin Tuna Statistical Document Program on Re-export* [Ref. 97-4]
 - c) *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Ref. 01-21]
 - d) *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Ref. 01-22].
2. Related to the *Recommendation by ICCAT on Bluefin Tuna Farming* [Ref. 03-09], the Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities that export farmed bluefin tuna products shall ensure to mark the box "Farmed" in the first line of the ICCAT Bluefin Tuna Statistical Document or the box in item 5 of the ICCAT Bluefin Tuna Re-export Certificate.
3. The Commission shall communicate with other relevant regional fishery management bodies which established the statistical document programs and the authorized vessel records and request them to implement the similar reform.

DOCUMENT NUMBER	ICCAT BLUEFIN TUNA STATISTICAL DOCUMENT					
	? Capture			? Farmed		
EXPORT SECTION:						
1. FLAG COUNTRY/ENTITY/FISHING ENTITY						
2. DESCRIPTION OF VESSEL (if applicable)						
Vessel Name	Registration Number	LOA (m)	ICCAT Record No. (if applicable)			
3. TRAPS OR FARMS (if applicable)						
Name and Address						
4. POINT OF EXPORT (City, State/Province, Country/Entity/Fishing Entity)						
5. DESCRIPTION OF FISH						
Product Type ^a	Time of Harvest	Gear Code ^b	Area of Catch ^c	Net Weight	Tag Number	
<i>F/FR RD/GG/DR/FL/OT</i>	<i>(mm/yy)</i>			<i>(kg)</i>	<i>(if applicable)</i>	
^a F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Guttled, DR=Dressed, FL=Fillet, OT=Others (Describe the type of product: _____)						
^b When the Gear Code is OT, describe the type of gear: _____						
^c Ocean area (e.g., east/west Atlantic, Mediterranean, Pacific)						
6. EXPORTER CERTIFICATION:						
I certify that the above information is complete, true and correct to the best of my knowledge and belief.						
Name	Address	Signature	Date	License # (if applicable)		
7. GOVERNMENT VALIDATION:						
I validate that the above information is complete, true and correct to the best of my knowledge and belief.						
						Total weight of the shipment: _____ kg
Name & Title	Signature		Date	Government Seal		
IMPORT SECTION						
8. IMPORTER CERTIFICATION:						
I certify that the above information is complete, true and correct to the best of my knowledge and belief.						
Importer Certification (Intermediate Country/Entity/Fishing Entity)						
Name	Address	Signature	Date	License # (if applicable)		
Importer Certification (Intermediate Country/Entity/Fishing Entity)						
Name	Address	Signature	Date	License # (if applicable)		
Importer Certification (Final Destination of Shipment)						
Name	Address	Signature	Date	License # (if applicable)		
Final Point of Import: City _____ State/Province _____ Country/Entity/Fishing Entity _____						

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

BLUEFIN TUNA STATISTICAL DOCUMENT INSTRUCTION SHEET

Pursuant to the 1992 ICCAT Recommendations, bluefin tuna dealers who import bluefin tuna into the territory of an ICCAT Contracting Party or at the first entry into a regional economic organization will be required to complete the appropriate sections of the Document. Only complete and valid documents will guarantee that shipments of bluefin tuna will be allowed to enter the territory of Contracting Parties. Shipments of bluefin tuna that are accompanied by improperly documented Bluefin Tuna Statistical Documents (i.e., improperly documented means that the Bluefin Tuna Statistical Document is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bluefin tuna, that are contrary to ICCAT conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.

Please use this Instruction Sheet as a guideline to complete that section of the Bluefin Tuna Statistical Document that applies to Exporters, Importers, and Government Validation. If a language other than English is used in completing the form, please add the English translation on the Document. **NOTE: IF A BLUEFIN TUNA PRODUCT IS EXPORTED DIRECTLY TO JAPAN, WITHOUT FIRST GOING THROUGH AN INTERMEDIATE COUNTRY, ALL FISH CAN BE IDENTIFIED ON ONE DOCUMENT. HOWEVER, IF THE BLUEFIN TUNA PRODUCT IS EXPORTED THROUGH AN INTERMEDIATE COUNTRY (i.e. A COUNTRY OTHER THAN THE COUNTRY WHICH IS THE FINAL DESTINATION OF THE PRODUCT), SEPARATE DOCUMENTS MUST BE PREPARED FOR DIFFERENT FINAL DESTINATIONS OR EACH FISH MAY BE ACCOMPANIED BY A SEPARATE DOCUMENT TO IDENTIFY ANY POSSIBLE SEPARATION OF SHIPMENTS BY AN INTERMEDIATE COUNTRY. THE IMPORT OF FISH PARTS OTHER THAN THE MEAT, i.e., HEAD, EYES, ROE, GUTS, TAILS MAY BE ALLOWED WITHOUT THE DOCUMENT.**

INSTRUCTIONS

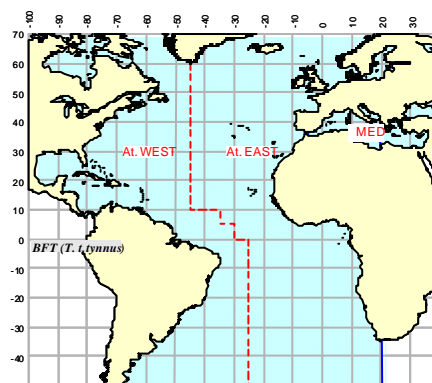
DOCUMENT NUMBER: Block for the issuing Country to designate a country coded Document Number.

TITLE: Check the appropriate box.

- (1) **FLAG COUNTRY:** Fill in the name of the country of the vessel that harvested the bluefin tuna in the shipment and issued this Document. According to the ICCAT Recommendation, only the flag state of the vessel that harvested the bluefin tuna in the shipment can issue this Document.
- (2) **DESCRIPTION OF VESSEL (if applicable):** Fill in the name, registration number, length overall (LOA) and ICCAT Record number of the vessel that harvested the bluefin tuna in the shipment. When tag numbers are provided in section 5 and the vessel harvested is smaller than 24 meters in LOA, this section need not be filled in.
- (3) **TRAPS OR FARMS (if applicable):** Fill in the name and address of the trap/farm that harvested or farmed the bluefin tuna in the shipment.
- (4) **POINT OF EXPORT:** Identify the City, State or Province, and Country from which the bluefin tuna was exported.
- (5) **DESCRIPTION OF FISH:** The exporter must provide, to the highest degree of accuracy, the following information. **NOTE:** One row should describe one product type.
 - (1) Product Type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment.
 - (2) Time of Harvest: Fill in the time of harvest (in month and year) of the bluefin tuna in the shipment.
 - (3) Gear Code: Identify the gear type which was used to harvest the bluefin tuna using the list below. For OTHER TYPE, describe the type of gear.
 - (4) Area of Catch: Identify the general area of the ocean in which the bluefin tuna product was harvested (i.e. east, west Atlantic, Mediterranean (see the map below), Pacific).
 - (5) Net product weight in kilograms.
 - (6) Country Coded Tag Number (if applicable).
- (6) **EXPORTER CERTIFICATION:** The person or company exporting the bluefin tuna shipment must provide his/her name, address, signature, date the shipment was exported, and dealer license number (if applicable).
- (7) **GOVERNMENT VALIDATION:** Fill in the name and full title of the official signing the Document. The official must be in the employment of the competent government authority of the flag state of the vessel that harvested the bluefin tuna appearing on the Document. This requirement may be waived according to the ICCAT RESOLUTION CONCERNING VALIDATION BY A GOVERNMENT OFFICIAL OF THE BLUEFIN TUNA STATISTICAL DOCUMENT.
- (8) **IMPORTER CERTIFICATION:** The person or company that imports bluefin tuna must provide his/her name, address, signature, date the bluefin was imported, license number (if applicable), and final point of import. This includes imports into intermediate countries. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

GEAR CODE:

<i>GEAR CODE</i>	<i>GEAR TYPE</i>
BB	BAITBOAT
GILL	GILLNET
HAND	HANDLINE
HARP	HARPOON
LL	LOGLINE
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



RETURN A COPY OF COMPLETED DOCUMENT TO: (the name of the office of the competent authority of the flag state).

DOCUMENT NUMBER	ICCAT BLUEFIN TUNARE-EXPORT CERTIFICATE		
RE-EXPORT SECTION:			
1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY			
2. POINT OF RE-EXPORT			
3. FARMS (if applicable)			
4. DESCRIPTION OF IMPORTED FISH			
Product Type <i>F/FR RD/GG/DR/FL/OT</i>	Net Weight <i>(kg)</i>	Flag Country/ Entity/Fishing Entity	Date of import
5. DESCRIPTION OF FISHFOR RE-EXPORT			
Product Type <i>F/FR RD/GG/DR/FL/OT</i>	Net Weight <i>(kg)</i>		
		? Farmed	
		? Farmed	
		? Farmed	
F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Guttred, DR=Dressed, FL=Fillet, OT=Others (Describe the type of product: _____)			
6. EXPORTER CERTIFICATION:			
I certify that the above information is complete, true and correct to the best of my knowledge and belief.			
Name	Address	Signature	Date
License # (if applicable)			
7. GOVERNMENT VALIDATION:			
I validate that the above information is complete, true and correct to the best of my knowledge and belief.			
			Total weight of the shipment: _____ kg
Name & Title	Signature	Date	Government Seal
IMPORT SECTION			
8. IMPORTER CERTIFICATION:			
I certify that the above information is complete, true and correct to the best of my knowledge and belief.			
Importer Certification (Intermediate Country/Entity/Fishing Entity)			
Name	Address	Signature	Date
License # (if applicable)			
Importer Certification (Intermediate Country/Entity/Fishing Entity)			
Name	Address	Signature	Date
License # (if applicable)			
Importer Certification (Final Destination of Shipment)			
Name	Address	Signature	Date
License # (if applicable)			
Final Point of Import: City _____ State/Province _____ Country/Entity/Fishing Entity _____			

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE INSTRUCTION SHEET

Under the framework of the ICCAT Bluefin Tuna Statistical document Program, a request for the establishment of a system enabling re-export was growing recently. In 1997, a Recommendation was adopted to implement the ICCAT Bluefin Tuna statistical Document Program for Re-export. Pursuant to this Recommendation, bluefin tuna dealers who import re-exported*1 bluefin tuna to Japan will be required to submit an ICCAT Bluefin Tuna Re-export Certificate*2 to be validated by a government official of the intermediate country or area*3, or by a recognized institution, such as a Chamber of Commerce and Industry, accredited by the government of the intermediate country or area. A copy of the original Bluefin Tuna Statistical Document (BFTSD) accompanying the bluefin tuna at the time of importation must be attached to the Re-export Certificate. The copy of the original BFTSD so attached must be verified by a government official of the intermediate country or area, or by a recognized institution, such as a Chamber of Commerce and Industry, accredited by the government of the intermediate country or area. When re-exported bluefin tuna are again re-exported*4, all copies of documents, including a verified copy of a BFTSD and Re-export Certificate which accompanied that bluefin tuna must be attached to a new Re-export Certificate to be validated by a government official of the last intermediate country or area, or by a recognized institution, such as a Chamber of Commerce and Industry, accredited by the government of the last intermediate country or area. Only bluefin tuna accompanied by a complete and valid Re-export Certificate will be allowed to enter Japan. Shipments of re-exported bluefin tuna accompanied by an improperly documented*5 Re-export Certificate will be considered illegitimate shipments of re-exported bluefin that are contrary to ICCAT conservation efforts, and their entry into Japan will be suspended pending receipt of a properly documented Re-export Certificate.

NOTE:

*1 "Re-export" means that bluefin tuna passes through a country or an area (tax-exempted areas are excluded) after being exported from the flagship country or the area (tax-exempted areas are excluded) of the fishing vessel which has caught that bluefin tuna.

*2 Hereinafter called "Re-export Certificate".

*3 "An intermediate country or area" means a country or an area through which bluefin tuna pass after being exported from the flagship country or the area (tax-exempted areas are excluded) of the fishing vessel which has caught that bluefin tuna.

*4 Re-export of bluefin tuna from one Member State of the European Union to another is exempted.

*5 "Improperly documented" means that the Re-export Certificate is either missing from the shipment, incomplete, invalid, or falsified.

Please use this instruction sheet as a guideline to complete that section of the Bluefin Tuna Re-export Certificate that applies to Exporters, Importers, and Government Validation. If a language other than English is used in completing the form, please add the English translation on the Certificate.

NOTE: IF A BLUEFIN TUNA PRODUCT IS RE-EXPORTED DIRECTLY TO JAPAN, WITHOUT FIRST GOING THROUGH AN INTERMEDIATE COUNTRY/ENTITY/FISHING ENTITY, ALL FISH CAN BE IDENTIFIED ON ONE CERTIFICATE. HOWEVER, IF THE BLUEFIN TUNA PRODUCT IS RE-EXPORTED THROUGH AN INTERMEDIATE COUNTRY/ENTITY/FISHING ENTITY (i.e. A COUNTRY/ENTITY/FISHING ENTITY OTHER THAN THE COUNTRY/ENTITY/FISHING ENTITY WHICH IS THE FINAL DESTINATION OF THE PRODUCT), A SEPARATE CERTIFICATE MUST BE PREPARED FOR DIFFERENT FINAL DESTINATIONS OR EACH FISH MAY BE ACCOMPANIED BY A SEPARATE CERTIFICATE TO IDENTIFY ANY POSSIBLE SEPARATION OF SHIPMENTS BY AN INTERMEDIATE COUNTRY/ENTITY/FISHING ENTITY. THE IMPORT OF FISH PARTS OTHER THAN THE MEAT, i.e. HEADS, EYES, ROE, GUTS, TAILS MAY BE ALLOWED WITHOUT THE CERTIFICATE.

INSTRUCTIONS

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a Country/Entity/Fishing Entity coded document number.

(1) RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY

Fill in the name of the Country/Entity/Fishing Entity that re-exports the bluefin tuna in the shipment and issued this Certificate. According to the ICCAT Recommendation, only the re-exporting Country/Entity/Fishing Entity can issue this Certificate.

(2) POINT OF RE-EXPORT

Identify the City/State Province and Country/Entity/Fishing Entity from which the bluefin tuna was re-exported.

(3) FARMS (if applicable)

Fill in the name and address of the farm that farmed the bluefin tuna in the shipment.

(4) DESCRIPTION OF IMPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms. (3) Flag Country/Entity/Fishing Entity: the name of the Country/Entity/Fishing Entity of the vessel that harvested the bluefin tuna in the shipment. (4) Date of import: Imported date.

(5) DESCRIPTION OF RE-EXPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms. (3) Mark the box "Farmed" if the bluefin tuna in the shipment was farmed at the re-exporting country/entity/fishing entity.

(6) RE-EXPORTED CERTIFICATION

The person or company re-exporting the bluefin tuna shipment must provide his/her name, address, signature, date the shipment was re-exported, and re-exporter's license number (if applicable).

(7) GOVERNMENT VALIDATION

Fill in the name and full title of the official signing the Certificate. The official must be in the employment of the competent government authority of the re-exporting Country/Entity/Fishing Entity appearing on the Certificate. This requirement may be waived according to the ICCAT RESOLUTION CONCERNING VALIDATION BY AN GOVERNMENT OFFICIAL OF THE BLUEFIN STATISTICAL DOCUMENT.

(8) IMPORTER CERTIFICATION

The person or company that imports bluefin tuna must provide his/her name, address, signature, date the bluefin tuna was imported, license number (if applicable) and re-exported final point of import. This includes imports into intermediate Countries/Entities/Fishing Entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting Country/Entity/Fishing Entity).

DOCUMENT NUMBER	ICCAT BIGEYE TUNA STATISTICAL DOCUMENT			
EXPORT SECTION:				
1. FLAG COUNTRY/ENTITY/FISHING ENTITY				
2. DESCRIPTION OF VESSEL (if applicable)				
Vessel Name	Registration Number	LOA (m)	ICCAT Record No. (if applicable)	
3. TRAPS (if applicable)				
4. POINT OF EXPORT (City, State/Province, Country/Entity/Fishing Entity)				
5. AREA OF CATCH (Check one of the following)				
(a) Atlantic (b) Pacific (c) Indian				
* In case of (b) or (c) is checked, the items 6 and 7 below do not need to be filled out.				
6. DESCRIPTION OF FISH				
Product Type (*1)	Time of Harvest	Gear Code (*2)	Net Weight	
<i>F/FR RD/GG/DR/FL/OT</i>	<i>(mm/yy)</i>		<i>(kg)</i>	
*1 F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Guttled, DR=Dressed, FL=Fillet, OT=Others (Describe the type of product: _____)				
*2 When the Gear Code is OT, describe the type of gear: _____				
6. EXPORTER CERTIFICATION:				
I certify that the above information is complete, true and correct to the best of my knowledge and belief.				
Name	Address	Signature	Date	License # (if applicable)
7. GOVERNMENT VALIDATION:				
I validate that the above information is complete, true and correct to the best of my knowledge and belief.				
			Total weight of the shipment: _____ kg	
Name & Title	Signature	Date	Government Seal	
IMPORT SECTION				
8. IMPORTER CERTIFICATION:				
I certify that the above information is complete, true and correct to the best of my knowledge and belief.				
Importer Certification (Intermediate Country/Entity/Fishing Entity)				
Name	Address	Signature	Date	License # (if applicable)
Importer Certification (Intermediate Country/Entity/Fishing Entity)				
Name	Address	Signature	Date	License # (if applicable)
Importer Certification (Final Destination of Shipment)				
Name	Address	Signature	Date	License # (if applicable)
Final Point of Import: City _____ State/Province _____ Country/Entity/Fishing Entity _____				

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

ICCAT BIGEYE TUNA STATISTICAL DOCUMENT INSTRUCTION SHEET

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a country/entity/fishing entity encoded Document Number.

(1) FLAG COUNTRY/ENTITY/FISHING ENTITY: Fill in the name of the country/entity/fishing entity of the vessel that harvested the bigeye tuna in the shipment and issued this Document. According to the ICCAT Recommendation, only the flag state of the vessel that harvested the bigeye tuna in the shipment or, if the vessel is operating under a charter arrangement, the exporting state, can issue this Document.

(2) DESCRIPTION OF VESSEL (if applicable): Fill in the name, registration number, length overall (LOA) and ICCAT Record number of the vessel that harvested the bigeye tuna in the shipment.

(3) TRAPS (if applicable): Fill in the name of the trap that harvested the bigeye tuna in the shipment.

(4) POINT OF EXPORT: Identify the City, State or Province, and Country/Entity/Fishing Entity from which the bigeye tuna was exported.

(5) AREA OF CATCH: Check the area of catch. (If (b) or (c) checked, items 6 and 7 below do not need to be filled out.)

(6) DESCRIPTION OF FISH: The exporter must provide, to the highest degree of accuracy, the following information. **NOTE:** One row should describe one product type.

- (1) Product Type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment.
- (2) Time of Harvest: Fill in the time of harvest (in month and year) of the 0 tuna in the shipment.
- (3) Gear Code: Identify the gear type which was used to harvest the bigeye tuna using the list below. For OTHER TYPE, describe the type of gear, including farming.
- (4) Net product weight in kilograms.

(7) EXPORTER CERTIFICATION: The person or company exporting the bigeye tuna shipment must provide his/her name, company name, address, signature, date the shipment was exported, and dealer licensenumber (if applicable).

(8) GOVERNMENT VALIDATION: Fill in the name and full title of the official signing the Document. The official must be employed by a competent authority of the flag state government of the vessel that harvested the bigeye tuna appearing on the Document or other individual or institution authorized by the flag state. When appropriate, this requirement is waived according validation of the document by a government official, or if the vessel is operating under a charter arrangement, by a government official or other authorized individual or institution of the exporting state. The total weight of the shipment shall also be specified in this block. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document* [93-2], adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Bigeye Tuna Statistical Document Program.

(9) IMPORTER CERTIFICATION: The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye was imported, license number (if applicable), and final point of import. This includes imports into intermediate countries, entities or fishing entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

GEAR CODE:

<i>GEAR CODE</i>	<i>GEAR TYPE,</i>
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

RETURN A COPY OF COMPLETED DOCUMENT TO: (the name of the office of the competent authority of the flag state).

DOCUMENT NUMBER	ICCAT SWORDFISH STATISTICAL DOCUMENT
EXPORT SECTION:	
1. FLAG COUNTRY/ENTITY/FISHING ENTITY	
2. DESCRIPTION OF VESSEL (if applicable)	
Vessel Name	Registration Number
LOA (m)	ICCAT Record No. (if applicable)
3. POINT OF EXPORT:	
CITY, STATE OR PROVINCE	COUNTRY/ENTITY/FISHING ENTITY _____
4. AREA OF CATCH (Check one of the following)	
(a) North Atlantic	(b) South Atlantic
(c) Mediterranean	(d) Pacific
(e) Indian	
* In case of (d) or (e) is checked, the items 5 and 6 below do not need to be filled out.	
5. DESCRIPTION OF FISH	
Product Type ^a	Time of Harvest
F/FR RD/GG/DR/FL/OT	(mm/yy)
Gear Code ^b	
Net Weight	
(kg)	
^a F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Guttled, DR=Dressed, FL=Fillet, ST=Steak, OT=Others (Describe the type of product: _____)	
^a When the Gear Code is OT, describe the type of gear: _____	
6. EXPORTER CERTIFICATION: For export to countries that have adopted the ICCAT alternative minimum size for swordfish the exporter must certify that the listed Atlantic swordfish are greater than 15 kg(33lb.) or if pieces, the pieces were derived from a swordfish weighing >15kg.	
I certify that the above information is complete, true and correct to the best of my knowledge and belief.	
Name	Address
Signature	Date
License # (if applicable)	
7. GOVERNMENT VALIDATION:	
I validate that the above information is complete, true and correct to the best of my knowledge and belief.	
Total weight of the shipment: _____ kg	
Name & Title	Signature
Date	Government Seal
IMPORT SECTION	
8. IMPORTER CERTIFICATION:	
I certify that the above information is complete, true and correct to the best of my knowledge and belief.	
Importer Certification (Intermediate Country/Entity/Fishing Entity)	
Name	Address
Signature	Date
License # (if applicable)	
Importer Certification (Intermediate Country/Entity/Fishing Entity)	
Name	Address
Signature	Date
License # (if applicable)	
Importer Certification (Final Destination of Shipment)	
Name	Address
Signature	Date
License # (if applicable)	
Final Point of Import: City _____ State/Province _____ Country/Entity/Fishing Entity _____	

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

ICCAT SWORDFISH STATISTICAL DOCUMENT INSTRUCTION SHEET

Pursuant to the 2001 ICCAT recommendation, swordfish imported into the territory of a Contracting Party or upon first entry into a regional economic organization must be accompanied by an ICCAT Swordfish Statistical Document (SWD) beginning January 1, 2003. Swordfish dealers who export or import swordfish from all ocean areas will be required to complete the appropriate sections of the SWD. Only complete and valid documents will guarantee that shipments of swordfish will be allowed to enter the customs territory of Contracting Parties (e.g., Japan, Canada, U.S., Spain, etc.). Improperly documented swordfish shipments (i.e., the SWD is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate and contrary to ICCAT conservation efforts. Entry of improperly documented swordfish will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the customs territory of a Contracting Party or subject to administrative or other sanctions.

Please use the instructions below as a guide to complete the sections that apply to Exporters, Importers, and Government Validation. If a language other than English is used for description, please add an English translation either on the SWD or on a separate paper. Note: if a swordfish product is exported directly from the harvesting Country/Entity/Fishing Entity to a Contracting Party, without going through an intermediate Country/Entity/Fishing Entity, all fish can be identified on one document. However, if the swordfish product is exported through an intermediate Country/Entity/Fishing Entity (i.e., a Country/Entity/Fishing Entity other than the Country/Entity/Fishing Entity which is the final destination of the product), separate documents must be prepared for fish destined for different final destinations, or only one fish may be identified on a document to cope with any possible separation in an intermediate Country/Entity/Fishing Entity. Import of swordfish parts other than meat (i.e., heads, eyes, roe, guts, tails) may be allowed entry without an accompanying SWD.

DOCUMENT NUMBER: This block is for the issuing Country/Entity/Fishing Entity to designate a country coded Document Number.

(1) FLAG COUNTRY/ENTITY/FISHING ENTITY - Fill in the name of the Country/Entity/Fishing Entity of the vessel that harvested the swordfish in the shipment and issued this Document. According to the ICCAT Recommendation, only the flag state of the vessel that harvested the swordfish in the shipment, or, if the vessel is operating under a chartering arrangement, the exporting state, can issue this Document.

(2) DESCRIPTION OF VESSEL (if applicable): Fill in the name, registration number, length overall (LOA) and ICCAT Record number of the vessel that harvested the swordfish in the shipment.

(3) POINT OF EXPORT - Identify the City and State or Province, and country/entity/fishing entity from which the swordfish was exported.

(4) AREA OF CATCH - Check the area of catch. (In case of (d) or (e) checked, items 4 and 5 need not be completed).

(5) DESCRIPTION OF FISH - The exporter must provide, to the highest degree of accuracy, the following information. (NOTE: One row should describe one product type.) (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment; (2) Time of Harvest: Fill in the time of harvest (month and year) of the swordfish in the shipment; (3) Gear Code: Identify the gear type which was used to harvest the swordfish using the listed codes; (5) Net weight: Net product weight in kilograms.

(6) EXPORTER CERTIFICATION - The person or company exporting the swordfish shipment must provide his/her name, signature, address, date the shipment was exported, and dealer license number (if applicable). For countries that have adopted the ICCAT alternative minimum size for swordfish the exporter must certify that the listed Atlantic swordfish are greater than 15 kg (33 lb.) or if pieces, the pieces were derived from a swordfish weighing >15 kg.

(7) GOVERNMENT VALIDATION - Fill in name and full title of the official signing the SWD. The official must be employed by a competent authority of the flag state government of the vessel that harvested the swordfish appearing on the SWD or other individual or institution authorized by the flag state or if the vessel is operating under a charter arrangement, by a government official or other authorized individual or institution of the exporting state. Net weight must also be certified and recorded. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT concerning Validation by a Government Official of the Bluefin Tuna Statistical Document* [93-2], adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Swordfish Statistical Document Program.

(8) IMPORTER CERTIFICATION - The person or company that imports swordfish must provide their name, signature, address, date the swordfish was imported, license number (if applicable) and final point of import. This includes imports into intermediate countries, entities or fishing entities. For fresh and chilled products, signature of the importer may be substituted by person of a custom clearance company when the authority of signature is properly accredited to the company

GEAR CODE	GEAR TYPE
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: Describe the type of gear



Original completed document must accompany exported shipment. Retain a copy for your records. The original (imports) or a copy (exports) must be postmarked and mailed, or faxed, within 24 hours of import or export to: XXXX

[03-20]

**RECOMMENDATION BY ICCAT ON CRITERIA FOR
ATTAINING THE STATUS OF COOPERATING NON-CONTRACTING
PARTY, ENTITY OR FISHING ENTITY IN ICCAT**

RECALLING the *Resolution by ICCAT on Coordination with Non-Contracting Parties* [Ref. 94-6] adopted at the Commission's 9th Special Meeting in 1994 and the *Resolution by ICCAT on Becoming a Cooperating Party, Entity or Fishing Entity* [Ref. 01-17] adopted at the 17th Regular Meeting in 2001;

RECOGNIZING the continuing need to encourage non-Contracting Parties, Entities, or Fishing Entities with vessels fishing for ICCAT species in the Convention area to implement ICCAT conservation measures;

RECOGNIZING the need for clear criteria to enable non-Contracting Parties, Entities or Fishing Entities whose vessels fish for ICCAT species in the ICCAT Convention area to attain the status of Cooperating non-Contracting Party, Entity or Fishing Entity;

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

1. Each year, the Executive Secretary of ICCAT shall contact all non-Contracting Parties, Entities, or Fishing Entities known to be fishing in the Convention area for species under ICCAT competence to urge them to become a Contracting Party to ICCAT or to attain the status of a Cooperating non-Contracting Party, Entity or Fishing Entity. In doing so, the Executive Secretary shall provide a copy of all relevant Recommendations and Resolutions adopted by the Commission.
2. Any non-Contracting Party, Entity, or Fishing Entity that seeks to be accorded the status of a Cooperating non-Contracting Party, Entity or Fishing Entity shall apply to the Executive Secretary. Requests must be received by the Executive Secretary no later than ninety (90) days in advance of an ICCAT annual meeting, to be considered at that meeting.
3. Non-Contracting Parties, Entities or Fishing Entities requesting the status of Cooperating non-Contracting Party, Entity or Fishing Entity shall provide the following information in order to have this status considered by the Commission:
 - a) where available, data on its historical fisheries in the Convention area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;
 - b) all the data that Contracting Parties have to submit to ICCAT based on the Recommendations adopted by ICCAT;
 - c) details on current fishing presence in the Convention area, number of vessels and vessel characteristics and;
 - d) information on any research programs it may have conducted in the Convention area and the information and the results of this research.
4. An applicant for Cooperating non-Contracting Party, Entity or Fishing Entity Status shall also:
 - a) confirm its commitment to respect the Commission's conservation and management measures and;
 - b) inform ICCAT of the measures it takes to ensure compliance by its vessels with ICCAT conservation and management measures .
5. The Commission's Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (hereinafter PWG) shall be responsible for reviewing requests for Cooperating Status and for recommending to the Commission whether or not an applicant should receive Cooperating Status. In this review, the PWG shall also consider information regarding the applicant available from other Regional Fisheries Management Organizations (RFMOs) as well as data submission of the applicant to the Commission. Caution shall be used so as not to introduce into the Convention area the excessive fishing capacity of other regions or IUU fishing activities in granting Cooperating Status to the applicant.
6. Cooperating non-Contracting Parties, Entities or Fishing Entity status shall be annually reviewed and renewed unless revoked by the Commission due to non-compliance with ICCAT conservation and management measures.
7. The *Resolution by ICCAT on Becoming a Cooperating Party, Entity or Fishing Entity* [Ref. 01-17], adopted at the 2001 Commission meeting, is substituted by this Recommendation.

RESOLUTIONS ADOPTED BY ICCAT IN 2003

[03-02]

**RESOLUTION BY ICCAT TO AUTHORIZE A
TEMPORARY CATCH LIMIT ADJUSTMENT
IN THE BIGEYE TUNA FISHERY**

GIVEN that the *Recommendation by ICCAT Regarding the Temporary Adjustment of Quotas* [Ref. 01-12] established that any temporary quota adjustment shall be done only under authorization of the Commission;

CONSIDERING that Japan has requested the Commission's approval for temporary catch limit adjustment;

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

The transfer of bigeye tuna catch limit from Japan to China in the amount of 1250 t, and from Japan to Chinese Taipei in the amount of 1250 t, to be applied during the year 2003, be authorized on the condition that any underage of China or Chinese Taipei in 2003 shall not be carried over.

[03-05]

**RESOLUTION BY ICCAT TO AUTHORIZE A
TEMPORARY CATCH LIMIT ADJUSTMENT
IN THE SOUTH ATLANTIC SWORDFISH FISHERY**

GIVEN that the *Recommendation by ICCAT Regarding the Temporary Adjustment of Quotas* [Ref. 01-12] established that any temporary quota adjustment shall be done only under authorization of the Commission;

CONSIDERING that Japan has requested the Commission's approval for temporary catch limit adjustment;

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

The 100 t transfer of South Atlantic swordfish catch limit from Japan to Chinese Taipei, to be applied during the year 2003, be authorized on the condition that any underage of Chinese Taipei in 2003 shall not be carried over.

[03-10]

**RESOLUTION BY ICCAT
ON THE SHARK FISHERY**

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Ref. 01-11] at the 2001 meeting;

AFFIRMING the Commission's support for the initiative of the Food and Agriculture Organization of the United Nations (FAO) on conservation and management of sharks while noting with concern that only a small number of countries have implemented the 1999 FAO International Plan of Action (IPOA) for the Conservation and Management of Sharks;

ACKNOWLEDGING that the United Nations is considering calling upon States, FAO and sub-regional or regional fisheries management organizations and arrangements to implement fully the 1999 FAO IPOA for the Conservation and Management of Sharks, as a matter of priority, *inter alia*, through conducting assessments of shark stocks and developing and implementing National Plans of Action (NPOA);

CONCERNED that an extensive shark fishery is reported to be conducted in the Caribbean Sea and elsewhere in the Atlantic by a large number of shark fishing vessels, including those slightly smaller than 24 m length overall, about which the Commission has little information;

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

Each Contracting Party and Cooperating non-Contracting Party, Entity or Fishing Entity take the following actions:

1. Provide the Working Group of the Sub-Committee on By-catch scheduled to meet in 2004 with the information on their shark catches, effort by gear type, landings and trade of shark products.
2. Fully implement a NPOA in accordance with the FAO IPOA for the Conservation and Management of Sharks adopted by FAO.

[03-11]

RESOLUTION BY ICCAT ON 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;

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;

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

1. To encourage Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to collect and provide SCRS with all available information on interactions with sea turtles in ICCAT fisheries, including incidental catches and other impacts on sea turtles in the Convention area, such as the deterioration of nesting sites and swallowing of marine debris.
2. To encourage the release of marine turtles that are incidentally caught alive, and share all available information such as technical measures to reduce the incidental catch of turtles and to ensure the safe handling of all turtles that are released, in order to improve their survivability.
3. To seek, through the appropriate ICCAT body, the development of data collection and reporting methods for the incidental by-catch of sea turtles in tuna and tuna-like species fisheries.
4. To support efforts by FAO to address the conservation and management of sea turtles, through a holistic approach.

[03-15]

**RESOLUTION BY ICCAT
CONCERNING TRADE MEASURES**

NOTING that the objective of ICCAT is to maintain the populations of tuna and tuna-like species in the Atlantic at levels which will permit harvesting at maximum sustainable yield;

CONSIDERING the need for action to ensure the effectiveness of the ICCAT objectives;

CONSIDERING the obligation of all Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) to respect the ICCAT conservation and management measures;

AWARE of the necessity for sustained efforts by CPCs to ensure the enforcement of ICCAT's conservation and management measures, and the need to encourage non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as NCPs) to abide by these measures;

NOTING that trade restrictive measures should be implemented only as a last resort, where other measures have proven unsuccessful to prevent, deter and eliminate any act or omission that diminishes the effectiveness of ICCAT conservation and management measures;

ALSO NOTING that trade restrictive measures should be adopted and implemented in accordance with international law, including principles, rights and obligations established in World Trade Organization (WTO) Agreements, and be implemented in a fair, transparent and non-discriminatory manner.

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

1. CPCs that import tuna and tuna-like fish products or in whose ports those products are landed, should collect and examine as much import or landing data and associated information as possible and submit the following information to the Commission each year:
 - a) names of the vessels that caught and produced such tuna or tuna-like species products,
 - b) flag of those vessels,
 - c) species (of tuna and tuna-like species) of the products,
 - d) areas of catch (Atlantic Ocean, Mediterranean Sea, or other area),
 - e) product weight by product type,
 - f) points of export,
 - g) names and addresses of owners of the vessels,
 - h) registration
2. a) The Commission, through the Conservation and Management Measures Compliance Committee (hereinafter Compliance Committee) or the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (hereinafter PWG), should identify each year:
 - i) The CPCs that have failed to discharge their obligations under the ICCAT Convention in respect of ICCAT conservation and management measures, in particular, by not taking measures or exercising effective control to ensure compliance with ICCAT conservation and management measures by the vessels flying their flag; and/or
 - ii) The NCPs that have failed to discharge their obligations under international law to co-operate with ICCAT in the conservation and management of tuna and tuna-like species, in particular, by not taking measures or exercising effective control to ensure that their vessels do not engage in any activity that undermines the effectiveness of ICCAT conservation and management measures.
- b) These identifications should be based on a review of all information provided in accordance with paragraph 1 or, as appropriate, any other relevant information, such as: the catch data compiled by the Commission; trade information on these species obtained from National Statistics; the ICCAT statistical document programs; the list of the IUU vessels adopted by ICCAT, as well as any other information obtained in the ports and on the fishing grounds.

- c) In deciding whether to make identification, the Compliance Committee or the PWG should consider all relevant matters including the history, and the nature, circumstances, extent, and gravity of the act or omission that may have diminished the effectiveness of ICCAT conservation and management measures.
3. The Commission should request CPCs and NCPs concerned to rectify the act or omission identified under paragraph 2 so as not to diminish the effectiveness of the ICCAT conservation and management measures. The Commission should notify identified CPCs and NCPs of the following:
 - a) the reason(s) for the identification with all available supporting evidence;
 - b) the opportunity to respond to the Commission in writing at least 30 days prior to the annual meeting of the Commission with regard to the identification decision and other relevant information, for example, evidence refuting the identification or, where appropriate, a plan of action for improvement and the steps they have taken to rectify the situation; and
 - c) in the case of a NCP, an invitation to participate as an observer at the annual meeting where the issue will be considered.
 4. CPCs are encouraged jointly and individually to request the CPC/NCPs concerned to rectify the act or omission identified under paragraph 2 so as not to diminish the effectiveness of the ICCAT conservation and management measures.
 5. The Executive Secretary should, by more than one means of communication, transmit the Commission's request to the identified CPC or NCP. The Executive Secretary should seek to obtain confirmation from the CPC or the NCP that it received the notification.
 6. The Compliance Committee or the PWG should evaluate the response of the CPCs or NCPs, together with any new information, and propose to the Commission to decide upon one of the following actions:
 - a) the revocation of the identification;
 - b) the continuation of the identification status of the CPC or NCP; or
 - c) the adoption of non-discriminatory trade restrictive measures.

In the case of CPCs, actions such as the reduction of existing quotas or catch limits should be implemented to the extent possible before consideration is given to the application of trade restrictive measures. Trade measures should be considered only where such actions either have proven unsuccessful or would not be effective.

7. If the Commission decides upon the action described in paragraph 6 c), it should recommend to the Contracting Parties pursuant to Article VIII of the Convention to take non-discriminatory trade restrictive measures, consistent with their international obligations. The Commission should notify the CPCs and NCPs concerned of the decision and the underlying reasons in accordance with the procedures specified in paragraph 5.
8. CPCs should notify the Commission of any measures that they have taken for the implementation of the non-discriminatory trade restrictive measures adopted in accordance with paragraph 7.
9. In order for the Commission to recommend the lifting of trade restrictive measures, the Compliance Committee or the PWG should review each year all trade restrictive measures adopted in accordance with paragraph 7. Should this review show that the situation has been rectified, the Compliance Committee or PWG should recommend to the Commission the lifting of the non-discriminatory trade restrictive measures. Such decisions should also take into consideration whether the CPCs and/or NCPs concerned have taken concrete measures capable of achieving lasting improvement of the situation.
10. Where exceptional circumstances so warrant or where available information clearly shows that, despite the lifting of trade-restrictive measures, the CPC or NCP concerned continues to diminish the effectiveness of ICCAT conservation and management measures, the Commission may immediately decide on action including, as appropriate, the imposition of trade-restrictive measures in accordance with paragraph 7. Before making such a decision, the Commission should request the CPC or NCP concerned to discontinue its wrongful conduct and should provide the CPC or NCP with a reasonable opportunity to respond.

11. The Commission should establish annually a list of CPCs and NCPs that have been subject to a trade-restrictive measure pursuant to paragraph 7 and, with respect to NCPs, are considered as non-Cooperating non-Contracting Parties to ICCAT.

12. The *Resolution by ICCAT Concerning an Action Plan to Ensure Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* [Ref. 94-3], the *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* [Ref. 95-13] and the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area* [Ref. 98-18] are replaced by the present Resolution. For the purposes of this paragraph, CPCs and NCPs that are under sanction pursuant to one or more of these three Resolutions are deemed to be sanctioned under the present Resolution, provided that this will not result in any greater level of sanction than that already imposed.

[03-21]

**RESOLUTION BY ICCAT ON IMPROVEMENTS
IN DATA COLLECTION AND QUALITY ASSURANCE**

RECOGNIZING that collection and submission of accurate fishery data is a fundamental obligation of Contracting Parties to the Convention;

KNOWING that these data collection and submission requirements are clearly stated in Article IX (paragraph 2) of the ICCAT Convention, Rule 13 (paragraph 2) of the Rules of Procedure, the *Resolution on the Collection of Statistics on the Atlantic Tuna Fisheries* [Ref. 66-01], and the *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Ref. 01-16];

NOTING that in 2002, the Commission resolved to convene a Data Workshop [02-30] in response to concern that the quality of such fishery data continues to deteriorate for some fisheries and that for some fisheries relevant required data have never been available to the Commission;

CONSIDERING the recommendations held within the Report of the Data Workshop which included, among other items, provision of training and funds to build capacity of Parties not yet capable of meeting their fundamental obligations, updating the *ICCAT Field Manual for Statistics and Sampling*, and elevating or instituting scientific sampling in some fisheries with inadequate levels;

FURTHER CONSIDERING the results of ICCAT's Survey on Statistic Collection Systems indicating that many Parties with important tuna fisheries do not have the data collection programs in place that are required or recommended by ICCAT, although of the more than 90 Parties believed to be fishing for tuna or tuna-like species in the Convention Area, only 17 have so far completed questionnaires and;

ALSO DESIRING to improve capacity of various Parties to the Convention in their ability to collect, quality assure, and report the required data;

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

1. Parties should respond to the ICCAT Survey on Statistic Collection Systems at the earliest possible date;
2. Parties with sufficient capacity for meeting fundamental data collection, quality assurance, and reporting obligations should make voluntary contributions in proportion to their catch level, to a special fund, managed at the Secretariat. These funds will be used for training in data collection and for supporting of scientific participation in SCRS data preparatory and stock assessment sessions by scientists from Parties with insufficient capacity to meet data collection, quality assurance, and reporting obligations. For 2004, this special fund should be initially established at 40,000 Euros and activities undertaken with these funds should be reviewed by the Commission at its 2004 meeting and annually thereafter.
3. A plan for reinstating ICCAT port sampling should be developed by SCRS, including expected costs associated with this sampling, and presented to the Commission at its 2004 meeting for further consideration.

RECOMMENDATIONS DEFERRED TO 2004

7.1 DRAFT RECOMMENDATION PROHIBITING TRANSSHIPMENTS BY LARGE SCALE LONG-LINE TUNA VESSELS

RECALLING the ICCAT Recommendation on transshipments and vessel sightings [Ref. 97-11], and ICCAT Recommendation concerning the ban on landing and transshipments of vessels from non contracting Parties vessels identified as having committed a serious infringement [Ref. 98-11],

TAKING ACCOUNT the need to ensure the control of catches by the large scale long-line tuna vessels,

TAKING ACCOUNT of the need to collect catch data of large-scale longline tuna vessels to improve the scientific assessments of tropical tunas,

CONSIDERING that prior authorization foreseen in the ICCAT Resolution concerning the measures to prevent the laundering of catches by illegal, unreported and unregulated (IUU) large-scale tuna longline vessels [Ref. 02-25] is not sufficient to address problems of transshipment.

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

Contracting Parties, Entities, and Co-operating non-Contracting Parties, Entities or Fishing Entities take the necessary measures to prohibit the transshipment at-sea by their large-scale longline tuna vessels.

7.2 DRAFT RECOMMENDATION TO ADOPT MEASURES CONCERNING RECREATIONAL FISHING

RECALLING the ICCAT Resolution on improving recreational fishery statistics [Ref. 99-07],

TAKING ACCOUNT of the need to regulate sport fishing to ensure that this activity does not interfere with commercial fishing activities or does not undermine the sustainable exploitation of the stocks,

FURTHER TAKING INTO ACCOUNT that sport fishing should also provide scientific data on tuna and tuna-like species,

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

1. Contracting Parties, Entities, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter named CPC) take the measures necessary to prohibit the use in sport fishing of towed nets, encircling nets, purse seines, dredges, fixed or drifting gillnets, trammel nets and longlines to fish for tuna and tuna-like species in the ICCAT Convention area.
2. The CPCs ensure that catches of tuna and tuna-like species carried out in the ICCAT Convention area as a result of sport fishing are not marketed.
3. The CPCs take the necessary measures to conduct a program in order to collect data on the catches of tuna caught by recreational fisheries under their jurisdiction and to transmit these data to the SCRS.

REPORTS OF THE MEETINGS OF PANELS 1-4***REPORT OF THE MEETING OF PANEL 1*****1. Opening of the meeting**

The Panel was chaired by Dr. Abdellah Srour (Morocco). In the interest of time, it was requested that opening statements be submitted in writing; no opening statements were submitted to Panel 1.

2. Adoption of Agenda

The Agenda was adopted as proposed (**Appendix 1 to ANNEX 8**).

3. Appointment of Rapporteur

Mr. Bryan Wood (Canada) was appointed Rapporteur of Panel 1.

4. Review of Panel Membership

Panel 1 is comprised of 24 Contracting Parties: Angola, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, European Community, Gabon, Ghana, Honduras, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Panama, Russia, Sao Tomé and Príncipe, South Africa, Trinidad and Tobago, United Kingdom (Overseas Territories), United States, and Venezuela. The Chairman welcomed South Africa as a new member of Panel 1. Cape Verde, Honduras, Libya, Panama, Sao Tomé and Príncipe and Venezuela were not present at this meeting.

5. Report of the Standing Committee on Research and Statistics (SCRS)***5.1 Yellowfin tuna***

Dr. Joao Gil Pereira, Chairman of the SCRS, presented the results of the stock assessment conducted for yellowfin tuna in 2003. He noted that it included data only up to 2001 as less than 20% of the 2002 data were available at the time the assessment was carried out. He also indicated that catches of juvenile fish (0+1) appeared to be very high. Various models were applied to the available data. The equilibrium production models resulted in estimates of biomass that would support an MSY ranging from 151,300 to 161,300 t, whereas values from the non-equilibrium models ranged from 147,200 to 148,300 t. The results from the virtual population analysis (VPA) were more comparable to the results from production models than in previous years. The VPA also suggested that fishing mortality and spawning biomass were close to levels that would support MSY.

Reported landings for 2001 suggested catches could be slightly higher than MSY based on certain assumptions and that recent fishing mortality also appeared to be slightly above MSY. It is important that fishing effort does not increase beyond current levels. A reduction in fishing mortality for fish less than 3.2 kg could lead to substantial gains in yield per recruit and modest gains in spawning biomass per recruit.

The SCRS Chairman added that conventional assessment models were used for yellowfin and that the assessment for this species is robust.

5.2 Bigeye tuna

Assessment results were based on analyses conducted in 2002. The SCRS Chairman noted that the assessment process had been hampered by a lack of basic information, hence the establishment of the Bigeye Tuna Year Program (BETYP). There appeared to be a decline in longline and IUU catches. It was estimated that unreported catches are now less than 3,000 t, which represents a 90% decrease from a high of 25,000 t in 1998. However, it is not clear whether IUU vessels have indeed curtailed their catches or if they are shipping their catches

elsewhere. The overall catch for all fleets was about 23,000 t lower than in the early 1990s. The Committee recommended further study of the effects of the moratorium on fishing with Fish Aggregating Devices (FADs) in the Gulf of Guinea.

In response to a question from the Delegate of Canada, the SCRS Chairman explained that whereas traditional models have been used for this assessment, new models are being developed in conjunction with the BETYP, and that some models used by other commissions may be considered by ICCAT.

5.3 Skipjack tuna

No Skipjack tuna stock assessment was conducted in 2003; the most recent assessment was conducted in 1999. The Chairman of the SCRS provided an update on the fishery for this species. He noted that catches in 2002 were estimated to be 114,432 t in 2002 but this figure could be low due to unreported discards of juvenile skipjack. Catches decreased by approximately 21% for the East Atlantic and 32% in the West Atlantic with respect to corresponding 2001 values. There appeared to be a decrease in vessel carrying capacity whereas the numbers of baitboats remained stable. Moratoria to protect juvenile bigeye appear to have had an effect on skipjack.

In response to a query from the Delegate of Russia, the SCRS Chairman indicated that a 2004 assessment for this species has been proposed by the SCRS, if the Commission so requests. The Commission later requested in Plenary that a skipjack assessment not be conducted in 2004, so that a bigeye assessment can be conducted.

In response to a question posed by Canada, the SCRS Chairman indicated that there are problems with the skipjack data.

5.4 Questions to the SCRS Chairman and interventions from the Delegates

In response to the Delegate of Russia on reasons for the increase in yellowfin catches from 2000 to 2001, the SCRS Chairman indicated that either improved statistics or natural causes could be the reason. He further noted that 2002 also had high yellowfin catches, based on preliminary reports.

In response to the Delegate of Japan about whether there is overcapacity in other oceans, the SCRS Chairman stated this is highly variable. The SCRS Chairman explained that while the number of vessels may decrease, catch efficiency has also likely increased due to technological advances. Japan stated that it has submitted a report on IUU for review by the PWG, that whereas fishing effort by large longliners is decreasing, fishing effort by small vessels is increasing and that they are unable to track shipments of fresh fish from these smaller vessels that are shipped to the United States.

In response to a request from the Delegate of the European Community concerning statistics on Ghanaian fisheries, the SCRS Chairman noted there was a three-month pilot study, including visits to landing sites and canneries, as well as an intensive sampling program. Some problems were experienced but there will be more discussions with Ghanaian scientists and the study will continue. A report has been submitted to the SCRS (SCRS/2003/088).

The Delegate of the European Community noted that whereas their fleet has been reduced, there has been an increase in the Ghanaian and other fleets. They expressed concern about the construction of vessels measuring 23.9 length overall (LOA) which would be exempted from existing controls. In response to a question about sampling results from these vessels, the SCRS Chairman stated that sampling data are poor or in some cases non-existent. Increases in observer coverage or the collection of samples by crewmembers would be the best means to address this problem as opposed to port sampling.

In response to the European Community, the SCRS Chairman stated that data and sampling problems had a serious impact on bigeye assessments. This required assumptions and data substitution in the assessment process.

In response to the Delegate of the United States, the SCRS Chairman stated that there are no missing recreational fishery data for the Mediterranean Sea as tropical tunas do not enter that body of water.

The Delegate of Japan brought to the Panel's attention that its large vessel longline fleet has decreased over the past 20 to 30 years, that they have increased observer coverage and that they submit sampling data. The SCRS Chairman confirmed that these are the data used for the aforementioned substitutions.

In response to a question from the Delegate of Mexico, the SCRS Chairman replied that catches of juveniles (ages 0+1) are very high for both yellowfin and bigeye tunas. This may be a result of changes in the fishery where effort has shifted to deeper waters. Whereas moratoria are in place to reduce catches of juvenile bigeye tuna, those measures were not designed for yellowfin tuna.

The Delegate of Canada indicated that although it has modest fisheries for bigeye and yellowfin, it has up to 20% at-sea observer coverage and 100% dockside monitoring. Canada expressed concern about the juvenile catches and the uncertainties raised through the use of assumptions in the assessment process.

The Delegate of the European Community advised the Panel that the EC submits complete sampling data. The Delegate indicated that the EC wishes to pursue discussion on minimum sizes as existing measures, for instance the 15% allowance for bigeye and yellowfin under 3.2 kg may be unrealistic and undermine other measures such as moratoria.

The Delegate of Brazil expressed optimism about reductions in IUU effort and concern about the 3.2 kg minimum for bigeye and yellowfin. The United States suggested consideration of alternative measures, such as time/area closures, to address the overall issue.

The Observer of Chinese Taipei questioned whether catches for all its vessels with certificates were taken into consideration in the SCRS Report. It stated that this catch may be around 2,000 t for 2002 and that it has submitted a report to the appropriate committee.

The Observer of Chinese Taipei reported that of the 159 former IUU vessels eliminated under the joint efforts of Chinese Taipei and Japan, 13 have been operating in the Atlantic Ocean. He referred to Resolution [Ref 01-23] which permitted importing countries to accept documents validated by Chinese Taipei on the bigeye caught by those vessels pending completion of re-registration, which complied with ICCAT conservation and management measures, and that they requested an additional quota of 2,000t.

The Delegate of Ghana noted that species separation of juvenile bigeye and yellowfin is almost impossible without examination of livers. He questioned the accuracy of assessment data and asked for more detail on previously mentioned data problems. He added that whereas other nations have highly mobile fleets, their vessels have few options other than their adjacent waters. The Delegate of the European Community replied that Ghana has failed to respect ICCAT measures, has increased effort and has ignored moratoria.

6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

The Delegate of Japan introduced a draft recommendation on bigeye tuna conservation measures. He outlined that since there was no consensus on long-term measures, it was agreed to rollover the existing bigeye conservation measures and hold further discussions on a multi-year plan after the results of the BEYTP Symposium in Madrid in March 2004.

The Delegate of the European Community noted that while it was the EC's objective to develop a multi-year plan on fishing levels and vessel capacity as well as to assess the effectiveness of existing conservation measures, the EC concurred with the short-term approach in consideration of the commitment to review the matter further after the March meeting in Madrid.

The Delegate of the European Community requested the deletion of the last sentence in the draft recommendation in respect to an SCRS analysis of the effectiveness of current minimum size measures. The EC felt it more appropriate to give the SCRS the discretion to conduct such an analysis. After some debate, the Panel agreed to make this change.

The Delegate of the People's Republic of China stated that whereas there were alleged links between their vessels and IUU activities, China has investigated the issue, taken corrective action where necessary, and now issue certificates for vessels attesting to their non-association with IUU fishing. The Delegate also pointed to discrepancies between China's catch rates and those of other Parties and requested equal treatment of Chinese vessels. Finally, China agreed to adopt the draft recommendation provided that the People's Republic of China's quota needs will be considered in the development of any new multi-year agreement.

The Delegate of the United States requested the deletion of paragraphs 6 and 7 from the draft recommendation in respect to limits on the retention of bigeye tuna weighing less than 3.2 kg. He noted the United States preferred to maintain the clause in recommendation [Ref. 79-01] for one more year and recalled that this measure also applies to yellowfin tuna. Other Panel members agreed to this deletion.

The Delegate of Mexico concurred with the U.S.A.'s comment about consideration of closed areas and urged caution about replacing a non-workable measure [Ref. 79-01] with another that could be equally non-workable. He noted that the draft measure appeared to substitute quotas for management measures.

The Delegate of Ghana expressed the view that the draft document did not offer Ghana any concessions and that Ghana only had its home waters in which to fish. The Delegate agreed to continue working with other ICCAT members to develop more realistic measures, especially in relation to limits on the capture of juvenile bigeye and yellowfin tunas as well as to respect the Gulf of Guinea moratorium.

The Delegate of Canada voiced his disappointment that the Panel could only agree to a one-year rollover of existing measures. He supported the U.S.A.'s request in respect to deletion of operative paragraphs 6 and 7 of the draft recommendation and noted that changes to these measures could be premature considering that these will be reviewed in greater detail in 2004.

The Delegate of Canada also noted that whereas bigeye were fished at a level in excess of MSY in the mid-1990s, hard work to reduce capacity and eliminate IUU fishing in recent years has had a positive effect. Canada thanked the People's Republic of China for its work in this regard. However, they noted that if all Parties base their quota needs on catches of other Parties, then there are clearly not enough bigeye tuna available to satisfy all.

