

Explanatory note on a proposal from the EU to amend Draft Recommendation by ICCAT replacing Recommendation 22-01 on a Multi-annual Conservation and Management Programme for Tropical Tunas

(Submitted by the European Union)

(previously submitted in the intersessional meeting of Panel 1 in October 2023 as PA1_OCT_05_ENG_REV. Changes have been made to this version)

The EU proposal to amend ICCAT Recommendation 22-01 aims to build on the progress made to date in Panel 1. While we have used Recommendation 22-01 as a base text, we have aimed to integrate into the text the amendments as set out in PA1_OCT_04/i2023. Building on that, in the highlighted text, the EU is proposing some new elements, notably on the sustainability of FADs, as well as elements from our previous EU proposal “Draft Recommendation by ICCAT to amend Recommendation 19-02 to replace Recommendation 16-01 on a multi-annual conservation and management programme for tropical tunas” by the European Union (EU) [PA1_22/i2022].

[...]

**Draft Recommendation by ICCAT replacing Recommendation 22-01 on a Multi-annual
Conservation and Management Programme for Tropical Tunas**
(proposal 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 indicated that the stock is overfished but no longer subject to overfishing;

RECALLING the successive reductions of the TAC for bigeye tuna from 85,000 t to 62,000 t and the negative socio-economic impact of these reductions;

NOTING that the latest Standing Committee on Research and Statistics (SCRS) advice indicates that the yellowfin stock status is not overfished and not subject to overfishing, and that the bigeye tuna stock is currently overfished;

CONSIDERING that the SCRS continues to recommend that effective measures be found to reduce fishing mortality of small yellowfin and bigeye tuna;

FURTHER 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;

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;

RECALLING the provisions of *Resolution by ICCAT for the Allocation of Fishing Possibilities* (Res. 15-13) regarding the criteria for the allocation of fishing possibilities;

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 the sustainability of marine fisheries due to overfishing,

TAKING INTO ACCOUNT THAT any increase of fishing capacity should remain commensurate with fishing opportunities to achieve sustainable productive fisheries, while allowing developing coastal states to adapt their fishing capacity to take advantage of new fishing opportunities;

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;

FURTHER RECOGNIZING the special rights and needs of small-scale artisanal fishers;

ALSO CONSIDERING that catch limits previously allocated to some CPCs shall not be considered acquired rights;

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

Part I
General Provisions

Interim conservation and management measures

1. Without prejudice to the allocation of fishing rights and opportunities to be adopted in the future, for the years 2024, 2025 and 2026, the Contracting Parties and the Cooperating Non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) with vessels that have been actively fishing for tropical tunas in the Atlantic will apply the following interim management measures with the objective of managing fishing mortality of tropical tunas, in particular bigeye and yellowfin, while the Commission obtains additional scientific advice to adopt a long-term multi-annual management programme.

Multi-annual Management and Conservation Programme

2. 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 50%. CPCs shall also implement management measures with the objective of ensuring that the stocks of yellowfin and skipjack tuna continue to be exploited sustainably.

Part II
Catch Limits

Total Allowable Catch and Harvest Control Rule for bigeye tuna

3. The Total Allowable Catch (TAC) for bigeye tuna shall be set at [73,000] t for 2024 and 2025. This TAC level shall be continued for 2026 if the stock assessment to be conducted in 2025 indicates that the probability of the stock being in the green zone in 2034 in K2SM (hereinafter called "the probability") is at or more than 65%. If the probability is less than 65%, the Commission shall adopt a TAC with a probability that is at or more than 65%. If the probability of a 2026 TAC of 73,000 t is more than 70%, the Commission shall consider possible increases to the TAC provided that the probability is at least 70%.
- 3bis. The Commission recognizes that the 65% and 70% probabilities are an interim figure for establishing the TAC for 2026 at the 2025 annual meeting; are higher compared to the percentages typically used for other ICCAT stocks; and do not set a precedent for future discussions of the Commission.
- 3ter. The Commission shall consider whether the TAC setting rules specified in paragraph 3 above should be maintained, altered, or replaced for use when adopting the TAC for 2027 and future years.

