

**EXPLANATORY NOTE TO DRAFT RECOMMENDATION BY ICCAT  
TO REPLACE ICCAT RECOMMENDATION 16-01 ON A MULTI ANNUAL CONSERVATION AND  
MANAGEMENT PROGRAMME FOR TROPICAL TUNAS**

*(Submitted by the European Union)*

The management of tropical tuna stocks remains one of the greatest challenges and priority for ICCAT. While gradual improvement has been made in recent years, further progress has been hampered since the start of the pandemic. With no clear indication that normal meeting conditions will resume anytime soon, it is necessary to adopt an ambitious approach and to address the most pressing issues regarding the management of these resources. It is with this in mind that the European Union decided to table a proposal this year. Although we are supportive of the efforts of the Chair, our proposal aims to further draw on the intersessional exchanges we had this year, and to provide possible solutions to a range of issues for which action can no longer be postponed. Our proposal is articulated around the following key elements:

- The **setting of fishing opportunities which are sustainable and manageable in the long term**, including the setting of the TAC for bigeye tuna according to the scientific advice but also the identification of a path to allow progress on the allocation of fishing opportunities, in particular for bigeye tuna. The latest stock assessment for bigeye tuna, and the resulting scientific advice, clearly indicate a substantial improvement of the stock status and allows safely increasing the TAC while maintaining the stock in the green quadrant of the Kobe plot with probabilities superior to 60%. Our understanding of the stock status has greatly improved because of the availability of new data. A possible increase of the TAC offers a unique and unexpected opportunity to also address one of the most pressing issues, namely the re-allocation of fishing opportunities following the demands from developing coastal States. Failure to increase the TAC in line with the scientific advice would severely undermine the prospects for a meaningful reallocation of these fishing opportunities, and would amount to a substantial missed opportunity for the Commission. Our proposal suggests to use the increase of the TAC, combined with an additional re-allocation effort from the current TAC holders, to meet the demands from those wishing to increase their participation in the fishery. Furthermore, conscious of the scope for future increases of the stock productivity, we also suggest that future increases of the TAC should be allocated in priority to developing coastal States. This approach will have significant implications for the fishing opportunities of European operators, however, this is a price they are prepared to pay to ensure that the TAC can be implemented in a meaningful way and that the stock can be exploited sustainably on the long term.
- The **establishment of a process to better manage fishing capacity**, including a regular review of the CPCs capacity (as conducted this year), the acknowledgement of the specific needs of developing coastal States to adjust their fishing capacity in the context of increasing fishing opportunities, the creation of a list of active authorised vessels, and measures to prevent the influx of overcapacity from other oceans.
- The **consolidation of the measures adopted in 2019 for the management of FADs**, the creation of a working group to advise the Commission on how to set up a FAD registry, the clarification of the request to SCRS regarding FADs sets, and the improvement of the overall readability of the Recommendation by moving some of the more technical information on FADs to Annexes.
- Finally, the last element of our proposal aims to **address the relative weakness of the control regime currently in place for tropical tuna fisheries**. Conscious of the necessity to take into account the limited control capacity of the developing coastal States, we suggest to reactivate an ICCAT Regional Observer Program (ROP TROP, first adopted in ICCAT a decade ago) which would provide the necessary guarantees and transparency about the implementation of the management measures adopted by ICCAT. Our proposal also addresses the lack of effective control of transshipment activities, and also of activities by supply/support vessels.

These elements provide the basis for an ambitious approach to the management of tropical tunas in ICCAT, requiring contributions and efforts from all the CPCs and gears involved in these fisheries.

**DRAFT RECOMMENDATION BY ICCAT TO REPLACE ICCAT RECOMMENDATION 16-01 ON A MULTI ANNUAL CONSERVATION AND MANAGEMENT PROGRAMME FOR TROPICAL TUNAS**

*(Submitted by the European Union)*

*RECALLING* the current multi-annual conservation and management programme for tropical tunas;

*NOTING* that the stock assessment for bigeye tuna (BET) in 2021, based on data up to and including 2019, indicated that the stock is overfished but no longer subject to overfishing, and that in 2021 there is an 80% probability that the stock is already in the green quadrant of the Kobe plot (no longer overfished),

*RECALLING* the successive reductions of the TAC for BET from 85,000 t to 61,500 t and the negative socio-economic impact of these reductions;

*FURTHER NOTING* the challenges in implementing TACs in the absence of comprehensive allocation schemes and of clear catch limits for most of the participants in the fisheries of BET and yellowfin tuna (YFT);

*ACKNOWLEDGING* the concerns expressed by the SCRS regarding the 2019 catches levels of yellowfin tuna, which remain above the TAC for this stock,

*TAKING INTO ACCOUNT* the recommendations made by the first meeting of the Joint Tuna RFMO FAD Working Group and the third meeting of ICCAT's *Ad Hoc* Working Group on FADs, on FAD management objectives and the availability of FAD management measures to reduce juvenile tuna mortality;

*NOTING* that the SCRS has advised that increased harvests on FADs as well as other fisheries as well as development of new fisheries could have had negative consequences for the productivity of bigeye and yellowfin tuna fisheries (e.g. reduced yield at MSY);

*FURTHER NOTING* that support vessels contribute to the increase in efficiency and capacity of purse seiner vessels using FADs and that the number of support vessels has increased significantly over the years;

*FURTHER TAKING INTO ACCOUNT* the reported reductions of the catches of tropical tunas under FADs in 2020 and 2021, and the contribution of the FADs measures adopted in 2019 to these reductions;

*ACKNOWLEDGING* the absence of clear ownership of FADs, and the inherent challenges this creates to manage FADs related activities;

*RECALLING* the significant body of international law that recognizes the rights and special requirements of developing States, including but not limited to, as applicable, Article 119 of UNCLOS and Article 25 and Part VII of UNFSA;

*RECOGNISING* the interests of developing coastal States to develop their fishing opportunities, and committing to achieve a more equitable distribution of fishing opportunities to developing coastal States over time;

*FURTHER RECOGNIZING* that fishing overcapacity is a pressing problem that threatens marine fisheries sustainability due to overfishing, any increase of fishing capacity should remain commensurate with fishing opportunities to achieve sustainable productive fisheries;

*CONCERNED* about the level of implementation of the catch limits adopted under Recommendation 19-02, and the importance of the CPCs strictly adhering to these catch limits for the TAC to be effective.

