



PLE-102/2015

**COMPENDIUM
MANAGEMENT RECOMMENDATIONS AND RESOLUTIONS
ADOPTED BY ICCAT FOR THE CONSERVATION OF
ATLANTIC TUNAS AND TUNA-LIKE SPECIES**

SPECIES:

- **YFT (Yellowfin tuna)**
- **BET (Bigeye tuna)**
- **SWO (Swordfish)**
- **ALB (Albacore)**
- **BFT (Bluefin tuna)**
- **BIL (Billfishes)**
- **BYC (By-catch species)**

MONITORING AND COMPLIANCE:

- **GEN (General issues)**
- **SANC (Sanctions, trade-related measures)**
- **SDP (Statistical Document Programs)**

OTHER:

- **TOR (Terms of Reference)**
- **MISC (Miscellaneous)**

2015

COMPENDIUM MANAGEMENT RECOMMENDATIONS AND RESOLUTIONS ADOPTED BY ICCAT

Each year, the ICCAT Secretariat produces a “Compendium of the Management Recommendations and Resolutions adopted by ICCAT for the Conservation of Atlantic Tunas and Tuna-Like Species”. The Compendium generally includes the Recommendation and Resolutions that are currently in force (even if only part of a particular measure is still in effect), as well as those that while they may no longer be in force, but have a direct bearing on a current measure. To facilitate the use of this information, the measures are assigned a reference number. The two-digit year code corresponds to the year of adoption by the Commission) (e.g. 94-01, 97-07, 99-11, etc).

In 2003, the Secretariat made a thorough review of all past reports of Commission Meetings to compile a complete historical Compendium of all Recommendations, Resolutions and other major decisions adopted by ICCAT. This has been updated in 2015 to include the measures adopted in 2014 and the deletion of measures that have been superseded.

The Compendium is now published in two formats. The printed version of the Compendium contains only those decisions considered currently in force. An interactive version of the full ICCAT Compendium of management decisions is now available on the ICCAT web page that may be consulted on: <http://www.iccat.int/en/RecsRegs.asp>. This version allows users to access Recommendations and Resolutions by category, by year, by status (in force or inactive) or by number.

The Compendium is classified according to major subjects as follows:

Species:

- YFT (Yellowfin tuna)
- BET (Bigeye tuna)
- SWO (Swordfish)
- ALB (Albacore)
- BFT (Bluefin tuna)
- BIL (Billfishes)
- BYC (By-catch species)

Monitoring and Compliance:

- GEN (General issues)
- SANC (Sanctions, trade-related measures)
- SDP (Statistical Document Programs)

Other:

- TOR (Terms of Reference)
- MISC (Miscellaneous)

2015

COMPENDIUM OF ICCAT MANAGEMENT RECOMMENDATIONS AND RESOLUTIONS

-- TABLE OF CONTENTS --

SPECIES:

BET - BIGEYE TUNA (*Thunnus obesus*)

| | | |
|---------|--|----|
| [14-01] | Recommendation by ICCAT on a Multi-Annual Conservation and Management Program for Tropical Tunas..... | 1 |
| [14-02] | Recommendation by ICCAT Concerning the Implementation of an Atlantic Ocean Tropical Tuna Tagging Programme (AOTTP) | 17 |
| [14-03] | Recommendation by ICCAT to Establish an <i>ad hoc</i> Working Group on Fish Aggregating Devices (FADs)..... | 19 |

SWO - SWORDFISH (*Xiphias gladius*)

| | | |
|---------|---|----|
| [94-14] | Recommendation by ICCAT for the management of Atlantic swordfish | 21 |
| [01-04] | Resolution by ICCAT for evaluating alternatives to reduce catches of juveniles or dead discards of swordfish..... | 22 |
| [03-04] | Recommendation by ICCAT relating to Mediterranean swordfish | 24 |
| [13-02] | Recommendation by ICCAT for the Conservation of North Atlantic Swordfish..... | 25 |
| [13-03] | Recommendation by ICCAT on South Atlantic Swordfish Catch Limits | 28 |
| [13-04] | Recommendation by ICCAT for Management Measures for Mediterranean Swordfish in the Framework of ICCAT | 30 |

ALB - ALBACORE (*Thunnus alalunga*)

| | | |
|---------|--|----|
| [98-08] | Recommendation by ICCAT concerning the limitation of fishing capacity on northern albacore..... | 33 |
| [99-05] | Recommendation by ICCAT concerning possible management measures for northern albacore..... | 34 |
| [13-05] | Supplemental Recommendation by ICCAT Concerning the North Atlantic Albacore Rebuilding Program | 35 |
| [13-06] | Recommendation by ICCAT on the Southern Albacore Catch Limits for the period 2014-2016 | 37 |

BFT - BLUEFIN TUNA (*Thunnus thynnus*)

| | | |
|---------|--|----|
| [01-08] | Supplemental Recommendation by ICCAT on bluefin tuna research in the central North Atlantic Ocean..... | 39 |
| [01-09] | Resolution by ICCAT regarding the SCRS mixing report on Atlantic bluefin tuna | 40 |
| [06-07] | Recommendation by ICCAT on Bluefin Tuna Farming..... | 41 |
| [06-08] | Resolution by ICCAT on Fishing Bluefin Tuna in the Atlantic Ocean | 43 |
| [08-06] | Resolution by ICCAT Concerning Atlantic Bluefin Tuna Scientific Research on Stock Origin and Mixing..... | 44 |
| [11-06] | Recommendation by ICCAT Concerning the Atlantic-Wide Research Programme for Bluefin Tuna (GBYP)..... | 45 |

| | | |
|---------|--|----|
| [14-04] | Recommendation by ICCAT Amending the Recommendation 13-07 by ICCAT to Establish a Multi-Annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean..... | 47 |
| [14-05] | Recommendation by ICCAT Amending the Supplemental Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program..... | 83 |

**BIL - BILLFISHES: Blue marlin (*Makaira nigricans*), White marlin (*Tetrapturus albidus*)
Sailfish (*Istiophorus albicans*), Spearfish (*Tetrapturus pfluegeri* and *T. belone*)**

| | | |
|---------|---|----|
| [12-04] | Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Populations..... | 88 |
|---------|---|----|

BYC - BY-CATCH SPECIES

| | | |
|---------|--|-----|
| [95-02] | Resolution by ICCAT on cooperation with the Food and Agriculture Organization of the United Nations (FAO) with regard to study on the status of stocks and by-catches of shark species | 91 |
| [03-10] | Resolution by ICCAT on the shark fishery | 92 |
| [04-10] | Recommendation by ICCAT concerning the conservation of sharks caught in association with fisheries managed by ICCAT | 93 |
| [07-06] | Supplemental Recommendation by ICCAT Concerning Sharks | 94 |
| [07-07] | Recommendation by ICCAT on Reducing Incidental By-Catch of Seabirds in Longline Fisheries | 95 |
| [09-07] | Recommendation by ICCAT on the Conservation of Thresher Sharks Caught in Association with Fisheries in the ICCAT Convention Area..... | 97 |
| [10-06] | Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries | 98 |
| [10-07] | Recommendation by ICCAT on the Conservation of Oceanic Whitetip Sharks caught in Association with fisheries in the ICCAT Convention Area | 99 |
| [10-08] | Recommendation by ICCAT on Hammerhead Sharks (family Sphyrnidae) caught in Association with Fisheries Managed by ICCAT..... | 100 |
| [10-09] | Recommendation by ICCAT on the By-catch of Sea Turtles in ICCAT Fisheries..... | 101 |
| [11-08] | Recommendation by ICCAT on the Conservation of Silky Sharks Caught in Association with ICCAT Fisheries..... | 103 |
| [11-09] | Supplemental Recommendation by ICCAT on Reducing Incidental By-Catch of Seabirds in ICCAT Longline Fisheries | 104 |
| [11-10] | Recommendation by ICCAT on Information Collection and Harmonization of Data on By-catch and Discards in ICCAT Fisheries | 107 |
| [12-05] | Recommendation by ICCAT on Compliance with Existing Measures on Shark Conservation and Management | 109 |
| [13-10] | Recommendation by ICCAT on Biological Sampling of Prohibited Shark Species by Scientific Observers..... | 110 |
| [13-11] | Recommendation by ICCAT Amending Recommendation 10-09 on the By-Catch of Sea Turtles in ICCAT Fisheries | 111 |
| [14-06] | Recommendation by ICCAT on Shortfin Mako Caught in Association with ICCAT Fisheries..... | 112 |

MONITORING AND COMPLIANCE:

GEN - GENERAL ISSUES

| | | |
|---------|--|-----|
| [75-02] | ICCAT Scheme of Joint International Inspection | 113 |
| [94-09] | Resolution by ICCAT on compliance with the ICCAT conservation and management measures (including Addendum) | 115 |
| [96-14] | Recommendation by ICCAT regarding compliance in the bluefin tuna and North Atlantic swordfish fisheries | 119 |
| [96-15] | Resolution by ICCAT on large-scale pelagic driftnets | 120 |
| [97-01] | Recommendation by ICCAT to improve compliance with minimum size regulations | 121 |
| [97-08] | Recommendation by ICCAT regarding compliance in the South Atlantic swordfish fishery | 122 |
| [97-11] | Recommendation by ICCAT on transshipments and vessel sightings | 123 |
| [98-11] | Recommendation by ICCAT concerning the ban on landings and transshipments of vessels from non-Contracting Parties identified as having committed a serious infringement | 124 |
| [99-11] | Resolution by ICCAT calling for further actions against illegal, unregulated, and unreported fishing activities by large-scale longline vessels in the Convention area and other areas | 125 |
| [99-12] | Resolution by ICCAT concerning the need for new approaches to deter activities that diminishes the effectiveness of ICCAT conservation and management measures | 127 |
| [00-14] | Recommendation by ICCAT regarding compliance with management measures which define quotas and/or catch limits | 128 |
| [01-12] | Recommendation by ICCAT regarding the temporary adjustment of quotas | 129 |
| [01-13] | Supplemental Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and Atlantic Swordfish Fisheries | 130 |
| [01-18] | Resolution by ICCAT further defining the scope of IUU fishing | 131 |
| [01-25] | ICCAT Criteria for the allocation of fishing possibilities | 132 |
| [02-26] | Resolution by ICCAT concerning cooperative actions to eliminate illegal, unreported and unregulated fishing activities by large-scale tuna longline vessels | 134 |
| [02-31] | General outline of integrated monitoring measures adopted by ICCAT | 135 |
| [03-12] | Recommendation by ICCAT concerning the duties of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities in relation to their vessels in the ICCAT Convention area | 138 |
| [03-13] | Recommendation by ICCAT concerning the recording of catch by fishing vessels in the ICCAT Convention area | 139 |
| [03-16] | Recommendation by ICCAT to adopt additional measures against illegal, unreported and unregulated (IUU) fishing | 140 |
| [04-12] | Recommendation by ICCAT to adopt measures concerning sport and recreational fishing activities in the Mediterranean Sea | 141 |
| [05-07] | Resolution by ICCAT concerning the change in the registry and flagging of vessels | 142 |
| [05-08] | Resolution by ICCAT on circle hooks | 143 |
| [06-13] | Recommendation by ICCAT Concerning Trade Measures | 144 |

| | | |
|---------|---|-----|
| [06-14] | Recommendation by ICCAT to Promote Compliance by Nationals of Contracting Parties, Cooperating Non-Contracting Parties, Entities or Fishing Entities with ICCAT Conservation and Management Measures | 147 |
| [07-08] | Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area | 148 |
| [08-09] | Recommendation by ICCAT to Establish a Process for the Review and reporting of Compliance Information | 150 |
| [08-10] | Recommendation by ICCAT to Harmonize the Measurement of Length of the Vessels Authorized to Fish in the Area of the Convention | 151 |
| [09-09] | Recommendation by ICCAT Amending Three recommendations in Conformity with the 2009 Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Metres in Length Overall or Greater authorized to Operate in the Convention Area | 152 |
| [10-10] | Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs..... | 153 |
| [11-11] | Recommendation by ICCAT to Clarify the Application of Compliance Recommendations and for Developing the Compliance Annex | 156 |
| [11-13] | Recommendation by ICCAT on the Principles of Decision Making for ICCAT Conservation and Management Measures | 157 |
| [11-14] | Resolution by ICCAT to Standardize the Presentation of Scientific Information in the SCRS Annual Report and in Working Group Detailed Reports | 158 |
| [11-15] | Recommendation by ICCAT on Penalties Applicable in Case of non-Fulfilment of Reporting Obligations | 162 |
| [11-17] | Resolution by ICCAT on Best Available Science | 163 |
| [11-18] | Recommendation by ICCAT Further Amending Recommendation 09-10 Establishing a List of Vessels Presumed to Have Carried out Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area | 165 |
| [12-06] | Recommendation by ICCAT on a Programme for Transshipment | 170 |
| [12-07] | Recommendation by ICCAT for an ICCAT Scheme for Minimum Standards for Inspection in Port | 179 |
| [13-12] | Recommendation by ICCAT on the Rules of Procedure for the Standing Committee on Research and Statistics (SCRS) | 184 |
| [13-13] | Recommendation by ICCAT concerning the Establishment of an ICCAT Record of Vessels 20 meters in Length Overall or Greater Authorized to Operate in the Convention area | 185 |
| [13-14] | Recommendation by ICCAT on Vessel Chartering..... | 188 |
| [13-15] | Resolution by ICCAT to Complete the Standardization of the Presentation of Scientific Information in the SCRS Annual Report..... | 190 |
| [14-07] | Recommendation by ICCAT on Access Agreements..... | 192 |
| [14-08] | Recommendation by ICCAT to Support Effective Implementation of Recommendation 12-07 by ICCAT for an ICCAT Scheme for Minimum Standards for Inspection in Port..... | 194 |
| [14-09] | Recommendation by ICCAT Amending Recommendation 03-14 concerning minimum Standards for the establishment of a vessel fishing monitoring system in the ICCAT Convention area | 196 |
| [14-10] | Recommendation by ICCAT to Harmonize and Guide the Implementation of ICCAT Vessel Listing Requirements | 198 |

| | | |
|---------|---|-----|
| [14-11] | Resolution Establishing Guidelines for the Cross-Listing of Vessels Contained on IUU Vessel Lists of other Tuna RFMOs on the ICCAT IUU Vessel List in Accordance with Recommendation 11-18..... | 199 |
|---------|---|-----|

SANC - SANCTIONS, TRADE-RELATED MEASURES

| | | |
|---------|---|-----|
| [02-20] | Recommendation by ICCAT concerning the trade sanction against St. Vincent and the Grenadines..... | 200 |
| [04-13] | Recommendation by ICCAT concerning the lifting of trade sanctions against Equatorial Guinea..... | 201 |

SDP - STATISTICAL DOCUMENT PROGRAMS

| | | |
|---------|---|-----|
| [01-21] | Recommendation by ICCAT concerning the ICCAT Bigeye Tuna Statistical Document Program | 202 |
| [01-22] | Recommendation by ICCAT establishing a Swordfish Statistical Document Program | 213 |
| [03-19] | Recommendation by ICCAT concerning the amendment of the forms of the ICCAT bluefin/bigeye/swordfish statistical documents | 216 |
| [06-16] | Recommendation by ICCAT on an Electronic Statistical Document Pilot Program..... | 217 |
| [08-11] | Recommendation by ICCAT Amending Ten Recommendations and Three Resolutions | 218 |
| [10-11] | Recommendation by ICCAT on an Electronic Bluefin Tuna Catch Document Programme (eBCD)..... | 220 |
| [11-20] | Recommendation by ICCAT Amending Recommendation 09-11 on an ICCAT Bluefin Tuna Catch Documentation Program..... | 225 |
| [12-09] | Recommendation by ICCAT on a Process towards the Establishment of a Catch Certification Scheme for Tuna and Tuna-Like Species | 243 |
| [13-16] | Recommendation by ICCAT Amending Annex 1 of Recommendation 11-20 on an ICCAT Bluefin Tuna Catch Documentation Program..... | 245 |
| [13-17] | Recommendation by ICCAT Supplementing the Recommendation for an Electronic Bluefin Tuna Catch Document (eBCD) System..... | 247 |

OTHER:

TOR - TERMS OF REFERENCE

| | | |
|---------|---|-----|
| [00-20] | Resolution by ICCAT for integrated monitoring measures | 249 |
| [06-17] | Resolution by ICCAT to Establish a Working Group on Sport and Recreational Fisheries..... | 250 |
| [06-18] | Resolution by ICCAT to Strengthen ICCAT | 251 |
| [06-19] | Resolution by ICCAT to Establish a Capacity Working Group | 254 |
| [11-23] | Recommendation by ICCAT to Amend the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) | 256 |
| [11-24] | Recommendation by ICCAT to Amend the Mandate and Terms of Reference Adopted by the Commission for the ICCAT Conservation and Management Measures Compliance Committee (COC) | 257 |
| [11-25] | Resolution by ICCAT on a Program of Work for the Working Group on the Future of ICCAT..... | 258 |

| | | |
|---------|--|-----|
| [12-10] | Recommendation by ICCAT to Establish a Working Group to Develop Amendments to the ICCAT Convention..... | 261 |
| [13-18] | Recommendation by ICCAT for Enhancing the Dialogue between Fisheries Scientists and Managers | 263 |
| [14-12] | Recommendation by ICCAT to Establish an <i>ad hoc</i> Working Group for Preparing the Next Performance Review..... | 265 |
| [14-13] | Recommendation by ICCAT Amending the Recommendation by ICCAT for Enhancing the Dialogue between Fisheries Scientists and Managers..... | 266 |

