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

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

FOREWORD

The Chairman of the International Commission for the Conservation of Atlantic Tunas presents his compliments to the Contracting Parties of the International Convention for the Conservation of Atlantic Tunas (signed in Rio de Janeiro, May 14, 1966), as well as to the Delegates and Advisers that represent said Contracting Parties, and has the honor to transmit to them the "*Report for the Biennial Period, 2008-2009, Part I (2008)*", which describes the activities of the Commission during the first half of said biennial period.

This issue of the Biennial Report contains the Report of the 16th Special Meeting of the Commission (Marrakech, Morocco, November 17-24, 2008) and the reports of all the meetings of the Panels, Standing Committees and Sub-Committees, as well as some of the Working Groups. It also includes a summary of the activities of the Secretariat and a series of Annual Reports of the Contracting Parties of the Commission and Observers, relative to their activities in tuna and tuna-like fisheries in the Convention area.

The Report for 2008 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* (only published electronically) contains the Annual Reports of the Contracting Parties of the Commission and Observers.

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

FABIO HAZIN
Commission Chairman

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REPORT FOR BIENNIAL PERIOD, 2008-2009, PART I (2008)

SECRETARIAT REPORTS

2009 ADMINISTRATIVE REPORT¹

1. Introduction

This Administrative Report is presented in accordance with Article VII of the ICCAT Convention, including an outline of its activities during fiscal year 2008.

2. Contracting Parties to the Convention

After the adherence of Albania to the International Convention for the Conservation of Atlantic Tunas (ICCAT) on March 31, 2008, Sierra Leone on October 13, 2008, and Mauritania on December 4, 2008, the Commission is comprised of the following 48 Contracting Parties (as of December 31, 2008): Albania, Algeria, Angola, Barbados, Belize, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Croatia, Egypt, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Ghana, Guatemala, Guinea (Rep.), Honduras, Iceland, Japan, Korea (Rep.), Libya, Mauritania, Mexico, Morocco, Namibia, Nicaragua, Nigeria, Norway, Panama, Philippines, Russia, Senegal, Sierra Leone, South Africa, St. Tome and Principe, St. Vincent and the Grenadines, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States, Uruguay, Vanuatu and Venezuela.

3. ICCAT Regulations and Resolutions

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

On December 5, 2007, the Secretariat officially transmitted the texts of the Recommendations and Resolutions adopted at the 20th Regular Meeting of the Commission (Antalya, Turkey, November 9 to 18, 2007) to the Contracting Parties and to non-Contracting Parties, Entities or Fishing Entities that have Atlantic coastlines or that fish tunas in the Convention area, and to intergovernmental fishery organizations, requesting their cooperation in this regard.

The texts of the Recommendations and Resolutions adopted by the Commission in 2006 were published in the *Report for Biennial Period, 2006-07, Part II (2007), Vol. 1*.

After the six months' grace period following the transmission of the Recommendations adopted by the Commission, and without any official objections having been received, the **Recommendations** mentioned above entered into force on June 4, 2007, in accordance with Article VIII of the ICCAT Convention. On that date, the Contracting Parties were notified of the entry into force of these Recommendations. With regard to the **Resolutions** that were adopted at the 20th Regular Meeting, these reflect decisions of a general nature that were adopted by the Commission during its last meeting and which are not governed by the notification and review process outlined in Article VIII of the Convention.

4. ICCAT Inter-sessional Meetings and Working Groups

In accordance with Commission decisions on this subject, the following meetings were held in 2008:

- Meeting of Tuna RFMOs Chairs and Executive Secretaries (*San Francisco, California, United States, February 5 & 6, 2008*).
- 2008 ICCAT Working Group on Stock Assessment Methods (*Madrid, Spain, February 18 to 22, 2008*).
- 2008 ICCAT Analysis of Mediterranean Swordfish Management Measures (*Madrid, Spain, February 25 to 29, 2008*).

¹Information as of December 31, 2008.

- 2008 Meeting of the Sub-Committee on Ecosystems (*Madrid, Spain, March 10 to 14, 2008*).
- Canada-ICCAT Workshop for the Development of a Precautionary Approach for Western Bluefin Tuna (*Halifax, Nova Scotia, Canada, March 17 to 20, 2008*).
- Meeting of Managers and Stakeholders in Atlantic Bluefin Tuna (*Tokyo, Japan, March 26 & 27, 2008*).
- World Symposium for the Study into the Stock Fluctuation of Northern Bluefin tunas (*Thunnus thynnus* and *Thunnus orientalis*), Including the Historic Periods (*Santander, Spain, April 22 to 24, 2008*).
- Joint GFCM/ICCAT Meeting on Small Tunas Fisheries in the Mediterranean (*Malaga, Spain, May 5 to 9, 2008*).
- 2008 ICCAT Sailfish Data Preparatory Meeting (*Madrid, Spain, May 19 to 24, 2008*).
- 2008 Atlantic Bluefin Tuna Stock Assessment Session (*Madrid, Spain, June 23 to July 4, 2008*).
- 2nd Meeting of the Working Group on Capacity (*Madrid, Spain, July 15 & 16, 2008*).
- 5th Meeting of the Working Group on Integrated Monitoring Measures (*Madrid, Spain, July 16 to 18, 2008*).
- 2008 ICCAT Stock Assessment of Yellowfin and Skipjack Tunas (*Florianopolis, Brazil, July 21 to 29, 2008*).
- 2008 Shark Stock Assessment Meeting (*Madrid, Spain, September 1 to 5, 2008*).
- Meetings of the Species Groups (*Madrid, Spain, September 22 to 27, 2008*).
- 2008 Meeting of the Standing Committee on Research and Statistics (SCRS) (*Madrid, Spain, September 29 to October 3, 2008*).

5. Meetings at which ICCAT was represented

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

- 2nd International Symposium on Tagging and Tracking Marine Fish with Electronic Devices (*San Sebastian, Spain, October 8 to 11, 2007*).
- Convention on Migratory Species to Identify and Elaborate an Option for International Cooperation on Migratory Sharks Under the Convention on Migratory Species (*Mahe, Seychelles, December 11 to 13, 2007*).
- FAO Regional Workshop on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing (*Cape Town, South Africa, January 28 to 31, 2008*).
- 32nd Session of the General Fisheries Commission for the Mediterranean (GFCM) (*Rome, Italy, February 25 to 29, 2008*).
- 7th Round of Informal Consultations of States Parties to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of December 10, 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (*New York, United States, March 11 & 12, 2008*).
- Visit by the Secretariat to NMFS-SFSC (United States), to improve the tagging data exchange protocol (*Miami, Florida, United States, March 31 to April 3, 2008*).
- FIRMS Technical Working Group, Second Session (*Rome, Italy, April 1 to 4, 2008*).
- 10th INFOFISH World Tuna Trade Conference & Exhibition (*Bangkok, Thailand, May 28 to 30, 2008*).
- Project COPEMED II, First Session of the Steering Committee (*Malaga, Spain, June 12 & 13, 2008*).
- 78th Meeting of the Inter-American Tropical Tuna Commission (IATTC) and the 19th Meeting of the Agreement on the International Dolphin Conservation Program (AIDCP) (*Panama, Republic of Panama, June 16 to 27, 2008*).
- Technical Consultation on Port State Measures (FAO) (*Rome, Italy, June 23 to 27, 2008*).
- The World Ocean in Globalization: Challenges for Marine Regions International Conference in Marine Affairs and Law of the Sea (*Oslo, Norway, August 21 to 23, 2008*).

- GFCM Committee on Compliance Ad Hoc Working Group on VMS as a MSC Tool (*Rome, Italy, September 23, 2008*).
- 11th Session of the GFCM Scientific Advisory Committee Meeting (*Marrakech, Morocco, December 1 to 5, 2008*).

6. Tagging lottery

In order to encourage the return of tags, national laboratories give monetary awards and gifts to those persons who recover tags. To support these programs, ICCAT organizes an annual lottery with US\$500 prizes. The last lottery, held in 2007, awarded prizes to four tags, one for each of the following categories: tropical tunas, temperate tunas, billfish, and sharks. Unfortunately, the winner of the prize for tropical tunas in 2006 and billfish in 2007 could not be located. Hence, the Secretariat has awarded these prizes this year at the 2008 lottery. Thus, the winning tags were as follows:

- *Tropical tunas (2006)*: Tag # HM-065178, recovered on a yellowfin tuna by a United States citizen 71 days after it was tagged during a U.S. tagging cruise.
- *Billfish (2007)*: Tag #HM-063536, recovered on a blue marlin by a Venezuelan citizen.
- *Tropical tunas (2008)*: Tag # HM-077888, recovered on a yellowfin tuna by a U.S. citizen 260 days after it had been tagged during a U.S. tagging cruise.
- *Temperate tunas (2008)*: Tag # CR-006231, recovered on a swordfish by a Spanish national 177 days after it had been tagged during a Spanish tagging cruise.
- *Billfish (2008)*: Tag # HM-006125, recovered on a sailfish by a U.S. citizen 172 days after tagging during a U.S. tagging cruise.
- *Sharks (2008)*: Tag # 272796, recovered on a blue shark by a U.S. citizen 41 days after tagging during a U.S. tagging cruise.

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

7.1 Letters concerning Compliance with Conservation measures

In accordance with the Commission's decision, on December 18 and 19, 2007, the Commission Chairman, Mr. Fabio H.V. Hazin, sent the following special letters (see **Appendix 4 to Annex 11** of the *ICCAT Report for Biennial Period, 2006-07, Part II (2007)*).

Non-Contracting Parties, Entities or Fishing Entities

- **Bolivia**: Letter on continuing the trade restrictive measures on bigeye tuna.
- **Cambodia**: Letter on maintaining identification in accordance with the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].
- **Georgia**: Letter on continuing the trade restrictive measures on bigeye tuna.
- **Sierra Leone**: Letter on maintaining identification in accordance with the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13]. Also, a letter requesting information on two vessels included on the international ship registry.
- **Togo**: Letter of identification in accordance with the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

Collaborating non-Contracting Parties, Entities or Fishing Entities

On November 29, 2007, the Executive Secretary sent the following letters concerning Cooperating Status:

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

7.2 Letters concerning fulfillment of budgetary obligations

In early 2008 the Executive Secretary notified all the Contracting Parties of the amount of their contributions to the 2008 budget. In June 2008, a first reminder was sent concerning the payment of contributions in arrears. Later, in September, a second reminder was sent to the Contracting Parties that had not made their corresponding payments. The following table shows the letters transmitted and those Contracting Parties with pending contributions:

| | <i>First Reminder Letter June 13, 2008</i> | <i>Second Reminder Letter September 24, 2008</i> |
|----------------------------------|--|--|
| Algeria | X | |
| Cape-Verde | X | X |
| China | X | |
| Côte d'Ivoire | X | X |
| Egypt | X | |
| France (St. Pierre & Miquelon) | X | |
| Gabon | X | X |
| Ghana | X | X |
| Guinea (Rep.) | X | X |
| Honduras | X | X |
| Korea, (Rep.) | X | X |
| Morocco | X | |
| Nicaragua | X | X |
| Nigeria | X | |
| Panama | X | X |
| Philippines | X | X |
| Saint Vincent and the Grenadines | X | X |
| São Tomé & Príncipe | X | X |
| Senegal | X | X |
| Syrian Arab Republic | X | X |
| Tunisia | X | X |
| UK (Overseas Territories) | X | X |
| Uruguay | X | X |
| Vanuatu | X | X |
| Venezuela | X | X |

8. Secretariat publications in 2008

The following publications were issued in 2007:

- Report for Biennial Period, 2006-07, Part II (2007) (Vols. 1, 2, 3): English (Vol. 3 in electronic format only).
- Report for Biennial Period, 2006-07, Part II (2007) (Vols. 1, 2, 3): French (Vol. 3 in electronic format only).
- Report for Biennial Period, 2006-07, Part II (2007) (Vols. 1, 2, 3): Spanish (Vol. 3 in electronic format only).
- Statistical Bulletin, Vol. 37.
- Collective Volume of Scientific Papers. In 2008 Vols. 61 and 62 were issued. Vol. 61 is a special peer-reviewed publication that includes the documents presented at the ICCAT Workshop on Swordfish Stock Structure held in Greece in 2006. Vol. 62 (6 volumes, 2145 pages) includes the reports of the inter-sessional meetings, the documents submitted at those meetings and those presented at the 2006 SCRS meeting. The publication is available in paper copy and on CD and is also available on the ICCAT web site.

- ICCAT Newsletter (February and September, 2008).
- Special commemorative publication of the 40th Anniversary of ICCAT.

9. Organization and management of Secretariat staff

9.1 Organization

For information purposes, it should be noted that since 2005 the Secretariat is organized as follows:

Executive Secretary

Driss Meski

Assistant Executive Secretary (vacant)

Statistics Department

The Statistics Department processes and compiles data on statistics, biology and compliance requested by the Commission and the Scientific Committee (SCRS). It also provides support to the Secretariat, such as the management of computer material and computer software, local network and the electronic distribution of the statistical data, as well as the maintenance of the ICCAT Web site. The department is comprised of six staff members:

Papa Kebe: Department Head, coordinates and manages all the tasks relative to the department.

Carlos Palma: Biostatistician.

In addition, the Department includes Juan Luis Gallego, Juan Carlos Muñoz and Jesús Fiz. As requested by the SCRS and approved by the Commission, a database manager was hired in May. Following a selection process, Ms. Penelope Cabello was selected to fill this post.

Department of Translation and Publications

The Department of Translation and Publications carries out tasks related with the compilation, adoption, translation and publications of circulars, reports and scientific documents in the three official languages of the Commission. The Department is comprised of seven staff:

Pilar Pallarés: Head of Department.

Philomena Seidita: Technical Officer and translator.

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

Compliance Department

Among other tasks, the Compliance Department is in charge of the monitoring and compliance of the ICCAT regulatory measures, validation of ICCAT Statistical Document programs and the preparation of compliance tables. The Department is comprised of the following staff members.

Carmen Ochoa, Department Coordinator.

Jenny Cheatle: Technical Officer.

Department of Coordination of Scientific Activities

The scientists of the Contracting Parties carry out extensive scientific research and monitoring of activities aimed at the conservation of the tuna resources. The Secretariat is directly involved in the coordination of some of these activities, which was carried out by Pilar Pallarés as the Scientific Coordinator and in which other Departments of the Secretariat also participate.

Department of Finance and Administration

This Department carries out all the administrative, financial and human resources tasks of the Secretariat. The Department is comprised of six staff members.

Juan Antonio Moreno: Department Head, coordinates all the tasks related to the Department.

Other members of the Department are: Africa Martín, Esther Peña, Felicidad García, Juan Angel Moreno and Cristóbal García.

This year for the first time, the Secretariat accepted an intern during the summer. Hence, from July 21 to August 15, 2008 a scholar from the School of Commerce carried out a study on the development and relationship between the catches of bluefin tuna and its market prices. The intern prepared a report on his work which is available at the Secretariat.

9.3 Hiring new staff

Population Dynamics Expert

In accordance with the decision adopted by the Commission in Antalya, Turkey in November 2007, the Executive Secretary announced in January 2008, the post vacancy for the ICCAT Population Dynamics Expert.

The announcement included the post description, based on the needs and requirements expressed by the scientific committee and established March 31, 2008 as the deadline date for the receipt of candidates.

Fourteen (14) applications were received and these were reviewed by a Review Committee, chaired by the SCRS Chairman. In an initial selection, it was considered that 10 candidates did not meet the requirements and these applications were rejected. The four remaining applications were evaluated by the Review Committee to identify the best qualified from a scientific viewpoint and these were forwarded to the Selection Committee, comprised of the Commission Chairman, the Chairman of the Standing Committee on Finance and Administration (STACFAD), and the Executive Secretary. Following the personal interviews, the classification established during the initial phase was confirmed by both Committees.

In finalizing the process, the Selection Committee considered other factors. One of the factors considered referred to the Secretariat's requirements in the medium term (3 to 5 years). During this period, some persons in management positions will be retiring and a restructuring of the Secretariat will be needed. At the same time, Dr. Victor Restrepo expressed his interest in returning to work at the Secretariat. In the discussions between the Commission Chairman, the STACFAD Chair and the Executive Secretary, the conclusion was reached that, in the medium term, it would be advantageous for the Secretariat that Dr. Restrepo again take up the position of Assistant Executive Secretary and, in this phase, not to proceed to the final selection of the Population Dynamics Expert.

After the negotiations, the Executive Secretary confirmed the return of Dr. Victor Restrepo to the Secretariat to his former position. Therefore, Dr. Restrepo will assume his responsibilities at the Secretariat in early 2009.

Database manager

As indicated in section 9.1, a database manager was hired in 2008.

9.3 Future hiring

By-Catch Coordinator

In 2007, the need was stressed to hire a By-Catch Coordinator financed by the ICCAT regular budget. Thus, the budget proposal for 2010-2011 will include the costs for filling this position. The United States also expressed its decision to collaborate in the financing of this post and confirmed that it will assume the expenses involved in contracting the Coordinator in 2009 (more details can be found in the Financial Report).

9.4 Pension Plan for Secretariat staff

Further to the inquiries and contacts carried out by the Secretariat on the possibility of joining the United Nations Pension Fund, and in view of the difficulty involved in changing the status of the Commission for the recognition of the ICCAT's immunities and privileges as an international organization in all the Contracting Parties, the Secretariat proposes that a study be carried out aimed at establishing an alternative pension fund in the country of the headquarters (Spain). To do this, an evaluation is proposed to determine the best option for retirement of Secretariat staff. This study will be presented to the Chairman of STACFAD for his approval and then to the Commission for its consideration and final adoption.

This option will not have any additional impact on the Contracting Parties.

10. Change in the auditing firm

At its meeting held in Antalya in 2007, the Commission approved that the firm carrying out the ICCAT audit be changed every three years. Thus, in January 2008, the Secretariat notified the current firm, Deloitte, S.L. of the decision adopted and that the 2007 fiscal period completed its three-year cycle.

Later, ten firms from the list of companies and auditors operating under the “Instituto de Contabilidad y Auditoría de Cuentas de España” (Spanish Institute of Accountants and Auditors) were contacted by letter requesting a proposal to be considered for the selection of the firm to carry out the audit of ICCAT’s accounts for the 2008, 2009 and 2010 fiscal periods. Information of an administrative nature as well as ICCAT Financial Regulations that govern ICCAT’s accounting was provided to these firms.

Following this request, seven firms submitted bids within the deadline established. After these bids were reviewed and evaluated, four were rejected because they lacked details on the methodology to carry out the work. Taking into account the technical references, three other auditing firms were selected, with the following classification: BDO Audiberia Auditors, S.L., PricewaterhouseCoopers Auditors, S.L., and KPMG Auditors, S.L. With regard to the financial proposals received from the three finalists, these have been classified as follows:

1. BDO Audiberia Auditors, S.L.
2. PricewaterhouseCoopers Auditors, S.L.
3. KPMG Auditors, S.L.

Details on all these bids are available at the Secretariat.

Finally, the three firms were contacted to inform them that they had been pre-selected and asking them, in the case of being selected, to confirm in November 2008 their commitment to carry out the ICCAT audit. All three companies indicated their confirmation in the case of their being selected.

The selection of the auditing firm was submitted to the Commission for its final decision, and BDO Audiberia Auditors, S.L. was chosen.

11. Other matters

11.1 New ICCAT headquarters

During this year, contacts continued with the Spanish Authorities as regards adapting the new offices to ICCAT’s needs. Based on the progress made, it is expected that the Secretariat will move to the offices in early 2009. In this sense, the Secretariat would like to express its sincere appreciation to the Kingdom of Spain for all the efforts made to finalize the work and to provide ICCAT with independent offices. It is evident that this new situation will generate additional expenses. These expenses are shown in the Budget.

11.2 Management of other programs

Since 2004, Japan has provided funds to finance a five-year project for the improvement of data on the tuna fisheries. The Coordinator and his assistant monitor the activities and accounts of the project.

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

During the 2005 SCRS meeting, the Informal Group on the Coordination of Funds proposed the possibility of considering the use of the balance from the Bigeye Year Program (BETYP) as a source of support for ICCAT’s statistical and scientific work. Later at the SCRS meeting, the Secretariat received approval and confirmation from the donors. To this effect, the Fund for Tags is still available and has a balance of €20,457.20, financed by Japan.

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

In June 2006, a joint contract was signed between ICCAT and the Spanish Institute of Oceanography (IEO) regarding issues of common interest in research. The three-year contract is aimed at furthering the study on the biology, fishing and sustainable exploitation of species under ICCAT mandate by means of electronic tagging.

Following the ICCAT Chairman's initiative in 2006 to establish funds to promote exchanges among the Contracting Parties, at the regional level, this year the United States notified the Secretariat of the distribution of the balance from these Workshops to other funds, while maintaining a balance to cover part of the expenses incurred by the participation of ICCAT Chairmen at various meetings. This Fund was increased by a special contribution from Brazil amounting to €68,000 to collaborate towards this.

The distribution carried out by the Secretariat is in accordance with the indications from the United States, on the one hand, the Data Fund has been increased, and on the other, a U.S. Fund for Capacity Building has been created, whose objective is to contribute to the activities directed at building the capacity of data collection and management of the Contracting Parties that have lesser capacity.

In April 2008, the contract with the MRAG/CapFish consortium was extended for the ICCAT Regional Observer Program, in accordance with the ICCAT *Recommendation Establishing a Program for Transshipment by Large-scale Longline Fishing Vessels* [Rec. 06-11]. This program has been financed in 2008 by voluntary contributions from the Republic of China, Korea, Philippines, Japan, and Chinese Taipei and continues to be managed by the Secretariat.

At its 20th Regular Meeting (Antalya, Turkey, November 9 to 18, 2007), the Commission adopted the *Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area* [Rec. 07-08]. As was adopted at the 2007 meeting, the financing of the Program is being carried out by extra-budgetary contributions. The European Community subsidizes the majority of the costs of the Program, but other Contracting Parties, such as Croatia, Japan, Turkey, Morocco, and the United States have also made voluntary contributions. In March, installation started on the technical platform supplied by the company Collecte Localisation Satellites (CLS) and in May, Mr. Alberto Thais Parilla was hired to manage the Program.

In 2008, the EC Fund for Capacity Building was created. Through this fund, financial assistance was provided to developing countries, in particular, for participation at ICCAT meetings. The European Community made a voluntary contribution of €40,800 for this Fund.

11.3 ICCAT Performance Review

At ICCAT's 20th Regular Meeting (Antalya, Turkey, November 9 to 18, 2007), the Commission decided to select three independent experts with knowledge on international fisheries instruments, on fisheries management, and on fisheries science to carry out the performance review of ICCAT. It was also agreed that the Contracting Parties would propose candidates so that three experts would be selected by the ICCAT Chairman and the Executive Secretary. The selection process was started in December 2007 and finalized in March, 2008. The ICCAT Chairman requested all the CPCs to submit their candidates. Later, the ICCAT Chairman distributed a list with the names of all the candidates and requested the CPCs to elect three experts from among these candidates. The following three experts were selected:

- Mr. Moritaka Hayashi, expert in international fisheries instruments
- Mr. Jean-Jacques Maguire, expert in fisheries science
- Mr. Glenn Hurry, expert in fisheries management

Mr. Hurry was also assigned the task of coordinating the panel of experts.

The ICCAT Secretariat formalized a contract with each expert, which established the conditions, deadlines and honoraria.

The final report of the panel of expert includes an analysis of the ICCAT *Basic Texts*, an evaluation of the achievement of the objectives of ICCAT, and recommendations to improve ICCAT's performance. The report was transmitted to the Heads of Delegations on September 8, 2008. This report was presented to the Commission by the Coordinator of the Panel of Experts.

11.4 Organization of the 16th Special Meeting of the Commission

At the 20th Regular Meeting of ICCAT, the European Community offered to host the 2008 meeting. Starting in early 2008, the Secretariat maintained regular contact with the EC to initiate the procedures for the organization of the meeting. In June 2008, due to unforeseen circumstances, the European Community contacted the Secretariat informing its willingness to finance the organization of the meeting. In this sense, the EC asked the Secretariat to proceed with the necessary procedures and to organize the meeting, and made a commitment of funds amounting to €450,000.

The Secretariat started the necessary procedures with various hotels and travel agencies to organize the meeting in a city in Spain, but due to the little time available and the closeness of the meeting dates, no hotel was found that responded to the needs for the ICCAT meeting and within the limits of the available budget. Faced with these added difficulties, the Secretariat contacted other countries to study the possibility of holding the meeting outside Spain. For this reason, it considered the possibility of organizing the annual meeting in Morocco.

After consulting with the Chairman of the Commission, and reaching an agreement with the European Community, the Secretariat initiated the steps to organize the meeting in Marrakech. Thus, the Secretariat proceeded to solicit bids for the organization of the meeting from three agencies in Morocco, in accordance with the necessary conditions. After reviewing the offers received in detail, the Secretariat selected one of these agencies, considering that it had submitted the best financial proposal and that it already had the experience of organizing the 2000 ICCAT meeting. Therefore, it was considered that it was the agency that best understood the needs for the organization of this meeting.

12. Conclusion

As can be seen from all of the above, the Secretariat is asked to respond to ever increasing requests from the Commission. This results in an important work load in all departments (scientific, compliance, publications, finance and administration) in spite of the excellent disposition of the current staff.

Further, starting in early 2009, the Secretariat headquarters will be totally independent and will have 1,500 m² of office space. To confront this situation, the Secretariat is going to need more human means and financial means.

Therefore, an increase in the budget for the next few years is being requested (consult the Budget for more detailed information).

**MEETINGS AT WHICH ICCAT WAS REPRESENTED
BETWEEN OCTOBER 2007 AND DECEMBER 2008**

SUMMARY

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

SECOND INTERNATIONAL SYMPOSIUM ON TAGGING AND TRACKING MARINE FISH WITH ELECTRONIC DEVICES

Location: San Sebastian, Spain, October 8-11, 2007

Representative: Enrique Rodríguez Marín (IEO, Spain)

Substantive Agenda Items: Use of electronic devices to track movements and behavior of marine fishes - present and future challenges and perspectives.

Comments: Around 100 contributions were presented among discussions and posters. The presentations were based on information collected from electronic tags and this information was supplemented with other techniques such as conventional tagging, oceanographic, physical and reproductive characteristics, isotopic analyses as well as other techniques. Discussions concerned behavior (movements, feeding, reproduction, physiology, habitat use and distribution of ecological niches), data processing (geo-localization, databases, modeling), technical aspects and management of the resources. Although the majority of discussions dealt with tunas and billfish, papers were also presented on other pelagic species, sharks, demersal fish (cod, hake and flatfish), decapod crustaceans and sea turtles. New tags were presented that are capable of measuring gastric activity from acidity or mobility, feeding activity, and speed by means of accelerometers, sonic archival tags and tags that can exchange information.

Actions: None

Report availability Abstracts from the recent Symposium can be found at:
<http://unh.edu/taggingsymposium/abstracts.html>

List of useful links for marine organisms tagging issues

- International Symposium: “*Advances in Fish Tagging and Marking Technology*”
Auckland, New Zealand, Feb 24-28, 2008
<http://www.fisheries.org/units/tag2008/index.html>
- 3rd International Bio-Logging Science Symposium. Using Bio-logging Devices to Study the Links between Animal Migrations, Behavior, Physiology, and Ecology
Monterey, CA, USA, September 1-5, 2008
<http://bio-logging.org>
- Ocean Tracking Network
<http://www.oceantrackingnetwork.org>
- SCOR Panel on New Technologies for Observing Marine Life’s Web page.
SCOR Working Group on New Technologies for Observing Marine Life.

CONVENTION ON MIGRATORY SPECIES TO IDENTIFY AND ELABORATE AN OPTION FOR INTERNATIONAL COOPERATION ON MIGRATORY SHARKS UNDER THE CONVENTION ON MIGRATORY SPECIES (CMS)

Location: Mahe, Seychelles, December 11-13, 2007

Representative: Fabio Hazin, Commission Chairman

Substantive Agenda Items:

- Status of the conservation of sharks defined as migratory sharks in the scope of CMS
- Current regional, international and other initiatives to improve the conservation of migratory sharks, including lessons learned
- Options for international cooperation in the scope of CMS
- Development of an option

Comments: During the discussions there was a unanimous position that RFMOs should be involved in the process from the beginning, the question being how to achieve their involvement. Some proposed that the joint tuna RFMOs meetings scheduled for early next year (Meeting of Chairmen) or for 2009 (RFMOs meeting), could be good opportunities for the CMS to present its proposal. Many expressed their disappointment that the only RFMOs present were ICCAT and IOTC. The absence of FAO was also regretted. Many also pointed out the need to improve data collection and awareness. On the issue, the ICCAT Chairman explained that the collection of data on sharks caught in the Convention area, in conjunction with the fisheries for tuna and tuna-like species, was already mandatory in the framework of the ICCAT Convention. He also informed that the SCRS had, in 2005, created a group to specifically deal with elasmobranch species, recalling that a first assessment of blue and mako sharks had already been conducted in 2004 and that a new assessment was scheduled for 2008. Finally, he emphasized the need to increase awareness, as well as to work closely with fishermen to promote the collection of data, including the need for an educational effort on species identification.

After two and a half days of discussions, the following conclusions were reached:

- The agreed instrument should be global in scope, with the opportunity to incorporate regional or species-specific initiatives where required;
- CMS should, at least for the moment, restrict the proposed document to the three species already included in its appendices: whale shark, basking shark and white shark. It should include, nevertheless, a mechanism that would allow States in the area of distribution to add other species in the future, as appropriate;
- Although the three species already listed by CMS are not important as by-catch, both FAO and the RFMOs should be involved in the process from the beginning, as well as the fishing industry;
- The agreed instrument should duly take into account the precautionary and the ecosystem approach to shark conservation.

It was also agreed that shark conservation and management components should include:

- Measures to build capacity in developing countries to manage sharks, including enforcement and research;
- Identification and protection of critical shark habitats and migration routes;
- Creation of a standardized global database on shark species;
- Coordination of stock assessments and research;
- Promotion and regulation of shark conservation and management, including non consumptive use, such as the regulation of ecotourism;
- Process to encourage the prohibition or strict control of shark finning;
- Active cooperation with the fishing industries;
- Studies of shark aggregation and breeding grounds and shark behavior and ecology;
- Strict conservation measures for the species already listed in CMS Appendices, in accordance with article 3;
- Encourage relevant bodies to set targeted fishery quotas, efforts and other restrictions;
- Encourage restrictions of shark by-catch in non-directed fisheries;
- Enforcement and compliance measures, including observers on fishing vessels;

Further consideration should also be given to include within the agreement provisions to encourage:

- The global promotion of the conservation and rational use of sharks;
- Addressing the problem of pollution, marine debris and ship strikes, as threats to sharks;
- Reporting structure of marine data to comply with the agreement;

As the next step, the meeting agreed to have a final version of the instrument available by the 9th Conference of Parties to CMS, which will take place in Bonn, December 1-5, 2008. For that purpose, a follow-up CMS meeting should be organized for the first half of 2008.

Actions: Following the process.

THE FAO REGIONAL WORKSHOP ON PORT STATE MEASURES TO COMBAT ILLEGAL, UNREPORTED AND UNREGULATED FISHING

Location: Cape Town, South Africa (January 28-31, 2008)

Representative: Mr. André Share, Second Vice-Chair of ICCAT (South Africa)

Comments: Mr. Share presented the Resolutions and Recommendations adopted by ICCAT relevant to IUU fishing and Port State measures. He then provided information on the ICCAT vessels lists, as well as information on the records that the Commission maintains on bluefin tuna fishing vessels, farming and farming facilities, traps, landing and transshipment ports. He also introduced ICCAT's on-going Performance Review and its close cooperation with tuna RFMOs, explaining that such actions were aimed at combating and eradicating IUU fishing.

Actions: None

Report availability: <ftp://ftp.fao.org/docrep/fao/010/i0049e/i0049e00.pdf>

GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN (GFCM) – 32ND SESSION

Location: Rome, Italy, February 25-29, 2008

Representative: Mr. Driss Meski, Executive Secretary

Substantive Agenda Items: Presentation of the Report of the Scientific Advisory Committee (SAC) and adoption of management measures.

Comments: The discussion mainly focused on several proposals of recommendations, including those adopted by ICCAT. Thus, the proposal for a GFCM performance review was not adopted, nor was the implementation of VMS.

Considerable importance was also given to administrative and financial matters, in particular, the transfer of the Commission to the new headquarters, as well as a 24% increase in the proposed budget for the next fiscal period. The matter of the audit of GFCM accounts was also raised.

After an intense discussion, the budget increase was approved. Discussions are being held on a compromise with Italy concerning the operating expenses of the new headquarters.

The GFCM officers were renewed for a new two-year term.

Actions: Continue to participate in the GFCM meetings.

Report availability: <http://www.gfcm.org/gfcm/topic/16090>

7TH ROUND OF INFORMAL CONSULTATIONS OF STATES PARTIES TO THE AGREEMENT OF THE UNITED NATIONS CONVENTION ON HIGHLY MIGRATORY STOCKS

Location: New York, United States, March 11-12, 2008

Representative: Driss Meski, Executive Secretary

Comments: Mr. David Bolton was elected Chairman of the meeting.

It was reported that the Parties to the Agreement were strengthened by the adherence of Rumania and the Republic of Korea.

After recalling the progress achieved in carrying out the proposed actions from previous meetings, the Chairman adopted the Agenda.

The meeting noted with satisfaction the actions carried out by the RFMOs, in particular, the start of the performance review and the commitment in the fight against IUU fishing.

In their interventions, the delegations insisted on the need to continue carrying out actions to strengthen the RFMOs, although many have already made significant efforts to improve their performance.

There was considerable focus on the tuna organizations in the interventions of the different delegations. These insisted on close collaboration among the five tuna organizations, particularly in the prevention of IUU fishing and in harmonizing the catch documents, as well as the vessel lists. In this regard, the cooperation between WCPFC and ICCAT was noted.

In his intervention, Mr. Meski pointed out the efforts made by ICCAT to adapt the discussions of the Kobe meeting. In this regard, he reported on the progress of the ICCAT Performance Review, collaboration with other RFMOs for the standardization of the catch documents and the vessel lists. Further, his intervention discussed various matters concerning bluefin tuna, in particular, the Symposium in Santander and the Meeting of Managers and Stakeholders of Atlantic Bluefin Tuna held in Tokyo.

He also discussed at length the assistance to developing nations and proposed an amendment of the provisions of the funds established by the United Nations. FAO presented a report on the current state of the funds of the United Nations and the various expenses incurred.

The meeting reviewed the means of implementation to achieve ratification of the Agreement by countries which continue to be non-parties to the Agreement. Among these means, some delegations suggested promoting adherence through RFMOs. Other delegations preferred providing assistance to developing nations.

The possibility of again taking up the Conference on the Review of the Agreement was discussed. It was clarified that the provisions of the Agreement only envisions one Review Conference. The meeting two years ago was not completed. Therefore, this would mean setting the date to reinitiate the work of this Conference. The discussion focused on the date for this Conference and the preparatory work. In the event that the review meeting of the Agreement is held in 2010, an informal consultation should be held in 2009.

SECRETARIAT'S VISIT TO THE UNITED STATES TO IMPROVE THE TAGGING DATA EXCHANGE PROTOCOL

Location: NMFS-SFSC, Miami, United States, March 31 to April 3, 2008

Representative: Carlos Palma (ICCAT Secretariat)

Substantive Agenda Items: Description of ICCAT and U.S. tagging information systems; identification of major data elements for exchange; definitions of the codes and formats for data exchange; definition of the rules and proceedings for data reporting.

Comments: As stated by the *Ad Hoc* Working Group on Tagging Coordination in 2007, a persistent problem posed to the ICCAT Secretariat in recent years has been the incorporation of the entire U.S. tagging database (the largest provider of data with almost 90% of all the tagging data available in ICCAT) into the ICCAT

database system. This process, which takes about a full month of work, has substantially increased the workload of the Secretariat.

In search of a solution, the Sub-Committee on Statistics recommended that the Secretariat, in collaboration with U.S. scientists, develop an efficient tagging data exchange protocol specifically for the U.S. tagging information. As a result, a technical meeting was held at the MFS SEFSC in Miami. A full analysis of both tagging information systems was carried out, and synergies and incompatibilities were identified in these facilities.

The outcome of this meeting was the proposal of the “USA-ICCAT Tagging Data Exchange Protocol”. It consolidates and optimizes the exchange of tagging information and simplifies the updating of the ICCAT tagging database. For each one of the major U.S. data sources identified, new and updated information should be submitted to ICCAT only once a year in the specified format. As agreed, its implementation should start this year, with a complete submission of all the U.S. tagging information available that will entirely replace the corresponding tagging data currently available in the ICCAT database. By default, future submissions should only include new or revised information.

Among other achievements (better quality control, optimization of assimilation processes, improved data validation processes, etc.) it is expected that this protocol will, in the short term, considerably reduce the Secretariat’s workload on statistics.

Actions: Apply the tagging data exchange protocol.

Report availability: SCRS/2008/159

FIRMS TECHNICAL WORKING GROUP (SECOND SESSION)

Location: FAO Headquarters, Rome, Italy, April 1-4, 2008

Representative: Pilar Pallarés (ICCAT)

Substantive Agenda Items:

- Resource module: Review of the status. Assist in providing solutions to correctly implement the decisions and recommendations of the FSC, in particular, trend descriptors on stock status, reporting year and statistical graphs.
- Fisheries module: Finalize the module including review and guidelines for the design of the fact sheets and the underlying data model and the dictionary of fisheries metadata.
- Workflow Management System (WMS): Presentation on processes and available tools to provide information to FIRMS. Sessions on capacity.
- Outlooks on workflow: Dynamic solutions, use of FIRMS-FIMES metadata, role of the fishing ontology server.

Comments: Overall the meeting has resulted in an important advance for the completion of the resource module, operational since some years ago and including numerous entries, as well as the update of the fisheries module. The meeting was also aimed at providing training sessions by the FIRMS Secretariat on the implementation and management of the fact sheets and to inform on the progress made in the development of support mechanisms and existing options to make the process more dynamic.

As regards the resource module, the only module in which ICCAT participates supplying the information included in the Executive Summaries, ICCAT and IATTC provided a map of equivalences between the graphic presentation format of stock status adopted by tuna RFMOs and the FIRMS descriptors. These descriptors will be used exclusively as search criteria in FIRMS.

Concerning the fisheries module, discussions showed the difficulty of defining a unique scheme and therefore the adoption of a flexible scheme was decided allowing different options for partners of FIRMS according to their criteria. It was also suggested if it would be advisable to propose to the FSC the development of an

independent module on ecosystems which would collect more information than normal in the corresponding fisheries module section.

The Secretariat presented an overview of the advantages of using the FIRMS-FIMES metadata standards and NeOn's (Network Ontologies) ontological protocols for the exchange and finding of information. The Technical Working Group agreed on the benefits and opportunities generated by the standardization of the metadata and protocols for fisheries information. In this sense, ICCAT has worked with the FIRMS Secretariat to develop an *ICCAT Manual* schema which is compatible with the FAO fishery schema. The Technical Working Group considered that this approach was one of the most appropriate ways to get institutions dealing with fisheries to improve and comply with a standard structure.

Actions: Participation in the Monitoring Committee and, if the proposals of the technical group are accepted, application of the changes to the ICCAT resource module.

Report availability: The report of the Technical Working Group is available at: <http://firms.fao.org/firms>

10TH INFOFISH WORLD TUNA TRADE CONFERENCE & EXHIBITION

Location: Bangkok, Thailand, (May 28 to 30 2008)

Representative: Fabio Hazin (Commission Chairman)

Substantive Agenda Items: Global and regional review of the status of the tuna stocks and management; review of the status of the tuna industry; review of the global tuna markets; technology, quality and product development.

Comments: The 10th INFOFISH World Tuna Trade Conference & Exhibition was opened, at 9:00h, on May 28, by Dr. S. Subasinghe, INFOFISH Director. Following the opening, Mr. Hussain Hilmy, Minister of Fisheries, Agriculture and Marine Resources of Maldives, Mr. Christopher Lischwsky, President and CEO of Bumble Bee Foods, and Dr. Somying Piumsombum, Director General of the Fisheries Department of Thailand, presented their opening remarks.

After the opening ceremony, up to the end of the first morning, the presentations of Session I - Global and Regional Review on Tuna Stocks Status and Management, were delivered, including the one by Dr. Fábio Hazin, ICCAT Chairman, entitled "Atlantic Ocean and Mediterranean Sea: Management Measures, Current Issues and Prospectus". During his presentation, Dr. Hazin introduced initially some basic information on the structure and functioning of the International Commission for the Conservation of Atlantic Tunas (ICCAT), including area of competence and present membership, followed by a review of the main fisheries of tuna and tuna-like species in the Atlantic Ocean and Mediterranean Sea. The historical development of total landings, participation in the world production, geographic distribution of catches and the present status of the stocks were then reviewed for the following species: bigeye tuna, yellowfin tuna, skipjack tuna, albacore, swordfish, bluefin tuna, white marlin and blue marlin, sailfish and sharks. The management and conservation measures adopted by the Commission to assure the sustainability of the exploited stocks were discussed along with the challenges ICCAT is facing to achieve its objective as a Regional Fisheries Management Organization. Finally, the strategies adopted by ICCAT to modernize itself, particularly to incorporate modern concepts of fisheries management, such as the precautionary approach and the consideration of ecosystem aspects into fisheries management were addressed.

During the afternoon, the presentations of Session II - Review of the Tuna Industry Status, took place, while Sections III - Review on the Global Tuna Markets, and IV - Technology, Quality and Product Development were held, respectively, during the second and third days of the event (May 29 and 30). Participation of ICCAT was very important, particularly since all but one (CCSBT) of the Tuna RFMOs were present. It was a good opportunity to show to the private sector and to the general public the present status of tuna stocks in the Atlantic Ocean and the Mediterranean Sea, as well as the conservation and management measures adopted by the Commission to assure their sustainability.

Actions: It would be interesting if ICCAT continued to participate in these types of meetings.

Report availability: is available for sale from INFOFISH.

PROJECT COPEMED II – FIRST SESSION OF THE STEERING COMMITTEE

Location: Malaga, Spain (Project headquarters), June 12-13, 2008

Representative: Pilar Pallares (ICCAT)

Substantive Agenda Items:

- Presentation of Project CopeMed II
- Coordination Committee: mandate and composition
- Presentation of the National Reports of participating countries
- CopeMed II Priorities for RFMOs (GFCM and ICCAT)
- Main activities for the first year of CopeMed and ArtFiMed

Comments: This meeting represented the initiation of the second phase of the CopeMed Project, a five-year project developed in the context of FAO, in which countries in the central and eastern Mediterranean area. Participate. During its first phase, this Project was an important advance both in the improvement of statistics and in the research of tuna and tuna-like species in the Mediterranean countries involved.

The objective of the meeting was to define the general priorities of the Project and to identify the most important activities for the first year of the Project. With this objective, participating countries (Algeria, Spain, France, Italy, Libya, Malta, Morocco and Tunisia) and the two RFMOs (GFCM and ICCAT) with scope in this area, presented their needs as regards to research and statistics. The FAO representative also presented the FAO projects that are being developed in the area aimed at coordinating actions and avoiding overlapping.

Since this project included a first phase, it was considered interesting to have access to information on improvements made in the first phase and their development after finalization, from the point of view of the RFMOs, with the objective of evaluating the efficiency of these kinds of projects in developing permanent structures for data collection, analysis and management.

Actions: Continue and participate in the development of this second phase of the project.

Report availability: The report of the meeting is available at: <http://firms.fao.org/firms>

78TH MEETING OF THE INTER-AMERICAN TROPICAL TUNA COMMISSION (IATTC) AND THE 19TH MEETING OF THE AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM (AIDCP)

Location: Panama, Republic of Panama, June 16-27, 2008

Representative: Javier Ariz (IEO, Spain)

More information on meetings and Working Groups at:
<http://www.iattc.org/IATTCandAIDCPMeetingsJune08SPN.htm>

ICCAT was represented, in an observer capacity, at the 19th Meeting of the Agreement on the International Dolphin Conservation Program (AIDCP) and its Working Groups and at the 78th Meeting of the Inter-American Tropical Tuna Commission (IATTC) and its Working Groups.

Substantive Agenda Items: The AIDCP meetings were carried out during the first week (Working Group on Dolphin Safe Promotion, Working Group on Tuna Tracking and 45th International Review Panel) and the IATTC Permanent Working Group on Compliance as well as the Joint (IATTC-AIDCP) Working Group on Fishing by Non-Parties. During the second week the 3rd Consultation Meeting of IATTC-WCPFC and the 78th Meeting of the Commission were held.

Since the 75th annual meeting (Cancun, June 2007) two special meetings have been held (the 76th and the 77th Meetings), both held in La Jolla, California, United States in October 2007 and March 2008, respectively, aimed at reaching an agreement on the management measures for purse seine and longline fisheries that fish yellowfin and bigeye tuna. Both meetings ended without having reached agreement among the Parties.

The delegates participating in the 78th Meeting of the Commission proposed, as a priority objective, to reach an agreement to establish management measures for 2008 and successive years, on the above-mentioned fisheries and species. Almost all the meeting time was dedicated to reaching an agreement, which in the end was not reached.

No management measures were adopted on other species (swordfish and albacore), or on tagging- identification of artificial fish aggregating devices (which the Director of IATTC was going to propose), and other matters foreseen in the Agenda were not discussed due to the lack of time.

As regards matters concerning research, the Director presented a three-year regional tagging program to start in 2010 with a cost of US\$4,587,921.

The Commission proposed that the Working Group on By-catch hold a meeting prior to the annual Commission meeting (June 2009) to review the current proposals for a resolution on the mitigation of the by-catch of sea birds.

A brief joint meeting of IATTC-WCPFC was held aimed at making progress on a protocol for the data exchange among Commissions that share the same ocean and have an area in which they overlap.

Comments: Given that no management measure was adopted and that some Parties requested reopening the discussion on the current resolution on fleet capacity, it has been foreseen to hold the 79th meeting of the Commission in October 2008 in La Jolla, California, United States.

Resolutions adopted:

Contributions of the countries to finance the budget adopted for 2009.
<http://www.iattc.org/PDFFiles2/C-08-01-Financiamiento-FY-2009.pdf>

Resolution to establish a program on transshipments by large fishing vessels:

Procedures to implement the observer program for transshipments at sea by large longline vessels
<http://www.iattc.org/PDFFiles2/C-08-03-Implementacion-de-programa-de-observadores.pdf>

Actions: Continue participating in the IATTC meetings.

Report availability: <http://www.iattc.org/>

THE TECHNICAL CONSULTATION ON PORT STATE MEASURES (FAO)

Location: FAO Headquarters, Rome, Italy (June 23-27, 2008)

Representative: Ms. Carmen Ochoa (ICCAT Secretariat)

ICCAT participated as an observer at the Technical Consultation to draft a legally-binding instrument on port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing.

Comments: As a follow-up to the Expert consultation held in Washington in September 2007, the objective of this technical consultation was to progress on the development of a draft agreement on port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing (IUU). The preamble, the general provisions (Part 1), the requirements prior to entry into port (Part 2) and the access and use of ports (Part 3) were reviewed by the FAO delegates.

The delegates agreed on the objective of the draft agreement acknowledging that the implementation of effective port State measures could prevent, deter and eliminate IUU activities. They also agreed that the draft agreement would not apply to vessels of a neighboring State that are engaged in artisanal fishing for subsistence and that each Party may choose not to apply the draft agreement to vessels chartered by its nationals. On the requirements prior to entry into port and on the access and use of ports, the delegates expressed their different points of view and the meeting agreed to defer the discussion on the bracketed text. Owing to time constraints, the review of Parts 4 to 10 was deferred to a second technical consultation. It was also decided that a Working Group would be established to review the annexes of the draft agreement. FAO will convene a second technical consultation in

January 2009 with the view to transmitting its results to the 28th session of the FAO Committee on Fisheries (COFI) in February 2009 for its consideration.

Actions: Delegates and observers were invited by the Chair of the Technical Consultation to submit comments to the draft agreement by 15 September 2008.

Report availability: The draft agreement as modified during the Technical Consultation shall be available mid-July 2008 on: <http://www.fao.org>.

THE WORLD OCEAN IN GLOBALIZATION: CHALLENGES FOR MARINE REGIONS INTERNATIONAL CONFERENCE IN MARINE AFFAIRS AND LAW OF THE SEA

Location: Oslo, Norway, (August 21-23, 2008)

Representative: Driss Meski, Executive Secretary

Comments: In the framework of the celebration of its 50th Anniversary, the Fridtjof Nansen Institute of Norway organized an important conference on The World Ocean in Globalization: Challenges for Marine Regions. This important Conference brought together different worldwide international experts of maritime matters and marine resources: politicians, legal experts, managers, economists and scientists. Several international and regional institutions were also represented at this conference, in particular, FAO, the World Bank, the United Nations, the IMO, RFMOs and NGOs.

The interventions focused on several subjects referring to the major problems related to the exploitation of marine resources, the causes and effects of climatic change, the proliferation of illegal and unreported fishing, always in relation to the legal instruments in force (UNCLOS, UNFSA and various treaties). Ocean and sea pollution as well as the role of the IMO, were also the subject of an important discussion.

The role of the RFMOs in the fight against illegal fishing and in the management of resources occupied an important part of the discussion during this Conference. Several representatives of RFMOs, ICCAT and FAO pointed out the actions carried out in their respective organizations as well as the collaboration developed to eliminate illegal fishing.

Upon finalizing the work of the Conference, the organizers promised to distribute the proceedings soon as they are published.

Report availability: The summary of different interventions is available at: www.fni.no/conference/

GFCM - COMMITTEE ON COMPLIANCE AD-HOC WORKING GROUP ON VMS AS AN MSC TOOL

Location: Rome, Italy, FAO Headquarters, September 23, 2008

Representative: Ms. Carmen Ochoa (ICCAT Secretariat)

ICCAT participated in the Working Group under the Agenda item "VMS and RFMOs: actions taken and measures adopted" and presented the implementation of the VMS system at the ICCAT Secretariat.

Comments: With the view to revising the GFCM draft Recommendation on VMS, the Working Group exchanged views on VMS implementation, first of all at the national level and then at the regional level. The representative of Turkey presented the implementation of the VMS system in Turkey explaining the software and hardware problems they had encountered as well as the end user position (the fisheries sector considered that there were too many requested devices, the IAS, VMS and electronic logbooks). He also indicated that the national legislation on VMS was currently pending in Parliament. Later, the representative of Croatia explained that in Croatia the system and its implementation was still under development and that its Fisheries Monitoring Centre (FMC) was not only due to deal with VMS. The representative from Montenegro stated that no VMS system was yet implemented in her country. The representative of Italy informed that Italy's VMS messages were sent every two hours and that they had an effective alert system. As for the EC representative, he pointed

out that the VMS at the Community level was a decentralized system and that since 2006, the VMS of the EC covered vessels over 15 meters. He also informed the Working Group that the messages were stored for three years and access to the messages was only upon request. He then explained that the Fisheries Control Agency in Vigo would use the VMS messages in its inspection function at the EC level.

Later, a representative from FAO (FIEL) gave a comprehensive presentation on the implementation of VMS systems in different RFMOs, and pointed out the differences between a centralized VMS system (such as in CCAMLR, NAFO, NEAFC, ICCAT) and a decentralized VMS system (such as in IATTC and IOTC). Lastly, the representative from ICCAT presented the implementation of the VMS system at the ICCAT Secretariat. To this end, she introduced the ICCAT Recommendations that had led to the adoption of the VMS system and its format and protocol. She then presented the technical specificities of the VMS system at the ICCAT Secretariat and the possibilities offered by THEMIS to analyze the VMS reports. She also explained the functioning of the system between the ICCAT Contracting Parties and the ICCAT Secretariat as well as the day-to-day functioning of the system.

Based on these presentations, the GFCM Working Group discussed, among other matters, the possibility to cover the artisanal fisheries, vessels over 15 or over 24 meters, the best frequency for VMS messages, the need to ensure confidentiality, the use of the VMS messages and of its alerts in relation to inspection and IUU issues and the willingness to adopt a GFCM Recommendation on VMS that would allow a realistic implementation of the VMS system in the GFCM area.

Action: The Working Group prepared a revised GFCM draft Recommendation on VMS to present it to the 33rd Session of GFCM.

Report availability: The report of the Working Group will be available on: <http://www.gfcm.org>.

GFCM – SCIENTIFIC ADVISORY COMMITTEE (SAC)

Location: Marrakech, Morocco, December 1 to 5, 2008

Representative: Pilar Pallarés (ICCAT Secretariat)

Substantive Agenda Items:

- Review of the Committee's inter-sessional activities
- Formulation of advice in the field of fishery management and research

Comments: The Committee covers a large number of stocks; the majority of them are not related to ICCAT.

In the course of the meeting, the Committee reviewed the recommendations on research and management of the different sub-committees:

- Sub-Committee on Stock Assessment (SCEP), with special attention on the management of the stocks of small pelagic in the Adriatic. The Committee also considered the need to strengthen the work of the groups and sub-committees such that the analyses on the status of the resources are carried out jointly by these groups using common data series. Currently, a major part of these analyses is done outside these groups.
- Sub-Committee on Environment and Marine Ecosystems (SCMAE).
- Sub-Committee on Statistics and Information (SCEI) with the definition of components of the fleet proposed by the Sub-Committee on Statistics, improvement of the guidelines for the submission of catch data, the re-defining of some of the areas to make them coincide with the FAO areas, and, in particular, on the definition of a GFCM logbook. During the presentation of the conclusions of the sub-committee, the Secretariat presented a new data entry and validation program that will be available shortly.

- Sub-Committee on Economic and Social Sciences (SCESS), including various working groups, such as that of the recreational fisheries or the Capacity and Management Measures group. The Committee considered the need to make it mandatory to submit Tasks 1.3 and 1.4 on effort and economic data, which up to now is voluntary.

Action: As has been customary since the creation of GFCM, ICCAT should continue to follow the work that is carried out in this Commission, especially the work of the SCESS that includes economic factors, which are important to consider, but which up to now ICCAT has not incorporated in its work.

Report availability: The report is available at: <http://www.gfcm.org>.

2008 FINANCIAL REPORT¹

Introduction

Fiscal year 2008 has seen the consolidation of a positive trend as regards the regularization of the Commission's financial situation, although some Contracting Parties continue to have difficulties meeting their budgetary commitments. Consequently, the Working Capital Fund has improved considerably, and is considerably above the recommended minimum.

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

1. Auditor's Report – Fiscal Year 2007

The auditing firm Deloitte & Touch prepared the Independent Auditor's Report corresponding to fiscal year 2007.

In accordance with Article 12 of the Commission's Financial Regulations, the Executive Secretary sent a copy of the Auditor's Report to the Governments of all the Contracting Parties in May 2008 (ICCAT Salida #240AF/08). The Auditor's Report includes the ICCAT Budgetary Statements: Balance Sheet, Composition and Balance of the Working Capital Fund, Budgetary and Extra-budgetary expenses, Budgetary and Extra-budgetary Income Received, Status of the Contracting Party contributions, and the Explanatory Notes of these, corresponding to the fiscal year that ended on December 31, 2007. It should be noted that at the close of fiscal year 2007, the Balance Sheet showed an effective balance in Cash and Banks amounting to €2,476,337.81, corresponding to the available in the Working Capital Fund, €1,682,978.90 (which represents 72.45% of the Budget), the available in the Trust Funds (€16,990.07), debts for purchases or services (€12,046.86), provision for expenses of the fiscal period (€6,589.36), budgetary expenses of fiscal year 2008 paid in advance (€4,196.78), payments pending application (€47.39), and advances on future contributions (€1,976.79).

The balance of accumulated pending contributions at the close of fiscal year 2007 (corresponding to 2007 and previous years) amounted to a total of €1,557,253.41.

2. Financial status of the first half of the biennial budget – Fiscal year 2008

All the Commission's financial operations corresponding to fiscal year 2008 have been maintained in Euros. The accounting entries that originated in United States dollars are also registered in Euros, applying the official exchange rates facilitated monthly by the United Nations.

The 2008 Regular Budget, amounting to €2,442,052.26, was approved by the Commission at its 20th Regular Meeting (Antalya, Turkey, November 2007). The Balance Sheet (attached as **Statement 1**) shows the assets and liabilities to the close of fiscal year 2008, which is shown in detail in **Tables 1 to 6**, as well as that corresponding to 2007.

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

The total accumulated debt from budgetary and extra-budgetary contributions amounts to €1,656,556.67, which includes budgetary contributions from: Cape Verde (€808,449.02), Gabon (€128,266.66), Ghana (€45,270.28), Republic of Guinea (€9,231.28), Honduras (€55,531.46), Nicaragua (€1,478.04), Panama (€43,511.43), Philippines (€10,065.93), St. Tome & Principe (€101,745.37), Senegal (€9,633.92), Syria (€4,650.61), Tunisia (€3,608.27), United Kingdom-Overseas Territories (€0,084.08), Vanuatu (€9,418.57), and Venezuela (€2,461.04), extra-budgetary contributions from the following Contracting Parties: Honduras (€4,937.00) and Nicaragua (€6,387.40), and the debts corresponding to Benin (€50,508.83) and Cuba (€66,317.48), which are no longer Contracting Parties to ICCAT.

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

¹ Information up to December 31, 2008.

Budgetary expenses

85.11% of the budget adopted by the Commission was spent. Following herewith are some general comments, by budget chapter.

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

In 2008, the United Nations Civil Service Commission published new salary and pension scales for staff in the Professional or Higher categories, as well as the salary and pension scale for Madrid for staff in the General Services category. All these increments are charged to this chapter, complying with the date of entry into force of each of these scales.

Therefore, the total amount charged to Chapter 1 includes the updating of the remuneration schemes to those in effect for staff classified in the United Nations categories, including tenure and contribution to the Van Breda Pension Plan. It also includes the cost of Spanish Social Security for Secretariat staff included in this system, the payment of taxes in accordance with that stipulated in Article 10 of the *ICCAT Staff Regulations and Rules*, as well as the expenses for education allowance and education travel for the staff concerned, in accordance with Articles 16 and 17 of the aforementioned Staff Regulations, respectively,

The amount charged to Chapter 1 as of the close of fiscal year 2008 amounts to €29,208.45, which represents 97.93% of the amount budgeted.

Chapter 2 – Travel: The amount incurred in this chapter of the budget amounts to €2,796.90 (75.99% of the amount budgeted) and corresponds to the trip expenses and per diem for Secretariat participation in meetings of international organizations and those of regional and/or international bodies.

Chapter 3 – Commission Meetings: This chapter includes expenses charged amounting to €30,000 (100.00% of the amount budgeted), which corresponds to trips made by the Secretariat for the meeting preparation and expenses of the 2008 annual meeting of the Commission in Marrakech, Morocco, and included expenses for the interpreters (travel, per diem, honoraria, overtime, etc.), Secretariat staff expenses (travel, per diem, over time, etc.), as well as other logistical expenses (see details in Item 17 of this report).

Chapter 4 – Publications: The expenses charged to this chapter amounted to €7,463.61 (90.46% of the amount budgeted), corresponding to the expenses incurred for the purchase of material for publications, i.e. paper and toner, (€8,963.96), reproduction of documents (€8,398.05), photocopier rental (€14,453.64), binding by a printing company of the *Report for Biennial Period 2006-07, Part II, Vols. 1 and 2* in the three official languages of the Commission, the *Collective Volume of Scientific Papers, Vol. 61 (No. 1)* and *Vol. 62 (Nos. 1, 2, 3, 4, 5 and 6)*, *Statistical Bulletin, Vol. 37* and the *ICCAT 40th Anniversary* special publication (€5,894.60), as well as the costs of the publications on DVD of *Vol. 61 (No. 1)* and *Vol. 62 (Nos. 1, 2, 3, 4, 5 and 6)* of the *Collective Volume of Scientific Papers* and for various illustrations (€1,753.36).

Chapter 5 – Office Equipment: The purchase of an office chair and diverse office material were charged to this chapter (€37.94), that is, 4.20% of the amount budgeted.

Chapter 6 – Operating Expenses: The expenses incurred in this chapter amounted to €25,237.47 (62.62% of the amount budgeted), which corresponded to: office material (€7,618.02); expenses for communications: mailing of official correspondence and ICCAT publications, and the purchase of a new franking machine (€19,621.90), phone (€9,367.62), fax (€1,336.18); bank charges (€7,244.61); audit (€20,062.20); maintenance: insurance, office cleaning, garage rental, etc. (€30,684.23); and representation expenses (€19,302.71).

Chapter 7 – Miscellaneous: This chapter includes various expenses of a minor nature, such as minor repairs at the Secretariat offices. The expenses charged to this chapter amounted to €6,071.92, representing 94.31% of the amount budgeted.

Chapter 8 – Coordination of Research: The expenses incurred in this chapter amounted to €780,450.35 (77.18% of the amount budgeted), broken down according to the following sub-chapters:

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

The observations made under Chapter 1 concerning the salary scheme in effect in 2008 for staff classified in the United Nations categories also apply to this sub-chapter, as well as the costs for Spanish Social Security for Secretariat staff included in this system, the payment of taxes in accordance with Article 10 of the ICCAT Staff Regulations and Rules, and education allowance for staff entitled to this in accordance with Article 16 of the ICCAT Staff Regulations.

The costs for the post of Populations Dynamics Expert, which has been postponed until 2009, were budgeted in this sub-chapter.

B) *Travel to improve statistics:* The amount charged to this sub-chapter was €15,519.19 and corresponds to trip and per diem expenses for Secretariat participation in meetings of other organizations.

C) *Statistics-Biology:* The costs of the translations of the *ICCAT Manual* and the expenses for the 2008 ICCAT lottery for temperate tunas, tropical tunas, and sharks were charged to this sub-chapter (€655.97).

D) *Computer-related items:* The amount incurred in this sub-chapter was (€20,033.74), which corresponded to the purchase of computers, software, memory expansion, and the purchase of diverse computer material.

E) *Database maintenance:* Expenses of this sub-chapter amounted to €32,611.62, corresponding to the purchase of annual licenses, specific software for statistics, and maintenance of the air conditioner for the room where the server is located.

F) *Telephone-Internet domain:* The expense charged for this concept amounted to €16,306.53, corresponding to the annual cost for maintenance of the ICCAT web page and electronic mail, as well as the ADSL computer line.

G) *Scientific meetings (including SCRS):* The amount spent in this sub-chapter amounted to €72,926.58 corresponding to expenses for the annual meeting of the Standing Committee on Research and Statistics (SCRS) held in Madrid: interpreters' honoraria, overtime, Secretariat staff expenses, payment to the hotel where the meeting was held, and the simultaneous translation equipment.

H) *ICCAT Bluefin Year Program (BYP):* The Contracting Parties financed a budget of €14,588.60, as an ICCAT budgetary contribution to this Program. The breakdown of income and expenses is given in the table referring to this Program.

I) *ICCAT Enhanced Research Program for Billfish:* The Contracting Parties financed a budget of €20,000.00 as an ICCAT budgetary contribution to this Program. The breakdown of income and expenses is given in the table referring to this Program.

J) *Miscellaneous:* As of the close of the fiscal period, no expense had been charged to this sub-chapter.

Chapter 9 – Contingencies: The amount charged to this Chapter amounted to €6,893.80 (27.58% of the expenses budgeted) and corresponded to costs for the candidates for the post of Population Dynamics Expert to travel to the Secretariat for interviews and the new Assistant Executive Secretary's trip.

Chapter 10 – Separation from Service Fund: 100.00% of the amount budgeted (€30,000.00) for this chapter was transferred to the Separation from Service Fund (see Section 6 of this report).

Extra-budgetary expenses

The extra-budgetary expenses incurred are explained in detail in Section 17 of this report. Besides the expenses for the inter-sessional meetings, the costs related to the ICCAT Performance Review are included under this heading: Contract, travel, etc. (€106,265.35), in accordance with the decision adopted at the 20th Regular Meeting of the Commission in Antalya, Turkey, and the negative differences in currency exchange (€80.07).

Table 3 shows the budgetary and extra-budgetary income received by the Commission during the fiscal period.

Budgetary income

The contributions received and distributed by Groups were as follows:

| Group | Contracting Parties | | | | Contributions | | |
|-------|---------------------|---------------|-----------------|---------|---------------|--------------|-------|
| | No. | Total payment | Partial payment | Pending | Budget (€) | Paid (€) | % |
| A | 8 | 7 | 1 | 0 | 1,416,390.31 | 1,411,306.23 | 99.64 |
| B | 7 | 4 | 1 | 2 | 512,830.98 | 415,339.64 | 80.99 |
| C | 18 | 15 | 0 | 3 | 439,569.42 | 230,325.79 | 52.40 |
| D | 12 | 4 | 1 | 7 | 73,261.58 | 34,135.60 | 46.59 |
| TOTAL | 45 | 30 | 3 | 12 | 2,442,052.29 | 2,091,107.26 | 85.63 |

Of the budget approved, income received and applied towards 2008 contributions amounted to €2,091,107.26, which represents 85.63% of the budget. Only 30 of the 45 Contracting Parties included in the budget have paid their total contribution (Algeria, Angola, Barbados, Belize, Brazil, Canada, People's Republic of China, Côte d'Ivoire, Croatia, Egypt, Equatorial Guinea, European Community, France-St. Pierre & Miquelon, Guatemala, Iceland, Japan, Korea, Libya, Mexico, Morocco, Namibia, Nigeria, Norway, Russia, South Africa, St. Vincent and the Grenadines, Trinidad & Tobago, Turkey, United States and Uruguay). Philippines paid 1.06% (€107.50), Tunisia 90.05% (€2,649.22), and United Kingdom-Overseas Territories paid 71.33% (€2,651.38).

The contributions to the 2008 Regular Budget pending payment from the Contracting Parties amounted to €50,945.03, which represents 14.37% of the budget.

The advance received in 2002 from Libya (€14,537.98), of which a balance of €22,275.19 remained, has been applied towards the total payment of that Party's 2008 contribution. This year other advances were received amounting to €2,208.82, thereby showing a balance in Libya's favor of €3,133.19, which will be applied towards the payment of future contributions. Of the advances received in 2005 and 2007 from Angola (€20,478.00 and €6,473.90, respectively), there is a balance of €13,662.05, which has been applied in its entirety towards the partial payment of Angola's 2008 contribution. The advance received Equatorial Guinea in 2007 (€25,931.99) has been applied towards the total payment of its 2008 contribution and there remains a balance in Equatorial Guinea's favor of €16,551.82, which will be applied towards payment of future contributions. The advances from the Republic of Philippines (€107.50) and Syria (€0.06) have been applied, respectively, towards the partial payment of their 2008 contributions. Côte d'Ivoire and Namibia have also sent advances amounting to €0.06 and €0.50, respectively, which will be applied towards payment of future contributions.

Extra-budgetary income

Extra-budgetary income in fiscal year 2008 amounted to €742,520.94. This income includes: the 2008 contribution from Albania as a new Contracting Party (€3,224.51), observer fees (Medisamak, Organization for the Promotion of Responsible Tuna Fisheries-OPRT, Adena, Greenpeace, Oceana, CARICOM, Fundatun, CIPS, The Pew Charitable Trusts, Mauritania, Congo, and Chinese Taipei), (€9,635.29), a voluntary contribution from Chinese Taipei (€100,000.00), a voluntary contribution from the ICCAT/Japan Data Improvement Project-JDIP (€1,144.06), bank interest (€100,795.21), reimbursement of Value Added Tax-VAT (€8,077.59), income received from Japan for the Meeting of Managers and Stakeholders in Atlantic Bluefin Tuna (MSAB) held in Tokyo (€46,329.65), income received from the European Community for the 2nd Meeting of the Working Group on Capacity and the 5th Meeting of the Working Group on Integrated Monitoring Measures, held in Madrid (€41,255.38), income received from the European Community for the 2008 Commission Meeting in Marrakech (€60,000), the positive differences in currency exchange (€61,453.99), and other income (€605.26).

Income from accumulated pending contributions

Income from accumulated pending contributions amounted to €51,641.77 and corresponds to the contributions to previous budgets paid by China (€641.15), Gabon (€14,504.00), Ghana (€161,787.61), Tunisia (€3,608.50), United Kingdom-Overseas Territories (€5,359.40), Uruguay (€136.64), Vanuatu (€1,538.02), Venezuela (€9,169.71), and from new Contracting Parties: Nigeria (€789.96) and Egypt (€4,106.78).

Table 4 shows the composition and balance of the Working Capital Fund. The Fund is comprised of: the balance at the start of the fiscal year (€1,682,978.90) and the surplus of the fiscal year (€128,597.53), the liquidation of income and expenses which will be applied on January 1, 2009 towards the balance of the Fund, Consequently, at the start of fiscal year 2009 the Working Capital Fund will have an available balance of €1,111,576.43 (86.47% of the 2008 Regular Budget).

Table 5 shows Cash Flow in fiscal year 2008 as regards income and expenses.

Table 6 shows the status of Cash and Banks, with a balance of €3,634,583.34 which corresponds to the total available in the Working Capital Fund (€1,682,978.90), and the surplus of the fiscal year (€128,597.53), as well as that available in the ICCAT Enhanced Research Program on Billfish (€457.80), the ICCAT Bluefin Year Program (€4,565.76), the Special Data Fund (€1,736.63), the Separation From Service Fund (€1,121.22), the Regional Workshops Fund (€3,533.11), the Fund to Prohibit Driftnets (€2,548.02), the Fund for the ICCAT-IEO MOU (€1,349.75), the Japan Fund for Tags (€20,457.20), the ICCAT Regional Observers Program (€443,086.50), the U.S. Fund for Capacity Building (€433,460.83), the ICCAT VMS Fund (€9,658.51), the EC Fund for Capacity Building (€2,208.17), the By-Catch Coordinator Fund (€44,516.00), expenses incurred by the ICCAT/Japan Data Improvement Fund that are pending reimbursement (€2,333.97), debts for purchases or services (€87,797.79), the provision of expenses of the fiscal period (€5,429.29), budgetary expenses of fiscal year 2009 and the VMS Program paid in advance (€17,707.87), payments pending allocation (€3,851.90), advances on future contributions (€9,685.57), and advances of the ICCAT Regional Observers Program (€75,288.50).

3. ICCAT Enhanced Research Program for Billfish

| <i>ICCAT Enhanced Research Program for Billfish</i> | <i>Euros (€)</i> |
|---|------------------|
| Balance at start of fiscal year 2008 | 3,232.28 |
| INCOME | |
| Financed by ICCAT | 20,000.00 |
| <i>Total Income</i> | <i>20,000.00</i> |
| EXPENSES | |
| Program expenses | 22,636.00 |
| Bank charges | 138.48 |
| <i>Total Expenses</i> | <i>22,774.48</i> |
| Balance at close of fiscal year | 457.80 |

4. Bluefin Year Program (BYP)

| <i>ICCAT Bluefin Year Program</i> | <i>Euros (€)</i> |
|---|------------------|
| Balance at start of fiscal year 2008 | 16,342.11 |
| INCOME | |
| Financed by ICCAT | 14,588.60 |
| <i>Total Income</i> | <i>14,588.60</i> |
| EXPENSES | |
| Program expenses | 16,348.64 |
| Bank charges | 16.31 |
| <i>Total Expenses</i> | <i>16,364.95</i> |
| Balance at close of fiscal year | 14,565.76 |

5. Special Data Fund

At its 2003 Meeting, the Commission approved the *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* [Res. 03-21]. For this purpose, the Secretariat has received contributions from the United States since 2005 to continue the Special Data Fund. At the close of fiscal year 2008 this Fund showed the following balance:

| <i>Special Data Fund</i> | <i>Euros (€)</i> |
|--|------------------|
| Balance at start of fiscal year 2008 | 25,691.44 |
| INCOME | |
| Transfer from Chairman's Regional Workshops Fund | 44,061.82 |
| Voluntary contribution from the United States | 16,115.00 |
| Voluntary contribution from the United States | 28,002.00 |
| <i>Total Income</i> | <i>88,178.82</i> |
| EXPENSES | |
| Scientists' travel | 18,918.63 |
| ICCAT VMS Program | 3,215.00 |
| <i>Total Expenses</i> | <i>22,133.63</i> |
| Balance at close of fiscal year | 91,736.63 |

6. Separation from Service Fund

| <i>Separation from Service Fund</i> | <i>Euros (€)</i> |
|---|------------------|
| Balance at start of fiscal year 2008 | 21,121.22 |
| INCOME | |
| Financed by ICCAT | 30,000.00 |
| <i>Total Income</i> | <i>30,000.00</i> |
| EXPENSES | |
| Fund expenses | 00.00 |
| <i>Total Expenses</i> | <i>00.00</i> |
| Balance at close of fiscal year | 51,121.22 |

7. Japan Data Improvement Project (JDIP)

Since January 2005, the Japan Data Improvement Project (JDIP), a five-year program with a budget of US\$308,350.00 per annum, maintains an independent bookkeeping of its accounts. Even so, the management and payment of Project expenses are carried out by ICCAT as the administrative entity. For this reason, these concepts are included in the ICCAT accounts and then cancelled when ICCAT is reimbursed.

8. Fund for Chairman's Regional Workshops

Since 2006, the Commission Chairman has provided funds to strengthen the exchanges among the Contracting Parties at the regional level. Since its creation, the fund has contributed towards organizing workshops in various areas (Belgium, Belize, Ghana, Japan and Morocco). In 2008 and at the request of the United States, part of the balance from these workshops has been distributed among other funds, while maintaining an amount in the fund to finance the activities of ICCAT Chairmen. In June 2008, Brazil made a voluntary contribution in the amount of €8,000.00 for this purpose.

At the close of fiscal year 2008 this Fund showed the following balance:

| <i>Fund for Regional Workshops</i> | <i>Euros (€)</i> |
|--|-------------------|
| Balance at start of fiscal year 2008 | 150,474.08 |
| INCOME | |
| Voluntary contribution from Brazil | 68,000.00 |
| <i>Total Income</i> | <i>68,000.00</i> |
| EXPENSES | |
| Transfer of funds to Special Data Fund | 44,061.82 |
| Transfer of funds to U.S. Fund for Capacity Building | 94,552.26 |
| Travel | 16,326.89 |
| <i>Total Expenses</i> | <i>154,940.97</i> |
| Balance at close of fiscal year | 63,533.11 |

9. Fund to Prohibit Driftnets

In 2006 the Fund to Prohibit Driftnets was created to contribute to compliance of the *Recommendation by ICCAT Relating to Mediterranean Swordfish* [Rec. 03-04]. At the close of fiscal year 2008, the Fund showed the following balance:

| <i>Fund to Prohibit Driftnets</i> | <i>Euros (€)</i> |
|---|------------------|
| Balance at start of fiscal year 2008 | 37,708.31 |
| INCOME | |
| Voluntary contribution | 0.00 |
| <i>Total Income</i> | <i>0.00</i> |
| EXPENSES | |
| Fund expenses | 5,160.29 |
| <i>Total Expenses</i> | <i>5,160.29</i> |
| Balance at close of fiscal year | 32,548.02 |

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

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

| <i>Fund for the IEO/ICCAT MOU</i> | <i>Euros (€)</i> |
|---|------------------|
| Balance at start of fiscal year 2008 | 56,566.72 |
| INCOME | |
| Voluntary contribution from IEO | 70,000.00 |
| <i>Total Income</i> | <i>70,000.00</i> |
| EXPENSES | |
| Fund expenses | 45,216.97 |
| <i>Total Expenses</i> | <i>45,216.97</i> |
| Balance at close of fiscal year | 81,349.75 |

11. Japan Fund for Tags

In 2006, a Fund was established for tags. The Fund, with the contribution from Japan, shows a current balance of €20,457.20. No new contributions have been received and no expenses have been incurred.

12. U.S. Fund for Capacity Building

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

| <i>U.S. Fund for Capacity Building</i> | <i>Euros (€)</i> |
|---|-------------------|
| INCOME | |
| Transfer of funds from Chairman's Reg. Workshops Fund | 94,552.26 |
| Voluntary contribution from the United States | 45,122.00 |
| Voluntary contribution from the United States | 225,050.00 |
| Voluntary contribution from the United States | 97,468.50 |
| Voluntary contribution from the United States | 26,038.67 |
| <i>Total Income</i> | <i>488,231.43</i> |
| EXPENSES | |
| Fund expenses | 54,770.60 |
| <i>Total Expenses</i> | <i>54,770.60</i> |
| Balance at close of fiscal year | 433,460.83 |

13. ICCAT VMS Program

At the 20th Regular Meeting of ICCAT (Antalya, November 9 to 18, 2007), the Commission adopted the *Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area* [Rec. 07-08]. As adopted at the 2007 meeting, the financing of the Program is being carried out by extra-budgetary contributions. The European Community subsidizes the major part of the costs of this Program, but other Contracting Parties such as Croatia, Japan, Turkey, Morocco and the United States have also made voluntary contributions. The balance at the close of fiscal year 2008 was as follows:

| <i>ICCAT VMS Fund</i> | <i>Euros (€)</i> |
|--|-------------------|
| INCOME | |
| Voluntary contribution from Croatia | 6,723.09 |
| Voluntary contribution from the European Community | 128,800.00 |
| Voluntary contribution from Japan | 8,539.34 |
| Voluntary contribution from Turkey | 7,159.78 |
| Voluntary contribution from Morocco | 4,000.00 |
| Voluntary contribution from the United States | 3,215.00 |
| <i>Total Income</i> | <i>158,437.21</i> |
| EXPENSES | |
| Startup expenses | 7,756.20 |
| Contract with CLS | 111,113.60 |
| Periodic expenses (Salaries & Operation) | 29,908.90 |
| <i>Total Expenses</i> | <i>148,778.70</i> |
| Balance at close of fiscal year | 9,658.51 |

The funds received from the European Community correspond to 80% of the total financing included in the agreement signed with the Secretariat. Therefore, €32,200.00 is still pending receipt to cover the third and last payment of the contract with CLS and the remainder of the periodic expenses that are produced.

14. EC Fund for Capacity Building

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

| <i>EC Fund for Capacity Building</i> | <i>Euros (€)</i> |
|--|------------------|
| INCOME | |
| Voluntary contribution from the European Community | 40,800.00 |
| <i>Total Income</i> | <i>40,800.00</i> |
| EXPENSES | |
| Scientists' travel | 18,591.83 |
| <i>Total Expenses</i> | <i>18,591.83</i> |
| Balance at close of fiscal year | 22,208.17 |

15. By-Catch Coordinator Fund

This fund was created in 2008 to cover the expenses related to the hiring of the By-Catch Coordinator in 2009, taking into account that these expenses are not included that year's Commission budget and will not be included until the 2010-2011 biennial budget. For this purpose, the United States made a contribution of the €44,516.

16. ICCAT Regional Observers Fund

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

| <i>ICCAT Regional Observer Program 2007/2008</i> | <i>Euros (€)</i> |
|--|-------------------|
| INCOME | 462,760.44 |
| 1.1 Income from contributions | 461,416.33 |
| 1.2 Bank interest | 1,344.11 |
| EXPENSES | 387,471.94 |
| 1. Contract with observer agency | |
| 1.1 Training (12 observers) | 54,942.40 |
| 1.2 Deployment of observers (1,050 days at sea) | 192,084.96 |
| 1.3 Management and support activities | 105,514.70 |
| 2. Travel | |
| 2.1 Plane tickets (18 trips x €700) | 20,742.71 |
| 2.2 Lodging (36 nights x €100) | 0.00 |
| 3. Secretariat costs | |
| 3.1 Audit of accounts | 0.00 |
| 3.2 Staff hours | 13,073.73 |
| 3.3 Contingencies | 1,113.44 |
| Balance 2007/2008 | 75,288.50 |

The balance remaining of €75,288.50 has been distributed proportionally among the four Contracting Parties that participated during this period. This distribution is shown in the accounts of the advances of the Regional Observers Program and will be applied towards partial payments of the following contributions to this Program.

In April 2008, the Program was extended for one more year, with the inclusion of Japan. The balance at the close of fiscal year 2008 was as follows:

| <i>ICCAT Regional Observer Program</i> | | <i>Euros (€)</i> |
|--|------------|-------------------|
| INCOME | | 546,504.41 |
| <i>1.1 Income from contributions</i> | | <i>528,602.73</i> |
| Contribution from the People's Republic of China | 70,251.30 | |
| Contribution from Korea | 8,034.76 | |
| Contribution from Republic of Philippines | 11,999.28 | |
| Contribution from Japan | 213,978.39 | |
| Contribution from Chinese Taipei | 224,339.00 | |
| <i>1.2 Other income</i> | | <i>17,901.68</i> |
| Bank interest | 17,901.68 | |
| | | 103,417.91 |
| EXPENSES | | |
| 1. Contract with observer agency | | |
| <i>1.1 Training (8 observers)</i> | | <i>0.00</i> |
| Training | 0.00 | |
| <i>1.2 Deployment of observers (1,433 days at sea)</i> | | <i>60,452.70</i> |
| Days at sea | 57,095.50 | |
| Days of travel | 3,357.20 | |
| Equipment | 0.00 | |
| <i>1.3 Management and support activities</i> | | <i>37,699.75</i> |
| Days at sea | 37,576.00 | |
| Days of travel | 123.75 | |
| Training | 0.00 | |
| 2. Travel | | |
| <i>2.1 Plane tickets (23 trips x €2,000)</i> | | <i>4,196.02</i> |
| Plane tickets | 4,196.02 | |
| 3. Secretariat costs | | |
| <i>3.1 Audit of accounts</i> | | <i>0.00</i> |
| Audit of accounts | 0.00 | |
| <i>3.2 Staff hours</i> | | <i>0.00</i> |
| Staff hours | 0.00 | |
| <i>3.3 Contingencies</i> | | <i>1,069.44</i> |
| Bank charges | 1,069.44 | |
| Balance at close of fiscal year | | 443,086.50 |

17. ICCAT inter-sessional meetings

Meeting of Managers and Stakeholders in Atlantic Bluefin Tuna

Japan invited the Commission to hold the Meeting of Managers and Stakeholders in Atlantic Bluefin Tuna (MSAB) in Tokyo (March 26-27, 2008), assuming the major part of the expenses to organize the meeting (€16,329.65). The Working Capital Fund will assume the remainder of the meeting expenses, which amount to €1,052.78.

| <i>Meeting in Tokyo</i> | <i>Euros (€)</i> |
|--|------------------|
| INCOME | |
| Financed by Japan | 46,329.65 |
| <i>Total Income</i> | <i>46,329.65</i> |
| EXPENSES | |
| Meeting expenses | 47,382.43 |
| <i>Total Expenses</i> | <i>47,382.43</i> |
| Balance at close of fiscal year | -1,052.78 |

Meeting of the 2nd Working Group on Capacity and 5th Meeting of the Working Group on Integrated Monitoring Measures

In July 2008, the following inter-sessional meetings were held in Madrid: 2nd Meeting of the Working Group on Capacity and the 5th Meeting of the Working Group on Integrated Monitoring Measures. The expenses related to these meetings were financed in large part by the European Community. The Working Capital Fund will assume the remainder of the meeting expenses, which amount to €1,724.75.

| <i>Meetings in Madrid</i> | <i>Euros (€)</i> |
|--|------------------|
| INCOME | |
| Financed by the European Community | 41,255.38 |
| <i>Total Income</i> | <i>41,255.38</i> |
| EXPENSES | |
| Meeting expenses | 42,980.13 |
| <i>Total Expenses</i> | <i>42,980.13</i> |
| Balance at close of fiscal year | -1,724.75 |

2008 Commission Meeting

In July 2008, the Secretariat signed an agreement with the European Community for the financing of the Commission meeting. The voluntary contribution committed amounts to €450,000.00, of which 80% has been received up to now (€360,000.00). The final expenses of the meeting amounted to €381,082.33, which will be covered by the contribution pending receipt from the European Community, in accordance with the contract signed, as well as by the Working Capital Fund.

| <i>Commission Meeting in Marrakech</i> | <i>Euros (€)</i> |
|--|--------------------|
| INCOME | |
| Financed by the European Community | 360,000.00 |
| <i>Total Income</i> | <i>360,000.00</i> |
| EXPENSES | |
| Meeting expenses | 381,082.33 |
| <i>Total Expenses</i> | <i>381,082.33</i> |
| Balance at close of fiscal year | -21,082.223 |

Statement 1. Balance sheet at the close of the fiscal period (Euros).

| <i>A S S E T S</i> | <i>FISCAL YEAR 2008</i> | <i>FISCAL YEAR 2007</i> | <i>L I A B I L I T I E S</i> | <i>FISCAL YEAR 2008</i> | <i>FISCAL YEAR 2007</i> |
|--|-----------------------------|-----------------------------|--|-----------------------------|-----------------------------|
| A) NON-CURRENT ASSETS | 128,364.33 | 56,912.04 | A) NET ASSETS | 2,239,940.76 | 1,739,890.94 |
| I. Intangible assets | 54,735.69 | 6,333.08 | A-1) Working Capital Fund | 2,111,576.43 | 1,682,978.90 |
| Computer applications | 66,762.34 | 7,461.49 | I. Working Capital Fund | 1,682,978.90 | 1,332,616.64 |
| Depreciation of computer applications | -12,026.65 | -1,128.41 | 1. Working Capital Fund | 1,682,978.90 | 1,332,616.64 |
| II. Fixed assets | 73,628.64 | 50,208.95 | II. Result of the Fiscal Year | 428,597.53 | 350,362.26 |
| Furniture | 48,987.31 | 49,908.47 | 1. Result of the Fiscal Year | 428,597.53 | 350,362.26 |
| Data processing equipment | 177,909.78 | 131,203.34 | A-2) Net acquired assets | 128,364.33 | 56,542.03 |
| Other fixed assets | 11,392.20 | 11,995.52 | I. Net acquired assets | 128,364.33 | 56,542.03 |
| Depreciation of furniture | -37,604.01 | -35,529.55 | 1. Net acquired assets - Fixed | 73,628.64 | 50,208.95 |
| Depreciation of data processing equipment | -120,769.86 | -100,557.13 | 2. Net acquired assets - Intangible | 54,735.69 | 6,333.08 |
| Depreciation of other fixed assets | -6,286.78 | -6,811.70 | A-3) Trust Funds | 0.00 | 370.01 |
| III. F Financial assets | 0.00 | 370.01 | 1. Trust Funds | 0.00 | 370.01 |
| Long-term deposits | 0.00 | 370.01 | B) ACCUMULATED PENDING CONTRIBUTIONS | 1,656,556.67 | 1,557,253.41 |
| B) CURRENT ASSETS | 5,312,699.78 | 4,037,835.39 | I. Budgetary contributions | 1,635,232.27 | 1,531,032.27 |
| I. Receivables | 1,660,408.57 | 1,557,300.80 | 1. Budgetary - current fiscal year | 350,945.03 | 319,281.57 |
| 1. Receivables from past contributions | 1,656,556.67 | 1,557,253.41 | 2. Budgetary - previous fiscal years | 1,284,287.24 | 1,211,750.70 |
| Past-due budgetary contributions | 1,635,232.27 | 1,531,032.27 | II. Extra-budgetary contributions | 21,324.40 | 26,221.14 |
| Past-due extra-budgetary contributions | 21,324.40 | 26,221.14 | 1. Extra-budgetary - current fiscal year | 0.00 | 4,896.74 |
| 2. Other receivables | 3,851.90 | 47.39 | 2. Extra-budgetary - previous fiscal years | 21,324.40 | 21,324.40 |
| Payments pending application | 3,851.90 | 47.39 | C) CURRENT LIABILITIES | 1,544,566.68 | 797,603.08 |
| II. End of period adjustments | 17,707.87 | 4,196.78 | I. Trust Funds | 1,306,365.53 | 616,990.07 |
| 1. Advanced budgetary expenses | 17,582.93 | 4,196.78 | 1. ICCAT Enhanced Research Program for Billfish | 457.80 | 3,232.28 |
| 2. Advanced expenses ICCAT VMS Program | 124.94 | 0.00 | 2. ICCAT Bluefin Year Program (BYP) | 14,565.76 | 16,342.11 |
| III. Available | 3,634,583.34 | 2,476,337.81 | 3. Special Data Fund | 91,736.63 | 25,691.44 |
| 1. Cash on hand | 470.65 | 2,308.56 | 4. Separation from Service Fund | 51,121.22 | 21,121.22 |
| Cash on hand (Euros) | 452.89 | 600.00 | 5. ICCAT/Japan Data Improvement Fund | -2,333.97 | -2,254.32 |
| Cash on hand (US\$) | 17.76 | 1,708.56 | 6. Fund for Regional Workshops | 63,533.11 | 150,474.08 |
| <i>[Fiscal Year 2008: 23.00 US\$ x 0.772 €/US\$ = 17.76 €]</i> | | | 7. Funds to Prohibit Driftnets | 32,548.02 | 37,708.31 |
| <i>[Fiscal Year 2007: 2,520.00 US\$ x 0.678 €/US\$ = 1,708.56 €]</i> | | | 8. IEO/ICCAT MOU | 81,349.75 | 56,566.72 |
| 2. Bank checking accounts (Euros) | 2,642,054.83 | 2,090,036.68 | 9. Japan Fund for Tags | 20,457.20 | 20,457.20 |
| BBVA - Acct. 0200176725 (Euros) | 48,144.79 | 16,823.50 | 10. ICCAT Regional Observers Fund | 443,086.50 | 287,651.03 |
| BBVA - Acct. 0200173290 (Euros) | 156,122.19 | 522,771.24 | 11. U.S. Fund for Capacity Building | 433,460.83 | 0.00 |
| BBVA - Time deposit (Euros) | 800,000.00 | 1,500,000.00 | 12. ICCAT VMS Program | 9,658.51 | 0.00 |
| Banco Caixa Geral - Acct. 0150255223 (Euros) | 7,574.04 | 7,645.11 | 13 EC Fund for Capacity Building | 22,208.17 | 0.00 |
| Barclays - Acct. 0021000545 (Euros) | 24,185.27 | 42,796.83 | 14. By-Catch Coordinator Fund | 44,516.00 | 0.00 |
| La Caixa - Acct. 0200071119 (Euros) | 206,028.54 | 0.00 | II. Accrued expenses pending allocation | 5,429.29 | 6,589.36 |
| La Caixa - Time deposit (Euros) | 1,400,000.00 | 0.00 | 1. Accrued expenses pending allocation | 5,429.29 | 6,589.36 |
| 3. Bank checking accounts (US\$) | 457,241.81 | 65,305.14 | III. Creditors | 87,797.79 | 112,046.86 |
| BBVA - Acct. 2018012037 (US\$) | 448,108.23 | 59,447.92 | 1. Creditors of budgetary expenses | 66,598.21 | 76,117.55 |
| <i>[Fiscal Year 2008: 580,451.07 US\$ x 0.772 €/US\$ = 448,108.23 €]</i> | | | 2. Creditors of extra-budgetary expenses | 386.00 | 0.00 |
| <i>[Fiscal Year 2007: 87,681.30 US\$ x 0.678 €/US\$ = 59,447.92 €]</i> | | | 3. Creditors of ICCAT Enhanced Research Program for Billfish | 725.00 | 339.00 |
| Barclays - Acct. 0041000347 (US\$) | 6,624.58 | 5,857.22 | 4. Creditors of ICCAT/Japan Data Improvement Fund | 1,587.53 | 1,553.91 |
| <i>[Fiscal Year 2008: 8,581.06 US\$ x 0.772 €/US\$ = 6,624.58 €]</i> | | | 5. Creditors of EC Fund for ICCAT Manual | 0.00 | 3,000.00 |
| <i>[Fiscal Year 2007: 8,638.97 US\$ x 0.678 €/US\$ = 5,857.22 €]</i> | | | 6. Creditors for U.S. Fund for Capacity Building | 2,060.00 | 0.00 |
| La Caixa - Acct. 7200300668 (US\$) | 2,509.00 | 0.00 | 7. Creditors of ICCAT Regional Observers Fund | 16,441.05 | 31,036.40 |
| <i>[Fiscal Year 2008: 3,250.00 US\$ x 0.772 €/US\$ = 2,509.00 €]</i> | | | IV. End of period adjustments | 144,974.07 | 61,976.79 |
| 4. Bank checking accounts trust funds (Euros) | 534,816.05 | 318,687.43 | 1. Advances on future contributions | 69,685.57 | 61,976.79 |
| BBVA - Acct. 0208513942 (Euros) | 534,816.05 | 318,687.43 | 2. Advances on ICCAT Regional Observers Fund | 75,288.50 | 0.00 |
| TOTAL ASSETS (A+B) | 5,441,064.11 | 4,094,747.43 | TOTAL LIABILITIES (A+B+C) | 5,441,064.11 | 4,094,747.43 |

Table 1. Status of Contracting Party contributions (at the close of fiscal year 2008) (Euros)

| <i>Contracting Party</i> | <i>Balance due at start of fiscal year 2008</i> | <i>2008 Contracting Party contributions</i> | <i>Contributions paid in 2008 or applied to 2008 Budget</i> | <i>Contributions paid in 2008 towards previous budgets</i> | <i>Balance due</i> |
|---|---|---|---|--|---------------------|
| A) Regular Commission Budget: | | | | | |
| Algérie | 0.00 | 15,141.43 | 15,141.43 | 0.00 | 0.00 |
| Angola 1/ | 0.00 | 17,969.30 | 17,969.30 | 0.00 | 0.00 |
| Barbados | 0.00 | 3,340.04 | 3,340.04 | 0.00 | 0.00 |
| Belize | 0.00 | 15,642.08 | 15,642.08 | 0.00 | 0.00 |
| Brazil | 0.00 | 134,680.51 | 134,680.51 | 0.00 | 0.00 |
| Canada | 0.00 | 74,251.52 | 74,251.52 | 0.00 | 0.00 |
| Cap-Vert | 304,129.16 | 4,319.86 | 0.00 | 0.00 | 308,449.02 |
| China, People's Rep. of | 641.15 | 27,691.35 | 27,691.35 | 641.15 | 0.00 |
| Communauté européenne | 0.00 | 895,448.24 | 895,448.24 | 0.00 | 0.00 |
| Côte d'Ivoire 2/ | 0.00 | 11,485.45 | 11,485.45 | 0.00 | 0.00 |
| Croatia | 0.00 | 9,036.73 | 9,036.73 | 0.00 | 0.00 |
| Egypt | 0.00 | 3,048.86 | 3,048.86 | 0.00 | 0.00 |
| France - St. P. & M. | 0.00 | 69,407.79 | 69,407.79 | 0.00 | 0.00 |
| Gabon | 133,316.00 | 9,454.66 | 0.00 | 14,504.00 | 128,266.66 |
| Ghana | 541,862.84 | 165,195.05 | 0.00 | 161,787.61 | 545,270.28 |
| Guatemala, Rep. of | 0.00 | 23,679.43 | 23,679.43 | 0.00 | 0.00 |
| Guinea Ecuatorial 3/ | 0.00 | 9,380.17 | 9,380.17 | 0.00 | 0.00 |
| Guinea, Rep. of | 87,706.85 | 1,524.43 | 0.00 | 0.00 | 89,231.28 |
| Honduras | 52,482.60 | 3,048.86 | 0.00 | 0.00 | 55,531.46 |
| Iceland | 0.00 | 34,648.91 | 34,648.91 | 0.00 | 0.00 |
| Japan | 0.00 | 131,795.01 | 131,795.01 | 0.00 | 0.00 |
| Korea, Rep. of | 0.00 | 17,408.11 | 17,408.11 | 0.00 | 0.00 |
| Libya 4/ | 0.00 | 11,350.82 | 11,350.82 | 0.00 | 0.00 |
| Maroc | 0.00 | 30,298.56 | 30,298.56 | 0.00 | 0.00 |
| Mexico | 0.00 | 46,890.66 | 46,890.66 | 0.00 | 0.00 |
| Namibia 5/ | 0.00 | 18,647.38 | 18,647.38 | 0.00 | 0.00 |
| Nicaragua Rep. de | 9,953.61 | 1,524.43 | 0.00 | 0.00 | 11,478.04 |
| Nigeria | 0.00 | 1,524.43 | 1,524.43 | 0.00 | 0.00 |
| Norway | 0.00 | 34,648.91 | 34,648.91 | 0.00 | 0.00 |
| Panama | 85,505.33 | 58,006.10 | 0.00 | 0.00 | 143,511.43 |
| Philippines, Rep. of 6/ | 0.00 | 10,173.43 | 107.50 | 0.00 | 10,065.93 |
| Russia | 0.00 | 6,739.34 | 6,739.34 | 0.00 | 0.00 |
| Saint Vincent and the Grenadines | 0.00 | 12,943.69 | 12,943.69 | 0.00 | 0.00 |
| São Tomé e Príncipe | 97,172.08 | 4,573.29 | 0.00 | 0.00 | 101,745.37 |
| Senegal | 25,040.00 | 34,593.92 | 0.00 | 0.00 | 59,633.92 |
| South Africa | 0.00 | 36,573.67 | 36,573.67 | 0.00 | 0.00 |
| Syrian Arab Republic 7/ | 0.00 | 4,650.67 | 0.06 | 0.00 | 4,650.61 |
| Trinidad & Tobago | 0.00 | 16,951.24 | 16,951.24 | 0.00 | 0.00 |
| Tunisie | 3,608.50 | 36,257.49 | 32,649.22 | 3,608.50 | 3,608.27 |
| Turkey | 0.00 | 164,545.58 | 164,545.58 | 0.00 | 0.00 |
| United Kingdom (O.T.) | 5,359.40 | 17,735.46 | 12,651.38 | 5,359.40 | 5,084.08 |
| United States | 0.00 | 158,454.47 | 158,454.47 | 0.00 | 0.00 |
| Uruguay | 136.64 | 12,075.42 | 12,075.42 | 136.64 | 0.00 |
| Vanuatu | 1,538.02 | 9,418.57 | 0.00 | 1,538.02 | 9,418.57 |
| Venezuela | 65,753.78 | 35,876.97 | 0.00 | 59,169.71 | 42,461.04 |
| Sub-total A) | 1,414,205.96 | 2,442,052.29 | 2,091,107.26 | 246,745.03 | 1,518,405.96 |
| B) New Contracting Parties: | | | | | |
| Honduras (30-01-01) | 14,937.00 | 0.00 | 0.00 | 0.00 | 14,937.00 |
| Nicaragua Rep. (11-03-04) | 6,387.40 | 0.00 | 0.00 | 0.00 | 6,387.40 |
| Nigeria (02-08-07) | 789.96 | 0.00 | 0.00 | 789.96 | 0.00 |
| Egypt (03-10-07) | 4,106.78 | 0.00 | 0.00 | 4,106.78 | 0.00 |
| Albania (31-03-08) | 0.00 | 3,224.51 | 3,224.51 | 0.00 | 0.00 |
| Sub-total B) | 26,221.14 | 3,224.51 | 3,224.51 | 4,896.74 | 21,324.40 |
| C) Withdrawals of Contracting Parties: | | | | | |
| Cuba (Efectivo:31-12-91) | 66,317.48 | 0.00 | 0.00 | 0.00 | 66,317.48 |
| Benin (Efectivo:31-12-94) | 50,508.83 | 0.00 | 0.00 | 0.00 | 50,508.83 |
| Subtotal C) | 116,826.31 | 0.00 | 0.00 | 0.00 | 116,826.31 |
| TOTAL A)+B)+C) | 1,557,253.41 | 2,445,276.80 | 2,094,331.77 | 251,641.77 | 1,656,556.67 |

1/ Of the advances received from Angola in 2005 (€20,478.00 and 2007 (€6,473.90) respectively, there is a balance of €13,662.05 which has all been applied towards partial payment of Angola's 2008 contribution

2/ The advance from Côte d'Ivoire amounting to €0.06 will be applied towards payment of future contributions.

3/ The advance from Equatorial Guinea received in 2007 (€25,931.99), has been applied towards total payment of its 2008 contribution, thereby showing a balance of €16,551.82 in favor of Equatorial Guinea, which will be applied towards payment of future contribution

4/ Of the advance received from Libya in 2002 (€14,537.98), there is a balance of €2,275.19 which has been applied towards total payment of its 2008 contribution. In 2008 new advances were received from Libya (€2,208.82), thereby showing a balance of €5,133.19, favor of Libya, which will be applied towards payment of future contributions.

5/ The advance from Namibia (€0.50) will be applied towards payment of future contributions.