*EMPHASIZING* the importance of preventing an uncontrolled increase of the fishing capacity, and in particular the necessity to prevent the transfer of capacity from other oceans to the Atlantic;

*ACKNOWLEDGING* the limitations of the current list of vessels engaging in fishing for tropical tunas, and the challenges this creates to efficiently manage fishing capacity;

*NOTING* the existence of significant challenges to effectively monitor transshipment operations at sea;

*ALSO NOTING* the potential benefits of ICCAT re-activating a Regional Observer Program to strengthen the Monitoring, Control and Surveillance of the fleets, and in turn to ensure the appropriate implementation of the management measures adopted by the Commission;

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

**PART I  
GENERAL PROVISIONS**

***Multi-annual Management and Conservation Programme***

1. CPCs whose vessels are actively fishing for tropical tunas in the Atlantic shall implement a management programme through 2034, with the goal of achieving  $B_{MSY}$  with a probability of more than 60% for each stock of tropical tunas.

**PART II  
CATCH LIMITS**

***Catch limits for bigeye tuna***

2. The Total Allowable Catch (TAC) for bigeye tuna shall be [75,000] t. The TAC shall be reviewed by the Commission on the basis of the SCRS advice.
3. Starting in 2022, the following catch limits shall be applied to the following CPCs:

<b><i>CPC</i></b>	<b><i>Annual catch limits</i></b>
China	5,376
European Union	16,989
Ghana	4,250
Japan	17,696
Philippines	286
Korea	1,486
Chinese Taipei	11,679

4. In 2022, an intersessional meeting of Panel 1 shall be organized to establish catch limits for the CPCs seeking participation in the bigeye tuna fisheries. This should include a process of reallocation of fishing opportunities towards developing coastal States, which shall be guided by Resolution 15-11 and by the following criteria:
  - a) The allocation of fishing opportunities under Recommendation 16-01 shall be the starting point for the process of reallocation towards developing coastal States.
  - b) A specific quota shall be established for the group of developing coastal States wishing to develop their fisheries.
  - c) Consistent with the CPCs' duties to cooperate<sup>1</sup> to ensure the conservation of highly migratory stocks and promoting the objective of optimum utilization, developing coastal States shall cooperate to agree on the distribution of fishing opportunities within this specific quota so that each CPC is eventually subject to a specific catch limit.

<sup>1</sup> Agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling fish stocks and highly migratory fish stocks.

- d) For this purpose, future TAC increases decided by the Commission shall be allocated as a priority to developing coastal States.
  - e) Developed coastal States shall ensure that the fishing opportunities of their small-scale artisanal fishers are not negatively impacted by possible transfer/reallocation to developing coastal States, and special consideration shall be given to the specificities and needs of these small-scale artisanal fishers.
- 5. CPCs which are not listed under paragraph 3 and which are not developing coastal States shall [maintain their annual catch under 1,575 t].
  - 6. Until they are allocated a specific share of the TAC in the context of the process described under paragraph 4, CPCs which are not listed under paragraph 3 and which are developing coastal States shall maintain their annual catches at the level of their recent average catches<sup>2</sup>.
  - 7. CPCs shall adjust their fishing effort to be commensurate with their available fishing opportunities.

***Underage or overage of catch of bigeye tuna***

- 8. Overage of an annual catch limit for CPCs listed in paragraph 3 for bigeye tuna shall be deducted from the annual catch limit of the following year:

<i>Year of catch</i>	<i>Adjustment Year</i>
2020	2022
2021	2023
2022	2024
2023	2025

- 9. Notwithstanding paragraph 8, if any CPC or group of CPCs exceeds its annual catch limit:
  - a) In one year, then the amount deducted in the adjustment year shall be determined as 100% of the overage; and
  - b) During any two consecutive years, the Commission will recommend appropriate measures, which shall include reduction in the catch limit equal to 125% of the excess harvest.
- 10. For CPCs listed in Paragraph 3 of Rec. 16-01, underage or overage of an annual catch limit shall be added to/or deducted from their annual catch limit two years later, subject to 10% of initial quota restrictions noted in paragraphs 9a and 10 of Rec. 16-01.

***Monitoring of catch***

- 11. CPCs shall report quarterly to the Secretariat the amount of tropical tunas (by species) caught by vessels flying their flag, within 30 days of the end of the period during which the catches were made.
- 12. For purse seiners and large longline vessels (LOA 20m or greater), CPCs shall report on a monthly basis, increasing to weekly when 80% of their catch limits have been caught.
- 13. The Secretariat shall notify all CPCs once 80% of the TAC has been caught.
- 14. CPCs shall report to the ICCAT Secretariat the dates when their entire catch limit of bigeye tuna has been utilized. The ICCAT Secretariat shall promptly circulate this information to all CPCs.

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<sup>2</sup> Recent average catch for the purposes of paragraph 6 means the annual average catch for the 4-year period 2014-2017 or the average of real catches for the 5-year period 2014-2018 if in that period the catch was equal to zero in any of those years

***TAC for yellowfin tuna***

15. The annual TAC for 2022 and subsequent years of the Multi-annual Programme is 110,000 t for yellowfin tuna and shall remain in place until changed based on scientific advice.
16. Based on the stock assessment and SCRS advice, the Commission shall adopt additional conservation measures for yellowfin tuna at the 2022 annual meeting, which may include a revised TAC, closures or allocated catch limits.
17. If the total catch exceeds in any year the TAC referred to in paragraph 15, the Commission shall consider additional management measures for yellowfin tuna. Any other measures shall recognise the obligations of international law and the rights of developing coastal States.
18. In 2022, the Commission shall establish the allocation between CPCs of the TAC described under paragraph 15.

**Fishing, capacity and control Plans**

19. By 31 January each year, each CPC intending to authorize vessels to fish for tropical tunas shall submit to the Secretariat:
  - i. An annual fishing and capacity plan which shall outline how the CPC will ensure that its overall baitboat, longline and purse seine fleet capacity is commensurate with the allocated quota drawn up to include the information set forth in paragraphs 3, 5 and 6.
  - ii. A monitoring, control and inspection plan with a view to ensuring compliance with the provisions of this Recommendation.
20. Prior to 1 March of each year, the Commission shall convene an intersessional meeting of Panel 1 by electronic means to analyze and, as appropriate, endorse the plans referred to under paragraph 19. If the Commission finds a serious fault in the plans submitted and cannot endorse these plans, the Commission shall decide on the automatic suspension of tropical tuna fishing in that year by that CPC. Non-submission of the plans referred to above shall automatically lead to suspension of tropical tuna fishing in that year for the CPC concerned.