Catch limits for bigeye tuna

4. As an interim measure for 2024, 2025 and 2026, the following catch limits for bigeye tuna shall apply:

<i>Category</i>	<i>CPC</i>	<i>2024 limit</i>
A	Eu	
	Japan	
	Chinese Taipei	
	China (P.R.)	
	Korea Rep.	
	Sub-total	
B	Brazil	
	Ghana	
	Curaçao	
	Panama	
	Cabo Verde	
	Belize	
	Senegal	
	El Salvador	
	Guatemala	
	Sub-total	
C	Sub-total	
Artisanal reserve		
Total		73,000

4bis In implementing the catch limits in paragraph 4, the following provisions shall apply:

- (a) If the TAC in 2026 is increased or decreased in accordance with paragraph 3, the catch limits in 2026 will be adjusted pro-rata.
- (b) CPCs in categories A and B may carry-over a maximum of 10% of their catch limit in paragraph 4 from year X to year X+1.
- (c) Unused catch limits for CPCs in categories A and B shall be redistributed in accordance with **Annex X**.
- (d) A CPC in category A may transfer up to 5% of its initial limit to other CPCs within its own category or downwards from category A to B or A to C. Any transferred quantity will be considered unused catch limit.
- (e) A CPC in category B may transfer up to 10% of its initial limit to other CPCs within its own category or downwards to category C. Any transferred quantity will be considered unused catch limit.
- (f) Category C includes all CPCs that are not individually listed in the table.
- (g) The sub-total for category C is a reserve for this group and not a limit. When the reserve is 85% depleted, Panel 1 should consider applying a management measure to ensure that no overfishing occurs in any given year.
- (h) CPCs in category C shall be subject to a 1,000 t trigger threshold. If a CPC in category C exceeds this threshold, Panel 1 will determine a binding catch limit to apply to that CPC in future years. In that situation, 50% of the catch limit shall come from the sub-total for category C, and the remaining 50% shall come from the reserve obtained through the permanent redistribution scheme in **Annex X**. If this reserve has less than the remaining 50%, the deficit shall come from the catch limits of categories A and B on a pro-rata basis.

- (i) CPCs in category C shall not be subject to any underharvest, carry-over or payback provisions, and shall not be eligible to engage in transfers of fishing opportunities pursuant to *Recommendation by ICCAT regarding the temporary adjustment of limits* (Rec. 01-12).
- (j) If the combined catches of all CPCs within category C exceed the Sub-total for category C in any given year, Panel 1 shall reconsider the arrangement, including the need to assign catch limits to individual CPCs within category C.
5. The provisions of paragraphs 4 and 4bis of this Recommendation shall not prejudice the rights and obligations under international law of those developing coastal CPCs in the Convention Area whose current fishing activity for bigeye tuna is limited or non-existent, but that have a real interest in fishing for the species, that may wish to develop their own fisheries targeting bigeye tuna in the future. CPCs shall implement robust monitoring, control and surveillance measures, as applicable in relation to their capacity and resources.
6. Small scale artisanal fishers shall be given special consideration to their specificities and needs.
7. The annual quotas and catch limits described in this Recommendation do not constitute long term rights and are without prejudice to any future process of allocation.
8. If the total catch exceeds in any year the relevant TAC specified in paragraph 3, the Commission shall review these measures.

Overage of catch of bigeye tuna

9. Overage of an annual catch limit for CPCs listed in paragraph 4 for bigeye tuna shall be deducted from the annual catch limit of the following year:

<i>Year of catch</i>	<i>Adjustment Year</i>
2022	2024
2023	2025
2024	2026
2025	2027
2026	2028

10. Notwithstanding paragraph 9, if any CPC 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.

Monitoring of catch

11. CPCs shall report quarterly to the ICCAT 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 ICCAT 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.

TAC for yellowfin tuna

15. The annual TAC for 2024 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 2024 annual meeting, which may include a revised TAC, closures or allocated catch limits.
17. If the total catch exceeds in any year the TAC 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 CPCs.