MISC - MISCELLANEOUS

| | | |
|---------|--|-----|
| [66-01] | Resolution on the collection of statistics on the Atlantic tuna fisheries..... | 268 |
| [93-08] | Resolution by ICCAT on cooperation with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) | 269 |
| [93-09] | Resolution by ICCAT concerning the composition of the delegations of ICCAT Contracting Parties to CITES | 270 |
| [94-06] | Resolution by ICCAT on coordination with non-Contracting Parties | 271 |
| [99-07] | Resolution by ICCAT on improving recreational fishery statistics | 272 |
| [99-13] | Resolution by ICCAT endorsing the International Plan of Action for the Management of Fishing Capacity (IPOA)..... | 273 |
| [01-16] | Resolution by ICCAT on the deadlines and procedures for data submission | 274 |
| [03-20] | Recommendation by ICCAT on criteria for attaining the status of Cooperating non-Contracting Party, Entity or Fishing Entity in ICCAT | 275 |
| [03-21] | Resolution by ICCAT on improvements in data collection and quality assurance | 277 |
| [05-09] | Recommendation by ICCAT on compliance with statistical reporting obligations..... | 278 |
| [05-11] | Resolution by ICCAT on pelagic <i>Sargassum</i> | 280 |
| [05-12] | Guidelines and criteria for granting observer status at ICCAT meetings | 281 |
| [12-11] | Resolution by ICCAT Regarding the Presentation of Objections in the Context of Promoting Effective Conservation and Management Measures Adopted by ICCAT | 283 |
| [12-12] | Resolution by ICCAT on the Sargasso Sea | 284 |
| [12-13] | Revised guidelines for the preparation of the Annual Reports | 285 |
| [13-19] | Recommendation by ICCAT on the Establishment of a Scientific Capacity Building Fund for Developing States which are ICCAT Contracting Parties | 288 |
| [14-14] | Recommendation by ICCAT amending Recommendation 11-26 on the Establishment of a Meeting Participation Fund for Developing ICCAT Contracting Parties..... | 289 |

**RECOMMENDATION BY ICCAT ON A MULTI-ANNUAL CONSERVATION
AND MANAGEMENT PROGRAM FOR TROPICAL TUNAS**

(Entered into force **3 June 2015**)

CONSIDERING that the adoption and the further implementation of a multi-annual program for the medium-term will contribute to the conservation and sustainable management of the tropical tuna fishery;

RECOGNIZING the necessity to adopt monitoring and control measures to ensure implementation of conservation and management measures and to improve the scientific assessment of those stocks;

EXPRESSING GRAVE CONCERN about the difficulties encountered by the Standing Committee on Research and Statistics (SCRS) in investigating the state of the stocks of tropical tunas from the Convention area and to fully evaluate options for area/time closures and propose precise relevant recommendations because of the lack of reliable data collection mechanisms by some CPCs;

RECOGNIZING that a pilot implementation of an area/time closure will contribute to the collection of such necessary data, and will enhance the reduction of the catches of juvenile tropical tunas;

NOTING that the SCRS does not have the data necessary to fully evaluate options for area/time options closure and to propose precise relevant recommendations;

RECOGNIZING the contribution that a reduction in the harvest of juvenile tunas in the Gulf of Guinea can contribute to the long-term sustainability of the stocks;

RENEWING the commitment to fully implement the existing mandatory reporting obligations, including those referred to in point 20 and 21 of the present Recommendation;

CONSIDERING that Recommendation 11-01 foresees the establishment as from 2013 of an ICCAT Regional Observer Programme (hereafter referred to as ROP TROP), to ensure the observer coverage of 100% of all surface vessels fishing for tropical tunas, including support activities, in association with fish aggregation objects, including Fish Aggregating Device (FADs), from 1 January to 28 February each year, in a delineated area;

NOTING that the establishment of the ROP TROP has not been achieved yet, and thus the vessels concerned were not in a position to deliver the tasks expected from ROP-TROP observers and that consequently vessels used the national observers on board to complete the tasks detailed in Annex 3 of Recommendation 11-01;

NOTING that the data collected by national observers adequately provide the data expected from the ROP TROP program;

FURTHER RECOGNISING that during the area/time closure period the coverage of national observers for purse seiner fishing for tropical tunas should be increased from the minimum of 5% of the fishing effort established by Recommendation 10-10 to a 100% coverage of fishing effort;

RECALLING recommendations by the Standing Committee on Research and Statistics (SCRS) to address the lack of reliable data collection mechanisms, particularly in tropical tuna fisheries carried on in association with objects that could affect fish aggregation, including FADs;

FURTHER RECALLING that as regards skipjack tunas SCRS stated in its 2014 report that the increasing use of FADs since the early 1990s has changed the species composition of free swimming schools, and that association with FADs may also have an impact on the biology and on the ecology of yellowfin and skipjack tunas;

NOTING that, according to the 2014 SCRS advice, increasing harvests and fishing effort for skipjack could lead to involuntary consequences for other species that are caught in combination with skipjack in certain fisheries;

RECOGNIZING the necessity to adopt data collection and transmission mechanisms to allow improvement of the monitoring and the scientific assessment of the related fisheries and associated stocks;

NOTING that in its 2013 report, SCRS recognized the effect of FADs on both sea-turtle and shark by-catch and the need to provide advice on the design of FADs that would lessen their impact on by-catch species. Therefore, information on dimension and material of the floating part and of the underwater hanging structure should be provided. More particularly the entangling or non-entangling feature of the underwater hanging structure should be reported;

RECALLING measures related to FAD management plans in other tuna RFMOs;

CONSIDERING that the multispecies characteristics of the tropical tuna fisheries makes it appropriate to extend to skipjack tuna the multi-annual management and conservation plan for yellowfin and bigeye tuna established by Recommendation 11-01, as amended by Recommendation 13-01;

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

Multi-annual Management and Conservation Program

1. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) whose vessels fish bigeye and/or yellowfin tunas in the Convention area shall implement the Multi-annual Management and Conservation Program initiated in 2012. As from 2015, such programme shall also apply to the eastern stock of skipjack tuna.

Capacity limitation for bigeye tuna

2. A capacity limitation shall be applied for the duration of the Multi-annual Program, in accordance with the following provisions:
 - a) The capacity limitation shall apply to vessels 20 meters length overall (LOA) or greater fishing bigeye tuna in the Convention area.
 - b) CPCs which have been allocated a catch limit in accordance with paragraph 13 shall each year:
 - i) Adjust their fishing effort so as to be commensurate with their available fishing possibilities;
 - ii) Be restricted to the number of their vessels notified to ICCAT in 2005 as fishing for bigeye tuna. However, the maximum number of longline and purse seine vessels shall each year be subject to the following limits:

| <i>CPC</i> | <i>Longliners</i> | <i>Purse seiners</i> |
|----------------|-------------------|----------------------|
| China | 45 | - |
| EU | 269 | 34 |
| Ghana | - | 13 |
| Japan | 245 | - |
| Panama | - | 3 |
| Philippines | 11 | - |
| Korea | 14 | - |
| Chinese Taipei | 75 | - |

- c) Ghana shall be allowed to change the number of its vessels by gear type within its capacity limits communicated to ICCAT in 2005, on the basis of two bait boats for one purse seine vessel. Such change must be approved by the Commission. To that end, Ghana shall notify a comprehensive and detailed capacity management plan to the Commission at least 90 days before the Annual meeting. The approval is notably subject to the assessment by the SCRS of the potential impact of such a plan on the level of catches.
- d) The capacity limitation shall not apply to CPCs whose annual catch of bigeye tuna in the Convention area in 1999, as provided to the SCRS in 2000, is less than 2,100 t.

Specific authorization to fish for tropical tunas

3. 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 to this fishing activity (hereafter referred to as "authorized vessels").

ICCAT Record of authorized tropical tuna vessels

4. The Commission shall establish and maintain an ICCAT record of authorized tropical tuna 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.
5. 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.
6. 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 Secretariat. The Secretariat shall remove from the ICCAT Record of Vessels any vessel for which the periods of authorization have expired.
7. For CPCs for which a capacity limitation applies in accordance with paragraph 2b) vessels fishing tropical tunas in the Convention area may be replaced only by vessels of equivalent capacity or lesser.
8. 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.
9. Conditions and procedures referred to in the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 meters in Length Overall or Greater Authorized to Operate in the Convention Area* [Rec. 13-13] shall apply *mutatis mutandis* to the ICCAT record of authorized tropical vessels.

Vessels actively fishing tropical tunas in a given year

10. Each CPC shall by 1 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 in the previous calendar year.

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

11. The provisions of paragraphs 3 to 10 do not apply to recreational vessels.

Catch limits for bigeye tuna

12. The annual Total Allowable Catch (TAC) for 2012 and subsequent years of the Multi-annual Program is 85,000 t for bigeye tuna. The following shall apply:
 - a) If the total of catches exceeds the TAC in a given year, the excess amount shall be paid back by CPCs to which a catch limit has been granted for the species concerned. Excess quantities shall be deducted the following year on a *pro rata* basis from the adjusted quotas/catch limits of the CPC concerned, as per paragraphs 16 and 17.
 - b) The TAC and catch limits for 2012 and subsequent years of the Multi-annual Program shall be adjusted based on the latest scientific assessment available. Whatever the outcome, the relative shares used to establish the annual catch limits for the CPCs appearing in paragraph 13 shall remain unchanged.

13. The following catch limits shall be applied for 2012 and subsequent years of the Multi-annual Program to the following CPCs:

| <i>CPC</i> | <i>Annual catch limits for the period 2012-2015 (t)</i> |
|----------------|---|
| China | 5,572 |
| European Union | 22,667 |
| Ghana | 4,722 |
| Japan | 23,611 |
| Panama | 3,306 |
| Philippines | 1,983 |
| Korea | 1,983 |
| Chinese Taipei | 15,583 |

14. Catch limits shall not apply to CPCs whose annual catch of bigeye tuna in the Convention area in 1999, as provided to the SCRS in 2000, is less than 2,100 t. However, the following shall apply:
- CPCs which are not developing coastal States shall endeavour to maintain their annual catch less than 2,100 t;
 - if the catch of bigeye tuna of any developing coastal CPC not listed in paragraph 13 above exceeds 3,500 t for any one year, a catch limit shall be established for that developing CPC for the following years. In such a case, the relevant CPC shall adjust its fishing effort so as to be commensurate with their available fishing possibilities.

Transfers

15. The following annual transfer of bigeye tuna shall be authorized in 2012-2015:
- from Japan to China: 3000 t
 - from Japan to Ghana: 70 t
 - from China to Ghana: 70 t
 - from Chinese Taipei to Ghana: 70 t
 - from Korea to Ghana: 20 t

Underage or overage of catch

16. Underage or overage of an annual catch limit for CPCs listed in paragraph 13 for bigeye tuna may be added/to or shall be deducted from the annual catch limit as follows:

| <i>Year of catch</i> | <i>Adjustment Year</i> |
|----------------------|------------------------|
| 2011 | 2012 and/or 2013 |
| 2012 | 2013 and/or 2014 |
| 2013 | 2014 and/or 2015 |
| 2014 | 2015 and/or 2016 |
| 2015 | 2016 and/or 2017 |

However,

- The maximum underage that a CPC may transfer in any given year shall not exceed 30% of its annual initial catch limit;
 - For Ghana, the overage catch of bigeye tuna in the period 2006 to 2010 shall be repaid by reducing the catch limit of Ghana for bigeye tuna by a yearly amount of 337 t for the period 2012 to 2021.
17. Notwithstanding paragraph 16 if any CPC exceeds its catch limit during any two consecutive management periods, the Commission will recommend appropriate measures, which may include, but are not limited to, reduction in the catch limit equal to a minimum of 125% of the excess harvest, and, if necessary, trade restrictive measures. Any trade measures under this paragraph will be import restrictions on the subject

species and consistent with each CPC's international obligations. The trade measures will be of such duration and under such conditions as the Commission may determine.

TAC for yellowfin tuna

18. The annual TAC for 2012 and subsequent years of the Multi-annual program is 110,000 t for yellowfin tuna and shall remain in place until changed based on scientific advice.

If the total catch exceeds the TAC for yellowfin tuna the Commission shall review the relevant conservation and management measures in place.

Recording of catch and fishing activities

19. 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 1** and in the *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* [Rec. 03-13].

20. 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 fish aggregating devices (FADs), including objects that could affect fish aggregation, shall 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 or beacon ID, type of buoy – e.g. simple buoy or associated with echosounder)
- v. FAD design characteristics (dimension and 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 (hauling, retrieving, intervention on electronic equipment)
- ii. Position
- iii. Date
- iv. FAD type (anchored FAD, drifting natural FAD, drifting artificial FAD)
- v. FAD identifier (i.e., FAD Marking or beacon ID or any information allowing to identify the owner)
- vi. 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 or beacon ID)

For the purpose of the collection and the report of the information referred to under paragraphs 20(a), 20(b) and 20(c) 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 may use possible

templates laid down in **Annexes 2 and 3** as reporting formats. When using paper logbooks, CPCs may seek, with the support of the Executive Secretary, for harmonized formats.

21. CPCs shall ensure that:

- a) Both paper and electronic fishing logbooks referred to in paragraph 19 and the FAD-logbooks referred to in paragraph 20, where applicable, are promptly collected and made available to national scientists;
- b) The Task II data include the information collected from the fishing or FAD logbooks, where applicable, and is submitted every year to the ICCAT Executive Secretariat, to be made available to the SCRS;
- c) The following information is submitted every year to the Executive Secretary, to be made available to the SCRS:
 - i. an inventory of all support vessels associated with purse-seine or baitboat fishing vessels flying their flag, detailing their identification, main characteristics and the fishing vessels they are associated with;
 - ii. the number of FADs actually deployed on a quarterly basis, by FAD type, indicating the presence or absence of a beacon or of an ecosounder associated to the FAD;
 - iii. for each support vessel, the number of days spent at sea, per 1° grid area, month and flag State.

22. To facilitate the submission of the information referred to in paragraph 21 above, the Executive Secretary shall design or modify electronic forms, as appropriate.

23. With the objective of providing information useful to estimate the fishing effort related to FAD-fishing each CPC should provide full access to VMS data and trajectories of FADs to its national scientists.

Area/Time closure in relation with the protection of juveniles

24. Fishing for, or supported activities to fish for bigeye, yellowfin and skipjack tunas in association with objects that could affect fish aggregation, including FADs, shall be prohibited:

- a) From 1 January to 28 February each year, and
- b) In the area delineated as follows:

| | |
|----------------|-----------------------------|
| Northern limit | African coast |
| Southern limit | Parallel 10° South latitude |
| Western limit | Meridian 5° West longitude |
| Eastern limit | Meridian 5° East longitude |

25. The prohibition referred to in paragraph 24 includes:

- launching any floating objects, with or without buoys;
- fishing around, under, or in association with artificial objects, including vessels;
- fishing around, under, or in association with natural objects;
- towing floating objects from inside to outside the area.

26. The efficacy of the area/time closure referred to in paragraph 24 for the reduction of catches of juvenile bigeye, yellowfin and skipjack tunas shall be evaluated by the SCRS in 2015.

27. Each CPC fishing in the geographical area of the area/time closure shall:

- a) Take appropriate action to ensure that all vessels flying its flag, including supply vessels, when engaged in fishing activities during the time/area closure referred to in paragraph 24, have an observer on board in accordance with **Annex 4**. The information collected by the observers shall be reported each year by 31 July to the ICCAT Secretariat and to SCRS;
- b) Take appropriate action against vessels flying their flag that do not comply with the area/time closure referred to in paragraph 24;
- c) Submit an annual report on their implementation of the area/time closure to the Executive Secretary, who shall report to the Compliance Committee at each Annual meeting.

FAD Management Plans

28. By 1 July of each year, CPCs with purse seine and baitboat vessels fishing for bigeye, yellowfin and skipjack tunas in association with objects that could affect fish aggregation, including FADs, shall submit to the Executive Secretary Management Plans for the use of such aggregating devices by vessels flying their flag, following the Guidelines for Preparation for FAD Management Plans suggested in **Annex 5**.
29. The Executive Secretary shall report the content of these Management Plans to SCRS and to the Compliance Committee for review at each annual meeting.
30. The Commission encourages CPCs to undertake any research intended to improve knowledge of the potential effects of FADs on the resource and the environment and on the vessel fishing effort.

Non-entangling FADs

31. In order to minimize the ecological impact of FADs, in particular the entanglement of sharks, turtles and other non-targeted species, CPCs shall replace by 2016 existing FADs with non-entangling FADs in line with the guidelines under **Annex 6** of this Recommendation. CPCs shall report to ICCAT Secretariat on an annual basis on the steps undertaken to comply with this provision.

VMS

32. If the VMS satellite tracking device of a vessel referred to in paragraph 3 stops functioning or has a technical failure when the vessel is inside the area/time closure referred to in paragraph 24, the flag State shall require the vessel to exit the area without delay. The fishing vessel shall not be authorized to enter the area again without the satellite tracking device having been repaired or replaced.

Identification IUU activity

33. The Executive Secretary shall “without delay” verify that any vessel identified or reported in the context of this Multi-annual Program is on the ICCAT record of authorized vessels and not out of compliance with the provisions of paragraphs 24 and 25. 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 with objects that could affect fish aggregation, including FADs, request the vessel to stop fishing and, if necessary, leave the area without delay. The flag CPC shall without delay report to the Executive Secretary the results of its investigation and the corresponding measures taken.
34. 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 by the flag CPCs concerned.
35. The Executive Secretary shall propose to include any vessels identified in accordance with paragraph 32, or vessels for which the flag CPC has not carried out the required investigation in accordance with paragraph 33, on the provisional IUU list.

Port Sampling Plan

36. The Commission requests the SCRS to develop, by 2012, a Port Sampling Plan aimed at collecting fishery data for bigeye, yellowfin, and skipjack tunas that are caught in the geographical area of the area/time closure referred to in paragraph 24.
37. Beginning in 2013, the port sampling program referred to paragraph 36 shall be implemented in landing or transshipment ports. Data and information collected from this sampling program shall be reported to ICCAT each year beginning in 2014, 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.

General provisions

38. This Recommendation replaces [Rec. 93-04], [Rec. 98-03], [Rec. 04-01], [Res. 05-03], [Rec. 08-01], [Rec. 09-01] [Rec. 10-01] Rec. [11-01] and Rec [13-01] and shall be revised in 2015.