**PART III  
CAPACITY MANAGEMENT MEASURES**

***Capacity limitation for tropical tunas***

21. When submitting their 2022 fishing, capacity and control plans to ICCAT, CPCs shall limit the numbers of their purse seiners and large scale longliners (LOA>20m) to the numbers authorized in any given year [2015 or 2019] and shall provide the chosen year of reference to the Secretariat by 31 January 2022.
22. New catching vessels shall only be authorized to replace vessel already authorized with the same gear and, at a minimum, the same length overall.
23. Without prejudice to paragraphs 21 and 22, CPCs shall be allowed to increase their number of catching vessels in a way commensurate with possible increases of their catch limits.
24. CPCs shall only authorize purse seiners already authorized in fishing in the ICCAT Convention area in the previous year.

25. Any CPC having vessels that operate, part-time or full-time, in support of purse seiners shall report the names and characteristics of all of their vessels to the ICCAT Secretariat, including which of those vessels were active the previous year in the ICCAT Convention area, and the names of the purse seiner(s) that received the support of each support vessel. This information shall be reported no later than 31 January each year. The Secretariat shall prepare a report for the Commission to be able to consider the type of limitation that support vessels shall be subject to in the future, including a phasing-out plan, where required. Notwithstanding this, CPCs shall not increase the number of support vessels from the numbers recorded by the time of adoption of this measure.
26. For the purposes of this measure, a support vessel is defined as any vessel, including fishing vessels, that carries out activities in support of purse seine vessels that increases the efficiency of their operations including, but not limited to deploying, servicing and retrieving FADs.
27. The Commission shall establish capacity limits per gear and per CPC to reflect any change in allocation resulting from the process described under paragraph 4.

#### **PART IV MANAGEMENT OF FADs**

##### ***FAD management objectives and definitions***

28. The general objectives for management of FADs and support vessels in the Convention area are defined as follows:
  - a) To minimize potential impacts that high FAD density may have on purse seine fishing efficiency, while minimizing disproportionate impacts to the fishing opportunities of fleets that use other gear or other fishing strategies while also targeting tropical tunas;
  - b) To minimize the impact of FAD fishing on the productivity of bigeye and yellowfin stocks that result from the capture of high numbers of juveniles that aggregate with skipjack on FADs;
  - c) To minimize the impact of FAD fishing on non-target species, where appropriate, including entanglement of marine species, particularly those of conservation concern;
  - d) To minimize the impact of FADs and FAD fishing on pelagic and coastal ecosystems, including by preventing the beaching, stranding or grounding of FADs in sensitive habitats or the alteration of pelagic habitat.
29. For the purpose of this Recommendation, the following definitions shall apply:
  - i. Floating object (FOB): Any natural or artificial floating (i.e. surface or subsurface) object with no capability of moving on its own. FADs are those FOBs that are man-made and intentionally deployed and/or tracked. Logs are those FOBs that are accidentally lost from anthropic and natural sources.
  - ii. Fish-Aggregating device (FAD): Permanent, semi-permanent or temporary object, structure or device of any material, man-made or natural, which is deployed and/or tracked, and used to aggregate fish for subsequent capture. FADs can either be anchored (aFADs) or drifting (dFADs).
  - iii. FAD set: setting a fishing gear around a tuna school associated with a FAD.
  - iv. Operational buoy: Any instrumented buoy, previously activated, switched on and deployed at sea, which transmits position and any other available information such as eco-sounder estimates.
  - v. Activation: The act of enabling satellite communication services by the buoy supplier company at the request of the buoy owner. The owner then starts paying fees for communication services. The buoy can be transmitting or not, depending if it has been manually switched on.

- vi. Biodegradable FAD: a FAD composed of non-netting from renewable lignocellulosic materials (i.e., plant dry matter - here described as natural material) and/or bio-based biodegradable plastic compounds, prioritizing those materials that comply with international relevant standards or certification labels for plastic compostability in marine environments. In addition, the substances resulting from the degradation of these materials should not be toxic for the marine and coastal ecosystems or include heavy metals in their composition. This definition does not apply to electronic buoys attached to FADs to track them.

***FAD closure***

30. In order to reduce the fishing mortality of juvenile bigeye and yellowfin tunas, purse seine and baitboat vessels fishing for, or vessels supporting activities to fish for, bigeye, yellowfin and skipjack tunas in association with FADs in the high seas or EEZs shall be prohibited during a three-month period, from 1 January to 31 March each year, throughout the Convention area. This should be reviewed and, if necessary, revised based on advice by the SCRS taking into account monthly trends in free school and FAD-associated catches and the monthly variability in the proportion of juvenile tuna in catches.
31. In addition, each CPC shall ensure its vessels do not deploy drifting FADs during a period of 15 days prior to the start of the closure period.

***FAD limitations***

32. CPCs shall ensure that, for vessels flying their flag, a limit of 300 FADs (with operational buoys) per vessel shall apply at any one time according to definitions given in paragraph 27. The number of FADs with operational buoys shall be verified through the verification of telecommunication bills. Such verifications shall be conducted by the competent authorities of the CPCs.
33. With a view to establishing FAD set limits to keep the catches of juvenile tropical tunas at sustainable levels, in 2022 SCRS should inform the Commission about the maximum number of FAD sets which should be established in the purse seiner fishery, per vessel or per CPC, as appropriate, to maintain the stock in the green quadrant of the Kobe plot with high probability while contributing to increase the productivity of the stock of bigeye tuna. To support this analysis, by 31 March 2022, CPCs with purse seine vessels shall report to the SCRS the required historical FAD set data, including for 2020. CPCs that do not report these data in accordance with this paragraph shall be prohibited from setting on FADs until such data have been received by the Secretariat.
34. Starting in 2022, a Working Group shall be established to provide recommendations to the Commission on how to establish a FAD registry in ICCAT, in accordance with **Annex 1**.
35. Each year, CPCs shall report the difference between the fishing effort on FADs compared to the previous year, via the submission of Task 2 data.
36. CPCs may authorize their purse seine vessels to set on floating objects provided that the fishing vessel has either an observer or a functioning electronic monitoring system (EMS) on board, whose specifications have been approved by ICCAT for the purpose of verifying set type, species composition, and providing information on fishing activities to the SCRS.

***FADs reporting obligations***

37. CPCs with purse seine and/or baitboat vessels fishing for bigeye, yellowfin and skipjack tunas in association with FADs, shall submit to the Executive Secretary Management Plans for the use of aggregating devices by vessels flying their flag by 31 January each year.