6/ The advance from the Republic of Philippines received in 2007 (€107.50) has all been applied towards partial payment of its 2008 contribution

7/ The advance from Syria received in 2007 (€0.06) has all been applied towards payment of Syria's 2008 contribution

Table 2. Budgetary and extra-budgetary expenses (to the end of fiscal year 2008) (Euros)

| <i>Chapters</i> | <i>2008 Budget</i> | <i>Fiscal year 2008</i> | <i>2007 Budget</i> | <i>Fiscal year 2007</i> |
|---|---------------------|-------------------------|---------------------|-------------------------|
| 1. Budget and budgetary expenses | | | | |
| Chapter 1. Salaries | 948,884.85 | 929,208.45 | 1,071,638.71 | 999,098.46 |
| Chapter 2. Travel | 30,000.00 | 22,796.90 | 30,000.00 | 31,318.29 |
| Chapter 3. Commission meetings (annual & inter-sessional) | 130,000.00 | 130,000.00 | 115,884.75 | 136,324.03 |
| Chapter 4. Publications | 52,470.04 | 47,463.61 | 52,470.04 | 32,992.67 |
| Chapter 5. Office Equipment | 8,047.55 | 337.94 | 8,047.55 | 760.00 |
| Chapter 6. Operating Expenses | 200,000.00 | 125,237.47 | 158,265.73 | 125,019.59 |
| Chapter 7. Miscellaneous | 6,438.05 | 6,071.92 | 6,438.05 | 6,397.09 |
| Chapter 8. Coordination of Research: | | | | |
| a) Salaries | 734,737.67 | 578,808.12 | 639,368.18 | 586,720.91 |
| b) Travel to improve statistics | 30,000.00 | 15,519.19 | 20,000.00 | 13,636.39 |
| c) Statistics - Biology | 25,000.00 | 9,655.97 | 25,000.00 | 23,324.39 |
| d) Computer-related items | 39,750.00 | 20,033.74 | 25,750.00 | 25,499.71 |
| e) Database maintenance | 38,462.86 | 32,611.62 | 16,899.86 | 3,402.49 |
| f) Telephone line - Internet domain | 25,300.00 | 16,306.53 | 10,300.00 | 3,860.32 |
| g) Scientific meetings (including SCRS) | 77,256.50 | 72,926.58 | 77,256.50 | 61,157.16 |
| h) CCAT Bluefin Year Program (BYP) | 14,588.60 | 14,588.60 | 14,588.60 | 14,588.60 |
| i) ICCAT Enhanced Research Program for Billfish | 20,000.00 | 20,000.00 | 20,000.00 | 20,000.00 |
| j) Miscellaneous | 6,116.14 | 0.00 | 6,116.14 | 0.00 |
| <i>Sub-total Chapter 8</i> | <i>1,011,211.77</i> | <i>780,450.35</i> | <i>855,279.28</i> | <i>752,189.97</i> |
| Chapter 9. Contingencies | 25,000.00 | 6,893.80 | 10,000.00 | 9,939.40 |
| Chapter 10. Separation from Service Fund | 30,000.00 | 30,000.00 | 15,000.00 | 15,000.00 |
| TOTAL BUDGETARY EXPENSES (Chapters 1 to 10) | 2,442,052.26 | 2,078,460.44 | 2,323,024.11 | 2,109,039.50 |
| 2. Extra-budgetary expenses | | | | |
| Negative differences in exchange rates | | 80.07 | | 17,014.93 |
| 2007 Tokyo meeting expenses | | 0.00 | | 47,698.54 |
| 2007 Raleigh meeting expenses | | 0.00 | | 134,290.19 |
| ICCAT Performance Review expenses | | 106,265.35 | | 0.00 |
| 2008 Tokyo meeting expenses | | 47,382.43 | | 0.00 |
| 2008 meetings in Madrid expenses | | 42,980.13 | | 0.00 |
| 2008 Commission meeting expenses - Marrakech | | 381,082.33 | | 0.00 |
| Other extra-budgetary expenses | | 421.69 | | 0.00 |
| TOTAL EXTRA-BUDGETARY EXPENSES | | 578,212.00 | | 199,003.66 |
| TOTAL EXPENSES INCURRED IN THE FISCAL PERIOD | | 2,656,672.44 | | 2,308,043.16 |

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

| <i>Income</i> | <i>Fiscal year 2008</i> | <i>Fiscal year 2007</i> |
|---|-------------------------|-------------------------|
| 1. Budgetary income | | |
| Contributions from Contracting Parties | | |
| Contributions paid or applied to the current budget | 2,091,107.26 | 2,003,742.56 |
| TOTAL BUDGETARY INCOME | 2,091,107.26 | 2,003,742.56 |
| 2. Extra-budgetary income | | |
| Contributions from new Contracting Parties: | | |
| Contributions received from new Contracting Parties towards the fiscal period | 3,224.51 | 0.00 |
| Voluntary contributions: | | |
| From observer fees at ICCAT meetings | 9,635.29 | 6,231.06 |
| From ICCAT/Japan Data Improvement Project (JDIP) | 11,144.06 | 10,869.34 |
| From ICCAT Regional Observers Program | 0.00 | 13,073.73 |
| From Chinese Taipei to ICCAT | 100,000.00 | 100,000.00 |
| Financial interest | 100,795.21 | 41,222.61 |
| Reimbursement of VAT | 8,077.59 | 6,687.27 |
| Miscellaneous income | | |
| Miscellaneous income | 605.26 | 5,921.11 |
| Positive differences in exchange rates | 61,453.99 | 23.01 |
| Income Commission meetings: | | |
| Income 2007 Tokyo meeting | 0.00 | 34,697.46 |
| Income 2007 Raleigh meetings | 0.00 | 134,290.19 |
| Income 2008 Tokyo meeting | 46,329.65 | 0.00 |
| Income 2008 Madrid meetings | 41,255.38 | 0.00 |
| Income 2008 Marrakech meeting | 360,000.00 | 0.00 |
| TOTAL EXTRA-BUDGETARY INCOME | 742,520.94 | 353,015.78 |
| 3. Income from accumulated pending contributions | | |
| Contributions from Contracting Parties | | |
| Contributions paid towards previous budget: | 246,745.03 | 294,102.44 |
| Contributions from new Contracting Parties | | |
| Contributions received from new Contracting Parties towards previous budget: | 4,896.74 | 7,544.64 |
| TOTAL INCOME FROM PENDING CONTRIBUTIONS | 251,641.77 | 301,647.08 |
| TOTAL INCOME IN THE FISCAL PERIOD | 3,085,269.97 | 2,658,405.42 |

Table 4. Composition and Balance in the Working Capital Fund (at the close of fiscal year 2008) (Euros)

| | | |
|--|--------------|---------------------|
| Balance available in the Working Capital Fund (at the start of fiscal year 2008) | | 1,682,978.90 |
| <hr/> | | |
| Result of fiscal year 2008 | | 428,597.53 |
| a) Budgetary result | | 12,646.82 |
| <i>Budgetary income</i> | 2,091,107.26 | |
| <i>Budgetary expenses (Chapters 1 to 10)</i> | 2,078,460.44 | |
| b) Extra-budgetary result | | 164,308.94 |
| <i>Extra-budgetary income</i> | 742,520.94 | |
| <i>Extra-budgetary expenses</i> | 578,212.00 | |
| c) Contributions paid in the fiscal period towards previous budget | | 251,641.77 |
| <i>Contributions to Regular Budgets</i> | 246,745.03 | |
| <i>Contributions form new Contracting Parties</i> | 4,896.74 | |
| Balance available at the start of fiscal year 2009 | | 2,111,576.43 |
| <hr/> | | |

Table 5. Cash flow (at the close of fiscal year 2008) (Euros)

| <i>Income and Origin</i> | | <i>Expenses and Application</i> | |
|--|---------------------|--|---------------------|
| Balance in Cash and Banks (at the start of fiscal year 2008) | 2,476,337.81 | Available in Trust Funds at the close of fiscal year 2007 applied in fiscal year 2008 | 616,990.07 |
| Expenses advanced (at the start of fiscal year 2008) | 4,196.78 | Creditors (at the start of fiscal year 2008) | 112,046.86 |
| Payments pending application (at the start of fiscal year 2008) | 47.39 | Accrued expenses pending allocation (at the start of fiscal year 2008) | 6,589.36 |
| Income: | | Advances on contributions at the close of fiscal year 2007 applied to fiscal year 2008 | 34,500.60 |
| Contributions paid in 2008 to the 2008 budget | 2,091,107.26 | Expenses: | |
| Extra-budgetary contributions from new Contracting Parties paid towards the 2008 budget | 3,224.51 | Budgetary expenses of fiscal year 2008 (Chapters 1 to 10) | 2,078,460.44 |
| Other extra-budgetary income received in 2008 | 739,296.43 | Extra-budgetary expenses | 578,212.00 |
| Contributions paid in fiscal year 2008 towards previous budgets | | Advances received pending application to future contributions at the close of fiscal year 2008 (Côte d'Ivoire, Equatorial Guinea, Libya and Namibia) | 69,685.57 |
| Contributions to Regular Budgets | 246,745.03 | Working Capital Fund | 1,682,978.90 |
| Contributions from new Contracting Parties | 4,896.74 | Surplus of fiscal year | 428,597.53 |
| Advances on future contributions received in 2008 (Côte d'Ivoire, Libya and Namibia) | 42,209.38 | Available in the ICCAT Enhanced Research Program for Billfish | 457.80 |
| Balance at the close of fiscal year 2008 of the ICCAT Enhanced Research Program for Billfish | 457.80 | Available in the ICCAT Bluefin Year Program (BYP) | 14,565.76 |
| Balance at the close of fiscal year 2008 of the ICCAT Bluefin Year Program (BYP) | 14,565.76 | Available in the Special Data Fund | 91,736.63 |
| Balance at the close of fiscal year 2008 of the Special Data Fund | 91,736.63 | Available in the Separation from Service Fund | 51,121.22 |
| Balance at the close of fiscal year 2008 of the Separation from Service Fund | 51,121.22 | Available in the ICCAT/Japan Data Improvement Project (JDIP) | -2,333.97 |
| Balance at the close of fiscal year 2008 of the ICCAT/Japan Data Improvement Project (JDIP) | -2,333.97 | Available in the Fund for Regional Workshops | 63,533.11 |
| Balance at the close of fiscal year 2008 of the Fund for Regional Workshops | 63,533.11 | Available in the Fund to Prohibit Driftnets | 32,548.02 |
| Balance at the close of fiscal year 2008 of the Fund to Prohibit Driftnets | 32,548.02 | Available in the IEO/ICCAT MOU | 81,349.75 |
| Balance at the close of fiscal year 2008 of the IEO/ICCAT MOU | 81,349.75 | Available in the Japan Fund for Tags | 20,457.20 |
| Balance at the close of fiscal year 2008 of the Japan Fund for Tags | 20,457.20 | Available in the ICCAT Regional Observers Fund | 443,086.50 |
| Balance at the close of fiscal year 2008 of the ICCAT Regional Observers Fund | 443,086.50 | Available in the U.S. Fund for Capacity Building | 433,460.83 |
| Balance at the close of fiscal year 2008 of the U.S. Fund for Capacity Building | 433,460.83 | Available in the ICCAT VMS Program | 9,658.51 |
| Balance at the close of fiscal year 2008 of the ICCAT VMS Program | 9,658.51 | Available in the EC Fund for Capacity Building | 22,208.17 |
| Balance at the close of fiscal year 2008 of the EC Fund for Capacity Building | 22,208.17 | Available in the By-Catch Coordinator Fund | 44,516.00 |
| Balance at the close of fiscal year 2008 of the By-Catch Coordinator Fund | 44,516.00 | | |
| TOTAL INCOME AND ORIGIN | 6,914,426.86 | TOTAL EXPENSES AND APPLICATION | 6,914,426.86 |

Table 6. Status of cash and banks (at the close of fiscal year 2008) (Euros)

| <i>Summary</i> | | <i>Breakdown</i> | |
|-------------------------------------|---------------------|---|---------------------|
| Balance in Cash and Banks | 3,634,583.34 | Available in the Working Capital Fund | 1,682,978.90 |
| | | Surplus from fiscal period (application on January 1, 2009) | 428,597.53 |
| | | Available in the ICCAT Enhanced Research Program for Billfish | 457.80 |
| | | Available in the ICCAT Bluefin Year Program (BYP) | 14,565.76 |
| | | Available in the Special Data Fund | 91,736.63 |
| | | Available in the Separation from Service Fund | 51,121.22 |
| | | Available in the ICCAT/Japan Data Improvement Project (JDIP) | -2,333.97 |
| | | Available in the Fund for Regional Workshops | 63,533.11 |
| | | Available in the Fund to Prohibit Driftnets | 32,548.02 |
| | | Available in the IEO/ICCAT MOU | 81,349.75 |
| | | Available in the Japan Fund for Tags | 20,457.20 |
| | | Available in the ICCAT Regional Observers Fund | 443,086.50 |
| | | Available in the U.S. Fund for Capacity Building | 433,460.83 |
| | | Available in the ICCAT VMS Program | 9,658.51 |
| | | Available in the EC Fund for Capacity Building | 22,208.17 |
| | | Available in the By-Catch Coordinator Fund | 44,516.00 |
| | | Debts for purchases of services | 87,797.79 |
| | | Provision for budgetary expenses | 5,429.29 |
| | | Total of advances received for application towards future contributions | 69,685.57 |
| | | Total of advances received for their application to the ROP | 75,288.50 |
| | | Payments pending allocation | -3,851.90 |
| | | Budgetary expenses advanced | -17,707.87 |
| TOTAL CASH IN CASH AND BANKS | 3,634,583.34 | TOTAL AVAILABLE | 3,634,583.34 |

**PROCEEDINGS OF THE 16th SPECIAL MEETING OF THE INTERNATIONAL
COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS**

(Marrakech, Morocco – November 17 to 24, 2008)

1. Opening of the meeting

The Commission Chair, Dr. F. Hazin, opened the 16th Special Meeting of the Commission on November 17, 2008. Dr. Hazin thanked the Minister of Agriculture and Fisheries of Morocco and the Government of Morocco for hosting the meeting, and also expressed his appreciation for the financial assistance provided by the European Community for the organization of the meeting. He reminded delegates that ICCAT credibility was at stake, and insisted that ICCAT should abide by the scientific advice and that all the Contracting Parties should implement the management and conservation measures adopted by the Commission. He also stated that during that meeting ICCAT would have to address serious challenges such as compliance issues and management measures for bluefin tuna.

In his opening address, Mr. A. Akhenouch, the Minister of Agriculture and Fisheries of Morocco, highlighted that ICCAT was at a turning point. He then expressed the concern of Morocco for the conservation and management of tunas as well as for a sustainable exploitation of natural resources.

The opening addresses by the Minister of Agriculture and Fisheries of Morocco and the ICCAT Chairman are attached as **ANNEX 3.1**.

2. Adoption of Agenda and meeting arrangements

The Agenda was adopted with a modification in order to address item 6 before item 5. The amended Agenda is attached as **ANNEX 1**.

3. Introduction of Contracting Party Delegations

The Executive Secretary introduced the following 41 Contracting Parties that attended the meeting: Albania, Algeria, Belize, Brazil, Canada, China, Côte d'Ivoire, Croatia, Egypt, Equatorial Guinea, European Community, France (St. Pierre and Miquelon), Gabon, Ghana, Guatemala, Guinea, Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Nigeria, Norway, Panama, Philippines, Russian Federation, St. Vincent and the Grenadines, Sao Tomé and Príncipe, Senegal, South Africa, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, United Kingdom (Overseas Territories), United States of America, Uruguay, Vanuatu and Venezuela.

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

Opening statements to the Plenary were submitted in writing by the following Contracting Parties: Belize, Brazil, Canada, Egypt, European Community, Japan, Uruguay and the United States, and these are included in **ANNEX 3.2**.

4. Introduction of observers

The Executive Secretary introduced the observers present that had been admitted. A Representative from the Food and Agriculture Organization of the United Nations (FAO), depository of the ICCAT Convention, attended the meeting.

Chinese Taipei and the Netherlands Antilles attended the meeting as Cooperating non-Contracting Parties, Entities or Fishing Entities.

The Congo Republic and Mauritania attended the meeting as non-Contracting Parties.

The following inter-governmental organizations also attended the meeting: Caribbean Community (CARICOM), General Fisheries Commission for the Mediterranean (GFCM) and Conférence Ministérielle sur la Coopération Halieutique entre les Etats Africains Riverains de l'Océan Atlantique (COMHAFAT).

The following non-governmental organizations were also admitted as observers: International Confederation of Sport Fishing (CIPS), Federation of European Aquaculture Producers (FEAP) Greenpeace, International Game Fish Association (IGFA), Association of Professional Organizations of the Fishing Sector of the Mediterranean Coastal Countries (MEDISAMAK), Oceana, Organization for the Promotion of Responsible Tuna Fisheries (OPRT), Pew Environment Group, The Ocean Conservancy, and the World Wildlife Fund for Nature (WWF).

The list of observers is included in the List of Participants (**ANNEX 2**).

The opening statements to the Plenary Session, submitted in writing by the observers, are included in **ANNEXES 3.3, 3.4 and 3.5**, respectively.

5. ICCAT Performance Review

Dr. Glenn Hurry, the Coordinator of the ICCAT Independent Performance Review Committee, presented the report¹ prepared by the Committee and highlighted the following issues: the Convention needs to be modernized, ICCAT would improve with a change of attitude, a penalty regime is required, the bridge science/management should be reinforced and timely and accurate data are essential for the good functioning of ICCAT. Notwithstanding, he also indicated that ICCAT has developed reasonably sound conservation and fisheries management practices, that the ICCAT Standing Committee on Research and Statistics (SCRS) and Panel structure is sound and that the Commission's subsidiary bodies provide timely advice to ICCAT. The performance of the Secretariat was also considered sound and well regarded as both efficient and effective by CPCs. The Independent Performance Review Committee also considered that the SCRS carried out good work, but recognized the difficulties they faced in relation to data availability and quality.

Following the presentation, the Chair pointed out that the performance review report was neither for approval nor for adoption, but that it should be the basis for the Working Group on the Future of ICCAT, in 2009.

During the discussion that followed the presentation, many delegations welcomed the report of the independent Committee and considered it as a guideline and good basis for the discussion on the future of ICCAT. Some delegations asked the Coordinator of the Independent Performance Review Committee for suggestions to improve the Compliance Committee, to establish a penalty system as well as an inspection system common to RFMOs. Some delegates were of the view that the penalty system among RFMOs should be harmonized and that market measures which would be useful to track catches should be developed.

Many delegations considered that compliance issues were a priority to be discussed before the Working Group on the Future of ICCAT and urged that action be taken during that Commission meeting instead of postponing action to 2009, noting that transparency and capacity in ICCAT would have to be reviewed. The Chair concluded that, to the extent possible, the recommendations of the report of the Independent Performance Review Committee should be considered during that Commission meeting by the relevant Panels and Committees. He also pointed out that compliance issues should be harmonized among RFMOs and therefore the Report should be sent to the other RFMOs.

The Executive Summary of the Performance Review is attached as **ANNEX 7**.

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

The 2008 SCRS meeting was held in Madrid (Spain), from September 29 to October 3, immediately after the meetings of the Species Groups. The SCRS Chair, Dr. G. Scott, presented a summary of the "Report of the SCRS" and indicated that the specific recommendations by species would be presented in the pertinent Panels. He informed the participants that he would focus his presentation on the species for which updated assessments were conducted (i.e. bluefin tuna, Mediterranean swordfish, yellowfin tuna and skipjack, and sharks). He also presented a stock status report by species for 2008 as well as a summary of the inter-sessional meetings

¹ ICCAT, 2009. Report of the Independent Performance Review of ICCAT.

conducted in 2008. He then welcomed the extra-budgetary funds that had allowed the participation of scientists to SCRS meetings and encouraged Contracting Parties to continue contributing with these funds. In response to the Commission's request, the SCRS Chair pointed out how data deficiencies were affecting the assessment and management advice. He reiterated the concern of the SCRS on the poor quantity and quality of fishery statistics (Task I and Task II). He also reported the concern of the SCRS on the incomplete information on fishing capacity submitted to the Secretariat. Then, he presented the recommendations made by the SCRS highlighting the need to improve data reporting, capacity-building and quality assurance as well as the scientific support by increasing the Secretariat's staff with a By-catch Coordinator and a Population Dynamics Expert as well as to re-establish the peer-review mechanism. Finally, the SCRS Chair recalled the proposed calendar of ICCAT scientific meetings for 2009.

The Commission Chair reminded delegates that the SCRS recommendations would have to be considered for approval in the Panels.

Several delegations acknowledged the work conducted by the SCRS and congratulated the SCRS Chair on the excellent presentation. The Libyan delegate stated that he appreciated the work undertaken by the SCRS but that his country could not back the proposals for Recommendations presented by the SCRS. The Delegations of China and Turkey raised concerns in relation to the insufficient data on 2007 catches available to the SCRS. The Commission, taking into account the comments by the three above-mentioned delegations, adopted the 2008 SCRS Report.

The SCRS Report and the presentation of materials used at the meeting were posted on the ICCAT website for reference.

7. Consideration of the Report of the Working Group on Capacity and any necessary actions

The Commission took note of the Report of the Meeting of the Working Group on Capacity (as attached in **ANNEX 4.3**), held on July 15 to 16, 2008 in Madrid (Spain). The Commission adopted that Report and agreed to refer to Panel 2, for consideration, and to the Compliance Committee, for discussion, the following proposals:

- Draft Recommendation by ICCAT on the Limitation of Capacity
- Draft Recommendation by ICCAT for Provision of Information on Vessels That Have Participated in the Eastern Atlantic and Mediterranean Bluefin Tuna Fishery

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

The Chair of STACFAD, Mr. J. Jones (Canada), reported to the Commission that the Committee had reviewed the Secretariat's 2008 Administrative Report, the Secretariat's 2008 Financial Report and the Detailed Information on the Debt Accumulated by ICCAT Contracting Parties. He informed that the Committee had recommended "*BDO Audiberia Auditores, S.L*" to carry out the audit of Commission accounts for 2008 to 2010. He also informed that the Contracting Parties participating in the Regional Observer Program (ROP) had expressed their willingness to continue the program and that they would inform the Commission of the financing. He also presented for approval by the Commission the "ICCAT Budget for Fiscal Year 2009" which would entail an increase of 11.17%. In the proposed budget for 2009, he highlighted:

- The permanent costs for the Population Dynamics Expert, to be hired as recommended by the SCRS
- The costs for one person in the General Services category to assist with tasks related to Compliance issues,
- the costs for one person in the General Services category for some new tasks including those related to the new Secretariat headquarters,
- The additional costs for interpretation services in Arabic during the annual meeting, to be financed from the Working Capital fund in 2009,
- The travel expenses for the Commission and SCRS Chairs to participate in meetings where they represent ICCAT, in 2009, to be financed from the Working Capital Fund,
- The extra costs due to the change of Secretariat headquarters.

The Commission adopted the 2008 Administrative Report, the 2008 Financial Report, the Future Basis for ROP Funding, and the Detailed Information on the Debt Accumulated by ICCAT Contracting Parties.

The Commission also adopted the 2009 Budget, as well as the Contracting Party contributions for 2009, the contributions by Group, and the catch and canning figures of the Contracting Parties (see **Tables 1 to 5** attached to the STACFAD Report).

It was agreed that the VMS program would continue to be funded by the Contracting Parties participating in the eastern Atlantic and Mediterranean bluefin tuna fishery.

The European Community proposed that the Commission endorse the SCRS Chair draft program (see **Appendix 10 to ANNEX 9**), but with the three following priorities in 2009: Coordinator, Data Mining and Aerial Surveys. Other actions foreseen in the draft program should be further discussed by the SCRS and submitted to the Commission at the 2009 annual meeting. The program may be adjusted in following years to take account of the evolution of its implementation and research needs.

The European Community and some other Contracting Parties expressed their willingness to contribute to this program in 2009 and in the following years. The ICCAT Secretariat should address a letter to all Contracting Parties requesting funding to implement the first year of the program in 2009.

The Chair endorsed the views of the European Community and there were no objections from other Contracting Parties.

It was agreed that the STACFAD Report would be adopted by correspondence. The Report is attached as **ANNEX 8**.

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

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

Panel 1

The Chair of Panel 1, Dr. Djobo (Côte d'Ivoire), reported to the plenary the proposal adopted within the Panel for a *Recommendation by ICCAT to Amend the Recommendation by ICCAT on a Multi-year Conservation and Management Program for Bigeye Tuna* (see **ANNEX 5 [Rec. 08-01]**). The Commission adopted this Recommendation. The European Community informed the plenary that it would send written comments on the adopted Recommendation.

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

Panel 2

The Chair of Panel 2, Mr. F. Gauthiez (European Community), informed the Commission about the agreement within the Panel on:

- The draft *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program*,
- The draft *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean*, and
- The draft *Resolution by ICCAT Concerning Atlantic Bluefin Tuna Scientific Research on Stock Origin and Mixing*.

These proposals were adopted by the Commission in plenary and are attached in **ANNEX 5 [Rec. 08-04]**, **[Rec. 08-05]**, and **ANNEX 6 [Res. 08-06]**, respectively.

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

Panel 3

The Chair of Panel 3, Mr. M. Aguilar (Mexico), presented the report of the Panel that included the review of the stock of South Atlantic albacore by the SCRS. No comments were made.

It was agreed that the Report of Panel 3 would be adopted by correspondence. The Report of Panel 3 is included in **ANNEX 9**.

Panel 4

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

- A proposal for a *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish*,
- A draft *Recommendation by ICCAT on Mediterranean Swordfish*, and
- A proposal for a *Resolution by ICCAT on Porbeagle Shark*,

These proposals were adopted by the Commission and are attached as **ANNEX 5 [Rec. 08-02]**, **ANNEX 5 [Rec. 08-03]**, and **ANNEX 6 [Res. 08-08]**, respectively.

Further to a discussion in plenary, the Commission adopted the draft *Recommendation on the Conservation of Big Eye Thresher Sharks Caught in Association with Fisheries Managed by ICCAT*. This Recommendation is attached as **ANNEX 5 [Rec. 08-07]**.

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

Review of Panel structure

The Commission Chair proposed to review the structure of the Panels to include northern albacore in Panel 3 and southern bluefin in Panel 2. Since there was no consensus on that proposal, it was decided to refer the discussion to the Working Group on the Future of ICCAT.

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

The Chair of the Compliance Committee, Dr. C. Rogers (United States), informed the Commission that the Compliance Committee (COC) had reviewed and approved the Compliance Tables, with the exception of the eastern bluefin tuna table, due to the possible undeclared catches, given the discrepancies between total reported catches and the SCRS estimates.

He also informed the Commission that the Secretariat had presented to the Committee a “Progress Report on the Regional Observer Program for Transshipment”, as attached in **Appendix 4 to ANNEX 10**. It was agreed that ICCAT could cooperate with the CCSBT in the implementation of its observer program in the areas which coincided with the ICCAT Convention area.

The Compliance Committee Chair also noted the approval of the Report of the 4th Meeting of the Working Group on Integrated Monitoring Measures, which was endorsed by the Commission (see **ANNEX 4.4**).

He then presented to the Commission the proposals that the Compliance Committee had referred to the plenary for adoption:

- Draft *Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information*,
- Draft *Recommendation by ICCAT to Harmonize the Measurement of Length of the Vessels Authorized to Fish in the Area of the Convention*,
- Draft *Recommendation by ICCAT to Hold a Compliance Committee Inter-sessional Meeting in 2009*, and
- Draft Letter of concern to CPCs.

The Commission adopted:

- The Compliance Tables, except the eastern bluefin tuna table, as attached as **Appendix 5 to ANNEX 10**, and a new deadline for the Compliance Tables, which in future should be submitted to the Secretariat by 31 July.
- The *Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information*,
- The *Recommendation by ICCAT to Harmonize the Measurement of Length of the Vessels Authorized to Fish in the Area of the Convention*,
- The *Recommendation by ICCAT to Hold a Compliance Committee Inter-session Meeting in 2009*, for which some Contracting Parties agreed to provide assistance to developing coastal States,

The three above recommendations are attached as **ANNEX 5 [Rec. 08-09]**, **ANNEX 5 [Rec. 08-10]** and **ANNEX 5 [Rec. 08-13]**, respectively.

There was no agreement to adopt the draft letter of concern to be sent by the Chair of the Compliance Committee to CPCs not having fully or effectively complied with ICCAT obligations. The Commission decided to defer this issue to the 21st Regular meeting of the Commission. In relation to the draft table on “Actions to be Taken Against CPCs in 2008” submitted by the Chair of the Compliance Committee, the Commission requested the Chair to revise and update his proposal with the view to discussing it at the forthcoming Regular meeting of the Commission.

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

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

The PWG Chair, Ms. S. Lapointe (Canada), reported to the Commission the measures agreed by the PWG, including the actions taken in relation to non-Contracting Parties, Entities and Fishing Entities in 2008 (attached as **Appendix 3 to ANNEX 11**) and the letters to be sent from the ICCAT Chairman to the following non-Contracting Parties:

- To Bolivia and Georgia maintaining trade sanctions in 2009,
- To Cambodia maintaining identification in 2009,
- To Sierra Leone maintaining identification in 2009 and requesting further information on the International Ship Register of Sierra Leone, and
- To Togo lifting the identification.

These letters are attached as **Appendix 4 to ANNEX 11**.

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

The PWG further agreed on the “2008 List of Vessels Presumed to Have Carried Out Illegal, Unreported, and Unregulated (IUU) Fishing Activities in the ICCAT Convention Area” containing only the ICCAT IUU vessels due to the lack of background information on the IUU vessels of the IATTC and IOTC. It was agreed that the Executive Secretary would discuss the possibility of developing mechanisms for sharing such information in the future, and that information from ICCAT could be made available to other tuna RFMOs on request. The adopted ICCAT IUU list is attached as **Appendix 2 to ANNEX 11**.

The PWG also agreed on a proposal of *Recommendation by ICCAT Amending Ten Recommendations and Three Resolutions*, and for a *Recommendation by ICCAT Amending Recommendation 07-10 on an ICCAT Bluefin Tuna Catch Documentation Program*.

These Recommendations were adopted by the Commission and are attached as **ANNEX 5 [Rec. 08-11]** and **ANNEX 5 [Rec. 08-12]**, respectively.

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

12. Assistance to developing coastal States and capacity building

The Commission took note of the ICCAT Secretariat report summarizing the assistance provided in 2008 to developing coastal States. The delegates of some countries, such as Ghana and Uruguay that received financial assistance allowing for a workshop, training of scientific experts and improvement of statistics expressed their appreciation to the donors. Developing States that are parties to the UNFSA were invited to request assistance to the United Nations (UNFSA Fund for Capacity Building Part VII) since this Fund was not fully used.

13. Inter-sessional meetings in 2009

The Commission agreed that the Working Group on Sport and Recreational Fisheries would meet on 13 November 2009 in Recife, Brazil.

The Commission decided that the Compliance inter-sessional would meet during the first quarter of 2009 at the invitation of the European Community (dates and place to be communicated by the European Community).

The Commission agreed on the need to hold a meeting of the Working Group on the Future of ICCAT; however, the host, the venue and timing remained to be determined.

As a follow-up to the first Joint Meeting of Tuna RFMOs, and to the meeting of the Chairs and the Executive Secretaries of the five tuna RFMOs in San Francisco in February 2008 (see **ANNEX 4.1**), the Chair announced that a second Joint Meeting of Tuna RFMOs would be held in 2009 in the European Community (probably in May and in Spain).

14. Consideration of necessary actions for the harmonization of tuna RFMO vessel lists

The Executive Secretary presented the Secretariat's report on the "Harmonization of a Unique Vessel Identifier" and requested instructions from the Commission to update the joint list of RFMOs and to move forward, together with the other tuna-RFMO Secretariats, to a format for a single list of vessels. Further to a discussion on the need for a definition of vessel fishing tuna to be agreed among the tuna-RFMOs, and acknowledging the work which was currently on-going at FAO, the Commission decided to refer the harmonization of vessel lists to the forthcoming joint tuna-RFMOs meeting due to be held in 2009.

15. Other matters

The Commission discussed the IUCN initiative to establish and manage standards for environmental sustainability. The Commission authorized that the Commission Chair, the SCRS Chair and Mr. M. Miyahara (Japan) would participate as observers in the IUCN meeting, on behalf of ICCAT.

Following a proposal by the delegate of Belize, the Commission agreed that at future meetings, Cooperating non-Contracting Parties, Entities or Fishing Entities could be granted the floor in turn, and would not necessarily have to wait until all Contracting Parties had intervened.

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

The delegate of Brazil offered to host the 21st Regular Meeting of ICCAT in Recife. The Commission thanked Brazil for its offer and agreed to hold the meeting from November 16 to 22, 2009. The Commission also agreed that the Compliance Committee would meet beforehand on November 14 and 15, 2009.

17. Adoption of the report and adjournment

The Chair thanked the Government of Morocco for hosting the meeting and the European Community for the invitation and financing. The Executive Secretary thanked all delegates, the Government of Morocco, the interpreters and the Secretariat staff for their work.

The 2008 Commission meeting was adjourned on November 24, 2008.

The report of the Plenary Sessions was adopted by correspondence.

ANNEX 1

AGENDA

1. Opening of the meeting
2. Adoption of Agenda and meeting arrangements
3. Introduction of Contracting Party Delegations
4. Introduction of Observers
5. ICCAT Performance Review
6. Summary Report of the Standing Committee on Research and Statistics (SCRS)
7. Consideration of the Report of the Working Group on Capacity and any necessary actions
8. Report of the Standing Committee on Finance and Administration (STACFAD)
9. Reports of Panels 1 to 4 and consideration of any proposed recommendations therein
 - Review of Panel structure
10. Report of the Conservation and Management Measures Compliance Committee (COC) and consideration of any proposed recommendations therein
11. Report of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and consideration of any proposed recommendations therein
12. Assistance to developing coastal states and capacity building
13. Inter-sessional meetings in 2009
 - Working Group on Sport and Recreational Fishing
 - Working Group on the Future of ICCAT
 - Joint tuna RFMO meeting
14. Consideration of necessary actions for the harmonization of tuna RFMO vessel lists
15. Other matters
16. Date and place of the next meeting of the Commission
17. Adoption of the report and adjournment

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OPENING ADDRESSES & STATEMENTS TO THE PLENARY SESSIONS**3.1 OPENING ADDRESSES****By Dr. Fabio Hazin, Commission Chairman**

First of all, I would like to express my sincere thanks, through the Minister of Agriculture and Marine Fisheries, to the Royal Kingdom of Morocco for accepting to host the 16th Special Meeting of the Commission in this beautiful city of Marrakech, even though our request came late in the day. I would also like to thank the European Community for covering a large part of the cost which organizing this meeting involves.

The context in which our meeting is being held this year is exceptional in that it is a year in which a Performance Review of ICCAT has been carried out after 40 years of our organization being in existence. This Review confirms some of the successes of our organization, but also notes some shortcomings and areas which need to be improved. It is our task here to prioritize the areas which should be the primary focus of the first Working Group on the Future of ICCAT scheduled to meet in 2009.

The improvement in these areas of debility is an urgent matter for this organization, and I hope that the period of adversity through which the world economy is passing will not deter Contracting Parties from making available the resources needed to guarantee the continued protection of our tuna resources.

Following the discussions I have had with many of the delegations here present, I would like this meeting to focus mainly on compliance matters and on the urgent and inescapable subject of the status of bluefin tuna stocks. The credibility of our organization will be measured in large part by our actions in this regard and, as I stated in the letter I sent to all CPCs a couple of weeks ago, there will be no future for this Commission if we do not fully respect scientific advice. In the words of the Performance Review report, the effectiveness and credibility of ICCAT will depend largely on how much the Commission can succeed in improving the present situation. So, I do hope we will choose wisely and show the international community we do have the political will and the commitment to make the right decisions, in conformity with science, to assure the sustainability of such an iconic fish stock.

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

With the reiteration of my thanks to our hosts for their hospitality, I now have the honor of introducing the Minister of Agriculture and Marine Fisheries of the Royal Kingdom of Morocco, who will officially open this 16th Special Meeting of ICCAT. Thank you.

The Hon. A. Akhenouch, Minister of Agriculture, Rural Development & Fisheries of Morocco

First of all I would like to welcome our distinguished guests to the city of Marrakech, a city that today is proud to host, for a second time, a special meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

I would like to thank ICCAT for this choice which also reflects the important role that we assign to this Commission and its activities. As you know, the meeting that we are inaugurating today will constitute an important turning point for the future of ICCAT in achieving its objective of conservation of the tuna species and that sustainable management of tuna-like species.

This concern to protect the tuna resources is shared by Morocco, which has focused its actions within the scope of a new ethic fisheries management, advocating responsible and sustainable exploitation of maritime biological heritage.

We are determined active partners of such an approach, defending the rationalization of fishing and a better use of catches made at sea.

The number of States that have joined ICCAT currently amounts to 46 Contracting Parties, which reflects a growing adherence to the objectives that have been assigned to this organization and an awareness of the need to unite efforts towards concrete management of the tuna resources in the region.

Today, ICCAT is called upon to face new challenges concerning the state of over-fishing which affects some tuna species in the Atlantic and Mediterranean, and which are currently in serious condition.

Such a situation is of concern to all of us and compels us to implement new measures to manage the fisheries, which can preserve the fundamental harmony of the marine ecosystems and guarantee greater rationality in their management.

During this meeting, new regulatory mechanisms and new management measures will be adopted. To this effect, we are all responsible for taking action in a joint manner, regardless of the aspirations of each one, with a common sensitivity for this sustainable and responsible management of the resource.

Only by this commitment will the Commission conserve and strengthen the legitimacy and attention it enjoys at the international level.

Morocco stands as a supportive partner of all the initiatives aimed at guaranteeing a harmonious development of the tuna fisheries.

Our country that subscribes to these new dynamics is already engaged in a process of reform, at the institutional, judicial and technical level as well as an organizational level, to align with the new ethics fisheries governance, based on sustainable development and responsible fishing.

This mechanism is based mainly on:

- The strengthening of at-sea surveillance means, through the implementation of a monitoring and control system by satellite.
- The development of fishing plans integrating a management approach by quotas,
- The control of catch documents, and
- The establishment of a team of scientific observers and a national identification form of the fishery methods, which are mainly comprised of passive gears and artisanal boats.

The success of our new common task depends on the willingness of all of us to be more firm as regards matters of compliance of the conservation measures on these migratory species, to fight against all forms of illegal, unreported and unregulated fishing, and to adjust to according precision, which is the basis of any mechanism of organization of the fisheries of these tuna and tuna-like resources.

I am certain that this special meeting of ICCAT will give rise to fruitful discussions on the matters that bring us together today with the objective of protecting the Atlantic tuna fisheries from uncertainties.

Before ending, I would like to once again welcome the honorable delegates and the ICCAT Chairman who will know how to lead the work of this meeting with all their good sense and ability.

I would also like to express my most sincere gratitude to all of those who have made this important encounter possible, especially the ICCAT Executive Secretary and the local authorities of the city of Marrakech. In thanking you for your attention, I wish you a pleasant stay in Morocco and Marrakech and every success in our work. Thank you.

3.2 OPENING STATEMENTS BY CONTRACTING PARTIES

Belize

As you will have observed from Belize's Annual Report (2008), Belize continues to make progress in attaining the objective of becoming a Contracting Party of all RFMOs in whose Convention areas it has an operational presence. Currently, Belize is a Contracting Party to ICCAT and the IOTC, a Cooperating non-Contracting Party of IATTC and will become a Contracting Party thereof when the "Antigua Convention" to which it has acceded on June 12, 2007 comes into force, which is expected in 2010. Belize is a Cooperating non-Contracting Party of NEAFC and a Cooperating non-Member of WCPFC. Belize is also engaged in the negotiations for the formation of SPRFMO.

Amongst the important topics faced by Belize at this meeting are those of management measures and compliance which are fundamental to the purpose and function of an RFMO. Belize would also like to have some progress in the resolution of the issue of the Definition of Length for fishing vessels which was raised in our report dated April 11, 2007 which was distributed to the Chairmen and Executive Directors/Executive Secretaries of all RFMOs, as well as the FAO. Belize perceives that there is a pressing need to harmonize the definition of length so as to ensure consistency and transparency so as to avoid abuse in relation to VMS and Transshipment Recommendations.

As you are aware, Belize is already a member of panels 1, 2, 3 and 4. So far, it has licensed 13 longliners to fish a part of its allowances/quotas. As a small developing coastal State in the ICCAT Convention Area, Belize wishes to develop a meaningful participation in this important industry and, in so doing you may rest assured that it is totally committed to ensuring the effectiveness of ICCAT's conservation and management measures. Belize wishes you all a successful and enjoyable meeting in Marrakech. Thank you.

Brazil

It is a great pleasure for the Brazilian delegation to be back, once again, in Marrakech, eight years after the first time ICCAT had the privilege of meeting in such a beautiful and welcoming city. Brazil would like to thank the Government and the people of Morocco for such an opportunity to visit such an ancient city once again, with the hope that its mystical atmosphere will inspire the Commission in these difficult times. As usual, Brazil would also like to praise the Secretariat for its hard work and efficient organization of such an important event, which will again be crucial for its success.

As usual, this year, the Commission is once more facing great challenges that will demand firm action, in order to assure the fulfillment of its obligations. For the first time in its history, however, we have the honor of having one of our citizens chairing this meeting. In congratulating you, Mr. Chairman, for your election for such an important position, which makes all of us proud, we would like also to assure you that we are fully aware of the great responsibility that comes along with our pride. We fully agree with the priorities you have chosen for this meeting, mainly the compliance issues and the bluefin tuna, noting that, not coincidentally, these were also the two main problems detected by the performance review panel. We fully agree with the views expressed in their report, including the need to suspend fishing on bluefin tuna in the eastern Atlantic and Mediterranean until the CPCs fully comply with ICCAT recommendations in relation to this species. Considering the critical situation this stock has reached we believe that a temporary moratorium would indeed be the best way to assure its sustainability in the short term. We are, nevertheless, open and willing to discuss with other delegations management alternatives that could ensure sustainability without resorting to such a drastic measure. What, however, Mr. Chairman, we will not be able to accept is the adoption of any measure in disrespect or in contradiction with the scientific advice. In this regard, Mr. Chairman, we do agree with your statement in a letter recently circulated to all CPCs that this Commission will not have a future unless it fully and duly abides by the science.

In relation to compliance, we wholeheartedly welcome the changes you are proposing in the way the Compliance Committee has been working, with the understanding that a better compliance by CPCs is crucial for ICCAT to improve its performance. In the words of the performance review panel, in regard to compliance, rather than ICCAT failing in its mandate it is ICCAT that has been failed by its members, for ICCAT has indeed, with a few exceptions, adopted in its basic texts and recommendations generally sound approaches to fisheries management. However this has been undermined by systemic failures by CPCs to implement such rules and recommendations. Time has come to change that. We understand this is not going to be easy, Mr. Chairman. As any significant change, it will be troublesome and time consuming but you can be assured that our delegation will do the best it can to help you and the Compliance Chairman in this process.

Finally, and running the risk of becoming tediously repetitive, we feel obliged to once again raise the issue of the progressive deterioration of the data submitted by the Contracting Parties. In our view, the obligation to supply accurate data in a timely manner should be the highest priority under ICCAT provisions. Without accurate data, sound scientific advice becomes impossible, and so becomes consequently the proper management of the exploited stocks. Quite unfortunately, however, this seems to be an endless problem in this Commission. We can only hope that the new approach to be undertaken by the Compliance Committee may also help to rectify this situation.

Brazil is ready to work with you and all the delegations to make this meeting a successful one and hopefully one of the most important in the history of the Commission, the one which, although difficult, the right decisions were wisely taken. Thank you.

Canada

Canada is pleased to be here in the beautiful and exotic city of Marrakech for the 16th Special Meeting of ICCAT. This is a significant and pivotal meeting for the Organization. The eyes of the world are on ICCAT. The role of ICCAT in the future management of tuna and tuna-like species in the Atlantic, particularly bluefin tuna, will be predicated on the decisions that are taken this week.

Sustainable fisheries for tuna and tuna-like species in the Atlantic are attainable. Our Organization has demonstrated successes when Parties choose to adhere to the scientific advice, to implement effective management measures and to enforce and comply with those measures. North Atlantic swordfish is evidence of this.

Canada implements strict controls beyond those required by ICCAT management measures, and we believe that these can be used as a roadmap for ICCAT to move forward with the goal of sustainability. We are proud of our ability to effectively manage these fisheries not only for the present, but for generations to come.

Public interest and media scrutiny continue to grow, particularly with respect to the status and management of the Eastern Atlantic and Mediterranean bluefin tuna stock. This intense focus places ICCAT in a position where we must demonstrate to all in a convincing fashion that we are committed to sustainability through effective management decisions.

But we cannot simply rest at the adoption of management measures. The recently completed Performance Review stated the concern that Parties are failing ICCAT, by not taking their obligations seriously and therefore weakening the efforts taken to manage ICCAT stocks sustainably. This situation must change and ICCAT Parties need to show the willingness to implement and enforce ICCAT measures. Reports of non-compliance are regularly circulated and these need to be taken into account when reviewing, and revising, management measures. We cannot continue to punish transparency and reward non-compliance.

Last year, when ICCAT took the decisive step towards strengthening this Organization by agreeing to a Performance Review, we led the way for other tuna RFMOs to follow. The final report of the Review Panel provides a substantial number of recommendations and conclusions, many of which can be taken and implemented immediately by the Commission. We must all show the strength and conviction to use these recommendations immediately to move forward and to allow the Organization to continue leading into the future.

This week, the stakes for the Organization are substantial. We are looking forward to constructive and productive discussions. We remain hopeful that our collective decisions will reflect well on the Organization and clearly reinforce ICCAT's continued management role for these important stocks.

Let us be absolutely clear - ICCAT has a choice - we can change overnight. We have the tools that have been agreed to which, if implemented, can reverse stock decline. The choice is ours to make. The consequences will be ours to live with. Thank you.

Egypt

As the Head of the Egyptian Delegation, it gives me pleasure to address this Special Meeting of the Commission.

In this capacity, firstly, I would like to thank the Commission for accepting and welcoming my country Egypt as an active member of ICCAT as of November 2007, and on behalf of Egypt, I would like to express Egypt's sincere appreciation to the Government of Morocco for hosting this Special Meeting of the Commission, and for the warm hospitality extended to all of us.

At the 20th Regular Meeting of ICCAT, which took place in Antalya, Turkey, November 9-18, 2007, the Head of the Egyptian Delegation briefed the distinguished members of the Commission's Panel 2 on Egypt's national research program and its work towards assessing the size and nature of its stock of bluefin tuna in the Mediterranean waters off the Egyptian coast. Egypt further pointed out that this program is fully supported by

the Government of Egypt, and is due to start in 2008. At this same meeting of Panel 2, our delegation indicated that further data and information, together with the preliminary results of our experimental fishing of bluefin tuna in the Egyptian Mediterranean waters, would be presented at the next meeting of the Commission, i.e., to this meeting supporting of our request for a quota allocation.

Since then, Egypt, as a new active member, and through our General Authority for Fish Resources Development, has been in contact with your Secretariat concerning the arrangements for officially requesting a bluefin tuna quota allocation for Egypt.

To this effect, the Commission's Standing Committee on Research and Statistics (SCRS) at its last meeting in Madrid was duly informed of the results of our experimental fishing, with the hope that our request for quota allocation will be considered by the SCRS and consequently approved by the Commission.

Egypt, as a developing country, is seeking the development of its fisheries resources, and while honoring its financial obligations towards the Commission, is keen and has a strong interest in obtaining this approval at the earliest possible date.

At this important moment of the history of the Egyptian fisheries, I would like to take the opportunity to reconfirm my Government's intention to keep up to the expectations of ICCAT as far as compliance with ICCAT rules and regulations is concerned, and to bear our responsibilities with regard to bluefin tuna stock management in our area of the Mediterranean.

In this context, we fully support the work of the Compliance Committee (COC) and are committed to strengthening international cooperation for protecting the stocks of the highly migratory species and for preserving the ecosystem, and shall do our best to provide the relevant statistical data and information in a timely manner.

On another, yet related, front Egypt is also taking serious steps towards acquiring an effective Vessel Monitoring System (VMS) since we have the technical capability to operate it, and even for training others on its operation. To this effect, negotiations are progressing well with both GFCM and the European Union for obtaining their technical and financial support towards establishing such a system in Egypt. This will eventually help in the effectively monitoring of all tuna fishing vessels operating within our waters of the Mediterranean, and ultimately report in a timely manner on any IUU activities that may be observed in this area.

Before concluding, I would like to thank the Commission Chairman and Secretariat for all the work done in preparing for organizing this meeting, and to wish them in continuing playing a significant role in securing sustainable and more responsible fisheries management in the Mediterranean and all the areas covered by the Convention. Finally, we wish a successful and productive meeting. Thank you.

European Community

A lot is at stake at this annual meeting of ICCAT. It is at a crucial moment in its history. The international community and civil society at large are watching us very closely and rightly so. The European Community is willing to focus on the following priorities.

First and foremost, the situation of the bluefin tuna stock is critical, and the Scientific Committee has sent us a strong warning: the recovery plan adopted in 2006 is a step in the right direction, but the status quo is not an option. Urgent action is needed to ensure the sustainability of this emblematic stock. We need to take full advantage of the review foreseen by the plan for this year and strengthen decisively existing measures. The European Community will spare no efforts to reach an ambitious result and expects other CPCs involved in the bluefin tuna chain to share the efforts, with the support of the whole ICCAT membership.

Secondly, ICCAT needs to address compliance shortcomings in a robust and thorough manner. The European Community is of the view that improved compliance is not about adopting new measures on compliance itself. It is about ensuring effective implementation of all existing instruments by all CPCs. It is also about limiting the adoption of new measures to what is strictly needed, so that all can cope with their obligations. Time is needed for an in-depth review of the compliance record of CPCs. The draft Agenda and methods foreseen for this annual meeting definitely go in the right direction, but more time will be necessary to complete the process. Therefore, the European Community considers that inter-sessional meetings of the Compliance Committee should be held

in 2009 to review compliance across the whole range of ICCAT's mandate: 2009 must be the "Year of Compliance" for ICCAT.

Finally, while sharing the emphasis on bluefin tuna and compliance, the European Community is of the opinion that ICCAT should not forget that other species are also in need of urgent measures. In particular, in light of the scientific advice, Mediterranean swordfish and certain shark species must receive appropriate consideration. Thank you.

Japan

It is a great pleasure for us to be in Marrakech, one of the world heritage sites for this year's ICCAT annual meeting. We wholeheartedly thank the Government of Morocco for hosting this important meeting.

There is no question that this year's meeting will be one of the most critical meetings ever because of bluefin tuna issues. In 2006 ICCAT adopted the Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean after a series of very difficult negotiation. However, the implementation has been very poor. As a result, the SCRS now recommends that it will be impossible to achieve the objective set in the Recovery Plan and that the Total Allowable Catch be reduced to 15,000 t or less, that the closed season be extended in the spawning season, that better compliance be ensured, and that over-capacity be cut significantly. It further warns that the stock may collapse in the near future without these measures.

The world is watching how ICCAT is going to respond to this crisis. ICCAT must show political will and enough capacity to manage bluefin tuna stocks. If ICCAT fails to introduce bold measures based on scientific advice at this meeting, it is 100% sure that a proposal to list this species on a CITES appendix will be made at the next Conference of Parties of CITES in Qatar in early 2010. If the species is listed on a CITES appendix, the trade as well as introduction from the sea will be strictly regulated by another organization and be prohibited ultimately. Then a devastating impact would be given to all the industries and people involved in catching, farming, processing and trading of bluefin tuna. The effects of CITES listing may not be limited to bluefin tuna because it is likely that other tuna species will also be listed because of difficulty in identifying different tuna species at customs. CPCs should give serious consideration to this point.

It should be reminded that CITES listing proposals are to be submitted 180 days prior to the Conference of Parties. Therefore, the deadline for submission is August 19 next year. This means that this year's ICCAT meeting is the last chance to demonstrate its political will and capability to properly conserve and manage bluefin tuna stocks.

We frequently hear that Japan has a great responsibility for sustainable use of bluefin tuna resources as a CPC importing the largest amount of bluefin tuna. Japan agrees that not only fishing, farming or exporting states but also importing states have responsibilities. We will stop all the gray bluefin products at the entrance to the Japanese market. Acceptable products are only those for which the process of fishing, transferring, farming, harvesting and transshipping is properly validated with data and information verified by the relevant CPCs. The Government of Japan already confirmed Japanese buyers' willingness to cooperate in this direction.

In closing, the issue in front of us is very clear. We are being asked if ICCAT or ICCAT members, I should say, can take necessary actions right now to utilize bluefin tuna resources on a sustainable manner. If each CPC sticks to its short-term economic gains, it will face a much greater loss in just two years. Japan is committed to cooperating with other CPCs to avoid such a plight.

United States of America

Let me begin by noting that the United States is very pleased to be back in this lovely and historic city. We would like to thank the Government of Morocco for agreeing to host this important meeting and the European Community for providing financial assistance. We also want to offer our particular appreciation to the Executive Secretary and his staff for their excellent meeting preparations.

Many of you will recall the 2000 ICCAT meeting held here in Marrakech. The Commission faced serious issues back then. And while we have seen progress in some areas since we were last here, the issues the Commission faces are even more serious now. ICCAT is at a crossroads.

Last year, this Commission courageously agreed to ask an independent Panel of Experts to evaluate how we do business and tell us how we can improve. We are now in possession of the fruits of that labor and, in places, it is not a positive story. A priority message from the review panel is that ICCAT members have done a poor job in implementing and complying with many agreed decisions, especially when it comes to the conservation and management of eastern Atlantic and Mediterranean bluefin tuna.

The Panel also found that the management of eastern Atlantic and Mediterranean bluefin tuna fisheries was unacceptable and not consistent with the objectives of the Convention. This, together with ongoing fishery monitoring and control problems, led the Panel of Experts to call on ICCAT to suspend the eastern Atlantic and Mediterranean bluefin tuna fishery until ICCAT members fully comply with the rules.

Our fellow Commission members will recall that this is exactly what the United States sought in 2007 given rampant and longstanding non-compliance in the fishery. The United States maintains that the inability of countries to effectively monitor and control their fleets and comply with multilaterally agreed management decisions should result in the loss of fishing opportunities.

There are many important recommendations stemming from the work of the experts panel, but ICCAT cannot address them all at this meeting. We believe the appropriate forum to assess the report fully and recommend a plan for future work is the Working Group on the Future of ICCAT. What the Commission can and, in fact, must do this week, however, is address the pressing issues of eastern Atlantic and Mediterranean bluefin tuna conservation and compliance.

The United States looks forward to working with our ICCAT partners to address these critical issues over the next eight days. In our view, there is nothing more central to the work of the Commission this year. And do not doubt that if we are not successful in finding real solutions, the organization, the bluefin tuna resource, and our fishermen and fishing communities will soon face even greater challenges. The United States sincerely hopes that the parties around the table have the political will to ensure this does not happen. Thank you.

Uruguay

The delegation of the Oriental Republic of Uruguay would like to thank the Government and Moroccan people for hosting this 16th Special Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) meeting in the historic city of Marrakech. Likewise, we would like to express our recognition to the Commission Chairman and the Secretariat for all the work carried out for the organization of this meeting and to the European Community for providing financial assistance.

We have started a period of changes, with a renewal of Commission Officers, as well as an independent review of the Commission's performance. We celebrate the start of a period of changes that we hope will result in greater participation of developing countries in the functioning of the Commission.

With great concern, our delegation observes how this year the same problems are repeated concerning compliance and the quality of information transmitted to the Commission, in particular, on the resources whose status is frankly worrying. An example of this is the rebuilding plan established for eastern and Mediterranean bluefin tuna which could not be accomplished in its first year of management and that to date has failed again.

Matters regarding the effective functioning of this Commission which are raised last year emerge again today with greater emphasis together with the need to reinforce the mechanisms for which greater responsibilities are required from Contracting Parties as regards to the main mandate of the Convention, "the conservation of the species".

Within this framework, it is necessary to immediately strengthen the activities of the SCRS, providing the necessary and mandatory information that allow this Committee to effectively advise the Commission in order to take the most adequate political decisions. Our delegation understands that the Commission must comply in a stricter manner with the recommendations of the SCRS generating better possibilities in Contracting Parties for research, data collection, control and participation. Uruguay has urged that efforts for the management and administration of the resources be recognized and valued, especially in the case of developing coastal States.

We would like to reiterate the concepts already put forward, asking that the path continue towards generating for instruments of dialogue which will result in consensual and equitable agreements that include a fairer participation of all the Parties.

Our delegation is ready to work alongside all the Parties to reach a consensus to attain these objectives. Uruguay would like to greet all the Parties and wish them a productive meeting in 2008. Thank you.

3.3 OPENING STATEMENTS BY COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES

Chinese Taipei

We appreciate the work and contributions of Mr. Glen Hurry and his group in reviewing the performance of ICCAT and producing this report. It is an excellent report and we totally agree with the recommendations in the report. We also share some of the views and comments given by the delegations who have spoken before me.

The Report of the Review Panel has made a list of recommendations, suggestions, observations and concerns of 70 items in total number. The Review Panel noticed that the ICCAT Convention predated the 1982 United Nations Convention on the Law of the Sea and the UN Fish Stocks Agreement and other modern instruments relating to the conservation of fish stocks and management of their fisheries. Thus, the Review Panel found “no provision in the Basic Texts and some but not adequate conservation and management measures regarding nine issues: ecosystem approach, precautionary approach, fishing allocations and opportunities, flag State duties, port State duties, cooperative mechanism to detect and deter non-compliance, market-related measures, cooperating non-members and fishing entities, and relationship to non-cooperating non-members.”

As a major fishing player in the ICCAT region, Chinese Taipei shares the observations, concerns, suggestions and recommendations that the Review Panel submits to the ICCAT for its consideration and deliberation. As a long-time non-member of the ICCAT, Chinese Taipei finds that, with its current organizational status as an observer, it cannot positively and actively engage with other Contracting Parties to the ICCAT Convention in a timely and effective manner. While the broad issues that have been identified by the Review Panel need to be addressed by all the ICCAT members, ICCAT is going to have the difficulty of incorporating Chinese Taipei in its deliberation and decision-making as a result of ICCAT’s outdated Basic Texts.

In response to the recommendations made by the Review Panel and with a view to modernizing the existing ICCAT Convention, Chinese Taipei considers that it is time for the ICCAT to amend its Basic Texts so as to bring the ICCAT Convention in line with the latest development of international instruments and best practices of major tuna RFMOs and to improve the effectiveness of the ICCAT as an RFMO. In this conviction, Chinese Taipei suggests that the members of ICCAT take the following measures in their consideration and deliberation on the Report of the Review Panel:

- 1) For the purpose of modernizing the ICCAT Convention, adopting a resolution or recommendation to establish a working group to review the Convention based on the findings of the Review Panel with a view to formulating possible amendments to the Convention and enable the active and equal participation of Chinese Taipei in the work of such working group; and/or;
- 2) Adopting a resolution to allow the active and equal participation of Chinese Taipei in the work of the ICCAT, including decision-making as an interim measure before the ICCAT Convention is amended and brought into line to the latest development of international instruments and the best practices of major tuna RFMOs. Thank you.

3.4 OPENING STATEMENTS BY OBSERVERS FROM INTER-GOVERNMENTAL ORGANIZATIONS

Food and Agriculture Organization of the United Nations (FAO)

FAO is very grateful for the invitation extended by the Secretariat of the International Commission for the Conservation of Atlantic Tunas (ICCAT) to observe its Sixteenth Special Meeting. FAO also wishes to express its gratitude for the warm hospitality provided by the Moroccan authorities. FAO has been keeping a close and effective working relationship with ICCAT and desires to continue such collaboration.

Regional Fisheries Management Organizations (RFMOs) play a unique role in facilitating international cooperation for the conservation and management of fish stocks. RFMOs represent the only realistic means of governing highly migratory fish stocks and those that occur either as straddling or shared stocks between zones of national jurisdiction or between these zones and the high seas, or exclusively on the high seas. Therefore, to

strengthen RFMOs in order to conserve and manage fish stocks more effectively remains the major challenge facing international fisheries governance. The Twenty-seventh Session of the FAO Committee on Fisheries (COFI 27) held in March 2007 in Rome discussed this matter, as a stand-alone Agenda item for the first time in the history of COFI. Many Members requested that FAO continue supporting RFMOs and continue its work on issues of concern such as overcapacity, improvement of fleet statistics and the issues of countries and vessels that undermine the effectiveness of RFMOs. Immediately after the session of COFI, the First Meeting of Regional Fishery Body Secretariats Network (RSN 1) was also held in Rome and reconfirmed the global perception that Regional Fishery Bodies (RFBs) have a significant role to play in implementing the Code of Conduct for Responsible Fisheries.

Many distinguished delegates will be aware that COFI, acknowledging the urgent need for a comprehensive suite of port State measures, agreed to proceed with the development of a legally-binding agreement on port State measures based on the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing and the 2005 FAO Model Scheme on Port State Measures to Combat IUU Fishing. A FAO Expert Consultation to Draft a Legally-binding Instrument on Port State Measures was held in Washington D.C., USA, from 4 to 8 September 2007 and elaborated a draft Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing. This document formed the basis of negotiations at a Technical Consultation on Port State Measures held in Rome from 23 to 27 June 2008. The process is ongoing. A resumed session of the Technical Consultation is scheduled to be held in Rome from 26 to 30 January 2009, where the outcome of an Informal Open-ended Technical Meeting to Review the Annexes of the Draft Legally-Binding Instrument on Port State Measures to Prevent, Deter and Eliminate IUU Fishing, 25-27 November 2008 will also be reviewed. The forthcoming Twenty-eighth Session of COFI (COFI 28) in March 2009 will be informed about progress with the development of the binding instrument.

I would also like to report that an Expert Consultation on the Development of a Comprehensive Global Record of Fishing Vessels was held in Rome from 25 to 28 February 2008. The Expert Consultation strongly endorsed the need for a Global Record of Fishing Vessels and that development should be progressed with urgency. As a result of the recommendations made by the Expert Consultation, a series of interim activities is underway to further consider a variety of technical issues and to promote and raise international and stakeholder awareness about the Record, and to refine its institutional development. The report of the Expert Consultation and the outcome of the interim activities will be presented to COFI 28.

Finally, I also wish to touch upon the High-Level Conference on World Food Security: the Challenges of Climate Change and Bio-energy held in Rome from 3 to 5 June 2008. While the main focus was soaring food prices and food security, it was also the first opportunity for FAO to address the issue on climate changes and fisheries substantially. FAO organized an Expert Workshop on Climate Change Implications for Fisheries and Aquaculture from 7 to 9 April 2008 and presented a technical background document for the Conference. This could be interpreted as “a scoping study” to identify the key issues on climate change as endorsed by COFI 27. It is expected that any potential follow-up action is to be discussed during COFI 28.

ICCAT is one of the world’s leading RFMOs, having a long history and much experience in the sustainable management of fisheries for Atlantic tunas. Therefore, it is highly expected that ICCAT will continue playing a significant role in regional action to secure sustainable and more responsible fisheries management. In this context, as Mr. Chairperson expressed, this meeting may very well be the most important one. FAO fully trusts that this Organization will prove and reconfirm its strong commitment toward further sustainable and responsible tuna fisheries. We are now in the mid of preparation for COFI 28 and the Second Meeting of the Regional Fishery Body Secretariats Network (RSN 2), both scheduled to be held in March 2009, and expect active participation of ICCAT in those meetings as it has done so far.

In conclusion, I would like to convey to the meeting greetings from FAO’s Assistant Director-General for Fisheries and Aquaculture, Mr. Ichiro Nomura. He wishes the meeting every success in its deliberations. Thank you.

3.5 OPENING STATEMENTS BY OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

International Angling Confederation (CIPS)

The International Angling Confederation (CIPS) reviewed various ideas about the management of the bluefin tuna in Mediterranean Sea for the 2009 season.

We would like to inform the stakeholders of ICCAT that national federations or organisms affiliated with our confederation point out important quantities of juveniles (between 10 and 20 kg), in the northern Mediterranean Sea, sometimes near to the coasts (less than 5 miles), something that had not seen for a quite some time.

It seems thus that the measures taken by ICCAT concerning minimum size (30 kg or 115 cm) and the absence of certain fishing nets are beginning to become effective.

Out of concern for the protection and the good management of the resource, it is important to us that the 2009 season is completed by the following measures:

- a) Banning of all types of fishing during the spawning period in the reproduction areas (to define with the scientists);
- b) Complete respect of the minimum size of 30 kg (no bluefin tuna intended for the sale of the public, the shop or the catering, not must be lower than 30 kg or 115 cm);
- c) Obligation not to exceed the quotas allocated by ICCAT, at the risk of sanction going to banning of fishing for the offender;
- d) Intensification of the fight, on national and international level, against any kind of poaching;
- e) Maximum cooperation of countries buyers making a commitment to respect the obligations of the ICCAT.

For its part, the sport fishery is ready to respect the measures listed above, and it will continue to mark the bluefin tuna with tags or markers in order to help the scientists in their research. CIPS is also ready to provide to these and all the data concerned on the catches it makes.

It is recalled that several assessments show that it takes little, i.e., less than 1 to 2% of this species with regard to the catches allocated by ICCAT to the professionals. Thank you.

Greenpeace

In November 2006 in Croatia, one of the main tasks of the Contracting Parties attending the 15th Special Meeting of ICCAT was to adopt a management plan that would guarantee the recovery of one of the most valuable and at the same time threatened tuna populations worldwide: the Northern bluefin tuna.

Failing to raise to the level of their task, the Parties agreed on *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], a plan completely opposite to sound fisheries management and in absolute contradiction to the scientific advice of the SCRS, proving once again that decisions were more often driven by the short term interests of their fishing industries, trading companies and farming business, instead of their responsibility to safeguard the conservation of bluefin tuna.

During the past ten years the bluefin tuna industry, strongly supported by many Governments which are attending this meeting, invested millions of Euros in building both fishing and farming capacity in the Mediterranean. The obvious consequence is that the Eastern Atlantic bluefin tuna population is currently at the worse state ever recorded.

In 2007 in Antalya, Greenpeace presented compelling evidence of non-compliance in the fishery proving that illegal fishing activities were the norm in the region rather than the exception. The SCRS estimate of a catch of 61,000 t of eastern bluefin tuna in the 2007 fishing season, supports Greenpeace's findings. Numerous cases of illegal activities have been documented and exposed again by Greenpeace and others during the 2008 fishing season. The level of disregard of the legal obligations of the Contracting Parties fishing fleets, is made evident in the preliminary report of the EC Fisheries Control Agency which states that in 2008 "*the level of apparent infringements detected in the tugs and the purse seiner fleet has been considerable*" and that "*it has not been a priority of most operators in the fishery to comply with the ICCAT legal requirements.*"

The huge overcapacities in this fishery lead to systematic violations of the rules and there is very little that improvements in control capacity in the region can do to counteract this. The outcomes of the ICCAT Inter-sessional Working Groups on Fishing Capacity are very discouraging, as no substantial progress seems to have been achieved. The report back from the last Working Group suggests that a freeze on capacity in the eastern Atlantic and Mediterranean bluefin tuna fishery is "*a necessary first step*" and recommends an agreement to limit the capacity at the 2007 and 2008 levels. Such a recommendation blatantly ignores the urgency of the

situation. The proposals on the table to deal with the problem of overcapacity simply reinforce the calls for a complete closure of the fishery.

Meanwhile, Governments continue to fail to comply with their more basic responsibilities as signatories to an international convention. Last June 2008 ICCAT scientists were unable to complete their task to provide a new assessment of the bluefin tuna population because basic catch and size information had not been made available to the scientific committee. This resulted in a letter of complaint addressed to the ICCAT Chairman.

Two years under the current bluefin tuna 'non-recovery' plan, the management of this fishery has not improved. Illegal fishing is still rampant and fishing capacity has increased. Calls of concern coming from outside the Commission are mounting. As a result of its very own failure, ICCAT is under rising scrutiny.

The Independent Panel that reviewed ICCAT's performance asked for the closure of the eastern bluefin tuna fishery; "*travesty in fisheries management*" and "*international disgrace*" are very clear messages that delegates attending this meeting cannot choose to ignore.

The 4th Session of the World Conservation Congress, held in Barcelona from 5 to 14 October 2008, adopted a Resolution on "*action for recovery of the East Atlantic and Mediterranean population of Atlantic Bluefin Tuna*". Following "*the dramatic ongoing overfishing*" of bluefin tuna, the Congress asked ICCAT to suspend the fishery -to be resumed only on a country by country basis and conditioned to meeting certain requirements - to establish a new recovery plan based on science, adopt a mandatory fleet reduction scheme and establish closed areas to protect the spawning grounds.

Delegates attending the ICCAT meeting in Marrakech are well aware that both the international community, other RFMOs as well as conventions whose mandate cover the protection of endangered living resources, such as CITES, are anticipating the outcomes of this meeting. This might well be the last chance for ICCAT Contracting Parties to prove they have the political will and determination to ensure a healthy stock and a sustainable bluefin tuna fishery in the future. If ICCAT fails once again to fulfill its mandate other institutions must take over.

Time and tuna are running out. The fishery is totally out of control. For yet two more years, fishing fleets have taken completely unsustainable bluefin tuna catches in 2007 and 2008, from a stock already on the verge of collapse. In light of this failure, and on the basis of the precautionary principle, Greenpeace calls on ICCAT Parties at their meeting in November 2008, to close the northern bluefin tuna fishery. It should not re-open until the species' spawning grounds are closed to fishing, fishing capacity has decreased to sustainable levels, and a new management plan in strict compliance with the scientific advice has been adopted and is being properly enforced. Thank you.

International Game Fish Association (IGFA)

The International Game Fish Association (IGFA) is a non-profit organization that represents recreational anglers throughout the world. IGFA was established in 1939, has active members in 123 countries, is a governing body for international recreational fishing, and provides rules for ethical angling practices. Many of IGFA's members target highly migratory species managed by ICCAT.

IGFA has an International Committee of Representatives in nearly 100 countries that have been chosen for their integrity, fishing knowledge and concern for sportsmanship and conservation. These international representatives report to IGFA on issues affecting our interests and are a primary way that IGFA participates in the international recreational fishing community.

IGFA wishes to express its appreciation to ICCAT for arranging this 16th Special Meeting of the Commission and our gratitude to the city of Marrakech, Morocco, for hosting. We also wish to congratulate the new ICCAT Chairman, Dr. Fabio Hazin, on his appointment of Chairman. We hope that IGFA, as an observer, will be able to contribute to the management policies of the Commission so that our marine resources are managed in a sustainable manner for all users.

IGFA's primary interest in this meeting (as it has been in the past two meetings) is the conservation of bluefin tuna. Not only has this important fishery continued to decline over the past several years, but it has dominated the agenda of ICCAT, subsequently resulting in a lack of adequate attention being given to the other species under ICCAT's control. It is imperative that severe and meaningful actions are taken to stabilize the Atlantic

bluefin tuna populations in a “last ditch” effort to prevent these stocks from totally collapsing. Additionally, it is equally important that the necessary attention be given to other species showing signs of distress, such as bigeye tuna and marlin. No longer can the Contracting Parties sit through data-supported presentations from the Standing Committee on Research and Statistics (SCRS) that provide clear science and direction, and completely ignore them.

IGFA read with great interest the conclusions of the Independent Panel that was assembled to evaluate the performance of ICCAT. The Panel provided much thoughtful advice that could help the Commission more effectively manage our resources. One of the more significant recommendations was “that all fishing for East Atlantic and Mediterranean bluefin tuna be immediately suspended until the Contracting Parties involved in those fisheries, their nationals and companies operating in their waters, agree to fully abide by the rules and recommendations of ICCAT and international fisheries law (...) and further recommends that ICCAT consider an immediate closure of all known bluefin tuna spawning grounds at least during spawning periods.” Our organization strongly agrees with this recommendation. Furthermore, if meaningful changes are not taken our organization would support the initiation of a petition to CITES in an effort to list Atlantic bluefin tuna as a Task I species, and a complete closure on directed and incidental fisheries for Atlantic bluefin tuna.

Other recommendations identified by the Panel that we wholeheartedly support and feel need to be addressed immediately are:

- 1) The Panel is concerned by the lack of data on billfishes and is concerned that ICCAT may still not be able to undertake reliable billfish stock assessments in 2010.
- 2) The Panel recommends that ICCAT CPCs take the issue of recreational and sport fishing seriously and be more inclusive towards the recreational and sport fishing sector in future deliberations of ICCAT regarding fisheries management.
- 3) The Panel strongly recommends that ICCAT, for all fisheries under its purview, immediately discontinue the practice of allowing the carry forward of uncaught allocations in all fisheries.
- 4) ICCAT should investigate and develop a strict penalty regime that either has the capacity to suspend member countries that systematically break ICCAT regulations or can apply significant financial penalties for breaches. These measures need to be severe in the sense that CPCs should clearly understand that they will suffer significant consequences if their actions are in breach of ICCAT rules.

The IGFA believes in fisheries management based on the best available science, and we urge the Commission to adopt and adhere to the recommendations set forth by the SCRS and give full consideration to the recommendations set forth by the Independent Panel. Thank you.

Oceana

Oceana appreciates the opportunity to participate as an observer in this year’s ICCAT Commission meeting in Marrakech, Morocco.

Oceana is an international nongovernmental organization dedicated to conserving the world’s oceans, actively working in Europe and around the globe for the protection of bluefin tuna, sharks and the total elimination of illegal driftnets.

Most large pelagic species like tuna, sharks and swordfish are overfished in the Atlantic Ocean and Mediterranean Sea, due to the extremely high prices their meat and/or fins can reach in markets around the world. East Atlantic bluefin tuna is on the verge of collapse. Scientists recommend a total catch of 15,000 t, but ICCAT contracting parties agreed to almost double this amount. According to calculations from the ICCAT Scientific Committee, total estimated catch in 2007 were 61,000 t, when the agreed TAC was only 29,500. This catch, half of which was illegal, was nearly four times that recommended by scientists.

- Oceana is calling for the total closure of the bluefin tuna fishery until the stock shows signs of recovery, a sustainable fishing management plan has been introduced and the overcapacity of the bluefin fleet is eliminated. Additionally, Oceana asks for the creation of marine reserves in spawning areas, such as the Balearic Islands.

Sharks are currently being caught in the Atlantic Ocean without any management measures. The majority of the species caught are threatened with extinction, according to the IUCN. Their depleted status is due to overfishing and “shark finning”, a practice mainly carried out by Asian fleets in which the high-value fins are sliced off the body which is then dumped back to sea.

- Oceana is calling for the prohibition of targeted fisheries in the Atlantic for all pelagic shark species, except blue shark and shortfin mako. For these two species, which are those of most economic value to the fleets catching them, catch limits must be established if the fisheries are to continue. Regarding the practice of shark finning, the transshipment of fins and carcasses at sea, and their landing in separate harbors, must be prohibited. Instead, a “fins attached” policy must be established, in which fins must be left attached to the body in a natural way until landing.

Oceana urges ICCAT Contracting Parties to seize the opportunity to adopt these management measures to protect and recover the big pelagic fish of the Atlantic and the Mediterranean. We look forward to decisions this week that will turn the tide for the future of these stocks. Thank you.

Ocean Conservancy and PEW

Ocean Conservancy and Pew Charitable Trusts appreciate this opportunity to participate as observers to this year’s annual meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) in the beautiful and richly historic city of Marrakech, Morocco.

Our organizations were among the five founding members of the Shark Alliance, a coalition of conservation, scientific, recreational organizations dedicated to science-based shark conservation that has grown to nearly 60 members since April of 2006.

We are hopeful that ICCAT will this year become the first of the world’s Regional Fishery Management Organizations to restrict catches of highly vulnerable species of sharks.

We support the scientific recommendations for shark conservation action offered by the Standing Committee on Research and Statistics (SCRS) and the expert panel convened by the Lenfest Ocean Program (full report at www.lenfestocean.org). Specifically, we urge ICCAT Parties to protect (through mandatory release and/or prohibition on retention) particularly vulnerable and/or depleted shark species taken in ICCAT fisheries. Of the suite of species recommended for protection by the Lenfest experts, we suggest priority be given to the following species, both of which have high rates of post release survival:

- Porbeagle (*Lamna nasus*) - likely the North Atlantic’s most depleted oceanic shark species, classified by the IUCN (International Union for the Conservation of Nature) as *Threatened* with extinction on a global scale, *Endangered* in the Northwest Atlantic and *Critically Endangered* in the Northeast Atlantic.
- Bigeye thresher (*Alopias superciliosus*) - the species highlighted by the SCRS as the top candidate for protection based on exceptionally high inherent risk of overfishing, ease of identification, and low commercial value; all three species of thresher shark are categorized by IUCN as *Vulnerable*.

In addition, we encourage the adoption of concrete, international restrictions in order to implement the 2007 ICCAT Recommendation to reduce fishing mortality on North Atlantic shortfin mako sharks (*Isurus oxyrinchus*), also classified by IUCN as *Vulnerable*. Lenfest experts have specifically recommended that ICCAT prohibit take of smooth hammerheads (*Sphyrna zygaena*); because IUCN considers great hammerheads (*Sphyrna mokarran*) and scalloped hammerheads (*Sphyrna lewini*) to be *Globally Endangered*, we believe that all three of these hammerhead species warrant protection through ICCAT. Given the intense fishing pressure on blue sharks (*Prionace glauca*) in the face of uncertain status, we support a precautionary cap on catch of this species to be revised safe fishing levels are determined.

Because most sharks grow particularly slowly, mature late, and produce a small number of young, they are generally more susceptible to overexploitation and long-standing depletion than other fish species taken in ICCAT fisheries. International catch restrictions on pelagic sharks are essential for preventing further depletion of these highly migratory and highly vulnerable species.

Based on these factors, we welcome decisive, landmark action by ICCAT to conserve Atlantic sharks, beginning this week with safeguards for porbeagles, threshers, hammerheads and shortfin makos.

We look forward to working with ICCAT Parties in the coming days and hope for progress toward improving the conservation status of Atlantic sharks. Thank you.

World Wide Fund for Nature (WWF)

Bluefin tuna in the Mediterranean has become a symbol of society's failure to manage global fisheries.

In April 2008 WWF released a report quantifying for the first time the fishing overcapacity of industrial fleets targeting the stock in the Mediterranean¹. The study showed that to fit sustainable catch levels the specialized Mediterranean purse seine fleet targeting bluefin tuna should be reduced by a minimum of 283 units (meaning an elimination of 83% of the active fleet). Additionally, the report uncovered that despite this staggering overcapacity, the fleet is growing fast, with new units joining the fishery every year and others still under current construction in Mediterranean shipyards.

The EU's early closure of the purse seine fishery in 2008, as a last resort to avoid a massive overshoot of quotas, was a clear indication of the lack of control exerted by managers over this fishery, plagued as it is with overcapacity, illegal fishing and widespread violation of rules.

Not surprisingly, the assessment of the East Atlantic and Mediterranean bluefin tuna stock carried out by the Scientific Committee of the International Committee for the Conservation of Atlantic Tunas (ICCAT) in June 2008 confirms the risk of collapse now facing the stock, along with an alarming decrease in the spawning part of the population, now estimated to be below 40% the level it was some 30-40 years ago². Also, catches for 2007 are estimated by ICCAT's scientists to have been 61,000 t, more than twice the current total allowable catch (TAC) and some 4 times the estimated maximum sustainable catch level.

In this context, the report of ICCAT's independent performance review of September 2008, commissioned by ICCAT to a panel of three accredited international experts, describes the East Atlantic and Mediterranean bluefin tuna fishery as an "international disgrace" and States that current management measures by no means match scientific advice³. The expert panel recommends that ICCAT immediately suspend fishing, until conditions for sustainable fisheries management improve, as well as aligning management measures with scientific advice, including the closure of all known spawning grounds to fishing.

Further to this, governments and NGOs at the International Union for the Conservation of Nature (IUCN) World Conservation Congress in Barcelona, Spain, October 2008, voted overwhelmingly in favor of a resolution "Action for the Recovery of Eastern Atlantic Bluefin Tuna", calling on ICCAT to close the Mediterranean fishery, as well as advocating a scientifically based recovery plan and protected areas.

WWF therefore calls on ICCAT Contracting Parties attending the 16th Special Meeting of the Commission in Marrakech, Morocco (November 17-24, 2008) to:

- 1) Adopt a temporary suspension of fishing for bluefin tuna in the East Atlantic and Mediterranean. The fishing ban should last until conditions conducive to the meaningful enforcement of management rules are in place.
- 2) Adopt a new recovery plan strictly adhering to scientific advice from ICCAT's Scientific Committee. Therefore the plan must include a TAC within the range of 8,500 and 15,000 t per year, the establishment of bold seasonal closures, including all of May, June and July, and a radical and credible capacity reduction plan. These measures should be implemented as soon as the fishery is reopened after minimum prerequisites for management are met.
- 3) Create sanctuaries for bluefin tuna in the Balearic Sea and other key spawning grounds in Central and eastern Mediterranean.

Therefore, WWF calls for decisive action by ICCAT Contracting Parties in Marrakech, November 2008, to ensure the future of this iconic species and the survival of a millennial fishery. Thank you.

¹ *Race for the Last Bluefin*. WWF, March 2008. www.panda.org/tuna.

² Anon. 2009. Report of the 2008 Atlantic Bluefin Tuna Stock Assessment Session. Collect. Vol. Sci. Pap. ICCAT, 64. *In press*.

³ ICCAT. 2009. Report of the Independent Performance Review of ICCAT.

REPORTS OF INTER-SESSIONAL MEETINGS

4.1 *REPORT OF TUNA RFMO CHAIRS' MEETING (San Francisco, California, USA – February 5 and 6, 2008)*

1. Opening

In accordance with the Course of Actions adopted at the Kobe Meeting of Joint Tuna RFMOs on January 26, 2007, a Tuna RFMO Chairs' Meeting was held on February 5 and 6 in San Francisco, California, USA. The meeting was attended by Officers and Secretariats of the Inter-American Tropical Tuna Commission (IATTC), International Commission for the Conservation of Atlantic Tunas (ICCAT), Indian Ocean Tuna Commission (IOTC), Western and Central Pacific Fisheries Commission (WCPFC) and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), the Chair of the Kobe meeting and a representative from FAO. The meeting was chaired by Mr. Masanori Miyahara. The List of Participants is attached as **Appendix 1 to ANNEX 4.1**.

The meeting was held to “discuss follow-up actions by each tuna RFMO” in response to the Course of Actions. All participants considered this meeting a significant step to continue the important process of communication and coordination across all the tuna RFMOs, which began with the Joint Tuna RFMOs Meeting in Kobe. The participants represented their organization, not their States.

The adopted Agenda is attached as **Appendix 2 to ANNEX 4.1**.

2. Reports of follow-up actions of Kobe meeting

– Reports from RFMOs

The Chair and/or Secretariat from the five tuna RFMOs presented the follow-up actions taken by their respective organization during the past year in response to the Course of Actions. Details of those presentations are available from the Secretariat.

The participants welcomed the progress made regarding the 14 Key Areas and Challenges identified in the Course of Actions. In particular, it was noted that all RFMOs took actions, to varying degrees, to improve data sharing and strengthen monitoring, control and surveillance (MCS) measures mainly efforts to deter illegal, unregulated and unreported (IUU) fishing activities. Further, ICCAT, IOTC and CCSBT reported that they will conduct their performance reviews in 2008. It was reaffirmed that performance reviews should be conducted as soon as possible, according to the particular RFMO situation, recognizing that as a newly formed RFMO the timing may be different for the WCPFC.

While progress was generally viewed as positive, significant concerns were shared among the participants on the slow progress, in some RFMOs, on other issues such as establishment of equitable and transparent allocation procedures, capacity control, and management based on scientific advice. Substantial concerns were expressed regarding the consequences of RFMOs not adopting management measures consistent with the best available scientific advice. Recognizing the potential impact on the stocks, loss of credibility of tuna RFMOs, adverse impacts on markets of the relevant tuna products by private certification and campaign activities, and possible future actions by other international organizations including CITES were other main concerns.

– Technical work

The progress of technical work identified by the Kobe meeting, namely, harmonization and improvement of trade/catch tracking systems, creation of harmonized list of vessels, harmonization of transshipment controls and standardization of stock assessment presentations were reviewed and discussed.

The participants took note of the results of the Technical Working Group on Trade and Catch Documentation Schemes held in Raleigh, North Carolina, USA in July 2007, and they welcomed the adoption of a recommendation by ICCAT in 2007 to implement a catch documentation scheme (CDS) for Atlantic bluefin tuna. It was also recognized that the lists of registered vessels of all RFMOs are now easily accessible from the tuna-org website (www.tuna-org.org) and participants thanked the ICCAT Secretariat for its assistance in this regard. Further, the participants acknowledged that all RFMOs are now using the “Kobe Chart” format for presenting the stock status of resources.

3. Advice for future activities

The participants agreed to present the results of this meeting to all members at their next annual meeting for their consideration, particularly the following suggestions:

a) Consistency of conservation and management measures with scientific advice

Among other things, the participants shared the view that the critical task many of the RFMOs are currently facing is to establish and implement conservation and management measures that are consistent with advice from their scientific bodies, although it was recognized that other factors such as socio-economic impacts should be taken into account in the discussion of the Commission. In addition, it was recognized that challenges exist in converting scientific advice into management action. Based on these discussions, the participants made the following suggestions:

- RFMOs should reaffirm the need to take conservation and management measures based upon the best available scientific advice.
- RFMOs should clearly explain the rationale of their future conservation and management measures in their report to the public, including the reasons for not following scientific advice, if the situation occurs.
- To enhance the consistency between management and science advice, RFMOs should consider possible involvement of political level and/or stakeholders in future meetings.

b) Trade/catch tracking systems

The participants noted that public pressure to supply products from sustainable sources is increasing and shared the view that CDSs are more comprehensive than the current statistical document programs, and therefore can improve the quality and quantity of data available which in turn can strengthen management. It was also recognized that tracking systems for the same species should be established and, where existing, be harmonized around the world, emphasizing the desirability to move toward use of CDSs. Further, given that CDSs cover both domestically and internationally traded products, which was viewed by the participants as a more appropriate balance, products with accurate and completed CDS forms should be assured effective access to markets, particularly since the system is costly to implement. Participants acknowledged, however, that CDSs have some practical problems as well as financial implications that will need to be overcome before implementation for all species or fisheries, and that cost/benefit analyses may be necessary on a case-by-case basis. Particular concerns were expressed regarding implementation of CDSs for fresh products and purse seine products. Nevertheless, the participants encouraged the RFMOs to consider further how to overcome those issues related to CDSs and how to implement them. The participants also encouraged RFMOs to further develop electronic tracking programs and tagging programs. As a specific recommendation for the 2nd Joint Tuna RFMOs Meeting, the participants considered it useful to have a 2nd Technical Working Group meeting in 2009 on those technical problems associated with implementation of CDSs.

c) Harmonized vessel list

The participants also discussed issues concerning the current list of registered vessels of each tuna RFMO. Among the suggested ways to improve the lists of registered vessels was distinguishing between active and non-active vessels within a certain time period (e.g., within the previous year). In addition, participants saw utility in having clear and compatible procedures, including due process, to list and de-list IUU vessels among RFMOs. The participants welcomed an offer from the WCPFC Secretariat to initiate a study of unique identifier

systems for tuna RFMOs taking into account the outcomes of the FAO expert consultation on the subject scheduled in February 2008 and encouraged all the Secretariats to work jointly on this matter.

d) Compliance and MCS

Compliance of members to adopted conservation and management measures was identified as a common problem among RFMOs. A concern was shared among the participants that activities of non-compliant members could undermine compliance efforts by all other members. The participants considered possible options to improve compliance among members including sanctions for non-compliant members and shifting to centralized and integrated MCS measures. The important role of market states and port state measures were also highlighted because any sanctions could be ineffective if the products caught by non-compliant members can easily enter markets. It was also noted that, when considering sanctions, the different capacity levels of members should be taken into consideration. Participants also indicated ample time should be allowed by RFMOs before annual meetings to conduct compliance assessments of members and non-members particularly given the limited amount of time available during annual meetings.

e) Capacity building and assistance

The participants felt strongly that the effective participation of all members, particularly developing country members, is essential for an RFMO to function properly. It was therefore emphasized that capacity building and financial assistance to developing countries for participation in meetings, data collection, implementation of conservation and management measures, human resource training and scientific research are very important and the participants encouraged RFMOs to consider the issue further. The participants considered it important to take a long-term approach, including by institutionalizing capacity building and assistance in the organization, if it is not. Coordination with other organizations such as the Food and Agriculture Organization (FAO) and the World Bank were also considered to be useful.

It was reaffirmed that all the progress made regarding “Key Areas and Challenges” and “Technical Work” shall be reported to the 2nd Joint Tuna RFMOs Meeting to be held in Europe in 2009, preferably before the next FAO Committee on Fisheries (COFI) meeting, in accordance with the Course of Actions. The participants called upon each RFMO to continue to take steps to address the issues identified in the Kobe Course of Actions in the coming year.

The Secretariats were requested to circulate the report of the Meeting to their members and cooperating non-members. It was also confirmed that the report will be posted on the tuna-org website.

4. Other matters

No other matters were discussed.

5. Closing

The participants thanked the Government of the United States for the arrangement of the meeting.

The meeting was closed on February 6, 2008. The report of the Tuna RFMO Chairs’ Meeting was adopted by correspondence.

List of Participants

| <i>Name</i> | <i>Affiliation</i> |
|--------------------|--|
| Mario Aguilar | Comision Nacional de Acuacultura y Pesca, Mexico |
| Guillermo Compean | Director, Inter-American Tropical Tunas Commission (IATTC) |
| Kelly Denit | NOAA Fisheries Service, United States |
| Fabio Hazin | Secretaria Especial de Aquicultura e Pesca, Brazil |
| Neil Hermes | Executive Secretary, Commission for the Conservation of Southern Bluefin Tuna (CCSBT) |
| Arthur Hore | Ministry of Fisheries, New Zealand |
| Jim Jones | Department of Fisheries and Oceans, Canada |
| Sylvie LaPointe | Department of Fisheries and Oceans, Canada |
| Driss Meski | Executive Secretary, International Commission for the Conservation of Atlantic Tunas (ICCAT) |
| Masanori Miyahara | Fisheries Agency of Japan |
| Shuya Nakatsuka | Fisheries Agency of Japan |
| Rondolph Payet | Indian Ocean Tuna Commission (IOTC) |
| Christopher Rogers | NOAA Fisheries Service, United States |
| Sachiko Tsuji | Food & Agriculture Organization (FAO) |
| Andrew Wright | Executive Secretary, Western and Central Pacific Fisheries Commission (WCPFC) |

Appendix 2 to ANNEX 4.1

Agenda

1. Opening, adoption of Agenda, meeting arrangements
2. Reports of follow-up actions of Kobe meeting
 - IATTC
 - ICCAT
 - IOTC
 - WCPFC
 - CCSBT
 - Technical Work (stocktaking)
 - Harmonization and improvement of trade/catch tracking systems (Mr. M. Miyahara)
 - Creation of harmonized list of vessels (RFMO Secretariats)
 - Harmonization of transshipment control (RFMO Secretariats)
 - Standardization of stock presentation (RFMO scientific chairs)
3. Advice for future activities
4. Other matters
5. Closing

4.2 REPORT OF THE MEETING OF MANAGERS AND STAKEHOLDERS IN ATLANTIC BLUEFIN TUNA (Tokyo, Japan – March 26-27, 2008)

1. Opening of the meeting

The meeting of Managers and Stakeholders in Atlantic Bluefin tuna (MASB) was opened on March 26, 2008 by Mr. Fabio Hazin, ICCAT Chairman, who gave the floor to Mr. Masanori Miyahara, ICCAT Head Delegate for Japan. In his opening speech, Mr. Miyahara welcomed the participants on behalf of the Government of Japan. He then underlined that it was a first attempt for ICCAT to invite all Atlantic bluefin tuna managers and stakeholders to exchange their views. He hoped that the meeting would enhance conservation and management measures and promote compliance measures.

Mr. Hazin then intervened to remind participants that although this was not formally an ICCAT meeting it was an important meeting for ICCAT given that the future of bluefin tuna was at stake. He also expressed his concern about the very serious situation of the bluefin tuna stock and thereof invited participants to present concrete proposals for the recovery of the bluefin tuna stocks.

The opening addresses of Mr. Miyahara and Mr. Hazin are attached as **Appendices 3 and 4 to ANNEX 4.2**.

2. Election of the Chair

Mr. John Spencer, ICCAT Head Delegate for the European Community (EC), proposed that Mr. Miyahara be nominated as Chair. Mr. Jim Jones, ICCAT Head Delegate for Canada, seconded the nomination. Mr. Miyahara was elected as Chair.

3. Nomination of Rapporteur

The ICCAT Secretariat was designated as Rapporteur of the meeting.

4. Adoption of the Agenda and meeting arrangements

The Agenda was adopted without change and is attached as **Appendix 1 to ANNEX 4.2**.

The List of Participants is attached as **Appendix 2 to ANNEX 4.2**.

5. Current conditions of the Atlantic bluefin tuna resource

Dr. Gerald Scott, SCRS Chairman, gave a PowerPoint presentation entitled “Current Conditions of the Atlantic Bluefin Tuna Resource” (available at the Secretariat). Among other issues, such as fishing effort, Dr. Scott emphasized the problems of under reporting and misreporting. He concluded his presentation by considering two possible scenarios: a high risk of fishery and stock collapse or the need for adjustments in 2008 in the current recovery plan given that the current assessment is based on 2004 data.

6. Overview of relevant ICCAT conservation and management measures

Mr. Driss Meski, ICCAT Executive Secretary, presented an overview of the current conservation and management measures for eastern Atlantic bluefin tuna (attached as **Appendix 5 to ANNEX 4.2**) He underlined the need for Contracting Parties to fulfill their reporting requirements.

Some stakeholders intervened to consider that not only catches should be limited but also fishing capacity and therefore a capacity plan should be envisaged to reduce overfishing. Other participants stated that Contracting Parties should be in compliance with ICCAT Recommendations and that IUU activities should be curbed.

7. Current application of ICCAT measures to the chain of bluefin tuna activities

Mr. Aronne Spezzani, EC Delegation, presented the current legislation for the conservation and management of bluefin tuna within the European Community as well as the implementation and the monitoring of the multi-annual recovery plan for bluefin tuna at the EC level. Mr. Spezzani's presentation is available at the Secretariat.

8. Examination of the chain of bluefin tuna activities from catch to farming/fattening and to markets

Mr. Shingo Ota, Deputy Director at the Far Seas Fisheries Division of the Fisheries Agency of Japan, made a presentation on how the ICCAT Bluefin Tuna Catch Documentation Scheme (CDS) is implemented (available at the Secretariat). Mr. Ota underlined that the difference between this scheme and the Statistical Document Program (SDP) was that the CDS would track the movements from catch to market while the previous document only monitored imports and exports. He also explained that further to validation by the flag State, each CPC should send a copy of the CDS to the CPC concerned and to the ICCAT Secretariat.

In relation to the *Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area* [Rec. 07-08], a discussion was launched on the implementation of VMS since one Contracting Party informed the participants that its Fishing Monitoring Centre (FMC) would not be operational before end of 2008. The Chair recalled that VMS was mandatory and that it was a flag State responsibility to implement it.

9. Consideration of joint voluntary actions to reduce total fishing, caging and imports to the level of TAC

Within the context of fishing opportunities versus fishing and farming capacities, Mr. Miyahara invited the participants to consider how capacity could be reduced on a voluntary basis.

Mr. Ota (Japan) informed the participants that Japan had adjusted its capacity according to its quota allocation.

Mr. Spencer (EC) acknowledged the problem of overcapacity and considered that the fleets should be restructured. Therefore, he considered that ICCAT should its further work on capacity issues.

Mr. Hazin (Brazil) indicated it was too restrictive to link the control of catches only to capacity, but that capacity management could be a useful additional tool. He also considered that ICCAT should work in a more systematic way in the Compliance Committee, and that this would be done in the future.

Mr. Chris Rogers, Chair of the ICCAT Compliance Committee, intervened to express that, even with different means, managers and stakeholders should share the same objectives: enhancing compliance, reducing capacities and curbing IUU.

Mr. Miyahara proposed to draft a joint statement pointing out the need to ensure compliance with ICCAT conservation and management measures and to adjust or strengthen the bluefin tuna recovery plan on the basis of a SCRS review to be presented at the Special Meeting of the Commission in 2008. During the discussion, managers and stakeholders agreed to complete the joint statement by adding, among others, references to the need to manage fishing capacity and fishing effort, to implement the CDS in 2008 and to combat IUU.

The Joint Statement on Sustainable Use of the Eastern Atlantic Bluefin Tuna Resource is attached as **Appendix 6 to ANNEX 4.2**.

10. Possible actions to be taken in the research into and application of stock breeding techniques

Dr. Shukei Masuma from the Fisheries Research Agency National Center for Stock Enhancement presented his research on the status of northern bluefin tuna brood stock management, breeding, and fingerling production in Japan.

This presentation was followed by an intervention by Mr. Antonio Belmonte (EC), who presented a European research project and outlined the role of Spanish farms in current research on bluefin tuna.

While it was recognized that such research should be encouraged and may help to reduce fishing pressure on Atlantic bluefin, this would take some considerable time and should not substitute control and management in the short term.

11. Other matters

No other matters were discussed.

12. Adoption of the report

The report was adopted by correspondence.

13. Adjournment

Participants intervened to thank the Government of Japan for hosting the first meeting involving the stakeholders. They expressed the need to convene similar meetings in the future in order to promote better dialogue between managers and stakeholders.

The meeting was adjourned on March 27, 2008.

Appendix 1 to ANNEX 4.2

Agenda

1. Opening of the meeting
2. Election of Chair
3. Nomination of rapporteur
4. Adoption of agenda and meeting arrangements
5. Current condition of the Atlantic bluefin tuna resource (presentation by SCRS Chair)
6. Overview of relevant ICCAT conservation and management measures (presentation by Executive Secretary)
7. Current application of ICCAT measures to the chain of bluefin tuna activities
8. Examination of the chain of bluefin tuna activities from catch to farming/fattening, and to markets
9. Consideration of joint voluntary actions to reduce total fishing, caging and imports to the level of TAC
10. Possible actions to be taken in the research into and application of stock breeding techniques
11. Other matters
12. Adoption of Report
13. Adjournment

Appendix 2 to ANNEX 4.2

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Appendix 3 to ANNEX 4.2

**Opening Address by Mr. Masanori Miyahara,
Meeting Chairman and Head Delegate of Japan to ICCAT**

I wish to thank everyone, especially those who have traveled all the way to Tokyo. On behalf of the host country, let me make some brief welcome remarks at the opening of the Meeting of Managers and Stakeholders in Atlantic Bluefin Tuna Fisheries.

First of all, I would like to express my sincere appreciation to the ICCAT Secretariat for its strenuous efforts in organizing this meeting. As you are aware, this Meeting is the first attempt for ICCAT to invite the stakeholders of all the sectors involved in Atlantic bluefin tuna fisheries to exchange their views.

The 2007 Commission meeting in Antalya, Turkey, was a tough meeting. The major part of the meeting was devoted to consideration of Atlantic bluefin related measures and probably almost every participant felt great frustration in the meeting. Positions varied extremely with delegations. But the Commission finally produced significant outcomes while no one was 100% satisfied. One of those outcomes is the Bluefin Catch Documentation Program, which is the first CDS to be applied to a major tuna fishery. Another one is this meeting, the first opportunity to have managers and stakeholders of all the sectors of Atlantic bluefin tuna business in one meeting. I strongly hope that this meeting will serve as an important step to enhance understanding of the people involved on both bluefin tuna stock conditions and the relevant conservation and management measures, including CDS. I also strongly hope that such understanding will promote compliance with those measures as well as readiness for the next Commission meeting, where the measures will be reviewed to ensure the future sustainability of Atlantic bluefin resources.

In closing, I do hope you enjoy the stay in Tokyo. Cherry blossom just came into bloom this week. And this part of Tokyo is famous for good dining places.

With a cordial hope that it would be a fruitful meeting for all of you, I close my opening remarks. Thank you very much.

Appendix 4 to ANNEX 4.2

Opening Address by Mr. Fabio Hazin, Commission Chairman

First of all, let me thank Miyahara-San very much for hosting this meeting in the beautiful and ancient city of Tokyo. For me, it is a particular pleasure to be here, since I have lived in Tokyo for six years, from 1988 to 1994, during my Masters and my PhD, at the Tokyo University of Fisheries. It is also particularly fortunate that the meeting fell exactly in the same week when the cherries are blossoming, a coincidence I hope is a good omen for a very fruitful and successful event. Although this is not formally an ICCAT Meeting, since it is a meeting of managers and stakeholders of the bluefin tuna chain, it is certainly the most important meeting for the Commission this year. The stock of bluefin tuna, by far the most valued tuna species, has been so heavily

overfished in recent times that its collapse has become a very serious and threatening possibility. The Commission's inability to halt the decline of the bluefin tuna stocks for the past years has seriously jeopardized its credibility, raising grave concerns about its actual competence to manage the tuna stocks under its mandate. Very clearly, ICCAT is at a crossroads right now, with its future dangerously at stake. The future of the bluefin tuna fishery and, along with it, the future of ICCAT itself, will pretty much depend on the decisions we make now. The good news is that we still can reverse the present situation. We still can show that ICCAT is capable of properly managing the bluefin tuna stock that we are able to ensure that the total catches are efficiently controlled and limited to levels that will safely enable the stocks to rebuild over time. The 2008 fishing season is still to begin, which makes this meeting particularly timely. Besides, in about three months a new assessment of the bluefin tuna stocks will be available. And later on, in November, during the 16th Special Meeting of the Commission, the progress achieved on the implementation of the multi-annual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean will be also assessed. By then, bold and courageous decisions will most likely be needed, in order to save such an important fishery resource. Above all, we must assure that the scientific advice will be strictly observed. We have to face it: if we wait until tomorrow, there will be no tomorrow for this fishery. The time to act is now. This year is, quite likely, our last chance to make it work. If we fail, the management of the bluefin tuna fishery will surely be taken out of our hands. If we don't prove that we can do it, then other organizations such as CITES will take over. As you are fully aware, in some ways this is already happening, since many major retailers are beginning to boycott bluefin tuna products.

Times of crisis, nevertheless, are always times of opportunities, and the present meeting might be a very good example of that. As we stated in the circular, it has been motivated primarily by the desire of ICCAT members to involve the stakeholders more actively in the deliberations concerning this key resource. Therefore, for this meeting to be successful it is essential that you all not only express your views on the issues related to the bluefin tuna fishery, but, and much more importantly, make concrete proposals that can help to ensure full compliance with the ultimate objective of recovering the bluefin tuna stocks, an objective that will surely elude us, unless each and every one of those involved in this fishery, from the fisherman to the government officers, get fully committed to its achievement. ICCAT does have successful stories of stock recoveries. Let's work together to make sure that the bluefin tuna will soon become another one. The choice is in our hands. I do hope we choose wisely. Thank you.

Appendix 5 to ANNEX 4.2

ICCAT Management of Atlantic Bluefin Tuna

Introduction

The International Commission for the Conservation of Atlantic Tunas (ICCAT), established in 1966 in response to the activity of newly developed fisheries in the Atlantic Ocean with the objective of maintaining the populations of tuna and tuna-like species at levels which will permit the maximum sustainable catch for food and other purposes has, over the years, adopted sixty-four measures pertaining directly to Atlantic bluefin tuna, constituting over 22 percent of all measures adopted. This figure does not include the innumerable measures in relation to general monitoring, control and the elimination of illegal, unreported and unregulated (IUU) fisheries which stemmed from concerns over this species. Following the entry into force of the measures adopted in 2007, which is expected in June 2008, there will be ten measures in effect specifically for bluefin tuna - 3 Resolutions and 7 Recommendations -, embracing conservation and management, monitoring and control and scientific research. A brief history of the measures adopted to date and an outline of current requirements of the measures in force is herewith presented, without taking into account any other considerations.