The Delegate of the European Community requested a review of fishing levels and stated that IUU catches are still too high. He acknowledged Ghana's commitment to respect the moratorium.

The Delegate of Côte d'Ivoire requested a fair and equitable quota for bigeye tuna (**Appendix 2 to ANNEX 8**).

The Observer of Chinese Taipei referenced their information paper on bigeye conservation measures (**Appendix 3 to ANNEX 8**). He stated that operative paragraph 2(b) of the draft recommendation could cause problems for Chinese Taipei.

The Observer of Chinese Taipei also noted that all but 13 of the 159 former IUU vessels have been eliminated. He referenced recommendation [Ref. 01-23] in which ICCAT acknowledged that Chinese Taipei was in compliance and that they requested an additional quota of 2,000 t for 2003 in exchange for their support of the draft recommendation (**Appendix 3 to ANNEX 8**).

The Delegate of Japan stated that ex-IUU vessels must not be rewarded through the granting of quota. In respect to the draft proposal by Chinese Taipei (**Appendix 3 to ANNEX 8**), Japan indicated that the quota transfer should be for 2003 only.

The Observer of Chinese Taipei further indicated that though their original intention was to ask for additional catch quota, with the current situation, they would leave the matter for consideration in the next Commission meeting.

The Delegate of the United States suggested that the Commission consider the appropriate process for authorizing temporary quota adjustments. In the view of the United States, this is properly authorized through a Recommendation, not through a letter from a Contracting Party to the Commission. The Delegate of the European Community questioned whether catch limits could be transferred in the same way as quota. The Delegate of Japan suggested that there already have been precedents and that the words "catch limit" should be substituted for "quota."

The Delegate of the European Community indicated the EC could support the proposal by Chinese Taipei (**Appendix 3 to ANNEX 8**) provided there will be further discussion on the issue of underage, overage, and catch limit transfers.

After deletion of the last sentence of operative paragraph 5 and the removal of operative paragraphs 6 and 7, the Panel adopted the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures* (see ANNEX 5 [Ref. 03-01]) and forwarded it to the Plenary.

7. Research

In response to the Commission's request, the Chairman of the SCRS recommended a postponement of the skipjack assessment originally planned for 2004.

The SCRS Chairman noted that work at the March 2004 and the Bigeye Tuna Year Program (BETYP) Symposium and the 2nd World Meeting on Bigeye Tuna will serve to facilitate future assessments of this species. He also indicated several new assessment models are under development but could not say whether they will be ready by March 2004.

Finally, the SCRS Chairman indicated a bigeye assessment using traditional methods in 2004 could be prepared, if so requested by the Commission.

8. Election of Chair

In consideration that the previous Chairman of this Panel was not in attendance, Dr. Srour agreed to lead the Panel on an interim basis only. The Delegates of the European Community and the United States thanked Dr. Srour for the professional manner in which he chaired this meeting.

The Delegate of Japan nominated Côte d'Ivoire as the new Chairman and various other Parties seconded this nomination. The Côte d'Ivoire accepted the Panel's nomination as the new Chairman and expressed their thanks for the nomination, as well as to Dr. Srour.

9. Other matters

No other matters were discussed.

10. Date of the next meeting of the Panel

This Panel will reconvene at the 2004 meeting of the Commission in New Orleans (United States) in November 2004.

11. Adoption of the Report and adjournment

The Chairman noted all adopted documents would be forwarded to the Plenary and that the Report of Panel 1 would be adopted by mail. On this note, he adjourned the 2003 meeting of Panel 1.

The Report of Panel 1 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 2

1. Opening of the meeting

The meeting was opened by the Chairman of Panel 2, Mr. François Gauthiez (EC). In the interest of time, it was requested that opening statements be submitted in writing; no opening statements were submitted to Panel 2.

2. Adoption of the Agenda

The Agenda was adopted without change (see **Appendix 1 to ANNEX 8**).

3. Appointment of the Rapporteur

Ms. Liz Lauck (United States) was appointed Rapporteur.

4. Review of Panel membership

Panel 2 is comprised of 19 Contracting Parties: Algeria, Canada, China, Croatia, Cyprus, European Community, France (St. Pierre & Miquelon), Iceland, Japan, Korea (Rep.), Libya, Malta, Mexico, Morocco, Panama, Tunisia, Turkey, United Kingdom (Overseas Territories), and the United States. The Chairman welcomed Cyprus, Malta and Turkey to Panel 2. Libya and Panama were not present at this meeting.

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

Dr. Joao Gil Pereira, SCRS Chairman, presented the relevant portions of the SCRS Report.

5.1 West Atlantic bluefin tuna

No new assessment was conducted this year and the SCRS report remains unchanged as concerns the status of the stock, outlook, and management recommendations. The description of fisheries section has been updated. For West Atlantic bluefin tuna, the fishery has seen some changes since 1998. Reported total catches were 2,665 t in 2000, 2,718 t in 2001, and 3,215 t in 2002. Additional catches were revealed by an analysis of the Bluefin Tuna Statistical Document. Catches exceeded the 2500 t limit by 165 t in 2000, by 218 t in 2001, and by 715 t in 2002. Some new countries have reported catches in recent years.

5.2 East Atlantic bluefin tuna

For East Atlantic bluefin tuna, the SCRS Report noted that the purse seine fleet now accounts for 60-80% of catch from the Mediterranean Sea. The SCRS also reported its concern that large quantities of undersized fish are caught but not reported. The Report gives the most recent estimation of total catch in the east. In 2002, there were reported catches of 30,000 t, though Dr. Pereira noted that several important fishing countries had not reported Task I data by the start of the scientific meeting. If catches were similar to 2001, the total in 2002 could be around 35,000 t.

5.3 North Atlantic albacore

The SCRS Report noted significant changes in the North Atlantic albacore fishery in recent years, including a ban by the EC of the driftnet fishery in 2002. The SCRS has observed a decrease in total catch on this stock, with the lowest catch in the available time series recorded in 2002 (22,465 t). There remains considerable uncertainty on catch-at-size from the longline fishery, which had significant implications for SCRS as it attempted to complete the assessment. Dr. Pereira noted that problems with data prevented the SCRS from proceeding with a VPA analysis. Thus, the SCRS decided to give its advice based on the previous (2000) assessment, complemented by CPUE analyses from data that were provided since the last assessment. The SCRS also analyzed data from different fleets fishing for North Atlantic albacore. The variability associated with the estimation of catch rates in the longline fishery prevented drawing definitive conclusions on recent trends in albacore catches. The SCRS noted that one of the most significant factors is the decline by more than 12,000 t in

reported landings. Based on this analysis, the SCRS concluded that the North Atlantic albacore stock is probably below B_{MSY} . However the possibility that it is above should not be dismissed.

5.4 Mediterranean albacore

Due to the absence of data, it was impossible to conduct any analysis on this stock. According to the information available, the Mediterranean stock does not show any particular trend. The mixing with the Atlantic stock does not appear to be significant.

6. Report of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies

The Panel adopted the Report of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies (see **ANNEX 4.4**). The meeting report describes adoption of an agenda, the definition of a work program, and other decisions concerning the organization and the program of the next meeting of the Working Group, which will take place in May 2004.

7. Consideration of possible management measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

7.1 Bluefin (North)

7.1.1 West Atlantic bluefin

The Chair opened a discussion of West Atlantic bluefin tuna. The Delegate of Japan noted that there is a rebuilding program in place for this stock and argued that the plan does not call for changes to the current management regime.

The Delegate of France (St. Pierre & Miquelon) reiterated its statement from 2002 and reminded the Panel of St. Pierre & Miquelon's desire to seek a reallocation of its quota in 2004 (attached as **Appendix 4 to ANNEX 8**).

7.1.2 East Atlantic bluefin

Quota allocation

The Delegate of Turkey proposed that Panel 2 study the allocation criteria to allow new members a share, and noted Turkey's compliance with ICCAT recommendations [Ref. 74-1], [Ref. 94-11], and [Ref. 96-2] on size limits, closed seasons, and catch amounts. The Delegate noted that the reduction of the "others" quota in Recommendation [Ref. 02-8] disproportionately burdens non-members and may serve as a disincentive for new members to join ICCAT. The statements by Turkey to Panel 2 concerning bluefin tuna catch quota allocations are attached as **Appendix 5 to ANNEX 8**.

The Delegates of Mexico and Morocco noted that the question of quotas for new members was important as a general principle, and concurred with the Delegate of Turkey in seeking a review of the bluefin tuna quota allocation scheme.

The Delegates of Cyprus and Malta intervened to describe their commitment to the work of ICCAT and informed the Panel that, as new members of ICCAT, they acknowledge and endorse ICCAT conservation measures. The Delegate of Malta recalled that Malta has been involved in ICCAT work since 1998 as an observer. Finally, the Delegates of Cyprus and Malta declared they would continue their fishing practices in a responsible and sustainable manner. The statements made by the Delegates of Cyprus and Malta are attached to this report as **Appendices 6 and 7 to ANNEX 8**.

The Delegate of the United States agreed that the question of how to handle new members is a fundamental issue before the Commission, noting that the expectation of receiving quota is an incentive for new members to join ICCAT and take part in its conservation and management programs. The Delegate of the United States concluded that mounting scientific evidence suggests that what happens in the east Atlantic bluefin tuna fishery

may affect the west and that ICCAT must address the issue of bluefin tuna farming because it is a significant part of the bluefin tuna harvest.

The Delegate of Japan noted that the 2002 *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Ref. 02-08] was the result of several years' work by the Commission and that Japan's fundamental position is to protect the agreement reached in 2002. He later noted that Japan is eager to work with new members on the question of allocation.

The Delegate of the EC agreed with Japan and added that the EC would be happy to discuss new member quota allocations under the "Others" category. The EC looked forward to having Cyprus and Malta join the EC next year. The EC welcomed the statements made by the Delegates Malta and Cyprus, noting that they expressed a responsible and positive view of their new membership in ICCAT.

A statement made by the Observer of Norway is also attached (as **Appendix 8 to ANNEX 8**).

Tuna farming

The Chair opened the discussion on issues related to tuna farming. The Delegate of Croatia stated that efforts are still necessary to solve the problems arising from discrepancies in catch and trade statistics. Data discrepancies are exacerbated by some farming practices, which involve collection of wild fish and their fattening in cages for periods of months to years. Finally, the Delegate of Croatia expressed the view that good trade regulations could provide a successful tool in securing the sustainability of tuna fishing and farming in the future. Croatia's statement to Panel 2 is attached as **Appendix 9 to ANNEX 8**. Several Parties expressed the view that implementation of the 2002 *Recommendation by ICCAT on Bluefin Tuna Farming* [Ref. 02-10] will improve data collection for tuna farming operations.

The Delegate of the EC noted that farming is an important phenomenon in the Mediterranean and that it was addressed thoroughly in 2002, though management can benefit now from new information. He noted the EC's strict monitoring of the farms, stating that it is premature to evaluate effectiveness of the monitoring program, but that the EC is looking to see whether this monitoring needs to be improved, particularly regarding estimates of tonnage and the size of fish put in cages from the stock. The EC also emphasized the important role of the market. The characteristics of the EC East Atlantic bluefin tuna catch have changed, with most of the catch now going to farms. This resulted in a larger than average size of tuna, according to farm demands. This factor has reduced undersized tuna catches. The Delegate of the EC stated the view that farming does not constitute, in itself, a threat to fish stocks, as long as it is carefully monitored and controlled.

The Delegate of Japan expressed great concern over the rapid expansion of farming facilities for bluefin tuna with 20,000 t, or two-thirds of the East Atlantic TAC going into farms at present. He noted Japan's desire to develop a positive listing scheme for farming facilities for bluefin tuna. Without such a measure there could be another 50% increase in farming activities in the coming year, much of it by non-Contracting Parties, Entities or Fishing Entities that would not be tolerable to Japan. The statement by Japan regarding the proposed recommendation on bluefin tuna farming is attached as **Appendix 10 to ANNEX 8**.

The Chair moved the discussion to three draft recommendations related to bluefin tuna farming, proposed, respectively, by the EC, Japan, and the United States. The Delegate of the EC noted the recent expansion of farming in the Mediterranean and explained that its proposal is intended to draw on lessons learned in implementing Recommendation [02-10], including the difficulty of estimating the biomass entering the net or the cage by using observers on vessels. The EC Delegate emphasized the importance of obtaining information on the number of cages, the capture vessel, and the number, and size of fish entering the cages, through a system that can inform the work of SCRS. He also noted that Parties that do not have an ICCAT quota should not seek to export cage-produced bluefin tuna. He acknowledged a helpful contribution to the proposal by Japan that would require a record of farms.

The Delegate of the United States expressed concern about the lack of a requirement for observer coverage in the EC proposal, noting that it lacked an explicit statement of how information to support stock assessments and management would be collected from farming operations. The United States suggested development of a technology-based approach to monitoring and expanding observer coverage to 100%. The Delegate of the EC responded by noting that observer coverage has not been effective in monitoring its farming operations. The Delegates of Malta and Croatia concurred and suggested that monitoring the transfer of farmed fish to the market would be more effective. The Delegate of Japan expressed support for the EC proposal and suggested that, while

observers are necessary, resolution of the observer requirement be delayed pending the development of guidelines by the SCRS and the GFCM. The Delegates of Mexico, Canada, and the United States emphasized the importance of having well trained and qualified observers on capture vessels and at the farm site to record size of fish, total catch, date, harvest method, and place of harvest. The Delegate of Morocco expressed concern about the multiplication of monitoring requirements for bluefin tuna. Finally, it was agreed that observers could be present on vessels or cages, according to each specific situation.

Following this discussion, the *Recommendation by ICCAT on Bluefin Tuna Farming* (see ANNEX 5 [Ref. 03-09]) was adopted by the Panel and forwarded to the Plenary for final adoption.

Following a request by the Delegate of Japan, the Panel adopted the *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* (see ANNEX 5 [Ref. 03-19]) to ensure consistent changes in the Bluefin Tuna Statistical Document Program.

7.2 Albacore (North)

The discussion of possible management measures for the conservation of stocks opened with a question to the SCRS about the development of management recommendations for North Atlantic albacore. Dr. Pereira reported that in 2000, the SCRS recommended (1) in order to maintain a stable spawning stock biomass (SSB) in the future, that total catch should not exceed 34,500 t for the period 2001-2002; and (2) that catch for 2001-2002 should not exceed 31,000 t to begin increasing the SSB. This advice was reiterated in the 2003 SCRS Report.

Taking into account the scientific advice, the Delegate of the EC introduced a draft recommendation for a Total Allowable Catch (TAC) of 34,500 t for North Atlantic albacore for the period 2004-2006, noting that stability in the fishery justifies setting TACs for the next three years. The catches were well below the TAC level in force in recent years. However, the large quota underages need to be addressed. The EC Delegate also described a change in fleet behavior in recent years due to the ban of driftnets, and expressed the Community's concern at the failure of Chinese Taipei to submit data on its longline fishery in time for SCRS to include the information in its assessment. This concern was reflected in the preamble of a later version of the EC proposal.

The Observer of Chinese Taipei explained that data for the assessment were submitted by 13 June 2003. Chinese Taipei acknowledged the advice of the EC and pledged to improve its data collection system.

The Delegate of the United States expressed concern that the EC proposal sets a TAC for three years that does not expect to result in rebuilding.

The Delegate of the United States further remarked on its concern about declining stock abundance and CPUEs for North Atlantic albacore despite capacity and effort reductions. The Delegate presented a draft recommendation that would limit the ability of Parties to carryover large underages into the subsequent year, in order to prevent derailing conservation of the stock by continuing to add underages on to subsequent years. The Delegate of the EC expressed a more optimistic view of the status of the stock, but agreed on the need to prevent excessive carrying over of underages in order to protect the stock from a single year of very high harvest. The Delegates of Canada and Japan agreed with the general framework of the document presented by the EC and also shared the concern expressed by the United States about the management of underages. Finally the Panel decided to include in the EC proposal a sentence reflecting this concern, and adopted the *Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2004-2006* (see ANNEX 5 [Ref. 03-06]).

8. Research

The Delegate of Turkey called the Panel's attention to the bluefin tuna research program Turkey has conducted in the eastern Mediterranean for the last 12 years and expressed hope that ICCAT would support this program.

The Delegate of Japan expressed support for bluefin tuna research and introduced a draft recommendation that would postpone the bluefin tuna stock assessment scheduled for June 2004 to 2005. The *Recommendation by ICCAT Concerning the Stock Assessment Schedule for Western Atlantic Bluefin Tuna* (see ANNEX 5 [Ref. 03-08]) was adopted by the Panel and forwarded to the Plenary. The SCRS Chairman noted that a data preparatory meeting must be held prior to the next bluefin tuna assessments. After some discussion, it was agreed that the data preparatory meeting should be scheduled in 2004.

The Delegate of the EC noted the importance of ensuring that ICCAT-supported research programs add value to Parties' existing research efforts, and expressed concern that the increasing number of meetings and data deadlines is creating an unrealistic workload for scientists working on ICCAT management. The Delegates of Canada and the United States emphasized the importance of maintaining the May 2004 meeting of the Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies, focused on the mixing related topics agreed to at its first meeting in 2003.

The Delegate of Japan suggested that discussion of the enhanced bluefin research program should be deferred to the 2004 ICCAT meeting. This suggestion was agreed by the Panel.

9. Election of Chair

The Delegate of Japan expressed appreciation for the leadership of Mr. Gauthiez as Chairman of Panel 2, and nominated EC to continue to serve as Chair in the coming two years. The Delegate of Canada seconded the proposal, and the Delegates of Mexico and Morocco expressed their support. Upon this re-election, Mr. Gauthiez, on behalf of the EC, expressed his appreciation for the confidence of the Panel.

10. Other matters

There was no discussion of other matters.

11. Date of the next meeting of Panel

The Chair noted that the next meeting of Panel 2 will be held at the 14th Special Meeting of the Commission in November 2004.

12. Adoption of the report and adjournment

The Chairman noted all documents would be forwarded to the Plenary and that the Report of Panel 2 would be adopted by mail. The 2003 meeting of Panel 2 was adjourned.

The Report of Panel 2 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 3

1. Opening of the meeting

The meeting of Panel 3 was opened by the Panel Chairman, Dr. Johan van Zyl (South Africa). In the interest of time, it was requested that opening statements be submitted in writing; no opening statements were submitted to Panel 3.

2. Adoption of Agenda

The Agenda was adopted without modification (see **Appendix 1 to ANNEX 8**).

3. Appointment of Rapporteur

The ICCAT Secretariat was appointed Rapporteur for Panel 3.

4. Review of Panel membership

Brazil and Uruguay both expressed their desire to become members of Panel 3, bringing the total membership of the Panel to eight Contracting Parties: Brazil, European Community, Japan, Namibia, South Africa, United Kingdom (Overseas Territories), United States of America and Uruguay. All the members were present.

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

5.1 Southern bluefin tuna

Dr. Joao Pereira, the SCRS Chairman, reminded the Panel that southern bluefin tuna was under the management of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), but that the SCRS considered it was important to continue to monitor and collect data on this species in close collaboration with the CCSBT, despite the low level of catches of southern bluefin tuna in the Atlantic Ocean.

5.2 South Atlantic albacore

The SCRS Chairman summarized the report of the SCRS on South Atlantic albacore, a fishery in which 90% of the total catch was taken by four major fisheries. Both the surface and longline catches had remained constant from 1995 to 1999, partly in response to ICCAT management recommendations. He noted, however, that the catches in 2000, 2001 and 2002 had exceeded the established catch limits for these years.

Although uncertainty remained in some of the catch-at-size data, the SCRS assessed the status of the South Atlantic albacore stock after reviewing the Task I and Task II data available. The model used had the same specifications as the assessment carried out in 2000 and the results obtained were similar to those obtained at that time, but with substantially narrower confidence levels. The estimated MSY and replacement yield for 2003 were 30,915 t and 29,256 t, respectively, with the fishing mortality rate remaining at about 60% of F_{MSY} . From the assessment results, the decline in spawning stock biomass appeared to have halted.

While recent catches of albacore in the South Atlantic have been above replacement yield, they are in the vicinity of current estimates of MSY, in which there is now greater confidence. The SCRS therefore recommended that catches in the next three to five years should not exceed 31,000 t per year.

The Delegate of the European Community asked why the recommended Total Allowable Catch (TAC) for 2003 was higher than in previous years. The SCRS Chairman replied that this advice was based on the projections made during the assessment and that estimates of high recruitment could indicate an increase in adult stock abundance.

The Delegate of South Africa informed the Panel that he was pleased with the results of the stock assessment, as it confirmed the apparent improvement indicated by the 2002 assessment, about which there had been some skepticism due to the uncertainties in MSY. The data inputs and the methods used had been improved to incorporate projections to evaluate certainty. He expressed his opinion that the stock was not over-exploited as biomass was above the MSY level and that fishing mortality is below sustainable levels. He further noted that over the last ten years, catches were below the MSY level, and had only exceeded this level on three occasions. The profile of the fishery and the catch patterns of the participants in this fishery did not indicate undue cause for concern, although this may be due more to the economic constraints and low profitability of the fishery than to management recommendations in force. For this reason, he considered it was important to develop an acceptable sharing arrangement in order to ensure that MSY was not exceeded in the future.

6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

6.1 Southern bluefin tuna

The Panel Chairman reminded the Panel that southern bluefin tuna was currently managed by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), and that, in accordance with SCRS advice, ICCAT would continue to co-operate with that Commission.

The Delegate of South Africa informed the Panel that the recent meeting of the CCSBT had been very successful, and that a TAC level and a sharing arrangement had been agreed by the members. A limit of 14,030 t had been agreed as the level to be shared between the five members, with a 900 t allowance for non-members.

6.2 South Atlantic albacore

The Panel Chairman noted the need to formulate a sharing arrangement for South Atlantic albacore. In order to facilitate the discussions on this issue, he drew the attention of the Panel to two documents which had been submitted, the "South African Policy Statement to the 2003 Meeting of ICCAT Panel 3 Regarding Development of an ICCAT Sharing Arrangement for South Atlantic Albacore" (attached as **Appendix 11 to ANNEX 8**), and the Comments by Chinese Taipei on the Draft ICCAT Sharing Formula for South Atlantic Albacore (attached as **Appendix 12 to ANNEX 8**).

The Delegate of South Africa briefly explained that South Africa considered that the recognition of past performance in the fishery was of crucial importance to the consideration of a sharing arrangement and that the four Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities fishing actively for South Atlantic albacore had a substantial involvement in the fishery and that their record of past performance would be a useful starting point for discussions. He noted, however, the need for a balance between consideration of past performance and the genuine needs of developing coastal states to develop their fisheries.

Following informal discussions, a proposed Recommendation by ICCAT on the Southern Albacore Catch Limit and Sharing Arrangement for 2004-2006 was presented at the second session of the Panel meeting.

The Delegate of South Africa explained that two possibilities had been proposed during informal discussions, the first involving an individually set catch limit for the four Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities, based on the level of the average of the 1998-2002 catch, and the second being a similar sharing arrangement to that of previous years. He pointed out, however, that either option would be valid only for 2004, and that new measures would have to be developed in 2004 for 2005 onwards.

The Delegate of Brazil was of the view that the current sharing arrangement would not work in the future as it had not worked in the past, and supported the option of individually set limits. He supported the idea that further work was needed to develop suitable sharing arrangements in 2004, given the limited time available.

The Delegate of Namibia, however, preferred the second option, given that Namibia's fishery was still in a phase of development, and therefore the average of the catches over the last five years is lower than current Namibian catch levels. He also supported the idea of inter-sessional discussions to develop a sharing arrangement.

The Delegate of the European Community asked for clarification regarding the level of catch to be shared by the four Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities. The Delegate of South Africa replied that this had been based on historic catch levels, and that the allowance made for Parties not

actively fishing for South Atlantic albacore had exceeded historical catches. The Delegate of the EC expressed concern about the need to make adequate provision for by-catches of South Atlantic albacore in other fisheries, and considered that the previous proportions should apply.

The Delegate of Japan supported the second option in the proposal, but requested better implementation of the measure to ensure full reporting and to avoid the over-harvesting that had taken place in the last two years. This was also supported by the United States, which also requested that the provision for preventing carryover of under-harvest in the 2002 recommendation again be included.

The Delegate of Brazil agreed, in a spirit of compromise, to accept a sharing arrangement similar to that in place for 2003, but expressed his frustration at adopting a measure that had been seen not to work in the past.

The Delegate of South Africa expressed his concern that some Parties seemed to see an opportunity to increase their catches. He stressed the need to finalize a process that had started in 1997, and urged those involved to abide with the reporting requirements.

The Delegate of Brazil reiterated his country's concern that such a measure could lead to catches being above MSY, and stated that Brazil would not oppose the proposal if it were based on the TAC and catch limits of 2003, which would be safer, given that the existing arrangement was difficult to monitor. This proposal was supported by Japan and the European Community.

The Delegate of South Africa pointed out that the new TAC had been set on the advice of the SCRS which had been based on the results of the stock assessment, and on the objectives of the Commission which was to keep catch level at or below MSY, but could support the Brazilian proposal in order to reach a compromise.

The Observer of Chinese Taipei stated that while they had originally preferred the setting of individual levels, Chinese Taipei would accept a sharing arrangement similar to 2003.

All the members of the Panel agreed that further discussion was required in order to adopt a more suitable sharing arrangement in 2004. To this end, the Delegate of Namibia presented an invitation (attached as **Appendix 13** to **ANNEX 8**) offering to host an inter-sessional workshop for Panel 3 to discuss the allocation criteria and develop a sharing arrangement for the allocation of quotas. The Delegate of Brazil expressed concern that such discussions went beyond the mandate of a workshop, and that this issue would require full discussion in a formal meeting of the Panel, and expressed particular concern that a meeting to be held in only one language of the Commission may exclude important participants. The Delegate of the European Community expressed concern about the low level of participation at inter-sessional meetings due to budgetary constraints.

The Delegate of South Africa clarified that the workshop should deal with the more technical elements relating to the quantification and weighting of the various criteria for the allocation of fishing possibilities, but that any sharing arrangement could only be decided in a formal session of Panel 3 at the next Commission meeting. It was hoped that on the basis of the workshop, proposals for such an arrangement could be put forward to the Panel. Following this clarification, the Panel accepted Namibia's invitation.

The Panel agreed that the *Recommendation by ICCAT on the Southern Albacore Catch Limit and Sharing Arrangement for 2003* [Ref. 02-06] would be amended as necessary to be carried forward to 2004, maintaining the same TAC and catch limits as 2003, and that the provisions relating to the holding of an inter-sessional meeting would be amended to ensure that participation was not obligatory and that the work of such a meeting would not go beyond the scope of a workshop. The *Recommendation by ICCAT on the Southern Albacore Catch Limit and Sharing Arrangement for 2004* was adopted by the Panel and forwarded to the Commission for its consideration (see **ANNEX 5 [Ref. 03-07]**).

7. Research

The SCRS Chairman informed the Panel that the SCRS had recommended improvements in the data collection and reporting systems, and that the SCRS should consider analyzing global climatic and oceanographic changes on a routine basis for South Atlantic albacore. He also indicated that further research was needed on the relationships between environmental factors (e.g., sea surface temperature) and the distribution of albacore, including studies using historical satellite data.

8. Election of Chair

South Africa was unanimously re-elected Chair of Panel 3.

9. Other matters

No other matters were discussed.

10. Date and place of the next meeting

It was agreed that an inter-sessional workshop should be held in 2004, but that the next formal meeting of Panel 3 would be held at the same time and place as the next Commission meeting.

11. Adoption of the report

The Chairman noted that the Report of Panel 3 would be adopted by mail. On this note, he adjourned the 2003 meeting of Panel 3.

The Report of Panel 3 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 4

1. Opening of the meeting

The meeting of Panel 4 was opened by the Chair, Ms. Mariam McCall (United States) who welcomed the Panel Members and observers. In the interest of time, it was requested that opening statements be submitted in writing. No opening statements were presented.

2. Adoption of Agenda

The Agenda was adopted without change (**Appendix 1 to ANNEX 8**).

The Delegate of the United States expressed interest in discussing sharks under “Other matters” and the Chair supported that suggestion.

3. Appointment of Rapporteur

Ms. Catherine Ware (United States) was appointed Rapporteur for Panel 4.

4. Review of Panel membership

Panel 4 is comprised of 22 Contracting Parties: Algeria, Angola, Brazil, Canada, China, Cote d'Ivoire, European Community, France (St. Pierre & Miquelon), Gabon, Japan, Korea (Rep.), Malta, Mexico, Morocco, Namibia, South Africa, Trinidad and Tobago, Turkey, United Kingdom (Overseas Territories), United States, Uruguay and Venezuela. Venezuela was not present at this meeting.

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

Dr. Joao Pereira, the Chairman of the SCRS, summarized the sections of the SCRS relevant to Panel 4.

5.1 *Atlantic bonito*

This species was considered under section 5.4.

5.2 *Swordfish*

The SCRS Chairman noted that in 2003 a new stock assessment had been conducted for Mediterranean swordfish. The SCRS Chairman also referred to the Committee's recommendation to hold a comprehensive symposium on swordfish stock structure in late 2004 or early 2005.

State of the North Atlantic and South Atlantic swordfish stock

There were no new stock assessments conducted in 2003 for North or South Atlantic swordfish. However, there is new information in the SCRS report on the status of the fisheries. The reported landings provide only minimum estimates. The SCRS did not estimate unreported landings of swordfish from illegal, unregulated and unreported (IUU) fishing. In the North Atlantic, preliminary estimates of catches in 2002 were 9,607 t. In the South Atlantic in 2002 the reported catch of 13,569 t is similar to the 2001 level.

The SCRS Chairman referred to the recommendation made by the SCRS to delay the North Atlantic swordfish stock assessment until 2006 due to the Committee's heavy workload over the next two years. In response to a question regarding whether there is an increased risk if the assessment is postponed, the SCRS Chairman responded that even when assessments are not performed, all available information is reviewed and the scientists present many documents analyzing biological data and CPUE. If there are any significant signs of change, the SCRS will alert the Commission to the urgent need of an assessment.

The United States and Canada introduced a draft recommendation, which would postpone both the North Atlantic and South Atlantic swordfish stock assessments until 2006, consistent with SCRS advice.

State of the Mediterranean swordfish stock

The SCRS Chairman noted that the Mediterranean swordfish fisheries are characterized by high catches of juveniles. Swordfish less than 3 years-old represent 50-70% of the total yearly catches in the Mediterranean, and many of these have most likely never spawned.

The average annual reported catches of swordfish in the Mediterranean are similar to those of the North Atlantic. The catch in 2001 was 15,155 t. The main fishing gears used are surface longline and gillnet. It should be noted that since the beginning of 2002 large-scale driftnet fishing has been banned in European Community countries and this will influence the catch data beginning in 2002, due to the change in fishing gear.

In general the assessment results indicate the presence of a stable situation in terms of recruitment, total spawning and biomass. These findings suggest that the current exploitation pattern and level of exploitation are sustainable in the short-term. The lack of sufficient historical data, however, did not allow the determination of stock status relative to MSY benchmarks.

The Delegate of Trinidad & Tobago inquired as to why the SCRS has suggested alternative methods to reduce catches of juvenile swordfish, but did not mention technological changes to gear that could increase selectivity. The SCRS Chairman recalled that the catch of juvenile swordfish has always been high in the Mediterranean, and two years ago the SCRS Report made reference to all possible methods of reducing the catch of juvenile fish including gear technology changes, time closures, and seasonal closures. The SCRS Chairman also noted that selecting against juvenile swordfish when using longline gear is very difficult, even with increased hook size.

The Delegate of Trinidad & Tobago sought clarification of the SCRS Report with respect to the reference to "other gear." The SCRS Chairman mentioned driftnets, the second most often used gear, and harpoons.

5.3 Billfishes (Blue marlin, white marlin, and sailfish)

With respect to blue marlin, general trends in catches are consistent with the intensity of the offshore longline fisheries. The SCRS Report notes that blue marlin, white marlin, and sailfish are also likely to have been caught by IUU fleets. Unfortunately there is no information on billfish equivalent to that available from market statistics for bigeye tuna or bluefin tuna that can be used to estimate IUU catches of billfish.

There are still data-related statistical problems. The data available are not informative enough to provide an estimate of stock status with high certainty for these species.

5.4 Other species

The SCRS Chairman noted that the information reported regarding small tunas, Atlantic bonito, and mackerels is similar to previous years. The same statistical and reporting problems exist. Uncertainties remain regarding the accuracy and completeness of reported landings in all areas.

The SCRS Chairman reiterated the recommendation made by the Committee to hold a Working Group on Small Tunas in the future to address some of these problems.

6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

6.1 North Atlantic swordfish

The Delegate of the United States elaborated on the proposal to implement the recommendation of the SCRS to delay the assessment of Atlantic swordfish stocks until 2006. The purpose of this proposal is to carry out the advice of the SCRS relative to the timing of stock assessments. It was explained that the requirement for an interim report was intended to reduce any risk that delaying the stock assessment might incur by reviewing any available data for indications of potential decline in the stock. The Chair noted that especially in the context of

the 1999 rebuilding plan for North Atlantic swordfish, it was important for all Parties to carefully examine this proposal.

The Delegate of the European Community asked the Chairman of the SCRS to explain why the SCRS recommended a postponement for the Commission-recommended swordfish stock assessment schedule. The SCRS Chairman gave the following reasons:

- The meeting on swordfish stock structure planned for late 2004 or early 2005, which was requested by the Commission to investigate the boundary between North and South Atlantic swordfish, should be held prior to the next stock assessment.
- The postponement of the assessment will yield more complete data from different fishing gears, such that in 2006 the SCRS will have data available up to and including 2004.
- The stock assessments for blue marlin and white marlin and East Atlantic bluefin are scheduled for 2005.

It would be difficult to assess both marlin populations and swordfish, so considering the optimistic indicators currently available for North Atlantic swordfish, the SCRS suggested postponing this stock assessment.

The Delegate of Canada indicated general support for following the advice of the SCRS. He then raised the issue of the timing of the South Atlantic swordfish stock assessment, which would also need to be included in a recommendation.

The Delegates of the European Community and Japan, while supporting the intent of recommendation, suggested amending the draft recommendation to delete the paragraph that required the SCRS to evaluate CPUE and reported landings data in 2004 and 2005 and prepare a report in 2005. The Delegate of the European Community reiterated a concern that the Commission is operating on a multi-year assessment basis while the SCRS unnecessarily analyzes the CPUE and reported landings data annually. The Delegate of the United States agreed to delete the paragraph requiring a report in 2005.

The Chair noted that there was consensus to recommend adoption of the recommendation, as proposed by the United States and Canada, which postpones both the North Atlantic and South Atlantic swordfish stock assessments to 2006. Hence, the *Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish and South Atlantic Swordfish* was forwarded to the Plenary for final adoption (see **ANNEX 5 [Ref. 03-03]**).

6.2 South Atlantic swordfish

The Delegate of Japan referred to the proposal by the United States in response to the Japanese request for a temporary quota adjustment. In light of some concerns over catch statistics and import data, Japan requested deferral of the discussion of this proposal to the Plenary. The Delegate of the United States clarified the U.S. position, which is that a letter was not the proper mechanism for such an adjustment in quota. The United States did not propose the draft resolution as a substantive show of support, but only as a procedural matter. The Panel agreed to defer further discussion to the Plenary and the *Resolution by ICCAT to Authorize a Temporary Catch Limit Adjustment in the South Atlantic Swordfish Fishery* was forwarded to the Plenary for final adoption (see **ANNEX 5 [Ref. 03-05]**).

In response to the request of the Delegate of Japan, the Observer of Chinese Taipei stated their intention to immediately instruct their fishing industry to contact the fishing industry of Japan to address the matter of gear conflicts between the two sides.

The Delegate of Uruguay intervened regarding Uruguay's quota allocation from last year, when they were absent from the meeting due to domestic economic difficulties. They expressed dissatisfaction in receiving an allocation for 2003 that was less than their 1,000 t allocation for 2001. They requested 1,000 t for 2004, with annual increases of allocation to 1,400 t in 2006. The Delegate emphasized the economic importance of this fishery to Uruguay and explained their efforts to improve the monitoring of their fishery through satellite systems and government observers. The Statement by the Uruguayan Delegate is attached as **Appendix 14 to ANNEX 8**.

6.3 Mediterranean swordfish

The Delegate of the EC presented a recommendation relating to Mediterranean swordfish. The EC Delegate described the objective of the proposal, which is intended to reduce juvenile swordfish mortality. The recommendation focuses on the implementation of technical solutions within the longline fishery and the prohibition on the use of driftnets that result in large catches of juvenile swordfish.

The Delegate of Morocco noted that a U.N. Resolution bans large-scale driftnets and sets a limit on the maximum length for artisanal fisheries, consistent with the EC proposal. The Delegate noted that they were aware of fishing with driftnets longer than 2.5 km and were working to eliminate this gear and train fishermen in the use of the 2.5 km length gear. The Delegate of Morocco suggested that the SCRS specify a mesh size that corresponds to the minimum size for swordfish. He also suggested that longline gear as identified in paragraph 2 of the proposal be modified to read "swordfish fisheries," and that paragraph 3 (the prohibition on driftnets) be removed as other gears also catch small swordfish. He further suggested that paragraph 4 should read: "Contracting Parties, Cooperating non-Contracting Parties, Entities, or Fishing Entities shall take the necessary measures to ensure compliance with this Recommendation."

The Delegate of Brazil supported the intent of the recommendation and suggested that the compliance issue in paragraph 4 would be more appropriately addressed within the broader trade agreement that was currently under discussion in the Joint Meeting of the Compliance Committee and PWG.

The Delegate of Malta asserted that regardless of length, drift gillnets were destructive and that there should be a prohibition regardless of size.

The Delegate of the EC agreed with Malta and noted that there has been a ban on the use of the gear by EC vessels since 2002. They asserted that paragraphs 1-3 were conservation objectives that everyone should be able to agree to.

The Delegate of Morocco agreed, in principle, with the recommendation, but questioned how to implement the requirements. In particular, he expressed concern regarding how to pay for new gear and the additional training for fishermen.

The Delegate of the United States stated while the United States is not a participant in this fishery in the Mediterranean, the United States does not allow the use of driftnets in the swordfish fishery. He expressed support for the proposed recommendation, but agreed with the Delegate of Brazil's proposal to delete paragraph 4, as it would be more appropriately implemented under the broader trade agreement.

The Delegate of the EC also agreed that paragraph 4 was better approached through the broad trade agreement. The EC offered to work with Morocco to accomplish a phase-in of the measures, including the elimination of driftnet gear. The EC Delegate noted that the high catch of small swordfish is not only a conservation issue but negatively impacts the market for this species as well.

The Delegate of Canada stated that while Canada was not a participant in the fishery, it endorses the EC recommendation as it sends the signal that the use of driftnets for large pelagic species should not be permitted.

The Delegate of Brazil suggested that in paragraph 3 the phrase "prohibit the use of" be modified to "prohibit the use of in any given year..."

The Delegate of Morocco agreed with the Brazilian change to paragraph 3.

The Delegate of the EC suggested that the language in paragraph 3 be changed to "shall prohibit as soon as possible and no later than the 1st of January 2005..."

The Delegate of Morocco stated his country would need 10 years to phase in the gear changes proposed in the recommendation.

The Delegate of the EC did not view 10 years as an acceptable time frame to implement these measures and suggested that perhaps the Parties needed more time to reflect on the recommendation.

The Delegate of Morocco stated that all gear types should be examined relative to the goal of reducing juvenile swordfish mortality. The statement by the Delegate of Morocco is attached as **Appendix 15 to ANNEX 8**.

The Delegate of the European Community stated that a prohibition of driftnets will reduce by-catch of non-target species, such as marine mammals, and noted that other Parties had expressed support for this goal as well. The Delegate of the EC also expressed strong concern with regards to the dumping of Mediterranean swordfish into markets by vessels from certain Parties. The Commission should make it a priority to ensure compliance with a minimum size requirement that supports the sustainability of this stock.

Following the discussions, the Panel agreed to forward the *Recommendation by ICCAT Relating to Mediterranean Swordfish* to the Plenary for further discussion and final adoption (see **ANNEX 5 [Ref. 03-04]**).

6.4 Billfishes (blue marlin and white marlin)

The Delegate of the United States praised the current rebuilding program, noting that among all of the managed stocks, these are the most seriously over-fished and most in need of management attention. Data from many commercial and recreational fisheries are lacking and these data are necessary to evaluate compliance. The United States observed that only six Parties reported 2002 catch data for these species, and encouraged all Parties to report observer data that estimate the fraction of marlin released alive. The United States expressed strong support for the SCRS recommendation to conduct enhanced research activities for billfish: to characterize the underlying habitat requirements; to develop methods to further evaluate historical data; and to estimate post-release mortality. The U.S. delegate encouraged all Parties to participate in cooperative research designed to minimize billfish by-catch and by-catch mortality through gear modifications.

The Delegate of Brazil echoed the intervention of the United States and reiterated that much stronger, more effective efforts in research on billfish are needed. For this reason, Brazil has included funds in its budget next year to carry out comprehensive billfish research. The Delegate expressed enthusiasm in working on cooperative research with other countries and expects to have generated useful information for management by 2006.

The Observer from CARICOM brought up the disproportionate impact that the recent rebuilding plan for marlin has had on artisanal fisheries. The 1997 Recommendation [Ref. 97-09] was an early attempt to reduce catches of billfish and specifically noted the difference in required conservation actions for large scale versus artisanal scale fisheries (those supplying to local markets). Although the CARICOM Observer expressed support for the rebuilding of these stocks described by Phase 1 of the Rebuilding Plan (reductions of 1999 harvest levels by 50% and 33% for blue marlin and white marlin, respectively) and participation by all States, the Observer noted that these reductions in catch are a heavy burden for developing countries, such as Grenada, that depend on the fisheries for food security. The Observer from CARICOM asked ICCAT to consider developing a definition of artisanal fishing. The statement by the Observer from CARICOM is attached as **Appendix 16 to ANNEX 8**. These comments are included in a letter from Grenada to the Commission (see **Appendix 17 to ANNEX 8**).

The Delegate of Trinidad and Tobago agreed with the Observer from CARICOM that less stringent measures should be applied with respect to small coastal developing states, in particular states that utilize these resources to meet nutritional requirements and food security. The Delegate of Trinidad and Tobago noted this proposal is consistent with international law, in particular the 1995 U.N. Fish Stocks Agreement, Article 24, paragraph 2, which recommends that States take into account the special requirements of developing states.

The Delegate of Morocco recalled that the needs of developing countries and their artisanal sectors were taken into account in quota allocation discussions and supported the idea that this also should be addressed with respect to rebuilding programs.

The Delegate of the United States noted that specific allowances for artisanal fisheries may be warranted, but that artisanal fisheries need to be defined with respect to gear type, scale of landings and disposition of fish.

The Delegate of Japan does not consider artisanal fisheries to be included under the definition of pelagic longline. Although artisanal fisheries have not been explicitly excluded since 1997, Japan does not think they are included in these rebuilding plan requirements. Japan proposed discussing the matter in the Compliance Committee for further clarification. The Compliance Committee subsequently deferred this discussion to the 2004 meeting, possibly in Panel 4.

The Chair noted that the compendium exercise would include a glossary with definitions that provide consistency and this would be available in about a year. This exercise should provide the needed definition and clarification for “artisanal fisheries.”

7. Research

The Chairman of the SCRS highlighted Section 16 of the Committee's report: General Recommendations to the Commission.

Where billfish are concerned, the Committee recommended that, when possible, on-board observer programs should be enhanced to define the species composition of billfish by-catch from the longline and purse seine fisheries. Also suggested was the development and use of statistically robust procedures that could improve the estimation of catches for all billfish species. The SCRS Chairman encouraged international collaboration, development and continued support of the Billfish Research Program. In addition, the Committee recommended that a comprehensive symposium on the topic of swordfish stock structure be held in late 2004 or early 2005.

The Delegate of Morocco requested that Moroccan scientists (with specific references to them) be added as members of the Panel who will be examining swordfish stock structure, as Morocco is located on the boundary between North Atlantic and Mediterranean stocks. The SCRS Chairman replied that all Committee meetings, including Working Groups, are open to all and that the Committee welcomes the participation of all scientists, even those from nations without that particular fishery.

8. Election of Chair

The Delegate of the EC praised the work of the current Chair and recommended that the United States continue to serve as Chair in the coming two years. There was enthusiastic consensus for this proposal. The Chair, on behalf of the United States, thanked the Panel for its support.

9. Other matters

The Delegate of Japan requested without objection the deferral of the discussion over their proposed resolution on shark fisheries to the Plenary. Hence, the *Resolution by ICCAT on the Shark Fishery* was forwarded to the Plenary for discussion and final adoption (see ANNEX 6 [Ref. 03-10]).

10. Date of the next meeting of Panel 4

The date for the next meeting would be fixed by the dates of the next ICCAT meeting.

11. Adoption of the report and adjournment

The Panel agreed to adopt the report by mail. The meeting of Panel 4 was adjourned.

The Report of Panel 4 was adopted by correspondence.

Appendix 1 to ANNEX 8**Panel Agendas*****Panel 1***

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
 - 5.1 Yellowfin tuna
 - 5.2 Skipjack tuna
 - 5.3 Bigeye tuna
6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities
7. Research
8. Election of Chair
9. Other matters
10. Date of the next meeting of the Panel
11. 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)
 - 5.1 Bluefin (North)
 - 5.2 Albacore (North)
6. Report of the Working Group to Develop Bluefin Tuna Management Strategies
7. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities
8. Research
9. Election of Chair
10. Other matters
11. Date of the next meeting of the Panel
12. Adoption of the report and adjournment

Panel 3

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7. Research
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9. Other matters
10. Date of the next meeting of the Panel
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Panel 4

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3. Appointment of Rapporteur
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- 5.1 Atlantic bonito
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7. Research
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Appendix 2 to ANNEX 8

Statement by Cote d'Ivoire on Bigeye Tuna Catch Quotas *(attached to Report of Panel 1)*

Côte d'Ivoire, a coastal State of the central eastern Atlantic, has been fishing bigeye tuna since 1973. Up to 1986 it had its own tuna fleet comprised of four purse seine freezer vessels. However, since 1986 the Ivorian tuna vessels have been abandoned following a world crisis due to the poor catches and the drop in prices. Afterwards, there has been a tentative recovery of the fishery between 1999 and 2000.

Côte d'Ivoire has always applied the ICCAT Resolutions, Recommendations and Regulations. To this effect, the Ministry in charge of fishing has established a law on fishing in accordance with the ICCAT regulations and based on the principles of the code of conduct for responsible fishing.

Côte d'Ivoire has provided catch data every year and carried out scientific research programs and studies to respond to the ICCAT requirements as regards information and data.

Taking into account the *Recommendation by ICCAT on the 2002 Bigeye Tuna Conservation Measures* [Ref. 01-01]; noting the 2001 *ICCAT Criteria for the Allocation of Fishing Possibilities*; recalling that Côte d'Ivoire has applied up to now the ICCAT Resolutions, Recommendations and Regulations; further recalling the contributions made by Ivorian scientists to the research and data required by ICCAT: Côte d'Ivoire requests the bodies concerned and the ICCAT commissions to study and review Recommendation [Ref. 01-01] and to allocate it a fair and equitable catch quota for bigeye tuna.

Appendix 3 to ANNEX 8

Statements by the Observer from Chinese Taipei to Panel 1 *(attached to Report of Panel 1)*

Proposed Recommendation on Bigeye Tuna Conservation Measures

Recalling that in 1997 the Commission urged parties to reduce catches of bigeye tuna to levels below maximum sustainable yield (MSY);

Recognizing that in 1998 the Commission requested that the Standing Committee on Research and Statistics (SCRS) develop stock rebuilding scenarios to levels that support MSY;

Recalling the 1998 Recommendation by ICCAT on the Bigeye Tuna Conservation Measures for Fishing Vessels Larger than 24 Meters Length Overall (LOA) limiting the number of fishing vessels, which will fish for bigeye tuna in the Convention Area, to the average number of its fishing vessels actually having fished for bigeye tuna in the Convention Area for the two years of 1991 and 1992;

Considering that the objective of the Convention is to maintain the stocks at levels which would permit MSY, and that the SCRS estimates that MSY is between 79,000 t and 105,000 t;

Further Considering that the SCRS recommends that, starting in 2003, the level of total catch in the Atlantic be maintained at the 2001 catch level, in order to restore the biomass of bigeye tuna to a level which would allow MSY to be attained;

The International Commission for the Conservation of Atlantic Tuna (ICCAT) recommends:

1. Each Contracting Party and Cooperating non-Contracting Party, Entity or Fishing Entity shall, in 2004, limit their catch of Atlantic bigeye tuna to the average catch of Atlantic bigeye tuna taken by all their vessels in 1991 and 1992.
2. Notwithstanding the paragraph above,
 - a) China shall limit, in 2004, its catch of bigeye tuna to 5,000 t, while the overall number of its vessels registered with the Commission be frozen at 60 for 2004 and thereafter, unless the Commission decides otherwise.
 - b) The Commission shall request Chinese Taipei to limit, in 2004, its catch of Atlantic bigeye tuna to 18,500t and the number of its fishing vessels fishing for Atlantic bigeye tuna to 125.
 - c) The Commission shall request the Philippines to limit, in 2004 and thereafter, the number of its fishing vessels fishing for Atlantic bigeye tuna to five (5).
3. The provision of paragraph 1 will not apply to Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities whose reported 1999 catch, as provided to the SCRS in 2000, was less than 2,100 t.
4. Underages/overages of the 2004 catch limit for bigeye tuna may be added to/must be subtracted from the 2005 and/or 2006 catch limits for bigeye tuna.

Explanatory Memorandum for Proposed Recommendation on Bigeye Tuna Conservation Measures

In view of the uncontrollable rapid increase of large scale FOC/IUU longline fishing vessels in the late 1990s, and in their determination of eliminating the unregulated fishing activities of these longline fishing vessels so as to achieve the goal of sustainability of tuna resources for the utilization of future generations, in February 1999, Japan and Chinese Taipei signed an Action Plan, whereby Japan was to scrap those second hand longliners it exported and Chinese Taipei was to encourage those longliners recently built in its shipyards to acquire registration, so that they would be properly managed and controlled. In 1999, ICCAT adopted a resolution, praising Japan's scrapping program and Chinese Taipei's re-registration program to reduce FOC vessels and asking them to continue strengthening their joint program (see ICCAT Report 2000-2001, Appendix 9 to ANNEX 14, pp. 372).

The Commission may also note the joint program to combat and eliminate IUU fishing activities is a prominent one. Japan has scrapped 42 ex-Japanese IUU/FOC large-scale tuna longliners and Chinese Taipei has re-registered 45 IUU/FOC tuna longliners newly built in our shipyards. In addition, under the joint efforts between Japan and Chinese Taipei, in cooperation with Vanuatu and Seychelles, a special arrangement has been made to legitimize 69 IUU/FOC large-scale tuna longliners. Practically speaking, all the IUU/FOC vessels built within the recent five years have been almost eliminated. Among the ex-IUU vessels, 26 vessels were operating in the Atlantic Ocean, including 13 scrapped and 13 re-registered. Scrapping of the 13 vessels would reduce a catch of some 3,250 t of tuna (estimated catch of 250 t per vessel, as suggested by Japan, see ICCAT Report 2002-2003 (I), Appendix 1 to ANNEX 12, pp. 292, Report by Japan on the Current Situation of IUU LSTLVs) and re-registering the 13 vessels would enable to bring these vessels under proper control and their catches would be regulated and reported by our government. From the above description, the Commission should be glad to hear that we have nearly achieved such a goal. Whereas the implementation of this joint program has caused an increase in the size of our fleet. We hope the Commission will consider an increase the catch limit of tuna to accommodate such an adjustment, since the present catch limit to be shared among the legitimate licensed vessels is already too low for the fleet to be viable.

Of the 13 re-registered vessels operating in the Atlantic, 11 are targeting bigeye tuna. They will require an extra catch limit of 2,750 t, basing on a catch of 250 t per vessel. Keeping in mind the common concept not to benefit the IUU vessels, if 250 t are allocated to the re-registered vessel, it might read as they are in fact receiving a preferential treatment than the legitimate licensed vessels that are getting 183 t each. Therefore, we are applying the same regulatory measure of catch limit to the re-registered vessels of 183 t per vessel. In other words, these 11 vessels will require an additional catch limit of 2,013 t (i.e. 183 t x 11). After re-registration, these 11 vessels will in fact be utilizing 740 t less than if they remain uncontrolled.

Without additional catch limit, they will be competing with the existing legitimate licensed vessels. It would mean punishment of the existing legitimate licensed vessels. For your information, these vessels have contributed a substantive fund amounting to some US\$2 million to support the scrapping program of Japan. We believe it was not the intention of the international community to penalize those who played the game in a respectful way, nor was it the intention of the international community to desert a nation who has made its best effort to cooperate in combating the notorious IUU fishing activities. The resolution adopted by ICCAT that openly praised and encouraged the joint program was read as a signal of support from ICCAT, at least to ensure the continued operation of the vessels under the re-registered program.

In fact in our report to the Commission on the joint program of Japan and Chinese Taipei to eliminate IUU large-scale tuna longline vessels (see ICCAT Report 2000-2001 (II), pp. 373), we indicated that owners of some FOC vessels that operated in the Atlantic Ocean were doubtful about the re-registration program wondering whether they would be granted any catch allocation after the re-registration, and since they have been fishing all the time in the Atlantic Ocean, and they would rather prefer not to join the program and continue fishing without any restriction, if they would eventually be barred from operating in the Atlantic region after the re-registration. For this reason, from the time these FOC vessels started the re-registration process, the fisheries authority undertook close monitoring over their catches. When fully implemented, the re-registration program would enable reduction of FOC/IUU fishing activities, including those in the Atlantic Ocean, bringing the FOC vessels to proper control under our governance, and thus resulting effective management of resource utilization in the Atlantic. As such, there was an understanding that those IUU/FOC vessels will still be operating in the convention area after their re-registration, with additional allocation.

Someone may argue the Commission will be benefiting the ex-IUU/FOC vessels, but we must reconsider the weight of the benefit of the two sides and see which one receives higher merit, whether it is the management of fleet under proper control by giving them some allowable catch or it is the thinking of a reputable regional fisheries management organization like ICCAT to take a harsh and irresponsible action of squeezing them so that they are forced to leave the Atlantic and have the matter passed to another RFMO.

We are therefore requesting the Commission to provide an additional catch limited of 2,000 t of bigeye and a reasonable amount of by-catch of southern swordfish. We will certainly continue working closely with all ICCAT members as well as members of other RFMO in the world in combating IUU fishing activities.

Supplemental Note on Request of Additional Bigeye Catch Limit

To eliminate IUU fishing activities by large-scale tuna longliners in the Atlantic Ocean and other areas, under a joint action plan with Japan, Chinese Taipei has been doing its best efforts in establishing avenues to permit those LSTLVs newly built in its shipyards to seek re-registration under its registry. In the course of re-registration, ICCAT adopted a Resolution entitled the *Supplemental Resolution on the Bigeye Statistical Document Program* [Ref. 01-23], in which the importing countries agree to accept a document validated by Japan or Chinese Taipei on bigeye tuna caught by the vessels participating in the scrapping program by Japan and those participating in the re-registration program that those vessels shall operate in compliance with the Commission's conservation and management measures. There should be an understanding that the issuing of bigeye statistical documents under this Resolution shall not count against the catch limit to Chinese Taipei.