38. The objective of the FAD Management Plans shall be the following:
- i. improve the knowledge about FAD characteristics, buoy characteristics, FAD fishing, including fishing effort of purse seiners and associated support vessels, and related impacts on target and non-target species;
  - ii. effectively manage the deployment and recovery of FADs, the activation of buoys and their potential loss;
  - iii. reduce and limit the impacts of FADs and FAD fishing on the ecosystem, including, where appropriate, by acting on the different components of the fishing mortality (e.g. number of deployed FADs, including number of FADs set by purse seiners, fishing capacity, number of support vessels).

The Plans shall be drawn up by following the Guidelines for Preparation of FAD Management Plans as provided in **Annex 2**.

39. CPCs shall ensure that all purse seine and baitboat fishing vessels and all support vessels (including supply vessels) flying their flag, and/or authorized by CPCs to fish in areas under their jurisdiction, when fishing in association with or deploying FADs, collect and report, for each deployment of a FAD, each visit on a FAD, whether followed or not by a set, or each loss of a FAD, the information and data contained in **Annex 3**.
40. For the purpose of the collection and reporting of the information referred to above, and where paper or electronic logbooks already in place do not allow it, CPCs shall either update their reporting system or establish FAD logbooks. In establishing FAD logbooks, CPCs should consider using the template laid down in **Annex 4** as reporting format. When using paper logbooks, CPCs may seek, with the support of the Executive Secretary, harmonized formats. In both cases, CPCs shall use the minimum standards recommended by SCRS in **Annex 5**.
41. CPCs shall also ensure that all vessels referred to in paragraph 32 keep updated on a monthly basis and per 1°x1° statistical rectangles a list of deployed FADs and buoys, containing at least the information as laid down in **Annex 6**

#### ***Non-entangling and biodegradable FADs***

42. In order to minimize the ecological impact of FADs, in particular the entanglement of sharks, turtles and other non-targeted species, and the release of synthetic persistent marine debris, CPCs shall:
- i. Ensure that all FADs deployed are non-entangling in line with the guidelines under **Annex 7** of this Recommendation, in accordance with previous ICCAT Recommendations;
  - ii. Endeavour that all FADs deployed are non-entangling, and constructed from biodegradable materials, including non-plastics, with the exception of materials used in the construction of FAD tracking buoys;
  - iii. Report on an annual basis on the steps undertaken to comply with these provisions in their FADs Management Plans.



PART V  
CONTROL MEASURES

*Specific authorization to fish for tropical tunas*

43. CPCs shall issue specific authorizations to vessels 20 meters LOA or greater flying their flag allowed to fish bigeye and/or yellowfin and/or skipjack tunas in the Convention area, and to vessels flying their flag used for any kind of support of this fishing activity (hereafter referred to as "authorized vessels").

*ICCAT Record of authorized tropical tuna vessels*

44. Each flag CPC shall submit electronically each year to the Secretariat: at the latest 15 days before the beginning of the fishing activity, the record of its catching vessels referred to in paragraph 43. Submissions shall be undertaken in accordance with the format set out in the *Guidelines for Submitting Data and Information required by ICCAT*. That record should consist of two lists:
- i. All catching vessels authorized to fish actively for tropical tuna.
  - ii. All other fishing vessels used for the purposes of commercial exploitation of tropical tuna resources other than catching vessels, authorized to target tropical tunas.
45. The Commission shall establish and maintain an ICCAT record of authorized tropical tuna vessels, including support vessels, and clearly identifying those vessels authorized to actively fish tropical tunas. Fishing vessels 20 meters LOA or greater not entered into this record are deemed not to be authorized to fish, retain on board, tranship, transport, transfer, process or land bigeye and/or yellowfin and/or skipjack tunas from the Convention area or to carry out any kind of support to those activities, including deploying and retrieving FADs and/or buoys.
46. A CPC may allow by-catch of tropical tunas by vessels not authorized to fish for tropical tunas pursuant to paragraph 43 and 44, if this CPC establishes a maximum onboard by-catch limit for such vessels and the by-catch in question is accounted for within the CPC's quota or catch limit. Each CPC shall provide in its Annual Report the maximum by-catch limit it allows for such vessels and information about how the CPC ensures compliance with the limit. That information shall be compiled by the ICCAT Secretariat and made available to CPCs.
47. CPCs shall, without delay, notify the Executive Secretary of any addition to, deletion from and/or modifications of the initial lists. Periods of authorization for modifications or additions to the lists shall not include dates more than 45 days prior to the date of submission of the changes to the Secretariat. The Secretariat shall remove from the ICCAT Record of Vessels any vessel for which the periods of authorization have expired.
48. The Executive Secretary shall, without delay, post the record of authorized vessels on the ICCAT website, including any additions, deletions and/or modifications so notified by CPCs.
49. Conditions and procedures referred to in the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 meters in Length Overall or Greater Authorized to Operate in the Convention Area* (Rec. 13-13) shall apply mutatis mutandis to the ICCAT record of authorized tropical tuna vessels.
50. Each CPC shall, by 31 July each year, notify to the Executive Secretary the list of authorized vessels flying their flag which have fished bigeye and/or yellowfin and/or skipjack tunas in the Convention area or have offered any kind of support to the fishing activity (support vessels) in the previous calendar year. For purse seines this list shall also include the support vessels that have supported the fishing activity, irrespective of their flag
51. The Executive Secretary shall report each year these lists of vessels to the Compliance Committee and to the SCRS.

52. The provisions of paragraphs 44 to 49 do not apply to recreational vessels.

#### ***Transhipments***

53. Starting in 2022, CPCs whose Large Scale Pelagic Longline Vessels (LSPLVs) are transhipping tuna and tuna-like species in the Convention area shall ensure that a minimum of [20]% of these transhipments take place in ports.
54. LSPLVs shall be allowed to transship at sea only in the presence of a Regional Observer onboard, consistent with paragraph 66.

#### ***Recording of catch and fishing activities***

55. Each CPC shall ensure that its vessels 20 meters LOA or greater fishing bigeye and/or yellowfin and/or skipjack tunas in the Convention area record their catch in accordance with the requirements set out in **Annex 8** and in the *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* (Rec. 03-13).

#### ***Identification IUU activity***

56. The Executive Secretary shall, without delay, verify that any vessel identified or reported in the context of this Multi-annual Programme is on the ICCAT record of authorized vessels. If a possible violation is detected, the Executive Secretary shall, without delay, notify the flag CPC. The flag CPC shall immediately investigate the situation and, if the vessel is fishing in relation to objects that could affect fish aggregation, including FADs, during the period of closure request the vessel to stop fishing and, if necessary, leave the area. The flag CPC shall, without delay, report to the Executive Secretary the results of its investigation and the corresponding measures taken.
57. The Executive Secretary shall report to the Compliance Committee at each annual meeting of the Commission on any issue related to identification of unauthorized vessels, the implementation of the VMS, the observer provisions, and the results of the relevant investigation made as well as any relevant measures taken by the flag CPCs concerned.
58. The Executive Secretary shall propose to include any vessels identified in accordance with paragraph 57, or vessels for which the flag CPC has not carried out the required investigation and taken, if necessary, adequate measures in accordance with paragraph 56, on the provisional IUU list.