Background

The background to the concerns and unease which led to the holding of the Symposium of the Commission for Technical Cooperation in Africa (CCTA) on Tuna in Dakar, 12-17 December 1960 is well explained in other literature, (for example, in ICCAT, 2008)¹, and stemmed largely from the introduction of commercial longliners and purse seines which began to operate all year round fisheries with catches of tuna of all sizes. This led to a significant increase in the catches of tuna and tuna-like species in African waters, and it was therefore recognized that the increase in bluefin tuna catches could pose a serious threat to the traditional Mediterranean

¹ICCAT, 2008. 40th Anniversary Commemorate Publication. Presentation by A. Fonteneau on the "Scientific and Historical Summary of ICCAT".

trap fishery. The Symposium recommended that the Commission for Technical Cooperation in Africa/Scientific Council for Africa take the initiative, either directly or through its member governments, to request the relevant Specialized Agency of the United Nations to convene a conference of Plenipotentiaries bringing together all countries involved in bluefin tuna fisheries, with a view to creating an appropriate organization modelled on the I-ATTC. The need for creating such an organization was endorsed at the World Scientific Meeting on the Biology of Tunas held in 1962 in La Jolla, USA, under the auspices of the FAO.

Following various meetings at different levels within the FAO, the creation of a Commission responsible for the conservation of Atlantic tuna was agreed. This gave rise to the Rio de Janeiro Conference in 1996 and the entry into force of the ICCAT Convention in 1969.

Figure 1 shows the evolution of catches of bluefin tuna between 1950 and 2006 by gear, but as can be seen from **Figure 2** the catches of bluefin tuna represent only 7% of the total catches of all species combined over the period 1950-2006, but taking into account the sudden increase in catches, several studies were undertaken.

At first, several expert meetings were held to respond to the concerns and to carry out stock assessments, and it was agreed that the landing of fish less than 10kg should be discouraged.

At the first meeting of the Commission held in December 1969, no management measures were adopted at that time, due to uncertain data and insufficient information. At the second meeting of the Standing Committee on Research and Statistics (SCRS), bluefin tuna was discussed, and the scientists concurred at that time with the view that capture of fish less than 9.8 kg could cause a loss in sustained yield, but that further study was needed before minimum size limits could be established.

First steps

In 1971, the Sub-Committee on Stock Assessment recommended a minimum size limit for bluefin tuna; the need for a statistical reporting system providing the Commission with much more up-to date information on catches, and noted that the “the striking feature of the fisheries on large tuna has been the very sharp decline in catches since about 1960”.² In 1972, the SCRS identified bluefin tuna as one of the three major species requiring study, while the Commission agreed that no decision on regulation of the fisheries could be made due to lack of concrete evidence.

The first Recommendation adopted by the Commission on bluefin tuna was the 1974 *Recommendation by ICCAT Concerning a Limit on Bluefin Tuna Size and Fishing Mortality* [Rec. 74-01], establishing a minimum size of 6.4kg for bluefin tuna and requiring Contracting Parties to take necessary measures to limit the fishing mortality of bluefin tuna to recent levels. This Recommendation was effective for the entire Atlantic Ocean.

Atlantic bluefin tuna was originally considered a single stock (SCRS Report 1973, p. 96), although there was recognition that there could be more than one stock. This was first discussed in depth by SCRS in 1976, and the two-stock hypothesis put forward to Commission for consideration in 1978. It was adopted in 1981 by majority vote through the *Recommendation by ICCAT on Bluefin Management Measures* [Rec. 81-01], as shown in **Figure 3**.

ICCAT measures taken for the West Atlantic

While some of the initial concerns which had led to the creation of ICCAT stemmed from the eastern Atlantic, it was the western stock on which management measures were first concentrated, where longline and purse seine catches had increased from around 100 t each in the late 1950s to 12,000 t and 5,000t respectively in 1964, as can be seen in **Figure 4**.

The 1981 Recommendation [Rec. 81-01] set out specific requirements for the western Atlantic bluefin stock, including a total allowable catch limit, and continuing the 1974 size limit of 6.4 kg for all bluefin tuna.

New Regulations for the Atlantic Bluefin Tuna Catch [1983] [Rec. 82-01], pertaining again mainly to the western Atlantic stock were adopted in 1982, and were continued, with gradual refinements, up to 1986, by which time

² ICCAT, 1972. Report for the Biennial Period 1970-1971, Part 3 (1971), p. 95.

the measures included a closure of the fishery during the spawning season in the Gulf of Mexico and additional requirements in relation to minimum size. This measure was extended annually by the Commission until 1990.

In 1991, the Commission adopted the *Recommendation by ICCAT for the Enhancement of the Current Management of Western Atlantic Bluefin Tuna* [Rec. 91-01], which specified the individual catch limits in the body of the text for the first time. Prior to that, the TAC had been distributed in accordance with an arrangement agreed at an inter-sessional meeting by the parties involved in the fisheries (*Record of the Meeting on the Western Atlantic Bluefin Management Measures* (ICCAT 1982³). Similar allocations were made through the *Recommendations for the 1992-1993 Management of Western Atlantic Bluefin Tuna* [Rec. 92-04], which in fact extended the allocations up to 1994, although these were revised upwards through the *Recommendation by ICCAT on the Management of Bluefin Tuna Fishing in the Western Atlantic* [Rec. 93-05], in accordance with the conclusions of the Management Review Committee for West Atlantic Bluefin Tuna⁴ held in Tokyo, Japan 1992. It was also agreed during the meeting of this Committee that the three main harvesters of western bluefin tuna would require their fishermen to proceed to tag all Atlantic bluefin tuna harvested and available for sale and implement a system whereby import of all bluefin tuna be accompanied by a certificate of origin (see Statistical Document Programme below).

Recommendation by ICCAT for the Management of Bluefin Tuna Fishing in the Western Atlantic Ocean [Rec. 94-12] set individual quotas for west Atlantic bluefin tuna, which continued, with an increase in the TAC of 300 t, through the *Recommendation by ICCAT to Establish a Scientific Monitoring Quota For Bluefin Tuna in the Western Atlantic for 1997-1998* [Rec. 96-04].

In 1998, recognising that the western stock of bluefin tuna was over-exploited, the Commission adopted a twenty year rebuilding plan through the *Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna* [Rec. 98-07], modified in 2002, 2003, 2004 and 2006 (*Recommendation by ICCAT Concerning Conservation of Western Atlantic Bluefin Tuna* [Rec. 02-07]; *Recommendation by ICCAT Concerning the Stock Assessment Schedule for Western Atlantic Bluefin Tuna* [Rec. 03-08]); *Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna rebuilding Program and the Conservation and Management Measures for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 04-05] and the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 06-06]). This plan set a TAC, modifiable in accordance with scientific advice, a closed area during the spawning season in the Gulf of Mexico and a sharing arrangement based on percentage shares of the TAC.

Measures for western bluefin tuna have been in place for over twenty-five years, and the rebuilding plan for ten years, and in recent years, catches have been well below the TAC in a consistent manner for the first time, (**Figure 5**).

ICCAT measures taken for the East Atlantic and Mediterranean

Following the adoption of the existence of two stocks, the SCRS expressed grave concern that basic information on catch and size composition is not available, and warned that without such information the Committee may not be able to provide advice to the Commission.

In 1992, at the Conference of the Parties to the Convention on Trade in Endangered Species (CITES), the Government of Sweden proposed the inclusion of western Atlantic bluefin in Appendix I and eastern Atlantic bluefin in Appendix II of the CITES Convention. The ICCAT Secretariat, in collaboration with various scientists, prepared two pamphlets to explain the Commission's position and actions to date concerning bluefin tuna, contributing to Sweden's decision to withdraw its proposal. In 1993, the Commission sent additional information to CITES in response to the discussions at the Fifth Meeting of the Conference of the [CITES] Parties, and adopted a *Resolution by ICCAT on Cooperation with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)* [Res. 93-08], and the *Resolution by ICCAT Concerning the Composition of the Delegates of ICCAT Contracting Parties to ICCAT* [Res. 93-09], and in 1994, submitted a *Report by the International Commission for the Conservation of Atlantic Tunas (ICCAT) on the Status of the Bluefin Tuna Populations and on Related Conservation Initiatives in the Atlantic*⁵.

³ ICCAT, 1982. Record of the Meeting on the Western Atlantic Bluefin Management Measures.

⁴ ICCAT, 1993. Report for the Biennial Period 1992-1993, Part I (1992), pp. 71-77.

⁵ ICCAT, 1994. Report for the biennial period 1992-1993, Part II (1993), pp159-166.

The increase in catch levels, coupled with the concerns over eastern bluefin tuna expressed by CITES, led to the consideration of management measures for this stock in the early 1990s. The first measure specifically for the eastern Atlantic, the *Recommendation by ICCAT on Supplemental Regulatory Measures for the Management of Eastern Atlantic Bluefin Tuna* [Rec. 93-07] was adopted in 1993, and established a closed season for longline fishery in the Mediterranean. In the same year, the Commission adopted the *Recommendation by ICCAT on the Management of Bluefin Tuna Fishing in the Central North Atlantic Ocean* [Rec. 93-06], limiting catches in this area. This limitation has been continued, with minor modifications, through the *Resolution by ICCAT on fishing for bluefin tuna in the Atlantic Ocean* [Res. 02-12] and the *Supplemental Resolution by ICCAT on fishing for bluefin tuna in the Atlantic Ocean* [Res. 04-08], and the *Resolution by ICCAT on Fishing Bluefin Tuna in the Atlantic Ocean* [Res. 6-08].

In 1994, the *Recommendation by ICCAT for the Management of Bluefin Tuna Fishing in the Eastern Atlantic Ocean and Mediterranean Sea* [Rec. 94-11] limited catches in the east by recommending measures to prevent any increase in the fishing mortality rate for the years 1995 and beyond; measures to prevent any catch by vessels under their jurisdiction in 1995 in excess of the level of catch in 1993 or 1994 (whichever the higher); starting in 1996, measures to reduce by 25% (or such lower amount which may be specified by the SCRS) their catches from the catch level specified above, such reduction to be accomplished by the end of 1998; and cooperation in the development, by 1998, of a long-term recovery plan for bluefin tuna in the eastern Atlantic and the Mediterranean. Recognising some unusually high catch reports for 1994, the *Recommendation by ICCAT on Supplemental Management Measures for Eastern Atlantic Bluefin Tuna* [Rec. 95-05] was adopted in 1995 to prevent significant increases in catches over the level of recent years. **Figure 6** shows the total East Atlantic and Mediterranean bluefin catches, 1950-2006.

Despite the 1994 Recommendation calling for a long-term recovery plan, management measures for eastern Atlantic bluefin tuna continued to be taken through a piecemeal approach until 2002. In 1996, retaining on board, landing or sale of age 0 fish was prohibited through the *Recommendation by ICCAT Concerning Age 0 Bluefin Tuna* [Rec. 96-03], and this prohibition was extended to fish less than 3.2 kg in 1998 through the *Recommendation by ICCAT amending the "Recommendation on Bluefin Catch Limits in the Eastern Atlantic Ocean and Mediterranean Sea" and the "Recommendation by ICCAT on Supplemental Management Measures Concerning Age 0 Bluefin Tuna"* [Rec. 98-04].

The *Recommendation by ICCAT on the Limitation of Catches of Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 98-05], to which two Contracting Parties lodged an objection, set individual catch limits for eastern Atlantic and Mediterranean bluefin tuna for the first time, and closed seasons were introduced by the *Recommendation by ICCAT Concerning the Changes of Closed Season for the Purse Seine Fishery for Bluefin Tuna in the Mediterranean Sea* [Rec. 98-06].

Recommendation by ICCAT Concerning Bluefin Tuna Catch Limits in the East Atlantic and Mediterranean [Rec. 00-09] set the total allowable catch and individual allocations for the years 2000 and 2001. As consensus could not be reached no measures were taken for 2002, and the proposed measures were submitted to vote, but given that there was no quorum, voting could not be held.

A more comprehensive approach to the various aspects of management was taken in 2002 through the *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-08], although some aspects were adopted separately through the *Recommendation by ICCAT to Develop a Plan Aimed at Reducing the Catches of Juvenile Bluefin Tuna in the Mediterranean* [Rec. 02-09] and changes to the minimum size limits were introduced through the *Recommendation by ICCAT on Bluefin Tuna Size Limit* [Rec. 04-07].

Following the SCRS in 2006 assessment of this stock, the Commission adopted a plan the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05]. The entry into force of this Recommendation, the first year of the programme, has not prevented an increase in catches in and the permissible TAC being exceeded (see **Figure 7**). For this reason the *Recommendation by ICCAT in Regard to Compliance with the Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 07-04], instituting a pay-back plan for the over-harvest was adopted in 2007.

Farming

In view of the rapid development of the practice of bluefin tuna farming, mainly in the Mediterranean the Commission began to consider the need for specific measures to regulate this activity. **Figure 8** shows the increase in catches taken by purse seiners, the activities of which are directly linked to the farming of bluefin tuna.

In 2000 a *Resolution by ICCAT on Bluefin Tuna Farming* [Res. 00-10] was adopted and in 2002 a *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 02-10]. Since then, revised versions of this Recommendation have been adopted each year (*Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 03-09]; *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 04-06]; *Recommendation by ICCAT to Amend the Recommendation on Bluefin Tuna Farming [Rec.04-06]* [Rec. 05-04] and the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07]. The combination of the measures taken to regulate farming activities and the recovery of the stock, as well as the Catch Documentation Scheme will allow quantities caught and traded to be monitored.

Figure 9 which shows the amount of Mediterranean bluefin tuna destined for farming purposes, estimated from converted trade data, compared with total reported bluefin catches (Task I), indicating that the proportion of Mediterranean bluefin tuna to farming has reached practically the totality of all reported catches, and 74% of the total TAC for the eastern stock in 2006.

Statistical Document Program and unreported catches

With the aim of countering possible unreported catches, particularly by non-Contracting Parties, and the uncertainty in statistical data needed for reliable stock assessments, the Commission adopted a *Resolution Concerning Catches of Bluefin Tuna by non-Contracting Parties* [Res. 91-02] which paved the way for the creation of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) in 1992.

At the second meeting of the Management Review Committee for West Atlantic Bluefin Tuna (September 1992), the parties developed an outline for a Certificate of Origin Program for Bluefin Tuna, based on the deliberations and recommendations of the ICCAT Working Group to Develop Technical Details for the Implementation of the ICCAT Resolution on Catches by non-Contracting Parties (Tokyo, May 1992). Japanese trade data available at that time indicated that approximately 3,000 t of bluefin tuna was imported into Japan in 1991 from non-Contracting Parties.

The Program was presented to the Commission in 1992 and led to the adoption of *Recommendation by ICCAT Concerning the ICCAT Bluefin Tuna Statistical Document Program* [Rec. 92-01], which required all imported bluefin tuna to be accompanied by an ICCAT Statistical Document, with the double aim of estimating the real level of catches and reducing catches taken in a manner which could undermine the ICCAT conservation and management measures. The Statistical Document Program was developed over several years through the adoption of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document* [Res. 93-02]; *Recommendation by ICCAT Concerning the Implementation of the ICCAT Bluefin Tuna Statistical Document Program on Fresh Products* [Rec. 93-03]; *Resolution by ICCAT on Interpretation and Application of the ICCAT Bluefin Tuna Statistical Document Program* [Res. 94-04]; *Resolution by ICCAT Concerning the Effective Implementation of the ICCAT Bluefin Tuna Statistical Document Program* [Res. 94-05]; *Recommendation by ICCAT on the Validation of Bluefin Statistical Documents Between ICCAT Contracting Parties Which are Members of the European Community* [Rec. 96-10]; *Recommendation by ICCAT Concerning the Implementation of the ICCAT Bluefin Tuna Statistical Document Program on Re-export* [Rec. 97-04]; *Recommendation by ICCAT on Validation of the Bluefin Tuna Statistical Document by the European Community* [Rec. 98-12]; and the *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* [Rec. 03-19], resulting in a complicated set of measures which did not facilitate its effective interpretation and implementation. Notwithstanding, the Program has been a valuable tool in identifying illegal, unreported and unregulated (IUU) fishing activities, and the elimination of a considerable amount of IUU fishing. The data compiled from the Bluefin Statistical Document Program were compared with the reported catch statistics, and considerable differences were found, leading to the *Recommendation by ICCAT Concerning Unreported Catches of Bluefin Tuna, Including Catches*

Classified as Not Elsewhere Included (NEI) [Rec. 97-03], which was later followed up by the PWG with a variety of measures aimed at eliminating this practice to the extent possible.

Catch Document Scheme

While the Bluefin Tuna Statistical Document Program has been a useful tool in detecting unreported catches, it has two major limitations: (1) domestic consumption of bluefin tuna cannot be detected, and (2) quantities of tuna caged for farming purposes cannot be adequately determined.

In order to overcome the shortcomings of the Bluefin Statistical Document Program, and with a view to strengthening the conservation and management measures in force for Atlantic bluefin tuna in 2007 and the measures taken to control bluefin tuna farming, the Commission adopted the *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10]. The objective of this scheme is to ensure the reporting of all catches, whether they are destined for export, domestic consumption or farming purposes. This scheme will help to determine the level, if any, of unreported catches and can be used in the future to introduce greater certainty in statistical data and stock assessments.

Scientific research

In addition to the conservation and management measures adopted for the two Atlantic bluefin tuna stocks, the Commission has remained aware of the need for further research on this species and has adopted several measures specifically covering aspects of research required. Many of these have been aimed at improving knowledge to ascertain possible mixing and relevant boundary of the two-stocks, and additional statistical and scientific elements required to assure sound management advice. These measures include:

Resolution by ICCAT for Atlantic Bluefin Tuna Recovery Programs [Res. 95-4]; *Resolution by ICCAT for the Development of Additional Recovery Scenarios for Atlantic Bluefin Tuna* [Res. 97-16]; *Recommendation by ICCAT on Bluefin Tuna Research in the Central North Atlantic Ocean* [Rec. 0-08]; *Resolution by ICCAT for SCRS to Examine the Effects of Mixing for Stock Assessments and Management and Consider the Appropriateness of the Current Boundary Between the Western and Eastern Management Units for Atlantic Bluefin Tuna* [Res. 00-11]; *Resolution by ICCAT on Conversion Factors for Bluefin Tuna from Product Weight to Live Weight* [Res. 00-12]; *Supplemental Recommendation by ICCAT on Bluefin Tuna Research in the Central North Atlantic Ocean* [Rec. 01-08]; *Resolution by ICCAT Regarding the SCRS Mixing Report on Atlantic Bluefin Tuna* [Res. 01-09]. It should be noted, however, that many of the conservation and management measures cited in earlier sections of this report contain provisions relating to research and tasks assigned to the SCRS.

The Bluefin Year Program was established in 1992-1997 through informal coordination of national research activities. Since 1997, this program has been financed through the regular budget of the Commission. The aims of the Program are to improve general biological information and statistical fisheries data on bluefin tuna. This Program is ongoing and part of the 2008 funding has been used to partially fund the *World Symposium for the Study on the Decline of Bluefin Tuna in Historic Periods*, to be held in April 2008.

Current reporting requirements

In order to try to combat stock decline and IUU fishing activities, the increasing number of measures adopted by ICCAT implies a corresponding increase in the burden of reporting for the administrations, the industry, the Secretariat and the Commission. Although the increase in requirements may seem excessive, it is only through increased controls that the legitimate fishing activities can be identified and illegitimate activity sanctioned.

General requirements

1. *Statistical data requirements:* Task I (nominal annual catch); Task II (monthly catch and effort by 5° x 5° or finer and size frequency data); fleet characteristics; catch-at-size; tagging data. Details and exact requirements are available on the ICCAT Web page at <http://www.iccat.int/SubmitSTAT.htm>.

Other requirements Compliance reporting tables; Vessels over 24 metres authorized to fish for tuna and tuna-like species in the ICCAT Convention Area; Bi-annual reports of import data collected under the ICCAT Statistical Document Program (will be discontinued from 2009); information on vessel chartering, where relevant.

Although the *Recommendation by ICCAT on Bluefin Tuna Farming* pertains to the entire Atlantic, there are currently no bluefin tuna farms in the West Atlantic Ocean.

West Atlantic

While the *Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna* [Rec. 98-07] and its subsequent revisions requires the introduction of domestic legislation to implement the provisions, these imply no additional reporting to the ICCAT Secretariat over and above the statistical data required by the Convention or those requirements general to all species managed by ICCAT.

East Atlantic and Mediterranean

Both the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07] and the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], contain specific reporting requirements over and above those required by the general requirements for all species.

Information required for bluefin tuna farming activities [Rec. 06-07]

– Record of BFT Farming Facilities

All Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) that operate farming facilities in the Convention area shall submit a List of Farming Facilities Authorized to Operate for Farming of Bluefin Tuna Caught in the Convention Area, containing the name, registration number, location and capacity of the farm (in tons), as well as the name(s) and address(es) of the owners and operators. The Record of Bluefin Tuna Farming Facilities is published by the Secretariat on the ICCAT web site, and changes to be made to this Record should be reported to the Secretariat as they occur

– Record of Vessels that Fish for, Provide or Transport Bluefin Tuna for Farming Purposes

CPCs must transmit to the Secretariat a list of vessels that fish for, transport or provide bluefin tuna for farming purposes. The Record of Bluefin Tuna Farming Vessels is published by the Secretariat on the ICCAT web site, and changes to be made to this Record should be reported to the Secretariat as they occur.

– Quantities of bluefin tuna placed in the cage for farming purposes

CPCs shall transmit to the Secretariat the amounts of bluefin tuna transferred to cages for each farming facility, as well as the quantities marketed and an estimate of the growth and mortality. Information should be transmitted to the Secretariat prior to 31 August each year. Information submitted should include the name(s) of the farm(s).

– Quantities of bluefin tuna placed in cage

In accordance with the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07] and the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], CPCs shall inform the Commission of the quantities of bluefin tuna transferred to cages by each fishing vessel or transport vessel, in accordance with the ICCAT caging declaration adopted by the Commission. A summary of the information should be submitted to the Secretariat each year prior to 31 August. This report shall include information relating to the validation numbers and the dates of the Statistical Document, the quantities (in tons and in number of fish) of the losses during transport, the dates, locations, vessel name and gear and the flag names and registration numbers.

Data required in the framework of the Eastern Atlantic and Mediterranean Bluefin Tuna Management Program [Rec-06-05]

– Record of Vessels authorized to fish bluefin tuna

The Commission should maintain and publish a Record of the vessels authorized to fish bluefin tuna in the eastern Atlantic and the Mediterranean of all the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) that have vessels authorized to fish bluefin tuna in the eastern Atlantic and the Mediterranean. Any fishing vessel that is not included in this Record and targets eastern bluefin tuna may be

considered by the Commission as having carried out activities in contravention of the ICCAT management measures.

- List of Traps authorized to fish bluefin tuna and quantities taken by traps

CPCs must send to the Secretariat a List of Traps authorized to fish in the Convention area. Information should include the name, registration number, and geographical area of the trap, as well as the names and addresses of owners and/or operators. Changes to the information regarding the List of Traps shall be sent to the Secretariat as soon as they occur. The quantities of bluefin tuna sacrificed should be sent to the flag State of the trap within 48 hours of landing after each fishing operation, and transmitted to the Secretariat without delay.

- Bluefin tuna catch declarations

CPCs are required to transmit their monthly catches to the Secretariat, as well as catches taken by vessels.

Each CPC shall send the Secretariat a report on the provisional monthly catches of bluefin tuna within 30 days of the end of the calendar month in which catches were made. Reports of catches by vessel shall be made 10 days after initial entry into the E-BFT Plan Area, and every five days after 1 June of each year.

- List of Transshipment Ports and/or bluefin tuna landings

CPCs are required to transmit to the Secretariat the List of Ports where transshipment and/or landings of eastern bluefin tuna stock are authorized. Changes to the information contained in the Record should be sent to the Secretariat 15 days before entry into force.

- VMS Requirements

All CPCs whose vessels over 24 metres are fishing for bluefin tuna in the East Atlantic and Mediterranean are required to transmit VMS reports to the ICCAT Secretariat every six hours.

- ICCAT Scheme of Joint International Inspection

CPCs have agreed, in the framework of the multi-annual management plan for bluefin tuna, to apply the ICCAT Scheme of Joint International Inspection [Ref. 75-02]. Vessels and inspectors involved in this scheme should be notified to the Secretariat, together with photographs and signatures of the inspectors, upon receipt of which identity cards will be issued by the Secretariat. Inspection reports should be sent to the Governments of States of the vessels inspected and to the Secretariat as soon as available.

Conclusion

The above is a general overview of the measures taken by the Commission aimed at overcoming the problem of the continuously increasing exploitation of bluefin tuna. The latest measure taken, reflected in Resolution 07-05, aims at instigating a discussion among the various sectors involved in this fishery with the aim of ensuring a brighter future for bluefin tuna.

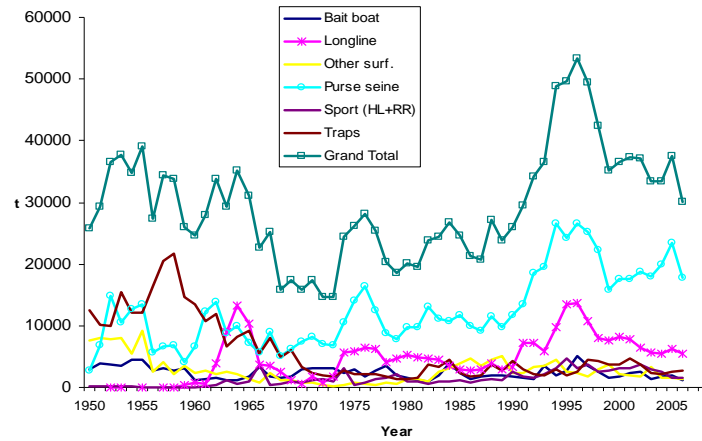


Figure 1. Catches of Atlantic bluefin tuna by gear 1950-2006.

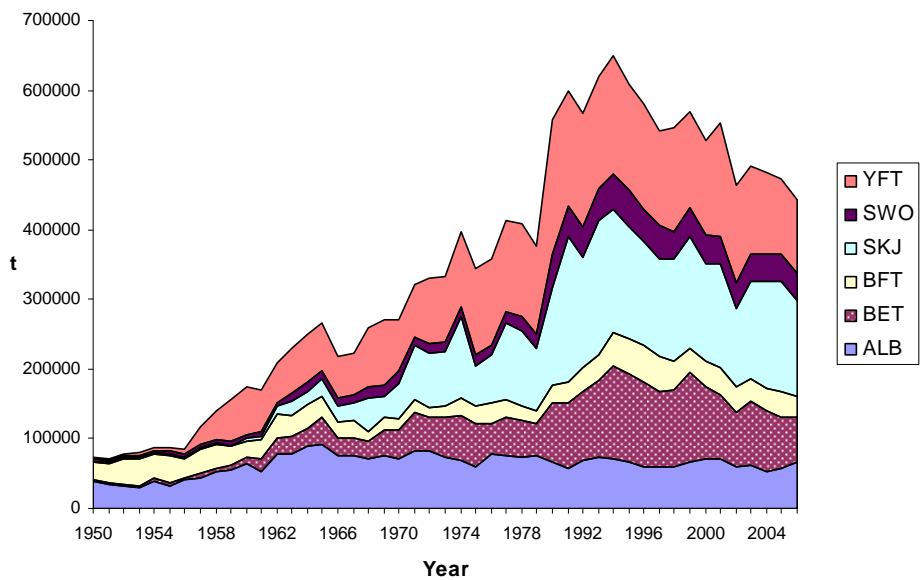


Figure 2. Total catches of tuna and tuna-like species 1950-2005.

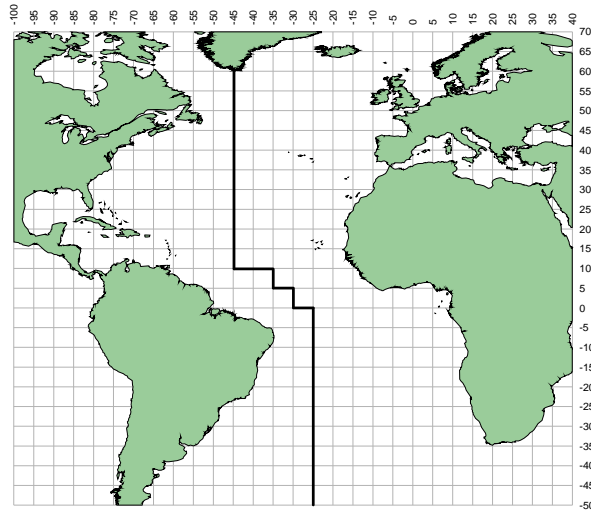


Figure 3. East-west bluefin tuna stock areas.

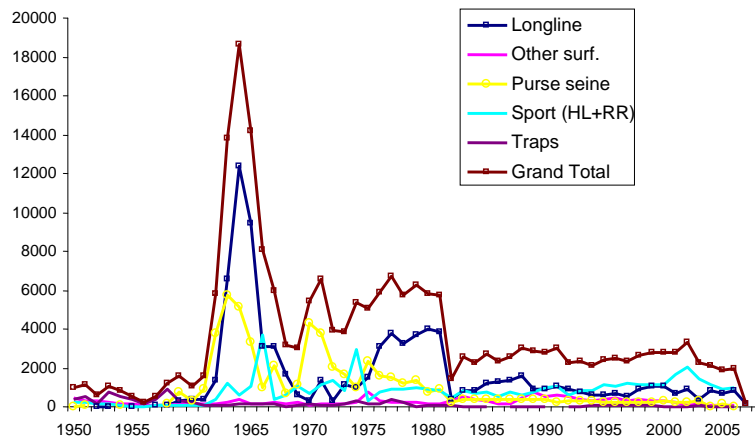


Figure 4. Catches of western Atlantic bluefin tuna, by gear, 1950-2006.

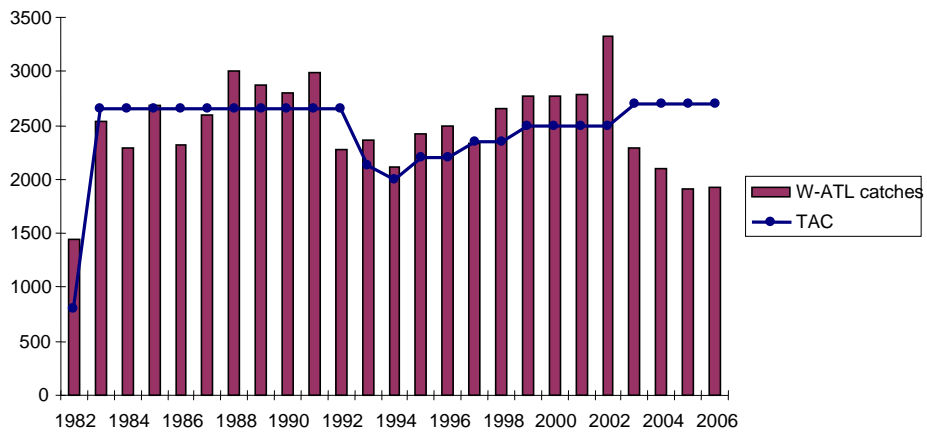


Figure 5. Comparison of reported West Atlantic Bluefin tuna and TACs, 1982-2006.

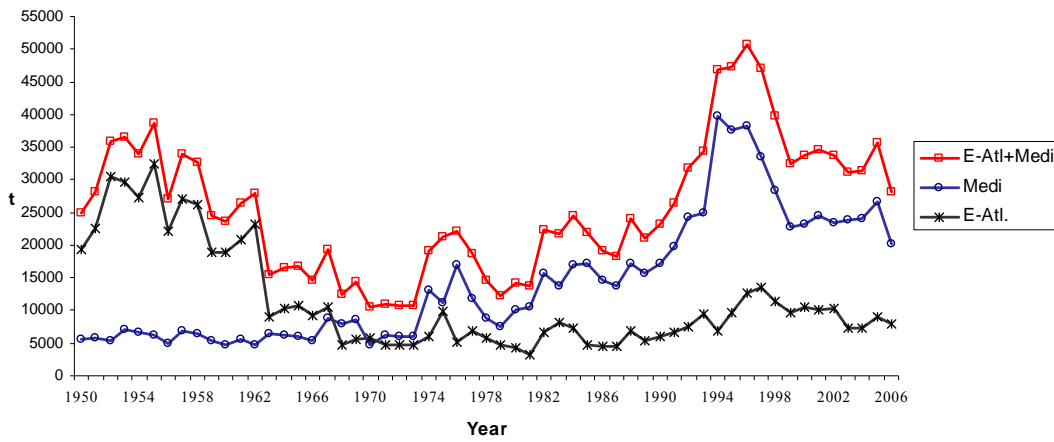


Figure 6. Catches of East Atlantic and Mediterranean bluefin tuna, 1950-2006.

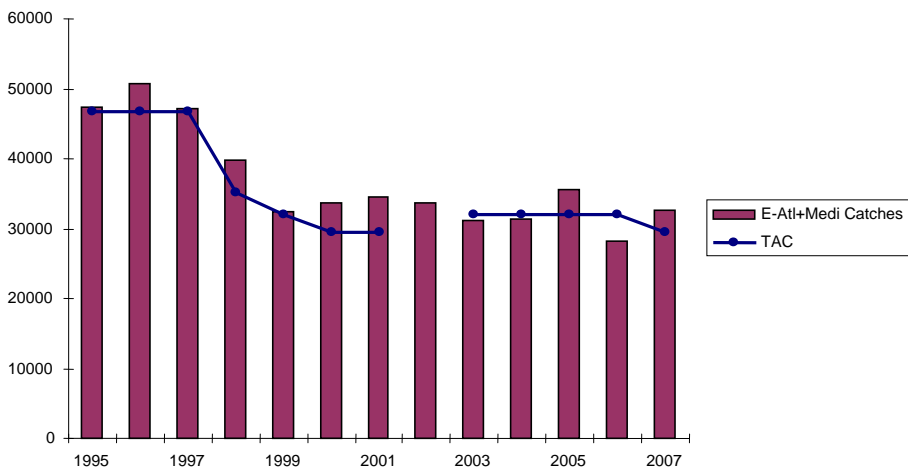


Figure 7. Comparison of TACs and total catches 1995-2007, East Atlantic and Mediterranean. (Note: The 2007 figure is taken from data submitted in accordance with Rec. 06-05; 1995 -2006 figures are from Task I.)

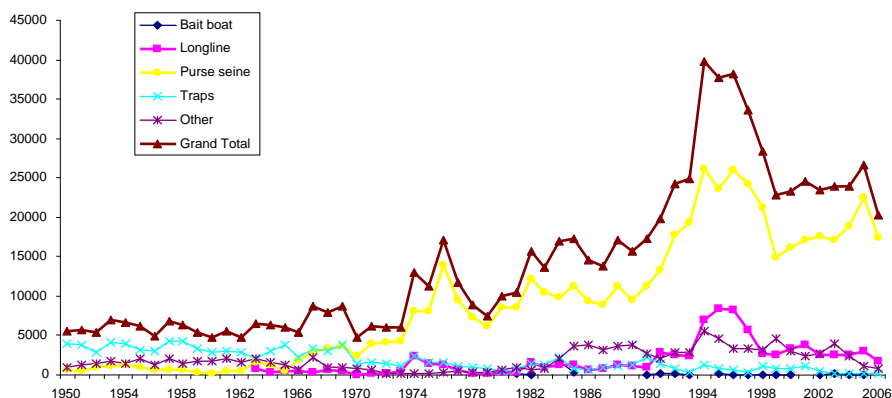


Figure 8. Catches of Mediterranean bluefin tuna, by gear, 1950-2006.

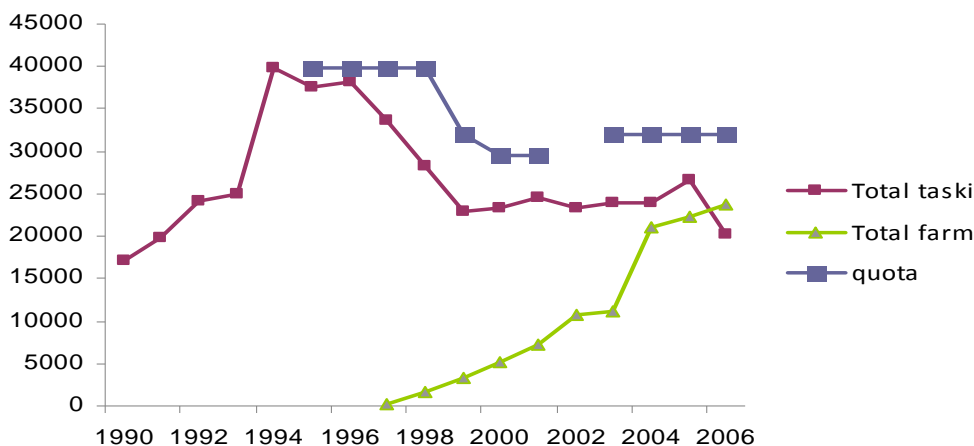


Figure 9. Estimates of Mediterranean bluefin tuna destined for farming purposes.

Appendix 6 to ANNEX 4.2

Joint Statement on the Sustainable Use of the Eastern Atlantic Bluefin Tuna Resource

The managers and stakeholders (fishing industry representing all gears, farming establishments, buyers and traders) participating in the Meeting of Managers and Stakeholders in Atlantic Bluefin Fishery have re-affirmed, in order to ensure the prompt recovery and sustainable use of the bluefin tuna resource, the need to:

- Fully comply with all the pertinent conservation and management measures adopted by ICCAT, and in particular, the provisions of the Bluefin Tuna Recovery Plan;
- Prudently manage their fishing/caging/reefer capacity, fishing effort and market imports in such a manner that brings them into line with the decreasing levels of TAC foreseen in the Bluefin tuna Recovery Plan;
- Apply the catch documentation scheme for the full 2008 fishing season in order to ensure its uniform introduction and effectiveness as a key element of the Recovery Plan, and noting that market States accord with this approach;

- Encourage CPCs involved in the fisheries and market for bluefin tuna to cooperate in the fight against IUU activities, notably, through regular exchange of information on fishing activities in their areas or in adjacent areas;
- Further encourage CPCs to exchange data on fishing activities in their waters by flag vessels of other CPCs, which are licensed to fish in their waters under private trade arrangements with the authorization by the CPCs concerned and the Commission and/or under joint fishing operations;
- Consider and support the adoption of the necessary conservation and management measures based upon the best available scientific advice in the review of the existing recovery plans scheduled at the next ICCAT meeting;
- Participate actively in data collection so as to contribute to the assessment of stock status, providing the best available scientific advice for the review of the Recovery Plan.

4.3. REPORT OF THE 2ND MEETING OF THE WORKING GROUP ON CAPACITY (Madrid, Spain – July 15 to 16, 2008)

1. Opening of the meeting

The meeting was opened by Driss Meski, Executive Secretary of ICCAT, who welcomed everyone to Madrid, Spain, for the second meeting of the Working Group on Capacity.

In a brief opening statement, Mr. Meski reminded the Group of the importance of their work and hoped that concrete proposals could be submitted for consideration by the Commission.

Thirteen (13) Contracting Parties and one Cooperating non-Contracting Party, Entity or Fishing Entity were present at the Working Group. The List of Participants is attached as **Appendix 2 to ANNEX 4.3**.

The United States presented an opening statement which is attached as **Appendix 3 to ANNEX 4.3**.

2. Election of the Chair

Dr. Chris Rogers (United States) was elected to Chair the meeting.

3. Appointment of the Rapporteur

Ms. LeAnn Hogan (United States) was appointed rapporteur for the meeting.

4. Adoption of Agenda and meeting arrangements

There were no comments on the Agenda. However, at the Chair's suggestion items 5 and 6 were taken together given the overlap of subject matter of the two Agenda items. The Agenda was then adopted with no additional changes. The Agenda is attached as **Appendix 1 to ANNEX 4.3**.

The Chair made a brief opening statement to summarize the outcome and recommendations of first meeting of the Working Group on Capacity and other developments that occurred since. It was recalled that the Working Group affirmed the relationship between managing fishing capacity and the achievement of ICCAT's stock management objectives. The Chair also noted that the Working Group on Stock Assessment Methods highlighted data constraints and concluded that capacity management by itself could not safeguard against overexploitation due to the likelihood of technological advances in fishing power. Finally, the Chair suggested that the Working Group focus on data issues, short-term measures for eastern Atlantic and Mediterranean bluefin tuna, and a longer term program of work.

5. Consideration of the report and outcomes of the 2008 Working Group on Stock Assessment Methods and 6. Assessment of the fishing capacity in relation to ICCAT managed stocks for which data are available

At the Chair's suggestion, items 5 and 6 were taken together given the overlap of the subject matter of the two Agenda items.

The ICCAT Secretariat gave a summary of the updated information on ICCAT vessels lists [CAP-006], as assembled from the several databases maintained by the Secretariat. Given continued problems with non-reporting and inconsistencies in vessel information, the Secretariat noted the need for a single vessel list with a standardized reporting format. To this end, the Secretariat recalled Circular 253/08, which provided a consolidated reporting format where vessels are listed only once and details on the vessel attributes and authorizations are included as applicable. The link to the corresponding reporting form is as follows: <http://www.iccat.int/Forms/COMP-001-VESSELS.xls>. The Chair encouraged CPCs to familiarize their respective statistical personnel with the revised reporting format.

The ICCAT Secretariat also provided a summary of the Report of the 2008 ICCAT Working Group on Stock Assessment Methods (WGSAM) and the Report of the 2008 Atlantic Bluefin Tuna Stock Assessment Session by the Bluefin Tuna Species Group. The WGSAM provided a more detailed assessment of capacity in response to a request from the 2007 Working Group on Capacity. Through use of vessel lists and normalized catch/effort data, total capacity was estimated for the various fleets targeting ICCAT managed species. In addition, the 2007 compliance tables were used to compare reported catches to catch limits as an indicator of potential overcapacity. The WGSAM highlighted data gaps for fleet and catch information and noted the need for economic data in order to perform a complete analysis of the incentives to increase capacity.

The WGSAM also recommended that the respective species groups address overcapacity during their upcoming stock assessments and the BFT assessment group addressed this issue. Due to the incomplete information on CPCs' fleet capacity, work was done by bluefin tuna assessment group to estimate actual catches from the normalized CPUE and the reported number of vessels in each fishery. Of particular concern was an apparent increase in purse seiners targeting bluefin tuna in the Mediterranean between 2005 and 2007. Because there are so many vessels active in the eastern Atlantic and Mediterranean bluefin tuna fishery, excess capacity was linked to estimated harvest which was considerably higher than the levels set by the Commission. In addition, the capacity of farms was estimated to be approximately double the level of authorized harvest.

Questions and comments on presentations:

Some of the delegates questioned the accuracy of the interpretation of the data submitted for the vessel list and that there may be a need to verify information submitted by the CPCs. The ICCAT Secretariat responded that they were using the data that had been submitted by CPCs and that they recognized the need to work together with CPCs to find potential mistakes in the data. It was suggested that a protocol be developed to allow CPCs an opportunity to review their data prior to its use for capacity estimates. To this end, use of the consolidated reporting format was proposed as a means to reduce errors in the ICCAT vessel database.

The Working Group also agreed that the standardized terminology offered by the WGSAM should be adopted for future use (see page 2 of the Report of the 2008 ICCAT Working Group on Stock Assessment Methods).

7. Consideration of capacity management alternatives for fisheries in which overcapacity is identified

In the longer term, there was a desire among delegates to calculate current and optimal levels of capacity in all fisheries where overfishing of stocks managed by ICCAT may be a problem. There was also an agreement that data submission by CPCs should be improved, and quota management through effective Monitoring, Control, Surveillance (MCS) measures need to be developed as an essential complement to capacity management.

The delegates agreed that overcapacity exists in some fisheries and is contributing to fishery monitoring and control problems. However, it is important to remember that science-based fishing levels must be enforced and monitored within each CPC. It was also stated that it is important to build on what has already been implemented with respect to monitoring measures and that efforts should focus on where overcapacity is an immediate problem.

The delegates recognized that although data are not complete, this should not be used as an excuse to delay progress in management of capacity. This is especially true for eastern Atlantic and Mediterranean bluefin tuna given the urgent need for action. If there is a failure to implement proper management controls that are consistent with science-based advice and CPCs do not have effective MCS measures, the inevitable stock collapse will have serious economic consequences.

The discussions concentrated on assessing the level of fishing capacity for eastern Atlantic and Mediterranean bluefin tuna. There was a consensus among delegates that, given the high priority ICCAT has placed on this fishery, the Working Group needed to make progress on concrete measures to manage capacity.

The delegate from the United States stated that an immediate reduction in the eastern Atlantic and Mediterranean bluefin tuna fishery was necessary to address the persistent overharvests. The Working Group agreed that, at a minimum, measures were necessary to prevent further increases in capacity for eastern Atlantic and Mediterranean bluefin tuna in the short term while longer term approaches, such as capacity reduction are developed. A delegate stated that ICCAT should not let capacity drive the harvest level. Delegates recalled that ICCAT Recommendation 06-05 serves as a basis for an initial freeze and an eventual reduction of capacity in

some eastern Atlantic and Mediterranean bluefin tuna fisheries as the recovery plan anticipated decreasing quotas in subsequent years.

The United States introduced a proposal on capacity controls. The proposal has essentially two elements, a freeze on all eastern Atlantic and Mediterranean bluefin tuna fishing vessels, as well as a process for reducing capacity in the eastern Atlantic and Mediterranean bluefin tuna purse seine fleet.

Based on the discussion of the U.S. proposal (**Appendix 6 to ANNEX 4.3**), the delegates generally agreed that a freeze on capacity in the eastern Atlantic and Mediterranean bluefin tuna fishery was a necessary first step. However, there were concerns over the application of the freeze with respect to the list of vessels authorized to fish for eastern Atlantic and Mediterranean bluefin tuna generated in response to Rec. 06-05 or to the vessels among this list that actually fished. It was recognized that CPCs had applied various interpretations of the requirements of the EBFT recovery plan in submitting vessel information to the ICCAT Secretariat in 2007 and 2008. Consequently, there were concerns about using this list as the basis of a freeze and eventual reductions in fishing capacity.

A number of delegations submitted oral and written comments and worked with the United States delegation to amend the proposal (**Appendix 6 to ANNEX 4.3**) to address their concerns. In discussing the revised proposal, there were mixed views on whether the document addressed the concerns expressed by all parties. Some delegates expressed a need for more flexibility in determining the baseline of vessels subject to the freeze in capacity. Some delegates were concerned that the provisions on vessel substitution or transfer to other fisheries would allow excess capacity problems to persist in ICCAT managed fisheries.

The EC introduced three draft capacity proposals: Draft Proposal for Recommendation by ICCAT on the Limitation of Capacity (**Appendix 4 to ANNEX 4.3**), Draft Proposal for Recommendation by ICCAT on Exchange of Information on Vessels that Have Participated in the Bluefin Tuna Fishery (**Appendix 5 to ANNEX 4.3**), and the Draft proposal for Recommendation by ICCAT on Exchange of Information on Vessels that Have Participated in ICCAT Fisheries Other Than Bluefin Tuna (**Appendix 7 to ANNEX 4.3**). The Working Group discussed the three proposals and felt that while these proposals were complementary and aimed to simplify the Capacity proposal submitted by the United States, it was also desirable to retain elements from the U.S. proposal. In response to the draft proposal on the limitation of capacity (**Appendix 4 to ANNEX 4.3**), with regard to limiting the number of traps, Morocco noted that flexibility is necessary in order to address job related issues. They also noted that it may be disruptive to decommission traps that have been previously authorized. After further discussion, the suggestion was made for a small group of delegates to work together to revise the proposals submitted by the EC and the United States to develop a consolidated proposal.

The EC introduced the revised draft Working Group proposals: Recommendation by ICCAT on the Limitation of Capacity (**Appendix 4 to ANNEX 4.3**) and the Provision of Information on Vessels That Have Participated in the Eastern Atlantic and Mediterranean Bluefin Tuna Fishery (**Appendix 5 to ANNEX 4.3**). The intention of the first proposal (**Appendix 4 to ANNEX 4.3**) was to retain the link to the ICCAT vessel list, referenced in the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], implement a freeze of eastern Atlantic and Mediterranean bluefin tuna while setting the stage for steps towards rapid implementation of a capacity reduction program for eastern Atlantic and Mediterranean bluefin tuna as well as launching a similar process to establish capacity management measures for other fleets/fisheries where overcapacity exists as well as for the development of a similar process to establish capacity management measures for other fleets/fisheries where data indicate overcapacity exists and is contributing to fishery management problems. For some elements of the proposal, the text was bracketed to reflect the alternative views of delegates. The second proposal (**Appendix 5 to ANNEX 4.3**) established a protocol for providing information on vessels that have participated in the EBFT fishery in the preceding year.

There was a discussion among delegates on the inclusion of processing vessels in the measure to freeze capacity that was included in the proposed Recommendation by ICCAT on the Limitation of Capacity. The delegates agreed to discuss this matter further before the 2008 ICCAT meeting in the fall. There was general agreement from the delegates that the revised proposals reflected the objectives of the Working Group and provided an important step forward in addressing capacity problems in the eastern Atlantic and Mediterranean bluefin tuna fishery. These are attached as **Appendices 4 and 5 to ANNEX 4.3**, respectively.

Although the draft proposal for a Recommendation by ICCAT on Capacity Controls and Reductions for the Eastern Atlantic and Mediterranean Bluefin Tuna Fishery (**Appendix 6 to ANNEX 4.3**) did not reach consensus

among all delegates, there was a desire among some of the delegates to attach this proposal as an appendix to the meeting report because of the measures to immediately reduce capacity contained in the proposal.

There was also no consensus on the proposed Recommendation by ICCAT on Exchange of Information on Vessels that Have Participated in ICCAT Fisheries Other Than Bluefin Tuna (**Appendix 7 to ANNEX 4.3**). It was agreed, however, to include it as an appendix to this report, as the delegates have agreed that more discussion on the exchange of information on vessels that have participated in ICCAT fisheries other than eastern Atlantic and Mediterranean bluefin tuna fishery was necessary before the 2008 annual ICCAT meeting.

There was consensus from the delegates to forward the proposal for a Recommendation by ICCAT on the Limitation of Capacity and the draft proposal for Provision of Information on Vessels That Have Participated in the eastern Atlantic and Mediterranean bluefin tuna to the Commission for further consideration at the annual ICCAT meeting, recognizing that additional work was necessary on the proposal for a limitation on capacity, in particular, to address the bracketed text. The delegates agreed to consult on these issues before the 2008 annual meeting.

8. Other matters

Several delegates intervened regarding future work in the area of managing fishing capacity. A delegate noted that assessments of overcapacity in other ICCAT fisheries would be a logical next step. However, improvements in the vessel, effort, and catch data were vital for robust analyses. A delegate from Canada noted that ICCAT should develop a regional plan of action for capacity management in response to the FAO International Plan of Action on Capacity. A delegate noted that establishing a program of work for the Capacity Working Group would be beneficial, but ICCAT must consider its schedule of inter-sessionals in 2009. The Working Group agreed that schedules for inter-sessional meetings should be prioritized by the Commission after it considers the report of the Performance Review Panel.

Several delegations echoed the need for enhanced data collection including economic data, and further analytical work on methods to assess capacity. It was suggested that specific data needs and analytical approaches could be delineated by the respective Panels at the 2008 Commission meeting. In addition, it was noted that the SCRS and the Compliance Committee could examine data needs, including the current use of multiple vessel lists, in order to provide guidance to the Working Group.

9. Adoption of report

The meeting report was distributed in draft form to delegates during the Working Group meeting and was later adopted by correspondence.

The Chair thanked the, Secretariat, interpreters, and Rapporteur for their support and hard work during the meeting. The CPCs expressed their appreciation to the Chair for his efforts in directing the meeting.

10. Adjournment

The meeting was adjourned.

Appendix 1 to ANNEX 4.3

Agenda

1. Opening of the Meeting
2. Election of Chair
3. Appointment of Rapporteur
4. Adoption of Agenda and Meeting Arrangements
5. Consideration of the report and outcomes of the 2008 Working Group on Stock Assessment Methods
6. Assessment of the fishing capacity in relation to ICCAT managed stocks for which data are available
7. Consideration of capacity management alternatives for fisheries in which over-capacity is identified
8. Other matters
9. Adoption of Report
10. Adjournment

Appendix 2 to ANNEX 4.3

List of Participants

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Appendix 3 to ANNEX 4.3

Opening Statement by the United States

The United States would like to thank the European Community and the Government of Spain for hosting this important inter-sessional meeting of the Working Group on Capacity. The United States considers fleet capacity control an essential tool for managing our fishery resources and is pleased to participate in the meeting of the Working Group. Two key points should be noted prior to considering measures to address capacity. First, while control of fleet capacity is essential in those fisheries with severe compliance problems, it is simply one tool in our toolbox. Robust conservation and management of stocks requires multiple approaches, including effective monitoring and control measures to ensure compliance. Work on capacity reduction should be conducted in parallel with these other approaches. Second, given the limited time we have at this meeting to address capacity, this Working Group should focus on the urgent issues identified during its first meeting in Raleigh. In particular, the Group should focus on what can be accomplished in the short-term to address the most overcapitalized fishery under the competency of ICCAT, notably eastern Atlantic and Mediterranean bluefin tuna. At the same time, ICCAT should map a way toward long-term progress in capacity reduction in this and other fisheries for which overcapacity causes severe problems with control and compliance.

Again, I would like to thank the Chair, Dr. Christopher Rogers, and the Secretariat for convening this important meeting. We look forward to future progress of the Commission in controlling overcapacity.

Appendix 4 to ANNEX 4.3

**Working Group Draft Proposal for a Recommendation by ICCAT
on the Limitation of Capacity**

RECALLING the Food and Agriculture Organization International Plan of Action for the Management of Fishing Capacity;

RECOGNIZING that capacity controls can be a useful management tool but that robust conservation and management of stocks requires multiple approaches, including effective monitoring and control measures to ensure compliance;

AWARE that ICCAT has adopted a variety of management measures for its fisheries, including monitoring and control measures to improve compliance and reduce illegal, unreported, and unregulated fishing;

ALSO AWARE of the *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 06-05], which contains numerous fishery monitoring and control requirements;

SERIOUSLY CONCERNED about the rapid decline of the eastern Atlantic and Mediterranean stock of bluefin tuna and the continuing poor compliance with catch limits and other fishery management measures;

CONSIDERING the reports of the SCRS that assess capacity, in particular the Working Group on Stock Assessment Methods and the SCRS Bluefin Tuna Species Group;

RECOGNIZING that significant overcapacity exists in the eastern Atlantic and Mediterranean bluefin tuna fishery, particularly in the purse seine fleet;

FURTHER RECOGNIZING that some CPCs have taken action to freeze the capacity of farms under their jurisdiction and encouraging others to do the same;

UNDERSTANDING that overcapacity is exacerbating fishery monitoring and control problems which contribute to non-compliance with conservation and management measures;

RESPECTING ICCAT Criteria for the Allocation of Fishing Possibilities [01-25];

TAKING ACCOUNT OF the deliberations and recommendations of ICCAT's Capacity Working Group, particularly concerning the eastern Atlantic and Mediterranean bluefin tuna fishery;

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

1. CPCs shall limit the number, and the corresponding gross registered tonnage, of their vessels participating in the eastern Atlantic and Mediterranean bluefin tuna fishery to the number and tonnage of their vessels that fished for, retained on board, transshipped, transported, or landed bluefin tuna during the period 1 January 2007 to 1 July 2008. This limit shall be applied by gear type for fishing vessels and by vessel type for other vessels.
2. Paragraph 1 above shall not be interpreted to affect the measures contained in Annex 1 paragraphs 1 and 2 of Recommendation 06-05.
3. CPCs shall limit the number of their traps engaged in the Eastern Atlantic and Mediterranean bluefin tuna fishery to the number authorized by each CPC by 1 July 2008.
4. CPCs shall notify ICCAT of the actions taken pursuant to paragraphs 1 and 3 before 1 July 2009.
5. CPCs shall prevent any transfer of capacity from the eastern Atlantic and Mediterranean bluefin tuna fishery to another ICCAT fishery unless the CPC can demonstrate that it has sufficient fishing possibilities to provide for such transfer. CPCs should prevent any transfer of capacity from the eastern Atlantic and Mediterranean bluefin tuna fishery to any other fishery where there is recognized overcapacity.
6. The Commission shall monitor compliance with these measures annually and consider appropriate action.

If the Commission, through the Compliance Committee or PWG, determines that a CPC is out of compliance with the general rules on capacity for the eastern Atlantic and Mediterranean bluefin tuna fishery, including by not reporting as required in this Recommendation, the Commission will recommend appropriate [rectifying] [corrective] actions. Where feasible and appropriate, such actions will first include establishing a maximum number of vessels that can operate in the fishery and are posted on the ICCAT vessel record that ensures a level of capacity commensurate with fishing possibilities as well as removal of vessel(s) from the ICCAT vessel record for this fishery, in particular, as reflected by full compliance with a CPC's quota/catch limits. Other actions may also be taken. Where such actions have proven unsuccessful or would not be effective, the Commission will consider action under the Recommendation by ICCAT Concerning Trade Measures [Rec. 06-13].

7. Taking into account actions already taken by certain CPCs to freeze their farming capacity, specific measures related to farming capacity shall be developed.
8. The provisions of this measure apply only to the eastern Atlantic and Mediterranean bluefin tuna fishery. A similar process for establishing measures to manage the capacity of other fleets and fisheries should be considered by the 2009 annual meeting, provided available scientific data indicate that overcapacity exists and that it contributes to control and compliance problems, particularly over harvests of fishing possibilities.

9. The measures in this Recommendation shall be a first step towards rapid implementation of a capacity reduction program for the eastern Atlantic and Mediterranean bluefin tuna fleet.

Appendix 5 to ANNEX 4.3

**Draft Proposal for Provision of Information on Vessels That Have Participated
in the Eastern Atlantic and Mediterranean Bluefin Tuna Fishery**

1. By 1 March each year, each CPC shall notify the ICCAT Secretariat of the vessels flying its flag included on the ICCAT Record of Vessels Authorized to Fish for Bluefin Tuna pursuant to Recommendation 06-05 that have fished for, retained on board, transshipped, transported, or landed bluefin tuna in the preceding fishing year.
2. The ICCAT Secretariat shall publicize this information through its website.
3. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraph 1 but known to or presumed to have participated in the Eastern Atlantic and Mediterranean bluefin tuna fishery. The ICCAT Secretariat shall forward such information to the flag State for action as appropriate, with a copy to other CPCs for information.
4. The Commission shall review such cases at its meetings.

Appendix 6 to ANNEX 4.3

**Draft Proposal for a Recommendation By ICCAT on Capacity Controls and Reductions
for the Eastern Atlantic and Mediterranean Bluefin Tuna Fishery**

RECALLING the Food and Agriculture Organization International Plan of Action for the Management of Fishing Capacity;

RECOGNIZING that capacity controls can be a useful management tool but that robust conservation and management of stocks requires multiple approaches, including effective monitoring and control measures to ensure compliance;

AWARE that ICCAT has adopted a variety of management measures for its fisheries, including monitoring and control measures to improve compliance and reduce illegal, unreported, and unregulated fishing;

ALSO AWARE of the *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 06-05], which contains numerous fishery monitoring and control requirements;

SERIOUSLY CONCERNED about the rapid decline of the eastern Atlantic and Mediterranean stock of bluefin tuna and the continuing poor compliance with catch limits and other fishery management measures;

CONSIDERING the reports of the SCRS that assess capacity, in particular the Working Group on Stock Assessment Methods and the SCRS Bluefin Tuna Species Group;

RECOGNIZING that significant overcapacity exists in the eastern Atlantic and Mediterranean bluefin tuna fishery, particularly in the purse seine fleet;

UNDERSTANDING that overcapacity is exacerbating fishery monitoring and control problems which contribute to non-compliance with conservation and management measures;

RESPECTING ICCAT Criteria for the Allocation of Fishing Possibilities [01-25];

TAKING ACCOUNT OF the deliberations and recommendations of ICCAT's Capacity Working Group, particularly concerning the eastern Atlantic and Mediterranean bluefin tuna fishery;

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

General Rules for Capacity Controls: Eastern Atlantic and Mediterranean Bluefin Tuna Fishery

1. Except as provided in paragraph 2, Contracting Parties and Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) with vessels authorized to fish for eastern Atlantic and Mediterranean bluefin tuna, which are reflected in the ICCAT vessel record for this fishery as established in the *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 06-05] (i.e., the ICCAT vessel record), shall immediately take the following steps to halt expansion of fishing capacity in that fishery:
 - a) Limit the total number of vessels authorized to fish for eastern Atlantic and Mediterranean bluefin tuna in 2009 and beyond to the level reflected in the ICCAT vessel record anytime between June 1, 2007 and June 1, 2008.
 - b) Prohibit improvements, in 2009 and beyond, to the physical characteristics of the vessels on the ICCAT vessel record as established in paragraph 1(a) that would increase the capacity of these vessels except as provided below. Information on the physical characteristics includes, but is not limited to, that required for posting on ICCAT's authorized vessel list (recommendation 02-22 as amended in 2007), including vessel type, length, and gross registered tonnage).
2. [CPCs seeking to increase the total number or enhance the physical characteristics of vessels in their eastern Atlantic and Mediterranean bluefin tuna fleet may only do so provided they demonstrate to the Commission that they have sufficient fishing possibilities to justify such increases, the overall number of vessels of all CPC fleets combined does not increase beyond the level reflected in the ICCAT vessel record established pursuant to Paragraph 1(a), and the proposed vessel improvements do not alter the overall makeup of the physical characteristics of the eastern Atlantic and Mediterranean fleet (i.e., for all CPC fleets combined) as specified under paragraph 1(b). Each CPC must document this information in writing to the Commission by the date the new vessels enter the fishery or the enhancements are completed.]
3. CPCs shall prevent the transfer of capacity from the eastern Atlantic and Mediterranean bluefin tuna fishery to any other ICCAT fishery suffering overcapacity which is exacerbating control and compliance problems [unless the CPC demonstrates it has sufficient fishing possibilities to provide for such increases]. Shifting fleet capacity to fisheries in other oceans where overcapacity is exacerbating control and compliance problems and/or where sufficient fishing possibilities are not available should also be prevented.
4. In order to monitor and ensure compliance with these limitations, CPCs with vessels on the ICCAT vessel record shall present a report to the ICCAT Conservation and Management Measures Compliance Committee (Compliance Committee) or Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) each year at least 30 days before the annual ICCAT meeting as an annex to its annual report, summarizing and explaining any fleet adjustments. [This information shall include:]
 - a) [The total number of vessels to be added to and/or removed from the respective national fleet of a CPC and specific information on those vessels, including on their physical characteristics, which is detailed enough to evaluate vessel capacity and the disposition of vessels removed;]
 - b) [A clear explanation of how the addition of any new vessels to or the enhancement of vessels in the fleet of a CPC which are authorized to fish actively for eastern Atlantic and Mediterranean bluefin tuna will impact the CPC's fishing capacity relative to its fishing possibilities. In particular, the CPC will demonstrate how its total fishing capacity is commensurate with those fishing possibilities; and]
 - c) [A clear explanation of how the addition of any new vessels to or the enhancement of vessels in the fleet of a CPC which are authorized to fish actively for eastern Atlantic and Mediterranean bluefin tuna

does not increase total aggregate number of vessels in the fishery beyond the 2008 level and does not increase the capacity of the eastern Atlantic and Mediterranean bluefin tuna fishery in aggregate.]

5. If the Commission, through the Compliance Committee or PWG, determines that a CPC is out of compliance with the general rules on capacity for the eastern Atlantic and Mediterranean bluefin tuna fishery, including by not reporting as required in this Recommendation, the Commission will recommend appropriate [rectifying] [corrective] actions. Where feasible and appropriate, such actions will first include establishing a maximum number of vessels that can operate in the fishery and are posted on the ICCAT vessel record that ensures a level of capacity commensurate with fishing possibilities for this fishery, in particular, as reflected by full compliance with a CPC's quota/catch limits. Other actions may also be taken. Where such actions have proven unsuccessful or would not be effective, however, the Commission will consider action under the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

Special Capacity Provisions: Reduction in Eastern Atlantic and Mediterranean Bluefin Tuna Purse Seine Fleet

6. In addition to implementing paragraph 1 above, each CPC with purse seine vessels included on the ICCAT vessel record shall develop a capacity control and reduction program for this fleet which brings its total eastern Atlantic and Mediterranean bluefin tuna harvest to a level commensurate with its fishing possibilities, in particular, as reflected by full compliance with a CPC's quotas/catch limits.
7. Each such CPC will provide a description of its capacity control and reduction program, which includes fishery monitoring and control elements, to the Commission at least 90 days before the 2009 meeting. In addition, each such CPC will provide to the Commission a report on the implementation of this program at least 90 days before its 2009, 2010, 2011, [and 2012] meetings. Information to be included in the capacity control and reduction program as well as the implementation report to the Commission shall include, at a minimum:
 - a) The total number of vessels to be removed from the CPC's domestic fleet and specific information on those vessels, including their physical characteristics, which is detailed enough to evaluate vessel capacity. Such information must include, but is not limited to, that required for posting on the ICCAT vessel record;
 - b) A clear explanation of how the reduction in the purse seine fleet will impact the CPC's overall fishing possibilities. The CPC will demonstrate how adjustments to the purse seine fleet will affect the fishing capacity of its total fleet (all gear types), as included in the ICCAT vessel record, to ensure that its overall capacity level is commensurate with those fishing possibilities, in particular, as reflected by full compliance with a CPC's quota/catch limits;
 - c) Specifics on the CPC's monitoring and control program which clearly demonstrate how the CPC is ensuring effective implementation of the fleet reduction and compliance with all fishery rules.
8. Implementation of the capacity control and reduction program shall be initiated by 2010 and completed no later than November [2011] [2012].
9. If the Commission, through the Compliance Committee or PWG, determines that a CPC is out of compliance with the special rules on capacity for the eastern Atlantic and Mediterranean bluefin tuna purse seine fishery, including by not reporting as required in this Recommendation, the Commission will recommend appropriate [rectifying] [corrective] actions. Where feasible and appropriate, such actions will first include establishing a maximum number of vessels that can operate in the fishery and be posted on the ICCAT vessel record that ensures a level of capacity commensurate with fishing possibilities for this fishery, in particular, as reflected by full compliance with a CPC's quota/catch limits. If data are not available from the respective CPC to make such a determination, the Commission shall apply a capacity level of [150 t] [300 t] to each of the purse seine vessels in that CPC's fleet to determine the maximum number of vessels from the respective CPC to be allowed in the fishery. Where such actions have proven unsuccessful or would not be effective, however, the Commission will consider action under the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].
10. The provisions of this measure apply only to the eastern Atlantic and Mediterranean bluefin tuna fishery. Similar provisions should be applied to other fleets and fisheries provided available scientific data indicate

that overcapacity exists and that it contributes to control and compliance problems, particularly over harvests of fishing possibilities.

Appendix 7 to ANNEX 4.3

Draft Proposal by EC for a Recommendation by ICCAT on Exchange of Information on Vessels that Have Participated in ICCAT Fisheries Other Than Bluefin Tuna

1. By 1 March each year, each CPC shall notify the ICCAT Secretariat of the vessels of more than 24 metres flying its flag that have participated in any fishery of a species covered by the ICCAT Convention, other than the eastern Atlantic and Mediterranean bluefin tuna fishery, in the preceding year.
2. To that purpose, each CPC shall base its notification on the vessels flying its flag that are included in the ICCAT record of vessels over 24 meters authorized to operate in the Convention area. Each CPC shall indicate whether these vessels have participated or not in such fisheries in the preceding year and shall specify which species were targeted.
3. The ICCAT Secretariat shall publicize this information through its website.
4. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraph 1 but known to or presumed to have participated in such fisheries. The ICCAT Secretariat shall forward such information to the flag State for action as appropriate, with a copy to other CPCs for information.
5. The Commission shall review such cases at its meetings.

4.4 REPORT ON THE 5TH MEETING OF THE WORKING GROUP ON INTEGRATED MONITORING MEASURES (Madrid, Spain – July 16 to 18, 2008)

1. Opening of the meeting

Mr. Driss Meski, ICCAT Executive Secretary, opened the meeting and welcomed all parties to Madrid.

The List of Participants is attached at **Appendix 2 to ANNEX 4.4**.

2. Election of Chair

Ms. Sylvie Lapointe (Canada), Chair of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), was elected Chairperson of the Working Group on Integrated Monitoring Measures.

3. Appointment of Rapporteur

Mr. Conor O'Shea (European Community) was appointed Rapporteur.

4. Adoption of Agenda and meeting arrangements

The Agenda was adopted without change and is attached at **Appendix 1 to ANNEX 4.4**.

The Chair informed the meeting that there were four important items discussed at the 2007 meeting of this Working Group (Raleigh, North Carolina, USA, July 2007). The Catch Documentation Scheme had been adopted at the 2007 annual meeting (Antalya, Turkey, November 9 to 18, 2007) and three priority items had been brought forward to this meeting for further discussion:

1. Port State Measures
2. ICCAT Boarding and Inspection Scheme
3. ICCAT Observer Scheme

5. Consideration and development of port State measures

Ms. Carmen Ochoa from the ICCAT Secretariat reported on a meeting held by the FAO on port State measures in Rome, June 23-27, 2008. ICCAT attended the meeting as an Observer. The purpose of the meeting was to progress a draft agreement on port state measures which could prevent, deter, and eliminate illegal, unreported and unregulated fishing (IUU).

The EC presented a document on port state measures, which is attached at **Appendix 3 to ANNEX 4.4**, which had taken into consideration the FAO Model Scheme on port state measures, UN Resolutions and a recently adopted General Fisheries Commission for the Mediterranean (GFCM) document on port state measures. The document contained measures to implement the management of ICCAT species and to eliminate IUU practices. The document defined a series of measures that could be carried out in a transparent and non-discriminatory way, including: use of designated ports, level of inspections to be carried out, harmonized inspection procedures, defined training requirements of inspectors, and many other relevant matters.

Canada presented a document on port state measures, which is attached at **Appendix 4 to ANNEX 4.4**, and stated that port state measures were fundamental and linked to other measures such as flag State control and market measures with the aim of combating IUU practices. The current ICCAT measures in this regard were over ten years old and port state measures were one of the priority areas from last year's meeting. Whilst the document was structured differently than the EC document it contained many of the same elements.

The Chair informed the meeting that the *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10] was the existing port state measure in place and that the general principles on port state

measures had been attached as Appendix 7 to last year's report from this Working Group (see Annex 4.4 to the 2007 Commission Proceedings). A general exchange of views commenced on the two documents presented.

Contracting Parties agreed that port state measures were one of the most cost effective ways to monitor IUU activities. Several Contracting Parties also expressed the view that RFMOs should build on the minimum standards of the FAO port state measures. Some delegations indicated that the scope of application and other important aspects of any ICCAT port state measures should take into account the FAO discussions, and some noted that this global process should be allowed to develop more fully in order to inform ICCAT in the development of its document. In addition to scope of application, aspects of the issue that elicited differing views from working group participants included, among other things, the definition of IUU, inspection coverage level, vessels/fleets to be covered, and port access denial. Given the nature of the port state measure issue in general, the need for harmonization across RFMOs was recognized.

Japan pointed out that CPCs could already inspect vessels under current rules and it was important to take into account that ICCAT consisted of many developing countries and a very high standard would be difficult to achieve. The United States also noted the burden associated with a very high inspection level and supported finding a level that would both ensure the goals of the program and minimize costs and other resource needs.

Several Contracting Parties pointed out that inspection services did not have control over all aspects of the elements raised in the documents, e.g. controlling supply of fuel to vessels, etc. and there would be a need for coordination between several different Authorities at the national level. Some Contracting Parties also expressed their concern as to who will assume the costs of financing the operations generated by the port inspection scheme.

The ICCAT Executive Secretary informed the meeting that major responsibilities for the ICCAT Secretariat would overburden the Secretariat if these measures were applied and that a means of implementation would have to be sought.

At the request of the Chair, Canada and the EC presented a combined document on port state measures. The EC informed parties that generally there was no considerable difference of view in the basic principles. The Chair led a point by point discussion on the combined Document, which is attached at **Appendix 5 to ANNEX 4.4**.

The combined document was reviewed up to paragraph 20 with items in brackets requiring further discussion. France (on behalf of St. Pierre & Miquelon) the EC and the United States expressed a general reserve, in order to allow for consideration of the documents by legal experts. The Chair asked Contracting Parties to give the document further consideration before the annual meeting in November 2008 and that the Working Group would submit the document to that meeting.

6. Consideration of an ICCAT Boarding and Inspection Scheme

Canada presented its document on an ICCAT boarding and inspection scheme which is attached at **Appendix 6 to ANNEX 4.4**. The current scheme dates back over 30 years and there was a need to strengthen control measures.

Contracting Parties agreed that the port state measures document should take priority and would be willing to work on this document intersessionally as there was insufficient time at this meeting to discuss it fully.

The United States reminded delegates that in 2006 ICCAT had applied the 1975 boarding and inspection scheme for eastern bluefin tuna, but this document was out of step with modern advances and required updating.

Japan informed Contracting Parties that a similar scheme was in operation in the Western and Central Pacific Fisheries Commission (WCPFC) and they would have difficulty if any new ICCAT scheme differed greatly from this current scheme.

The Chair agreed with delegations that time was limited to discuss this matter but urged delegations to take up the Canadian offer to work on the document intersessionally and to provide points of contact on this item to Canada.

7. Consideration of an ICCAT observer program for compliance purposes

The Chair informed the meeting that a draft outline of an ICCAT Observer Program for Compliance purposes had been endorsed at the 2007 meeting of the Working Group and referred to the 2007 Commission meeting for consideration. A proposal for a scientific observer program had also been discussed by the Working Group in 2007 and was appended to the report of the meeting to inform the Commission further on the observer issue. (See Appendices 3 and 8 of Annex 4.4 to the 2007 Commission Proceedings.)

The United States introduced the revised observer proposal that it had tabled at the 2007 ICCAT meeting. The United States noted that the Commission had not had time to consider this revised proposal in November 2007 and had referred it to the 2008 Working Group meeting. The United States explained that the revised proposal attempted to incorporate relevant elements of the two previous observer program proposals given the 2007 Working Group discussion on the merits of using observer program to support both the scientific and compliance needs of the organization.

Several Contracting Parties supported the general thrust of the U.S. document and provided comments on the proposal, which were incorporated. Some expressed the view that the use of combined scientific and compliance observers was a very delicate issue. It was felt by the group that the observer program development issue would benefit from SCRS involvement. The United States acknowledged concerns raised by some parties that there could be difficulty in combining scientific and compliance observer programs, but noted that a way forward might be possible as such programs currently exist in other organizations. A number of parties expressed strong support for the development of a scientific regional observer program and some suggested that this should be a higher priority than a compliance observer program.

The United States suggested the best way to progress the observer issue was to set up an experts group as suggested in its proposal. Given concerns about the need to minimize the burden on CPCs in carrying out the work to develop a regional observer program, the United States indicated that the experts group could work primarily by electronic means rather than having to meet regularly.

The EC informed the meeting that as a point of principle they could not accept the merging of observers for scientific and compliance monitoring and reminded delegates that the EC had circulated a document on observers for compliance purposes at the 2007 meeting of the Working Group (see Annex 12.3 to the 2007 Commission Proceedings). That document was still active but they had decided not to pursue it this year because of the heavy workload of the Working Group. The document had been based on the Draft Outline of ICCAT Observer Program for Compliance Purposes developed in 2007 and is appended to this report as **Appendix 7 to ANNEX 4.4** (Appendix 8 to Annex 4.4 of 2007 Commission Proceedings).

Several Contracting Parties informed the meeting that based on their legal system scientific observers could not be used for compliance purposes.

Several CPCs commented that in their Countries there was no great difference between Compliance and Scientific Observers and it had been noted that when observers were carried onboard a vessel the catch rate improves. Also that the data captured by the Observer may not be used for prosecutions but may be used to close a fishery.

The ICCAT Executive Secretary informed Contracting Parties that the SCRS Chair had issued a letter on May 14, 2008 requesting information from parties on CPC observer programs. To date only 11 CPCs had responded and he urged those that had not responded to do so. The Working Group also urged CPCs to respond to the SCRS as soon as possible.

The Chair summarized the discussions by saying that there was good support for an ICCAT observer program. However, there were concerns as to mixing scientific and compliance observers. Also, several Contracting Parties had raised concerns raised regarding the financial implications of this program.

The U.S. proposal would be appended to the report as **Appendix 8 to ANNEX 4.4** and forwarded to the Commission for further consideration.

8. Consideration of other necessary actions arising from the meeting of tuna RFMOs

a) *Harmonization and improvement of trade/catch tracking systems*

As a result of the introduction of the *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10], there was a need to amend several ICCAT Recommendations and Resolutions and a list of the documents to be amended was presented in a document which is attached at **Appendix 9 to ANNEX 4.4**. Contracting Parties were asked to consider the document and to suggest amendments, if required, with a view to having the document discussed at the 2008 Commission meeting in November.

b) *Creation of a harmonized list of vessels*

The ICCAT Executive Secretary introduced a document, attached at **Appendix 10 to ANNEX 4.4**, which outlined the need for unique fishing vessel identifiers. It was necessary because there was a need to have a global inventory of high seas vessels and to track vessels when changing flag. It was also a tool to fight IUU activities. A preliminary list of tuna RFMOs' fishing vessels was published on the tuna RFMOs website. WCPFC was working with Lloyds on behalf of RFMOs to find a way forward on this issue. Contracting Parties agreed on the benefit of unique vessel identifiers and several parties expressed the view that the benefits of such a system would outweigh any additional costs, and that there could be cost savings in the long term.

c) *Harmonization of transshipment control*

The ICCAT Executive Secretary informed Contracting Parties that both the Inter-American Tropical Tuna Commission (IATTC) and the Indian Ocean Tuna Commission (IOTC) had requested information on the implementation of the observer program by ICCAT. In 2006, the Commission had adopted a *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11]. There was a need to harmonize such programs amongst RFMOs.

d) *Standardization of stock assessment presentation*

The SCRS Chair made a presentation at the Joint Meeting of tuna RFMOs on the presentation of stock assessment information (see Appendix 10 to the 2007 SCRS Report). This had been very well received by the other RFMOs and all have now adopted this format.

9. Recommendations to the Commission on actions required

The Contracting Parties agreed that the combined EC and Canadian working documents, as amended, and which is attached as **Appendix 5 to ANNEX 4.4** formed a good basis for discussions, and should be submitted to the Commission.

Canada's paper on an ICCAT boarding and inspection should be submitted to the Commission for further consideration (**Appendix 6 to ANNEX 4.4**). Contracting Parties were asked to continue working on the document in the intervening period.

The Working Group agreed to forward the U.S. proposal on an ICCAT observer program to the Commission for further discussion (**Appendix 8 to ANNEX 4.4**).

Contracting Parties recommended that work should continue on developing unique vessel identifiers and work should continue with other tuna RFMOs, Lloyds and the FAO.

As a result of the development of a catch documentation system, the document listing the Resolutions and Recommendations that should be amended was endorsed by the Working Group and forwarded to the Commission (**Appendix 9 to ANNEX 4.4**).

10. Other matters

No other matters were discussed.

11. Adoption of the Report

The report was adopted by correspondence.

12. Adjournment

The Chair thanked all those present including the Secretariat and the Interpreters for their work.

The Chairman of ICCAT thanked the Chair of the Working Group for her outstanding work in progressing matters.

The 5th Meeting of the Working Group on Integrated Monitoring Measures was adjourned on Friday, July 18, 2008.

Appendix 1 to ANNEX 4.4

Agenda

1. Opening of the Meeting
2. Election of Chair
3. Appointment of Rapporteur
4. Adoption of Agenda and Meeting Arrangements
5. Consideration and development of port State measures
6. Consideration of an ICCAT Boarding and Inspection Scheme
7. Consideration of an ICCAT Observer Program for Compliance Purposes
8. Consideration of other necessary actions arising from the meeting of tuna RFMOs (San Francisco)
 - Harmonization and improvement of trade/catch tracking systems
 - Creation of harmonized list of vessels
 - Harmonization of transshipment control
 - Standardization of stock assessment presentation
9. Recommendations to the Commission on actions required.
10. Other matters
11. Adoption of Report
12. Adjournment

Appendix 2 to ANNEX 4.4

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Appendix 3 to ANNEX 4.4**Draft Recommendation by ICCAT on a Regional Scheme on Port State Measures****Proposal by EC**

RECALLING the 2005 FAO Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated (IUU) Fishing endorsed by the Twenty-sixth Session of the FAO Committee on Fisheries;

RECALLING further the Sustainable Fisheries Resolutions of the United Nations General Assembly adopted in 2005, 2006 and 2007 calling for the development of a legally-binding instrument on port State measures;

ACKNOWLEDGING the decision of the Twenty-seventh Session of the FAO Committee on Fisheries to develop a legally-binding instrument on port State measures;

TAKING INTO ACCOUNT the draft Agreement on port State measures developed by the FAO Expert Consultation to Develop a Legally-binding Instrument on Port State Measures held 4-8 September 2007 in Washington DC USA;

NOTING the Plan of Action adopted in Kobe in January 2007 by the *Joint Tuna RFMOs Meeting*;

NOTING port State measures that have been adopted by various regional fisheries management organizations;

TAKING INTO ACCOUNT the *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11] and the *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10];

CONCERNED by the fact that IUU fishing activities in the ICCAT Convention area diminish the effectiveness of the ICCAT conservation and management measures,

RECOGNIZING the potential effectiveness of strengthened and harmonized port State Measures to monitor compliance with ICCAT conservation measures and to combat IUU fishing activities, and the need to develop and to implement such measures in a fair, transparent and non-discriminatory manner;

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

Objective

1. The objective of this Recommendation is to monitor compliance with ICCAT measures for all ICCAT species and to prevent, deter and eliminate IUU fishing through strengthened, harmonized and transparent port State measures.

Definitions

2. For the purposes of this Recommendation:
 - a) “fish” means tuna and tuna-like species, covered by the ICCAT Convention;
 - b) “fishing” means:
 - (i) the actual or attempted searching for, catching, taking, caging or harvesting of fish in the ICCAT Area; and

- (ii) engaging in any activity which can reasonably be expected to result in the locating, catching, taking or harvesting of fish in the ICCAT Area;
- c) “fishing related activities” means any operation in support of, or in preparation for, fishing, including the processing, transshipment or transport of fish that have not been previously landed and offloaded at a port, as well as the provision of personnel, fuel, gear and other supplies at sea;
- d) “port” includes offshore terminals and other installations for landing, transshipping, processing refueling or re-supplying;
- e) “illegal, unreported and unregulated fishing” (IUU) has the same meaning as set out in the paragraph 3 of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and applies to all marine fisheries;
- f) "Regional fisheries management organization" means a sub-regional or regional organization or arrangement with competence, as recognized under international law, to establish conservation and management measures for straddling fish stocks or highly migratory stocks occurring in the area of the high seas placed under its responsibility by virtue of its establishing convention or agreement; and
- g) “vessel” means any vessel, ship of another type, boat and other craft used for, equipped to be used for, or intended to be used for, fishing or fishing related activities in the Convention area.

Application

3. ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) shall apply this Recommendation in respect of all vessels fishing for tuna and tuna-like species in the ICCAT area of competence in a transparent and non-discriminatory manner.

Integration and coordination

4. To the greatest extent possible, CPCs shall:
 - a) integrate port State measures into a broader system of port State controls;
 - b) integrate port State measures with other measures to prevent, deter and eliminate IUU fishing; and
 - c) take measures to share information among relevant national agencies and to coordinate the activities of such agencies in the implementation of this Recommendation.

Cooperation and exchange of information

5. In the implementation of this Recommendation and with due regard to appropriate confidentiality requirements, CPCs shall cooperate and exchange information with the ICCAT Secretariat, relevant States and international organizations and other entities, including, as appropriate, by:
 - a) requesting information from, and providing information to, relevant databases;
 - b) requesting and providing cooperation to promote the effective implementation of this Recommendation.
6. The CPCs shall ensure that national fisheries related information systems allow for the direct electronic exchange of information on port State inspections between them and with the ICCAT Secretariat, with due regard to appropriate confidentiality requirements, in order to facilitate the implementation of this Recommendation.
7. The CPCs shall establish a list of contact points in the relevant administrations in order to take due note of any reply or any actions proposed or taken by the flag State of the inspected vessel. The list shall be transmitted to the Executive Secretariat of ICCAT and to the other CPCs no later than 30 days after the entry into force of this Recommendation.

Designation of Ports

8. The CPCs shall designate and publicize national ports to which vessels may be permitted access and shall ensure that every port designated and publicized has sufficient capacity to conduct inspections and take other port State measures in accordance with this Recommendation.
9. The CPCs shall notify the ICCAT Secretariat of the ports designated under paragraph 9 once a year, in the month of January.

ICCAT Register of Ports

10. The ICCAT Secretariat shall establish and maintain a register of designated and publicized national ports based on the lists submitted by CPCs. The register shall be published on the ICCAT website.

Prior Notice of Entry into Port

11. The CPCs shall, before granting access to their designated ports, require the masters of vessels to notify the competent authorities of the port they wish to use at least 72 hours before the estimated time of arrival. Copy of this request shall be forwarded by the port State to the flag State. However, a CPC may make provision for another notification period, taking into account, *inter alia*, the distance between the fishing grounds and its ports. In such a case, the CPC concerned shall inform without delay the ICCAT Secretariat, which shall put the information on the ICCAT website. The notification shall include, as a minimum standard, the information set out in **Annex 1**.

Port Entry Authorization

12. Each CPC, through its competent authorities, shall communicate in a written form the authorization, or denial, for access to the port for landing, transshipping or processing to the master of the vessel seeking access to its ports. The master of the vessel shall present the authorization for access to the port to the competent authorities of the CPCs upon arrival at port before commencing authorized activities.

Denial of entry to port

13. A CPC shall not allow a vessel to enter its ports if the vessel is included in a list of vessels having engaged in, or supported, IUU fishing adopted by a regional fisheries management organization in accordance with the rules and procedures of such organization.
14. By way of derogation to paragraph 13, a CPC may authorize the entry into its ports of a vessel included in a list of vessels having engaged in, or supported, IUU fishing adopted by a regional fisheries management organization in accordance with the rules and procedures of such organization for the purpose of taking inspection or enforcement actions which are as effective as the measures referred to in paragraph 13.

Denial of use of port

15. A CPC shall not allow a vessel to use its ports for landing, transshipment or processing of fish if the vessel:
 - a) at the relevant time was engaged in fishing in the Convention area and was not flying the flag of a CPC;
or
 - b) has been sighted as being engaged in, or supporting, IUU fishing in the Convention area,
 unless the vessel can establish that the catch was taken in a manner consistent with relevant conservation and management measures.
16. A CPC shall not allow a vessel to use its ports for landing, transshipping or processing of fish if the vessel is included in a list of vessels having engaged in, or supported, IUU fishing adopted by a regional fisheries management organization in accordance with the rules and procedures of such organization.

17. A CPC shall not allow a vessel to use its ports for landing, transhipping or processing of fish if the vessel is not in the ICCAT register of vessels authorized to fish or where there are reasonable grounds for believing that the vessel does not have a valid and applicable authorization to engage in fishing and fishing related activities in the ICCAT Area.
18. A CPC shall deny a vessel referred to in paragraphs 13, 14 or 15 access to port services, including, *inter alia*, refueling and resupplying services but not including services essential to the safety, health and welfare of the crew.
19. Where a CPC has denied the use of its ports in accordance with this Recommendation to a third country vessel, it shall promptly notify the master of the vessel, the flag State and the relevant coastal State(s), and, as appropriate, the ICCAT Secretariat and other relevant organizations of such action. The ICCAT Secretariat shall forward this information to all CPCs.

Withdrawal of denial of use of port

20. A CPC may withdraw its denial of the use of its port in respect of a third country vessel only if the CPC is satisfied that there is sufficient proof to show that the grounds on which the use was denied were inadequate or erroneous or that such grounds no longer apply.
21. Where a CPC has withdrawn its denial pursuant to paragraph 18, it shall promptly notify those to whom a notification was issued pursuant to this Recommendation.

Inspections

22. Each CPC shall ensure that any vessel that enters into one of its ports without prior authorization or has been denied the use of one of its ports in accordance with paragraphs 13, 14 or 15 shall always be subject to inspection.
23. Each CPC shall inspect on entry into each designated port, at least one in every six vessels covered by this Recommendation.
24. In determining which vessels to inspect, a CPC shall give priority to:
 - a) vessels that have previously been denied the use of a port in accordance with this Recommendation; or
 - b) requests duly justified from other relevant States or regional fisheries management organizations;
 - c) vessels for which an infringement was issued during an inspection at sea;
 - d) vessels fishing or receive transhipments from an area where the fishery has been closed.
25. Each CPC shall ensure that inspections of vessels in its ports are carried out in accordance with the inspection procedures set out in **Annex 2**.
26. Each CPC shall ensure that requirements are established for the certification of its inspectors. Such requirements shall take into account the elements for the training of inspectors in **Annex 3**.
27. Each CPC shall ensure that inspectors make all possible efforts to avoid unduly delaying vessels, that vessels suffer the minimum interference and inconvenience possible, and that degradation of the quality of the fish is avoided. Regarding vessels without freezing capacity, the inspection shall be carried out within 4 hours from the entry of the vessels in port.
28. Each CPC shall, as a minimum standard, require the information set out in **Annex 4** to be included in the report of the results of each inspection.
29. Each CPC shall ensure that the results of port inspections are always presented to the master of the vessel for review and signature and that the report is completed and signed by the inspector. The master of the inspected vessel shall be given the opportunity to add any comment to the report and, as appropriate, to

contact the relevant authorities of the flag State, in particular when there are serious difficulties in understanding the contents of the report.

30. Each CPC shall ensure that a copy of the inspection report is provided to the master of the inspected vessel for retention on board the vessel as well as to the flag State within three full working days of the completion of the inspection.
31. Where, following an inspection there is reasonable evidence for believing that a vessel has engaged in or supported IUU fishing activities, the relevant port State shall:
 - a) deny use of their ports to the vessel for landing, transshipping or processing of fish and access to port services, including, *inter alia*, refueling and resupplying but not including services essential to the safety, health and welfare of the crew.
 - b) transmit the results of the inspection without delay to the flag State of the inspected vessels, to the ICCAT Secretariat and to other CPCs;
32. CPCs may take measures in addition to those referred to in paragraph 29 that are consistent with international law provided that:
 - a) the measures are provided for in its national laws and regulations, or
 - b) the flag State of the vessel has consented to the taking of such measures or requested such measures to be taken, or a relevant coastal State has requested the taking of such measures in respect of an infringement that has occurred in an area under its national jurisdiction, or
 - c) the flag State has not responded within a reasonable period of time to requests by the port State pertaining to enforcement measures taken by the flag State in respect of the vessel concerned, or
 - d) the vessel is without nationality, or
 - e) the additional measures give effect to a measure adopted by ICCAT.

Standardized information on port inspections

33. Each CPC shall handle information on port inspections in a standardized form, consistent with **Annex 5**.

Regional information system

34. A regional information system which includes port State information shall be developed by the ICCAT to better monitor and control the ICCAT Area.

Force majeure or distress

35. Nothing in this Recommendation affects the access of vessels to port in accordance with international law for reasons of *force majeure* or distress.

Role of the flag State

36. Each CPC shall, in its capacity as a flag State, cooperate with other CPCs
37. When a CPC has reasonable grounds to believe that a vessel flying its flag has engaged in or supported IUU fishing activities and is seeking access to or is in the port of another CPC, it shall request that CPC to inspect the vessel and to advise them of the results.
38. Each CPC shall ensure that vessels entitled to fly its flag land, cage, tranship and process fish, and use other port services, in designated ports of other CPCs that are acting in accordance with, or in a manner consistent, with this Recommendation.
39. The flag State shall ensure that the master of a fishing vessel entitled to fly its flag when being inspected shall:

- a) co-operate with and assist in the inspection of the fishing vessel conducted pursuant to these procedures, and not obstruct, intimidate or interfere with the inspectors in the performance of their duties;
 - b) provide access to any areas, decks and rooms of the fishing vessel, catch (whether processed or not), nets or other gear, equipment, and any information or documents which the inspector deems necessary in undertaking an inspection;
 - c) provide access to registration documents, fishing authorizations or any other documentation as required by the inspector.
40. If the master of a fishing vessel refuses to allow an authorized inspector to carry out an inspection in accordance with these procedures, the master shall offer an explanation of the reason for such refusal. The port inspection authorities shall immediately notify the authorities of the fishing vessel, as well as the ICCAT Secretariat, of the master's refusal and any explanation.
41. If the master does not comply with an inspection request, the flag State shall be requested to suspend the vessel's authorization to fish and order the vessel to remain in port, or take other measures that it deems appropriate. The flag State shall immediately notify the port inspection authorities and the ICCAT Secretariat of the action it has taken in these circumstances. The port inspection authorities shall provisionally seize all documents, immobilize the cargo and prohibit the vessel from leaving port until the flag State notifies the action that it has taken.

Requirements of developing States

42. Full recognition shall be given to the special requirements of developing CPCs in relation to the implementation of this Recommendation. To this end, CPCs shall aim at providing assistance and cooperate to establish special funds.
43. This Recommendation replaces the *Recommendation by ICCAT for a revised ICCAT port inspection scheme* [Rec. 97-10].

Annex 1

Information to be provided in advance by vessels

1. Vessel identification

- Name of the vessel
- External identification number
- ICCAT register number
- Lloyd's IMO number (where appropriate)
- Flag State
- Vessel master

2. Access to port

- Purpose(s)
- Intended port of call
- Estimated time of arrival

3. Fishing authorization (licenses/permits)

4. Fishing trip information

- Dates, times, zone and place of current fishing trip
- Areas visited (entry and exit from different areas), including GSAs, High Seas and others, as appropriate
- Transshipment activities at sea (date, species, quantity of fish transhipped)
- Last port visited and date

5. Species information

- Log Book – Yes/No
- Fish species and fishery products onboard
- Areas of capture or collection – areas under national jurisdiction, high seas
- Estimated quantity to be landed

6. Other – as required by port States*Annex 2***Port State Inspection Procedures for Vessels****1. Vessel identification**

The port inspector(s) shall:

- a) verify that the official documentation onboard is valid, if necessary, through appropriate contacts with the flag State or international records of vessels;
- b) where necessary, arrange for an official translation of the documentation. In this case the official translation shall be ensured by the Port State;
- c) be assured that the vessel's name, flag, any external identification number and markings (and IMO ship identification number when available) and the international radio call sign are correct;
- d) to the extent possible, examine whether the vessel has changed name and/or flag and, if so, note the previous name(s) and flag(s);
- e) note the port of registration, name and address of the owner (and operator and beneficial owner if different from the owner), agent, and master of the vessel, including the unique ID for company and registered owner if available; and
- f) note the name(s) and address(es) of previous owner(s), if any, during the past five years.

2. Authorization(s)

The port inspector(s) shall verify that the authorization(s) to fish or transport fish and fishery products are compatible with the information obtained under paragraph 1 and examine the duration of the authorization(s) and their application to areas, species and fishing gear.

3. Other documentation

The port inspector(s) shall review all relevant documentation, including documents in electronic format. Relevant documentation may include logbooks, in particular the fishing logbook, as well as the crew list, stowage plans and drawings or descriptions of fish holds if available. Such holds or areas may be inspected in order to verify whether their size and composition correspond to these drawings or descriptions and whether the stowage is in accordance with the stowage plans. Where appropriate, this documentation shall also include catch documents or trade documents issued by any regional fisheries management organization.

4. Fishing gear

- a) The port inspector(s) shall verify that the fishing gear on board is in conformity with the conditions of the authorization(s). Where appropriate, the gear may also be checked to ensure that features such as, *inter alia*, the mesh size(s) (and possible devices), length of nets, hook sizes conform with applicable regulations and that identification marks of the gear correspond to those authorized for the vessel.

- b) The port inspector(s) may also search the vessel for any fishing gear stowed out of sight and for fishing gear that is otherwise illegal.

5. Fish and fishery products

- a) The port inspector(s) shall, to the greatest extent possible, examine whether the fish and fishery products on board were harvested in accordance with the conditions set out in the applicable authorization(s). In doing so, the port inspector(s) should examine the fishing logbook, reports submitted, including those transmitted by a vessel monitoring system (VMS), as appropriate.
- b) Where appropriate in order to determine the quantities and species on board, the port inspector(s) may, when possible, examine the fish in the hold or during the landing. In doing so, the port inspector(s) may open cartons where the fish has been pre-packed and move the fish or cartons to ascertain the integrity of fish holds.
- c) If the vessel is unloading, the port inspector(s) may verify the species and quantities landed. Such verification may include product type, live weight (quantities determined from the logbook) and the conversion factor used for calculating processed weight to live weight. The port inspector(s) may also examine any possible quantities retained onboard.
- d) The port inspector(s) may review the quantity and composition of all catch onboard, including by sampling.

6. Verification of IUU fishing

If the port inspector(s) has reasonable grounds to believe that a vessel has engaged in, or supported IUU fishing, the competent authority of the port State shall as soon as possible contact the flag State authorities to verify whether the fish and fishery products have been harvested or collected in the areas as recorded in the relevant documents. As appropriate, the competent authority may also contact a coastal State where the fish was allegedly taken.

7. Report

A written report shall be prepared and signed by the inspector on completion of the inspection and a copy provided to the master of the vessel in accordance with paragraph 27 of the Recommendation.

Annex 3

Training of Port State Inspectors

Elements of a training program of port State inspectors should include at least the following areas:

- a) training in inspection procedures;
- b) relevant laws and regulations, areas of competence and conservation and management measures of relevant regional fisheries management organizations, and applicable rules of international law;
- c) information sources, such as log books and other electronic information that may be useful for the validation of information given by the master of the vessel;
- d) identification of fish species and measurement calculation;
- e) monitoring catch landing, including determining conversion factors for the various species and products;
- f) identification of vessels and gear and gear measurements and inspections;
- g) vessel boarding/inspection, hold inspections and calculation of vessel hold volumes;
- h) VMS equipment and operation;
- i) collection, evaluation and preservation of evidence;
- j) the range of measures available to be taken following the inspection;
- k) health and safety issues in the performance of inspections;
- l) conduct during inspections;
- m) relevant languages, particularly English.

Results of Port State Inspections

Results of port State inspections shall include at least the following information:

1. Inspection references

- Inspecting authority (name of inspecting authority or the alternate body nominated by the authority);
- Name of inspector;
- Date and time of inspection;
- Port of inspection (place where the vessel is inspected); and
- Date (date the report is completed).

2. Vessel identification

- Name of the vessel;
- Type of vessel;
- Type of gear;
- External identification number (side number of the vessel) and IMO-number (if available) or other number as appropriate;
- International Radio Call Sign;
- MMSI-number (Maritime Mobile Service Identity number), if available;
- Flag State (State where the vessel is registered);
- Previous name(s) and flag(s), if any;
- Home port (port of registration of the vessel) and previous home ports;
- Vessel owner (name, address, contact of the vessel owner);
- Vessel beneficial owner if different from the vessel owner (name, address, contact);
- Vessel operator responsible for using the vessel if different from the vessel owner (name, address, contact);
- Vessel agent (name, address, contact)
- Name(s) and address(es) of previous owner(s), if any;
- Name, nationality and maritime qualifications of master and fishing master;
- Crew list

3. Fishing authorization (licenses/permits)

- The vessel's authorization(s) to fish or transport fish and fish products;
- State(s) issuing the authorization(s);
- Terms of the authorization(s), including areas and duration;
- Relevant regional fisheries management organization;
- Areas, scope and duration of the authorization(s);
- Details of allocation authorized – quota, effort or other;
- Species, by-catch and fishing gear authorized; and
- Transshipment records and documents¹ (where applicable).

4. Fishing trip information

- Date, time, zone and place current fishing trip commenced;
- Areas visited (entry and exit from different areas);
- Transshipment activities at sea (date, species, place, quantity of fish transhipped)
- Last port visited; and
- Date and time where current fishing trip ended
- Intended next port of call, as appropriate.

5. Result of the inspection on the catch

- Start and end of discharge (times and date);
- Fish species;
- Product type;

¹ The transshipment records and documents must include the information provided for in paragraphs 1-3 of this Annex 2.

- Live weight (quantities determined from the log book);
- Relevant conversion factor;
- Processed weight (quantities landed by species and presentation);
- Equivalent live weight (quantities landed in equivalent live weight, as “product Weight multiplied with the conversion factor”); and
- Intended destination of fish and fishery products inspected.

6. Results of gear inspection

- Details of gear types.

7. Conclusions

- Conclusions of the inspection including identification of the infringements believed to have been committed and reference to the relevant rules and measures. Such evidence shall be attached to the inspection report

Annex 5

Information System on port State Inspections

1. Communication between CPCs and the ICCAT Secretariat and the relevant flag States as well as between CPCs and relevant regional fisheries management organizations would require the following:

- data characters;
- structure for data transmission;
- protocols for the transmission; and
- formats for transmission including data element with a corresponding field code and a more detailed definition and explanation of the various codes.

2. International agreed codes shall be used for the identification of the following items:

- States: 3-ISO Country Code;
- fish species: FAO 3-alpha code;
- vessels: FAO alpha code;
- gear types: FAO alpha code;
- devices/attachments: FAO 3-alpha code; and
- ports: UN LO-code, or codes as provided by the Port State.

3. Data elements shall at least include the following:

- inspection references;
- vessel identification ;
- fishing authorization(s) (licenses/permits);
- trip information;
- result of the inspection on discharge;
- quantities inspected;
- result of gear inspection;
- irregularities detected;
- actions taken; and
- information from the flag State.

Appendix 4 to ANNEX 4.4**Draft Recommendation by ICCAT Respecting Port State Measures****Proposal by Canada**

RECALLING the General Outline of Integrated Monitoring Measures adopted by ICCAT at the 13th Special Meeting of the ICCAT

Article 1. Definitions

“Commission” means the International Commission for the Conservation of Atlantic Tunas established by paragraph 1 of Article III of the Convention;

“Convention” means the International Convention for the Conservation of Atlantic Tunas,

“CPC” means a Contracting Party to the Commission, Cooperating non-Contracting Party, entity or fishing entity that has agreed to be bound by the Convention and Recommendations;

“port” includes offshore terminals and other installations for landing, transshipping, processing refueling or re-supplying;

“Port State” means a CPC in whose territory a vessel containing fish or fish products regulated by ICCAT or a vessel that supports fishing vessels fishing for fish regulated by ICCAT seeks entry for landing, transshipping or use of port services.

“Vessel” means a fishing vessel operating in the Regulatory Area or a vessel providing support services to such vessels at sea;

“Recommendation” means a decision of the Commission taken pursuant to Article VIII of the Convention.