With the effective of the implementation of the Bigeye Statistical Document as from July 2002, Chinese Taipei began issuing BETSDs for the vessels seeking re-registration. These vessels were required to install satellite vessel monitoring system, apply same catch limit per vessel of 183 t as licensed vessels though it was not a requirement under the said resolution. They were required to submit catch logbooks.

In order to distinguish between these group of vessels and the legitimate licensed vessels, in view of the catch limitation on bigeye tuna enforced to the legitimate licensed vessels, the catch of these vessels was listed in a separate column in the Task I figures provided to ICCAT in the national report.

In 2002 the landings of bigeye by the legitimate licensed vessels were 16,503 t and those by the vessels seeking re-registration were 1,980 t. These figures are consistent with the figures as indicated in Japanese Import of Frozen Atlantic Bigeye from Chinese Taipei. The Commission may note that such a phenomena will continue in 2003 as the process of re-registration will have to take some time, and by the end of 2003 all these vessels will have completed their re-registration and that is why the total landings of bigeye tuna by Chinese Taipei will increase by around 2,000 t. For this reason, Chinese Taipei is requesting the Commission to consider an additional quota of 2,000 t.

Second Note on Request for Additional Bigeye Catch Limit

Chinese Taipei would like to request the Commission to allocate extra 2,000 tons of bigeye tuna catch and a reasonable amount of by-catch of southern swordfish in 2004 for those vessels that join the re-registration program under ICCAT Resolutions.

Two explanatory notes have been distributed (see above); however, I would like to make a short briefing here.

1. The Commission has been reported by Japan and Chinese Taipei that total of 159 ex-IUU LSTLVs have been eliminated through scrapping program, re-registration program, and cooperative management schemes.
2. Among those 159 ex-IUU LSTLVs, only 13 vessels under re-registration program which were previously operating in the Atlantic are allowed to operate in Atlantic Ocean continuously which we had reported in principle to the Commission in 2001 (see ICCAT Report 2000-2001(II) p.373).
3. In addition, the Commission adopted Resolution 01-23 which agreed the importing countries to accept a document validated by Chinese Taipei on bigeye tuna caught by those 13 vessels which shall operate in compliance with the Commission's conservation and management measures.
4. In other words, since 2002 those 13 vessels, before they register under our flag, actually are regulated and managed by our government as well as our licensed vessels. Those 13 vessels were required to install VMS and submit their catch logbook, and Chinese Taipei issued the Bigeye Tuna Statistical Document for them. However, those catch were not counted under our catch limitation. In 2002, the catch of bigeye tuna by those 13 vessels in Atlantic Ocean was 1,980 tons. We have reported it to the Commission in our National Report and sent the Task I of those 13 vessels to the Secretariat.
5. By the end of 2003, all those 13 vessels will have completed their process of re-registration, and became our licensed vessels. We think it is not suitable for us to continue to manage those vessels that were under the re-registration program and authorized by the Commission. Therefore, Chinese Taipei requests the Commission to allocate an additional quota of 2,000 tons of bigeye tuna, and a reasonable amount of by-catch of southern swordfish.
6. Last, but not least, we will certainly continue working with all colleagues around the table in combating IUU fishing activities.

Appendix 4 to ANNEX 8

Statement by France (in respect of St. Pierre & Miquelon) to Panel 2
(attached to Report of Panel 2)

France (in respect of St. Pierre & Miquelon) reiterates the statement that it made during the previous meeting of the Panel in Bilbao. St. Pierre & Miquelon reiterates its supports of the recommendation [Ref. 02-07] concerning the conservation of West Atlantic bluefin tuna, with the reservation that during the 2004 meeting of ICCAT, the management measures on this stock be revisited within the framework of the multi-year rebuilding program adopted in 1998, since its duly takes into account the *ICCAT Criteria for the Allocation of Fishing Possibilities* adopted in 2001. In this context, France (in respect of St. Pierre & Miquelon) recalls the request it made in 2002 for a significant re-evaluation of its quota. We will renew this request during the 2004 meeting of ICCAT.

Statements by Turkey to Panel 2
(attached to Report of Panel 2)

On Bluefin Tuna Catch Quota Allocations

Turkey, being a developing Mediterranean Coastal State has been dealing with bluefin tuna catches since 1957. The Turkish purse seine fishing fleet is the largest in the Mediterranean and this fleet is mainly dependent on pelagic fish catches, including Atlantic bluefin tuna.

In the last decade, Turkey has complied with the Resolutions, Recommendations and Regulations set by ICCAT. In order to achieve this, the Turkish Ministry of Agriculture and Rural Affairs has set a series of regulations for bluefin tuna catches in line and fully in compliance with ICCAT, such as: size limit (90 cm.), closed season and catch amounts. While an observer at ICCAT, Turkey provided accurate catch data every year and carried out scientific research and studies in order to contribute to the information and data requirements of ICCAT.

In the light of the above-mentioned points and taking into account the *Recommendation by ICCAT Concerning a Multi-Year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Ref. 02-08]; Noting the 2001 *ICCAT Criteria for the Allocation of Fishing Possibilities*; recalling Turkey's compliance with the ICCAT Resolutions, Recommendations and Regulations so far; further recalling the contributions made by Turkish scientists, governmental and non-governmental organizations to ICCAT's research and data requirements: Turkey requests ICCAT's concerned bodies and commissions to study and revise Recommendation [02-08] and allocate a fair and equitable catch quota for the East Atlantic and Mediterranean.

Assessment Proposal on Bluefin Tuna Catch Quota Allocations

At the 1994 meeting, ICCAT promulgated a Recommendation [Ref. 94-11] that recommends that the bluefin tuna catching countries in East Atlantic and Mediterranean should reduce their catch amounts by 25% starting from 1996 and to be accomplished in 1998. Furthermore, in 1995, it was decided that "a progressive 25% reduction over 3 years starting 1996 on 1993 or 1994 catches" is needed in order to prevent further decline of stock.

These recommendations were not taken into account seriously by most of the Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities. For example, in 1996 the bluefin tuna catching countries, including the ICCAT Contracting Parties, have either increased or did not reduce enough their 1993-1994 (whichever is higher) catch amounts as shown in the table below:

<i>Party</i>	<i>1993-1994 Catch (t)</i>	<i>1996 Catch (t)</i>
Spain	7,096	8,762
Italy	6,882	10,006
Japan	3,277	4,106
Turkey	3,466	4,616
Morocco	1,812	1,621
Libya	1,332	1,308
Tunisia	2,503	2,393
Greece	886	874
Croatia	1,410	1,360
Korea	688	683

Even in 1998 the expected reduction had not been fulfilled enough to prevent a further decline of stock. (Actually it was expected that the Contracting Parties should lead to comply with ICCAT Regulations, Recommendations and Resolutions). Meanwhile, the SCRS with its every instrument was trying to explain that the stock was declining. With this end, ICCAT decided to take necessary action and in consecutive years promulgated its Recommendations [Ref. 98-5], [Ref 00-09] and [Ref. 02-08]. (Turkey's compliance with ICCAT regulations is shown in **Attachment 1**).

When the Quota Comparison Table (**Attachment 2**) is studied, it is not easy to understand why these allocations are not in line with *ICCAT Criteria for the Allocation of Fishing Possibilities* and ICCAT Resolutions/Recommendations, and secondly, why the reduction is only applicable for non-Contracting Parties (Others).

The attached Quota Comparison Table indicates that:

1. Few countries catch quotas (allocated by ICCAT) are complying with Recommendation [Ref. 94-11];
2. Most of the other countries are still having high catch quotas (allocated by ICCAT) in comparison with Recommendation [Ref. 94-11] and this extra amount is mostly derived from OTHERS CATCH QUOTA.
3. The average percentage (over Recommendation [Ref. 94-11]) is 137.4%;
4. If only the developing countries are considered; the average percentage (over Recommendation [Ref. 94-11]) is 151%;
5. Turkey, which was not a Contracting Party at the time of allocations, is having the lowest percentage of 24%.

Taking into account ICCAT Recommendations [Ref. 94-11], [Ref. 98-5], [Ref. 00-09] and [Ref. 02-08]; noting the 2001 *ICCAT Criteria for the Allocation of Fishing Possibilities*; recalling the above-mentioned facts: Turkey requests ICCAT to regulate all Parties' catch quotas in line with Recommendation [Ref. 94-11].

Attachment 1

Compliance with ICCAT Regulations

<i>Related regulation and short description</i>	<i>Action by Turkey</i>
Ref. 74-1 6.4 kg size limit	BFT Size Limitations by Turkish Fisheries Law: 1987 40 cm. 1988 70 cm. 1989 – today 90 cm.
Ref. 94-11 1. In 1995 didn't exceed 1993/94 catch amounts; 2. 25% Reduction over 1993/94 catches, starting from 1996, should be fulfilled by 1998; 3. 6.4 kg size limit and 1.8 kg age 0 fish; 4. Provision of accurate data requested by ICCAT.	1 and 2 In line with the Contracting parties, Turkey has started to reduce catch amounts. 3. BFT size limitations in Turkish fisheries are given above. 4. Accurate data have been provided annually.
Ref. 96-2 1. Closed season (1-31 August); 2. Banning of use of aerial search	1. Closed season for BFT catch by Turkish Fisheries Law: 1993-2001 15 May -01 September. 2001-today 16 July-15 August (In 2003 season was closed on 09 June) 2. Aerial search is never exercised by Turkish fishermen
Refs. 96-3 and 97-2: No catch of age 0 fish (smaller than 1.8 kg).	The BFT size limitations in Turkish Fisheries Law are given above.
Ref. 97-3: Reporting of total annual catch, landings and transshipments.	Annual catch and landings have been reported to ICCAT. No transshipment has been done over Turkey so far.
Ref. 98-4: Description of age 0 fish (smaller than 3.2 kg).	The BFT size limitations in Turkish Fisheries Law are given above.
Ref. 98-5: BFT catch quota allocation for 1999 and 2000.	Turkey has complied with the allocated amounts.
Ref. 98-6: Closed season (16 July-15 August).	Closed season for BFT catch in Turkey is given above
Ref. 00-9: BFT catch quota allocation for 2001.	Turkey has complied with the allocated amounts.
Ref. 01-09: Requesting Contracting Parties to carry out larval, spawning and tagging studies for better understanding of BFT movement patterns.	Since 1992 Turkey has conducted scientific research in Turkish waters. In this context; larval surveys were carried out by Turkish scientists. In 2003, tagging and reproduction studies on BFT have been carried out by Turkish scientists and farming industry in cooperation with Italian scientists. The results of these studies were presented in 2003 SCRS meeting in Madrid. The environmental impacts of BFT farms have been studied by Turkish scientists and will be presented at the 2nd GFCM-ICCAT Ad Hoc WG Meeting on BFT Farming and Fattening Practices in Mediterranean, which will be held in Izmir/Turkey on 15-17 December 2003.

Comparison of bluefin tuna catch quotas of ICCAT Contracting Parties and Turkey

Party	Reference years catches		Quota according to [Ref. 94-11]	Allocated catch quota		Comparison (%)	
	1993	1994		2003	2006	With ref. year	With [Ref. 94-11]
EC	21,202	26,493	19,870	18,582	18,301	69%	92%
Algeria	1,097	1,560	1,170	1,500	1,700	109%	145%
Croatia	1,058	1,410	1,058	900	970	69%	92%
Japan	3,277	2,611	2,458	2,949	2,830	86%	115%
Tunisia	2,132	2,503	1,877	2,503	2,625	105%	140%
Libya	546	1,332	999	1,286	1,440	108%	144%
Morocco	494	1,812	1,359	3,030	3,177	175%	234%
Turkey (*)	3,084	3,466	2,560	860	617	18%	24%

(*) In comparison with previous years; 75% of the "others catch quota" has been considered as Turkey's catch quota.

Appendix 6 to ANNEX 8

Statement by Cyprus to Panel 2
(attached to Report of Panel 2)

Cyprus is the largest island State in the eastern Mediterranean and is surrounded by bluefin tuna grounds. Cyprus acknowledges the work of ICCAT concerning conservation of bluefin tuna stocks and, as a new Contracting Party, is respecting all ICCAT measures and will do its utmost to accomplish its objectives. Cyprus has cooperated with ICCAT and has already introduced provisions in its legislation and subsidiary legislation that enables it to comply with all ICCAT Resolutions and Recommendations.

Cyprus, eager to promote responsible fisheries, has also become a Contracting Party to the U.N. Fish Stocks Convention and the FAO Compliance Agreement. In its efforts for sustainable exploitation of fisheries resources, Cyprus is, *inter alia*, upgrading its monitoring and control capabilities. A Fishing Vessel Register is already in place and a Vessel Monitoring System will soon be functioning. Also, wishing to reduce fishing effort from Cyprus flag vessels, legislation was introduced to encourage withdrawal of foreign-owned fishing vessels from our register. The introduced legislation was successful and within four years the list of foreign-owned fishing vessels has been dramatically reduced.

The Cyprus multi-purpose fleet consists of longliners while fishing is a traditional activity and a source of living for many families. Consequently, Cyprus intends to continue its fishing practices in a responsible and sustainable manner without threatening the stocks managed by ICCAT.

Appendix 7 to ANNEX 8

Statement by Malta to Panel 2
(attached to Report of Panel 2)

Malta has been involved in bluefin tuna fisheries for a very long time. The Fishery Regulations of 1934 (Subsidiary Legislation 10.12), in fact cover the tuna trap fishery in its Articles 29 to 32. The tuna fishery has always been of major importance to our fisheries industry and accounts for 30% of the value of the total landings. The importance is confirmed by the fact that as far as 1950 the Government issued the Tunny Fishery (Shares) Act (Chapter 129) to be able to intervene and maintain the industry in operation. This fishery has developed from a fixed trap fishery into a long-lining one since the late 1980's.

Malta is aware of and endorses all the effort and work carried out by ICCAT with the intent of conserving stocks of highly migratory species, which in the case of the East Atlantic bluefin tuna, results in the *Recommendation by ICCAT Concerning a Multi-Year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Ref. 02-08] which replaces the original Recommendation [Ref. 94-11]. We have also taken note of the 2001 *ICCAT Criteria for the Allocation of Fishing Possibilities*, which are used as guidelines by this Commission in assessing fishing opportunities for its contracting parties.

Malta has a long track record of fishing and trading for bluefin tuna. In fact, the reference value for Malta in the East Atlantic Bluefin Tuna Compliance Tables is the result of our exports to Japan in the 1990s. Malta has reported over the past years all the catch data and this has been acknowledged by SCRS and can be found in scientific document SCRS/2002/096.

Since 1998 Malta has been actively involved in ICCAT as an observer. It has always adopted and complied with ICCAT recommendations and management measures. In fact, Malta has always been considered as being in good standing. Malta has in its legislation, legal notices and subsidiary legislation that enable it to comply with all resolutions and recommendations decided by ICCAT. Examples of these are, the Tunny Fish (Importation) Restriction Order (Subsidiary Legislation 138.02), that enables Malta to put into effect any trade sanctions that may be necessary and Civil Aviation (Restriction of Flying) Regulations (Subsidiary Legislation 232.14), that were formulated to prohibit the use of aircraft supporting fishing operations during the month of June. In the last five years, Malta has played an active role in ICCAT, to the extent of attending all SCRS meetings plus a number of working groups, although the Fisheries Division is very restricted in financial and human resources. Malta has also hosted two GFCM/ICCAT working groups. Malta has conducted responsible fisheries and has regulated its catch after 1999 to attain the required level. In fact, it has a positive balance in the last three years.

During the last two GFCM meetings, Malta has maintained a constant position:

"The Delegation of Malta made reference to Recommendation [Ref. 02-08] of ICCAT and stressed that its country intended to maintain its historical blue fin tuna catching capacity and effort to guarantee Malta's share of the total allowable catch for blue fin tuna as in past years, and until further development on the matter within ICCAT."

Malta became a Contracting Party of ICCAT to show its commitments to responsible, sustainable fisheries. Malta has also ratified the U.N. Agreement on Highly Migratory and Straddling Fish Stocks.

Malta declares that it shall maintain its existing tuna fishing capacity and effort and retain a catch limit equivalent to the reference tonnage indicated in the East Atlantic Bluefin Tuna Compliance Table until such time as this Commission would reopen discussions on a new multi-year management plan.

Appendix 8 to ANNEX 8

Statement by the Observer of Norway to Panel 2 (attached to Report of Panel 2)

At the annual meeting in 2002, Norway informed ICCAT of the intention to become a member. Unfortunately, the domestic process has taken up more time than anticipated.

The approval of the Parliament is expected by the end of this year, and Norway will hopefully conclude the ratification process in January 2004.

Bluefin tuna fishing is a long tradition in Norway, dating back to the 1920s. Norwegian fishermen have fished large Atlantic bluefin tuna that enter our waters. As a coastal state to the Atlantic bluefin tuna, Norway has, in accordance with Article 56 of the 1982 U.N. Convention on the Law of the Sea, the sovereign rights to harvest this resource. For highly migratory species this right is, however, modified by the duty to cooperate in accordance with Article 64. This obligation will be fully met when Norway joins ICCAT early next year. But the duties and rights go hand in hand, meaning that Norway also is entitled to a share of a stock occurring in waters under Norwegian jurisdiction.

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

Appendix 9 to ANNEX 8

Statement by Croatia to Panel 2

(attached to Report of Panel 2)

We would like to reiterate our appreciation to the Executive Secretary and the SCRS for their continuous efforts in facilitating the discussion on management and conservation measures for bluefin tuna stocks.

Croatia is willing to continue contributing and collaborating with ICCAT and all the Contracting Parties towards responsible and sustainable management of bluefin tuna in the Mediterranean and the Adriatic Sea in particular. As one of the pioneers of bluefin tuna farming activities in the Mediterranean, Croatia is collecting data and providing research activities in order to contribute to establishing possible new standards for future control measures.

Following the recent development in bluefin tuna trade and the situation in the world market, we would like to use this opportunity to re-iterate the importance of a close follow-up and monitoring of fishing and farming activities. Given that the total of Croatian catch of bluefin tuna (977 t in 2002) is used for farming purposes, the Republic of Croatia is aware of the problems related to discrepancies in data values and statistics, and re-iterates the problems in implementation of certain ICCAT recommendations, as very low landing values are recorded, while export values of tuna weight are high. Hence, we would urge the Commission to further pursue the tasks of determining the values for feed conversion and weight increase in tuna farming practices. Tuna farming, as practiced in the Republic of Croatia, extends over a two-year period, which results in much higher export values than regulated by catch quota. As the practice of tuna farming is developing, countries engaging in this type of activity would benefit from a defined scheme for calculation. This would lead to less discrepancies in statistics in catch and trade data. We hope that this year's meeting can provide a good basis for the future development of the industry.

The Republic of Croatia is happy to inform you that bluefin-related recommendations from 17th Regular Commission meeting have already been incorporated in national regulations. We hope that the implementation of the recommendation on tuna farming [Ref. 02-10] will provide better insight into tuna farming practices. It is of utmost importance to track the transactions from catching to market via cages in order to comply with the individual quota allocated. However, given the implementation timeframe, we have to discuss and agree upon referential points, as the data submitted for one particular year will reflect statistics for several years to come.

As regards trade sanctions and procedures, the Republic of Croatia feels that good trade regulations can provide a successful tool in securing the sustainability of tuna fishing and farming in the future.

Appendix 10 to ANNEX 8

Statement by Japan to Panel 2

(attached to Report of Panel 2)

With respect to the draft Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Farming Facilities of Bluefin Tuna Caught (see ANNEX 5 [Ref. 03-09]) Japan would like to make the following statement for the record:

In the course of the discussion, the Japanese Delegation proposed to include in this Recommendation a paragraph, which obligates the Commission and Contracting Parties to contact the relevant countries to inform them of this Recommendation well before its implementation and to encourage them to become Members or to obtain Cooperating Status of the Commission. But the paragraph could not be included.

However, Japan would like to underscore that such notification to non-members is very important and indispensable to obtain understanding on this matter and to ensure the consistency and accountability in light of international rules, such as the WTO.

Therefore, the Japanese Delegation would strongly ask all the Contracting Parties as well as the Secretariat to inform all the relevant countries of this Recommendation well in advance and continue to encourage them to become Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities.

Appendix 11 to ANNEX 8

South African Policy Statement to the 2003 Meeting of Panel 3
Regarding Development of an ICCAT Sharing Arrangement for South Atlantic Albacore
(attached to Report of Panel 3)

South Africa has been an active member of ICCAT since establishment of the Commission in 1970. For the past 20 years, South Africa has had a particular interest, and played a particularly active role, in the management of albacore (*Thunnus alalunga*, longfin tuna) in the South Atlantic Ocean. Since development of the South African baitboat (pole & line) fishery in 1980, albacore has been the main tuna species caught, contributing at least 90% of the annual pole catch, and reaching annual catch levels of over 8,000 t. The importance of this species to South Africa was recognised in 2003 with the establishment and issuing of specific tuna pole fishing rights, specifically designed to allow targeting on albacore, to 120 South African artisanal vessels.

As a consequence of the importance of albacore, South Africa also assumed responsibility at ICCAT for conducting most of the stock assessments, and proposing most of the management recommendations, for this stock. Since 1998, the South Atlantic albacore resource has been subject to an overall total allowable catch limit (TAC) based on the estimated replacement yield (RY) of the stock. Based on initial assessments, this was initially set at 22,000 t in 1998. At that time, the stock was considered to have been exploited beyond MSY. However, subsequent assessments have indicated a steady increase in estimates of RY, and the annual TAC has accordingly been periodically increased, being set at 29,200 t for 200-2003. However, as yet, there has been no agreement on a quota sharing arrangement for this stock.

In 2001, the total reported South Atlantic albacore catch reached the highest level since 1994, reaching almost 34,000 t, and exceeding the established TAC of 29,200 t by some 16%. Reported catches in 2002 totalled about 31,580 t, again exceeding the TAC slightly. However, the latest assessments indicate that this TAC level was set below MSY, and that recent catches have actually been in the vicinity of the current estimate of MSY of 30,915 t. Both the 2000 and the 2003 albacore assessment estimated that the South Atlantic albacore stock itself is actually above B_{MSY} (2003 estimates $B_{Current}/B_{MSY} = 1.66$, $F_{Current}/F_{MSY} = 0.62$). The ICCAT Albacore Working Group has therefore recommended that catches should not exceed 31,000 t for the next 3 to 5 years (Report of the 2003 ICCAT Albacore Stock Assessment Session, Madrid, Spain, 15-20 September 2003).

For the past five years, ICCAT management efforts have focussed on developing TAC limits and sharing arrangements for the two most important Atlantic tuna fishery species, Atlantic bluefin tuna and swordfish. Arrangements for these species were eventually successfully negotiated and adopted at the 2002 ICCAT meeting. There is now substantial pressure on ICCAT to adopt effective sharing arrangements for other ICCAT stocks, particularly bigeye tuna and albacore, to prevent future catches from exceeding sustainable levels.

Establishment of a total allowable catch limit for South Atlantic albacore

The report of the 2003 ICCAT Albacore Assessment Meeting (Madrid, Spain, 15-20 September 2003) recommends that the TAC for South Atlantic albacore should be set at 31,000 t for the next 35 years. In accordance with this recommendation, South Africa proposes that:

- The annual TAC for South Atlantic albacore shall be set at 31,000 t for the period 2004-2006.
- This TAC may be reviewed if necessary, following the next South Atlantic albacore assessment, should this occur before 2006.
- This TAC, as well as any associated sharing arrangement, shall be reviewed at the 2006 ICCAT Commission meeting.

Development of a sharing arrangement for South Atlantic albacore

Main Guiding Principles in Developing an Albacore Sharing Arrangement

South Africa proposes that the following main principles should underpin any sharing arrangement developed by ICCAT for South Atlantic albacore:

1. There must be a fair balance in quota shares to coastal states and to distant water fleets. In principle, South Africa considers that the majority of the allocation should go to range states bordering the oceanic region/s within which a stock resides and migrates. As a starting point, it is proposed that distant water fleets should

not be allocated more than 50% of the South Atlantic albacore TAC. This will require a shift in allocation (based on existing catch performance) away from Chinese Taipei to the South Atlantic coastal states fishing albacore in the South Atlantic. Under a proposed TAC of 31,000 t, this must mean a TAC allocation of no more than 15,500 t to distant water fleets (mainly Chinese Taipei), but including Japan and the EU), and no less than 15,500 t to coastal states (mainly South Africa and Namibia, but including Brazil and others).

2. In determining past performance, the most recent 5-year period preceding any review of allocation should be used as the reference period. At the 2003 ICCAT meeting, past performance should therefore be calculated over the period 1998-2002. Allocation of quota shares between distant water fleets, within the overall allocation to such fleets, should be proportional to their recent past performance over this period.
3. In determining coastal state allocations, there must be a balance between consideration of recent past performance, and evaluation of each state's genuine need and capacity for development of their albacore fishery. However, such development should primarily be aimed at development of a fishery using each state's own vessels, under their own flags. While charter arrangements may form an initial, temporary component of such development, allocations should not be granted to support ongoing chartering of other-flag vessels, particularly from distant water, or non-ICCAT member, fleets.
4. Ultimately, once all participating states have had adequate opportunity to develop their fisheries, recent past performance should serve as the best measure of any state's ability, capacity and need to fish a stock. South Africa specifically notes that all states actively fishing for albacore in the South Atlantic Ocean have had more than 10 years of participation in which to develop their fisheries.
5. Allocation of TAC shares cannot remain fixed in perpetuity. There are many reasons why fishing capacities and aspirations may change over time (*inter alia* shifts in targeting, economic constraints, changes in resource distribution, decrease and/or development in fisheries). Past performance over some agreed range of recent years should therefore be used to periodically revise allocations, together with other relevant considerations.

Incorporation and interpretation of specific ICCAT Allocation Criteria

South Africa does not believe that it is feasible, nor that it is desirable, to attempt to develop a mathematical sharing formula for South Atlantic albacore, incorporating specific measures and weightings of the *ICCAT Criteria for the Allocation of Fishing Possibilities*. Disagreement over incorporation, measurement and weighting of the various criteria will certainly make this impossible. Nonetheless, any agreed sharing arrangement for albacore must be soundly based on the principles underlying the ICCAT allocation criteria, and South Atlantic albacore fishing nations need to give careful consideration to which of the allocation criteria are relevant to South Atlantic albacore, and how these should be taken into account in negotiating country quota shares within an agreed South Atlantic albacore TAC.

With regard to specific interpretation of the various ICCAT Allocation Criteria, South Africa considers the following ICCAT Allocation Criteria to be particularly relevant to southern albacore, and interprets these as follows:

<i>A. Criteria relating to past/present fishing activity of qualifying participants</i>
4. Historical catches of qualifying participants.
5. The interests, fishing patterns and fishing practices of qualifying participants.

South Africa recognizes the importance of past performance on southern albacore, both in terms of past albacore catches, and in terms of past history of participation in the South Atlantic albacore fishery, when developing sharing arrangements for this stock. This should be balanced against the genuine need of South Atlantic coastal states to develop their own albacore fisheries in the South Atlantic Ocean. However, a clear emphasis must be placed on development by coastal states that intend to use their own vessels, under their own flags, to target South Atlantic albacore.

B. Criteria relating the status of the stock(s) to be allocated and the fisheries

6. Status of the stock(s) to be allocated in relation to maximum sustainable yield, or in the absence of maximum sustainable yield an agreed biological reference point, and the existing level of fishing effort in the fishery taking into account the contributions to conservation made by qualifying participants necessary to conserve, manage, restore or rebuild fish stocks in accordance with the objective of the Convention.
7. The distribution and biological characteristics of the stock(s), including the occurrence of the stock(s) in areas under national jurisdiction and on the high seas.

South Africa acknowledges and supports the necessity of limiting South Atlantic albacore catches within estimated MSY levels. The specific rights of range states (those coastal states bordering on the distribution range of South Atlantic albacore) to an allocation within this sustainable catch level are specifically recognized.

C. Criteria relating to the status of the qualifying participants

8. The interests of artisanal, subsistence and small-scale coastal fishers.
9. The needs of the coastal fishing communities that are dependent mainly on fishing for the stocks.
10. The needs of the coastal States of the region whose economies are overwhelmingly dependent on the exploitation of living marine resources, including those regulated by ICCAT.
11. The socio-economic contribution of the fisheries for stocks regulated by ICCAT to the developing States, especially small island developing States and developing territories from the region.
12. The respective dependence on the stock(s) of the coastal States, and of the other States that fish species regulated by ICCAT.
13. The economic and/or social importance of the fishery for qualifying participants whose fishing vessels have habitually participated in the fishery in the Convention area.
14. The contribution of the fisheries for the stocks regulated by ICCAT to the national food security/needs, domestic consumption, income resulting from exports, and employment of qualifying participants.

South Africa considers that these allocation criteria, taken together, place emphasis on the need to focus specifically on the real interests of coastal states in the South Atlantic albacore stock, both in terms of their past fishery history, and in terms of intended future development. More specifically, South Africa contends that preference in allocation of South Atlantic albacore should be given to:

- Coastal states that have demonstrated a clear interest in fishing for South Atlantic albacore using their own fishing fleet, under their own flag.
- States that specifically have artisanal fishing fleets consisting of vessels <24m in length, targeting South Atlantic albacore.
- States which have demonstrated a specific interest, and developed a degree of socio-economic or food-provision reliance, on fishing for species under the management jurisdiction of ICCAT, and particularly on South Atlantic albacore.

South Africa does not believe that reliance, history or interest in fishing for stocks which do not fall under the management jurisdiction of ICCAT is at all relevant to development of sharing arrangements for ICCAT stocks.

IV. Conditions for applying allocation criteria

- 23. The allocation criteria should be applied consistent with international instruments and in a manner that encourages efforts to prevent and eliminate over-fishing and excess fishing capacity and ensures that levels of fishing effort are commensurate with the ICCAT objective of achieving and maintaining MSY.
- 24. The allocation criteria should be applied so as not to legitimize illegal, unregulated and unreported catches and shall promote the prevention, deterrence and elimination of illegal, unregulated and unreported fishing, particularly fishing by flag of convenience vessels.
- 25. The allocation criteria should be applied in a manner that encourages Cooperating non-Contracting Parties, Entities or Fishing Entities to become Contracting Parties, where they are eligible to do so.
- 27. No qualifying participant shall trade or sell its quota allocation or a part thereof.

South Africa is increasingly concerned at the extent to which previous IUU vessels and non-ICCAT member fleets are finding sanctuary under a broad range of charter, lease and fishing-permit arrangements with Atlantic coastal states. While interim charter arrangements are recognized as a valid step towards developing an own fishery, these should not result in legitimising of IUU activities. Neither should they contribute to maintaining excessive distant water fishing capacity in the Atlantic Ocean.

South Africa is concerned that many of the existing charter arrangements are contributing to these problems. In particular, there are strong indications that the coastal states availing themselves of such charter opportunities to develop records of performance on ICCAT stocks are not exercising adequate control over the fishing activities of vessels, in terms of catch monitoring and reporting, observer programs, vessel monitoring systems, catch sampling programs and quota control systems.

These are all issues of major concern to ICCAT, and to those monitoring ICCAT activities and performance. Southern albacore allocations should not contribute to these problems, and clear preference in allocation must be given to coastal states that have, or intend to develop, their own fisheries, under their own flags, and which have demonstrated a clear capacity to control, monitor and report on these fishing activities.

Finally, South Africa notes the ICCAT Condition for Applying Allocation Criteria, which states:

- 21. The allocation criteria should be applied to all stocks in a gradual manner, over a period of time to be determined by the relevant Panels, in order to address the economic needs of all parties concerned, including the need to minimize economic dislocation.

Any sharing arrangement developed for southern albacore should be subject to periodic review, at intervals not exceeding five years. Should ICCAT Panel 3 consider it necessary, consideration should also be given to phasing in any transfer of allocation between parties, in order to minimise socio-economic disruption that could result from allocation re-distribution.

Appendix 12 to ANNEX 8

**Comments by Chinese Taipei on the
Draft ICCAT Sharing Formula for South Atlantic Albacore
(attached to Report of Panel 3)**

1. Introduction

As indicated in the Agenda for Panel 3 of the 18th Regular Meeting, the Commission is gradually moving into the phase of implementing the 2001 *ICCAT Criteria for the Allocation of Fishing Possibilities* by trying to apply such criteria to the management measures for specific tuna species. Chinese Taipei believes that it is time for the Commission to pause a while to seriously search and identify the right direction before engaging in such an exercise. For South Atlantic Albacore, there is already a policy statement proposed by South Africa (see **Appendix 11 to ANNEX 8**), aiming at clarifying some of the most important principles. While admiring the

efforts made by South Africa in forging such a framework, Chinese Taipei would like to present a different way of thinking to create a more diversified and balanced environment for deliberation of this important matter. As the below will demonstrate, the logic for this policy statement will, to some extent, follow the respectable work of South Africa. The main guiding principles for developing the ICCAT sharing formula for South Atlantic albacore will be summarized first. Then a basic idea for calculation of the quota to be assigned to each of the active participants will be submitted.

2. Main guiding principles for developing the ICCAT sharing formula for South Atlantic albacore

It is believed that the following principles constitute the cornerstones for building the ICCAT sharing formula for South Atlantic albacore.

Principle of Legitimacy: The process of quota allocation in ICCAT should not be done in a vacuum. Since November 2001 the Commission has been able to avail itself of the *Criteria for the Allocation of Fishing Possibilities*. It is believed that the legitimacy of any ICCAT sharing formula is based on the consistency of such Criteria. To be more specific, for each part of any legitimate sharing formula, there must be some justification based on at least one identifiable item from such Criteria. In this connection, it is hard to agree with the proposal of South Africa that “as a starting point, ...distant water fleets should not be allocated more than 50% of the South Atlantic albacore”. Apart from lacking any scientific and biological grounds, the disputable nature of such starting point results from the absence of any justification in South Africa’s paper. It is also stated by South Africa that “allocation of quota shares between distant water fleets, within the overall allocation to such fleets, should be proportional to their recent past performance over this period”. It is difficult to accept such a position for two reasons. First, the “recent past performance” is not equal to the “historical catches”. It is the latter, not the former term that has a place in the Criteria. Second, even if the “recent past performance” is the rightful interpretation of the “historical catches”, the application of such criteria, being of a general nature under the Criteria, is never limited to distant water fleets.

Principle of Transparency: South Africa does not believe it is feasible, or desirable, to attempt to develop a mathematical sharing formula for South Atlantic albacore, incorporating specific measures and weightings of the *ICCAT Criteria for the Allocation of Fishing Possibilities*. Chinese Taipei believes otherwise. The very reason for ICCAT to take such pain and effort to develop these Criteria was to instill the merits of transparency into the quota allocation process. The development of a workable sharing formula is yet to be completed. It is precisely the weighting and the objective way of calculation to implement the rather abstract and vague Criteria that awaits further development. Undoubtedly, such development will never be an easy matter. But such move is necessary, if there is any meaning for having reached the Criteria in the first place.

Principle of Minimizing Economic Dislocation of the Participants: With the development concerns of the coastal countries in mind, the quota allocation process is in fact a re-distribution and adjustment of the present shares of fishery resources pertaining to each of the participants as reflected in the original quota duly assigned thereto, as their entitlements to harvest. Hence, from a practical point of view, the key to success of such an exercise is to address the economic needs of the participants and to minimize their economic dislocation, as part of their current catch level may be sacrificed or transferred away for ICCAT managerial goals. It should be noted that the significance of minimizing economic dislocation lies in the necessity for a smooth, predictable, bearable and manageable transformation in all fishing-related industries of the participants whose current catch level is subject to such sacrifice. Of course, the legitimacy of such principle is based on IV-21 of the above ICCAT Criteria.

Principle of Providing Opportunity for Development: There are items in this ICCAT Criterion that place emphasis on addressing the concerns of the developing coastal countries. If we take the view of South Africa in the preceding paragraph by rejecting the ideas of attaching weighting and adopting mathematical calculation, these individual criterion for the benefit of developing coastal countries will be unable to receive the value they deserve respectively.

3. Basic idea for calculation of the quota to be assigned to each of the active participants

Chinese Taipei believes that, after deducting the part of TAC allocated to non-active participants for by-catch, a legitimate ICCAT sharing formula for South Atlantic albacore should be based on the idea of combining two distinctive parts allocated to each of the active participants, namely, the share for minimizing economic dislocation of the participants (the MED Share), and the share to be transferred or re-arranged under the ICCAT quota management scheme (the TQM Share). It is fundamental that such draft formula be consistent with the *ICCAT Criteria for the Allocation of Fishing Possibilities*. Therefore, such draft formula should be based on as

many items from the ICCAT Criteria as possible. A balanced perspective also needs to be adopted to take into account the interests of each active participant.

It follows that the historical catches, representing the status quo accumulated through history, should be the most appropriate and practical basis for calculating the MED Share for the participants under the ICCAT quota management regime. In fact, the practice of other regional fishery management organizations, e.g. NAFO, CCSBT, has all confirmed this approach. Hence, the calculation of the MED Share should constitute the point of departure for the entire exercise of quota allocation. To be then added will be the TQM Share that is based on rest of the items of the ICCAT Criteria, and is designed to address the concerns of the developing coastal countries.

It is believed that the intention underlying the Criteria is to build a mathematical method of calculating the TQM Share. And the essence of such calculation for the rest of the items of the ICCAT Criteria is to differentiate and to combine two kinds of items with different nature, namely, “un-quantifiable factors”, and “quantifiable factors”.

For the un-quantifiable factors, the idea of weight may be employed as the basic unit. Different weights from different un-quantifiable factors belonging to a single participant could be summed up into the total weight for that participant from all its un-quantifiable factors. After preliminary observation, it is believed that, there are at least eight un-quantifiable factors, which stand for criteria stipulated in I-2, III-A-5, III-B-7, III-C-16, III-C-17, and III-C-18 of the *ICCAT Criteria for the Allocation of Fishing Possibilities*.

As to the calculation of the quantifiable factors, the value of each quantifiable factor pertaining to a certain participant may be divided by the total value of that factor contributed by all participants. The result will be a converted weight given to that participant for that quantifiable factor. Then we may add all such converted weights from all quantifiable factors for that participant. After preliminary observation, it is believed that, there are at least six quantifiable factors, which stand for criteria stipulated in III-C-8, III-C-9, III-C-10, III-C-11, III-C-12, and III-C-14 of the ICCAT Criteria.

4. Conclusion

In conclusion, the idea proposed by Chinese Taipei is that each Participant’s whole quota may be his MED Share plus his TQM Share. Such a calculation method will take into consideration most of the criteria enlisted in the *ICCAT Criteria for the Allocation of Fishing Possibilities* and fulfill the need for legitimacy. The theory underlying the division of MED share and TQM share is the belief that the quota allocation process is an exercise of re-distribution and adjustment of the present share of fishery resources pertaining to each of the active participants. Such process cannot be successful without addressing the economic needs of the participants by minimizing their economic dislocation on the one hand, and taking seriously the development concerns of the coastal counties on the other.

Appendix 13 to ANNEX 8

Statement by Namibia to Panel 3 (attached to Report of Panel 3)

Namibia acknowledges the efforts made by ICCAT concerning the management of South Atlantic albacore. Concerned about the lack of agreement on sharing the TAC for this species, Namibia hereby proposes to host an inter-sessional workshop for Panel 3 to discuss the allocation criteria and develop a sharing arrangement for the allocation of country quotas. As a consequence of fiscal limitations for this non-budgeted item, costs in this regard could be curtailed by conducting the workshop only in English. Namibia is prepared to cover the accommodation cost for one person from the Secretariat.

Appendix 14 to ANNEX 8

Statement by Uruguay to Panel 4 (attached to Report of Panel 4)

Uruguay was deprived of 150 t of its of 1,000 t quota of swordfish, at the last meeting, which is the reason why which it could not comply with its quota.

Last year, Uruguay de-flagged two vessels, one of which was over 24 meters in length, because of its irregular activities which, although it was unable to prove judicially, the Directorate of Fisheries considered it appropriate to request the company that owned the vessel to relinquish the Uruguayan flag, which was done.

This reduction in the fleet resulted in a brief decrease in fishing power (from 7 vessels over 24 m in length fishing to only 5 such vessels in the fishery), which resulted in a decline in the catches. Uruguay's commitment to comply with international regulations related to illegal and unregulated fishing in the end resulted in a punishment for its own interests.

Uruguay must maintain its fishing policy and for this it is essential to recuperate its previous quota allocation and that the status of its development be taken into account.

Uruguay is a coastal country in the swordfish fishing areas in the southwestern Atlantic and this signifies a recognized right to the fisheries, as opposed to the activity of long-distance fleets, many of which are not coastal countries of these seas.

If the historical criterion is considered appropriate, it should not be the only one in determining quotas, since this would create a monopoly to which no country with new initiatives could accede.

Uruguay wishes to make its situation known and is convinced that it warrants review.

Appendix 15 to ANNEX 8

Statement by Morocco Concerning the Recommendation Relating to the Swordfish Conservation Measures in the Mediterranean *(attached to Report of Panel 4)*

The Moroccan Delegation fully agrees with the need to put into force all the measures necessary for the conservation of the tuna resources and particularly those for swordfish. Morocco also realizes that the fishing of the juveniles of this species is a real and serious problem in the Mediterranean.

In this regard, and taking into account the fact that driftnets are used to catch juvenile swordfish and considering the draft recommendation developed by the EU and the concern expressed by the other delegations, Morocco is in the process of preparing a national plan of action aimed at the progressive replacement of this fishing gear by other more selective gears, and will submit this plan of action at the ICCAT annual meeting in 2004.

This plan of action will be established for a reasonable period that will take into account the requirements for training and support of the sector, aimed at the definitive elimination of this gear.

This project to replace the driftnets by other gears will have budgetary implications for the Government and important socio-economic repercussions for the artisanal users of this component of the fishing activity.

Besides taking these implications into account, Morocco will certainly have to contact the authorities of some countries that have undergone the same experience, such as the European Community and others, to enquire about and learn from their experience in this matter and to accelerate the process of the replacement and substitution of this gear.

Appendix 16 to ANNEX 8

Statement by the Observer from CARICOM on the Recommendation the Plan to Rebuild Blue Marlin and White Marlin Populations *(attached to Report of Panel 4)*

CARICOM refers the Panel to section 1 of the above-mentioned Recommendation, which contains an amendment of related Recommendations [01-10] and [00-13]. CARICOM also refers the Panel to Recommendation [97-9], which represented an earlier attempt to commence stock rebuilding efforts for both blue and white marlin. The text of Recommendation [97-9] specifically noted the differences in conservation action required by large-scale fisheries and those small-scale artisanal fisheries conducted for subsistence purposes, including sale to local markets.

While CARICOM appreciates fully that Recommendations [00-13], [01-10] and [02-13] provide a plan for rebuilding stocks of blue and white marlin and that all harvesting states must share responsibility for such conservation action, there is still a need to take into account the special requirements of Developing States in the duty to cooperate in the implementation of agreed conservation and management measures, as achieved by Recommendation [97-9].

The current lack of distinction in marlin catch reductions expected of large-scale and small-scale artisanal fisheries in Recommendations [00-13], [01-10] and [02-13] poses a considerable problem for the CARICOM State of Grenada. The Commission is reminded of Grenada's letter of 21 July 2003 that sought clarification of this issue.

Grenada has a traditional fishery for billfish, the product of which is used for local consumption. Billfish are caught in abundance in Grenada's waters, and so it makes good sense for Grenada to take the necessary actions to protect these resources for the present, as well as the future. Based on SCRS assessment results for the Atlantic stocks of blue and white marlin, it is clear that the stock rebuilding plan is needed, and Grenada is more than willing to make a substantial contribution to this plan. However, given that Grenada is a Small Island Developing State and its billfish fishery provides an important source of local food security, the 50% and 33% catch reductions for blue and white marlin respectively, noted in section 1 of Recommendation [02-13], represent a disproportionate burden of conservation action in Grenada's case.

In consequence, CARICOM asks the Panel to consider, in accordance with international law, an amendment of Recommendation [02-13] to incorporate a distinction between the levels of marlin catch reductions expected of large-scale industrial fisheries and Grenada's small-scale artisanal fishery that is conducted for subsistence purposes, including sale to local markets.

Appendix 17 to ANNEX 8

Letter from Grenada Regarding its Contribution to the ICCAT Rebuilding Programs for North Atlantic Swordfish, Blue Marlin and White Marlin, and Grenada's Fishing Vessels *(attached to Report of Panel 4)*

Firstly, the Government of Grenada wishes to provide the Commission with an update of Grenada's contribution to ICCAT's stock rebuilding programs for North Atlantic swordfish, blue marlin and white marlin. As pointed out to the Commission on previous occasions, the fishery sector is very important to the economy of Grenada, providing a valuable source of food for local consumption and also for foreign exchange. Consequently, it is in Grenada's interest to participate fully in any ICCAT stock-rebuilding program.

In this regard, during 2003, Grenada has continued to make a considerable effort to limit its swordfish catches despite the fact that ICCAT Contracting Parties have been allowed to increase their catch quotas for the period 2003-2005. In particular, Grenada's national fisheries administration has continued to hold regular meetings with the longline fishermen with the following objective:

- To update them on ICCAT conservation and management measures;
- To clarify the objectives of the North Atlantic swordfish stock rebuilding program, and the stock-rebuilding program for blue marlin and white marlin;
- To discuss and agree on measures to assist the above-mentioned ICCAT stock-rebuilding programs.

In 2003, the national fisheries administration also met again with exporters, during which the objectives and implications of ICCAT's swordfish and billfish rebuilding programs were reviewed and discussed. ICCAT's minimum size limit regulation for swordfish is actively enforced. As in 2002, no export permits are being issued for swordfish in 2003.

Regarding other contributions to the conservation and management research, the Government of Grenada wishes to remind the Commission of our participation in ICCAT's Enhanced Research Program for Billfish during the period 1989-1998. Specifically, Grenada provided, on a regular basis, biological data on blue marlin, white marlin and sailfish. Grenada is pleased to inform the Commission that in 2003 our national fishery administration resumed its biological data collection contribution to ICCAT's Enhanced Research Program for Billfish. Dr. Joe Serafy of the National Marine Fisheries Service (United States) visited Grenada during May 19-

21, 2003, to review and conduct training in procedures for collecting biological data on billfishes. Subsequently, Grenada recommenced biological sampling of billfish caught by our fishing vessels in June 2003.

Still on the issue of billfishes, the Government of Grenada wishes to remind the Commission that Grenada's fishing fleet consists mainly of small wooden vessels powered by outboard motors and manually operated longline reels. Our fishing fleet is therefore an artisanal fleet, and the majority of fishing operations are conducted within Grenada's coastal waters. Noting this, therefore, the Government of Grenada reiterates the concern raised by the CARICOM representative when the compliance table for billfish was being reviewed during the 13th Special Meeting of the Commission. That is to say, it is Grenada's understanding that the billfish-rebuilding program requires a reduction of blue marlin and white marlin landings caught by pelagic longline and purse seine vessels that engage in large-scale mechanized operations. Such a reduction is assumed not to apply to artisanal fisheries, including Grenada's artisanal longline fishery, as this would represent a disproportionate burden of conservation action, as well as ignore the special interest of the developing States that are usually involved. The Government of Grenada would be very grateful, therefore, if the Commission could address this issue as soon as possible, and correct the negative billfish catch currently attributed to our country.

In view of the importance of our large pelagic fishery, Grenada is very interested in becoming a Contracting Party to ICCAT, or at least a Cooperating Party, in the near future.

We hope the preceding information will be received positively and also eliminate the Commission's concerns and misunderstanding of Grenada's level of compliance with ICCAT's management of tuna and tuna-like species on which our economy, as a Small Island Developing State, is heavily dependent.

Thank you for your consideration and attention in this matter.

(signed)

The Permanent Secretary
Ministry of Agriculture, Lands, Forestry and Fisheries
July 21, 2003

REPORT OF THE MEETING OF THE CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE

1. Opening of the meeting

The Compliance Committee met during the 18th Regular Meeting of the Commission at Dublin Castle in Dublin, Ireland. The meeting was opened by the Committee Chair, Mr. Friedrich Wieland.

2. Adoption of the Agenda

Two changes were made to the draft agenda as circulated: an item 4 on “Consideration of the Report of the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures, including any draft recommendations and other possible actions/measures” was added, and item 7 on “Consideration of the Report of the Data Workshop, and other measures to improve fisheries statistics requested by ICCAT” was removed (for consideration by the Joint Meeting of the Compliance Committee and PWG). The numbers of other Agenda items were shifted accordingly. It was also noted that agenda items 7 to 12 of the revised Agenda should follow the Joint Meeting of the Compliance Committee and PWG discussions.

The revised Agenda was adopted and is attached as **Appendix 1 to ANNEX 9**.

3. Appointment of the Rapporteur

Ms. Cristina Olivos of the European Community was appointed Rapporteur.

4. Consideration of the Report of the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures, including any draft recommendations and other possible actions/measures

The Chair briefly reviewed the meeting and its conclusions, with reference to the “Report of the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures” (see **ANNEX 4.1**). The Compliance Committee agreed to adopt the Report of the Working Group. The Chair opened discussion on this item and stated his intention to review, one-by-one the three draft recommendations that came out of the meeting of the Working Group: (1) the Duties of Flag States in Relation to their Vessels Fishing in the ICCAT Convention Area, (2) the Recording of Catch by Fishing Vessels in the ICCAT Convention Area, (3) the Establishment of a Vessel Monitoring System in the ICCAT Convention Area,” and (4) the future work of the Working Group.

4.1 Draft Recommendation Concerning the Duties of Flag States in relation to their Vessels Fishing in the ICCAT Convention Area

Delegations discussed the text of this draft recommendation, which was first discussed during the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures, held in Madeira in May 2003.

After some debate, and some drafting suggestions from Delegations (mainly from the Delegate of Brazil), the square brackets were removed and the *Recommendation by ICCAT Concerning the Duties of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities in Relation to Their Vessels Fishing in the ICCAT Convention Area* was adopted and submitted for approval by the Commission (see **ANNEX 5 [Ref. 03-12]**).

4.2 Draft Recommendation Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area

Delegations discussed the text of the above draft Recommendation, which was first proposed at the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures held in Madeira in May 2003.

Following these discussions, some drafting changes were made. The *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* (see **ANNEX 5 [Ref. 03-13]**) was adopted, and was submitted for approval by the Commission.

4.3 Draft Recommendation by ICCAT Concerning the Establishment of a Vessel Monitoring System in the ICCAT Convention Area

In contrast to the other two draft Recommendations and after some discussion, the draft Recommendation on VMS did not gather consensus in the Compliance Committee. The Chair decided to submit the draft proposal to the Commission Plenary for further discussion, as it had been proposed by the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures its meeting in Madeira in May 2003. The *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* was later adopted by the Plenary (see ANNEX 5 [Ref. 03-14]).

4.4 Future work of the Working Group to Develop Integrated Monitoring Measures

The Committee agreed to recommend to the Commission that the Working Group to Develop Integrated Monitoring Measures continue its work at a date to be determined by the Commission.

5. National rules for the application of ICCAT measures

The Delegate of Brazil informed the Committee of new regulations adopted by Brazil and their transmission to the ICCAT Secretariat.

The Secretariat distributed a document containing information submitted through National Reports in accordance with ICCAT Regulations*. The Chair did not open discussion on this item, as the document is a summary prepared by the Secretariat based on National Reports submitted by Contracting Parties and is only for the information of the Committee.

6. Status of the compliance of Contracting Parties concerning statistics

Mr. Papa Kebe introduced the "Secretariat's Report on Statistics & Coordination of Research" (in *Report for Biennial Period, 2002-03, Part II (2003) - Vol. 2*) and the document presenting additional qualitative information on "Data Reporting"* prepared by the ICCAT Secretariat at the request of the European Community Delegation.

The Delegate of the United States expressed his concern about the fact that 22 Contracting Parties had not submitted all of their data for 2002 and about the future of ICCAT if this deficiency continues to prevent the SCRS from assessing the status of the stocks.

7. Status of the compliance of Contracting Parties concerning ICCAT conservation and management measures

The Committee Chairman stated that the following information would be reviewed: (i) the Compliance Tables and (ii) other compliance failures, which includes the issue of trade sanctions imposed on Contracting Parties.

The Chairman also introduced three documents prepared by the Secretariat relating to bluefin tuna farming*, charter agreements* and vessels fishing for North Atlantic albacore*, and invited comments from the Committee on the information presented.

No comments were made on the issue of bluefin tuna farming, but this topic was discussed in depth by Panel 2. The Delegate of the EC raised concerns relating to the need to tighten administrative procedures with regard to submitting information on charter agreements, although he recognized that such problems were normal during the initial phases of entry into force of a Recommendation. It was noted that additional information had been received by the Secretariat from the EC, but that no corresponding information had been received by the chartering Contracting Parties concerned.

The Delegated of Japan informed the Committee that Japan had chartered vessels to Algeria and Libya, but was awaiting confirmation of the catches, which were being monitored by Japan. Some administrative difficulties had been encountered as these arrangements had been made before the entry into force of the *Recommendation*

* This Report is on file at the Secretariat.

by ICCAT on *Vessel Chartering* [Ref. 02-21], but that the information would be submitted to the Secretariat after the meeting.

The Delegate of Brazil stated that information relating to vessels chartered by Brazil was contained in the information included in the record of vessels greater than 24 meters that Brazil had submitted to the Secretariat.

There was no discussion on the “List of Vessels Participating in a Directed Fishery for Northern Albacore”.*

The appropriateness of the proviso concerning the possibility of changing the draft Compliance Tables only on the first day of the Commission meeting was noted. The Committee agreed that similar arrangements will be followed in the future: in 2004 the Secretariat will send the request for information in March, Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities will submit their data, at the latest, one month before the next annual meeting; then three weeks prior to the meeting the Secretariat will circulate the Compliance Tables to the Contracting Parties and the Cooperating non-Contracting Parties, Entities or Fishing Entities. Again, the latest date for changes to the tables will be the first day of the annual meeting.

Review of the Compliance Tables

In reviewing the Compliance Tables, the Committee addressed a number of interpretative issues concerning applicable recommendations. A review was made on a species by species basis.

North Atlantic albacore

The Delegate of the United States noted the general decline in catches for this species and the excessive amount of carry-over by some Contracting Parties. He noted this issue should be addressed by the relevant Panel.

South Atlantic albacore

The Delegates of the United States, Japan, and Brazil expressed their concerns about the high level of catches in recent years and about the lack of procedures to stop the fishery in due time. The three Delegates agreed that some new measures should be developed to control this fishery.

Mr. Kebe from the ICCAT Secretariat pointed out the difficulties involved in applying the Recommendation on this species. Most of the data on catches are declared when the catch limit concerned has already been exceeded.

The Observer of Chinese Taipei noted that Chinese Taipei is respecting the Recommendation and declaring its catches every two months.