#### ***Observers***

59. For observers on board vessels targeting bigeye, yellowfin and/or skipjack tunas in the area east of meridian 20°/West longitude and north of parallel 28°/ South latitude, the following shall apply:
- Observers shall automatically be recognized by all CPCs. Such recognition shall allow the scientific observer to continue the collection of information throughout the EEZ visited by the vessel observed. The coastal CPCs concerned shall receive from the flag CPC which mandated the observer the information collected by the observer and related to fishing activities on ICCAT species in their EEZ.
60. For longline vessels flying their flag 20 meters length overall (LOA) or greater targeting tropical tunas in the Convention area, CPCs shall ensure a minimum of 10% observer coverage of fishing effort by 2023, through the presence of a human observer on board in accordance with **Annex 9** and/or an Electronic Monitoring System. For this purpose, the Working Group on Integrated Monitoring Measures (IMM WG), in cooperation with the SCRS, shall make a recommendation to the Commission for endorsement at its 2022 Annual meeting on the following:

- a) Minimum standards for an electronic monitoring system such as:
  - i) the minimum specifications of the recording equipment (e.g. resolution, recording time capacity), data storage type, data protection
  - ii) the number of cameras to be installed at which points on board
- b) What shall be recorded
- c) Data analysis standards, e.g., converting video footage into actionable data by the use of artificial intelligence
- d) Data to be analyzed, e.g., species, length, estimated weight, fishing operation details
- e) Reporting format to the Secretariat

CPCs are encouraged to conduct trials on electronic monitoring and report the results back to the IMM and the SCRS for their review.

CPCs shall report the information collected by the observers or the electronic monitoring system from the previous year by 30 April to the ICCAT Secretariat and to SCRS taking into account CPC confidentiality requirements.

61. Starting in 2022, CPCs shall ensure 100% observer coverage of all supply/support vessels.
62. CPCs shall submit all relevant data and administer scientific observer programs for tropical tunas in accordance with *Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observers* [Rec. 16-14]. In 2023, the SCRS shall provide advice on the improvements to observer programs including how coverage should be stratified across vessels, seasons and areas to achieve maximum effectiveness.
63. CPCs shall endeavour to further increase observer coverage rates for longline vessels, including through trials and implementation of electronic monitoring to supplement human observers. CPCs that trial electronic monitoring shall share technical specifications and standards with the Commission towards the development of agreed ICCAT standards.
64. For purse seine vessels flying their flag and targeting bigeye, yellowfin and/or skipjack in the Convention area, CPCs shall ensure 100% observer coverage of fishing effort, through the presence of an observer on board in accordance with **Annex 9**, or through an Electronic Monitoring System whose specifications have been approved by ICCAT. Each year, CPCs shall report the information collected by the observers from the previous year by 30 April to the ICCAT Secretariat and to SCRS.
65. Each year, the ICCAT Secretariat shall compile the information collected under observer programs, including on the observer coverage for each tropical tuna fishery, and make it available to the Commission before the annual meeting for further deliberation, taking into account CPC confidentiality requirements.

#### ***Regional Observer Program***

66. Starting in 2023, an ICCAT Regional Observer Program shall be implemented in accordance with **Annex 10**, to ensure compliance with the conservation and management measures adopted by ICCAT and to carry out the scientific data collection and tasks required by the SCRS. Under this program, CPCs shall ensure 100% observer coverage of the activities by [purse seiners, supply/support vessels] carrying their flag, and by surface fishing vessels 35 meters LOA engaging in transshipment operations at sea]. The presence of an ICCAT Regional Observer onboard shall waive the requirements for the observers' coverage described under paragraphs 36, 54, 60, 61, and 64.

66 *bis*. In 2022, on the basis of the advice from IMM, the Commission shall consider how to use existing schemes of Regional Observers, deployed onboard vessels authorized to fish for tropical tunas in ICCAT, for CPCs to meet the obligations set within the scope of the ICCAT Regional Observer Program defined in paragraph 66. For this purpose, the CPCs involved in already existing regional observers' programs should provide details about these schemes to the Secretariat by 31 March 2022, including the copy of the agreement concluded between the Flag State and the CPC of the observers.

66 *ter*. In order for an existing observer program, as referred to in paragraph 66 *bis*, to be accepted as a substitute to the ICCAT Regional Observer Program, and to be sufficient to waive the requirements for the observers' coverage described under paragraphs 36, 54, 60, 61, and 64, it shall satisfy the following conditions:

- i. the Flag State of the vessel shall comply with the obligations specified in paragraph 11 of **Annex 10**;
- ii. the observer on board shall meet the requirements in **Annex 10** in terms of qualifications and shall comply with the obligations and tasks specified in paragraphs 5 to 11 of **Annex 10**.

### ***Port Sampling Programme***

67. The port sampling programme developed by the SCRS in 2012 shall be continued for landing or transshipment ports. Data and information collected from this sampling programme shall be reported to ICCAT each year, 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.

## **PART VI MANAGEMENT PROCEDURES/MANAGEMENT STRATEGY EVALUATION**

### ***Management Strategy Evaluation (MSE) and Candidate Harvest Control Rules***

68. The SCRS shall refine the MSE process in line with the SCRS roadmap and continue testing the candidate management procedures. On this basis, the Commission shall review the candidate management procedures, including pre-agreed management actions to be taken under various stock conditions. These shall take into account the differential impacts of fishing operations (e.g. purse seine, longline and baitboat) on juvenile mortality and the yield at MSY.

## **PART VII FINAL PROVISIONS**

### ***Availability of data to SCRS and to national scientists***

69. CPCs shall ensure that:
- a) Both paper and electronic fishing logbooks and the FAD-logbooks referred to in paragraph 38, where applicable, are promptly collected and made available to national scientists;
  - b) The Task 2 data include the information collected from the fishing or FAD logbooks, where applicable, and is submitted every year to the ICCAT Executive Secretary, to be made available to the SCRS.
70. CPCs should encourage their national scientists to undertake collaborative work with their national industry to analyse data related to FADs (e.g. logbooks, buoy data) and to present the outcomes of that analysis to the SCRS. CPCs should take steps to facilitate making the data available for such collaborative work, subject to relevant confidentiality constraints.