Fishing and Management Plans

18. CPCs in Categories A and B shall submit a fishing and management plan to Panel 1. The plan shall include the current number of fishing vessels by gear and by size (< 20 m or \geq 20 m). Each CPC shall demonstrate in the plan that its total capacity is in commensurate with its catch limit, taking into account the annual average bigeye catches per vessel in the past and other factors such as dependence of each vessel on bigeye catch.
19. If a CPC in Category C caught more than 500 t in Year X, it shall submit a fishing and management plan to Panel 1 in Year X+1. The plan shall include the current number of fishing vessels by gear and by size (< 20 m or \geq 20 m) as well as any plan to introduce additional fishing vessels in Year X+2. Fishing and management plans for CPCs in category C shall not be subject to endorsement by the Commission.

Part III Capacity Management Measures

20. When submitting their 2024 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 [year X], and shall provide the chosen year of reference to the Secretariat by 31 January 2024.
21. New catching vessels shall only be authorized to replace vessels already authorized with the same gear and, at a minimum, the same length overall.
22. 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.
23. CPCs shall only authorize purse seiners already authorized in fishing in the ICCAT Convention area in the previous year.
24. 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 in 2019 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 2024. The ICCAT 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.
25. For the purposes of this measure, a support vessel is defined as any vessel 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.

Part IV Management of FADs

FAD management objectives

26. 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.

27. 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: means a non-synthetic materials¹ and/or bio- based alternatives that are consistent with international standards² for materials that are biodegradable in marine environments. The components resulting from the degradation of these materials should not be damaging to the marine and coastal ecosystems or include heavy metals or plastics in their composition.
- vii. “non- entangling FAD” means: a FAD that does not include any netting materials for any part of the FAD including both the surface structure (e.g., raft) and subsurface structure (e.g., tail).

FAD closure

28. 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 Exclusive Economic Zone (EEZ) shall be prohibited during a seventy-two-day period in 2024, 2025 and 2026, from 1 January to 13 March, 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. SCRS should provide this advice to the Commission in 2024.

¹ For example, plant-based materials such as cotton, jute, manila hemp (abaca), bamboo, natural rubber, or animal-based such as leather, wool, lard.

² International standards such as ASTM D6691, D7881, TUV Austria, European or any such standards approved by ICCAT.

29. 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

30. CPCs shall ensure that, for vessels flying their flag, the following limits shall apply on the number of FADs with operational buoys at any one time according to definitions given in paragraph 23. The number of FADs with operational buoys will be verified through the verification of telecommunication bills. Such verifications shall be conducted by the competent authorities of the CPCs:

- 2024-2026: 300FADs per vessel

31. With a view to establishing FAD set limits to keep the catches of juvenile tropical tunas at sustainable levels, in 2024 SCRS should provide advice to the Commission about the maximum number of FAD sets which should be established per vessel or per CPC. To support this analysis, CPCs with purse seine vessels shall urgently undertake to report to the SCRS by 31 July 2024 the required historical FAD set data in the format required by SCRS (Task 2 catch and effort through Form ST03-T2CE) for a minimum of the last five years. 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 SCRS.

In addition, each CPC with purse seine fishing vessels is encouraged not to increase its total fishing effort on FADs from its 2018 level.

32. 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.
33. 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 on board which is capable of verifying set type, species composition, and providing information on fishing activities to the SCRS.
34. Starting in 2024, a temporary FAD Working Group shall be established to provide recommendations to the Commission on how to establish a FAD registry in ICCAT, in accordance with **Annex XX**.
35. Further analysis shall be conducted by the SCRS on the effect of support vessels on the catches of juvenile yellowfin and bigeye tuna to be considered in 2024.

FAD Management Plans

36. 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.
37. 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).
38. The plans shall be drawn up by following the Guidelines for Preparation of FAD Management Plans as provided in **Annex 1**.

