

[03-17]

**RECOMMENDATION BY ICCAT CONCERNING THE CONTINUANCE  
OF TRADE MEASURES AGAINST EQUATORIAL GUINEA**

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

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

*EXPRESSING CONCERN* about the state of over-fishing of bluefin tuna and bigeye tuna in the Atlantic Ocean;

*AWARE* that the management of the tuna stocks in the ICCAT Convention area cannot be effective unless all the Contracting Parties comply with the ICCAT conservation and management measures;

*AWARE* that large longliners registered in Equatorial Guinea are fishing in the Atlantic and have bigeye tuna as their primary target;

*RECALLING* the *Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Bluefin Tuna* [95-13] adopted by the Commission in 1994 to guarantee the effective conservation of this species;

*ALSO RECALLING* the 1996 *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [96-14] and the 1998 *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area* [98-18], which indicate the possibility of imposing strict restrictions consistent with the international obligations of each Contracting Party;

*CALLING ATTENTION* to the decisions taken by the Commission in 1999 (*Recommendation by ICCAT Regarding Equatorial Guinea Pursuant to the 1996 "Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries"* [99-10]) and in 2000 (*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* [00-16]) which, respectively, prohibit imports of Atlantic bluefin tuna and its products and Atlantic bigeye tuna and its products from Equatorial Guinea;

*CAREFULLY REVIEWING* at its 2003 meeting the information concerning the Commission's efforts after several years to obtain Equatorial Guinea's compliance with the ICCAT conservation and management measures, and noting that no substantial action has been taken by them to remedy this situation; and

*ALSO NOTING* that this Recommendation does not prejudice the rights and obligations of the Contracting Parties based on other international agreements;

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

1. Contracting Parties continue to take appropriate measures consistent with the provisions of the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* [96-14] and the *Resolution by ICCAT Concerning the Unreported and Unregulated Catches of Tunas by Large-scale Longline Vessels in the Convention Area* [98-18] to the effect of prohibiting the import of Atlantic bluefin tuna and Atlantic bigeye tuna and their products in any form from Equatorial Guinea, effective from the entry into force of this Recommendation.
2. The Commission will again request Equatorial Guinea to abide by its obligations as a Contracting Party to ICCAT by complying with all the ICCAT conservation and management measures, and by providing catch statistics to ICCAT in accordance with the ICCAT-established procedures.
3. The Contracting Parties will lift the import prohibitions adopted in this Recommendation upon the decision of the Commission, and upon notification from the ICCAT Executive Secretary that Equatorial Guinea's fishing activities have been brought into conformity with ICCAT conservation and management measures.