***Confidentiality***

71. All data submitted in accordance with this Recommendation shall be treated in a manner consistent with ICCAT's data confidentiality guidelines and solely for the purposes of this Recommendation and in accordance with the requirements and procedures developed by the Commission.

***Final Provisions***

72. Actions required from the SCRS and the Secretariat:
- a) The ICCAT Secretariat shall work with the SCRS in preparing an estimate of capacity in the Convention area, to include at least all the fishing units that are large-scale or operate outside the EEZ of the CPC they are registered in. All CPCs shall cooperate with this work, providing estimates of the number of fishing units fishing for tuna and tuna-like species under their flag, and the species or species groups each fishing unit targets (e.g. tropical tunas, temperate tunas, swordfish, other billfish, small tunas, sharks, etc.); this work shall be presented to the next meeting of the SCRS in 2022 and forwarded to the Commission for consideration;
  - b) The ICCAT Secretariat shall identify a Consultant to carry out an evaluation of the monitoring, control and surveillance mechanisms in place in ICCAT CPCs. This work shall primarily focus on the evaluation of data collection and processing systems in each CPC, and the ability to produce estimates of catch and effort, and length frequency for all stocks under ICCAT management, with a focus on stocks for which input and/or output measures are in place; in preparing this work the Consultant shall evaluate how efficient the catch monitoring systems that each CPC has implemented are to achieve robust estimates of catches for the stocks subject to a TAC; the ICCAT Secretariat shall work with SCRS scientists to prepare a TOR for this work as soon as possible.
73. An intersessional meeting of Panel 1 will be held in 2022 to for the purpose of developing allocation schemes for the stocks of bigeye and yellowfin tuna.
74. This Recommendation replaces Rec. 19-02.
75. All CPCs commit to implement the present Recommendation on a voluntary basis as of 1 January 2022.

**Working Group on FADs Registry**

1. The Working Group shall provide recommendations to the Commission on how to establish an ICCAT FADs registry for the purpose of establishing FADs' ownership and improving control measures of fishing activities on FADs.
2. The Working Group shall in particular:
  - a) Explore and report on how a FAD registry could contribute to solving the issue of lack of ownership of FADs, contribute to improving the recovery of FADs and reducing beaching events, and provide a scope for improving MSC measures in relation to fishing activities on FADs.
  - b) Identify the feasibility and most effective approach(es) to establish a FAD registry in ICCAT, including by identifying the responsibilities of the CPCs, their operators and the Secretariat, and providing estimates of possible costs.
  - c) Report to, and as appropriate, submit recommendations to the Commission.
3. The Working Group shall be assisted by the ICCAT Secretariat in its works. It shall appoint a Chair and Vice-Chair and establish a calendar for its discussions. Starting in 2022, the Working Group shall hold at least one meeting per year back-to-back with the inter-sessional meeting of Panel 1, before the ICCAT Annual Commission meeting in November.
4. The interested CPCs shall notify the ICCAT Secretariat of their interest to participate in the Working Group by 20 December 2021 at the latest, and designate participants to the Working Group.

### Guidelines for Preparation of FAD Management Plans

The FAD Management Plan for a CPC purse seine and baitboat fleets must include the following:

1. Description
  - a) FAD types: AFAD = anchored; DFAD = drifting
  - b) Type of beacon/buoy
  - c) Maximum number of FAD to be deployed per purse seine and per FAD type and active at any one time per vessel
  - d) Minimum distance between AFADs
  - e) Incidental by-catch reduction and utilization policy
  - f) Consideration of interaction with other gear types
  - g) Statement or policy on "FAD ownership"
  - h) Use of support vessels, including from other flag CPCs
2. Institutional arrangements
  - a) Institutional responsibilities for the FAD Management plan
  - b) Application processes for FAD deployment approval
  - c) Obligations of vessel owners and masters in respect of FAD deployment and use
  - d) FAD replacement policy
  - e) Additional reporting obligations beyond this Recommendation
  - f) Conflict resolution policy in respect of FADs
  - g) Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.
3. FAD construction specifications and requirements
  - a) FAD design characteristics (a description)
  - b) Lighting requirements
  - c) Radar reflectors
  - d) Visible distance
  - e) FAD markings and identifier
  - f) Radio buoys markings and identifier (requirement for serial numbers)
  - g) Echo-sounder buoys markings and identifier (requirement for serial numbers)
  - h) Satellite transceivers
  - i) Research undertaken on biodegradable FADs
  - j) Prevention of loss or abandonment of FADs
  - k) Management of FADs recovery.
4. Applicable period for the FAD Management Plan
5. Means for monitoring and reviewing the implementation of the FAD Management Plan

**FAD information for each deployment or visit**

- a) Deployment of any FAD
  - Position
  - Date
  - FAD type (anchored FAD, drifting artificial FAD)
  - FAD identifier (i.e., FAD marking and buoy ID, type of buoy – e.g. simple buoy or associated with echo-sounder)
  - FAD design characteristics (material of the floating part and of the underwater hanging structure and the entangling or non-entangling feature of the underwater hanging structure)
- b) Visit on any FAD
  - Type of the visit (deployment of a FAD and/or buoy, retrieving FAD and/or buoy, strengthening/consolidation of FAD, intervention on electronic equipment, random encounter (without fishing) of a log or a FAD belonging to another vessel, visit (without fishing) of a FAD belonging to the vessel, fishing set on a FAD)
  - Position
  - Date
  - FAD type (anchored FAD, drifting natural FAD, drifting artificial FAD)
  - Log description or FAD identifier (i.e., FAD Marking and buoy ID or any information allowing to identify the owner)
  - Buoy ID
  - If the visit is followed by a set, the results of the set in terms of catch and by-catch, whether retained or discarded dead or alive. If the visit is not followed by a set, note the reason (e.g. not enough fish, fish too small, etc.)
- c) Loss of any FAD
  - Last registered position
  - Date of the last registered position
  - FAD identifier (i.e., FAD Marking and buoy ID)



FAD logbook

FAD marking	Buoys ID	FAD type	Type of visit	Date	Time	Position		Estimated catches			By-catch			Observations	
						Latitude	Longitude	SKJ	YFT	BET	Taxonomic group	Estimated catches	Unit		Specimen released alive
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(7)	(8)	(8)	(8)	(9)	(10)	(11)	(12)	(13)
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

- (1,2) If FAD marking and associated beacon/buoy ID are absent or unreadable, report it in this section. However, if FAD marking and associated beacon/buoy ID are absent or unreadable, the FAD shall not be deployed.
- (3) Anchored FAD, drifting natural FAD or drifting artificial FAD.
- (4) I.e., deployment, hauling, strengthening/consolidation, removing/retrieving, changing the beacon, loss and mention if the visit has been followed by a set.
- (5) dd/mm/yy
- (6) hh:mm
- (7) N/S/(in degrees and minutes) or °E/W/(in degrees and minutes).
- (8) Estimated catches expressed in metric tons.
- (9) Use a line per taxonomic group.
- (10) Estimated catches expressed in weight or in number.
- (11) Unit used.
- (12) Expressed as number of specimen.
- (13) If no FAD marking or associated beacon ID is available, report all available information in this section which may help to describe the FAD and to identify the owner of the FAD.

