

Original: English

**DRAFT RECOMMENDATION BY ICCAT TO REPLACE RECOMMENDATION 03-20
ON CRITERIA FOR ATTAINING THE STATUS
OF COOPERATING NON-CONTRACTING PARTY, ENTITY OR FISHING ENTITY IN ICCAT**
(An amended proposal submitted by Japan)

Background

- Possible financial contribution from Cooperating non-Contracting Party, Entity or Fishing Entity (Cooperating non-Parties) has been discussed by STACFAD and Virtual Working Group on Sustainable Financing (VWG-SF). This issue is important to i) improve the financial situation of the Commission and ii) ensure fairness among CPCs in light of the balance of rights (distribution of fishing possibilities) and duties (financial contributions).
- Japan submitted a draft recommendation to replace Rec. 03-20 for consideration by VWG-SF held in 2020 and 2021 followed by bilateral consultations with CPCs concerned.
- As Japan considers that the proposal is now generally supported by VWG-SF, it submits the draft recommendation for consideration by STACFAD.
- The main points of the proposal are as follows:
 - i) Cooperating non-Parties should make an annual voluntary financial contribution commensurate with at least [50]% of the amount that would be assessed should it become a Contracting Party.
 - ii) If such Cooperating non-Party does not make a voluntary contribution, it should explain the reason to the Commission.
 - iii) The Commission may consider the situation of payment of voluntary contributions when it decides conservation and management measures, including the allocation of fishing possibilities.

RECALLING the *Resolution by ICCAT on Coordination with Non-Contracting Parties* [94-6] adopted at the Commission's 9th Special Meeting in 1994 and the *Resolution by ICCAT on Becoming a Cooperating Party, Entity or Fishing Entity* [01-17] adopted at the 17th Regular Meeting in 2001;

RECOGNIZING the continuing need to encourage non-Contracting Parties, Entities, or Fishing Entities with vessels fishing for ICCAT species in the Convention area to implement ICCAT conservation measures;

RECOGNIZING the need to establish clear criteria to enable non-Contracting Parties, Entities or Fishing Entities with vessels fishing for ICCAT species in the Convention area to attain the status of Cooperating non-Contracting Party, Entity or Fishing Entity;

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

1. Each year, the Executive Secretary of ICCAT shall contact all non-Contracting Parties, Entities, or Fishing Entities known to be fishing in the Convention area for species under ICCAT competence to urge them to become a Contracting Party to ICCAT or to attain the status of a Cooperating non-Contracting Party, Entity or Fishing Entity. In doing so, the Executive Secretary shall provide a copy of all relevant Recommendations and Resolutions adopted by the Commission.
2. Any non-Contracting Party, Entity, or Fishing Entity that seeks to be accorded the status of a Cooperating non-Contracting Party, Entity or Fishing Entity shall apply to the Executive Secretary. Requests must be received by the Executive Secretary no later than ninety (90) days in advance of an ICCAT annual meeting, to be considered at that meeting.
3. Non-Contracting Parties, Entities or Fishing Entities requesting the status of Cooperating non-Contracting Party, Entity or Fishing Entity shall provide the following information in order to have this status considered by the Commission:
 - a) where available, data on its historical fisheries in the Convention area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;

- b) all the data that Contracting Parties have to submit to ICCAT based on the Recommendations adopted by ICCAT;
 - c) details on current fishing presence in the Convention area, number of vessels and vessel characteristics and;
 - d) information on any research programs it may have conducted in the Convention area and the information and the results of this research.
4. An applicant for Cooperating non-Contracting Party, Entity or Fishing Entity Status shall also:
- a) confirm its commitment to respect the Commission's conservation and management measures and;
 - b) inform ICCAT of the measures it takes to ensure compliance by its vessels with ICCAT conservation and management measures;
 - c) confirm its intent to make an annual voluntary financial contribution commensurate with at least [50]% of the amount that would be assessed should it become a Contracting Party, pursuant to the scheme of contributions in accordance with Article X-2 of the Convention and Regulation 4-1 of the Financial Regulations.
5. Cooperating non-Contracting Parties, Entities or Fishing Entities shall make every effort to provide annual financial contributions to the budget of the Commission beginning in [2024]. The amount of the annual contributions consistent with the terms of paragraph 4(c) above shall be calculated by the Secretariat and be circulated to those non-Contracting Parties, Entities or Fishing Entities at least sixty (60) days before a Regular meeting of the Commission. Cooperating non-Contracting Parties, Entities or Fishing Entities may decide to distribute all or a portion of their contributions to existing ICCAT scientific and research projects (e.g. GBYP or AOTTP) or special funds (e.g. Meeting Participation Fund or MCS Fund). If a Cooperating non-Contracting Party, Entity or Fishing Entity does not make an annual contribution, it shall submit the reason to the Commission. The Commission may take into account information concerning the payment of voluntary contributions by a Cooperating non-Contracting Party, Entity or Fishing Entity when it considers conservation and management measures, including decisions regarding the allocation of fishing possibilities.
6. The Commission's Conservation and Management Measures Compliance Committee (hereinafter COC) shall be responsible for reviewing requests for Cooperating Status and for recommending to the Commission whether or not an applicant should receive Cooperating Status. In this review, the COC shall also consider information regarding the applicant available from other Regional Fisheries Management Organizations (RFMOs) as well as data submission of the applicant to the Commission. Caution shall be used so as not to introduce into the Convention area the excessive fishing capacity of other regions or IUU fishing activities in granting Cooperating Status to the applicant.
7. Cooperating non-Contracting Parties, Entities or Fishing Entity status shall be annually reviewed and renewed unless revoked by the Commission due to non-compliance with ICCAT conservation and management measures including this Recommendation.
8. *The Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity or Fishing Entity in ICCAT [03-20]* shall be repealed and replaced by this Recommendation.