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) or 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

Annex 2

| <i>FAD Identifier</i> | | <i>FAD & electronic equipment types</i> | | <i>FAD Design characteristics</i> | | | | <i>Observation</i> |
|-----------------------|-----------------------------|---|---|-----------------------------------|------------------|---|------------------|--------------------|
| <i>FAD Marking</i> | <i>Associated beacon ID</i> | <i>FAD Type</i> | <i>Type of the associated beacon and /or electronic devices</i> | <i>FAD floating part</i> | | <i>FAD underwater hanging structure</i> | | |
| | | | | <i>Dimensions</i> | <i>Materials</i> | <i>Dimensions</i> | <i>Materials</i> | |
| (1) | (1) | (2) | (3) | (4) | (5) | (4) | (6) | (7) |
| ... | ... | ... | ... | ... | ... | ... | ... | ... |
| ... | ... | ... | ... | ... | ... | ... | ... | ... |

(1) If FAD marking and associated beacon ID are absent or unreadable, mention it and provide all available information which may help to identify the owner of the FAD.

(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) E.g. width, length, high, depth, mesh sizes, etc.

(5) Mention the material of the structure and of the cover and if biodegradable.

(6) E.g. nets, ropes, palms, etc... and mention the entangling and/or biodegradable features of the material.

(7) Lighting specifications, radar reflectors and visible distances shall be reported in this section.

| <i>FAD marking</i> | <i>Beacon ID</i> | <i>FAD type</i> | <i>Type of visit</i> | <i>Date</i> | <i>Time</i> | <i>Position</i> | | <i>Estimated catches</i> | | | <i>By-catch</i> | | | <i>Observations</i> | |
|--------------------|------------------|-----------------|----------------------|-------------|-------------|-----------------|------------------|--------------------------|------------|------------|------------------------|--------------------------|-------------|---------------------|--------------------------------|
| | | | | | | <i>Latitude</i> | <i>Longitude</i> | <i>SKJ</i> | <i>YFT</i> | <i>BET</i> | <i>Taxonomic group</i> | <i>Estimated catches</i> | <i>Unit</i> | | <i>Specimen released alive</i> |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (7) | (8) | (8) | (8) | (9) | (10) | (11) | (12) | (13) |
| ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |
| ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... |

(1, 2) If FAD marking and associated beacon ID are absent or unreadable, report it in this section.

(3) Anchored FAD, drifting natural FAD or drifting artificial FAD.

(4) I.e., deployment, hauling, 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/mm/dd or °E/W/mm/dd.

(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 specimen.

(13) If no FAD marking neither associated beacon ID is available, report in this section all available information which may help to describe the FAD and to identify the owner of the FAD.

Observer Program

1. Each CPC shall require its fishing vessels, including supply vessels, involved in the bigeye and/or yellowfin and/or skipjack tunas fisheries in the area and during the area/time closure referred to in paragraph 24 of this Recommendation to carry an observer.
2. The observers 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;
 - A satisfactory knowledge of the language of the flag of the vessel observed.
3. The observers shall:
 - a) Be nationals of one of the CPCs;
 - b) Be capable of performing the duties set forth in point 4 below;
 - c) Not have current financial or beneficial interests in the tropical tuna fisheries.

Observer tasks

4. 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) Carry out scientific work such as collecting task II data when required by the Commission, based on the directives from the SCRS.
- b) Report without delay, with due regard to the safety of the observer, any fishing activity associated with FADs made by the vessel in the area and during the period referred to in paragraph 24 of this Recommendation.
 - c) 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.
 - d) Submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
 - e) Exercise any other functions as defined by the Commission.
5. 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.
 6. 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.
 7. 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 8.

Obligations of the flag States of fishing vessels

8. 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 4:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication.
 - 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.

Duty of the Secretariat

The Secretariat shall submit the observer reports to the Compliance Committee and to the SCRS.

Guidelines for Preparation of FAD Management Plans

The FAD Management Plan for a CPC purse seine and bait boat fleets must include at least:

- a) Number of FAD to be deployed per purse seine and per FAD type
- b) FAD design characteristics (a description)
- c) FAD markings and identifiers

and could include:

1. Objective of the FAD Management Plan
2. Description
 - a) Vessel-types and support and tender vessels
 - b) FAD types: AFAD = anchored; DFAD = drifting
 - c) Reporting procedures for AFAD and DFAD deployment
 - d) Catch reporting from FAD sets (consistent with the Commission's Standards for the Provision of Operational Catch and Effort Data)
 - e) Minimum distance between AFADs
 - f) Incidental by-catch reduction and utilization policy
 - g) Consideration of interaction with other gear types
 - h) Statement or policy on "FAD ownership"
3. 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) Reporting obligations
 - f) Observer acceptance obligations
 - g) Conflict resolution policy in respect of FADs
4. FAD construction specifications and requirements
 - a) Lighting requirements
 - b) Radar reflectors
 - c) Visible distance
 - d) Radio buoys (requirement for serial numbers)
 - e) Satellite transceivers (requirement for serial numbers)
5. Applicable areas
 - a) Details of any closed areas or periods e.g. territorial waters, shipping lanes, proximity to artisanal fisheries, etc.
6. Applicable period for the FAD Management Plan
7. Means for monitoring and reviewing implementation of the FAD Management Plan
8. Means for reporting to the Executive Secretary

Guidelines for reducing the ecological impact of FADs in ICCAT fisheries

- 1) The surface structure of the FAD should not be covered or only covered with material implying minimum risk of entangling by-catch species.
- 2) The sub-surface components should be exclusively composed of non-entangling material (e.g. ropes or canvas).
- 3) When designing FADs the use of biodegradable materials should be prioritised.

RECOMMENDATION BY ICCAT CONCERNING THE IMPLEMENTATION OF AN ATLANTIC OCEAN TROPICAL TUNA TAGGING PROGRAMME (AOTTP)

(Entered into force **3 June 2015**)

RECALLING that the ICCAT recommended in 2010 the establishment of a large scale research programme, based on tagging methodology to allow estimating the key-parameters of tropical tuna population dynamics, to reduce stock assessment uncertainties and to gauge the effectiveness of different fisheries management options and conservation and management measures;

ACKNOWLEDGING that in 2014 ICCAT launched a study on the feasibility of such a large scale tagging programme, including an estimation of the budget necessary to its implementation;

FURTHER ACKNOWLEDGING that the results of this feasibility study were discussed during the skipjack stock assessment meeting held in Dakar in June 2014 and that it was concluded that an AOTTP would greatly help in resolving uncertainty about the stock dynamics of tropical species and provide important inputs into stock assessment that are currently lacking;

CONSIDERING that the SCRS also reviewed the results of the feasibility study and stated in its 2014 report that current uncertainties in stock structure, natural mortality, and growth have important implications for the stock assessment of yellowfin tuna and that the proposed AOTTP, if fully funded, should help resolve these uncertainties;

RECOGNISING that in order to improve stock assessments, to reduce the uncertainty in the estimation of the status of the stocks of tropical tuna in the Atlantic Ocean, and to gauge the effectiveness of different fisheries management options, key parameters on the population dynamic and the biology of these stocks need to be further investigated;

FURTHER CONSIDERING that, according to the 2014 SCRS report, for skipjack tuna it is difficult to estimate the MSY in conditions of recent growth of catches without having reliable indicators on the response of the stock to these increases. These indicators, i.e. CPUE series, fishing mortality estimates from tagging programmes or other indicators on the exploitation of this species, should be improved and the implementation of the AOTTP will largely contribute to this;

ACKNOWLEDGING that the implementation of similar large-scale programmes in the Indian Ocean during the years 2005-2009 and in the Pacific ocean during the years 1977-1981, 1989-1992 and 2006-2014 consistently contributed to improving the knowledge of the tropical tuna stocks and thus provided sound information in support of the decision making process;

ACKNOWLEDGING that on the basis of the ICCAT feasibility study the total cost, without contingencies, associated to the AOTTP implementation is estimated at €16.87 million for a duration of 5 years and that therefore, the ICCAT regular budget cannot be used for the implementation of the AOTTP;

NOTING that the contribution proposed by the EU can cover only up to 80% of the implementation costs in line with their domestic rules and that therefore extra-budgetary and/or in-kind contributions are necessary from ICCAT CPCs and others;

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

1. An Atlantic Ocean Tropical Tuna Tagging Program (AOTTP) will be implemented for the main tropical tuna stocks (yellowfin tuna, bigeye tuna and skipjack tuna) as well as for neritic small tunas of high importance for coastal populations.
2. All CPCs and other potential donors are encouraged to provide the necessary funding or other support, in particular in form of in kind contributions, in order to enable the conduct of this critical scientific endeavour.

3. In addition, the Executive Secretary of ICCAT will explore the possibility to use alternative sources of funding for the implementation of this program, such as the GEF Project to Enhance Tuna Management and Marine Conservation in the Areas Beyond National Jurisdiction (ABNJ).

**RECOMMENDATION BY ICCAT TO ESTABLISH AN AD HOC WORKING GROUP ON FISH
AGGREGATING DEVICES (FADS)**

(Entered into force **3 June 2015**)

RECOGNIZING the increasing use of FADs in ICCAT fisheries, notably for tropical tunas, and the impact this may have on the species composition and on the rates of by-catch;

REMINDING recommendations by the Standing Committee on Research and Statistics (SCRS) to improve data collection for fisheries carried out in association with objects that could affect fish aggregation, including FADs, and to improve the ways to use this information in the process of stock assessments;

NOTING the need to assess the consequences of technological developments of FADs for future FAD-related management options;

RECOGNIZING that the SCRS recommended creating a temporary working group on FADs, which should be composed by scientists, fishery managers, fishing industry administrators and stakeholders;

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

1. An ad hoc Working Group is established with the following Terms of Reference:
 - a) Assess the use of FADs in Tropical Tuna fisheries in ICCAT, notably by estimating the past and current number of different types of buoys and FADs operating in ICCAT tropical tuna fisheries, and evaluate ways to improve the use of information related to FADs in the process of stock assessments, in particular to quantify the effort associated to this type of fishery;
 - b) In view of the identification of data gaps, review the information provided by CPCs pursuant to the FAD related provisions in the relevant ICCAT conservation and management measures;
 - c) Assess the relative contribution of FADs to the overall fishing mortality in ICCAT tropical tuna fisheries;
 - d) Assessing the developments in FAD-related technology, notably with regard to:
 - Technological improvement steps in relation with fishing mortality.
 - FAD and buoys marking and identification as a tool for monitoring, tracking and control of FADs.
 - Reducing FADs ecological impact through improved design, such as non-entangling FADs and biodegradable material.
 - e) Identify management options, including the regulation of deployment limits and characteristics of FADs, and evaluate their effect on ICCAT managed species and on the pelagic eco-systems, based on scientific advice and the precautionary approach. This should take into consideration all the fishing mortality components, the methods by which FAD fishing has increased a vessel's ability to catch fish, as well as socio-economic elements with the view to provide effective recommendations to the Commission for FAD management in tropical tuna fisheries.
2. The first meeting of this Working Group shall take place in 2015 in association with the Bigeye Tuna Data Preparatory Meeting.
3. The ad hoc Working Group should be composed by scientists, fisheries managers, industry representatives and other interested stakeholders.
4. The ad hoc Working Group shall report on its work with a view to recommend the adoption of appropriate measures at the latest at the 2016 ICCAT Commission Meeting.

5. The ad hoc Working Group will be chaired by the Chair of Panel 1 and the Chair of SCRS. The chairs of the Working Group should coordinate to establish procedures to ensure a full an open exchange among all participants.

**RECOMMENDATION BY ICCAT
FOR THE MANAGEMENT OF ATLANTIC SWORDFISH**

(Entered into force: **October 2, 1995**)

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

- 1 The following quotas for swordfish in the North Atlantic shall apply in 1995 and 1996:

| | <i>1995</i> | <i>1996</i> |
|---------------|-------------|-------------|
| Canada | 1,500 t | 1,400 t |
| Portugal | 1,500 t | 1,400 t |
| Spain | 6,230 t | 5,500 t |
| United States | 3,970 t | 3,500 t |

- 2 Japan shall take the necessary measures to limit the incidental catch of swordfish to no more than 8% of the total weight of its entire catch in the North Atlantic during 1995 and 1996.
- 3 Other Contracting Parties shall not increase their catches during 1995 and 1996 in the North Atlantic over their 1993 level.
- 4 Contracting Parties whose catches in the South Atlantic are greater than 250 T shall not increase their catches during 1995 and 1996 beyond their 1993 or 1994 level, whichever is higher. Contracting Parties whose catches in the South Atlantic are less than 250 T shall not increase their catch in 1995 and 1996 beyond 250 T.
- 5 Existing recommendations, adopted at the 1990 ICCAT meeting, regarding minimum fish size remain in effect.
- 6 Contracting Parties are encouraged to take other appropriate measures to protect small swordfish, including, but not limited to, the establishment of time and area closures, possibly determined by test fisheries. Contracting Parties are further encouraged to conduct the necessary studies to determine whether gear selectivity can reduce catches of undersize fish.
- 7 Contracting Parties will exchange information through the Secretariat with respect to long term management approaches for swordfish in the Atlantic, and will decide whether or not to hold a Working Group to discuss these matters before the 1995 annual ICCAT meeting. The Working Group would also discuss the possibility of adopting multilateral trade measures, consistent with their trade obligations, to deal with non-Contracting Parties which undermine the ICCAT conservation measures regarding swordfish. Discussions of the Working Group would also focus on how ICCAT should deal with requests from Contracting Parties who wish to enter an ICCAT-managed fishery.
- 8 Notwithstanding Article VIII, paragraph 2, of the Convention, the Executive Secretary shall bring to the attention of non-Contracting Parties, whose vessels fish for swordfish in the Atlantic Ocean, the measures being taken by the Contracting Parties and seek their cooperation in taking similar conservation measures consistent with the recommendations of the Commission.



Division of swordfish stocks for management purposes.

**RESOLUTION BY ICCAT FOR EVALUATING
ALTERNATIVES TO REDUCE CATCHES OF
JUVENILES OR DEAD DISCARDS OF SWORDFISH**

(Transmitted to Contracting Parties: **March 22, 2002**)

RECALLING that the Commission and the SCRS has taken great interest in the potential of utilizing time-area closures as an effective tool for reducing the mortality of undersized swordfish and other species;

RECOGNIZING that in 1999, the SCRS expressed concerns “about the high catches (landings plus discards) of small swordfish” and regarding both the lack and possible inaccuracies of size data in many fisheries;

RECALLING that the Commission has responded to the concerns of the SCRS regarding small fish mortality with the adoption of two minimum size limitations, and has directed the SCRS to report at the 2002 Commission meeting on alternative means of reducing mortality on small swordfish, specifically area closures and gear modifications;

RECOGNIZING further that in 1999, the SCRS also emphasized that gains in yield could accrue if the current minimum size recommendations intended to reduce the mortality of undersized swordfish could be more effectively implemented through the application of innovative approaches;

RECOGNIZING also that in 2001, the SCRS, in response to a Commission request, hold a specific workshop to analyze the problem of juvenile swordfish catches in the Mediterranean, and the results show that time-area closures should be mostly effective if enforced on regional basis, to better protect a large distribution area including some non-Contracting Parties;

RECOGNIZING that some ICCAT Contracting Parties have already implemented time-area closures for the purpose of reducing the mortality of undersized swordfish, and that other Contracting Parties may also choose to do so;

RECALLING that the 1999 *Recommendation by ICCAT to Establish a Rebuilding Plan for North Atlantic Swordfish* encourages Contracting Parties to reduce dead discards of swordfish;

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

- 1 Contracting Parties, Cooperating Non-Contracting Parties, Entities, and Fishing Entities should evaluate any long-term time-area closures implemented within the Convention Area for vessels flying their flag for the purpose of reducing the mortality of undersized swordfish and present such evaluation in the form of a scientific paper to the SCRS for consideration.
- 2 Regional Fishery management organizations should be encouraged to implement time-area closures in their area of competence, if laying within the ICCAT Convention Area, in cases where there is scientific evidence that large identified areas are important for juvenile swordfish. The evaluation of any measures established by such organizations should be presented to SCRS for consideration.
- 3 The purpose of such evaluation should be to determine if such time-area closures implemented by a Contracting Party and/or a Regional Fishery management organization may be as effective, or are likely to be more effective, in reducing the mortality of undersized swordfish caused by vessels flying its flag as the ICCAT minimum size requirement in effect for that Contracting Party at the time of such evaluation, if such requirement were fully complied with.
- 4 The SCRS is requested to review such papers.

- 5 Subsequent to SCRS review, and upon request by a Contracting Party, the Commission should consider whether the applicable minimum size recommendations should be modified or eliminated by the relevant Contracting Party with respect to its vessels, provided the time-area closure remains in place.
- 6 Following SCRS review, and upon request by a Contracting Party, the Commission should consider whether the applicable minimum size recommendations should be modified or eliminated by the relevant Contracting Parties acting in an area subject to a Regional Fishery management organization, provided the time-area closure remains in place in such area.

**RECOMMENDATION BY ICCAT
RELATING TO MEDITERRANEAN SWORDFISH**

(Entered into force: **June 19, 2004**)

NOTING that the Commission's Standing Committee on Research and Statistics (SCRS) in its May 2003 Mediterranean Swordfish assessment has indicated the presence of a stable recruitment pattern and that the current exploitation pattern and level of exploitation are sustainable, as long as the stock does not decline;

RECOGNIZING that the SCRS recommended that the current levels of exploitation not be exceeded, under the current exploitation patterns;

CONSIDERING that the SCRS also indicated that the percentage of juveniles in the catches is relatively high and a reduction in their catches would improve the yield and spawning biomass per recruit.

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

- 1 In order to protect small swordfish, Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall take the necessary measures to reduce the mortality of juvenile swordfish in the entire Mediterranean.
- 2 Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall take the necessary technical measures for their longline fisheries in order to ensure compliance with the objective.
- 3 Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall prohibit the use of driftnets for fisheries of large pelagics in the Mediterranean.