The Chair decided to direct further discussion on this topic to the relevant Panel.

Billfishes

The Delegate of the United States asked for some clarification from the Secretariat about the lack of entries for this species, and addressed specific questions to other Contracting Parties about their catch declarations. Mr. Kebe explained that the figures in the tables were from two different sources: (i) from the declarations made by Contracting Parties, and (ii) from calculations made by the Secretariat based on the application of the Recommendations. It was noted that, at the request of several Delegates, further modifications to the tables would be made by the Secretariat.

The Delegate of the United States reiterated his concerns about the figures shown in the tables and invited Contracting Parties with over-harvests to explain measures being taken to avoid this situation in the future. The Delegates of Brazil and Mexico explained their respective reasons for the over-harvests indicated on the table and the measures being taken to control billfish catches in the future. The Chair concluded that some measures had been taken to remedy the situation and that the relevant Panel should further discuss this topic.

The Delegate of Japan recalled a question on interpretation posed by the Observer from CARICOM and the Delegate of Trinidad and Tobago in Panel 4, on whether or not the catches of billfishes made by small-scale longline vessels should be declared under the *Recommendation by ICCAT to Amend the Plan to Rebuild Blue Marlin and White Marlin Populations* [Ref. 02-13]. After some discussion, the Chair concluded—and the

Committee agreed that the catches made by small-scale vessels do not fall under the obligations of Recommendation [02-13] without prejudging any further examination of this question.

The Delegate of the United States agreed with this approach but noted the need to address the issue of establishing a definition of “artisanal” or “small-scale” fishery for these species. It was agreed that this issue should be addressed at the 2004 meeting, possibly in Panel 4.

North Atlantic swordfish

The Delegate of Japan expressed his concerns about the high level of catches made by Chinese Taipei during the last three years and asked what additional measures had been taken by Chinese Taipei to avoid over-harvest in the future. The Observer of Chinese Taipei agreed to take the necessary measures to adjust their catch quota. The Delegate of United States concurred with the Delegate of Japan on this concern and asked the Secretariat to add footnotes on the tables to follow carefully transfers made between catch limitations of North and South swordfish stocks. He also asked the Delegate of Barbados to explain the figures shown in the table for Barbados.

The Chair indicated that the Secretariat had accomplished its obligations carefully and that the footnotes requested were included in the version of the tables that had been circulated. He urged those Contracting Parties that had been asked for clarifications to provide the necessary explanations to the Committee and to the requesting Contracting Parties.

The Delegate of the European Community did not agree with the figures shown in the table for the United States and asked for some clarification. The Delegate of the United States explained that some transfers had been made between Japan and the United States and offered to provide all information available on this matter to the Delegate of the European Community.

South Atlantic swordfish

The Delegates of Brazil and the United States raised the question of the unjustified carry-over of under-harvests in cases of autonomous quotas set by the Contracting Parties themselves.

The Delegate of the European Community recalled that the Contracting Parties had undertaken not to carry-over under-harvests of bluefin tuna but that this commitment did not apply to swordfish, and reiterated that his interpretation of the Recommendation allows the European Community to carry-over the under-harvest of this species.

After some discussion, the Chair concluded that there was no agreement in the Committee about the interpretation of this issue. He invited the Contracting Parties to revisit this matter in the Plenary. He estimated that this issue merited further discussion at the 2004 meeting and urged the Contracting Parties to review this issue in the 2004 meeting of the Compliance Committee. He also noted the warning expressed by the Delegate of Brazil who explained that total catches of swordfish in 2004 could be higher than the catch limits established by the Commission if the carry-over of under-harvests in cases of quotas set autonomously was accepted.

It was later agreed at the Plenary that no under-harvest of South Atlantic swordfish would be carried over to 2003 except for those specifically mentioned in the *Recommendation by ICCAT on South Atlantic Swordfish catch limits* [Ref. 02-3].

East Atlantic bluefin tuna

The Delegate of the United States re-raised the question of the year-to-year treatment of under-harvests in the case of quotas set autonomously for this stock.

The Chair agreed that for this stock, and due to the peculiar circumstances surrounding the decision-making in the 2001 annual meeting, the Contracting Parties agreed not to apply the carry-over of under-harvest and invited the Contracting Parties that had carried over their under-harvests to give some explanations to the Committee.

The Delegate of Cyprus discussed the figures shown for Cyprus in the tables and explained the current situation with respect to catches and vessels included in the Cyprus register. The Delegate of Japan appreciated this intervention but recalled that there is an established procedure to change the figures for historical catches via the SCRS.

The Delegate of China explained that the adjusted quota was not a calculation made or reported by China.

The Delegate of Morocco agreed with the Delegate of the United States that no carry-overs should have been made and asked the Secretariat to review the figures of the adjusted quotas shown in the tables.

The Delegate of Turkey submitted a statement to the Compliance Committee, which is attached as **Appendix 2 to ANNEX 9**.

The Chair concluded that there was consensus that carry-overs for East Atlantic bluefin tuna were not possible and that the tables would be corrected accordingly.

West Atlantic bluefin tuna

The Delegate of the United States explained the 2002 over-harvest to the Committee, which was due to the seasonal availability of bluefin tuna to the U.S. recreational fishery. The Delegate of the United States noted that this availability varies greatly from year to year. The 2002 over-harvest will be deducted from the United States' 2003 and/or 2004 fishing year quota. He also gave an overview of the measures taken to close the fishery in due time and avoid this situation in the future.

The Delegate of Japan expressed his concerns about the manner of collecting data for recreational fisheries in the United States, acknowledged the efforts made by United States to improve the situation, and encouraged the United States to continue this improvement and to forward more information about this matter to the 2004 meeting of the Committee.

Mr. Kebe indicated that the figures for Canada would be corrected.

Atlantic bigeye tuna

The Secretariat, in the Compliance Tables document, raised concerns regarding the catch limits for those whose catch was less than 2,100 t in 1999 or whose catch limit was 0 at that time. This issue is still pending discussion, and the Chairman urged the Committee to give consideration to interpretive problems that had not yet been resolved.

The Delegate of Japan expressed his concerns about the figures declared by China and Chinese Taipei. The comparison between market figures and catch declarations show considerable discrepancies.

The Delegate of China explained why there were some differences between the figures and the measures taken to resolve the double counting problem and the crosschecking between different sources of information to avoid this situation in the future.

The Observer of Chinese Taipei reaffirmed that catches by Chinese Taipei vessels were those declared to ICCAT in their national report. He also indicated that under the ICCAT Resolution [Ref. 01-23], Chinese Taipei was issuing statistical documents for the 11 former IUU vessels seeking re-registration, and their catch was presented in the national report under a separate column, and this could pose discrepancies between the Japanese import figures and their reported catch.

The Delegate of Japan reiterated his concerns on the control of catches of bigeye tuna by Chinese Taipei and urged Chinese Taipei to improve its catch reporting system.

The Observer of Chinese Taipei reiterated that he will improve the catch reporting system and related research.

The Chair encouraged Contracting Parties to crosscheck data to improve the accuracy of the catch figures and recalled that if adjustments to the catches declared are to be made, the ICCAT Secretariat should be informed officially to change the records.

Minimum size review

The Delegate of the European Community explained the effective measures that have been taken in order to respect the size limits.

The Delegate of the United States also explained the figures for his country and stated that due to the flexibility allowed over several years, the figures for the United States comply with the relevant recommendations.

The Delegate of the European Community explained that Community vessels respect the tolerance for undersized bluefin tuna, and indicated that the new trend of farming bluefin tuna has meant a significant drop in juvenile catches. He noted that for some species the relevant Panels should undertake the task of reviewing the size limits and their applicability. The Delegate of Croatia concurred with the Delegate of the European Community on the influence of farming of bluefin tuna in reducing the catches of juveniles.

The Delegates of the European Community and Japan invited the Chair to urge all Contracting Parties to transmit all their data on size limits to the ICCAT Secretariat.

Adoption

The Committee adopted the Compliance Tables, taking into account the comments made by some Delegations during the discussion on a species-by-species basis, and forwarded them to the Plenary for final approval (attached as **Appendix 3 to ANNEX 9**).

Other compliance matters

Equatorial Guinea

The Chair noted that no response had been received from Equatorial Guinea regarding the letter sent from ICCAT in 2001 informing them of the 2000 decision by the Commission to impose trade sanctions. He suggested that the existing trade sanctions be maintained. There was consensus within the Committee that the trade restrictive measures against Equatorial Guinea be maintained. The *Recommendation by ICCAT Concerning the Continuance of Trade Measures Against Equatorial Guinea* was adopted by the Committee and forwarded to Plenary (see **ANNEX 5 [Ref. 03-17]**) and the letter to be sent by the Commission Chairman to Equatorial Guinea is attached as **Appendix 4.1 to ANNEX 9**.

Panama

The Chair noted that there were no new data that warranted the establishment of trade restrictive measures or the lifting of the status of identification for Panama. There was consensus within the Committee to maintain identification status for Panama. The Committee approved a letter to be sent by the Commission Chairman to Panama (attached as **Appendix 4.2 to ANNEX 9**), which was forwarded to the Plenary for final adoption.

Vanuatu

The Chair reminded the Committee about the letter of identification sent to Vanuatu on 28 November 2002.

The Delegate of Vanuatu recognized that it had been impossible to make any progress in identifying data on the vessels from Vanuatu that allegedly fished in the Atlantic Ocean in 1998. He announced that some measures had been taken to better control the fishing activities of vessels from Vanuatu in the future and that an agreement with Japan had been reached to help Vanuatu fight against IUU fishing activities. He informed that all this information would be sent to the ICCAT Secretariat through the appropriate diplomatic channels.

The Committee agreed there will be no follow-up of the actions against Vanuatu and urged Vanuatu to submit all the information on the measures taken, for evaluation by the Committee at its 2004 meeting.

Ghana

The Delegate of Ghana referred to the measures Ghana has taken to comply with the moratorium in the Gulf of Guinea in 2002-2003. The Committee encouraged Ghana to continue its efforts to ensure full compliance. It was noted that this topic would be discussed in more detail at the relevant Panel.

Chinese Taipei

The Delegate of Japan proposed that measures under the Compliance Recommendation [Ref. 96-14] be taken in respect of Chinese Taipei's failure to comply with the catch limits for North Atlantic swordfish and bigeye tuna.

The Observer of Chinese Taipei promised to continue improving the catch data recording system and research on these species. The Chair encouraged the Delegates of Japan and Chinese Taipei to maintain bilateral contacts on this topic and this was later resolved in the Panel discussions.

8. IUU matters

While this item was discussed at the Joint Meeting of the Compliance Committee and PWG, the Committee briefly touched upon the operation of the newly-established Record of Authorized Vessels. It was noted that experience with this novel instrument was yet to be gathered and that the Committee will re-visit this topic in due course.

The Committee also briefly discussed the list of vessels involved in chartering arrangements. The Delegate of the European Community noted the need for chartering Contracting Party administrations to establish clear guidelines and indicated that it is the responsibility of the chartering Party to provide information on the catches of these vessels. In his statement to the Committee, the Delegate of Turkey referred to the ICCAT Record of Vessels (see **Appendix 2 to ANNEX 9**). It was agreed that, as with the Record of Authorized Vessels, experience has yet to be gathered.

9. Election of Chair

Canada nominated Mr. Friedrich Wieland (European Community) for re-election as Chair of the Compliance Committee. Mr. Wieland was re-elected by consensus.

10. Date of the meeting of the Compliance Committee

The Committee agreed to meet again in 2004 at the 14th Special Meeting of the Commission.

11. Other matters

The Delegate of the United States raised a question for consideration by Contracting Parties at the 2004 meeting of the Compliance Committee, concerning the interpretation of the provision of *Recommendation by ICCAT on Application of Three Compliance Recommendations* [Ref. 98-14] and considering the reference to “future compliance recommendations,” whether it should apply to all ICCAT species under quota management.

12. Adoption of the report and adjournment

It was agreed to adopt the 2003 Report of the Compliance Committee by correspondence. The 2003 Meeting of the Compliance Committee adjourned on 21 November 2003.

The Report of the Compliance Committee was adopted by correspondence.

Appendix 1 to ANNEX 9

Agenda

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. Consideration of the Report of the 3rd Meeting of the Working Group to Develop Integrated Monitoring Measures, including any draft recommendations and other possible actions/measures
5. National rules for the application of ICCAT measures
6. Status of the compliance of Contracting Parties concerning statistics
7. Status of the compliance of Contracting Parties concerning ICCAT conservation and management measures
8. IUU matters
9. Election of Chair
10. Date of the meeting of the Compliance Committee
11. Other matters
12. Adoption of the report and adjournment

Appendix 2 to ANNEX 9**Statement by Turkey to the Compliance Committee**

In Table 1 and Table 2 of the document on the establishment of an ICCAT Positive List of Vessels over 24 meters authorized to operate in the Convention Area in 2003 is listed as 50.

As stated in the official letter of Turkey, this number illustrates only the number of the bluefin tuna catching vessels over 24 meters. The total number of Turkish vessels fishing in the ICCAT Convention area for tuna and tuna-like species will be reported to the ICCAT Secretariat in due time.

With regard to the East Atlantic Bluefin Tuna Compliance Table for 2003, the balances of Turkey have been calculated without considering the revision of the catches made by Turkey, while in this table the catch revisions of the other countries were taken into consideration.

Turkey requests the Compliance Committee to take the aforementioned revisions into consideration.

Appendix 3 to ANNEX 9**Compliance Tables for 2003**

The *Recommendation by ICCAT on Application of Three Compliance Recommendations* [Ref. 98-14] obliges the Contracting Parties to provide information on statistics and compliance with ICCAT Recommendations, and provides that the [Compliance] Committee, with the assistance of the ICCAT Secretariat, shall prepare and distribute to the Contracting Parties a "Compliance Annex".

At the meeting of the Working Group on Compliance, held in November 2001, many of the questions regarding interpretation of the ICCAT regulatory measures for the purpose of compiling the Compliance annexes were clarified, but new doubts have arisen resulting from Recommendations that have been adopted since that time, as follows:

Bluefin tuna - East

No quotas/catch limits were set for bluefin east for 2002. Some Contracting Parties undertook to maintain the limit set for 2001, but such measures were voluntary as the Commission did not adopt any regulation for this species. Compliance is therefore difficult to calculate, and only those adjustments involving overages/underages that were reported are shown.

Bigeye tuna

The *Recommendation by ICCAT on the 2002 Bigeye Tuna Conservation Measures* [Ref. 01-01], paragraph 1, states that:

"Each Contracting Party and Cooperating non-Contracting Party, Entity or Fishing Entity shall, in 2002, limit their catch of Atlantic bigeye tuna to the average catch of Atlantic bigeye tuna taken by all their vessels in 1991 and 1992."

but this Recommendation also provides, in paragraph 3, that:

"The provision of paragraph 1 will not apply to Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities whose reported 1999 catch, as provided to the SCRS in 2000, was less than 2,100 MT."

The Secretariat has been unable, therefore, to determine the catch limits, if any, for those Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities whose reported catch in 1999 was less than 2,100 t, as it is not clear what such limit should be.

Furthermore, no provision is made for non-Contracting Parties that have not been granted Cooperating Status, or Contracting Parties that had 0 catch in 1999, and it cannot be determined whether or not such Parties may catch any bigeye tuna in the Convention area.

These same uncertainties apply to the *Recommendation by ICCAT on Bigeye Tuna Conservation Measures* [Ref. 02-01].

Billfish

At the 2002 Commission meeting, a question was raised as to whether small scale artisanal longline fisheries should be considered as ‘pelagic longline’ catches under *Recommendation by ICCAT to Establish a Plan to Rebuild Blue Marlin and White Marlin Populations* [Refs. 00-13, 01-10, 02-13] or whether these may be considered as small-scale artisanal fisheries under the *Recommendation by ICCAT Regarding Atlantic Blue Marlin and Atlantic White Marlin* [Ref. 97-9]. The Commission has not yet responded to this question.

For billfish, Task I (nominal catch from the scientific database) has been used in many cases, as the Reporting Forms adopted under Recommendation [Ref. 98-14] are not gear-specific.

Explanatory notes

The following abbreviations are used in the tables:

CP = Contracting Parties
NCC = Cooperating non-Contracting Parties, Entities and Fishing Entities
NCO = Other non-Contracting Parties
n/a = Not applicable

The reference numbers of the applicable Recommendations are shown on each table.

In the tables, the figures shown in **bold** indicate that they were officially notified on a Reporting Table, in accordance with Recommendation [Ref. 98-14]. The quotas/catch limits are, in general, taken from the Recommendations. The **shaded** figures indicate that autonomous catch limits, not strictly based on the relevant Recommendation. Reported balances and adjusted quotas are also used, and may not correspond to the results of mathematical formulas developed by the Secretariat.

In cases where no Reporting Tables were received, the catch figures are taken from the ICCAT database.

Note following the 18th Regular Meeting of the Commission:

The Compliance Tables that follow have been revised by the Secretariat in accordance with the decisions reached by the Commission.

North Atlantic Albacore Compliance Table for 2003.

Quota type	Status	Party / Entity / Fishing Entity	Initial Catch limits / Quotas					Reference years	Current catches									Informative balance					
			1999	2000	2001	2002	2003		Avg (93-95)	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	1999	2000	2001	2002
TAC			34500	34500	34500											30961.0	22491.8			3538.97	12008		
CP Quota	CP	BARBADOS	200	200	200	200	200	0.0	0.0	0.0	0.0	0.0	1.0	0.7	0.7	0.0	2.0	5.2	199.3	200.0	198.0	194.8	
		BRAZIL	200	200	200	200	200	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	3.7	0.0	0.0	200.0	196.3	200.0	200.0	
		CANADA	200	200	200	200	200	17.7	9.0	32.0	12.0	24.0	31.0	23.0	38.8	121.7	51.0	112.7	161.2	78.3	149.0	87.3	
		CHINA.PR	200	200	200	200	200	7.3	0.0	14.0	8.0	20.0	0.0	0.0	60.0	104.7	56.5	195.8	140.0	95.3	143.5	4.2	
		EC-Total	---	---	28712	28712	28712	30213.7	30503.0	27053.0	33085.0	23574.0	24253.0	20870.0	28081.0	25741.0	18786.4	16295		---	---	9925.6	12417.5
		JAPAN	870*	952*	761*	588*	*		485.0	505.0	386.0	466.0	414.0	446.0	427.0	724.0	1074.0	582.0		---	---	---	---
		KOREA	200	200	200	200	200	2.7	8.0	0.0	0.0	2.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	200.0	200.0	200.0	200.0
		FRANCE.OT	200	200	200	200	200	0.0							0.0	0.0	0.0	0.0		200.0	200.0	200.0	200.0
		TRINIDAD & TOBAGO	---	---	200	200	200	213.0	639.0	0.0	0.0	0.0	1.0	1.0	0.0	1.6	11.0	9.0		---	---	189.0	191.0
		U.S.A	---	---	607	607	607	598.0	508.0	741.0	545.0	472.0	577.0	829.0	314.0	415.0	453.1	497.7		---	---	153.9	109.3
		UK-OT	200	200	200	200	200	0.0	0.0	0.0	0.0	0.0	1.0	0.0	2.0	2.0	2.0	2.0		198.0	198.0	198.0	198.0
VENEZUELA	---	---	200	200	270	268.9	246.2	281.6	278.8	314.6	49.0	106.8	91.0	1374.0	349.0	161.5		---	---	-149.0	38.5		
Others Quota	NCC	CHINESE TAIPEI	---	---	4459	4459	4459	5562.0	6300.0	6409.0	3977.0	3905.0	3330.0	3098.0	5785.0	5299.0	4399.0	4305.0	---	---	54.0	148.0	
		PHILIPPINES	200	200	4453	4453	4453	0.0	0.0	0.0	0.0	0.0	0.0	4.0	0.0	0.0	0.0		196.0	200.0			
	NCO	CUBA																1.3					
		GRENADA	200	200	6 t Share			0.7	0.0	0.0	2.0	1.0	6.0	6.0	6.0	0.0	21.0	22.9	194.0	200.0	n/a		
		S.LEONE														91.0							
		ST.LUCIA	200	200				0.7	1.0	0.0	1.0	1.0	0.0	0.0	0.0	3.0	2.3		200.0	200.0			
ST.VINCENT	200	200				0.7	2.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5662.0	299.9		200.0	200.0				

Recommendation(s) / Resolution(s)	98-8	00-6	01-05	02-05
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* JAPAN endeavour to limit its total north albacore catches to no more than 4% of its total bigeye tuna catch (2.1% for 1999, 3% for 2000, 5.6% for 2001 and 4% for 2002).
 EC has applied Ref. 00-14 and adjusted the 2003 quota by adding the 2001 balance (9925.6+28712= 38637.6).

South Atlantic Albacore Compliance Table for 2003.

Quota type	Status	Party / Entity / Fishing Entity	Initial Catch limits / Quotas										Reference Years Average (92-96)	Current catch										Informative balance					
			110% Average (92-96) (A)					4% of BET and/or SWO (At. South, longline) (B)						(A) - Current catch															
			1998	1999	2000	2001	2002	2003	1998	1999	2000	2001		2002	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	1998	1999	2000	2001
Total			28200	28200	29200	29200	29200												30267.0	27247.4	28157.5	35245.5	31567.9	952.6	42.5	-6045.5	-2367.9		
Active Fishers quota	Total		22000	27200	27200	27500	27500	27500													29365.0	25513.4	26672.3	33985.0	29919.4	1686.6	527.7	-6485.0	-2419.4
	CP	BRAZIL	TAC share										n/a	2710.0	3613.0	1227.0	923.0	819.0	652.0	3418.0	1873.4	3365.2	6680.0	3228.1	n/a				
		NAMIBIA	TAC share										n/a	0.0	0.0	915.0	950.0	982.0	1199.0	1429.0	1162.0	2418.1	3419.0	2962	n/a				
		SOUTH AFRICA	TAC share										n/a	6360.0	6881.0	6931.0	5214.0	5634.0	6708.0	8412.0	5101.0	3668.0	7236.0	6507.0	n/a				
NCC	CHINESE TAIPEI	TAC share										n/a	23063.0	19400.0	22573.0	18351.0	18956.0	18165.0	16106.0	17377.0	17221.0	16650.0	17222.0	n/a					
Others quota	CP	CHINA.PR	0.0	0.0	0.0	100.0	100.0	100.0	26.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	39.0	89.0	26.2	29.9	0.0	-39.0	-89.0	73.8	70.1		
		EC-Total	1914.7	1914.7	1914.7	1914.7	1914.7	1914.7	1740.6	2451.0	2030.0	2188.0	1156.0	878.0	547.0	357.0	1040.0	791.0	866.9	1286.6	1557.7	874.7	1123.7	1047.8	638.1				
		JAPAN	---	---	---	---	---	---	---	583.0	467.0	651.0	389.0	435.0	424.0	418.0	552.0	438.0	315.0	192.0	---	---	---	---	---				
		KOREA	9.5	9.5	9.5	100.0	100.0	100.0	8.6	5.0	20.0	0.0	0.0	18.0	4.0	7.0	0.0	18.3	1.4	0.0	2.5	9.5	-8.8	98.6	100.0				
		PANAMA	119.7	119.7	119.7	119.7	119.7	119.7	108.8	129.0	168.0	213.0	12.0	22.0	0.0	3.0	14.0	0.0	0.0	0.0	116.7	105.7	119.7						
		U.S.A	0.2	0.2	--	100.0	100.0	100.0	0.2	0.0	0.0	0.0	0.0	1.0	5.0	1.0	1.4	0.9	2.0										
		UK-OT	44.0	44.0	44.0	100.0	100.0	100.0	40.0	28.0	38.0	5.0	82.0	47.0	18.0	1.0	0.6	58.0	49.0	2.0									
		URUGUAY	43.8	43.8	43.8	100.0	100.0	100.0	39.8	31.0	28.0	16.0	49.0	75.0	56.0	110.0	78.0	90.0			111								
		NCC	PHILIPPINES	0.0	0.0	0.0	100.0	100.0	100.0	32.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0	4.0	0.1	0.0	0.0	-5.0	-4.0	-0.1		
	NCO	ARGENTINA	67.8	67.8	67.8					61.6	306.0	0.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	67.8	67.8	67.8		
CAMBODIA		0.0	0.0	0.0					0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0	0.0	0.0	0.0	0.0	0.0	-5.0	0.0			
CUBA		1.8	1.8	1.8					1.6	5.0	3.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.8	1.8	1.8			
	ST. VINCENT								0.0															27.0					

Recommendation(s) / Resolution(s)	97-5	98-9	99-6	00-7	01-6	02-06	97-5	98-9	99-6	00-7	01-6
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* JAPAN endeavour to limit its total south albacore catches to no more than 4% of its total bigeye tuna catch in South of 5 degrees North (3.9% in 1998, 6.1% in 1999, 4.5% in 2000 and 4.2% in 2001, 2.5% in 2002). EC has applied Ref. 00-14 and adjusted the 2003 quota by adding the 2001 balance (1047.8+1914.7=2962.5).

North Atlantic Swordfish Compliance Table for 2003.

Quota type	Status	Party	Initial Catch limits / Quotas										Reference Years		Current Catch								Balance						Adjusted quota / catch limit							
			1995	1996	1997	1998	1999	2000	2001	2002	2003	1993	1996 (SCRS-97)	1995	1996	1997	1998	1999	2000	2001	2002	1997	1998	1999	2000	2001	2002	1998	1999	2000	2001	2002	2003			
TAC			n / a		11425	11027	10727	10600	10500	10400	14000			16293	14519	12447	11743	10845	10727	9583																
Discards allowance (included in TAC)					n / a			400	300	200	100																									
Individual quotas	CP	Total			10747.0	10372.3	10089.5	9702.0	9702.0	9702.0			15335	13160	11450	10713	9872.3	9928	8529																	
		CANADA	1500.0	1400.0	1130.0	1100.0	1070.0	1018.0	1018.0	1018.0	1338.0	2234	739	1610	739	1089.5	1115	1114.3	967.8	1078.9	959.3															
		EC-Total	7827.0	6997.0	5605.8	5367.5	5221.3	5073.0	5073.0	5073.0	6665.0	8656	7255	8655	7367	6233	5105	4966	5483	4810.4	4802.2	-437.2	262.5	-181.9	-147.5	80.6	123.3	1140.5	1095.5	999.2	1049	1019	1463.6			
		JAPAN	1839.0	1762.8	706.3	687.5	668.8	636.0	636.0	636.0	835.0	1126	1451	1043	1494	1291	1338	884	791	500	314.0	-584.8	-650.5	-215.2	-155.0	342.0	451.0	--	--	--	--	--				
		U.S.A	3970.0	3500.0	3277.0	3190.0	3103.0	2951.0	2951.0	2951.0	3877.0	3782	4148	4026	3559	2831	3112	2896	2683.7	2137.2	2399.6	446.0	524.0	731.0	267.3	1437.4	1673.8	3636	3627	2951	3626	4173.4				
		UK-OT			28.0	27.3	26.5	24.0	24.0	24.0	35.0			1	1	5	43	12	3	2	26	23.0	7.3	21.8	42.8	64.8	63.0	50.3	33.8	45.8	66.8	89	98			
Others quota	CP	Total			678	655.0	637.0	498.0	498.0	498.0		1294.7	958	1358.7	997.8	1029.9	972.7	798.8	1054.6	---																
		BARBADOS			0.0	0.0	0.0	0.0	0.0	25.0					16	16	12	13	19	10																
		BRAZIL			0.0	0.0	0.0	0.0	0.0	50.0								117.3	0.0	0.0																
		CHINA,PR		55	0.0	100.0	100.0	100.0	100.0	75.0		55	0	79	100	40	337	304	22	102	90.2															
		FRANCE (SP, M)								24.0																										
		ICELAND								0.0								0	0	0																
		KOREA	19	19		19.0	19.0	14.1	14.1	14.1		19	19	16	19	15						n/a														
		MAROC	39	39		277.8	277.8	205.5	205.5	205.5	335.0	39	505	79	462	267	191	119	114	524	223.0															
		MEXICO				0.0	0.0	0.0	0.0	110.0		6		0	0	14	28	24	37	27	34.0															
		PANAMA				0.0	0.0	0.0	0.0	0.0								17																		
		TRINIDAD & TOBAGO				86.7	86.7	64.2	64.2	64.2	125.0	11	157.7	150	158	110	130	138	41	75	92.0															
		VENEZUELA	73	73		85.0	85.0	62.9	62.9	85.0		73	85	54	85	20	35	30	30	21	33.8															
	NCC	CHINESE TAIPEI				288.2	288.2	213.3	213.3	213.3	310.0	127	524	489	521	509	286	285	347	281	286															
		PHILIPPINES				0.0	0.0	0.0	0.0	0.0																										
	NCO	CUBA				0.0	0.0	0.0	0.0	0.0		16		86	7	7	7	7																		
		FAROE-ISLANDS		n / a		0.0	0.0	0.0	0.0	0.0								5	4																	
		GRENADA				1.0	1.0	0.7	1.0	0.7	0.0	13	1	1	4	15	15	42	84																	
		SIERRA LEONE				0.0	0.0	0.0	0.0	0.0									2	2																
		ST.VINCENT				3.0	3.0	2.2	2.2	2.2	0.0	23	3	4	3	1	1	1																		
Dead discards	CP	CANADA							80	60	40																									
		U.S.A							320	240	160																									
Recommendation(s) / Resolution(s)				94-14	95-11																															
						96-7																														

West Atlantic Bluefin Tuna Compliance Table for 2003.

Quota type	Status	Party / Entity / Fishing Entity	Initial Catch Limits						Current Catch						Balance						Adjusted Quota/Catch limit						
			1997	1998	1999	2000	2001	2002	2003	1997	1998	1999	2000	2001	2002	1997	1998	1999	2000	2001	2002	1998	1999	2000	2001	2002	2003
TAC			2354.0	2354.0	2500.0	2500.0	2500.0	2500.0	2700.0	2489.8	2588.0	2754.4	2305.1	2854.6	2932.0												
Total catch that can be retained			2421.0	2421.0	2421.0	2421.0	2621.0	2314.8	2468.0	2692.7	2229.1	2799.9	2857.1														
Individual quotas	CP	BRAZIL								13.0	0.0	0.22	0.0			-13.0		-0.22	0								
		CANADA	552.6	552.6	573.0	573.0	573.0	620.2	504.5	596.0	576.1	549.1	523.7	603.6	48.1		1.6	20.4	21.7	-8.9	600.7	577.7	569.5	553.0	594.7	580	
		FRANCE (SP.M)			4.0	4.0	4.0	4.0			0.6	0.4	0.0	2.6			3.4	7.0	11.0	12.4		4.0	7.4	11.0	15.0	16.4	
		G.EQUATORIAL (NEI)									429.0	143.0								0.0							
		JAPAN	453.0	453.0	453.0	453.0	453.0	478.3	470.0	555.0	433.0	322.0	676.0	363.0	-17.0	-102.0	3.0	6.5	-216.5	90.0	453.0	436.0	329.0	460.0	453.0	352.0	
		MEXICO					25.0	25.0	2.0	8.0	14.0	28.7	10.0	12.0											25.0		
		U.S.A	1344.4	1344.4	1387.0	1387.0	1387.0	1489.6	1334.3	1308.0	1226.0	1185.0	1589.0	1874.9	10.1	47.0	217.0	438.0	248.3	-223.9	1354.5	1434.0	1604.0	1825.0	1636.1	1265.7	
		UK-OT	4.0	4.0	4.0	4.0	4.0	4.0	2.0	1.0	1.0	1.0	1.0	1.0	2.0	3.0	3.0	6.0	9.0	12.0	6.0	4.0	7.0	10.0	13.0	16.0	
Others	NCO	CHINESE TAIPEI							2.0																		
	NCC	CUBA												73.7													
		SIERRA LEONE									127.0	49.2															

Discards allowance	Total	1997	1998	1999	2000	2001	2002	2003	1997	1998	1999	2000	2001	2002
		79.0	79.0	79.0	79.0	79.0	79.0	175.0	120.0	61.7	76.0	54.6	74.9	
	CP							6.0	16.0	10.7	46.0	13.2	36.9	
		5.6	5.6	5.6	5.6	5.6	5.6							
		5.6	5.6	5.6	5.6	5.6	5.6	8.0	0.0	0.0	0.0	0.0	0.0	
		67.7	67.7	67.7	67.7	67.7	67.7	161.0	104.0	51.0	30.0	41.4	38.0	

/ Resolution(s)	96-4	98-7	02-07	96-14	98-13	02-07
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USA in 1999 changed the calendar year to fishing year (June-May) and applied 37 t of the left over from 1998 to 1999 fishing year.
MEXICO: Shaded figure indicates an autonomous catch limit of 25 t, but according to Recommendation 98-7 catch limit were 0 t.
MEXICO: Requested 120 t quota over the last 6 years. BFT is caught as by-catch.

Atlantic Bigeye Tuna Compliance Table for 2003.

Status	Party / Entity / Fishing Entity	Initial Catch limits / Quotas						Reference years				Current catches					Balance					Adjusted Catch limit	
		1998	1999	2000	2001	2002	2003	Avg (91-92)	1991	1992	1999 (SCRS/00)	1998	1999	2000	2001	2002	1998	1999	2000	2001	2002	2002	2003
CP	BARBADOS							0.0	0.0	0.0			18.0	18.0	6.0	10.5							
	BRAZIL							570.0	350.0	790.0		2024.0	2372.2	2622.3	2581.5								
	CANADA							46.5	26.0	67.0		263.0	327.0	241.0	279.3								
	CAP-VERT							128.0	151.0	105.0		1.0	2.0	0.0									
	CHINA.PR				7300.0	5100.0	5000.0	0.0	0.0	0.0	7347.0	7347.0	6563.5	7210.0	5839.5				90.0	-739.5			4260.5
	COTE D'IVOIRE							0.0	0.0	0.0		390.0	458.0	0.0									
	EC-Total			26672.0	26672.0	26672.0		26672.0	26004.0	27340.0	21970.0	22221	17989	16504	17406.8				10168.0	9265.2			36840
	GABON							0.0	0.0	0.0		184.0	150.0	121.0									
	GHANA				3478.0	3478.0	3478.0	3478.0	4090.0	2866.0	11460.0	11460.0	5586.0	2358.0	2034.0				1120.0	1444.0			
	ICELAND							0.0	0.0	0.0		1.0											
	JAPAN				32539.0	32539.0	32539.0	32539.0	30356.0	34722.0	23690.0	24184.0	23812.0	19030.0	14703.0				13509.0	17836.0		31439.0	
	KOREA							834.0	802.0	866.0		124.0	43.4	1.3	87.3								
	LIBYA							254.0	0.0	508.0		400.0	400.0	30.9	593.0								
	MAROC							0.0	0.0	0.0		700.0	770.0	857.4	913.0								
	MEXICO							0.0	0.0	0.0		6.0	6.0	2.0	7.0								
	NAMIBIA							0.0	0.0	0.0		423.0	589.0	639.8	273.6								
	PANAMA							8724.5	7447.0	10002.0		318.0	995.3	89.0	63.0								
	RUSSIA FED.							0.0	0.0	0.0		8.0	91.0	0.0	0.0								
	SOUTH AFRICA							57.5	72.0	43.0		41.0	225.0	208.0	305.0								
	TRINIDAD & TOBAGO							131.5	263.0	0.0		8.1	5.2	11.0	30.0								
U.S.A							893.5	974.0	813.0		1262.0	589.2	1363.0	507.3									
UK-OT							6.5	3.0	10.0		6.0	8.3	10.0	5.0									
URUGUAY							38.0	20.0	56.0		28.0	25.0	25.0	67.0									
VENEZUELA							373.2	476.3	270.0		140.0	226.2	660.9	629.1									
NCC	CHINESE TAIPEI	16500.0	16500.0	16500.0	16500.0	16500.0	16500.0	12698.0	13850.0	11546.0	16837.0	16314.0	16837.0	16795.0	16429.0	16503.0	186.0	-337.0	-295.0	71.0	-3.0		16497.0
	PHILIPPINES							0.0	0.0	0.0			2113.0	974.8	377.0	732.0							
NCO	ARGENTINA							11.0	22.0	0.0					0.0								
	BENIN							8.5	10.0	7.0			10.8										
	CAMBODIA							0.0	0.0	0.0			32.0										
	CONGO							12.0	12.0	12.0			8.0	8.0	8.0	8.0							
	CUBA							45.0	34.0	56.0						15.5							
	DOMINICA														5.0								
	FAROE-ISLANDS							0.0	0.0	0.0			11.0	8.0	0.0								
	GRENADA							45.0	65.0	25.0				0.4	0.2	0.3							
	LIBERIA							27.5	13.0	42.0			57.0	57.0	57.0	57.0							
	NETHERLAND.ANT							0.0	0.0	0.0				2359.0	2803.0	1879.0							
	SENEGAL							5.0	5.0	5.0				1131.0	1308.0	565.0							
	SIERRA LEONE							0.0	0.0	0.0				5.9	2.4								
	SEYCHELLES													58.0		162.5							
	ST.LUCIA							0.5	0.0	1.0					0.7	2.1							
	ST.VINCENT							0.5	0.0	1.0			1.0	1215.2	506.0	14.6							
	TOGO							4.0	6.0	2.0													

Recommendation(s) / Resolution(s)	97-15	98-3	00-1	01-01	02-01
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Limit the number of vessels fishing for the Atlantic bigeye tuna to the following:

CHINA: 30 vessels [Ref. 00-1]; CHINESE TAIPEI: 125 vessels [Ref. 98-3]; PHILIPPINES: 5 vessels [Ref. 00-1] for 2001.

CHINA: 60 vessels [Ref. 01-1]; CHINESE TAIPEI: 125 vessels [Ref. 01-1]; PHILIPPINES: 5 vessels [Ref. 01-1] for 2002.

CHINA: 60 vessels [02-1]; CHINESE TAIPEI: 125 vessels [02-1]; PHILIPPINES: 5 vessels [02-1] for 2002

CHINA objected Recommendation 00-1 which set a catch limit of 4000 t.

CHINA: Catch limit for 2002 includes 1100 t from JAPAN (bilateral agreement). Japanese catch limit was adjusted accordingly.

Billfishes (BUM, WHM) Compliance Table for 2003.

Species	Status	Party / Entity / Fishing Entity	Initial Catch Limits					Reference years (landings)			Current Landings						Informative Balance							
			1999	2000	2001	2002	2003	1996	1996 (PS+LL)	1999 (PS+LL)	1997	1998	1999	2000	2001		2002		1999	2000	2001	2002		
			total					total			total	total	total	total	total	LL+PS	total	LL+PS			LL+PS	LL+PS		
WHM	CP	BARBADOS	11.3	11.3	8.3	8.3	8.3	15.0		25.3	40.8	33.5	25.3	25.0					-14.0	-13.8				
		BRAZIL	56.3	56.3	51.8	51.8	51.8	75.0	70.0	157.0	105.0	216.0	156.6	61.0	171.4	171.5	406.9	341.9	-100.8	-4.8				
		CANADA	6.0	6.0	1.7	2.6	2.6	8.0	8.0	5.0	8.0	8.0	4.8	5.3	3.2	3.2	2.1	2.1	1.2	0.7	-1.5	0.5		
		CHINA.PR	6.8	6.8	9.9	9.9	9.9	9.0	9.0	30.0	11.0	15.0	0.0	0.0	19.8	19.8	22.8	22.8	6.8	6.8	-9.9	-12.9		
		<i>COTE D'IVOIRE</i>	0.8	0.8	0.0	0.0	0.0	1.0			2.0	1.0	5.0	1.0	2.4	0.0	1.8	0.0	-4.3	-0.3	0.0	0.0		
		EC-Total	85.5	85.5	46.5	46.5	46.5	114.0	104.1	141.0	81.0	78.0	77.0	193.2	2.4	2.4	5.8	5.8	8.5	-107.7		40.7		
		GABON	304.5	304.5	0.0	0.0	0.0	406.0			0.0	0.0	0.0	0.0					304.5	304.5				
		GHANA	0.8	0.8	0.0	0.0	0.0	1.0			3.0	7.0	6.0	8.0	20.9	0.0	2.3	0.0	-5.3	-7.2				
		JAPAN	84.0	84.0	37.0	37.0	37.0	112.0	112.0	43.0	58.0	56.0	43.0	121.0	50.0	50.0	12.0	12.0	41.0	4.0	-9.0	24.96		
		KOREA	44.3	44.3	0.0	19.5	19.5	59.0	59.0		23.0	0.0	0.0	0.4	0.0	0.0	0.0	0.0	44.3	43.8	0.0	19.5		
		MEXICO	0.0	0.0	3.63	3.6	3.6	0.0			5.0	6.0	11.0	17.9	44.0	44.0	15.0	15.0	-11	-17.9	-40.4	-11.4		
		<i>SAO TOME & PRINCIPE</i>	0.0	0.0	0.0	0.0	0.0	0.0			45.0	0.0	0.0	0.0	0.0				0.0	0.0				
		SOUTH AFRICA	0.0	0.0	0.0	0.0	0.0	0.0					0.0	0.0	0.0	0.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0	
		TRINIDAD & TOBAGO	0.0	0.0	0.0	0.0	0.0	0.0					0.0	0.0	2.3	2.3	5.0	5.0	0.0	0.0	-2.3	-5.0		
		U.S.A	2.5	2.5	**	**	**	7.0			2.0	2.0	1.6	0.2	3.1	0.0	5.6	0.0	0.9	2.3	**	**		
		UK-OT	1	1	0.0	0.0	0.0	1.0			1.0	0.0	0.8	0.4	0.4	0.0	0.0	0.0	0.0	0.4	0.0	0.0	0.0	
		URUGUAY	0.0	0.0	0.0	0.0	0.0	0.0			50*	22.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
		VENEZUELA	122.7	122.7	14.2	50.0	50.0	163.6	151.6	42.9	90.1	79.7	60.9	13.3	72.4	65.9	109.9	93.3	61.8	109.4	-51.7	-43.3		
		NCC		CHINESE TAIPEI	424.5	424.5	153.5	186.8	186.8	566.0	566.0	465.0	441.0	506.0	465.0	437.0	152.0	152.0	165.0	165.0	-40.5	-12.5	1.5	21.8
				PHILIPPINES	0.0	0.0	4.0	4.0	4.0	0.0	12.0	0.0	0.0	12.0	0.0	0.0	0.0	0.0	0.0	-12.0	0.0	4.0	4.0	
		NCO		BELIZE.SH.OB	0.0	0.0	0.3	0.3	0.3	0.0	1.0	1.0	0.0	1.0	0.0					-1.0	0.0		0.3	
				CAMBODIA	0.0	0.0	0.3	0.3	0.3	0.0	1.0	0.0	0.0	1.0	0.0					-1.0	0.0		0.3	
				CUBA	0.0	0.0	0.0	0.0	0.0	0.0								7.1	7.1				-7.1	
				GRENADA	0.0	0.0	0.0	0.0	0.0	0.0								0.0	0.0	0.0	0.0	0.0	0.0	
				ST.VINCENT	0.0	0.0	0.0	0.0	0.0	0.0						15.1	0.0	7.7	0.0	0.0	0.0	0.0	0.0	
																	0.3	0.3		0.0	0.0		-0.3	
		BUM	CP	BARBADOS	18.8	18.8	9.3	9.3	9.3	25.0		18.6	30.0	24.6	18.6	19.0				0.1	-0.3			
BRAZIL	248.3			248.3	253.8	253.8	253.8	331.0	308.0	507.5	193.0	486.0	507.5	312.0	779.9	779.9	386.9	386.9	-259.3	-63.8				
CHINA.PR	46.5			46.5	100.5	100.5	100.5	62.0	62.0	201.0	78.0	120.0	0.0	0.0	91.6	91.6	87.8	87.8	46.5	46.5	8.9	12.7		
<i>COTE D'IVOIRE</i>	117.8			117.8	0.0	0.0	0.0	157.0			222.0	182.0	275.0	206.0	196.0	0.0	77.9	0.0	-157.3	-88.3	0.0	0.0		
EC-Total	159.8			159.8	100.0	103.0	103.0	213.0	206.0	200.0	161.0	215.0	206.0	164.0	18.1	7.6	34.5	31.0	-46.3	-4.3	92.4	72.0		
GABON	6.0			6.0	0.0	0.0	0.0	8.0			0.0	0.0	0.0	0.0					6.0	6.0		0.0		
GHANA	316.5			316.5	0.0	0.0	0.0	422.0			491.0	447.0	624.0	639.0	1295.0	0.0	998.5	0.0	-307.5	-322.5		0.0		
JAPAN	1259.3			1259.3	839.5	839.5	839.5	1679.0	1679.0	915.0	1349.0	1185.0	915.0	452.0	192.0	192.0	279.0	279.0	344.25	1151.5	1799.0	2359.5		
KOREA	108.0			108.0	0.0	72.0	72.0	144.0	144.0		56.0	2.0	0.0	1.1	0.5	0.5	0.0	0.0	108.0	106.9	-0.5	72.0		
MEXICO	9.8			9.8	17.5	17.5	17.5	13.0	13.0	35.0	13.0	27.0	35.0	67.0	37.0	37.0	50.0	50.0	-25.3	-57.25	-19.5	-32.5		
PANAMA	0.0			0.0	0.0	0.0	0.0	0.0			0.0	0.0	0.0	40.6					0.0	-40.6		0.0		
<i>SAO TOME & PRINCIPE</i>	0.0			0.0	0.0	0.0	0.0	0.0			35.0	0.0	0.0	0.0					0.0	0.0				
SOUTH AFRICA	0.0			0.0	0.0	0.0	0.0	0.0			0.0	0.0	0.0	0.0	0.6	0.6	3.0	0.0	0.0	0.0	0.0	-0.6	0.0	
TRINIDAD & TOBAGO	8.0			8.0	9.0	10.3	10.3	10.7	20.5	18.0	76.6	70.0	32.5	9.1	17.0	14.0	16.0	16.0	-24.5	-1.1	-5.0	-5.8		
U.S.A	26.0			26.0	**	**	**	43.0			46.0	50.0	37.0	21.4	3.4	0.0	5.6	0.0	-11.0	4.6	**	**		
UK-OT	11.3			11.3	0.0	0.0	0.0	15.0			3.0	5.0	1.0	2.0	2.0	0.0	2.0	0.0	10.3	9.3		0.0		
URUGUAY	0.0			0.0	0.0	0.0	0.0	0.0			0.0	23.0	0.0	0.0					0.0	0.0		0.0		
VENEZUELA	102.6			102.6	15.0	30.4	30.4	136.7	60.7	30.0	129.7	205.1	220.0	27.9	71.5	14.8	75.6	25.6	-117.4	74.6	0.2	4.8		
NCC				CHINESE TAIPEI	495.0	495.0	243.0	330.0	330.0	660.0	660.0	486.0	1478.0	578.0	486.0	485.0	240.0	240.0	272.0	272.0	9.0	10.0	3.0	58.0
				PHILIPPINES	0.0	0.0	35.5	35.5	35.5	0.0	71.0	0.0	7.0	71.0	38.0	0.0	0.0	0.0	0.0	-71.0	-38.0	35.5	35.5	
NCO				BENIV	3.8	3.8	0.0	0.0	0.0	5.0		5.0	5.0	5.0	5.0					-1.3	-1.3			
				CUBA	32.3	32.3	0.0	0.0	0.0	43.0		0.0	12.0	0.0	0.0					32.3	32.3		-33.6	
				GRENADA	19.5	19.5	0.0	0.0	0.0	26.0		47.0	47.0	100.0	100.0	103.5	0.0	68.5	68.5	-80.5	-80.5	0.0	-68.5	
				NETHERLAND.ANT	30.0	30.0	0.0	0.0	0.0	40.0		40.0	40.0	40.0	40.0					-10.0	-10.0		0.0	
				ST.LUCIA	0.0	0.0	0.0	0.0	0.0	0.0						4.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
				SENEGAL	3.8	3.8	0.0	0.0	0.0	5.0		0.0	0.0	0.0	0.0					3.8	3.8		0.0	
				ST.VINCENT	0.0	0.0	0.0	0.0	0.0	0.0										20.4	20.4		-20.4	

Recommendation(s) / Resolution(s)	97-9	00-13	02-13	97-9
	98-10		01-10	98-10

*URUGUAY white marlin catch in 1997 includes other billfishes.

BRAZIL: catches in 2001 and 2002 include discards difficult to estimate.

JAPAN applied Recommendation 00-14 to year 2000 and 2001.

MEXICO: landings (WHM, BUM) are only retained dead by-catch. All live marlin are released.

**USA shall limit its landings to 250 recreationally-caught WHM and BUM combined on an annual basis for the period 2001 to 2002.

USA reported, for WHM, a total landing of 116 fish in 2001, and 191 fish in 2002 and, for BUM a total of 77 fish for 2001 and 88 fish for 2002 (total landings in weight were taken from Task I).

Bold italics indicate those considered to have small-scale artisanal fisheries.

Compliance Table with Size Limits for Species with Size Regulations for 2002.

		2002 catches						Tolerance limits & reported estimates over tolerance limits					
Species		BET	YFT	SWO		BFT		BET	YFT	SWO		BFT	
Area		ATL	ATL	AT.N	AT.S	AT.E+MED	AT.W	ATL	ATL	AT.N	AT.S	AT.E+M	AT.W
Recom- menda- tions / Size limits	Number							79-1	72-1	90-2 (95-10)		74-1	91-1
	Min Weight (kg)							3.2	3.2	25		6.4	30
	Min Size (cm)							--	--	125 (119)		--	115
	Tolerance (% of total)							15%	15%	15% (0%)		15%	8%
	Tolerance Type (weight/number)							number	number	number		number	weight
CP	ALGERIE		0.0			1710.0							
	ANGOLA		34.0										
	BARBADOS	10.5	115.4	10.4									
	BRAZIL	2581.5	6172.1		2909.9			0%	0%	0%	11.1%		0%
	CANADA	279.3	70.4	992.0			640.5	<15%	<15%	<15%(0.5%)			<8%
	CAP-VERT		287.0										
	CHINA.PR	5839.5	696.7	90.2	423.0	39.1		0%	0%	0%	0%	0%	0%
	COTE D'IVOIRE		0.0		19.0								
	CROATIA		0.0			977.0							
	CYPRUS		0.0			91.3							
	EC	17406.8	64228.7	4802.2	6120.7	18129.0		32%	24%	18%	1%	0%	
	GABON		245.1										
	GHANA	5893.4	23498.7		371.7								
	ICELAND		0.0			1.1							
	JAPAN	14703.0	1810.0	314.0	815.0	2641.0	363.0	<15%	<15%	<15%	<15%	<10%	<8%
	KOREA	87.3	7.8		1.5								
	LIBYA	593.0	73.0										
	MALTA		0.0			240.0							
	MAROC	913.0	79.0	223.0		2986.0							
	MEXICO	6.9	1132.7	33.6			12.0	0%	0%				0%
	NAMIBIA	273.6	12.5		503.7	0.1							
	PANAMA	63.0	1022.0										
	SOUTH AFRICA	305.0	144.0		500.0								
	TRINIDAD & TOBAGO	30.0	125.0	92.0				0.50%	2%	18%			
	TURKEY		0.0			2300.0							
	U.S.A *	507.3	5845.0	2399.6	53.2		1874.9	0%	0%	0.56%	0.55%		9.05%
	UK-OT	5.1	46.2	26.0	3.9	0.0	1.0						
	URUGUAY	67.0	91.0		768.0		0.5						
	VENEZUELA	629.1	11421.3	33.8									
NCC	CHINESE TAIPEI	16503.0	4542.0	286.0	1073.0	666.0							
	PHILIPPINES	732.0	121.0	4.1	0.8	0.0	0.0						

Ref. 98-7 The take of undersize fish must be limited so that the average over each four-consecutive-year quota balancing period is no more than 8% by weight of the total bluefin quota on a individual basis.

Commission Chairman's Special Letters to Contracting Parties

4.1 Letter to Equatorial Guinea indicating continuation of trade measures

This is to advise you that, at its 2003 meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviewed the situation of Equatorial Guinea pursuant to its *Resolution Concerning the Unreported and Unregulated Catches by Large-scale Longline Vessels in the Convention Area* [Ref. 98-18] and its *Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Ref. 96-14].

The Commission concluded that as the situation has not changed, the trade restrictive measures on Atlantic bluefin tuna and its products from Equatorial Guinea adopted at its 1999 meeting and the trade restrictive measures on bigeye tuna and its products from Equatorial Guinea adopted at its 2000 meeting should not be lifted and has consequently adopted a *Recommendation on the Continuation of Trade Measures Against Equatorial Guinea* [Ref. 00-16].

For your convenience, a copy of the above-mentioned Resolution and Recommendation, the Recommendation imposing the continuation of trade sanctions on Equatorial Guinea, and our correspondence to you following the 1999, 2000, 2001 and 2002 meetings are attached.

The Commission strongly encourages Equatorial Guinea, as a member of ICCAT, to fulfil its obligations to the organization and rectify the activities of fishing vessels flying its flag.

The Commission would also be very pleased to provide such further information and clarification as you may require.

4.2 Letter to Panama pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area [Ref. 98-18]

At its 2003 meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) reviewed the fishing activities of various non-Contracting Parties, Entities and Fishing Entities under its 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Vessels in the Convention Area* [Ref. 98-18], which is enclosed for your convenience.

That Resolution calls upon ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to collect, examine and submit to ICCAT import and landing data and associated information on imported frozen tunas and tuna-like products. Based on an annual review of this and other data, ICCAT will identify those Contracting Parties, non-Contracting Parties, Entities and Fishing Entities to take all necessary corrective action, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures, on the subject species for which they are currently no trade restrictions.

The information available to ICCAT at its 2003 meeting included trade data submitted by Contracting Parties, as well as other information. Enclosed for your convenience is a list of large-scale longline vessels compiled from this data, many of which are believed to have fished for tuna and tuna-like species in the ICCAT Convention area. A number of these vessels are registered to Panama. In addition, trade data available to ICCAT indicate that Panama had exported a significant amount of Atlantic bigeye tuna to Japan in 2001, and other trade data indicate that large-scale longline vessels of Panama may be fishing in a manner that undermines ICCAT conservation and management measures.

Based on this information, ICCAT decided to maintain the status of identification for Panama under its 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention area*.

Accordingly, ICCAT hereby requests the Government of Panama to take all necessary measures to ensure that large-scale longline vessels registered to Panama do not continue to diminish the effectiveness of ICCAT conservation and management measures, including, if appropriate, the revocation of vessel registration or fishing licenses of the large-scale vessels concerned.

Thank you for your prompt attention to this matter.

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

1. Opening of the meeting

The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) met at the Dublin Castle in Dublin, Ireland, on the occasion of the 18th Regular Meeting of the Commission. The meeting was opened by the PWG Chair, Ms. Kimberly Blankenbeker (United States).

2. Adoption of the Agenda

The Agenda (**Appendix 1 to ANNEX 10**) was adopted as proposed, with the exception that the Data Workshop was considered by the Joint Meeting of the Compliance Committee and PWG. The Chair also noted that the Joint Meeting would address some of the vessel list issues that concerned both groups under item 5 of the Joint Meeting Agenda; however, development of the list of large-scale tuna longline vessels believed to be engaged in illegal, unreported and unregulated fishing activities would be undertaken by the PWG.