Article 2. Scope

1. Subject to the right of the port State to impose requirements of its own for access to its ports, this Recommendation sets out minimum standards for control that each port State shall apply where it permits vessels to enter its ports.
2. This Recommendation also sets out the respective duties of flag State CPCs and of masters of vessels seeking entry into a CPC port.

Article 3. Duties of the port State

1. The port State shall designate ports in its territory that fishing vessels may enter, by transmitting to the Executive Secretary a list of such ports by March 31 of each year. Any subsequent changes to the list shall be notified to the Executive Secretary no later than fifteen days before the change comes into effect.
2. The port State shall establish a minimum notification period of no less than 3 working days before the estimated time of arrival of such vessels, taking into account, inter alia, distance between fishing grounds and its ports. The port State shall advise the Executive Secretary who shall post the prior notification periods to the Commission’s website.
3. The port State shall designate the competent authority to serve as the contact point for the purposes of receiving notifications and issuing authorizations pursuant to this Recommendation. The port State shall advise the Executive Secretary of the name and contact information for its competent authority.
4. a) The port State CPC shall require every master of every vessel seeking to enter any designated port to submit the appropriate forms as set out in the annexes. Upon receipt from the master, it shall without

- delay transmit copies of forms PSM 1 and PSM 2 to the flag State of the vessel and to the flag State of any other vessel that has engaged in transshipment operations with it;
- b) subject to paragraph 5, the port State may authorize landing or transshipment only upon receiving confirmation from the flag State that has returned completed form PSM1 and PSM2.
 - c) where it permits vessel to vessel transshipments in its ports, the port State shall require the master of the vessel receiving the transshipment to fill out and sign Form PSM 4 together with the master of the vessel making the transshipment. It shall without delay send a copy of the completed form to the flag State of all vessels involved in the transshipment and to the Executive Secretary.
5. The port State may authorize all or part of a landing in the absence of the confirmation referred to in subparagraph 4(b). In that case the fish concerned shall be kept in storage under its control, to be released upon receipt of the confirmation referred to in subparagraph 4(b). Where it does not receive that confirmation within 14 days of the landing, the port State may seize and dispose of the fish.
 6. The port State shall without delay notify the master of the fishing vessel whether it has authorized the proposed landing or transshipment. It shall, without delay, transmit a copy of form X with Part C duly completed to the Executive Secretary.
 7. The port State shall annually inspect at least [XX] % of all landings or transshipments.
 8. Inspections shall be conducted by authorized inspectors who shall present their credentials to the master of the vessel.
 9. The port State may invite inspectors of other CPCs to observe inspections in its ports.
 10. The port State shall examine the entire landing or transshipment and shall:
 - a) cross-check against the quantities of each species landed or transhipped,
 - i) the quantities by species recorded in the logbook
 - ii) the catch reported to the flag State and notified to the port State pursuant to paragraph 4(a);
 - iii) all information provided in forms PSM 1 and PSM 2, and
 - iv) results of any inspections carried out pursuant to Recommendation [75-02, or xx-xx; boarding and inspection];
 - b) verify and record the quantities by species of catch remaining on board upon completion of landing or transshipment;
 - c) verify any information from inspections carried out pursuant to Recommendation [75-02, or xx-xx; boarding and inspection];
 - d) inspect all fishing gear on board for compliance with ICCAT Recommendations ;
 - e) verify fish size for compliance with minimum size requirements.
 11. Each inspection shall be documented by completing form PSM 3 (port State Control inspection form) as set out in Annex 3. The inspectors shall sign the report provide the master an opportunity to review and place comments in the report and request that the master sign the report. The inspectors shall provide a copy of the report to the master.
 12. The port State shall, without delay, transmit a copy of the report and, upon request, an original or a certified copy thereof, to the flag State of the vessel and to the flag State of any vessel that transhipped catch to the inspected vessel. A copy shall also be sent to the Executive Secretary without delay.
 13. Where it permits any vessel entitled to fly the flag of non-Cooperating, non-Contracting Party to enter a port in its territory, the port State shall apply Article 5 to such vessel.

14. In conducting inspections the port State shall seek to:
 - a) avoid unduly delaying the fishing vessel and to avoid action that would adversely affect the quality of the catch on board, and
 - b) minimize interference and inconvenience to the vessel required to carry out an effective inspection pursuant to these procedures.

Article 4. Duties of the flag State

1. The flag State CPC shall ensure that the master of any fishing vessel entitled to fly its flag complies with the obligations relating to masters set out in this Recommendation.
2. The flag State CPC of a vessel intending to land or tranship shall confirm by returning a copy of forms PSM 1 and PSM 2 with part B duly completed, stating that:
 - a) the fishing vessel had sufficient quota for the species declared;
 - b) where applicable, the quantity of fish on board has been duly reported by species and taken into account for the calculation of any catch or effort limitations that may be applicable;
 - c) the fishing vessel had authorization to fish in the areas declared; and
 - d) the presence of the vessel in the area in which it has declared to have taken its catch has been verified by VMS data and,
 - e) in respect of vessel that has been fishing for stocks subject to catch reporting requirements, reported catches of the vessel for those stocks.

Article 5. Obligations of the Master

1. The port State shall require the master of any fishing vessel intending to make a port call to notify its competent authorities within the notification period established pursuant to Article 3. Such notification shall be accompanied by form PSM 1 and PSM 2 as set out in **Annexes 1 and 2** respectively with Part A duly completed as follows:
 - a) Form PSM 1, set out in Annex 1 shall be used where the vessel is landing or transshipping its own catch; and
 - b) Form PSM 2, set out in Annex 2 shall be used where the vessel has engaged in transshipment operations. A separate form shall be used for each vessel from which it has received transshipment.
 - c) both forms PSM 1 and PSM 2 shall be completed in cases where a vessel is intending to land both its own catch and catch on board that it received through transshipment.
2. A port State may permit a master to correct the catch information indicated in the original PSM 1 or PSM 2 by notifying it no later than 6 hours before the estimated time of arrival and be accompanied by a copy of the original PSM 1 or 2 with the new catch information included. The word “corrected” shall be written across it as indicated in Annex [xx].
3. The port State shall require the master to:
 - a) cooperate with and assist in the inspection of the fishing vessel conducted pursuant to these procedures and shall not obstruct, intimidate or interfere with the port State inspectors in the performance of their duties;
 - b) provide access to any areas, decks, rooms, holds, catch, nets or other gear or equipment, and provide any relevant information which the port State inspectors request including copies of any relevant documents.

Article 6. Duties of the Executive Secretary

1. The Executive Secretary shall without delay post on the Commission's website:

- a) the list of designated ports;
- b) prior notification periods established by each CPC;

The Executive Secretary shall without delay post on the secure part of the Commission's website copies of all PSM forms transmitted by port States;

2. All forms related to a specific landing or transshipment shall be posted together.

Article 7. Serious infringements

The following infringements shall be considered serious:

- a) preventing inspectors or observers from carrying out their duties;
- b) landing or transshipping in a port not designated in accordance with the provisions of Article 3(1);
- c) failure to comply with the provisions of Article 5 (1);
- d) landing or transshipping without authorization of the port State as required pursuant to Article 3(5);
- e) failure to comply with the provisions of Article 6;
- f) harvesting tunas and tuna-like species in the Convention area without being registered on the Commission list of vessels authorized to fish for tuna and tuna-like species in the Convention area;
- g) harvesting tuna and tuna-like species in the Convention area, where the flag State is without quotas limit or effort allocation under relevant Recommendations;
- h) failure to record or report catches in the Convention area, or making false reports;
- i) taking or landing undersized fish in contravention of applicable Recommendations;
- j) fishing during closed fishing periods or in closed areas in contravention of applicable Recommendations;
- k) using prohibited fishing gear in contravention of applicable Recommendations;
- l) transshipping with or participating in joint operations such as re-supplying or re-fuelling vessels included in the IUU vessels list;
- m) falsifying or concealing the markings, identity or registration of a fishing vessel;
- n) concealing, tampering with or disposing of evidence relating to an investigation;
- o) multiple infringements which together constitute a serious disregard of conservation and management measures;
- p) such other infringements as may be specified by the Commission. Such infringements shall be followed up according to appropriate national legislation.

Article 8. Response to Serious infringements

1. Where, following inspection, there are reasonable grounds to believe that a vessel has committed a serious infringement as set out in Article 7, the port State shall promptly notify the flag State, and the Executive Secretary and shall prohibit landing, trans-shipping or processing of fish or fish products on board and use

of port services, including, *inter alia*, refueling and resupplying but not services essential to the safety, health or welfare of the crew.

2. The Executive Secretary shall promptly notify all Contracting Parties of the infringements.
3. Except for the flag State no CPC shall permit a vessel identified pursuant to paragraph 2 to enter its ports or, in case of force majeure, to use any port services except those essential to the safety, health or welfare of the crew.

Article 9. Inspections of non-Cooperating non-Contracting Party vessels

1. The port State shall prohibit the entry into its ports of vessels that have not given the required prior notice and provided the information referred to in paragraph 1 of Article 5.
2. Where it permits a vessel entitled to fly the flag of a non-Cooperating non-Contracting Party to enter a port in its territory, the port State shall ensure, subject to paragraph 2, no catch or product on board is landed or transhipped until after the vessel is inspected by officials familiar with the requirement of the Convention and Recommendations in force. Such inspections shall include documents, logbooks, fishing gear, catch or product on board and any other matter relating to the vessel's activities in the Convention Area. In addition, the port State shall prohibit the vessel from landing or transhipping until it has received confirmation issued by the flag State in accordance with the provisions of Article 4. The port State shall document the inspection by completing the form provided in Annex [xx] and transmitting it and information on any follow-up action it has taken in relation to any vessel so inspected without delay to the Executive Secretary who shall post the information on the secure part of the Commission website and inform the flag State, relevant RFMOs and other CPCs.
3. Where the inspection discloses that the catch or product on board is regulated by the Commission,
 - a) the port State shall prohibit the vessel from landing catch or product on board in its ports and deny it the use of any port services, including, *inter alia*, refueling and resupplying but not services essential to the safety, health and welfare of the crew;
 - b) except for the flag State, no CPC may permit the vessel to land catch or product in its ports or except for services essential to the safety, health and welfare of the crew, to use any port services, including, *inter alia*, refueling and resupplying; and
 - c) no CPC may permit the vessel to enter any port in its territory until the flag State has provided evidence to the Executive Secretary that it has imposed sanctions on the vessel in respect of the violations documented by the port State, adequate in severity to be effective in securing compliance, discourage future violations and deprive the vessel of benefits accruing from the violation.

Article 10. Annexes

The Annexes form an integral part of these procedures (to be developed).

Appendix 5 to ANNEX 4.4

Draft Recommendation by ICCAT on a Regional Scheme on Port State Measures

Proposed by Canada and EC

RECALLING the 2005 FAO Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated (IUU) Fishing endorsed by the Twenty-sixth Session of the FAO Committee on Fisheries;

RECALLING further the Sustainable Fisheries Resolutions of the United Nations General Assembly adopted in 2005, 2006 and 2007 calling for the development of a legally-binding instrument on port State measures;

ACKNOWLEDGING the decision of the Twenty-seventh Session of the FAO Committee on Fisheries to develop a legally-binding instrument on port State measures;

NOTING the Plan of Action adopted in Kobe in January 2007 by the Joint Tuna RFMOs Meeting;

NOTING port State measures that have been adopted by various regional fisheries management organizations;

FURTHER NOTING developments at the 1st session of the FAO Technical Consultation on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing, held in Rome 23 to 27 June 2008;

TAKING INTO ACCOUNT the *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11] and the *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10];

CONCERNED by the fact that IUU fishing activities in the ICCAT Convention area diminish the effectiveness of the ICCAT conservation and management measures,

RECOGNIZING the potential effectiveness of strengthened and transparent port State Measures to monitor compliance with ICCAT conservation measures and to combat IUU fishing activities, and the need to develop and to implement such measures in a fair, transparent and non-discriminatory manner;

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

Objective

1. The objective of this Recommendation is to monitor compliance with ICCAT measures for all ICCAT species and to prevent, deter and eliminate IUU fishing through strengthened and transparent port State measures.

Definitions

2. For the purposes of this Recommendation:

- a) "fish" means tuna and tuna-like species, covered by the ICCAT Convention;
- b) "fishing" means:
 - (i) the actual or attempted searching for, catching, taking, caging or harvesting of fish in the ICCAT area; and
 - (ii) engaging in any activity which can reasonably be expected to result in the locating, catching, taking or harvesting of fish in the ICCAT area;
- c) "fishing related activities" means any operation in support of, or in preparation for, fishing, including the processing, transshipment or transport of fish that have not been previously landed and offloaded at a port, [as well as the provision of personnel, fuel, gear and other supplies at sea;]
- d) "port" includes offshore terminals and other installations for landing, transshipping, processing refueling or re-supplying;
- e) "illegal, unreported and unregulated fishing" (IUU) has the same meaning as set out in the paragraph 3 of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and applies to all marine fisheries;]
- f) "Regional fisheries management organization" means a sub-regional or regional organization or arrangement with competence, as recognized under international law, to establish conservation and

management measures for straddling fish stocks or highly migratory stocks occurring in the area of the high seas placed under its responsibility by virtue of its establishing convention or agreement; and

- g) [“fishing vessel” means any vessel used or intended for use for the purposes of the commercial exploitation [through fishing and fishing related activities] of ICCAT species, including fish processing vessels and vessels engaged in transshipment;]

Application

3. The provisions here after apply to [landings [transshipments] and fishing related activities in ports of CPCs in respect of fishing vessels that are not entitled to fly the flag of the CPC and are seeking entry to its ports, except for fishing vessels of a neighboring State that are engaged in artisanal fishing for subsistence provided that the port State and the flag State cooperate to ensure that those vessels do not engage and/or support illegal, unreported and unregulated fishing.

[Each CPC shall ensure that port State measures applied in relation to fishing vessels flying its flag are as effective as the measures contained in this Recommendation.]

The provisions of this Recommendation shall be applied and implemented in a fair, transparent and non-discriminatory manner, consistent with international law.

Nothing in the Recommendation shall prejudice the rights, jurisdiction and duties of CPCs under international law. In particular, nothing in this Recommendation shall be construed to affect the exercise by States of their sovereignty over ports in their territory in accordance with international law, including their right to deny access thereto, as well as to adopt more stringent port State measures than those provided in this Recommendation.

Integration and coordination

4. To the greatest extent possible, CPCs shall:
- a) integrate port State measures into a broader system of port State controls;
 - b) integrate port State measures with other measures to prevent, deter and eliminate IUU fishing; and
 - c) take measures to share information among relevant national agencies and to coordinate the activities of such agencies in the implementation of this Recommendation.

Cooperation and exchange of information

5. In the implementation of this Recommendation and with due regard to appropriate confidentiality requirements, CPCs shall cooperate and exchange information with the ICCAT Secretariat, relevant States and international organizations and other entities, including, as appropriate, by:
- a) requesting information from, and providing information to, relevant databases;
 - b) requesting and providing cooperation to promote the effective implementation of this Recommendation.
6. The CPCs shall, to the greatest extent possible, ensure that their fisheries related information systems allow for the direct electronic exchange of information on port State inspections between them and with the ICCAT Secretariat, with due regard to appropriate confidentiality requirements, in order to facilitate the implementation of this Recommendation.
7. The CPCs shall establish a list of competent authorities to serve as contact points for the purposes of receiving notifications and issuing authorizations pursuant to this Recommendation. The list shall be transmitted to the Executive Secretariat of ICCAT and to the other CPCs no later than 30 days after the entry into force of this Recommendation.

Designation of Ports

8. [When allowing foreign fishing vessels access to its ports] The CPCs shall designate and publicize national ports to which such vessels may be permitted access and shall [to the greatest extent] possible ensure that these ports have sufficient capacity to conduct inspections and take other port State measures in accordance with this Recommendation.
9. The CPCs shall notify the ICCAT Secretariat of the ports designated under paragraph 8 and any subsequent changes in the list at least 30 days before their entry into force.]

ICCAT Register of Ports

10. The ICCAT Secretariat shall establish and maintain a register of designated and publicized ports based on the lists submitted by CPCs. The register shall be published on the ICCAT website within 10 days.

Prior Notice of Entry into Port

11. When wishing to access a port designated by a CPC, the master of the vessel, or its agent, or its flag State, shall request an authorization, such request to be accompanied by the forms in **Annex X**, to enter the designated port at least 72 hours before the estimated time of arrival.

However, a CPC may make provision for another notification period, taking into account, *inter alia*, the distance between the fishing grounds and its ports. In such a case, the CPC concerned shall inform the ICCAT Secretariat, which shall put the information on the ICCAT website within 10 days.

In the case when the request to access a designated port is presented by the master of the vessel or its agent, a copy of the forms shall be forwarded by the port State to the flag State.

Port Entry Authorization

12. Each CPC, through its competent authorities, shall communicate in a written form the authorization, or denial, for access to the port for landing and other fishing related activity to the master of the vessel seeking access to its ports and to the flag State. The master of the vessel shall present the authorization for access to the port to the competent authorities of the CPCs upon arrival at port before commencing authorized activities.

Subject to a) and b) below, the port State may authorize landing or fishing related activities only upon receipt of the completed forms in **Annex 1** from the flag State.

- a) The port State may authorize all or part of a landing only on the confirmation that the flag State has returned the forms in **Annex 1**. In that case, the fish concerned shall be kept in storage under its control, to be released upon receipt of the confirmation referred to above. Where it does not receive that confirmation within 14 days of the landing, the port State may seize and dispose of the fish.
- b) The port State shall without delay transmit a copy of form in **Annex X** duly completed to the Executive Secretary.

Where it permits vessel to vessel transshipments in its ports, the port State shall require the master of the vessel receiving the transshipment to fill out and sign Form in **Annex X** together with the master of the vessel making the transshipment. It shall without delay send a copy of the completed form to the flag State of all vessels involved in the transshipment and to the Executive Secretary.

[Denial of] entry into or use of port

13. A CPC shall not allow a vessel to enter or use its ports if the vessel is included in the ICCAT list of vessels having engaged in, or supported, IUU fishing.

14. By way of derogation to paragraph 13, a CPC may authorize the entry into its ports of a vessel included in the ICCAT list of vessels having engaged in, or supported, IUU fishing for the purposes of conducting an investigation of or taking action against IUU fishing in which the vessel may have engaged.
15. [A CPC shall not allow a fishing vessel to use its ports for landing or fishing related activities if the vessel at the relevant time:
- a) was engaged in fishing in the Convention area and was not flying the flag of a CPC, or
 - b) has been reported as being engaged in, or supporting, IUU fishing in the Convention area, [or in areas under the national jurisdiction of a coastal State,]
 - c) is not in the ICCAT record of vessels authorized to fish or where there are reasonable grounds for believing that the vessel does not have a valid and applicable authorization to engage in fishing and fishing related activities in the ICCAT area,
- unless the vessel can establish that the catch was taken in a manner consistent with relevant conservation and management measures.]
16. A CPC shall not deny a fishing vessel referred to in paragraphs 13, 14 or 15 entry into port or use of port services, essential to the safety, health and welfare of the crew and safety of the vessel.
17. Where a CPC has denied the entry into or use of its ports in accordance with this Recommendation, it shall promptly notify the master of the vessel or its agent, and the flag State [and the relevant coastal State(s)], and, the ICCAT Secretariat of such action. The ICCAT Secretariat shall forward this information to the other relevant fisheries organizations and to all CPCs.

Withdrawal of denial of use of port

18. A CPC may withdraw its denial of the use of its port only if the CPC is satisfied that there is sufficient proof to show that the grounds on which the use was denied were inadequate or erroneous or that such grounds no longer apply.
- [19. Where a CPC has withdrawn its denial pursuant to paragraph 18, it shall promptly notify those to whom a notification was issued pursuant to this Recommendation.]

Inspections

20. Each CPC shall ensure that any vessel that enters into one of its ports without prior authorization or has been denied the use of one of its ports in accordance with paragraphs 13, 14 or 15 shall always be subject to inspection.
21. [Each CPC shall inspect on entry into each designated port, at least one in every six vessels covered by this Recommendation.]
- [The port State shall annually inspect at least XX% of all landings or transshipments.]
22. In determining which vessels to inspect, a CPC shall give priority to:
- a) vessels that have previously been denied the use of a port in accordance with this Recommendation; or
 - b) requests duly justified from other relevant States or regional fisheries management organizations;
 - c) vessels for which an infringement was issued during an inspection at sea;
 - d) vessels fishing or receive transshipments from an area where the fishery has been closed.
23. Each CPC shall ensure that inspections of vessels in its ports are carried out in accordance with the inspection procedures set out in **Annex 2**.
- [The port State shall examine the entire landing or transshipment and shall:
- a) cross-check against the quantities of each species landed or transhipped,

- i) the quantities by species recorded in the logbook
 - ii) the catch reported to the flag State and notified to the port State pursuant to paragraph 4(a);
 - iii) all information provided in forms PSM 1 and PSM 2, and
 - iv) results of any inspections carried out pursuant to Recommendation [75-02, or xx-xx; boarding and inspection];
 - b) verify and record the quantities by species of catch remaining on board upon completion of landing or transshipment;
 - c) verify any information from inspections carried out pursuant to Recommendation [75-02, or xx-xx; boarding and inspection];
 - d) inspect all fishing gear on board for compliance with ICCAT Recommendations;
 - e) verify fish size for compliance with minimum size requirements.
24. [Each CPC shall ensure that requirements are established for the certification of its inspectors. Such requirements shall take into account the elements for the training of inspectors in **Annex 3**.]
- [Inspections shall be conducted by authorized inspectors who shall present their credentials to the master of the vessel.]
25. [Each CPC shall ensure that inspectors make all possible efforts to avoid unduly delaying vessels, that vessels suffer the minimum interference and inconvenience possible, and that degradation of the quality of the fish is avoided. Regarding vessels without freezing capacity, the inspection shall be carried out within 4 hours from the entry of the vessels in port.]
- [In conducting inspections the port State shall seek to:
- a) avoid unduly delaying the fishing vessel and to avoid action that would adversely affect the quality of the catch on board, and
 - b) minimize interference and inconvenience to the vessel required to carry out an effective inspection pursuant to these procedures.]
26. [Each CPC shall, as a minimum standard, require the information set out in **Annex 4** to be included in the report of the results of each inspection.
27. [Each CPC shall ensure that the results of port inspections are always presented to the master of the vessel for review and signature and that the report is completed and signed by the inspector. The master of the inspected vessel shall be given the opportunity to add any comment to the report and, as appropriate, to contact the relevant authorities of the flag State, in particular when there are serious difficulties in understanding the contents of the report.]
- [Each inspection shall be documented by completing Form PSM 3 (port State Control inspection form) as set out in **Annex 3**. The inspectors shall sign the report, provide the master an opportunity to review and place comments in the report and request that the master sign the report. The inspectors shall provide a copy of the report to the master.]
28. [Each CPC shall ensure that a copy of the inspection report is provided to the master of the inspected vessel for retention on board the vessel as well as to the flag State within three full working days of the completion of the inspection.]
- [The port State shall, without delay, transmit a copy of the report and, upon request, an original or a certified copy thereof, to the flag State of the vessel and to the flag State of any vessel that transhipped catch to the inspected vessel. A copy shall also be sent to the Executive Secretary without delay.]
29. Where, following an inspection there is evidence for believing that a vessel has engaged in or supported IUU fishing activities, [or in case of non compliance with ICCAT measures] [or has committed a serious infringement] the relevant port State shall:

- a) deny use of their ports to the vessel for landing, transshipping or processing of fish and access to port services, including, *inter alia*, refueling and resupplying but not including services essential to the safety, health and welfare of the crew.
- b) transmit the results of the inspection without delay to the flag State of the inspected vessels, to the ICCAT Secretariat and to other CPCs;

[Response to serious infringements]

1. Where, following inspection, there are reasonable grounds to believe that a vessel has committed a serious infringement as set out in Article 7, the port State shall promptly notify the flag State, and the Executive Secretary and shall prohibit landing, transshipping or processing of fish or fish products on board and use of port services, including, *inter alia*, refueling and resupplying but not services essential to the safety, health or welfare of the crew.
 2. The Executive Secretary shall promptly notify all Contracting Parties of the infringements.
 3. Except for the flag State, no CPC shall permit a vessel identified pursuant to paragraph 2 to enter its ports or, in case of *force majeure*, to use any port services except those essential to the safety, health or welfare of the crew.]
30. CPCs may take measures in addition to those referred to in paragraph 29 that are consistent with international law provided that:
- a) the measures are provided for in its national laws and regulations, or
 - b) the flag State of the vessel has consented to the taking of such measures or requested such measures to be taken, or a relevant coastal State has requested the taking of such measures in respect of an infringement that has occurred in an area under its national jurisdiction, or
 - c) the flag State has not responded within a reasonable period of time to requests by the port State pertaining to enforcement measures taken by the flag State in respect of the vessel concerned, or
 - d) the vessel is without nationality, or
 - e) the additional measures give effect to a measure adopted by ICCAT.

Standardized information on port inspections

31. Each CPC shall handle information on port inspections in a standardized form, consistent with **Annex 5**.

Regional information system

32. [A regional information system which includes port State information shall be developed by the ICCAT to better monitor and control the ICCAT area.]

[The Executive Secretary shall without delay post on the secure part of the Commission's website copies of all PSM forms transmitted by port States.]

Force majeure or distress

33. [Nothing in this Recommendation affects the access of vessels to port in accordance with international law for reasons of *force majeure* or distress.]

Role of the flag State

34. Each CPC shall, in its capacity as a flag State, cooperate with other CPCs
35. When a CPC has reasons to believe that a vessel flying its flag has engaged in or supported IUU fishing activities and is seeking access to or is in the port of another CPC, it shall request that CPC to inspect the vessel and to advise them of the results.

36. Each CPC shall ensure that vessels entitled to fly its flag land, cage, tranship and process fish, and use other port services, in designated ports of other CPCs that are acting in accordance with, or in a manner consistent, with this Recommendation.
37. [The flag State shall ensure that the master of a fishing vessel entitled to fly its flag when being inspected shall:
 - a) cooperate with and assist in the inspection of the fishing vessel conducted pursuant to these procedures, and not obstruct, intimidate or interfere with the inspectors in the performance of their duties;
 - b) provide access to any areas, decks [holds and rooms] of the fishing vessel, catch (whether processed or not), nets or other gear, equipment, and any information or documents which the inspector deems necessary in undertaking an inspection;
 - c) provide access to registration documents, fishing authorizations or any other documentation as required by the inspector.]

[The flag State CPC shall ensure that the master of any fishing vessel entitled to fly its flag complies with the obligations relating to masters set out in this Recommendation.]

38. If the master of a fishing vessel refuses to allow an authorized inspector to carry out an inspection in accordance with these procedures, the master shall offer an explanation of the reason for such refusal. The port inspection authorities shall immediately notify the authorities of the fishing vessel, as well as the ICCAT Secretariat, of the master's refusal and any explanation.
39. If the master does not comply with an inspection request, the flag State shall be requested to suspend the vessel's authorization to fish and order the vessel to remain in port, or take other measures that it deems appropriate. The flag State shall immediately notify the port inspection authorities and the ICCAT Secretariat of the action it has taken in these circumstances. The port inspection authorities shall provisionally seize all documents, immobilize the cargo and prohibit the vessel from leaving port until the flag State notifies the action that it has taken.

[Serious infringements

The following infringements shall be considered serious:

- a) preventing inspectors or observers from carrying out their duties;
- b) landing or transhipping in a port not designated in accordance with the provisions of Article 3(1);
- c) failure to comply with the provisions of point
- d) landing or transhipping without authorization of the port State as required pursuant to point
- e) failure to comply with the provisions of point
- f) harvesting tunas and tuna-like species in the Convention area without being registered on the Commission list of vessels authorized to fish for tuna and tuna-like species in the Convention area;
- g) harvesting tuna and tuna-like species in the Convention area, where the flag State is without quotas limit or effort allocation under relevant Recommendations;
- h) failure to record or report catches in the Convention area, or making false reports;
- i) taking or landing undersized fish in contravention of applicable Recommendations;
- j) fishing during closed fishing periods or in closed areas in contravention of applicable Recommendations;
- k) using prohibited fishing gear in contravention of applicable Recommendations;
- l) transhipping with or participating in joint operations such as re-supplying or re-fuelling vessels included in the IUU vessels list;
- m) falsifying or concealing the markings, identity or registration of a fishing vessel;
- n) concealing, tampering with or disposing of evidence relating to an investigation;
- o) multiple infringements which together constitute a serious disregard of conservation and management measures;

- p) such other infringements as may be specified by the Commission. Such infringements shall be followed up according to appropriate national legislation.]

[Inspections of non-Cooperating non-Contracting Party vessels

1. The port State shall prohibit the entry into its ports of vessels that have not given the required prior notice and provided the information referred to in paragraph 1 of Article 5.
2. Where it permits a vessel entitled to fly the flag of a non-Cooperating non-Contracting Party to enter a port in its territory, the port State shall ensure, subject to paragraph 2, no catch or product on board is landed or transhipped until after the vessel is inspected by officials familiar with the requirement of the Convention and Recommendations in force. Such inspections shall include documents, logbooks, fishing gear, catch or product on board and any other matter relating to the vessel's activities in the Convention area. In addition, the port State shall prohibit the vessel from landing or transhipping until it has received confirmation issued by the flag State in accordance with the provisions of Article 4. The port State shall document the inspection by completing the form provided in **Annex [xx]** and transmitting it and information on any follow-up action it has taken in relation to any vessel so inspected without delay to the Executive Secretary who shall post the information on the secure part of the Commission website and inform the flag State, relevant RFMOs and other CPCs.
3. Where the inspection discloses that the catch or product on board is regulated by the Commission,
 - a) the port State shall prohibit the vessel from landing catch or product on board in its ports and deny t the use of any port services, including, *inter alia*, refueling and resupplying but not services essential to the safety, health and welfare of the crew;
 - b) except for the flag State, no CPC may permit the vessel to land catch or product in its ports or except for services essential to the safety, health and welfare of the crew, to use any port services, including, *inter alia*, refueling and resupplying; and
 - c) no CPC may permit the vessel to enter any port in its territory until the flag State has provided evidence to the Executive Secretary that it has imposed sanctions on the vessel in respect of the violations documented by the port State, adequate in severity to be effective in securing compliance, discourage future violations and deprive the vessel of benefits accruing from the violation.]

Requirements of developing States

40. Full recognition shall be given to the special requirements of developing CPCs in relation to the implementation of this Recommendation. To this end, CPCs shall aim at providing assistance and cooperate to establish special funds.
41. This Recommendation replaces the *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10].

Appendix 6 to ANNEX 4.4

Draft Recommendation by ICCAT for a Scheme of Joint International Inspection

Proposal by Canada

RECALLING the General Outline of Integrated Monitoring Measures adopted by ICCAT at the 13th Special Meeting of the ICCAT;

1. Definitions

“Authorized inspection vessel” means any vessel included in the Commission register of vessels as authorized to engage in boarding and inspection activities;

“Authorized inspector” means an inspector of a CPC included in the Commission Register as authorized to conduct boarding and inspection activities pursuant to these procedures;

“Commission” means the International Commission for the Conservation of Atlantic Tunas established by paragraph 1 of Article III of the Convention;

“Convention” means the International Convention for the Conservation of Atlantic Tunas,

“CPC” means a Contracting Party to the Commission, Cooperating non-Contracting Party, Entity or Fishing Entity;

“Flag State” means a State whose flag a vessel is entitled to fly and includes a Contracting Party, entity or fishing entity.

“Recommendation” means a decision of the Commission taken pursuant to Article VIII of the Convention.

2. Purpose

Boarding and inspection and related activities shall be for the purpose of ensuring compliance with the Convention and Recommendations.

3. Area of application

These procedures apply within the Convention Area, other than in areas under national jurisdiction, provided that any CPC may authorize another CPC to apply these procedures in areas under its national jurisdiction in relation to fishing vessels engaged in or reported to have engaged in a fishery regulated pursuant to the Convention.

4. General rights and obligations

1. Each CPC may, carry out boarding and inspection of fishing vessels engaged in or reported to have engaged in a fishery regulated pursuant to the Convention.
2. Subject to paragraph 3, each CPC shall ensure that vessels entitled to fly its flag accept boarding and inspection by authorized inspectors in accordance with these procedures. Such inspectors shall comply with these procedures in the conduct of inspections.
3. [Reserved]

5. General principles

1. These procedures are intended to give effect, in part, to the obligation to collaborate in the adoption of a system of international enforcement as provided in paragraph 3 of Article IX of the Convention.
2. (a) These procedures shall be implemented in a transparent, non-discriminatory manner, taking into account, inter alia, the presence of observers, the frequency and results of past inspections and the full range of measures to monitor compliance with the Convention and Recommendations, including inspection activities carried out by each CPC in respect of vessels entitled to fly its flag;

(b) in particular, in carrying out an inspection program in the Convention Area, a CPC shall seek to ensure equal treatment between all CPCs with vessels operating in the Convention Area through an equitable distribution of inspection visits. The number of inspection visits carried out by a CPC on vessels of any other CPC shall, as far as possible, reflect the ratio of the inspected CPC's fishing activity to the total fishing activity in the inspecting vessel's area of operation. This ratio shall be measured on the basis of, inter alia, the level of catches and vessel days in the Convention area and shall also take into account compliance records of specific vessels. The Executive Secretary shall draw up an annual report on distribution of inspections between the CPCs.
3. Notwithstanding sub-paragraph 2(b), a CPC carrying out an inspection program may give priority to inspecting any fishing vessel,

- (a) entitled to fly the flag of a CPC that is not on the ICCAT Record of Fishing Vessels;
- (b) it has reasonable grounds to believe has engaged in any activity in violation of the Convention or any Recommendation;
- (c) whose flag State does not dispatch patrol vessels to the Convention area
- (d) that has a record of violating the Convention, Recommendations or, conservation and management measures adopted by other regional or sub-regional fisheries management organizations; or
- (e) that is a large-scale tuna fishing vessel.

6. Register of inspection vessels and authorized Inspectors

1. The Contracting Parties agree that the Commission establish and maintain a register of authorized inspection vessels and inspectors. They further agree that only vessels and inspectors recorded in the register may carry out inspections pursuant to these procedures.
2. The Executive Secretary shall ensure that the register is at all times available at a secure area of the Commission's website to all CPCs and shall promptly post any changes therein.
3. The Executive Secretary shall prepare and circulate to all CPCs with authorized inspection vessels, a standardized multi-language questionnaire for use by inspection vessels in the course of inspections pursuant to these procedures.

7. Duties of CPC

Each CPC shall ensure that the information in the register is circulated to each of its fishing vessels operating in the Convention Area.

8. Duties of inspecting CPC

1. A CPC that intends to carry out inspections pursuant to these procedures shall:
 - (a) so notify the Commission, through the Executive Secretary;
 - (b) ensure each inspection vessel it assigns to such activities is clearly marked and identifiable as being on government service, the crew has completed training in boarding and inspection at sea in accordance with international standards or such standards and procedures as may be adopted by the Commission and that inspectors are fully familiar with the fishing activities to be inspected and the provisions of the Convention and conservation and management measures in force;
 - (c) provide the following information to the Executive Secretary:
 - (i) the name and contact information of its national authority responsible for inspection pursuant to these procedures;
 - (ii) details of each vessel it assigns to carry out inspections pursuant to these procedures (name, description, photograph, registration number, port of registry and, if different from the port of registry, port marked on the vessel hull, international radio call sign and communication capability; and
 - (iii) the form of identification issued to its duly authorized inspectors
2. Where a military vessel is deployed on inspection duties, the CPC shall ensure that the boarding and inspection is carried out by inspectors fully trained in fisheries enforcement procedures, or duly authorized for this purpose.

9. Cross assignments

CPCs are encouraged to identify opportunities to place authorized inspectors on inspection vessels of another CPC. Where appropriate, CPCs should seek to conclude bilateral arrangements to this end or otherwise facilitate communication and coordination between them for the purpose of implementing these procedures.

10. Boarding and inspection procedures

1. Each inspection vessel shall clearly display the ICCAT inspection flag or pennant.
2. Authorized inspectors shall carry an approved identity card in the form provided in the notification pursuant to paragraph 8, subparagraph (1)(iii).
3. An inspection vessel that intends to board and inspect a fishing vessel shall:
 - (a) make every effort to establish contact with the fishing vessel by radio, by the appropriate International Code of Signals or by other internationally accepted means of alerting the vessel;
 - (b) identify itself as an authorized inspection vessel by communicating its name, registration number, international radio call sign and contact frequency;
 - (c) communicate to the master of the vessel its intention to board and inspect the vessel under the authority of the Commission and pursuant to these procedures; and
 - (d) initiate notice through its authorities to the authorities of the fishing vessel.
4. In carrying out boarding and inspection pursuant to these procedures, the authorized inspection vessel and authorized inspectors shall make their best efforts to communicate with the master of the fishing vessels in a language that the master can understand.
5. Authorized inspectors shall have the authority to inspect the vessel, its license, gear, equipment, records, facilities, fish and fish products and any relevant documents necessary to verify compliance with the Convention and Recommendations.
6. Each CPC shall conduct boarding and inspection pursuant to these procedures:
 - (a) in accordance with generally accepted international regulations, procedures and practices relating to the safety of the vessel and crew;
 - (b) as much as possible in a manner that minimizes interference with fishing operations, avoids action that would adversely affect the quality of the catch and avoids harassment of any fishing vessel.
7. In the conduct of a boarding and inspection, the authorized inspectors shall:
 - (a) present their identity card to the master of the vessel;
 - (b) avoid interfering with the master's ability to communicate with the flag State of the fishing vessel;
 - (c) except where evidence of a serious violation is found, seek to complete the inspection within 4 (four) hours;
 - (d) collect and clearly document in the inspection report any evidence they believe indicates a violation of the Convention or any Recommendation;
 - (e) provide the master an opportunity to make any objection or statement in the inspection report and provide a copy of the inspection report;
 - (f) except where evidence of a serious violation is found, promptly leave the vessel following completion of the inspection; and
 - (g) make a copy of the inspection report available to the authorities of the fishing vessel.
8. Each CPC shall ensure that during boarding and inspection of a vessel entitled to fly its flag, the master of the fishing vessel shall:

- (a) follow internationally accepted principles of good seamanship so as to avoid risks to the safety of authorized inspection vessels and inspectors;
 - (b) accept and facilitate prompt and safe boarding of inspectors;
 - (c) cooperate with and assist in the inspection of the vessel;
 - (d) ensure that the crew avoids interfering with, or obstructing the inspectors in the performance of their duties;
 - (e) allow the inspectors to communicate with the crew of the inspection vessel, the flag State of the inspection vessel, as well as with the flag State of the fishing vessel being inspected;
 - (f) provide the inspectors with reasonable facilities, including, where appropriate, food and accommodation; and
 - (g) facilitate safe disembarkation of the inspectors.
9. Where the master refuses to allow an authorized inspector to carry out a boarding or inspection, the flag State of the fishing vessel shall ensure that such master is required by its national law to offer an explanation for such refusal. The flag State of the inspection vessel shall promptly notify the flag State of the fishing vessel of such refusal together with any explanation the master may have given for such refusal. At the earliest opportunity, the flag State of the inspection vessel shall also notify the Commission of the incident.
10. Except where generally accepted international regulations, procedures and practices relating to safety at sea make it necessary to delay the boarding and inspection, the flag State of the fishing vessel shall direct the master to accept the boarding and inspection. Where the master does not comply with such direction, the flag State shall suspend the vessel's authorization to fish and order the vessel to return immediately to port. The flag State of the fishing vessel shall promptly notify the flag State of the inspection vessel and the Commission of the action it has taken.

11. Use of force

- 1. Except to the degree necessary to ensure the safety of the inspectors or where inspectors are obstructed in the execution of their duties, CPC inspectors shall avoid the use of force. The degree of force used shall not exceed that reasonably required in the circumstances.
- 2. Any incident involving the use of force shall be promptly reported to the flag State of the fishing vessel and to the Commission.

12. Inspection reports

- 1. Authorized inspectors shall complete the inspection report on each boarding and inspection they carry out pursuant to these procedures in form X as prescribed by the Commission. The inspecting flag State shall transmit a copy of the report to the flag State of the fishing vessel and to the Commission, within 3 (three) working days of completion of the inspection. Where it is not possible for the inspecting flag State to provide such report within this timeframe, it shall so inform the flag State of the fishing vessel and shall specify the time period within which the report will be provided.
- 2. Inspection reports shall include the names and authority of the inspectors and clearly identify any observed activity or condition that the inspectors believe to be a violation of the Convention or Recommendations and indicate the nature of specific factual evidence of such violation.

13. Serious violations

- 1. Where inspectors observe an activity or condition that would constitute a serious violation, the inspecting flag State shall immediately notify the flag State of the fishing vessel and the Commission.
- 2. Upon receipt of a notification pursuant to paragraph 1, the flag State of the fishing vessels shall without delay:
 - (a) investigate immediately and fully and, if the evidence warrants, take enforcement action against the fishing vessel in question and so notify the inspecting flag State and the Commission; or

- (b) authorize the inspecting flag State to complete the inspection and so notify the Commission.
3. The inspecting flag State shall as soon as practicable, provide the specific evidence collected by its inspectors to the flag State of the fishing vessel.
 4. Where the flag State of the fishing vessel has authorized the inspecting State to complete the investigation pursuant to subparagraph 2(b), the latter shall provide the specific evidence collected by its inspectors, along with the results of their investigation, to the flag State of the fishing vessel immediately upon completion of the investigation.
 5. Upon receipt of a notification pursuant to paragraph 1, the flag State of the fishing vessel shall make best effort to respond without delay and in any case no later than within three (3) working days.
 6. For the purpose of these procedures, each of the following shall constitute a “serious violation”
 - (a) fishing without a valid license, permit or authorization issued by the flag State;
 - (b) failure to maintain accurate records of catch and catch-related data in accordance with applicable Recommendations or serious misreporting of such catch and/or catch-related data;
 - (c) fishing in a closed area;
 - (d) fishing during a closed season;
 - (e) intentional taking or retention of species in contravention of applicable Recommendations;
 - (f) significantly exceeding applicable catch limits or quotas;
 - (g) using prohibited fishing gear;
 - (h) falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
 - (i) concealing, tampering with or disposing of evidence relating to investigation of a violation;
 - (j) multiple violations which taken together constitute a serious disregard of Recommendations;
 - (k) refusal to accept a boarding and inspection contrary to these procedures
 - (l) assaulting, resisting, intimidating, harassing, interfering with, obstructing or unduly delaying an inspector;
 - (m) intentionally tampering with or disabling the fishing vessel’s monitoring system; and
 - (n) such other activities as may be determined by the Commission from time to time.

14. Enforcement

1. Any evidence obtained pursuant to these procedures with respect to violation by a fishing vessel shall be referred to the flag State of the fishing vessel for action. The flag State of the fishing vessel shall, if the evidence so warrants, fulfill its obligations to take enforcement action with respect to the vessel. Alternatively, it may authorize the inspecting flag State to take such enforcement action as it may specify with respect to the vessel, consistent with its rights and obligations under the Convention and applicable international law. The flag State shall report to the inspecting CPC and the Commission on the status of all outstanding violations on a quarterly basis.
2. The flag State of the fishing vessels shall treat interference by fishing vessels entitled to fly its flag, their masters or crew with an inspector or an inspection vessel in the same manner as interference occurring within areas under its national jurisdiction.
3. Each CPC shall ensure that sanctions applicable in respect of violations are adequate in severity to be effective in securing compliance and to discourage violations wherever they occur and to deprive offenders of the benefits accruing from their illegal activities.
4. Where the inspectors observe an activity or condition that would constitute a serious violation, as defined in Article 13 and the flag State has either failed to respond or failed to take action as required pursuant to these procedures, the inspectors may remain on board and secure evidence and may require the master to assist in further investigation, including, where appropriate, by bringing the vessel without delay to the nearest appropriate port or to such other port as may be specified in a Recommendation. The inspecting flag State shall immediately inform the flag State of the fishing vessel of the name of the port to which the vessel is to

proceed. All CPCs concerned shall take all necessary steps to ensure the well-being of the crew regardless of their nationality.

5. The inspecting flag State shall inform the flag State of the fishing vessel and the Commission of the results of any further investigation.
6. Notwithstanding any other provision of these procedures, the authorities of the fishing vessel may, at any time, take action to fulfill its obligations with respect to an alleged violation. Where the fishing vessel is under the direction of the inspection vessel, the inspecting flag State shall, at the request of the flag State of the fishing vessel, release the vessel to the latter along with full information on the progress and outcome of its investigation.
7. This article is without prejudice to the right of the flag State of the fishing vessel to take any measures, including proceedings to impose penalties, pursuant to its laws.
8. This article applies *mutatis mutandis* to boarding and inspection by a CPC that has clear grounds for believing that a fishing vessel flying the flag of another CPC has committed a serious violation in the high seas area regulated by the Commission, and such vessel has subsequently, during the same fishing trip, entered into an area under the national jurisdiction of the inspecting flag State.

15. Annual reports

1. CPCs that authorize inspection vessels to operate pursuant to these procedures shall report annually (in form X) to the Commission on the inspections carried out by its authorized inspection vessels.
2. CPCs shall include in their annual statement of compliance within their Annual Report to the Commission action that they have taken in response to inspections of their fishing vessels that resulted in observation of alleged violations, including any proceedings instituted and sanctions applied.

16. Additional action by inspection vessels

1. CPCs shall identify any fishing vessel or fisheries support vessel entitled to fly the flag of any non-CPC engaged in fishing or fisheries support activities on the high seas in the Convention area and to report such sightings immediately to the flag State of the vessel and to the Commission.
2. A vessel identified pursuant to paragraph 1 shall be presumed to be undermining the effectiveness of Convention. Where feasible the inspection vessel shall so inform the master and advise that this information will be distributed to the CPCs and to the flag State of the vessel in question.
3. The inspection vessel may request permission from the vessel identified pursuant to paragraph or its flag State to board and inspect the vessel.
4. A report of any subsequent inspection shall be transmitted to the Executive Secretary who shall distribute this information to all CPCs as well as to the flag State of the vessel.
5. Inspection vessels in the same operational area should seek to establish regular contact for the purpose of sharing information on sightings, inspections and other operational information relevant to their activities pursuant to these procedures.
6. In applying these procedures, CPCs are encouraged to promote optimum use of their inspection resources through:
 - (a) identifying priorities by area and/or by fishery and coordinating inspections;
 - (b) ensuring that boarding and inspection on the high seas is fully integrated with other available monitoring, compliance and surveillance tools;
 - (c) fair distribution of inspections among fishing vessels of CPCs without compromising the opportunity to investigate possible serious violations; and

- (d) incremental deployment of enforcement resources assigned to monitor and ensure compliance by fishing vessels entitled to fly their flag, particularly small boat fisheries where operations extend to the high seas in areas adjacent to areas under national jurisdiction.

17. Coordination and oversight

The Commission shall keep under continuous review the implementation and operation of these procedures, including review of annual reports relating to these procedures provided by CPCs.

18. Final

1. The ICCAT Scheme of Joint International Inspection [1975-02] is replaced by these procedures.

Appendix 7 to ANNEX 4.4

Draft Outline of ICCAT Observer Program for Compliance Purposes

General principles

The Commission may decide, on a case by case basis, to implement an observer program to improve compliance with the conservation and management measures for the vessels fishing certain species and/or in certain areas. In each case, the Commission will decide upon the appropriate level of observer coverage for the vessels fishing in the Convention area.

When the Commission decides to implement an observer program for a particular fishery, the following common standards shall apply:

- Each CPC shall require its vessels fishing in the specific area and/or fishery to accept observers on the basis of the following;
- Each CPC shall have the primary responsibility to recruit and place on its vessels trained and impartial observers;
- No vessels shall be required to carry more than one observer at any time.
- Each CPC shall provide to the ICCAT Secretariat a list of the observers they intend placing on the vessels.

Tasks of Observers may include:

- Monitor a vessel's compliance with the relevant conservation and management measures. In particular,
- Record and report upon the fishing activities of the vessel and verify the position of the vessel when engaged on fishing;
- Observe and estimate catches with a view to identifying catch composition and monitoring discards, by-catches, and the taking of undersized fish;
- Record the gear type, mesh size and attachments employed by the master,
- Verify entries made to logbooks,
- Collect catch and effort data on a set-by-set basis,
- Collect data, inter alia, on incidental mortality of birds or turtles during fishing operations.
- Within 30 days following completion of an assignment on a vessel, provide a report to the CPC of the vessel and to the ICCAT Executive Secretary which shall make the report, available to any CPC that request it. Copies of reports sent to other CPC shall not include location of catch in latitude and longitude but will include daily totals of catch by species and division.
- 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.
- When an apparent infringement is identified by an observer, the observer shall, within 24 hours, report it to the Flag CPC and to the Executive Secretary, using an established code.

CPCs shall take the necessary measures to ensure that observers are able to carry out their duties. Subject to any other arrangement between the relevant CPCs, the salary of an observer shall be covered by the Flag CPC.

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.

CPCs may conclude a bilateral arrangement whereby one CPC places observers on vessels flying the flag of another CPC.

(From Appendix 8 to the 4th Working Group on Integrated Monitoring Measures - Raleigh, USA 2007. In *Report for Biennial Period, 2006-07, Part II (2007), Vol. 1 – Commission*).

Appendix 8 to ANNEX 4.4

Draft Recommendation by ICCAT Concerning the Establishment of an Expert Group to Develop an ICCAT Observer Program

Proposal by the United States of America

RECALLING that Article IX of the Convention requires Contracting Parties to furnish, on the request of the Commission, any available statistical, biological and other scientific information needed for the purposes of the Convention;

ALSO RECALLING the 2001 *Resolution on the Deadlines and Procedures for Data Submission* [Res. 01-16], in which the Commission established clear guidelines for the submission of Task I and Task II data;

NOTING that the quality of data reported to ICCAT is poor for many fisheries, which impacts the ability of the SCRS to complete robust stock assessments and provide management advice as well as the ability of Contracting Parties and Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) and the Commission to monitor and control these fisheries;

DETERMINED to ensure the collection of data accounting for all sources of mortality in ICCAT fisheries, for both target species and by-catch, to improve the certainty of future scientific advice, to take ecosystem concerns into consideration, and to enhance the implementation of fishery rules;

RECOGNIZING the potential for a well-designed ICCAT observer program to support efforts to collect and verify compliance and scientific data and information;

TAKING INTO ACCOUNT the work of the SCRS to gather information on observer programs covering ICCAT species and the recommendation of SCRS that ICCAT consider the merits of instituting a regional observer program similar to those operated by other tuna RFMOs to collect and provide necessary data;

FURTHER NOTING that observer programs are in place at the national and international level which collect data and information that is used for compliance and/or scientific purposes;

ALSO RECOGNIZING the needs of developing States with regard to capacity building;

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

1. A two-stage process shall be undertaken to improve the quality, quantity, and consistency of fisheries data and information used to assess and monitor ICCAT stocks and fisheries, including compliance with ICCAT measures, by (A) developing 'best practice' standards for domestic observer programs of Contracting Parties and Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) and (B) developing an ICCAT observer program for fishing vessels, ensuring that program and information quality standards are comparable between the CPCs' domestic observer programs and ICCAT observer programs. The ICCAT

observer program will not replace CPC observer programs but will supplement existing data collection and fishery verification efforts under such programs.

2. A group of technical experts (hereinafter Experts Group) composed of fisheries managers, scientists, enforcement agents, and other relevant experts from interested ICCAT CPCs, the SCRS Chairman or his designee(s), the ICCAT Secretariat, and, as appropriate, intergovernmental organizations, including other regional fisheries management organizations with relevant expertise, shall carry out both stages of the process.
3. For the first stage, the Experts Group will, to the extent possible, (a) document existing CPCs' domestic observer programs in light of the list of items in paragraph 5 below, and (b) compare and contrast the CPCs' domestic programs, including against the observer programs of countries not party to ICCAT and relevant international observer programs.
4. Working through electronic means as much as possible, the Experts Group will develop proposed "best practice" standards for CPC observer programs for consideration by the Commission at its 2009 meeting. If needed, the Experts Group may meet in 2009 to complete this aspect.
5. In carrying out the second stage of the process, the Experts Group will work, primarily through electronic means but with the possibility of at least one meeting in 2010, to develop a proposal for an ICCAT observer program which, based upon the best practices and standards developed by the Experts Group, shall, *inter alia*:
 - a) Identify the scope and level of observer coverage needed, taking into consideration contribution to stock assessment by the fishery, data concerns and gaps identified by SCRS, current observer coverage provided under domestic observer programs, the characteristics of the fisheries, and the need to ensure adequate spatial and temporal coverage;
 - b) Require robust data collection on all aspects of the total catch (including by-catch such as sea turtles, marine mammals, seabirds), which, at a minimum, includes size, age, and catch per unit of effort information as well as which components of the catch are retained or discarded dead or alive;
 - c) Specify the types of data, other information, and protocols necessary to monitor the vessel's compliance with ICCAT conservation and management measures;
 - d) Establish sampling protocols for assigning observers to vessels as well as protocols for scientific sampling, data quality, use of data collected, and confidentiality of data and information collected, including compliance information—taking into account CPC domestic laws concerning data use and confidentiality issues;
 - e) Provide for health and safety standards and minimum requirements for vessels aboard which observers are embarked;
 - f) Set forth roles/responsibilities of and requirements for observers and CPCs when CPC vessels carry an ICCAT observer (e.g., requirements to allow access to all areas of the vessel in order to fulfill observer duties);
 - g) Establish criteria for qualifications of observers and an observer training program;
 - h) Specify database management (e.g., hardware, software), other administrative requirements (e.g., staff), and other necessary elements for the Program;
 - i) Consider the merits and feasibility of allowing exchange of national or ICCAT observers subject to bilateral agreements that adhere to Program standards;
 - j) Evaluate costs for the observer program, including staff recruitment, and payment structure; and
 - k) Explore any alternatives to human observers.
6. A proposal for an ICCAT observer program will be presented to the Commission for consideration at its 2010 meeting.

7. Pending completion of the first stage of this process and adoption of "best practice" standards by the Commission, CPCs shall ensure the following with respect to their domestic observer programs that assess and monitor ICCAT stocks and fisheries:
- a) An annual level of at least 5% observer coverage by number of [fishing vessels] [sets, number of trips or days at sea in their pelagic longline, purse seine, and baitboat fisheries], ensuring appropriate spatial and temporal coverage of their fleets to the extent possible.
 - b) Data collection on all aspects of the total catch (including by-catch such as sea turtles, marine mammals, seabirds), which includes, at a minimum, size, age, and catch per unit of effort information as well as which components of the catch are retained or discarded dead or alive;
 - c) Information collected under domestic observer programs is reported to the SCRS by each CPC in its Annual Report to ICCAT consistent with domestic confidentiality requirements.

Appendix 9 to ANNEX 4.4

Effects of the Entry into Force of Rec. 07-10 on Existing ICCAT Recommendations

In 2007, the Commission adopted the *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10] which replaces the ICCAT Bluefin Tuna Statistical Document Program;

Several ICCAT Recommendations and Resolutions currently contain references to the ICCAT Bluefin Tuna Statistical Document Program and some to Statistical Document Programs in general, where it would seem that the intent was to include bluefin.

As the bluefin tuna statistical document program is no longer in force since 4 June 2008, several measures may need to be amended by the Commission in order to ensure coherence and respect the intentions of the Commission.

The attached draft proposal contains references to the provisions which require amendment. Preambular text has not been included in the references.

Draft Recommendation by ICCAT Amending Eleven Recommendations and Three Resolutions

RECOGNISING that the *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10] replaced the ICCAT Bluefin Tuna Statistical Document Program;

NOTING that many previously adopted Recommendations and Resolutions make reference to the Bluefin Tuna Statistical Document and to Statistical Document Programs in general;

CONSIDERING that the coverage of bluefin tuna is intended in references to Statistical Document Programs in general;

FURTHER NOTING that the measures adopted for the previous bluefin tuna statistical document program pertained to the bigeye tuna and swordfish statistical document programs;

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

1. References to the 'bluefin tuna statistical document program' and 'bluefin tuna statistical documents' be replaced by 'bluefin tuna catch document program' and 'bluefin tuna catch documents' in the following provisions:

- i) *Recommendation by ICCAT Concerning Unreported Catches of Bluefin Tuna, Including Catches Classified as Not Elsewhere Included* [Rec. 97-03], paragraph 3
 - ii) *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], in Annex 1, paragraph 11 b)
 - iii) *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07]: paragraphs 2b and 2f, paragraph 4, paragraph 8, paragraph 9f and the Caging Declaration contained in the Annex to the Recommendation.
 - iv) *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13], paragraph 2b.
2. The phrases ‘Statistical Document Programs’ and ‘Statistical Documents’ be replaced respectively by the phrases ‘Statistical or Catch Document Programs’ and ‘Statistical Documents or Catch Documents’ in the following Recommendations and Resolutions:
- i) *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management measures* [Res. 94-09], paragraph 5 and paragraph 7.
 - ii) *Resolution by ICCAT Concerning a Management Standard for Large-Scale Tuna Longline Fishery* [Res. 01-20], Attachment 1, paragraph 2)iii and Attachment 2, Section B
 - iii) *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels over 24 meters Authorized to Operate in the Convention area* [Rec. 02-22], paragraph 7b
 - iv) *Resolution by ICCAT Concerning the Measures to Prevent the Laundering of Catches by Illegal, Unreported and Unregulated (IUU) Large-Scale Tuna Longline Fishing Vessels* [Res. 02-25], paragraph 1 and 2.
 - v) *Recommendation by ICCAT to Change the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)* [Rec.02-28], paragraph 3 and paragraph 4.
 - vi) *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11], Section 5. General Provisions, paragraph 17
 - vii) *Recommendation by ICCAT on Additional Measures for Compliance of the ICCAT Conservation and Management Measures* [Rec. 06-15], paragraph 1, paragraph 2 and paragraph 3.
 - viii) [*Recommendation by ICCAT on an Electronic Statistical Document Pilot Program* [Rec. 06-16], paragraph 1, paragraph 2 and paragraph 3.]
3. The first sentence of paragraph 2(3) of the *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21] and the *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22] be replaced, *mutatis mutandis*, by paragraphs A-D of the *Resolution by ICCAT concerning validation by a government official of the Bluefin Tuna Statistical Document*. [Res. 93-02].
4. Paragraph 14 of the *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21] and paragraph 13 of the *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22] be replaced *mutatis mutandis* by the *Recommendation by ICCAT on validation of the Bluefin Tuna Statistical Document by the European Community*. [Rec. 98-12].
5. Paragraph 2 of the *Recommendation by ICCAT Amending the Recommendation by ICCAT to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 6-12] be replaced by the following text:

“Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall transmit every year to the Executive Secretary at least 120 days before the annual meeting, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the Convention Area during the current and previous year, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list shall be based on the information collected by Contracting Parties and non-Contracting Cooperating Parties, Entities or Fishing Entities, *inter alia*, under:

- 1994 *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures* [Res. 94-09];
- 1997 *Recommendation by ICCAT on Transshipments and Vessel Sightings* [Rec. 97-11];
- 1997 *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10];
- 2002 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels over 24 meters Authorized to Operate in the Convention area* [Rec. 02-22];
- 2007 *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10]; 2001 *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21]; and 2001 *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22];
- 2006 *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13]².

Appendix 10 to ANNEX 4.4

Draft Harmonization of Unique Vessel Identifiers among RFMOs²

1. Introduction

The need for unique vessel identifiers has long been on the agenda of many international fora, including the CWP and the FAO. The need for such identifiers arises *inter alia* from:

The need to move toward a global inventory of high seas fishing vessels, in particular for the purpose of monitoring fishing capacity (FAO Fisheries Report No. 709)

The need for a unique vessel identifier is essential if tuna RFMOs are to create one list, as there will need to be a system for eliminating duplicates and tracking vessel name and flag changes over time. Current identifiers may be subject to change, making it difficult to track vessels over time.

The use of permanent unique identifier for each vessel is also considered a useful tool for combating IUU activity.

2. Background

The suggestion to keep records of fishing vessels was raised during the development of the Compliance Agreement, and adopted by the FAO Conference in 1993. As IUU issues began to get increasing international attention, IMO and FAO convened the first meeting of a Joint FAO/IMO *ad hoc* Working Group in October 2000 that recognized the importance of fishing vessels being registered. It endorsed the need to ensure that the flag State links the registration of a fishing vessel with its authorization to fish and urged closer collaboration between relevant agencies in national administrations. The *ad hoc* Working Group also agreed that consideration should be given to how the IMO numbering scheme might be applied to fishing vessels not currently subject to this requirement in order to enable vessels to be traced regardless of changes in registration or name over time.

The Coordinating Working Party (CWP) at its 20th meeting in 2003 agreed that, for the purpose of inter-agency exchanges of vessel records, a unique vessel identifier should be assigned to each vessel, since current vessel identifiers (such as vessel name, flag State and registration number in the flag State, radio call sign, etc.) are unstable. CWP recommended that FAO draft a list of essential and desirable vessel identifiers for vessel registries (keeping them to a minimum) for the consideration of CWP agencies and that FAO consult with them regarding the use of unique vessel identifiers in the High Seas Vessel Authorization Record (HSVAR) and CWP agency vessel registries. An essential part of the proposal was the inclusion of a unique HSVAR_ID (and its non

² Much of the information contained in this document has been taken from a draft prepared by the WCPFC, to which the Secretariat extends its appreciation.

HSVAR_ID complement) identifier. An electronic discussion among Regional Fisheries Bodies (RFB) apparently took place on this matter and seems to have reached a level, according to FAO, sufficient to proceed.

The 2005 Rome Declaration on Illegal, Unreported and Unregulated Fishing, adopted by the Ministers includes a call “to develop a comprehensive record of fishing vessels within FAO, including refrigerated transport vessels and supply vessels, that incorporates available information on beneficial ownership, subject to confidentiality requirements in accordance with national law”. Thereafter, the Fisheries Department of FAO undertook a study to determine the feasibility and viability of developing such a comprehensive record, hereinafter referred to as the “Global Record”.

The Committee on Fisheries, at its 27th meeting in 2005, received the report from the study which concluded that there would be a need to introduce a system through which any vessel could be clearly identified over time, irrespective of change of name, ownership or flag. In relation to the concept of a unique method to identify vessels over time, the study recognized the advantages that would accrue from the use of the Lloyds Register (LR) Number (that forms the basis for the International Maritime Organization (IMO) number and is obligatory for certain classes of fishing vessels), which would include, *inter-alia*, that – the identification number remains with the vessels irrespective of change of name or ownership and/or flag thus it provides a possibility to follow the history of a vessel. Further, the study noted that the use of the LR/IMO number would allow ready comparison with other data bases, such as LR, European Quality Shipping Information System (*EQUASIS*), Regional Fisheries Management Organizations and such port State control records where the number is included in the search criteria.

Additionally, the first substantive meeting of the Ministerial-led Task Force on IUU Fishing on the High Seas that took place in Paris on 9 March 2005 agreed, among other things, to establish a global information system on high seas fishing vessels in the form of a publicly available international data base of information relating to the global high seas fishing fleet. It was noted that this might form one of the core activities of the enhanced MCS Network that the feasibility of building on the *EQUASIS* could be considered.

In February 2008, the FAO convened an “Expert Consultation on the Development of a Comprehensive Global Record of Fishing Vessels” at FAO Headquarters, Rome, Italy. During that consultation, LR-F described the management of both the IMO Ship Numbering Scheme and the IMO Registered Owner and Company Numbering Scheme on behalf of the International Maritime Organization which, in LR-F practice, have been extended to include fishing activities related records. Both schemes provide a mechanism for sourcing comprehensive fishing vessel data from flag administrations. Currently, approximately 26,000 fishing vessels over 100GT and corresponding registered owners have LR-F numbers (within the unique number range of the IMO Ship Numbering Schemes).³

The Expert Consultation agreed that a system to provide a unique identifier which would not change even if the vessel changed flag, owner or name, was essential. While this can be accomplished for vessels >100GT through the LR-F there is no formal proposal, within FAO or elsewhere, for vessels smaller than 100GT. The report of the Expert Consultation will be presented to the 2009 session to COFI seeking further advice and direction in relation to FAO’s future work on this matter.

3. Tuna RFMO actions to date

At the First Joint Meeting of Tuna RFMOs, held in Kobe, Japan, January 2007, it was agreed that the technical work to cooperate across RFMOs should commence with three items, including the:

“2. Creation of a harmonized list of tuna fishing vessels that is as comprehensive as possible (positive list) including use of a permanent unique identifier for each vessel such as an IMO number. The positive list should include support vessels. Creation of global list of IUU vessels”.

Preliminary work on a joint tuna RFMO tuna fishing vessel list has already been carried out, with much work being done by the IATTC and IOTC. The current list can be consulted on the Tuna-org website <http://www.tuna-org.org/GlobalTVR.htm>.

³ Also includes vessels reported to have been scrapped or sunk.

At the tuna RFMO Secretariat and Chairs meeting in San Francisco it was agreed that (i) the IOTC Secretariat would monitor the outcome of the FAO Expert Consultation on a Global Vessel Register (February 25-28, 2008 in Rome), and (ii) WCPFC initiate a study of unique identifier systems for tuna RFMOs. The WCPFC has made considerable efforts and is currently working on a draft document for presentation to their Commission, which was made available to ICCAT.

- i) As reported by the IOTC, the FAO Expert Consultation noted the broad range of benefits that might be derived by a variety of users from the global record, in particular in respect of the prevention and deterrence of IUU fishing, but also in respect of aspects related to the needs of industry (traceability and certification), fisheries management, national MCS efforts, RFMOs, fishing vessel safety, marine pollution, and recommended that its development should be pursued as a matter of high priority and seek its earliest implementation. This Expert Consultation also noted that the use of unique identifiers is fundamental for the identification of individual vessels over time.

Experts recommended that development by FAO of the global record should be undertaken in close consultation and cooperation with all stakeholders, including with Fisheries/Maritime administrations and organizations.

- ii) Following initial exchanges, the WCPFC has been in contact with the IMO and Lloyd's Register Fairplay (LRF) in order to find a way forward on this issue. One of the possibilities is for LRF to enter into a fleet data exchange Agreement with each RFMO, which is the way LRF is implementing the IMO Registered Owner and Company Numbering Scheme with flag Administrations. A common ship data record, containing sufficient ship and owner data to allow both LRF and the tuna RFMOs to match records to their respective databases would need to be agreed. Through an exchange of this fleet data, LRF would then add the Unique Vessel Numbers which would be allowed to enter into the public domain through RFMO on-line databases. LRF could also add LRF Registered Owner Numbers, which will also be unique within the IMO Registered Owner Numbering Scheme. In return for this, LRF would use the data received to help update their fishing fleet database, which is part of their commercial data operation. This would be a purely data exchange arrangement of mutual benefit to both parties, and no money would need to change hands.

It is likely to be a different matter if and when the Scheme gets FAO/IMO approval for fishing vessels ≥ 100 GT and encompasses flag administrations, and therefore takes on a much greater scale of administration. This will be a separate financial negotiation between LRF and the FAO and would not impact any arrangement which may be put in place now with the RFMOs.

4. Possible future actions

In the light of the above, progress on this issue would require the involvement of and a decision by each tuna RFMO. In the event that ICCAT wishes to join a data exchange scheme as outlined in Section 2.ii) above, the following implications need to be considered:

- 1) The current requirements for the ICCAT Records of Vessels do not cover all the information which would be required by LRF (see attached **Table 1** minimum requirements), and such an agreement would oblige the Commission to expand the information required under the various Recommendations including:

Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 meters Authorized to Operate in the Convention Area [Rec. 02-22] (establishing 24 m or "positive" list)

Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 06-05] (establishes ICCAT Record of BFT Fishing Vessels)

Recommendation by ICCAT on Bluefin Tuna Farming [Rec. 06-07] (establishes ICCAT Record of BFT Farming Vessels)

Recommendation by ICCAT Establishing a Program for Transshipment [Rec. 06-11] (establishes ICCAT Record of BFT carrier vessels).

It should be noted that **Table 1** shows the current minimum requirements, but the collection of additional information required by LRF and IMO would be advisable in order to ensure continuity of the exchange. **Table 2** shows all the data currently collected by IMO and LRF.

- 2) Lloyds Fairplay would be willing to provide this service free of charge on a data exchange basis. It should be noted that this would require Parties to adhere to **strict data exchange protocols**, and use specific codes, standards, formats, and submission media, as well as ensuring that the minimum Lloyd's requirements are met.
- 3) Currently, the majority of Contracting Parties do not adhere strictly to the standard Secretariat format, and some of the data currently required by the Recommendations is missing. The **current standard of reporting would not be acceptable** for a data exchange with LRF.
- 4) The above factors need to be considered carefully before the Commission enters into the agreement under consideration.

5. Conclusion

While there has been considerable support in recent years for the idea of the use of a unique vessel identifier which would allow the harmonization of vessels lists, and this has been recognized by the tuna RFMOs, in practice such a system can only become operative if all Parties undertake to report their data according to a strict format with determined parameters, regardless of whether the LRF system or other system is adopted.

The Working Group may wish to consider:

- 1) The issues associated with the adoption of a Unique Vessel Identifier for vessels authorized to fish in the ICCAT Convention area;
- 2) Providing advice in relation to cooperation with other tuna RFMOs, Lloyds, IMO and FAO;
- 3) Propose to the Commission Recommendations in relation to promoting this issue and in relation to any actions and amendments required to existing Recommendations to establish an UVI for vessels on the ICCAT Record.

Table 1. Minimum requirements for the assignment of LRF number.

| <i>Information required</i> | <i>Required to provide an LRF No.</i> |
|---|---------------------------------------|
| Registered Owner | X |
| Parent company of registered owner (if known) | X |
| Ship Manager (if applicable) | X |
| Flag State | X |
| MMSI Number | X |
| Flag State Identification Number (Official No.) | X |
| Name of fishing vessel | X |
| Registration number (Fishing No.) | X |
| Previous names (if known) | X |
| Port of registry | X |
| Address of owner or owners | X |
| Previous flag (if any) | X |
| International Radio Call Sign | X |
| Color photograph of vessel | |
| Where and when built | X |
| Type of vessel | X |
| Length | X |
| Molded depth | X |
| Beam | X |
| Gross register tonnage (if applicable) | X |
| GT (if applicable) | X |
| Power of main engine or engines | X |
| Net tonnage | X |
| Dead weight | X |
| Shipbuilder | X |
| Nationality of shipbuilder | X |
| Date ship entered register | X |
| Date ship de-registered (if applicable) | X |

Table 2. Lists of fields collected by IMO and LRF.

| <i>Information required</i> | <i>Required to provide an LRF No.</i> | <i>LR-F</i> | <i>IMO</i> <i>For vessels >100GRT</i> |
|---|---------------------------------------|-------------|--|
| IMO Unique Company (DOC) Number | | | X |
| IMO Registered Owner Identification Number | | | X |
| IMO Ship Identification Number | | | X |
| LR-F Number | | X | IMO<Company/registered owner><7 digit LR-F number> |
| Document of Compliance (DOC) Company | | X | X |
| Current Company name | | | X |
| Date of company registration | | | X |
| Country of registration | | | X |
| Full address details for Company | | | X |
| Previous company name (if known) | | | X |
| Registered Owner | X | X | X |
| Parent company of registered owner (if known) | X | | X |
| Date of incorporation of company | | | X |
| Ship Manager (if applicable) | X | X | X |
| Technical Manager | | X | |
| Operator | | X | |
| Bareboat/Demise Charterer | | X | X |
| Group Beneficial Owner | | X | |
| Group Operated Fleet | | X | |
| Flag State | X | | X |
| MMSI Number | X | | X |
| Flag State Identification Number (Official No.) | X | | X |
| Name of fishing vessel | X | | X |
| Registration number (Fishing No.) | X | X | |
| Previous names (if known) | X | X | |
| Port of registry | X | | X |
| Address of owner or owners | X | Company | X |
| Name and nationality of master | | | |
| Previous flag (if any) | X | X | |
| International Radio Call Sign | X | | X |
| Vessel communication types and numbers (INMARSAT A, B and C numbers and satellite telephone number) | | X | |
| Color photograph of vessel | | X | |

| | | | |
|--|---|----------------|---|
| Where and when built | X | | X |
| Type of vessel | X | X | |
| Normal crew complement | | X | |
| Type of fishing method or methods | | LR-F ship type | X |
| Length | X | X | |
| Molded depth | X | X | |
| Beam | X | X | |
| Gross register tonnage (if applicable) | X | | X |
| GT (if applicable) | X | | |
| Power of main engine or engines | X | X | |
| The nature of the authorization to fish granted by the flag State | | | |
| Carrying capacity, including freezer type, capacity and number and fish hold capacity. | | X | |
| Net tonnage | X | | X |
| Dead weight | X | | X |
| Shipbuilder | X | | X |
| Nationality of shipbuilder | X | | X |
| Parallel-in ships true ownership registration details | | | X |
| Parallel-out ships true owner details | | | X |
| Ship status code | | | X |
| Date ship entered register | X | | X |
| Date ship de-registered (if applicable) | X | | X |

RECOMMENDATIONS ADOPTED BY ICCAT IN 2008

08-01

BET

RECOMMENDATION BY ICCAT TO AMEND THE *RECOMMENDATION BY ICCAT ON A MULTI-YEAR CONSERVATION AND MANAGEMENT PROGRAM FOR BIGEYE TUNA*

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

1. The terms of the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] are extended through 2009.
2. All underages or overages of the annual catch limit of bigeye tuna may be added/to or shall be deducted from the annual catch limit as follows:

| <i>Year of catch</i> | <i>Adjustment Year</i> |
|----------------------|------------------------|
| 2008 | 2009 and/or 2010 |
| 2009 | 2010 and/or 2011 |

3. The 2,000 t transfer of bigeye tuna catch limit from Japan to China, to be applied in 2009 be authorized.
4. The Commission requests the SCRS to evaluate before the Regular meeting of 2009:
 - the existing port sampling programs aimed at collecting fishery data for bigeye, yellowfin, and skipjack tuna that are caught by purse seine and baitboat fisheries in the Gulf of Guinea,
 - the closure contained in the proposal from Ghana and Côte d’Ivoire (**Annex 1**), and any alternative closure, taking into account the need to reduce the catch of juvenile fish.

and make appropriate recommendations to improve the sampling program and the closure so that they are implemented by 2010.

Reference Document Proposal by Ghana and Côte d'Ivoire

Draft Supplemental Recommendation by ICCAT to Amend the Multi-Year Conservation and Management Program for Bigeye Tuna

CONSIDERING the recent analysis by the Standing Committee on Research and Statistics (SCRS) which concluded that changes to the Gulf of Guinea time and area closure adopted in the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] are less effective at protecting small juvenile bigeye (BET) and yellowfin (YFT) tunas (<3.2 kg) than the previous closure specified in the 1999 *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregating Devices (FADs)* [Rec. 99-01];

CONCERNED that small juvenile bigeye tuna represent approximately 70 percent of bigeye catches, in number of fish, with a generally increasing trend (SCRS):

NOTING that, in 2005, SCRS identified modifications that would improve the effectiveness of the area/season closure applied to purse seine vessels and baitboats flying a CPC flag;

RECALLING the overfished status of Atlantic bigeye tuna and the 2007 and 2008 SCRS recommendations to reduce the total allowable catches of this species;

OBSERVING the mixed composition of the surface fisheries occurring in the Gulf of Guinea and SCRS recommendations to reduce fishing mortality of small juvenile yellowfin tuna to increase long-term sustainable yield:

RECOGNIZING the contribution that a reduction in the harvest of juvenile tunas in the Gulf of Guinea can contribute to the long-term sustainability of the stocks;

INTENDING to implement measures to substantially reduce the expected catch of small juvenile bigeye and yellowfin tunas (<3.2 kg) from recent levels;

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

1. The terms of the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Plan for Bigeye Tuna* [Rec. 04-01] are extended through December 31, 2010, except as provided for below.
2. Paragraph 8 of the *Recommendation by ICCAT on a Multiyear Conservation and Management Program for Bigeye Tuna* [Rec. 04-01] is replaced by the following:

Purse seine and baitboat vessels flying the flag of CPCs shall be prohibited from fishing around, under, or in association with floating objects, including fish-aggregating devices (FADs), during the time period and in the area specified in paragraph 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01.

- a) Vessels fishing in the area referenced in paragraph 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 during the period referenced in paragraph 3(a) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 shall retain and report all catches of Atlantic tunas to the Secretariat.
- b) CPCs shall establish domestic procedures to identify and sanction vessels flying their flags that do not comply with the area restrictions. CPCs shall report on their implementation of such procedures and compliance with the restrictions referenced in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 to the Secretariat by August 1, each year. The Executive Secretary shall report to the Commission on compliance with the aforementioned restrictions in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 during each annual meeting of the Commission.

3. Paragraph 9 of the Recommendation 04-01 is replaced by the following:

The time period and area referred to in paragraph 8 of Recommendation 04-01 are the following:

- a) The time period is from 1 November of one year to 31 January of the following year.
- b) The area is defined as:
 - Southern limit: parallel 4° South latitude
 - Northern limit: parallel 5° North latitude
 - Western limit: meridian 20° West longitude
 - Eastern limit: the African Coast.
- c) The Commission requests that the SCRS analyze all relevant data and recommend for consideration by the Commission at the 2010 annual meeting, a more effective restricted area that would reduce the relative proportion of small juvenile bigeye tuna and yellowfin caught, prevent growth overfishing, and increase the long-term sustainable yield.

4. Paragraph 10 of Recommendation 04-01 is replaced by the following:

The prohibition in paragraphs 8 and 9 of Recommendation 04-01 includes:

- Prohibition on launching any floating objects, with or without buoys;
- Prohibition on fishing around, under, or in association with artificial objects, including vessels;
- Prohibition on fishing around, under, or in association with natural objects;
- Prohibition on towing floating objects outside the area identified in paragraph 2 of Recommendation 04-01.

5. Paragraph 11 of Recommendation 04-01 is replaced by the following:

The Commission requests the SCRS to analyze in 2011, the efficacy of the area restrictions in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01 in reducing catches of small juvenile bigeye and yellowfin fishes and the impacts of these area restrictions on these affected fish stocks.

6. Paragraph 15 of Recommendation 04-01 is revised as follows to add a new paragraph:

CPCs shall ensure that all purse seine and longline vessels and not less than 50 percent of all baitboats affected by the measure have an observer on board vessels engaged in fishing activities on trips taking place during the period referred to in paragraph 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01, who shall observe the respect of the measure. The biological data collected on the fleet as a whole by these observers shall be provided to the SCRS for the purpose of carrying out analyses identified in paragraph 4 of Recommendation 04-01.

- a) Observers shall undertake robust data collection on all aspects of the total catch (including by-catch such as sea turtles, marine mammals, seabirds, etc.), which, at a minimum, includes size, biological samples to determine age, and catch per unit of effort information by species.
- b) The observers should possess the following skills in order to discharge their duties:
 - Sufficient experience to identify species and gear
 - Knowledge of the ICCAT conservation measures
 - Ability to carry out elementary scientific tasks, e.g., collecting samples, as requested and observe and record accurately,
 - Knowledge of the language of the flag of the vessel observed.

7. Paragraph 16 of Recommendation 04-01 is replaced by the following:

The Commission requests the SCRS to develop by 2010 a port sampling plan aimed at collecting fishery data for bigeye, yellowfin, and skipjack tunas that are caught in the vicinity of the restricted area referred to in paragraphs 3(a) and 3(b) of the Draft Supplemental Recommendation to Amend Recommendation 04-01. Beginning in 2011, the port sampling program shall be implemented in all ports receiving such catches from

fishing vessels. Data and information collected from the program shall be reported to the Secretariat each year beginning in 2012, describing, at a minimum, the following by country of landing and quarter: species composition, landings by species, length composition, and weights. Biological samples suitable for determining life history should be collected as practicable.

8. Paragraph 17 is added:

The Commission requests the SCRS to conduct an assessment of bigeye tuna in the year 2010 and every four years thereafter.

9. This Recommendation amends Recommendation [04-01].

08-02

SWO

**SUPPLEMENTAL RECOMMENDATION BY ICCAT TO AMEND
THE REBUILDING PROGRAM FOR NORTH ATLANTIC SWORDFISH**

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

1. The terms of the 2006 *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02] are extended to 2009.
2. The table in paragraph 4 of Rec. 06-02 shall be revised as follows:

| | <i>Catch Year</i> | <i>Adjustment Year</i> |
|--------------------------|-------------------|------------------------|
| North Atlantic swordfish | 2007 | 2009 |
| | 2008 | 2010 |
| | 2009 | 2011 |

3. 2007-2008 in paragraph 5 of Rec. 06-02 shall be replaced with “2008-2009”.

08-03

SWO

**RECOMMENDATION BY ICCAT
ON MEDITERRANEAN SWORDFISH**

RECOGNISING that the Commission's Standing Committee on Research and Statistics (SCRS) indicated in its 2007 stock assessment that the fishing mortality needs to be reduced to move the stock toward the Convention objective of biomass levels which could support MSY, and that seasonal closures are considered to be beneficial in moving the stock condition closer to the Convention objective;

NOTING that the SCRS in its assessment in 2007 estimated that fish less than three years old usually represent 50-70% of the total yearly catches in terms of numbers and 20-35% in terms of weight and indicates that a reduction in the volume of juvenile catches would improve yield per recruit and spawning biomass per recruit levels;

RECALLING the *Recommendation by ICCAT Relating to Mediterranean Swordfish* [Rec. 03-04], which encourages CPCs to take measures to reduce juvenile Mediterranean swordfish catches;

TAKING INTO ACCOUNT the SCRS advice given in 2008 advocating seasonal closures and pending the adoption of a more comprehensive management plan for Mediterranean swordfish;

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

1. Fishing for Mediterranean swordfish shall be prohibited in the Mediterranean during the period from 1 October to 30 November.
2. CPCs shall monitor the effectiveness of this closure and submit relevant information to the SCRS.
3. CPCs shall ensure the maintenance or development of adequate scientific information in the formats requested by ICCAT and in smallest time-area possible on the size distributions of the catches.
4. This Recommendation replaces the *Recommendation by ICCAT on Mediterranean Swordfish* [Rec. 07-01].

08-04

BFT

**SUPPLEMENTAL RECOMMENDATION BY ICCAT
CONCERNING THE WESTERN ATLANTIC BLUEFIN TUNA
REBUILDING PROGRAM**

RECALLING the 1998 Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna [Rec. 98-07], the Recommendation by ICCAT Concerning Conservation of Western Atlantic Bluefin Tuna [Rec. 02-07], the Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program and the Conservation and Management Measures for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 04-05], and the Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program [Rec. 06-06],

FURTHER RECALLING that the objective of the Convention is to maintain populations at levels that will support maximum sustainable catch (usually referred to as MSY),

CONSIDERING that the 2008 Standing Committee on Research and Statistics (SCRS) stock assessment indicates that a constant total allowable catch (TAC) below 2,100 t over the period of 2009-2010 would produce gains in spawning stock biomass (SSB) of western Atlantic bluefin tuna,

ACKNOWLEDGING that management actions taken in the eastern Atlantic and Mediterranean are likely to impact recovery in the western Atlantic, and that the current fishing mortality rate in the eastern Atlantic and Mediterranean bluefin tuna fisheries may be more than three times the level which would permit that stock to stabilize at the MSY level,

RECOGNIZING the need to amend the rebuilding program for western Atlantic bluefin tuna in light of scientific advice in the 2008 stock assessment,

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

1. The Contracting Parties whose vessels have been actively fishing for bluefin tuna in the western Atlantic will initiate a 20-year rebuilding program beginning in 1999 and continuing through 2018.

Effort and capacity limits

2. In order to avoid increasing fishing mortality of bluefin tuna in the eastern or western Atlantic, Contracting Parties, non-Contracting Parties, Entities and Fishing Entities will continue to take measures to prohibit any transfer of fishing effort from the western Atlantic to the eastern Atlantic and from the eastern to the western Atlantic.

Catch limits and quotas

3. The rebuilding program for bluefin tuna in the western Atlantic, which began in 1999 and will continue through 2018, will have a total allowable catch (TAC), inclusive of dead discards, of 1,900 t in 2009 and 1,800 t in 2010.
4. The annual TAC, maximum sustainable yield (MSY) target, and 20-year rebuilding period may be adjusted based upon subsequent SCRS advice. No adjustment to the annual TAC or the 20-year rebuilding period shall be considered unless SCRS advice indicates that the TAC under consideration will allow the MSY target to be achieved within the rebuilding period with a 50 percent or greater probability.
5. At such time as the SCRS determines the stock size has achieved the level that would produce MSY, TAC levels up to the level of MSY will be considered.
6. The allocation of the annual TAC, inclusive of dead discards, will be indicated as follows:

- a) The annual TAC shall include the following allocations:

| <i>CPC</i> | <i>Allocation</i> |
|--|-------------------|
| UK (in respect of Bermuda) | 4 t |
| France (in respect of St. Pierre & Miquelon) | 4 t |
| Mexico (including incidental catch in longline fisheries in the Gulf of Mexico) | 95 t |
| USA (by-catch related to directed longline fisheries in vicinity of management area boundary) | 25 t |
| Canada (by-catch related to directed longline fisheries in vicinity of management area boundary) | 15 t |

- b) After subtracting the amounts under paragraph 6 (a), the remainder of the annual TAC will be allocated as follows:

| CPC | <i>If the remainder of the annual TAC is:</i> | | | |
|------------|---|------------------------|--|-----------------------------|
| | < 2,413 t (A) | 2,413 t (B) | > 2,413-2,660 t (C) | > 2,660 t (D) |
| USA | 57.48 % | 1,387 t | 1,387 t | 52.14 % |
| Canada | 23.75 % | 573 t | 573 t | 21.54 % |
| Japan | 18.77 % | 453 t | 453 t + all increase between 2,413 t and 2,660 t | 26.32 % |

- c) Consistent with paragraphs 1 and 6 (b), the TAC for each of 2009 and 2010 results in the following CPC-specific quota allocations (not including by-catch allowances listed in 6 a):

| | <i>2009</i> | <i>2010</i> |
|--------|-------------|-------------|
| | (1,900 t) | (1,800 t) |
| USA | 1,009.92 t | 952.44 t |
| Canada | 417.29 t | 393.54 t |
| Japan | 329.79 t | 311.02 t |

- d) Notwithstanding paragraph 8 below, in 2009, 73 t will be transferred to Canada from Mexico's 2007 underage.
- e) Notwithstanding paragraph 8 below, in 2010, underharvests carried forward by Mexico from 2008 to 2010 will be subsequently transferred to Canada, such that Canada's initial allocation (excluding the by-catch allowance listed in 6 a) for 2010 is 480 t. If such a transfer results in an initial Canadian allocation (excluding the by-catch allowance listed in 6 a) of less than 480 t, then a transfer of underharvest from the US will be used to bring Canada's initial 2010 allocation (excluding the by-catch allowance listed in 6 a) to 480 t.
- f) The two-year combined Canadian total catch (excluding by-catch allowed under 6 a) for 2009 and 2010 will be no more than 970 t.
7. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) holding TAC allocations of western Atlantic bluefin tuna agree to re-negotiate the quota allocations for this stock in 2010 and that, at such time, all directed fishing allocations are to be included in the allocation table in accordance with ICCAT's allocation criteria.
8. Any overharvest of a CPC's specific TAC allocation provided under paragraph 6 shall be subtracted from that CPC's specific TAC allocation for the next year. Any underharvest of a CPC's specific TAC allocation in a given year may be carried forward to the next year. In no event shall the underharvest that is carried forward exceed 50% of the CPC's initial TAC allocation under paragraph 6 above, with the exception of

those CPCs with initial allocations of 25 t or less. After 2010, the underharvest that may be carried forward by any CPC to the following year shall not exceed 10% of the CPC's initial TAC allocation. Each year shall be considered as an independent management period for the purposes of paragraph 9 below.

9. a) If, in the applicable management period, and each subsequent management period, any CPC has an overharvest of its TAC allocation under paragraph 6, its TAC allocation will be reduced in the next subsequent management period by 100% of the amount in excess of such TAC allocation; and ICCAT may authorize other appropriate actions.
 - b) Notwithstanding paragraph 9 (a), if a CPC has an overharvest of its TAC allocation under paragraph 6 during any two consecutive management periods, the Commission will recommend appropriate measures, which may include, but are not limited to, reduction in the CPC's TAC allocation equal to a minimum of 125% of the overharvest amount and, if necessary, trade restrictive measures. Any trade measures under this paragraph will be import restrictions on the subject species and consistent with each CPC's international obligations. The trade measures will be of such duration and under such conditions as the Commission may determine.
10. Notwithstanding the *Recommendation by ICCAT Regarding the Temporary Adjustment of Quotas* [Rec. 01-12], in between meetings of the Commission, a CPC with a TAC allocation under paragraph 6 may make a one-time transfer within a fishing year of up to 15% of its TAC allocation to other CPCs with TAC allocations, consistent with domestic obligations and conservations considerations. The transfer shall be notified to the Secretariat. Any such transfer may not be used to cover overharvests. A CPC that receives a one-time quota transfer may not retransfer that quota. For parties with a quota allocation of 4 t, the transfer may be up to 100% of the allocation.

Minimum fish size requirements and protection of small fish

11. Contracting Parties, non-Contracting Parties, Entities and Fishing Entities will prohibit the taking and landing of western Atlantic bluefin tuna weighing less than 30 kg or, in the alternative, having a fork length of less than 115 cm.
12. Notwithstanding the above measures, Contracting Parties, non-Contracting Parties, Entities and Fishing Entities may grant tolerances to capture western Atlantic bluefin tuna either weighing less than 30 kg, or in the alternative, having a fork length of less than 115 cm, provided they limit the take of these fish so that the average over the 2009 and 2010 fishing periods is no more than 10% by weight of the total bluefin tuna quota for each CPC, and institute measures to deny economic gain to the fishermen from such fish.
13. Contracting Parties, non-Contracting Parties, Entities and Fishing Entities will encourage their commercial and recreational fishermen to tag and release all fish less than 30 kg or, in the alternative, having a fork length less than 115 cm.

Area and time restrictions

14. There shall be no directed fishery on the bluefin tuna spawning stocks in the western Atlantic in spawning areas such as the Gulf of Mexico.

Scientific research and data and reporting requirement

15. The SCRS shall conduct a stock assessment of western Atlantic bluefin tuna in 2010 and thereafter every two/four years.
16. If scientific evidence results in an SCRS recommendation to alter the definition of management units, or to take explicit account of mixing between management units, then the rebuilding program shall be re-evaluated.
17. In 2010, the SCRS will conduct a stock assessment for bluefin tuna for the western Atlantic and eastern Atlantic and Mediterranean and provide advice to the Commission on the appropriate management measures, *inter alia*, on total allowable catch levels for those stocks for future years.

18. All Contracting Parties, non-Contracting Parties, Entities and Fishing Entities shall monitor and report on all sources of fishing mortality, including dead discards, and shall minimize dead discards to the extent practicable.
19. All Contracting Parties, non-Contracting Parties, Entities and Fishing Entities shall provide the best available data for the assessment of the stock by the SCRS, including information on the catches of the broadest range of age classes possible, consistent with minimum size restrictions.
20. This Recommendation replaces the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 06-06].

08-05

BFT

**RECOMMENDATION AMENDING THE RECOMMENDATION BY ICCAT
TO ESTABLISH A MULTIANNUAL RECOVERY PLAN FOR BLUEFIN TUNA IN
THE EASTERN ATLANTIC AND MEDITERRANEAN¹**

TAKING INTO ACCOUNT the discussions in the ICCAT Compliance Committee in 2008 concerning the implementation of the recovery plan adopted in 2006,

TAKING INTO ACCOUNT the stock recovery scenario developed by SCRS based on the stock assessment carried out in 2008,

DESIRING to achieve a stock level consistent with the objective of the Convention within 15 years,

CONVINCED that to achieve this objective, it is necessary to strengthen the recovery plan for that stock adopted in 2006. The objective is to recover the stock through a combination of management measures which will protect the spawning stock biomass and reduce juvenile catches,

RECOGNIZING that the success of the recovery plan involves the strengthening of the control system, which should include a set of effective control measures to ensure the respect of the management measures and to ensure the traceability of all the catches,

CONSIDERING the necessity to improve the responsibility of the industry, flag States, port States, farm States and market States to ensure compliance with the present recommendation,

GIVEN the need to address the overcapacity of the fleet and the farming capacity;

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

**Part I
General provisions**

1. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs), whose vessels have been actively fishing for bluefin tuna in the East Atlantic and Mediterranean shall implement a 15 year Recovery Plan for bluefin tuna in the East Atlantic and Mediterranean starting in 2007 and continuing through 2022, with the goal of achieving B_{MSY} , with greater than 50% probability.

Definitions

2. For the purposes of this Plan:
 - a) "Fishing vessel" means any vessel used or intended for use for the purposes of the commercial exploitation of bluefin tuna resources, including catching vessels, fish processing vessels, support ships, tug and towing vessels, vessels engaged in transshipment and transport vessels equipped for the transportation of tuna products and auxiliary vessels, except container vessels;
 - b) "Catching vessel" means a vessel used for the purposes of the commercial capture of bluefin tuna resources;
 - c) "Processing vessel" means a vessel on board of which fisheries products are subject to one or more of the following operations, prior to their packaging: filleting or slicing, freezing and/or processing;
 - d) "Auxiliary vessel" means any vessel used to transport dead bluefin tuna (not processed) from a cage to a designated port.
 - e) "Fishing actively" means, for any catching vessel, the fact that it targets bluefin tuna during a given fishing season;

¹After the official transmission on December 18, 2008 of the Recommendations adopted by the Commission at its 2008 meeting, paragraph 21 of this Recommendation was amended following the results of a mail vote.

- f) "Joint fishing operation" means any operation between two or more catching vessels flying the flag of different flag States CPCs where the catch of one catching vessel is attributed to one or more other catching vessels in accordance with an allocation key;
- g) "Transfer activities" means:
- any transfer of live bluefin tuna from the catching vessel net to the transport cage;
 - any transfer of live bluefin tuna from the transport cage to another transport cage;
 - any transfer of dead bluefin tuna from the transport cage to an auxiliary vessel.
 - any transfer from a bluefin tuna farm or a tuna trap to a processing vessel, transport vessel or to land.
- h) "Tuna trap" means fixed gear anchored to the bottom usually containing a guide net that leads fish into an enclosure.
- i) "Caging" means the transfer of bluefin tuna from the transport cage to the fattening and farming cages.
- j) "Fattening" means caging of bluefin tuna for a short period (usually 2-6 months) aiming mostly at increasing the fat content of the fish.
- k) "Farming" means caging of bluefin tuna for a period longer than one year, aiming to increase the total biomass.
- l) "Transshipment" means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel at port.
- m) "Sport fishery" means a non-commercial fishery whose members adhere to a national sport organization or are issued with a national sport license.
- n) "Recreational fishery" means a non-commercial fishery whose members do not adhere to a national sport organization or are not issued with a national sport license.

Length of vessels

3. All lengths of vessels referred to in this Recommendation shall be understood as length overall.

Part II Management measures

TAC and quotas

4. The total allowable catches (TACs) are fixed:
- 2007: 29,500 t
 - 2008: 28,500 t
 - 2009: 22,000 t
 - 2010: 19,950 t²
 - 2011: 18,500 t
5. The SCRS shall monitor and review the progress of the Plan and submit an assessment to the Commission in 2010.
6. The TAC for 2011 onwards may be adjusted following the SCRS advice. The relative shares shall be decided by the Commission in 2010.
7. The allocation scheme for 2007-2010 is set in **Annex 4** to this Recommendation.

Associated conditions to TAC and quotas

8. Each CPC shall take the necessary measures to ensure that the fishing effort of its catching vessels and its traps are commensurate with the fishing opportunities on bluefin tuna available to that CPC in the Eastern Atlantic and Mediterranean Sea, including by establishing individual quotas for its catching vessels over 24 m included in the list referred to in paragraph 54 a).
9. Each CPC shall draw up an annual fishing plan for the catching vessels and traps fishing bluefin tuna in the Eastern Atlantic and Mediterranean Sea. The annual fishing plan shall identify, *inter alia*, the catching vessels over 24 meters included in the list referred to in paragraph 54 a) and the individual quota allocated to

² This TAC may be adjusted at 2009 annual meeting of the Commission in case of substantial overharvest of TAC identified in 2009 and/or new relevant scientific findings and/or relevant international developments.

them and the method used to allocate quota as well as the measure to ensure the respect of the individual quota.

10. Each CPC shall also allocate a specific quota for the purpose of recreational and sport fisheries as defined in paragraph 2 m) and n).
11. No later than 1 March each year, the annual fishing plan shall be transmitted by each CPC to the ICCAT Executive Secretariat. Any subsequent modification to the annual fishing plan or to the specific method used to manage their quota shall be transmitted to the ICCAT Executive Secretariat at least 10 days before the exercise of the activity corresponding to that modification.
12. No later than 15 October, each CPC shall report to the ICCAT Executive Secretariat on the implementation of their annual fishing plans for that year. Those reports shall include:
 - a) the number of catching vessels actually engaged in active fishing activities involving bluefin tuna in the Eastern Atlantic and Mediterranean;
 - b) the catches of each catching vessel; and
 - c) the total number of days each catching vessel fished in the Eastern Atlantic and Mediterranean.
13. The flag CPC may require the catching vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.
14.
 - a) No carry-over of any under-harvests shall be made under this Plan.
 - b) By derogation to paragraph 4 of the 2002 *Recommendation by ICCAT Concerning a Multi-year Conservation and Management Plan for Bluefin Tuna in the East Atlantic and Mediterranean* [Rec. 02-08], no more than 50 % carry-over of any under-harvests arising from 2005 and/or 2006 may be made under this Plan. Paragraph 2 of the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [Rec. 96-14] shall not apply for the overages in 2005 and 2006.
 - c) The underages of Libya, Morocco and Tunisia in 2005 and 2006 may be carried over to 2009 and 2010 as follows:

| <i>CPCs</i> | <i>2009</i> | <i>2010</i> |
|-------------|-------------|-------------|
| Libya | 145 t | 145 t |
| Morocco | 327 t | 327 t |
| Tunisia | 202 t | 202 t |

- d) Any overage of a CPC shall be deducted from the next year's quotas of that CPC. Notwithstanding this provision, the payback of the European Community for its overage in 2007 shall be spread over 2009-2012 (500 t in 2009 and 2010, 1,510 t in 2011 and 2012). This payback shall be reviewed in the light of a general transparency and incentive provision on overages to be adopted by ICCAT at the latest in 2010.
15. CPCs shall be encouraged to voluntarily reduce their catches of bluefin tuna in Eastern Atlantic and Mediterranean in 2009. Notwithstanding paragraph 14 a), the voluntary reduced portion of the CPC's allocation may be carried over to 2011 on condition that such voluntary reduced portion is notified to the ICCAT Secretariat before March 1, 2009.
16. Private trade arrangements and or transfer of quotas/catch limits between CPCs shall be done only under authorization by the CPCs concerned and the Commission.
17. To comply with paragraph 1 of 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], the percentage of a CPC's bluefin tuna quota/catch limit that may be used for chartering shall not exceed 60%, 40% and 20% of the total quota in 2007, 2008, 2009, respectively. No chartering operation for the bluefin tuna fishery is permitted in 2010.

By derogation to paragraph 3 of the 2002 *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21], only bluefin tuna catching vessels flying the flag of a CPC can be chartered.

The number of bluefin tuna catching vessels chartered and the duration of the charter shall be commensurate with the quota allocated to the charter CPC.

18. Any joint fishing operation for bluefin tuna shall only be authorized with the consent of the flag States if the vessel is equipped to fish bluefin tuna and has an individual quota, and in accordance with the following requirements.

At the moment of the application for the authorization, following the format set in **Annex 6**, each flag State shall take the necessary measures to obtain from its catching vessel(s) participating in the joint fishing operation the following information:

- duration,
- identity of the operators involved,
- individual vessels' quotas,
- the allocation key between the vessels for the catches involved,
- and the information on the fattening or farming farms of destination.

Each flag State authorizing its vessels to participate shall transmit all this information to the other participating flag State. The CPCs involved in the joint fishing operation shall transmit all this information to the ICCAT Secretariat at least ten days before the start of the operation.

The Commission shall establish and maintain an ICCAT record of all joint fishing operations authorized by the flag States CPCs in the eastern Atlantic and Mediterranean Sea.

Closed fishing seasons

19. Bluefin tuna fishing shall be prohibited in the East Atlantic and Mediterranean by large-scale pelagic longline catching vessels over 24 m during the period from 1 June to 31 December with the exception of the area delimited by West of 10°W and North of 42°N, where such fishing shall be prohibited from 1 February to 31 July.
20. Purse seine fishing for bluefin tuna shall be prohibited in the East Atlantic and Mediterranean during the period from 15 June to 15 April.
21. If a CPC can demonstrate that due to bad weather (Beaufort Sea State 4 or more for wooden-hulled vessels of less than 24 m and Beaufort Sea State 5 or more for all other vessels) certain of its purse seine catching vessels have been unable to utilize the fishing days referred to in paragraph 20, the CPC may carry over a maximum of 5 days lost until 20 June. This CPC shall notify by 15 June to the ICCAT Secretariat the information on the additional fishing days granted, with evidence of bad weather. The ICCAT Secretariat shall forward without delay this information to other CPCs.
22. Bluefin tuna fishing by baitboats and trolling boats shall be prohibited in the East Atlantic and Mediterranean during the period from 15 October to 15 June.
23. Bluefin tuna fishing by pelagic trawlers shall be prohibited in the East Atlantic during the period from 15 October to 15 June.
24. Bluefin tuna recreational and sport fishing shall be prohibited in the eastern Atlantic and Mediterranean from 15 October to 15 June.

Spawning grounds

25. For the annual meeting of the Commission in 2010, the SCRS shall identify as precisely as possible spawning grounds in the Mediterranean in view of the creation of sanctuaries.

Use of aircraft

26. CPCs shall take necessary measures to prohibit the use of airplanes or helicopters for searching for bluefin tuna in the Convention area.