Annex 5

**Table 1.** Codes, names and examples of different types of floating object that should be collected in the fishing logbook as a minimum data requirement. Table from 2016 SCRS report (section 18.2 Table 7).

<i>Code</i>	<i>Name</i>	<i>Example</i>
DFAD	Drifting FAD	Bamboo or metal raft
AFAD	Anchored FAD	Very large buoy
FALOG	Artificial log resulting from related to human activity (and related to fishing activities)	Nets, wreck, ropes
HALOG	Artificial log resulting from human activity (not related to fishing activities)	Washing machine, oil tank
ANLOG	Natural log of animal origin	Carcasses, whale shark
VNLOG	Natural log of plant origin	Branches, trunk, palm leaf

**Table 2.** Names and description of the activities related to floating objects and buoys that should be collected in the fishing logbook as a minimum data requirement (codes are not listed here). Table from 2016 SCRS report (section 18.2 Table 8).

	<i>Name</i>	<i>Description</i>
	Encounter	Random encounter (without fishing) of a log or a FAD belonging to another vessel (unknown position)
FOB	Visit	Visit (without fishing) of a FOB (known position)
	Deployment	FAD deployed at sea
	Strengthening	Consolidation of a FOB
	Remove FAD	FAD retrieval
	Fishing	Fishing set on a FOB <sup>1</sup>
Buoy	Tagging	Deployment of a buoy on FOB <sup>2</sup>
	Remove BUOY	Retrieval of the buoy equipping the FOB
	Loss	Loss of the buoy/End of transmission of the buoy

A fishing set on a Fishing Object (FOB) includes two aspects: fishing after a visit to a vessel's own FOB (targeted) or fishing after a random encounter of a FOB (opportunistic).

<sup>1</sup>Deploying a buoy on a FOB includes three aspects: deploying a buoy on a foreign FOB, transferring a buoy (which changes the FOB owner) and changing the buoy on the same FOB (which does not change the FOB owner).

**List of deployed FADs and buoys on a monthly basis**

**Month:**

<i>FAD Identifier</i>		<i>FAD &amp; electronic equipment types</i>		<i>FAD</i>				<i>Observation</i>
<i>FAD Marking</i>	<i>Associated buoy ID</i>	<i>FAD Type</i>	<i>Type of the associated buoy and /or electronic devices</i>					
				<i>FAD floating part</i>	<i>FAD underwater hanging structure</i>			
(1)	(1)	(2)	(3)	(4)	(5)			(6)
...	...	...	...		...			...
...	...	...	...		...			...

- (1) If FAD marking and associated beacon/buoy ID are absent or unreadable, the FAD shall not be deployed.
- (2) Anchored FAD, drifting natural FAD or drifting artificial FAD.
- (3) E.g. GPS, sounder, etc. If no electronic device is associated to the FAD, note this absence of equipment.
- (4) Mention the material of the structure and of the cover and if biodegradable.
- (5) E.g. nets, ropes, palms, etc., and mention the entangling and/or biodegradable features of the material.
- (6) Lighting specifications, radar reflectors and visible distances shall be reported in this section.

**Guidelines for reducing the ecological impact of FADs in ICCAT fisheries**

1. The surface structure of the FAD should not be covered or only covered with material implying minimum risk of entangling by-catch species.
2. The sub-surface components should be exclusively composed of non-entangling material (e.g. ropes or canvas).
3. When designing FADs the use of biodegradable materials should be prioritised.

**Requirements for Catch Recording Minimum specification for paper or electronic logbooks:**

1. The logbook must be numbered by sheets
2. The logbook must be filled in every day (midnight) and before port arrival
3. One copy of the sheets must remain attached to the logbook
4. Logbooks must be kept on board to cover a period of one-trip 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, registry number, ICCAT number and IMO number (if available)
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 t per set
  - (c) Fishing mode (FAD, free school, etc.)
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, transshipments:**

1. Dates and port of landing/transshipments
2. Products: number of fish and quantity in kg
3. Signature of the Master or Vessel Agent

**Observer Programme**

1. The observers referred to in paragraph 59-65 of this Recommendation 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;
  - The ability to collect biological samples;
  - A satisfactory knowledge of the language of the flag of the vessel observed.
2. The observers shall not be a crew member of the fishing vessel being observer and shall:
  - (a) Be nationals of one of the CPCs;
  - (b) Be capable of performing the duties set forth in point 3 below;
  - (c) Not have current financial or beneficial interests in the tropical tuna fisheries.
3. The observer tasks shall be in particular:
  - (a) To monitor the fishing vessels' compliance with the relevant conservation and management measures adopted by the Commission.

In particular the observers shall:

- i. Record and report upon the fishing activities carried out;
  - ii. Observe and estimate catches and verify entries made in the logbook;
  - iii. Sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
  - iv. Verify the position of the vessel when engaged in catching activity;
  - v. Verify the number of instrumental buoys active at any one time;
  - vi. Carry out scientific work such as collecting Task II data when required by the Commission, based on the directives from the SCRS, observing and recording data on FAD properties in accordance with **Table 1** below.
- (b) Establish general reports compiling the information collected in accordance with this paragraph and provide the master the opportunity to include therein any relevant information.

**Obligations of the observer**

4. Observers shall treat as confidential all information with respect to the fishing and transshipment operations of the fishing vessels and accept this requirement in writing as a condition of appointment as an observer.
5. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
6. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this programme, and with the obligations of vessel personnel set forth in point 7 of this Annex.

**Obligations of the flag States of fishing vessels**

7. The responsibilities regarding observers of the flag States of the fishing vessels and their masters shall include the following, notably:
  - a) Observers shall be allowed to access to the vessel personnel and to the gear and equipment;
  - b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in point 3 of this Annex:
    - i) satellite navigation equipment;
    - ii) radar display viewing screens when in use;
    - iii) electronic means of communication, including FAD/buoys signals.
  - c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those of officers;
  - d) Observers shall be provided with adequate space on the bridge or pilot house for clerical work, as well as space on deck adequate for carrying out observer duties; and
  - e) The flag States shall ensure that masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

**Table 1.** FOB/FAD information added to observer onboard form to comply with RFMOs recommendations. Table from 2016 SCRS report (section 18.2 Table 9).

