

- RECOMMENDATION -
EQUATORIAL GUINEA PURSUANT TO 1998 IUU RESOLUTION

TITLE: *Recommendation by ICCAT Regarding Equatorial Guinea Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area*
(Entered into effect: **June 26, 2001**)

RECOGNIZING the authority and responsibility of ICCAT to manage populations of tuna and tuna-like species in the Atlantic Ocean and its adjacent seas, at the international level;

NOTING the obligation of all Contracting Parties to comply with ICCAT's conservation and management measures;

EXPRESSING CONCERN with regard to the over-fished status of bigeye tuna in the Atlantic Ocean;

RECOGNIZING that large-scale longline vessels registered in Equatorial Guinea are fishing in the Atlantic Ocean and have bigeye tuna as their primary target;

RECALLING its adoption in 1998 of the *Resolution Concerning the Unreported and Unregulated Catches of Tunas by Large-Scale Longline Vessels in the Convention Area* (hereinafter referred to as "the 1998 Resolution");

RECALLING FURTHER that the 1998 Resolution establishes procedures by which:

- 1 The Commission may identify Contracting Parties and non-Contracting Parties/ Entities/Fishing Entities whose large-scale longline vessels have been fishing for tuna and tuna-like species in a manner which diminishes the effectiveness of ICCAT conservation and management measures;
- 2 Identified Contracting Parties and non-Contracting Parties/Entities/Fishing Entities are notified and given the opportunity to rectify the situation;
- 3 The Commission shall identify those Contracting Parties and non-Contracting Parties/Entities/Fishing Entities referred to above, which have not effectively rectified this situation; and
- 4 The Commission will recommend effective measures, if necessary including non-discriminatory trade restrictive measures on the subject species, consistent with their international obligations, to prevent those longline vessels of identified Contracting Parties and non-Contracting Parties/Entities/Fishing Entities from continuing fishing operations for tunas and tuna-like species in a manner which diminishes the effectiveness of ICCAT conservation and management measures.

NOTING that these procedures closely parallel the procedures established in the *Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* and the *Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish*;

CALLING ATTENTION to the 1999 decision by the Commission, based on trade and landing data as well as associated information submitted by Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities to identify 11 countries, including Equatorial Guinea, pursuant to the 1998 Resolution and that the Commission duly notified such countries of the identifications;

CAREFULLY REVIEWING the information regarding efforts by the Commission to obtain the compliance of

Equatorial Guinea since the 1999 meeting, including information that this country has taken insufficient action to rectify the situation;

NOTING that this Recommendation does not prejudice the rights and obligations of Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities based on other international agreements; Therefore,

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

- 1 Contracting Parties take appropriate measures, consistent with provisions of the 1998 Resolution, to the effect that the import of Atlantic bigeye tuna and its products in any form from Equatorial Guinea be prohibited, effective from the time this Recommendation enters into force.
- 2 The Commission again request Equatorial Guinea to fulfil its obligations as a Contracting Party to ICCAT by ensuring that the vessels in question fish in a manner consistent with ICCAT conservation and management measures and by providing catch statistics to ICCAT in accordance with ICCAT procedures.
- 3 The Commission continue to encourage participation by Equatorial Guinea in all ICCAT meetings.
- 4 Contracting Parties lift the import prohibitions adopted by this recommendation upon the decision of the Commission and receipt of notification from the ICCAT Executive Secretary that fishing practices of Equatorial Guinea have been brought into conformity with ICCAT measures.