**RECOMMENDATION BY ICCAT
FOR THE CONSERVATION OF NORTH ATLANTIC SWORDFISH**

(Entered into force: **June 10, 2014**)

RECALLING the *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02], the *Recommendation by ICCAT for the Conservation of North Atlantic Swordfish* [Rec. 10-02] and the *Recommendation by ICCAT for the Conservation of North Atlantic Swordfish* [Rec. 11-02];

CONSIDERING that following the 2013 stock assessment, the SCRS indicates that the stock is currently not overfished and that overfishing is not occurring;

NOTING that Recommendation [11-02] requests the Commission to establish at its 2013 meeting conservation and management measures for a next three-year period on the basis of the SCRS advice resulting from the new stock assessment as well as the ICCAT Criteria for the Allocation of Fishing Possibilities [Rec. 01-25].

TAKING INTO ACCOUNT the concern of the SCRS that the allowable country-specific catch levels agreed in [Rec. 11-02] exceed the TAC adopted by the Commission and the scientific recommendation;

DETERMINED to ensure that the total catch for any one year during the management period does not exceed the TAC of 13,700 t;

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

1. The Contracting Parties, and non-Contracting Parties, Entities or Fishing Entities (CPCs) whose vessels have been actively fishing for swordfish in the North Atlantic shall take measures to ensure the conservation of North Atlantic swordfish with the goal of maintaining B_{MSY} , with greater than 50% probability.
2. TAC and catch limits
 - a) A total allowable catch (TAC) shall be 13,700 t for North Atlantic swordfish for 2014, 2015 and 2016.
 - b) The annual catch limits as shown in the table below shall be applied for the three-year period.

| | <i>Catch limit** (t)</i> |
|---------------------------------|--------------------------|
| European Union *** | 6,718* |
| United States*** | 3,907* |
| Canada | 1,348* |
| Japan*** | 842* |
| Morocco | 850 |
| Mexico | 200 |
| Brazil | 50 |
| Barbados | 45 |
| Venezuela | 85 |
| Trinidad & Tobago | 125 |
| United Kingdom (OTs) | 35 |
| France (St. Pierre et Miquelon) | 40 |
| China | 75 |
| Senegal | 250 |
| Korea*** | 50 |
| Belize*** | 130 |
| Philippines | 25 |
| Côte d'Ivoire | 50 |
| St. Vincent & the Grenadines | 75 |
| Vanuatu | 25 |
| Chinese Taipei | 270 |

* Catch limits of these four CPCs are based upon quota allocation shown in 3.c) of the 2006 *Supplemental Recommendation by ICCAT to Amend the Rebuilding Program for North Atlantic Swordfish* [Rec. 06-02].

** The following transfers of annual catch limits shall be authorized:

- From Japan to Morocco: 50 t
- From Japan to Canada: 35 t
- From EU to France (St. Pierre et Miquelon) : 40 t
- From Senegal to Canada: 125 t
- From Trinidad & Tobago to Belize: 75 t
- From Philippines to China: 25t
- From Chinese Taipei to Canada: 35 t
- From Brazil, Japan, Senegal and United States to Mauritania: 25 t. each for a total of 100 t per year

These transfers do not change the relative shares of CPCs as reflected in the above catch limits.

*** Japan shall be allowed to count up to 400 t of its swordfish catch taken from the South Atlantic management area against its uncaught North Atlantic swordfish catch limits.

The European Union shall be allowed to count up to 200 t of its swordfish catch taken from the South Atlantic management area against its uncaught North Atlantic swordfish catch limits.

The US shall be allowed to count up to 200 t of its swordfish catch taken from the area between 5°N and 5°S, against its uncaught North Atlantic swordfish catch limit.

Belize shall be allowed to count up to 75 t of its swordfish catch taken from the area between 5°N and 5°S, against its uncaught North Atlantic swordfish catch limit

- c) The total TACs for 2014-2016 shall not be exceeded. For this purpose, if the total annual catch exceeds the TAC of 13,700 t, CPCs who have exceeded their individual adjusted catch limits shall pay back their overharvest. Any amount of the overharvest remaining after such adjustment shall be deducted from the annual catch limits of each CPC in the year following the excess, on a prorata basis of the catch limits in Table in 2.b) above.
3. The Commission shall establish at its 2016 meeting conservation and management measures for a next three-year period on the basis of the SCRS advice resulting from the new stock assessment as well as the ICCAT Criteria for the Allocation of Fishing Possibilities [Ref. 01-25]. In support of this effort, the Commission shall consider development/management plans of coastal developing CPCs and fishing/management plans of other CPCs in 2014, 2015 and 2016 so that adjustments can be made to the existing catch limits and other conservation measures in 2016, as appropriate. Each CPC shall submit its development or fishing/management plan to the Commission by September 15 of each year.
 4. When assessing stock status and providing management recommendations to the Commission in 2016, the SCRS shall consider the interim limit reference (LRP) of $0.4 \cdot B_{MSY}$ or any more robust LRP established through further analysis.
 5. The SCRS and the Commission shall begin a dialogue to allow for the development of harvest control rules (HCRs) for consideration in any subsequent recommendations. Further, while the HCRs are being developed, should the biomass approach the level which triggered the establishment of the previous rebuilding plan [Rec 99-02] then management measures should be considered to avoid further decline and begin to rebuild the stock.
 6. Any unused portion or excess of the annual adjusted quota may be added to/shall be deducted from, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way:

| <i>Catch year</i> | <i>Adjustment year</i> |
|-------------------|------------------------|
| 2014 | 2016 |
| 2015 | 2017 |
| 2016 | 2018 |

However, the maximum underage that a Party may carryover in any given year shall not exceed 15% of the initial catch limit for those CPCs holding catch limits more than 500 t, and 50% for other CPCs. By derogation, the maximum underage in 2013 that a Party may carryover until 2015 shall not exceed 25% of the initial catch limit for those CPCs holding catch limits more than 500 t.

7. If Japan's landings exceed its catch limits in any year, the overage shall be deducted in subsequent years so that total landings for Japan shall not exceed its total catch limits for the three-year period commencing in 2014. When annual landings by Japan are less than its catch limits, the underage may be added to the subsequent years' catch limits, so that total landings by Japan do not exceed its total for the same three-year period. Any underages or overages from the 2011-2013 management period shall be applied to the three-year management period specified herein.
8. All CPCs catching swordfish in the North Atlantic shall endeavor to provide annually the best available data to the SCRS, including catch, catch at size, location and month of capture on the smallest scale possible, as determined by the SCRS. The data submitted shall be for broadest range of age classes possible, consistent with minimum size restrictions, and by sex when possible. The data shall also include discards (both dead and alive) and effort statistics, even when no analytical stock assessment is scheduled. The SCRS shall review these data annually.
9. In order to protect small swordfish, CPCs shall take the necessary measures to prohibit the taking of and landing of swordfish in the entire Atlantic Ocean weighing less than 25 kg live weight, or in alternative, 125 cm lower jaw fork length (LJFL); however, the CPCs may grant tolerances to boats which have incidentally captured small fish, with the condition that this incidental catch shall not exceed 15 percent of the number of swordfish per landing of the total swordfish catch of said boats.
10. Notwithstanding the provisions of paragraph 9, any CPC may choose, as an alternative to the minimum size of 25 kg/ 125 cm LJFL, to take the necessary measures to prohibit the taking by its vessels in the Atlantic Ocean, as well as the landing and sale in its jurisdiction, of swordfish (and swordfish parts), less than 119 cm LJFL, or in the alternative 15 kg, provided that, if this alternative is chosen, no tolerance of swordfish smaller than 119 LJFL, or in the alternative 15 kg, shall be allowed. For swordfish that have been dressed, a cleithrum to keel (CK) measurement of 63cm can also be applied. A Party that chooses this alternative minimum size shall require appropriate record keeping of discards. The SCRS should continue to monitor and analyze the effects of this measure on the mortality of immature swordfish.
11. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, with respect to the annual individual catch limits established above, the CPCs whose vessels have been actively fishing for North Atlantic swordfish shall implement this recommendation as soon as possible in accordance with the regulatory procedures of each CPC.
12. Notwithstanding the *Recommendation by ICCAT Regarding the Temporary Adjustment of Quotas* [Rec. 01-12], in between meetings of the Commission, a CPC with a TAC allocation of North Atlantic swordfish, as per section 2 may make a one-time transfer within a fishing year of up to 15% of its TAC allocation to other CPCs with TAC allocations, consistent with domestic obligation and conservation considerations. Any such transfer may not be used to cover over harvests. A CPC that receives a one-time catch limits transfer may not retransfer that catch limits.
13. This *Recommendation replaces the Recommendation by ICCAT for the Conservation of North Atlantic Swordfish* [Rec. 11-02].

**RECOMMENDATION BY ICCAT ON
SOUTH ATLANTIC SWORDFISH CATCH LIMITS**

(Entered into force: **June 10, 2014**)

CONSIDERING that the Standing Committee on Research and Statistics (SCRS) indicates that substantial unquantified uncertainties affect this stock, in particular due to lack or inconsistencies of available data;

CONSCIOUS that the SCRS underlined that due to the existing uncertainties there is no room to increase the existing TAC;

RECOGNIZING that this multi-annual approach for the management of South Atlantic swordfish reflects the thrust of the *ICCAT Criteria for the Allocation of Fishing Possibilities* [Ref. 01-25], adopted by the Commission in 2001, for the period concerned;

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

1. For 2014, 2015 and 2016, the Total Allowable Catch (TAC) and the catch limits shall be as follows:

(Unit: t)

| | |
|-------------------------------|--------|
| | |
| TAC ⁽¹⁾ | 15,000 |
| Brazil ⁽²⁾ | 3,940 |
| European Union | 4,824 |
| South Africa | 1,001 |
| Namibia | 1,168 |
| Uruguay | 1,252 |
| United States ⁽³⁾ | 100 |
| Cote d'Ivoire | 125 |
| China | 263 |
| Chinese Taipei ⁽³⁾ | 459 |
| United Kingdom | 25 |
| Japan ⁽³⁾ | 901 |
| Angola | 100 |
| Ghana | 100 |
| St. Tome & Principe | 100 |
| Senegal | 417 |
| Philippines | 50 |
| Korea | 50 |
| Belize | 125 |

- (1) The total catch for the three-year management period of 2014-2016 shall not exceed 45,000 t (15,000 t x 3). If the yearly total catch of any of the three years exceeds 15,000 t; the TAC(s) for the following year(s) shall be adjusted to ensure that the three-year total will not exceed 45,000 t. If the total catch in 2016 exceeds 15,000 t and if the three-year total catch exceeds 45,000 t, the exceeded amount for three years shall be adjusted in the next management period. In general, these adjustments shall be carried out through prorata reduction of the quota for each Contracting Party and Cooperating non-Contracting Party, Entity and Fishing Entity (CPC).
- (2) Brazil may harvest up to 200 t of its annual catch limit within the area between 5 degrees North latitude and 15 degrees North latitude.
- (3) Japan's, U.S.A's and Chinese Taipei's underage in 2013 may be carried over to 2015 up to 800 t, 100 t and 400 t, respectively, in addition to their quotas specified in this table. Those CPCs may also carry over unused portions during 2014-2016 but such carried over amounts each year shall not exceed the amounts specified here.

2. Any unused portion or excess of the annual quota/catch limit may be added to/shall be deducted from, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way for South Atlantic swordfish:

| <i>Catch Year</i> | <i>Adjustment Year</i> |
|-------------------|------------------------|
| 2014 | 2016 |
| 2015 | 2017 |
| 2016 | 2018 |

However, the maximum underage that a party may carryover in any given year shall not exceed 30% of the quota of previous year. By derogation, the maximum underage that a party may carryover in 2015 shall not exceed 50% of the quota in 2013.

3. Japan shall be allowed to count up to 400 t of its swordfish catch taken from the part of the North Atlantic management area that is east of 35 degrees W and south of 15 degrees N, against its uncaught South Atlantic swordfish quota.
4. The European Union shall be allowed to count up to 200 t of its swordfish catch taken from the North Atlantic management area against its uncaught South Atlantic swordfish quota.
5. The 50 t quota transfers from South Africa, Japan and United States to Namibia (total: 150 t), the 25 t quota transfers from United States to Côte d'Ivoire, the 25 t quota transfer from United States and the 50 t quota transfers from Brazil and Uruguay to Belize (total: 125 t) shall be authorized. The quota transfers shall be reviewed annually in response to a request from an involved CPC.
6. None of the arrangements in this Recommendation shall be deemed to prejudice a future arrangement relating to South Atlantic swordfish.
7. CPCs shall endeavor to recover any missing catch data for years up to 2012, including reliable Task I and Task II data. CPCs will make available the above data to the SCRS as soon as possible, and not later than one month before the SCRS meeting. From 2013 onwards, CPCs will ensure accurate and timely data submission.
8. The *Recommendation by ICCAT on South Atlantic Swordfish Catch Limits* [Rec. 12-01] is repealed and replaced by this Recommendation.

**RECOMMENDATION BY ICCAT FOR MANAGEMENT MEASURES FOR
MEDITERRANEAN SWORDFISH IN THE FRAMEWORK OF ICCAT**

(Entry into force **10 June 2014**)

NOTING that the SCRS in its assessment in 2007, as reaffirmed in its 2009 advice, estimated that fish less than three years old usually represent 50-70% of the total yearly catches in terms of numbers and 20-35% in terms of weight and indicates that a reduction in the volume of juvenile catches would improve yield per recruit and spawning biomass per recruit levels,

RECOGNISING that the Commission's Standing Committee on Research and Statistics (SCRS) indicated in its 2010 stock assessment that the Commission should adopt a Mediterranean swordfish fishery management plan which ensures that the stock will be rebuilt and kept in levels that are consistent with the ICCAT Convention objective,

NOTING that the SCRS in its assessment in 2010 indicated that overall results suggest that fishing mortality needs to be reduced to move the stock toward the Convention objective of biomass levels which could support MSY and away from levels which could allow a rapid stock decline,

NOTING that the SCRS in its assessment in 2010 indicated that technical modifications of the longline fishing gears, as well as, the way they are operated can be considered as an additional technical measure in order to reduce the catch of juveniles,

RECALLING the *Recommendation by ICCAT relating to Mediterranean Swordfish* [Rec. 03-04], which encourages Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) to take measures to reduce juvenile Mediterranean swordfish catches,

TAKING INTO ACCOUNT the SCRS advice given in 2008, 2009 and 2010, advocating seasonal closures pending the adoption of a more comprehensive management plan for Mediterranean swordfish,

TAKING INTO ACCOUNT that the SCRS advise that swordfish and in particular juvenile swordfish is also caught as a by-catch in other fisheries and that all catches of swordfish should stop during the closed period,

TAKING INTO ACCOUNT that the advices given in 2010 for the swordfish have been considered as still valid in 2011,

TAKING INTO ACCOUNT that the *Recommendation by ICCAT on Mediterranean Swordfish* [Rec. 09-04] needs to be replaced to set the basis for such a more comprehensive management plan for Mediterranean swordfish,

NOTING that the SCRS management recommendation to amend ICCAT Recommendation 11-03 to correct the weight conversion factors relating to the definition of minimum landing sizes in terms of weights, and this in order to be consistent with the conversion factors previously adopted by ICCAT,

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

ICCAT records of vessels authorized to catch Mediterranean swordfish

1. At the latest on the 31 August 2012, and on the 15 January for the following years, CPCs shall provide to the ICCAT Secretariat the lists of all fishing vessels authorized to catch swordfish for the current year in the Mediterranean Sea. These lists shall distinguish:
 - a) All catching vessels authorized to fish actively for swordfish, meaning any vessel that targets swordfish (defined on the basis of the more abundant species anytime on board) during a given fishing season. Vessels not introduced on this list are not authorized to catch, retain on board, tranship, transport, process or land swordfish exceeding more than 5% of the total catch on board by weight or/and number of pieces.

- b) All vessels authorized for swordfish sport and recreational fisheries as defined in the paragraph 2 m) and n) of ICCAT Recommendation 10-04¹.

CPCs shall provide these lists according to the format set out in the Guidelines for Submitting Data and Information Required by ICCAT.

2. Procedures referred in the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area* [Rec. 13-13] shall apply *mutatis mutandis*.

Special fishing authorization

3. Vessels included in the list of authorized vessels under point 1.a and which use harpoons, or participate in pelagic longline fisheries for highly-migratory pelagic stocks in the Mediterranean shall have a special fishing permit for each authorised fishery, by target species and area.
4. By 30 June each year CPCs shall submit to the ICCAT Secretariat the list of the special fishing permits delivered for the previous year.

Closed fishing season

5. Mediterranean swordfish shall not be caught (either as a targeted fishery or as by-catch), retained on board, transhipped or landed during the period from 1 October to 30 November and during an additional period of one month between 15 February and 31 March. CPCs shall communicate to the Commission, by 15 January 2012, the starting date of this additional month of closure.
6. CPCs shall monitor the effectiveness of these closures and shall submit to the Commission, at the latest two months before the annual meeting of the Commission, all relevant information on appropriate controls and inspections to ensure compliance with the measure.

Minimum size

7. Only entire specimens of swordfish, without removal of any external part, or gilled and gutted specimens, can be retained on board, transhipped, landed and transported.
8. In order to protect small swordfish, CPCs shall take the necessary measures to prohibit the catching, retaining on board, transshipping, landing, transporting, storing, selling, displaying or offering for sale Mediterranean swordfish measuring less than 90 cm LJFL or, in alternative, weighing less than 10 kg of round weight or 9 kg of gilled and gutted weight, or 7.5 kg of dressed weight (gilled, gutted, fins off, part of head off).

However, the CPCs may grant tolerances to vessels which have incidentally captured small fish below the minimum size, with the condition that this incidental catch shall not exceed:

- a) 10% by weight or/and number of pieces per landing of the total swordfish catch of said vessels (in 2012),
- b) 5% by weight or/and number of pieces per landing of the total swordfish catch of said vessels as from 2013.