Minimum size

27. CPCs shall take the necessary measures to prohibit catching, retaining on board, transshipping, transferring, landing, transporting, storing, selling, displaying or offering for sale bluefin tuna (*Thunnus thynnus thynnus*) weighing less than 30 kg.
28. By derogation of paragraph 27, a minimum size for bluefin tuna (*Thunnus thynnus thynnus*) of 8 kg shall apply to the following situations in accordance with the procedures set out in **Annex 1**.
 - a) Bluefin tuna caught by baitboats and trolling boats in the eastern Atlantic.
 - b) Bluefin tuna caught in the Adriatic Sea for farming purposes.
 - c) Bluefin tuna caught in the Mediterranean Sea by the coastal artisanal fishery for fresh fish by baitboats, longliners and handliners.
29. For catching vessels fishing actively for bluefin tuna, an incidental catch of maximum 5% of bluefin tuna weighing between 10 and 30 kg may be authorized. This percentage is calculated on the total incidental catches in number of fish retained on board this vessel, or their equivalent in percentage in weight. Incidental catches must be deducted from the quota of the flag State CPC. The procedures referred to in paragraphs 61, 62, 63, 64, 66, 67 and 68 shall apply to the incidental catch.

By-catch

30. Catching vessels not fishing actively for bluefin tuna are not authorized to retain on board bluefin tuna exceeding more than 5% of the total catch on board by weight or/and number of pieces. By-catches must be deducted from the quota of the flag state CPC.

The procedures referred to in paragraphs 61, 62, 63, 64, 66, 67 and 68 shall apply to the by-catch.

Recreational fisheries

31. Recreational fisheries on bluefin tuna shall be subject to the authorization for each vessel issued by the flag State CPC.
32. CPCs shall take the necessary measures to prohibit the catch and retention on board, transshipment or landing of more than one bluefin tuna in each sea trip.
33. The marketing of bluefin tuna caught in recreational fishing shall be prohibited except for charitable purposes.
34. Each CPC shall take measures to record catch data from recreational fishing and transmit them to the SCRS. Catches of recreational fisheries shall be counted against the quota allocated to the CPC in accordance with paragraph 10.
35. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of bluefin tuna caught alive, especially juveniles, in the framework of recreational fishing.

Sport fisheries

36. CPCs shall take the necessary measures to regulate sport fishing, notably by fishing authorizations.
37. The marketing of bluefin tuna caught in sport fishing competitions shall be prohibited except for charitable purposes.
38. Each CPC shall take measures to record catch data from sport fishing and transmit them to the SCRS. Catches of sport fishing shall be counted against the quota allocated to the CPC in accordance with paragraph 10.
39. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of the bluefin tuna caught alive, especially juveniles, in the framework of sport fishing.

Part III

Capacity measures

Adjustment of fishing capacity

40. Each CPC shall ensure that its fishing capacity is commensurate with its allocated quota.
41. To that purpose each CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009, and shall be reviewed at its annual meeting in 2010. Such plan shall include the information referred to in paragraphs 42 to 48.

Freezing of fishing capacity

42. CPCs shall limit the number, and the corresponding gross registered tonnage, of their fishing vessels to the number and tonnage of their vessels that fished for, retained on board, transshipped, transported, or landed bluefin tuna during the period 1 January 2007 to 1 July 2008. This limit shall be applied by gear type for catching vessels and by vessel type for other fishing vessels.
43. Paragraph 42 shall not be interpreted to affect the measures contained in **Annex 1** paragraphs 1 and 2 of this Recommendation.
44. CPCs shall limit the number of their traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery to the number authorized by each CPC by 1 July 2008.
45. This freezing may not apply to certain CPCs, in particular developing States that demonstrate that they need to develop their fishing capacity so as to fully use their quota. Such CPCs shall indicate in their management plans the programming of the introduction of additional fishing capacity into the fishery.

Reduction of fishing capacity

46. Without prejudice to paragraph 45, each CPC shall reduce its fishing capacity referred to in paragraphs 42, 43 and 44 so as to ensure for 2010 that at least 25% of the discrepancy between its fishing capacity and its fishing capacity commensurate with its allocated quota in 2010 is achieved.
47. To calculate its fishing capacity reduction, each CPC shall take into account *inter alia*, the estimated yearly catch rates per vessel and gear.
48. This reduction may not apply to certain CPCs that demonstrate that their fishing capacity is commensurate with their allocated quotas.

Adjustment of farming capacity

49. Each farming or fattening CPC shall establish a management plan over 2010-2013. Such plan shall be submitted to the Commission by 15 September 2009 for discussion and approval by the Commission at its annual meeting in 2009, and shall be reviewed at its annual meeting in 2010. Such plan shall include the information referred in paragraphs 50 to 53.
50. Each CPC shall limit its tuna farming capacity to the farming capacity of the farms that were registered in the ICCAT list or authorized and declared to ICCAT as of 1 July 2008.
51. Each CPC shall establish for 2010 a maximum input of wild caught bluefin tuna into its farms at the level of the input quantities registered with ICCAT by its farms in 2005, 2006, 2007 or 2008.
52. Within the maximum input quantity of wild caught bluefin tuna referred to in paragraph 51, each CPC shall allocate inputs to its farms.
53. Further adjustment of farming capacity shall be decided by the Commission at its annual meeting in 2010, depending on the level of the TAC after 2010.

Part IV Control measures

ICCAT bluefin tuna records of vessels

54. a) The Commission shall establish and maintain an ICCAT record of all catching vessels authorized to fish actively for bluefin tuna in the eastern Atlantic and Mediterranean Sea.
- b) The Commission shall establish and maintain an ICCAT record of all other fishing vessels (i.e. catching vessels excluded) authorized to operate for bluefin tuna in the eastern Atlantic and Mediterranean Sea.

During a calendar year, a fishing vessel shall be registered in only one of the ICCAT records referred to in paragraphs a) and b). Without prejudice to paragraph 30, for the purposes of this recommendation, fishing vessels not entered into one of the ICCAT records referred to in paragraph a) and b) are deemed not to be authorized to fish for, retain on board, tranship, transport, transfer, process or land bluefin tuna in the eastern Atlantic and Mediterranean Sea.

55. Each flag CPC shall submit electronically each year to the ICCAT Executive Secretary, at the latest one month before the beginning of the fishing seasons referred to in paragraphs 19 to 23, when applicable, and otherwise by 1 March, the list of its catching vessels authorized to fish actively for bluefin tuna and the list of its other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea referred to in paragraph 54 a) and b), in accordance with the format set in the Guidelines for submitting data and information required by ICCAT.

Any subsequent changes shall not be accepted unless a notified fishing vessel is prevented from participation due to legitimate operational reasons or *force majeure*. In such circumstances, the CPC concerned shall immediately inform the ICCAT Executive Secretariat, providing:

- a) full details of the intended replacement fishing vessel(s) referred to in paragraph 54;
 - b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.
56. Conditions and procedures referred in the 2002 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* [Rec. 02-22] (except paragraph 3) shall apply *mutatis mutandis*.

ICCAT record of tuna traps authorized to fish for bluefin tuna

57. The Commission shall establish and maintain an ICCAT Record of all tuna traps authorized to fish for bluefin tuna in the eastern Atlantic and Mediterranean Sea. For the purposes of this recommendation, tuna traps not entered into the record are deemed not to be authorized to be used to fish for, retain, transfer or land bluefin tuna.
58. Each CPC shall submit electronically to the ICCAT Executive Secretary, by 1 March each year, the list (including the name of the traps, register number) of its authorized tuna traps referred to in paragraph 57. Conditions and procedures referred in the 2002 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area* [Rec. 02-22] (except paragraph 3) shall apply *mutatis mutandis*.

Information on fishing activities

59. By 1 March each year, each CPC shall notify the ICCAT Secretariat the list of the catching vessels included in the ICCAT record referred to in paragraph 54 a) that have fished for bluefin tuna in the eastern Atlantic and Mediterranean in the preceding fishing year.
60. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraph 59 but known or presumed to have fished for bluefin tuna in the eastern Atlantic and Mediterranean. The ICCAT Secretariat shall forward such information to the flag State for action as appropriate, with a copy to other CPCs for information.

Transshipment

61. Transshipment at sea operations of bluefin tuna in the East Atlantic and Mediterranean Sea shall be prohibited.
62. Fishing vessels shall only tranship bluefin tuna catches in designated ports of CPCs. To this end, each CPC shall designate ports in which transshipping of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted transshipping times and places.

The Port State shall ensure full inspection coverage during all transshipping times and at all transshipping places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.

63. Prior to entry into any port, the receiving fishing vessel or its representative, shall provide the relevant authorities of the Port State at least 48 h before the estimated time of arrival, with the following:
- a) estimated time of arrival,
 - b) estimated quantity of bluefin tuna retained on board, and information on the geographic area where it was taken;
 - c) the name of the transshipping fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
 - d) the name of the receiving fishing vessel, its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
 - e) the tonnage and the geographic area of the catch of bluefin tuna to be transshipped.

Any transshipment requires the prior authorization from the flag State of the transshipping fishing vessel concerned.

The master of the transshipping fishing vessel shall, at the time of the transshipment, inform its Flag State of the following:

- a) the quantities of bluefin tuna involved,
- b) the date and port of the transshipment,
- c) the name, registration number and flag of the receiving fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea,
- d) the geographical area of the catch of bluefin tuna.

The relevant authority of the port State shall inspect the receiving vessel on arrival and check the cargo and documentation related to the transshipment operation.

The relevant authority of the port State shall send a record of the transshipment to the flag State authority of the transshipping fishing vessel, within 48 hours after the transshipment has ended.

Recording requirements

64. The masters of catching vessels shall keep a bound or electronic logbook of their operations, indicating particularly the quantities of bluefin tuna caught and kept on board, whether the catches are weighed or estimated, the date and location of such catches and the type of gear used in accordance with the requirements set out in **Annex 2**.
65. The masters of the catching vessels involved in a joint fishing operation shall record in their logbook:
- a) as regards the catching vessel transferring the fish into cages:
 - its name and international radio call sign;

- the date and the time of the catch and of the transfer,
- the location of the catch and of the transfer (longitude/latitude),
- amount of catches taken on board, and amount of catches transferred into cages,
- amount of catches counted against its individual quota,
- the name of the tug boat and its ICCAT number.

b) as regards the other catching vessels not involved in the transfer of the fish:

- their names and international radio call signs;
- the date and the time of the catch and of the transfer,
- the location of the catch and of the transfer (longitude/latitude),
- that no catches have been taken on board or transferred into cages,
- amount of catches counted against their individual quotas,
- the name and the ICCAT number of the catching vessel referred to in (a),
- the name of the tug boat and its ICCAT number.

66. Fishing vessels shall only land bluefin tuna catches in designated ports of CPCs. To this end, each CPC shall designate ports in which landing of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted landing times and places. The port State shall ensure full inspection coverage during all landing times and at all landing places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.

67. Prior to entry into any port, the fishing vessels or their representative, shall provide the relevant authorities of the port, at least 4 hours before the estimated time of arrival, with the following:

- a) estimated time of arrival,
- b) estimate of quantity of bluefin tuna retained on board,
- c) the information on the geographic area where the catch was taken;

Port State authorities shall keep a record of all prior notices for the current year.

Each landing or caging shall be subject to an inspection by the relevant authorities of the port.

The relevant authority shall send a record of the landing to the flag State authority of the fishing vessel, within 48 hours after the landing has ended.

After each trip and within 48 hours of landing, the masters of catching vessels shall submit a landing declaration to the competent authorities of the CPC where the landing takes place and to its flag State. The master of the authorized catching vessel shall be responsible for the accuracy of the declaration, which shall indicate, as a minimum, the quantities of bluefin tuna landed and the area where they were caught. All landed catches shall be weighed and not only estimated.

68. The masters of fishing vessels shall complete and transmit to their flag State the ICCAT transshipment declaration no later than 48 hours after the date of transshipment in port in accordance with the format set out in **Annex 3**.

Communication of catches

69. a) Each CPC shall ensure that its catching vessels fishing actively for bluefin tuna shall communicate by electronic or other means, to their competent authorities, a weekly catch report, with, as a minimum, information on the catch amount, including nil catch returns, the date and the location (latitude and longitude) of the catches. This report shall be transmitted by the latest Monday noon with the catches taken in the Plan Area during the preceding week ending Sunday midnight GMT. This report shall include information on the number of days in the Plan Area since the beginning of the fishing or since the last weekly report.

b) Each CPC shall ensure that its purse seine catching vessels and its other catching vessels over 24 m fishing actively for bluefin tuna shall communicate, except in case of nil catch returns, by electronic or

other means, to their competent authorities, a daily catch report, with, as a minimum, information on the catch amount, the date and the location (latitude and longitude) of the catches. If a CPC requires such daily reports even in case of nil catch returns, the weekly reports referred to in a) shall not be required.

- c) On the basis of the information referred to in (a) and (b), each CPC shall transmit without delay weekly catch reports for all vessels to the ICCAT Secretariat in accordance with the format set out in **Annex 5**.

Reporting of catches

70. Each CPC shall report its provisional monthly catches of bluefin tuna. This report shall be sent to the ICCAT Secretariat within 30 days of the end of the calendar month in which the catches were made.
71. The ICCAT Secretariat shall within 10 days following the monthly deadlines for receipt of the provisional catch statistics collect the information received and circulate it to CPCs together with aggregated catch statistics.
72. The Executive Secretary shall notify without delay all CPCs of the date on which the accumulative reported catch taken by catching vessels of the CPCs is estimated to equal 85% of the concerned CPC quota for this stock. The CPC shall take the necessary measures to close its bluefin tuna fisheries before its quota is exhausted and notify this closure without delay to the ICCAT Secretariat which will circulate this information to all CPCs.

Cross check

73. CPCs shall verify, including by using inspection reports and observer reports, VMS data, the submission of logbooks and relevant information recorded in the logbooks of their fishing vessels, in the transfer/transshipment document and in the catch documents.

The competent authorities shall carry out cross checks on all landings, all transshipment or caging between the quantities by species recorded in the fishing vessel logbook or quantities by species recorded in the transshipment declaration and the quantities recorded in the landing declaration or caging declaration, and any other relevant document, such as invoice and/or sales notes.

Transfer operations

74. Before any transfer operation into towed cages, the master of the catching vessel shall send to its flag State CPC authorities before the transfer, a prior transfer notification indicating:
- name of the catching vessel and ICCAT number record,
 - estimated time of transfer,
 - estimate of quantity of bluefin tuna to be transferred,
 - information on the position (latitude/longitude) where the transfer will take place,
 - name of the tug vessel, number of cages towed and ICCAT number record.
75. The transfer operation shall not begin without the prior authorization of the catching vessel flag State. If the flag State of the catching vessel considers on receipt of the prior transfer notification that:
- a) the catching vessel declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
 - b) the quantity of fish has not been duly reported and not taken into account for the consumption of the quota that may be applicable,
 - c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna, or
 - d) the tug vessel declared to receive the transfer of fish is not registered in the ICCAT record of all other fishing vessels referred to in paragraph 54 b) or is not equipped with a Vessel Monitoring System,

it shall inform the master of the catching vessel that the transfer is not authorized and to proceed to the release of the fish into the sea.

76. The masters of catching vessels shall complete and transmit to their flag State the ICCAT transfer declaration at the end of the transfer operation to the tug vessel, in accordance with the format set out in **Annex 3**.

77. The transfer declaration shall accompany the transfer of fish during transport to the farm or a designated port.
78. The authorization for transfer by the flag State does not prejudice the authorization of the caging operation.
79. The master of the caging vessel shall ensure that the transfer activities shall be monitored by video camera in the water.
80. The ICCAT Regional Observer on board the catching vessel, as referred to in the ICCAT Regional Observer Program (**Annex 7**), shall record and report upon the transfer activities carried out, verify the position of the catching vessel when engaged in transfer operation, observe and estimate catches transferred and verify entries made in the prior transfer operation as referred to in paragraph 75 and in the ICCAT transfer declaration as referred to in paragraph 76.
81. The ICCAT Regional Observer shall countersign the prior transfer notification and the ICCAT transfer declaration. He shall verify that the ICCAT transfer declaration is properly filled and transmitted to the master of the tug vessel.

The tuna trap operator shall complete and transmit to its State the ICCAT transfer declaration at the end of the transfer operation to the fishing vessel, in accordance with the format set out in **Annex 3**

Caging Operations

82. The CPC under whose jurisdiction the farm for bluefin tuna is located shall submit within one week a caging report, validated by an observer, to the CPC whose flag vessels has fished the tuna and to the ICCAT Secretariat. This report shall contain the information referred to in the caging declaration as set out in the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

When the farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBS) are located beyond waters under jurisdiction of CPCs, the provisions of the previous paragraph shall apply, *mutatis mutandis*, to CPCs where the natural or legal persons responsible for FFBS are located.

83. Before any transfer operation into a farm, the flag CPC of the catching vessel shall be informed by the competent authority of the farm State of the transfer into cage of quantities caught by catching vessels flying its flag. If the flag CPC of the catching vessel considers on receipt of this information that:
 - a) the catching vessel declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
 - b) the quantity of fish has not been duly reported and not taken into account for the calculation of any quota that may be applicable, or
 - c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna, it shall inform the competent authority of the farm State to proceed to the seizure of the catches and the release of the fish into the sea.

The transfer operation shall not begin without the prior authorization of the catching vessel flag CPC.

84. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to prohibit placing in cages for farming or fattening bluefin tuna that are not accompanied by accurate, complete and validated documentation required by ICCAT.
85. The CPC under whose jurisdiction the farm is located shall ensure that transfer activities from cages to the farm shall be monitored by video camera in the water. This requirement shall not apply where the cages are directly fixed to the mooring system.

Trap activities

86. CPCs shall take the necessary measures to ensure the record of the catches after the end of every fishing operation and the transmission of these data simultaneously by electronic means or other means within 48 hours after the end of every fishing operation to the competent authority, which shall transmit these data without delay to the ICCAT Secretariat.

VMS

87. Without prejudice to paragraph 1 d) of Recommendation [06-07], CPCs shall implement a vessels monitoring system for their fishing vessels over 24 m, in accordance with the 2003 *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-14].

Without prejudice to paragraph 1d) of Recommendation [06-07], with effect from 1 January 2010 this measure shall be applied for their fishing vessels over 15 m.

No later than 31 January 2008, each CPC shall communicate without delay messages pursuant to this paragraph to the ICCAT Secretariat, in accordance with the data exchange formats and protocols adopted by the Commission in 2007.

The ICCAT Executive Secretariat shall make available as soon as possible the information received under this paragraph to CPCs with an active inspection presence in the Plan Area and to SCRS, at its request.

On request from CPCs engaged in inspection at sea operations in the convention area in accordance with the ICCAT scheme of joint international inspection referred to in paragraphs 97 and 98 of this Recommendation, the ICCAT Secretariat shall make available the messages received under paragraph 3 of Recommendation [07-08] to all fishing vessels.

CPC Observer Program

88. Each CPC shall ensure observer coverage on its catching vessels actively fishing for bluefin tuna over 15 m in overall length of at least:
- 20% of its active purse seine vessels between 15 m and 24 m in overall length;
 - 20% of its active pelagic trawlers,
 - 20% of its active longline vessels,
 - 20% of its active baitboats,
 - 100% during the harvesting process for tuna traps.

The observer tasks shall be, in particular, to:

- a) monitor a catching vessel compliance with the present recommendation,
- b) record and report upon the fishing activity, which shall include, inter alia, the following:
 - amount of catch (including by-catch), that also includes species disposition, such as retained on board or discarded dead or alive,
 - area of catch by latitude and longitude,
 - measure of effort (e.g., number of sets, number of hooks, etc.), as defined in the ICCAT Field Manual for different gears.
 - date of catch,
- c) observe and estimate catches and verify entries made in the logbook,
- d) sight and record vessels that may be fishing contrary to ICCAT conservation measures.

In addition, the observer shall carry out scientific work, such as collecting Task II data, when required by the Commission, based on the instructions from the SCRS.

In implementing this observer requirement, CPCs shall:

- a) ensure representative temporal and spatial coverage to ensure that the Commission receives adequate and appropriate data and information on catch, effort, and other scientific and management aspects, taking into account characteristics of the fleets and fisheries;
- b) ensure robust data collection protocols;
- c) ensure observers are properly trained and approved before deployment;
- d) ensure, to the extent practicable, minimal disruption to the operations of vessels fishing in the Convention area.

Data and information collected under each CPCs observer program shall be provided to the SCRS and the Commission, as appropriate, in accordance with requirements and procedures to be developed by the Commission by 2009 taking into account CPC confidentiality requirements.

For the scientific aspects of the program, the SCRS shall report on the coverage level achieved by each CPC and provide a summary of the data collected and any relevant findings associated with that data. SCRS shall also provide any recommendations to improve the effectiveness of CPC observer programs.

ICCAT Regional observer Program

89. An ICCAT Regional Observer Program shall be established to ensure an observer coverage of 100%:

- of purse seine vessels over 24 m during all the annual fishing season (**Annex 7**);
- of all purse seiners involved in joint fishing operations, irrespective of the length of the vessels. In this respect, an observer shall be present during the fishing operation;
- during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

Such purse seine vessels without an ICCAT regional observer shall not be authorized to fish or to operate in the bluefin tuna fishery.

90. An ICCAT Regional Observer Program shall ensure an observer presence during all transfer of bluefin tuna to the cages and all harvest of fish from the cage.

The observer tasks shall be, in particular, to:

- observe and monitor farming operation compliance with the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07],
- validate the caging report referred to in paragraph 82,
- carry out such scientific work, for example collecting samples, as required by the Commission based on the directions from the SCRS.

Enforcement

91. CPCs shall take enforcement measures with respect to a fishing vessel, where it has been established, in accordance with its law that the fishing vessel flying its flag does not comply with the provisions of paragraphs 19 to 24, 27 to 29 and 64 to 68 (closed seasons, minimum size and recording requirements).

The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- fines,
- seizure of illegal fishing gear and catches,
- sequestration of the vessel,
- suspension or withdrawal of authorization to fish,
- reduction or withdrawal of the fishing quota, if applicable.

92. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take enforcement measures with respect to a farm, where it has been established, in accordance with its law that this farm does not comply with the provisions of paragraphs 82 to 85 and 90 (caging operations and observers) and with the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- fines,
- suspension or withdrawal of the record of FFBS,
- prohibition to put into cages or market quantities of bluefin tuna.

Access to video records

93. Each CPC shall take the necessary measures to ensure that the video records of its fishing vessels and of its farms are made available to the ICCAT inspectors and ICCAT observers.

The CPC under whose jurisdiction the farm for bluefin tuna is located shall take the necessary measures to ensure that the video records of its fishing vessels and of its farms are made available to its inspectors and its observers.

Market measures

94. Consistent with their rights and obligations under international law, exporting and importing CPCs shall take the necessary measures:
- to prohibit domestic trade, landing, imports, exports, placing in cages for farming, re-exports and transshipments of eastern Atlantic and Mediterranean bluefin tuna species that are not accompanied by accurate, complete, and validated documentation required by this Recommendation and Recommendation [08-12] on a bluefin tuna catch documentation program.
 - to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transshipment within their jurisdiction, of eastern and Mediterranean bluefin tuna species caught by fishing vessels whose flag State either does not have a quota, catch limit or allocation of fishing effort for that species, under the terms of ICCAT management and conservation measures, or when the flag State fishing possibilities are exhausted, or when the individual quotas of catching vessels referred to in paragraph 9 are exhausted;
 - to prohibit domestic trade, imports, landings, processing, exports from farms that do not comply with the Recommendation *by ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

Conversion factors

95. The conversion factors adopted by SCRS shall apply to calculate the equivalent round weight of the processed bluefin tuna.

Growth factors

96. Each CPC shall define growth factors to be applied to bluefin tuna farmed in its cages. It shall notify to ICCAT Secretariat and to the SCRS the factors and methodology used. The SCRS shall review this information at its annual meetings in 2009 and 2010 and shall report to the Commission. The SCRS shall further study the estimated growth factors and provide advice to the Commission for its annual meeting in 2010.

Part V
ICCAT Scheme of Joint International Inspection

97. In the framework of the multi-annual management plan for bluefin tuna, each CPC agrees, in accordance with Article 9, paragraph 3, of the ICCAT Convention, to apply the ICCAT Scheme of Joint International Inspection adopted during its Fourth Regular Meeting, held in November 1975 in Madrid³, as modified in **Annex 8**.
98. The Scheme referred to in paragraph 97 shall apply until ICCAT adopts a monitoring, control and surveillance scheme which will include an ICCAT scheme for joint international inspection, based on the results of the Integrated Monitoring Measures Working Group, established by Resolution 00-20.

Part VI
Final provisions

99. Availability of data to the SCRS

The ICCAT Secretariat shall make available to the SCRS all data received in accordance with the present Recommendation.

All data shall be treated in a confidential manner.

³ Note from the Secretariat: See Appendix II to Annex 7 in *Report for Biennial Period, 1974-75, Part II (1975)*.

100. Evaluation

All the CPCs shall submit each year to the Secretariat regulations and other related documents adopted by them to implement this Recommendation. In order to have greater transparency in implementing this Recommendation, all the CPCs involved in the bluefin tuna chain shall submit each year, no later than 15 October, a detailed report on their implementation of this Recommendation.

101. Cooperation

All the CPCs involved in the bluefin tuna chain are encouraged to enter into bilateral arrangements in order to improve the compliance with the provisions of this Recommendation. These arrangements could notably cover exchanges of inspectors, joint inspections and data sharing.

102. Repeals

This Recommendation repeals paragraph 10 of Recommendation [06-07]; Recommendation [07-04] and paragraph 6 of Recommendation [07-08].

This Recommendation replaces Recommendation [06-05]. Paragraphs 50 and 51 of Recommendation [06-05] shall remain in force until the ICCAT Regional Observer Program referred to in paragraphs 89 and 90 is implemented.

Specific Conditions Applying to the Catching Vessels Referred to in Paragraph 28

1. CPCs shall limit:
 - The maximum number of its baitboats and trolling boats authorized to fish actively bluefin tuna to the number of the vessels participating in directed fishery for bluefin tuna in 2006.
 - The maximum number of its artisanal fleet authorized to fish actively bluefin tuna in Mediterranean to the number of the vessel participating in the fishery for bluefin tuna in 2008.
 - The maximum number of its catching vessel authorized to fish actively bluefin tuna in Adriatic to the number of the vessel participating in the fishery for bluefin tuna in 2008. Each CPC shall allocate individual quotas to the concerned vessels.
2. By 30 January each year, CPCs shall submit to ICCAT Secretariat, the number of catching vessels established pursuant to paragraph 1 of this Annex.
3. CPCs shall issue specific authorizations to the catching vessel referred to in paragraph 1 and shall transmit the list of such catching vessels to ICCAT Secretariat.
4. Any subsequent changes shall not be accepted unless a notified catching vessel is prevented from participation due to legitimate operational reasons or force majeure. In such circumstances CPC concerned shall immediately inform the ICCAT Executive Secretariat, providing:
 - a) full details of the intended replacement of the catching vessel referred to in paragraph 3 of this Annex;
 - b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.
5. Each CPC shall allocate no more than 7% of its quota for bluefin tuna among its baitboats and trolling boats, with up to a maximum of 100 t of bluefin tuna weighing no less than 6.4kg caught by baitboat vessels of an overall length of less than 17 m by derogation to paragraph 28 of this Recommendation.
6. Each CPC may allocate no more than 2% of its quota for bluefin tuna among its coastal artisanal fishery for fresh fish in the Mediterranean.

Each CPC may allocate no more than 90% of its quota for bluefin tuna among its catching vessel in Adriatic for farming purposes.
7. Authorized catching vessels pursuant to paragraph 1 of this Annex shall only land bluefin tuna catches in designated ports. To this end, each CPC shall designate ports in which landing of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted landing times and places. The port State shall ensure full inspection coverage during all landing times and at all landing places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website for these fisheries.
8. Prior to entry into any designated port, authorized catching vessels in accordance with paragraph 4 of this Annex or their representative, shall provide the competent port authorities at least 4 hours before the estimated time of arrival with the following:
 - a) estimated time of arrival,
 - b) estimate of quantity of bluefin tuna retained on board,
 - c) information on the zone where the catches were taken;

Each landing shall be subjected to an inspection in port.

Port state authorities shall keep a record of all prior notice for the current year.

9. CPCs shall implement a catch reporting regime that ensures that an effective monitoring of the utilization of each vessels quota.
10. Bluefin tuna catches may not be offered for retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labeling indicates:
 - a) the species, fishing gear used,
 - b) the catch area and date.
11. Beginning 1 July 2007, CPCs whose baitboats, longliners, handliners and trolling boats are authorized to fish for bluefin tuna in the East Atlantic and Mediterranean shall institute tail tag requirements as follows:
 - a) Tail tags must be affixed on each bluefin tuna immediately upon offloading.
 - b) Each tail tag shall have a unique identification number and be included on bluefin tuna catch documents and written on the outside of any package containing tuna.
12. The master of the catching vessel shall ensure that any quantity of bluefin tuna landed in designated port shall be weighed before first sale or before being transported elsewhere from the port of landing.

Minimum specification for logbooks:

1. The logbook must be numbered by sheets.
2. The logbook must be filled in every day (midnight) or before port arrival
3. The logbook must be completed in case of at sea inspections
4. One copy of the sheets must remain attached to the logbook
5. Logbooks must be kept on board to cover a period of one-year operation.

Minimum standard information for logbooks:

1. Master name and address
2. Dates and ports of departure, Dates and ports of arrival
3. Vessel name, register number, ICCAT number and IMO number (if available). In case of joint fishing operations, vessel names, register numbers, ICCAT numbers and IMO numbers (if available) of all the vessels involved in the operation.
4. Fishing gear:
 - a) Type FAO code
 - b) Dimension (length, mesh size, number of hooks ...)
5. Operations at sea with one line (minimum) per day of trip, providing:
 - a) Activity (fishing, steaming...)
 - b) Position: Exact daily positions (in degree and minutes), recorded for each fishing operation or at noon when no fishing has been conducted during this day.
 - c) Record of catches:
6. Species identification:
 - a) by FAO code
 - b) round (RWT) weight in kg per day
 - c) number of pieces per day
7. Master signature
8. Observer signature (if applicable)
9. Means of weight measure: estimation, weighing on board and counting.
10. The logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

Minimum information in case of landing, transshipment/transfer:

1. Dates and port of landing /transshipment/transfer
2. Products
 - a) presentation
 - b) number of fish or boxes and quantity in kg
3. Signature of the Master or Vessel Agent

Document No. ICCAT Transfer/Transhipment Declaration

| | | | |
|-------------------------------------|---|----------------------------|-----------------------|
| Tug/Carrier vessel | Fishing Vessel | Farm of destination | Trap |
| Name of vessel and radio call sign: | Name of the vessel and radio call sign, | Name | Name |
| Flag: | Flag: | ICCAT Register number | ICCAT Register number |
| Flag State authorization No. | Flag State authorization No. | | |
| National Register No. | National register No. | | |
| ICCAT Register No. | ICCAT Register No. | | |
| IMO No. | External identification: | | |
| | Fishing logbook sheet No. | | |

| | | | | | | | | |
|------------------|-----|-------|------|------|------|----------------------------------|----------------------------|--------------------------|
| Departure | Day | Month | Hour | Year | 2_0_ | F.V Master's/trap operator name: | Tug/Carrier Master's name: | LOCATION OF TRANSHIPMENT |
| Return | | | | from | | Signature: | Signature: | |
| Transfer/Transh. | | | | to | | | | |

For transhipment, indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: [] kilograms.
In case of transfer of live fish indicate number of unit and live weight

| Port | Sea | | Species | Number of unit of fishes | Type of Product Live | Type of Product Whole | Type of Product Guttet | Type of Product Head off | Type of Product Filleted | Type of Product | further transfer / transhipments |
|------|------|-------|---------|--------------------------|----------------------|-----------------------|------------------------|--------------------------|--------------------------|-----------------|---|
| | Lat. | Long. | | | | | | | | | |
| | | | | | | | | | | | Date: Place/Position: Authorization CP No. Transfer vessel Master signature: |
| | | | | | | | | | | | Name of receiver vessel: Flag ICCAT Register No. IMO N° Master's signature |
| | | | | | | | | | | | Date: Place/Position: Authorization CP No. Transfer vessel Master's signature: |
| | | | | | | | | | | | Name of receiver vessel: Flag ICCAT Register No. IMO No. Master's signature |

ICCAT Observer signature (if applicable).

Obligations in case of transfer/transhipment:

1. The original of the transfer/transhipment declaration must be provided to the recipient vessel (tug/processing/transport).
2. The copy of the transfer/transhipment declaration must be kept by the correspondent catching vessel or trap.
3. Further transfers or transhipping operations shall be authorized by the relevant CP which authorized the vessel to operate.
4. The original of the transfer/transhipment declaration has to be kept by the recipient vessel which holds the fish, up to the farm or the landing place.
5. The transfer or transhipping operation shall be recorded in the logbook of any vessel involved in the operation.

Allocation Scheme for 2007-2010

Recovery Plan for a four-year period (Unit: t)

| | 2007 | 2008 | 2009 | 2010 |
|---------------------------|-----------|-----------|-----------|-----------|
| Albania | | | 50.00 | 50.00 |
| Algerie | 1,511.27 | 1,460.04 | 1,117.42 | 1,012.13 |
| China (People's Republic) | 65.78 | 63.55 | 61.32 | 56.86 |
| Croatia | 862.31 | 833.08 | 641.45 | 581.51 |
| Egypt | | | 50.00 | 50.00 |
| European Community* | 16,779.55 | 16,210.75 | 12,406.62 | 11,237.59 |
| Iceland | 53.34 | 51.53 | 49.72 | 46.11 |
| Japan | 2,515.82 | 2,430.54 | 1,871.44 | 1,696.57 |
| Korea | 177.80 | 171.77 | 132.26 | 119.90 |
| Libya | 1,280.14 | 1,236.74 | 946.52 | 857.33 |
| Maroc | 2,824.30 | 2,728.56 | 2,088.26 | 1,891.49 |
| Norway | 53.34 | 51.53 | 49.72 | 46.11 |
| Syria | 53.34 | 51.53 | 50.00 | 50.00 |
| Tunisie | 2,333.58 | 2,254.48 | 1,735.87 | 1,573.67 |
| Turkey | 918.32 | 887.19 | 683.11 | 619.28 |
| Chinese Taipei | 71.12 | 68.71 | 66.30 | 61.48 |

*Fishing possibilities for EC-Malta and EC-Cyprus as follows: 2007: 355.59 t and 154.68 t, respectively, 2008: 343.54 t and 149.44 t, respectively.

Annex 6

Joint Fishing Operation

| <i>Flag State</i> | <i>Vessel Name</i> | <i>ICCAT No.</i> | <i>Duration of the Operation</i> | <i>Identity of the Operators</i> | <i>Vessels individual quota</i> | <i>Allocation key per vessel</i> | <i>Fattening and farming farm destination</i> | |
|-------------------|--------------------|------------------|----------------------------------|----------------------------------|---------------------------------|----------------------------------|---|------------------|
| | | | | | | | <i>CPC</i> | <i>ICCAT No.</i> |
| | | | | | | | | |
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Date

Validation of the flag State

ICCAT Regional Observer Program

1. Each CPC shall require its farms, its purse seine vessels over 24 m and its purse seine vessels involved in joint fishing operations to carry an ICCAT observer during all the fishing and harvesting period in the Convention area.
2. By 1 February each year, CPCs shall notify to the ICCAT Executive Secretariat a list of its observers.
3. The Secretariat of the Commission shall appoint the observers before 1 March each year, and shall place them into farms and on board the purse seine vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer program. An ICCAT observer card shall be issued for each observer.
4. The Secretariat shall issue a contract listing the rights and duties of the observer and the master of the vessel or farm operator. This contract shall be signed by both parties involved.
5. The Secretariat shall establish an ICCAT observer program manual.

Designation of the observers

6. The designated observers shall have the following qualifications to accomplish their tasks:
 - sufficient experience to identify species and fishing gear;
 - satisfactory knowledge of the ICCAT conservation and management measures assessed by a certificate provided by the CPCs and based on ICCAT training guidelines;
 - the ability to observe and record accurately;
 - a satisfactory knowledge of the language of the flag of the vessel or farm observed.

Obligations of the observer

7. Observers shall:
 - a) have completed the technical training required by the guidelines established by ICCAT;
 - b) be nationals of one of the CPCs and, to the extent possible, not of the farm State or flag State of the purse seine vessel;
 - c) be capable of performing the duties set forth in point 8 below;
 - d) be included in the list of observers maintained by the Secretariat of the Commission;
 - e) not have current financial or beneficial interests in the bluefin tuna fishery.
8. The observer tasks shall be in particular:
 - a) As regards observers on purse-seine vessels, to monitor the purse seine vessels' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i) record and report upon the fishing activities carried out;
 - ii) observe and estimate catches and verify entries made in the logbook;
 - iii) issue a daily report of the purse seiner vessels' transfer activities;
 - iv) sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
 - v) record and report upon the transfer activities carried out;
 - vi) verify the position of the vessel when engaged in transfer;
 - vii) observe and estimate products transferred, including through the review of video recordings;
 - viii) verify and record the name of the fishing vessel concerned and its ICCAT number;
 - ix) carry out scientific work such as collecting task II data when required by the Commission, based on the directives from the SCRS.
 - b) As regards observers in the farms, to monitor the farms' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:

- i) verify the data contained in the transfer declaration and caging declaration, including through the review of video records;
 - ii) certify the data contained in the transfer declaration and caging declaration;
 - iii) issue a daily report of the farms' transfer activities;
 - iv) countersign the transfer declaration and caging declaration;
 - v) carry out such scientific work, for example collecting samples, as required by the Commission, based on the directives from the SCRS.
- c) establish general reports compiling the information collected in accordance with this paragraph and provide the master and farm operator the opportunity to include therein any relevant information.
 - d) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
 - e) exercise any other functions as defined by the Commission.
9. Observers shall treat as confidential all information with respect to the fishing and transfer operations of the purse seiners and of the farms and accept this requirement in writing as a condition of appointment as an observer;
10. Observers shall comply with requirements established in the laws and regulations of the flag or farm State which exercises jurisdiction over the vessel or farm to which the observer is assigned.
11. Observers shall respect the hierarchy and general rules of behavior which apply to all vessel and farm personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel and farm personnel set forth in paragraph 12 of this program.

Obligations of the flag States of purse seine vessels and farm States

12. The responsibilities regarding observers of the flag States of the purse seine vessels and their masters shall include the following, notably:
- a) Observers shall be allowed to access to the vessel and farm personnel and to the gear, cages and equipment;
 - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 8:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication;
 - c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
 - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
 - e) The flag States shall ensure that masters, crew, farm and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the farm State or flag State of the purse seine vessel, copies of all raw data, summaries, and reports pertaining to the trip. The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

Observer fees

- a) The costs of implementing this program shall be financed by the farm operators and purse seiner's owners. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program;
- b) No observer shall be assigned to a vessel or farm for which the fees, as required under subparagraph a), have not been paid.

ICCAT Scheme of Joint International Inspection

Pursuant to paragraph 3 of Article IX of the Convention, the ICCAT Commission recommends the establishment of the following arrangements for international control outside the waters under national jurisdiction for the purpose of ensuring the application of the Convention and the measures in force thereunder:

I. Serious violations

1. For the purposes of these procedures, a serious violation means the following violations of the provisions of the ICCAT conservation and management measures adopted by the Commission:
 - a. fishing without a license, permit or authorization issued by the flag CPC,
 - b. failure to maintain sufficient records of catch and catch-related data in accordance with the Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;
 - c. fishing in a closed area;
 - d. fishing during a closed season;
 - e. intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by the ICCAT;
 - f. significant violation of catch limits or quotas in force pursuant to the ICCAT rules;
 - g. using prohibited fishing gear;
 - h. falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
 - i. concealing, tampering with or disposing of evidence relating to investigation of a violation;
 - j. multiple violations which taken together constitute a serious disregard of measures in force pursuant to the ICCAT;
 - k. assault, resist, intimidate, sexually harass, interfere with, or unduly obstruct or delay an authorized inspector or observer;
 - l. intentionally tampering with or disabling the vessel monitoring system;
 - m. such other violations as may be determined by the ICCAT, once these are included and circulated in a revised version of these procedures;
 - n. fishing with assistance of spotter planes;
 - o. interference with the satellite monitoring system and/or operates without VMS system;
 - p. transfer activity without transfer declaration.
2. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious violation, as defined in paragraph 1, the authorities of the inspection vessels shall immediately notify the authorities of the fishing vessel, directly as well as through the ICCAT Secretariat.
3. The flag State CPC shall ensure that, following the inspection referred to in paragraph 2 of this Annex, the fishing vessel concerned ceases all fishing activities. The flag State CPC shall require the fishing vessel to proceed immediately to a port designated by it, and where an investigation shall be initiated.

If the vessel is not called to port; the CPC must provide due justification in a timely manner to the Executive Secretary, who shall make it available on request to other Contracting parties

II. Conduct of inspections

4. Inspection shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by their respective governments shall be notified to the ICCAT Commission;
5. Ships carrying inspectors shall fly a special flag or pennant approved by the ICCAT Commission to indicate that the inspector is carrying out international inspection duties. The names of the ships so used for the time being, which may be either special inspection vessels or fishing vessels, shall be notified to the ICCAT Commission, as soon as may be practical;

6. Each inspector shall carry an identity document supplied by the authorities of the flag State in the form shown in paragraph 17 of this Annex and giving him an appointment stating that he has authority to act under arrangements approved by the ICCAT Commission. This identity document shall be valid for a minimum of five years;
7. Subject to the arrangements agreed under paragraph 12 of this Annex, a vessel employed for the time being in fishing for tuna or tuna-like fishes in the Convention Area outside the waters within its national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship carrying an inspector unless it is actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master¹ of the vessel shall permit the inspector, who may be accompanied by a witness, to board it. The master shall enable the inspector to make such examination of catch or gear and any relevant documents as the inspector deems necessary to verify the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and the inspector may ask for any explanations that he deems necessary;
8. On boarding the vessel an inspector shall produce the document described in paragraph 6 of this Annex. Inspections shall be made so that the vessel suffers the minimum interference and inconvenience and the quality of the fish does not deteriorate. An inspector shall limit his enquiries to the ascertainment of the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned. In making his examination an inspector may ask the master for any assistance he may require. He shall draw up a report of his inspection in a form approved by the ICCAT Commission. He shall 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 which he may think suitable and must sign such observations. Copies of the report shall be given to the master of the vessel and to the inspector's government, which shall transmit copies to the appropriate authorities of the flag State of the vessel and to the ICCAT Commission. Where any infringement of the recommendations is discovered the inspector should, where possible, also inform the competent authorities of the flag State, as notified to the ICCAT Commission, and any inspection ship of the flag State known to be in the vicinity;
9. Resistance to an inspector or failure to comply with his directions shall be treated by the flag State of the vessel in a manner similar to resistance to any inspector of that State or a failure to comply with his directions;
10. Inspector shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation but they shall remain under the operational control of their national authorities and shall be responsible to them;
11. Contracting Governments shall consider and act on reports of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements;
12. a) Contracting Governments shall inform the ICCAT Commission by 1 March each year of their provisional plans for participation in these arrangements in the following year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors;
- b) the arrangements set out in this recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them, and such agreement shall be notified to the ICCAT Commission:
Provided however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the ICCAT Commission to that effect, pending completion of an agreement;
13. a) the fishing gear shall be inspected in accordance with the regulations in force for the subarea in which the inspection takes place. The inspector will state the nature of this violation in this report;



¹ Master refers to the individual in charge of the vessel.

- b) inspectors shall have the authority to inspect all fishing gear in use or that fishing gear on deck ready for use;
- 14. The inspector shall affix an identification mark approved by the ICCAT Commission to any fishing gear inspected which appears to be in contravention of the ICCAT Commission’s recommendations in force in relation to the flag State of the vessel concerned and shall record this fact in his report;
- 15. The inspector may photograph the gear in such a way as to reveal those features which in his opinion are not in conformity with the regulation in force, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag State;
- 16. The inspector shall have authority, subject to any limitations imposed by the ICCAT Commission, to examine the characteristics of catches, to establish whether the ICCAT Commission’s recommendations are being complied with.

He shall report his findings to the authorities of the flag State of the inspected vessel as soon as possible. (*Report for Biennial Period, 1974-75, Part II*).

- 17. New proposed model Identity Card for inspectors.

Dimensions: Width 10.4cm, Height 7cm

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| <p style="text-align: center; font-weight: bold; font-size: small;">INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNA</p> <div style="display: flex; align-items: center; justify-content: space-between;">  <div style="text-align: center;"> <h2 style="margin: 0;">ICCAT</h2> <h3 style="margin: 0;">Inspector Identity Card</h3> </div> </div> <p>Contracting Party:</p> <p>Inspector Name:</p> <p>Card n°:</p> <p>Issue Date: Valid five years</p> <div style="border: 1px dashed gray; width: 80px; height: 60px; margin-top: 10px; display: flex; align-items: center; justify-content: center; font-size: x-small;"> Photograph </div> | <div style="display: flex; align-items: center; justify-content: space-between;">  <div style="text-align: center;"> <h2 style="margin: 0;">ICCAT</h2> </div> </div> <p style="font-size: x-small; text-align: center;">The holder of this document is an ICCAT inspector duly appointed under the terms of the Scheme of Joint International Inspection and Surveillance of the International Commission for the Conservation of the Atlantic Tuna and has the authority to act under the provision of the ICCAT Control and Enforcement measures.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%; border-top: 1px dotted black; font-size: x-small;"> ICCAT Executive Secretary Issuing Authority </div> <div style="width: 45%; border-top: 1px dotted black; font-size: x-small;"> Inspector </div> </div> |
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08-07

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**RECOMMENDATION BY ICCAT ON THE CONSERVATION OF BIGEYE THRESHER
SHARKS (*ALOPIAS SUPERCILIOSUS*) CAUGHT IN ASSOCIATION
WITH FISHERIES MANAGED BY ICCAT**

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Res. 01-11], the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10], the *Recommendation of ICCAT to Amend the Recommendation 04-10 on the Conservation of Sharks Caught in Association with the Fisheries Managed of ICCAT* [Rec. 05-05] and the *Supplemental Recommendation by ICCAT Concerning Sharks* [Rec.07-06];

RECALLING the Food and Agriculture Organization of the United Nations (the FAO) International Plan of Action for Sharks;

CONSIDERING that bigeye thresher sharks (*Alopias superciliosus*) are caught as by-catch in many of the fisheries in the ICCAT Convention area;

RECALLING the need to annually report Task I and Task II for catches of sharks in conformity with the *ICCAT Recommendation Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10];

NOTING that at its 2008 Meeting the Standing Committee on Research and Statistics (SCRS) recommended that ICCAT reduce the mortality of bigeye thresher shark (*Alopias superciliosus*), in view of the vulnerability of this species, and that the prohibition of landings could be considered;

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNA (ICCAT) RECOMMENDS THE FOLLOWING:**

CPCs shall require vessels flying their flag to promptly release unharmed, to the extent practicable, bigeye thresher sharks (*Alopias superciliosus*) caught in association with fisheries managed by ICCAT which are alive, when brought along side for taking on board the vessel. CPCs shall also require that incidental catches as well as live releases shall be recorded in accordance with ICCAT data reporting requirements.

**RECOMMENDATION BY ICCAT TO ESTABLISH A PROCESS FOR
THE REVIEW AND REPORTING OF COMPLIANCE INFORMATION**

RECOGNIZING the international obligations regarding flag state responsibilities to ensure compliance with management measures and to immediately and fully investigate allegations of non-compliance,

ACKNOWLEDGING that effective monitoring and control is required to achieve compliance with agreed upon ICCAT management measures so that the goals of such management measures have a chance of being achievable,

ACKNOWLEDGING that the Commission has historically suffered from a lack of information as well as data deficiencies thus resulting in an inability to identify relevant instances of non-compliance with management measures,

NOTING that, in a responsible, open, transparent and non-discriminatory manner, the Commission should be made aware of any and all available information that may be relevant to the work of the Commission in identifying and holding accountable instances of non-compliance with management measures,

FURTHER NOTING ICCAT's Guidelines for the Dissemination of Information Submitted by Contracting Parties, Cooperating Non-Contracting Parties, Entities and Fishing Entities,

RECOGNIZING that, the Compliance Officer position is authorized and financed by the members of the Commission to assist the Secretariat specifically with the Commission's ongoing work to strengthen ICCAT; particularly in regards to overseeing, coordinating, and executing actions on compliance matters of relevance to the Commission,

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) should submit to the Secretariat documented information that indicates possible non-compliance with ICCAT Conservation and Management Measures at least 120 days before the annual meeting.
2. The Executive Secretary shall transmit this information to the CPCs involved in any reports of non-compliance at least 90 days before the annual meeting.
3. CPCs shall, consistent with domestic laws, provide the Executive Secretary with the findings of any investigation taken in relation to the allegations of non-compliance and any actions taken to address compliance concerns at least 30 days before the annual meeting. If such investigation is ongoing, CPCs shall advise the Executive Secretary of the expected length of the investigation and provide periodic updates in their progress until completed.
4. The Executive Secretary shall circulate to all CPCs, at least two weeks in advance of the annual meeting a summary report of information received, including responses by CPCs, which shall be considered by the Compliance Committee and the PWG, as appropriate in a responsible, open, transparent and non-discriminatory manner.
5. Non-governmental organizations may submit reports on non-compliance with ICCAT conservation and management measures to the Secretariat at least 120 days before the annual meeting for circulation to the CPCs. Organizations submitting reports may request to present such reports to the Compliance Committee and the Permanent Working Group. In adopting the Agendas for meetings of the respective bodies CPCs shall determine if such presentations can be accommodated.

08-10

GEN

**RECOMMENDATION BY ICCAT TO HARMONIZE THE MEASUREMENT
OF LENGTH OF THE VESSELS AUTHORIZED TO FISH IN
THE AREA OF THE CONVENTION**

NOTING that several ICCAT recommendations and resolutions refer to the length of the vessels,

ALSO NOTING that there exist different definitions of the length of the vessels in ICCAT recommendations and resolutions,

WHEREAS it would be advisable to use identical rules for determining the length of the vessels,

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

The length of a vessel referred in the recommendations and the resolutions adopted by ICCAT corresponds to the length overall, defined as the distance measured in a straight line between the foremost point of the bow and the aftermost point of the stern.

**RECOMMENDATION BY ICCAT AMENDING TEN
RECOMMENDATIONS AND THREE RESOLUTIONS**

RECOGNISING that the *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10] replaced the ICCAT Bluefin Tuna Statistical Document Program;

NOTING that many previously adopted Recommendations and Resolutions make reference to the Bluefin Tuna Statistical Document and to Statistical Document Programs in general;

CONSIDERING that the coverage of bluefin tuna is intended in references to Statistical Document Programs in general;

FURTHER NOTING that the measures adopted for the previous bluefin tuna statistical document program pertained to the bigeye tuna and swordfish statistical document programs;

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

1. References to the ‘bluefin tuna statistical document program’ and ‘bluefin tuna statistical documents’ be replaced by ‘bluefin tuna catch document program’ and ‘bluefin tuna catch documents’ in the following provisions:
 - i) *Recommendation by ICCAT Concerning Unreported Catches of Bluefin Tuna, Including Catches Classified as Not Elsewhere Included* [Rec. 97-03], paragraph 3;
 - ii) *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], in ANNEX 1, paragraph 11 b);
 - iii) *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07]: paragraphs 2b and 2f, paragraph 4, paragraph 8, paragraph 9f and the Caging Declaration contained in the Annex to the Recommendation;
 - iv) *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13], paragraph 2b.

2. The phrases ‘Statistical Document Programs’ and ‘Statistical Documents’ be replaced respectively by the phrases ‘Statistical or Catch Document Programs’ and ‘Statistical Documents or Catch Documents’ in the following Recommendations and Resolutions:
 - i) *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management measures* [Res. 94-09], paragraph 5 and paragraph 7;
 - ii) *Resolution by ICCAT Concerning a Management Standard for Large-Scale Tuna Longline Fishery* [Res. 01-20], Attachment 1, paragraph 2)iii and Attachment 2, Section B;
 - iii) *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels over 24 meters Authorized to Operate in the Convention area* [Rec. 02-22], paragraph 7b;
 - iv) *Resolution by ICCAT Concerning the Measures to Prevent the Laundering of Catches by Illegal, Unreported and Unregulated (IUU) Large-Scale Tuna Longline Fishing Vessels* [Res. 02-25], paragraph 1 and 2;
 - v) *Recommendation by ICCAT to Change the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)* [Rec. 02-28], paragraph 3 and paragraph 4;
 - vi) *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11], SECTION 5. GENERAL PROVISIONS, paragraph 17;
 - vii) *Recommendation by ICCAT on Additional Measures for Compliance of the ICCAT Conservation and Management Measures* [Rec. 06-15], paragraph 1, paragraph 2 and paragraph 3.

3. The first sentence of paragraph 2(3) of the *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21] and the *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22] be replaced, *mutatis mutandis*, by paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document* [Res. 93-02].
4. Paragraph 14 of the *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21] and paragraph 13 of the *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22] be replaced *mutatis mutandis* by the *Recommendation by ICCAT on Validation of the Bluefin Tuna Statistical Document by the European Community* [Rec. 98-12].
5. Paragraph 2 of the *Recommendation by ICCAT Amending the Recommendation by ICCAT to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 06-12] be replaced by the following text:

“Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall transmit every year to the Executive Secretary at least 120 days before the annual meeting, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the Convention area during the current and previous year, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list shall be based on the information collected by Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, *inter alia*, under:

- 1994 *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures* [Res. 94-09];
- 1997 *Recommendation by ICCAT on Transshipments and Vessel Sightings* [Rec. 97-11];
- 1997 *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10];
- 2002 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels over 24 meters Authorized to Operate in the Convention Area* [Rec. 02-22];
- 2007 *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10]; 2001 *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21]; and 2001 *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22];
- 2006 *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].”

**RECOMMENDATION BY ICCAT AMENDING
RECOMMENDATION 07-10 ON AN ICCAT BLUEFIN TUNA
CATCH DOCUMENTATION PROGRAM**

RECOGNIZING the situation of Atlantic bluefin tuna stocks and the impact that market factors have on the fishery;

TAKING INTO ACCOUNT the rebuilding plan for western Atlantic bluefin tuna and the recovery plan for eastern Atlantic and Mediterranean bluefin tuna that ICCAT has adopted, including the need for complementary market related measures;

RECOGNIZING the necessity to clarify and improve the implementation of the bluefin tuna catch documentation scheme, providing detailed instructions for the completion and the validation of the bluefin tuna catch document,

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

PART I GENERAL PROVISIONS

1. Each Contracting Party, Cooperating non-Contracting Party, Entity and Fishing Entity (hereafter referred to as CPCs) shall take the necessary steps to implement an ICCAT Bluefin Tuna Catch Documentation Scheme for the purpose of identifying the origin of any bluefin tuna in order to support the implementation of conservation and management measures.
2. For the purpose of this Program:
 - a) "Domestic trade" means:
 - trade of bluefin tuna harvested in the ICCAT Convention area by a vessel or trap, which is landed in the territory of the CPC where the vessel is flagged or where the trap is established, and
 - trade of farmed bluefin tuna products originating from bluefin tuna harvested in the ICCAT Convention area by a vessel which is flagged to the same CPC where the farm is established, which is supplied to any entity in this CPC, and
 - trade between the Member States of the European Community of bluefin tuna harvested in the ICCAT Convention area by vessels flagged to one Member State or by a trap established in one Member State.
 - b) "Export" means:
Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of the CPC where the fishing vessel is flagged or where the trap or farm is established to the territory of another CPC or non-Contracting Party, or from the fishing grounds to the territory of a CPC which is not the flag CPC of the fishing vessel or to the territory of a non-Contracting Party.
 - c) "Import" means:
Any introduction of bluefin tuna in its harvested or processed form (including farmed) into the territory of a CPC, which is not the CPC where the fishing vessel is flagged or where the trap or the farm is established.
 - d) "Re-export" means:
Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of a CPC where it has been previously imported.
 - e) "flag State" means the State where the fishing vessel is flagged; "trap State" means the State where the trap is established; and "farm State" means the State where the farm is established.
3. CPCs shall require a completed Bluefin Tuna Catch Document (BCD) for each bluefin tuna:
 - a) landed at its ports,

- b) delivered to its farms, and
- c) harvested from its farms.

Each consignment of bluefin tuna domestically traded, imported into or exported or re-exported from its territories shall be accompanied by a validated BCD, except in cases where paragraph 9(c) applies and, as applicable, an ICCAT transfer declaration or a validated Bluefin Tuna Re-export Certificate (BFTRC). Any such landing, transfer, delivery, harvest, domestic trade, import, export or re-export of bluefin tuna without a completed and validated BCD or a BFTRC shall be prohibited.

4. In order to support an effective BCD, CPCs shall:
 - a) not place bluefin tuna into a farm not authorized by the CPC or listed in the ICCAT record,
 - b) not place bluefin tuna from different years or CPCs in the same cages unless effective measures are in place to determine the CPC of origin and catch year when the bluefin tuna are ultimately harvested from the farm
5. Each CPC shall provide BCD forms only to catching vessels and traps authorized to fish bluefin tuna in the Convention area, including as by-catch. Such forms are not transferable. Each BCD form shall have a unique document identification number. Document numbers shall be specific to the flag or trap State and assigned to the catching vessel or trap.
6. Domestic trade, export, import and re-export of fish parts other than the meat (i.e., heads, eyes, roes, guts and tails) shall be exempted from the requirements of this Recommendation.

PART II VALIDATION OF BCDs

7. The catching vessel master or trap operator, or its authorized representative, or the operator of farms, or the authorized representative of the flag, farm, or trap State, shall complete the BCD by providing the required information in appropriate sections and request validation in accordance with paragraph 9 for a BCD for catch landed, transferred to cages, harvested, transhipped, domestically traded or exported on each occasion that it lands, transfers, harvests, tranships, domestically trades or exports bluefin tuna.
8. A validated BCD shall include, as appropriate, the information identified in **Annex 1** attached. A BCD format is attached as **Annex 2**. In cases where a section of the BCD format does not provide enough room to completely track movement of BFT from catch to market, the needed information section of the BCD may be expanded as necessary and attached as an annex using the original BCD format and number. The authorized representative of the CPC shall validate the annex as soon as possible but not later than the next movement of BFT.
9.
 - a) The BCD must be validated by an authorized government official, or other authorized individual or institution, of the flag State of the catching vessel, the State of the seller/exporter, or the trap or farm State that caught, harvested, domestically traded or exported the bluefin tuna. If the catching vessel is operating under a charter arrangement, the BCD must be validated by an authorized governmental official or institution of the chartering entity's CPC.
 - b) The CPCs shall validate the BCD for all bluefin tuna products only when all the information contained in the BCD has been established to be accurate as a result of the verification of the consignment, and only when the accumulated validated amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to catching vessels or traps, and when those products comply with other relevant ICCAT provisions of the conservation and management measures.
 - c) Validation under 9(a) shall not be required in the event that all bluefin tuna available for sale are tagged by the flag State of the catching vessel or the trap State that fished the bluefin tuna.
 - d) Where the bluefin tuna quantities caught and landed are less than 1 metric ton or three fish, the logbook or the sales note may be used as a temporary BCD, pending the validation of the BCD within seven days and prior to export.

PART III VALIDATION OF BFTRCs

10. Each CPC shall ensure that each bluefin tuna consignment which is re-exported from its territory be accompanied by a validated Bluefin Tuna Re-export Certificate (BFTRC). In cases where bluefin tuna is imported live, the BFTRC shall not apply.
11. The operator who is responsible for the re-export shall complete the BFTRC by providing the required information in its appropriate sections and request its validation for the bluefin tuna consignment to be re-exported. The completed BFTRC shall be accompanied by a copy of the validated BCD(s) relating to the bluefin tuna products previously imported.
12. The BFTRC shall be validated by an authorized government official or authority.
13. The CPC shall validate the BFTRC for all bluefin tuna product only when
 - a) all the information contained in the BFTRC has been established to be accurate,
 - b) the validated BCD(s) submitted in support to the BFTRC had been accepted for the importation of the products declared on the BFTRC and
 - c) the products to be re-exported are wholly or partly the same products on the validated BCD(s).
 - d) a copy of the BCD(s) shall be attached to the validated BFTRC.
14. The validated BFTRC shall include the information identified in **Annex 3** and **Annex 4** attached.

PART IV VERIFICATION AND COMMUNICATION

15. Each CPC shall communicate a copy of all validated BCDs or BFTRCs, except in cases where paragraph 9(c) applies, within five working days following the date of validation, or without delay where the expected duration of the transportation should not take more than five working days, to the following:
 - a) the competent authorities of the country where the bluefin tuna will be domestically traded, or transferred into a cage or imported, and
 - b) the ICCAT Secretariat.
16. The ICCAT Secretariat shall extract from the validated BCDs or BFTRCs communicated under paragraph 15 above the information marked with an asterisk (*) in **Annex 1** or **Annex 3** and enter this information in a database on a password protected section of its website, as soon as practicable.

At its request, the SCRS shall have access to the catch information contained in the database, except the vessel or trap names.

PART V TAGGING

17. CPCs may require their catching vessels or traps to affix a tag to each bluefin tuna preferably at the time of kill, but no later than the time of landing. Tags shall have unique country specific numbers and be tamper proof. The tag numbers shall be linked to the BCD and a summary of the implementation of the tagging program shall be submitted to the ICCAT Secretariat by the CPC. The use of such tags shall only be authorized when the accumulated catch amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to vessels or traps.

PART VI VERIFICATION

18. Each CPC shall ensure that its competent authorities, or other authorized individual or institution, take steps to identify each consignment of bluefin tuna landed in, domestically traded in, imported into or exported or re-exported from its territory and request and examine the validated BCD(s) and related documentation of each consignment of bluefin tuna. These competent authorities, or authorized individuals or institutions, may also examine the content of the consignment to verify the information contained in the BCD and in related documents and, where necessary, shall carry out verifications with the operators concerned.

19. If, as a result of examinations or verifications carried out pursuant to paragraph 18 above, a doubt arises regarding the information contained in a BCD, the final importing State and the CPC whose competent authorities validated the BCD(s) or BFTRCs shall cooperate to resolve such doubts.
20. If a CPC involved in trade of bluefin tuna identifies a consignment with no BCD, it shall notify the findings to the exporting State and, where known, the flag State.
21. Pending the examinations or verifications under paragraph 18 to confirm compliance of the bluefin tuna consignment with the requirements in the present Recommendation and any other relevant Recommendations, the CPCs shall not grant its release for domestic trade, import or export, nor, in the case of live bluefin tuna destined to farms, accept the transfer declaration.
22. Where a CPC, as a result of examination or verifications under paragraph 18 above and in cooperation with the validating authorities concerned, determines that a BCD or BFTRC is invalid, the domestic trade, import, export or re-export of the bluefin tuna concerned shall be prohibited.
23. The Commission shall request the non-Contracting Parties that are involved in domestic trade, import, export or re-export of bluefin tuna to cooperate with the implementation of the Program and to provide to the Commission data obtained from such implementation.

PART VII NOTIFICATION AND COMMUNICATION

24. Each CPC that validates BCDs in respect of its flag catching vessels, traps or farms in accordance with paragraph 9(a), shall notify the ICCAT Secretariat of the government authorities, or other authorized individuals or institutions (name and full address of the organization(s) and, where appropriate, name and title of the validating officials who are individually empowered, sample form of document, sample impression of stamp or seal, and as appropriate tag samples) responsible for validating and verifying BCDs or BFTRCs. This notification shall indicate the date at which this entitlement comes into force. A copy of the provisions adopted in national law for the purpose of implementing the bluefin tuna catch documentation program shall be communicated with the initial notification, including procedures to authorize non-governmental individuals or institutions. Updated details on validating authorities and national provisions shall be communicated to the ICCAT Secretariat in a timely fashion.
25. The information on validating authorities transmitted by notifications to the ICCAT Secretariat shall be placed on the password protected page of the database on validation held by the ICCAT Secretariat. The list of the CPCs having notified their validating authorities and the notified dates of entry into force of the validation shall be placed on a publicly accessible website held by the ICCAT Secretariat. CPCs are encouraged to access this information to help verify the validation of BCDs and BFTRCs.
26. Each CPC shall notify to the ICCAT Secretariat the points of contact (name and full address of the organization(s)) that should be notified when there are questions related to BCDs or BFTRCs.
27. Copies of validated BCDs and notification pursuant to paragraphs 24, 25 and 26 shall be sent by CPCs to the ICCAT Secretariat, by electronic means, whenever possible.
28. The Commission shall consider the introduction of an electronic system as informed by results reported to the Commission from the electronic statistical document pilot programs conducted by CPCs in accordance with *Recommendation by ICCAT on an Electronic Statistical Document Pilot Program* [Rec. 06-16]. Those CPCs which implement an electronic system in advance of the Commission shall ensure the electronic system meets the requirements of this measure and has the ability to produce paper copies upon request of national authorities from the exporting and importing Parties.
29. Copies of BCDs shall follow each part of split shipments or processed product, using the unique document number of the BCD to link them.
30. CPCs shall keep copies of documents issued or received for at least two years.
31. CPCs shall provide to the ICCAT Secretariat a report each year by October 1 for the period from July 1 of the preceding year to June 30 of the current year to provide the information described in **Annex 5**.

The ICCAT Secretariat shall post these reports on the password protected section of the ICCAT website, as soon as practicable.

At its request, the SCRS shall have access to the reports received by the ICCAT Secretariat.

32. The *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Document Program* [Rec. 07-10] is repealed and replaced by this Recommendation.

Data to be Included in Bluefin Tuna Catch Document (BCD)**1. ICCAT Bluefin tuna catch document number*****2. Catch Information**

Vessel or trap name*

Flag State*

ICCAT Record No.

Date, area of catch and gear used*

Number of fish, total weight, and average weight*¹

Tag No. (if applicable)

Government validation

Name of authority and signatory, title, address, signature, seal and date

3. Trade Information for live fish trade*Product description**Exporter/Seller information**Transportation description**Government validation*

Name of authority and signatory, title, address, signature, seal and date

*Importer/buyer***4. Transfer information***Towing vessel description*

Vessel name, flag

ICCAT Record No. and towing cage number (if applicable)

5. Transshipment information

Carrier vessel description

Name

Flag State

ICCAT Record No.

Date

Port (name and country or position)

Product description

(F/FR; RD/GG/DR/FL/OT)

Total weight (NET)

Government validation

Name of authority and signatory, title, address, signature, seal and date

6. Farming information*Farming facility description*

Name, flag of farm*, ICCAT FFB No.* and location of farm

Participation in national sampling program (yes or no)

Cage description

Date of caging, cage number

Fish description

Estimates of number of fish, total weight, and average weight*

Estimated size composition (<8 kg, 8-30 kg, >30 kg)

Government validation

*See Paragraph 16.

¹ Weight shall be reported by round weight where available. If round weight is not used, specify the type of product (e.g., GG) in the "Total Weight" and "Average Weight" section of the form.

Name of authority and signatory, title, address, signature, seal and date

7. Harvest from Farms information

Harvest description

Date of harvest*

Number of fish, total (round) weight, and average weight*

Tag numbers (if applicable)

Government validation

Name of authority and signatory, title, address, signature, seal and date

8. Trade information

Product description

(F/FR; RD/GG/DR/FL/OT)²

Total weight (NET)

Exporter/Seller information

Point of export or departure*

Export company name, address, signature and date

State of destination*

Description of transportation (relevant documentation to be attached)

Government validation

Name of authority and signatory, title, address, signature, seal and date

Importer/buyer information

Point of import or destination*

Import company name, address, signature and date³

² When different types of products are recorded in this section, the weight shall be recorded by each product type.

³ DATE to be filled by IMPORTER/BUYER in this section is the date of signature.

Bluefin Tuna Catch Document Form

| | | | | | | | |
|---|---------|-------------------|---|--------------------------------|------------------|--|--|
| 1. ICCAT BLUE FIN TUNA CATCH DOCUMENT (BCD) | | | | N° CC-YY-XXXXXX | | 1/2 | |
| 2. CATCH INFORMATION | | | | | | | |
| VESSEL/TRAP | | | | | | | |
| NAME : | | | FLAG | | ICCAT RECORD No. | | |
| | | | ATEC | | | | |
| CATCH DESCRIPTION | | | | | | | |
| DATE (ddmmyy) | | AREA | | GEAR | | | |
| No. of FISH | | TOTAL WEIGHT (kg) | | AVERAGE WEIGHT (kg) | | | |
| TAGS No. (if applicable) | | | | | | ICCAT RECORD N° of Joint Fishing Operation (if applicable) | |
| | | | | | | | |
| GOVERNMENT VALIDATION | | | | | | | |
| NAME OF AUTHORITY | | | | | SEAL | | |
| TITLE | | | | | | | |
| SIGNATURE | | | | | | | |
| DATE | | | | | | | |
| 3. TRADE INFORMATION | | | | | | | |
| PRODUCT DESCRIPTION | | | | | | | |
| LIVE WEIGHT (kg) | | No. of FISH | | ZONE | | | |
| EXPORTER/SELLER | | | | | | | |
| PT EXPORT/ DEPARTURE | | | COMPANY | | ADDRESS | | |
| | | | | | | | |
| FARM OF DESTINATION | | | STATE | | ICCAT FFB No. | | |
| SIGNATURE | | | | | | | |
| DATE | | | | | | | |
| TRANSPORTATION DESCRIPTION (Relevant documentation to be attached) | | | | | | | |
| GOVERNMENT VALIDATION | | | | | | | |
| NAME OF AUTHORITY | | | | | SEAL | | |
| TITLE | | | | | | | |
| SIGNATURE | | | | | | | |
| DATE | | | | | | | |
| IMPORTER/BUYER | | | | | | | |
| COMPANY | | | PT IMPORT / DESTINATION (city, country, State) | | | | |
| ADDRESS | | | | | | | |
| DATE OF SIGNATURE | | | SIGNATURE | | | | |
| ANNEX(ES): YES / NO (circle one) | | | | | | | |
| 4. TRANSFER INFORMATION | | | | | | | |
| TOWING VESSEL DESCRIPTION | | | | | | | |
| ICCAT TRANSFER DECLARATION N° | | | | | | | |
| NAME | | FLAG | | ICCAT RECORD No. | | | |
| No. of FISH DEAD DURING TRANSFER | | | | TOTAL WEIGHT OF DEAD FISH (kg) | | | |
| TOWING CAGE DESCRIPTION | | | | CAGE N° | | | |
| ANNEX(ES): YES / NO (circle one) | | | | | | | |
| 5. TRANSHIPMENT INFORMATION | | | | | | | |
| CARRIER VESSEL DESCRIPTION | | | | | | | |
| NAME | | FLAG | | ICCAT RECORD No. | | | |
| DATE(ddmmyy) | | PORT NAME | | PORT STATE | | | |
| POSITION (LAT/LONG) | | | | | | | |
| PRODUCT DESCRIPTION (Indicate net weight in kg for each type of product) | | | | | | | |
| F | RD (kg) | GG (kg) | DR (kg) | FL (kg) | OT(kg) | TOTAL WT F (kg) | |
| FR | RD (kg) | GG (kg) | DR (kg) | FL (kg) | OT(kg) | TOTAL WT FR | |
| GOVERNMENT VALIDATION | | | | | | | |
| NAME OF AUTHORITY | | | | | SEAL | | |
| TITLE | | | | | | | |
| SIGNATURE | | | | | | | |
| DATE | | | | | | | |
| ANNEX(ES): YES / NO (circle one) | | | | | | | |

| ICCAT BLUE FIN TUNA CATCH DOCUMENT (BCD) | | | | N° CC-YY-XXXXXX | | | | 2/2 | |
|---|--|--|-------------------|-------------------------|---------------------|-------------|---------|------|--|
| 6. FARMING INFORMATION | | | | | | | | | |
| FARMING FACILITY DESCRIPTION | NAME | | STATE | | ICCAT FFB N° | | | | |
| | NATIONAL SAMPLING PROGRAM? Yes or No (circle one) | | | | LOCATION | | | | |
| CAGE DESCRIPTION | DATE(ddmmyy) | | CAGE No. | | | | | | |
| FISH DESCRIPTION | No. of FISH | | TOTAL WEIGHT (kg) | | AVERAGE WEIGHT (kg) | | | | |
| OBSERVER INFORMATION | NAME | | TITLE | | SIGNATURE | | | | |
| | SIZE COMPOSITION | | < 8kg | | 8-30 kg | | > 30 kg | | |
| GOVERNMENT VALIDATION | | | | | | | | | |
| NAME OF AUTHORITY | | | | | | | | SEAL | |
| TITLE | | | | | | | | | |
| SIGNATURE | | | | | | | | | |
| DATE | | | | | | | | | |
| ANNEX(ES): YES / NO (circle one) | | | | | | | | | |
| 7. HARVESTING INFORMATION | | | | | | | | | |
| HARVESTING DESCRIPTION | | | | | | | | | |
| DATE (ddmmyy) | | No. of FISH | | TOTAL ROUND WEIGHT (kg) | | | | | |
| AVERAGE WEIGHT (kg) | | TAGS No. (if applicable) | | | | | | | |
| GOVERNMENT VALIDATION | | | | | | | | | |
| NAME OF AUTHORITY | | | | | | | | SEAL | |
| TITLE | | | | | | | | | |
| SIGNATURE | | | | | | | | | |
| DATE | | | | | | | | | |
| 8. TRADE INFORMATION | | | | | | | | | |
| PRODUCT DESCRIPTION (Indicate net weight in kg for each type of product) | | | | | | | | | |
| F | RD (kg) | GG (kg) | DR (kg) | FL (kg) | OT(kg) | TOTAL WT F | | | |
| FR | RD (kg) | GG (kg) | DR (kg) | FL (kg) | OT(kg) | TOTAL WT FR | | | |
| EXPORTER/SELLER | | | | | | | | | |
| PT EXPORT / DEPARTURE | | COMPANY | | | ADDRESS | | | | |
| STATE OF DESTINATION | | | | | | | | | |
| SIGNATURE | | | | | | | | | |
| DATE | | | | | | | | | |
| TRANSPORTATION DESCRIPTION (Relevant documentation to be attached) | | | | | | | | | |
| GOVERNMENT VALIDATION | | | | | | | | | |
| NAME OF AUTHORITY | | | | | | | | SEAL | |
| TITLE | | | | | | | | | |
| SIGNATURE | | | | | | | | | |
| DATE | | | | | | | | | |
| IMPORTER/BUYER | | | | | | | | | |
| COMPANY | | PT IMPORT / DESTINATION (city, country, State) | | | | | | | |
| ADDRESS | | | | | | | | | |
| DATE | | SIGNATURE | | | | | | | |
| ANNEX(ES): YES / NO (circle one) | | | | | | | | | |

Annex 3

Data to be Included in the Bluefin Tuna Re-export Certificate (BFTRC)**1. Document number of the BFTRC*****2. Re-export section**

Re-exporting CPC/Entity/Fishing Entity

Point of re-export*

3. Description of imported bluefin tunaProduct type F/FR RD/GG/DR/FL/OT¹

Net weight (kg)

BCD number(s) and date(s) of importation*

Flag(s) of fishing vessel(s) or state of establishment of the trap, where appropriate

4. Description of bluefin tuna to be re-exportedProduct type F/FR RD/GG/DR/FL/OT*¹

Net weight (kg)*

Corresponding BCD number(s) from section 3

State of destination

5. Statement of re-exporter

Name

Address

Signature

Date

6. Validation by governmental authorities

Name and address of the authority

Name and position of the official

Signature

Date

Government seal

7. Import section

Statement by the importer in the CPC of import of the bluefin tuna consignment

Name and address of the importer

Name and signature of the importer's representative and date

Point of import: City and CPC*

Note: Copies of the BCD(s) and Transport document(s) shall be attached.

¹When different types of products are recorded in this section, the weight shall be recorded by each product type.

| | | | | |
|--|---|--------------------------|------------------------|---------|
| 1. DOCUMENT NUMBER | ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE | | | |
| 2. RE-EXPORT SECTION: | | | | |
| RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY | | | | |
| POINT OF RE-EXPORT | | | | |
| 3. DESCRIPTION OF IMPORTED BLUEFIN TUNA | | | | |
| Product Type <i>F/FR RD/GG/DR/FL/OT</i> | Net Weight (kg) | Flag CPC | Date of import | BCD No. |
| | | | | |
| | | | | |
| 4. DESCRIPTION OF BLUEFIN TUNA FOR RE-EXPORT | | | | |
| Product Type <i>F/FR RD/GG/DR/FL/OT</i> | Net Weight (kg) | Corresponding BCD number | | |
| | | | | |
| | | | | |
| F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Gutted, DR=Dressed, FL=Fillet, OT=Others (Describe the type of product:) | | | | |
| STATE OF DESTINATION: | | | | |
| 5. RE-EXPORTER STATEMENT: | | | | |
| I certify that the above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Name | Address | Signature | Date | |
| | | | | |
| 6. GOVERNMENT VALIDATION: | | | | |
| I validate that the above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Name & Title | Signature | Date | Government Seal | |
| | | | | |
| 7. IMPORT SECTION | | | | |
| IMPORTER STATEMENT: | | | | |
| I certify that the above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Importer Certification | | | | |
| Name | Address | Signature | Date | |
| | | | | |
| Final Point of Import: City | | | | |
| State/Province | | | | |
| CPC | | | | |

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

Note: Valid transport document and copies of the BCDs shall be attached.

Report on the Implementation of the ICCAT Bluefin Tuna Catch Documentation Program

Reporting CPC:

Period of reference: 1 July [2XXX] to 30 June [2XXX]

1. Information extracted from BCDs

- number of BCDs validated:
- number of validated BCDs received:
- total amount of bluefin tuna products traded domestically, with breakdown by fishing areas and fishing gears,
- total amount of bluefin tuna products imported, exported, transferred to farms, re-exported with breakdown by CPC of origin, re-export or destination, fishing areas and fishing gears,
- number of verifications of BCDs requested to other CPCs and summary results:
- number of requests for verifications of BCDs received from other CPCs and summary results:
- total amount of bluefin tuna consignments subject to a prohibition decision with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), reasons for prohibition and CPCs and/or non-Contracting Parties of origin or destination.

2. Information on cases under Part VI paragraph 18.

- number of cases
- total amount of bluefin tuna with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), CPCs or other countries referred to in Part VI paragraph 18 above.

**RECOMMENDATION BY ICCAT TO HOLD A
COMPLIANCE COMMITTEE INTER-SESSIONAL MEETING IN 2009**

RECALLING that the Commission adopted the *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] and the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07] at its meeting in 2006,

CONCERNED that the Commission's Standing Committee on Research and Statistics (SCRS) indicated substantial estimated over-fishing of bluefin tuna in the eastern Atlantic and Mediterranean,

CONSCIOUS that SCRS recognized that precise information on fattening and/or farming operations is crucial,

AFFIRMING the urgent need that all the Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) ensure the proper implementation of both Recommendations, 06-05 and 06-07, before the 2009 fishing season,

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

1. The Compliance Committee shall hold a four (4) day inter-sessional meeting at the end of March 2009 in [...] to assess CPCs' compliance with their obligations as members of ICCAT and, in particular, with Recommendations 06-05 and 06-07.
2. This exercise will apply to those Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) involved in the fishery or farming/fattening of bluefin tuna as well as to the implementation by exporting and importing CPCs of bluefin tuna related market measures such as the bluefin tuna catch document.
3. In preparation for this meeting, the Compliance Committee will:
 - send each CPC a standard questionnaire on compliance with the various ICCAT recommendations governing conservation and management of bluefin tuna at the latest by 1 January 2009 and set a deadline at 10 February 2009 for receiving comments and answers from the concerned CPCs;
 - circulate to all CPCs the comments and answers provided by each CPC in response to the questionnaire and invite comments and possible questions from all other CPCs;
 - with the help of the secretariat of ICCAT compile CPCs' initial replies to the questionnaire and comments and questions provided by other CPCs in the form of tables that will form the basis for the compliance examination process.
4. The Chairman of the Compliance Committee, assisted by the Secretariat of ICCAT, will identify, select and transmit the significant non compliance issues to each concerned CPC and submit them for discussion in the inter-sessional Compliance Committee meeting.
5. All concerned CPCs shall attend the inter-sessional meeting which will examine their compliance status and that of other CPCs involved in the fishery, farming/caging and trading of bluefin tuna. The above mentioned documentation as well as the results of the Compliance Committee deliberations during the yearly meeting of the ICCAT Commission will form the basis for the examination process.
6. At the end of the inter-sessional meeting the compliance committee shall issue its opinion on the compliance status of each CPC. Non compliance with some or all of the following essential elements of ICCAT conservation and management measures will lead to a declaration of non compliance by the Compliance Committee:

- undeclared overshooting of the CPC's quota,
 - unjustified failing to provide catch and farming reports within the agreed ICCAT deadlines,
 - failing to participate in the meeting of the compliance committee where the concerned CPC's compliance status is discussed,
 - lack of meaningful monitoring, verification and enforcement measures,
 - failing to implement the bluefin tuna catch documentation on the market.
7. Failing to transmit Task I and Task II reports for the year 2007 by the date of this inter-sessional meeting shall lead to an interim suspension or reduction of quota for the concerned CPCs
 8. The Commission will decide by mail vote on the interim suspension or reduction of quota for the declared non compliant CPCs, depending on the extent of the established non-compliance. The situation of the concerned CPCs and the interim decisions taken by the Compliance Committee will be reviewed by the ICCAT Commission at its annual meeting.
 9. In case of non compliance with farming/fattening measures non compliant CPCs may be subject by exporting and importing CPCs to the prohibitions under Recommendation 06-05 - "market measures".

RESOLUTIONS ADOPTED BY ICCAT IN 2008**08-06****BFT****RESOLUTION BY ICCAT CONCERNING
ATLANTIC BLUEFIN TUNA SCIENTIFIC RESEARCH
ON STOCK ORIGIN AND MIXING**

RECALLING the 2001 *Resolution by ICCAT regarding the SCRS Mixing Report on Atlantic Bluefin Tuna* [Res. 01-09] calling on Contracting Parties, Cooperating non-Contracting Parties, Entities, and Fishing Entities (hereinafter referred to as “CPCs”) to conduct scientific research throughout the Atlantic and Mediterranean that would contribute to the better understanding of bluefin tuna movement patterns;

CONSIDERING that the uncertainty associated with the rates of stock mixing in the different fisheries throughout the Atlantic highlights the need for sound management, based on science, in both the west Atlantic and the east Atlantic and Mediterranean;

RECOGNIZING that the Standing Committee on Research and Statistics (SCRS) has noted the need to integrate recent and anticipated advances in otolith microconstituent analyses, age determination, archival tagging and genetics into the assessment and management evaluation processes,

FURTHER RECOGNIZING that SCRS has advised in its 2008 report that otolith microconstituent data can be very useful to determine stock origin with relatively high accuracy, and thus could be a key factor to improve the ability to conduct mixing analyses; that representative samples need to be collected from all major fisheries, in all areas; and that added value would be obtained if genetic samples were also collected from the same fish, which could potentially result in more accurate and less expensive tests for stock origin;

ACKNOWLEDGING the importance of also identifying existing collections of otoliths collected in historical time periods (e.g., the 1970s and 1980s) in order to understand how the stock origin proportions in the catch may have changed and improve mixing analyses;

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

1. The CPCs, whether operating in the eastern Atlantic and Mediterranean or western Atlantic fishery, should collect otoliths for microconstituent analysis and tissue samples for genetic studies and cooperate in research, including comprehensive archival and conventional tagging studies, that will help resolve issues associated with population structure, spawning site fidelity, and spatial dynamics (including stock mixing). Collection of biological samples should be representative of the fishery and consistent with SCRS guidance and protocols.
2. In support of this work, a CPC with a bluefin tuna quota allocation should consider making a portion of its bluefin tuna quota available for research consistent with domestic obligations, conservation considerations, and a bona fide research plan.
3. CPCs, whether operating in the eastern Atlantic and Mediterranean or western Atlantic fishery, are also encouraged to identify to the SCRS any existing collections of otoliths and other biological samples from historical periods in order to improve mixing analyses.
4. CPCs should encourage their scientists to contact industry and trade association groups in order to obtain representative samples from the various fisheries.

08-08

BYC

**RESOLUTION BY ICCAT
ON PORBEAGLE SHARK (*LAMNA NASUS*)**

RECALLING that SCRS has concluded at its meeting in 2008 that ICES has undertaken data compilations and provided advice on the North-East Atlantic porbeagle (*Lamna nasus*) stock and that similar data compilations need to be undertaken for the South-East and South-West Atlantic porbeagle (*Lamna nasus*) stocks;

NOTING that a scientific assessment has been carried out on the porbeagle (*Lamna nasus*) stock in the North-West Atlantic;

CONSIDERING that it would be beneficial to have a common management regime for porbeagle (*Lamna nasus*) throughout its range in the Atlantic Ocean.

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

A joint ICCAT-ICES Inter-sessional meeting be undertaken in 2009 to further assess porbeagle (*Lamna nasus*) in conformity with the *Supplemental Recommendation by ICCAT Concerning Sharks* [Rec. 07-06]. As porbeagle (*Lamna nasus*) is also taken in other fisheries not directed at tunas, participation in the proposed assessment by additional RFMO scientific experts would be most beneficial.

A joint meeting of the Chairs or representatives the RFMOs concerned in the fisheries of porbeagle (*Lamna nasus*) in the Atlantic should also be considered to be held immediately following the joint ICCAT-ICES meeting. This meeting will examine the possibility of adopting compatible management measures in 2009 for porbeagle (*Lamna nasus*) in light of the assessment of the joint scientific meeting.

PERFORMANCE REVIEW – EXECUTIVE SUMMARY¹

In response to concerns raised by the international community about the sustainable management of high seas fisheries, including where regional fisheries management organisations and arrangements (RFMOs) exist, the International Commission for the Conservation of Atlantic Tunas (ICCAT), at its 2007 annual meeting agreed to conduct an independent review of its own performance against its objectives.

ICCAT appointed an independent panel consisting of Glenn Hurry, Chief Executive Officer of the Australian Fisheries Management Authority (AFMA) and the current Chairman of the WCPFC, Moritaka Hayashi, Professor (now *emeritus*) of International Law, Waseda University in Japan, and Jean-Jacques Maguire, a well known and respected international fisheries scientist from Canada.

The terms of reference (TOR) of the Review Panel (**Appendix 1 to ANNEX 7**) were consistent with those developed at a Joint Meeting of Tuna RFMOs, Kobe Japan January 2007. The TOR were sufficient to allow the Review Panel to undertake a broad review of ICCAT's performance against its objectives and to recommend approaches that if adopted would strengthen the mandate of ICCAT and improve its performance.

The report reviews the Basic Texts, the status of the stocks and the scientific process, the development and application of conservation and management measures and in the final part compiles the recommendations of the Panel into a compendium for easy reference.

ICCAT's objective is embedded in the preamble of its Convention finalised in 1966. The preamble states: "*The Governments ...considering their mutual interest in the populations of tuna and tuna like fishes found in the Atlantic ocean, and desiring to cooperate in maintaining the populations of these fishes at levels which will permit the maximum sustainable catch for food and other purposes*". ICCAT's objective is therefore to maintain populations of tunas and tuna like fishes at levels that will permit maximum sustainable yield (MSY).

General Observations and Assessment of ICCAT

The Panel made the following general observations:

- ICCAT has developed reasonably sound conservation and fisheries management practices, which, if fully implemented and complied with by Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs), would have been expected to be effective in managing the fisheries under ICCAT's purview.
- The ICCAT Convention should be reviewed, modernised, or otherwise supplemented, to reflect current approaches to fisheries management.
- The ICCAT standing committee and panel structure is sound and the committees provide timely advice to ICCAT. However, the Panel expressed strong reservations on the performance of the Compliance Committee (CC).
- The Standing Committee on Research and Statistics (SCRS) provides sound advice to the Commission members operating under significant difficulties largely caused by CPCs failing to provide timely and accurate data.
- The performance of the Secretariat is sound and well regarded as both efficient and effective by CPCs.
- The fundamental problems and challenges that ICCAT faces in managing sustainably the fisheries under its purview are not unique; other tuna RFMOs also face them, but the size of the ICCAT membership adds more difficulties.

The Panel made the following general assessment of ICCAT performance:

- Fundamentally ICCAT's performance to date does not meet its objectives for several of the species under its purview.

¹ ICCAT, 2009. Report of the Independent Performance Review of ICCAT.

- ICCAT's failure to meet its objectives is due in large part to the lack of compliance by many of its CPCs.
- CPCs have consistently failed to provide timely and accurate data and to implement monitoring, control and surveillance (MCS) arrangements on nationals and national companies.
- The judgement of the international community will be based largely on how ICCAT manages fisheries on bluefin tuna (BFT). ICCAT CPCs' performance in managing fisheries on bluefin tuna particularly in the eastern Atlantic and Mediterranean Sea is widely regarded as an international disgrace and the international community which has entrusted the management of this iconic species to ICCAT deserve better performance from ICCAT than it has received to date.
- There are concerns about transparency within ICCAT both in decision making and in resource allocation.
- Most of the problems and challenges ICCAT faces would be simple to fix if CPCs developed the political will to fully implement and adhere to the letter and spirit of the rules and recommendations of ICCAT.

Has ICCAT Met Its Objective?

A simple reading of the state of the stocks under ICCAT's purview would suggest that ICCAT has failed in its mandate as a number of these key fish stocks are well below MSY. However, the Panel is of the view that rather than ICCAT failing in its mandate it is ICCAT that has been failed by its members (CPCs). Most of the evidence available to the Panel is that ICCAT has with a few exceptions, adopted in its basic texts and recommendations generally sound approaches to fisheries management. However this has been undermined by systemic failures by CPCs to implement such rules and recommendations

ICCAT, as a tuna RMFO, has a sound base, it has done many things well and continues to do so, but it has failed against its objective because its CPCs have failed in their responsibilities to ICCAT and to the international community for the proper management of fisheries on fish stocks under the purview of ICCAT.

The positive message in this report, however, is that because the fundamentals of ICCAT are generally sound, the problems of ICCAT would be readily fixed or considerably improved if CPCs changed their attitude towards implementation of and adherence to the rules and recommendations of ICCAT and the adoption of robust MCS processes.

Summary of Part I

In Part I of this report, the Panel has evaluated the Basic Texts against the Review Criteria given in the TOR, which reflect essentially the global principles and standards established by the UN Convention on the Law of the Sea (UNCLOS), the UN Fish Stocks Agreement (UNFSA) and other modern instruments relating to the conservation of fish stocks and management of their fisheries. Since the ICCAT Convention predates these modern instruments, the Panel has reviewed also the conservation and management measures of ICCAT since they were adopted within the broad framework of the Basic Texts.

Pursuant to the Review Criteria, the Panel has identified 16 issues on which the Basic Texts and conservation and management measures are to be analyzed and evaluated.

Out of these 16 issues, the Panel found:

- adequate provisions in both the Basic Texts and conservation and management measures regarding only one issue: data collection and sharing;
- some but not adequate provisions both in the Basic Texts and conservation and management measures regarding three issues: MCS measures and enforcement, decision-making, and special requirements of developing States;
- no provision in the Basic Texts and some but not adequate conservation and management measures regarding nine issues: ecosystem approach, precautionary approach, fishing allocations and opportunities, flag State duties, port State duties, cooperative mechanism to detect and deter non-

compliance, market-related measures, cooperating non-members and fishing entities, and relationship to non-cooperating non-members;

- no provision in either the Basic Texts or in conservation and management measures regarding two issues, compatibility of measures for areas under national jurisdiction and those for the high seas, and dispute settlement procedures; and
- some provision in the Basic Texts but no management measures, though in practice adequate action has been taken, regarding one issue: cooperation with other RFMOs.

The Panel recommends that ICCAT consider filling such gaps and inadequacies by, as appropriate, amending the Basic Texts or updating and adopting further conservation and management measures in the light of modern global instruments and current best practice in RFMOs.

Summary of Part II

Part II of this report reviews the structure and operation of the SCRS and the support it receives from the ICCAT Secretariat, discusses the objective of ICCAT, and summarises the stock and exploitation statuses along with the Panel's evaluation of whether the ICCAT objectives are being met for the main species under the purview of ICCAT as well as for associated and dependent species.

- The Panel found that the lack of data and the lack of accuracy of data that was reported introduced large uncertainties in three stock assessments undertaken by the SCRS.
- The Panel notes that CPCs have an obligation to collect and make available relevant information to assess the status of the resources and the effect of exploitation on them, but few comply within the agreed time limits.
- CPCs should adopt a precautionary approach to the management of fisheries on fish stocks where data are poor or lacking.
- The Panel found that the objectives of ICCAT appeared to be met for 4 of the 14 stocks examined (29%): bigeye tuna, swordfish in the North Atlantic, swordfish in the South Atlantic, and yellowfin tuna.
- The Panel found that the objectives of ICCAT appeared not to be met for 7 of the 14 stocks examined (50%): albacore in the North Atlantic, albacore in the South Atlantic, bluefin tuna in the West Atlantic, bluefin tuna in the East Atlantic and Mediterranean, blue marlin, white marlin and swordfish in the Mediterranean.
- The Panel was unable to assess if the objectives of ICCAT were met for 3 of the 14 stocks examined (21%): albacore in the Mediterranean, sailfish and skipjack tuna.

Summary of Part III

Part III of this report considers whether, in relation to conservation of species and management of fisheries, MCS and institutional practice the CPCs have actually implemented the resolutions and recommendations that have been adopted in ICCAT

- The Panel found the management of fisheries on bluefin tuna in the eastern Atlantic and Mediterranean and the regulation of bluefin farming to be unacceptable and not consistent with the objectives of ICCAT. This finding coupled with the published statements from the European Community (EC) has prompted the Panel to recommend to ICCAT the suspension of fishing on bluefin tuna in the eastern Atlantic and Mediterranean until the CPCs fully comply with ICCAT recommendations on bluefin.
- The management of fisheries on swordfish, bigeye tuna and yellowfin tuna are largely consistent with the management objectives of ICCAT.
- The Panel is concerned that the current catches for albacore tuna in the North Atlantic generate fishing mortality higher than F_{MSY} . The Panel considers that Total Allowable Catches (TACs) should be adjusted such that fishing mortality is at or below F_{MSY} .
- The Panel is concerned at the lack of data on billfishes and is concerned that ICCAT may still not be able to undertake reliable billfish stock assessments in 2010.

- The Panel strongly recommends that ICCAT, for all fisheries under its purview, immediately discontinue the practice of allowing the carry forward of uncaught allocations in all fisheries.
- The Panel recommends that for all fisheries in ICCAT, fishing capacity is immediately adjusted to reflect fishing opportunities or quota allocations.
- The Panel believes that ICCAT should develop binding allocation criteria that are applied in a fair and transparent manner.
- The Panel recommends that ICCAT CPCs take the issue of recreational and sport fishing seriously and be more inclusive towards the recreational and sport fishing sector in future deliberations of ICCAT regarding fisheries management.
- ICCAT CPCs should immediately apply fully the rules and, measures adopted by ICCAT and through domestic arrangements, including flag and port State controls, observer programs and vessel monitoring systems (VMS), provide effective control over their nationals.
- ICCAT should investigate and develop a strict penalty regime that either has the capacity to suspend member countries that systematically break ICCAT regulations or can apply significant financial penalties for breaches. These measures need to be severe in the sense that CPCs should clearly understand that they will suffer significant economic consequences if their actions are in breach of ICCAT rules.

Conclusion

ICCAT has existed since 1969 and the tuna and tuna like fishes in the Atlantic Ocean and Mediterranean Sea are under its purview. Civil society has in recent years taken a stronger interest in the performance of RFMOs in managing the world's fisheries on high seas fish stocks and in particular the iconic tuna species. This attention by non-governmental organizations (NGOs) and other stakeholders is unlikely to fade in the near future and RFMOs must find a way to be more inclusive and open in their culture. RFMOs must be prepared to take decisions that are in the genuine interests of long-term sustainability and should make every endeavour to ensure that responsible practices are adopted and that they are not undermined by members and non-members.

This has been the first independent review of ICCAT and ICCAT should be congratulated for having the courage and openness to allow the review to be undertaken by independent reviewers. While the findings of the independent Panel are mixed, the recommendations have been structured to move ICCAT forward. Properly functioning RFMOs are the best chance to have sustainable fisheries on high seas and migratory fish stocks. The intent of our recommendations is to help ICCAT be at the leading edge of RFMO performance.

Terms of Reference of the Performance Review

Objective

The objective of the work to be carried out by the Experts shall be to submit reports presenting:

1. The evaluation and analysis of the ICCAT Convention Basic Texts.
2. The assessment on the achievement of ICCAT's objectives (measures in place to achieve ICCAT's objectives and ways to achieve them).
3. Recommendations on how to improve ICCAT performance, including any possible change to the ICCAT Convention.

Methodology

In coordination with the two other independent Experts, and using as a basis the criteria contained in Annex 3, the Expert shall determine and apply the methodology to be used.

Criteria

The criteria as presented to the Commission (during the 20th Regular Meeting, Antalya, November 2007; attached herewith) are considered as "minimum". The Experts are invited to consider them as a basis for their evaluation.

Work schedule

The work estimated is based on 50 working days.

1. Provisional report

The provisional report will contain the evaluation and the assessment. This report will be sent to the ICCAT Secretariat before 4 August 2008.

2. Revision of the provisional report by the Committee:

The Experts will meet the Committee, composed by the ICCAT officers, to present and discuss the provisional report.

3. Final report:

The final report will contain the evaluation, the assessment and the recommendations. This final report will be:

- sent to the ICCAT Secretariat before 15 September 2008,
- immediately distributed to ICCAT CPCs so that it can be considered at the 16th Special meeting of ICCAT (17-24 November 2008), and
- discussed at the first meeting of the Working Group on the Future of ICCAT (at a date and place to be determined by the Commission in late 2008 or early 2009).

The Panel Review Coordinator will attend the 16th Special meeting of ICCAT.

Criteria for Reviewing the Performance of Regional Fisheries Management Organizations (RFMOs)

| | <i>Area</i> | <i>General criteria</i> | <i>Detailed criteria</i> |
|----------|------------------------------------|--|--|
| 1 | <i>Conservation and management</i> | Status of living marine resources | <ul style="list-style-type: none"> • Status of major fish stocks under the purview of the RFMO in relation to maximum sustainable yield or other relevant biological standards. • Trends in the status of those stocks. • Status of species that belong to the same ecosystems as, or are associated with or dependent upon, the major target stocks (hereinafter “non-target species”). • Trends in the status of those species. |
| | | Data collection and sharing | <ul style="list-style-type: none"> • Extent to which the RFMO has agreed formats, specifications and timeframes for data submission, taking into account UNFSA Annex I. • Extent to which RFMO members and cooperating non-members, individually or through the RFMO, collect and share complete and accurate fisheries data concerning target stocks and non-target species and other relevant data in a timely manner. • Extent to which fishing data and fishing vessel data are gathered by the RFMO and shared among members and other RFMOs. • Extent to which the RFMO is addressing any gaps in the collection and sharing of data as required. |
| | | Quality and provision of scientific advice | <ul style="list-style-type: none"> • Extent to which the RFMO receives and/or produces the best scientific advice relevant to the fish stocks and other living marine resources under its purview, as well as to the effects of fishing on the marine environment. |
| | | Adoption of conservation and management measures | <ul style="list-style-type: none"> • Extent to which the RFMO has adopted conservation and management measures for both target stocks and non-target species that ensures the long-term sustainability of such stocks and species and are based on the best scientific evidence available. • Extent to which the RFMO has applied the precautionary approach as set forth in UNFSA Article 6 and the Code of Conduct for Responsible Fisheries Article 7.5, including the application of precautionary reference points. • Extent to which the RFMO has adopted and is implementing effective rebuilding plans for depleted or overfished stocks. • Extent to which the RFMO has moved toward the adoption of conservation and management measures for previously unregulated fisheries, including new and exploratory fisheries. • Extent to which the RFMO has taken due account of the need to conserve marine biological diversity and minimize harmful impacts of fisheries on living marine resources and marine ecosystems. • Extent to which the RFMO has adopted measures to minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques. |
| | | Capacity management | <ul style="list-style-type: none"> • Extent to which the RFMO has identified fishing capacity levels commensurate with long-term sustainability and optimum utilization of relevant fisheries. • Extent to which the RFMO has taken actions to prevent or eliminate excess fishing capacity and effort. |

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| | | Compatibility of management measures | <ul style="list-style-type: none"> • Extent to which measures have been adopted as reflected in UNFSA Article 7. |
| | | Fishing allocations and opportunities | <ul style="list-style-type: none"> • Extent to which the RFMO agrees on the allocation of allowable catch or levels of fishing effort, including taking into account requests for participation from new members or participants as reflected in UNFSA Article 11. |
| 2 | <i>Compliance and enforcement</i> | Flag State duties | <ul style="list-style-type: none"> • Extent to which RFMO members are fulfilling their duties as flag States under the treaty establishing the RFMO, pursuant to measures adopted by the RFMO, and under other international instruments, including, inter alia, the 1982 Law of the Sea Convention, the UNFSA and the 1993 FAO Compliance Agreement, as applicable. |
| | | Port State measures | <ul style="list-style-type: none"> • Extent to which the RFMO has adopted measures relating to the exercise of the rights and duties of its members as port States, as reflected in UNFSA Article 23 and the Code of Conduct for Responsible Fisheries Article 8.3. • Extent to which these measures are effectively implemented. |
| | | Monitoring, control and surveillance (MCS) | <ul style="list-style-type: none"> • Extent to which the RFMO has adopted integrated MCS measures (e.g., required use of VMS, observers, catch documentation and trade tracking schemes, restrictions on transshipment, boarding and inspection schemes). • Extent to which these measures are effectively implemented. |
| | | Follow-up on infringements | <ul style="list-style-type: none"> • Extent to which the RFMO, its members and cooperating non-members follow up on infringements to management measures. |
| | | Cooperative mechanisms to detect and deter non-compliance | <ul style="list-style-type: none"> • Extent to which the RFMO has established adequate cooperative mechanisms to both monitor compliance and detect and deter non-compliance (e.g., compliance committees, vessel lists, sharing of information about non-compliance). • Extent to which these mechanisms are being effectively utilized. |
| | | Market-related measures | <ul style="list-style-type: none"> • Extent to which the RFMO has adopted measures relating to the exercise of the rights and duties of its members as market States. • Extent to which these market-related measures are effectively implemented. |
| 3 | <i>Decision-making and dispute settlement</i> | Decision-making | <ul style="list-style-type: none"> • Extent to which RFMO has transparent and consistent decision-making procedures that facilitate the adoption of conservation and management measures in a timely and effective manner. |
| | | Dispute settlement | <ul style="list-style-type: none"> • Extent to which the RFMO has established adequate mechanisms for resolving disputes. |
| 4 | <i>International cooperation</i> | Transparency | <ul style="list-style-type: none"> • Extent to which the RFMO is operating in a transparent manner, as reflected in UNFSA Article 12 and the Code of Conduct for Responsible Fisheries Article 7.1.9. • Extent to which RFMO decisions, meeting reports, scientific advice upon which decisions are made, and other relevant materials are made publicly available in a timely fashion. |
| | | Relationship to cooperating non members | <ul style="list-style-type: none"> • Extent to which the RFMO facilitates cooperation between members and non members, including through the adoption and implementation of procedures for granting cooperating status. |
| | | Relationship to non-cooperating non-members | <ul style="list-style-type: none"> • Extent of fishing activity by vessels of non-members that are not cooperating with the RFMO, as well as measures to deter such activities. |

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| | | Cooperation with other RFMOs | <ul style="list-style-type: none"> • Extent to which the RFMO cooperates with other RFMOs, including through the network of Regional Fishery Body Secretariats. |
| | | Special requirements of developing States | <ul style="list-style-type: none"> • Extent to which the RFMO recognizes the special needs of developing States and pursues forms of cooperation with developing States, including with respect to fishing allocations or opportunities, taking into account UNFSA Articles 24 and 25, and the Code of Conduct of Responsible Fisheries Article 5. • Extent to which RFMO members, individually or through the RFMO, provide relevant assistance to developing States, as reflected in UNFSA Article 26. |
| 5 | <i>Financial and administrative issues</i> | Availability of resources for RFMO activities | <ul style="list-style-type: none"> • Extent to which financial and other resources are made available to achieve the aims of the RFMO and to implement the RFMOs decisions. |
| | | Efficiency and cost-effectiveness | <ul style="list-style-type: none"> • Extent to which the RFMO is efficiently and effectively managing its human and financial resources, including those of the Secretariat. |

Documents available on www.iccat.int such as:

Basic Texts: <http://www.iccat.int/Documents/Commission/BasicTexts.pdf>

Recommendations and Resolutions: <http://www.iccat.int/RecsRegs.asp>

Compendium of Management Recommendations and Resolutions Adopted by ICCAT for the Conservation of Atlantic Tunas and Tuna-like Species”:

http://www.iccat.int/Documents/Recs/ACT_COMP_2007_ENG.pdf

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| | | |
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REPORT OF THE MEETING OF THE STANDING COMMITTEE ON FINANCE & ADMINISTRATION (STACFAD)

1. Opening of the meeting

The 2008 meeting of the Standing Committee on Finance and Administration (STACFAD) was opened on Tuesday, November 18, by the Committee Chairman, Mr. J. Jones (Canada).