<i>Properties</i>	<i>DFAD</i>	<i>AFAD</i>	<i>HALOG</i>	<i>FALOG</i>	<i>ANLOG</i>	<i>VNLOG</i>
FOB built using biodegradable materials (true/false/undefined)	X	X	X	X		
FOB is non-entangling (true/false/undefined)	X	X	X	X		
Meshed material (true/false/undefined) in FOB	X	X		X		
Size of largest mesh (in millimeters)	X	X		X		
Distance between the surface and the deepest part of the FOB (in meters)	X	X	X	X		
Approximate surface area of the FOB	X	X	X	X		
Specifies the FOB's ID whenever present	X	X	X	X		
Fleet owning the tracking device/echo sounder buoy	X	X	X	X	X	X
Vessel owning the tracking device/echo sounder buoy	X	X	X	X	X	X
Anchorage type used for mooring (AFAD registry)		X				
Radar reflectors (presence or not) (AFAD registry)		X				
Lighting (presence or not) (AFAD registry)		X				
Visual range (in nautical miles) (AFAD registry)		X				
Materials used for the floating part of the FOB (list to be defined)	X	X	X	X		
Materials making up the FOB underwater structure (list to be defined)	X	X	X	X		
Tracking device TYPE+ID if possible, otherwise no or undefined.	X	X	X	X	X	X



### ICCAT Regional Observer Program

1. Each CPC shall require its purse seiners, support/supply vessels, [and surface fishing vessels 35 meters LOA engaging in transshipment operations at sea], involved in tropical tunas fisheries to carry an ICCAT regional observer.
2. By 1 November each year, CPCs shall notify to the ICCAT Executive Secretariat a list of its observers.
3. The Secretariat of the Commission shall appoint the observers before 15 November each year and shall place them on board the fishing vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer program. An ICCAT observer card shall be issued for each observer.
4. The Secretariat shall issue a contract listing the rights and duties of the observer and the master of the vessel. This contract shall be signed by both parties involved.

### Designation of the observers

5. The designated observers shall have the following qualifications to accomplish their tasks:
  - Sufficient experience to identify species and check compliance of the fishing gear with the established technical specifications;
  - 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 evaluate and verify the data and records reported by the master and write reports in accordance with the established requirements;
  - A satisfactory knowledge of the language of the flag of the vessel observed.

### Obligations of the observer

6. Observers shall:
  - a) Have completed the technical training required by the guidelines established by ICCAT;
  - b) To the extent possible, not be a nationals of the flag State of the fishing vessel;
  - c) Be capable of performing the duties set forth in point 7 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 tropical tuna fisheries or direct relation with any operator operating in the fishery. An affidavit shall be required to ensure the absence of conflict of interest.

### Observer tasks

7. The observer tasks shall be to:
  - a) Monitor the fishing vessels' compliance with the relevant conservation and management measures adopted by the Commission.In particular the observers shall:
  - i. Record and report upon the fishing activities carried out;
  - ii. Observe and estimate catches and verify entries made in the logbook or any other document required by ICCAT;

- iii. Sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;
- iv. Verify the position of the vessel when engaged in catching or transhipping activities;
- v. Carry out scientific work such as collecting task II data when required by the Commission, based on the directives from the SCRS.

In cases where the observer detect what may constitute non-compliance with ICCAT Recommendations, he/she shall submit this information without delay to the observer implementing company/flag CPC authorities of the catching vessel.

In addition, when deployed on a purse seine or supply/support vessels, the observers shall record:

- vi. the number of operations related to the deployment, retrieval, or maintenance of FADs
- vii. the number and characteristics of fishing sets, on FOBs, and on free school,
- viii. for each fishing set, the estimated quantities caught per species and the average length per species, including for non-target species, and the quantities and/or number released alive or discarded dead.
- ix. possible fishing sets on marine mammals or large sharks/rays species, as well as natural logs
- x. the fixing of satellite buoys on logs,
- xi. the activation and de-activation events of buoys on FADs
- xii. the number of FADs being monitored by the vessel

When deployed on longline vessels, the observer shall:

- xiii. record, for each fishing set, the quantities of both target and non-target species caught, the average length per species, and the quantities and/or number released alive or discarded dead.
  - xiv. record possible transhipment operations
- b) Report without delay, with due regard to the safety of the observer, any fishing activity associated with FOBs made by the vessel during the period referred to in paragraph 30 of this Recommendation.
  - c) Obtain, as much as possible, evidence (i.e. photos or videos) of possible non-compliance detected and attach them to his/her report
  - d) Establish general reports compiling the information collected in accordance with this paragraph and provide the master the opportunity to include therein any relevant information.
  - e) Submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
  - f) Exercise any other functions as defined by the Commission.
8. Observers shall treat as confidential all information with respect to the fishing and transhipment operations of the fishing vessels and accept this requirement in writing as a condition of appointment as an observer;
9. Observers shall comply with requirements established in the laws and regulations of the flag State which exercises jurisdiction over the vessel to which the observer is assigned.
10. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel personnel set forth in paragraph 11 of this Program.

**Obligations of the flag States of fishing vessels**

11. The responsibilities regarding observers of the flag States of the fishing vessels and their masters shall include the following, notably:

- a) Observers shall be allowed to access to the vessel personnel and to the gear and equipment;
- b) Upon request, observers shall also be allowed access to the following equipment, if present on the vessels to which they are assigned, in order to facilitate the carrying out of their duties set forth in paragraph 7 of this program:
  - i) satellite navigation equipment;
  - ii) radar display viewing screens when in use;
  - iii) electronic means of communication;
  - iv) data recorded by the master in the logbook or any other document required by ICCAT
- c) Observers shall be provided accommodations, including lodging, food and adequate sanitary facilities, equal to those 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;
- e) The Flag States shall ensure that masters, crew and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.
- f) Cases involving vessels eligible to embark an observer on-board, but who fail to do so, should be assessed by the Compliance Committee.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag State of the fishing vessel, copies of all raw data, summaries, and reports pertaining to the trip. The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

**Costs of the Program**

- a) The costs of implementing this Program shall be evaluated by the ICCAT Secretariat in 2022 and presented to IMM Working Group meeting in 2022. The Commission shall adopt a framework for the financing of this Program during its annual meeting in 2022.