Technical characteristics of the fishing gear

9. The maximum number of hooks that can be set or taken on board of vessels targeting swordfish should be fixed at 2800 hooks for swordfish fishery. A second set of rigged hooks may be allowed on board for trips longer than 2 days provided that are duly lashed and stowed in lower decks so that it may not readily be used.
10. Hook size should never be smaller than 7 cm of height for fishing targeting swordfish

¹ Recommendation 10-04 was replaced by Recommendation 14-04.

11. The length of the pelagic longlines will be of maximum 30 NM (55 km).

Other measures

12. Recognition will be given to CPCs which take more restrictive measures than those foreseen in paragraphs 5, 6, 7, 8, 9, 10 and 11.

Scientific information and advice

13. CPCs shall ensure the maintenance or development of adequate scientific information for highly migratory pelagic species in the Mediterranean.

14. By 30 June each year, CPCs shall communicate specific information for the fishing vessels that were authorized to carry out pelagic longline fisheries and harpoons in the Mediterranean during the preceding year:

a) Specific information on the fishing vessel:

- Name of the vessel (if no name, the registry number without country initials should be indicated);
- Registry number;
- ICCAT list number;

CPCs shall communicate this list electronically to the ICCAT Secretariat according to the format set out in the Guidelines for Submitting Data and Information Required by ICCAT.

b) Specific information related to fishing activities, based on sampling or for the whole fleet:

- Fishing period(s) and total annual number of fishing days of the vessel, by target species and area;
- Geographical areas, by ICCAT statistical rectangles, for the fishing activities carried out by the vessel, by target species and area;
- Type of vessel, by target species and area;
- Number of hooks used by the vessel, by target species and area;
- Number of longline units used by the vessel, by target species and area;
- Overall length of all longline units for the vessel, by target species and area.

c) Specific data on the catches, in the smallest time-area possible:

- Size and, if possible, age distributions of the catches,
- Catches and catch composition per vessel and,
- Fishing effort (average fishing days per vessel, average number of hooks per vessel, average longline units per vessel, average overall length of longline per vessel).

These data shall be provided to SCRS in the format required by ICCAT.

15. The SCRS shall provide in 2013 an updated assessment of the state of the stock on the basis of updated data. It shall assess the effects of this management framework and provide advice on possible amendments of the various measures with a view to recover or to maintain the stock within safe biological limits while delivering economically viable fishing activity.

16. Based on such scientific advice, the ICCAT may decide, by end of 2013 on advisable changes of the management framework for swordfish with a view to complying with the management objective.

Repeals

17. This Recommendation replaces the *Recommendation by ICCAT for Management Measures for Mediterranean Swordfish in the Framework of ICCAT* [Rec. 11-03].

– RECOMMENDATION –
LIMITATION OF FISHING CAPACITY ON N. ALBACORE

(Entered into force: **June 21, 1999**)

RECOGNIZING that the stock of northern albacore is considered by the Commission's Standing Committee on Research and Statistics (SCRS) to be close to full exploitation;

RECALLING that SCRS has recommended over the last years that fishing mortality on this stock should not be increased with regard to the current level;

CONSIDERING that, in order to prevent a further increase in fishing mortality it is necessary to limit the fishing capacity at the level of recent years;

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

- 1 Contracting Parties, non-contracting parties, entities or fishing entities fishing for northern albacore shall limit the fishing capacity of their vessels, exclusive of recreational vessels, for this stock from 1999 onwards, through a limitation of the number vessels to the average number in the period 1993-1995.
- 2 In order to control the compliance with this recommendation, Contracting Parties, and non-contracting parties, entities or fishing entities shall submit, by 1 June 1999, a list of the vessels, exclusive of recreational vessels, participating in a directed fishery for northern albacore in the years referred to in paragraph 1 and, by 1 June and every year thereafter, the list of vessels which will participate in a directed fishery for this stock².
- 3 The provisions of paragraphs 1 and 2 will not apply to Contracting Parties, non-contracting parties, entities or fishing entities whose average catches are less than 200 MT.
- 4 Contracting Parties, non-contracting parties, entities and fishing entities referred to in paragraph 3 above shall limit their annual catches to 200 MT.
- 5 Contracting Parties, non-contracting parties, entities or fishing entities which have already met or will meet by the end of 1999 the requirements of paragraph 1 are not subject to the requirements of paragraphs 3 and 4 and are subject to the reporting requirements of paragraph 2.
- 6 Japan endeavor to limit its total catches of northern albacore to no more than 4% by weight of its total longline bigeye tuna catch in the Atlantic Ocean.
- 7 The Commission request SCRS to carry out an evaluation of the fishing capacity of the different fleets / gears that participate in this fishery with a view to establish fishing effort correspondence.

² Paragraph 2 has been repealed by Recommendation 14-10.

**RECOMMENDATION BY ICCAT
CONCERNING POSSIBLE MANAGEMENT MEASURES
FOR NORTHERN ALBACORE**

(Entered into force: **June 15, 2000**)

CONSIDERING that SCRS concluded in 1998 that the northern albacore stock appears to be at or above full exploitation and reiterated in 1999 that fishing mortality should not be increased above the 1997 level;

RECALLING that SCRS has recommended over the last years that fishing mortality on this stock should not be increased with regard to the current level;

CONSIDERING that, in order to prevent a further increase in fishing mortality, it is necessary to limit the fishing capacity at the level of recent years or to implement any other appropriate management measures;

NOTING that SCRS was unable to estimate the current level of effective effort in the fishery due to absence of data from some surface fleets;

NOTING that SCRS has expressed its concern with the consequences that any increment in the overall effective effort in this fishery would have, given the present status of the stock.

CONSIDERING that Task I and Task II data are required for scientific assessment,

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

- 1 The Commission reiterates its Recommendation of 1998 concerning the limitation of fishing capacity of vessels, exclusive of recreational vessels, fishing for northern albacore from 1999 onwards, through a limitation of the number of vessels to the average number in the period 1993-1995.
- 2 The Commission requests the SCRS to carry out an evaluation of the fishing capacity of the different fleets/gears that participate in the fishery with a view to establishing effective fishing effort correspondence, taking as the reference period the years 1993-1995. Contracting Parties, non-Contracting Parties/Entities/Fishing Entities which have directed fisheries for northern albacore will provide SCRS with all the information required to establish fishing effort correspondence. In the event of the continuation of the lack of data, the SCRS should estimate the missing data from those available.
- 3 In the event that SCRS will not be able to ascertain the correspondence of effective fishing effort among gears, or if the SCRS feels that the existing management measures are insufficient to limit fishing mortality, it may suggest any other appropriate management measures, including different possible stock recovery scenarios, as necessary, taking into account the scientific assessment of the stock at that time.
- 4 Contracting Parties will provide the best available Task I and Task II data that will enable the SCRS to accomplish these analyses.

**SUPPLEMENTAL RECOMMENDATION BY ICCAT CONCERNING
THE NORTH ATLANTIC ALBACORE REBUILDING PROGRAM**

(Entered into force: **June 10, 2014**)

RECALLING the 1998 *Recommendation by ICCAT Concerning the Limitation of Fishing Capacity on Northern Albacore* [Rec. 98-08], the *Recommendation by ICCAT on North Atlantic Albacore Catch Limits for the Period 2008-2009* [Rec. 07-02], the *Recommendation by ICCAT to Establish a Rebuilding Program on North Atlantic Albacore* [Rec. 09-05], and the *Supplemental Recommendation by ICCAT to Establish a Rebuilding Program on North Atlantic Albacore* [Rec. 11-04];

NOTING that the objective of the Convention is to maintain populations at levels that will support maximum sustainable catch (usually referred to as MSY);

CONSIDERING that the 2013 Standing Committee on Research and Statistics (SCRS) stock assessment concluded that the northern albacore stock is overfished but that overfishing is not occurring, and recommended a level of catch of no more than 28,000 t to meet the Convention management objective by 2020;

RECALLING the importance that all fleets participating in the northern albacore fishery submit the required data (catch, effort and catch-at-size) on their fisheries for transmission to the SCRS;

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

1. An annual Total Allowable Catch (TAC) of 28,000 t is established for 2014, 2015 and 2016.
2. This annual TAC shall be allocated among the ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) according to the following:

| <i>Party</i> | <i>Quota (t)</i> |
|----------------|------------------|
| European Union | 21,551.3* |
| Chinese Taipei | 3,271.7** |
| United States | 527 |
| Venezuela | 250 |

3. CPCs other than those mentioned in paragraph 2 shall limit their catches to 200 t.
4. By derogation to paragraphs 2 and 3, Japan shall endeavor to limit its total northern albacore catches to a maximum of 4% in weight of its total bigeye tuna longline catch in the Atlantic Ocean.
5. Any unused portion or excess of a CPC's annual quota/catch limit may be added to/shall be deducted from, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way:

| <i>Year of Catch</i> | <i>Adjustment Year</i> |
|----------------------|------------------------|
| 2012 | 2014 |
| 2013 | 2015 |
| 2014 | 2016 |
| 2015 | 2017 |
| 2016 | 2018 |

However, the maximum underage that a Party may carry-over in any given year shall not exceed 25% of its initial catch quota.

* The European Union will transfer 20 t from its quota to Venezuela in 2014.

** Chinese Taipei will transfer 100 t from its quota to St. Vincent and the Grenadines in 2014, 2015 and 2016 / Chinese Taipei will also transfer 200 t from its quota to Belize in 2014, 2015 and 2016.

If, in any year, the combined landings of CPCs exceed the TAC of 28,000 t, the Commission will re-evaluate the northern albacore recommendation at its next Commission meeting and recommend further conservation measures, as appropriate.

6. The 1998 *Recommendation by ICCAT Concerning the Limitation of Fishing Capacity on Northern Albacore* [Rec. 98-08]* remains in force.
7. The SCRS shall conduct an assessment of this stock in 2016 and provide advice to the Commission on the appropriate management measures to achieve and maintain the Convention objectives. In support of this work, CPCs should promote a scientific program to collect data/information on changes to distribution and/or migratory routes and factors that influences these changes.

As a matter of priority, the SCRS shall continue the development of a Limit Reference Point (LRP) and Harvest Control Rules (HCRs) for this stock with input from the Commission. Future decisions on the management of this stock should be in accordance with the LRP and HCRs.

8. This Recommendation replaces the *Supplemental Recommendation by ICCAT concerning the North Atlantic Albacore Rebuilding Program* [Rec.11-04].

* Recommendation 98-08 has been modified by Recommendation 14-10.

**RECOMMENDATION BY ICCAT ON THE SOUTHERN
ALBACORE CATCH LIMITS FOR THE PERIOD 2014 TO 2016**

(Entered into force: **June 10, 2014**)

NOTING the conclusions of the 2013 Albacore Assessment Meeting, and of the 2013 SCRS Report, that the southern albacore stock is likely to be overfished and is experiencing overfishing with the current best estimate of B2012/ BMSY being 0.91(0.71-1.26) and the current best estimate of F2011/ FMSY being 1.04(0.38-1.32);

ACKNOWLEDGING that total annual declared catches since 2004 have been considerably lower than MSY; but that the status of the stock has remained unchanged and is currently overfished and undergoing overfishing;

RECOGNISING the need to rebuild the southern albacore stock to MSY levels, this being the management objective of ICCAT;

CONSIDERING that catches of 24,000 t is likely to permit the rebuilding of the stock by 2020;

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

1. The annual Total Allowable Catch (TAC) for albacore caught in the Atlantic Ocean South of 5°N shall be 24,000 t for the period 2014 to 2016, this being the TAC that will permit the rebuilding of the stock with at least 50% probability by 2020.
2. Notwithstanding the provisions of paragraph 1, should the total reported albacore catches in 2013, as reported to the 2014 ICCAT meeting, exceed 24,000 t, the TAC for 2015 shall be reduced by the full amount of the 2013 catch in excess of 24,000 t.
3. The annual catch limits for southern Atlantic albacore shall be as follows:

| <i>Catch limits (t)</i> | |
|---------------------------|-------|
| Angola | 50 |
| Belize | 250 |
| Brazil | 2 160 |
| China | 100 |
| Chinese Taipei | 9 400 |
| Cote d'Ivoire | 100 |
| Curacao | 50 |
| European Union | 1 470 |
| Japan | 1 355 |
| Korea | 140 |
| Namibia | 3 600 |
| Philippines | 140 |
| South Africa | 4 400 |
| St Vincent and Grenadines | 100 |
| UK St Helena | 100 |
| Uruguay | 440 |
| Vanuatu | 100 |

All other CPCs not listed above shall limit their catches to 25 t

4. Any unused portion or excess of the individual annual catch limits may be added to/shall be deducted from, according to the case, the respective catch limit during or before the adjustment year, in the following way for southern Atlantic albacore:

- a) Underages of the annual quota may be added to the respective quota for each CPC, to the maximum limit of 25% of their original quota, in the following way:

| <i>Year of catch</i> | <i>Adjustment year</i> |
|----------------------|------------------------|
| 2013 | 2015 |
| 2014 | 2016 |
| 2015 | 2017 |
| 2016 | 2018 |

- b) By the time of the Commission Meeting, those CPCs with underages in the previous year shall inform the amount of their underage they intend to use in the following year. The total underage from the TAC from one given year, minus the underages to be used by those CPCs wishing to do so, may be shared among those CPCs wishing to complement their quota, irrespective to their underages, to the limit of 25% of their original quota.
- c) In the case the total amount of underages requested by all CPCs exceeds the total amount made available under this mechanism, the amount of underages shall be shared pro rata among those CPCs requesting complementation of their quotas, in the proportion of their original quotas.
- d) In respect of the 2013 catches and TAC, underages may only be used to the extent of the available under catch of total TAC.
- e) The carry-over of underages is only applicable to those CPCs specifically referred to in paragraph 3.
- f) In respect of South Africa and Namibia, should either CPC reach its original quota in any given year and the other CPC has underage available, then that CPC shall automatically transfer up to 250 t to the other. In addition, if Namibia reaches its original quota in any given year then Brazil and Uruguay, as a proportion of their respective original quotas, shall automatically transfer a maximum of 150 t of their underage to Namibia.
5. Should a given CPC exceed its quota, the over-catch must be deducted from its original quota by 100% of the total exceeded amount in accordance with the schedule in paragraph 4 and that CPC will be prohibited of requesting any underages made available under the present mechanism in the following year.
6. All CPCs specifically referred to in paragraph 3 may transfer a portion of their quota to another CPC subject to both CPCs agreeing and providing prior notification to the ICCAT secretariat in terms of the quantity to be transferred. The secretariat shall disseminate this notification to all CPCs.
7. Those CPCs that are catching southern Atlantic albacore, shall immediately improve their catch reporting systems to ensure the reporting of accurate and validated southern Atlantic albacore catch and effort data to ICCAT in full accordance with the ICCAT requirements for provision of Task I and Task II catch, effort and size data. In addition, port states CPCs in the south Atlantic shall report the results of their port inspections to the Secretariat in accordance with [Rec. 12-07]. The Secretariat shall forward the reports to the flag CPC.
8. The next stock assessment of southern Atlantic albacore shall be conducted in 2016. Scientists of entities actively fishing for southern Atlantic albacore are strongly encouraged to analyse their fisheries data and to participate in the 2016 assessment.
9. All aspects of the southern Atlantic albacore catch limit and sharing arrangement shall be reviewed and revised at the 2016 ICCAT Commission meeting, taking account of the results of the updated southern Atlantic albacore stock assessment to be conducted in 2016. This review and revision shall also address any over-harvests made in excess of the 2014 to 2016 TAC.
10. This Recommendation replaces, in its entirety, the 2011 Recommendation by ICCAT on the southern Atlantic albacore Catch Limit for 2012 and 2013 [Rec. 11-05].

**SUPPLEMENTAL RECOMMENDATION BY ICCAT
ON BLUEFIN TUNA RESEARCH IN
THE CENTRAL NORTH ATLANTIC OCEAN**

(Entered into force: **August 21, 2002**)

GIVEN that at its 1998 meeting the Commission adopted a 20-year rebuilding program for bluefin tuna in the West Atlantic;

CONSIDERING that the uncertainty associated with the boundary between the east and west management units for bluefin tuna highlights the need for sound management in both the east and west Atlantic;

NOTING the 2000 Recommendation by this Commission to support research in the central North Atlantic, and the subsequent research conducted in 2001 and reported to the SCRS;

DESIRING to continue to support this important research in the central North Atlantic Ocean:

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

- 1 The Commission continue to endorse the recommendation of the ICCAT Bluefin Year Program and the 2000 Workshop on the Biology of Bluefin Tuna in the Mid-Atlantic regarding new research on bluefin tuna in the central North Atlantic;
- 2 All Contracting Parties, non-Contracting Parties, Entities and Fishing Entities undertake to consider providing funding or other logistical support in order to conduct this critical scientific endeavor;
- 3 Participants in this research be exempt from the Commission's conservation measures for up to 15 T of bluefin tuna annually and up to 15 T annually of other tunas and tuna-like species taken incidentally during the research in 2002 and future years; and
- 4 The United Kingdom on behalf of the Overseas Territory of Bermuda assign exemptions, in accordance with Paragraph 3, to participants in the research such that the objectives of the research are fulfilled to the extent possible, and report to the Commission annually.

**RESOLUTION BY ICCAT REGARDING THE
SCRS MIXING REPORT ON ATLANTIC BLUEFIN TUNA**

(Transmitted to Contracting Parties: **February 22, 2002**)

RECALLING that the Commission adopted, in 2000 at its 12th Special Meeting (Marrakech, Morocco – November 13 to 20, 2000) a resolution for SCRS to examine the effects of mixing of Atlantic bluefin tuna for stock assessments and management.

NOTING that SCRS held a Workshop on Bluefin Mixing in Madrid from September 3-7 and considered the latest evidence on mixing of Atlantic bluefin tuna from the western and eastern fishing grounds from conventional tag, electronic and satellite tag research programs; and considered the latest results of genetic research on the stock structure of bluefin tuna.

ALSO NOTING that SCRS has concluded that it is likely that the distribution of fish from the two known spawning areas overlaps, at least for a part of the year, for a large proportion of the Atlantic Ocean, and that the current boundary does not depict the present understanding of the biological distribution and biological stock structure.