2. Adoption of the Agenda

The Agenda, which had been circulated in advance of the meeting, was adopted (**Appendix 1 to ANNEX 8**).

3. Appointment of the Rapporteur

The ICCAT Secretariat was designated Rapporteur.

4. Reports from the Secretariat

4.1 2008 Administrative Report

The 2008 Administrative Report was presented by the Chairman, who reviewed its contents, i.e. events of an administrative nature that had occurred at the Secretariat and in the Commission in 2008: Contracting Parties to the Convention, the adoption and entry into force of the Recommendations and Resolutions in 2008, inter-sessional meetings and ICCAT working groups; meetings at which ICCAT was represented (Appendix 1 to Administrative Report), tagging lottery, Chairman's letters to various Parties, Entities and Fishing Entities (concerning compliance with the conservation measures and compliance with budgetary obligations), list of publications and Secretariat documents, organization and management of Secretariat staff (organization, new hiring, future hiring and Secretariat staff pension plan), the selection process for the change in the auditing firm and other matters such as the new Secretariat headquarters, the management of other programs, the ICCAT Performance Review and the organization of the 16th Special Meeting of the Commission.

After outlining the items of the Report, the Chairman pointed out those items concerning the hiring of staff and the change in the auditing firm, which were discussed under Items 4.3 and 4.4 of this Report, respectively.

As regards to the pension plan for the Secretariat staff, the Delegate of the European Community requested the Executive Secretary to contact the entity that manages the ICCAT Fund, to verify if there are sufficient funds to cover the pension of the Secretariat staff.

The Executive Secretary explained that due to the Secretariat's current financial situation he had contacted the entity that manages the ICCAT staff pension fund, and was guaranteed that the Fund would not be affected by the world financial crisis. The Executive Secretary indicated that after not being able to join the United Nations Pension Fund, the Secretariat wanted to continue studying the possibility of a more beneficial pension plan with another entity in the country of the headquarters, that guarantees the staff funds with greater stability due to the continuous fluctuations in the exchange rates, as the pension plan is currently paid in US dollars.

The Chairman stated that this item had been included in the Report to propose to the Committee to study other ways and to improve this Fund.

The Delegate of Mexico expressed appreciation for the summary of activities contained in the Report and emphasized the importance of ICCAT's participation in other organizations.

The Administrative Report was adopted.

4.2 2008 Financial Report

The Chairman presented the Financial Report which had been distributed in advance.

Mr. Jones recalled that the Report contained information up to October 31, 2008 and that since that date more contributions had been received, i.e. United Kingdom (Overseas Territories) and Côte d'Ivoire, which were not included in the Report.

Mr. Jones pointed out that the percentage of budgetary income received amounted to approximately 84% of the 2008 budget, recalling that previously, only between 70% and 75% of the budgetary contributions had been received. Therefore, he thanked the Contracting Parties for the efforts made in complying with payments. He indicated that this situation had strengthened the Working Capital Fund, whose percentage was far above that recommended by the auditors, and which allows covering any possible unforeseen matters by the Commission.

The Delegate of the European Community stressed the Commission's strong financial situation and thanked the Chairmen for their efforts. As regards to the items in the Report, the Delegate explained that concerning the Vessel Monitoring Program for bluefin tuna, the European Community would carry out another contribution at the end of the first year of this Program which will absorb the shortage of funds that are indicated in the Report. He requested that until this payment is made, the shortage of funds be advanced by the Working Capital Fund. As regards to the Separation from Service Fund, the Delegate requested if the balance was sufficient to cover the staff retirements in 2009, as this will have to be taken into account in this budget.

The Executive Secretary explained that the Parties involved in the Program had sent funds to finance it and added that a company had been hired to install the system. Likewise, he pointed out that a person had been hired to manage the program until May 2009. He also indicated that the release of funds pending from the European Community would not be sufficient to cover the expenses to the end of the first year of the Program and he added that it would have to be determined if these expenses would be covered by the Commission's Working Capital Fund or by the Parties participating in the Program. As regards to the Separation from Service Fund, he explained that with the allocation foreseen from the 2009 budget, there will be no problem for the future retirements.

The Delegate of European Community expressed interest that the ICCAT Vessel Monitoring System (VMS) Program Fund continue and noted that the European Community would continue to finance the Fund if the rest of the Parties involved will take part in co-financing this project this year.

The Chairman confirmed that this matter will be discussed under item 7.

The Delegate of Morocco thanked the Executive Secretary for his good management which has resulted in the stable financial status of the Commission.

The Delegate of Saint Vincent and the Grenadines informed the Committee that his country had sent payment of its contribution for this fiscal year.

The Delegate of Vanuatu indicated that within the next few weeks Vanuatu's debts would be paid.

The Delegate of Japan requested clarification on the By-Catch Coordinator Fund.

The Chairman explained that the By-Catch Coordinator post will not be included in the regular budget until the 2010-2011 biennial period and that the United States had created a Fund to cover the hiring for this post in 2009.

The Delegate of Syria asked for clarifications for payment of Syria's contributions which were provided by the Secretariat.

At the second STACFAD session, the Chairman announced that contributions corresponding to 2008 had been received from Korea and St. Vincent and the Grenadines. He also thanked Chinese Taipei for the voluntary contribution of 100,000 Euros sent to the Commission.

The Financial Report was adopted.

4.3 Hiring of staff

The Chairman highlighted the announcement for the post of Populations Dynamics Expert. He explained that a selection process had been carried out by a Committee comprised of the ICCAT Chairman, the Executive Secretary, and he himself, after all the applications had been reviewed by a Committee headed by the SCRS Chairman. Various personal interviews were conducted after which it was decided not to recruit any of the candidates at this stage. The Chairman explained that at the Executive Secretary's proposal, discussions were held with Dr. Restrepo who had indicated his desire to return to the Secretariat to resume his position of Assistant Executive Secretary and added that the Committee considered that this decision was the most advantageous for the Secretariat.

The Delegate of Mexico expressed satisfaction with Dr. Restrepo's return to the Secretariat.

The Delegate of Brazil agreed with the intervention by Mexico and pointed out that during the time that Dr. Restrepo was at the Secretariat he did an extraordinary job and that his return was very important to reinforce the work carried out by the Secretariat.

The Delegates of Morocco and the European Community joined in welcoming Dr. Restrepo.

4.4 Auditor's contract

The Chairman recalled the decision made in 2007 about changing the auditing firm every three years. He explained that a selection process had been carried out and three firms had been selected for consideration by the Committee, indicating that after consulting with the Executive Secretary and the person in charge of finances, it was recommended to contract the firm "BDO Audiberia Auditories, S.L.", and this decision was accepted by the Committee.

5. Review of progress of payment of arrears

The Chairman presented a document which provided details on the status of the delays in the Contracting Party payments, emphasizing that Cape Verde, Gabon, Republic of Guinea, Honduras, Nicaragua, Panama and St. Tomé & Príncipe had arrears for more than two years. He pointed out that Ghana continued to have considerable delays in its payments, but that it had made considerable progress in the payment of its debt. He also informed that the Republic of Guinea had submitted a plan of action to regularize its debt, but this has not yet been carried out.

Mr. Jones reminded the Committee that at previous meetings a decision had been made, in accordance with Article X.8 of the Convention, to suspend the voting right of those Parties that had arrears equal to or exceeding two years and those that had not followed through with their repayment plans. He indicated that he would discuss this matter with the delegate of the Republic of Guinea.

6. Budget and Contracting Party contributions for 2009

The Chairman presented the "Explanatory Note on the ICCAT Budget for Fiscal Year 2009". He pointed out that the proposal included the request from the scientific committee to announce the Population Dynamics Expert post, as well as the hiring of two other staff in the General Services category: one to enter and process data related to compliance activities, and the other motivated by the needs of the new headquarters offices. He explained that it had been taken into account that the hiring of these new staff would take place in mid-2009. The Chairman also pointed out that the increase requested for operating expenses were due to the move to the new ICCAT headquarters, a totally independent building, and the increase requested by the scientific committee with regard to the financing of the ICCAT Enhanced Research Program for Billfish. He indicated that a version of the budget proposal which includes the changes in Panel membership would be distributed.

The Chairman also reminded the Committee that the matter of Arabic interpretation at the annual Commission meeting was still pending from last year. The Chairman proposed that the costs be paid from the Working Capital Fund as additional interpretation services for the ICCAT annual meeting in Arabic. The proposal was adopted by the Committee.

The Delegate of the European Community made some general observations with regard to the presentation of the budget. First, he referred to the budget structure, which consisted of separating the chapter on the Coordination of Research from the scientific research programs that are financed by the regular budget. Secondly, the structure consisted of including a column in the table of the budget proposal that includes the increase for 2009 revised with respect to 2008, to show the real percentage increase.

The Executive Secretary reminded the Committee that the structure of the budget permitted introducing changes that were required by the Committee with regard to distribution of the budget by chapter. With regard to the percentage of the budget, he informed that the document had been presented so that the Contracting Parties could compare the 2009 budget that had been approved at the 2007 meeting, with the changes included in the revised 2009 budget.

The Chairman commented that it would be so included in the revised version. As concerns the first comment, he noted that the chapter on the Coordination of Research included all the activities detailed in the Financial Report relative to the coordination, statistics, and other related operating expenses and requested the SCRS Chairman to explain the activities of the research programs.

The SCRS Chairman explained that there were two programs financed by the regular budget. One was the ICCAT Enhanced Research Program for Billfish, which operated at a very modest level and with adequate methodology, and whose costs were mainly destined for the Contracting Parties having less financial means, to carry out small-scale sampling. He recalled that since 2003 there were many needs with regards to bluefin tuna research and the scientific Committee needed and required a large-scale fund for such research. He explained that the SCRS had estimated costs at approximately €19 million for a six-year research program, and added that he would distribute a document explaining the project by priorities.

The Delegate of the European Community expressed his support for the proposal summarized by the SCRS Chairman and requested the separation of these two programs in a specific budget chapter entitled “Research Programs” that would permit the inclusion of other programs of the same nature.

The Chairman informed the Committee that this would be done starting next year.

Following the SCRS Chair’s clarification on some points about bluefin tuna, requested by various delegations, the Chairman of the Committee proposed deferring this item and discussing it at the inter-sessional meetings.

The Delegate of the United States appreciated the document prepared by the SCRS Chairman. With regard to the operating expenses, he proposed that the increase in fixed expenses be maintained in the budget and that other resources be used to cover the expenses related to the move to the new headquarters offices.

The Delegate of the European Community proposed using the Working Capital Fund for this purpose. He further noted the need for the scientific Committee to provide a list of priorities prior to the annual meeting of the Commission.

At the third session of the Committee, the Chairman announced that an updated version of the budget had been distributed, which included the request from the European Community to show the percentage from 2008 with respect to the 2009 revised budget, as well as the changes in Panel membership and the exchange rate for November.

Lastly, the Chairman reminded the Committee that in the Panel discussion there was discussion on the possibility of including in the budget an amount destined for the financing of the Commission and SCRS Chairmen’s travel, to represent ICCAT at some meetings. He explained that participation at these meetings required considerable effort and that financial endowment would assist the countries that did not have the necessary means. He proposed using the Working Capital Fund for this purpose in 2009 and that this be standardized within the budget starting in 2010.

The Delegate of the European Community indicated that the expenses relative to the SCRS Chairman’s travel could be included in a sub-chapter of Chapter 8, Coordination of Research, and added that as regards the ICCAT Chairman it was not appropriate to use the Working Capital Fund, since there is a fund financed by the United States and Brazil that includes this concept.

The Delegate of Brazil explained that the objective of the contribution made by his country to the aforementioned Fund was for the meetings of regional workshops in 2009.

The Chairman proposed adopting the 2009 budget with the notes referring to Chapter 3, and leaving the use of the Working Capital Fund pending for other matters that will be seen at the plenary sessions.

The Delegate of the European Community asked that the entire proposal be adopted at the plenary sessions.

7. Consideration of programs which may require additional funding

With regard to continuing the Vessel Monitoring System for bluefin tuna, the Chairman asked the Parties involved to determine the financing required for the second phase.

The Delegate of the European Community informed the Committee that the Parties involved had met and had agreed that this would continue for another year and that they would provide the Secretariat with the information regarding the financing of each of these Parties to the program.

The Executive Secretary asked that this information be provided as soon as possible so as to include it in the request for the 2009 contributions, as some Contracting Parties had requested.

8. Basis for participant contributions to the ICCAT Regional Observer Program for 2009

The Chairman presented a document on the "Future Basis for ROP Funding", which contains the basis for the future financing of the ICCAT Regional Observer Program. He asked the Parties involved to establish criteria on the distribution of the budget to this Program.

9. Other matters

The Executive Secretary explained that during 2008 the Delegation of Egypt had contacted the Secretariat regarding its contributions. He noted that Egypt had joined ICCAT in October 2007 and that the Secretariat had informed this Party that, according to the ICCAT *Basic Texts*, new members whose membership becomes effective in the last six months of any year are liable to pay half the amount of the annual contribution to the budget, for which Egypt should pay the amount corresponding to six months of its 2007 contribution. He also pointed out that although Egypt had paid the total amount of its contribution, they requested that the amount corresponding to 2007 be considered as an advance towards future contributions.

The Chairman confirmed that no positive response could be given without changing the *Basic Texts*, since this matter was clearly reflected in Regulation 4 of the Commission's Financial Regulations.

The Delegate of Egypt stated that he did not detailed information on this issue and indicated to the Committee that he would inform the Committee on this matter.

10. Adoption of the report and adjournment

The Report of STACFAD was adopted by correspondence.

The STACFAD meeting was adjourned by the Chairman, Mr. Jones.

Table 1. Commission Budget for 2009 (Euros).

| Chapters | 2008 | 2009 | 2009 Revised | Increase 2008 - 2009 Revised |
|--|---------------------|---------------------|---------------------|-------------------------------------|
| 1. Salaries | 948,884.85 | 981,146.93 | 1,083,607.30 | 14.20% |
| 2. Travel | 30,000.00 | 31,020.00 | 31,020.00 | 3.40% |
| 3. Commission meetings (annual & inter-sessional) 1/ | 130,000.00 | 134,420.00 | 134,420.00 | 3.40% |
| 4. Publications | 52,470.04 | 54,254.02 | 54,254.02 | 3.40% |
| 5. Office Equipment | 8,047.55 | 8,321.17 | 8,321.17 | 3.40% |
| 6. Operating Expenses | 200,000.00 | 206,800.00 | 225,000.00 | 12.50% |
| 7. Miscellaneous | 6,438.05 | 6,656.94 | 6,656.94 | 3.40% |
| 8. Coordination of Research | | | | |
| a) Salaries | 734,737.67 | 759,718.75 | 819,412.25 | 11.52% |
| b) Travel to improve statistics | 30,000.00 | 31,020.00 | 31,020.00 | 3.40% |
| c) Statistics-Biology | 25,000.00 | 25,850.00 | 25,850.00 | 3.40% |
| d) Computer-related items | 39,750.00 | 41,101.50 | 41,101.50 | 3.40% |
| e) Database maintenance | 38,462.86 | 39,770.60 | 39,770.60 | 3.40% |
| f) Phone line-Internet domain | 25,300.00 | 26,160.20 | 26,160.20 | 3.40% |
| g) Scientific meetings (including SCRS) | 77,256.50 | 79,883.22 | 79,883.22 | 3.40% |
| h) ICCAT Bluefin Year Program (BYP) | 14,588.60 | 15,084.61 | 15,084.61 | 3.40% |
| i) ICCAT Billfish Research Program | 20,000.00 | 20,680.00 | 30,000.00 | 50.00% |
| j) Miscellaneous | 6,116.14 | 6,324.09 | 6,324.09 | 3.40% |
| <i>Sub-total Chapter</i> | <i>1,011,211.77</i> | <i>1,045,592.97</i> | <i>1,114,606.47</i> | <i>10.22%</i> |
| 9. Contingencies | 25,000.00 | 25,850.00 | 25,850.00 | 3.40% |
| 10. Separation from Service Fund | 30,000.00 | 31,020.00 | 31,020.00 | 3.40% |
| TOTAL BUDGET | 2,442,052.26 | 2,525,082.03 | 2,714,755.90 | 11.17% |

1/ The costs for additional interpretation services in other languages for the annual meeting will be assumed by the Working Capital Fund.

Table 2. Basic information to calculate the Contracting Party contributions in 2009.

| Contracting Parties | Grooms ^a | GNP ^b 2004 | GNP ^b 1991 | Catch ^c | Canning ^d | Catch + Canning | Panels ^e | | | | Total Panels | Contracting Parties |
|-----------------------------|---------------------|-----------------------|-----------------------|--------------------|----------------------|-----------------|---------------------|---|---|---|--------------|-----------------------------|
| | | | | | | | 1 | 2 | 3 | 4 | | |
| Albania | C | 2408 | 2,169 | | | 0 | - | X | - | - | 1 | Albania |
| Algérie | C | 2,497 | 2,250 | 3,403 | | 3,403 | - | X | - | X | 2 | Algérie |
| Angola | D | 1,309 | 1,179 | 3,847 | | 3,847 | X | - | - | X | 2 | Angola |
| Barbados | C | 10,538 | 9,494 | 126 | | 126 | - | - | - | - | 0 | Barbados |
| Belize | C | 3,594 | 3,238 | 5 | | 5 | X | X | X | X | 4 | Belize |
| Brazil | B | 3,225 | 2,905 | 42,103 | 14,007 | 56,110 | X | X | X | X | 4 | Brazil |
| Canada | A | 31,031 | 27,956 | 2,748 | | 2,748 | X | X | - | X | 3 | Canada |
| Cap-Vert | D | 1,947 | 1,754 | 365 | | 365 | X | - | - | - | 1 | Cap-Vert |
| China, People's Rep. of | C | 1,283 | 1,156 | 8,969 | | 8,969 | X | X | - | X | 3 | China, People's Rep. of |
| Communauté Européenne | A | 27,861 | 25,100 | 198,597 | 250,089 | 448,686 | X | X | X | X | 4 | Communauté Européenne |
| Côte d'Ivoire | D | 908 | 818 | 1,985 | | 1,985 | X | - | - | X | 2 | Côte d'Ivoire |
| Croatia | C | 7,557 | 6,808 | 1,017 | 627 | 1,644 | - | X | - | - | 1 | Croatia |
| Egypt | D | 1,174 | 1,058 | | | 0 | - | X | - | - | 1 | Egypt |
| France (St. P. & M.) | A | 33,967 | 30,601 | 61 | 0 | 61 | X | X | - | X | 3 | France (St. P. & M.) |
| Gabon | C | 4,710 | 4,243 | 44 | | 44 | X | - | - | X | 2 | Gabon |
| Ghana | C | 403 | 363 | 83,582 | 10,300 | 93,882 | X | - | - | - | 1 | Ghana |
| Guatemala, Rep. de | C | 2,157 | 1,943 | 10,293 | 0 | 10,293 | X | - | - | - | 1 | Guatemala, Rep. de |
| Guinea Ecuatorial | C | 7,845 | 7,068 | | | 0 | X | - | - | X | 2 | Guinea Ecuatorial |
| Guinea, Rep. of | D | 421 | 379 | | | 0 | - | - | - | - | 0 | Guinea, Rep. of |
| Honduras | D | 1,046 | 942 | | | 0 | X | - | - | - | 1 | Honduras |
| Iceland | A | 41,913 | 37,759 | 0 | 0 | 0 | - | X | - | - | 1 | Iceland |
| Japan | A | 36,501 | 32,884 | 25,059 | | 25,059 | X | X | X | X | 4 | Japan |
| Korea, Rep. of | C | 14,266 | 12,852 | 2,895 | | 2,895 | X | X | - | X | 3 | Korea, Rep. of |
| Libya | C | 3,403 | 3,066 | 1,164 | | 1,164 | X | X | - | - | 2 | Libya |
| Maroc | C | 1,606 | 1,447 | 9,909 | 600 | 10,509 | X | X | - | X | 3 | Maroc |
| Mexico | B | 6,397 | 5,763 | 10,984 | | 10,984 | X | X | X | X | 4 | Mexico |
| Namibia | C | 2,661 | 2,397 | 3,627 | | 3,627 | X | - | X | X | 3 | Namibia |
| Nicaragua, Rep. de | D | 820 | 739 | | | 0 | - | - | - | - | 0 | Nicaragua, Rep. de |
| Nigeria | D | 637 | 574 | | | 0 | X | - | - | X | 2 | Nigeria |
| Norway | A | 54,383 | 48,994 | | | 0 | - | X | - | - | 1 | Norway |
| Panama | B | 4,269 | 3,846 | 20,962 | | 20,962 | X | X | - | - | 2 | Panama |
| Philippines, Rep. of | D | 1,059 | 954 | 2,046 | | 2,046 | X | - | - | - | 1 | Philippines, Rep. of |
| Russia | C | 4,047 | 3,646 | 287 | | 287 | X | - | - | - | 1 | Russia |
| Saint Vincent and Grenadine | C | 3,357 | 3,024 | 258 | | 258 | X | X | - | X | 3 | Saint Vincent and Grenadine |
| São Tomé e Príncipe | D | 447 | 403 | | | 0 | X | - | - | X | 2 | São Tomé e Príncipe |
| Senegal | C | 672 | 605 | 6,896 | 7,997 | 14,893 | X | - | - | X | 2 | Senegal |
| South Africa | B | 4,507 | 4,060 | 5,236 | | 5,236 | X | - | X | X | 3 | South Africa |
| Syrian Arab Republic | D | 1,261 | 1,136 | 460 | 0 | 460 | - | X | - | - | 1 | Syrian Arab Republic |
| Trinidad & Tobago | C | 8,772 | 7,903 | 4,472 | | 4,472 | X | - | - | X | 2 | Trinidad & Tobago |
| Tunisie | B | 2,815 | 2,536 | 6,535 | 2,310 | 8,845 | - | X | - | X | 2 | Tunisie |
| Turkey | B | 4,182 | 3,768 | 72,749 | | 72,749 | X | X | X | X | 4 | Turkey |
| United Kingdom (O.T.) | A | 35,718 | 32,178 | 228 | | 228 | X | - | - | - | 1 | United Kingdom (O.T.) |
| United States | A | 39,650 | 35,721 | 22,499 | 17,349 | 39,848 | X | X | X | X | 4 | United States |
| Uruguay | C | 3,842 | 3,461 | 1,592 | | 1,592 | X | - | - | X | 2 | Uruguay |
| Vanuatu | D | 1,405 | 1,266 | 2,267 | | 2,267 | - | - | - | - | 0 | Vanuatu |
| Venezuela | B | 4,260 | 3,838 | 7,320 | 1,313 | 8,633 | X | - | - | X | 2 | Venezuela |

a), b), c), d), e): See attached Legends.

Table 3. Contracting Party Contributions for 2009. (Euros)

| Contracting Party | Group ^a | Catch + | | % Catch + | | % Member + | | Membership fee ^d | Panel Membership ^e | Variable fees for Member ^f | Variables fees Catch-Canning ^g | Total fees ^h | Contracting Party |
|------------------------------|--------------------|----------------------|---------------------|----------------------|---------------------|---------------------|---------------------|-----------------------------|-------------------------------|---------------------------------------|---|-------------------------|-------------------|
| | | Canning ^a | Panels ^a | Canning ^b | Panels ^c | Member ^d | Panels ^e | | | | | | |
| Albania | C | 0 | 1 | 0.00% | 3.51% | 773.00 | 773.00 | 5,517.46 | 0.00 | 7,063.46 | Albania | | |
| Algérie | C | 3,403 | 2 | 2.15% | 5.26% | 773.00 | 1,546.00 | 8,276.19 | 6,770.89 | 17,366.07 | Algérie | | |
| Angola | D | 3,847 | 2 | 35.07% | 12.00% | 773.00 | 1,546.00 | 2,484.71 | 14,522.44 | 19,326.14 | Angola | | |
| Barbados | C | 126 | 0 | 0.08% | 1.75% | 773.00 | 0.00 | 2,758.73 | 250.70 | 3,782.43 | Barbados | | |
| Belize | C | 5 | 4 | 0.00% | 8.77% | 773.00 | 3,092.00 | 13,793.64 | 9.95 | 17,668.59 | Belize | | |
| Brazil | B | 56,110 | 4 | 30.57% | 17.86% | 773.00 | 3,092.00 | 32,646.12 | 111,791.50 | 148,302.61 | Brazil | | |
| Canada | A | 2,748 | 3 | 0.53% | 13.79% | 773.00 | 2,319.00 | 70,114.66 | 5,407.72 | 78,614.38 | Canada | | |
| Cap-Vert | D | 365 | 1 | 3.33% | 8.00% | 773.00 | 773.00 | 1,656.47 | 1,377.88 | 4,580.35 | Cap-Vert | | |
| China, People's Rep. of | C | 8,969 | 3 | 5.67% | 7.02% | 773.00 | 2,319.00 | 11,034.92 | 17,845.46 | 31,972.37 | China, People's Rep. of | | |
| Communauté Européenne | A | 448,686 | 4 | 86.85% | 17.24% | 773.00 | 3,092.00 | 87,643.33 | 882,957.37 | 974,465.69 | Communauté Européenne | | |
| Côte d'Ivoire | D | 1,985 | 2 | 18.09% | 12.00% | 773.00 | 1,546.00 | 2,484.71 | 7,493.38 | 12,297.09 | Côte d'Ivoire | | |
| Croatia | C | 1,644 | 1 | 1.04% | 3.51% | 773.00 | 773.00 | 5,517.46 | 3,271.04 | 10,334.49 | Croatia | | |
| Egypt | D | 0 | 1 | 0.00% | 8.00% | 773.00 | 773.00 | 1,656.47 | 0.00 | 3,202.47 | Egypt | | |
| France (St. P. & M.) | A | 61 | 3 | 0.01% | 13.79% | 773.00 | 2,319.00 | 70,114.66 | 120.04 | 73,326.70 | France (St. P. & M.) | | |
| Gabon | C | 44 | 2 | 0.03% | 5.26% | 773.00 | 1,546.00 | 8,276.19 | 87.55 | 10,682.73 | Gabon | | |
| Ghana | C | 93,882 | 1 | 59.40% | 3.51% | 773.00 | 773.00 | 5,517.46 | 186,795.31 | 193,858.77 | Ghana | | |
| Guatemala, Rep. de | C | 10,293 | 1 | 6.51% | 3.51% | 773.00 | 773.00 | 5,517.46 | 20,479.80 | 27,543.25 | Guatemala, Rep. de | | |
| Guinea Ecuatorial | C | 0 | 2 | 0.00% | 5.26% | 773.00 | 1,546.00 | 8,276.19 | 0.00 | 10,595.19 | Guinea Ecuatorial | | |
| Guinea, Rep. of | D | 0 | 0 | 0.00% | 4.00% | 773.00 | 0.00 | 828.24 | 0.00 | 1,601.24 | Guinea, Rep. of | | |
| Honduras | D | 0 | 1 | 0.00% | 8.00% | 773.00 | 773.00 | 1,656.47 | 0.00 | 3,202.47 | Honduras | | |
| Iceland | A | 0 | 1 | 0.00% | 6.90% | 773.00 | 773.00 | 35,057.33 | 0.00 | 36,603.33 | Iceland | | |
| Japan | A | 25,059 | 4 | 4.85% | 17.24% | 773.00 | 3,092.00 | 87,643.33 | 49,312.95 | 140,821.27 | Japan | | |
| Korea, Rep. of | C | 2,895 | 3 | 1.83% | 7.02% | 773.00 | 2,319.00 | 11,034.92 | 5,760.13 | 19,887.04 | Korea, Rep. of | | |
| Libya | C | 1,164 | 2 | 0.74% | 5.26% | 773.00 | 1,546.00 | 8,276.19 | 2,315.99 | 12,911.18 | Libya | | |
| Maroc | C | 10,509 | 3 | 6.65% | 7.02% | 773.00 | 2,319.00 | 11,034.92 | 20,909.57 | 35,036.48 | Maroc | | |
| Mexico | B | 10,984 | 4 | 5.99% | 17.86% | 773.00 | 3,092.00 | 32,646.12 | 21,884.12 | 58,395.23 | Mexico | | |
| Namibia | C | 3,627 | 3 | 2.29% | 7.02% | 773.00 | 2,319.00 | 11,034.92 | 7,216.58 | 21,343.49 | Namibia | | |
| Nicaragua, Rep. de | D | 0 | 0 | 0.00% | 4.00% | 773.00 | 0.00 | 828.24 | 0.00 | 1,601.24 | Nicaragua, Rep. de | | |
| Nigeria | D | 0 | 2 | 0.00% | 12.00% | 773.00 | 1,546.00 | 2,484.71 | 0.00 | 4,803.71 | Nigeria | | |
| Norway | A | 0 | 1 | 0.00% | 6.90% | 773.00 | 773.00 | 35,057.33 | 0.00 | 36,603.33 | Norway | | |
| Panama | B | 20,962 | 2 | 11.42% | 10.71% | 773.00 | 1,546.00 | 19,587.67 | 41,763.92 | 63,670.59 | Panama | | |
| Philippines, Rep. of | D | 2,046 | 1 | 18.65% | 8.00% | 773.00 | 773.00 | 1,656.47 | 7,723.66 | 10,926.13 | Philippines, Rep. of | | |
| Russia | C | 287 | 1 | 0.18% | 3.51% | 773.00 | 773.00 | 5,517.46 | 571.04 | 7,634.50 | Russia | | |
| Saint Vincent and Grenadines | C | 258 | 3 | 0.16% | 7.02% | 773.00 | 2,319.00 | 11,034.92 | 513.34 | 14,640.25 | Saint Vincent and Grenadines | | |
| São Tomé e Príncipe | D | 0 | 2 | 0.00% | 12.00% | 773.00 | 1,546.00 | 2,484.71 | 0.00 | 4,803.71 | São Tomé e Príncipe | | |
| Senegal | C | 14,893 | 2 | 9.42% | 5.26% | 773.00 | 1,546.00 | 8,276.19 | 29,632.33 | 40,227.52 | Senegal | | |
| South Africa | B | 5,236 | 3 | 2.85% | 14.29% | 773.00 | 2,319.00 | 26,116.89 | 10,432.01 | 39,640.91 | South Africa | | |
| Syrian Arab Republic | D | 460 | 1 | 4.19% | 8.00% | 773.00 | 773.00 | 1,656.47 | 1,736.50 | 4,938.97 | Syrian Arab Republic | | |
| Trinidad & Tobago | C | 4,472 | 2 | 2.83% | 5.26% | 773.00 | 1,546.00 | 8,276.19 | 8,897.86 | 19,493.04 | Trinidad & Tobago | | |
| Tunisie | B | 8,845 | 2 | 4.82% | 10.71% | 773.00 | 1,546.00 | 19,587.67 | 17,622.45 | 39,529.12 | Tunisie | | |
| Turkey | B | 72,749 | 4 | 39.64% | 17.86% | 773.00 | 3,092.00 | 32,646.12 | 144,942.43 | 181,453.54 | Turkey | | |
| United Kingdom (O.T.) | A | 228 | 1 | 0.04% | 6.90% | 773.00 | 773.00 | 35,057.33 | 448.68 | 37,052.01 | United Kingdom (O.T.) | | |
| United States | A | 39,848 | 4 | 7.71% | 17.24% | 773.00 | 3,092.00 | 87,643.33 | 78,415.83 | 169,924.16 | United States | | |
| Uruguay | C | 1,592 | 2 | 1.01% | 5.26% | 773.00 | 1,546.00 | 8,276.19 | 3,167.57 | 13,762.76 | Uruguay | | |
| Vanuatu | D | 2,267 | 0 | 20.67% | 4.00% | 773.00 | 0.00 | 828.24 | 8,557.93 | 10,159.17 | Vanuatu | | |
| Venezuela | B | 8,633 | 2 | 4.70% | 10.71% | 773.00 | 1,546.00 | 19,587.67 | 17,200.07 | 39,106.74 | Venezuela | | |

a), b), c), d), e), f), g), h): See attached Legends.

Table 4. Contributions by Group 2009. Fees expressed in Euros.

| Groups | Parties^a | Panels^b | Catch + Canning^c | % of each Party^d | % of the Budget^e | Fees^f | Panels fees^g | Other fees^h | Total feesⁱ |
|---------------|----------------------------|---------------------------|--|--|--|-------------------------|------------------------------------|-----------------------------------|-----------------------------------|
| A | 8 | 21 | 516,630.00 | --- | 57.00% | 6,184.00 | 16,233.00 | 1,524,993.86 | 1,547,410.86 |
| B | 7 | 21 | 183,519.00 | 3.00% | 21.00% | 5,411.00 | 16,233.00 | 548,454.74 | 570,098.74 |
| C | 19 | 38 | 158,063.00 | 1.00% | 19.00% | 14,687.00 | 29,374.00 | 471,742.62 | 515,803.62 |
| D | 12 | 13 | 10,970.00 | 0.25% | 3.00% | 9,276.00 | 10,049.00 | 62,117.68 | 81,442.68 |
| TOTAL | 46 | 93 | 869,182.00 | | 100.00% | 35,558.00 | 71,889.00 | 2,607,308.90 | 2,714,755.90 |

a), b), c), d), e), f), g), h), i) : See attached Legends.

Table 5. Catch and canning figures (in t) of the Contracting Parties.

| <i>Parties</i> | 2004 | | | 2005 | | | 2006 | | | <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 | 2,930 t | | 2,930 | 3,403 t | | 3,403 | | | | 0 Algérie |
| Angola | 520 t | | 520 | 3,847 t | | 3,847 | | | | 0 Angola |
| Barbados | 126 t | | 126 | 126 t | | 126 | | | | 0 Barbados |
| Belize | | | 0 | 5 t | | 5 | | | | 0 Belize |
| Brazil | 38,314 | 16,363 | 54,677 | 42,103 | 14,007 | 56,110 | | 15,742 | 15,742 | 0 Brazil |
| Canada | 2,275 t | | 2,275 | 2,748 t | | 2,748 | | | | 0 Canada |
| Cap-Vert | 2,268 t | | 2,268 | 365 t | | 365 | | | | 0 Cap-Vert |
| China, People's Rep. of | 8,622 t | | 8,622 | 8,969 t | | 8,969 | | | | 0 China, People's Rep. of |
| Communauté Européenne | 199,656 | 228,357 | 428,013 | 198,597 | 250,089 | 448,686 | | 210,905 p | 210,905 | 0 Communauté Européenne |
| Côte d'Ivoire | 1,341 t | | 1,341 | 1,985 t | | 1,985 | | | | 0 Côte d'Ivoire |
| Croatia | 827 | 560 | 1,387 | 1,017 | 627 | 1,644 | 1,023 | 556 | 1,579 | 0 Croatia |
| Egypt | | | 0 | | | 0 | | | | 0 Egypt |
| France - St. P. & M. | 81 | 0 | 81 | 61 | 0 | 61 | 0 | 0 | 0 | 0 France - St. P. & M. |
| Gabon | 44 t | | 44 | 44 t | | 44 | | | | 0 Gabon |
| Ghana | 64,059 t | | 64,059 | 83,582 t | 10,300 co | 93,882 | | | | 0 Ghana |
| Guatemala, Rep. de | | 0 | 0 | 10,293 t | 0 | 10,293 | | 0 | 0 | 0 Guatemala |
| Guinea Ecuatorial | | | 0 | | | 0 | | | | 0 Guinea Ecuatorial |
| Guinea, Rep. of | | | 0 | | | 0 | | | | 0 Guinea, Rep. of |
| Honduras | | | 0 | | | 0 | | | | 0 Honduras |
| Iceland | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 Iceland |
| Japan | 29,782 | | 29,782 | 25,059 | | 25,059 | | | | 0 Japan |
| Korea, Rep. of | 2,607 t | | 2,607 | 2,895 t | | 2,895 | | | | 0 Korea, Rep. of |
| Libya | 1,375 t | | 1,375 | 1,164 t | | 1,164 | | | | 0 Libya |
| Maroc | 10,947 | 600 | 11,547 | 9,909 | 600 | 10,509 | 10,559 p | | 10,559 | 0 Maroc |
| Mexico | 16,302 p | | 16,302 | 10,984 p | | 10,984 | 9,700 p | | 9,700 | 0 Mexico |
| Namibia | 4,144 t | | 4,144 | 3,627 t | | 3,627 | | | | 0 Namibia |
| Nicaragua, Rep. de | | | 0 | | | 0 | | | | 0 Nicaragua, Rep. de |
| Nigeria | | | 0 | | | 0 | | | | 0 Nigeria |
| Norway | 0 | | 0 | | | 0 | | | | 0 Norway |
| Panama | 10,928 t | | 10,928 | 20,962 t | | 20,962 | 1,255 t | | 1,255 | 0 Panama |
| Philippines, Rep. of | 2,227 | | 2,227 | 2,046 | | 2,046 | 2,090 | | 2,090 | 0 Philippines, Rep. of |
| Russia | 174 | | 174 | 287 | | 287 | 780 | | 780 | 0 Russia |
| Saint Vincent and Grenadines | 7,974 t | | 7,974 | 258 t | | 258 | | | | 0 Saint Vincent and Grenadines |
| São Tomé e Príncipe | | | 0 | | | 0 | | | | 0 São Tomé e Príncipe |
| Senegal | 2,552 | 7,776 | 10,328 | 6,896 | 7,997 | 14,893 | 6,063 | 5,297 | 11,360 | 0 Senegal |
| South Africa | 5,899 t | | 5,899 | 5,236 t | | 5,236 | | | | 0 South Africa |
| Syrian Arab Republic | 415 | 0 | 415 | 460 | 0 | 460 | 502 | 0 | 502 | 0 Syrian Arab Republic |
| Trinidad & Tobago | 3,768 t | | 3,768 | 4,472 t | | 4,472 | | | | 0 Trinidad & Tobago |
| Tunisie | 6,505 | 2,060 | 8,565 | 6,535 | 2,310 | 8,845 | | | | 0 Tunisie |
| Turkey | 7,410 | | 7,410 | 72,749 | | 72,749 | 800 p+ | | 800 | 0 Turkey |
| United Kingdom (O.T.) | 254 t | | 254 | 228 t | | 228 | 2 t | | 2 | 0 United Kingdom (O.T.) |
| United States | 25,310 | 22,520 | 47,830 | 22,499 p | 17,349 | 39,848 | | 19,311 | 19,311 | 0 United States |
| Uruguay | 1,469 | | 1,469 | 1,592 | | 1,592 | | | | 0 Uruguay |
| Vanuatu | 1,400 t | | 1,400 | 2,267 t | | 2,267 | | | | 0 Vanuatu |
| Venezuela | | | 0 | 7,320 | 1,313 | 8,633 | | | | 0 Venezuela |
| TOTAL | 462,505 | 278,236 | 740,741 | 564,590 | 304,592 | 869,182 | 32,774 | 251,811 | 284,585 | TOTAL |

p = Preliminary data.

p+ = Only partial data (quick estimates or selected gears, species, regions only)

co = Transfer of the information on data provided at the 2006 ICCAT Commission Meeting

t = Obtained from the database, because there was no official communicator

Data updated to 16 June 2007.

Legends

Table 2

- ^a Group A: Members with developed market economy, as defined by the United Nations Conference on Trade and Development (UNCTAD) / Group B: Members whose GNP per capita exceeds US\$ 2,000 and whose combined catches and canning of tuna exceeds 5,000 t / Group C: Members whose GNP per capita exceeds US\$ 2,000 or whose combined catches and canning of tuna exceeds 5,000 t / Group D: Members whose GNP per capita does not exceed US\$ 2,000, and whose combined catches and canning of tuna does not exceed 5,000 t.
- ^b GNP: Gross National Product per capita in US\$. Source: UNCTAD / GNP with values adjusted to 1991 using a multiplier of 1.11 (Source: U.S. Federal Reserve Board's "Broad Index").
- ^c 2005 Catches (t).
- ^d 2005 Canning (t).
- ^e Panel membership: Panel 1 = Tropical tunas; Panel 2 = Temperate tunas-North; Panel 3 = Temperate tunas-South; and Panel 4 = Other species.

Table 3

- ^a Table 2.
- ^b Percentage of catch and canning within the group in which the member is a part.
- ^c Percentage for Commission membership and Panel membership within the group in which the member is a part.
- ^d US\$ 1,000 annual contribution for Commission membership.
- ^e US\$ 1,000 annual contribution for each Panel membership in which the member belongs.
- ^f Variable fee in proportion to the percentage as a member of the Commission and Panels.
- ^g Variable fee in proportion to the percentage according to catch and canning.
- ^h Total contribution.

Table 4

- ^a Number of Contracting Parties per Group (Table 2).
- ^b Number of Panels within each Group.
- ^c Total catch and canning, in t, of each Group.
- ^d Percentage of the budget financed by each member of each Group according to the Madrid Protocol.
- ^e Percentage of the budget financed for each Group.
- ^f Commission membership fees within each Group.
- ^g Panel membership within each Group.
- ^h Other fees: 1/3 for Commission and Panel membership and 2/3 for catch and canning.
- ⁱ Total contribution.

Appendix 1 to ANNEX 8

Agenda

1. Opening of the meeting
2. Adoption of the Agenda
3. Appointment of the Rapporteur
4. Reports from the Secretariat
 - 4.1 2008 Administrative Report
 - 4.2 2008 Financial Report
 - 4.3 Hiring of personnel
 - 4.4 Auditors contract
5. Review of progress of the payment of arrears
6. Budget and Contracting Party contributions for 2009
7. Consideration of Programs which may require additional funding
8. Basis for participant contributions to the ICCAT Regional Observer Program for 2009
9. Other matters
10. Adoption of the report and adjournment

REPORTS OF THE MEETINGS OF PANELS 1 TO 4

REPORT OF THE MEETING OF PANEL 1

1. Opening of the meeting

Dr. Jeanson Anvra Djobo (Côte d'Ivoire) chaired the meeting of Panel 1.

2. Adoption of the Agenda

The Agenda was adopted without changes (attached as **Appendix 1 to ANNEX 9**).

3. Election of Rapporteur

Ms. Julia Hathaway (United States of America) was appointed Rapporteur for Panel 1.

4. Review of Panel membership

Mr. Driss Meski, Executive Secretary, presented the list of members of Panel 1. Likewise, Mr. Meski informed that United Kingdom (Overseas Territories) and Nigeria had requested to become members of the Panel. This request was accepted.

Therefore, Panel 1 is currently comprised of the following 34 members: Angola, Belize, Brazil, Canada, Cape Verde, China, Côte d'Ivoire, Equatorial Guinea, European Community, France (Saint Pierre and Miquelon), Gabon, Ghana, Guatemala, Honduras, Japan, Korea (Rep.), Libya, Mexico, Morocco, Namibia, Nigeria, Panama, Philippines, Russia, Sao Tome and Principe, Senegal, South Africa, St. Vincent and the Grenadines, Trinidad and Tobago, Turkey, United Kingdom (Overseas Territories), United States of America, Uruguay and Venezuela.

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

The SCRS Chairman presented the Executive Summaries of the three tropical tuna species: bigeye, yellowfin and skipjack. An assessment was carried out on Atlantic yellowfin and eastern and western Atlantic skipjack in 2008.

The SCRS Chairman noted that this was a good year for the Committee's investigations relative to tropical tunas. The evaluation of yellowfin and skipjack tunas in both the East and West Atlantic fisheries characterizes the status of the stocks as consistent with the objectives of the Convention.

Overall, the 2007 assessment for bigeye shows that fishing mortality levels are below F_{MSY} and that the biomass is below the level that would support MSY, although there is considerable uncertainty in the models. The forecast is positive for this stock.

Following the presentation of the reports, various Parties noted that, in general, the tropical tuna stocks are in good condition but that there should be further analysis given the difficulties inherent in managing the mix of fisheries.

Specifically, Parties expressed concern about the possible continuation of illegal, unregulated and unreported (IUU) fishing and the possibility of laundering the catches. In response to an inquiry regarding the efficacy of the transshipment observer program, the SCRS Chairman indicated that the SCRS does not have access to sufficient

data to make an evaluation. The SCRS Chairman indicated that should they be provided access to such data a more detailed assessment could be conducted.

Another matter of concern raised by Panel 1 members was the high proportion of juveniles in the bigeye catches of some surface fleets and the consequent impacts on the maximum yield of the stock. Several Parties called for revisiting the utility of time and area closures specifically in areas of juveniles and supported reimplementation of the 1999 FAD fishing moratorium in the Gulf of Guinea. Many CPCs have a prevailing interest in ensuring the health of the Atlantic bigeye and yellowfin tuna fisheries which support significant domestic commercial and recreational fishing interests, as well as related industries.

The SCRS Chairman observed that a decline in the catches of juveniles could increase the biomass of adult fish, and that the establishment of larger and longer closed areas would reduce the catch of juveniles.

The SCRS Chairman also noted that a complicating factor in assessing impacts and managing fishing activity was the lack of equivalence of the effects of fishing (catchability) for skipjack and bigeye.

The Parties expressed continuing concern regarding the presence of a large number of vessels measuring slightly less than 24 m and reiterated calls that these be regulated.

A statement submitted by the United States to Panel 1 is attached as **Appendix 2 to ANNEX 9**.

6. Measures for the conservation of stocks and implementation of the ICCAT Criteria for the Allocation of Fishing Possibilities

Several Parties raised the need for prudent precautionary management in the face of the uncertainties expressed in order to maintain or rebuild stocks in conformance with the convention and discussed the need to revisit and perhaps expand time and area closures to be more effective, especially in light of data showing an increase in taking of juvenile bigeye and yellowfin, and look to other, supplemental measures based on science.

The Parties tabled a reference document on a “Supplemental Recommendation by ICCAT to Amend the Multi-year Conservation and Management Program for Bigeye Tuna”. This responds to the conclusion by SCRS that the Gulf of Guinea time and area closure adopted in the 2004 *Recommendation by ICCAT on a Multi-Year Conservation and Management Plan for Bigeye Tuna* [Rec. 04-01] are less effective at protecting juvenile bigeye and yellowfin tunas (<3.2 kg) than the previous closure specified in the 1999 *Recommendation by ICCAT on the Establishment of a Closed Area/Season for the Use of Fish-Aggregating Devices (FADs)* [Rec. 99-01].

Taking into account the expiration of the terms of [Rec. 04-01] and the concerns regarding catches of small fish, and other issues, the Parties adopted a recommendation to amend the on-going multi-annual management plan [Rec. 04-01]. First, the *Recommendation by ICCAT to Amend the Recommendation by ICCAT on a Multi-year Conservation and Management Plan for Bigeye Tuna* (see **ANNEX 5 [Rec. 08-02]**) extended the terms of [Rec. 04-01] to the end of 2009. Second, it specified that underage/overage provisions apply to annual catch limits, and specified the adjustment years. Third, the recommendation authorizes the transfer of 2,000 t of bigeye tuna catch limit from Japan to China, to be applied to 2009. Lastly, the recommendation requests the SCRS to evaluate, on the one hand, the existing port sampling programs for bigeye, yellowfin and skipjack tunas caught by the purse seine and baitboat fisheries in the Gulf of Guinea and, on the other, the closure foreseen in the above-mentioned reference and others in order to develop the appropriate recommendations.

7. Research

The Chairman of the SCRS presented the main research items envisaged by the Committee on the stocks. The SCRS recommended large-scale conventional tagging experiments on tropical and temperate tunas, as this will provide important results in terms of estimates of population size and mortality rates for these species.

The Delegate of the United States, noting the SCRS concerns expressed by another RFMO regarding the methodology used to estimate species composition from some purse seine fisheries, supported the implementation of the SCRS recommendation aimed at an analysis of the multi-species landings of tropical purse seiners carried out by an ad hoc working group with tuna scientists from different RFMOs.

8. Other matters

No other matters were raised for discussion.

9. Adoption of the report and adjournment

The 2008 Meeting of Panel 1 was adjourned.

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-France).

2. Adoption of Agenda

The Agenda was adopted and is attached as **Appendix 1 to ANNEX 9**.

3. Appointment of Rapporteur

Mr. Marc LeCouffe (Canada) was designated Rapporteur of Panel 2.

4. Review of Panel 2 membership

Albania requested membership to the Panel and this request was accepted. Thus, Panel 2 is currently comprised of the following 23 members and all of these attended all or part of the discussions: Albania, Algeria, Belize, Brazil, Canada, China, Croatia, Egypt, European Community, France (St. Pierre and Miquelon), Iceland, Japan, Korea (Rep.), Libya, Mexico, Morocco, Norway, Panama, St. Vincent and the Grenadines, Syria, Tunisia, Turkey, and United States of America.

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

Dr. Gerald Scott, Chairman of the SCRS, presented the Executive Summaries on the stock of north albacore stock and the East Atlantic, West Atlantic and Mediterranean bluefin tuna stocks, with particular emphasis on the bluefin tuna stocks, since an assessment was carried out in 2008.

These Summaries can be consulted in Sections 8.4 and 8.5 of the 2008 Report of the Standing Committee on Research and Statistics (SCRS).

5.1 Albacore (North and Mediterranean)

There were few changes with respect to 2007, when a formal assessment was conducted on northern albacore component. Moreover, there has never been an assessment carried out for the Mediterranean component. As in 2007, a TAC of 30,000 t was recommended for the north component which would permit a recovery of the north stock. There are considerable data on the north stock whereas there is very little information available for the Mediterranean. Although the SCRS considers two separate stocks for management purposes, the possibility of a unique stock is not ruled out. An assessment of this stock is envisaged in 2009.

5.2 Bluefin tuna (East Atlantic and Mediterranean)

Considerable additional information is needed in order to assess the effectiveness of the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05]. Data collection is considerably incomplete, particularly since the start of farming activities, and the quality of recent data raises some doubts. Furthermore, considerable time is needed to assess all the data. Despite the deadline established for the submission of fisheries data, only data corresponding to 15% of the landings were reported in time for the assessment. Therefore, alternative methods were needed, such as using trade data and data on fishing capacity, to estimate the level of recent landings. While these methods show consistency among them, it is impossible to assess their accuracy.

Nevertheless, some positive aspects are noted. New historical data have been received and could be incorporated in the models. More in-depth search of the available data could result in an increase in the information that can be used.

There is a need for more detailed data from fishers on the time searching for tuna, on changes in fishing areas, and on the communications among the fishing participants. A source of information independent of fishing is also recommended, specifically, the use of tail tags for data collection. Unfortunately, for some years now, data on fishing seems to be decreasing.

Projections on the state of the stock were conducted for 72 different scenarios. Only a small part of these scenarios show some possibility of achieving the objectives of the Commission. Three alternatives were studied in detail, and the results show that changes are needed as regards the management of fishing. The SCRS recommends management based on $F_{0.1}$ or on F_{MAX} which would indicate catch levels in the short-term of 8,500 t and 15,000 t, respectively.

Substantial reductions in fishing mortality and catches should be implemented. The closure of the fishery during the spawning season and a reduction in the fishing mortality of small fish, by the strict enforcement of increases in the minimum size, should thus result in catches of about 15,000 t, combined with seasonal closures of spawning areas. It is noted that, according to the SCRS, the implementation of such a recovery plan would have to be perfect in order to attain these objectives.

In 2007, based on available data, the SCRS assumed that large bluefin tuna held for several months for fattening gain on average 25% of their weight at capture. Using new information of length at harvest and the ICCAT length-weight relationship the Committee assumed a new average gain in weight of 14.5%.

Following his presentation, the SCRS Chairman then responded to some questions posed by delegates regarding the recommendations and the data and methods used in the assessment.

Statements were submitted to Panel 2 in writing from the following Contracting Parties: St. Vincent and the Grenadines, Syria, United States, and Vanuatu and these are attached as **Appendices 3, 4, 5 and 6 to ANNEX 9**, respectively.

A joint statement in writing by the Observers from Greenpeace/WWF, a letter from IUCN, and a written statement by the Observer of Medisamak were also submitted to Panel 2 and these are attached as **Appendices 7, 8 and 9 to ANNEX 9**, respectively.

5.3 Bluefin tuna (West Atlantic)

The *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program* [Rec. 06-06] was expected to result in the recovery of this stock, in accordance with the objectives of the Commission. The stock assessment carried out in 2008, however, included some new analysis indicated that the TAC level adopted in 2006 may be too high to allow for the recovery of the stock in the rebuilding timeframe with sufficient assurance.

The SCRS noted that there is more and more evidence indicating that the productivity of western Atlantic bluefin tuna and its fishery are linked to the bluefin tuna stock in the eastern Atlantic and Mediterranean.

Several questions were asked of the SCRS Chairman concerning, among others, the mixing of the eastern and western stocks, and the possible reasons why the stock is not increasing as it should. Canada also raised the question of the potential impact of a decrease in the mortality of juvenile tunas.

The SCRS Chairman responded to these questions indicating that the state of the eastern stock would certainly have an impact on the recovery of the western stock. A reduction in the mortality of juvenile tunas would also have a positive impact, but this could take up to eight years before showing any noticeable effect.

6. Measures for the conservation of stocks and implementation of ICCAT Criteria for the Allocation of Fishing Possibilities

The delegations around the table then expressed their views on measures that could be implemented to achieve the objectives of the Commission.

6.1 Northern and Mediterranean albacore

There was no discussion regarding management measures. Therefore, the management plan adopted in 2007, which is in effect for a period of two years (2008 and 2009), remains unchanged.

6.2 East Atlantic and Mediterranean bluefin tuna

Various proposed recommendations to amend *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], were presented and discussed. The European Community proposed advancing by one year the reduction in TAC foreseen for 2010, associating this reduction to stricter control measures, a limit on capacity, as well as an extended closure for large purse seiners. According to the EC, considerable time is needed to see the effects of Rec. 06-05. This proposal was supported by some CPCs.

The Delegate of Morocco, together with the Arab nations and other countries that have made an effort to comply with the control measures, went even further in proposing specific control measures.

The Delegate of the United States put forward a proposal to extend the closure for purse seiners to three months. This proposal was supported by several CPCs.

The Delegate of Japan presented a proposal jointly with several CPCs to follow the advice of the SCRS and reduce the TAC to 15,000 t for 2009 and 2010. According to the Delegate of Japan, if the stock does not show any improvement in 2010, CITES could take charge of this matter, which could result in closing the Japanese bluefin tuna market.

The members of the Panel then commented on the different proposals that were submitted. Some members were concerned about transshipment and the gaps in the controls associated with them. Some problems concerning capacity were raised, as well as the need to maintain the sovereignty of the member States as regards to internal policies concerning fishing.

The Delegate of the United States submitted three additional proposals to limit capacity, improve the observer program, and impose tag requirements. These proposals were welcomed by many CPCs. However, some reservations were expressed on the possibility of the use of tags in the tuna farms.

The Chairman recommended that a drafting group be set up to consolidate the texts of the various proposals, which would probably contribute towards reaching a consensus for the final proposal.

A final text was prepared by the drafting group and presented by the European Community. This text takes into account the concerns expressed by various CPCs regarding the original text. Several provisions on improving controls on fishing were presented: closed season from June 15 to April 15 for purse seiners, with a possible extension of a maximum of five days in case of bad weather, methods to address over-capacity, for fishing fleets as well as for tuna farms, the prohibiting of at-sea transshipment, improvement of the observer system. A suggestion was made to request the SCRS to provide indications on the possible establishment of sanctuaries in the Mediterranean Sea. Finally, the TAC would be reduced to 22,000 t in 2009 and 19,950 t in 2010.

The Delegate of Libya expressed disappointment that the SCRS recommendations were not respected.

The Delegate of Japan requested amending the proposal such that the CPCs participating in this fishery and who voluntarily reduce their catch levels in 2009 and 2010 can transfer the amount of the reduction to 2011. This proposal was supported by the Panel members.

The Delegate of the United States reiterated that the United States recommended following the SCRS recommendations, and expressed disappointment. The Delegate of the United States also requested that the proposal be amended to better reflect the recommendation on observers. The text was amended to better contemplate this recommendation and the United States indicated that it would not block consensus.

The Delegate of Canada indicated that the new control measures are a step in the right direction, but expressed his country's disappointment that the SCRS recommendations on TAC had not been respected. However, the Delegate of Canada indicated it would not block consensus.

The Delegate of Turkey asked that the Commission be flexible as regards to the allocation of individual quotas, as Turkey's national legislation currently does not permit quotas for individual vessels. This is also the case for the ICCAT Observer Program that will probably also require an amendment of legislation. Finally, the Delegate of Turkey requested that Turkey's objection expressed in 2006 to the allocation scheme for 2007-2010 be maintained [see Annex 4 to **Rec. 08-05**]

The Delegates of Brazil, Mexico, Norway, Belize and South Africa also expressed their disappointment that the TAC level and the closed periods do not follow the recommendations made by the SCRS, but they indicated they would not vote against the proposal in order to reach a consensus. Further, the Delegate of Belize indicated it will not take part in this fishery, that is, at the market or transport level.

The Delegate of Korea indicated his country's disappointment with the quota that has been allocated to Korea, given the repeated reductions of previous years, and expressed that Korea will transmit an official letter to the ICCAT Secretariat.

Following the proposed amendments, the *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* was adopted by the Panel and forwarded to the Plenary where it was adopted by consensus (see **ANNEX 5, [Rec. 08-05]**). The other proposals were withdrawn. The proposal regarding the tail tagging of tunas caught was not discussed and thus was not adopted.

6.3 Bluefin tuna (West Atlantic)

The Delegate of Canada presented a proposal to amend Recommendation 06-06. In summary, this proposal, which was supported by the United States, Mexico and Japan, was aimed at reducing the TAC for the west to levels below those recommended by the SCRS in 2006, i.e. 1,900 t for 2009 and 1,800 t for 2010. This decrease in TAC would be accompanied by changes in the rules for carrying over uncaught quotas, thereby allowing a better distribution of fishing in areas where large tunas are found. This proposal also indicated that the table on the allocation scheme would be reviewed in 2010 for the 2011 fishing season, based on the ICCAT regulations.

Some questions were raised regarding the size at maturity, and the catch limits of fish below minimum size, as well as the carryover of uncaught quotas and their impact on potential catches. The Delegate of the European Community expressed concerns on a minimum size smaller than the size at maturity, but was confident that the participants in this fishery would be managed adequately. The Delegates of the United States and Canada indicated that, for several years, the established TAC has not been caught, and that in spite of the possibility of carrying over the uncaught quota, it is unlikely that catches will attain the TAC level proposed. The Delegate of the United States calculated that even if every gram of uncaught quota is carried over, the total that could be fished in a year would amount to 2,400 t, a level that corresponds to the scientific advice to attain a 50% probability of reaching the objective of stock recovery before 2018.

A specific question was also asked of the SCRS Chairman about the level of confidence in the assessment of the western stock was higher than that of the eastern stock assessment. The SCRS Chairman responded that with the catch and effort data submitted by the participants in the western fishery, the level of confidence is in fact higher. The uncertainty mainly comes from new biological information that has been received recently by the SCRS, and this uncertainty cannot yet be quantified.

Following the discussions and an amendment by the Delegate of Canada that would permit CPCs that have a quota of 4 t the possibility of transferring their total quota, the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin tuna Rebuilding Program* was adopted by consensus by the Panel and forwarded to the Plenary for final approval (see **ANNEX 5 [Rec. 08-04]**).

7. Research

The SCRS Chairman presented the "Report on Bluefin Tuna Research Priorities and Potential Costs" to the Standing Committee on Finance and Administration (STACFAD).

The Delegate of the United States then presented a draft resolution recommending that CPCs with a bluefin tuna quota should consider the possibility of making 50 t of this quota available for scientific research on otoliths and micro-constituents. Some questions were discussed on the use of this amount of quota only for the collection of

otoliths. The resolution was amended such that CPCs with a bluefin tuna quota might consider making a portion of their quota available for scientific research.

Following the discussions, the *Resolution by ICCAT Concerning Atlantic Bluefin Tuna Scientific Research on Stock Origin and Mixing* was adopted by consensus and forwarded to the Plenary for final adoption [see **ANNEX 6 [Res. 08-06]**]. Further, the “SCRS Chair’s Report on Bluefin Tuna Research Priorities and Potential Costs” was supported by Panel 2 (attached herewith as **Appendix 10 to ANNEX 9**).

8. Review of the Report on the Managers and Stakeholders of Atlantic Bluefin Tuna Fishing and Review of the possible future actions required

The Delegate of Japan gave a summary of the Meeting of Managers and Stakeholders in Atlantic Bluefin tuna held in Tokyo in 2008. He noted that the discussions focused on the need to collect information on each link of the chain, problems regarding capacity and the need to adjust the capacity to fishing possibilities. These discussions and the resulting recommendations which followed are contained in the Report which is included as **ANNEX 4.2**.

9. Other matters

No other matters were discussed.

10. Adoption of the Report and adjournment

The 2008 Meeting of Panel 2 was adjourned.

The Report of Panel 2 was adopted by correspondence.

REPORT OF THE MEETING OF PANEL 3

1. Opening of the meeting

The Executive Secretary, Mr. Driss Meski, opened the session of Panel 3 and introduced the current Chairman, Mr. Mario Aguilar (Mexico).

2. Adoption of Agenda

Mr. Aguilar took the floor to inform on and request the adoption of the Panel Agenda. As there were no comments, the Agenda was adopted by the Panel members (attached as **Appendix 1 to ANNEX 9**).

3. Appointment of Rapporteur

Mr. Miguel Angel Blasco (EC-Spain) was named Rapporteur of this Panel.

4. Review of Panel 3 membership

The Chairman requested the Executive Secretary to list the Contracting Parties that are members of this Panel, these are as follows: Belize, Brazil, European Community, Japan, Mexico, Namibia, South Africa, Turkey and United States of America.

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

Recalling that for southern albacore stocks, the *Recommendation by ICCAT on the Southern Albacore Catch Limits for 2008, 2009, 2010 and 2011* [Rec. 07-03] establishes catch limits for 2008, 2009, 2010 and 2011, the Chairman requested, Dr. Scott, SCRS Chairman to review the current status of the stocks under this Panel, in accordance with the last meeting of the SCRS held in October 2008.

Dr. Scott reviewed the current state of the stocks covered by this Panel, based on the last meeting of the SCRS held in October, 2008.

5.1 South Atlantic albacore

The last assessment was conducted in 2007.

South Atlantic albacore is a stock caught by surface longline and baitboat fleets in its area of influence.

The current state of this stock indicates current biomass values above the biomass that produces maximum sustainable yield, and current fishing mortality values below that which produces maximum sustainable yield (MSY).

The catches in 2007 amounted to 20,000 t, with a Total Allowable Catch (TAC) of 29,000 t. The MSY is at 33,000 t for which, in view of the catch values, the stock is in a good state.

5.2 Southern bluefin tuna

Dr. Scott indicated that this is a stock for which ICCAT has practically no data (only some catch data). The current state of this stock is not assessed by SCRS. For this reason, he pointed out that the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), as the organization responsible for this species, should be referred to for more information.

Following Dr. Scott's presentation, the floor was open for discussion, but no comments were made.

6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*

There were no comments on this Agenda item.

7. Research

Dr. Scott pointed out the importance of carrying out tagging on South Atlantic albacore, although such tagging is very costly.

There were no comments from the Contracting Parties.

8. Other matters

No other matters were discussed by the Panel.

9. Adoption of the report and adjournment

The 2008 Meeting of Panel 3 was adjourned.

The Report of Panel 3 was adopted by correspondence.

OF THE MEETING OF PANEL 4

1. Opening of the meeting

The meeting was opened by the Chairman of Panel 4, Mr. Masanori Miyahara (Japan).

2. Adoption of Agenda

The Agenda was adopted without change (attached as **Appendix 1 to ANNEX 9**).

3. Appointment of the Rapporteur

Mr. Ray Walsh (Canada) was appointed as the Rapporteur for Panel 4.

4. Review of Panel Membership

Nigeria has joined the Panel membership.

Mr. Driss Meski, Executive Secretary, presented the list of members of Panel 4: Algeria, Angola, Belize, Brazil, Canada, China (People's Rep.), Côte d'Ivoire, Equatorial Guinea, European Community, France (St. Pierre & Miquelon), Gabon, Japan, Korea (Rep.), Mexico, Morocco, Namibia, Nigeria, Sao Tome & Principe, Senegal, South Africa, St. Vincent and the Grenadines, Trinidad and Tobago, Tunisia, Turkey, United States of America, Uruguay, Venezuela.

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

5.1 Sharks

An updated assessment for Atlantic blue and shortfin mako sharks was conducted in 2008. Although both the quantity and quality of the data available to conduct stock assessments have improved they are still quite uninformative and do not provide a consistent signal.

Ecological Risk Assessments were also conducted for priority shark species and these indicate that most Atlantic pelagic sharks have exceptionally limited productivity and can therefore be overfished even at low harvest levels.

For both North and South Atlantic blue shark, the current biomass is estimated to be above that which would support MSY and current harvest levels are below F_{MSY} . However, these results are highly uncertain being conditional on a number of assumptions made by the SCRS. Evaluation of the sensitivity of results to these assumptions was not possible during the assessment.

Estimates of stock status for the North Atlantic shortfin mako obtained with the different types of models were highly variable. Recognizing this variability, the SCRS indicated that there is a non-negligible probability that the North Atlantic shortfin mako stock could be below the biomass that could support MSY. The SCRS was unable to draw any conclusions about the status of the Southern stock.

The SCRS Chair noted that a Canadian assessment of the northwest Atlantic stock of porbeagle indicated that the stock had been depleted to levels well below B_{MSY} and that rebuilding could require long recovery periods due to the level of depletion and the low intrinsic rate of growth of the stock. Similar assessments have not been conducted on other stocks due to data limitations. A joint ICCAT-ICES inter-sessional meeting is proposed in 2009 to advance in the in-depth assessment of porbeagle.

The SCRS recommended that management measures for shark should be species-specific whenever possible. Precautionary measures were recommended for stocks of greatest vulnerability and concern and could include minimum landings sizes and maximum landing length to afford protection to juveniles or the breeding stock. It

was further suggested that technical measures which could include gear modifications and/or area closures could be considered but should be tested through research projects before being implemented.

5.2 Mediterranean swordfish

An assessment of Mediterranean swordfish was conducted in 2007 and there have been some updates to this report in 2008. The SCRS view is that the stock is below the level which can support MSY and current fishing mortality exceeds F_{MSY} . The SCRS advised that fishing mortality and near-term catches would need to be reduced to move the stock toward biomass levels which could support MSY.

The SCRS Chair provided an evaluation of the one month fishery closure [Rec. 07-01] suggesting that it was unlikely to result in any detectable increases either in sustainable stock biomass or landing levels. The SCRS suggested that the ICCAT Convention objective could only be met with Mediterranean-wide closures in the last two quarters of the year (i.e. six months).

5.3 North and South Atlantic swordfish

Both North and South Atlantic swordfish were last assessed in 2006. A new assessment is currently scheduled for September 2009. No new information was presented in relation to the stocks for 2008.

5.4 Blue marlin and white marlin

Minimal new information on stock status has been provided since the 2006 assessment. While the abundance trend for blue marlin may be stabilizing and that for white marlin appears to be on an upward trend, it is estimated that recent biomass levels for both blue and white marlins remain well below the B_{MSY} estimated in the last assessments (2000 and 2002, respectively).

Historical reports of unclassified billfish remain an important issue in the estimation of historical removals from marlin stocks.

5.5 Sailfish

Sailfish were last assessed in 2001. There is little information available with respect to the stock status. An assessment is scheduled for 2009.

6. Measures for the conservation of stocks and implementation of the ICCAT *Criteria for the Allocation of Fishing Possibilities*

6.1 North and South Atlantic swordfish

The plan for South Atlantic swordfish runs through 2009. There was no discussion of revision to the current plan.

With an assessment scheduled for 2009, the Chair proposed in the “Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish” that the management plan for North Atlantic swordfish be also extended to 2009. Canada expressed caution in relation to the current practice of over-allocating the TAC in this fishery.

An amended proposal to extend the terms of Rec. 06-02 to 2009 and containing clarification of the management period as it related to Japan was tabled and adopted by the Panel. In adoption of this proposal, it was also confirmed that all the footnotes associated with the allocation table in Rec. 06-02 will stand in 2009.

Following the Panel’s adoption of the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish*, it was forwarded to the Plenary for final approval (see **ANNEX 5 [Rec. 08-02]**).

6.2 Mediterranean swordfish

As a measure to reduce juvenile Mediterranean swordfish catches, a proposal for a “Recommendation by ICCAT on Mediterranean Swordfish” to expand the seasonal closure that was tabled by the European Community. As part of this proposal, CPCs are to monitor the impact of this closure and ensure the continued provision of relevant science information to the SCRS.

There was some question of whether or not the recommendation applied to non-directed fisheries with several parties raising concern over the impact of the closure if broadly applied. After some discussion it was clarified that the recommendation would apply only to those ‘fishing for’ Mediterranean swordfish.

In response to questioning it was noted by the Chair of the SCRS that while the proposed recommendation was a step in the right direction further steps, specifically closures of longer duration, may be required in future years to achieve the Convention objective of biomass levels which could MSY.

The *Recommendation by ICCAT on Mediterranean Swordfish* was adopted by the Panel and forwarded to the Plenary for final adoption (see **ANNEX 5 [Rec. 08-03]**).

6.3 Sharks

Three separate proposals were tabled by Brazil, the “Draft Recommendation by ICCAT Concerning the Conservation of the Bigeye Thresher Shark, *Alopias superciliosus*, Caught in Association with Fisheries Managed by ICCAT”, and the European Community, the “Draft Recommendation by ICCAT on the Conservation of Thresher Sharks (*Alopias spp.*) and Hammerhead Sharks (*Sphyrna spp.*) Caught in Association with Fisheries Managed by ICCAT”, and the “Draft Recommendation by ICCAT for Blue Shark and Shortfin Mako Shark” with regard to the management of sharks in the ICCAT Convention area. Following Panel discussions, the Chair recommended that interested Parties work together to integrate these proposals and attempt to address issues raised by other members of the Panel.

The revised proposal for a *Recommendation by ICCAT on the Conservation of the Big Eye Thresher Sharks, (Alopias superciliosus), Caught in Association with Fisheries Managed by ICCAT* was not available prior to the conclusion of Panel 4 and the item was deferred to the Plenary for further discussion (see **ANNEX 5 [Rec. 08-07]**).

A proposal was also tabled by the European Community, the “Draft Resolution by ICCAT on Porbeagle Shark (*Lamna nasus*)”, which resolved that a joint ICCAT-ICES inter-sessional meeting be undertaken in 2009 to further assess porbeagle. Participation in the proposed assessment by additional RFMO scientific experts was seen to be beneficial. Following the assessment, a joint meeting of RFMOs is proposed to examine the possibility of adopting compatible management measures in 2009.

The *Resolution by ICCAT on Porbeagle Shark (Lamna nasus)*” was adopted by the Panel and forwarded to the Plenary for final approval (see **ANNEX 6 [Res. 08-08]**).

7. Research

Stock assessments on North and South Atlantic swordfish are scheduled for 2009.

In respect to shark, increased research and data collection are required to enable the SCRS to improve the advice it can offer. Scientific observer and logbook programs were identified as means to make available the needed scientific data. There was a brief discussion around the idea of instituting an ICCAT scientific observer program similar to those operated by other tuna RFMOs. Detailed costing of such a program is required before further consideration can be given.

The SCRS also requested that CPCs enhance their scientific delegations to include more experts in sharks.

A joint ICCAT-ICES stock assessment on porbeagle shark is scheduled to take place in 2009.

8. Other matters

No other matters were discussed.

Statements submitted by the United States, by the Observer from OCEANA, and a joint statement by the Observers from Ocean Conservancy, PEW Environment Group, and WWF are attached herewith as **Appendices 11, 12 and 13 to ANNEX 9**, respectively.

9. Adoption of the report and adjournment

The 2008 Meeting of Panel 4 was adjourned.

The Report of Panel 4 was adopted by correspondence.

Panel Agendas

Panel 1

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Other matters
9. Adoption of the report and adjournment

Panel 2

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Review of the Report of the MSAB meeting, and consideration of possible future actions required
9. Other matters
10. Adoption of the report and adjournment

Panel 3

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Other matters
9. Adoption of the report and adjournment

Panel 4

1. Opening of the meeting
2. Adoption of Agenda
3. Appointment of Rapporteur
4. Review of Panel membership
5. Report of the Standing Committee on Research and Statistics (SCRS)
6. Measures for the conservation of stocks and implementation of the *ICCAT Criteria for the Allocation of Fishing Possibilities*
7. Research
8. Other matters
9. Adoption of the report and adjournment

Appendix 2 to ANNEX 9**Statement by the United States to Panel 1**

The United States views the results of the 2007 assessment of Atlantic bigeye tuna and the 2008 assessment of Atlantic yellowfin tuna with a mixture of optimism and concern. The assessments indicate that overfishing is not occurring for either bigeye or yellowfin, and while the estimated biomass levels of both species are slightly below the Commission's management goal of maximum sustainable yield, it appears attainable if catches remain below 85,000 t.

Despite these encouraging signs, there are reasons for concern as we noted in 2007. It is evident that the reduced time - area closure in the Gulf of Guinea, as adopted in 2004, is ineffective at protecting juvenile tropical tunas. Levels of small juvenile bigeye tuna (<3.2 kg) caught in surface fisheries remain unacceptably high, standing at approximately 70 percent of catches in terms of numbers of fish, with an increasing trend. Such high catches of small juvenile fish risk significantly diminishing entire year classes, potentially leading to rapid declines in the stock in the near future. Furthermore, yield per recruit and maximum sustainable yield would increase substantially if these juvenile fish were allowed to grow before being caught. As a result, the United States continues to believe it is necessary to amend and expand the current time/area closure to improve protections for small juvenile bigeye tuna. Such improvements would likely also benefit small juvenile yellowfin tuna given the mixed species composition of this fishery. The Commission is witnessing first hand the problems associated with delaying appropriate management action in other fisheries. Simple and modest action now can help the Commission avoid inevitably more difficult and disruptive decisions in the future.

In addition, the United States recalls paragraph 6 in Recommendation 04-01 which requires review, and if necessary, revision of TAC and catch limits based on the 2007 assessment of bigeye tuna. Based on the 2007 assessment, the existing bigeye TAC of 90,000 t, and the SCRS recommendation that total catch of bigeye not exceed 85,000 t, the United States believes that action should be taken to bring management recommendations into conformity with SCRS advice.

It is the sincere hope of the United States that these issues, particularly the high proportion of catches of small juvenile bigeye and yellowfin, can be resolved in a timely manner to ensure the long-term sustainability of these stocks with a minimum of disruption to the fishery.

Appendix 3 to ANNEX 9**Statement by St. Vincent and the Grenadines to Panel 2**

St. Vincent and the Grenadines does not fish for bluefin tuna, but recognizes the urgency of the situation and the need for a timely resolution to avoid stock collapse. The commission is provided with clear recommendations from the scientific committee which is based on the best available scientific advice. The evidence which points to the mixing of the eastern and western bluefin tuna stocks is an indication that the sustainable management of each stock is inextricably linked to the other. Consideration must be given to the unpredictability of the nature and extent of an ecosystem regime shift, with possible knockdown effects on the sustainability of other tuna stocks that is likely to result from the collapse of these two stocks- especially the eastern stock that is much larger at this time. These issues are of concern to us and I believe to all Parties of this Commission.

We are fully cognizant of the economic considerations and the effect of declines in global food production, nevertheless, this commission must act responsibly when hard decisions are to be made to implement appropriate management measures. Our credibility as a competent management organization is at stake.

St. Vincent and the Grenadines therefore urges the parties concerned to reach agreement by consensus on a plan that ensures the implementation of the SCRS recommendations in the shortest possible time and in so doing guarantee the achievement of the Commission's objectives.

Appendix 4 to ANNEX 9

Statement by Syria to Panel 2

The Syrian Arab Republic was allocated a symbolic quota of bluefin tuna at the Inter-sessional Meeting of Panel 2 in Tokyo in 007. Having Observer status with no right to negotiate, Syria accepted this small quota with pleasure declaring that it did not satisfy Syrian expectations, and the Syrian acceptance should not restrict its future right in applying for an additional quota when it gains Panel 2 membership.

The Syrian Arab Republic has accepted the five-year recovery plan of bluefin tuna in the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] and has respected the ICCAT recommendations on the management of the resource and consequently has done its best to comply with ICCAT measures and management criteria throughout 2007 and 2008.

The Syrian policy for social and economic development in general and fisheries and aquaculture development, in particular, protects the artisanal fishery and encourages new marine fish farming projects, both of which are believed to form part of national food security.

Based on that information and in the course of the upcoming special meeting of Panel 2, the Syrian Arab Republic expects further support from ICCAT and ICCAT CPCs in the form of additional quota of some 200 t to meet the minimal needs for profitable catching and/or farming of bluefin tuna, especially as the licensing of a bluefin tuna fish farm is currently in its final stages.

It is hoped that the presently envisaged bluefin tuna TAC does not affect the current Syrian quota, which cannot economically afford any deduction being allocated to small production units that might not survive any further deduction.

Appendix 5 to ANNEX 9

Statement by the United States to Panel 2

ICCAT's most immediate and critical challenge in 2008 is once again the eastern Atlantic and Mediterranean bluefin fishery, which continues to be in danger of collapse. The SCRS assessment results paint an increasingly alarming picture of the poor state of the eastern Atlantic/Mediterranean bluefin stock. To maintain credibility on the world stage, ICCAT *must* adopt and enforce more conservative fishery management strategies than those used in the current Recovery Plan, to end overfishing and effect true recovery of the eastern bluefin stock. As we've all seen in the ICCAT Chairman's Letter to Head Delegates, all CPCs must embrace the science, or we risk the future of tuna management being taken out of our hands. For the East, this means, at the *very least*, adopting a substantially lower TAC and an expansion of the Mediterranean time/area closure to protect spawning bluefin.

Additionally, recent and ongoing scientific research studies are revealing critical information about stock migration and mixing and reinforce that the health of western Atlantic bluefin stock and fishery is linked to the health of the eastern Atlantic and Mediterranean stock. Effective management of the eastern stock is therefore essential to prevent not only an eastern collapse but also to ensure that measures taken in the West are not undermined.

Despite having set western Atlantic conservation measures in line with scientific advice, it is also clear that current fishing mortality is too high and spawning biomass too low to meet ICCAT's management objectives. As with the eastern Atlantic/Mediterranean stock, the United States fully supports actions that will end over-fishing and ensure rebuilding in the established timeframe, e.g., through selection of a western TAC with a *greater* than 50% probability of rebuilding by 2019.

The world is watching the bluefin crisis in the eastern Atlantic and Mediterranean with alarm and disbelief and is calling on ICCAT for immediate action. As the Performance Review highlighted, management of the eastern Atlantic and Mediterranean fishery is viewed as an "international disgrace," and this mismanagement reflects negatively on all tuna RFMOs.

It is unacceptable for this body to continue to adopt measures that do not comport with ICCAT's stock rebuilding objectives and to continue to allow egregious non-compliance by ICCAT members with the agreed conservation and management measures year after year. Each Contracting Party must take responsibility for stock rebuilding. Otherwise, efforts to list bluefin tuna in the CITES Appendices in 2010 will only be bolstered.

The Compliance Committee must deliberately and decisively address the non-compliance problems. The United States is hopeful that Panel 2 will take meaningful steps at this meeting to adopt catch levels and other management measures in line with scientific advice Atlantic-wide. We are committed to working with all Parties to address these critical conservation issues.

Appendix 6 to ANNEX 9

Statement by Vanuatu to Panel 2

The bluefin tuna, one of the most sought after species in the Mediterranean and the East Atlantic, which has never had any problems for centuries, is currently at the worse state ever recorded.

Regarding the Report of the SCRS, the conclusions are discouraging. It appears that the bluefin tuna catches of the Mediterranean and the East Atlantic have not been correctly reported showing a total disregard of the legal obligations of the CPCs. The SCRS' estimate of a catch of 61,000 t of eastern bluefin tuna in the 2007 fishing season is not acceptable.

It is obvious that our Organization has failed to fulfill its mandate and must take drastic measures to ensure the sustainability of this stock and a full transparency from CPCs.

Time and tuna are running out.

On the basis of the precautionary principle and given the critical situation this stock has reached, we believe that a temporary moratorium would be the best way to assure sustainability in the short term. Bluefin tuna fishing should then only be re-opened when fishing capacity has decreased to sustainable levels and when a new management plan in line with the scientific advice has been adopted and implemented.

The credibility of this Institution is at stake.

Appendix 7 to ANNEX 9

Joint Statement by the Observers of Greenpeace and WWF to Panel 2

WWF and Greenpeace want to welcome the work of those delegations that have put on the table proposals which are fully based on science and to those who have supported them.

The Performance Review carried out by the expert panel raised extremely serious issues that need to be addressed. We recall that the ICCAT Chairman tasked each panel with discussing those recommendations in the Performance Review which were of relevance for that panel. This has not happened at Panel 2, where the Review contained a number of very concrete recommendations, including a suspension of fishing, a review of Recommendation 06-05 to match the SCRS advice and the closure of spawning grounds.

We have listened attentively to the interventions around the table over the last few days and we have seen the proposals submitted. We are astonished by the way most CPCs involved in the fishery have refused to fulfill their responsibilities. We believe it is time to refresh everyone's mind of how the European Union's Commissioner for Fisheries, Joe Borg, summarized the EU's intentions before coming to Marrakech (I quote): "This year's ICCAT meeting really is make-or-break for the bluefin tuna fishery. The recovery plan is a step in the right direction, but scientists tell us it has not gone far enough. The status quo is no longer an option." He continues... "Above all, we need to see ICCAT become an organization which honors its own commitments in practice."

The *de facto* status quo proposal put on the table here by the European Community is clearly not following the spirit of the words of their own Commissioner.

ICCAT's work is not only to allocate fishing rights for tuna, but to make sure that those rights are accompanied by responsibilities, amongst them to sustainably exploit these resources. We need to recall here that the constituency of ICCAT is the global citizenship, not a handful of unscrupulous businessmen and civil servants.

Both WWF and Greenpeace have invested substantial resources, time and efforts to try not only to save bluefin tuna, but to save this Commission from its own collapse. If ICCAT fails to amend Recommendation 06-05 in a way that fully respects the SCRS advice, we will not be here next year to endorse with our presence what would be a real travesty of ICCAT's mandate. Both organizations understand that this would mean this Commission is not willing, or, even worse, unable to fulfill the tasks it has been charged with and we will look for other avenues to try to guarantee that bluefin tuna does not collapse due to mismanagement and widespread non-compliance.

We cannot accept any outcome which is not based on a full application of the SCRS advice. This means nothing short of a recovery plan including either a fully fledged moratorium or at the very minimum a TAC between 8,500 and 15,000 tones, and a seasonal closure covering the months of May, June and July.

Both organizations were in Dubrovnik in 2006. We heard all the promises made there: that this management plan was going to guarantee compliance, that illegal fishing was going to be dealt with, and that fishing capacity would be adjusted. Today we know that this plan was just a mockery to the public.

As the distinguished Japanese delegate has said, there is illegal overfishing, but there is also legal overfishing. The very survival of ICCAT depends upon an outcome of this meeting which ensures the complete eradication of both legal and illegal overfishing.

We will identify for the world those countries which would be responsible for the collapse of the bluefin and the destruction of ICCAT. They must be held responsible for that. We hope this will not be necessary.

Appendix 8 to ANNEX 9

Letter of 24 October 2008 from IUCN to ICCAT

Dear Mr. Meski,

I have the honor to write to you in relation to a Recommendation that was adopted at IUCN's Members' Assembly earlier this month in Barcelona.

This Recommendation was adopted by votes of both IUCN NGO and State members and according to the rules and procedures of IUCN.

The Recommendation is based on a background of considerations and data provided by international organizations, including the International Commission for the Conservation of Atlantic Tunas (ICCAT).

According to this Recommendation and in view of the dramatic ongoing over fishing of bluefin tuna, I would like to ask ICCAT to consider the following management measures at its next annual meeting in Marrakech:

- i) Establish a science-based recovery plan which contains and enables the implementation of measures in accordance with the recommendations of the Standing Committee on Research and Statistics (SCRS) in 2008, specifically, to drastically reduce the length of the open season, especially in the crucial months of May and June, and to adhere to the scientific advice on Total Allowable Catch (TAC), and to consider a mandatory fleet reduction scheme;
- ii) Immediately establish an interim suspension of the East Atlantic and Mediterranean bluefin tuna fishery;
- iii) Resume its fishing activities according to the following conditions:
 - a) Each flag State must adopt and implement a proper fishery plan in accordance with a science-based revised ICCAT population recovery plan;
 - b) Such State fishing plans must include an effort reduction scheme to adapt its fleet to its fishing possibilities, as well as means of monitoring, control and surveillance of activities, relating to, among others, fishing, farming, ports and markets to ensure effective control;

- c) Resumption of each flag State fishing activities would be subject to a timely review process to be developed and implemented under ICCAT.

According to this Recommendation, I also have the honor to ask ICCAT to set up protection zones for spawning grounds in the Mediterranean, including the waters within the Balearic Sea, central Mediterranean and Levant Sea, during the spawning season, as a first step towards the recovery of species, in accordance with all scientific information available to the Standing Committee on Research and Statistics.

I therefore request that you transmit the IUCN Members' Recommendation to the next ICCAT meeting (16th Special Meeting of the Commission) in Marrakech, Morocco, 17-24 November 2008.

I look forward to hearing about the progress made for the conservation of Atlantic bluefin tuna in the near future.

(Signed)
Julia Marton-Lefèvre
Director General

Appendix 9 to ANNEX 9

Statement by the Observer of Medisamak to Panel 2

Having declared its full commitment to the ICCAT Atlantic tuna fifteen year Recovery Plan adopted in Dubrovnik, Croatia in 2006, as expressed in ICCAT Document 005/2006 and subsequently in Doc. MSB-003/2008 and wherein the 2008 TAC for the eastern Atlantic and Mediterranean was set at 28,500 tons.

Having taken cognizance of the SCRS Report of October 2008 issued in Madrid, Spain, to be submitted to the ICCAT 16th Meeting to be held in Marrakech, Morocco, 17-24 November 2008 and wherein it is indicated that bluefin tuna catches in the East Atlantic and Mediterranean exceeded 60,000 tons.

Having taken note of ICCAT Circular 1995/08 dated 15 October 2008 wherein the reported catches by the CPCs for the 2008 season give clear indications of not exceeding 23,000 tons.

Not indifferent to the pertinent painful worldwide economic recession and the survival difficulties of their fishing sector,

We express our position on these issues as follows:

- 1) We augur that the SCRS findings were either based on erroneous data collection or unreliable sources. If such were not to be the case then we, made up of entities operating within the Recovery Plan parameters, are extremely alarmed at such massive IUU activity for two reasons:
 - a) Endangering the fish stock on whose sustainability the Medisamak members' industrial and economic investments depend entirely,
 - b) Such high IUU activity will surely lead to a crash in market price stability, an experience already suffered by the bluefin tuna industry in 2003 and this situation had propelled tow of the larger operators into bankruptcy.
- 2) We therefore declare our commitment to give our full support to the competent official authorities, NGOs or entity and the effort to pinpoint where or by whom such IUU activity is being practiced and to have such activity revealed and penalized as required by the pertinent regulations.
- 3) We have invested heavily in the industry and are responsible for the employment of tens of thousands of families of fishermen and other full time and part-time ancillary workers in the farming and transformation industry. It is not conducive to the healthy management of investments in an unstable economic environment if a 15 year recovery plan, as contemplated in the 05/2006 ICCAT document, were to be disturbed drastically very other year without serious and well documented justification.
- 4) We therefore exhort the ICCAT meeting and the CPCs to strengthen further the tools of research for SCRS and the controls on the field in order to ensure that any IUU activity is curbed.

- 5) Due to the fact that the ICCAT recommendations contemplated in the 05/2006 document came into force in the Mediterranean as from 1 July 2007, we consider essential a period of research and analysis within which the effects on the stock itself and other socio economic consequences can be evaluated. Moreover, we insist on the implementation of further systems to enhance control on the traceability of the product throughout the whole process from fishing to final storage.
- 6) We, after consultations with experts in the field, propose the introduction of the following effective conservation measures, namely, that the quotas be applied by way of units rather than kilos (it is after all the individual units that procreate the species not the kilos); the conversion factor would have to take into account the average weight per unit arrived at by dividing the total catches of the East Atlantic and Mediterranean for the period 2003-2008 by the number of reported units caught for the same period.
- 7) Joint fishing operations, since it has always been the practice for the bluefin tuna purse fishery to fish in groups of vessels because this is a multi-task fishery operation that involves the distribution of roles to different vessels of the group for a concerted effort leading towards a common result the benefit of which has to be shared among the members of the group.

This effort has developed into a tradition both at the national and transnational level.

So far, the ICCAT definitions and parameters regarding joint fishing operations have not been well defined. Therefore, this is a manner to be addressed immediately.

- 8) Sport and recreational fishing. Vessels practicing sport and recreational fishery of bluefin tuna should be listed and subject to the same controls as other vessels involved in the fishery. Such vessels should follow the season closures of the rest of the fishery; commercialization of the catch of such a fishery should be banned.
- 9) Use of planes for spotting. In view of the significant increase of minimum size of fish allowed to be caught resolved with Rec. 06-05 that imposes the need for selectively targeting schools in order to avoid catching undersized fish; in view of the increased operational cost faced by the fishery due to season and TAC restrictions, and increases in fuel costs; Since the use of planes and plane observations are allowed by other RFMOs and are used in other bluefin tuna fisheries very effectively, to assist in selectively targeting schools of fish according to fish size, and to reduce the cost of fishing operations. The purse seine fishery should be allowed to use planes and plane observation as an assisting tool in fishing operations; such planes should be listed and controlled by ICCAT.

Appendix 10 to ANNEX 9

SCRS Chair's Report on Bluefin Tuna Research Priorities and Potential Costs

In 2003, as an input to the Working Group established by the *Recommendation by ICCAT to Establish a Working Group to Develop Integrated and Coordinated Atlantic Bluefin Tuna Management Strategies* [Rec. 02-11], SCRS presented the Commission with a research plan to improve knowledge on bluefin, with a special focus on mixing and movement between the two stocks (ICCAT, 2004. Collect. Vol. Sci. Pap. ICCAT, 56(3): 987-1003). The various research elements are still pertinent today, although the costs are higher, considering inflation and the need for broad-scale conventional tagging and sampling programs to address these issues.

During this Commission meeting, the SCRS Chairman met with a few bluefin scientists and discussed some of the main priority items in light of the most recent SCRS advice, as well as their potential cost. These are presented below for potential consideration by the Commission. It is envisioned that such a program would last 5-6 years.

1. Coordinator. Priority: Highest

Cost/year:

160,000 E (includes salary, benefits and Secretariat overhead for data management)

50,000 E Travel

Total (Years 1, 2, 3, 4, 5, 6) ~ 1,260,000 E

Much of the work in different countries would be undertaken by National Scientists. But a coordinator is essential if a large-scale program is to be carried out. The Coordinator would need to start several months before the program does, and stay for one year after the program ends.

2. Large-scale Conventional Tagging. Priority: Highest

Cost/year:

Vessel Bay of Biscay: 700,000 E (includes crew and operating costs)

Vessel Mediterranean: 1,200,000 E (includes crew and operating costs)

Charter West: 500,000 E

Tags, Misc: 55,000 E

Total (Years 2, 3, 4) ~ 7,365,000 E

The aim would be to tag 10,000 fish in the eastern stock and 1,000 fish in the western stock, for each of three years. In the East, a baitboat would be chartered in the Bay of Biscay from June to August, and in the Mediterranean either a baitboat or a purse seine would be chartered from May to July. In the West, tagging would be done from rod-and-reel vessels. An important aspect of the tagging program is introducing methods to permit estimation of reporting rates across the different principal fisheries involved.

3. Biological sampling. Priority: Highest

Cost/year:

Analysis of samples (100 E per fish): 1,100,000 E

Sampler contracts and travel: 300,000 E (includes samplers in Japan and in factory vessels)

Misc: 50,000 E

Total (Years 2, 3, 4) ~ 4,350,000 E

The aim would be to collect tissue samples and otoliths as follows, per year: 1000 from Japanese markets, 1000 from western fisheries, 10000 from eastern and Mediterranean fisheries. This would involve samplers working with buyers in Japan, observers onboard fishing vessels in the various fisheries, samplers in Japanese factory ships, and other sampling. The otoliths would be used both for ageing fish and for determining stock origin from microconstituents. Genetic analyses would also be used for stock structure studies and potentially for genetic tagging through genotyping individuals.

4. Data Mining, Priority: Highest

Cost/year:

Data retrieval contracts: 200,000 E

Total (Years 1, 2, 3) ~ 600,000 E

There is an obvious and prior need to get complete and trustworthy catch and effort data from all the fisheries targeting bluefin tuna. Without such basic data, there is no way for getting trustworthy and precise stock assessment estimates. Although this information is primarily under the responsibility of the various national administrations, a European project could improve significantly basic fisheries data, through:

- A significant data mining to significantly improve the total catch, the catch composition, effort and the spatial distribution of the major fisheries operating in the East Atlantic and primarily in the Mediterranean Sea (which would imply access to information from farms, observers on board program and VMS data)
- Elaborate accurate CPUE indices for Mediterranean purse seine fleets

5. Operating modeling. Priority: High

Cost/year:

Modeling contracts = 200,000 E

Total (Years 4, 5, 6) ~ 600,000 E

The aim would be to invest in the development of methods to improve assessments that incorporate information on mixing and to simulation-test management procedures in the face of uncertainty about mixing.

6. Archival tagging. Priority: High

Cost/year:

Tags (50 in West, 100 in East) = 300,000 E

Satellite services = 10,000 E

Fish purchases = 100,000 E

Misc., Travel costs: 70,000 E

Total (Years 1, 2, 3, 4, 5) ~ 2,400,000 E

The aim would be to continue support for archival tagging in the east and the west, with 150 tags per year.

7. Larval survey in the Mediterranean. Priority: Medium

Cost/year:

3 trawling vessels for 1 month in 3 areas of Mediterranean = 600,000 E

Sorting, species ID, misc. = 50,000 E

Total (Years 2, 3) ~ 1,300,000 E

The aim would be to carry out larval surveys simultaneously in the western, eastern and central Mediterranean in order to better understand spawning distribution and potentially design a fishery-independent survey. Additionally, larvae genotyping would be used for genetic tagging studies.

8. Aerial surveys of schools. Priority: Medium

Cost/year:

3 Aircraft charters Mediterranean = 300,000 E

1 Aircraft charter western Atl. = 100,000 E

Total (Years 2, 3, 4) ~ 1,200,000 E

The aim would be to carry out transect surveys where schools can be sighted traditionally to support development of fishery-independent indices.

Summary of Costs (annual costs do not include inflation).

| <i>Priority</i> | <i>Element</i> | <i>Year 1</i> | <i>Year 2</i> | <i>Year 3</i> | <i>Year 4</i> | <i>Year 5</i> | <i>Year 6</i> | <i>Total</i> | <i>Subtotals</i> |
|-----------------|-------------------------|---------------|---------------|---------------|---------------|---------------|---------------|-------------------|-------------------|
| Highest | 1. Coordination | 210,000 | 210,000 | 210,000 | 210,000 | 210,000 | 210,000 | 1,260,000 | |
| Highest | 2. Conventional tagging | | 2,455,000 | 2,455,000 | 2,455,000 | | | 7,365,000 | |
| Highest | 3. Biological sampling | | 1,450,000 | 1,450,000 | 1,450,000 | | | 4,350,000 | |
| Highest | 4. Data mining | 200,000 | 200,000 | 200,000 | | | | 600,000 | 13,575,000 |
| High | 5. Modeling | | | | 200,000 | 200,000 | 200,000 | 600,000 | |
| High | 6. Archival tagging | 480,000 | 480,000 | 480,000 | 480,000 | 480,000 | | 2,400,000 | 3,000,000 |
| Medium | 7. Larval surveys | | 650,000 | 650,000 | | | | 1,300,000 | |
| Medium | 8. Aerial surveys | | 400,000 | 400,000 | 400,000 | | | <u>1,200,000</u> | 2,500,000 |
| | | | | | | | | 19,075,000 | |

Appendix 11 to ANNEX 9

Statement by the United States to Panel 4

In 2006, ICCAT adopted significant conservation and management measures for North and South Atlantic swordfish and marlin. ICCAT now needs to ensure that compliance with those measures, particularly compliance with reporting, quotas, observer coverage, and sampling requirements - meets scientific and management needs so that the difficult decisions now faced in other panels are not repeated here in the future. ICCAT's greatest success story –the rebuilding of North Atlantic swordfish three years ahead of schedule– should not be squandered. The sacrifices of U.S. fishermen contributed significantly to that success and all Parties are needed to ensure continued success.

For blue and white marlin, improved reliability of data is needed for the 2010 stock assessment and to move forward into Phase 2 of the rebuilding plan. The United States believes that ICCAT must resolve data deficiencies, including observer coverage. The United States calls on ICCAT to explore ways to reduce by-catch and improve survivability of released catch to further the objective of maintaining populations at levels that will support maximum sustainable yield, and also to pursue an ecosystem approach to fisheries management. Gear modifications, such as use of circle hooks, are viable methods that should be proactively explored given SCRS advice that the Commission should consider adoption of conservation and management actions for high priority by-catch species in advance of complete knowledge of the impact of ICCAT fisheries on these species.

With regard to sharks, the results of the 2008 SCRS stock and risk assessments were characterized by a high level of uncertainty due to data limitations. The United States notes the progress made at the 2007 annual meeting to further improve the submission of Task I and Task II data on by-catch and targeted fisheries for sharks, and to reduce fishing mortality in fisheries targeting porbeagle and shortfin mako sharks. However, the United States continues to be concerned by the lack of improvement in the quantity and quality of shark data submitted to the Secretariat. Given the overfishing susceptibility of many pelagic shark species, the lack of international safeguards for these species, the increasing international attention, and that Parties have already agreed to improve data reporting, it is time for Parties to follow through on their responsibilities.

Appendix 12 to ANNEX 9

Statement by the Observer of Oceana to Panel 4

Most of the large pelagic species like tuna, sharks and swordfish are overfished in the Atlantic Ocean and Mediterranean Sea, due to the extremely high prices their meat or fins can reach in most of world's markets.

Bluefin tuna is on the verge of collapse due to overfishing, mismanagement and illegal fishing. Sharks are extremely vulnerable because of slow growth and low reproduction and they have been fished in the Atlantic without any management for decades. The situation repeats itself with swordfish in the Mediterranean, where the situation can be once again summarized with overexploitation, lack of management measures, a total absence of control and catch declarations, and high rates of illegal fishing.

Oceana calls on the International Commission for the Conservation of Atlantic Tunas (ICCAT) Contracting Parties, non-Contracting Parties, and collaborating Parties to urgently adopt effective management measures to restore and maintain the populations of tuna, swordfish and sharks at levels that will ensure a sustainable exploitation of these fisheries resources.

The global oceans have already lost more than a 90% of large predatory fish¹. Time is running out for great pelagic species.

Draft Recommendations

Pelagic sharks

Sharks are extremely vulnerable highly migratory fish species, and many species have been fished in the Atlantic without management for decades. Traditionally, sharks were considered as by-catch in fisheries for highly

¹R. Myers & Worm, (2003). Rapid worldwide depletion of predatory fish communities. Nature. Vol. 423, 280-283 pp. May 15, 2003. 280-283 pp. May 15, 2003.

migratory species like tuna and swordfish. As those stocks have decreased and the value of certain shark products has increased, this situation has changed. Pelagic sharks are now the targeted species of the Spanish and Portuguese surface longline fleets, among other non-EU fleets like Chinese Taipei and Japan. They are caught primarily for their valuable fins that are sold to Asia for elaboration of the popular shark fin soup.