3. Appointment of the Rapporteur

Mr. David Kerstetter (United States) was appointed Rapporteur for the meeting.

4. Status of implementation of Statistical Document Programs

A representative from the Secretariat introduced a summary document¹ that described all of the data received by the Secretariat from Contracting Parties under ICCAT's Statistical Document Programs for bluefin tuna, bigeye tuna, and swordfish. The Parties thanked the Secretariat for its efforts.

The Delegate from Japan introduced a proposal for minor changes to Statistical Documents to include bluefin tuna farming data and ICCAT vessel identification number information. The Delegate of Gabon noted his support of the proposal.

The Delegate of the EC agreed that while the rationale for such a change was clear, there was a possibility of overlap with other proposals on bluefin tuna farming issues. The Delegate of the EC also commented that the ICCAT Statistical Document Program was relatively new to the Commission. This had required significant domestic effort for some Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities to implement, and it may be better not to make changes to the document at this time. He commented that it may also benefit the Working Group to examine the tracking systems used by other Regional Fishery Management Organizations (RFMOs), such as the Commission for the Conservation of Antarctic Living Marine Resources (CCALMR).

The Chair noted that the Statistical Document Programs, when originally debated and subsequently implemented, were intended to evolve over time to become more efficient and harmonized. In a later session, the Chair noted that Panel 2 had considered the *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* (see **ANNEX 5 [Ref. 03-19]**) and had referred that document to the Commission for adoption. The PWG had no objection to this action.

¹ This report is on file at the Secretariat.

5. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of needed actions

5.1 *Bluefin Tuna [Ref. 94-03] and Swordfish Action Plans [Ref. 95-13], and Resolution Concerning Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area [Ref. 98-18]*

The Chair introduced the working document, ‘Summary of Historical Actions Taken by the Commission,’ noting its usefulness in the 2002 Working Group discussions. The Delegate of the EC commented that he found this summary document very useful and requested that it be appended to this report. There was consensus on this point among all the Parties, and the document is attached as **Appendix 2 to ANNEX 10**.

The Delegate from Japan introduced a document to amend the *Resolution by ICCAT concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area and Other Areas* [Ref. 98-18] (UU Catches Resolution) by including vessels using gears other than pelagic longline. It was emphasized that these changes were relatively minor. The Delegate of Canada expressed support for the proposal, but had two comments: (1) that the change should also result in a new title for the resolution to reflect the change in scope, and (2) that the change in the text to “vessel” applied only to fishing vessels. Action relative to Japan’s proposal was deferred pending the outcome of discussions concerning a trade-related measure that would supercede the UU Catches Resolution. At a later session, the Delegate of Japan withdrew the proposed amendment to the UU Catches Resolution in light of progress on this new trade-related instrument.

5.1.1 Responses to Commission letters

The Chair reviewed the responses to the letters sent *via* the Secretariat on behalf of the Commission, most of which had been compiled into one document¹. It was noted that several letters from non-Contracting Parties were submitted after the preparation of the document and had been circulated separately. Also, additional information was available from documents such as the annual National Reports and opening statements.

5.1.2 Catch and trade information, vessel sighting reports, other information

The Assistant Executive Secretary presented the draft 2003 IUU vessel list to the Working Group for discussion. The Parties thanked the Secretariat for its efforts regarding this list.

Several Contracting Parties, including Vanuatu and South Africa, drew attention to possible errors in the 2003 list. The Delegates of Brazil, the EC, Belize, and Chinese Taipei also argued for the inclusion or exclusion of vessels on this list. Given the potential for lengthy corrections on the floor, the Chair requested that all changes to the draft list be coordinated with the Secretariat prior to the release of the next version.

Several questions were raised regarding the criteria that Japan had used to determine IUU status for certain vessels. Specifically, the Delegates discussed the example of an IUU vessel allegedly flagged to St. Vincent and the Grenadines, and raised the question of whether any vessel fishing in the Convention area while the country was under sanction was automatically an IUU vessel. The Observer from St. Vincent and the Grenadines commented that the vessel in question was properly permitted and licensed by his government, so there was no illegal activity. The Delegate of Brazil also noted that the one reported sighting of this vessel occurred in January, prior to the effective date of the current IUU list Recommendation. He cautioned the Commission to be very careful about any decisions on vessel listings.

The Delegate from Japan expressed his willingness to work with other delegations on specific vessels in question, but he noted that the larger concern was that there be no increase in fishing effort in the Atlantic, even with re-flagging. The Delegate of the EC noted that while limiting effort in the Atlantic was a worthy goal, transferring that latent effort to other oceans was not a good solution. The EC Delegate further commented that the rules regarding vessel owners would be clarified, but that the Commission must remember to examine such issues from a global perspective.

The Delegate from the People’s Republic of China noted that leaving some categories on the IUU list empty, such as current flag/registry, made it difficult to address problem vessels. Additionally, he commented that the list needed to be continuously updated given the relatively large number of IUU vessels.

The Delegate of the EC extended his appreciation to Japan for its contribution in the creation of the list, but questioned the use of the footnotes at the end of the list. Specifically, he stated his concern regarding transparency and consistency within the vessel listing process. The Delegate from Brazil echoed the EC comments, reporting that the lack of definite evidence when creating this list also caused problems with domestic implementation. The Observer from Belize again requested that there be substantiated evidence against a flag State before any adverse action was taken against it. The Delegate from the United States agreed that the footnotes were somewhat problematic if the purpose of the document was intended to fulfill the requirements of the *Recommendation by ICCAT to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Ref. 02-23]. She further noted that this approach made full implementation of the list difficult.

The Delegate of Brazil also requested a clarification of whether all vessels of a sanctioned non-Contracting Party, Entity or Fishing Entity were therefore also considered IUU. The Delegate of Japan replied that non-Cooperating non-Contracting Parties, Entities or Fishing Entities have no quota, so any large-scale tuna longline vessels operating in the Convention area were IUU vessels by definition. The Observer from Belize reiterated that substantiated evidence needed to be presented to the alleged flag State prior to any adverse action by the Commission.

The Delegate from Canada strongly cautioned that expanding the scope of the IUU vessel list from action against vessels to actions against States was a significant change from the original recommendation. The Chair noted that the Commission has not previously taken action against a flag State based solely on the activities of some of its vessels.

Observers from both Belize and St. Vincent and the Grenadines noted that evidence demonstrating their non-compliance has yet to be shown to them and that if supporting evidence were provided, their respective Governments would take the appropriate action. The Observer from Belize reported that none of the three vessels listed in this document was fishing in the Convention area, that none of the three vessels are targeting tuna, and that its fleet was properly monitored and controlled. The Delegates of Canada and Brazil both agreed that ICCAT only has competency in the Convention area. The Delegate of the EC suggested that the Commission be shown evidence of vessel monitoring before arguing whether certain vessels were in the Convention area or not. The EC Delegate stated that it was an obligation to both the Commission and the accused State to have a clear process for making these determinations.

The Delegate of Japan noted that this process was painful and frustrating, but ultimately useful. He commented that several other RFMOs were going through the same process. The Delegate noted that Japan had circulated additional information with regard to the vessels on the draft list and called for the adoption of the list. This suggestion was seconded by the Delegate from China. The Delegate of the EC requested that available vessel data be included in the informative letters from the Commission.

Under the circumstances, the Delegate from Canada questioned whether this list could be considered the one referred to in 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*, which calls for the application of strict penalties. The Delegate of Trinidad and Tobago stated that the list had clear legal ramifications and that the one under consideration could not be the fulfillment of the so called Negative List contemplated in Recommendation 02-23. In particular, those countries with vessels on the list should be given the opportunity to explain their situations before the list goes into effect.

After several iterations, the list was endorsed by the Working Group. The Chair clarified that the list would be considered provisional and noted that it was not being adopted pursuant to Recommendation 02-23. Given the concerns raised, the Chair asked the Parties to work together in the coming year to improve the process for developing the IUU list pursuant to the terms of Recommendation 02-23. Under advice from the Secretariat, the Working Group agreed that the “List of Large-scale Longline Vessels Believed to be Engaged in Illegal, Unreported and Unregulated Fishing Activities in the Convention Area and Other Areas” not be published on the web, but simply be attached for informational purposes to the PWG Report as **Appendix 3 to Annex 10**.

Information concerning efforts by Japan (**Appendix 2 to ANNEX 11**) and Chinese Taipei (**Appendix 3 to ANNEX 11**) to eliminate IUU activities was presented at the Joint Meeting of the Compliance Committee and PWG.

5.1.3 Actions

The Working Group referred to the summary document of PWG actions (**Appendix 4 to ANNEX 10**) for its deliberations regarding Cooperating non-Contracting Parties, Entities or Fishing Entities and other non-Contracting Parties, Entities or Fishing Entities. To aid discussions, the Chair also provided a document to the Parties that summarized the results of an informal, small group meeting¹. Certain Parties expressed concern that deliberations of this nature had to be done through an informal session. The Chair stressed that this was not the preferred way of doing business; however, if the PWG was to complete its business, it had little alternative given the nature and progress of the overall Commission meeting. Due to the obvious time constraints, the Chair proposed that all special letters would be drafted by her in consultation with the Secretariat and the Commission Chairman, after the Commission meeting (attached as **Appendix 5 to ANNEX 10**). There was no objection to this proposal.

Based on all available information, the PWG considered that no action was necessary regarding Denmark (in respect of the Faroe Islands), Liberia, Mozambique, or Singapore. The other actions by the Working Group are as follows:

Belize

Questions were raised by the Delegate from Japan concerning one vessel that informed Chinese Taipei authorities of fishing in the Atlantic during 2003. The Observer from Belize commented on the extremely late nature of the allegation and the problem that such lateness made refutation extremely difficult. The Delegate from Trinidad and Tobago agreed (see **Appendix 6 to ANNEX 10**), commenting that any allegations submitted during this meeting would have to be considered at the 2004 meeting of the PWG. The Observer of Belize also referred to several supporting documents¹ submitted during this meeting concerning Belize's fisheries and fleet, including a National Report and updates to its registry. The Delegate from Canada concurred, noting that most of the Contracting Parties would not be able to provide such data from their own vessels if they received the information so late. Further discussion of the Belize registry concerned possible Belize-flagged vessels on lists of repatriated vessels under a Chinese Taipei program¹ (see also **Appendix 3 to ANNEX 11**). Comments made by Belize are contained in **Appendix 7 to ANNEX 10**. Regarding an EC list of vessels that have carried out illegal fishing¹, the Delegate from Belize noted that none of these vessels was currently in the Belize registry.

Further questions were raised by the Delegate of Japan concerning the lack of data submissions from Belize in the past from vessels fishing in the Atlantic. The Observer from Belize noted that an "expiration date" was needed for States trying to improve their registries, referring to arguments contained in its submission on past records of applications for Cooperating Status contained in **Appendix 7 to ANNEX 10**.

The Observer from CARICOM pointed out that (1) by default, the sanctions will expire without presentation of documented evidence of wrongdoing, and (2) a lack of consensus on this issue among the PWG would result in the default action. In addition, several Parties noted that the new *Resolution by ICCAT Concerning Trade Measures* (**ANNEX 6 [Ref. 03-15]**) allowed for an expedited sanction process in egregious situations.

The Delegate from Japan observed that of the three vessels on the IUU list nominally flagged to Belize, none had landed in the Atlantic last year. Brazil, supported by the United States, noted that 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* [Ref. 02-23] required solid evidence of illegal action. After further discussion by the Parties, it was agreed that the sanctions imposed on Belize in the *Recommendation by ICCAT Concerning the Importation of Atlantic Bluefin Tuna, Atlantic Swordfish, and Atlantic Bigeye Tuna and Their Products from Belize* [Ref. 02-16] would be allowed to expire. In the letter to Belize explaining this situation, it was agreed that ICCAT should seek additional information from Belize on its efforts to improve monitoring, control, and surveillance of its fleet. The letter to Belize is attached as **Appendix 5.1 to ANNEX 10**.

Bolivia

The Delegates noted that there was no new information available this year that would lead to the lifting of the sanctions for bigeye tuna under the UU Catches Resolution [Ref 98-18]. Bolivia did correspond with the Commission in 2003 but its letter did not address issues raised by ICCAT after its 2002 meeting. Moreover, several vessels remain on the ICCAT IUU vessel list. The Commission would therefore send a letter informing Bolivia of the continuance of sanctions and expressing the concern regarding its flagged vessels on the ICCAT

IUU list, but also informing of the revocation of the swordfish identification status since there was no recent information of fishing activities relative to this species (attached as **Appendix 5.2 to ANNEX 10**).

Cambodia

The Working Group believed that no change in the current sanction under the UU Catches Resolution [Ref. 98-18] for bigeye tuna was warranted at this time. Cambodia responded to ICCAT's special letter sent after the 2002 Commission meeting but the response was not sufficient to demonstrate that Cambodia has rectified the fishing activities of its vessels. Moreover, several vessels remain on the ICCAT IUU vessel list. The Delegate from Canada noted that Cambodia's response letter¹ asserted a right to fish on the high seas. Believing that a firm response by the Commission was called for, and recalling that the Northwest Atlantic Fisheries Organization (NAFO) had responded to a similar assertion in the past, Canada offered to assist in drafting a letter that clearly stated the rights and responsibilities of fishing the high seas (attached as **Appendix 5.3 to ANNEX 10**).

Costa Rica

The Working Group was reminded that swordfish from Costa Rica had been imported by the EC in 2002. Such imports have been occurring since 1999. To date, Costa Rica has not reported any Atlantic swordfish catch data to ICCAT and has not taken the opportunity to respond to the Commission's special letters. In view of these circumstances, and after considerable discussion, it was decided to identify Costa Rica in accordance with the terms of the Swordfish Action Plan [Ref. 95-13]. The letter to Costa Rica is attached as **Appendix 5.4 to ANNEX 10**.

Cuba

Several Delegations remarked on the high catches of West Atlantic bluefin tuna reported by Cuba, especially for self-described by-catch and in consideration of the proximity to Gulf of Mexico spawning grounds. It was questioned whether these fish were exported (and if so, to which market). The Delegate of the United States noted that the reported catch exceeded that of most Contracting Parties and that this was particularly troubling given the over-exploited nature of the fishery. It was also commented that such harvests had not been reported by Cuba for many years and were not taken into consideration relative to the stock assessment. Given these circumstances, the Delegate of Canada proposed that Cuba be identified under the Bluefin Tuna Action Plan Resolution [Ref. 94-03]. There was general agreement with this proposal.

Several Delegates questioned whether formal identifications would still stand under the new *Resolution by ICCAT Concerning Trade Measures (ANNEX 6 [Ref. 03-15])*, as is the case for sanctions. The Delegate from Canada suggested that these measures allow for expedited action, so the issue was not critical to these deliberations. The Delegate from Japan commented that the identification letter would need to be carefully written since being formally identified also delays the request by Cuba to become a Cooperating Party to ICCAT (attached as **Appendix 5.5 to ANNEX 10**).

Georgia

The Working Group discussed letters sent by Georgia to the Commission¹, noting that Georgian authorities denied having on its registry two of the four vessels contained in the 2002 IUU vessel list. However, the Delegate from Canada and many other Delegates noted the increasing level of Atlantic bigeye tuna harvests although Georgia has no quota, the continuing presence of Georgian-registered vessels on the IUU list, and the generally unsatisfactory nature of Georgia's responses to ICCAT special letters. The PWG agreed to impose sanctions in accordance with the UU Catches Resolution [Ref. 98-18] for bigeye tuna and to seek additional information regarding vessel owners (**ANNEX 5 [Ref. 03-18]**). The letter to Georgia is attached as **Appendix 5.7 to ANNEX 10**.

Grenada

Several Delegates took note of the positive steps taken by Grenada to control its swordfish fishing fleet, especially concerning its artisanal nature. The Parties agreed that no action was warranted, but that the Commission should continue to monitor Grenada's fisheries, especially in reference to North Atlantic albacore.

Indonesia

The Delegate of Japan reported on several bilateral meetings held with Indonesian authorities. Specifically, Indonesia took effective steps to halt all Atlantic tuna fishing activities by its fleet and deleted the registration for all vessels fishing in the Atlantic. Given these positive steps, the PWG recommended lifting the swordfish and bigeye tuna identifications made in accordance with the UU Catches Resolution [Ref. 98-18] at this time. The letter to Indonesia is attached as **Appendix 5.10 to ANNEX 10**.

Israel

The Delegate of Japan reported that Israel had expressed interest in developing a bluefin tuna farming operation in the eastern Mediterranean in cooperation with a Japanese company, but suggested that Israel only be sent a letter requesting additional information at this time. The Delegates from Cyprus and Turkey both commented that the bluefin tuna fishery was an historical fishery for the eastern Mediterranean and that there was a basket "Others" quota for eastern bluefin tuna.

The PWG agreed to send a letter to Israel specifying the relevant bluefin tuna management measures and requesting that it not expand its fishery or develop farming operations at this time as such activities may well have the effect of increasing fishing pressure on an already over-exploited and fully subscribed stock (attached as **Appendix 5.11 to ANNEX 10**).

It was also agreed that the Commission send a letter to Japan formally requesting the Japanese Government to ask Japanese businesses not to encourage further development of a bluefin tuna fishery or farming operations by Israel or other non-members without Cooperating Status (attached as **Appendix 5.21 to ANNEX 10**).

Israel made a statement regarding its desire to become a Contracting Party and that they considered the Commission's request not to expand their fishery to be unreasonable (see **ANNEX 3.4**).

Mauritania

The Delegate of the EC reported that Mauritania had exported 29.2 t of swordfish to the EC in 2002 and that vessels flagged to Mauritania and carrying swordfish and bluefin tuna have attempted to call at EC ports in the recent past. To date, Mauritania has reported no catch data to ICCAT. Based upon this information, the Working Group agreed that the Commission send a letter requesting additional information regarding these activities and information on any other vessels fishing in the ICCAT Convention area (attached as **Appendix 5.12 to ANNEX 10**).

Netherlands Antilles

The Delegate from Japan noted that bigeye tuna landings by Netherlands Antilles were above the 2100 t ceiling recommended by ICCAT in previous management measures. Upon questioning, the Observer from the Netherlands Antilles reported that most of the bigeye tuna catch listed in the landings tables was exported to the EC market but that the landings had stabilized over time. The Observer also stated the intent of Netherlands Antilles to continue to act responsibly regarding its fishery resources. He noted that catches of bigeye tuna by the Netherlands Antilles began before ICCAT adopted conservation measures for bigeye tuna and that later management measures did not take those harvests into account. He expressed concern that management measures for the 2004 fishery would continue to not take into account harvests by the Netherlands Antilles and stressed that this was unfair. In reply, it was stated that Netherlands Antilles had only recently begun to report its catch data and that ICCAT members had been living with restrictions on their fleets for many years.

The Chair noted that the Netherlands Antilles fishing vessels were purse seiners and baitboats targeting bigeye tuna, which were outside the scope of the 1998 UU Catches Resolution and both the Swordfish and Bluefin Action Plans. Due to this, the Parties agreed to send the Netherlands Antilles a letter expressing serious concern regarding their bigeye tuna catches and capacity issues (attached as **Appendix 5.13 to ANNEX 10**; see also Agenda item 5.2.2).

Senegal

The Delegate from the EC reported on swordfish import data from Senegal and possible IUU activities. While noting the potential importance of the information, several delegates expressed concern that this information was

not presented in an appropriate and timely manner and therefore it was difficult to assess. The PWG also took note of a confusing letter from Senegal sent in response to the 2002 ICCAT special letter. The PWG agreed to send a letter seeking clarification of and additional information on Senegal's domestic fleet, current monitoring and control scheme, and export activities (attached as **Appendix 5.14 to ANNEX 10**).

Seychelles

Concerns were raised about one vessel with an apparent double registration¹, the harvest of swordfish reported in Task I information, and the remaining few Seychelles flag vessels operating in the Atlantic and on ICCAT's IUU vessel list. Information was also presented regarding the conclusion of a cooperative management framework between Seychelles and Japan intended to legalize the large-scale tuna longline vessels flagged to Seychelles. In light of this information, the Parties agreed sanctions were not warranted at this time but that identification status should be maintained. The PWG agreed that the Commission should send a letter requesting additional information regarding the possible dual registration, the recorded swordfish harvest, and the presence of Seychelles-registered vessels on the IUU list (attached as **Appendix 5.15 to ANNEX 10**).

Sierra Leone

While the response to the 2002 ICCAT letter did appear to confirm the presence of one vessel fishing in Atlantic, the Working Group concurred that it did not clarify the ability of Sierra Leone to control its vessels. Parties also noted the long history of problems regarding Sierra Leone vessels fishing in the Convention area. The PWG agreed to continue the current sanctions and send a letter to Sierra Leone seeking clarification regarding the vessel that appears to still be operating in the Atlantic. The letter should also seek information on their domestic management scheme, including monitoring and control measures and reiterate as necessary the basis for the Commission's initial trade sanction decision (attached as **Appendix 5.16 to ANNEX 10**).

Sri Lanka

Although no new information regarding fishing in the Convention area by vessels from Sri Lanka was available to the Parties, the Working Group agreed to send a letter from the Commission requesting clarification on the Sri Lankan-flagged vessels on the IUU list (attached as **Appendix 5.17 to ANNEX 10**).

St. Vincent and the Grenadines

The PWG took note of the efforts made by St. Vincent and the Grenadines to control its fleet and implement ICCAT conservation and management measures, including ceasing registration of all high seas fishing vessels and prohibiting vessels from fishing for those Atlantic tuna and tuna-like species for which St. Vincent and the Grenadines has no catch limit. Further, St. Vincent and the Grenadines reported on its new laws and regulations to improve monitoring, control, and surveillance of its fleet. Actions include improving the vessel registration process, implementation of a VMS program, establishment of an observer program, and initiation of a collaborative port inspection scheme. St. Vincent and the Grenadines also noted its interest in considering changes to the composition of its fleet so that it more directly supports internal and regional development goals while ensuring food security. The PWG noted that much of this information was included in St. Vincent and the Grenadines' National Report to ICCAT and other documentation submitted during the meeting.

The Delegate of Japan noted a disparity between the relatively low catch of albacore reported by St. Vincent and the Grenadines and the high level imports of albacore by the United States attributed to St. Vincent and the Grenadines for 2002. The Observer from St. Vincent and the Grenadines commented that it had only been informed recently about these data, was not aware of these exports, and would work closely with the United States to address this issue. The Delegate from the EC suggested that St. Vincent and the Grenadines be identified under the UU Catches Resolution for 344 t of North Atlantic albacore catches since they were taken outside the ICCAT conservation regime. The Observer from St. Vincent and the Grenadines acknowledged that problems had occurred with its monitoring and management, but that the new government in St. Vincent and the Grenadines was committed to addressing the problems.

Several questions were raised by the Parties about the number of large-scale tuna longline vessels flagged to St. Vincent and the Grenadines and currently fishing in the Atlantic. It was also noted that many of these vessels and companies had Asian names, and therefore may be attempts by IUU vessels to re-flag in St. Vincent and the Grenadines. The Delegate of Japan remarked that its scrutiny of the St. Vincent and the Grenadines registry was an attempt to confirm that the new monitoring and control scheme developed by the St. Vincent and the

Grenadines was working, noting additional concern that vessels might use such a “back door” to gain entry into the Atlantic. The Observer from St. Vincent and the Grenadines committed to continue to improve aspects of monitoring, control and surveillance, including catch verification and to eliminate any support of IUU fishing. In support of this commitment, St. Vincent and the Grenadines agreed to work with Japan, the United States and Chinese Taipei to address remaining harvest and vessel issues. Statements by St. Vincent and the Grenadines appear in **Appendix 8 to ANNEX 10**.

Based on these discussions, the Working Group agreed to allow the provisions in the *Recommendation By ICCAT Concerning the Trade Sanction Against St. Vincent and the Grenadines* [Ref. 02-20] to take effect (i.e., lifting of sanctions). The Working Group also agreed that a letter be sent from the Commission to St. Vincent and the Grenadines requesting additional information on their vessels on the IUU list and the confirmation of reported albacore harvests (attached as **Appendix 5.18 to ANNEX 10**).

Thailand

The Parties engaged in discussions regarding the trade and sighting information concerning the vessel “Green Bay No. II” in 2001, 2002 and 2003, and the subsequent denial by Thailand that this vessel is on its registry. The PWG agreed to send another letter from the Commission requesting clarification of the vessel registration (attached as **Appendix 5.19 to ANNEX 10**), and attaching all available documentary evidence¹.

Togo

The Delegate from the EC reminded the Parties that swordfish from Togo had been imported in recent years, although the ocean of origin remained unclear. He also noted that vessels flagged to Togo and carrying swordfish have attempted to call at EC ports in the past. To date, Togo has reported no Atlantic swordfish catch data to ICCAT; thus, any harvests of this stock by vessels flagged to Togo are taking place outside the ICCAT management regime. It was also noted that no response had been received from Togo regarding the Commission’s letter sent following the 2002 meeting. The Working Group agreed to identify Togo under the Swordfish Action Plan and to seek additional information from Togo regarding its swordfish harvest. The letter to Togo is attached as **Appendix 5.20 to ANNEX 10**.

Summary

After completing a case-by-case review of compliance by non-Contracting Parties, Entities or Fishing Entities, the Working Group agreed to forward the “Summary Table of Information for 2003 PWG Actions” to the Plenary for adoption (attached as **Appendix 4 to ANNEX 10**).

5.2 Requests for Cooperating Status

5.2.1 Criteria for attaining the status of Cooperating non-Contracting Party, Entity or Fishing Entity

The Delegate of the EC commented that this meeting of the PWG was unusual in that the Executive Secretaries of both the Indian Ocean Tuna Commission (IOTC) and the Inter-American Tropical Tuna Commission (IATTC) were present, and that ICCAT might take this opportunity to build closer ties between relevant tuna commissions given their common problems. The Delegate then introduced a proposal concerning attaining the status of Cooperating Non-Contracting Party, Entity or Fishing Entity.

The Delegate of the EC expressed the intent that this proposal would improve the current evaluation process by explicitly stating the multiple requirements for receiving Cooperating Party status. Of particular concern was the need for timely and accurate data submission to the Commission. The Delegate observed that this proposal was very similar to that recently approved by the IATTC.

The Delegate from Japan noted the similarity that the new provisions in the EC proposal shared with the IOTC and the IATTC instruments regarding Cooperating Party status, and stressed that ICCAT should seek to have a consistent approach with other tuna RFMOs. The Delegate from Canada agreed with the standardization process and noted that the cooperation between RFMOs was consistent with the responsibilities designated under the United Nations Fish Stocks Agreement.

The Delegate of China strongly supported the proposal, especially regarding the consideration of the behavior of the applicants in other fora, but questioned the need stated in this proposal for the catch history of the applicant.

Specifically, what would occur if a coastal State applicant had no catch history? The Delegate of the EC replied that the only time that this provision would apply would be if the applicant did have such a catch history. The Delegate of China also voiced his concern with the proposal being in the form of a recommendation, rather than a resolution, to which the EC responded that it believed that the measure needed to be binding.

The Delegate from Canada approvingly noted that this would ensure a more transparent process. However, she noted that the wording in the text regarding the past behavior of the applicant was ambiguous and suggested a compromise that a specific time period, perhaps of ten years, might be used instead.

The Delegate of the United States also supported the general idea of this proposal, but shared the concerns of Canada regarding the vagueness of some of the language. She questioned whether operative paragraph 5 concerned the behavior of the applicant or of the actions by other RFMOs toward the applicant, which may be based on unsubstantiated allegations. The Delegate of the EC clarified that the provision in question concerned the behavior of the applicant, not other RFMOs. The Delegate from Japan helpfully suggested that good faith actions by the applicant in other RFMOs would be a positive factor in the Cooperating Party determination but that ICCAT should not be limited in considering only those actions taken by other RFMOs.

The Observer of Chinese Taipei reported that Chinese Taipei cooperated with all other applicable RFMOs, with the exception of the IOTC, noting that this organization has never acted upon their repeated applications for Cooperating Party Status. He noted Chinese Taipei's reservation on the idea of taking into consideration actions and information from other oceans or relative to non-ICCAT species when considering the Cooperating Status question.

The Observer from Belize noted that it invites such comparison with its behavior in other RFMOs and emphatically agreed with the Delegates of Canada and the United States that there needed to be a statute of limitations on the question of past actions. He commented that activities in the Atlantic, however, should take priority in ICCAT's deliberations. He stated that there should not be multiple standards within ICCAT, but that the same data provision and other requirements should apply equally for new applicants, continuing applicants, and current Cooperating non-Contracting Parties, Entities or Fishing Entities.

The Delegate from Morocco commented that some of these provisions appeared discriminatory towards new applicants with either no catch history or no documented historical catch. The Delegate of the EC replied again that this requirement did not apply to applicants without a catch history, noting that despite these requirements, the case of each applicant is unique and that the Commission would still need to weigh these various considerations. He stressed that the lack of an historical fishery would not preclude a party from receiving Cooperating Status. The Delegate of Canada added that the IATTC addresses this catch data issue as a request, rather than as a strict requirement for Cooperating non-Contracting Party, Entity or Fishing Entity status.

The Working Group also discussed whether the provisions contained in this proposal should apply to the current applicants for Cooperating Party status. The Delegate of the EC expressed the belief that ICCAT should suspend action on Cooperating Status issues this year so that applicants can be assured of having a clear understanding of their new responsibilities and the Commission can get all the necessary information to make an informed decision. There was no agreement on this point among the Parties.

After a few revisions, the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating non-Contracting Party, Entity or Fishing Entity in ICCAT* (see ANNEX 5 [Ref. 03-20]) was approved by the PWG and forwarded to the Commission for final adoption.

5.2.2 Requests for consideration

A representative from the Secretariat introduced the document "Update on Cooperating Party Requests" (**Appendix 9 to ANNEX 10**), which informed the Working Group on current Cooperating non-Contracting Parties, Entities and Fishing Entities and responses to letters sent to those Parties, Entities or Fishing Entities believed to be fishing in the ICCAT Convention area. Applications in 2003 were received from Belize, Cuba, Egypt, Guatemala, Guyana and Netherlands Antilles.

With minimal debate, the PWG agreed that Cooperating Status for Chinese Taipei and the Philippines should be renewed. A statement by Chinese Taipei appears in **Appendix 10 to ANNEX 10**. The PWG also proposed to grant this status to Guyana. In making this decision, the PWG noted that Guyana chose to work with the Commission and seek Cooperating Status before considering development of fisheries for heavily exploited tuna

and swordfish stocks in the Convention area. Further, Guyana's status as a developing State, its efforts to report relevant catch data to ICCAT, and its ongoing initiative to improve such statistical reporting were recognized. The PWG did note that it would like to receive additional information from Guyana with respect to its catch and effort data, including for sharks, as well as additional details on the composition of Guyana's fleet, its process of vessel registration, its plans for fishery expansion, and its monitoring, control, and surveillance regime. It was agreed that this information would be requested in the letter conferring Cooperating Status.

Several Delegates noted that the letters from Egypt and Guatemala requesting Cooperating Status were not very detailed and did not indicate that these governments had a full understanding of this matter. Moreover, the Parties wanted to ensure that the Commission had all the necessary information to make an informed decision. Therefore, the PWG recommended that Cooperating Status decisions be deferred relative to these two countries. Letters explaining this situation should be sent with a request that the countries confirm their continued interest in receiving Cooperating Status and addressing directly the information requirements contained in the new Cooperating Status Recommendation. The PWG agreed to return to this matter at the 2004 meeting of the Working Group.

With regard to Belize and Cuba, the PWG determined that it was premature to take a decision on this matter for these two countries and deferred the issue for consideration at the 2004 ICCAT meeting. At that time, the trade restrictive measures on Belize will have been lifted for almost one year and the Commission will be in a better position to assess the effectiveness of Belize's efforts to monitoring and control its fleet. In addition, Cuba will have had an opportunity to respond to ICCAT's letter of identification under the Bluefin Tuna Action Plan thereby providing the Commission with the necessary information to make an informed decision with regard to Cooperating Status. The PWG agreed that letters should be sent to both countries regarding this matter.

There was disagreement among the Parties on granting Cooperating Status to Netherlands Antilles, despite statements from the Observer of the Netherlands Antilles that his country would not increase harvests or fishing effort (see **Appendix 11 to ANNEX 10**). The Observer also noted that his country had a history of responsibility regarding its fishery resources, and its interests as a coastal developing State. However, no consensus was reached on this issue within the PWG, and therefore Cooperating Status was not conferred. A letter will be sent to Netherlands Antilles regarding this matter.

The Chair noted that there was no time during the ICCAT meeting to draft and agree to the special letters and suggested that she be authorized to draft the letters, in consultation with the Secretariat and the Commission Chairman, on behalf of the Commission once final decisions on the proposed actions were taken by the Commission. As was the case last year, the Secretariat would be charged with drafting the letter extending the Cooperating Status of Chinese Taipei and the Philippines. The PWG concurred with this proposal.

6. Repercussions of international fishery agreements on the work of the PWG

There were no issues discussed under this Agenda item.

7. Election of Chair

The Delegate from Japan nominated Ms. Kimberly Blankenbeker (United States) for another two-year term as PWG Chair. The nomination was seconded by many delegations, which wished her well in her continuing service to the Commission.

8. Date of next meeting of the PWG

The PWG agreed to meet at the same time and place as the next Commission meeting (i.e., in November 2004), in New Orleans, Louisiana (United States).

9. Other matters

There were no matters discussed under this Agenda item.

10. Adoption of Report and adjournment

Given the substantial number of documents generated by the PWG, and the work by the Commission Chairman to shorten the length of the meeting, the Chair proposed that the PWG report be adopted by mail, and this was agreed to by the Parties.

The Chair thanked the members of the Working Group for their patience and hard work. She also expressed appreciation for the untiring and professional efforts of the rapporteur, interpreters, and Secretariat staff.

The 2003 meeting of the PWG was adjourned on Monday, 24 November 2003.

The Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures was adopted by correspondence.

Appendix 1 to ANNEX 10

Agenda

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. Status of Implementation of Statistical Document Programs
5. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of needed actions
 - 5.1 Bluefin Tuna and Swordfish Action Plans, and 1998 Resolution Concerning Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area
 - 5.1.1 Responses to Commission letters
 - 5.1.2 Catch and trade information, vessel sighting reports, other information (including development of the 2003 IUU list)
 - 5.1.3 Actions
 - 5.2 Requests for Cooperating Status
 - 5.2.1 Criteria for attaining status of Cooperating non-Contracting Party, Entity or Fishing Entity
 - 5.2.2 Requests for consideration
6. Repercussions of international fishery agreements on the work of the PWG
7. Election of Chair
8. Date of the next meeting of the PWG
9. Other matters
10. Adoption of the report and adjournment

Note: Agenda items 5-10 should follow the Joint Meeting of the Compliance Committee and PWG discuss

Summary of Historical Actions Taken by the Commission

The attached table contains a summary of historical actions taken by the ICCAT Commission as regards the Bluefin Tuna [Ref. 94-3] and Swordfish [Ref. 95-13] Action Plans, and the 1998 UU Catches Resolution [Ref. 98-18]. This table was first presented at the 2002 Commission Meeting (Appendix 8 to Annex 11 of the 2002 Commission Proceedings). During the 2002 Meeting of the PWG, it was generally agreed that this summary table was useful to the Commission's deliberations and should be revised each year.

Summary Table of Historical Actions Taken by the Commission Concerning the Bluefin Tuna and Swordfish Action Plans, and the 1998 UU Catches Resolution***

Fleet	Instrument*,**			Date of Commission decision			Initial concerns	Recent information (2002 and previous)	2002 action
	B	S	U	Identify	Initial sanction	Lift sanction			
Contracting Parties, Entities or Fishing Entities									
Barbados							-Large fleet fishing for swordfish and tunas since before 1993 -Allows foreign vessels to transship in its ports	-New member in 2001 -In 2001, Barbados outlined details of its fleets, management and catches since 1996 -No evidence to warrant taking action in 2001 or 2002	New discussions not warranted
Equatorial Guinea**	s		s	1999 U	1999 B 2000 U		-Record of export, catch not reported -No catch limit -IUU vessels registered	-Initial concerns still apply -Representative at 2002 meeting	Continue sanctions subject to revision at 2003 meeting
Guinea Conakry			i	1999 U			-Record of export, catch not reported -IUU vessels registered	-Appeared to have ceased bluefin activities in 1999 -In 2000 review, no record of catch or IUU	No new information, not discussed
Honduras	1	1	1	1995 B 1998 S 1999 U	1996 B 1999 S 2000 U	2001 B 2001 S 2002 U	-In 1995, a large number of vessels fishing for ICCAT species in the Convention area	-In 2001, no record of harvest of bluefin and swordfish -Honduras suspended 41 vessels	Sanctions lifted for 2000 bigeye sanction decision Closely monitor

Fleet	Instrument*,**			Date of Commission decision			Initial concerns	Recent information (2002 and previous)	2002 action
	B	S	U	Identify	Initial sanction	Lift sanction			
							<ul style="list-style-type: none"> -Found to have been fishing for swordfish in the Convention area -Monitoring and control capability not apparent -No catches being reported -Vessels on IUU list and catches of bigeye high -Export continued, 7 FOC remained 	<ul style="list-style-type: none"> -Contracting for VMS for remaining vessels -New member in 2001 -Reviewed activity in 2002 in Compliance Committee 	
Iceland	x	x					<ul style="list-style-type: none"> -Iceland fishing for bluefin in their EEZ in 1999-2001 	<ul style="list-style-type: none"> -Report data and have high observer coverage -No evidence to warrant taking further action in 2001 or 2002 -Encouraged to make continued progress to comply with ICCAT measures -New member in 2002 	New discussions not warranted
Panama	l		i	1995 B 1998 S 2001 U 2002 U	1996 B	1999 B	<ul style="list-style-type: none"> -Record of catch and export; catch not reported -Fishing vessel witnessed in Mediterranean during closed season -No monitoring controls in place -No response to Commission's request 	<ul style="list-style-type: none"> -In 1999, joined ICCAT, removal of FOC, submitted data, fishing reduced -In 2001, bigeye export increased, catch and landing reported -IUU vessels registered 	Maintain identification status (UU)
Trinidad & Tobago			i	1999 U			<ul style="list-style-type: none"> -IUU vessels registered 	<ul style="list-style-type: none"> -In subsequent reviews, no action warranted, no IUU fishing activities 	New discussions not warranted
Vanuatu		i	iBET	2000 S 2001 U 2002 U			<ul style="list-style-type: none"> -In 1998, at least 1 vessel fishing for swordfish, with no data reported, partial response -In 1999, letter of warning about additional fishing activities, no response -In 2000, identified based 	<ul style="list-style-type: none"> -In 2001, no evidence of continued swordfish fishing -Vanuatu attended 2002 ICCAT meeting and reported on steps being taken to monitor and control its fleet 	<ul style="list-style-type: none"> -Maintain first identification status under UU for BET

Fleet	Instrument*,**			Date of Commission decision			Initial concerns	Recent information (2002 and previous)	2002 action
	B	S	U	Identify	Initial sanction	Lift sanction			
							on evidence of continued swordfish fishing and no reporting -In 2001, increased harvests of bigeye -In 2001 and 2002, presence of several vessels on IUU lists	-Several vessels still on IUU list; need to see progress demonstrated on implementation of measures -New member after 2002 meeting	
Cooperating Parties, Entities or Fishing Entities									
Chinese Taipei								-IUU business networks discussed in 2001	Cooperating Status continued through 2003 New discussions not warranted
Philippines	i		i	1999 B 1999 U			-Trade data indicate bluefin tuna fishing; no catches reported -IUU vessels registered	-In 2001, taking action to delete IUU vessels -No action warranted	Cooperating Status continued through 2003 New discussions not warranted
Non-Contracting Parties, Entities or Fishing Entities									
Argentina		m					-In 2000, import information of unreported swordfish catches possibly in the Atlantic	-In 2001 and 2002, no evidence to warrant taking further action	No action warranted
Belize	s	s	s	1995 B 1998 S 1999 U	1996 B 1999 S 2000 U		-In 1995, a large number of vessels fishing for ICCAT species in the Convention area -Vessels sighted during closed season in Mediterranean -Import data indicated harvests of bluefin and swordfish; catch not reported -Long history of IUU activities in the ICCAT Convention area	-Attending ICCAT meetings as Observer -Have made some effort to control its fleet and reported on these at 2001 and 2002 ICCAT meetings -Efforts still in preliminary stages -Concern that lifting sanctions would result in IUU vessels returning to Belize	-Delay lifting of all sanctions until Jan 2004; review decision in 2003 -Consider request for Cooperating Status in 2003.
Bolivia		i	sBET	2001 U 2002 S	2002 U		-No efforts to monitor, control and report	-Increasing landings of bigeye	-Sanction (UU for BET) -Identify (SWO)

Fleet	Instrument*,**			Date of Commission decision			Initial concerns	Recent information (2002 and previous)	2002 action
	B	S	U	Identify	Initial sanction	Lift sanction			
							-Trade data showed 800 t bigeye in 2001 -Vessels on 2001 IUU list	-IUU vessels on list -transshipment activities in EC port	
Cambodia			sBET	1999 U	2000 U		-Record of export in Convention area; catch not reported -Vessels on IUU list -No response to 1999 letter	-2001 import data shows harvests of bigeye -Vessels still on IUU list	Continue BET sanctions
Costa Rica		x					-EC swordfish import data; ocean unclear (2002)		-Letter seeking clarification on origin of catches -Notify of ICCAT's Action Plan process -Urge to cooperate
Denmark (Faeroes)	x						-Trade data indicated increasing trend in fishing for bluefin both in EEZ and on high seas (E&W) -Faeroes have reported catches since 1998	-Attend ICCAT meetings as Observer -No catches of bluefin in 2002	-No action warranted
Georgia			iBET	2002 U			-225t bigeye catches in 2002; catch not reported -Vessels on IUU list		-Identify (UU for BET)
Grenada		m					-Multi-species fishery catches swordfish, not reported -Fishery showed increasing trend	-Expressed intention to limit swordfish catches -Limited information in 2002 does not warrant action	-Monitor, as appropriate (SWO)
Guinea Bissau	x						-In 1998, noted trade data for Mediterranean bluefin for first time; catch not reported	-In 1999, exports halted and no further action -No evidence of fishing in 2001 or 2002, will monitor activities	No action warranted
Indonesia			iBET iSWO	2001 U 2002 U			-No response to 2000 letter -Export data shows harvests of bigeye; no catches reported -Vessels on IUU list	-Attended the 2002 ICCAT meeting as an Observer -Reported on efforts on fleet control -Efforts in early stages and more progress is needed	-Maintain first identification status under UU for BET -Identify under UU for SWO -Seek information on disposition of de-registered

Fleet	Instrument*,**			Date of Commission decision			Initial concerns	Recent information (2002 and previous)	2002 action
	B	S	U	Identify	Initial sanction	Lift sanction			
									vessels
Kenya			x	1999 U			-In 1999, trade data indicated fishing; catch not reported -In 1999, IUU vessels registered	-In 2000-2002, no evidence indicating fishing; no sanctions imposed	-No action warranted
Liberia		x	m				-In 2000, import information of unreported swordfish catches possibly in the Atlantic -In 2001, catches of bigeye noted for the first time	-In 2001, no evidence to warrant taking further action -Activities should be monitored	-Monitor, as necessary
Malta	x						-Increasing trend in bluefin catches	-In 2001, taking steps to address concerns and intend to seek Cooperating status -Harvest levels have been decreasing since 1999 -Encouraged to make continued progress to comply with ICCAT measures	-No action warranted
Mauritania		m					-In 2002, transshipment activity in EC port		-No action warranted -Monitor as necessary
Mozambique		m					-In 2000, import information of unreported swordfish catches possibly in the Atlantic	-In 2001, responded to ICCAT that products were caught by vessels licensed to fish in own EEZ (Indian Ocean) -In 2002, EC swordfish import data; ocean unclear	-No action warranted -Monitor as necessary
Netherlands Antilles		x					-Since 1994 there have been reported catches of swordfish	-Observer at 2002 meeting -No action needed	-Will review Cooperating Status application in 2003
Norway	x						-In 1999, 4 t of bluefin	-No catch of bluefin in 2001 or 2002 -Response to 2000 letter and no evidence of continued fishing	-No action warranted

Fleet	Instrument*,**			Date of Commission decision			Initial concerns	Recent information (2002 and previous)	2002 action
	B	S	U	Identify	Initial sanction	Lift sanction			
								-Encouraged to make continued progress to comply with ICCAT measures	
Senegal		x					-EC swordfish import data; ocean uncertain		-Letter seeking clarification on origin of catches -Notify of ICCAT's Action Plan process -Urge cooperation
Seychelles			iBET	2002 U			-In 2001 and 2002, trade data indicated increasing bigeye harvests; no catch reported -Vessels on IUU list		-Identify for BET (UU)
Sierra Leone			sBET sSWO sBFT	2001 B 2001 S 1999 U 2001 U	2002 U		-In 2002, import data that 249 t of western bluefin harvested in 2001, 11 t of swordfish, and 152 t of bigeye -In 1999, 2001 IUU vessels registered	-Long history of fishing outside ICCAT conservation regime and previously identified -Lack of monitoring control and reporting measures -Continued fishing -Lack of responses or adequate responses to ICCAT communications	-Sanction (UU for BET, BFT, SWO)
Singapore	x	x	x	1999 B 1999 U			-1999 letter of enquiry sent about a vessel fishing in the Atlantic	- In 2000, responses denied any licenses issued for Atlantic, and no evidence of continued fishing; no action taken -In 2002, EC swordfish import data; ocean unclear	-Request information to clarify location of catches -Notify of ICCAT's Action Plan process -Urge to cooperate with ICCAT if catches in Convention area
St. Vincent & Grenadines			sBET	1999 U	2000 U	2004? U	-Fleet of 25 longline vessels fishing in the ICCAT area -Small catches reported by	-In 2001, Observer from St. Vincent and the Grenadines presented information on a remedial	-Extend sanctions through Jan 2004 for BET (UU) -Request clarification on albacore catches

Fleet	Instrument*,**			Date of Commission decision			Initial concerns	Recent information (2002 and previous)	2002 action
	B	S	U	Identify	Initial sanction	Lift sanction			
							SCRS are not consistent with Japan trade data -Vessels on IUU list	action plan -PWG could not support immediate lifting of sanctions until further evidence of implementation of monitoring and control measures	
Thailand			x				-EC port inspection information concerning the Greenbay II -Trade data indicated harvests of bigeye, bluefin and swordfish; catch not reported		-Warning letter BFT/BET/SWO catches -Mention vessel (Greenbay) issue
Togo		x					-In 2001, information that Togo catches turned away from EC ports	-EC swordfish import data; ocean unclear	-Request information to clarify location of catches -Notify of ICCAT's Action Plan process -Urge to cooperate with ICCAT if catches in Convention area
Turkey	x						-Increasing trend in bluefin catches	-In 2001, Observer from Turkey indicated a significant reduction of purse seine fleet and catches; catch and trade data appeared to support this	-No action warranted

* B=Bluefin Tuna Action Plan [Ref.94-3]; S=Swordfish Action Plan [Ref. 95-13]; U=Unreported and Unregulated catches Resolution [Ref. 98-18]; e=encourage; i=identify; l=lift sanctions; m=monitor; s=sanction; x=discussed.

** Equatorial Guinea was sanctioned under the 1996 Compliance Agreement [Ref. 96-14], for bluefin tuna fishing with no quota.