FAD logbook and list of deployed FADs

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 following information and data:
- a) Deployment of any FAD
 - i. Position
 - ii. Date
 - iii. FAD type (anchored FAD, drifting artificial FAD)
 - iv. FAD identifier (i.e., FAD marking and buoy ID, type of buoy – e.g., simple buoy or associated with echo-sounder)
 - v. 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
 - i. Type of the visit (deployment of a FAD and/or buoy³, 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 FAD⁴)
 - ii. Position
 - iii. Date
 - iv. FAD type (anchored FAD, drifting natural FAD, drifting artificial FAD)
 - v. Log description or FAD identifier (i.e., FAD Marking and buoy ID or any information allowing to identify the owner)
 - vi. Buoy ID
 - vii. 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
 - i. Last registered position
 - ii. Date of the last registered position
 - iii. FAD identifier (i.e., FAD Marking and buoy ID)
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 2** 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 3**.
41. CPCs shall also ensure that all vessels referred to in paragraph 30 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 4**.
42. The FAD Working Group established under paragraph 34, shall review the requirements of paragraphs 29-33 and make recommendations to remove duplication and streamline FAD data and reporting obligations, in light of any future FAD registry and associated technology change.

Reporting obligations on FADs and on support vessels

43. CPCs shall ensure that the following information is submitted every year to the Executive Secretary in a format provided by the ICCAT Secretariat. This information shall be made available to the SCRS and

³ Deploying a buoy on a FAD includes three aspects: deploying a buoy on a foreign FAD, transferring a buoy (which changes the FAD's owner) and changing the buoy on the same FAD (which does not change the FAD's owner).

⁴ A fishing set on a FAD includes two aspects: fishing after a visit to a vessel's own FAD (targeted) or fishing after a random encounter with a FAD (opportunistic).⁵ Available upon request from the ICCAT Secretariat or on the 2019 Commission meeting documents webpage (<https://www.iccat.int/com2019/index.htm#en>).

to the Ad Hoc Working Group on FADs in a database developed by the ICCAT Secretariat:

- i. the number of FADs actually deployed on a monthly basis per 1°x1° statistical rectangles, by FAD type, indicating the presence or absence of a beacon/buoy or of an echo-sounder associated to the FAD and specifying the number of FADs deployed by associated support vessels, irrespective of their flag;
- ii. the number and type of beacons/buoys (e.g., radio, sonar only, sonar with echo-sounder) deployed on a monthly basis per 1°x1° statistical rectangles;
- iii. the average numbers of beacons/buoys activated and deactivated on a monthly basis that have been followed by each vessel;
- iv. average numbers of lost FADs with active buoys on a monthly basis;
- v. for each support vessel, the number of days spent at sea, per 1° grid area, month and flag State;
- vi. purse seine and baitboat catches, efforts and number of sets (for purse seines) by fishing mode (floating-object associated schools and free school fisheries) in line with Task 2 data requirements (i.e. per 1°x1° statistical rectangles and per month);
- vii. when the activities of purse seine are carried out in association with baitboat, report catches and effort in line with Task 1 and Task 2 requirements as “purse seine associated to baitboats” (PS+BB).

Non-entangling and biodegradable FADs

44. To reduce the entanglement of sharks, marine turtles or any other species, CPCs shall ensure that, as of 1 January 2025, the design and construction of any FADs to be deployed or redeployed (i.e., will be placed in the water) in the ICCAT convention area shall comply with the following specifications in accordance with **Annex 5**:
 - a) the use of mesh net shall be prohibited for any part of a FAD;
 - b) only non-entangling FAD materials and designs shall be used.
45. To reduce the amount of synthetic marine debris:
 - a) as of 1 January 2026, CPCs shall only allow vessels to deploy or redeploy drifting FADs of biodegradability categories I, II, III or IV, as defined in **Annex 5**;
 - b) as of 1 January 2029, CPCs shall only allow vessels to deploy or redeploy drifting FADs of categories I or II, as defined in **Annex 5**;
 - c) At its annual meeting in 2030, the Commission shall decide whether to require by 2031 CPCs to only allow vessels to deploy or redeploy drifting FADs of Category I, as defined in **Annex 5**.
46. Notwithstanding paragraph 46, the use of non-biodegradable materials, in particular nylon ropes, can be used exclusively to strengthen the structure of the floating or underwater component of the FAD categories I and II, as a temporary solution and only provided no biodegradable alternative is available.
47. CPCs are encouraged to share their experiences and scientific knowledge on the use of biodegradable materials in drifting FADs.
48. CPCs shall ensure to collect and submit to ICCAT detailed information in their FAD management plans on the drifting FAD design used including its conformity with the requirements set out in **Annex 5** prior to the deployment of each drifting FAD.
49. CPCs shall submit in their FAD management plans information concerning the status of implementation of paragraphs 45 and 46, and this information shall be made available for analysis to the SCRS and the temporary Working Group on FADs.
50. CPCs are encouraged to continue trialing bioFAD designs in a continued effort of design improvement and to share the results in the Ad Hoc Working Group on FADs.
51. The SCRS and the temporary Working Group on FADs shall review the information reported by CPCs and will, as necessary, provide recommendations on additional drifting FAD management options for consideration by the Commission, including recommendations on improved drifting FAD designs.