CONSIDERING the SCRS recommendation “that assessment models be developed that permit accommodating more biological realism and which provide for greater flexibility” for managers to select effective and efficient conservation programs and management units for bluefin tuna of western and eastern origin.

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

Contracting Parties, in cooperation with their National Scientists and the SCRS, should endeavor to conduct scientific research throughout the Atlantic Ocean and Mediterranean Sea that will contribute to the better understanding of Atlantic bluefin tuna movement patterns. As recommended by the SCRS, research should include archival tagging of fish of all sizes, larval and spawning studies, and genetic and microconstituent analyses.

**RECOMMENDATION BY ICCAT
ON BLUEFIN TUNA FARMING**

(Entered into force: **June 13, 2007**)

TAKING INTO ACCOUNT the increasing development of bluefin tuna farming activities, especially in the Mediterranean;

RECALLING the conclusions of 6th Ad Hoc GFCM/ICCAT Joint Working Group Meeting on Stocks of Large Pelagic Fishes in the Mediterranean Sea relative to the effects of the bluefin tuna farming and on the solutions that could be studied to regulate this activity;

CONSIDERING the advice of the 2001 Standing Committee on Research and Statistics (SCRS) on effects of bluefin tuna farming in the Mediterranean on the collection of data and consequently on stock assessment procedures;

DESIRING to gradually implement effective management measures that permit the development of bluefin tuna farming in a responsible and sustainable manner in relation to the management of bluefin tuna;

NOTING the potential advantages of the use of underwater video monitoring in estimating the number of fish,

CONSIDERING the on-going work to establish a Bluefin Tuna Catch Documentation Programme,

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) whose flag vessels fish or transfer quantities of bluefin tuna to cages for farming shall undertake the necessary measures:
 - a) to require that the captains of vessels (including tugs and towing vessels) carrying out transfer operations of bluefin tuna for caging maintain vessel logs and report the quantities transferred and the number of fish as well as the date, place of harvest and name of the vessel and of the company responsible for the caging. This detailed information shall be entered into a register which shall contain details of all the transshipments carried out during the fishing season. This register shall be kept onboard and be accessible at any time for control purposes.
 - b) to require the reporting of the total amount of the transfers of bluefin tuna including loss in quantity and number during the transportation to the cages by farm for fattening and farming, carried out by their flag vessels.
 - c) to set up and maintain a list of their flag vessels that fish for, provide or transport bluefin tuna for farming purposes (name of the vessel, flag, license number, gear type), i.e., fishing boat, transport vessel, vessels with pools, etc.
 - d) to equip these tugs and towing vessels with an operational satellite tracking and monitoring system (VMS).
2. The CPCs under whose jurisdiction the farms for bluefin tuna are located in the Convention area shall adopt the necessary measures to:
 - a) assign an identifiable different number to each cage of its farming facility.
 - b) ensure that a caging declaration is submitted to the farming CPCs by the operator for further submission to the Commission in accordance with the ICCAT format in the attached **Annex**, on each fishing or transport vessel that participated in the transfer of tuna to cages for fattening, including the quantities of bluefin tuna destined for farming. This declaration shall include information relative to the validation numbers and dates of the bluefin tuna statistical document(s), the quantities (in t) of fish transferred to the cages, the number of fish, loss during transportation, the date, the place, the location of the catch, the name of the vessel, fishing methods used, as well as its flag and license number;

- c) ensure that the tuna farms and the national scientific institutes obtain data as specified in the following paragraph on the size composition of the fish caught as well as the date, time and area of catch and the fishing method used, in order to improve statistics for stock assessment purposes;
To this end, establish a sampling program for the estimation of the numbers-at-size of the bluefin tuna caught which requires notably that size sampling (length or weight) at cages must be done on one sample (=100 specimens) for every 100 t of live fish, or on a 10% sample of the total number of the caged fish. Size samples will be collected during harvesting¹ at the farm and on the dead fish during transport, following the ICCAT methodology for reporting Task II. The sampling should be conducted during any harvesting, covering all cages. Data must be transmitted to ICCAT, by 31 July for the sampling conducted the previous year.
- d) ensure the reporting of the quantities of bluefin tuna placed in cages and of estimates of the growth and mortality while in captivity and of the amounts sold (in t);
- e) set up and maintain a registry of the farming facilities under their jurisdiction;
- f) each CPC referred to in this paragraph shall nominate a single authority responsible for coordinating the collection and verification of information on caging activities and for reporting to and cooperating with the CPC whose flag vessels have fished the caged tuna.
This single authority shall submit, to the CPCs whose flag vessels have fished the caged tuna, a copy of each caging declaration referred to in paragraph 2a and of its supporting Bluefin Tuna Statistical Document, within one week after the completion of the transfer operation of bluefin tuna into cages.
3. CPCs mentioned in paragraphs 1 and 2 shall take the appropriate measures to verify the accuracy of the information received and shall cooperate to ensure that quantities caged are consistent with the reported catches (logbook) amount of each fishing vessel.
4. The CPCs that export farmed bluefin tuna products shall ensure that these products be accompanied by the ICCAT Bluefin Tuna Statistical Document and, where appropriate, that these products be identified as "farmed" with cage number of 2 a) and ICCAT FFB Record Number on the ICCAT Bluefin Tuna Statistical Document.
5. The CPCs shall transmit, each year, to the Executive Secretary, prior to 31 August:
- the total amount of the transfer of bluefin tuna by farm 1 b).
 - the list of flag vessels provided for in paragraph 1c),
 - the results of the program referred to in paragraph 2 c),
 - the quantities of bluefin tuna placed in cage and estimate of the growth and mortality by farm 2 d),
 - the quantities of bluefin tuna caged during the previous year,
 - the quantities by sourcing of origin marketed during the previous year.
6. The CPCs mentioned in this recommendation as well as the Contracting Parties that import bluefin tuna shall cooperate, particularly through the exchange of information.
7. The Commission shall request non-Contracting Parties that farm bluefin tuna in the Convention area to cooperate in the implementation of this recommendation.
8. Based on the information referred to in paragraph 4 on the Bluefin Tuna Statistical Document reports and the Task I data, the Commission shall review the effectiveness of these measures.
9. a) The Commission shall establish and maintain an ICCAT record of farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBs). For the purposes of this recommendation, FFBs not entered into the record are deemed not to be authorized to operate for farming of bluefin tuna caught in the Convention area.
- b) Each CPC under whose jurisdiction FFBs are located shall submit electronically, where possible, to the ICCAT Executive Secretary by 31 August 2004 the list of its FFBs that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
- name of the FFB, register number,
 - names and addresses of owner (s) and operator (s),
 - location,
 - farming capacity (in t)

¹ For fish farmed more than one year, other additional sampling methods should be established.

- c) Each CPC shall notify the Executive Secretary, after the establishment of the ICCAT record of FFBs, of any addition to, any deletion from and/or any modification of the ICCAT record of FFBs at any time such changes occur.
 - d) The ICCAT Executive Secretary shall maintain the ICCAT record of FFBs, and take any measure to ensure publicity of the record through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.
 - e) The CPCs under whose jurisdiction FFBs are located shall take the necessary measures to ensure that their FFBs comply with the relevant ICCAT measures.
 - f) To ensure the effectiveness of ICCAT conservation and management measures pertaining to bluefin tuna:
 - i) CPCs under whose jurisdiction FFBs are located shall validate Bluefin Tuna Statistical Documents only for the farms on the ICCAT record of FFBs,
 - ii) CPCs shall require farmed bluefin tuna, when imported into their territory to be accompanied by the Bluefin Tuna Statistical Document.
 - iii) CPCs importing farmed bluefin tuna and the States that authorize the FFB shall cooperate to ensure that the Bluefin Tuna Statistical Documents are not forged or do not contain misinformation.
 - g) Each CPC shall take the necessary measures, under their applicable legislation, to prohibit the imports and sale of bluefin tuna into and from farms not registered in the ICCAT record of farming facilities authorised to operate as well as those that do not respect the sampling requirements foreseen in paragraph 2c and/or do not participate in the sampling programme referred to in paragraph 2c.
10. a) The Commission shall establish and maintain an ICCAT record of vessels that fish for, provide or transport bluefin for farming, i.e., fishing boats, transport vessels, vessels with pools, etc. For the purpose of this recommendation the vessels not entered into the record are deemed not to be authorized to fish for, provide or transport bluefin tuna for farming.
- b) Each CPC shall submit, electronically where possible, to the ICCAT Executive Secretary by 31 August 2006 the list of the vessels that are authorized to operate for farming of bluefin tuna. This list shall include the following information:
- name of the vessel, registry number
 - previous flag (if any)
 - previous name (if any)
 - previous details of deletion for other registers (if any)
 - international radio call sign (if any)
 - type of vessels, length and gross registered tonnage (GRT)
 - name and address of owner(s) and operator(s)
 - gear used
 - time period authorised for fishing and/or providing or transporting bluefin tuna for farming.
- c) Each CPC shall promptly notify, after the establishment of the initial ICCAT record, the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record and any time such changes occur.
- d) The ICCAT Executive Secretary shall maintain the ICCAT record and take any measure to ensure publicity of the record and through electronic means, including placing it on the ICCAT website in a manner consistent with confidentiality requirement noted by CPCs.
11. Each CPC shall take the necessary measures so that the FFBs do not receive bluefin tuna from vessels that are not included in the ICCAT record (fishing vessels, transport vessels, vessels with pools, etc).
12. The SCRS shall undertake trials to identify growth rates including weight gains during the fattening or caging period.
13. This Recommendation replaces the *Recommendation by ICCAT to Amend the Recommendation on Bluefin Tuna Farming* [Rec. 05-04].

ICCAT DECLARATION ON CAGING

| Vessel name | Flag | Registration Number Identifiable cage number | Date of catch | Place of catch Longitude Latitude | Bluefin Tuna Statistical Document validation number | Bluefin Tuna Statistical Document date | Date of caging | Quantity placed in cage (t) | Number of fish placed in cage for fattening | Size composition | Fattening facility * |
|-------------|------|--|---------------|-----------------------------------|---|--|----------------|-----------------------------|---|------------------|----------------------|
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |

*Facility authorized to operate for fattening of bluefin tuna caught in the Convention area.

**RESOLUTION BY ICCAT ON FISHING
BLUEFIN TUNA IN THE ATLANTIC OCEAN**

(Transmitted to Contracting Parties: **December 14, 2006**)

ACKNOWLEDGING continuing concern about the possible adverse effect of a large shift of fishing effort in the Atlantic on future bluefin tuna conservation programs,

NOTING the SCRS' concern about issues of mixing identified in previous SCRS documents,

NOTING there is strong evidence of mixing in the entire Atlantic, including Central area,

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

Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) should not increase their catch by large-scale tuna longline vessels from the 1999/2000 level in the area north of 10°N, and between 30°W and 45°W.

**RESOLUTION BY ICCAT CONCERNING
ATLANTIC BLUEFIN TUNA SCIENTIFIC RESEARCH ON STOCK ORIGIN AND MIXING**

(Transmitted to Contracting Parties: **December 18, 2008**)

RECALLING the 2001 *Resolution by ICCAT regarding the SCRS Mixing Report on Atlantic Bluefin Tuna* [Res. 01-09] calling on Contracting Parties, Cooperating non-Contracting Parties, Entities, and Fishing Entities (hereinafter referred to as “CPCs”) to conduct scientific research throughout the Atlantic and Mediterranean that would contribute to the better understanding of bluefin tuna movement patterns;

CONSIDERING that the uncertainty associated with the rates of stock mixing in the different fisheries throughout the Atlantic highlights the need for sound management, based on science, in both the west Atlantic and the east Atlantic and Mediterranean;

RECOGNIZING that the Standing Committee on Research and Statistics (SCRS) has noted the need to integrate recent and anticipated advances in otolith microconstituent analyses, age determination, archival tagging and genetics into the assessment and management evaluation processes;

FURTHER RECOGNIZING that the SCRS has advised in its 2008 report that otolith microconstituent data can be very useful to determine stock origin with relatively high accuracy, and thus could be a key factor to improve the ability to conduct mixing analyses; that representative samples need to be collected from all major fisheries, in all areas; and that added value would be obtained if genetic samples were also collected from the same fish, which could potentially result in more accurate and less expensive tests for stock origin;

ACKNOWLEDGING the importance of also identifying existing collections of otoliths collected in historical time periods (e.g., the 1970s and 1980s) in order to understand how the stock origin proportions in the catch may have changed and improve mixing analyses;

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

1. The CPCs, whether operating in the eastern Atlantic and Mediterranean or western Atlantic fishery, should collect otoliths for microconstituent analysis and tissue samples for genetic studies and cooperate in research, including comprehensive archival and conventional tagging studies, that will help resolve issues associated with population structure, spawning site fidelity, and spatial dynamics (including stock mixing). Collection of biological samples should be representative of the fishery and consistent with SCRS guidance and protocols.
2. In support of this work, a CPC with a bluefin tuna quota allocation should consider making a portion of its bluefin tuna quota available for research consistent with domestic obligations, conservation considerations, and a bona fide research plan.
3. CPCs, whether operating in the eastern Atlantic and Mediterranean or western Atlantic fishery, are also encouraged to identify to the SCRS any existing collections of otoliths and other biological samples from historical periods in order to improve mixing analyses.
4. CPCs should encourage their scientists to contact industry and trade association groups in order to obtain representative samples from the various fisheries.

**RECOMMENDATION BY ICCAT CONCERNING THE ATLANTIC-WIDE
RESEARCH PROGRAMME FOR BLUEFIN TUNA (GBYP)**

(Entered into force: **June 7, 2012**)

RECALLING the Commission decision in 2008 to adopt the Atlantic-wide Research Programme for the Bluefin Tuna (GBYP), endorsing the proposal made by the Standing Committee on Research and Statistics (SCRS).

RECALLING the Commission decision in 2009 to initiate the Atlantic-wide Research Programme for Bluefin Tuna (GBYP), endorsing the reviewed and updated SCRS proposal.

RECALLING also the *Resolution by ICCAT Concerning Atlantic Bluefin Tuna Scientific Research on Stock Origin and Mixing* (Res. 08-06).

RECOGNIZING that the research results obtained by GBYP in the initial two phases of the programme provided a large amount of historical and new data on bluefin tuna, including promising results on fishery-independent data obtained by aerial survey on bluefin tuna spawning aggregations.

FURTHER RECOGNIZING that the initial experience showed serious limits caused by the absence of specific provision for the research, particularly important after the adoption and enforcement of the ICCAT Rec. 08-05, Rec.09-06 and Rec. 10-04.

CONSIDERING that the current limits are able to impede the regular activity of the GBYP as they have been proposed by the SCRS and endorsed by the Commission, with particular reference to the aerial survey on spawning aggregations, the biological and genetic sampling and the tagging activities.

FURTHER CONSIDERING that similar problems encountered by a previous ICCAT programme (BYP) were resolved by the *Supplemental Recommendation by ICCAT on Bluefin Tuna Research in the Central North Atlantic Ocean* (Rec. 01-08).

RECOGNIZING that the SCRS, in its 2011 Report, has recommended that the Commission should adopt specific provisions for allowing the regular research activity of GBYP.

ACKNOWLEDGING the importance of conducting the GBYP research as it was requested by the Commission under a clear legal framework.

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

1. The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) shall provide the maximum assistance to ICCAT-GBYP for permits to operate in their relevant maritime areas or airspaces over marine zones which are under their jurisdiction, following the conditions of domestic rules and legislation of each concerned CPC on these issues.
2. The CPCs shall provide ICCAT-GBYP all the necessary contacts at the national level to assist in carrying out the research activities.
3. Scientific institutions and entities participating in the ICCAT-GBYP research activities are exempt from the Commission's conservation measures on bluefin tuna for up to a maximum of an overall amount of 20 metric tons of bluefin tuna annually ("Research Mortality Allowance" or "RMA") taken or killed incidentally during the GBYP biological and genetic sampling programme or the tagging activities, as approved by the SCRS and endorsed by the Commission. These tunas cannot be sold for commercial purposes and shall be reported in detail to ICCAT and SCRS at the end of each Phase of GBYP, according to specific rules that will be established by the ICCAT Secretariat and attached to the research contracts.

4. Scientific institutions and entities participating in the ICCAT-GBYP scientific research activities, as designated, identified and authorized by the ICCAT-GBYP Coordination, are exempt from the Commission's conservation measures on bluefin tuna and particularly from the minimum size limit, the limit concerning the use of any fishing gear or tool and the fishery closures, for allowing the GBYP scientific research activities to be conducted at any time of the year, with any gear and for sampling any size of bluefin tuna, according to the annual programme approved by the SCRS and endorsed by the Commission.
5. All CPCs undertake to consider providing the necessary funding or other logistical support in order to conduct this critical scientific endeavor.

**RECOMMENDATION BY ICCAT AMENDING THE RECOMMENDATION 13-07 BY ICCAT TO
ESTABLISH A MULTI-ANNUAL RECOVERY PLAN FOR BLUEFIN
TUNA IN THE EASTERN ATLANTIC AND MEDITERRANEAN**

(Entered into force **2 August 2015**)

ACKNOWLEDGING the need to rationalize some of the existing provisions of the Recovery plan;

CONFIRMING the importance of maintaining the scope and integrity of the control measures;

ACKNOWLEDGING that the Standing Committee on Research and Statistics (SCRS) noted in its 2014 advice that maintaining the Total Admissible Catch (TAC) or moderately and gradually increasing over recent TACs under the current management scheme should not undermine the success of the rebuilding plan;

HIGHLIGHTING that, according the last SCRS scientific advice and even if uncertainties remain in assessment results, the goal of the recovery plan might already have been, or will soon be reached;

CONSIDERING therefore that a new phase to the recovery plan will have to be implemented following the 2014 SCRS management recommendation;

NOTING that managing fishing activities by maintaining catches at or below the MSY estimate shall also be supported by a Spawning Stock Biomass (SSB) maintained over or at a level of the corresponding SSB_{MSY} ;

RECALLING that the SCRS indicated that the most precautionary MSY estimate would amount to 23,256 t and that a gradual increase of the catch level to that MSY would allow the population to increase even in the most conservative scenario;

FURTHER NOTING that annual increases of 20% of the TAC over three years would correspond to a moderate and gradual increase of the catch level to the most precautionary MSY estimate of the SCRS;

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

**Part I
General Provisions**

1. The Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs), whose vessels have been actively fishing for bluefin tuna (*Thunnus thynnus*) in the eastern Atlantic and Mediterranean shall implement a 15 year Recovery Plan for bluefin tuna in the eastern Atlantic and Mediterranean starting in 2007 and continuing through 2022, with the goal of achieving B_{MSY} with at least 60% probability.