*** As of 30 October 2003.

List of Large-scale Longline Vessels Believed to be Engaged in Illegal, Unreported and Unregulated Fishing Activities in the Convention Area and Other Areas (approved by the Commission in 2003)¹

No.	Flag	Previous Flag	Name of Vessel	Chinese name	Owners Name	Owners Address	Area	Source	Notes
1	BELIZE	SINGAPORE	MENG FA 368	明發368			IN	CT	8, 12
2	BELIZE	JAPAN	DER HORNG 569 (MITO MARU 82)		DER WEI FISHERY Co. LTD (CHIN FU FISHERY CO. LTD. S.A.)		PA	CT	8, 2, 12
3	BELIZE		TAI HUI (FORMER JUI JHI 101)				IN	J	8, 12
4	BOLIVIA		CARLITA		LIRGOLD INTERNATIONAL		AT	J	
5	BOLIVIA		HSIANG FA 888		KWO JENG MARINE SERVICES			J	2
6	BOLIVIA		MIRENTXU		MIRENTXU FIXHING CO S.A. PANAMA	URUGUAY	AT	J	
7	BOLIVIA	HONDURAS	YING CHIN HSIANG 66	盈昌祥66	YING CHIN HSIANG FISHERY/YING TSI SHANG FISHERY	CHI. TAIPEI/HONDURAS	IN,PA	J, CT	5
8	BOLIVIA	E.GUINEA	FUH LONG (JIN CHEN HORNG)	富隆(金成漢)		CHI. TAIPEI	IN	CT	
9	CAMBODIA		BENNY 87		TUNA KING MARINE S.A.	BELIZE	AT	J, CT	
10	CAMBODIA		CANETA 1		CANETA S.R.L.	ARGENTINA	AT,IN	J	
11	CAMBODIA		FU YUAN 668		FU YUAN FISHING OVERSEA			J	2
12	CAMBODIA		GUO JI 908		LUBMAIN SHIPPING SERVICE	MALAYSIA	AT,IN	J	
13	CAMBODIA		KASMINA 1		STOVER TRADING	BRITISH VIRGIN IS.	IN,PA	J	
14	CAMBODIA		MENG FA 316		MENG FA FISHERY	CHI. TAIPEI		J	2
15	CAMBODIA		SOFIA 6		CINGOMAR FISHING COMPANY			CT	2
16	CAMBODIA		BENNY 78		TUNA KING MARINE S.A.	BELIZE	AT	J, CT	
17	E.GUINEA/ ST.VINCENT		HSIANG PAO 601	祥寶601	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	CT, US	
18	GEORGIA		SANTA		SHINE YEAR MARITIME S.A.	SINGAPORE	AT	J	
19	GEORGIA		SHANG DAR		SHANG DAR FISHERY INC.	SINGAPORE	PA	J	
20	GEORGIA		LUCKY STAR 1					J	
21	GEORGIA		LUCKY STAR 2					J	
22	PANAMA		APOLO 202		MARSHALL MARINE	PANAMA	IN	J	
23	PANAMA		HSIANG FA	祥發	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	
24	PANAMA		KOPAS 88		CARYFORT SOCIEDAD ANONIMA		AT	J	7
25	SEYCHELLES		CARINA		LEEWARD FISHING LIMITED	SEYCHELLES	AT	J	9, 7
26	SEYCHELLES		SEA GRAND		SEAGRAND MARINE	SEYCHELLES	IN	J	9, 8
27	SEYCHELLES		SEA WISE		SEA WISE MARINE FISHERY	SEYCHELLES	AT,IN	J	9, 8
28	SIERRA LEONE		BEST OF SL		LUCKY FISHERY	SIERRA LEONE	AT	J	
29	SRI LANKA		LANKA STAR 21		KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	
30	SRI LANKA		SHENG PAO 5	勝寶5			PA	CT	
31	ST.VINCENT		HSIANG PAO 101	祥寶101	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	10

No.	Flag	Previous Flag	Name of Vessel	Chinese name	Owners Name	Owners Address	Area	Source	Notes
32	ST.VINCENT		HSIANG PAO 102	新豐102	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	10
33	ST.VINCENT		MIRANDA		CLIPPER	SOUTH AFRICA	AT,PA	J	10
34	ST.VINCENT		WEN SHUN 621		CONTINENTAL HANDLERS		AT	US	10
35	ST.VINCENT		WEN SHUN 622		CONTINENTAL HANDLERS		AT	US	10
36	ST.VINCENT		WEN SHUN 626		CONTINENTAL HANDLERS		AT	US	10
37	ST.VINCENT		TUNAMAR 112				AT	J	10
38		BELIZE/E. GUINEA	JEFFERY 618	傑佛利618			IN	CT	8
39		BELIZE/ST.VINCENT	MING SHUN 3	明順3	MING SHUN FISHERY	CHI.TAIPEI/BELIZE	IN,PA	J, CT	8
40			SHINN MAN 666	德源666			PA	CT	8
41		BELIZE	SOUTH STAR		GRAND FOREST MARITIME S.A.	PANAMA	PA	J	8
42		E.GUINEA	BITACORA		HO YUAN FISHERY S.A.	E.GUINEA	AT	J	
43		E.GUINEA	CHEN CHIEH 725	振德725				CT	
44		E.GUINEA	CHEN CHIEH 726	振德726			AT, IN	CT	
45		E.GUINEA	CHEN CHIEH 736	振德736	CHEN CHIN CHENG FISHERY CO.LTD.S.A.	E.GUINEA	AT	J, CT	
46		E.GUINEA	CHEN CHIEH 8	振德8			IN	CT	
47		E.GUINEA/ HONDURAS	CHI FUW 16	啟福16	PESQUERA CHI FUW	GUINEA	IN	J, CT	5
48		E.GUINEA	CHIA YING 6	嘉盈6	PESQUERA HAPPY SUN S.A.	E.GUINEA	AT, IN	J, CT	
49		E.GUINEA	CHIN CHANG WEN		LIU WAN TIAN	SINGAPORE	AT	J	
50		E.GUINEA	CHIN CHIH HORNG	金吉鴻	CHIN FU FISHERY	SINGAPORE	AT	J	
51		E.GUINEA	CHIN HENG HORNG		CHIN FU FISHERY	SINGAPORE	AT	J	
52		E.GUIN/BELIZE	CHIN I WEN	金德德	LIU WAN TIAN/CHIN HSIANG MING FISHERY	BELIZE	AT	J, CT	
53		E.GUINEA	CHIN MAN		CHIN MAN FISHERY	PANAMA	IN	J	
54		E.GUIN/ BELIZE	CHIN YOU MING	金友明	CHIN FU FISHERY CO.LTD.S.A.	SINGAPORE	AT	J, CT	
55		E.GUINEA	CHIN YUAN WEN		CHIN I WEN FISHERY	SINGAPORE	AT	J	
56		E.GUINEA	CHO YU 68	長長68			AT	CT	
57		E.GUINEA	HSIANG JANG 66	新豐66			AT	CT	
58		E.GUINEA	HSIN I CHANG 326	信宜昌326	FORTUNA FISHERY		AT,MED	J	5
59		E.GUINEA	HUNG YU 606	鴻達606	HUNG YU FISHERY CO.LTD.		IN	J, CT	
60		E.GUINEA	JIYH HORNG	錦鴻			AT	CT	
61		E.GUINEA	JIYH HORNG 116	錦鴻116	JIYH HORNG OCEAN ENTERPRISE/PESQUERA JIIN YEONG FISHERY	HONDURAS/E. GUINEA	AT,IN	J, CT	
62		E.GUINEA	KAE SHYUAN		CHIN MAN FISHERY CO.LTD.	E.GUINEA	AT	J	
63		E.GUINEA	KUANG HORNG	光鴻	CHUEN SUNG FISHERY	E.GUINEA	AT,IN,MED	J, CT	
64		E.GUINEA	LUNG SOON 662	隆豐662			IN	CT	
65		E.GUINEA	LUNG SOON 886		SLONG SOON FISHERY	CHI. TAIPEI	PA	J	
66		E.GUINEA	LUNG THENG	龍勝	CHIN FU FISHERY	SINGAPORE	AT	J	
67		E.GUINEA	SHENG YANG		CHIN FU FISHERY CO.LTD.S.A.	SINGAPORE	AT	J	

No.	Flag	Previous Flag	Name of Vessel	Chinese name	Owners Name	Owners Address	Area	Source	Notes
68		E.GUINEA	SHING YANG	祥洋	CHIN FU FISHERY	SINGAPORE	AT	J	
69		E.GUINEA	SHUN CHAO		CHIN FU FISHERY CO	SINGAPORE	AT	J	
70		E.GUINEA	SHUN HE		PESQUERA SHUN HE	U.S.A	AT	J	
71		E.GUINEA	SHUN KUO	順國	CHIN FU FISHERY	SINGAPORE	AT	J	
72		E.GUINEA	SUN RISE 313	昇日313	SINGPORE CORP.	E.GUINEA	AT, IN	J	
73		E.GUINEA	TARIFA 5		OFFSHORE RESOURCES S.A.	E.GUINEA	AT	J	
74		E.GUINEA	VIKING 1		VIKING FISHERY S.A.	E.GUINEA	AT, PA	J, CT	
75		E.GUINEA	WEN CHENG 202	文成202			AT	CT	
76		E.GUIN/HONDURAS	YI HSIN 101	益新101	YI FA FISHERY S.DE R.L.	E.GUINEA/CHI.TAIPEI	AT,IN	J, CT	5
77		E.GUINEA	YU CHAN HSIANG 3		PESQUERA YU CHAN HSIANG/YU CHAN HSIANG	PANAMA	IN	J	
78		E.GUINEA	ZHONG I 73	中興73			PA	CT	
79		E.GUINEA		金泉號18				CT	
80		SEYCHELLES	FULL MEANS 1		FULL MEANS FISHERY			J	9, 2
81		SEYCHELLES	FULL MEANS 2		FULL MEANS FISHERY			J	9, 2
82			BOBBY 3				IN	J	
83		BELIZE	CITI 8				PA	J	
84			HSANG JANG 102		CONTINENTAL HANDLERS		AT	US	
85			HSANG JANG 202		CONTINENTAL HANDLERS		AT	US	
86			JEFFREY 137	傑佛利137			AT	CT	
87			JEFFREY 166	傑佛利166				CT	
88			JEFFREY 28	傑佛利28			AT, IN	J	
89			KAO FENG 3	高豐3				CT	
90			MENG WIN FAR 168	盟穩遠168			IN	CT	
91			NAM SUN 27	南長27			AT	CT	
92		VANUATU	SUNRISE 1	昇日1	SUN RISE FISHERIES	VANUATU	AT	J	11
93			ALAM INDAH		PT.NUSAERLIN TIMUR	SINGAPORE	AT,IN,PA	J	6
94		JAPAN	ALLAMAHADA					CT	2
95		BELIZE	ANDREW 708		SEVEN SEAS MARINE S.A.	SINGAPORE	AT, IN	J	
96			ARU 02		P.T.PROVISIT	INDONESIA	AT	J	6
97		BELIZE	BENNY 168		SEVEN SEAS MARINE S.A.	SINGAPORE	AT	J	4
98		BELIZE	BENNY 636		TUNA KING MARINE S.A.	BELIZE	AT	J	
99			BERITANIA		P.T. PELAYARAN BHARUNA SAMUDERA PERSADA	INDONESIA	AT	J	6
100			BERLINETA		PT.INDOTAMA AYU SEGARA	INDONESIA	AT	J	6
101			BHASKARA 1		PT.CAHAYA FISHERIES ABADI	INDONESIA	AT	J	6
102			BHASKARA 10		PT. CAHAYA FISHERIES ABADI	INDONESIA	PA	J	6
103			BHASKARA 2		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN,PA	J	6
104			BHASKARA 3		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	6

No.	Flag	Previous Flag	Name of Vessel	Chinese name	Owners Name	Owners Address	Area	Source	Notes
105			BHASKARA 5		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	6
106			BHASKARA 6		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	6
107			BHASKARA 7		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	6
108			BHASKARA 8		PT. CAHAYA FISHERIED ABADI	INDONESIA	AT	J	6
109			BHASKARA 9		PT. CAHAYA FISHERIES ABADI	INDONESIA	PA	J	6
110			BHINEKA		P.T. PELAYARAN BHARUNA SAMUDERA PERSADA	INDONESIA	AT,IN	J	6
111			BINTANG SEMESTA		PT. FAJARCAKRAWALA SUMBINDO	INDONESIA	IN	J	6
112			BONERATE 1		PT.BONERATE CIPTA UTAMA	INDONESIA	PA	J	6
113			BONERATE 3		PT.BONERATE CIPTA UTAMA	INDONESIA	AT	J	6
114			CALVIN 1		PT. FAJAR CAKRAWALA SUMINDO	INDONESIA	IN	J	6
115		HONDURAS	CHANG SHENG 1	昌盛1	CHANG SHENG FISHERY CO.LTD.	CHI. TAIPEI	IN	J, CT	5
116		E.GUINEA	CHANG YOW 212	昌耀212	CHANG YOW FISHERY/CONTINENTAL HANDLERS	ST. VINCENT	AT	US, J, CT	
117			CHEN FA 88	振发88			AT	CT	
118			CHEN FA 888	振发888			AT	CT	
119		HONDURAS	CHI FUW 6	啟福6	SONG MAW FISHERY	CHI. TAIPEI	IN	J, CT	5
120		HONDURAS	CHI HUNG 121	啟宏121	CHI HUNG S.DE R.L.	HONDURAS	AT, IN	J, CT	5
121		BELIZE	CHIEN CHANG 126	建强126	CHIEN CHANG FISHERY CORP.	PANAMA	AT, IN	J, CT	
122		HONDURAS	CHIEN CHANG 66	建强66			AT	CT	5
123		BELIZE	CHIEN CHUNG 602	建中602			AT,PA	J, CT	3
124			CHIN HORNG 106	金荣106			AT	CT	5
125		HONDURAS	CHIN HSIANG MING	金翔鹏	CHIN HSIANG MING FISHERY S.DE R.L.	HONDURAS	AT	J, CT	5
126		BELIZE	CHIN YOU WEN		CHIN YOU WEN FISHERY	BELIZE	AT,IN	J	4
127			CHINKI 23		P.T.PELAYARAN BHARUNA SAMUDERA PERSADA	INDONESIA	IN	J	6
128			CHINKI 6		P.T. PELAYARAN BHARUNA SAMUDERA PERSADA	INDONESIA	AT,PA	J	6
129			CHO YU 3	致友3	ARMADORA PESQUERA CHOYU	USA	AT, IN	J, CT	5
130			CHRISADNA 1		VITA SAMUDERA	INDONESIA	IN,PA	J	6
131		HONDURAS	CORONA		MARINE STAR SHIPPING S.DE R.L.	HONDURAS	IN	J	5
132		HONDURAS	COSMO		MARINE STAR SHIPPING	HONDURAS	IN	J	5
133		VANUATU	CRUSADER (TUNA BRASS)		ROMEO ENTERPRISE	VANUATU	AT	J	
134			DAMAI		P.T. LIANINTI ABADI	INDONESIA	IN	J	6
135			DHALLA 8 (HSIANG CHANG 136)	鼎华136	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	CT	
136			DIBIRON		Mr. THAMRIN HUSNI TELOK GONG INDAH	INDONESIA	IN	J	6
137		HONDURAS	EDEN 18		KINGFISH FISHERY S.DE R.L.	HONDURAS	IN	J, CT	5
138		HONDURAS	FLAIR 3	福来福3	KINGFISH FISHERY S.DE R.L.	HONDURAS/CHI. TAIPEI	AT, IN	J, CT	5
139		HONDURAS	FU AN 6	富安6	FU AN OCEAIC ENTERPRISE S.DE R.L.	HONDURAS	PA, IN	J, CT	5
140		HONDURAS	FU HUAN	富环	FU HUAN FISHERY	HONDURAS	AT,IN	J	5
141		BELIZE	FU YUAN 3	富元3	FU YUAN FISHING OVERSEA	BELIZE	IN	J	

No.	Flag	Previous Flag	Name of Vessel	Chinese name	Owners Name	Owners Address	Area	Source	Notes
142		SEYCHELLES	FULL HOPE 1		FULL HOPE FISHERY			J	2
143		SEYCHELLES	FULL HOPE 2		FULL HOPE FISHERY			J	2
144		SEYCHELLES	FULL WINNING 1		FULL WINNING FISHERY CO. LTD.			CT	2
145		SEYCHELLES	FULL WINNING 2		FULL WINNING FISHERY CO. LTD.			CT	2
146			FWU HUAN	福環			IN	CT	5
147		SEYCHELLES	GREAT 1			E.GUINEA	PA, IN	J	
148			GREEN BAY 11		EVERGREEN BAY PRODUCTS	THAILAND	AT,MED	J	
149			HAU SHEN 202	海盛202	HAU YOW FISHERY CO.LTD.	CHI. TAIPEI	AT, IN	J, CT	4
150			HENG FA 18				IN	CT	
151		HONDURAS	HER HSIANG	合祥			IN	CT	5
152			HO MAN	合滿	HER MAN FISHERY CO.LTD.	CHI. TAIPEI	IN	J, CT	5
153			HO MAN 3	合滿3			AT	CT	5
154		HONDURAS	HONG SHUN 66	鴻順66			AT	CT	5
155		HONDURAS	HORNG SHIN				AT	CT	5
156		HONDURAS	HSIANG CHANG 102	翔強102	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	5
157		HONDURAS	HSIANG CHANG 132	翔強132	DAIWA MARINE INTERNATIONAL		AT	CT	5
158		HONDURAS	HSIANG CHANG 606	翔強606	DAIWA MARINE WORLD S.DE R.L.	JAPAN/HONDURAS	AT, PA	J, CT	5
159		PANAMA	HSIANG PAO 602	翔寶602	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	PA	US	
160		PANAMA	HSIANG PAO 613	翔寶613	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	PA	US	
161		PANAMA	HSIANG PAO 632	翔寶632	KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	PA	US	
162			HSIEN YUNG 366	協榮366			IN	CT	5
163			HSIN HUA 101	信華101			IN	CT	
164		SEYCHELLES	HSING SHUN 166	興順166			IN	CT	
165			HSING SHUN 66	興順66			IN	CT	5
166			HUNG SHUN 67	鴻順67			AT, IN	CT	5
167			INDOTIM 8		PT. DONGWON BUMI BAHARI	INDONESIA	PA	J	6
168			INDOTUNA 8		PT.DONGWON BUMI BAHARI	INDONESIA	IN	J	6
169			ISKANDAR			INDONESIA	AT	J	6
170		BELIZE	JEFFERY 168	傑佛里168			AT	CT	
171		BELIZE	JEFFERY 816	傑佛里816			IN	CT	
172			JIMMI INDAH 2		JOHANES TANAMAS	INDONESIA	IN	J	6
173			JIMMY WIJAYA 2		CHARLIE WIJAYA TUNA PT	INDONESIA	IN	J	6
174		BELIZE	JIN HONG 201		JIN HONG FISHERY S.A.	BELIZE	PA	J	
175		HONDURAS	JYH HORNG 201	錦榮201			PA	CT	
176		PANAMA	KO YU 6	光佑6			IN	CT	
177			KOMYO 18		P.T.NUSAERLIN TIMUR	INDONESIA		J	6
178			LIANINTI 3		PT. LIANINTI ABADI	INDONESIA	IN	J	6

No.	Flag	Previous Flag	Name of Vessel	Chinese name	Owners Name	Owners Address	Area	Source	Notes
179		SEYCHELLES	LU SOON	裕順			IN	CT	
180			LULU MARINA III		P.T.RICO DIAN JAYA TAMA	INDONESIA		J	6
181		HONDURAS	LUNG SOON 122	隆順122			IN	CT	5
182			LUNG SOON 126	隆順126			IN	CT	5
183		BELIZE	LUNG SOON 22	隆順22			IN	CT	
184			MADURA 2		P.T.PROVISIT	INDONESIA	AT	J	6
185			MADURA 3		PT.PROVISIT	INDONESIA	AT	J	6
186			MAESTRO 1		PT.CAHAYA FISHERIES ABADI	INDONESIA	AT	J	6
187			MAESTRO 3		PT.CAHAYA FISHERIES ABADI	INDONESIA	AT	J	6
188			MAESTRO 4		PT.CAHAYA FISHERIES ABADI	INDONESIA	IN	J	6
189			MAESTRO 5		PT.CAHAYA FISHERIED ABADI	INDONESIA	AT	J	6
190			MAKMUR MADANI RAYA		PT.HASIL LAUT MAKMUR MADANI	INDONESIA	PA	J	6
191			MAKUMUR 2		PT.INDOTAMA AYU SEGARA	INDONESIA	PA	J	6
192			MANIPA 668		PT.DARA PUTRA PERDANA	INDONESIA	AT	J	6
193			MANIPA 888		PT.DARA PUTRA PERDANA	INDONESIA	IN	J	6
194		HONDURAS	MARINE STAR 8		MARINE STAR SHIPPING	SINGAPORE	IN	J	5
195			MATAHARI 1		PT.CAHAYA FISHERIED ABADI	INDONESIA	PA	J	6
196			MATAHARI 2		PT.CAHAYA FISHERIES ABADI	INDONESIA	PA	J	6
197			MATAHARI 4		PT.CAHAYA FISHERIES ABADI	INDONESIA	AT,IN	J	6
198			MATAHARI 5		P.T.CAHAYA FISHERIES ABADI	INDONESIA	AT	J	6
199			MATAHARI 6		PT.CAHAYA FISHERIES ABADI	INDONESIA	PA	J	6
200			MATAHARI 7		RAHARJO	INDONESIA	IN	J	6
201		MAURITIUS	MENG FA 366	明發366				CT	
202		HONDURAS	MENG LI 201	明立201	MENG LI FISHERY S.DE R.L.	HONDURAS	IN, MED	J, CT	5
203			MING TAY 1	明泰1	HO HSIN FISHING CO.LTD.	CHI. TAIPEI	IN	J	
204			MUJUR MALUKU 6		P.T. MUJUR MALUKU	INDONESIA	IN	J	6
205			MV.SARI SEGARA		NYM SARYA	INDONESIA		J	6
206			NAGA AGUNG 88		PT.INDOTAMA AYU SEGARA	INDONESIA	AT	J	6
207		BELIZE	NATIONAL 202		CONTINENTAL HANDLERS	BELIZE	AT,PA	US	
208		BELIZE	NATIONAL 206		CONTINENTAL HANDLERS	BELIZE	PA	US	
209		BELIZE	NATIONAL 21		CONTINENTAL HANDLERS	BELIZE	PA	US	
210		HONDURAS	OCEAN MASTER 1		OCEAN MASTER FISHERY	CHI.TAIPEI/HONDURAS	IN	J	5
211		HONDURAS	PENG SHIN	榮興	PENG SHIN FISHERY S.DE R.L.	HONDURAS	AT	J, CT	5
212			PERTUNI 11		PT. PERIKANAN PERTUNI UTAMA	INDONESIA	PA	J	6
213			PERTUNI 2		PT. PERIKANAN PERTUNI UTAMA	INDONESIA	IN	J	6
214			PERTUNI 7		P.T.PERIKANAN PERTUNI UTAMA	INDONESIA	IN	J	6
215			PERTUNI 8		PT.BONECOM	INDONESIA	AT	J	6

No.	Flag	Previous Flag	Name of Vessel	Chinese name	Owners Name	Owners Address	Area	Source	Notes
216			PESQUERA 68		ARMADORA PESQUERA CHOYU S.DE R.L.	HONDURAS	AT	J, CT	5
217			PRATIDINA 205		PT.PRATIDINA PRATAMA	INDONESIA	IN	J	6
218			PURBAKALA 3		PT. CAHAYA FISHERIES ABADI	INDONESIA	IN	J	6
219			PURBAKALA 4		PT.CAHAYA FISHERIES ABADI	INDONESIA	IN	J	6
220			RESTU JAYA		MR.WILIAM LIM	INDONESIA	IN	J	6
221	HONDURAS		RYH CHUN 1	日春1	FA CHUEN OCEAN FISHING S.DE R.L.	HONDURAS	IN	J, CT	5
222	HONDURAS		RYH CHUN 21	日春21	RYH CHUN OCEAN FISHERY INC.	CHI. TAIPEI	IN	J, CT	5
223	BELIZE		SEAHORSE		SEAHORSE FISHERY	BELIZE	IN	J	4
224			SERAM		PT. PROVISIT	INDONESIA	AT	J	6
225	HONDURAS		SHANG SHUN 166	勝順166			IN	CT	5
226	BELIZE		SHANG YUN	上源	OVERSEAS FISHERY CO.	BELIZE	AT, IN	J, CT	
227			SHENG FAN 6	勝帆6			AT	CT	
228			SHENG HSING 606	昇興606			AT	CT	5
229			SHENG PAO 21	勝寶21			PA	CT	5
230	HONDURAS		SHENG PAO 7	勝寶7	SAINT POWER FISHERY	HONDURAS	PA	J, CT	5
231	BELIZE		SHINE YEAR	上裕	CHEN TING CHOU	SINGAPORE	AT, IN	J, CT	
232	HONDURAS		SHUE YUNG 366		DALIAN OVERSEAS FISHERY S.DE R.L.	HONDURAS	AT, IN	J, CT	5
233	SEYCHELLES		SHUENN MAN 323		MING MAAN MARINE	SEYCHELLES		J	2
234	BELIZE		SHUN MEI	順美	CHIN FU FISHERY CO.LTD.S.A.	SINGAPORE	AT	J, CT	
235			SHUN THENG	順勝			AT	CT	5
236			SINIPENG		P.T. BHARUNA MINATAKA PERSADA	INDONESIA	AT, IN	J	6
237			SINIUPENG		P.T. BHARUNA MINATAKA PERSADA	INDONESIA	AT, IN	J	6
238			SMP.LL.03A		PT.SAMUDERA MINA PERSADA.	INDONESIA	AT	J	6
239			SOONIA 22		PT.NUSAERLIN TIMUR	INDONESIA	IN	J	6
240			SULTRA 1		PT.SULTRATUNA SAMUDRA	INDONESIA	IN	J	6
241			SUMBER BAHARI		MR. JOHANNES A.S.	INDONESIA	IN	J	6
242			SUMBER BUANA 35		MR. GO TEK TJIN	INDONESIA	IN	J	6
243	HONDURAS		SUN RISE 607	昇興607	YELLOW FIN FISHERY S.DE R.L.	HONDURAS	AT	J, CT	5
244			SUN • E		P.T.BHARUNA MINANTAKA PERSADA	INDONESIA	AT	J	6
245			SUNCLE		P.T DARA PUTRA PERDANA	INDONESIA	AT	J	6
246			SUSANA		PT.SAMUDERA MINA PERSADA.	INDONESIA	IN	J	6
247	HONDURAS		TA YU 11	太玉11			PA	CT	5
248			TAIYO 38		P.T.NUSAERLIN TIMUR	INDONESIA		J	6
249	HONDURAS		TAMARA 8		MARINEX S.DE R.L.	HONDURAS	IN	J	5
250			TELUR CEUDRAWASIH 1		PT. SARI SEGARA UTAMA	INDONESIA	IN	J	6
251			TIM 1	提姆1	HOUNG KOU CHING	HONDURAS	IN	J	5
252			TOAR		PT.INDOTAMA AYU SEGARA	INDONESIA	AT	J	6

No.	Flag	Previous Flag	Name of Vessel	Chinese name	Owners Name	Owners Address	Area	Source	Notes
253			TROPAC 1		TROPAC FISHERIES	AMERICAN SAMOA	PA	J	
254			TUNA INDAH 01		P.T.LIANINTI ABADI	INDONESIA		J	6
255			TUNA INDAH 02		P.T.LIANINTI ABADI	INDONESIA		J	6
256			TUNA PERDANA 2		MR. ANG GIN HONG	INDONESIA	IN	J	6
257			VICI 18		P.T.YAKITAMA ANDALAN PUTRA	INDONESIA	IN	J	6
258			VICI 8		P.T.YAKITAMA ANDALAN PUTRA	INDONESIA	IN	J	6
259			VICTORY 1	維多利亞1	VICTORY FISHERY	SINGAPORE	IN	J	
260		BELIZE	VICTORY 88				AT, IN	CT	
261		BELIZE	VIRGO		VIRGO FISHERY	BELIZE	IN	J	4
262			WEN SHENG 16	文生16			AT, IN	CT	
263			YU CHA 606	裕昌606	DAIWA MARINE INTERNATIONAL S.DE R.L.	HONDURAS	PA, AT	J	5
264		HONDURAS	YU SUAN 102	裕璇102	YUNG HONG MARINE	CHI. TAIPEI/JAPAN	PA	J	5
265		HONDURAS	YUNG HUANG 606		KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	5
266		HONDURAS	YUNG SHU 101		DAIWA MARINE INTERNATIONAL	HONDURAS	PA	J	
267		HONDURAS	YUNG SHU 606		KWO-JENG MARINE SERVICES LIMITED	CHI. TAIPEI	AT	US	5
268		HONDURAS	YUNG YING 606		KWO-JENG MARINE SERVICE/ DAIWA MARINE WORLD	CHI. TAIPEI	AT	J	5
269		HONDURAS	YUNG YU 102		DAIWA MARINE INTERNATIONAL	HONDURAS/CHI. TAIPEI,JAPAN	AT,PA	J	5
270		HONDURAS	ZHONG XIN 1	中興1			IN	CT	5
271		BELIZE	ZHONG XIN 16	中興16			PA	CT	
272				中興202				CT	
273			GREEN BAY II				AT	CAN	13

NOTES:

- Those vessels included on this list that have the same name, but for which other information provided is different (i.e. owner's name, owner's address, area) are shown as a separate entry. Hence, there could be some double entries. Vessels operating under charter or other arrangements are not included in this list, except the Philippines, but, given the temporary nature of such arrangements, these vessels should be closely monitored, and evaluated frequently by the Parties concerned.
- Informed to ICCAT in 2001 as newly built FOC vessel by Chinese Taipei.
- Vessel operating under charter arrangements with Philippine companies. However, the Philippines commits itself not to renew their charter contracts after the end of 2002. Those vessels should not be subject to sanction measures until the end of their contracts or the end of 2002, whichever comes first.
- At the 2001 Commission meeting, Belize informed that these had been deleted from the registry or had expired or did not appear on the registry.
- At the 2001 Commission meeting, Honduras informed that it had cancelled 255 vessel licenses as of November 2001. However, the list of cancellations was not compared to the list above.
- These vessels are known to have carried forged Indonesian registry documents.
- Vessels under South African (SA) control and authority while fishing under SA Experimental Permit, which may be registered in SA if a commercial right is allocated. Upon receipt of such certification from South Africa, these vessels will be deleted from the list.
- During the 2002 Commission Meeting, representatives from the listed flag State assured the Commission that the vessel is under their license and control and that it does not fish in the Atlantic Ocean.
- According to Seychelles, vessels flying the Seychelles flag are monitored by VMS and provide catch and effort data to the flag State.
- St. Vincent and the Grenadines indicated in 2002 and 2003 that these vessels are properly regulated and report daily catch-effort data and their geographical position is monitored on a daily basis
- In the view of Vanuatu, the listing of these vessels should not be used as a basis for trade embargo.
- Belize informed ICCAT in 2003 that these vessels are now properly regulated under its High Seas Fishing Act, and that Belize has undertaken to delete these vessels upon receipt of appropriate legal evidence to trigger de-registration under Belize legislation.
- Identified as flying the flag of Thailand. Thailand informed ICCAT in 2003 that this vessel is not in its registry.

Summary Table of Information for 2003 PWG Actions

Fleet	Instrument ¹			Information ²					Response to special letter	2003 action ⁵	
	B	S	U	Available data (t) ^{3,4}			Negative vessel list	Other			
				Source	2001	2002					2003
<i>Cooperating non-Contracting Parties, Entities or Fishing Entities</i>											
Chinese Taipei				BFTE (T-I)	304	167		None		n/a	Continue Cooperating Status; Secretariat to draft and send letter.
				BFTE (SD)	154	40					
				BFTM (T-I)	329	499					
				BFTM (SD)	448	326	47				
				SWO (T-I)	1448	1359					
				SWO (TD)	1343	541	108				
				BET (T-I)	16429	16503					
				BET (TD)	16373	14282					
Philippines				BFTE (SD)				2000 – 3/3 2001 – 0 2002 – 0 2003 – 0		n/a	Continue Cooperating Status; Secretariat to draft and send letter.
				SWO (T-I)	7	5					
				SWO (SD)	57	5	7				
				BET (T-I)	337	837					
				BET (TD)	870	415					
				BET (SD)			183				
<i>Non-Contracting Parties, Entities or Fishing Entities</i>											
Belize	1	1	1	BET (T-I)	3658			2000 – 29/91 2001 – 92 2002 – 30/31 2003 – 0/3	Also 2002 EC SWO import data, ocean unclear; Submitted National Report in 2003; Applied for Cooperating Status in 2003; Attended 2003 ICCAT Meeting as observer; Sent vessel list in 2003.	yes	Allow Recommendation 02-16 to enter to force. Premature to take a decision regarding Cooperating Status; send letter seeking additional information on MCS scheme; transmit ICCAT conservation measures. (see Appendix 5.1 to ANNEX 10)

Fleet	Instrument ¹			Information ²				Response to special letter	2003 action ⁵		
	B	S	U	Available data (t) ^{3,4}			Negative vessel list			Other	
				Source	2001	2002					2003
Bolivia			sBET	SWO (TD) BET (TD)	81 800	1517		2000 – 0/0 2001 – 13 2002 – 7/12 2003 – 2/5	2002 Transshipment activity in EC port	no*	Status quo re sanctions; revoke swordfish identification. Send letter informing of continuance of sanctions and concerning vessels on IUU list. (see Appendix 5.2 to ANNEX 10)
Cambodia			sBET	BET (T-I) BET (TD)	515 45			2000 – 3/3 2001 – 10 2002 – 5/8 2003 – 4/8		yes	Status quo. Send letter responding to Cambodia's question regarding its right to fish on the high seas and concerning vessels on IUU list. (see Appendix 5.3 to ANNEX 10)
Costa Rica		i		None				None	Also 2002 EC SWO import data, ocean unclear	no	Send identification letter, seek information on swordfish catches, MCS, and vessel registration program (see Appendix 5.4 to ANNEX 10)
Cuba	i			BFTW (T-I) SWO (T-I)		74 10		None	Applied for Cooperating Status in 2003.	n/a	Send identification letter; seek information on market and fishery for bluefin tuna including MCS controls. Premature to take a decision regarding Cooperating Status; send letter seeking additional information on MCS scheme; transmit ICCAT conservation measures. (see Appendix 5.5 to ANNEX 10)

Fleet	Instrument ¹			Information ²				Response to special letter	2003 action ⁵		
	B	S	U	Available data (t) ^{3,4}			Negative vessel list			Other	
				Source	2001	2002					2003
Denmark (Faeroes)	x			BFTE (T-I) BFTE (SD) BFTW (T-I) BFTW (SD)	38			None		n/a	No action warranted.
Georgia			sBET	BET (T-I) BET (TD)	140	383 225		2002 – 1/2 2003 – 1/4	2 LSTVs registered to Georgia but foreign-owned	yes	Impose bigeye tuna sanction; seek information regarding vessel owners. Recommendation adopted; send letter. (see Appendix 5.7 to ANNEX 10)
Grenada		m		SWO (T-I) SWO (TD)	21	54		None	CARICOM Report - no export licenses issued by Grenada; Represented by CARICOM at 2003 ICCAT Meeting.	n/a	No action warranted, but continue to monitor activities.
Indonesia				SWO (TD) BET (TD)	45 2341	87 1750		2000 – 0/0 2001 – 18 2002 – 0 2003 – 0	Also 2002 EC SWO import data, ocean unclear	yes	Revoke identification for both SWO and BET. Send letter regarding above. (see Appendix 5.10 to ANNEX 10)
Israel	x			BFTM (SD)		2	2	None	16 t of BFTM in 2003 reported in 13/11 letter (PLE-050); Attended 2003 ICCAT Meeting as observer.	n/a	Send letter specifying BFT management measures and requesting Israel not expand its fishery. (see Appendix 5.11 to ANNEX 10) Send letter to Japan re any efforts it can take to ensure Japan not supporting operations that may increase pressure on BFT. (see Appendix 5.21 to ANNEX 10).

Fleet	Instrument ¹			Information ²					Response to special letter	2003 action ⁵	
	B	S	U	Available data (t) ^{3,4}			Negative vessel list	Other			
				Source	2001	2002					2003
Liberia				BET (T-I)	57	57		None		n/a	No action warranted.
Mauritania		m		None				None	2002 Transshipment activity in EC port	n/a	Send letter seeking additional information on swordfish and tuna fishing activities, trade, and MCS (see Appendix 5.12 to ANNEX 10)
Mozambique				None				None	Also 2002 EC SWO import data; ocean unclear	n/a	No action warranted
Netherlands Antilles				BET (T-I)	2803	1879		None	Applied for Cooperating Status in 2003; Sent vessel list in 2003; 3 purse seiners and 2 baitboats	n/a	No action as situation outside scope of the three trade instruments. No consensus to grant Cooperating Status; send strong letter expressing concern regarding level of BET catches and capacity issues and suggesting they re-submit another request for consideration at 2004 meeting. (see Appendix 5.13 to ANNEX 10)
Senegal			x	SWO (TD) BET (T-I)	132 1308	565		None	Also 2002 EC SWO import data, ocean unclear. In letter refer to 34 t SWO exported in 2002; SWO by-catch of commercial longline fishery composed of Chinese Taipei and Korean vessels.	yes	Send strong letter seeking clarification of and expressing concern about their fishery; seek information on MCS scheme. (see Appendix 5.14 to ANNEX 10)

Fleet	Instrument ¹			Information ²				Response to special letter	2003 action ⁵		
	B	S	U	Available data (t) ^{3,4}			Negative vessel list			Other	
				Source	2001	2002					2003
Seychelles			iBET	SWO (T-I) BET (T-I) BET (TD)	125	6 162 263		2000 – 1/7 2001 – 28 2002 – 20 2003 – 2/3		no	Maintain identification; send letter seeking information on possible dual registration of vessel, regarding SWO catch, and concerning vessels on IUU list. (see Appendix 5.15 to ANNEX 10)
Sierra Leone			sBET sSWO sBFT	BFTE (T-I) BFTE (SD) BFTW (T-I) BFTW (SD) SWO (T-I) SWO (TD) BET (T-I) BET (TD)	118 49 388 2 11 2 152		135	2000 – 0/0 2001 – 1 2002 – 1 2003 – 1		yes	Status quo. Send letter seeking clarification of vessel operating in the Atlantic, seeking information on their MCS scheme and reiterating the basis for taking trade action. (see Appendix 5.16 to ANNEX 10)
Singapore		x	x	None				2000 – 1/1 2001 – 1 2002 – 0 2003 – 0	Also 2002 EC SWO import data, ocean unclear; Reported in 2003 no Singapore-registered vessels catching SWO.	yes	No action warranted.
Sri Lanka								2003 – 1/2		n/a	Send letter regarding vessels on IUU list. (see Appendix 5.17 to ANNEX 10)

Fleet	Instrument ¹			Information ²				Response to special letter	2003 action ⁵		
	B	S	U	Available data (t) ^{3,4}			Negative vessel list			Other	
				Source	2001	2002					2003
St. Vincent and the Grenadines			IBET	SWO (T-I) BET (T-I) BET (TD)	22 506 19	15		2000 – 4/6 2001 – 9 2002 – 6 2003 – 7	Submitted National Report in 2003; 42 vessels fishing in Atlantic (18 LSTVs and of those, 17 longline and 1 mother-ship); various ICCAT species targeted, 1664 t (unspecified); Attended 2003 ICCAT Meeting as observer; Sent vessel list in 2003.	no	Allow Recommendation 02-20 to enter to force. Send letter regarding vessels on IUU list and lifting of sanctions and request confirmation of albacore catches. (see Appendix 5.18 to ANNEX 10)
Thailand			x	BFT (SD) SWO (TD) BET (TD)	134 3 22	34		2000 – 0/0 2001 – 1 2002 – 0 2003 – 0	- 2002 EC port information Green Bay II. - 2003 Canadian sighting of Green Bay II in Atlantic. - In 10/11 letter stated that Green Bay II not registered as a Thai fishing vessel; do not fish in the Atlantic; no tuna fishing vessels and statistics are re-exported products; Sent vessel list in 2003.	yes (PWG-048)	Send letter seeking clarification of vessel registration issue, including all documentary evidence. (see Appendix 5.19 to ANNEX 10 ; see Appendix 9 to ANNEX 10)
Togo		i		None				None	Also 2002 EC SWO import data; ocean unclear	no	Send identification letter, seek information on swordfish catches and MCS scheme. (see Appendix 5.20 to ANNEX 10)

¹ B=Bluefin Tuna Action Plan [Ref. 94-3]; S=Swordfish Action Plan [Ref. 95-13]; U=Unreported and Unregulated Catches Resolution [Ref. 98-18]; e=encourage; i=identify; l=lift sanctions; m=monitor; s=sanction; x=discussed.

² Available data: These cells include relevant import data (SD=statistical documents, TD=trade data, COE, customs) and SCRS data (T-I=Task I), where available. Round weight was estimated applying conversions to all fleets. See also Comparison Table between current Task I and trade information (Table A following and Appendix 3 to ANNEX 9).

IUU activities: In 2000, 2002 and 2003 number of vessels in the Atlantic and total number on the list; in 2001 total number on the list. For Belize in 2001, for 2 of the 92 vessels, the flag is uncertain.

Other: Other non-compliance (e.g., harvesting of undersized fish, fishing in closed times or areas, and/or use of prohibited gear). Could include at sea or at port sighting information. Also relevant is the ability of a Party, Entity or Fishing Entity to monitor and control its vessels (which can be ascertained in part by its response to the Commission and efforts made to report catches to the Commission).

³ See also attached table for Task I catches of yellowfin, albacore, billfish (Table B following).

⁴ 2003 Task I data not yet available; 2003 trade data partial (January to August); 2003 SD data from Japan and Korea SD Reports for January-June 2003.

Note: Catch limits in effect (see also Appendix 3 to ANNEX 9).

BFT-E: In 2001, 2291 t basket quota for non-Contracting Parties, Entities or Fishing Entities.

Cap harvests at higher of 1993 or 1994 levels.

In 2002, Parties to maintain catches at 2001 levels.

In 2003, fishing possibilities attributed to Chinese Taipei based on their traditional share of 1.5% will only be activated in a given year when they individually have fished their current level of underages.

Basket quota of 1,146 t for other non-Contracting Parties, Entities or Fishing Entities.

BFT-W: No provision for non-Contracting Party, Entity or Fishing Entity harvest.

SWO-N: Others categories of 4.9% which amounted to 489 t in 2001 and 2002 (includes Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities, and non-Cooperating non-Contracting Parties, Entities or Fishing Entities).

Requirement to reduce 45% from 1996 landings, unless in 1996 <100 t, then cap.

In 2003, Chinese Taipei has 310 t allocation. No other provision for other non-Contracting Parties, Entities or Fishing Entities.

SWO-S: Contracting Parties notified autonomous catch levels in 2001 and 2002. In 2003, Chinese Taipei has 925 t allocation. No other provision for other non-Contracting Parties, Entities or Fishing Entities.

BET: Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities to cap 2001-2003 harvest levels at average of 1991 and 1992 unless harvest <2100 t, then cap does not apply.

In 2003, Chinese Taipei limited to 16,500 t and 125 vessels; Philippines limit vessels to 5. No other provision for other non-Contracting Parties, Entities or Fishing Entities.

⁵ MCS = Monitoring, Control and Surveillance.

* Letter received but not in direct response to ICCAT special letter.

Table A. Comparison between current Task I and trade information in round weight (t), for non-Contracting Parties, Entities or Fishing Entities, for bluefin, swordfish and bigeye (as of 17 November 2003).

Species	Area	Status	Flag	Task I										Trade (BFTSD) (imports by:)														
				1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	1993 JP	1994 JP	1995 JP	1996 JP	1997 JP	1998 JP	1999 JP	2000 JP	2000 US	2000 EC	2001 JP	2001 US	2002 JP	2002 US	2003* JP
BFT	AE	NCC	CHINESE TAIPEI	6	20	8	61	226	350	222	144	304	167				8	61	229	307	222	41			154	40		
		NCO	FAROE-ISLANDS						67	104	118	0								57	70	67			38			
			GUINEA BISSAU						66												66							
			NORWAY									5	0									4						
	AW	NCC	CHINESE TAIPEI					2																				
		NCO	CUBA											74								61				388	135	
			FAROE-ISLANDS											0														
			SIERRA LEONE									127	49															
			ST.LUCIA		2	43	9	3																				
	MED	NCC	CHINESE TAIPEI		328	709	494	411	278	106	27	169	329	499				696	494	411	275	27	22			448	326	39
NCO			BELIZE			145	399											145	399									
		ISRAEL					14																			2		
		YUGOSLAVIA FED.REP.					2	4				4																

Species	Area	Status	Flag	Task I			Trade (Imports by)				
				2000	2001	2002	2000 JP	2001 JP	2001 US	2002 US	2003* JP
SWO	Atlantic Ocean	NCC	CHINESE TAIPEI	1650	1448	1359	335	1114	229	541	108
		NCC	PHILIPPINES		7	5	18	57		5	7
	NCO	ARGENTINA			5						
		BOLIVIA				20	54	27			
		CUBA			10						

Species	Area	Status	Flag	Task I			Trade (Imports by)						
				2000	2001	2002	2000 JP	2001 JP	2001 US	2002 US	2003* JP	2003* KOR	
BET	Atlantic Ocean	NCC	CHINESE TAIPEI	16795	16429	16503	16648	16373		14282	9563	82	
			NCC	PHILIPPINES	975	377	837	1558	870		415	183	
		NCO	BELIZE	4450	3658		2212	923		0			
			BOLIVIA				3	800		1517			
			CAMBODIA		515		496	45					
			GEORGIA (NEI)		140	383				225			
			INDONESIA				522	2341		1750			
			LIBERIA	57	57	57							
			NETHERLAND.ANTILLES	2359	2803	1879							
			SENEGAL	1131	1308	565							
			SEYCHELLES	58		162	65	125		263			
			SIERRA LEONE	6	2			152					
		ST.VINCENT	1216	506	15	276	19						
THAILAND				97	22								

NOTES:

BFT: BFTSD reported by Japan, United States and EC.

SWO & BET: Up to 2002 (inclusive) data from report from Japanese importers. 2003 data from Statistical Documents (1st semester).

Round weight was estimated applying conversion factors to all fleets.

For 2003, Statistical Documents information is partial. For BET and SWO no conversion factors have yet been adopted.

* 2003 information of Statistical Documents is in product weight (t).

Table B. Ancillary information regarding all Atlantic Task 1 data for non-Contracting Parties Entities or Fishing Entities for yellowfin, albacore and billfishes.

Species	Party	Flag	Task 1		
			2000	2001	2002
YFT	NCC	CHINESE TAIPEI	5661	4805	4542
		PHILIPPINES	164	12	129
	NCO	BENIN	1	1	
		COLOMBIA	46	46	46
		CONGO	12	12	
		CUBA			65
		DOMINICA	78	120	169
		DOMINICAN REP.	226	226	226
		FAROE ISLANDS	1		
		GRENADA	403	759	593
		LATVIA	36	72	334
		NEI-1	5448	9273	8209
		BELIZE	1584	1471	22
		GEORGIA		26	35
		CAMBODIA		110	
		PANAMA		72	118
		SIERRA LEONE	11	29	
		URUGUAY		4	
		HONDURAS	2646	332	
		SAO TOME	77	54	
		EQ. GUINEA	951	762	
		NETHERLAND.ANT	5571	4793	4035
SENEGAL	252	295	447		
SEYCHELLES	32		11		
SEYCHELLES.SH.OB	6				
ST.LUCIA	134	145	94		
ST.VINCENT	1989	1365	1165		

Species	Party	Flag	Task 1		
			2000	2001	2002
BUM	NCC	CHINESE TAIPEI	485	240	272
		PHILIPPINES	38		
	NCO	BENIN	5		
		CUBA			34
		DOMINICAN REP.	19		
		GRENADA	87	104	69
		NETHERLAND.ANT	40		
		ST.LUCIA	10	5	
		ST.VINCENT			20
WHM	NCC	CHINESE TAIPEI	437	152	165
	NCO	BELIZE.SH.OB	0		
		CUBA			7
		GRENADA	1	15	8
		ST.VINCENT			0
SAI	NCC	CHINESE TAIPEI	142		
	NCO	ARUBA	10		
		BENIN	5		
		DOMINICA		2	
		DOMINICAN REP.	67		
		GRENADA	164	187	151
		NETHERLAND.ANT	15		
		SENEGAL	412		
		SEYCHELLES	3		
		ST.VINCENT		2	168
BIL	NCC	CHINESE TAIPEI	142	39	194
	NCO	DOMINICA		67	144
		SEYCHELLES	16		0
		ST.LUCIA	4		9
		ST.VINCENT	343	307	

Species	Party	Flag	Task 1		
			2000	2001	2002
ALB	NCC	CHINESE TAIPEI	22520	20232	21527
		PHILIPPINES	0		
	NCO	BELIZE.SH.OB	2		
		CUBA			1
		DOMINICAN REP.	95		
		GRENADA	12	21	23
		NEI-1	2	10	14
		NETHERLAND.ANT	2		
		SEYCHELLES			0
		SIERRA LEONE		91	
		ST.LUCIA	1	3	2
		ST.VINCENT	2820	5662	344

* U.S. Department of Commerce trade statistics report frozen albacore imports from St. Vincent and the Granadines of 6,880 t in 2001, 4,348 t in 2002 and 420 t from Jan-Sept 2003. However, these are for supplemental information only, due to the inability to associate the fish with a specific area of capture

Commission Chairman's Special Letters to Non-Contracting Parties, Entities or Fishing Entities

Index of special letters and their contents, to be sent in 2004.

#	Country	Request for information						Identification status			Sanctions			2003 Cooperating Status Granted	
		BFT	SWO	BET	ALB	IUU/ vessels	MCS	Lift	Impose	Maintain	Lift	Impose	Continue	Yes	No
5.1	Belize						x				x				x
5.2	Bolivia					x		x					x		
5.3	Cambodia					x							x		
5.4	Costa Rica		x			x	x		x						
5.5	Cuba	x					x		x						x
5.6	Egypt														x
5.7	Georgia			x		x	x					x			
5.8	Guatemala						x								x
5.9	Guyana						x							x	
5.10	Indonesia							x							
5.11	Israel	x													
5.12	Mauritania		x			x	x								
5.13	Netherlands Antilles			x											x
5.14	Senegal		x	x			x								
5.15	Seychelles		x			x				x					
5.16	Sierra Leone	x	x	x		x	x						x		
5.17	Sri Lanka					x									
5.18	St. Vincent & the Grenadines				x	x						x			
5.19	Thailand					x									
5.20	Togo		x				x		x						
5.21	Japan	Letter concerning Japanese support of Israel's developing bluefin tuna fishery													

5.1 Letter to Belize: Lifting of sanctions, deferring Cooperating Status decision, and seeking additional information

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to inform you that the *Recommendation by ICCAT Concerning the Importation of Atlantic Bluefin Tuna, Atlantic Swordfish, and Atlantic Bigeye Tuna and Their Products from Belize* [Ref. 02-16], adopted in 2002, has entered into force as of January 1, 2004. This measure requires all ICCAT Contracting Parties and Cooperating Non-Contracting Parties, Entities, or Fishing Entities to lift the import prohibitions against Belize relative to these three species.

At its 2003 meeting, the Commission took note of the additional efforts Belize has made since 2002 to achieve compliance with ICCAT measures. Such measures have included reducing substantially the number of fishing vessels registered to Belize, prohibiting the remaining vessels from fishing for Atlantic tuna and tuna-like species through licensing restrictions, and other initiatives designed to improve monitoring, control and surveillance (MCS) of the fleet registered to your country, such as instituting new laws and regulations and implementing a vessel monitoring system. The Commission also took note that Belize has been attending the annual ICCAT meeting as an observer for several years and submitted a National Report and other relevant information to ICCAT in 2003. Finally, the Commission welcomed Belize's commitment to continue to improve aspects of its MCS scheme, including catch verification and vessel registration and deregistration procedures, and to take other steps to ensure Belize does not support illegal, unreported, and unregulated fishing. The Commission would like to request the Government of Belize to provide additional information on Belize's progress in implementing such improvements in advance of its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by ICCAT at its 2003 meeting. While similar in principle to other measures adopted by ICCAT in the past, the 2003 Resolution both broadens the scope of ICCAT's trade regime and establishes a more transparent process for the application of trade restrictive measures. In addition, paragraph 10 of this document contains a new element that allows for expedited implementation of trade restrictive measures under certain circumstances. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area.

With regard to your request for Cooperating Status, the Commission determined that it was premature to take a decision on this matter and deferred the issue for consideration at the 2004 ICCAT meeting. At that time, the trade restrictive measures on Belize will have been lifted for almost one year and the Commission will be in a better position to assess the effectiveness of Belize's MCS measures. In this regard, I would draw your attention to the document adopted in 2003 entitled *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20], which is included in the attached Compendium. This measure clarifies the process for granting such status and specifies the information that must be provided by applicants to receive consideration. In support of the Commission's review of requests for cooperating status under the new recommendation, I would ask that Belize write to ICCAT as soon as feasible confirming its continued interest in receiving Cooperating Status and addressing directly the information requirements contained in paragraphs 3 and 4 of said recommendation.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.2 Letter to Bolivia: Regarding continuance of bigeye tuna trade restrictive measures and revocation of swordfish identification

I am writing to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) decided to maintain the trade restrictive measures adopted in 2002 in accordance with the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18] in 2002 on bigeye tuna and its products from Bolivia. As explained in previous communications, the Commission reviews annually fishery related information for the Convention area relative to both ICCAT members and non-members. During its 2003 review, the Commission received information that large-scale tuna longline vessels flagged to Bolivia have continued to operate in the Convention area. Attached please find a copy of the 2003 ICCAT "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas".

This information together with the high level of Atlantic bigeye tuna harvests (as indicated by trade data from 2001 and 2002) and the lack of response from your government to communications requesting Bolivia to rectify the activities of its flag vessels and to take other steps to cooperate with ICCAT, led the Commission to conclude that it would not be appropriate to lift the bigeye tuna trade restrictions in place against your country. The Commission did decide, however, that the imposition of swordfish trade restrictive measures against Bolivia was not warranted at this time as trade data indicated relatively small amounts of harvest for 2001 and no harvests for 2002 or 2003. Thus, Bolivia's identification status relative to swordfish was revoked.

The Commission again requests the Government of Bolivia to take the necessary actions to rectify the fishing activities of its vessels and to fully implement ICCAT's conservation and management measures, including instituting measures to ensure appropriate monitoring, control, and surveillance of its fleet and reporting catch and effort data to the Commission. Rectifying actions --including, as necessary, the revocation of registrations or fishing licenses of those vessels on the enclosed list-- should be reported to the Commission. Information concerning actions taken by Bolivia with regard to these matters should be submitted to the Commission at least 30 days prior to its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by the Commission at its 2003 meeting. The 2003 resolution both broadens the scope of ICCAT's existing trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission will use this new resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area and the information requested above will be valuable to the Commission when it considers trade related matters relative to Bolivia pursuant to this review. Although the 2003 resolution will replace the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale*

Longline Vessels in the Convention Area [Ref. 98-18], previous decisions taken in accordance with this measure will remain effective until otherwise decided by the Commission.

In closing, the Commission would like to invite Bolivia to participate in the 2004 ICCAT meeting as an observer. Further, the Commission would remind Bolivia that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the newly adopted *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20]. For your convenience, this recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.3 Letter to Cambodia: Regarding Continuance of Bigeye Tuna Trade Restrictive Measures

The International Commission for the Conservation of Atlantic Tunas (ICCAT) is in receipt of the letter from Chan Dara, Director, Merchant Marine Department, dated 17 December 2002.

I am writing to inform you that ICCAT decided to maintain the trade restrictive measures adopted in accordance with the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18] in 2000 on bigeye tuna and its products from Cambodia.

As explained in previous communications, the Commission reviews annually fishery related information for the Convention area relative to both ICCAT members and non-members. During its 2003 review, the Commission again took note of a number of large-scale tuna longline vessels flagged to Cambodia known to have operated in the Convention area. The following Cambodian-flagged vessels are on the 2003 ICCAT “List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas”:

<u>Name of vessel</u>	<u>Owner’s name and location</u>
Benny 78	Tuna King Marine S.A., Belize
Benny 87	Tuna King Marine S.A., Belize
Caneta 1	Caneta S.R.L., Argentina
Fu Yuan 668	Fu Yuan Fishing Oversea
Guo Ji 908	Lubmain Fishing Service, Malaysia
Kasmina 1	Stover Trading, British Virgin Islands
Meng Fa 316	Meng Fa Fishery, Chinese Taipei
Sofia 6	Cingomar Fishing Company

In addition to the above, the Commission considered Cambodia’s response to ICCAT’s November 2002 letter regarding trade restrictive measures. While ICCAT welcomes your decision to stop registering fishing vessels, your response was not sufficient to demonstrate that Cambodia has rectified the fishing activities of its existing fleet and adopted adequate monitoring and control measures for that fleet. The Commission stressed that ICCAT members have been operating under a strict management regime of time and area closures, capacity limitations, and catch limits relative to bigeye tuna to ensure its conservation and that the cooperation of all countries is required to support the effectiveness of these measures. Given these circumstances, the Commission concluded that it would not be appropriate to lift the bigeye tuna trade restrictions in place against your country.

The Commission again requests the Government of Cambodia to take the necessary actions to rectify the fishing activities of its vessels and to fully implement ICCAT’s conservation and management measures, including reporting catch and effort data to the Commission and instituting measures to ensure appropriate monitoring, control, and surveillance of its fleet. Rectifying actions --including, as necessary, the revocation of registrations or fishing licenses of those vessels on the enclosed list--should be reported to the Commission. Information concerning actions taken by Cambodia with regard to these matters should be submitted to the Commission at least 30 days prior to its next meeting, scheduled for 15-21 November 2004, in New Orleans, Louisiana, USA.

For your information, I am enclosing herewith a Compendium of ICCAT’s Management Recommendations and Resolutions. It includes a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by the Commission at its 2003 meeting. The 2003 Resolution both broadens the scope of ICCAT’s existing trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related

activities in the Convention area. The information requested above will be valuable to the Commission when it considers trade related matters relative to Cambodia pursuant to this review. Although the 2003 resolution will replace the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18], previous decisions taken in accordance with this measure will remain effective until otherwise decided by the Commission.

In closing, the Commission would like to invite Cambodia to participate in the 2004 ICCAT meeting as an observer. Further, the Commission would remind Cambodia that it can join ICCAT or seek cooperating status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting cooperating status, I would draw your attention to the provisions of the newly adopted *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.4 Letter to Costa Rica: Identification regarding the Swordfish Action Plan Resolution

This letter is further to earlier correspondence from the International Commission for the Conservation of Atlantic Tunas (ICCAT) dated November 28, 2002. I am writing to inform you that the Commission decided at its November 2003 annual meeting to identify Costa Rica in accordance with the terms of the *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* (hereafter referred to as the Swordfish Action Plan Resolution) [Ref. 95-13].

Each year, the Commission reviews fishery related information for the Convention area relative to both ICCAT members and non-members. During its 2003 review, the Commission was reminded that swordfish from Costa Rica was imported by an ICCAT member in 2002. Such imports have been occurring since 1999 although Costa Rica has reported no Atlantic swordfish catch data to ICCAT. This information suggested that Costa Rican flag vessels were fishing outside the ICCAT management regime. Costa Rica has not availed itself of the opportunity to clarify to the Commission the situation concerning these catches. In view of these circumstances, the Commission identified Costa Rica as a non-Contracting Party whose vessels have been fishing for Atlantic swordfish in a manner that diminishes the effectiveness of ICCAT conservation measures. The Commission, therefore, requests the Government of Costa Rica to take the necessary actions to rectify the fishing activities of its vessels and to implement fully ICCAT's conservation and management measures. In that regard, we would be grateful to receive detailed information regarding (1) the types of monitoring, control and surveillance methods used by Costa Rica with respect to its fishing vessels, (2) Costa Rica's total catch of tuna and tuna-like species in 2003 and prior years, (3) the markets to which Costa Rica exports swordfish and/or its products, and (4) the maritime area in which Costa Rican vessels fished swordfish.

The Commission will review the situation of Costa Rica at its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA. Information concerning actions taken by Costa Rica relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If it is determined that Costa Rica has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission can recommend that its Contracting Parties take non-discriminatory trade restrictive measures on Atlantic swordfish and its products from Costa Rica.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes both the Swordfish Action Plan Resolution [Ref. 95-13] and a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by ICCAT at its 2003 meeting. The 2003 Resolution broadens the scope of ICCAT's current trade regime (which includes the Swordfish Action Plan Resolution). The new measure also improves the transparency of the process for applying trade restrictive measures. The Commission will use the new Resolution at its 2004 meeting to guide its review of fishery related activities in the Convention area. Although the 2003 resolution will replace the Swordfish Action Plan Resolution, previous decisions taken in accordance with the Action Plan will remain effective until otherwise decided by the Commission.

In closing, the Commission would like to invite Costa Rica to participate in the 2004 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind Costa Rica that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the newly adopted *Recommendation by ICCAT on Criteria for Attaining the*

Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT [Ref. 03-20]. For your convenience, this recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.5 Letter to Cuba: Regarding identification in accordance with the Bluefin Tuna Action Plan Resolution

At its 2003 annual meeting, the International Commission for the Conservation of Atlantic Tunas (ICCAT) undertook its annual review of the fishing activities of various Non-Contracting Parties, Entities or Fishing Entities pursuant to its *Resolution Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* [Ref. 94-3]. This Resolution calls upon the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures to identify those non-Contracting Parties whose vessels have fished for Atlantic bluefin tuna in a manner that diminishes the effectiveness of ICCAT conservation measures. In deciding whether to identify a non-Contracting Party, the Permanent Working Group reviews catch data compiled the Commission, trade information obtained through national statistics and the Bluefin Tuna Statistical Document Program, and other relevant information obtained in ports and on the fishing grounds. ICCAT will request identified Contracting Parties, non-Contracting Parties, Entities or Fishing Entities to take all necessary corrective actions, and will review those actions at its subsequent annual meeting. If those actions are judged insufficient, ICCAT will recommend effective measures, if necessary including non-discriminatory trade restrictive measures, on the subject species.