52. The Commission shall consider appropriate assistance to developing CPCs for the full implementation of paragraph 45 and 46 of this recommendation.

Part V Control Measures

Specific authorization to fish for tropical tunas

53. 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

54. The Commission shall establish and maintain an ICCAT record of authorized tropical tuna vessels, including support vessels. 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.
55. A CPC may allow by-catch of tropical tunas by vessels not authorized to fish for tropical tunas pursuant to paragraph 41 and 42, if this CPC establishes a maximum onboard bycatch 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.
56. CPCs shall notify the list of authorized vessels to the Executive Secretary in an electronic form and in accordance with the format set in the *Guidelines for Submitting Data and Information Required by ICCAT*.
57. CPCs shall, without delay, notify the Executive Secretary of any addition to, deletion from and/or modifications of the initial list. Periods of authorization for modifications or additions to the list shall not include dates more than 45 days prior to the date of submission of the changes to the ICCAT Secretariat. The ICCAT Secretariat shall remove from the ICCAT Record of Vessels any vessel for which the periods of authorization have expired.
58. 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.
59. Conditions and procedures referred to in the *Recommendation by ICCAT amending Recommendation 13-13 concerning the establishment of an ICCAT record of vessels 20 metres in length overall or greater authorized to operate in the Convention area* (Rec. 21-14) shall apply mutatis mutandis to the ICCAT record of authorized tropical tuna vessels.

Vessels actively fishing tropical tunas in a given year

60. 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.

The Executive Secretary shall report each year these lists of vessels to the Compliance Committee and to the SCRS.

61. The provisions of paragraphs 41 to 47 do not apply to recreational vessels.

Transshipments

62. Starting in 2024, CPCs whose Large Scale Pelagic Longline Vessels (LSPLVs) are transshipping tuna and tuna like species in the Convention area shall ensure that a minimum of 20% of these transshipments take place in ports.
63. LSPLVs shall be allowed to transship at sea only in the presence of a Regional Observer onboard, consistent with paragraph 75.

Recording of catch and fishing activities

64. 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 6** 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

65. 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.
66. 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.
67. The Executive Secretary shall propose to include any vessels identified in accordance with paragraph 52, or vessels for which the flag CPC has not carried out the required investigation and taken, if necessary, adequate measures in accordance with paragraph 51, on the provisional IUU list.

Observers

68. 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.
69. For longline vessels flying their flag 20 meters length overall (LOA) or greater targeting bigeye, yellowfin and/or skipjack in the Convention area, CPCs shall ensure a minimum of 10% observer coverage of fishing effort starting in 2026, through the presence of a human observer on board in accordance with **Annex 7** 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 2024 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 ICCAT Secretariat

In 2024 CPCs are encouraged to conduct trials on electronic monitoring and report the results back to the IMM and the SCRS in 2024 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.