Definitions

2. For purposes of this Plan:
 - a) "Fishing vessel" means any powered vessel used or intended for use for the purposes of the commercial exploitation of bluefin tuna resources, including catching vessels, fish processing vessels, support vessels, towing vessels, vessels engaged in transshipment and transport vessels equipped for the transportation of tuna products and auxiliary vessels, except container vessels.
 - b) "Catching vessel" means a vessel used for the purposes of the commercial capture of bluefin tuna resources.
 - c) "Processing vessel" means a vessel on board of which fisheries products are subject to one or more of the following operations, prior to their packaging: filleting or slicing, freezing and/or processing.

- d) “Auxiliary vessel” means any vessel used to transport dead bluefin tuna (not processed) from a transport/farming cage, a purse seine net or a tuna trap to a designated port and / or to a processing vessel.
- e) “Towing vessel” means any vessel used for towing cages.
“Support vessel” means any other fishing vessel referred to under 2a).
- f) “Fishing actively” means, for any catching vessel, the fact that it targets bluefin tuna during a given fishing season.
- g) “Joint fishing operation” means any operation between two or more purse seine vessels where the catch of one purse seine vessel is attributed to one or more other purse seine vessels in accordance with the allocation key.
- h) “Transfer operations” means:
 - any transfer of live bluefin tuna from the catching vessel net to the transport cage;
 - any transfer of live bluefin tuna from the transport cage to another transport cage;
 - any transfer of the cage with bluefin tuna from a towing vessel to another towing vessel;
 - any transfer of live bluefin tuna from one farm to another;
 - any transfer of live bluefin tuna from the trap to the transport cage.
- i) “Control Transfer” means any additional transfer being implemented at the request of the fishing/farming operators or the control authorities for the purpose of verifying the number of fish being transferred.
- j) “Trap” means fixed gear anchored to the bottom usually containing a guide net that leads bluefin tuna into an enclosure or series of enclosures where it is kept prior to harvesting.
- k) “Caging” means the transfer of live bluefin tuna from the transport cage or trap to the farming cages.
- l) “Farm” means installation used for the farming of bluefin caught by traps and/or purse seiners.
- m) “Harvesting” means the killing of bluefin tuna in farms or traps.
- n) “Transshipment” means the unloading of all or any of the fish on board a fishing vessel to another fishing vessel. Transfer operations of dead bluefin tuna from the purse seiner net or the towing vessel to an auxiliary vessel shall not be considered as a transshipment.
- o) “Sport fishery” means a non-commercial fishery whose members adhere to a national sport organization or are issued with a national sport license.
- p) “Recreational fishery” means non-commercial fisheries whose members do not adhere to a national sport organization or are not issued with a national sport license.
- q) “BCD or electronic BCD” is a Bluefin Catch Document for bluefin tuna. As appropriate, the reference to BCD shall be replaced by eBCD.
- r) “Control cameras” means Stereoscopic Cameras and/or conventional video cameras for the purpose of the controls foreseen in this Recommendation.
- s) “Farming” means caging of bluefin tuna in farms and subsequent feeding aiming to fatten and increase their total biomass.

Length of vessels

3. All lengths of vessels referred to in this Recommendation shall be understood as length overall.

Part II

Management measures

TAC and quotas

4. Pending the results of the next full assessment and of possible SCRS management recommendations based on a Management Strategy Evaluation (MSE) exercise, the management objective taken into consideration within the next two years is to maintain catches below the level of the most precautionary estimates of the Maximum Sustainable Yield (MSY), leading to reach this MSY target subsequently in three years. Following the most updated SCRS scientific advice and until results of the next stock assessment are available, the quantitative estimate of MSY is at 23,256 t. This quantitative estimate shall be reviewed in the light of results of the 2016 stock assessment.
5. The total allowable catches (TACs) shall be set at:

16,142 t for 2015, 19,296 t for 2016 and 23,155 t for 2017, in accordance with the following allocation scheme:

| CPC | Quota 2015 (t) | Quota 2016 (t) | Quota 2017 (t) | % |
|----------------|----------------|----------------|----------------|------------|
| Albania | 39.65 | 47.40 | 56.91 | 0.2506266 |
| Algeria | 169.81 | 202.98 | 243.70 | 1.0733333 |
| China | 45.09 | 53.90 | 64.71 | 0.2850125 |
| Egypt | 79.20 | 94.67 | 113.67 | 0.5006266 |
| European Union | 9372.92 | 11203.54 | 13451.36 | 59.2435090 |
| Iceland | 36.57 | 43.71 | 52.48 | 0.2311278 |
| Japan | 1345.44 | 1608.21 | 1930.88 | 8.5041103 |
| Korea | 95.08 | 113.66 | 136.46 | 0.6010025 |
| Libya | 1107.06 | 1323.28 | 1588.77 | 6.9973935 |
| Morocco | 1500.01 | 1792.98 | 2152.71 | 9.4811529 |
| Norway | 36.57 | 43.71 | 52.48 | 0.2311278 |
| Syria | 39.65 | 47.40 | 56.91 | 0.2506266 |
| Tunisia | 1247.97 | 1491.71 | 1791.00 | 7.8880702 |
| Turkey | 657.23 | 785.59 | 943.21 | 4.1541604 |
| Chinese Taipei | 48.76 | 58.28 | 69.97 | 0.3081704 |
| TOTAL | 15821 | 18911 | 22705 | 100 |

In addition to the above quotas,

- Algeria may catch up to 200 t, 250 t and 300 t in 2015, 2016 and 2017 respectively. This adjustment shall continue until the Algeria combined quota amount reaches 5% of the TAC.
- Turkey and Egypt may catch up to the following adjustment amounts.

| CPC | 2015 (t) | 2016 (t) | 2017 (t) |
|----------|----------|----------|----------|
| Turkey * | 50 | 60 | 70 |
| Egypt * | 16 | 20 | 25 |

* Adjustment shall be re-established at the 2017 Commission meeting.

- Mauritania may catch up to 5 t for research in each year until the end of 2017. **

** Under this quota Mauritania will conduct research activities that will be reviewed by SCRS by the end of 2017. Such activities will be conducted in cooperation with an ICCAT CPC of its choice and will be subject to the presentation of a specific programme to the SCRS. The result will be made available to the Commission.

- Libya may carry over up to 50 t of its 2011 unused quota in each year until the end of 2017.

These TACs shall be reviewed annually on the advice of the SCRS.

5bis. Depending on availability, Chinese Taipei may transfer up to 10 t of its quota to Egypt in each year until the end of 2017.

Depending on availability, Korea may transfer up to 50 t of its quota to Egypt in 2015, and Egypt may transfer up to 25 t and 25 t of its quotas to Korea in 2016 and 2017 respectively.

Depending on availability, Korea may transfer up to 45 t of its quota to Japan in 2015, and Japan may transfer up to 25 t and 20 t of its quotas to Korea in 2016 and 2017 respectively.

6. If the SCRS detects a serious threat of fishery collapse, the Commission shall suspend all the fisheries for eastern Atlantic and Mediterranean bluefin tuna in the following year. CPCs shall immediately intensify research activities so that SCRS can conduct further analysis and present recommendations on conservation and management measures necessary to resume the fisheries.
7. In 2016 the SCRS will conduct a full stock assessment employing new modelling approaches and new information. Based on such assessment and on further management recommendations supported by a Management Strategy Evaluation exercise, the Commission may decide by the end of 2017 on advisable changes of the management framework for eastern Atlantic and Mediterranean bluefin tuna.
8. With a view to ensuring compliance with the provisions of this Recommendation, each CPC shall submit fishing, inspection and capacity management plans to the ICCAT Secretariat by 15 February each year. For the fisheries concerned by paragraph 20 of this Recommendation, when submitting their fishing plan to ICCAT, CPCs shall specify if the starting dates have been modified, as well as the coordinates of the areas concerned. If prior to 31 March the Commission finds a serious fault in the plans submitted by a CPC and cannot endorse the plans, the Commission shall decide on the suspension of bluefin tuna fishing in that year by that CPC by mail vote.

Non-submission of the plans referred to above shall automatically lead to suspension of bluefin tuna fishing in that year.

Associated conditions to TAC and quotas

9. Each CPC shall take the necessary measures to ensure that the fishing effort of its catching vessels and its traps are commensurate with the fishing opportunities on bluefin tuna available to that CPC in the eastern Atlantic and Mediterranean Sea, including by establishing individual quotas for its catching vessels over 24 m included in the list referred to in paragraph 51.a).
10. Each CPC shall draw up an annual fishing plan for the catching vessels and traps fishing bluefin tuna in the eastern Atlantic and Mediterranean Sea. The annual fishing plan shall identify the quotas allocated to each gear group referred to paragraphs 18 to 23, the method used to allocate and manage quotas as well as the measure to ensure the respect of the individual quotas and by-catch.
11. Each CPC may also allocate a specific quota for the purpose of sport and recreational fisheries as defined in paragraphs 2.o) and 2.p).
12. Any subsequent modification to the annual fishing plan or the individual quotas allocated for catching vessels over 24 m and included in the lists referred to in paragraph 51.a), shall be transmitted to the ICCAT Executive Secretariat at least 48 hours before the exercise of the activity corresponding to that modification.
13. The flag CPC may require the catching vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.
14. No carry-over of any under-harvests shall be made under this Plan.
15. The transfer of quotas between CPCs shall be done only under authorization by the CPCs concerned and the Commission.

16. No chartering operation for the bluefin tuna fishery is permitted.
17. No JFOs between different CPCs shall be permitted. However, a CPC with less than 5 authorized purse seiners may authorize joint fishing operations with any other CPC. Each CPC conducting a JFO shall be responsible and accountable for the catches made under this JFO.

Any CPC joint fishing operation for bluefin tuna shall only be authorized with the consent of the CPC if the vessel is equipped to fish bluefin tuna and has an individual quota, and in accordance with the following requirements.

At the moment of the application for the authorization, following the format set in **Annex 5**, each CPC shall take the necessary measures to obtain from its purse seine vessel(s) participating in the joint fishing operation the following information:

- duration,
- identity of the operators involved,
- individual vessels' quotas,
- the allocation key between the vessels for the catches involved, and
- the information on the farms of destination.

Each CPC shall transmit all this information to the ICCAT Secretariat at least ten days before the start of the operation. In presence of force majeure, the notification of changes regarding the farm of destination is not required 10 days before the operation, but shall be provided as soon as possible and the farm State authorities shall provide the ICCAT Secretariat with the description of the events constituting a force majeure.

The Commission shall establish and maintain an ICCAT record of all joint fishing operations authorized by the CPCs in the eastern Atlantic and Mediterranean Sea.

Open fishing seasons

18. Bluefin tuna fishing shall be permitted in the eastern Atlantic and Mediterranean by large-scale pelagic longlines catching vessels over 24 m during the period from 1 January to 31 May with the exception of the area delimited by West of 10°W and North of 42°N, as well as in the Norwegian Economic Zone, where such fishing shall be permitted from 1 August to 31 January.
19. Purse seine fishing for bluefin tuna shall be permitted in the eastern Atlantic and Mediterranean during the period from 26 May to 24 June, with the exception of the Norwegian Economic Zone where such fishing shall be permitted from 25 June to 31 October.
20. Bluefin tuna fishing by baitboats and trolling boats shall be permitted in the eastern Atlantic and Mediterranean during the period from 1 July to 31 October. CPCs may specify a different starting date for the fishing seasons for these vessels operating in the eastern Atlantic, since it does not affect the protection of spawning grounds, while keeping at four months the total duration of the open season for these fisheries.
21. Bluefin tuna fishing by pelagic trawlers shall be permitted in the eastern Atlantic during the period from 16 June to 14 October.
22. Bluefin tuna recreational and sport fishing shall be permitted in the eastern Atlantic and Mediterranean from 16 June to 14 October.
23. Fishing for bluefin tuna by other gears not mentioned in paragraphs 18 to 22 shall be permitted throughout the entire year in accordance with the conservation and management measures included in this recommendation.

Spawning grounds

24. The SCRS shall continue working on the identification, as precisely as possible, of spawning grounds, in the Atlantic and Mediterranean. It shall advise the Commission on the creation of sanctuaries.

Use of aerial means

25. CPCs shall take necessary measures to prohibit the use of airplanes, helicopters or any types of unmanned aerial vehicles for searching for bluefin tuna in the Convention area.

Minimum size

26. CPCs shall take the necessary measures to prohibit catching, retaining on board, transshipping, transferring, landing, transporting, storing, selling, displaying or offering for sale bluefin tuna weighing less than 30 kg or with fork length less than 115 cm.
27. By derogation of paragraph 26, a minimum size for bluefin tuna of 8 kg or 75 cm fork length shall apply to the following situations in accordance with the procedures set out in **Annex 1**.
- a) Bluefin tuna caught by baitboats and trolling boats in the eastern Atlantic.
 - b) Bluefin tuna caught in the Adriatic Sea for farming purposes.
 - c) Bluefin tuna caught in the Mediterranean Sea by the coastal artisanal fishery for fresh fish by baitboats, longliners and handliners.
28. For catching vessels and traps fishing actively for bluefin tuna, an incidental catch of maximum 5% of bluefin tuna weighing between 8 and 30 kg or with fork length between 75-115 cm may be authorized.

This percentage is calculated on the total catches in number of fish retained on board this vessel at any time after each fishing operation in the above mentioned weight or length categories.

By-catch

29. Vessels not fishing actively for bluefin tuna are not authorized to retain at any time, bluefin tuna exceeding more than 5% of the total catch by weight or number of pieces. Number of pieces shall only apply to tuna and tuna-like species managed by ICCAT as provided in the 2014 SCRS report.

This prohibition does not apply to CPCs whose domestic legislation requires that all dead fish be landed. All by-catches must be deducted from the quota of the flag State CPC.

If no quota has been allocated to the CPC of the fishing vessel or trap concerned or if it has already been consumed, the catching of bluefin tuna as by-catch is not permitted and CPCs shall take the necessary measures to ensure their release. If however such bluefin tuna dies it must be landed, whole and unprocessed, where it shall be subject to confiscation and the appropriate follow-up action. CPCs shall report information on such quantities on an annual basis to the ICCAT Secretariat who shall make it available to SCRS.

The procedures referred to in paragraphs 58, 59, 60, 61, 63, 64, 65 and 94 shall apply to by-catch.

Recreational fisheries and sport fisheries

30. Recreational and sport fisheries on bluefin tuna shall be subject to the authorization for each vessel issued by the flag State CPC.
31. CPCs shall take the necessary measures to prohibit the catch and retention on board, transshipment or landing of more than one bluefin tuna per vessel per day for recreational fisheries and sport fisheries.

This prohibition does not apply to CPCs whose domestic legislation requires that all dead fish be landed.

32. The marketing of bluefin tuna caught in recreational and sport fishing shall be prohibited.
33. Each CPC shall take measures to record catch data including weight and length overall of each bluefin tuna from recreational and sport fishing and transmit them to the SCRS. Dead catches of recreational and sport fisheries shall be counted against the quota allocated to the CPC in accordance with paragraph 11.

34. Each CPC shall take the necessary measures to ensure, to the greatest extent possible, the release of bluefin tuna caught alive, especially juveniles, in the framework of recreational and sport fishing. Any bluefin tuna however landed should be done so whole or gilled and/or gutted.

Part III

Capacity management measures

Adjustment of fishing capacity

35. Each CPC shall adjust its fishing capacity to ensure that it is commensurate with its allocated quota.
36. To that purpose each CPC shall establish an annual fishing management plan for discussion and approval by the Commission. Such plan shall include the information referred to in paragraphs 35 to 45a, as well as detailed information regarding the ways used by CPCs to eliminate overcapacity in addition to scrapping when capacity reduction is required.
37. CPCs shall limit the number, and the corresponding gross registered tonnage of their fishing vessels to the number and tonnage of their vessels that fished for, retained on board, transshipped, transported, or landed bluefin tuna during the period 1 January 2007 to 1 July 2008. This limit shall be applied by gear type for catching vessels.
38. Paragraph 37 shall not be interpreted to affect the measures contained in **Annex 1** paragraphs 1 and 2 of this Recommendation.
39. CPCs shall limit the number of their traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery to the number authorized by each CPC by 1 July 2008.
40. This adjustment may not apply to certain CPCs, in particular developing States that demonstrate that they need to develop their fishing capacity so as to fully use their quota. Such CPCs shall indicate in their management plans the programming of the introduction of additional fishing capacity into the fishery.
41. Without prejudice to paragraph 40, each CPC shall manage its fishing capacity referred to in paragraphs 37, 38 and 39 so as to ensure there is no discrepancy between its fishing capacity and its fishing capacity commensurate with its allocated quota in accordance with the methodology approved at the 2009 annual meeting.
42. To calculate its fishing capacity reduction, each CPC shall take into account, *inter alia*, the estimated yearly catch rates per vessel and gear to be estimated by SCRS.
43. The SCRS shall update the Commission annually and prior to the Commission meeting, on any changes of the estimated catch rates.
44. This adjustment may not apply to certain CPCs that demonstrate that their fishing capacity is commensurate with their allocated quotas.
45. For 2015, 2016, and 2017, when submitting their fishing plan to ICCAT, CPCs shall limit the numbers of their purse seiners to the numbers of purse seiners authorised in 2013 or 2014. This shall not apply to PS operating in the context of the activities referred to in paragraph 27b or to certain CPCs, in particular developing States that demonstrate that they need to develop their fishing capacity so as to fully use their quota.
- 45a. By derogation to the provisions of paragraphs 37 and 39, for 2015, 2016 and 2017, CPCs may decide to include in their annual fishing plans referred to in paragraphs 36 and 45, a higher number of traps and vessels to fully utilise their fishing opportunities. The calculations to establish such increase shall be made in accordance with the methodology approved at the 2009 annual meeting and with the conditions set in paragraph 42.