The review of catch data showed that Cuban vessels harvested 74 tons of over-exploited western Atlantic bluefin tuna in 2002, even though ICCAT has not established a catch limit for Cuba for this stock. Moreover, Cuba has not reported catches of bluefin tuna to the Commission for at least 20 years. Based on this information, the Commission identified Cuba in accordance with the Bluefin Tuna Action Plan referenced above as a non-Contracting Party whose vessels have been fishing for Atlantic bluefin tuna in a manner that diminishes the effectiveness of ICCAT conservation measures. Accordingly, ICCAT hereby requests Cuba to take effective measures to rectify its fishing activities so as not to diminish the effectiveness of ICCAT conservation measures for bluefin tuna and to implement fully ICCAT conservation and management measures, including instituting measures to ensure appropriate monitoring, control, and surveillance of your fleet and reporting catch and effort data to the Commission. We would, therefore, be grateful to receive detailed information regarding: (1) the types of monitoring, control and surveillance methods used by Cuba with respect to its fishing vessels, (2) Cuba's total catch of tuna and tuna-like species in 2003 and prior years, (3) the markets to which Cuba exports bluefin tuna and/or its products, and (4) the maritime areas in which Cuban vessels fished bluefin tuna.

The Commission will review the situation of Cuba at its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA. Information concerning these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If it is determined that Cuba has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission can recommend that its Contracting Parties take non-discriminatory trade restrictive measures on Atlantic bluefin tuna and its products from Cuba.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by the Commission at its 2003 meeting. The 2003 Resolution both broadens the scope of ICCAT's existing trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area. The information requested above will be valuable to the Commission when it considers trade related matters relative to Cuba pursuant to this review. Although the 2003 Resolution will replace the Bluefin Tuna Action Plan Resolution [Ref. 94-3], previous decisions taken in accordance with this measure will remain effective until otherwise decided by the Commission.

With respect to Cuba's request for Cooperating Status, the Commission felt that, under the circumstances, it was premature to make a decision regarding this matter during the 2003 meeting. As you may know, the category of Cooperating Party, Entity or Fishing Entity has been in existence within the Commission since 1994. Those that are granted Cooperating Status formally accept the obligation to implement fully the conservation and management measures adopted by the Commission and to abide by data and other reporting requirements. I would draw your attention to a document adopted in 2003 entitled *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20], which is included in the enclosed Compendium. This measure clarifies the process for granting Cooperating Status and specifies the information that must be provided by applicants to receive consideration.

In support of the Commission's review of requests for Cooperating Status under the new Recommendation, I would ask that Cuba write to ICCAT as soon as feasible confirming its continued interest in receiving Cooperating Status and addressing directly the information requirements contained in paragraphs 3 and 4 of said Recommendation. Toward that end, the information requested above concerning Cuba's fleet, fishing activities, and monitoring, control, and surveillance scheme will be important.

In closing, the Commission would like to invite Cuba to participate in the 2004 ICCAT meeting as an observer. Information concerning this meeting will be transmitted in due course. Further, the Commission would like to remind Cuba that if you maintain an interest in fishing for Atlantic tuna and tuna-like species, you can rejoin ICCAT as a Contracting Party.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.6 Letter to Egypt: Deferring Cooperating Status decision and seeking information on monitoring, control and surveillance (MCS) scheme

The International Commission for the Conservation of Atlantic Tunas (ICCAT) met for its annual meeting from November 17-24, 2003, in Dublin, Ireland. In considering Egypt's request for cooperating status at this recent meeting, the Commission determined that it was premature to take a decision on this matter and deferred the issue for consideration at the 2004 ICCAT meeting.

The category of Cooperating Party, Entity or Fishing Entity has been in existence within the Commission since 1994. Those that are granted Cooperating Status formally accept the obligation to implement fully the conservation and management measures adopted by the Commission and to abide by data and other reporting requirements. Before taking a decision on whether or not to confer such status on Egypt, the Commission wanted to ensure that your government had a full understanding of this matter and that the Commission had all the necessary information to make an informed decision. In this regard, I would draw your attention to a document adopted in 2003 entitled *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20] (enclosed). This measure clarifies the process for granting Cooperating Status and specifies the information that must be provided by applicants in order to receive consideration.

In support of the Commission's review of requests for Cooperating Status under the new recommendation, I would ask that Egypt write to ICCAT as soon as feasible confirming its continued interest in receiving Cooperating Status and addressing directly the information requirements contained in paragraphs 3 and 4 of said recommendation. Toward that end, specific information on Egypt's monitoring, control, and surveillance scheme for its fleet should be provided.

The Commission received information during its 2003 annual meeting that Egypt intended to start bluefin tuna farming operations. As you may know, the East Atlantic and Mediterranean stock of bluefin tuna is over-exploited and the fishery is fully subscribed. Therefore, any harvests of this stock taking place outside the ICCAT management regime would accelerate this over-exploitation and would be of concern to the Commission. In addition, the development of a new farming operation may well have the effect of increasing the fishing pressure on this stock still further.

I am enclosing the complete Compendium of ICCAT's Management Recommendations and Resolutions for your use and information.

Thank you for your attention to this important matter. Please accept assurances of my highest consideration.

5.7 Letter to Georgia: Regarding imposition of bigeye tuna trade restrictive measures

I am writing to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) took a decision at its 2003 annual meeting (*Recommendation by ICCAT for Bigeye Tuna Trade Restrictive Measures on Georgia* [Ref. 03-18]) that requires its Contracting Parties, as well as those with Cooperating Status, to prohibit the import of bigeye tuna and its products in any form from Georgia beginning on June 19, 2004. The subject measure is enclosed for your information. The decision was taken in accordance with the provisions of ICCAT's *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18].

As explained in previous communications, the Commission reviews annually fishery related information for the Convention area relative to both ICCAT members and non-members. During its 2003 review, the Commission received information that large-scale tuna longline vessels continue to be registered to Georgia, although they are foreign owned. At least one of these vessels has recently operated in the Convention area. Attached please find a copy of the 2003 ICCAT "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas". Additionally, the Commission again took note of the increasing level of Atlantic bigeye tuna harvests as indicated by trade and scientific data from 2001 and 2002.

The Commission welcomed Georgia's response to ICCAT's November 2002 letter notifying your government that it had been identified under the *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18]. Your response, however, was not sufficient to demonstrate that Georgia has rectified the activities of its flag vessels and has adopted appropriate measures to monitor and control its fleet.

Given this information, the Commission concluded that large-scale longline vessels of your country continue to operate in the Convention area in a manner that diminishes the effectiveness of ICCAT conservation and management measures and recommended the imposition of trade restrictive measures as mentioned above. The Commission again requests the Government of Georgia to take the necessary actions to rectify the fishing activities of vessels on its registry and to implement fully ICCAT's conservation and management measures, including instituting measures to ensure appropriate monitoring, control, and surveillance of its fleet and reporting catch and effort data to the Commission. Rectifying actions --including, as necessary, the revocation of registrations or fishing licenses of those vessels on the enclosed list-- should be reported to the Commission. The Commission would also appreciate receiving any information you may have concerning the foreign owners of the vessels registered to your country. Information concerning these matters should be submitted to ICCAT at least 30 days prior to its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by ICCAT at its 2003 meeting. The 2003 Resolution both broadens the scope of ICCAT's existing trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission will use the 2003 Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area. The information requested above will be valuable to the Commission when it considers trade-related matters concerning Georgia at its next meeting. Although the 2003 resolution will replace the *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18], previous decisions taken in accordance with this measure will remain in force until otherwise decided by the Commission.

In closing, the Commission would like to invite Georgia to participate in the 2004 ICCAT meeting as an observer. Information concerning that meeting will be forwarded in due course. Further, the Commission would remind Georgia that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. I would draw your attention to the provisions of the newly adopted *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.8 Letter to Guatemala: Deferring Cooperating Status decision and seeking information on monitoring, control and surveillance (MCS) scheme

The International Commission for the Conservation of Atlantic Tunas (ICCAT) met for its annual meeting from November 17-24, 2003, in Dublin, Ireland. In considering Guatemala's request for cooperating status at this recent meeting, the Commission determined that it was premature to take a decision on this matter and deferred the issue for consideration at the 2004 ICCAT meeting.

The category of Cooperating Party, Entity or Fishing Entity has been in existence within the Commission since 1994. Those that are granted Cooperating Status formally accept the obligation to implement fully the conservation and management measures adopted by the Commission and to abide by data and other reporting requirements. Before taking a decision on whether or not to confer such status to Guatemala, the Commission

wanted to ensure that your government had a full understanding of this matter and that the Commission had all the necessary information to make an informed decision. In this regard, I would draw your attention to a document adopted in 2003 entitled *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20] (enclosed). This measure clarifies the process for granting Cooperating Status and specifies the information that must be provided by applicants in order to receive consideration.

In support of the Commission's review of requests for Cooperating Status under the new recommendation, I would ask that Guatemala write to ICCAT as soon as feasible confirming its continued interest in receiving Cooperating Status and addressing directly the information requirements contained in paragraphs 3 and 4 of said Recommendation. Toward that end, specific information on Guatemala's monitoring, control, and surveillance scheme for its fleet should be provided.

In closing, I would note that the Commission was encouraged that Guatemala chose to work with the Commission and seek Cooperating Status before considering development of fisheries for heavily exploited tuna and swordfish stocks in the Convention area. For your use and information, I am enclosing a Compendium of ICCAT's Management Recommendations and Resolutions.

Thank you for your attention to this important matter. Please accept assurances of my highest consideration.

5.9 Letter to Guyana: Granting Cooperating Status and seeking information on monitoring, control and surveillance (MCS) scheme

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to inform you that the Commission granted Guyana's request for Cooperating Status. This decision was taken at ICCAT's Eighteenth Regular Meeting, held November 17-24, 2003, in Dublin, Ireland.

The category of Cooperating Party, Entity or Fishing Entity has been in existence within the Commission since 1994. Those that are granted Cooperating Status formally accept the obligation to implement fully the conservation and management measures adopted by the Commission and to abide by data and other reporting requirements. In return, those with Cooperating Status receive certain benefits, such as qualifying to receive quotas, to enter their vessels on ICCAT's authorized vessel list, and to transship with ICCAT member vessels.

In considering your request, the Commission was encouraged that Guyana chose to work with the Commission and seek Cooperating Status before considering development of fisheries for heavily exploited tuna and swordfish stocks in the Convention area. Further, the Commission recognized Guyana's status as a developing State, its efforts to report relevant catch data to ICCAT, and its ongoing initiative to improve such statistical reporting.

Each year, Cooperating Status is reviewed by the Commission. Significantly, at its 2003 meeting, ICCAT adopted a document that clarifies the process for granting Cooperating Status and specifies the information that must be provided by applicants in order to receive consideration. The document, entitled *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20], is enclosed. In keeping with this recommendation and in support of the Commission's 2004 review of Guyana's Cooperating Status, the Commission would appreciate receiving all relevant catch and effort data, including for sharks, as well as additional details on: (1) the composition of your fleet, (2) plans for expansion of your fisheries, and (3) your monitoring, control, and surveillance regime.

In closing, I would note that Cooperating Status for Guyana should be viewed as transitional in nature. In that regard, the Commission encourages Guyana to become a full member of ICCAT as soon as feasible. For your use and information, I am enclosing a Compendium of ICCAT's Management Recommendations and Resolutions.

Thank you for your attention to these important issues. Please accept assurances of my highest consideration.

5.10 Letter to Indonesia: Regarding revocation of identifications under the UU Catches Resolution for bigeye tuna and swordfish

I have the honor to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) decided at its Eighteenth Regular Meeting, held November 17-24, 2003, in Dublin, Ireland, to revoke Indonesia's identification status relative to swordfish and bigeye tuna.

As explained in previous communications, the Commission annually reviews fishery related information for to the Convention area relative to both ICCAT members and non-members. As you are aware, the referenced identification of Indonesia was made in accordance with the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18]. During its 2003 review, the Commission took note of the additional steps Indonesia has taken to rectify the fishing activities of its vessels, such as the cessation of fishing by Indonesian flag vessels in the Atlantic Ocean. In addition, no Indonesian flag vessels remain on ICCAT's "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas". The Commission wishes to express its appreciation to Indonesia for effectively addressing the concerns of ICCAT.

For your information, future reviews of fishery related activities in the Convention area will be done in accordance with a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by the Commission at its 2003 meeting. The 2003 Resolution both broadens the scope of ICCAT's existing trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission will use this new Resolution for the first time at its 2004 annual meeting, scheduled for November 15-21, in New Orleans, Louisiana, USA.

For your use and information, please find enclosed a Compendium of ICCAT's Management Recommendations and Resolutions, which includes the above trade Resolution.

Thank you for your attention to this matter. Please accept assurances of my highest consideration.

5.11 Letter to Israel: Regarding possible expansion of the bluefin tuna fishery

The International Commission for the Conservation of Atlantic Tunas (ICCAT) met for its annual meeting from November 17-24, 2003, in Dublin, Ireland. ICCAT coordinates the management of tuna and tuna-like species in the Atlantic Ocean and adjacent seas. Each year, the Commission collects and reviews fishery related information for the Convention area relative to the activities of both ICCAT members and non-members.

At the 2003 ICCAT meeting, Israel reported on its plans to increase its exploitation of bluefin tuna found in its territorial and surrounding waters. Israel also indicated an interest in developing bluefin tuna farming operations. The Commission is concerned about Israel's fishery development plans. As you may know, the East Atlantic and Mediterranean stock of bluefin tuna is over-exploited and the fishery is fully subscribed. The Commission recognizes that reported harvests by Israel are quite modest (e.g., 16 t for 2003); however, ICCAT has not established a bluefin tuna catch limit for Israel. Therefore, any harvests of this stock by Israeli flag vessels are taking place outside the ICCAT management regime. In addition, the development of a new farming operation may well have the effect of increasing the fishing pressure on this stock still further.

Given this situation, the Commission requests that Israel not expand its bluefin tuna fishery or develop farming operations at this time. We request that Israel take steps to implement ICCAT's conservation and management measures, including reporting catch and effort data to the Commission. For your use and information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. Additionally, the Commission would be grateful if Israel could provide more detailed information on the nature of its fleet and on measures Israel has in place to ensure appropriate monitoring, control, and surveillance of that fleet. All requested information should be submitted to ICCAT as soon possible and will be considered during the next Commission meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA.

In dosing, the Commission would remind Israel that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting such status, I would draw your attention to the provisions of the newly adopted *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20]. This Recommendation is included in the enclosed Compendium.

Thank you for your attention to these matters. Please accept assurances of my highest consideration.

5.12 Letter to Mauritania: Seeking additional information regarding tuna and swordfish

The International Commission for the Conservation of Atlantic Tunas (ICCAT) met for its annual meeting from November 17-24, 2003, in Dublin, Ireland. ICCAT coordinates the management of tuna and tuna-like species in the Atlantic Ocean and adjacent seas. As part of its efforts to conserve and manage these stocks, the Commission annually collects and reviews fishery related information relative to both ICCAT members and non-members.

During its 2003 review, the Commission was reminded that the European Community, an ICCAT member, has imported swordfish from Mauritania in 2002 and that vessels flagged to Mauritania and carrying swordfish and bluefin tuna have attempted to call at EC ports in the recent past. To date, Mauritania has reported no catch data to ICCAT. In addition, the Commission has not established a catch limit for Mauritania for any ICCAT stock. Any harvests of ICCAT species by Mauritanian flag vessels are taking place outside the ICCAT management regime. Thus, the Commission regarded this trade and landing information with concern.

The Commission requests the Government of Mauritania to provide ICCAT with information regarding the export and landing activities mentioned above as well as any other Atlantic swordfish or tuna harvests by its vessels, including the geographic area of the catch. The Commission also requests information on measures Mauritania has in place to ensure full implementation of ICCAT's conservation and management measures, including details on monitoring, control, and surveillance programs. Relevant information concerning these matters should be submitted to ICCAT as soon as possible so that the Commission can take it into consideration during its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA.

For your use and information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. Please note that it includes an important new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by the Commission at its 2003 meeting. The 2003 Resolution both broadens the scope of ICCAT's existing trade regime and establishes a more transparent process for the application of trade restrictive measures when such measures are warranted. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area.

Thank you for your attention to this important matter. Please accept assurances of my highest consideration.

5.13 Letter to Netherlands Antilles: Advising no consensus to grant Cooperating Status; expressing strong concerns regarding bigeye tuna catches

The International Commission for the Conservation of Atlantic Tunas (ICCAT) met for its annual meeting from November 17-24, 2003, in Dublin, Ireland. At that meeting, the Commission conducted its annual review of fishery related information for the Convention area pertaining to both ICCAT members and non-members.

During its 2003 review, the Commission received information that there are five vessels flagged to the Netherlands Antilles operating in the Convention area. The fleet consists of large-scale tuna vessels, three of which are purse seiners and two of which are baitboats. Catch data as reported by the Netherlands Antilles indicate significant harvest levels of bigeye tuna beginning in 1996 and continuing through 2002, the last year for which data were available.

The Commission welcomed the fact that the Netherlands Antilles has been reporting its catch data and vessel information to ICCAT and has been participating in ICCAT meetings as an observer. Nevertheless, the Commission expressed serious concern about the high catch levels of bigeye tuna by vessels flagged to the Netherlands Antilles. The Commission wishes to stress that ICCAT members have been operating under a strict management regime of time and area closures, capacity limitations, and catch limits since the late 1990s. The Commission would like to see significant reductions in the bigeye tuna catch levels of the Netherlands Antilles.

In considering the request of the Netherlands Antilles for Cooperating Status, the Commission could not reach a consensus on the matter at its 2003 meeting. As you may know, the category of Cooperating Party, Entity or Fishing Entity has been in existence within the Commission since 1994. Those that are granted Cooperating Status formally accept the obligation to implement fully the conservation and management measures adopted by the Commission and to abide by data and other reporting requirements. I would draw your attention to a document adopted in 2003 entitled *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20], (enclosed). This measure clarifies the process for granting Cooperating Status and specifies the information that must be provided by applicants to receive consideration.

In support of the Commission's review of requests for Cooperating Status under the new Recommendation, I would ask that the Netherlands Antilles write to ICCAT as soon as feasible confirming its continued interest in receiving Cooperating Status and addressing directly the requirements contained in paragraphs 3 and 4 of said Recommendation. Toward that end, specific information on the monitoring, control, and surveillance scheme for your fleet should be provided.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes an important new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted at the 2003 Commission meeting. The 2003 Resolution both broadens the scope of ICCAT's existing trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.14 Letter to Senegal: Expressing strong concern about and seeking clarification of swordfish and bigeye tuna fisheries and monitoring, control and surveillance (MCS) scheme

The International Commission for the Conservation of Atlantic Tunas (ICCAT) met for its annual meeting from November 17-24, 2003, in Dublin, Ireland. As explained in previous communications, the Commission annually collects and reviews fishery related information for the Convention area relative to the activities of both ICCAT members and non-members.

During its 2003 review, ICCAT welcomed the response from Senegal to the Commission's November 28, 2002, special letter seeking information on swordfish harvests. In your March 19, 2003, response letter, reference is made to artisanal and industrial fleets. You note that the industrial fleet does not target swordfish but that by-catch harvests do occur in the longline fisheries that target bigeye and yellowfin tunas. You also note that, in the past, some harvests have been made by Japanese longline vessels operating under fishing agreements with Senegal. It is not clear, however, if any of the vessels comprising the industrial fleet you mention are flagged by Senegal. In your letter, you also note that 34 t of swordfish were exported by Senegal, "mainly destined for the European Union." It is not clear if this figure relates to the Atlantic swordfish taken as by-catch by the industrial fleet or if some or all of it comes from your artisanal fleet.

The situation has become more complex in that the Commission's 2003 fishery review also indicated significant harvests of bigeye tuna by Senegal beginning in the late 1990s and continuing through 2002, the last year for which data were available. Given the strict rules under which the ICCAT membership operates relative to the bigeye tuna fishery, the Commission regarded the reported bigeye tuna catches by Senegal with serious concern.

In order to clarify fully these matters, the Commission requests the Government of Senegal to provide all available catch and effort data for its fleets, including the geographic area of the catch. The Commission also requests more detailed information on the size of Senegal's artisanal and industrial fleets, including information on vessel ownership, registration, and licensing. Finally, the Commission requests information on measures Senegal has in place to ensure full implementation of ICCAT's conservation and management measures, including details on monitoring, control, and surveillance programs. The requested information should be submitted to ICCAT as soon as possible so that the Commission can consider it during its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA.

For your use and information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. Please note that it includes an important new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by the Commission at its 2003 meeting. The 2003 Resolution both broadens the scope of ICCAT's existing trade regime and establishes a more transparent process for the application of trade restrictive measures when such measures are warranted. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.15 Letter to Seychelles: Concerning maintenance of identification in accordance with the 1998 IUU Catches Resolution and seeking information on harvests, possible dual vessel registration, and vessels on the IUU list

I am writing to inform you that the Commission decided at its Eighteenth Regular Meeting, held November 17-24, 2003, in Dublin, Ireland, to maintain the identification status of Seychelles relative to bigeye tuna.

As explained in previous communications, the Commission annually reviews fishery related information for to the Convention area relative to both ICCAT members and non-members. As you are aware, the referenced

identification of Seychelles was first made in 2002 in accordance with the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18]. During its 2003 review, the Commission received information that Seychelles and Japan had concluded a cooperative management framework to legalize the large-scale tuna longline vessels flagged to Seychelles. The Commission was also informed, however, that a small number of Seychelles flag vessels have continued to operate in the Convention area. Attached please find a copy of the 2003 ICCAT "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas."

Trade and scientific data from 2000 through 2002 indicate flag vessels of Seychelles have been harvesting both bigeye tuna and small amounts of swordfish. The Commission has not established catch limits of these ICCAT species for Seychelles; thus, any harvests of bigeye tuna or swordfish by your flag vessels are taking place outside the ICCAT management regime. Moreover, Seychelles did not avail itself of the opportunity to clarify directly with the Commission the situation concerning the fishing activities of its vessels after receiving ICCAT's November 2002 special letter. Finally, the Commission received information during its 2003 meeting that Seychelles issues certificates of parallel registry. In particular, a document was submitted to the Commission indicating that one of your duly registered vessels was also registered to the Netherlands Antilles. This practice is contrary to international law. Enclosed please find a copy of the parallel registry certificate.

In view of these circumstances, the Commission maintained its identification of Seychelles as a Non-Contracting Party whose vessels have been fishing for Atlantic bigeye tuna in a manner that diminishes the effectiveness of ICCAT conservation measures. The Commission again requests the Government of Seychelles to take the necessary actions to rectify the fishing activities of its vessels and to implement fully ICCAT's conservation and management measures, including instituting measures to ensure appropriate monitoring, control, and surveillance of its fleet and reporting catch and effort data to the Commission. Rectifying actions --including, as necessary, the revocation of registrations or fishing licenses of those vessels on the enclosed list-- should be reported to the Commission. In addition, the Commission requests Seychelles to provide clarification with regard to its fishing vessel licensing and registration practices and, in particular, to clarify the status of the vessel mentioned in the enclosed certificate.

The Commission will review the situation of Seychelles at its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA. Information concerning actions taken by Seychelles relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If it is determined that Seychelles has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission can recommend that its Contracting Parties take non-discriminatory trade restrictive measures on Atlantic bigeye tuna and its products from Seychelles.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by the Commission at its 2003 meeting. The 2003 Resolution both broadens the scope of ICCAT's existing trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area. The information requested above will be valuable to the Commission when it considers trade related matters relative to Seychelles pursuant to this review. Although the 2003 Resolution will replace the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18], previous decisions taken in accordance with this measure will remain effective until otherwise decided by the Commission.

In closing, the Commission would like to invite Seychelles to participate in the 2004 ICCAT meeting as an observer. Information concerning this meeting will be forwarded to you in due course. Further, the Commission would remind Seychelles that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the newly adopted *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.16 Letter to Sierra Leone: Regarding continuation of trade restrictive measures

The International Commission for the Conservation of Atlantic Tunas (ICCAT) is in receipt of the letter from Okere A. Adams, Minister of Fisheries and Marine Resources, dated 26 August 2003.

I am writing to inform you that ICCAT decided to maintain the trade restrictive measures adopted in accordance with the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18] in 2002 on bigeye tuna, bluefin tuna, and swordfish and their products from Sierra Leone.

As explained in previous communications, the Commission reviews annually fishery related information for the Convention area relative to both ICCAT members and non-members. During its 2003 review, the Commission noted that the Sierra Leone-flagged vessel, the "Best of SL", remains on the 2003 ICCAT "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas." For your information, a copy of this list is enclosed. In previous communications, we have noted concern about significant and repeated catches of ICCAT species and the lack of accurate data reporting by Sierra Leone. Data for 2002 continue to indicate high harvests of West Atlantic bluefin tuna. Sierra Leone has no catch limit from ICCAT and did not report any catch data for this fishery last year.

The Commission welcomed Sierra Leone's response to ICCAT's November 2002 letter notifying your Government of the decision to impose trade restrictive measures. Your response, however, was not sufficient to demonstrate that Sierra Leone has rectified the activities of its flag vessels and has in place appropriate measures to monitor and control its fleet. Failure to take effective measures with respect to these activities undermines the effectiveness of ICCAT conservation and management measures. The Commission concluded, therefore, that the situation concerning Sierra Leone vessels had not changed and that trade restrictive measures should continue.

The Commission again requests the Government of Sierra Leone to take the necessary actions to rectify the fishing activities of its vessels and to fully implement ICCAT's conservation and management measures, including instituting measures to ensure appropriate monitoring, control, and surveillance of its fleet and reporting catch and effort data to the Commission. In this regard, we would be grateful to receive more detailed information regarding the monitoring, control and surveillance scheme used by Sierra Leone referenced in the 24 April 2002 letter from Mr. A.B.C. Jones, Director of Fisheries for your country. In addition, it is not clear what the current status of the "Best of SL" is, and we would appreciate clarification of this issue. Information on rectifying actions --including, as necessary, the revocation of the registration or fishing license of the "Best of SL"-- and other relevant information should be reported to the Commission at least 30 days prior to its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by the Commission at its 2003 meeting. The 2003 Resolution both broadens the scope of ICCAT's existing trade regime and establishes a more transparent process for the application of trade restrictive measures. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area. The information requested above will be valuable to the Commission when it considers trade related matters relative to Sierra Leone pursuant to this review. Although the 2003 Resolution will replace the 1998 *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Ref. 98-18], previous decisions taken in accordance with this measure will remain effective until otherwise decided by the Commission.

In closing, the Commission would like to invite Sierra Leone to participate in the 2004 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind Sierra Leone that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the newly adopted *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.17 Letter to Sri Lanka: Regarding vessels on ICCAT's IUU List

The International Commission for the Conservation of Atlantic Tunas (ICCAT) met for its annual meeting from November 17-24, 2003, in Dublin, Ireland. ICCAT coordinates the management of tuna and tuna-like species in the Atlantic Ocean and adjacent seas. Each year, the Commission collects and reviews fishery related information for the Convention area relative to the activities of both ICCAT members and non-members. One result of this review is the compilation of ICCAT's "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas". Two vessels flagged to Sri Lanka appear on the 2003 version of this list, one of which is known to have operated in the Atlantic. For your reference, I have enclosed the subject list.

The Commission noted that Sri Lanka reports no catch data to ICCAT and no catch limits for ICCAT species have been assigned to Sri Lanka. Thus, any harvests of Atlantic tuna or tuna-like species by Sri Lankan flag vessels are taking place outside the ICCAT management regime. The Commission requests that Sri Lanka fully implement ICCAT's conservation and management measures, including taking all necessary measures to eliminate any illegal, Unreported, and Unregulated fishing activities by the vessels on the above mentioned list. Such actions could include the withdrawal of the registrations or fishing licenses of these vessels. Any actions taken should be reported to ICCAT. The Commission also requests that Sri Lanka provide information on the monitoring, control, and surveillance program for its fleet. The requested information should be submitted to the Commission well in advance of the next ICCAT meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA.

I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions for your use and information. The Compendium includes a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by the Commission at its 2003 meeting. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area. In support of that review, the Commission will also develop a vessel list in accordance with the enclosed *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* [Ref. 02-23].

In closing, the Commission would remind Sri Lanka that it can join ICCAT or to seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the newly adopted *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20]. This recommendation is also included in the attached Compendium.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.18 Letter to St. Vincent and the Grenadines: Lifting of sanctions, seeking additional information on possible IUU vessels and on MCS scheme, and requesting confirmation of albacore catches

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to inform you that the 2001 *Recommendation by ICCAT Concerning the Importation of Bigeye Tuna and Bigeye Tuna Products from St. Vincent and the Grenadines* [Ref. 01-14], as amended in 2002 by the *Recommendation by ICCAT Concerning the Trade Sanction Against St. Vincent and the Grenadines* [Ref. 02-20], entered into force as of January 1, 2004. All ICCAT Contracting Parties and cooperating Non-Contracting Parties, Entities, or Fishing Entities are, therefore, required to lift the bigeye tuna import prohibitions against your country.

At its 2003 meeting, the Commission took note of the additional efforts St. Vincent and the Grenadines has made since 2002 to control its fleet and implement ICCAT conservation and management measures. Such measures included ceasing registration of all high seas fishing vessels, prohibiting your vessels from fishing for those Atlantic tuna and tuna-like species for which St. Vincent and the Grenadines has no catch limit, and other initiatives designed to improve monitoring, control and surveillance (MCS) of the fleet registered to your country, such as instituting new laws and regulations, improving control of the vessel registration process, implementing a vessel monitoring system, and establishing an observer program and collaborative port inspection scheme. The Commission also recognizes and supports St. Vincent and the Grenadines' interest in considering changes to the composition of its fleet so that that it more directly supports development goals of your country and other small island developing states in the Caribbean while ensuring food security. In addition to the above, the Commission took note that St. Vincent and the Grenadines has been attending the annual

ICCAT meeting as an observer for several years and submitted a National Report and other relevant information to ICCAT in 2003.

Finally, the Commission welcomed the commitment of St. Vincent and the Grenadines to continue to improve aspects of its MCS scheme, including catch verification, and to take other steps to ensure St. Vincent and the Grenadines does not support illegal, unreported, and unregulated (IUU) fishing. In that regard, I would draw to your attention to the 2003 ICCAT "List of Large-Scale Longline Vessels Believed to be Engaged in Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area and Other Areas" (enclosed). Several vessels registered to St. Vincent and the Grenadines appear on this list. The Commission requests that St. Vincent and the Grenadines take all necessary measures to eliminate any IUU activities by these vessels. In addition, the Commission noted at its 2003 meeting a disparity between the level of albacore catches reported by St. Vincent and the Grenadines to ICCAT for 2002 and the level of albacore imports recorded by the United States and attributed to St. Vincent and the Grenadines for that same year. The Commission appreciates the commitment made by St. Vincent and the Grenadines to consult with the United States, Chinese Taipei and Japan to improve your ability to manage your tuna fleet in accordance with agreed international conservation and management measures.

The Commission urges the Government of St. Vincent and the Grenadines to provide all requested information, including that regarding progress in implementing improvements in your MCS program, in advance of the next ICCAT annual meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by ICCAT at its 2003 meeting. While similar in principle to other measures adopted by ICCAT in the past, the 2003 Resolution both broadens the scope of ICCAT's trade regime and establishes a more transparent process for the application of trade restrictive measures. In addition, paragraph 10 of this document contains a new element that allows for expedited implementation of trade restrictive measures under certain circumstances. The Commission will use this new Resolution for the first time in 2004 to guide its review of fishery related activities in the Convention area.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

5.19 Letter to Thailand: Regarding the fishing vessel "Green Bay No. II"

The International Commission for the Conservation of Atlantic Tunas (ICCAT) is in receipt of correspondence from Jaranthada Karnasuta, Deputy Director-General of the Department of Fisheries, dated 10 November 2003, regarding the Thai-flagged vessel "Green Bay No. II. The Commission is encouraged by this letter and appreciates the commitment of Thailand to the conservation and management measures of ICCAT, as well as to eliminating illegal, unreported and unregulated fishing.

The Commission considered documentary evidence showing the "Green Bay No. II" operating in the ICCAT Convention area. Enclosed please find a photograph of the vessel showing that it is flying the flag of Thailand, evidence that this vessel attempted to offload a catch of bluefin tuna in a port of the European Community, and trade statistics showing product harvested by this vessel was imported by Japan.

As you are aware, the Commission is concerned with any act or omission that diminishes the effectiveness of ICCAT conservation and management measures. As a result, we would be grateful for any additional information you may have with respect to this vessel. We would also be grateful if you could confirm that the "Green Bay No. II" is not now, and has never been, authorized to fly the flag of Thailand.

Thanking you for your attention to this matter, I take this opportunity to assure you of my highest consideration.

Enclosures

Documentary evidence regarding the Green Bay No. 2

Canadian Event Report: Thai Vessel Green Bay No II

EC Letter to ICCAT Regarding a Vessel Under Thailand

EC List of Vessel that have Carried Out Illegal Fishing

Japan Import Record of the Atlantic Tunas Caught by the Vessels on the 2002 ICCAT IUU List

5.20 Letter to Togo: Identification regarding the Swordfish Action Plan Resolution

This letter is further to earlier correspondence from the International Commission for the Conservation of Atlantic Tunas (ICCAT) dated November 28, 2002, and April 9, 2001. I am writing to inform you that the International Commission for the Conservation of Atlantic Tunas (ICCAT) decided at its November 2003 annual meeting to identify Togo in accordance with the terms of the *Resolution by ICCAT Concerning An Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish* [Ref. 95-13] (hereafter referred to as the Swordfish Action Plan Resolution).

As noted in previous communications, the Commission annually reviews fishery related information for the Convention area relative to both ICCAT members and non-members. During its 2003 review, the Commission was reminded that swordfish from Togo have been imported by the European Community (EC), an ICCAT Contracting Party, in recent years and that vessels flagged to Togo and carrying swordfish have attempted to call at EC ports in the past. To date, Togo has reported no Atlantic swordfish catch data to ICCAT; thus, any harvests of this stock by vessels flagged to Togo are taking place outside the ICCAT management regime. Moreover, Togo has not availed itself of opportunities to clarify to the Commission the situation concerning these catches. In view of these circumstances, the Commission identified Togo as a non-Contracting Party whose vessels have been fishing for Atlantic swordfish in a manner that diminishes the effectiveness of ICCAT conservation measures. The Commission, therefore, requests the Government of the Republic of Togo to take the necessary actions to rectify the fishing activities of its vessels and to implement fully ICCAT's conservation and management measures. In that regard, we would be grateful to receive detailed information regarding (1) the types of monitoring, control and surveillance methods used by Togo with respect to its fishing vessels, (2) Togo's total catch of tuna and tuna-like species in 2003 and prior years, (3) the markets to which Togo exports swordfish and/or its products, and (4) the maritime area in which your vessels fished swordfish.

The Commission will review the situation of Togo at its next meeting, scheduled for November 15-21, 2004, in New Orleans, Louisiana, USA. Information concerning actions taken by Togo relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If the Commission determines at its 2004 meeting that Togo has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission can recommend that its members take non-discriminatory trade restrictive measures on Atlantic swordfish and its products from Togo.

For your information, I am enclosing herewith a Compendium of ICCAT's Management Recommendations and Resolutions. It includes both the *Swordfish Action Plan Resolution* and a new instrument entitled *Resolution by ICCAT Concerning Trade Measures* [Ref. 03-15], adopted by ICCAT at its 2003 meeting. The 2003 Resolution broadens the scope of ICCAT's current trade regime (which includes the Swordfish Action Plan Resolution). The new measure also improves the transparency of the process for applying trade restrictive measures. The Commission will use the new Resolution for the first time at its 2004 meeting to guide its review of fishery related activities in the Convention area. Although the 2003 Resolution will replace the Swordfish Action Plan Resolution, previous decisions taken in accordance with the Action Plan will remain effective until otherwise decided by the Commission.

In closing, the Commission would like to invite Togo to participate in the 2004 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind Togo that it can join ICCAT or seek Cooperating Status if your country maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the newly adopted *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Ref. 03-20]. For your convenience, this Recommendation is included in the attached Compendium.

Thank you for your attention to this important matter. Please accept assurances of my highest consideration.

5.21 Letter to Japan: Concerning Japanese support of Israel's developing bluefin tuna fishery

At the Eighteenth Regular Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT), held from November 17-24, 2003, in Dublin, Ireland, Israel reported on its plans to increase its exploitation of bluefin tuna found in its territorial and surrounding waters. Israel also indicated an interest in developing bluefin tuna farming operations.

During its annual review of fishery related information for the Convention area, the Commission expressed concern about Israel's plans to expand its bluefin tuna fishery and develop farming operations. The Commission agreed to send Israel a letter noting its concerns and requesting Israel not to expand its bluefin tuna fishery or develop farming operations at this time. The information presented at the Commission meeting further suggested that Egypt and other states were also considering expansion of bluefin tuna fishing and/or initiating farming operations. Many members of the Commission expressed concern over the alleged involvement of Japanese business entities supporting such activities by non-member states when such activities can encourage an increase in the catch of bluefin tuna outside ICCAT's conservation and management regime for this species.

In view of the above, the Commission agreed at its 2003 meeting to send a letter to the Government of Japan seeking its effort to inform fully all relevant Japanese business entities of the problems associated with the activities of Israel, Egypt, and other states in light of ICCAT's conservation programs for Atlantic tunas. It was also agreed to request your Government to urge these business entities not to encourage non-members without Cooperating Status in the expansion of fishing for Atlantic bluefin tuna, in dealing with foreign fishing interests of non-member countries. Any steps the Government of Japan might be able to take in this regard would be greatly appreciated. The Commission looks forward to receiving a report from Japan on this matter at its 2004 annual meeting.

Thank you for your attention to this important matter. Please accept assurances of my highest consideration.

Appendix 6 to ANNEX 10

Statement by Trinidad and Tobago to the PWG

Trinidad and Tobago submits that the Commission is expected to base its decision on evidence to indicate non-compliant activities by States. Neither Belize nor St. Vincent and the Grenadines has received documentary evidence to indicate that either State has failed to complete the necessary action required to bring their fishing practices into conformity with ICCAT's conservation and management measures.

Trinidad and Tobago wishes to submit further that the Commission needs to be cognizant about the image it projects to its sister organizations that are present here today as well as to the rest of the international fishing community. The principles of fairness, transparency and non-discrimination have been supported in a number of proposals in the context of how the Commission should conduct its work.

Both countries, Belize and St. Vincent and the Grenadines have been working for the past two years and have made considerable progress in implementing remedial measures, which have required the expenditure of considerable resources.

As a Contracting Party, Trinidad and Tobago submits that the Commission needs to encourage States such as Belize and St. Vincent and the Grenadines to continue their compliance efforts. There is need to give an incentive to these countries to continue striving to meet ICCAT's standard of compliance. Therefore, lifting trade sanctions at this time represents the appropriate favorable response.

Appendix 7 to ANNEX 10

Statements by Belize to the PWG

7.1 Lifting of sanctions

This is to confirm that, in lifting the sanctions against Belize, we undertake:

- Not to register or license any fishing vessel to target tuna and tuna-like species in the ICCAT Convention area without a quota or beyond the catch limitation or effort limitation of any quota, catch limitation or effort limitation allocated to us.
- To ensure that our vessels fishing in other oceans also take the same measure in compliance with the requirements of all the relevant RFMOs.
- To accept to its registrations tuna fishing vessels that have no history of IUU fishing activities, or if those vessels have such history, the new owners and/or operators have no legal, beneficial or financial interest in, or control over, these fishing vessels.

7.2 *On the revised EC proposal for a recommendation on criteria for attaining status of cooperating non-Contracting Party, Entity or Fishing Entity in ICCAT*

We are of the view that:

- Changes agreed within ICCAT regarding information requirement / criteria for attaining Cooperating Status should be notified to all interested parties at least four months in advance of any ICCAT meeting at which their status will be considered. In this regard, we would refer to the requirements by ICCAT that applications for Cooperating Status should be submitted three months in advance of such meetings. The EC's proposal is dated November 18, 2003 and is clearly far too late for thorough consideration.
- Any adverse allegations concerning non-compliant proven actions (not just conduct) in regards to applications for Cooperating Status in other RFMOs should be notified to such applicants at least two months in advance of any ICCAT meeting at which their status will be considered. This is in order to enable them to respond thereto. This is most important because as have been in various lists submitted by ICCAT, all too often there are errors contained therein.
- The reference to other RFMOs should encompass non-compliant proven actions (not just conduct) of both Contracting as well as existing Cooperating members. As we have seen, members in these categories may also be non-compliant both at ICCAT and elsewhere. This requirement would create a level playing field for existing and aspiring members of ICCAT.
- The criteria should make reference to the fact that the primary emphasis will be an applicant's performance in the ICCAT area. The reference from other RFMOs will be a subsidiary consideration that shall in no way in itself be allowed to amount to a veto on an application.
- The past record of an application should not in itself preclude the success of an application of a country that has proven its commitment and informed ICCAT of the measures it has taken to ensure compliance by its vessels of ICCAT conservation and management measures.

Appendix 8 to ANNEX 10

Statements by St. Vincent and the Grenadines to the PWG

8.1 *Regarding progress on its remedial action plan to cooperate with ICCAT management measures*

Recalling the Remedial Action Plan submitted by St. Vincent and the Grenadines to the 2001 regular meeting of ICCAT was endorsed by the Commission and is an indication that St. Vincent and the Grenadines recognized the measures required to achieve compliance with ICCAT management measures. Efforts to implement measures to regulate Vincentian registered vessels fishing on the high seas have continued to date. The decision to cease registration of all high seas fishing vessels is still in effect. We continue to refine relevant legislation and at this moment, new and more detailed High Seas Fishing Regulations were gazetted on 4 November 2003. These Regulations specifically make provisions for:

- Licensing fees, applications and conditions for licensing;
- Grounds for refusal of a license;
- Monitoring of catch and effort data, geographical position of vessels on a daily basis;
- Prohibitions and restrictions relating the management and conservation of tuna and tuna-like species;
- Transshipment;
- Placing of observers on large-scale vessels;
- Fish quality inspection schemes; and
- Notification of international obligations of the State.

The Regulations are sufficiently flexible to facilitate stricter controls through the stipulation of specific license conditions.

All Vincentian registered high seas fishing vessels are being licensed in accordance with these new Regulations. In addition, all vessels shall apply for a fishing license within 30 days from 4 November 2003. No vessel has been or shall be licensed to fish for species for which St. Vincent and the Grenadines has no quota as allocated by this Commission. Furthermore, no Vincentian registered high seas fishing vessel is allowed to fish without the appropriate licenses issued by the Fisheries Division in St. Vincent and the Grenadines.

A memorandum of understanding has been set up with the Customs Department, to ensure that approval is given by the Fisheries Division for proceeding with registration of fishing vessels. A specific amendment to the Merchant Shipping Act is also being considered to strengthen this mechanism.

Additionally, daily catch and effort reports are submitted to the Fisheries Division by Vincentian vessels fishing in the ICCAT Convention area. This includes all large-scale vessels. Personnel have been recruited to fully implement the collection and processing of statistics and research programs. We have addressed concerns relating to the high catch of albacore in 2001 and have effected a significant reduction as demonstrated in the statistics submitted to ICCAT for 2002.

A satellite vessel monitoring system is in place and the geographical positions of all vessels fishing in the ICCAT Convention area are currently being monitored. Queries on the sighting of vessels have been answered based on evidence provided by our records, trade sanctions from third countries, and reported vessel sightings. Information on infractions provided by any Contracting or non-Contracting Party will be acted upon promptly. Where convictions are made, severe fines will be imposed (up to \$2 million) and repeated infractions would lead to a cancellation of the vessel's license or registration.

An observer system has been established and will be implemented immediately after the vessels have paid their fees (three months from 4 November 2003).

Discussions were held with third party states for the implementation of port inspection schemes and we have obtained commitments to collaborate on this matter from Trinidad and Brazil, where the majority of our boats land their catch. Mechanisms for collaboration will be worked out immediately after this meeting.

Resources have been allocated for participation as full members of ICCAT in the 2003 budget. This matter is currently before the Cabinet and a decision will be taken by the end of this year or early in 2004.

St. Vincent and the Grenadines considers these efforts significant and will continue to address any problems relating to the regulation of vessels registered to St. Vincent and the Grenadines as identified by us or this Commission.

8.2 Statement by St. Vincent and the Grenadines

Further, St. Vincent and the Grenadines commits itself to adhere to all ICCAT conservation and management measures and to cooperate with all ICCAT Contracting Parties, in particular:

- Give serious consideration to reduce fishing vessels owned by non-CARICOM nationals;
- Prohibit fishing for tuna and tuna-like species for which St. Vincent and the Grenadines has no agreed ICCAT quota or catch limit;
- Continue our efforts to ensure that our fleets have no relations with IUU vessel owners; and
- Consult with United States, Chinese Taipei and Japan to further improve our ability to manage our tuna fleets in accordance with agreed international conservation and management measures.

Appendix 9 to ANNEX 10

Update on Cooperating Party Requests¹

The *Resolution by ICCAT on Becoming a Cooperating Party, Entity or Fishing Entity* [Ref. 01-17] dictates the process by which Non-Contracting Parties, Entities or Fishing Entities can be accorded Cooperating Status. This document summarizes the activities related to this topic that took place since the 2002 meeting of the Commission.

1. Current Cooperating Parties Entities or Fishing Entities

Chinese Taipei and Philippines currently have Cooperating Status at ICCAT. According to paragraph 4 of [Ref. 01-17], the Commission shall annually review and renew this Status unless it is to be revoked due to non-compliance with ICCAT conservation and management measures.

¹ As of 17 November 2003.

Paragraph 2 of [Ref. 01-17] states that: "The applicant shall commit itself to transmit all the data to ICCAT that the Contracting Parties have to submit to ICCAT based on the recommendations adopted by the Commission".

The following table summarizes the mandatory types of information submitted by Chinese Taipei and Philippines during 2003:

<i>Cooperator</i>	<i>Statistical data</i>	<i>Reporting tables</i>	<i>S. ALB catches</i>	<i>N. ALB vessels</i>	<i>Positive vessel list</i>	<i>Vessel chartering</i>	<i>Stat. Doc. Reports</i>	<i>National Reports</i>
Chinese Taipei	Task I & II (30-vi-03)	17-x-03	Up to vi-03	18-viii-03	30-vi-03	---	Validation info for BFT, BET & SWO (iv, vi, & viii-03)	20-x-03
Philippines	Task I & II (24-iv-03)	24-iv-03	Not applicable	Not applicable	24-iv-03	---	Validation info for BFT, BET & SWO(vii-03)	---

2. Letters from the Executive Secretary

Paragraph 1 of [Ref. 01-17] requires the Executive Secretary to "contact all Non-contracting Parties, Entities, or Fishing Entities known to be fishing in the Convention area for species under ICCAT competence to urge each of them to become a Contracting Party to ICCAT or to attain status as a Cooperating Party, Entity or Fishing Entity".

The Secretariat estimates that 44 non-Contracting and non-Cooperating Parties, Entities or Fishing Entities have recently been fishing for tuna and tuna-like species in the Convention Area. Five of these (Bolivia, Indonesia, Seychelles, Sierra Leone, and St. Vincent and the Grenadines) received special letters from the Commission (dated 28 November 2002) urging them to become Contracting Parties or to apply for Cooperating Status. Two others (Belize and Netherlands Antilles) applied for Cooperating Status before June 2003. On 12 June 2003, the Executive Secretary sent letters to the remaining ones, urging them to consider Contracting Party or Cooperating Status. These are: Argentina, Belarus, Benin, Bulgaria, Cambodia, Cuba, Denmark (in respect of the Faroe Islands), Dominica, Dominican Republic, Colombia, Congo, Costa Rica, Egypt, Georgia, Grenada, Guyana, Guinea Bissau, Israel, Jamaica, Kenya, Latvia, Lebanon, Liberia, Malta, Mauritania, Monaco, Mozambique, Norway, Senegal, Serbia & Montenegro, Singapore, St. Kitts & Nevis, St. Lucia, Thailand, Togo, Turkey, and Ukraine.

Of the countries that received correspondence on possible Cooperating Status, Malta and Turkey became Contracting Parties to ICCAT; Singapore explicitly declined the invitation.

3. Requests for Cooperating Status

Requests from Netherlands Antilles and from Belize for Cooperating Status had been sent to the Secretariat in 2002 but had arrived after the 90-day deadline specified in [Ref. 01-17]. The PWG agreed, therefore, that these applications for Cooperating Status would be considered at the 2003 Commission meeting unless withdrawn.

Other requests for Cooperating Status, as shown in Appendix 1², were received during 2003 and prior to the 90-day deadline. These are from Cuba, Egypt, Guatemala and Guyana.

The following table summarizes the types of information received from these applicants during 2003:

<i>Applicant</i>	<i>Information</i>
Belize	- Task I (zero catch) (4-viii-03) - Zero vessels >24 m (4-viii-03) - National Report (23-x-03)
Cuba	- Task I and Task II data (2-vi-03)
Egypt	
Guatemala	- Task I (zero catch) (12-v-03) - Vessel list (12-v-03)
Guyana	- Task I (28-viii-03)
Netherlands Antilles	- Task I (7-vii-03) - Vessel list (7-vii-03)

² This is on file at the Secretariat.

Appendix 10 to ANNEX 10

Statement by Chinese Taipei on its Request for Renewal of Cooperating Status

Chinese Taipei has been providing statistical data of fishing activities in the ICCAT convention area in the form of Task I and Task II to the Secretariat within the timeframe as requested. We have sent scientists to participate in the work of stock assessment and scientific research on tuna species under the purview of ICCAT.

We have implemented domestic measures to comply with the conservation measures adopted by ICCAT, and we have applied strict control on the activities of our fishing vessels within the convention area, to ensure that the catch limits and quotas allocated to us are not overused.

Our Fisheries Agency has been conducting vessel monitoring by means of satellite transponders installed on board the vessels in a voluntary basis. Pilot project on scientific observers program has been launched to collect fisheries information that is not readily available in daily logbook, such as by-catch and biological samples.

Since 1999, Chinese Taipei and Japan have cooperated with each other in the joint efforts to combat and eliminate IUU/FOC large-scale tuna longliners under a joint program. As of 24 November 2003, Japan has purchased for scrap some 44 second-hand longliner vessels it exported, while Chinese Taipei has re-registered 47 large-scale tuna longliners built in its shipyards by amending its regulations. In addition, Chinese Taipei and Japan have jointly assisted owners of some 69 large-scale tuna longliners to seek legitimization in Vanuatu and Seychelles under a special arrangement.

Chinese Taipei has continued providing voluntary financial contributions to ICCAT, both for the administrative use by the secretariat and special fund for scientific research.

With all the work done, not less than those by the members, we feel that we should deserve continuation of the Cooperating Status as accorded by the Commission.

Appendix 11 to ANNEX 10

**Information for Final Consideration of the Application of
Netherlands Antilles for Cooperating Party Status Within ICCAT**

Since October 2002 the Government of the Kingdom of the Netherlands has presented to ICCAT a formal request on behalf of the government of the Netherlands Antilles for Cooperating Party status, reflecting the firm commitment of the Netherlands Antilles to respect, implement and maintain the conservation and management measures taken by ICCAT.

Item 3 of Appendix 10 to ANNEX 10 reflects that the Netherlands Antilles has duly provided the requested information by ICCAT on annual catches (Task I) and the vessel list. The data reporting³ document reflects that information on Task I was actually provided to ICCAT. The historical catch series of the Netherlands Antilles goes back to 1996 as can be seen in the SCRS Report. For your information, the total catch of the Netherlands Antilles for 2001 was approximately 21,000 t of tropical tunas caught by three purse-seine boats. Information on Task II has not yet been formally provided. However, this information has been made available to the SCRS since 1996 through the scientific institutions that control the purse seine fleet in the Atlantic Ocean to be considered every year for the evaluation of the tuna stocks in the Atlantic Ocean.

The report on the establishment of an ICCAT Positive List indicates that the Netherlands Antilles as a non-Contracting or Cooperating Party has submitted its vessel list in accordance with Recommendation [Ref. 02-22] of ICCAT. These vessels have however not been included on the Positive List by the Secretariat, because the applicant does not yet have Cooperating Status in ICCAT.

³ On file at the Secretariat.

Appendices 2 and 4 to ANNEX 10 indicate that no formal actions or sanctions have ever been taken by ICCAT against the Netherlands Antilles. This is also reflected by the absence of correspondence between ICCAT and the Netherlands Antilles in this regard.

The 2003 IUU List (Appendix 3 to ANNEX 10) indicates that no vessels of the Netherlands Antilles are considered on the 2003 IUU list.

Recommendation [Ref. 01-01] of ICCAT states that: “Each Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entities shall, in 2002, limit their catch of Atlantic Bigeye tuna to the average catch of Atlantic Bigeye tuna taken by all their vessels in 1991 and 1992.” Furthermore, paragraph 3 of this Recommendation continues to say: “the provision of paragraph 1 will not apply to Contracting Parties, Cooperating non-Contracting Party, Entity or Fishing Entities whose reported 1999 catch, as provided to the SCRS in 2000, was less than 2100 t.”. The bigeye tuna catch of the Netherlands Antilles in 2002 was 1,879 t (Appendix 4 to ANNEX 10 or Appendix 3 to ANNEX 9). In the Compliance Tables the ICCAT Secretariat recognizes that, in this respect, no provision is made for non-Contracting Parties [like the Netherlands Antilles] that have not been granted Cooperating Status. Consequently, Recommendation [Ref. 01-01] can formally *not* be used against the application of the Netherlands Antilles for Cooperating Party status.

However, during the informal meeting of the PWG on November 23, 2003 on the request for granting the Cooperating Status of ICCAT to the Netherlands Antilles, it was suggested that, upon acceptance of the Netherlands Antilles as a Cooperating Party, the country would formally not be in compliance with Recommendation [Ref. 01-01] and Recommendations [Ref. 98-03] and [Ref. 02-01]. To this, the Government of the Netherlands Antilles reacts as follows:

- With regard to Recommendation [Ref. 01-01]: as a coastal country of the Atlantic ocean, the Netherlands Antilles cannot be treated less favourably than several other countries which have been previously granted Cooperating Party status by ICCAT, given the historical performance on responsible fisheries management of the Netherlands Antilles as set out above. Furthermore, at the time of the Recommendation in 2001, the Netherlands Antilles catches were already to a level above the average of 1991 and 1992. However, in 2002 [the year being considered by the recommendation] the catches were already reduced to a level under the threshold of 2,100 t mentioned under paragraph 3 of the Recommendation.
- With regard Recommendation [Ref. 98-03] juncto [Ref. 02-01]: the Netherlands Antilles purse-seine fleet has not increased since the beginning of the operations in 1996.

Furthermore, the Netherlands Antilles fleet has diligently complied with the Moratoria Recommendation [Ref. 99-01] by embarking observers on board of the vessels for the prescribed three-month period since the implementation of this Resolution.