70. 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 2024, 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.
71. 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.
72. 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 7** or through an approved electronic monitoring system. CPCs shall report the information collected by the observers from the previous year by 30 April to the ICCAT Secretariat and to SCRS.
73. 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.
74. In 2024, IMM shall explore the possible scope and benefits of ICCAT adopting a regional Observer Program for tropical tuna fisheries taking into account the need for harmonization and coordination of national observer programs for tropical tuna fisheries.

Regional Observer Program

75. Starting in 202X, an ICCAT Regional Observer Program shall be implemented in accordance with **Annex 8**, 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 70, 72, 73 and 74.
76. In 2024, 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 75. For this purpose, the CPCs involved in already existing regional observers' programs

should provide details about these schemes to the Secretariat by 31 March 2024, including the copy of the agreement concluded between the Flag State and the CPC of the observers.

77. In order for an existing observer program, as referred to in paragraph 76, 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 70, 72, 73 and 74, it shall satisfy the following conditions:
- i. the Flag State of the vessel shall comply with the obligations specified in paragraph 11 of **Annex 8**;
 - ii. the observer on board shall meet the requirements in **Annex 8** in terms of qualifications and shall comply with the obligations and tasks specified in paragraphs 5 to 11 of **Annex 8**.

Port Sampling Programme

78. 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

79. 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

80. CPCs shall ensure that:
- a) Both paper and electronic fishing logbooks and the FAD-logbooks referred to in paragraph 37, 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.
81. 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

82. 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

83. Actions required from the SCRS and the ICCAT Secretariat:
- a) The SCRS shall explore the efficacy that full fishery closures along the lines of those proposed in PA1-505A/2019⁵ might have to reduce the catches of tropical tunas to the agreed levels; and the potential of such scheme to reduce the catches of juvenile bigeye and yellowfin tunas, in line with recommendations from the SCRS;
 - b) 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 2024 and forwarded to the Commission for consideration;
84. This Recommendation replaces Rec. 22-01 and shall be reviewed by the Commission in 2026.
85. All CPCs commit to implement the present Recommendation on a voluntary basis as of 1 January 2024.

⁵ Available upon request from the ICCAT Secretariat or on the 2019 Commission meeting documents webpage (<https://www.iccat.int/com2019/index.htm#en>).

Scheme for redistribution of unused bigeye catch limits

The bigeye tuna catch limits in paragraph 4 shall be subject to redistribution in accordance with the following:

1. Short-term (temporary) redistribution

- a) If a CPC in Category A uses less than 90% of its initial limit in year X-1, 5% of the initial limit shall be forfeited and redistributed for year X+1. If a CPC in Category B uses less than 85% of its initial limit in year X-1, 5% of the initial limit shall be forfeited and redistributed for year X+1.
- b) CPCs in Category A that used no less than 90% of its initial limit in year X-1 and CPCs in Category B that used no less than 85% of its initial limit in year X-1 are eligible for redistribution, provided that a request for the redistribution is submitted to the annual meeting in year X.
- c) The limit for redistribution shall be allocated among those CPCs that submitted the request on a pro-rata basis (the percentage of developing CPCs shall be inflated by multiplying 1.1) for use in year X+1. The maximum reallocation for one CPC shall not exceed 10% of its initial limit. The CPCs receiving such redistribution may also carry over its unused limit up to the applicable percentage of the initial limit as in paragraph 4.

2. Permanent redistribution

- a) If a CPC in Category A and B did not use more than 10% of its initial limit for two consecutive years (in year X-2 and X-1), no carry-over shall be allowed, and the unused limit beyond 10% of its initial limit shall be deducted from its initial limit in year X+1 and thereafter. The deducted limit shall be reserved by the Commission for granting catch limits to CPCs in Category C in accordance with Paragraph 4bis(h). If the same CPC in Category A and B did not use more than 10% of its initial limit in three consecutive years, the third year shall be counted as the first year of the two-year cycle.
- b) If a CPC in Category B did not use more than 15% of its initial limit for three consecutive years (in year X-3, X-2 and X-1), no carry-over shall be allowed, and the unused limit beyond 15% of its initial limit shall be deducted from its initial limit in year X+1 and thereafter. The deducted limit shall be reserved by the Commission for granting catch limits to CPCs in Category C in accordance with Paragraph 4bis(h). If the same CPC in Category B did not use more than 15% of its initial limit in four consecutive years, the fourth year shall be counted as the first year of the three-year cycle.
- c) If the catch limit for a CPC is changed as a result of the negotiation, either the new catch limit for the CPC or the adjusted catch limit after permanent redistribution shall be used, whichever is lower.