The main species taken by shark longliners in the Atlantic are blue shark (*Prionace glauca*) and shortfin mako shark (*Isurus oxyrinchus*), and to a lesser extent thresher shark (*Alopias* spp.) and hammerhead sharks (*Sphyrna* spp.). Main shark fishing nations in the Atlantic are Spain, Argentina, France, Portugal and Brazil.

In 2008, ICCAT scientists carried out stock assessments for blue sharks and mako sharks in the Atlantic. The outcomes showed uncertainty for the state of blue and mako shark stocks, mainly due to data deficiencies as Contracting Parties reporting on ICCAT shark fisheries is poor. Ecological Risk Assessments² showed high risk for depletion for several shark species caught in ICCAT waters.

Oceana calls for:

- A prohibition of all targeted fisheries in the Atlantic for vulnerable and endangered pelagic species, including thresher sharks, hammerhead sharks and requiem sharks.
- The establishment of catch limits/quotas for blue sharks and shortfin mako sharks in the Atlantic by freezing the catches of blue sharks at the current level and by reducing shortfin mako shark catches at a limit that is safely within Maximum Sustainable Yield (MSY).
- The prohibition of the practice of transshipment and landing shark fins and carcasses at separate harbors.
- The establishment of a “fins attached” policy for sharks in the Atlantic Ocean. Contracting Parties shall require their vessels not to remove shark fins on board but leave the fins attached to the shark bodies until landed.
- The establishment of a list of vessels catching sharks in the Atlantic, including all vessels less than 24 meters.

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The full Oceana Recommendations on sharks, bluefin tuna and swordfish for the ICCAT Commission meeting November 2008 can be found at:

http://www.oceana.org/fileadmin/oceana/uploads/europe/downloads/OCEANA_ICCAT_POSITION_PAPER_2008.pdf

Oceana campaigns to protect and restore the world’s oceans. Our teams of marine scientists, economists, lawyers and advocates win specific and concrete policy changes to reduce pollution and to prevent the irreversible collapse of fish populations, marine mammals and other sea life. Global in scope and dedicated to conservation, Oceana has campaigners based in North America (Washington, DC; Juneau, AK; Los Angeles, CA), Europe (Madrid, Spain; Brussels, Belgium) and South America (Santiago, Chile). More than 300,000 members and e-activists in over 150 countries have already joined Oceana. For more information, please visit www.Oceana.org.

² Anon. 2009. Report of the 2008 Shark Stock Assessments Meeting (Madrid, Spain, September 1-5, 2008). Collect. Vol. Sci. Pap. ICCAT, 64. (In press).

**Joint Statement by the Observers of Ocean Conservancy,
Pew Environment Group, and WWF to Panel 4**

Ocean Conservancy, Pew Environment Group and the World Wide Fund for Nature appreciate the interest expressed by Parties to the International Commission for the Conservation of Atlantic Tunas (ICCAT) in improving the condition of Atlantic sharks and related catch statistics.

Specifically, we strongly support the proposals from Brazil and the European Community (EC) to protect and improve catch data regarding particularly vulnerable and/or depleted Atlantic shark species. We are hopeful that Parties will work together to merge these proposals with final text to prohibit not just the landing but also the retention and transshipment of all thresher and hammerhead species (Families Alopiidae and Sphyrnidae).

We also strongly support the EC proposal to establish catch limits for blue sharks (*Prionace glauca*) and shortfin makos (*Isurus oxyrinchus*). We stress the importance of ensuring that catch levels mandated in the final text are in line with the commitment in the 2007 binding ICCAT Recommendation to reduce fishing mortality on shortfin makos in the North Atlantic. Given the intense fishing pressure on blue sharks in the face of uncertain status, we urge Parties to agree effort and fishing limits that do not allow for catches of this species to increase.

Regarding the Draft EC Resolution on porbeagle shark (*Lamna nasus*), we are supportive of a special meeting of scientists associated with ICCAT, the International Council for Exploration of the Sea (ICES) and other Regional Fishery Management Organizations (RFMO), particularly the Northwest Fisheries Organization (NAFO), to further assess porbeagle population status in 2009, as well as the proposed joint meeting of representatives of relevant RFMOs to consider 2009 management measures for porbeagle based on the assessment. In addition, we urge Parties to agree an interim prohibition on retention of porbeagle, at least for the North Atlantic, based on the following factors:

- ICES has advised a prohibition on porbeagle landings from the Northeast Atlantic based on marked population decline and inherent biological vulnerability;
- The NAFO Scientific Council in 2008 expressed “considerable concern” over increased porbeagle catches from a “new longline fishery” in Northwest Atlantic international waters that, when added in Canadian landings, are projected to lead to population “crash”;
- Accordingly, NAFO recognized the need for management measures to conserve Northwest Atlantic porbeagle, has urged ICCAT “to take the necessary conservation measures to protect this vulnerable stock” and has requested that the issue be considered at this year’s annual meeting;
- Delaying international measures for another year stands to extend already lengthy rebuilding periods for North Atlantic porbeagle and leaves these populations at risk for irreparable harm.

Because most sharks grow particularly slowly, mature late, and produce a small number of young, they are generally more susceptible to overexploitation and long-standing depletion than other fish species taken in ICCAT fisheries.

We remain hopeful that ICCAT will this year become the first RFMO in the world to adopt concrete restrictions on the catch of sharks, an essential first step toward improving the conservation status of these vulnerable and under-protected species.

**REPORT OF THE MEETING OF THE CONSERVATION AND
MANAGEMENT MEASURES COMPLIANCE COMMITTEE (COC)**

1. Opening of the Meeting

The Conservation and Management Measures Compliance Committee met during the 16th Special Meeting of the Commission (Marrakech, Morocco), under the chairmanship of Dr. Christopher Rogers (United States).

2. Appointment of Rapporteur

Ms. Delphine Leguerrier Sauboua Suraud (European Community) was designated Rapporteur of the Compliance Committee.

3. Adoption of the Agenda

The Chairman presented the documents to be discussed under each Agenda item. The review of “Japan’s Proposal to Amend the Recommendation by ICCAT on an ICCAT Bluefin Catch Documentation Program (07-10)” was referred to the PWG.

The Agenda was adopted without changes and is attached as **Appendix 1 to ANNEX 10**.

4. Review of implementation of and compliance with the ICCAT requirements

Matters related to methodology

The Chairman presented the “Chairman’s Opening Statement to the Compliance Committee” (attached as **Appendix 2 to ANNEX 10**) and proposed a work method based on developing a table to record the compliance issues examined for each CPC and the responses given to the committee. The table would be based on the model used by the PWG.

Some delegations supported this approach, and pointed out the importance of ensuring compliance that is coherent for all the parties. It was also stressed that the process should be transparent, fair and exhaustive.

Following discussion, it was decided that, in order to ensure transparency of the process, the tables should be reviewed at the meeting, which was done.

The Delegate of Brazil recalled that the compliance problems identified in previous years have not resulted in improvements. Although some CPCs have taken the floor to explain the deficiencies found, other CPCs have not. In either case, the Committee has not taken any action to correct the situation. Therefore, the Delegate of Brazil proposed that the tables be reviewed CPC by CPC, and this was supported by various delegations. Some of these delegations pointed out that the procedure would be time consuming, but that it was necessary. Some CPCs did not wish to carry out this exhaustive review and the Chairman recalled the provisions of the *Recommendation by ICCAT on Compliance with Statistical Reporting Obligations* [Rec. 05-09] which indicates that the CPCs shall provide information to the Compliance Committee. Furthermore, one party also called the Committee’s attention to the absence of some delegations.

The Delegate of Brazil also proposed that a detailed summary be prepared (specifying which CPCs had provided information late, those that provided explanations, and those that did not respond) to serve as a base for the next meeting. It was suggested that a letter would be sent to the CPCs pointing out that delays in transmittal or the lack of providing the required information constitute the lack of compliance. Various delegations supported this approach. The provisions of the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13] were also recalled to point out that these letters could be an initial step towards the implementation of sanctions. Since this method is new, a simple warning letter could be sent this year, and later, if the situation continues, then a letter of identification could be sent next year.

It was pointed out that the methodology to review and address non-compliance should be studied carefully. The PWG system has been in place for several years and factual elements on which the identifications will be based in accordance with Recommendation 06-13 need to be clarified.

Several delegations also stressed the need to give the CPCs time to respond in writing to the tables prepared by the Secretariat before the annual meeting. The need to determine the degree of “non compliance” also has to be discussed.

The Delegate of the European Community (EC) recalled its condition of a unique Contracting Party, for which the data should not be detailed by Member State. The Secretariat indicated that it transcribes the data in the form in which they are presented. The EC needs to inform the Secretariat that it wishes to appear in a different manner in the working documents. The Delegate of Brazil also suggested that the table be distributed in advance of the meeting and that explanations in writing be requested. Thus, a large part of the work will be done before the meeting.

External information

One CPC asked about the procedure to follow as concerns external information documents and recalled the discussions at the 2007 meeting when some documents were presented by NGOs, in particular.

The Chairman pointed out that since the mandate included “the use of all pertinent information”, the Compliance Committee has to consult all available documentation. He suggested that the CPCs that have new information to submit, including information developed from external sources, should provide it to the Secretariat for distribution.

4.1 Submission and content of Annual Reports

The Annual Reports are distributed in their original languages with a summary that is translated. The document containing all the Annual Reports was distributed to the Head Delegates only. The dates on which the Annual Reports from the CPCs had been received were indicated in the “Secretariat Report to the Conservation and Management Measures Committee”, which also shows that some parties have not submitted a Report. The Chairman invited these CPCs to provide an explanation.

Various CPCs did not provide reports because they do not have any fishing to report. Some CPCs sent their Reports late and these were received by the Secretariat after it had prepared the aforementioned document. Other parties provided explanations during the session or informed that they would submit reports as soon as possible. Finally, some CPCs chose not to reply, and others were not present at the meeting.

4.2 Submission of statistics, including compliance with the Recommendation by ICCAT on Compliance with Statistical Reporting Obligations [Rec. 05-09]

The Secretariat Report on Statistics and Coordination of Research summarizes the information received between November 2007 and September 2008. The information received after September therefore has not been included in this document. The report differentiated between data received on time, data received after deadline, no data received, and no recent history on fishery. The Secretariat confirmed that this document had been prepared in accordance with the provisions of Recommendation 05-09.

The Secretariat confirmed that many CPCs had provided data after the deadline, which will require updating of this document. The Chairman reminded the Committee of the importance of respecting the deadlines so that the work of the Committee can be carried out under the best possible conditions.

All the CPCs present, with the exception of two parties, explained the delays and deficiencies observed in the submission of their data.

Furthermore, various corrections were made to Tables 1 to 4 of the Secretariat Report on Statistics and Coordination of Research, in particular, to correct some errors in the figures that did not correspond to the information from the CPCs, or regarding some cases shown as no data having been received that actually corresponded to no catches (non-applicable). In fact, since the Secretariat had not received any communication from some CPCs concerning species for which catches had been reported in the last ten years, the information corresponding to 2007 had been marked as “no data received”. One Contracting Party expressed that the table

should only show information corresponding to targeted species as the indications of “no data received” correspond to incidental catches taken in the previous years, which cannot be interpreted as an expectation of systematic reporting every year.

Various parties asked about the status of by-catches, with regard to sharks, and whether it was necessary to report only the by-catches in the fisheries targeting tunas or if they should include the fisheries targeting sharks.

It was pointed out that to better evaluate the data transmitted to the Secretariat it would be advantageous if the Secretariat had a data crosschecking system.

Finally, the Secretariat recalled that the reports should be provided in the requested format, otherwise there is a risk of being shown as “missing data”. After several delegations indicated that the information required was included in their Annual Report, the Secretariat reminded the Committee that document on the “Guidelines for Submitting Data and Information Required by ICCAT” specifies all the information that should be made available to the Secretariat. The Annual Report does not reflect all the data required by the Commission.

The Delegate of the United States submitted a statement to the Committee on the importance of compliance which is attached as **Appendix 3 to ANNEX 10**.

4.3 Submission and content of information received in accordance with the requirements of ICCAT conservation and management measures

4.3.a Provisions relating to eastern Atlantic and Mediterranean bluefin tuna

- Record of Vessels authorized to catch east bluefin tuna, and list of baitboats/trollers/trawlers
- Record of Traps authorized to catch east bluefin tuna
- Record of designated transshipment and landings ports
- Reporting of 2008 catches, 2007 Task I and Task II, and notification of the start and closing of the fisheries
- Transmission of caging and trap reports
- Compliance with VMS message reporting requirements
- Implementation of the ICCAT Scheme of Joint International Inspection
- Submission of domestic legislation and reports on implementation of east bluefin tuna Rebuilding Plan

4.3.b Bluefin tuna farming

- Record of Farming Facilities
- Record of Vessels operating for farming purposes
- Caging Reports, quantities caged/marked, growth/mortality estimates, sourcing
- Sampling data

4.3.c Bluefin Tuna Catch Documentation Scheme

Items 4.3.a, 4.3.b and 4.3.c were taken together, and each CPC concerned intervened in turn, followed by an open discussion to enable other CPCs to ask for additional information.

The Delegate of Japan requested that the CPCs include in their interventions information regarding any efforts to adjust fishing capacity to correspond to allocations contained in the bluefin tuna recovery plan as well as the methods in place to assure verification of the catches at the time of the validation of the trade documents.

In relation to the information presented by the Secretariat, several parties pointed out the importance that the CPCs review the Secretariat’s tables in advance of the Compliance Committee meeting, particularly so that errors can be corrected before the meeting.

The CPCs concerned informed the Committee on the measures they had implemented to ensure compliance of the pertinent recommendations, in particular, in terms of control and the collection of data. It was noted that some very important measures have been implemented at the level of the respective CPC administrations. The parties expressed their satisfaction for the good collaboration that has been established between the CPCs and the Secretariat.

Among the measures in place to monitor compliance of the quotas, several CPCs have implemented individual quotas, in particular, for the large vessels and/or for the vessels that participate in joint fishing operations. Observer programs have been deployed, in accordance with the provisions of the plan.

The Delegate of the European Community pointed out the measures in place within the scope of the ICCAT Scheme of International Inspection, i.e. the Community spent 3 million Euros to deploy considerable means, coordinated among all the Member States by the Fishing Monitoring Agency. It would be desirable that all the CPCs concerned (not necessarily only the Mediterranean CPCs) combine funds within the framework of this program.

It was pointed out that this practice of analysis should result in identifying the difficulties encountered, in order to improve the situation. The Compliance Committee could also be the ideal place to formulate solutions. Among the difficulties encountered, the following problems are cited:

- Joint fishing operations: The provisions foreseen in the plan are very vague, lack format, and there are no provisions on authorization by the flag State. In conjunction with the Secretariat, some *ad hoc* provisions have been implemented during the fishing season.
- Towing vessels: Traceability during the transfer of live fish to the cages should be improved by reinforcing control of these vessels, which is currently insufficient. In particular, the definition of transfers is not sufficiently clear. Three types of infractions have clearly been identified (lack of VMS, lack of a report of the transfer, unauthorized towing).
- It would be desirable to know which farm is the final destination.
- It is essential to develop lists of the serious infractions in order to impose actions in case of an infringement, and some immediate sanctions should be imposed if a monitoring or reporting link does not function.
- The use of video systems to optimize the recounting of fish placed in cages, and the inspectors/observers should be able to use these means to improve monitoring.

The Secretariat pointed out the following:

- Registry of vessels authorized to catch bluefin tuna: *“This is one of the most dynamic vessel lists, with many changes being received by the Secretariat during the fishing season. Some Contracting Parties request removal from the Record when the vessel has reached its individual quota and is therefore no longer authorized to fish BFT during the season, but this could result in the BFT Catch Documents being rejected by the importing parties. The dates of authorization, published on the ICCAT web site is the time period in which a vessel is authorized to fish, but vessels may remain on the list with expired dates. The possibility of maintaining an “historical” list on the web site may be another option to avoid problems at the time of trading legitimately caught fish taken by vessels whose authorization has expired. The Secretariat currently has no mandate to publish historical data.”*
- Catch reports: *“Given the varying structure and nature of the catch reports currently being received from Contracting Parties, it would appear that there is no clear interpretation of Paragraph 40 of Recommendation 06-05. This variety of submissions also makes it very difficult for the Secretariat to process the data in a manner which can be useful to Contracting Parties. A clear explanation of what is required in relation to catch reports ten days after entry into Plan area, five day reports (total for five days, or for each vessel...) would help to ensure that all Contracting Parties are aware of the implicit obligations. The development of a standard format and setting of minimum information requirements would assist in the treatment of the data.”*
- Receipt of VMS messages: *“Some messages are sent in an inappropriate format which does not include the data required by Annex 2 of Rec. 07-08 of ICCAT (NAF format). Messages should be sent in the stipulated format in order to be validated, processed and stored by the system in the Secretariat database. A total of 156.250 messages with partial information, or received in an inappropriate format, remain in quarantine, and are not processed by the system. On some occasions, some incoherence has been detected between the data in the ICCAT Record Vessels and the vessel information contained in the VMS messages. The vessel identification (radio call sign, registry number and vessel name) in the VMS data should coincide with the data contained in the ICCAT BFT Fishing Vessel database. Changes to vessel characteristics submitted for inclusion in the ICCAT Record of Vessels should also be reflected into the VMS messages in order to avoid such messages being rejected by the system. The information in the ICCAT Vessels database needs to be synchronized with information in the VMS messages. The Recommendation 07-08 stipulates that the*

information held in the ICCAT VMS database could be made available to CPCs upon request. The Secretariat would need a guidance on how to comply with this provision (be it with a partial delivery of data or with the entire VMS database)."

- Joint inspection: *"Inspector identity cards have, to date, been issued for a one year period. It may, however, be more useful to extend this period in the event that inspectors are expected to remain in their posts for some time. The Committee may wish to consider an appropriate time period for the validity of such cards."*
- Joint fishing operations: *"When a Contracting Party transmits to the Secretariat some information concerning a joint fishing operation, the Secretariat sends a letter to the flag State in order to be informed of its consent. Of the 14 joint fishing operations reported to the Secretariat, consent from the flag States involved in seven of these operations has been received. Recommendation 06-05 is not specific as to the information to be submitted in relation to joint fishing operations. It would be helpful if the Commission could clarify the information to be reported and to indicate how Contracting Parties should communicate and report the catches of the joint fishing operations."*
- Registry of vessels operating for fattening fish: *"This Record has resulted in one of the most difficult to maintain, and there are some concerns as to the accuracy of the content. The Secretariat would appreciate all CPCs with vessels on this Record verifying the information currently published and submitting the necessary changes in the appropriate format. The Secretariat remarks above relative to the Record of bluefin tuna fishing vessels also apply to this Record. Please also see remarks in relation to the Record of vessels over 24 m authorized to operate in the Convention area."*

Among the Secretariat's proposals, the Compliance Committee maintained principally the idea of developing an historic list of vessels, standard formats for the submission of information related to joint fishing operations, of catch reports and other information that should be provided to the Secretariat, concise procedures for the submission of data, and the extension of the validity of the ICCAT identity cards for inspectors.

The Secretariat also recalled that the "ICCAT Guidelines for Submitting Data and Information Required by ICCAT", which, in order to simplify the work of the CPCs, gives all the data reporting requirements. It also includes, in particular, a summary in table form showing the deadline dates.

These matters were referred to Panel 2 for possible adjustment of the relevant recommendations and to an *ad hoc* working group, established at the 2007 meeting, to work on improving the Bluefin Tuna Catch Document.

The Delegate of Canada presented a "Report of Some Alleged CPCs' Non-compliance in ICCAT Fisheries", which included various cases of alleged non-compliance by ICCAT CPCs with regard to the bluefin tuna fishery in the East Atlantic and Mediterranean.

Some parties responded to the accusations mentioned based on information they assembled on the spot. Some parties reiterated the importance of responding to allegations such as those mentioned in the document so that they are not left unanswered in the eyes of the general public. Parties were asked to respond in writing to these allegations so the draft Table could be completed.

Several parties pointed out that the document was not presented until the last moment and that its contents sometimes referred to long past periods, which obliged the parties, in order to respond, to have to do historical research in their databases. It was regretted that a methodology for addressing third party allegations had not been established at the 2007 meeting, and it was put forward that it was necessary to agree on a transparent methodology that respects the fundamental principle of the right to defense, i.e. that accusations cannot be made unless they are based on proof.

4.3.d List of vessels over 24 m authorized to operate in the Convention area

No comments were made by the parties.

The Secretariat reiterated the following comments: *Some improvements have been noted in the method of submitting information for inclusion in the vessel lists. There are still some difficulties being faced, however, exacerbated by the fact that the Commission has not adopted any standard format or coding system for the*

collection of this information, and hence the information is not standardized, rendering it very difficult to maintain a coherent database. The adoption of standards and reporting formats/procedures in this regard would greatly improve the quality of the information contained in the base, and reduce the possibility of errors. The work of other tuna RFMOs and the possible future creation of a global record of tuna fishing vessels may need to be borne in mind when developing such standards.”

4.3.e List of vessels fishing for northern albacore

No comments were made by the parties.

The Secretariat called the parties' attention to the fact that *“Rec. 98-08 requires the submission of a list of vessels, but does not indicate the nature of the list of the information/characteristics which should be included. This results in the information having been received over the years in a variety of formats and not always in electronic format, rendering it of very limited use in analysis. Little or no discussion on this item has taken place in previous years by the Compliance Committee. The Commission may wish to consider imposing standards on the information to be received, if it wishes to maintain the collection of this information”.*

4.3.f Status of closed season/area in the Gulf of Guinea

Among the CPCs concerned, only one Contracting Party noted its implementation of this measure in 2007. When questioned, another party mentioned that it had assured compliance with this provision by means of a VMS system recently installed.

4.3.g Implementation of ban on driftnet fishing in the Mediterranean

Two CPCs presented their national plans on this subject. It was pointed out that considerable efforts have been made (in particular, that 350 km of nets were confiscated and destroyed by the EC), but that some practical difficulties still remain, such as the nets are not numbered which makes it generally impossible to trace the vessel owner.

4.3.h Vessel chartering

The table on vessel chartering should be changed so that the role of the parties involved is clearly shown. Indeed, the responsibility for the transmittal of a summarized report falls on the chartering party. Some questions were also raised concerning the format that should be used for this report and the information it should contain. Lastly, it was confirmed that the quota harvested by the chartered vessel was that of the chartering party.

The Secretariat called the parties' attention to the fact that *“the consent of the flag party is not always notified to the Secretariat. The information on the termination of the charter is not always transmitted by the two parties to the Secretariat. This, combined with the lack of summary reports, may indicate that paragraphs 13 and 14 of the Recommendation 02-21 are not being fully respected. It would be helpful if the Contracting Parties involved could cross-check the information, before submitting it to the Secretariat, in order to ensure the complete and correct submission to the Commission.”*

4.3.i Other information

- CPC internal actions report pursuant to the *Recommendation by ICCAT concerning the establishment of an ICCAT record of vessels over 24 meters authorized to operate in the Convention area* [Rec. 02-22]

The Secretariat emphasized, in particular, that *“the format was developed by the Secretariat with the assistance of Japan following the request of the Commission in 2003. Notwithstanding, the information contained on this form is unlikely to vary from year to year. To date, no discussion has been held on this item, and no in-depth review has been carried out. The Commission may wish to re-consider the method of reporting required by Rec. 02-22, paragraph 6, which allows for the reporting of new information only.”*

- CPC management standard for LSTLVs pursuant to the *Resolution by ICCAT concerning a management standard for the large-scale tuna longline fishery* [Res. 01-20]

The Secretariat pointed out that *“as with the form for internal actions above, this information is collected each year, but rarely changes, and little or no time has been dedicated to its examination in Compliance Committee*

meetings. The Commission may wish to consider whether or not these forms must continue to be submitted annually.”

As concerns these two points, and since one party was opposed to merely updating the data if needed, the forms will continue to be requested every year.

- Vessel sightings and importation refusals
- Review of import and landing information

A document was submitted by the Delegate of Japan showing the benefits of using DNA tests to verify the origin of the products. In this way, some areas of negligence could be detected and corrected.

Another case referred to bluefin tuna that arrived in Japan, via Korea, after having been fished by a Guinean vessel. However, the Republic of Guinea does not have any bluefin tuna quota and the vessel concerned did not have a fishing license at the time of the catch (2006). The Delegate of Guinea urged the withdrawal of this vessel from the ICCAT registry and emphasized the usefulness of close cooperation among the parties concerned in commercial trade.

4.4 Reports submitted pursuant to the implementation of the Recommendation by ICCAT to Promote Compliance by Nationals of Contracting Parties, Cooperating Non-Contracting Parties, Entities or Fishing Entities with ICCAT Conservation and Management Measures [Rec. 06-14]

Following the receipt of some information from an NGO, received during the annual meeting held in Antalya in 2007, Japan carried out an investigation on a longliner registered to Japan and transferred to Cape Verde. This vessel obtained a permit to fish tunas from Cape Verde. Some exchanges took place between Japan and Cape Verde, but Japan considers that now Cape Verde cannot show that the management of this vessel was in accordance with the provisions in force. Noting that the vessel broke international rules because it was double flagged, Japan withdrew the Japanese flag from the vessel.

It was pointed out that the vessel was still under Japanese interests and also recalled that Recommendation 06-14 implies action on the part of the authorities of the CPC in response to the activities of its citizens. Japan, which has done everything possible to control the situation, does not have more legal power against the owner of the vessel who resides in another country. The Chairman concluded Cape Verde should be requested to provide more information to the Commission.

4.5 Review of the ICCAT Regional Observer Program (ROP)

- Implementation and results to date of the ICCAT Regional Observer Program

The Secretariat presented a “Progress Report on the Implementation of the ICCAT Regional Observer Program” (ROP) comprising three parts: a summary prepared by the Secretariat, a second part submitted by the consortium on the implementation of the program, and the reports received from the CPCs that have participated in the ROP (attached as **Appendix 4 to ANNEX 10**). It was pointed out that CCSBT and IOTC have both adopted similar recommendations and therefore they should be implementing a similar program very shortly. IATTC is also studying the possibility of adopting such a measure. The Secretariat sought the opinion of the Commission regarding CCSBT’s request to implement their program in collaboration with ICCAT, using the ICCAT observers already deployed in the Atlantic, on the understanding that, in such case, some financial participation is foreseen. It was agreed that the Secretariat would discuss this possibility with the CCSBT.

The Secretariat prepared a summary of the organization of the program, implemented by the consortium within the scope of a contract that was renewed for an additional year on April 23, 2008. Among the difficulties encountered, there was confusion regarding the report of installation of VMS on board the transport vessels, since the observers had sometimes been wrongly informed by the vessel captains that the vessels were not equipped with VMS, as well as some delays in the transmission of the reports from the transport vessels. These problems had now been largely resolved. All the financial contributions to the program have been received and the balance of the 2007-2008 period could be used to reduce contributions for the 2009-2010 period if this program continues.

A video presentation also permitted the CPCs to learn about the difficulties encountered by the observers in carrying out their missions.

- Record of carrier vessel authorized to receive transshipments

The Secretariat requested the following clarifications: “*Rec. 06-11 states that the Commission shall establish and maintain an ICCAT Record of Carrier Vessels authorized to receive tuna and tuna-like species in the Convention area from LSTLVs. It is therefore understood that tug vessels operating for farming purposes, and vessels receiving fish from traps are not required to be entered on this Record. Confirmation of this understanding is requested from the Commission.*” There were no comments on this. The Chairman suggested that those CPCs who are members of Panel 2 address this issue when revising the recovery plan.

- Reports from CPCs participating in the ROP

The participants in the ROP in 2007 were China, Korea, Philippines and Chinese Taipei. Japan indicated that it had not joined the program until 2008, for which reason they had not submitted any report on at-sea transshipments for 2007. Three parties provided their reports, in accordance with the *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11]. The fourth party indicated that it would submit its report very soon.

One party expressed concerns about the lack of training of the observers and their difficulties in estimating the number of fish transshipped, since this is the actual objective of this operation. This program has a double objective; to improve the quality of the data transmitted to the SCRS and to avoid laundering of the catches. This party stressed that if these issues cannot be improved, then the total prohibition of transshipment at sea could be envisaged, as is foreseen in Recommendation 06-05 concerning the eastern bluefin tuna fishery. In response, it was noted that thanks to this program, no products from illegal fishing could be transshipped at sea and that, although it is difficult for the observer to assess the quantities transshipped, these were known by the operators who are responsible for their products. These quantities were also inspected at the time of landing.

One party asked about the monitoring responsibilities of the observers in case of an infringement, and noted that the program was useless if it did not have enforcement measures supporting it. It was responded that, in effect, no legal procedure has been foreseen in this case. It was noted that the WCPFC Convention and its ROP have provided for this. Moreover, this lack has been noted in the Performance Review which pointed out that it was one of the weaknesses of ICCAT. It was proposed that the Working Group on Integrated Monitoring Measures should take up this issue.

The Delegate of Morocco then asked if ICCAT had a legal advisor. This is needed to guarantee that the decisions taken are legally correct. The Secretariat mentioned that in the signing of Convention it had been agreed that FAO would provide legal advice to ICCAT. For minor matters, private legal advice could be sought.

4.6 Review of compliance by CPCs, including quotas, catch limits and minimum size

Except for the tables concerning East Atlantic and Mediterranean bluefin tuna, the Compliance Tables were adopted, with some modifications, mainly as concerns the requests for quota carryovers (**Appendix 5 to ANNEX 10**).

The Chairman advised that discussions should take place in the Panels concerned in cases where the carry-over rules are not clear. In effect, the Compliance Committee should not reinterpret the rules established by the Panels. It was noted that several situations should be corrected within the framework of the Panels in order to clarify the texts:

- South swordfish: The transition between Recommendation 06-03 and Recommendation 02-03 is not clearly defined. It was decided to show flexibility and accept the request for a carryover from China. The Chairman noted, however, that while the Compliance Committee could exercise flexibility in determining that no action was required in response to an infraction, the committee should not retroactively change a panel recommendation adopted by the Commission.
- Bigeye tuna: The request to spread out the payment of Ghana’s overfishing should be reviewed by Panel 1 in 2009.

- Billfish (white marlin, blue marlin): These are often by-catches, which Panel 4, in collaboration with the SCRS, should study and determine a way to improve the data reporting.
- By-catches: A reporting method should be developed that would permit distinguishing these catches from those taken in the scope of the directed fisheries.

Some concerns were expressed with regard to the significant over-catches of northern albacore by some CPCs, and it was suggested that a letter be sent to Vanuatu to ask what measures are being taken to ensure the management of this fishery.

The statement submitted by Vanuatu to the Compliance Committee regarding albacore catches is attached as **Appendix 6 to ANNEX 10**.

With regard to the Compliance Tables on the size limits (bluefin tuna, swordfish), numerous gaps were noted. Furthermore, the importance was stressed of having a system of control when derogations are agreed. Lastly, the CPCs are encouraged to raise the question, in the framework of the appropriate Panel, of the sampling methods needed to assure compliance with the measures on minimum sizes.

It was reiterated that these requests for carry-overs, as well as the catch reporting table and the compliance report on minimum sizes (“Compliance Annex”) should be submitted to the Secretariat in advance of the annual meetings so as to accelerate the discussions. In this sense, the *Recommendation by ICCAT on Application of Three Compliance Recommendations* [Rec. 98-14] foresees that these tables should be submitted with the Annual Reports, i.e., at least a month prior to the annual meetings (deadline established in the *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Res. 01-16]). The format for the submission of carryover adjustments (Form: included in COMP-013-COC.xls which includes several pages for reporting) was made available to parties wishing to submit their reports during this meeting of the Committee. This form, as well as the other forms for the submission of data, can be found on the ICCAT web page at the following address: <http://www.iccat.int/en/SubmitCOMP.htm>.

Lastly, it was suggested that the format for the Compliance Tables be modified for next year to show the adjusted quota for each CPC for the following year.

The Chairman presented a “Draft Table of Actions to be Taken Against Contracting Parties, Entities and Fishing Entities”, which summarized the information missing for each CPC. It was agreed that an updated version of this document would be used during the work of the next annual meeting. To this end, the Chairman again emphasized the need for CPCs to respect reporting deadlines so that the table would not be subject to change during the course of the meeting.

As regards East Atlantic and Mediterranean bluefin tuna, the compliance table could not be adopted during this meeting. In effect, it was stressed that the over-fishing assessed by the SCRS was considerably more than had been reported. Thus, it is difficult to attribute penalties. One party proposed that they be prorated according to the key for the distribution of TAC, but it was considered that such a process would not be fair, taking into account the efforts by some parties to ensure compliance with their obligations, as well as those CPCs that had acted responsibly to report their over-fishing. Another possibility considered was to establish a relationship of this distribution of penalties with the efforts deployed for implementation. It is necessary to identify the real catches and those responsible for the over-fishing. The SCRS and the Secretariat should work on this matter, in particular by cross-checking the data, prior to an intersessional meeting of the Compliance Committee to address monitoring and control issues in the BFT fisheries. The CPCs are also invited to carry out internal inquiries.

5. Actions required in relation to issues of non-compliance by Contracting Parties arising from Agenda Item 4

Chairman’s letter of concern on non-reporting or late reporting of data:

The Chairman proposed a draft letter addressed to the CPCs expressing concerns about the deficiencies and/or delays in the reporting of data to the Commission and the SCRS. This draft will be personalized by indicating the name of the CPC concerned. Since every CPC has had some delay in reporting, that is, some breach of implementation, it was proposed that this letter be sent to all the CPCs.

Several parties supported this proposal. One party doubted the usefulness of this letter and opposed its adoption. Some parties preferred that, instead of an identical letter, different letters be sent that distinguish the different situations. This would be difficult to carry out since it would involve considerable work by the Secretariat. Therefore, reference was made to the diversity of the situations and to the documents used during the meetings of the Compliance Committee, i.e. the “Secretariat Report to the Compliance Committee”, and the “Secretariat Report on Statistics and Coordination of Research 2008”, so as to take these concerns into account. The Secretariat pointed out that revised version of the aforementioned document would be provided. Norway, which does not have fisheries, hoped it would not receive this letter. Thus, it was agreed that no such letter would be sent to them.

Lastly, it was suggested that the letter also ask the CPCs the reasons for the infractions. An amended draft letter was submitted for adoption by the Plenary.

Chairman’s letter on non-compliance

It was suggested that the Chairman send a letter to each of the CPCs that are shown on the table mentioned under the compliance tables as having defaulted in their obligations, particularly to those CPCs that may have exceeded catch quotas, to remind them to submit their fishing plans. This proposal was accepted by the Compliance Committee.

Proposal for an inter-sessional meeting

The Delegate of Japan proposed a “Draft Recommendation by ICCAT to Hold an Inter-sessional Meeting of the Compliance Committee” to consider holding an inter-sessional meeting on the subject of compliance with the management measures for East Atlantic and Mediterranean bluefin tuna fishery. This four-day meeting should be held in early 2009 before the start of the fishing season, in a place to be determined.

In response to questions, the Delegate of Japan pointed out that this inter-sessional meeting would not have the objective of responding to the matter of over-fishing and unreported catches of bluefin tuna indicated under point 4.6. It was suggested that determining the CPCs responsible for excessive bluefin tuna catches should be discussed at another meeting of the Compliance Committee.

Several parties were opposed to the proposal of imposing sanctions for non-reporting before holding such a meeting, which would amount to imposing sanctions before having proven the infraction.

The possibility of dealing with compliance within the scope of other fisheries was also mentioned, and it was noted that the performance review pointed out that the breaches of compliance were widespread. It was decided that the inter-sessional meeting would be based on a review of compliance with the *Recommendation by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] and the *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07], that is, concerning the bluefin tuna fishery. Some other recommendations (mainly those concerning data reporting) could also be part of the scope of this meeting, because they are directly related to bluefin tuna management.

In view of the doubts of some parties, the proposal for a vote by simple majority in case of a lack of consensus was withdrawn.

The proposal to sanction absences at meetings caused some concern. It was pointed out that the Committee should be flexible in the application of such a measure. On the other hand, financial assistance could be envisaged for those CPCs that request it.

It was further recalled that the work should be carried out in a transparent and non-discriminatory manner.

There were some questions raised concerning the mandate that would be given to the Committee. In effect, in the document submitted to the Plenary for adoption, it was proposed that the Commission entrust this meeting with the responsibility of recommending to the Commission the suspension or reduction of quotas of CPCs declared to be non-compliant.

The *Recommendation by ICCAT to Hold a Compliance Committee Inter-sessional Meeting in 2009* was forwarded to the Plenary for adoption (see ANNEX 5 [Rec. 08-13]).

6. Consideration of issues arising from the Report of the Working Group on Integrated Monitoring Measures

Three main issues were discussed during the last meeting of the Working Group:

- Port State measures;
- At-sea inspections; and
- Observer programs

The discussions, the details of which are included in the Report of the 5th Meeting of the Working Group on Integrated Monitoring Measures, are not yet finalized. The report was adopted and transmitted to the Plenary, which should decide on how to proceed. The Compliance Committee Chairman invited the CPCs to continue with this work during the inter-sessional period.

7. Consideration of future work of the Committee

As concerns the Chairman's proposal and following several interventions by the CPCs, the proposal by Canada and the United States for a "Recommendation by ICCAT to Establish a Process for the Review and Reporting of Compliance Information" was amended to include a study, during the meeting of the Compliance Committee and the Permanent Working Group, of documents proposed by non-governmental organizations. The documents should be submitted to the Secretariat with a request to include them on the agenda of the appropriate group. The CPCs would then be consulted as to whether or not these items should remain on the final agenda. The CPCs pointed out the importance of discussing the following points:

- The information included in the documents should be adequately documented;
- The treatment of information at the level of the Committees should be responsible, open, transparent and non-discriminatory;
- A deadline for submission should be envisaged so as to give the CPCs time to respond to the documents, if warranted, prior to the meetings;
- The results of the discussions should give rise, if appropriate, to the publication of rebuttal by the organizations having submitted the documents.

Therefore, the document was amended and forwarded to the Plenary for consideration (see **ANNEX 5 [Rec. 08-09]**).

8. Other matters

The Delegate of Canada presented a proposal on harmonizing the length of vessels authorized to fish in the Convention area. This proposal was aimed at determining that the length to use is the length overall. It was pointed out that the use of the length between perpendiculars should be avoided since it leads to some vessels avoiding the measures applicable to large-scale tuna longliners.

The proposal for a *Recommendation by ICCAT to Harmonize the Measurement of Length of the Vessels Authorized to Fish in the Area of the Convention* was adopted and transmitted to the Plenary (see **ANNEX 5 [Rec. 08-10]**).

Some parties expressed their wish to change the definition of large-scale tuna longliners, to take into account all the tuna longliners that carry out their activities on the high seas, regardless of their size.

9. Adoption of Report and adjournment

The 2008 Meeting of the Compliance Committee was adjourned.

The Report of the Compliance Committee was adopted by correspondence.

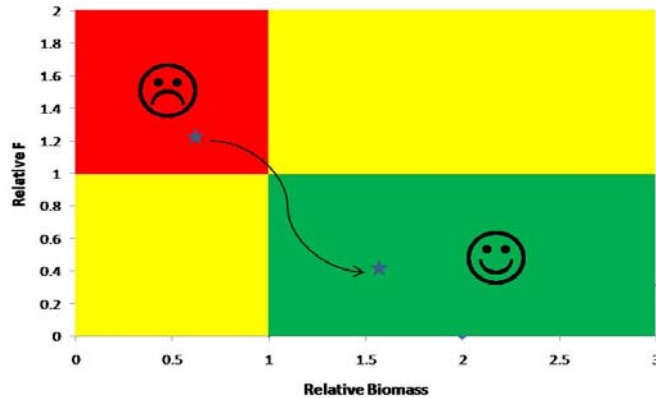
Agenda

1. Opening of the Meeting
2. Appointment of Rapporteur
3. Adoption of the Agenda
4. Review of implementation of and compliance with the ICCAT requirements
 - 4.1 Submission and content of Annual Reports
 - 4.2 Submission of statistics, including application of *Recommendation by ICCAT on Compliance with Statistical Reporting Obligations* [Rec. 05-09]
 - 4.3 Submission and content of information received in accordance with the requirements of ICCAT conservation and management measures
 - a) Provisions pertaining to eastern Atlantic and Mediterranean bluefin tuna
 - Record of Vessels authorized to catch east bluefin tuna, and list of baitboats/trollers/trawlers
 - Record of Traps authorized to catch east bluefin tuna
 - Record of designated transshipment ports and landings ports
 - Reporting of 2008 catches, 2007 Task I and Task II, and notification of entry and closures
 - Reporting of caging declarations and trap declarations
 - Compliance with VMS message reporting requirements
 - Implementation of the ICCAT Scheme of Joint International Inspection
 - Submission of domestic legislation and reports on implementation of east bluefin tuna Plan
 - b) Bluefin tuna farming
 - Record of Farming Facilities
 - Record of Vessels operating for farming purposes
 - Caging Reports, quantities caged/marketed, growth/mortality estimates, sourcing
 - Sampling data
 - c) Bluefin Tuna Catch Documentation Scheme
 - d) List of vessels over 24 m authorized to operate in the Convention area
 - e) List of vessels fishing for northern albacore
 - f) Status of closed season/area in the Gulf of Guinea
 - g) Implementation of ban on driftnet fishing in the Mediterranean
 - h) Vessel chartering
 - i) Other information
 - CPC internal actions report pursuant to the *Recommendation by ICCAT concerning the establishment of an ICCAT record of vessels over 24 meters authorized to operate in the Convention area* [Rec. 02-22]
 - CPC management standard for LSTLVs pursuant to the *Resolution by ICCAT concerning a management standard for the large-scale tuna longline fishery* [Res. 01-20]
 - Vessel sightings and importation refusals
 - Consideration of import and landing information
 - 4.4 Reports submitted pursuant to the implementation of the *Recommendation by ICCAT to Promote Compliance by Nationals of Contracting Parties, Cooperating Non-Contracting Parties, Entities or Fishing Entities with ICCAT Conservation and Management Measures* [Rec. 06-14]
 - 4.5 Review of the ICCAT Regional Observer Program (ROP)
 - Implementation and results to date of the ICCAT Regional Observer Program
 - Record of carrier vessel authorized to receive transshipments
 - Reports from CPCs participating in the ROP
 - 4.6 Review of compliance by CPCs, including quotas, catch limits and minimum size
5. Actions required in relation to issues of non-compliance by Contracting Parties arising from Item 4
6. Consideration of issues arising from the Report of the Working Group on Integrated Monitoring Measures
7. Consideration of future work of the Committee
8. Other matters
9. Adoption of Report and adjournment

Appendix 2 to ANNEX 10

Opening statement by the Compliance Committee Chairman

A comment was made at the Managers and Stakeholders Meeting about the number and complexity of ICCAT regulations. The speaker noted that if ICCAT established appropriate catch limits for each stock and Parties respected their allocations, many complicated monitoring and reporting schemes would be unnecessary. In listening to this comment, I visualized what a stock recovery scenario would look like under such conditions:



ICCAT has adopted many of the measures needed to stop overfishing or recover overfished stocks. The development of these measures occurs in the fishery panels. Compliance with data reporting obligations is necessary for SCRS to accurately determine stock status and to formulate recovery plans. The implementation of these plans is an obligation of the contracting parties. Without compliance, no catch quotas, effort controls and other monitoring measures can have a conservation effect. Evaluating compliance by Contracting Parties is assigned to this Committee. We can compare the above figure to those in the current SCRS report and consider how compliance has affected the formulation of scientific advice and the status of the respective stocks.

The independent review of ICCAT also recognized the numerous measures that have been adopted to meet the Convention objective of sustainable catch. However, the reviewers acknowledged that some Parties do not fully implement these measures and indicated that improved compliance would be necessary for ICCAT to meet its objectives for some species, especially eastern bluefin tuna. To address this issue, the reviewers recommended that ICCAT develop a more effective compliance regime. While this subject may be taken up by the Working Group on the Future of ICCAT, some adjustments can be applied immediately.

Earlier this year, Commission Chairman Dr. Hazin communicated to all Parties his concern about the functioning of the Compliance Committee. He noted that changes would be needed to meet management objectives, to increase transparency and to achieve consistency with actions taken against non-members. To that end, our Chairman proposed a new approach to Committee operations which has been reflected in our draft Agenda. Under Item 4, we will undertake a systematic review of compliance by each party with each measure, with a particular focus on eastern bluefin tuna. We shall use working tables to provide an opportunity for Parties to explain circumstances of noncompliance. Based on the responses provided, we will prioritize specific situations for recommending actions under Item 5. To facilitate this, I will work with the rapporteur and the Secretariat staff to produce a summary table similar to that used by the Permanent Working Group in determining appropriate actions against nonmembers.

I believe this systematic approach will improve the functioning of this Committee and lead to effective actions by the Commission. We have much work to complete and it is essential that all Parties participate in our discussion. I appreciate this opportunity to serve as chair and thank the Commission Chairman and the Secretariat for their preparations and support.

Statement by the United States to the Compliance Committee

Last year the United States expressed its belief that matters of compliance are fundamental to the work of the Commission and that lack of compliance with management and reporting measures has adversely affected the conservation of ICCAT stocks. The Report of the Independent Review published this September underscores this concern and points clearly to the lack of compliance by CPCs as a primary failure of ICCAT. While ICCAT has been successful in dealing with non-compliance by non contracting parties, we have not been successful in dealing with CPCs who routinely do not comply with ICCAT management and reporting measures.

Lack of compliance is proving particularly damaging to the stock of eastern Atlantic and Mediterranean bluefin tuna. Additionally, inadequate reporting of data for use in stock assessments limits the ability of SCRS to provide robust advice on conservation measures. Our reading of the SCRS report indicates the reporting of these data for eastern Atlantic and Mediterranean bluefin tuna has not improved during the past few years.

According to the Independent Review, these circumstances exist within an organization with “reasonably sound conservation and fisheries management practices.” It is clear to the United States that compliance with science based conservation measures must be the foundation of ICCAT. We must increase the transparency of CPC actions, hold ourselves accountable, impose penalties when we fail to comply with substantive measures, and adopt mechanisms that support future compliance with conservation measures and sustainability of ICCAT stocks.

The United States is encouraged by and strongly supports the new direction provided by the ICCAT Chairman for the Compliance Committee’s work. This work cannot be delayed; we must take advantage of this 16th Special Meeting of the Commission to make progress now in identifying and removing barriers to compliance with our conservation and management measures. We intend to engage fully in this new process and hope all other CPCs will do the same.

Secretariat’s Progress Report on the Implementation of the ICCAT Regional Observer Program

1. Introduction

According to the provisions of the *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11], all at-sea transshipments are prohibited¹, except for those from large-scale tuna longline vessels (LSTLVs), which may only transship subject to a series of provisions, including the requirement to have an observer on board the carrier vessels receiving transshipment, to be placed on board by the Secretariat.

Given the complexity of the operation of deploying observers on board vessels transshipping at-sea in the ICCAT Convention area, the Commission agreed to this task being carried out by an external agency. The ROP is thus currently implemented by a consortium comprising Marine Resources Assessment Group Ltd (MRAG) and Capricorn Fisheries Monitoring, (CapFish), under a contract signed on 23 April 2007. This contract was renewed on 23 April 2008 for a further year.

The Program is funded by the participating Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs). In 2007, these were China, Korea, Philippines and Chinese Taipei. Japan joined the program in April 2008.

2. Implementation and operation

In general, there have been no major problems in relation to the implementation and management of the program. Memorandums of Understanding have been signed between the carrier vessel operators and the implementing consortium to ensure smooth operations and safety of observer.

¹ Four Russian purse seine vessels are exempt from this prohibition until 2009. Details of these were circulated to CPCs in 2007 (ICCAT Circular 328/07 of 27 February 2007).

Any minor logistical difficulties detected in initial deployments have been overcome through the good cooperation between the consortium and the Secretariat, and in some cases have served as input into the training course. No negative incidents have been reported by the observers deployed to date in relation to inspection, safety and correct deployment procedures which have so far been fully implemented and respected by the operators and masters.

Some misunderstandings of terminology which have arisen during the course of the implementation have been clarified, especially with regard to the installation of VMS systems. In some cases, therefore, the observer reports indicate that no VMS system was in operation, but it has been clarified that all carrier vessels operating under the program do, in fact, have operational VMS. The consortium has been requested to instruct the observers in this regard, as incorrect information was being reported in relation to this. Notwithstanding, the consortium has reported that when no VMS installation was visible, the observers asked the Captain or officers of the vessels and were informed in some cases that there was no VMS system on board.

Information flows between the Secretariat, the participating CPCs, the consortium and the carrier vessel operators seem to be working well, with most requests for observers being made in a timely manner.

The Secretariat has taken note of some of the suggestions made in the reports received from the participants in the program, and these may be transmitted to the implementing consortium after the Commission meeting, following the review of the program by the Commission. In relation to the ICCAT Record of Carrier Vessels, it should be noted that the current Recommendation 06-11 requires each participant to inform the Secretariat of the carrier vessels which it authorizes to receive transshipments; these are published on the ICCAT web site. As, in general, all the participants use the same vessels, this leads to a considerable overlap of information, with many carrier vessels showing several entries in the ICCAT Record.

Some problems with the transmission of declarations from carrier vessel masters persist, but major improvements have been noted. Although in some cases the declarations have been received late, all at-sea transshipment declarations have now been received. The Secretariat would like to reiterate its request to CPCs under whose flag the carrier vessels operate to ensure that this requirement has been communicated to the master of the vessels.

For more details on the operational aspects of the program, please see the report submitted by the implementing consortium, contained in **Addendum 1 to Appendix 4 to ANNEX 10**.

3. Results to date

Since the inception of the program, thirty-three requests for observer deployments have been received, although the first request was cancelled due to insufficient time for the logistical organization. Copies of the observer reports for deployments numbers 09/07 and 12/07 to 29/08 received from the Consortium, with the relevant sections hidden for confidentiality purposes, were made available to the Commission.

Table 1 shows the number of longline vessels participating in the ROP and the total number of transshipments by ROP participant.

Processed data are received from the consortium after the trip has ended. **Table 2.a** shows a summary of transshipments by species and flag for the fiscal year April 2007-April 2008, and **Table 2.b** for the total of 29 trips, based on data received from the consortium before 8 October 2008².

The reports received from the participants in the program, as required by paragraph 18 of Recommendation 06-11, are attached as **Addendum 2 to Appendix 4 to ANNEX 10**.³ A summary of the deployments requested by 8 October 2008 is shown in **Table 3**.

4. Financing

All the contributions to the Program, calculated as agreed in 2006, were received from the four participating CPCs in early 2007, and from the five participants in 2008. **Table 4** shows the expenditures for the financial year

² Based on processed data received from the Consortium.

³ Only reports relating to the ROP have been included here. Reports on in-port transshipment are available from the Secretariat.

April 2007-April 2008. **Table 5** shows the amounts remaining from the 2007-2008 budget by CPC share. These amounts will be deducted from the participants' contributions to the 2009-2010 budget if the program continues. If the program is discontinued, these amounts will be refunded.

Deployments starting after 23 April 2008 have been included in the financial year 2008-2009, and hence information is incomplete, as the exact amounts to be paid for ongoing deployments cannot be determined until they are finalized. Expenditure to date is shown in **Table 6**. This expenditure is exclusive of ongoing deployments, training for the current period and Secretariat overhead.

The level of financing required for 2009-2010 will depend on the number of deployments foreseen by the participating CPCs, the number of CPCs participating in the Program, and on whether current prices charged by the consortium are maintained or increased. The final budget for the forthcoming period will be circulated to participants as far in advance of the renewal of the contract as possible.

The originally agreed formula for cost sharing was applied to the 2008-2009 budget, but the formula may be revised if the participating CPCs agree. This issue will be considered by STACFAD.

Table 1. LSTLVs participating in the ROP and number of transhipments.

| <i>CPC</i> | <i>LSTLVs</i> | <i>Transhipments</i> |
|----------------|---------------|----------------------|
| China | 36 | 160 |
| Chinese Taipei | 56 | 230 |
| Korea | 44 | 38 |
| Philippines | 10 | 43 |
| Japan | 14 | 48 |
| TOTAL | 160 | 519 |

Table 2.a Quantities transhipped in 2007-08, by major species and CPC (t).

| | <i>BET</i> | <i>YFT</i> | <i>SWO</i> | <i>OTH</i> | <i>TOTAL</i> |
|----------------|------------------|-----------------|---------------|---------------|------------------|
| China | 8,050.17 | 751.55 | 220.46 | 48.17 | 9,070.34 |
| Chinese Taipei | 11,120.27 | 1,253.95 | 297.20 | 16.56 | 12,687.98 |
| Korea | 1,797.49 | 227.91 | 199.24 | 92.17 | 2,316.81 |
| Philippines | 1,698.32 | 126.09 | 36.50 | 0.00 | 1,860.91 |
| TOTAL | 22,666.24 | 2,359.50 | 753.40 | 156.89 | 25,936.04 |

(Note: Includes data from deployments which started before 23/04/2008).

Table 2.b Total quantities transhipped to date, by major species and CPC (2007+2008) (t).
(Based on data received before 8 October 2008 – to deployment no. 29/08 inclusive).

| | <i>BET</i> | <i>YFT</i> | <i>SWO</i> | <i>OTH</i> | <i>TOTAL</i> |
|----------------|------------------|-----------------|-----------------|-----------------|------------------|
| China | 8,575.44 | 824.68 | 391.58 | 276.81 | 10,068.52 |
| Chinese Taipei | 13,158.07 | 1,420.52 | 354.19 | 268.42 | 15,201.21 |
| Japan | 3,465.70 | 1,040.28 | 164.94 | 541.78 | 5,212.70 |
| Korea | 2,475.89 | 427.51 | 199.24 | 92.97 | 3,195.61 |
| Philippines | 2,233.01 | 166.72 | 57.71 | 4.76 | 2,462.20 |
| TOTAL | 29,908.12 | 3,879.72 | 1,167.66 | 1,184.74 | 36,140.23 |

Table 3. Summary of deployments (up to 1 October 2008).

| ICCAT Request Number | Carrier Vessel | Boarded | Disembarked | Report / Data received | Transshipment declarations received from vessel | Base departure date of observer | Base arrival date of observer | Total days (travel + at sea + debriefing) | Total tons transshipped | Total cost (Travel + deployment) in € | Average cost per ton transshipped (€)* |
|----------------------|----------------------------------|---------------------------------|-------------------------|------------------------|---|---------------------------------|-------------------------------|---|-------------------------|---------------------------------------|--|
| 001/07 | CANCELLED | | | | | | | | | | |
| 002/07 | AT000JPN00607 Senta | Cape Town | Cape Town | YES | YES | 07/05/2007 | 20/06/2007 | 45 | 1187.622 | 12,577.16 | 10.59 |
| 003/07 | AT000JPN00604 Orion | St. Vincent, Cape Verde | Panama City | YES | YES | 18/05/2007 | 27/06/2007 | 36 | 1609.000 | 11,945.19 | 7.42 |
| 004/07 | AT000JPN00571 Taisei Maru No. 24 | Cape Town | Cape Town | YES | YES (late) | 28/05/2007 | 13/07/2007 | 44 | 1009.000 | 12,998.85 | 12.88 |
| 005/07 | AT000JPN00584 Asian Rex | Cape Town | Cape Town | YES | YES | 06/07/2007 | 28/08/2007 | 54 | 1214.934 | 13,770.40 | 11.33 |
| 006/07 | AT000JPN00579, Shin Ryutu Maru | Las Palmas, Canary Islands | Cape Town | YES | YES (late) | 05/07/2007 | 30/07/2007 | 23 | 520.986 | 8,403.51 | 16.13 |
| 007/07 | AT000JPN00589 Ryoma | Port Gentil, Gabon | Cape Town | YES | YES | 19/06/2007 | 30/07/2007 | 23 | 868.056 | 8,783.29 | 10.12 |
| 008/07 | AT000JPN00569 Taisei Maru No.3 | Cape Town | Cape Town | YES | YES (late) | 20/07/2007 | 08/09/2007 | 51 | 996.733 | 13,665.58 | 13.71 |
| 009/07 | AT000JPN00587 Harima 2 | Cape Town | Cape Town | YES | YES (late) | 19/08/2007 | 18/10/2007 | 55 | 1295.095 | 13,770.41 | 10.63 |
| 010/07 | AT000JPN00568 Tenho Maru | Cape Town | Cape Town | YES | YES (late) | 01/09/2007 | 17/10/2007 | 47 | 841.467 | 14,820.99 | 17.61 |
| 011/07 | AT000JPN00585 Hatsukari | Las Palmas, Canary Islands | St. Vincent, Cape Verde | YES | YES | 21/08/2007 | 03/09/2007 | 14 | 79.372 | 4,867.15 | 61.32 |
| 012/07 | AT000JPN00570 Taisei Maru No. 15 | Cape Town | Cape Town | YES | YES (late) | 17/10/2007 | 17/12/2007 | 62 | 1512.314 | 18,920.12 | 12.51 |
| 013/07 | AT000JPN00607 Senta | Cape Town | Tema, Ghana | YES | YES | 02/11/2007 | 13/12/2007 | 44 | 953.016 | 10,960.68 | 11.50 |
| 014/07 | AT000JPN00589 Ryoma | Port of Spain Trinidad & Tobago | Cape Town | YES | YES | 09/11/2007 | 31/12/007 | 56 | 1356.184 | 16,077.64 | 11.86 |
| 015/07 | AT000JPN00571 Taisei Maru No. 24 | Cape Town | Cape Town | YES | YES (late) | 26/11/2007 | 31/01/2007 | 70 | 1573.320 | 17,283.54 | 10.99 |
| 016/07 | AT000JPN00579 Shin Ryutu Maru | Walvis Bay | Cristobal, Panama | YES | YES | 05/01/2008 | 14/02/2008 | 42 | 957.560 | 11,968.87 | 12.50 |
| 017/07 | AT000JPN00580 Tuna States | Cape Town | Cape Town | YES | YES | 16/01/2008 | 10/03/2008 | 55 | 937.264 | 14,016.30 | 14.95 |

COMPLIANCE COMMITTEE

| | | | | | | | | | | | |
|---------------|-------------------------------------|-------------------------|-------------------|-----|------------|------------|------------|----|----------|-----------|-------|
| 018/08 | AT000JPN00587 Harima 2 | Balboa, Panama | Cape Town | YES | YES | 18/01/2008 | 19/03/2008 | 63 | 1838.214 | 16,878.57 | 9.18 |
| 019/08 | AT000JPN00569 Taisei Maru No. 3 | Cape Town | Cape Town | YES | YES | 21/01/2008 | 20/03/2008 | 61 | 1696.589 | 14,999.90 | 8.84 |
| 020/08 | AT000JPN00576 Shin Fuji | Cape Town | Cape Town | YES | YES (late) | 10/02/2008 | 24/03/2008 | 44 | 1008.855 | 12,577.16 | 12.47 |
| 021/08 | AT000JPN00590 Satsuma 1 | Cape Town | Panama | YES | YES | 21/02/2008 | 12/04/2008 | 52 | 2055.88 | 15,236.05 | 7.41 |
| 022/08 | AT000JPN00572 Futagami | St. Vincent, Cape Verde | Cape Town | YES | YES (late) | 09/04/2008 | 05/05/2008 | 32 | 614.19 | 9,566.38 | 15.58 |
| 023/08 | AT000JPN000584 Asian Rex | Cape Town | Cape Town | YES | YES | 24/04/2008 | 07/07/2008 | 75 | 1836.30 | 18,442.50 | 10.04 |
| 024/08 | AT000JPN00594 Suruga 1 | Cape Town | Trinidad & Tobago | YES | YES | 01/04/2008 | 15/05/2008 | 49 | 1810.42 | 13,170.21 | 7.27 |
| 025/08 | AT000JPN00589 Ryoma | Balboa, Panama | Cristobal, Panama | YES | YES | 07/04/2008 | 14/06/2008 | 69 | 1826.92 | 17,283.54 | 9.46 |
| 026/08 | AT000JPN00570 Taisei Maru No. 15 | Cape Town | Cape Town | YES | YES | 29/04/2008 | 23/06/2008 | 55 | 2570.08 | 15,448.70 | 6.01 |
| 027/08 | AT000JPN00579 Shin Ryuta Maru | Cape Town | Cape Town | YES | YES (late) | 21/06/2008 | 19/07/2008 | 29 | 655.44 | 7,131.10 | 10.88 |
| 028/08 | AT000JPN00587 Harima 2 | Balboa, Panama | Cape Town | YES | YES | 05/06/2008 | 01/08/2008 | 57 | 1930.61 | 17,037.65 | 8.83 |
| 029/08 | AT000JPN00571 Taisei Maru No. 24 | Cape Town | Cape Town | YES | YES | 27/06/2008 | 24/08/2009 | 59 | | 14,999.9 | |
| 030/08 | AT000JPN00580 TunaStates | Cape Town | Las Palmas | | YES | 24/07/2008 | 22/09/2008 | 61 | | | |
| 031/08 | AT000JPN00586 Fuji 1 | Trinidad & Tobago | Cape Town | | YES | 23/08/2008 | 07/10/2008 | 46 | | | |
| 032/08 | AT000JPN00576 Shin Fuji | Cape Town | Cape Town | | | | | | | | |
| 032/08 | AT000JPN00570 Taisei Maru No 15 | Cape Town | Cape Town | | | | | | | | |

* Exclusive of training, equipment and Secretariat overhead.

Table 4. Income and Expenditures for 2007-2008.

| <i>ICCAT Regional Observer Program</i> | | <i>Euros (€)</i> | |
|---|--|-------------------------------|------------------------|
| Income | | 462,760.44 | |
| <i>1.1 Contributions</i> | | | |
| Contribution by People's Republic of China | | 103,053.24 | |
| Contribution by Korea | | 11,795.92 | |
| Contribution by Philippines | | 17,582.37 | |
| Contribution by Chinese Taipei | | 328,984.80 | |
| <i>1.2 Other income</i> | | | |
| Bank interest | | 1,344.11 | |
| | | <i>Budget</i> | <i>Payments</i> |
| Expenditures | | 461,416.33¹ | 387,471.94 |
| 1. Contract with consortium | | | |
| <i>1.1 Training</i> | | | |
| Training | | 63,064.30 | 54,942.40 |
| <i>1.2 Observer deployment</i> | | | |
| Sea days | | 162,091.90 | 157,123.85 |
| Travel days | | 21,974.40 | 22,127.00 |
| Equipment | | 37,114.56 | 12,834.11 |
| <i>1.3 Management and support fees</i> | | | |
| Sea days | | 106,676.80 | 103,407.20 |
| Travel days | | 809.28 | 814.90 |
| Training | | 1,483.68 | 1,292.60 |
| 2. Travel | | | |
| <i>2.1 Air tickets</i> | | | |
| Air tickets | | 12,600.00 | 20,742.71 ² |
| <i>2.2 Accommodation</i> | | | |
| Accommodation ³ | | 3,600.00 | 0.00 |
| 3. Secretariat overhead | | | |
| Staff hours | | 12,000.00 | 13,073.73 ⁴ |
| 4. Audit | | | |
| | | 20,000.00 | 0.00 ⁵ |
| 5. Contingencies | | | |
| Bank charges | | 20,000.00 | 411.98 |
| Travel for training | | | 701.46 |
| Balance 2007/2008 (includes bank interest) | | 75,288.50 | |

Notes:

- 1 The separation into chapters of the total budget and subsequent rounding results in the budget items shown here totaling €461,414.9. The total budget, however, amounts to €461,416.33
- 2 Observer travel has been significantly higher than originally foreseen. In part, this is due to the dynamic nature of the ROP which does not allow the purchase of economical round-trip tickets. This budget item has been significantly increased for the 2008-2009 period.
- 3 Accommodation is included in travel day charges, and has been dropped from the 2008-2009 budget.
- 4 The initial phases of the implementation of the program, including the drafting and negotiation of the contract with the implementing Consortium, took more staff time than envisaged, but this level is not expected to continue in the future day-to-day running of the program.
- 5 This was not charged and is included in regular ICCAT audit. This item has been dropped from the 2008-2009 budget.

Table 5. Balance remaining at the end of 2007-2008 period, by CPC.

| <i>CPC</i> | <i>%</i> | <i>Contribution (€)</i> | <i>Balance Remaining (€)</i> |
|----------------|------------|-------------------------|------------------------------|
| China | 22.33 | 103,053.24 | 16,811.92 |
| Chinese Taipei | 71.3 | 328,984.80 | 53,680.70 |
| Korea | 2.56 | 11,795.92 | 1,927.39 |
| Philippines | 3.81 | 17,582.37 | 2,868.49 |
| TOTALS | 100 | 461,416.33 | 75,288.50 |

Table 6. Expenditures to date for the 2008-2009 period.

| <i>ICCAT Regional Observer Program</i> | | <i>Euros (€)</i> | |
|--|-------------------|---------------------|-------------------|
| Income | | | 543,152.85 |
| <i>1.1 Income from contributions</i> | | | |
| Contribution from China PR | 70,251.30 | | 70,251.30 |
| Contribution from Korea | 8,034.76 | | 8,034.76 |
| Contribution from Philippines | 11,999.28 | | 11,999.28 |
| Contribution from Japan | 213,978.39 | | 213,978.39 |
| Contribution Chinese Taipei | 224,339.00 | | 224,339.00 |
| <i>1.2 Other income</i> | | | |
| Bank interest | | | 14,550.12 |
| | <i>Budget</i> | <i>Expenditures</i> | |
| | 528,602.73 | 73,802.27 | |
| 1. Contract with Consortium | | | |
| <i>1.1 Training of observers</i> | | | |
| Training | 30,148.32 | | 0.00 |
| <i>1.2 Observer deployment</i> | | | |
| Sea days | 212,513.90 | | 41,375.70 |
| Travel days | 28,078.40 | | 1,526.00 |
| Equipment | 12,371.52 | | 0.00 |
| <i>1.3 Management and support fees</i> | | | |
| Sea days | 139,860.80 | | 27,230.40 |
| Travel days | 1,035.00 | | 56.25 |
| Training | 540.00 | | 0.00 |
| 2. Travel | | | |
| <i>2.1 Air tickets</i> | | | |
| Air tickets | 46,000.00 | | 2,555.11 |
| 3. Secretariat overhead | | | |
| <i>3.1 Staff hours</i> | | | |
| Staff hours | 10,000.00 | | 0.00 |
| 4. Contingencies | | | |
| Bank charges | 48,054.79 € | | 1,058.81 |
| Travel for training | | | 0.00 |
| Balance at 31 October 2008 | | | 469,350.58 |

Addendum 1 to Appendix 4 to ANNEX 10

**Review of the ICCAT Regional Observer Program
Covering the period April 2007 to July 2008
(Submitted by MRAG and CapFish)**

1. Introduction

In 2006 ICCAT adopted Recommendation [06-11] to establish a Program for Transshipment in response to concerns that at-sea transshipment operations constituted a gap in the enforcement scheme of the Commission. The overall aim of the program was to address Member State concerns regarding laundering of Illegal, Unregulated and Unreported (IUU) tuna catches by developing an observer program to monitor transshipments at sea from Large Scale Longline Tuna Vessels (LSLTVs) operating in the Convention area.

The Program incorporates a general rule that all transshipment of tuna and tuna like species in the Convention Area must take place in port. However, Contracting Parties may authorize transshipments at sea for its LSLTVs provided the Carrier Vessel (CV) has VMS capabilities and a trained ICCAT observer is on board to monitor the process. The Observer Program was put out to tender by ICCAT and a Consortium comprising MRAG and Capfish (the Consortium) was contracted to develop and implement the Regional Observer Program (ROP).

The Consortium has been responsible for recruiting, training and deploying all the observers onto the CVs since the ROP's inception. This report provides a summary of the program from its start in April 2007 to the end of July 2008.

2. Deployments

2.1 Summary of deployments

A total of 27 trips have been completed covering 1255 days at sea and 493 transshipments. The total weight of fish observed being transhipped over the period was 34,755,387kg. The deployments, summarized by vessel, are given in **Table 1**,

The majority of deployments have been through Cape Town with observers also embarking through Panama, Las Palmas, Cape Verde Islands, Trinidad and Tobago, Namibia and Gabon. The average length of a trip was 46 days (minimum 5, maximum 73) with the mean number of transshipments observed per trip was 18 (minimum 3, maximum 33). The locations of all the transshipments are shown in **Figure 1**.

LSLTVs from China, Chinese Taipei, Korea and the Philippines participated in the ROP from the start, with Japan joining in April 2008. Total numbers of transshipments observed by flag state of LSLTV are as follows: Chinese Taipei (216), China (159), Japan (42), Korea (38) and the Philippines (38).

Figure 2 shows levels of activity by month⁴ in terms of observers deployed, numbers of transshipments and total weight transhipped. The most active month was February 2008, corresponding with the seasonal increase in catches of bigeye tuna in the Convention Area.

Observers monitored each transshipment that took place at sea and, with a few exceptions, observed 100% of virtually all of these. Transshipments generally last between 2 and 4 hours with a mean transfer rate of 22.39 tons per hour (+/- 5.73 tons). **Figure 3** shows the total amounts transferred during these transshipments; most of the transshipments transferred between 35 and 130 tons.

2.2 Procedures and logistics

When a Carrier Vessel Operator (CVOs) requires an observer, they make a request, through their flag State, to ICCAT. ICCAT sends a notification through to the Consortium listing the date and location of where the observer should join the vessel. An observer is then mobilized and deployed to arrive the day before the expected vessel departure date, whenever possible, so a safety inspection can be carried out. The period from notification to the observer being in port ready to embark on the vessel should be no more than 96 hours. To date, at least two weeks notice has been provided for most of the deployments.

Prior to the observer being dispatched, a Memorandum of Understanding (MoU) must be signed by the CVO and the Consortium. This explains the duties and responsibilities of both parties in some detail for the avoidance of doubt. To date the Consortium has signed MoUs with six of the main CVOs⁵. Individual vessel must submit a P&I (Protection and Indemnity) insurance certificate and the vessel must also pass a safety inspection before the observer embarks. Safety inspections are carried out by the observer, except in the case of first time observers, when they are accompanied by a senior staff member of the Consortium.

3. Sampling protocols and reporting

ICCAT Recommendation [06-11] defined the main tasks of the observer as to:

- 1) Record and report upon the transshipment activities carried out;
- 2) Verify the position of the vessel when engaged in transshipping;
- 3) Observe and estimate products transhipped;
- 4) Verify and record the name of the LSTLV concerned and its ICCAT number;
- 5) Verify the data contained in the transshipment declaration;

⁴ Up to July 2008.

⁵ Hayama Shipping Ltd., MRS Corporation, Partners Shipping, Sea Tec Management Co. Ltd., Taiseimaru Kaiun Kaisha Ltd., Toei Reefer Line Ltd.

- 6) Certify the data contained in the transshipment declaration;
- 7) Countersign the transshipment declaration;
- 8) Issue a daily report of the carrier vessel's transshipping activities; and
- 9) Establish general reports compiling the information collected in accordance with ICCAT Program requirements and provide the captain the opportunity to include therein any relevant information.

Tasks 5 and 6 have since been modified such that, while the observer is able to estimate the numbers and amounts of products transferred, he or she is not required to certify or verify each transshipment declaration. The observer does sign the declaration, but only to confirm that the transshipment has been observed. It was also decided that the vessel's activities should be reported in a summary 5 day report, rather than sending in a daily report (Section 0). The majority of the observers' work is taken up by Task 3, which involves counting, identifying and recording the weights of the species transferred.

3.1 Counts

Observers have identified two basic methods used to transfer fish products from the LSTLV to the carrier vessel (CV). The first is used predominantly by smaller LSTLVs that have smaller hatch openings. In this case, the fish are removed from the LSTLV hold in small 'bunches' using a winch operated from the LSTLV and placed on the deck of the LSTLV. When enough fish have been removed they are fastened together onto a single string and transferred into the hold of the CV using a winch operated from the CV. This means that the fish are laid out on the deck of the LSTLV for a period of time, giving the observer an opportunity to accurately count and, in most cases, identify a large percentage of the species (from his position on the CV).

The second method is used mainly by larger LSTLVs. In this case, because these vessels have larger hatch openings the fish can be transferred directly from the hold of the LSTLV to the CV in a single operation using the winch from the carrier vessel. This method is much faster with the time taken to transfer each string being between 12 and 15 seconds. This limits the time that the fish are visible to the observer for both counting and species identification. In addition, the fish often become obscured by a cloud of condensed water vapor due to the sudden temperature change when they are brought out of the hold of the LSTLV. Observers have tried out a number of methods to overcome these obstacles. One observer has used a voice activated digital voice recorder to record his observations and at the same time takes a digital photograph of each string. The recorded information is then later compared to the detail that has been photographed.

3.2 Species identification

Given sufficient access to the catch, observers can determine the number of fish that are transferred with a high degree of accuracy and can distinguish between tuna (trunks), swordfish and other species such as marlin, opah and sharks with 100% accuracy. Distinguishing between the different species of tuna is less straightforward and accuracy is mainly dependant on how easily the observer can discern certain diagnostic features on the tuna trunks. The method of transfer (see previous paragraph) is therefore a significant factor. Tuna are recorded by species where they can be positively identified or as mixed tuna species where they can only be counted.

Products transferred mainly comprise big eye (*Thunnus obesus*) and yellowfin tuna (*Thunnus albacares*), with small amounts of other species, including swordfish (*Xiphias gladius*), marlin (*Makaira* spp) and occasionally bluefin tuna (*Thunnus thynnus*) and sailfish (*Istiophorus albicans*).

During the initial stages of the project species identification was more difficult, with less than 50% of the yellow fin tuna being identified to species level. Subsequently, experienced observers have reported that they can now confidently identify most of the tuna trunks that are visible to them, either while lying on the deck of the LSTLV or on the periphery of the bunch during the transfer. In addition, photographs from completed trips have been included in training courses for new observers (for an example, see **Attachment 1 to Addendum 1 to Appendix 4 to ANNEX 10**).

One observer obtained authorization from the Master of the CV to take sample measurements of individual fish during several transshipments. The observer aimed to sample at least 10% of the tunas transshipped during each transshipment event, or at least 60 fish when the number transferred was less than 600. Tuna were sampled randomly during the each transshipment to provide a representative sample. To reduce the level of disruption to the transshipment operation, the speed of recording was improved using a digital voice recorder. The average tuna species composition recorded from these observations was then projected to the total number transshipped.

3.3 Weight estimation

The observers' estimation of the transshipped weight is calculated by determining an average unit weight (for a tuna trunk), and multiplying this by the observed number of fish transshipped. A number of methods have been used to calculate the unit weights.

3.3.1 From scales

The most accurate method is obtained on CVs that use an "electronic hook-scale" attached to the sling hook. The weights of each sling of fish transferred from the LSTLV can then be recorded. Where strings of tuna and other products are being transferred, observers have calculated the mean unit weight of tuna trunks by sampling 'clean' strings holding only tuna. This unit weight was then applied to the total number of tuna transferred to give the total tuna weight separately from the other products. In both cases the final weight estimates are independent of the estimates of catch being off-loaded provided by the LSTLV. Observers have been able to implement this strategy for on 11% (i.e. 3) of the trips, in the period from May 2007 to July 2008. The number is relatively low as although several of the carrier vessels have the scales on board they are reluctant to use them as the crane has to slow down to allow the scale to settle and be read properly.

3.3.2 From observer estimation

In most cases an electronic hook scale is not available. In these circumstances observers have provided an independent estimate of the weight, based on visual estimations of the size and numbers of fish observed. This can be very difficult when transshipments are large and the method of transfer is fast. Observers have reported that with experience they have become more confident in their estimations. To date this method has been used on 19% (i.e. 5) of the trips.

An alternative method that can be used to calculate a unit weight of the tuna is to measure the length of the fish from the end of the upper jaw to the first dorsal spine, (LD1 measurement) and from this calculate the dressed weight of the fish using a length-length conversion factor and a length-weight relationship adopted by the SCRS for major species.

Although this approach also provides values that are independent of those provided by the LSTLV, there are problems, primarily because access to the fish is normally severely limited and collecting the measurements can hold up the transshipment operation. However, this strategy has been successfully implemented on one trip with the cooperation of the Master of the CV and the Fishing Masters of the LSTLVs. During the transshipment process a select number of the strings (10% or a minimum of 60 fish) were lowered onto the deck of the CV allowing the observer to record the LD1 measurements using a flexible tape and at the same time positively identify the species.

Observers have also attempted to measure the fish in the CVs holds, but have experienced problems with lack of light, cold and movement of crew in packing the fish.

3.3.3 From vessel records

When observers have not been able to independently calculate fish weights using one or other of the methods above, all they are able to do is count the total number of fish and multiply this by an average weight of fish calculated from figures provided by the Fishing Master of the LSTLV. The average fish weight is calculated from the number and weight of fish that are to be transshipped declared by the LSTLV. This method has been used on 63%, (i.e. 17) of the trips. While this method does not provide an independent estimate of the weight transshipped, on 95% of all transshipments the average weight has been between 30 kg and 70 kg.

3.4 Recording forms

All transshipments are recorded in the first instance on paper forms before being transferred to the electronic database. At the end of each trip observers submit the paper forms to shore-based staff so they can be checked against the data entered into the database.

The paper forms used to record the transshipments have evolved since they were first designed at the start of the program. Originally it was thought that tuna and other fish products would be transferred between vessels in

units of fixed numbers and weights (for example boxes, nets, bags etc.). If the amount of product per unit was known then recording the total amount of fish transhipped would consist of counting the number of units transferred. This would be similar to how it is recorded in the transshipment declaration. In practice, however, the units transferred are not of fixed weight and numbers. All products are transferred in strings and the number of fish per string varies both during and between transshipments. The observers therefore have switched to recording numbers of fish individually for each string as it is being transferred. The numbers of fish are then summed up at the end. The recording form (T4) has been changed to reflect this and is attached in **Attachment 2 to Addendum 1 to Appendix 4 to ANNEX 10**.

4. Reporting protocols

A series of reporting schedules has been set up between observers, the Consortium and ICCAT. While on the vessel, the observer sends through a report every five days giving information on the locations and LSTLVs involved in transshipments with the CVs. The Consortium compiles the reports from all the observers on CVs and sends them, along with any deployment, disembarkation or observer transfer reports to the ICCAT Secretariat every 5 days.

At the end of each trip the observer also submits a final trip report summarizing the transshipments and sampling strategies followed, along with a copy of the data they have collected. A draft copy is given to the master of the CV before the observer disembarks and they are advised that they can submit any comments directly to the Consortium for inclusion in the final report to ICCAT.

5. Observer training

A training course and training materials were developed by the Consortium. To meet the data requirements of the ICCAT ROP, training materials include the specific ICCAT observer duties. A detailed Observer Manual is issued to all observers.

Observer candidates have been recruited both internally from existing observers and externally through web based advertisements. All prospective candidates are first selected by the Consortium based on previous experience and performance and then submitted for approval by the ICCAT Secretariat. Once approved, the candidates proceed with the training. The majority of the training has been done in-house in either London (MRAG headquarters) or Cape Town (CapFish headquarters). Certain aspects such as survival at sea, first aid and language training have been outsourced or made a prerequisite for observers before training starts.

Observers are employed on short term contracts. Between deployments in the ROP they may work on other projects. To date the maximum number of observers deployed at a single time is 5, although it is necessary to maintain a larger 'pool' of observers to ensure availability at short notice when needed. Having a large selection of observers located around the world also gives the Consortium a wide range of options to choose from when arranging a deployment. There are currently 18 trained observers based in South Africa (8), United Kingdom (7) Mexico (1) France / Canada (1) and USA (1).

6. Observer equipment and database

There are two databases used in the ROP; a Master Access database which contains data from all the deployments and 5 day reports and a 'runtime' version used by observers for data entry at sea. The master database is updated every 5 days with the observer reports and is used to generate the 5 day reports sent through to ICCAT. It is also updated at the end of every observer trip and used to generate figures for the observer final reports. The Master database is also submitted to ICCAT at the end of every trip.

Other safety and operation equipment is issued to the observers (**Table 2**). Some observers have found using electronic voice recorders to record transshipments and fish measurements easier (Section 3.1) and in future these may be issued routinely.

7. Comments from carrier vessel Masters

It has not been possible for the Consortium personnel to have ready access to the majority of the CVs for the purpose of interviewing the Masters after they have had an observer onboard.

In Cape Town, two masters of carrier vessels were interviewed after their observers disembarked (the vessels' agents assisted with translation). The objective of the interviews was to assess the opinion of the carrier vessel master on the effectiveness of the ROP, the operational aspects of the program and seek comments on the observers conduct. The master of the Taisei Maru No.24 had accommodated observers for two trips and the master of the Shin Fuji had carried an observer for the first time.

Effectiveness of the ROP

Both masters were asked of their opinion on the compliance value of the program and both were positive, stating that it was effective. They were however hesitant to comment on the cost effectiveness of the program.

Observer Conduct

Both vessel masters were complementary about the observers conduct onboard. It appears that language differences did not pose a major problem, as some of the officers were able to communicate in English on both vessels.

Observer training

The overall opinion from both Masters on the standard of observers training was good. When asked whether any additional training such as GMDSS would assist, they did not think this was necessary, but it was agreed that it would be useful with respect to understanding and using the GMDSS communication equipment onboard.

Practical data collection

A question was asked regarding the practical use and benefit of a hook scale to verify the transshipped weights. There were two opinions on this. In the case where the vessel used a hook scale routinely it was cited as being their company policy and the master was satisfied that it was beneficial to them. The second opinion was that hook scales are not accurate when used at sea and that the Fishing Masters of some of the LSTLVs are opposed to their use as it increased the time required for transshipments. Both Master were satisfied with the existing methods and data collection protocols employed by the observers.

Table 1. Summary of transhipments made between May 2007 and September 2008.

| No | Vessel Name | Observer Name | Date On | Date Off | Embarkation Port | Disembarkation Port | Sea Days | Number transhipments | Fish Transshipped (Kg) |
|----|--------------------------|------------------|------------|------------|------------------------------------|------------------------------------|----------|----------------------|------------------------|
| 2 | <i>Senta</i> | E D Higgins | 07/05/2007 | 20/06/2007 | Cape Town, South Africa | Cape Town, South Africa | 45 | 11 | 1187622 |
| 3 | <i>Orion</i> | Jonathon Roe | 19/05/2007 | 27/06/2007 | San Vincent, Cape Verde | Cristobal, Panama | 40 | 22 | 1609000 |
| 4 | <i>Taisei Maru No.24</i> | Jano Van Heerden | 28/05/2007 | 13/07/2007 | Cape Town, South Africa | Cape Town, South Africa | 47 | 14 | 1009000 |
| 5 | <i>Asian Rex</i> | Elcimo Pool | 06/07/2007 | 28/08/2007 | Cape Town, South Africa | Cape Town, South Africa | 54 | 15 | 1214913 |
| 6 | <i>Shin Ryuta Maru</i> | Ramon Benedet | 07/07/2007 | 26/07/2007 | Las Palmas, Spain | Cape Town, South Africa | 20 | 12 | 520986 |
| 7 | <i>Ryoma</i> | Ebol Rojas | 20/06/2007 | 08/07/2007 | Port Gentil, Gabon | Cape Town, South Africa | 19 | 9 | 868054 |
| 8 | <i>Taisei Maru 3</i> | E D Higgins | 20/07/2007 | 08/09/2007 | Cape Town, South Africa | Cape Town, South Africa | 51 | 15 | 996733 |
| 9 | <i>Harima 2</i> | Jano Van Heerden | 26/08/2007 | 16/10/2007 | Cape Town, South Africa | Cape Town, South Africa | 52 | 14 | 1295095 |
| 10 | <i>Tenho Maru</i> | Ebol Rojas | 07/09/2007 | 14/10/2007 | Cape Town, South Africa | Cape Town, South Africa | 38 | 17 | 841467 |
| 11 | <i>Hatsukari</i> | Ramon Benedet | 22/08/2007 | 26/08/2007 | Las Palmas, Spain | Porto Grande St Vincent | 5 | 3 | 79372 |
| 12 | <i>Taisei Maru No.15</i> | Ethan Brown | 19/10/2007 | 18/12/2007 | Cape Town, South Africa | Cape Town, South Africa | 61 | 26 | 1512314 |
| 13 | <i>Senta</i> | Elcimo Pool | 02/11/2007 | 13/12/2007 | Cape Town, South Africa | Tema, Ghana | 42 | 9 | 953016 |
| 14 | <i>Ryoma</i> | Ebol Rojas | 08/11/2007 | 29/12/2007 | Port of Spain, Trinidad and Tobago | Cape Town, South Africa | 52 | 28 | 1356184 |
| 15 | <i>Taisei Maru No.24</i> | Raymond Manning | 26/11/2007 | 31/01/2008 | Cape Town, South Africa | Cape Town, South Africa | 67 | 28 | 1573320 |
| 16 | <i>Shin Ryuta Maru</i> | Jonathon Roe | 08/01/2008 | 14/02/2008 | Walvis Bay, Namibia | Cristobal, Panama | 38 | 17 | 957560 |
| 17 | <i>Tuna States</i> | Elcimo Pool | 16/01/2008 | 10/03/2008 | Cape Town, South Africa | Cape Town, South Africa | 55 | 22 | 937264 |
| 18 | <i>Harima 2</i> | Ebol Rojas | 19/01/2008 | 15/03/2008 | Balboa, Panama | Cape Town, South Africa | 57 | 21 | 1838214 |
| 19 | <i>Taisei Maru 3</i> | Hendrik Crous | 21/01/2008 | 19/03/2008 | Cape Town, South Africa | Cape Town, South Africa | 59 | 24 | 1696589 |
| 20 | <i>Shin Fuji</i> | Peter Lafite | 10/02/2008 | 24/03/2008 | Cape Town, South Africa | Cape Town, South Africa | 44 | 14 | 1008855 |
| 21 | <i>Satsuma 1</i> | Ethan Brown | 25/02/2008 | 10/04/2008 | Cape Town, South Africa | Cape Town, South Africa | 46 | 26 | 2055877 |
| 22 | <i>Futagami</i> | Keith Patterson | 09/04/2008 | 15/05/2008 | San Vincent, Cape Verde | San Vincent, Cape Verde | 37 | 10 | 614190 |
| 23 | <i>Asian Rex</i> | Gary Breedt | 24/04/2008 | 01/07/2008 | Cape Town, South Africa | Cape Town, South Africa | 73 | 30 | 1836297.7 |
| 24 | <i>Suruga 1</i> | Raymond Manning | 01/04/2008 | 15/05/2008 | Cape Town, South Africa | Port of Spain, Trinidad and Tobago | 45 | 33 | 1810417 |
| 25 | <i>Ryoma</i> | Ebol Rojas | 07/04/2008 | 14/06/2008 | Balboa, Panama | Cristobal, Panama | 69 | 12 | 1826919 |
| 26 | <i>Taisei Maru No.15</i> | David Hughes | 29/04/2008 | 23/06/2008 | Cape Town, South Africa | Cape Town, South Africa | 56 | 28 | 2570080 |
| 27 | <i>Shin Ryuta Maru</i> | Hendrik Crous | 22/06/2008 | 18/07/2008 | Cape Town, South Africa | Cape Town, South Africa | 27 | 7 | 655443 |
| 28 | <i>Harima 2</i> | Ethan Brown | 06/06/2008 | 31/07/2008 | Balboa, Panama | Cape Town, South Africa | 56 | 26 | 1930605 |

Table 2. Equipment issued to observers.

| <i>Safety</i> | <i>Operational</i> |
|-------------------|--------------------|
| Survival Suit | Laptop |
| Helmet | Camera |
| EPIRP | Clipboard |
| Strobe | Counter |
| Harness | Clipboard |
| Visibility jacket | Tape measure |
| Lifejacket | Binoculars |

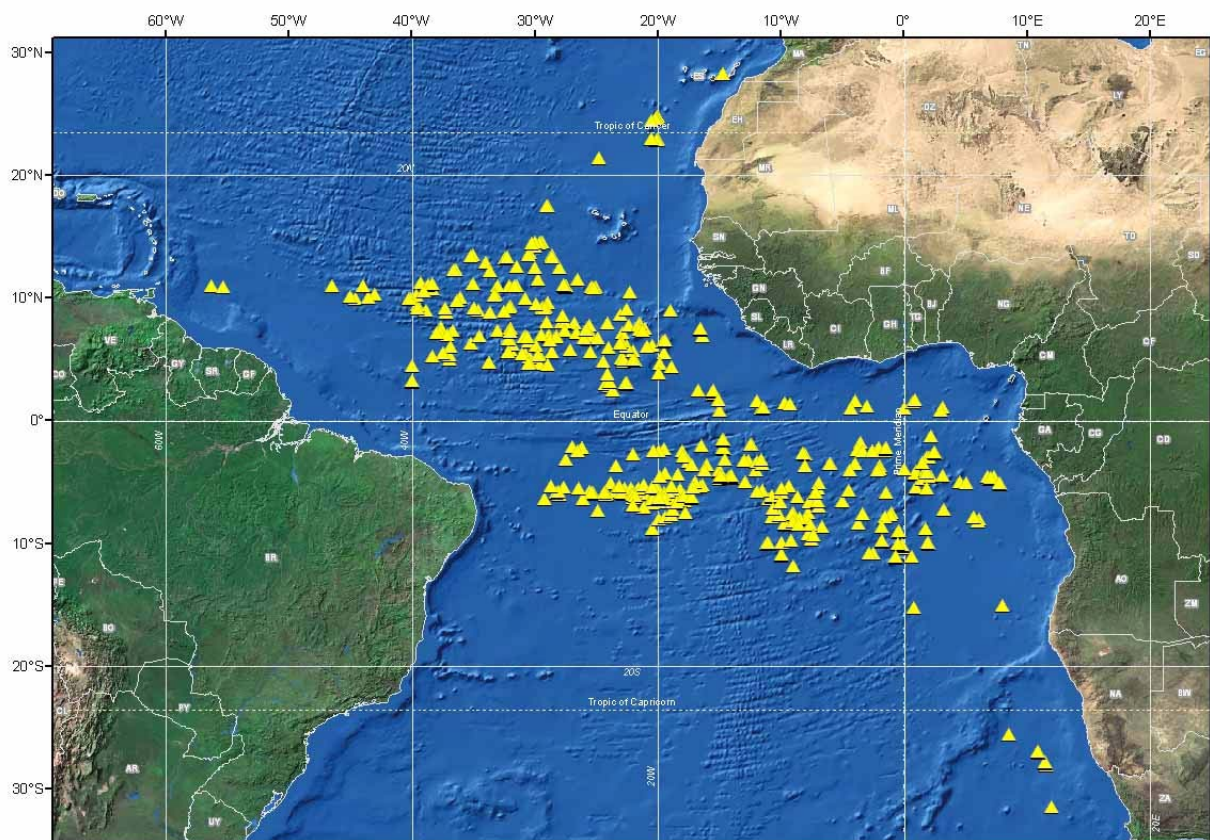


Figure 1. Summary of observed transshipments between May 2007 and September 2008.

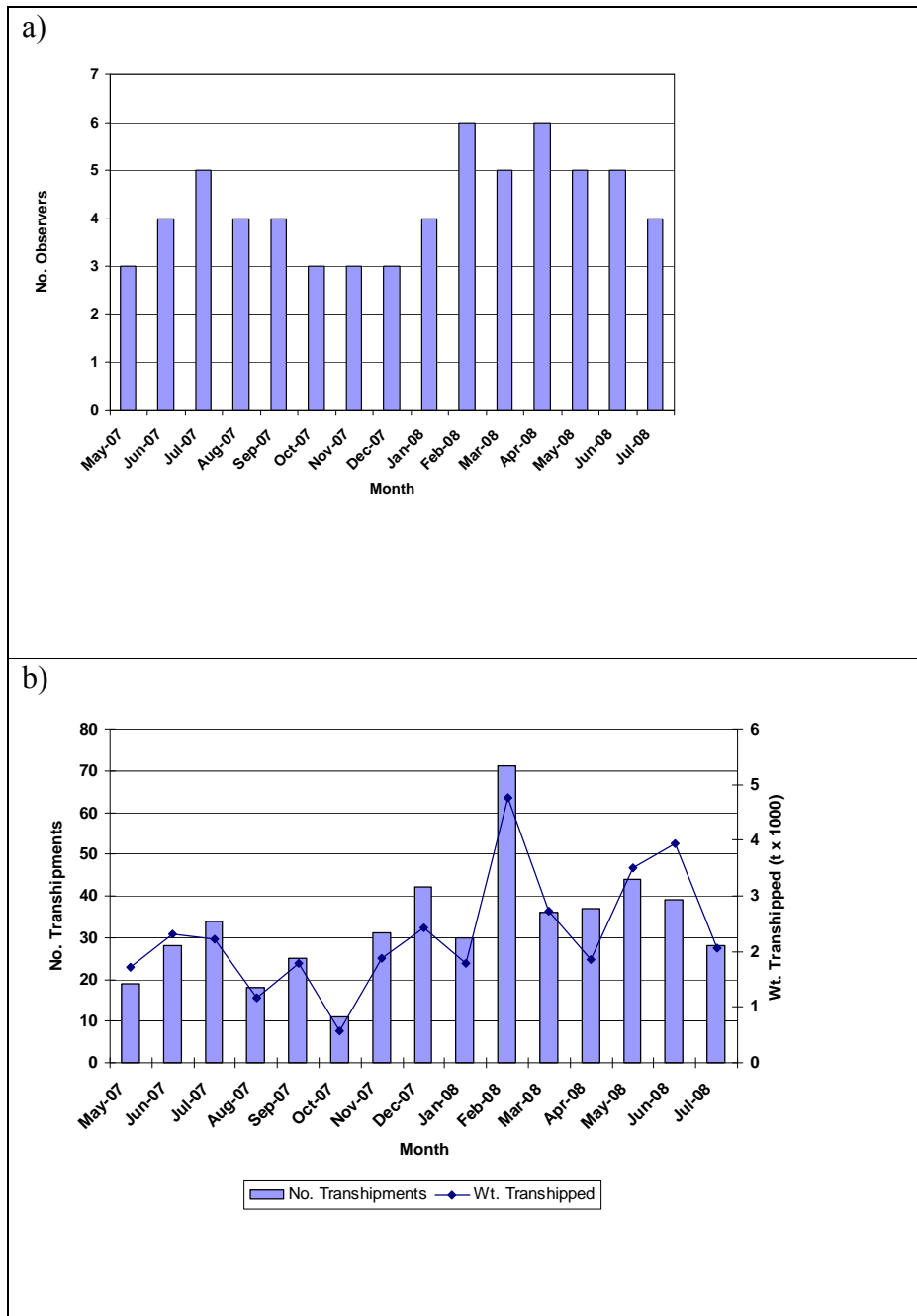


Figure 2. Activity by month a) number of observers deployed, b) number of transhipments and weights transferred (all fish).

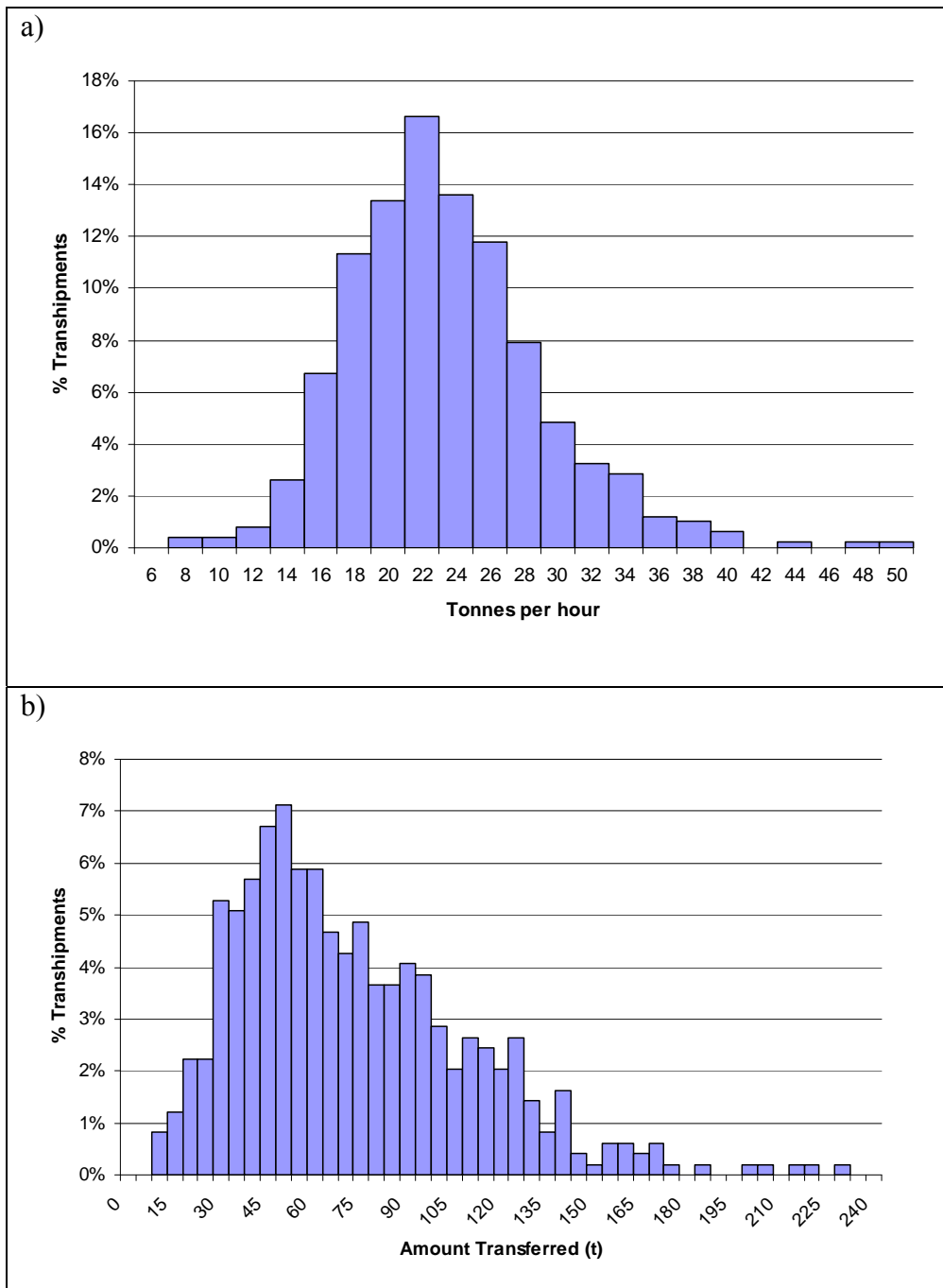


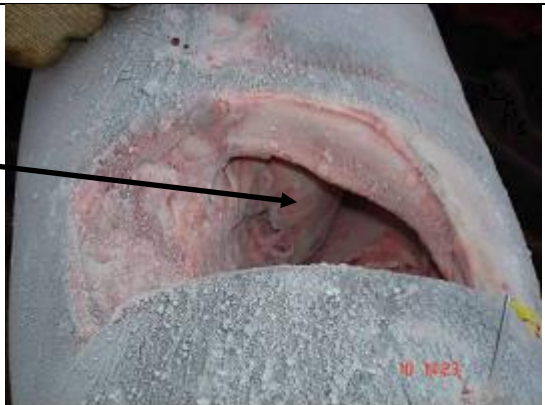


Figure 3. Fish products transferred during transshipments; a) rate of transfer in tons per hour and b) total amount by transshipment.

Attachment 1 to Addendum 1 to Appendix 4 to ANNEX 10

Identifying different tuna species

| Tuna Identification (Diagnostic features in the stomach cavity of frozen tuna) | |
|--|--|
| <p>Yellowfin tuna (<i>Thunnus albacares</i>)</p> <p>Fleshy protrusion at the anterior end of the stomach cavity</p> |  |
| <p>Bigeye tuna (<i>Thunnus obesus</i>)</p> <p>Smooth base of the stomach cavity</p> |  |
| <p>[Southern] bluefin tuna (<i>Thunnus maccoyii</i>)</p> <p>Distinct bulge at anterior end of the stomach cavity</p> |  |

*Addendum 2 to Appendix 4 to ANNEX 10***ROP Participants' Reports****Report on the Implementation of Regional Observer Program of ICCAT in 2007
by Chinese Taipei, September 2008**

1. In order to monitor the transshipment activities by large-scale tuna longline vessels (LSTLVs) in the ICCAT Convention area, ICCAT adopted Recommendation 05-06 "Establishing a Program for Transshipment by Large-scale Longline Fishing Vessels" in 2005 which was amended in 2006 as Recommendation 06-11.
2. This report is made in accordance with the following requirements set out in paragraph 18 of Recommendation 06-11:
 - The quantities by species transshipped during the previous year
 - The list of LSTLVs registered in the ICCAT record of fishing vessels which have transshipped during the previous year
 - A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from their LSTLVs.

The quantities by species transshipped during the year 2007

3. From the time the ROP became operational in early May 2007 to the end of the year, the Chinese Taipei flagged LSTLVs have transshipped at sea a total of 7,103 tons of tunas and tuna-like species. As for the in-port transshipment⁶, 20,206 tons of tunas and tuna-like species were transshipped by Chinese Taipei LSTLVs in 2007 (**Attachment 1 to Addendum 2 to Appendix 4 to ANNEX 10**).

The list of the LSTLVs made transshipment during the previous year

4. There were 52 bigeye vessels flying the flag of Chinese Taipei authorized to conduct at-sea transshipment in 2007. As for the in-port transshipment, there were 73 LSTLVs conducting transshipment in ports in 2007. The names of the vessels that made transshipments during the year are listed for information (**Attachment 2 to Addendum 2 to Appendix 4 to ANNEX 10**).

Assessment of the content and conclusions of the reports of the observers

5. In order to improve the implementation of the program in the future, some observations and suggestions are made on the content of the reports of the observers for the consideration by the Commission:

5.1 Format of observer's report

- Although the majority of the observers have followed the format agreed for reporting an observation, some still make their reports in different formats in various parts of the reports.
- For example, some observers simply used a map to show figure 1 on the report indicating dates and relative positions of transshipments. Some observers, however, illustrated figure 1 with the location of the transshipments as well as a pie chart showing the catch transshipped. In our view, the latter is more informative. Therefore, we suggest requiring basic elements agreed by parties concerned to be included in all reports in order enable better understanding of the transshipment activities.

5.2 Knowledge of observers

- It seems that there has been some confusion in the observer reports, which noted that VMS systems were not found on the carrier vessels concerned. For example, the observers noted in their reports that carrier vessels, Ryoma, Shin Ryuta Maru and Tenho Maru were not equipped with a VMS system.

