

**RECOMMENDATION BY ICCAT REGARDING BOLIVIA
PURSUANT TO THE 1998 RESOLUTION CONCERNING THE
UNREPORTED AND UNREGULATED CATCHES OF TUNA BY
LARGE-SCALE LONGLINE VESSELS IN THE CONVENTION AREA**

(Entered into force: **June 3, 2003**)

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 need for all non-Contracting Parties, Entities or Fishing Entities fishing for such species in the Atlantic Ocean or its adjacent seas to join ICCAT or cooperate 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 Bolivia are fishing in the Atlantic Ocean and have bigeye tuna as their primary target;

RECALLING the adoption in 1998 of the *Resolution by ICCAT 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 or 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 or 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 or 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 (bigeye tuna), consistent with their international obligations, to prevent those longline vessels of identified Contracting Parties and non-Contracting Parties, Entities or 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 1994 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* and the 1995 *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish*;

CALLING ATTENTION to the 2001 decision by the Commission, based on trade and landing data as well as associated information submitted by Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities to identify five countries, including Bolivia, 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 cooperation of Bolivia since the 2001 meeting, including information that vessels of this country have taken insufficient action to rectify the situation and continued to operate in a manner that diminishes the effectiveness of ICCAT conservation and management measures by, *inter alia*, dramatically increasing exports of bigeye tuna in 2002;

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

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

- 1 Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities 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 Bolivia be prohibited, effective from the time this Recommendation enters into force.
- 2 The Commission again requests Bolivia to cooperate with 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 continues to encourage participation by Bolivia in all ICCAT meetings.

6Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities 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 Bolivia have been brought into conformity with ICCAT measures.

*Note from the Secretariat: The 1998 Resolution refers to the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area* [Res. 98-18], which is replaced by the *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15], adopted at the 18th Regular Meeting of the Commission in 2003.