Temporary FAD Working Group

1. The Temporary Working Group is established for three years and 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) review the requirements of paragraphs 29-33 and make recommendations to streamline FAD data and reporting obligations, in light of any future FAD registry and technology change. The objective of this review will be to ensure priority data and reporting needs are met whilst minimizing administrative burden and duplicative reporting requirements.
 - d) 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 2024, 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 2024 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 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		Specimens 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 specimens.

(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.

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 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>
FOB	Encounter	Random encounter (without fishing) of a log or a FAD belonging to another vessel (unknown position)
	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 ¹
BUOY	Tagging	Deployment of a buoy on FOB ²
	Remove buoy	Retrieval of the buoy equipping the FOB
	Loss	Loss of the buoy/End of transmission of the buoy

¹ 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).

² 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 & 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.

Principles for non-entangling and biodegradable designs of DFADs

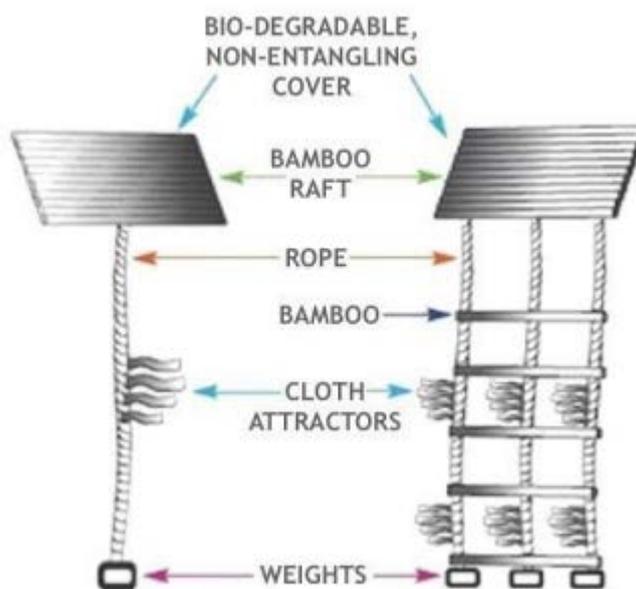


Figure. Example of a non-entangling, biodegradable FAD.

1. Fish aggregating devices shall be constructed with no netting or entangling material in both the surface structure (raft) and the submerged structure.
2. For the purposes of this Resolution, the following FAD categories are identified, on the basis of their degree of biodegradability (from non- biodegradable to 100% biodegradable), with the understanding that the respective definitions do not apply the electronic buoys that are attached to FADs in order to track them:

Category I. The FAD is made of fully biodegradable materials.

Category II. The FAD is made of fully biodegradable materials except for plastic-based flotation components (e.g., plastic buoys, foam, purse-seine corks).

Category III. The subsurface part of the FAD is made of fully biodegradable materials, whereas the surface part and any flotation components contain non-biodegradable materials (e.g., synthetic raffia, metallic frame, plastic floats, nylon ropes).

Category IV. The subsurface part of the FAD contains non-biodegradable materials, whereas the surface part is made of fully biodegradable materials, except for, possibly, flotation components.

Category V. The surface and subsurface parts of the FAD contain non-biodegradable materials.

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 54-60 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 2 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 observers

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		
Specify 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/echosounder 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. 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.
3. 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

4. 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

5. 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

6. 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 transshipping activities;
- v) Carry out scientific work such as collecting Task 2 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 transshipment 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 and farm operator 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.
- 7. 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;
 - 8. 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.
 - 9. 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

- 10. 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 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.
- 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 2024 and presented to IMM WG meeting in 2024. The Commission shall adopt a framework for the financing of this Program during its annual meeting in 2024.