⁶ Information on in-port transshipment is available from the Secretariat.

- However, we are sure that these vessels have installed and operated VMS and the relevant information, as a matter of fact, had been included in the part of communication system of the Section 1.1 of the reports. We do not know whether it was the negligence of the observers or the incompetence of the observers to observe the existence of VMS on board. Improvements in the observers reports in this respect are needed.

5.3 The accuracy of data recorded by the observer:

- It was noted that the observer who made the estimation referred to the difficulties he faced in performing his duty: the transshipment process took place at an extremely rapid pace with slings of fish being loaded directly from the fish hold of the LSTLV to the carrier vessel, and it was difficult for the observers to accurately count or estimate the number of fish being transshipped.
- We should be mindful of this practical problem and consider better way for the observers to conduct estimation of the amount of the fish in transshipment, or otherwise give thought to modifying the provisions in Recommendation 06-11 not to require the observers to count the fish, since, in any event, the fish thus transshipped will be subject to weighing and counting at the port of destination of the market state, where the actual amount of fish imported will be certified by independent surveyors for customs purposes.

Conclusion

6. ICCAT is the first tuna RFMO to implement a ROP on carrier vessels in the Atlantic areas and RFMO in other oceans are following the same step. The achievement and success of ICCAT in the implementation of ROP should be recognized and commended. Chinese Taipei is satisfied with the operation of the ROP, and is in an opinion that the ROP should continue.
7. It was a tedious task for the ICCAT Secretariat to follow-up the process of ROP and make prompt response. Chinese Taipei is also satisfied with the work carried out by the Secretariat and the Consortium under contract. Chinese Taipei acknowledges the efforts and diligence of the Secretariat for the arrangements of the program.

Attachment 1 to Addendum 2 to Appendix 4 to ANNEX 10

Quantities, by Species, Transhipped by Chinese Taipei Flagged Vessels in 2007

(Unit: Kg)

| Species | In port | | At sea | | In port – At sea | | Total |
|-------------------|------------------|-------------------|------------------|-----------------|-------------------|-------------------|-------------------|
| | Bigeye vessel | Albacore vessel | Bigeye vessel | Albacore vessel | Bigeye vessel | Albacore vessel | |
| Bigeye tuna | 2,269,947 | 107,908 | 6,186,937 | -- | 8,456,884 | 107,908 | 8,854,792 |
| Yellowfin tuna | 365,143 | 154,024 | 815,599 | -- | 1,180,742 | 154,024 | 1,334,766 |
| North swordfish | 58,188 | 7,199 | 6,261 | -- | 64,449 | 7,199 | 71,648 |
| South swordfish | 99,503 | 65,518 | 88,660 | -- | 188,163 | 65,518 | 253,681 |
| Blue marlin | 53,759 | 27,838 | 798 | -- | 54,557 | 27,838 | 82,395 |
| Striped marlin | 3,751 | 23,888 | -- | -- | 3,751 | 23,888 | 27,639 |
| Northern albacore | 372,849 | 1,514,621 | -- | -- | 372,849 | 1,514,621 | 1,887,470 |
| Southern albacore | 445,201 | 12,093,214 | -- | -- | 445,201 | 12,093,214 | 12,538,415 |
| Sharks | 590,326 | 791,900 | 4,692 | -- | 595,018 | 791,900 | 1,386,918 |
| Shark fin | 5,275 | 12,381 | 234 | -- | 5,509 | 12,381 | 17,890 |
| Oil fish | 1,219 | 11,984 | -- | -- | 1,219 | 11,984 | 13,203 |
| Other species | 460,027 | 851,743 | -- | -- | 460,027 | 851,743 | 1,311,770 |
| Total | 4,725,188 | 15,662,218 | 7,103,181 | -- | 11,828,369 | 15,662,218 | 27,490,587 |

Chinese Taipei LSTLVs Registered in the ICCAT Record of Fishing Vessels that have Transhipped in 2007

Transshipment at sea (bigeye vessels)

| <i>No.</i> | <i>Vessel name</i> | <i>ICCAT List No.</i> | <i>No.</i> | <i>Vessel name</i> | <i>ICCAT List No.</i> |
|------------|-----------------------|-----------------------|------------|--------------------|-----------------------|
| 1 | CHAI HORN 101 | AT000TAI00001 | 27 | YUH YBOU 66 | AT000TAI00151 |
| 2 | CHUNG I 237 | AT000TAI00031 | 28 | YUNG HANG | AT000TAI00157 |
| 3 | CHUNG I 302 | AT000TAI00033 | 29 | YING RONG NO. 638 | AT000TAI00162 |
| 4 | DAI HO | AT000TAI00036 | 30 | HSIN CHENG FA 16 | AT000TAI00177 |
| 5 | FENG YA NO. 11 | AT000TAI00038 | 31 | KUANG MEI | AT000TAI00181 |
| 6 | HSIANG AN 102 | AT000TAI00056 | 32 | YUNG HAN 101 | AT000TAI00182 |
| 7 | YUNG CHIN NO. 101 | AT000TAI00061 | 33 | KIN CHUAN HSING 31 | AT000TAI00183 |
| 8 | HSIN CHENG HSIANG 101 | AT000TAI00063 | 34 | HAU SHEN 236 | AT000TAI00184 |
| 9 | HSIN CHUN 16 | AT000TAI00064 | 35 | YUNG FENG NO. 101 | AT000TAI00185 |
| 10 | HUNG CHING 212 | AT000TAI00073 | 36 | TAI FA NO. 3 | AT000TAI00186 |
| 11 | I MAN HUNG 166 | AT000TAI00078 | 37 | JIIN HORNG NO. 168 | AT000TAI00187 |
| 12 | KAO FENG 101 | AT000TAI00089 | 38 | YING JEN 636 | AT000TAI00192 |
| 13 | YEUNHORNG NO. 1 | AT000TAI00093 | 39 | YUH YEOU 236 | AT000TAI00193 |
| 14 | KAO FONG NO. 817 | AT000TAI00096 | 40 | CHIN CHENG WEN | AT000TAI00194 |
| 15 | KUANG LI | AT000TAI00099 | 41 | CHIN YUAN MING | AT000TAI00195 |
| 16 | LONG CHANG NO. 3 | AT000TAI00104 | 42 | CHIN SHUN KUO | AT000TAI00197 |
| 17 | SHIN LUNG 202 | AT000TAI00117 | 43 | JIIN HORNG NO. 206 | AT000TAI00202 |
| 18 | SHUN AN 6 | AT000TAI00122 | 44 | KAO HSIN NO. 3 | AT000TAI00203 |
| 19 | CHIN SHUN 101 | AT000TAI00126 | 45 | SHUN YU | AT000TAI00204 |
| 20 | TORNG TAY 3 | AT000TAI00128 | 46 | HAU SHEN NO. 212 | AT000TAI00205 |
| 21 | YANG JEN 168 | AT000TAI00137 | 47 | HUANG CHIN | AT000TAI00207 |
| 22 | YU FENG 102 | AT000TAI00140 | 48 | CHIN CHANG MING | AT000TAI00208 |
| 23 | YU FENG 202 | AT000TAI00141 | 49 | TIAN BAO | AT000TAI00209 |
| 24 | YU FENG 67 | AT000TAI00142 | 50 | YIH LONG NO. 101 | AT000TAI00210 |
| 25 | YU I HSIANG 121 | AT000TAI00144 | 51 | FU YUAN NO. 66 | AT000TAI00211 |
| 26 | YUH YEOU 31 | AT000TAI00149 | 52 | JILN HORNG NO. 101 | AT000TAI00212 |

Transshipment Report from Korea

| <i>Name of Company</i> | <i>Species</i> | <i>Quantities of at-sea transshipments (tons)</i> |
|-----------------------------|------------------|---|
| Grand Fishery Co., Ltd | Bigeye | 237.1 |
| | Yellowfin | 16.1 |
| | Albacore | |
| | Southern bluefin | 27 |
| | Swordfish | |
| | Others | |
| | Sub-total | 280.2 |
| Dae Sung Fisheries Co., Ltd | Bigeye | 345 |
| | Yellowfin | 27.2 |
| | Albacore | |
| | Southern bluefin | |
| | Swordfish | 29.7 |
| | Others | |
| | Sub-total | 401.9 |
| Inter Tuna Fishery Co., Ltd | Bigeye | 120.278 |
| | Yellowfin | 33.657 |
| | Albacore | |
| | Southern bluefin | |
| | Swordfish | 6.297 |
| | Others | |
| | Sub-total | 160.232 |
| | TOTAL | 842.332 |

List of Korean fishing vessels that carried out transshipment in 2007

| <i>Name of Company</i> | <i>Vessel name</i> | <i>ICCAT List No.</i> | <i>Port transshipment / At-sea transshipment</i> |
|------------------------------|--------------------|-----------------------|--|
| Grand Fishery Co., Ltd. | No.101 Dae Young | AT000KOR00175 | At-sea transshipment |
| | No.102 Dae Young | AT000KOR00183 | Port transshipment |
| | No.112 Dae Young | AT000KOR00177 | Port transshipment / at-sea transshipment |
| Dae Sung Fisheries Co., Ltd. | No.11 Dae Sung | AT000KOR00093 | Port transshipment / at-sea transshipment |
| | No.216 Dae Sung | AT000KOR00205 | At-sea transshipment |
| | No.226 Dae Sung | AT000KOR00203 | At-sea transshipment |
| Sajo Industries Co., Ltd. | Oryong No.353 | AT000KOR00137 | Port transshipment |
| | Oryong No.355 | AT000KOR00138 | Port transshipment |
| | Oryong No.357 | AT000KOR00139 | Port transshipment |
| | Oryong No.705 | AT000KOR00144 | Port transshipment |
| | Oryong No.731 | AT000KOR00088 | Port transshipment |
| Inter Tuna Fishery Co., Ltd. | No.1 Ever Rich | AT000KOR00180 | Port transshipment / at-sea transshipment |

**Transshipment Report from Philippines
(September 2008)**

| | |
|--------------------|-----------------------|
| Reporting Country: | Philippines |
| Year: | April - December 2007 |

List of vessel transshipments at sea

| <i>Name of Vessel</i> | <i>ICCAT No.</i> |
|-----------------------|------------------|
| Jetmark No. 726 | AT000PHL0005 |
| Jetmark No. 102 | AT000PHL0007 |
| Castro No. 168 | AT000PHL0002 |
| Sunny Sky No. 888 | AT000PHL0017 |
| Jetmark No. 31 | AT000PHL0015 |
| Sun Warm No. 6 | AT000PHL0012 |
| Boada No. 5 | AT000PHL0001 |
| Castro No. 668 | AT000PHL0003 |
| Jetmark No. 36 | AT000PHL0016 |

Quantity by species transshipped at sea

| | |
|-----------------|---------------|
| Bigeye tuna | 1,134,916 kgs |
| Yellow fin tuna | 107,763 kgs |
| Swordfish | 58,404 kgs |

Appendix 5 to ANNEX 10

Compliance Tables Adopted in 2008
(Compliance in 2007, reported in 2008)

1. General

The Compliance Tables were drafted on the basis of the figures reported by Contracting Parties, as shown in bold. Where no figures have been reported, Task I data have been used, which may in some cases include SCRS estimates. Where catch figures have been reported, but no balances and adjustments, these have been calculated by the Secretariat, usually on an annual basis. No adjustments have been calculated for marlins, as only one Contracting Party has applied the provision of Recommendation 00-14.

Please note that in some cases where arithmetic may seem to be erroneous, this is due to calculations which have been carried over from previous tables, as only current management periods are shown.

The Compliance Table for east bluefin tuna was not adopted by the Commission.

The explanation of calculation of overages/underages and adjusted quota submitted by Contracting Parties (European Community, France-St. Pierre and Miquelon, Japan, Korea, Uruguay, Chinese Taipei) are available on request from the Secretariat.

2. Species specific**2.1 Northern albacore**

General: Over-harvests must be adjusted and under-harvests of up to 50% of the initial catch limit/quota may be carried over to the following year or biennially [Recs. 03-06 and 06-04].

Specific: Japan shall endeavor to limit its total northern albacore catch to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic [Recs. 03-06 and 06-04].

100 t of the Chinese Taipei northern albacore catch limit will be transferred to St. Vincent and the Grenadines for 2008 and 2009.

Japanese percentages of bigeye catch are 8.1% in 2004, 6.8% in 2005, 1.9% in 2006 and 1.4% in 2007). Catches for 2006 and 2007 are provisional.

For Chinese Taipei, the adjusted quota of 2008 is 5825 t. ($5925=3950+3950*50\% -100$) due to the underage of 2006 exceeding 50% of 2008 catch quota and a 100 t transfer to St. Vincent and the Grenadines.

St. Vincent and the Grenadines: 2008 adjusted quota includes 100 t transfer from Chinese Taipei.

2.2 Southern albacore

General: Over-harvests must be adjusted, but under-harvests cannot be carried over [Rec. 04-04].

Specific: Japan shall endeavor to limit its total southern albacore catch to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic South of 5°N [Rec. 04-04].

CPCs actively fishing for southern albacore are Brazil, Namibia, South Africa and Chinese Taipei, which share a TAC of 30915 t [Rec. 04-04].

Japanese percentages of bigeye South of 5°N are 4.9% in 2004, 4.2% in 2005, 3.0% in 2006 and 2.2% in 2007. Catches for 2006 and 2007 are provisional.

South Africa informed the Compliance Committee that the sharing arrangement with a TAC of 26,333.6 t had been agreed within Panel 3 in 2007. Only the total TAC is reflected in Rec. 07-03.

Belize shall carry over 150 t from 2007 to 2008.

2.3 Northern swordfish

General: Over-harvests must be adjusted, and under-harvests may be carried over to the following year or biennially. Starting in 2007, not more than 50% of the initial catch limit may be carried over [Recs. 02-02 and 06-02].

Specific: The United States may harvest up to 200 t of its annual catch limit within the area between 5°N and 5°S. 25t is transferred from the U.S. catch limit to Canada for the years 2003-2008 inclusive.

20 t of the catch limit of United Kingdom (Overseas Territories) is transferred to France (St. Pierre and Miquelon) for the years 2007 and 2008 [Rec. 06-02].

Japan's catch limit shall be considered in light of the two-year period. Under-harvests from 2006 may be added to the total two-year catch limit. Japan shall be allowed to count up to 400 t of its North swordfish catch East of 35°W and South of 15°N against its South Atlantic swordfish under-harvest. [Recs. 02-02 and 06-02]

The adjusted quota for 2008 for Canada includes a 25 t transfer from the United States in 2002-2008 (U.S. quota for 2008 does not reflect 25 t adjustment). U.S. catches in 2004, 2005 and 2006 include discards.

For Japan, the balance for 2004 includes a 184 t allowance from Japanese South swordfish quota [Rec. 02-02]. Balance for 2005 includes a 257 t allowance from the Japanese South swordfish quota [Rec. 02-02]. The balance for 2006 includes a 266 t allowance from the Japanese South swordfish quota [Rec. 04-02]. Total balances for the 2002-2006 period shall be applied to the 2007-2008 period [Rec. 06-02]. 2006 and 2007 catches are provisional.

France (St. Pierre and Miquelon)/United Kingdom (Overseas Territories): 20 t transferred to France (St. Pierre and Miquelon) from United Kingdom (Overseas Territories) for 2007 and 2008 [Rec. 06-02].

Chinese Taipei: 2007 adjusted quota is 405 t. ($=270+270*50\%$) due to the underage of 2006 exceeding 50% of the 2007 catch limit; 2008 adjusted quota is 405 t. ($=270+270*50\%$) due to the underage of 2007 exceeding 50% of the 2008 catch limit.

2.4 Southern swordfish

General: Over-harvests must be adjusted, but under-harvests may not be carried over for the period 2003-2006 (subject to the exceptions below) [Rec. 02-03]. From 2007-2009, under-harvest of up to 50% of the initial catch limit/quota may be carried over to the following year or biennially [Rec. 06-03].

Specific: Japan and the United States may carry over under-harvests of the period 2002-2006 [Rec. 02-03], as can those who lodged an objection to Rec. 97-08 (Brazil, South Africa, Uruguay).

Japan, United States and Chinese Taipei may carry over the following amounts from 2006 to 2007: Japan = up to 800 t; United States = up to 100 t; Chinese Taipei up to 400 t [Rec. 06-03].

100 t transferred from Japan to Chinese Taipei in 2003 [Rec. 03-05].

Japan shall be allowed to count up to 400 t of its North swordfish catch East of 35°W and South of 15°N against its South Atlantic swordfish under-harvest [02-03 and 06-03].

Brazil may harvest up to 200 t of its annual catch limit within the area between 5°N and 15°N [Recs. 02-03 and 06-03].

Chinese Taipei 2008 adjusted quota includes 274 t of 2007 underage.

For Japan, the adjusted quota in 2005 and in 2006 excludes 257 t and 266 t, respectively to count as Japanese North swordfish catch [Rec. 02-03]. Japanese underages in 2006 are carried over to its 2007 quota up to 800 t [Rec. 06-03]. 2006 and 2007 catches are provisional.

2.5 Bluefin tuna east

As noted in Section 1, the Compliance Table for east bluefin tuna was not adopted by the Commission.

General: Over-harvests must be adjusted, and under-harvests arising from 2003-2004 catches may be carried over to the following year or biennially [Rec. 02-08]. For under-harvests in 2005 and 2006, not more than 50% of under-harvests can be carried over either to 2007 or in accordance with the carry over plans submitted and approved in 2007. No other carryover of under-harvests is permitted from 2007 onwards. Over-harvests in 2005 and 2006 shall not be deducted from future allocations [Rec. 06-05].

Specific: For the period of 2002-2006, the Korean and Chinese Taipei share of 1.5% was activated when under-harvest had been fished.

Under-harvests by Iceland transferred to the EC for the period 2003-2006. EC overage is provisional to be paid back in accordance with Rec. 07-04.

Turkey has lodged an objection to the quota allocation for 2007-2010.

The Chinese Taipei adjusted quota of 2007 includes 50% of under-harvest of 2005 and 2006.

Japan: 2006 and 2007 figures are provisional.

As mentioned in Rec. 08-05 (paragraph 14), the Commission agreed to some carry over. Libya has indicated that it intends to distribute its under-harvest over the period up to 2010, with 79 t in 2007, 145.25 t in 2008, 2009 and 2010 (total = 2006 balance / 2).

Morocco has indicated that its quotas for 2007 and 2010 are adjusted as follows: balance of 2005+2006 x 50% = 1308. This will be spread over 4 years by adding 327 t per year to the initial quota.

Tunisia has indicated that they intend to distribute their under harvest of 514 t over the period up to 2010 as follows: 2008: 110 t; 2009: 202 t and 2010: 202 t.

Additionally, Korea and China indicated their intentions, as follows:

Korea indicated that it intends to distribute its under-harvest over the period up to 2010, with 170 t in 2007, 163.23 t in 2008, 3.72 t in 2009 and 2010 (total 336.95=2006 balance / 2).

China has indicated that its 2008 adjusted quota should be 80 t: 33 t of underage in 2004 to be adjusted to 2006 and then to 2008.

2.6 Bluefin tuna west

General: Over-harvests must be adjusted, and under-harvests may be carried over to the following year for the years 1998-2006 [Rec. 98-07]. From 2007, the carryover of under-harvest may not exceed 50% of the initial TAC allocation, except for quotas of 25 t or less [Rec. 06-06].

Note: Exemptions of up to 15 t bluefin tuna in the mid-Atlantic may still be granted under Rec. 01-08.

Specific: 100 t transferred from the United States under-harvest to Mexico for the years 2007 and 2008 [Rec. 06-06].

50 t transferred from the United States under-harvest to Canada for the years 2007 and 2008 [Rec. 06-06].

Canada, Japan and the United States may add 50% of unused dead discard allowance to their catch limits. 100% of over-harvest of discards must be deducted from their catch limits.

For Canada, the balance and adjustments for 2004-2006 include 50% of unused dead discard allowance from the previous year.

Japan: 2006 and 2007 figures are provisional.

Figures for Mexico have not been adjusted as such adjustment has not been requested by Mexico in previous years. May be subject to adjustment.

The U.S. balance for 2005 has been reduced by 125 t, 50 t of which is allocated to Canada and 75 t of which is allocated to Mexico for the year 2007. The U.S. balance for 2006 reduced by 150 t, 50 t of which is to be allocated to Canada and 100 t of which is to be allocated to Mexico in 2008.

2.7 Bigeye

General: Over-harvests must be adjusted, and under-harvests of up to 30% of the quota may be carried over to the following year or biennially [Rec. 04-01].

Specific: Catch limit for Chinese Taipei for 2006 was set by Rec. 05-02.

1250 t transferred from Japan to China and 1250 t transferred from Japan to Chinese Taipei in 2003 [Rec. 03-02]. 2000 t transferred from Japan to China for the years 2005-2008 [Rec. 05-03].

China: figures calculated from 2002-2004. Overages not adjusted from 2005 onwards as paid back with annual 500 t reduction under Rec. 04-01.

Japan: Adjusted catch limit in 2005-2008 excludes 2000 t transferred to China [Res. 05-03]. 2006 and 2007 catches are provisional.

U.S. 2005 shows corrected values to reflect catches as reported to SCRS.

The Chinese Taipei 2005 adjusted quota has been reduced by 1600 t in accordance with the provision of Rec. 04-01. The 2007 adjusted quota has been reduced by 1600 t in accordance with the provision of Rec. 04-01 plus 2916 t of 2005 underage ($17816=16500-1600+2916$). 2008 adjusted quota has been reduced by 1600 t in accordance with the provision of Rec. 04-01 plus 1635 t of 2006 underage ($16535=16500-1600+1635$).

2.8 Billfish

General: Limits only apply to commercial longline and purse seine vessels. Adjustments may be made in accordance with Rec. 00-14. Only reported adjustments have been shown.

Brazil: Reported catches in 2007 include live and dead releases. About 43.2 t of billfish discarded were recorded by the observers: 24.4 t live and 18.8 t dead.

Japan: 2006 and 2007 catches are provisional.

Mexico: Only landings of dead by-catches are retained. All live billfish are released.

Trinidad and Tobago: landings are only by-catches.

North Atlantic Albacore Compliance Table adopted in 2008.

| YEAR | Initial catch limits | | | | | Current catch | | | | Balance | | | | Adjusted quota/ catch limit | | | | |
|-----------------------|----------------------|-------|-------|-------|-------|---------------|---------|---------|---------|---------|---------|---------|---------|-----------------------------|---------|---------|---------|---------|
| | 2004 | 2005 | 2006 | 2007 | 2008 | 2004 | 2005 | 2006 | 2007 | 2004 | 2005 | 2006 | 2007 | 2004 | 2005 | 2006 | 2007 | 2008 |
| TAC | 34500 | 34500 | 34500 | 34500 | 30200 | | | | | | | | | | | | | |
| BARBADOS | 200 | 200 | 200 | 200 | 200 | 8.2 | 10.9 | 9 | 7.0 | 91.8 | 189.1 | 191 | 293.0 | | | | 300 | 300.0 |
| BELIZE | | 100 | 200 | 200 | 200 | 0 | 0 | 0 | 21.8 | | 100 | 200 | 178.2 | | 100 | 300 | 300 | 300.0 |
| BRAZIL | 200 | 200 | 200 | 200 | 200 | 0 | 0 | 0 | 0.0 | | | | | | | | | |
| CANADA | 200 | 200 | 200 | 200 | 200 | 27.1 | 52.1 | 27.3 | 22.2 | 172.9 | 147.9 | 172.7 | 177.8 | | 300 | 300 | 300 | 300 |
| CHINA | 200 | 200 | 200 | 200 | 200 | 32.1 | 111.6 | 202.0 | 59.0 | 167.9 | 188.4 | 98.0 | 241.0 | | 300.0 | 300.0 | 300.0 | 300 |
| EUROPEAN COMMUNITY | 28712 | 28712 | 28712 | 28712 | 25462 | 16912.6 | 34947.5 | 29232.1 | 17803.1 | 24216.9 | 15106.0 | 11588.4 | 25264.9 | 41129.5 | 50053.5 | 40820.5 | 43068.0 | 37050.4 |
| FRANCE (St. P & M) | 200 | 200 | 200 | 200 | 200 | 7.0 | 2.1 | 0.0 | 10.0 | 293.0 | 297.9 | 300.0 | 290.0 | 300.0 | 300.0 | 300.0 | 300.0 | 300.0 |
| JAPAN | 639 | 615 | 772 | 844 | ? | 1289.0 | 1040.0 | 368.0 | 299.0 | | | | | | | | | |
| KOREA | 200 | 200 | 200 | 200 | 200 | | 59.0 | 31.0 | 37.0 | | 141.0 | 169.0 | 263.0 | | | 300.0 | 300.0 | 300.0 |
| MAROC | 200 | 200 | 200 | 200 | 200 | 120.0 | 178.0 | 98.0 | 96.0 | 80.0 | 102.0 | 202.0 | 204.0 | | 280.0 | 300.0 | 300.0 | 300 |
| St. VINCENT | | | 200 | 200 | 200 | | | 76.0 | 263.0 | | | 124.0 | 37.0 | | | | 300.0 | 337.0 |
| SENEGAL | 0.0 | 0.0 | 0.0 | 400 | 400 | 108.0 | 108.0 | | | -108.0 | -108.0 | | | | | | | |
| TRINIDAD & TOBAGO | 200 | 200 | 200 | 200 | 200 | 12.2 | 9.0 | 12.4 | 18.4 | 187.8 | 291.0 | 187.6 | 281.6 | | 300.0 | 300.0 | 300.0 | 300.0 |
| UKOT | 200 | 200 | 200 | 200 | 200 | 1.0 | 1.0 | 0.0 | 0.2 | 199.0 | 199.0 | 200.0 | 200.0 | | 300.0 | 300.0 | 300.0 | 300.0 |
| USA | 607 | 607 | 607 | 607 | 538 | 646.6 | 486.5 | 399.6 | 531.7 | 118.6 | 239.1 | 446.5 | 378.8 | 765.2 | 725.6 | 846.1 | 910.5 | 841.5 |
| VANUATU | | 200 | 200 | 200 | 200 | 414.0 | 507.0 | 235.0 | | | -307.0 | -35.0 | | | | | 145.0 | |
| VENEZUELA | 270 | 270 | 270 | 270 | 250 | 457.0 | 175.0 | 321.0 | 375.0 | -340.5 | -245.5 | -296.5 | | 116.5 | -70.5 | 24.5 | -26.5 | |
| CHINESE TAIPEI | 4453 | 4453 | 4453 | 4453 | 3950 | 4278.0 | 2540.0 | 2357.0 | 1297.0 | 175.0 | 1913.0 | 2387.0 | 5069.0 | 4569.0 | 4453.0 | 4744.0 | 6366.0 | 5825 |
| TOTAL CATCH | | | | | | 24312.8 | 40227.7 | 33368.4 | 20840.4 | | | | | | | | | |
| Recommendation number | 03-06 | 03-06 | 03-06 | 06-04 | 07-02 | | | | | | | | | 03-06 | 03-06 | 03-06 | 06-04 | 07-02 |

JAPAN is to endeavor to limit North Albacore catches to no more than 4% of its total bigeye tuna catch (8.1% in 2004, 6.8% in 2005, 1.9% in 2006 and 1.4% in 2007).

JAPAN: 2006 and 2007 figures are provisional.

CHINESE TAIPEI: Adjusted quota of 2008 is 5825t.(5925=3950+3950*50%-100) due to the underage of 2006 exceeding 50% of 2008 catch quota and a transfer of 100t to St.Vincent & The Grenadines.

ST. VINCENT & THE GRENADINES: 2008 Adjusted quota includes 100 t transfer from Chinese Taipei.

South Atlantic Albacore Compliance Table Adopted in 2008.

| YEAR | Initial quota /catch limit | | | Reference years | Current catches | | | Balance | | | Adjusted quota (only applicable in case of overharvest) | | |
|---------------------------|----------------------------|--------------|--------------|-------------------|-----------------|----------------|----------------|---------------|---------------|---------------|---|--------------|--------------|
| | 2006 | 2007 | 2008 | Average 1992-1996 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2006 | 2007 | 2008 |
| TAC | 30915 | 30915 | 29900 | | | | | | | | | | |
| BRAZIL | TAC share 27500 | | | TAC share 26336,3 | 555.8 | 360.8 | 535.1 | 13324.2 | 8866.0 | 8826.0 | | | |
| NAMIBIA | | | | | 3107.0 | 2245.0 | 1196.0 | | | | | | |
| SOUTH AFRICA | | | | | 3198.0 | 3735.0 | 3797.1 | | | | | | |
| CHINESE TAIPEI | | | | | 10730.0 | 12293.0 | 13146.0 | | | | | | |
| BELIZE | 360.0 | 360.0 | 360.0 | 327.0 | 0.0 | 54.4 | 31.9 | 180.0 | 54.4 | 328.1 | | | 510.0 |
| CHINA | 100.0 | 100.0 | 100.0 | 0.0 | 94.9 | 100.0 | 35.0 | 5.1 | 0.0 | 65.0 | n.a | n.a | n.a |
| EUROPEAN COMMUNITY | 1914.7 | 1914.7 | 1914.7 | 1740.6 | 621.2 | 705.1 | 782.9 | 1293.5 | 1209.6 | 1132.0 | | | |
| GUATAMALA | 100.0 | 100.0 | 100.0 | | | 40.0 | | | | | | | |
| JAPAN | 426.0 | 500.0 | ? | | 320.0 | 324.0 | 270.0 | | | | | | |
| KOREA | 100.0 | 100.0 | 100.0 | 9.0 | 42.0 | 81.0 | 31.0 | 68.0 | 19.0 | 34.0 | | | |
| PANAMA | 119.9 | 119.9 | 119.9 | 109.0 | 0.0 | | 18.0 | 119.9 | | | | | |
| PHILIPPINES | 100.0 | 100.0 | 100.0 | 0.0 | 61.0 | 0.0 | 20.1 | 39.0 | 100.0 | 79.9 | | | |
| ST VINCENT & GRENADINES | 100.0 | 100.0 | 100.0 | | | 65.0 | 160.0 | | 35.0 | -60.0 | | | |
| SENEGAL | 0.0 | 300.0 | 400.0 | | | | | | | | | | |
| UK-OT | 100.0 | 100.0 | 100.0 | 40.0 | 0.0 | 62.0 | 45.0 | 100.0 | 38.0 | 55.0 | | | |
| URUGUAY | 100.0 | 100.0 | 100.0 | 40.0 | 32.0 | 93.0 | 34.0 | 68.0 | 7.0 | 66.0 | | | |
| USA | 100.0 | 100.0 | 100.0 | 0.2 | 0.0 | 0.0 | 0.0 | 100.0 | 100.0 | 100.0 | | | |
| VANUATU | 100.0 | 100.0 | 100.0 | | 684.0 | 1400.0 | | -584.0 | -1300.0 | | | | |
| TOTAL CATCH | | | | | 19351.0 | 21558.3 | 20102.1 | | | | | | |
| <i>Rec. number</i> | <i>04-04</i> | <i>04-04</i> | <i>07-03</i> | | | | | | | | <i>04-04</i> | <i>04-04</i> | <i>07-03</i> |

JAPAN is to endeavor to limit its total South albacore catches to no more than 4% of its total bigeye tuna catch South of 5 degrees North (4.9% in 2004; 4.2% in 2005, 3.0% in 2006 and 2.2% in 2007).

JAPAN: 2006 and 2007 figures are provisional.

BELIZE: 150 t of carryover from 2007 to 2008.

North Atlantic Swordfish Compliance Table Adopted in 2008.

| YEAR | Initial quota | | | | | Current catches | | | | Balance | | | | Adjusted quota | | | |
|------------------------------|---------------|-------|-------|-------|-------|---------------------|--------|--------|--------|---------|--------|--------|--------|----------------|---------|--------|--------|
| | 2004 | 2005 | 2006 | 2007 | 2008 | 2004 | 2005 | 2006 | 2007 | 2004 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2008 |
| TAC | 14000 | 14000 | 14000 | 14000 | 14000 | | | | | | | | | | | | |
| BARBADOS | 25 | 25 | 25 | 45 | 45 | 23.5 | 38.7 | 39.0 | 27.0 | 16.5 | 2.8 | -11.2 | 6.8 | 41.5 | 27.8 | 33.8 | 51.8 |
| BELIZE | | | | 130 | 130 | 0.0 | 0.0 | 0.0 | 8.7 | 0.0 | 0.0 | 0.0 | 121.3 | | | 130.0 | 195.0 |
| BRAZIL | 50 | 50 | 50 | 50 | 50 | 0.0 | 0.0 | 0.0 | 0.0 | 50.0 | 50.0 | 50.0 | 50.0 | | | | |
| CANADA | 1348 | 1348 | 1348 | 1348 | 1348 | 1203.3 | 1557.9 | 1403.6 | 1266.2 | 289.8 | 104.9 | 29.5 | 30.0 | 1662.8 | 1433.1 | 1296.2 | 1365.0 |
| CHINA | 75 | 75 | 75 | 75 | 75 | 55.8 | 108.0 | 72.0 | 85.0 | 19.2 | 5.2 | 3.0 | 11.0 | 113.2 | 75.0 | 96.0 | 96.0 |
| COTE DIVOIRE | | | | 50 | 50 | 0.0 | 0.0 | 0.0 | | 0.0 | 0.0 | 0.0 | | | | 50.0 | |
| EUROPEAN COMMUNITY | 6718 | 6718 | 6718 | 6718 | 6718 | 6798.8 | 6600.3 | 6491.6 | 6304.1 | 42.5 | 1100.1 | 268.9 | 1514.0 | 7700.4 | 6760.5 | 7818.1 | 6986.9 |
| FRANCE (St. P & M) | 35 | 35 | 35 | 40 | 40 | 35.6 | 48.4 | 0.0 | 98.0 | -0.6 | 32.7 | 34.4 | -5.3 | 81.1 | 34.4 | 92.7 | 94.4 |
| JAPAN | 842 | 842 | 842 | 842 | 842 | 700.0 | 760.0 | 820.0 | 581.0 | 326.0 | 339.0 | 288.0 | 2216.0 | 842.0 | 842.0 | 2797.0 | 3058.0 |
| KOREA | | | | 50 | 50 | 0.0 | 51.0 | 21.0 | 195.0 | 0.0 | | -21.0 | -145.0 | | | | -95.0 |
| MAROC | 335 | 335 | 335 | 850 | 850 | 335.0 | 325.0 | 341.0 | 229.0 | 7.2 | 17.2 | 1.2 | 621.0 | 342.2 | 342.2 | 850.0 | 851.2 |
| MEXICO | 110 | 110 | 110 | 200 | 200 | 44.0 | 41.0 | 31.0 | 35.0 | 66.0 | 69.0 | 79.0 | 165.0 | | | | |
| PHILIPPINES | | | | 25 | 25 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 25.0 | | | | 37.5 |
| SENEGAL | | | | 400 | 400 | 108.0 | 108.0 | | 18.0 | -108.0 | -108.0 | | 382.0 | | | 400.0 | |
| ST VINCENT & THE GREN. | | | | 130 | 130 | 7.0 | 7.0 | | 51.0 | -7.0 | -7.0 | | 79.0 | | | 130.0 | 195.0 |
| TRINIDAD & TOBAGO | 125 | 125 | 125 | 125 | 125 | 82.7 | 91.0 | 19.2 | 28.5 | 22.9 | 56.9 | 105.8 | 202.3 | 147.9 | 181.9 | 230.8 | 187.5 |
| UK-OT | 35 | 35 | 35 | 35 | 35 | 5.0 | 5.0 | 0.0 | 3.0 | 132.0 | 162.0 | 197.0 | 209.0 | 162.0 | 197.0 | 212.0 | 32.5 |
| USA | 3907 | 3907 | 3907 | 3907 | 3907 | 2545.5 | 2205.6 | 2261.8 | 2666.0 | 4412.2 | 6113.5 | 7758.7 | 3194.5 | 8319.1 | 10020.5 | 5860.5 | 5860.5 |
| VANUATU | | | | 25 | 25 | 35.0 | 29.0 | 14.0 | | -35.0 | -29.0 | -14.0 | | | | 25.0 | |
| VENEZUELA | 85 | 85 | 85 | 85 | 85 | 46.1 | 55.0 | 22.0 | 30.0 | 79.2 | 209.2 | 63.0 | 264.2 | 264.2 | 85.0 | 294.2 | 148.0 |
| CHINESE TAIPEI | 310 | 310 | 310 | 270 | 270 | 30.0 | 140.0 | 172.0 | 103.0 | 22.0 | 170.0 | 160.0 | 302.0 | 310.0 | 332.0 | 405.0 | 405.0 |
| <i>Recommendation number</i> | 02-02 | 02-02 | 02-02 | 06-02 | 06-02 | | | | | | | | | 02-02 | 02-02 | 02-02 | 06-02 |
| DISCARDS | | | | | | | | | | | | | | | | | |
| <i>Canada</i> | | | | | | 44.8 | 106.3 | 38.0 | 60.8 | | | | | | | | |
| <i>USA</i> | | | | | | included in catches | | | | | | | | | | | |
| TOTAL DISCARDS | | | | | | | | | | | | | | | | | |
| TOTAL CATCH | | | | | | | | | | | | | | | | | |

CANADA: Includes 25 t transfer from USA in 2002-2008. 2006 discards have been deducted from 2008 quota. USA adjusted quota does not include this transfer.

JAPAN: Balance for 2004 includes 184 t allowances from Japanese S.SWO quota (Rec. 02-02). Balance for 2005 includes 257 t allowances from Japanese S. SWO quota (Rec. 02-02).

Balance for 2006 includes 266 t allowance from Japanese S.SWO quota (Rec. 04-02). Total balances for the 2002-2006 period shall be applied to the 2007-2008 period (Rec. 06-02).

JAPAN: 2006 and 2007 figures are provisional.

USA: Catches in 2004, 2005 and 2006 include discards.

FRANCE/UK-OT: 20 t transferred to France (SPM) from UK-OT for 2007 and 2008 (Rec. 06.02).

CHINESE TAIPEI: 2007 adjusted quota is 405t. (=270+270*50%) due to the underage of 2006 exceeding 50% of 2008 catch limit.

CHINESE TAIPEI: 2008 adjusted quota is 405 t. (=270+270*50%) due to the underage of 2007 exceeding 50% of 2008 catch limit.

South Atlantic Swordfish Compliance Table Adopted in 2008.

| YEAR | Initial quota/catch | | | Current catches | | | Balance | | | Adjusted quota | | | |
|------------------------------|---------------------|--------------|--------------|-----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| | 2006 | 2007 | 2008 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2008 |
| TAC | 16055 | 17000 | 17000 | | | | | | | | | | |
| ANGOLA | | 100.0 | 100.0 | 3.00 | | | | | | | | | |
| BELIZE | | 150 | 150 | 0.0 | 0.0 | 119.70 | | | 30.00 | | | 150.00 | 180.00 |
| BRAZIL | 4365 | 4720 | 4720 | 3785.5 | 4430.2 | 4152.50 | 2871.6 | 2806.40 | 2927.50 | 6657.10 | 7236.6 | 7080.00 | 7080.00 |
| CHINA | 315 | 315 | 315 | 91.3 | 300.00 | 473.00 | 260.9 | 15.00 | -1.00 | 352.20 | 315.00 | 472.00 | 472.00 |
| CHINESE TAIPEI | 720 | 550 | 550 | 744.00 | 377.00 | 671.00 | 52.00 | 395.00 | 274.00 | 796.00 | 772.00 | 945.00 | 824.00 |
| COTE D'IVOIRE | 100 | 150 | 150 | 75.00 | 39.47 | 17.00 | 25.00 | 60.52 | 133.00 | | | | 225.00 |
| EUROPEAN COMMUNITY | 5780 | 5780 | 5780 | 5894.60 | 5741.90 | 5798.40 | -44.60 | -6.50 | -63.00 | | | 5735.40 | 5773.50 |
| GABON | | | | 0.00 | | | | | | | | | |
| GHANA | | 100.0 | 100.0 | 55.00 | 32.00 | 65.00 | | | 35.00 | | | 100.00 | 135.00 |
| JAPAN | 1500 | 1315 | 1215 | 709.00 | 1674.00 | 1427.00 | 3534.00 | 2560.00 | 688.00 | 4243.00 | 4234.00 | 2115.00 | 1903.00 |
| KOREA | 0.0 | 50 | 50 | 65.00 | 98.00 | 94.00 | | | -44.00 | | | 50.00 | 6.00 |
| NAMIBIA | 1140 | 1400 | 1400 | 919.00 | 1454.40 | 1038.00 | 221.00 | -314.40 | -212.00 | | | 825.60 | 1188.00 |
| PHILIPPINES | | 50 | 50 | 1.00 | 12.00 | 58.00 | | | -8.00 | | | 50.00 | 41.60 |
| SAO TOME & PRINCIPE | 0.0 | 100.0 | 100.0 | 147.00 | 138.00 | | | | | | | 100.00 | |
| SENEGAL | | 300 | 400 | | | | | | 77.00 | | | 300.00 | |
| SOUTH AFRICA | 1140 | 1200 | 1200 | 199.00 | 185.50 | 207.00 | 2201.00 | 3155.50 | | 2400.00 | 3341.00 | 4355.00 | |
| UK-OT | 25 | 25 | 25 | 0.00 | 0.00 | 0.00 | 25.00 | 25.00 | 25.00 | | | | 37.50 |
| URUGUAY | 850 | 1500 | 1500 | 843.00 | 620.00 | 464.00 | -248.00 | -18.00 | 1018.00 | 595.00 | 602.00 | 1482.00 | 1500.00 |
| USA | 100 | 100 | 100 | 0.00 | 0.00 | 0.00 | 100.00 | 100.00 | 100.00 | 544.60 | 644.60 | 200.00 | 200.00 |
| VANUATU | | 20 | 20 | | | | | | | | | 20.00 | |
| RUSSIA | | | | 1.00 | | | -1.00 | | | | | | |
| TOTAL | | | | 9655.6 | 10672.3 | 14584.6 | | | | | | | |
| <i>Recommendation number</i> | <i>02-03</i> | <i>06-03</i> | <i>06-03</i> | | | | | | | <i>02-03</i> | <i>02-03</i> | <i>06-03</i> | <i>06-03</i> |

No carry over is allowed for southern swordfish in 2002-2006 unless specifically stated in Recommendation 02-03 or in cases where a party objected to Recommendation 97-08, as in the case of Brazil, South Africa and Uruguay

JAPAN: Adjusted quota in 2005 and 2006 exclude 257 t and 266 t respectively to count as Japanese N. SWO catch (Rec. 02-03). Japanese underages in 2006 are carried over to its 2007 up to 800t (Rec. 06-03).

JAPAN: 2006 and 2007 figures are provisional.

CHINESE TAIPEI: 2008 adjusted quota includes 274t of 2007 underage.

East Atlantic Bluefin Tuna Compliance Table. (Not adopted in 2008)

| YEAR | Initial quota | | | | Current catch | | | Balance | | | Adjusted quota | | | |
|-----------------------|--------------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| | 2005 | 2006 | 2007 | 2008 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2008 |
| TAC | 32000 | 32000 | 29500 | 28500 | | | | | | | | | | |
| ALGERIE | 1600.00 | 1700.00 | 1511.27 | 1460.04 | 1530.00 | 1698.00 | 1511.00 | -7.00 | -5.00 | 0.27 | 1523.00 | 1693.00 | 1511.27 | 1460.04 |
| CHINA | 74.00 | 74.00 | 65.78 | 63.55 | 23.7 | 42.00 | 72.00 | 105.00 | 75.78 | | 128.7 | 117.78 | 103.67 | 96.55 |
| CROATIA | 945.0 | 970.0 | 862.31 | 833.08 | 1017.0 | 1022.6 | 825.31 | 52.0 | -0.6 | 36.90 | 1069.0 | 1022.0 | 862.31 | 833.08 |
| EUROPEAN COMMUNITY | 18331.00 | 18301.00 | 16779.55 | 16210.75 | 20600.30 | 19166.50 | 21801.30 | -2269.30 | -865.50 | -5021.75 | 18331.00 | 18301.00 | 16779.55 | 16210.75 |
| EC-Malta | Others quota | | 355.59 | 343.54 | 345.60 | 263.00 | | | | | | | 355.59 | 343.54 |
| EC-Cyprus | Others quota | | 154.68 | 149.44 | 148.80 | 110.00 | | | | | | | 154.68 | 149.44 |
| ICELAND | 50.00 | 60.00 | 53.34 | 51.53 | 0.00 | 0.00 | 0.00 | 50.00 | 60.00 | 53.34 | Balance to EC | | | 51.53 |
| JAPAN | 2890.00 | 2830.00 | 2515.82 | 2430.54 | 3022.00 | 1760.00 | 2238.24 | -40.00 | 1030.00 | 792.68 | 2982.00 | 2790.00 | 3030.92 | 2430.54 |
| KOREA | 1728.90 | 741.90 | 177.80 | 171.77 | 987.00 | 68.00 | 276.00 | 741.90 | 673.90 | 238.75 | 1728.90 | 741.90 | 514.75 | 338.72 |
| LIBYA | 1400.00 | 1440.00 | 1280.14 | 1236.74 | 1090.70 | 1254.00 | 1359.00 | 843.50 | 1029.50 | 0.00 | 1934.20 | 2283.50 | 1359.00 | 1381.99 |
| MAROC | 3127.00 | 3177.00 | 2824.30 | 2728.56 | 2497.00 | 2386.00 | 3059.00 | 1054.00 | 1562.00 | 92.30 | 3551.00 | 3948.00 | 3151.30 | 3055.50 |
| TUNISIE | 2583.00 | 2625.00 | 2333.58 | 2254.48 | 3249.00 | 2545.00 | 2195.00 | 948.00 | 1028.00 | 138.60 | 4197.00 | 3573.00 | 2333.60 | 2364.48 |
| NORWAY | under others quota | | 53.34 | 51.53 | 0.00 | 0.00 | 0.00 | | | 53.34 | | | 53.34 | 51.53 |
| SYRIA | | | 53.34 | 51.53 | | | 49.59 | | | | | | 53.34 | |
| TURKEY | | | 918.32 | 887.19 | 990.00 | 806.00 | 879.07 | | | 8.12 | | | 918.00 | 887.19 |
| CHINESE TAIPEI | 331.00 | 480.00 | 71.12 | 68.71 | 277.00 | 9.00 | 0.00 | 54.00 | 471.00 | 68.71 | 331.00 | 480.00 | 333.60 | 68.71 |
| TOTAL CATCH | | | | | 34737.4 | 30107.5 | 34265.5 | | | | | | | |
| Recommendation number | 02-08 | 02-08 | 06-05 | 06-05 | | | | | | | 02-08 | 02-08 | 06-05 | 06-05 |

LIBYA: Libya has indicated that they intend to distribute their under-harvest over the period up to 2010, with 79t in 2007, 145.25 t in 2008,2009 and 2010 (total = 2006 balance / 2).

JAPAN: 2006 and 2007 figures are provisional.

TURKEY: Turkey has lodged an objection to the quotas for 2007-2010.

TUNISIE: has indicated that they intend to distribute their under-harvest of 514 t over the period up to 2010 as follows: 2008 = 110 t; 2009= 202 t and 2010= 202 t.

MOROCCO: Quotas for 2007 and 2010 are adjusted as follows: Balance of 2005+2006 x 50% = 1308. This will be spread over 4 years by adding 327 t per year to initial quota.

CHINESE TAIPEI: Adjusted quota of 2007 includes 50% of under-harvest of 2005+2006.

EC: Overage is provisional to be paid back in accordance with Rec. 07-04.

West Atlantic Bluefin Tuna Compliance Table Adopted in 2008.

| YEAR | Initial quota/catch limit | | | | | Current catch | | | | Balance | | | | Adjusted quota/limit | | | |
|-------------------------------|---------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------------|----------------|----------------|----------------|
| | 2004 | 2005 | 2006 | 2007 | 2008 | 2004 | 2005 | 2006 | 2007 | 2004 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2008 |
| TAC | 2700 | 2700 | 2700 | 2100 | 2100 | | | | | | | | | | | | |
| CANADA | 620.15 | 620.15 | 620.15 | 546.4 | 546.4 | 536.9 | 599.7 | 732.9 | 491.70 | 111.6 | 134.9 | 25.00 | 79.70 | 731.8 | 755.1 | 571.4 | 626.20 |
| FRANCE (St. P & M) | 4.00 | 4.00 | 4.00 | 4.00 | 4.00 | 9.80 | 4.90 | 0.00 | 2.80 | 9.71 | 8.81 | 12.81 | 14.00 | 13.71 | 12.80 | 16.81 | 18.00 |
| JAPAN | 478.25 | 478.25 | 478.25 | 380.47 | 380.47 | 459.99 | 592.22 | 245.60 | 382.54 | 18.26 | -119.46 | 113.19 | 111.12 | 472.80 | 358.79 | 493.66 | 491.59 |
| MEXICO | 25.00 | 25.00 | 25.00 | 25.00 | 135.00 | 9.00 | 10.00 | 14.00 | 7.00 | 16.00 | 15.00 | 11.00 | 128.00 | | | | |
| UK-OT | 4.00 | 4.00 | 4.00 | 4.00 | 4.00 | 0.00 | 0.00 | 0.00 | 0.00 | 19.80 | 23.80 | 27.80 | 31.80 | 23.80 | 27.80 | 31.80 | 35.80 |
| USA | 1489.60 | 1489.60 | 1489.60 | 1190.00 | 1190.12 | 863.20 | 687.80 | 477.20 | 849.00 | 431.60 | 1193.60 | 2206.00 | 936.20 | 1881.40 | 2683.20 | 1785.20 | 1785.20 |
| TOTAL LANDING | | | | | | 1878.89 | 1893.82 | 1469.70 | 1733.04 | | | | | | | | |
| <i>Discards</i> | <i>2004.00</i> | <i>2005.00</i> | <i>2006.00</i> | <i>2007.00</i> | <i>2008.00</i> | <i>2004.00</i> | <i>2005.00</i> | <i>2006.00</i> | <i>2007.00</i> | <i>2004.00</i> | <i>2005.00</i> | <i>2006.00</i> | <i>2007.00</i> | | | | |
| CANADA | 5.6 | 5.6 | 5.6 | n.a | n.a | 0.4 | 0.00 | 0.00 | 0.70 | 5.2 | 5.6 | 5.6 | n.a | | | | |
| JAPAN | 5.60 | 5.60 | 5.60 | n.a | n.a | 0.00 | 0.00 | 0.00 | n.a | 5.60 | 5.60 | 5.60 | n.a | 5.60 | 5.60 | n.a | n.a |
| USA | 67.72 | 67.70 | 67.70 | n.a | | 66.50 | 46.40 | 29.40 | | 1.20 | 21.30 | | | | | | |
| TOTAL DISCARDS | 73.3 | 73.3 | 73.3 | | | 66.5 | 46.4 | 29.4 | 0.7 | 6.8 | 26.9 | 11.2 | | | | | |
| TOTAL REMOVAL | | | | | | 1945.4 | 1940.2 | 1499.1 | 1733.7 | | | | | | | | |
| <i>Recommendation number</i> | <i>02-07</i> | <i>02-07</i> | <i>02-07</i> | <i>06-06</i> | <i>06-06</i> | | | | | | | | | <i>02-07</i> | <i>02-07</i> | <i>02-07</i> | <i>06-06</i> |

JAPAN: 2006 and 2007 figures are provisional.

USA balance for 2005 has been reduced by 125 t, 50 t of which is allocated to Canada and 75 t of which is allocated to Mexico for the year 2007.

USA balance for 2006 balance reduced by 150 t, 50 t of which is to be allocated to Canada and 100 t of which is to be allocated to Mexico in 2008.

CANADA: Balance and adjustments for 2004-2006 include 50% of unused dead discard allowance from the previous year.

Figures for MEXICO have not been adjusted as such adjustment has not been requested by Mexico in previous years. May be subject to adjustment.

Bigeye Tuna Compliance Table Adopted in 2008.

| YEAR | Initial catch limit | | | | Reference years | | Current catches | | | Balance | | | Adjusted catch limits | | |
|-----------------------|---------------------|-----------------|---------------------------|---------------------------|-----------------|------------------|-----------------|---------|---------|---------|---------|---------|---------------------------|---------------------------|---------------------------|
| | 2005 | 2006 | 2007 | 2008 | Average (91-92) | 1999 (SCRS 2000) | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2006 | 2007 | 2008 |
| TAC | 90000 | 90000 | 90000 | 90000 | | | | | | | | | | | |
| ANGOLA | | | | | 0.0 | 0.0 | 75.0 | 0.0 | | | | | | | |
| BARBADOS | | | | | 0.0 | 0.0 | 21.8 | 18.0 | 40.0 | | | | | | |
| BELIZE | | | | 2100 | 0.0 | 0.0 | 0 | 3.6 | 60.2 | | | 2039.0 | | | |
| BRAZIL | | | | | 570.0 | 2024.0 | 1080.7 | 1479.3 | 1593.4 | | | | | | |
| CANADA | | | | | 46.5 | 263.0 | 186.6 | 196.1 | 141.6 | | | | | | |
| CAP VERT | | | | | 128.0 | 1.0 | 1092.0 | 1437.0 | 1147.0 | | | | | | |
| CHINA | 5400 | 5700 | 5900 | 5900 | 0.0 | 7347.0 | 6200.2 | 7200.0 | 7399.0 | 699.8 | 0.0 | 700.8 | 7200.0 | 8099.8 | 8100.8 |
| EC | 25000 | 24500 | 24000 | 24000 | 26672.0 | 21970.0 | 19496.4 | 15552.5 | 13740.7 | 24981.0 | 30955.2 | 17759.3 | 46507.7 | 31500.0 | 31350.0 |
| FRANCE (SPM) | | | | | 0.0 | 0.0 | 5.8 | 0.0 | | | | | | | |
| GABON | | | | | 0.0 | 184.0 | 0.0 | 0.0 | | | | | | | |
| GHANA | 4000 | 4500 | 5000 | 5000 | 3478.0 | 11460.0 | 2333.0 | 9141.0 | 4633.0 | 341.0 | -4538.7 | -4077.4 | 4602.3 | 461.3 | 922.6 |
| GUATEMALA | | | | | 0.0 | 0.0 | 1003.0 | 999.0 | 836.0 | | | | | | |
| JAPAN | 27000 | 26000 | 25000 | 25000 | 32539.0 | 23690.0 | 15380.0 | 19312.0 | 21111.0 | 9620.0 | 4688.0 | 1889.0 | 24000.0 | 23000.0 | 24889.0 |
| KOREA | | | | | 834.0 | 124.0 | 681.0 | 1829.0 | 2136.0 | | | | | | |
| LIBYA | | | | | 254.0 | 0.0 | 0.0 | 4.0 | | | | | | | |
| MAROC | | | | | 0.0 | 700.0 | 519.0 | 887.0 | 700.0 | | | | | | |
| MEXICO | | | | | 0.0 | 6.0 | 4.0 | 3.0 | 3.0 | n.a | n.a | n.a | n.a | n.a | n.a |
| NAMIBIA | | | | | 0.0 | 423.0 | 436.0 | 436.6 | 41.0 | | | | | | |
| PANAMA | 3500 | 3500 | 3500 | 3500 | 8724.5 | 26.0 | 2310.0 | 2415.0 | 2922.0 | 1190.0 | 1635.0 | 1128.0 | 4050.0 | 4050.0 | 4628.0 |
| PHILIPPINES | | | | | 0.0 | 943.0 | 1742.0 | 1815.0 | 2368.0 | | | | | | |
| RUSSIA | | | | | 0.0 | 91.0 | 0.6 | 1.0 | 26.0 | | | | | | |
| S.TOME E PRINCIPE | | | | | 0.0 | 0.0 | 6.0 | 4.0 | | | | | | | |
| SENEGAL | | | | | 7.0 | 0.0 | 721.0 | 1267.0 | 805.0 | | | | | | |
| SOUTH AFRICA | | | | | 57.5 | 41.0 | 221.0 | 83.8 | 171.0 | n.a | n.a | n.a | n.a | n.a | n.a |
| St. VINCENT & GR. | | | | | 0.5 | | | 114.0 | 567.0 | | | | | | |
| TRIN. & TOBAGO | | | | | 131.5 | 0.0 | 9.0 | 11.5 | 27.3 | | | | | | |
| UK-OT | | | | | 6.5 | 8.0 | 1.0 | 25.0 | 18.5 | | | | | | |
| URUGUAY | | | | | 38.0 | 59.0 | 62.0 | 83.0 | 22.0 | | | | | | |
| USA | | | | | 893.5 | 1261.0 | 484.4 | 991.4 | 522.3 | | | | | | |
| VANUATU | | | | | 0.0 | 0.0 | 403.0 | 52.0 | | | | | | | |
| VENEZUELA | | | | | 373.2 | 128.0 | 243.0 | 261.0 | 318.0 | | | | | | |
| CHINESE TAIPEI | 16500 | 4600 | 16500 | 16500 | 12698.0 | 16837.0 | 11984.0 | 2965.0 | 12116.0 | 2916.0 | 1635.0 | 5700.0 | 4600.0 | 17816.0 | 16535.0 |
| NETH. ANTILLES | | | | | 0.0 | 0.0 | 1822.0 | 416.0 | 251.0 | | | | | | |
| TOTAL CATCH | | | | | | | | | | | | | | | |
| Recommendation number | 04-01 | 04-01, 05-02 | 04-01, 05-03, 06-01 | 04-01, 05-03, 06-01 | | | | | | | | | 04-01, 05-03, 06-01 | 04-01, 05-03, 06-01 | 04-01, 05-03, 06-01 |

JAPAN/CHINA: Adjusted quotas of Japan in 2005-2008 exclude 2000 t transferred to China (Res. 05-03).

JAPAN: 2006 and 2007 figures are provisional.

CHINESE TAIPEI: 2005 adjusted quota has been reduced by 1600 t. in accordance with the provision of Rec. 04-01.

CHINESE TAIPEI: 2007 adjusted quota has been reduced by 1600 t. in accordance with the provision of Rec. 04-01 and plus 2916t. of 2005 underage (17816=16500-1600+2916).

CHINESE TAIPEI: 2008 adjusted quota has been reduced by 1600 t. in accordance with the provision of Rec. 04-01 and plus 1635t. of 2006 underage (16535=16500-1600+1635).

White Marlin Compliance Table Adopted in 2008.

| | Initial landings | | | | Reference years (landings) | | Current landings | | | Balance | | | Adjusted landings limit | | | |
|-------------------------------|------------------|--------------|--------------|--------------|-------------------------------|---------|------------------|--------------|--------------|---------------|---------------|---------------|-------------------------|--------------|--------------|--------------|
| | 2005 | 2006 | 2007 | 2008 | 1996 | 1999 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2008 |
| | | | | | (PS+LL) | (PS+LL) | LL+PS | LL+PS | LL+PS | LL+PS | LL+PS | LL+PS | | | | |
| BRAZIL | 51.81 | 51.81 | 51.81 | 51.81 | 70.00 | 158.00 | 243.70 | 89.70 | 52.20 | | | | | | | |
| CANADA | 2.60 | 2.60 | 2.60 | 2.60 | 8.00 | 5.00 | 4.70 | 3.20 | 2.20 | -2.40 | -0.60 | 0.40 | | | | |
| CHINA | 9.90 | 9.90 | 9.90 | 9.90 | 9.00 | 30.00 | 8.60 | 5.60 | 9.90 | 1.30 | 4.30 | 0.00 | | | | |
| EUROPEAN COMMUNITY | 46.50 | 46.50 | 46.50 | 46.50 | 148.00 | 127.00 | 30.00 | 79.40 | 48.40 | 18.80 | -30.60 | -1.90 | | | | |
| JAPAN | 37.00 | 37.00 | 37.00 | 37.00 | 112.00 | 40.00 | 40.00 | 29.00 | 22.00 | 10.00 | 18.00 | 33.00 | 50.00 | 47.00 | 55.00 | 70.00 |
| KOREA | 19.47 | 19.50 | 19.50 | 19.50 | 59.00 | 0.00 | 7.00 | 2.00 | | 12.50 | 17.50 | | | | | |
| MEXICO | 3.63 | 3.63 | 3.63 | 3.63 | 0.00 | 11.00 | 25.00 | 16.00 | 13.00 | -21.40 | -12.40 | -9.40 | | | | |
| PHILIPPINES | 4.00 | 3.96 | 3.96 | 3.96 | 0.00 | 12.00 | 0.00 | 0.00 | | 3.96 | 4.00 | | | | | |
| TRINIDAD & TOBAGO | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 5.00 | 5.40 | 12.00 | -5.00 | -5.40 | -12.00 | | | | |
| VENEZUELA | 50.04 | 50.04 | 50.04 | 50.04 | 152.00 | 43.00 | 27.10 | 6.00 | 24.00 | 22.90 | 44.00 | 26.00 | | | | |
| CHINESE TAIPEI | 186.80 | 186.80 | 186.80 | 186.80 | 586.00 | 465.00 | 56.00 | 44.00 | 54.00 | 130.80 | 142.80 | 132.80 | | | | |
| TOTAL | 411.8 | 411.7 | 411.7 | 411.7 | | | 447.1 | 280.3 | 237.7 | | | | | | | |
| USA(# of fish whm+bum) | 250 | 250 | 250 | 250 | | | 143 | 130 | 98 | 107 | 120 | 152 | | | | |
| <i>Recommendation number</i> | <i>02-13</i> | <i>02-13</i> | <i>06-09</i> | <i>06-09</i> | | | | | | | | | <i>00-14</i> | <i>00-14</i> | <i>00-14</i> | <i>00-14</i> |

BRAZIL: Reported catches in 2007 include live and dead releases. About 43.2 t of marlins discarded were recorded by the observers: 24.4 t live and 18.8 t dead.

MEXICO: Only dead by-catch landings are retained. All live marlin are released.

JAPAN: 2006 and 2007 figures are provisional.

TRINIDAD & TOBAGO landings are only by-catches.

Blue Marlin Compliance Table Adopted in 2008.

| | <i>Initial limits</i> | | | | <i>Reference years (landings)</i> | | <i>Current landings</i> | | | <i>Balance</i> | | | <i>Adjusted landing limits</i> | | | |
|------------------------------|-----------------------|--------------|--------------|--------------|---------------------------------------|----------------|-------------------------|--------------|---------|----------------|--------------|--------------|--------------------------------|--------------|--------------|--------------|
| | 2005 | 2006 | 2007 | 2008 | 1996 | 1999 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2005 | 2006 | 2007 | 2008 |
| | | | | | <i>(PS+LL)</i> | <i>(PS+LL)</i> | <i>LL+PS</i> | <i>LL+PS</i> | | <i>LL+PS</i> | <i>LL+PS</i> | <i>LL+PS</i> | <i>LL+PS</i> | <i>LL+PS</i> | <i>LL+PS</i> | <i>LL+PS</i> |
| BARBADOS | 9.50 | 9.50 | 9.50 | 9.50 | 0.00 | 19.00 | 0.00 | 0.00 | 0.00 | 9.50 | 9.50 | | | | | |
| BELIZE | | | | | 0.00 | 0.00 | | | 3.77 | | | | | | | |
| BRAZIL | 254.40 | 254.40 | 254.40 | 254.40 | 308.00 | 509.00 | 611.60 | 297.60 | 252.90 | | | | | | | |
| CHINA | 100.50 | 100.50 | 100.50 | 100.50 | 62.00 | 201.00 | 96.30 | 99.00 | 65.00 | 4.20 | 1.00 | 35.50 | | | | |
| EUROPEAN COMMUNITY | 103.00 | 103.00 | 103.00 | 103.00 | 206.00 | 200.00 | 47.00 | 166.30 | 174.30 | 56.00 | -63.30 | -71.30 | | | | |
| JAPAN | 839.50 | 839.50 | 839.50 | 839.50 | 1679.00 | 790.00 | 487.00 | 851.00 | 1041.00 | 3337.50 | 3326.00 | 3124.50 | 3824.50 | 4177.00 | 4165.50 | 3964.00 |
| KOREA | 72.00 | 72.00 | 72.00 | 72.00 | 144.00 | 0.00 | 36.00 | 6.00 | | 36.00 | 66.00 | | | | | |
| MAROC | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 12.00 | 0.00 | 0.00 | -12.00 | 0.00 | | | | | |
| MEXICO | 17.50 | 17.50 | 17.50 | 17.50 | 13.00 | 35.00 | 86.00 | 64.00 | 91.00 | -68.50 | -46.50 | -73.50 | | | | |
| PHILIPPINES | 35.50 | 35.50 | 35.50 | 35.50 | 0.00 | 71.00 | 0.00 | 0.00 | | 35.50 | 35.50 | | | | | |
| SOUTH AFRICA | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.90 | 1.60 | 0.00 | -1.90 | | | | | |
| TRINIDAD & TOBAGO | 10.25 | 10.30 | 10.30 | 10.30 | 20.50 | 18.00 | 5.00 | 11.40 | 14.20 | 5.30 | -1.10 | -4.00 | | | | |
| VENEZUELA | 30.37 | 30.40 | 30.40 | 30.40 | 60.74 | 29.99 | 29.00 | 12.00 | 21.00 | 1.40 | 18.40 | 9.40 | | | | |
| CHINESE TAIPEI | 330.00 | 330.00 | 330.00 | 330.00 | 660.00 | 486.00 | 151.00 | 99.00 | 233.00 | 179.00 | 231.00 | 97.00 | | | | |
| TOTAL | | | | | | | | | | | | | | | | |
| USA(# of fish whm+bum) | 250 | 250 | 250 | 250 | | | 143 | 130 | 98 | 107 | 120 | 152 | | | | |
| <i>Recommendation number</i> | <i>02-13</i> | <i>02-13</i> | <i>06-09</i> | <i>06-09</i> | | | | | | | | | <i>00-14</i> | <i>00-14</i> | <i>00-14</i> | <i>04-14</i> |

BRAZIL: Reported catches for 2007 include live and dead releases. About 58.1 t of marlins discarded were recorded by the observers: 57.9 t live and 0.2 t dead.

MEXICO: landings are only retained dead by-catch. All live marlin are released.

JAPAN: 2006 and 2007 figures are provisional.

TRINIDAD & TOBAGO: landings are only by-catches.

Appendix 6 to ANNEX 10**Statement by Vanuatu to the Compliance Committee**

The figures related to Vanuatu albacore catches on the North and South Atlantic might have surprised numerous delegations.

It appears that such figures are not properly reflecting Vanuatu activities since they reflect activities of two CPCs, namely Vanuatu and Namibia. Indeed between 2005 and 2006, these two CPCs were under a bilateral agreement.

Some discussions took place last year between Vanuatu and Namibia to split Vanuatu's catches wrongly reflected in the ICCAT statistics. However, it looks like the outcomes of said discussions were not reflected in the tables.

Contacts have already been made with the Vanuatu Administration and Namibia to ensure that this matter is investigated and the figures be amended to reflect Vanuatu's actual catches.

Vanuatu, in cooperation with Namibia, will make its best efforts to liaise with the ICCAT Secretariat and provide the right figures.

For the information of the CPCs, Vanuatu's catches for 2007 show that Vanuatu quotas have been strictly respected being under the 100 t allocated to Vanuatu. Indeed, Vanuatu total catch for South Atlantic albacore is 96,423 t and for the North Atlantic is 94,579 t. These figures are explained simply because the agreement between Vanuatu and Namibia ended in 2006. The 2007 Vanuatu catch records will be provided to the ICCAT Secretariat in due course.

We would also like to take this opportunity to make a formal request with regards to quotas allocated to Vanuatu for the North and South albacore.

Reading the statistics published by the ICCAT Secretariat, it appears that the 2007 TAC for South Atlantic albacore was 30,915 t for a current catch of 2,0137t and the 2007 TAC of North Atlantic albacore was 34,500 t for a current catch of 20,840 t. The previous years's current catch show a similar gap.

We would therefore kindly request the competent body of ICCAT to envisage an increase of Vanuatu quotas of South and North Atlantic albacore for the years to come which would be more than welcome for such a small island State like Vanuatu.

**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 2008 meeting of the PWG was opened on Wednesday, November 19, 2008, under the chairmanship of Ms. S. Lapointe (Canada).

2. Appointment of the Rapporteur

Mr. Conor O'Shea (European Community) was appointed Rapporteur.

3. Adoption of the Agenda

The Agenda was adopted without changes and is attached as **Appendix 1 to ANNEX 11**.

The Chair noted that in the recent performance review of ICCAT it stated that implementation of trade measures for IUU were sound but there was a need to address items in relation to catch documentation and these would be dealt with under Agenda item 5.

4. Implementation and functioning of Statistical Document Programs

The ICCAT Executive Secretary, Mr. Driss Meski, presented the "Secretariat Report to the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures", which included a section on the implementation and functioning of the Statistical Document Program (SDP). The main points were:

- The introduction of the Bluefin Tuna Catch Documentation scheme may necessitate the amendment of several ICCAT Recommendations in respect of the SDP.
- Clarification was requested in respect of the submission of biannual reports and matters in respect of swordfish re-export certificates.

In general, some minor problems were encountered which have made the implementation of the SDP difficult. There was confusion as there were no instructions as to whom the documents should be reported.

The Delegate of the EC informed the meeting that the EC had submitted its biannual report for the period January 2008-30 June 2008 on November 7. In order to assist the Secretariat it was the EC's interpretation that it was up to importing country to prepare the report. It was also clarified that in the event of re-export of fish caught by non-Contracting Parties from outside the Convention area, the ICCAT Re-export Certificate should be accompanied by an ICCAT Statistical/Catch document, with only the first sections completed.

The Chair recommended that the EC approach should be taken as an interpretation of the situation.

5. Implementation and functioning of the Bluefin Tuna Catch Document Scheme

The Chair asked the Delegate of Japan to present the two documents by Japan. The first was a proposal to amend the Recommendation 07-10 on an ICCAT Bluefin Catch Documentation Program and the second an information paper on proposed bilateral consultations on the smooth implementation of the Catch Documentation Scheme (CDS).

The Delegate from Japan informed the meeting that the document contained more than just a proposal to amend Recommendation 07-10. At the 2007 meeting of the PWG a new catch document had been introduced and this has been in operation since June 4, 2008. There have been several problems as this is the first year of operation. Part of the paper outlines the three types of problems and solutions.

The major problems were:

- Ambiguous provisions or different interpretations of the provisions contained in Rec. 07-10, e.g. how to deal with the transfer of live fish from one country to another and then exported to a third country. There is only one trade section in the document, which is insufficient in this scenario.
- A policy orientated issue and this relates to joint operations of purse seiners. This operation makes it very difficult for the Catch Document Scheme to function and therefore joint operations should be suspended until these matters have been resolved.
- Problems relating to those arising from misunderstandings of Rec. 07-10.

Japan offered to host bilateral consultations between exporting countries. This would help CPCs have a better understanding of the CDS system.

The CPCs agreed that it being the first year of operation, teething problems were to be expected and agreed that clarification on some points was needed. CPCs were supportive of bilateral consultations and recognized that there is a need for all importing and exporting CPCs to be involved so that everyone has the same level of information.

The Executive Secretary outlined the problems for the Secretariat. The Program involves constant work and whilst the Secretariat had recruited someone to work with the data, this person has been working full time on the CDS as well as with having to train more staff members to assist.

Following the discussions of a Working Group, Japan introduced a revised draft recommendation to amend Rec. 07-10 on an ICCAT Bluefin Catch Documentation Program. The majority of the changes would help those using the CDS have a better understanding of the system and provide clarity. The Chair thanked the Working Group for their work and the *Recommendation by ICCAT Amending Recommendation 07-10 on an ICCAT Bluefin Tuna Catch Document Program* as amended during the meeting was adopted by the PWG and forwarded to the Plenary for final approval (see ANNEX 5 [Rec. 08-12]).

A *Recommendation by ICCAT Amending Ten Recommendations and Three Resolutions*, as a result of the entry into force of Recommendation 07-10 was also adopted and forwarded to the Plenary for final approval (see ANNEX 5 [Rec. 08-11]).

The Delegate of the United States noted that according to the information presented by the Secretariat, some Parties had not submitted validation information and asked if those Parties would explain why such information was not submitted.

The Delegate of Iceland informed the meeting that Iceland had issued just one catch document but there was a technical difficulty with it and they have been talking to the Secretariat to resolve this and this was done this week.

The Delegate of China informed the meeting that China had not yet provided validation information but would consult with the Secretariat on this matter.

The Delegate of Syria informed the meeting that Syria had submitted its information very recently to the Secretariat. The delay in submitting the information was due to a major information technology problem which is now resolved.

6. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2006 Recommendation by ICCAT Concerning Trade Measures [Rec. 06-13]

The Commission agreed on the following “Actions to be Taken in Relation to non-Contracting Parties, Entities and Fishing Entities in 2008” (attached as **Appendix 2 to ANNEX 11**).

Bolivia: A response had been received to the 2006 letter regarding two vessels. It was decided that sanctions should be maintained and there was a need to send a letter requesting the precise information required by the Commission.

Cambodia: No correspondence had been received from Cambodia but it was decided that there was insufficient information on the fishing and trade activities of Cambodia to warrant further action. It was decided to maintain identification and send a letter to Cambodia informing them of this and requesting the information required by the Commission. Japan was requested to maintain further bi-lateral contact.

Georgia: No response had been received to the 2007 letter and no new information was available. It was decided to maintain sanctions.

Sierra Leone: The Commission sought information from Sierra Leone on two vessels. Sierra Leone had indicated that the vessels were not on their register, either national or international. The United States informed the meeting that it had sent officials to the Sierra Leone International Shipping Register (ISR) which is based in New Orleans. Documentation there indicated that the two vessels were not on the Sierra Leone register. Concern was raised at the status of the registry in New Orleans and its relationship with the Sierra Leone Government and if there was any other Sierra Leone Registries operating outside of Sierra Leone. It was decided that identification should be maintained and that a letter should be sent to the Sierra Leone Government requesting information on the status of the International Shipping Register and whether it acted on behalf of Sierra Leone. There was also a need to seek the information on the monitoring, control and surveillance (MCS) measures and legislation in place for these vessels. The Secretariat was requested to send a letter to the ISR requesting a full list of the vessels on its register and the control measures in place. The United States was requested to continue investigating the activities of the ISR in New Orleans.

Togo: Correspondence had been received regarding the non renewal of the Togolese flag to some IUU vessels and Togo’s interest in becoming a member of ICCAT. It was decided to lift identification and to send a letter to Togo thanking them for their efforts.

Cuba: A letter was received in 2008 from Cuba outlining MCS measures in place and catches up to 2006. It was decided that no further action was warranted with relation to Cuba.

The Commission Chair’s letters to Bolivia, Georgia, Sierra Leone, Cambodia and Togo are attached at **Appendix 3 to ANNEX 11**.

7. Review and development of the IUU vessel list pursuant to Recommendations 06-12 and 07-09

The Chair introduced the Provisional List of Vessels believed to have been engaged in Illegal, Unreported and Unregulated activities (IUU list). There were three new vessels, two Bolivian flagged vessels and one Chinese Taipei flagged vessel. Two vessels that were previously Sierra Leone flagged were now flagged as Unknown. The Compliance Committee had also forwarded information on two vessels the Manara I and the Manara II and also the vessel Daniaa which is flagged as Unknown.

In respect of the two Bolivian vessels, the Executive Secretary informed the meeting that he had received correspondence on both vessels. The ICCAT Chairman had circulated a letter seeking an explanation. The vessels were Bolivian and then were flying a Libyan flag after leaving an EC port. Libya confirmed these were not Libyan vessels, and were currently tied up in a Libyan port awaiting the results of on-going investigations.

The Delegates of the EC and Libya presented details of the vessels and their activities and clarified that there were now four vessels, two in Malta (Sharon I and Gaia I, previously Manara 1 and Manara II) and two in Libya (Manara 1 and Manara 2, previously Abdi Baba and Cevahir). Both Parties were continuing to exchange

information and continuing their investigations into these vessels. It was agreed that the four vessels should be kept on the IUU list. Two of these vessels should be flagged Bolivia and two as “Unknown”.

A Chinese Taipei flagged vessel was also on the provisional list. The Executive Secretary had been informed by the United Kingdom (Overseas Territories) that this vessel had entered its EEZ without authorization and Chinese Taipei had informed the Secretariat that they had imposed sanctions on this vessel. UK-Overseas Territories were satisfied with this information. It was agreed that the vessel should be removed from the list.

The Chair informed the meeting that following Recommendation 07-09 a number of vessels were coming from the IUU lists of IOTC and the IATTC. The United States objected to those vessels being included on the ICCAT IUU list.

The Delegate of the United States supported the initiative within ICCAT for using the IUU list of other RFMO, and they were satisfied with the process at that time. The reason the United States now objected was because the circular only gave basic information and no other information was provided by the two RFMOs despite requests by the Executive Secretary for this information to the RFMOs concerned. Due process was necessary so that an informed decision could be made. Furthermore, if the Commission did not have the supporting information it limits what can be done when IUU vessels are encountered. There is a need to share this information and a clear mechanism was needed for doing this. Other RFMOs, such as NEAFC and NAFO, already do this. The way forward was for ICCAT to send notification to the other RFMOs informing them of the need for full information.

The Executive Secretary advised that he could prepare a procedure to be followed but he could not go any further than that which is already published in other RFMOs’ rules.

The CPCs expressed concern about the lack of information provided on these vessels from other RFMOs and at this time they should not be included on the IUU list. There was also a need for a letter from the Executive Secretary to other RFMOs highlighting the concerns raised and indicating information required. There is a possible reason why this information is not provided in that other RFMOs have not discussed this. It was agreed that the Executive Secretary should communicate the ICCAT IUU list and background information to other RFMOs if requested.

The Delegate of Morocco, supported by Algeria, requested that the Commission examine the position of a legal advisor to assist in making such decisions.

The Delegate of Algeria suggested that the Commission should look at an integrated approach to following the chain all the way through from the vessel to the market. Whilst the discussions were focused on IUU vessels, perhaps there should be an IUU list for all activities, e.g. fattening farm operators, and the Commission should not limit itself to fishing and just focus on this. ICCAT should have an integrated approach for all activities.

The Chair thanked the Delegates of Morocco and Algeria and suggested that the request for a legal advisor should be raised at the plenary session and the point raised by Algeria should be raised at the Compliance Committee.

The Executive Secretary informed the meeting that when a vessel was on a provisional list, data are not publicly available. The data only go on public list when approved by the Commission.

The CPCs agreed that the information on the provisional IUU was useful but that as RFMOs removed vessels from their IUU lists this should also be done by ICCAT.

The Chair noted the consensus to keep all vessels on a provisional list which will not be publicly available and the “2008 List of Vessels Presumed to Have Carried out IUU Fishing Activities in the ICCAT Convention Area” was adopted (attached as **Appendix 4 to ANNEX 11**). The public list will not include IATTC and IOTC IUU vessels and other RFMOs will be requested to provide further information on the vessels concerned. It was expected that it will be discussed at a meeting of RFMOs planned for 2009. The Chair urged those that are members of other RFMOs to raise this issue in those fora also.

8. Requests for Cooperating Status

Chinese Taipei: Cooperating Status was renewed as Chinese Taipei provided information on the activities of its vessels under 24 meters and also on the management measures in place to control its directed fishery for northern albacore.

Guyana: Cooperating Status was renewed as Guyana had investigated the two IUU vessels and had provided the report to the Commission, as requested in the 2007 correspondence.

Netherlands Antilles: Cooperating Status was renewed as they had implemented ICCAT management measures as requested in the 2007 correspondence.

It was agreed that letters should be sent to the above regarding their Cooperating Status.

9. Other matters

No other matters were raised.

10. Adoption of the report and adjournment

The 2008 Meeting of PWG was adjourned.

The 2008 Report of the PWG was adopted by correspondence.

Appendix 1 to ANNEX 11

Agenda

1. Opening of the meeting
2. Appointment of the Rapporteur
3. Adoption of the Agenda
4. Implementation and functioning of Statistical Document Programs
5. Implementation and functioning of the Bluefin Tuna Catch Document Scheme
6. Review of cooperation by non-Contracting Parties, Entities or Fishing Entities and determination of actions to be taken under the 2006 *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13]
7. Review and development of the IUU vessel list pursuant to Recommendations 06-12 and 07-09
8. Requests for Cooperating Status
9. Other matters
10. Adoption of the report and adjournment

Appendix 2 to ANNEX 11

Actions to be Taken in Relation to non-Contracting Parties, Entities and Fishing Entities in 2008

| | <i>2007 Actions</i> | <i>Direct Response to Chair's letter</i> | <i>Catch data reported</i> | <i>SDP validation information provided</i> | <i>Reported as IUU under 06-12</i> | <i>Unreported Atlantic catch estimates from SDP 2006/07</i> | <i>Unreported catch estimate from other trade data</i> | <i>Observations/ other information</i> | <i>2008 Actions</i> |
|--|---|--|----------------------------|--|---|---|--|--|--|
| COOPERATING NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES | | | | | | | | | |
| CHINESE TAIPEI | Renew Cooperating Status on the understanding that Chinese Taipei will make a report on the activities of its vessels of around 23.9 m and on the management measures in place to control its directed fishery for N. Alb | Yes | Yes | Yes | Yes, but not included on IUU list adopted by the Commission | No | No | Explanation and report on actions taken has been provided by Chinese Taipei in relation to possible IUU activities were considered sufficient. | Cooperating Status renewed. Secretariat to send letter informing Chinese Taipei of this. |
| GUYANA | Renew Cooperating Status, given that Guyana has taken steps to investigate and take action in regard to IUU allegations. | Yes | No | No (no export of these species). | No | No | No | Letter from Guyana received in relation to IUU activities. | Cooperating Status renewed. Secretariat to send letter informing Guyana of this. |
| NETH ANTILLES | Cooperating Status granted on the understanding that implementation of ICCAT management measures will be reviewed annually. | Yes | Yes | No (may not be relevant). | No | No | No | Netherlands Antilles has requested that status be renewed. | Cooperating Status renewed. Secretariat to send letter informing Netherlands Antilles of this. |
| OTHER NON-CONTRACTING PARTIES, ENTITIES OR FISHING ENTITIES | | | | | | | | | |
| BOLIVIA | Maintain sanctions and send letter thanking Bolivia for expressions of intent to cooperate, send detailed list exact information required and provide background on past actions which led to sanctions. | Response received to letter sent in 2006, and in relation to request for information on two vessels. | No | No | Yes - 2 vessels issued with special license. See PWG-405/08 for more details. | Not since 2005. | No | | Maintain sanctions and send a letter to Bolivia requesting precise information required by the Commission. |

| | | | | | | | | | |
|--------------|---|-----|-----|-----|----|----|----|--|--|
| CAMBODIA | Maintain identification and send letter requesting enhanced cooperation, reminding Cambodia of the possibility of imposing sanctions. | No | No | No | No | No | No | | Maintain identification as insufficient information to warrant further steps. Send a letter to Cambodia informing them and requesting information required by the Commission. Japan to maintain further bi-lateral contacts. |
| GEORGIA | Maintain sanctions and send letter to inform Georgia of this, with reasons. | No | No | No | No | No | No | | Maintain sanctions. |
| SIERRA LEONE | Maintain identification and send letter to express appreciation to SL for their cooperation, and stress that information pertains to high seas vessels which may be on international SL register, about which they may not be aware. Send additional letter to said international registry requesting information on vessels, with a copy to SL Ministry. | Yes | No | Yes | No | No | No | Two vessels were included on 2007 list, but Sierra Leone has reiterated that they are not flagged to SL, nor are they included in the international shipping registry of SL. Please see PWG-405/08 for more information. | Maintain identification and send letter to Sierra Leone asking about the status of International Shipping Register (ISR) and whether such register may act on behalf of SL. in place for vessels on ISR. Secretariat also to send letter to ISR requesting a full list of vessels on their register and the control measures in place, and relevant legislation. USA to investigate further the activities of ISR in its territory as appropriate. |
| TOGO | Identify and send letter informing Togo of this decision and the reasons for same. | Yes | Yes | No | No | No | No | No renewal of Togolese flag to some IUU vessels. Expressed interest in becoming member of ICCAT. | Lift identification. Send a letter thanking Togo for its cooperation so far and encourage future efforts. |

Appendix 3 to ANNEX 11

**Commission Chairman's Letters to
Non-Contracting Parties, Entities or Fishing Entities*****1. Maintaining sanctions in 2009****– Bolivia*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2008 annual meeting, the Commission took a decision to continue the prohibition on the import of bigeye tuna and its products in any form from Bolivia by ICCAT Contracting Parties, as well as those non-Contracting Parties, Entities or Fishing Entities with Cooperating Status, in accordance with the Commission's *Recommendation by ICCAT Regarding Bolivia Pursuant to the 1998 Resolution concerning the unreported and unregulated catches of tuna by large-scale longline vessels in the Convention Area* [Rec. 02-20], a copy of which is enclosed for your information. The decision was taken in accordance with the provisions of ICCAT's *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18], which has since been replaced by the *Recommendation by ICCAT concerning Trade Measures* [Rec. 06-13].

As you will recall, the Commission imposed trade sanctions on Bolivia in 2002 due to evidence of an increasing number of IUU vessels operating under the Bolivian flag at that time, full details of which were again sent to your administration by the ICCAT Secretariat in 2007, and due to the increase in landings and transshipments of bigeye by these vessels.

The Commission was very encouraged to learn from previous correspondence that Bolivia was taking actions to ensure full monitoring and control of its vessels and intended to abide by the conservation and management measures currently in place, but regretted that no information indicating that such measures had been completed had yet been received. The Commission takes note of the letter received from the Bolivian authorities dated 24 November 2008 and received by the Secretariat on 1 December 2008, in which it is clarified that Bolivia currently has no fishing vessels authorized to operate in the ICCAT Convention area.

Notwithstanding, in order to reconsider its position *vis à vis* Bolivia, the Commission would be grateful to receive detailed information on the following:

- 1) the specific measures relating to monitoring, control and surveillance which Bolivia has adopted with respect to its fishing vessels;
- 2) Bolivia's total catch of Atlantic tuna and tuna-like species since 2002, by gear and area. A list of the species currently covered by the ICCAT mandate is attached for your information;
- 3) the markets to which Bolivia exports bigeye tuna and/or its products, and the ocean of origin of such products.

In the event of the Commission receiving, at least 30 days prior to the next Commission meeting, full information as outlined above and is satisfied that Bolivia has demonstrated positive action, the Commission will reconsider the issue, and sanctions may be lifted at that time. The next Commission meeting will be held in Recife, Brazil, 16-22 November 2009.

In closing, the Commission would like to invite Bolivia to participate in the 2009 ICCAT meeting as an observer. Further, the Commission would remind Bolivia that it can join ICCAT or seek cooperating status if Bolivia maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting cooperating status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

– Georgia

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2008 annual meeting the Commission took a decision to continue the prohibition on the import of bigeye tuna and its products in any form from Georgia by ICCAT Contracting Parties, as well as those non-Contracting Parties, Entities or Fishing Entities with Cooperating Status, in accordance with the Commission's *Recommendation by ICCAT Regarding Bigeye Tuna Trade Restrictive Measures on Georgia* [Rec. 03-18] a copy of which is enclosed for your information. The decision was taken in accordance with the provisions of ICCAT's *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18], which has since been replaced by the *Recommendation by ICCAT concerning Trade Measures* [Rec. 06-13]

The Commission is particularly concerned about the lack of response by Georgia in relation to previous correspondence. In the absence of any additional information regarding Georgia's monitoring control and surveillance measures or actions taken to address past activities, the Commission concluded that it would not be appropriate to lift the bigeye tuna trade restrictions in place against your country.

As in previous communications, ICCAT hereby requests Georgia to take effective measures to rectify the fishing activities of vessels on its registry so as not to diminish the effectiveness of ICCAT conservation measures for bigeye tuna and to implement fully ICCAT conservation and management decisions, 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 on the following

- 1) the specific measures relating to monitoring, control and surveillance which Georgia has adopted with respect to its fishing vessels;
- 2) Georgia's total catch of Atlantic tuna and tuna-like species since 2003, by gear and area. A list of the species currently covered by the ICCAT mandate is attached for your information;
- 3) the markets to which Georgia exports bigeye tuna and/or its products.

In the event of the Commission receiving, at least 30 days prior to the next Commission meeting, full information as outlined above and is satisfied that Georgia has demonstrated positive action, the Commission will reconsider the issue, and sanctions may be lifted at that time. The next Commission meeting will be held in Recife, Brazil, in November 2009.

In closing, the Commission would like to invite Georgia to participate in the 2009 ICCAT meeting as an observer. Information concerning that meeting will be furnished in due course. Further, the Commission would remind Georgia that it can join ICCAT or seek cooperating status if Georgia maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting cooperating status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

2. Maintaining identification in 2009

– Sierra Leone

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2008 annual meeting of ICCAT, the Commission decided to continue to identify Sierra Leone as a country possibly engaged in activities which may undermine ICCAT conservation and management measures in accordance with the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

The Commission would like to thank Sierra Leone for previously responding to its concerns and for its expression of willingness to cooperate with ICCAT conservation and management measures, and has taken note that the vessels *Bigeye* and *Maria*, referred to in previous correspondence, are not on the national register of

Sierra Leone. Further investigations have also shown that neither are these vessels currently on the register of the Sierra Leone International Fishing Register.

Notwithstanding, the Commission has some concerns as to the level of management and controls in place for vessels included Sierra Leone International Fishing Register with headquarters in the United States.

The Commission would be grateful if the following information could be provided at least 30 days before the next meeting of the Commission:

- 1) Whether the International Shipping Register of Sierra Leone is a governmental organization authorized by Sierra Leone to act on its behalf;
- 2) The location of any other offices of the Sierra Leone International Shipping Register other than that of New Orleans, USA;
- 3) A full list of vessels currently included in the International Shipping Register of Sierra Leone;
- 4) Which, if any, of these vessels are licensed to fish in the Atlantic Ocean;
- 5) What management, control and surveillance measures are in place for these vessels, and the details regarding methods through which such controls are put into effect;
- 6) Catch statistics, if applicable, for any of the species currently under the ICCAT mandate (list attached).

The Commission at its meeting in 2009 will examine the information received and will reconsider the identification of Sierra Leone at that time.

The Commission would also like to invite Sierra Leone to participate in the 2009 ICCAT meeting, which will be held in Recife, Brazil, in November 2009 as an observer, and to remind you that Sierra Leone can join ICCAT or seek Cooperating Status if Sierra Leone maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int, or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

– *Cambodia*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am writing to inform you that, at the 2008 annual meeting of ICCAT, the Commission decided to continue to identify Cambodia in accordance with the *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].

As you will recall, trade restrictive measures had previously been placed on bigeye tuna products from Cambodia as a result of illegal, unreported and unregulated (IUU) activities of fishing vessels flying the flag of Cambodia. These trade restrictive measures were lifted in 2004 as a result of subsequent cooperation by Cambodia and recognition of its efforts to deregister vessels involved in IUU activities.

Nevertheless, in 2006, it was noted with concern that no response has been received in relation to the monitoring, control and surveillance (MCS) measures put in place by Cambodia, as requested. In light of these circumstances, in 2006 the Commission identified Cambodia as a non-Contracting Party whose vessels have been fishing for ICCAT species in a manner that diminishes the effectiveness of ICCAT's conservation and management measures. As the information requested by the Commission has not yet been furnished by Cambodia, it has been agreed once again that the identification should be maintained.

The Commission again requests that you provide detailed information regarding your MCS measures, and process and rules for vessel registration. Furthermore, the Commission requests that you confirm that Cambodia has submitted to the Food and Agriculture Organization (FAO) information on those Cambodian vessels that fish on the high seas, which is required by the FAO Compliance Agreement.

The Commission will again review the situation of Cambodia at its next meeting, scheduled in November 2009. Information concerning actions taken by Cambodia relative to these matters should, therefore, be submitted to ICCAT at least 30 days prior to that meeting. If it is determined that Cambodia has not rectified the situation and continues to diminish the effectiveness of ICCAT, the Commission may once again take non-discriminatory trade restrictive measures on Atlantic tuna and tuna-like species and their products from Cambodia.

In closing, the Commission would like to invite Cambodia to participate in the 2009 ICCAT meeting as an observer. Information concerning this meeting will be forwarded in due course. Further, the Commission would remind Cambodia that it can join ICCAT or seek Cooperating Status if Cambodia maintains an interest in exploiting species under the purview of ICCAT. With respect to requesting Cooperating Status, I would draw your attention to the provisions of the *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20]. Please note that all ICCAT Recommendations and Resolutions can be downloaded from the ICCAT web site, www.iccat.int or are available from the ICCAT Secretariat on request.

Thank you for your attention to these important matters. Please accept assurances of my highest consideration.

3. Lifting identification in 2009

– *Togo*

On behalf of the International Commission for the Conservation of Atlantic Tunas (ICCAT), I have the honor to bring to your attention that during the 16th Special Meeting of ICCAT the information provided by Togo, in response to its identification in 2007, was examined for a possible engagement in activities which may undermine ICCAT conservation and management measures. Based on this information, the Commission decided to lift the identification of Togo.

Furthermore, the Commission is pleased to learn of the additional measures taken by Togo in relation to fisheries control and appreciates receiving the catch statistics, list of vessels and other relevant information and looks forward to receiving further data and information submissions in the future. For more information, please contact the Secretariat or consult ICCAT's web site at: <http://www.iccat.int/fr/>.

The Commission also appreciates hearing that Togo is considering joining ICCAT, and looks forward to welcoming Togo as a Contracting Party

I thank you once again for your cooperation and should like to take this opportunity of assuring you of my highest consideration.

Appendix 4 to ANNEX 11

2008 List of Vessels Presumed to Have Carried Out IUU Fishing Activities in the ICCAT Convention Area

| <i>Serial Number</i> | <i>Lloyds/IMO Number</i> | <i>Reporting CPC</i> | <i>Date Informed</i> | <i>Ref. #</i> | <i>Current Flag</i> | <i>Previous Flag</i> | <i>Name of Vessel (Latin)</i> | <i>Name (Previous)</i> | <i>Call Sign</i> | <i>Owner/Operator Name</i> | <i>Owner/Operator Address</i> | <i>Area</i> | <i>Gear</i> |
|----------------------|--------------------------|--|----------------------|---------------|---------------------|----------------------|-------------------------------|------------------------|------------------|----------------------------|-------------------------------|-------------|-------------|
| 20040005 | Not available | JAPAN- sighting of tuna longliner in the Convention area, not on ICCAT Record of Vessels. | 24/08/2004 | 1788 | UNKNOWN | NO INFO | BRAVO | | T8AN3 | NO INFO | NO INFO | AT | |
| 20040006 | Not available | JAPAN- Reefer company provided documents showing frozen tuna had been transhipped. | 16/11/2004 | PWG-122 | UNKNOWN | NO INFO | OCEAN DIAMOND | NO INFO | NO INFO | NO INFO | NO INFO | AT | |
| 20040007 | Not available | JAPAN- Communications between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic. | 16/11/2004 | PWG-122 | UNKNOWN | NO INFO | MADURA 2 | NO INFO | NO INFO | (P.T. PROVISIT) | (Indonesia) | AT | |

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| <i>Serial Number</i> | <i>Lloyds/IMO Number</i> | <i>Reporting CPC</i> | <i>Date Informed</i> | <i>Ref. #</i> | <i>Current Flag</i> | <i>Previous Flag</i> | <i>Name of Vessel (Latin)</i> | <i>Name (Previous)</i> | <i>Call Sign</i> | <i>Owner/Operator Name</i> | <i>Owner/Operator Address</i> | <i>Area</i> | <i>Gear</i> |
|----------------------|--------------------------|--|----------------------|---------------|---------------------|----------------------------|-------------------------------|------------------------|------------------|----------------------------------|---------------------------------|-------------|-------------|
| 20040008 | Not available | JAPAN- Communications between fishing vessel and reefer company indicated tuna species had been taken in the Atlantic. | 16/11/2004 | PWG-122 | UNKNOWN | NO INFO | MADURA 3 | NO INFO | NO INFO | (P.T. PROVISIT) | (INDONESIA) | | |
| 20050001 | Not available | BRAZIL -fishing in Brazilian waters with no license. | 03/08/2005 | 1615 | UNKNOWN | SAINT VINCENT & GRENADINES | SOUTHERN STAR 136 | HSIANG CHANG | NO INFO | KUO JENG MARINE SERVICES LIMITED | PORT OF SPAIN TRINIDAD & TOBAGO | AT | |
| 20060001 | Not available | SOUTH AFRICA- vessels had no VMS, suspected of having no tuna license and of possible at-sea transhipments. | 23/10/2006 | 2431 | UNKNOWN | NO INFO | BIGEYE | NO INFO | FN 003883 | NO INFO | NO INFO | UNKN | |
| 20060002 | Not available | SOUTH AFRICA- vessels had no VMS, suspected of having no tuna license and of possible at-sea transhipments. | 23/10/2006 | 2431 | UNKNOWN | NO INFO | MARIA | NO INFO | FN 003882 | NO INFO | NO INFO | UNKN | |

| <i>Serial Number</i> | <i>Lloyds/IMO Number</i> | <i>Reporting CPC</i> | <i>Date Informed</i> | <i>Ref. #</i> | <i>Current Flag</i> | <i>Previous Flag</i> | <i>Name of Vessel (Latin)</i> | <i>Name (Previous)</i> | <i>Call Sign</i> | <i>Owner/Operator Name</i> | <i>Owner/Operator Address</i> | <i>Area</i> | <i>Gear</i> |
|----------------------|--------------------------|--|----------------------|---------------|---------------------|----------------------|-------------------------------|------------------------|------------------|----------------------------|-------------------------------|-------------|-------------|
| 20060003 | Not available | EC - Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | PANAMA | NO. 101 GLORIA | GOLDEN LAKE | NO INFO | NO INFO | NO INFO | MEDI | |
| 20060004 | Not available | EC - Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | PANAMA | MELILLA NO. 103 | NO INFO | NO INFO | NO INFO | NO INFO | MEDI | |
| 20060005 | Not available | EC - Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | PANAMA | MELILLA NO. 101 | NO INFO | NO INFO | NO INFO | NO INFO | MEDI | |
| 20060006 | Not available | EC - Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | PANAMA | TONINA V | NO INFO | NO INFO | NO INFO | NO INFO | MEDI | |

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| <i>Serial Number</i> | <i>Lloyds/IMO Number</i> | <i>Reporting CPC</i> | <i>Date Informed</i> | <i>Ref. #</i> | <i>Current Flag</i> | <i>Previous Flag</i> | <i>Name of Vessel (Latin)</i> | <i>Name (Previous)</i> | <i>Call Sign</i> | <i>Owner/Operator Name</i> | <i>Owner/Operator Address</i> | <i>Area</i> | <i>Gear</i> |
|----------------------|--------------------------|---|----------------------|---------------|---------------------|----------------------|-------------------------------|------------------------|------------------|----------------------------|-------------------------------|-------------|-------------|
| 20060007 | Not available | EC - Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | PANAMA | LILA NO. 10 | NO INFO | NO INFO | NO INFO | NO INFO | MEDI | |
| 20060008 | Not available | E.C.- Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | HONDURAS | No 2 CHOYU | NO INFO | NO INFO | NO INFO | NO INFO | MEDI | |
| 20060009 | Not available | EC - Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | HONDURAS | ACROS NO. 3 | NO INFO | NO INFO | NO INFO | NO INFO | MEDI | |
| 20060010 | Not available | EC - Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | HONDURAS | ACROS NO. 2 | NO INFO | NO INFO | NO INFO | NO INFO | MEDI | |

| <i>Serial Number</i> | <i>Lloyds/IMO Number</i> | <i>Reporting CPC</i> | <i>Date Informed</i> | <i>Ref. #</i> | <i>Current Flag</i> | <i>Previous Flag</i> | <i>Name of Vessel (Latin)</i> | <i>Name (Previous)</i> | <i>Call Sign</i> | <i>Owner/Operator Name</i> | <i>Owner/Operator Address</i> | <i>Area</i> | <i>Gear</i> |
|----------------------|--|--|----------------------|---------------|---------------------|----------------------|-------------------------------|------------------------|------------------|---|-------------------------------|---------------|--------------|
| 20060011 | Not available | EC - Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | HONDURAS | No. 3 CHOYU | NO INFO | NO INFO | NO INFO | NO INFO | MEDI | |
| 20060012 | Not available | EC - Vessels greater than 24m not included in ICCAT Record of Vessels. Seen fishing in the Mediterranean during closed season. | 16/10/2006 | 2259 | UNKNOWN | HONDURAS | ORIENTE NO. 7 | NO INFO | NO INFO | NO INFO | NO INFO | MEDI | |
| 20080001 | Not available (previously on ICCAT Record as AT000GUI000002) | JAPAN- Bluefin tuna caught and exported without quota. | 14/11/2008 | COC-311/2008 | UNKNOWN | Rep. of Guinea | DANIAA | CARLOS | 3X07Q MC | ALPHA CAMARA (Guinean company) Operated by a /Korean company) | No info | E-ATL or MEDI | Longliner |
| 20080002 | Not available | ICCAT Chairman information | 27/06/2008 | 1226 | Bolivia | Turkey | CEVAHIR | SALIH BAYRAKTAR | | J.L. JALABERT - S. PEREZ | 11210 FRANCE - 66690 FRANCE | MEDI | Purse seiner |
| 20080003 | Not available | ICCAT Chairman information | 27/06/2008 | 1226 | Bolivia | Turkey | ABDI BABA1 | EROL BÜLBÜL | | J.L. JALABERT - S. PEREZ | 11210 FRANCE - 66690 FRANCE | MEDI | Purse seiner |

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|----------|---|-------------------------------|------------|------|---------|--------------------------------------|----------|--------------------------------------|---------|--|-------------------------------|------|--------------|
| 20080004 | Not available (former ICCAT Register number AT000LIB00 039) | ICCAT Chairman information | 27/06/2008 | 1226 | Unknown | Libya (previously British) | SHARON I | MANARA I (previously POSEIDON) | No info | MANARAT AL SAHIL Fishing Company | AL DAHRS. Ben Walid Street | MEDI | Purse seiner |
| 20080005 | Not available (former ICCAT Register number AT000LIB00 041) | ICCAT Chairman information | 27/06/2008 | 1226 | Unknown | Libya (Previously Isle of Man) | GALA I | MANARA II (previously ROAGAN) | No info | MANARAT AL SAHIL Fishing Company | AL DAHRS. Ben Walid Street | MEDI | Purse seiner |

Photographs available



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