Given the fact that the application by the Kingdom of the Netherlands [on behalf of the Netherlands Antilles] was done more than one year ago and that the additional necessary information was submitted on time and formal commitments were issued in accordance with the new criteria for attaining the requested Cooperating Party status [see Ref. 03-20], the Government of the Netherlands Antilles would be highly discouraged and demotivated if this Commission would not honour the request, especially in light of the work done and considering the treatment that certain members and cooperating parties of this Commission were granted, despite the lack of compliance with ICCAT regulations by indicated parties. We therefore call upon the members of this Commission to honour the level playing field that contributes to the legitimacy of ICCAT’s decisions and measures, with which we have done so much to comply.

Finally, as a coastal developing country in the Convention area, we call upon you to provide us the possibility to exercise the legitimate right to develop our fisheries in a responsible manner to avoid the consideration of our country as an IUU-fishing nation by ICCAT, with all the negative consequences attached to that identification.

REPORT OF THE 2nd JOINT MEETING OF THE COMPLIANCE COMMITTEE AND PWG

1. Opening of the meeting

Given the continuing overlapping nature of many issues and the success of the first Joint Meeting in 2002, it was agreed to convene a Second Joint Meeting of the Compliance Committee and PWG. This meeting was co-chaired by Compliance Committee Chair, Mr. Friedrich Wieland (European Community), and the PWG Chair, Ms. Kimberly Blankenbeker (United States).

2. Adoption of the Agenda

Item four of the draft Agenda concerning the Report of the 3^d Meeting of the Working Group to Develop Monitoring Measures was deemed to be of more relevance to the Compliance Committee; thus the Parties agreed to address this matter in that forum. The revised Agenda of the Joint Meeting (**Appendix 1 to ANNEX 11**) reflects this change.

3. Appointment of the Rapporteur

Mr. David Kerstetter (United States), the Rapporteur for the PWG, was also appointed Rapporteur for this Joint Meeting.

4. Consideration of the Report of the 1st Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade-Restrictive Measures, including any draft recommendations and other possible actions/measures

The Chair of the PWG introduced the report of this meeting (see **ANNEX 4.2**), which she chaired. She highlighted the various ideas and proposals stemming from the meeting that required consideration. The PWG Chair drew specific attention to the draft resolution developed at the inter-sessional meeting, the intent of which was to close some remaining gaps and increase the transparency of ICCAT's process for using trade restrictive measures to ensure conservation (**Appendix 3 to ANNEX 4.2**). She stressed that two main goals identified at the working group meeting were to finalize development of the draft resolution early in the 2003 Commission meeting for application at that same meeting and to consider development of a more comprehensive trade scheme.

With respect to the latter objective, the Delegate of the European Community introduced a draft recommendation concerning trade measures, noting that it reflected different criteria for Contracting Parties and non-Contracting Parties, although it would apply to all areas, fisheries, and species.

After taking into account the EC proposal and the work done at previous inter-sessional and annual meetings on this issue, the Delegate from the United States introduced, on behalf of several other Parties, a draft resolution concerning trade measures. The U.S. Delegate explained that this proposal was intended to make ICCAT's current regime of trade related measures more comprehensive. Specifically, the resolution covers both members and non-members and all fisheries. Further, it establishes a transparent process for the application of trade restrictive measures and uses comparable standards for evaluating fishery related activities. Finally, the resolution allows for the swift re-imposition of penalties in cases where Parties recently released from sanctions act in bad faith and again engage in their previous activities.

The Delegate of the EC noted support for this proposal, commenting that while IUU vessels often move far faster than RFMOs, this proposal allows for quick action. The Delegate from Canada expressed support for this clear, fair, and transparent proposal, and thanked all those who had drafted it.

The Delegate of Brazil remarked that he supported the proposal, although he expressed concern about the drafting process. He stated that this process could have been more transparent and he lamented the use of a

small, exclusive group to do the work. The Delegate from Mexico also supported the proposal, and thanked the drafters for including points previously requested by his government, such as the ability to impose sanctions against other Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities. He noted, however, that it remained unclear whether sanctions imposed for one species could be expanded to all species. The Delegate from Turkey observed that the measure would only potentially hurt exporters, while all the drafters of the proposal were importing states. The Delegate from Brazil also stated that it was his interpretation that these sanctions would apply to any Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity who was in violation of any ICCAT measure, including to those Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities that import from countries under sanction, since they would also be non-compliant. The Delegate of the EC noted agreement with this interpretation, but he stressed that the difference was between compliant and non-compliant Parties, not developed and developing.

It was agreed that the *Resolution by ICCAT Concerning Trade Measures* (see ANNEX 6 [Ref. 03-15]) be forwarded to the Commission for adoption.

5. Vessel list status and implementation

5.1 List of vessels over 24 m authorized to operate in the Convention area

A representative from the Secretariat introduced a report detailing the implementation of the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* [Ref. 02-22]¹. He reported that the list had been operational since the beginning of September and was last updated on 19 November 2003. The current list now contained 3,166 vessels from 21 Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, although some of the vessels included were under the minimum 24 m size required by the original Recommendation. He also noted that four non-Cooperating non-Contracting Parties, Entities or Fishing Entities have also submitted vessel lists, but these have not been added because they were deemed outside the original mandate. Specific attention was given to several tables detailing such topics as the number of new vessels for 2003.

The Delegate from Japan thanked the Secretariat for its work and commented that the development of such a list was a welcome additional tool for the Commission. He suggested that because the original Recommendation [Ref. 02-22] did not concern either non-Cooperating non-Contracting Parties, Entities or Fishing Entities or vessels under 24 m, they should not be included on the list, although Contracting Party and Cooperating non-Contracting Party, Entity or Fishing Entity vessels under 24 m might be included on a separate table on the ICCAT website. The Delegate also noted with concern the number of new vessels on the 2003 list and commented that some Parties have apparently accepted vessels into their registry from countries currently under ICCAT sanction, a loophole that needs to be closed.

The Delegate of the EC observed that there is a significant difference between vessels being “authorized to fish” and those actually fishing. For example, the European Community currently had approximately 300 vessels in this former category. The Delegate noted that there were still some problems with the website for this list that needed to be corrected, but that his largest concern regarded the lack of safeguards regarding the re-flagging of vessels. He further noted the unfortunate difficulty of obtaining data on some vessels due to confidentiality regulations.

Several Delegates queried why some of the data on the vessels of Chinese Taipei on the list were considered confidential. Chinese Taipei replied that when it had received the necessary forms from the Secretariat, there was an option whether to keep the submitted information confidential, and the decision was made to do so. However, such information on these vessels was available at the Secretariat and Chinese Taipei was willing to lift the confidentiality restriction on this information.

The Delegate of Morocco remarked that Morocco’s submitted list presently included only longline vessels, but that it would soon submit to the Secretariat a list of all fishing vessels over 24 m.

The Delegate from Brazil commented that some of the information missing on the website has actually been submitted to the Secretariat. In response to questions from several other delegations, the Delegate of Brazil

¹ This Report is on file at the Secretariat.

remarked that several vessels from St. Vincent and the Grenadines are no longer in Brazil, and that some formerly Belize-flagged vessels are now under investigation by Brazilian authorities.

Several Delegates also noted that several other Contracting Parties had submitted no information for the ICCAT list, yet had requested quota from the Commission. The Delegate of Trinidad and Tobago suggested that Contracting Parties that do not have any fishing vessels over 24 m could simply be footnoted to that effect to remove potential confusion. The Delegate from the EC observed that there were no vessels on the list from several Contracting Parties, and that without vessels on this list, such Parties would not be able to land their product in EC ports. Several Parties commented that not all Contracting Parties had vessels over 24 m fishing for ICCAT managed species.

The Chair noted that the consensus among the Parties appeared to be that: (1) except for those with Cooperating Status, non-Contracting Party, Entity or Fishing Entity vessels would not be included on the list; (2) vessels under 24 m should not be included on the list, although these vessels could be retained on a separate table for information; and (3) Parties should not submit vessels with third party flags for inclusion on the list and clarifications should be made to the current record to exclude vessels of third party flags. The Delegate of Japan expressed his concern that some of the third-party vessels on the list were from flag states which were currently under sanction, and requested that Contracting Parties inform the Commission in 2004 of the measures which had been taken to rectify this situation. Finally, it was agreed that certain alterations to the presentation format of the list should be made by the Secretariat.

The Delegate of Japan noted that paragraph 6 of the *Recommendation by ICCAT Concerning the Establishment of and ICCAT Record of Vessels Over 24 meters Authorized to Operate in the Convention Area* [Ref. 02-22] requires Contracting Parties and Cooperating non-Contracting Parties to submit a report to the Commission relating to their internal actions and measures taken in order to ensure that their vessels fulfill the requirements and responsibilities under the Convention and its conservation and management measures, but that no such reports had been submitted. He urged that these reports be submitted for discussion at the 2004 meeting and requested the Secretariat to develop a standard reporting format for such reports, and he indicated that Japan would be willing to assist in this task.

The Delegate of Japan introduced a supplemental recommendation concerning the establishment of an ICCAT record of vessels. This measure was intended to close the gap between ICCAT's IUU list and its authorized vessel list. Despite efforts to work out language by a drafting group, no consensus text could be formulated and the proposal was withdrawn.

The Chair thanked the Secretariat for its efforts, especially in light of the time constraints at this meeting, and expressed the hope that the list would continue to evolve in a productive fashion.

5.2 List of LSTLVs believed to be engaged in IUU fishing

The Secretariat introduced the 2003 IUU List (**Appendix 3 to ANNEX 10**; see also **ANNEX 10**, Agenda item 5.1.2) and an initial discussion of the list ensued. Given the nature of the discussion, the Parties agreed to refer development of the IUU list to the PWG.

5.3 Related issues

The Delegate of Japan provided an overview on the status of Japan's progress in the measures to eliminate IUU activities during the past year (see **Appendix 2 to ANNEX 11**). The Delegate commented that while such efforts have been relatively successful in the Atlantic, there were still over 100 IUU vessels operating worldwide.

The report by Chinese Taipei on the elimination of IUU vessels is attached as **Appendix 3 to ANNEX 11**.

6. Consideration of Report of the Ad Hoc Data Workshop and other measures to improve fisheries statistics requested by ICCAT

The Chair of the SCRS reviewed the report of this meeting (see **ANNEX 4.3**). He touched upon the specific points concerning the lack of timely data submission and whether data reporting standards now in effect are even possible for some Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities. He also commented that the SCRS sought the guidance of the Commission regarding the submission of data deemed

non-credible by the SCRS. Finally, the SCRS Chair commented that it would be useful to have the original ICCAT Statistical Documents to help in the data verification effort.

The Delegate of the United States commented that non-compliance with data reporting requirements is jeopardizing the ability of the Commission to operate effectively, a problem which has now been clearly acknowledged by the SCRS. The U.S Delegate then introduced a proposal regarding improvements in data collection and quality assurance.

The Delegate from Japan replied that the proposal was appreciated, but expressed concern that the objectives of the U.S. proposal might differ from those identified by the SCRS. He also noted that there were several methods by which the data for the Commission might be improved and that the U.S. proposal was only one of them. The EC Delegate remarked that such a program was premature, since the Commission had yet to even discuss the Report of the *Ad Hoc* Data Workshop (see ANNEX 4.3). The EC Delegate continued by stating his belief that the missing gaps in the SCRS data, as identified by the Secretariat¹, could be filled without the need for yet another data program.

In response, the Delegate of Japan noted that while the basic data were indeed being presented to the Commission, more detailed types of data were often missing. However, the Delegate expressed concerns that the specific fisheries covered in the U.S. proposal may not be necessary.

The Delegate from the United States remarked that it was the intent of the proposal to provide assistance to those without their own data collection and reporting infrastructure, and that the United States was committed to assisting financially as well. The Delegate of Brazil expressed support for the U.S. proposal, while reserving Brazil's position regarding the discussion of absolute percentages of coverage by fishery. He observed that any efforts made by the developed Contracting Parties to help the data collection needs of developing Contracting Parties would be helpful and recalled that demonstrating cooperative inter-governmental efforts often facilitated access to additional funds from domestic finance ministries.

The Chair observed that time had expired for discussion in the Joint Meeting and commented that the proposal would be presented to the Commission in Plenary for further debate (see also Agenda item 9.2 of the Commission Proceedings).

During the Final Plenary Session, the Commission adopted the *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* (see ANNEX 5 [Ref. 03-21]).

7. Other matters

The Delegate from the EC introduced a proposal to adopt additional measures against illegal, unreported and unregulated (IUU) fishing, noting that while ICCAT is at the lead of combating IUU fishing, gaps remain in the enforcement scheme of the Commission. Specifically, he noted that countries under sanction or those that had exceeded their quota could export that fisheries product. The Delegate also introduced a proposed recommendation prohibiting at-sea transshipments. This measure, he explained, closes the loopholes regarding large-scale tuna longline vessels that never enter port, but are serviced at sea by motherships and tender vessels.

The Delegate of Brazil noted that Brazil has already prohibited transshipments domestically. More importantly, there are already mechanisms in place at ICCAT for addressing quota over-harvest. This point was echoed by the Delegate from China.

The Delegate of Korea expressed discomfort with the ban on transshipment at sea, explaining that coming into port after each trip is very expensive, especially for training vessels. He observed that there were no present ICCAT measures indicating that this was a necessarily illegal activity. The Delegate from Japan noted that, under ICCAT's current rules, transshipments can only occur between Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, and that such activities require notification to the Secretariat. He added that no such notifications have been made.

Based on comments from several Parties that the IUU recommendation is similar to those already in effect, the Delegate of the EC replied that this new measure only superficially resembled them. He stressed that the recommendation was specifically intended to address large quota overharvests in real-time. The EC Delegate questioned the utility of the Commission setting quotas if the Parties did not adhere to them. The Delegate from

Brazil clarified that it was not a question of condoning overharvests, but rather concern about the unilateral application of trade measures since such actions would be taken through a process that was neither transparent nor fair.

Noting the lack of consensus on this issue, the Chair suggested that the proposal be sent to the Commission Plenary. The Parties concurred with the Chair's suggestion.

The Commission later adopted the *Recommendation by ICCAT to Adopt Additional Measures Against Illegal, Unreported and Unregulated (IUU) Fishing* (see ANNEX 5 [Ref. 03-16]). However, the draft recommendation prohibiting transshipments by large-scale tuna longline vessels could not be agreed upon and the Commission Chairman requested that the Commission return to this at its 2004 meeting (see ANNEX 7.1).

8. Date of the next Joint Meeting of the Compliance Committee and PWG

If necessary, the PWG and Compliance Committee will meet in joint session during the time of the next Commission meeting.

9. Adoption of report and closure

Given the time constraints of the Commission meeting, it was agreed to adopt the Report of the 2nd Joint Meeting of the Compliance Committee and PWG by mail. After thanking the assembly, the Secretariat, the Rapporteur, and the interpreters for their hard work and diligence, the Co-Chairs adjourned the Joint Meeting on November 20, 2003.

The Report of the 2nd Joint Meeting of the Compliance Committee and PWG was adopted by correspondence

Appendix 1 to ANNEX 11

Agenda

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. Consideration of the Report of the 1st Meeting of the Working Group on Process and Criteria for the Establishment of IUU Trade-Restrictive Measures, including any draft recommendations and other possible actions/measures
5. Vessel list status and implementation
 - 5.1 List of vessels over 24 m authorized to operate in the Convention area
 - 5.2 List of LSTLVs believed to be engaged in IUU fishing
 - 5.3 Related issues
6. Consideration of Report of the *Ad Hoc* Data Workshop, and other measures to improve fisheries statistics requested by ICCAT
7. Other matters
8. Date of the next joint meeting of the Compliance Committee and PWG
9. Adoption of the report and adjournment

Appendix 2 to ANNEX 11

Report by Japan on the Progress in the Measures to Eliminate Illegal, Unreported and Unregulated Large-scale Tuna Longline Fishing Vessels

1. Measures to eliminate IUU LSTLVs

According to the ICCAT Resolution 99-11, Japan, in cooperation with Chinese Taipei, has worked to eliminate IUU LSTLVs, and the 43 Japan-built IUU LSTLVs have been disposed of by the Scrapping Program². Also, the 47 Chinese Taipei-built IUU LSTLVs have been approved for their re-registration to Chinese Taipei by the Re-registration Program.

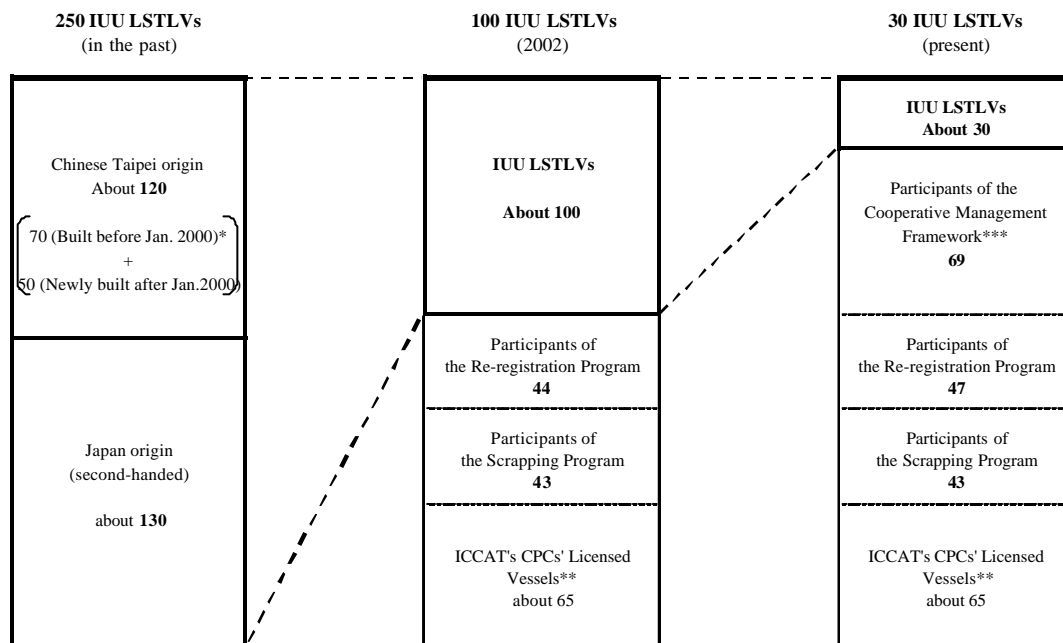
In addition, Japan consulted with Vanuatu and Seychelles, as well as Chinese Taipei, and established the following new measures in order to dispose of their LSTLVs expeditiously, in accordance with the ICCAT Resolution [Ref. 02-26], and the 69 IUU-LSTLVs have been committed to comply with the following cooperative management schemes¹.

- Cooperative management schemes to legalize these vessels have been concluded between the fisheries authorities of the flag States (Seychelles and Vanuatu) and Japan, and the vessels participating in the scheme were placed under proper management.
- Measures to have the fishing vessels in question obtain Japan's licenses for LSTLVs and freeze those licenses were taken for the purpose of reinforcing and complementing the cooperative management scheme mentioned in (1) above as well as preventing the increase of overall fishing capacity.

Those 69 vessels are not allowed to fish in the Atlantic any more.

2. Still remaining IUU LSTLVs

It is estimated that there still exist approximately 30 IUU-LSTLVs that refused to be subject to the schemes mentioned above (**Figure 1**). The present situations of these vessels are unclear, but most of those vessels are estimated to be still continuing IUU-fishing activities.



*January 2000 is when the Japanese-Chinese Taipei Joint Action Program to Eliminate IUU Vessels concluded
 **CPC=Contracting Parties, Cooperative non-Contracting Parties, Entities or Fishing Entities
 *** July 2003 is when the Cooperative Management Framework Between Japan and Seychelles or Vanuatu was agreed

Figure 1. Transition of the number of IUU large-scale tuna longline vessels.

² Vessel lists on file at the Secretariat.

Report by Chinese Taipei on the Elimination of IUU Large-scale Tuna Longliners

1. Introduction

In view of the uncontrollable rapid increase of large scale FOC/IUU longline fishing vessels in the late 90s, and in their determination of eliminating the unregulated fishing activities of these longline fishing vessels so as to achieve the goal of sustainability of tuna resources for the utilization of future generations, in February 1999, Japan and Chinese Taipei signed an Action Plan, where Japan was to scrap those second hand longliners it exported and Chinese Taipei was to encourage those longliners recently built in its shipyards to acquire registration, so that they would be properly managed and controlled.

2. Joint Effort of Chinese Taipei's and Japan on Elimination of IUU LSTLVs

After years of efforts, Chinese Taipei has taken appropriate steps to amend its regulations to permit importation of 45 FOC vessels it has exported, while Japan has provided budget for purchasing the 42 second-hand FOC vessels it exported for scrapping. In addition, a new joint action plan between Chinese Taipei and Japan is agreed in April 2003. A special arrangement has been made by Japan and Chinese Taipei in cooperation with Vanuatu and Seychelles to legitimize 69 IUU/FOC longliners, with the condition that these vessels will be subject to strict monitoring and control. The process has been a progressive one, and the result can be described as satisfactory. Almost all the IUU large-scale tuna longline vessels have either been scrapped, re-registered or legitimized.

3. Measures taken domestically by Chinese Taipei on combating IUU LSTLVs

- Prohibiting export of fishing vessels to countries that are subject to trade sanction due to operation of IUU fisheries by means of FOC vessels;
- Forbidding fishing vessels on the IUU list or registered under those countries subject to trade sanction, to enter into the ports of Chinese Taipei;
- Continuing exchange of information with Japan and other countries of interest for strict monitoring of the transportation of tuna catches so as to prevent fish laundering against IUU fishing.

4. Cooperation with International Fisheries Resources Conservation Measures

Chinese Taipei has taken positive steps applying countermeasures to effectively combat IUU fishing activities. With the efforts as described above, there will be an expectant reduction of bigeye catch of more than 11,000 t. The figure of the tuna conserved will be much higher if other tuna and tuna-like species are included. It should be pointed out that scrapping of 13 second-handed vessels that fished in Atlantic Ocean has created an expectant reduction of 3,250 t bigeye tuna catch and re-registering the 13 vessels has enabled to bring these vessels under proper control and management.

5. Conclusions

Chinese Taipei has put enormous efforts to effectively combat and eliminate IUU LSTLVs fishing. Administrative guidance has been given to encourage IUU/FOC vessels to seek re-registration so that they can be well managed and controlled under national and international regulations for sustaining global fisheries resources. Chinese Taipei will continue to work closely with all ICCAT member as well as members of other RFMO to prohibit their fishing, based upon the “white (positive)” list in conjunction with the implementation of statistical documents, aiming to totally stop and eliminate all the IUU fishing activities.

REPORT OF THE MEETING OF THE STANDING COMMITTEE ON FINANCE & ADMINISTRATION (STACFAD)

1. Opening of the meeting

The 2003 meeting of the Standing Committee on Finance and Administration (STACFAD) was opened on Tuesday, 18 November 2003, by the Committee Chairman, Mr. Jim Jones (Canada).

2. Adoption of the Agenda

The Agenda, which had been circulated in advance of the meeting, was adopted (**Appendix 1 to ANNEX 12**).

3. Appointment of the Rapporteur

The ICCAT Secretariat was appointed Rapporteur.

4. 2003 Administrative Report

The 2003 Administrative Report was presented by the Chairman of the Committee, who outlined its contents, i.e., the Commission's and Secretariat's administrative matters in 2003, Contracting Parties to the Convention, status of the ratification of the Madrid Protocol, adoption and entry into force of the Recommendations and Resolutions in 2003 and the voting process for these, ICCAT inter-sessional meetings and Working Groups, meetings at which ICCAT was represented (see the Secretariat's Report on Statistics and Coordination of Research in 2002-2003 (in *Report for the Biennial Period, 2002-03, Part II (2003), Vol. 2*), Bigeye Year Program, tagging lottery, Commission's Chairman's correspondence with various Parties, Entities or Fishing Entities (relative to compliance with the conservation measures and compliance with budgetary obligations (a decision made in 2002)), list of Secretariat publications and documents, information on the organization and functions of the Secretariat staff, and amendments to the *ICCAT Staff Regulations and Rules*.

After listing the items of the Report, the Chairman pointed out that the status of the Madrid Protocol was the same as in past years.

The Chairman explained the proposals to amend the *ICCAT Staff Regulations and Rules*. The first amendment is to Article 6.2.c, to adapt it to the current national regulations as concerns the inclusion of General Services staff in the Spanish Social Security System, and the second is to Article 7.3, which refers to overtime worked by the staff in the Professional and Higher categories during the meetings of the Commission and its subsidiary bodies, to be able to choose between compensatory time off or payment by the hour.

The Delegate of Canada recommended new drafting of the amendment proposed by the Secretariat for Article 7.3, distributed as document (**Appendix 2 to ANNEX 12**).

The Report was adopted, except for the amendment of Article 7.3 (see Agenda item 7).

5. 2003 Financial Report

The Chairman presented the Financial Report, which had been distributed in advance.

The Chairman indicated that a copy of the Auditor's Report had been sent to all the Contracting Parties in June 2003. He then provided details on the status of each of the following items of the Report: status of the Contracting Party contributions, pointing out that the debt is higher than the ICCAT budget; a breakdown by chapters of the expenses (salaries, travel, publications, etc.) which explains the Commission budget; budgetary and extra-budgetary income, such as contributions from other Parties and observer fees; and the composition of

the Working Capital Fund, for which he pointed out that as of 4 November there was a positive balance of €143,326.07, but that if the Parties that have past due debts do not pay, there will be a negative balance on 31 December, thereby resulting in serious problems of cash flow. He emphasized the recommendation made by the Auditors and accepted by the Commission concerning the Working Capital Fund is to have a positive balance of 30% of the budget at the end of the fiscal year. The absolute minimum recommended by the Auditors is to maintain a 15% Working Capital Fund. Because of non-payment of contributions by members, the Working Capital Fund has constantly decreased over the past several years to the point where it is just 3% of the budget today.

Discussion ensued on the minor debts of some Contracting Parties, due to bank charges, as well as the need for all the members to comply with their financial obligations to ICCAT, and that the entry into force of the Madrid Protocol could solve this matter.

With respect to the first point, the Delegate of Cyprus indicated that the bank charges only apply to some Contracting Parties, and that some delegations do not give specific instructions to their banks when transferring funds. The Delegate proposed that for this fiscal year each Party assume these minor charges, and that for future fiscal periods, the Parties give instructions to their banks to resolve these debts.

With respect to this point Mr. Juan Antonio Moreno (Secretariat) clarified that the solution to the problem would be to inform the bank upon paying the contribution to transfer the net amount. On the other hand, he clarified that the Commission assumes the bank charges on the deposit of contributions, since there is a specific sub-chapter in the Budget, and that in 2003 expenses for about €200 were entered.

The Chairman proposed accepting the proposal made by Cyprus during its last intervention. All the Parties agreed and this proposal was approved.

Discussion continued on the need to take measures regarding those Parties that do not pay and do not comply with their obligations. The Chairman asked the Secretariat to study the possibilities of intervening, always within the framework of the Convention that governs the Commission, and that suggestions be submitted at the next ICCAT meeting.

The Delegate of the European Community asked that the Financial Report include a more detailed breakdown of expenditures.

6. Status of the ratification/acceptance of the Madrid Protocol

This item was discussed in the Administrative Report and was discussed further under Agenda item 9 "Other matters."

7. Proposed changes in the ICCAT Staff Rules

This item was discussed in the Administrative Report where the amendments were presented.

The first of these is to Article 6.2.c, to adapt it to the current national regulations regarding the inclusion of General Services staff in the Spanish Social Security System, which was adopted (**Appendix 3 to ANNEX 12**).

The second amendment is to Article 7.3 of the Staff Rules, which refers to the possibility of compensating the overtime worked by staff in the Professional or Higher categories by compensatory vacation time or pay.

The Delegate of the European Community expressed that this proposal had repercussions in the budget and that he did not think it fair that this be applied to the Professional category and not to the other categories.

The Chairman responded that it was only for this category since the others already had the option of choosing the compensation for overtime worked.

The Delegate of the Community asked if the staff in the United Nations received payment for overtime worked.

The Executive Secretary responded that in some organizations, the civil servants receive economic compensation for overtime hours at night.

After the discussion, the proposed amendment to Article 7.3 was not approved.

8. Budget and Contracting Party contributions for 2004-2005

The Chairman pointed out that two budget options had been presented for study. The first (Option A) presents a budgetary program with an increase in some chapters that should be discussed. There are items that have been included in the budget, after communication between the Executive Secretary and the Chairman (such as the Separation from Service Fund, and the purchase of computers), due to the non-payment of contributions, whereas if the Working Capital Fund were at 30% of the budget, these items would be assumed. Increases were also made in order to support the Secretariat's work concerning the Positive List, a matter that was already discussed at last year's Commission meeting.

As regards Option B, he explained that it was the same as Option A, with the exception that the 2003 SCRS recommendations are included.

The Delegate of the European Community asked the Secretariat for justification for the increase in the various chapters.

The Secretariat prepared a document (**Appendix 4 to ANNEX 12**) that explained in detail the increase in each chapter. The Chairman, together with the Executive Secretary and the Assistant Executive Secretary clarified, in particular, everything concerning the salaries chapters, since these have the most financial repercussions and explained that the increase was due to the hiring of staff already carried out and to future contracting of staff, because of the increase in work and that the Positive List of Vessels had been included within the budget.

The Chairman added that during the 2002 STACFAD meeting, there was discussion that the Positive List project would have some repercussion in the budget, since funding was needed to carry out this project.

With regard to the staff already contracted, the Executive Secretary explained that due to the volume of work and once it was determined that the 2003 budget was sufficient, it was decided to carry out this hiring.

The Delegate of Canada proposed the budget for 2005 include the forecasts carried out by the Secretariat for the salaries chapters (1 and 8A), in accordance with **Appendix 4 to ANNEX 12**, as concerns the possible increase in salaries for staff in the General Services category according to the United Nations scheme, due to the repercussion this could have in the budget, and suggested that in the case there is no increase that a review be carried out in 2005, and the estimate be included in the budget for 2006.

The Chairman indicated that this proposal would be carried out.

The Delegate of the United States suggested including some funding in the budget for next year to carry out a new design of the web page, since in that way more information could be divulged and expenses would be cut.

After the explanation and some comments, the Chairman listed each proposal by chapter, and approved these accordingly.

Once each chapter had been reviewed, the Chairman listed the proposals made by the SCRS (see **Appendix 5 to ANNEX 12**).

The SCRS Chairman listed each one of the recommendations proposed in the SCRS Report: publication of a revised edition of the ICCAT Manual, a By-catch Coordinator (due to the inclusion of sharks, turtles and other by-catches there will be more and more data, etc.), maintenance and improvement of computer equipment and software (a fixed amount each for each year is proposed, with the presentation of a list of the equipment and software needed, for replacement, etc.), symposium on swordfish stock structure [Ref. 99-03], ICCAT Bluefin Year Program and ICCAT Enhanced Research Program on Billfish, and lastly, the peer review system.

The Chairman noted that the last three items are already included in Option A of the 2004-2005 budget and thus had been discussed. As regards the other items, he pointed out that they would be discussed in the various Panels.

After the Secretariat presented a revised document which includes the changes proposed by Canada on the estimation of a possible increase in the General Services salaries and the review of Ghana statistics on canning, the Chairman proceeded to the official adoption of the budget (see attached **Tables 1-3**).

After the adoption of the budget, the Observer from Chinese Taipei declared that Chinese Taipei was going to contribute funds toward the ICCAT budget. He indicated that the initial contribution from Chinese Taipei would be €20,000.

The Delegate of the European Community suggested that it would be convenient to proceed to a change of Auditors due to the number of years that this firm has been carrying out the audit.

The Executive Secretary stated that there was a contract with the auditing firm, but that he did not recall the exact date of expiry of this contract. He also indicated that he would check the exact date at the Secretariat and inform the Parties.

The Executive Secretary made a statement in which he commended the work of all the staff of the Secretariat and requested the Commission to consider, for the future, staff that should be in the Professional category. Further, he expressed disappointment for not achieving the entry into force of the Madrid Protocol, considering the favorable consequence in the budget and the repercussions for the Contracting Parties.

9. Other matters

The Chairman noted that the Secretariat had prepared a third revision of the *Basic Texts*, which was sent to all the Parties prior to the meeting. The tri-lingual volume includes a proposal to amend Rule 4 (paragraph 1) of the Financial Regulations in anticipation of the entry into force of the Madrid Protocol. The Commission agreed that upon receiving notification of the ratification, Rule 4 of the Financial Regulations would be amended as proposed in the third revision of the Basic Texts (**Appendix 6 to ANNEX 12**), and the Executive Secretary should then proceed with its immediate application in the subsequent budgetary year.

10. Date of the next meeting of STACFAD

The Chairman noted that the next meeting of STACFAD will meet at the time of the next annual meeting of the Commission.

11. Election of Chairman

The Commission Chairman proposed that Mr. J. Jones continue during the next two years, and this proposal was unanimously approved.

12. Adoption of the report and closure

The Chairman declared that the STACFAD Report would be adopted by correspondence.

The meeting of STACFAD was closed by the Chairman, Mr. J. Jones.

The STACFAD Report was adopted by correspondence.

Appendix 1 to ANNEX 12**Agenda**

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. 2003 Administrative Report
5. 2003 Financial Report
6. Status of the ratification/acceptance of the Madrid Protocol
7. Proposed changes to ICCAT Staff Rules
8. Budget and Contracting Party contributions for 2004-2005
9. Other matters
10. Date of the next meeting of STACFAD
11. Election of Chairman
12. Adoption of the report and closure

Appendix 2 to ANNEX 12**Proposed change by Canada to item 12.1 of the Administrative Report**

- 7.3 (a) Subject to paragraph (b) below, staff in the Professional category are eligible for compensatory time off in accordance with paragraph 7.2 (a).
- (b) For additional hours of work performed during meetings of the Commission and its subsidiary bodies, staff in the Professional category shall be remunerated as referred to in paragraph 7.2 (b).

Appendix 3 to ANNEX 12**Changes to ICCAT Staff Regulations and Rules**

The Commission agreed at its 2003 Meeting that Article 6.2.c of the ICCAT Staff Regulations and Rules (Salaries and Allowances, General Services Category, Pension Plan) be modified, to adapt it to the current national regulations, regarding the incorporation of General Services staff in the General Regime of the Spanish Social Security System. The revised text of Article 6.2.c is as follows:

- c) Pension Plan: Staff members in the General Services category shall be entitled to participation in the Van Breda Retirement Benefit Plan (established in U.S. dollars). The Commission's contribution to pension shall be up to a maximum of 23.7 percent of the total net base salary and, where applicable, the language allowance, according to the staff member's grade and step, as given in the most current salary schedule for the General Services category for Madrid, that is provided by the International Civil Service Commission. The current contribution rate for the Commission's pension plan is 23.7 percent for staff contracted up to 1999. For staff contracted since January 2000, the changes introduced at the Commission Meeting in Rio de Janeiro in November 1999 will be applied, such that the Commission's contribution to the pension plan will be two-thirds of the maximum and the staff member will contribute one-third. As this General Services staff salary schedule is established in Euros, the amount applied towards pension is converted to U.S. dollars at the official U.S. dollar exchange rate provided on a monthly basis by the International Civil Service Commission.

Participation in the Van Breda Retirement Benefit Plan is compulsory for those staff members in the General Services category whose date of employment is on or after 1 January, 1983. By exception, those staff members who are nationals or residents of the country of the duty station could choose, at the time of their hiring, to take part in the Public Social Security System of the duty station, if this System so admits at that time. This choice will be unique and irrevocable.

Due to differences that could exist, in the costs as well as in contingencies covered by the Public Social Security System, the staff members who ultimately choose to take part in this System will not have the right to medical insurance, to accident and personal liability insurance regulated in paragraph e) of this same article and paragraph, and their salary will be adjusted such that the cost to

the Commission is the same as if the staff member had not elected to take part in the Public Social Security System.

Staff members who are nationals or residents of the country of the duty station who have been hired prior to 1 March 2004 (date of entry into force of this amended text) and who up to this date were included in the Van Breda Pension Plan, can choose, prior to 1 September 2004 to withdraw from the aforementioned pension plan and take part in the Public Social Security System of the duty station, if this System so admits, according to the effects and economic conditions expressed in the previous paragraph. This choice will be unique and irrevocable.

In the case of staff members contracted on a fixed-term basis, an alternate pension plan may be considered, to be negotiated between the staff member and the Executive Secretary, in consultation with the Chairman of the Standing Committee on Finance and Administration (STACFAD).

Appendix 4 to ANNEX 12

Main Budgetary Implications for 2004

As requested by STACFAD, the Secretariat has prepared this explanation of the main items that contribute to the increase in the proposed budget. The explanation is given for the chapters outlined below. In the accompanying budget proposal, all other chapters have a null increase.

Chapter 1 - Salaries

This chapter includes salaries and remuneration of 13 staff members. The increase corresponds to the addition of two locally-contracted staff (€53,142.52) that were hired to cope with the increase Commission workload, and to ensure the continuity of work in the event of leaves: One accounting assistant, and another one who has revolving tasks primarily in archiving, photocopying and reception. In addition, the proposed budget includes the future hiring of another secretary in the English department (€30,878.44).

The projected salaries make no allowance for the possibility that the scheme for the General Services category in Madrid will be increased in the near future. The last revision, in 1999, resulted in increases of up to 14%.

Chapter 8a - Salaries

This chapter includes salaries and remuneration of 6 staff members. The increase corresponds largely to the addition of one locally-contracted staff (€35,482.43) to assist with database work. In addition, the proposed budget includes the future hiring of two new staff members to work on the Positive List: One in the General Services category (€41,501.51) has already been hired with extra-budgetary contributions from Japan and the United States; the other one is a proposed future hire in the Professional category (€60,551.89)).

As with Chapter 1, the budget makes no allowance for future changes to the ICSC General Services salary scale.

Chapter 8d/e/f - Computer-related items

These items include the payment of license fees for the software necessary at the Secretariat (an increase of €3,091.06 from the 2003 budget). In addition, the publication of the Positive Vessel List on the internet required a change of the Internet Service Provider to a more expensive one (an increase of €781.32) where the Secretariat has exclusive control of a server and of the database software used in it.

Chapter 9 - Contingencies

The amount requested is an estimate of the expenditures needed for the incorporation of the new Executive Secretary (€10,000) and, if contracted, the Professional staff member for the Positive Vessel List (€10,000). These expenditures are listed in Articles 11.1, 12.1 and 13.1 of the Staff Rules.

Chapter 10 - Separation from Service Fund

Articles 34.3 and 35 of the Staff Rules list the expenditures that are needed when staff members leave the Secretariat, such as will be needed for the repatriation of the current Executive Secretary. The budget has never contained this item before. As a consequence, the recent separation from service by the previous Assistant Executive Secretary and two bilingual secretaries was essentially paid out of the Working Capital Fund.

Proposal for the 2004-2005 Commission Budget (Euros)

<i>Chapters with increase</i>	<i>2003</i>	<i>Increase</i>	<i>2004</i>
1. Salaries	719,424.05	10.96%	798,307.49
8. Coordination of research			
a) Salaries	382,116.43	36.93%	523,246.29
d) Computer-related items	22,533.15	10.95%	25,000.00
e) Database maintenance	15,626.31	5.00%	16,407.63
f) Phone line-Internet domain	9,375.79	6.66%	10,000.00
9. Contingencies	15,626.31	27.99%	20,000.00
10. Separation from Service Fund			30,000.00
<i>Chapters with no increase</i>	<i>2003</i>	<i>Increase</i>	<i>2004</i>
2. Travel	41,847.27	0.00%	41,847.27
3. Commission meetings (annual & inter-sessional)	112,509.47	0.00%	112,509.47
4. Publications	50,941.79	0.00%	50,941.79
5. Office Equipment	7,813.16	0.00%	7,813.16
6. Operating expenses	109,384.20	0.00%	109,384.20
7. Miscellaneous	6,250.53	0.00%	6,250.53
8. Coordination of research			
b) Travel to improve statistics	35,409.23	0.00%	35,409.23
c) Statistics-Biology	44,691.26	0.00%	44,691.26
g) Scientific meetings (including SCRS)	75,006.31	0.00%	75,006.31
h) ICCAT Bluefin Year Program (BYP)	14,163.69	0.00%	14,163.69
i) ICCAT Billfish Research Program	10,944.67	0.00%	10,944.67
j) Miscellaneous	5,938.00	0.00%	5,938.00

Appendix 5 to ANNEX 12

2003 SCRS Recommendations with Financial Implications

<i>Concept</i>	<i>Item of the SCRS Report</i>	<i>Cost in 2004</i>	<i>Included in 2004 Option A</i>	<i>Cost in 2005</i>	<i>Included in 2005 Option A</i>
Publication of ICCAT Manual	16.8 Sub-Committee on Statistics	25,000.00 €	0.00 €	25,000.00 €	0.00 €
By-catch Coordinator for the Secretariat	16.9 Sub-Committee on By-Catch	105,802.87 €	0.00 €	108,976.95 €	0.00 €
Maintenance & improvement of computer equipment and software	16.8 Sub-Committee on Statistics	50,000.00 €	0.00 €	50,000.00 €	0.00 €
Symposium on swordfish stock structure	16.5 Swordfish	15,000.00 €	0.00 €	15,000.00 €	0.00 €
Bluefin Year Program*	16.3 Bluefin Tuna	15,000.00 €	14,517.78 €	15,000.00 €	14,953.32 €
ICCAT Enhanced Billfish Research Program	16.4 Billfishes	15,000.00 €	11,218.29 €	15,000.00 €	11,554.84 €
Peer review system	16.10 SCRS Organization	10,000.00 €	10,000.00 €	10,000.00 €	10,000.00 €

* The SCRS requests the hiring of a full-time Scientific Coordinator. In order to carry out the project, extraordinary funding should be provided, and for this purpose, the Standing Committee requests \$250,000 to initiate this program in 2004 (see 2003 SCRS Report, Appendix 11: Executive Summary of the Bluefin Tuna Research Planning Program).

Changes to ICCAT Financial Regulations

The Commission agreed at its 2003 Meeting that when the Madrid Protocol enters into force, Paragraph 1 of Regulation 4 of the Financial Regulations shall be immediately revised as follows:

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:
 - 1 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).
 - 2 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:
 - A) 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\$ 2,000] [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\$ 2,000] 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.
 - B) 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.

Table 1. Commission Budget for 2004-2005.

<i>Chapters</i>	<i>2003</i>	<i>Increase</i>	<i>2004</i>	<i>Increase</i>	<i>2005</i>
1. Salaries	719,424.05	10.96%	798,307.49	8.54%	866,510.02
2. Travel	41,847.27	0.00%	41,847.27	3.00%	43,102.69
3. Commission meetings (annual & inter-sessional)	112,509.47	0.00%	112,509.47	3.00%	115,884.75
4. Publicationes	50,941.79	0.00%	50,941.79	3.00%	52,470.04
5. Office Equipment	7,813.16	0.00%	7,813.16	3.00%	8,047.55
6. Operating expenses	109,384.20	0.00%	109,384.20	3.00%	112,665.73
7. Miscellaneous	6,250.53	0.00%	6,250.53	3.00%	6,438.05
<i>Sub-total Chapters 1-7</i>	<i>1,048,170.47</i>	<i>7.53%</i>	<i>1,127,053.91</i>	<i>6.93%</i>	<i>1,205,118.83</i>
8. Coordination of research					
a) Salaries	382,116.43	36.93%	523,246.29	4.54%	546,983.59
b) Travel to improve statistics	35,409.23	0.00%	35,409.23	3.00%	36,471.51
c) Statistics-Biology	44,691.26	0.00%	44,691.26	3.00%	46,032.00
d) Computer-related items	22,533.15	10.95%	25,000.00	3.00%	25,750.00
e) Database maintenance	15,626.31	5.00%	16,407.63	3.00%	16,899.86
f) Phone line-Internet domain	9,375.79	6.66%	10,000.00	3.00%	10,300.00
g) Scientific meetings (including SCRS)	75,006.31	0.00%	75,006.31	3.00%	77,256.50
h) ICCAT Bluefin Year Program (BYP)	14,163.69	0.00%	14,163.69	3.00%	14,588.60
i) ICCAT Billfish Research Program	10,944.67	0.00%	10,944.67	3.00%	11,273.01
j) Miscellaneous	5,938.00	0.00%	5,938.00	3.00%	6,116.14
<i>Sub-total Chapter 8</i>	<i>615,804.84</i>	<i>23.55%</i>	<i>760,807.08</i>	<i>4.06%</i>	<i>791,671.20</i>
9. Contingencies	15,626.31	27.99%	20,000.00	3.00%	20,600.00
10. Separation from Service Fund			30,000.00	3.00%	30,900.00
TOTAL BUDGET	1,679,601.62	15.38%	1,937,860.99	5.70%	2,048,290.04

Table 2. Contracting Party Contributions, 2004.

1 Euro = US\$ 1.174

Contracting Parties	# (A)	% (B)	Total Budget (Euros) =				1,937,860.99					EUROS (K)
			TM (C)	TM (D)	TM (E)	% (F)	EUROS (G)	EUROS (H)	EUROS (I)	EUROS (J)		
Algérie	2	2.727	3,794	3,000	6,794	1.000	851.79	1,703.58	16,765.13	12,289.24	31,609.73	Algérie
Angola	2	2.727	337	0	337	0.050	851.79	1,703.58	16,765.13	609.58	19,930.07	Angola
Barbados	0	0.909	318	0	318	0.047	851.79	0.00	5,588.38	575.21	7,015.38	Barbados
Brazil	3	3.636	48,631	10,140	58,771	8.647	851.79	2,555.37	22,353.51	106,307.14	132,067.80	Brazil
Canada	3	3.636	2,172	0	2,172	0.320	851.79	2,555.37	22,353.51	3,928.79	29,689.45	Canada
Cap-Vert	1	1.818	3,640	705	4,345	0.639	851.79	851.79	11,176.75	7,859.40	20,739.73	Cap-Vert
China, People's Rep.	3	3.636	9,056	0	9,056	1.332	851.79	2,555.37	22,353.51	16,380.83	42,141.49	China, People's Rep. of
Communauté Européennr	4	4.545	213,000	109,219	322,219	47.407	851.79	3,407.16	27,941.88	582,841.57	615,042.39	Communauté Européenne
Côte d'Ivoire	2	2.727	380	0	380	0.056	851.79	1,703.58	16,765.13	687.36	20,007.85	Côte d'Ivoire
Croatia	1	1.818	930	302	1,232	0.181	851.79	851.79	11,176.75	2,228.49	15,108.82	Croatia
Cyprus, Rep. of	1	1.818	189	0	189	0.028	851.79	851.79	11,176.75	341.87	13,222.20	Cyprus, Rep. of
France (St. P. & M.)	2	2.727	0	0	0	0.000	851.79	1,703.58	16,765.13	0.00	19,320.50	France (St. P. & M.)
Gabon	2	2.727	634	0	634	0.093	851.79	1,703.58	16,765.13	1,146.80	20,467.30	Gabon
Ghana	1	1.818	54,292	44,093	98,385	14.475	851.79	851.79	11,176.75	177,962.40	190,842.73	Ghana
Guinea Ecuatorial	0	0.909	0	0	0	0.000	851.79	0.00	5,588.38	0.00	6,440.17	Guinea Ecuatorial
Guinée-Conakry	0	0.909	0	0	0	0.000	851.79	0.00	5,588.38	0.00	6,440.17	Guinée-Conakry
Honduras	1	1.818	0	0	0	0.000	851.79	851.79	11,176.75	0.00	12,880.33	Honduras
Iceland	1	1.818	0	0	0	0.000	851.79	851.79	11,176.75	0.00	12,880.33	Iceland
Japan	4	4.545	34,954	0	34,954	5.143	851.79	3,407.16	27,941.88	63,226.08	95,426.91	Japan
Korea, Rep.	3	3.636	284	0	284	0.042	851.79	2,555.37	22,353.51	513.71	26,274.37	Korea, Rep. of
Libya	2	2.727	1,962	0	1,962	0.289	851.79	1,703.58	16,765.13	3,548.94	22,869.43	Libya
Malta	2	2.727	557	0	557	0.082	851.79	1,703.58	16,765.13	1,007.52	20,328.02	Malta
Maroc	3	3.636	13,296	900	14,196	2.089	851.79	2,555.37	22,353.51	25,678.25	51,438.91	Maroc
Mexico	3	3.636	179	0	179	0.026	851.79	2,555.37	22,353.51	323.78	26,084.44	Mexico
Namibia	3	3.636	3,535	0	3,535	0.520	851.79	2,555.37	22,353.51	6,394.24	32,154.90	Namibia
Panama	2	2.727	6,020	0	6,020	0.886	851.79	1,703.58	16,765.13	10,889.20	30,209.69	Panama
Russia	1	1.818	1,622	0	1,622	0.239	851.79	851.79	11,176.75	2,933.93	15,814.26	Russia
São Tomé e Príncipe	1	1.818	56	0	56	0.008	851.79	851.79	11,176.75	101.29	12,981.63	São Tomé e Príncipe
South Africa	3	3.636	4,422	0	4,422	0.651	851.79	2,555.37	22,353.51	7,998.68	33,759.34	South Africa
Trinidad & Tobago	2	2.727	2,865	0	2,865	0.422	851.79	1,703.58	16,765.13	5,182.32	24,502.81	Trinidad & Tobago
Tunisie	1	1.818	6,560	2,015	8,575	1.262	851.79	851.79	11,176.75	15,510.78	28,391.11	Tunisie
Turkey	2	2.727	13,340	0	13,340	1.963	851.79	1,703.58	16,765.13	24,129.88	43,450.38	Turkey
United Kingdom (OT)	4	4.545	402	0	402	0.059	851.79	3,407.16	27,941.88	727.15	32,927.98	United Kingdom (O. T)
United States	4	4.545	23,464	32,690	56,154	8.262	851.79	3,407.16	27,941.88	101,573.42	133,774.24	United States
Uruguay	2	2.727	968	0	968	0.142	851.79	1,703.58	16,765.13	1,750.95	21,071.45	Uruguay
Vanuatu	0	0.909	0	0	0	0.000	851.79	0.00	5,588.38	0.00	6,440.17	Vanuatu
Venezuela	2	2.727	22,563	2,201	24,764	3.643	851.79	1,703.58	16,765.13	44,794.03	64,114.53	Venezuela
TOTAL	73	100	474,422	205,265	679,687	100	31,516.18	62,180.58	614,721.41	1,229,442.82	1,937,860.99	TOTAL

A: Panel membership.

B: % annual and Panel membership (G+H) .

C: Catch (live weight).

D: Canned production (net weight).

E: Total (C+D).

F: Percentage distribution of E.

G: Euros equivalent to US\$1,000 annual membership fee (at the time of calculation).

H: Euros equivalent to US\$1,000 for each Panel membership (at the time of calculation).

I: 1/3 of (total less G+H) distributed according to col. B %.

J: 2/3 of (total less G+H) distributed according to col. F %.

K: Total (G+H+I+J).

Based on 2000 catch and canning figures.

Table 3. Catch and canning figures (in t) of the Contracting Parties.

<i>Partes</i>	2000			2001			2002			<i>Parties</i>
	<i>Catch</i>	<i>Canning</i>	<i>Total</i>	<i>Catch</i>	<i>Canning</i>	<i>Total</i>	<i>Catch</i>	<i>Canning</i>	<i>Total</i>	
Algérie	3,794	3,000	6,794	4,302	2,900	7,202	3,878	2,800	6,678	Algérie
Angola	337	0	337	0	0	0	0	0	0	Angola
Barbados	318	0	318	255	0	255	0	0	0	Barbados
Brazil	48,631	10,140	58,771	47,164	0	47,164	0	0	0	Brazil
Canada	2,172	0	2,172	2,062	0	2,062	2,027	0	2,027	Canada
Cap-Vert	3,640	705	4,345	3,600	425	4,025	0	962	962	Cap-Vert
China, People's Rep.	9,056	0	9,056	9,371	0	9,371	8,027	0	8,027	China, People's Rep.
Communauté Européenne	213,000	109,219	322,219	202,788	128,000	330,788	198,190	130,000	328,190	Communauté Européenne
Côte d'Ivoire	380	0	380	264	0	264	0	0	0	Côte d'Ivoire
Croatia	930	302	1,232	903	197	1,100	977	472	1,449	Croatia
Cyprus, Rep.	189	0	189	245	0	245	244	0	244	Cyprus, Rep.
France - St. P. & M.	0	0	0	0	0	0	0	0	0	France - St. P. & M.
Gabon	634	0	634	706	0	706	626	0	626	Gabon
Ghana	54,292	44,093 co	98,385	88,828	0	88,828	0	0	0	Ghana
Guinea Ecuatorial	0	0	0	0	0	0	0	0	0	Guinea Ecuatorial
Guinée-Conakry	0	0	0	0	0	0	0	0	0	Guinée-Conakry
Honduras	0	0	0	0	0	0	0	0	0	Honduras
Iceland	0	0	0	0	0	0	1	0	1	Iceland
Japan	34,954	0	34,954	27,721	0	27,721	0	0	0	Japan
Korea, Rep.	284	0	284	165	0	165	0	0	0	Korea, Rep.
Libya	1,962	0	1,962	2,189	0	2,189	0	0	0	Libya
Malta	557	0	557	320	0	320	253	0	253	Malta
Maroc	13,296	900	14,196	11,761	1,067	12,828	12,286	1,173	13,459	Maroc
Mexico	179	0	179	247	0	247	263 p	0	263	Mexico
Namibia	3,535	0	3,535	4,983	0	4,983	0	0	0	Namibia
Panama	6,020	0	6,020	0	0	0	0	0	0	Panama
Russia	1,622	0	1,622	1,627	0	1,627	1,005 p+	0	1,005	Russia
São Tomé e Príncipe	56	0	56	0	0	0	0	0	0	São Tomé e Príncipe
South Africa	4,422	0	4,422	7,991	0	7,991	6,624	874	7,498	South Africa
Trinidad & Tobago	2,865	0	2,865	3,322	0	3,322	0	0	0	Trinidad & Tobago
Tunisie	6,560	2,015	8,575	8,560	0	8,560	6,674	2,085	8,759	Tunisie
Turkey	13,340	0	13,340	15,166	0	15,166	0	0	0	Turkey
United Kingdom (OT)	402	0	402	450	0	450	322	0	322	United Kingdom (OT)
United States	23,464	32,690	56,154	25,880	35,399	61,279		27,611	27,611	United States
Uruguay	968	0	968	1,010	0	1,010	1,034	0	1,034	Uruguay
Vanuatu	0	0	0	0	0	0	0	0	0	Vanuatu
Venezuela	22,563	2,201	24,764	33,828	2,097	35,925	0	0	0	Venezuela
TOTAL	474,422	205,265	679,687	505,708	170,085	675,793	242,431	165,977	408,408	TOTAL

p= preliminary data.

p+= only partial data (quick estimates or selected gears, species, regions only).

Remainder of the data = obtained from the database, because there was no official communication.

co = Carry over from 1999 canning estimate. Before the end of 2003, Ghana will inform the Secretariat of a revised canning figure to be used for the calculation of 2005 budget contributions.