Adjustment of farming capacity

46. Each farming CPC shall establish an annual farming management plan in case of modification of the plan approved in 2009 for discussion and approval by the Commission. Such plan shall include the information referred in paragraphs 47 to 49. Modifications of the farming management plan shall be submitted to the ICCAT Secretariat by the 1 May each year.
47. Each CPC shall limit its tuna farming capacity to the total farming capacity of the farms that were registered in the ICCAT list or authorized and declared to ICCAT as of 1 July 2008.
48. Each CPC shall establish an annual maximum input of wild caught bluefin tuna into its farms at the level of the input quantities registered with ICCAT by its farms in 2005, 2006, 2007 or 2008.
49. Within the maximum input quantity of wild caught bluefin tuna referred to in paragraph 48, each CPC shall allocate maximum annual inputs to its farms.
50. The plans referred to in paragraphs 35 to 49 shall be submitted according to the procedures laid down in paragraph 8 of this recommendation.

Part IV

Control measures

ICCAT Record of vessels authorized to fish bluefin tuna

51. a) The Commission shall establish and maintain an ICCAT record of all catching vessels authorized to fish actively for bluefin tuna in the eastern Atlantic and Mediterranean Sea.
- b) The Commission shall establish and maintain an ICCAT record of all other fishing vessels (i.e. catching vessels excluded) authorized to operate for bluefin tuna in the eastern Atlantic and Mediterranean Sea.

During a calendar year, a fishing vessel may be registered in any of the ICCAT records referred to paragraphs a) and b) as long as such registration is not in both lists at the same time. Without prejudice to paragraph 29, for the purposes of this Recommendation, fishing vessels not entered into one of the ICCAT records referred to in paragraphs a) and b) are deemed not to be authorized to fish for, retain on board, tranship, transport, transfer, process or land bluefin tuna in the eastern Atlantic and Mediterranean Sea.

52. Each flag CPC shall submit electronically each year to the ICCAT Executive Secretary, at the latest 15 days before the beginning of the fishing seasons referred to in paragraphs 18 to 23, when applicable, the list of its catching vessels authorized to fish actively for bluefin tuna in the eastern Atlantic and Mediterranean Sea referred to in paragraph 51.a). For those catching vessels authorized to fish actively for bluefin tuna and not affected by a fishing season, record on the list shall be permitted at the latest 15 days before such authorization enters into force.

The list of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea referred to in paragraph 51.b) shall be submitted 15 days before the start of their period of authorisation.

Submissions shall be undertaken in accordance with the format set in the Guidelines for Submitting Data and Information Required by ICCAT.

No retroactive submissions shall be accepted. Any subsequent changes shall not be accepted unless a notified fishing vessel is prevented from participation due to legitimate operational reasons or force majeure. In such circumstances, the CPC concerned shall immediately inform the ICCAT Executive Secretary, providing:

- a) full details of the intended replacement fishing vessel(s) referred to in paragraph 51;
- b) a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence or references.

The ICCAT Secretariat will forward cases to the Compliance Committee not sufficiently justified or incomplete as per the conditions in this paragraph. The Contracting Party concerned shall be notified when such cases are forwarded to the Compliance Committee within 5 days of their original change request.

53. Conditions and procedures referred to in the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area* [Rec. 13-13] (except paragraph 3) shall apply *mutatis mutandis*.

ICCAT record of tuna traps authorized to fish for bluefin tuna

54. The Commission shall establish and maintain an ICCAT Record of all tuna traps authorized to fish for bluefin tuna in the eastern Atlantic and Mediterranean Sea. For the purposes of this recommendation, tuna traps not entered into the record are deemed not to be authorized to be used to fish for, retain, transfer or land bluefin tuna.
55. Each CPC shall submit electronically to the ICCAT Executive Secretary, by 1 April each year, the list (including the name of the traps, register number) of its authorized tuna traps referred to in paragraph 54.

Conditions and procedures referred in Recommendation Rec. 13-13 (except paragraph 3) shall apply *mutatis mutandis*.

Information on fishing activities

56. By 1 April each year, each CPC shall notify the ICCAT Secretariat detailed information on bluefin tuna catches in the eastern Atlantic and Mediterranean in the preceding fishing year. This information should include:
- a) the name and ICCAT number of each catching vessel;
 - b) the period of authorisation(s) for each catching vessel;
 - c) the total catches of each catching vessel including nil returns throughout the period of authorisation(s);
 - d) the total number of days each catching vessel fished in the eastern Atlantic and Mediterranean throughout the period of authorisation(s); and
 - e) the total catch outside their period of authorisation (by-catch) including nil returns.

For all vessels which were not authorised to fish actively for bluefin tuna in the eastern Atlantic and Mediterranean but which caught bluefin tuna as by-catch:

- a) the name and ICCAT number or national registry number of the vessel, if not registered with ICCAT;
 - b) the total catches of bluefin tuna.
57. Each CPC shall notify the ICCAT Secretariat of any information concerning vessels not covered in paragraph 56 but known or presumed to have fished for bluefin tuna in the eastern Atlantic and Mediterranean. The ICCAT Secretariat shall forward such information to the flag State for action as appropriate, with a copy to other CPCs for information.

Transshipment

58. Transshipment at sea operations of bluefin tuna in the eastern Atlantic and Mediterranean Sea shall be prohibited.
59. Fishing vessels shall only tranship bluefin tuna catches in designated ports of CPCs. To this end, each CPC shall designate ports in which transshipping of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year.

For a port to be determined as designated port, the port State shall specify permitted transshipping times and places.

The port State shall ensure full inspection coverage during all transshipping times and at all transshipping places.

On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.

The masters of the transshipping fishing vessels shall complete the ICCAT transshipment declaration in accordance with the format set out in **Annex 3**.

60. Prior to entry into any port, the receiving fishing vessel, or its representative, shall provide the relevant authorities of the port State at least 48 h before the estimated time of arrival, with the following:
- a) estimated time of arrival;
 - b) estimated quantity of bluefin tuna retained on board, and information on the geographic area where it was taken;
 - c) the name of the transshipping fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea;
 - d) the name of the receiving fishing vessel, its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea;
 - e) the tonnage and the geographic area of the catch of bluefin tuna to be transhipped.

Any transshipment requires the prior authorization from the flag State of the transshipping fishing vessel concerned.

The master of the transshipping fishing vessel shall, at the time of the transshipment, inform its flag State of the following:

- a) the quantities of bluefin tuna involved;
- b) the date and port of the transshipment;
- c) the name, registration number and flag of the receiving fishing vessel and its number in the ICCAT record of catching vessels authorized to fish actively for bluefin tuna or in the ICCAT record of other fishing vessels authorized to operate in the eastern Atlantic and Mediterranean Sea;
- d) the geographical area of the catch of bluefin tuna.

The relevant authority of the port State shall inspect the receiving vessel on arrival and check the cargo and documentation related to the transshipment operation.

The relevant authority of the port State shall send a record of the transshipment to the flag State authority of the transshipping fishing vessel, within 5 days after the transshipment has ended.

Recording requirements

61. The masters of catching vessels shall maintain a bound or electronic fishing logbook of their operations in accordance with the requirements set out in **Annex 2**.
62. The masters of towing vessels, auxiliary vessels and processing vessels shall record their activities in accordance with the requirements set out in **Annex 2**.
63. Fishing vessels shall only land bluefin tuna catches in designated ports of CPCs. To this end, each CPC shall designate ports in which landing of bluefin tuna is authorized and communicate a list of these ports to the ICCAT Secretariat by 1 March each year. For a port to be determined as designated port, the port State shall specify permitted landing times and places. On the basis of this information the ICCAT Secretariat shall maintain a list of designated ports on the ICCAT website.
64. Prior to entry into any port, the fishing vessels or their representative, shall provide the relevant authorities of the port, at least 4 hours before the estimated time of arrival, with the following:

- a) estimated time of arrival;
- b) estimate of quantity of bluefin tuna retained on board;
- c) the information on the geographic area where the catch was taken.

If the fishing grounds are less than four hours from the port, the estimated quantities of bluefin tuna retained on board may be modified at any time prior to arrival.

Port State authorities shall keep a record of all prior notices for the current year.

All landings shall be controlled by the relevant control authorities and a percentage shall be inspected based on a risk assessment system involving quota, fleet size and fishing effort. Full details of this control system adopted by each CPC shall be detailed in their annual inspection plan referred to in paragraph 8 of this recommendation. This shall also apply for harvest operations.

All caging operations and transshipments shall be inspected by the relevant authorities of the farming and designated port CPC authorities.

The relevant authority shall send a record of the landing to the flag State authority of the fishing vessel, within 48 hours after the landing has ended.

After each trip and within 48 hours of landing, the masters of catching vessels shall submit a landing declaration to the competent authorities of the CPC where the landing takes place and to its flag State. The master of the authorized catching vessel shall be responsible for the accuracy of the declaration, which shall indicate, as a minimum, the quantities of bluefin tuna landed and the area where they were caught. All landed catches shall be weighed and not only estimated.

- 65. The masters of fishing vessels shall complete and transmit to their flag State the ICCAT transshipment declaration no later than 48 hours after the date of transshipment in port.

Communication of catches

- 66. a) Each CPC shall ensure that its catching vessels fishing actively for bluefin tuna communicate during the whole period in which they are authorised to fish bluefin tuna, by electronic or other means to their competent authorities, daily information from logbooks, including the date, time, location (latitude and longitude) and the weight and number of bluefin tuna taken in the plan area.

For purse seiners such daily report shall be on a fishing operation by fishing operation basis including those where the catch was zero.

Such reports shall be transmitted on a daily basis for purse seiners and vessels over 24 meters, and for other catching vessels by the latest Tuesday noon for the preceding week ending Sunday.

- b) Each CPC shall ensure that its traps fishing actively for bluefin tuna communicate a daily catch report (weight and number of fish), within 48 hours by electronic or other means to their competent authorities including zero catches during the whole period they are authorised to fish bluefin tuna.
- c) On the basis of the information referred to in (a) and (b), each CPC shall transmit without delay weekly catch reports for all vessels and traps to the ICCAT Secretariat. Submissions shall be undertaken in accordance with the format set in the Guidelines for Submitting Data and Information Required by ICCAT.

Reporting of catches

- 67. Each CPC shall report its provisional monthly catches by gear type of bluefin tuna including by-catch and from sport and recreational fisheries and nil returns to the ICCAT Secretariat within 30 days of the end of the calendar month in which the catches were made.
- 68. The ICCAT Secretariat shall within 10 days following the monthly deadlines for receipt of the provisional catch statistics collect the information received and circulate it to CPCs together with aggregated catch statistics.

69. CPCs shall report to the ICCAT Secretariat the dates when they have closed the fisheries referred to in paragraphs 18 to 23 as well as when their entire quota of bluefin tuna has been utilized. The ICCAT Secretariat shall promptly circulate this information to all CPCs.

Cross check

70. CPCs shall verify, including by using inspection reports and observer reports, VMS data, the submission of logbooks and relevant information recorded in the logbooks of their fishing vessels, in the transfer/transshipment document and in the catch documents.

The competent authorities shall carry out cross checks on all landings, all transshipment, transfers or caging between the quantities by species recorded in the fishing vessel logbook or quantities by species recorded in the transshipment declaration and the quantities recorded in the landing declaration or caging declaration, and any other relevant document, such as invoice and/or sales notes.

Transfer operations

71. Before any transfer operation, as defined in paragraph 2.h), the master of the catching or towing vessel or its representatives or the representative of the farm or trap, where the transfer in question originates, as appropriate, shall send to its flag State or farm State CPC authorities before the transfer, a prior transfer notification indicating:

- name of the catching vessel or farm or trap and ICCAT number record,
- estimated time of transfer,
- estimate of quantity of bluefin tuna to be transferred,
- information on the position (latitude/longitude) where the transfer will take place and identifiable cage numbers,
- name of the towing vessel, number of cages towed and ICCAT number record where appropriate,
- port, farm, cage destination of the bluefin tuna.

For this purpose, CPCs shall assign a unique number to all cages. Numbers shall be issued with a unique numbering system that includes at least the three letter CPC code followed by three numbers.

72. The flag State shall assign and communicate to the master of the fishing vessel, or trap or farm as appropriate, an authorization number for each transfer operation. The transfer operation shall not begin without the prior authorization issued in accordance with a unique numbering system that includes the 3 letter CPC code, 4 numbers showing the year and 3 letters that indicate either positive authorization (AUT) or negative authorization (NEG) followed by sequential numbers, by the CPC flag State authorities of the catching vessel, the towing vessel, farm or trap. Information regarding dead fish shall be recorded in accordance with the procedures set out in **Annex 11**.

If the flag State of the catching vessel, the towing vessel or the authorities of the CPC where the farm or trap is located considers on receipt of the prior transfer notification that:

- a) the catching vessel or the trap declared to have caught the fish does not have sufficient quota,
- b) the quantity of fish has not been duly reported by the catching vessel or a trap or had not been authorized to be caged and not taken into account for the consumption of the quota that may be applicable,
- c) the catching vessel declared to have caught the fish is not authorized to fish for bluefin tuna, or
- d) the tug vessel declared to receive the transfer of fish is not registered in the ICCAT record of all other fishing vessels referred to in paragraph 51.b) or is not equipped with a Vessel Monitoring System,

it shall not authorize the transfer.

In case the transfer is not authorized the catching CPC shall issue a release order to the master of the catching vessel or trap or farm as appropriate inform them that the transfer is not authorized and to proceed to the release of the fish into the sea according to the procedures described in the paragraph below.

The transfer shall be authorized or not authorized by the flag State of the catching vessel farm or trap as appropriate within 48 hours following the submission of the prior transfer notification. In case that the transfer is not authorized the captain of the catching vessel, the owner of the farm or trap as appropriate has to release the fish into the sea according to the procedures described in **Annex 10** and this paragraph.

The release of bluefin tuna into the sea shall be performed in accordance with **Annex 10** of this Recommendation.

73. The masters of catching or towing vessels or the representative of the farm or trap shall complete and transmit to their flag State the ICCAT transfer declaration at the end of the transfer operation in accordance with the format set out in **Annex 4**.
- a) The transfer declaration forms shall be numbered by the flag authorities of the vessel, farm or trap from where this transfer originates. The numbering system shall include the 3 letters CPC code, followed by 4 numbers showing the year and 3 sequential numbers followed by the 3 letters ITD (CPC-20**/xxx/ITD).
 - b) The original transfer declaration shall accompany the transfer of fish. A copy of the declaration must be kept by the catching vessel or trap and towing vessel.
 - c) Masters of vessels carrying out transfer operations shall report their activities in accordance with the requirements set out in **Annex 2**.

74. The authorization for transfer by the flag State does not prejudice the confirmation of the caging operation.

75. For transfers of live bluefin tuna as defined in paragraph 2.h), the master of the catching vessel or the representative of the farm or trap, where appropriate, shall ensure that the transfer activities shall be monitored by video camera in the water with a view to verify the number of fish being transferred. The minimum standards and procedures for the video recording shall be in accordance with **Annex 8**.

The CPCs shall provide copies of video records to the SCRS upon request. SCRS shall keep confidentiality of commercial activities.

76. The ICCAT Regional Observer on board the catching vessel and trap, as referred to in the ICCAT Regional Observer Programme (**Annex 6**) and paragraphs 89 and 90, shall record and report upon the transfer activities carried out, observe and estimate catches transferred and verify entries made in the prior transfer authorization as referred to in paragraph 72 and in the ICCAT transfer declaration as referred to in paragraph 73.

In cases where there is more than a 10% difference by number between the estimates made by either the regional observer, relevant control authorities and/or the master of the catching vessel, or representative of the trap, or when the video record is of insufficient quality or clarity to make such estimations, an investigation shall be initiated by the flag State of the catching vessel, farm or trap and concluded prior to the time of caging at the farm or in any case within 96 hours of it being initiated. Pending the results of this investigation, caging shall not be authorized and the relevant section of the BCD shall not be validated. However, in cases when the video record is of insufficient quality or clarity to make such estimations, the operator may request to the flag authorities of the vessel to conduct a new transfer operation and to provide the corresponding video record to the Regional Observer.

77. Without prejudice to the verifications conducted by inspectors, the ICCAT Regional Observer shall sign with clearly written name and ICCAT number the ICCAT transfer declaration only when his/her observations are in accordance with ICCAT conservation and management measures and that the information contained within it is consistent with his/her observations including a compliant video record as per the requirements in paragraphs 75 and 76. He/she shall also verify that the ICCAT transfer declaration is transmitted to the master of the tug vessel or farm/trap representative where applicable.

Operators shall complete and transmit to its CPC the ICCAT transfer declaration at the end of the transfer operation to their respective competent authorities, in accordance with the format set out in **Annex 4**.

Caging operations

78. Prior to the start of caging operations for each transport cage, the anchoring of transport cages within 0.5 nautical mile of farming facilities, shall be prohibited.
79. Before any caging operation into a farm, the flag CPC of the catching vessel or trap shall be informed by the competent authority of the farm State of the caging of quantities caught by catching vessels or traps flying its flag.

If the flag CPC of the catching vessel or trap considers on receipt of this information that:

- a) the catching vessel or trap declared to have caught the fish had not sufficient quota for bluefin tuna put into the cage,
- b) the quantity of fish has not been duly reported by the catching vessel or trap and not taken into account for the calculation of any quota that may be applicable,
- c) the catching vessel or trap declared to have caught the fish is not authorized to fish for bluefin tuna,

it shall inform the competent authority of the farm State to proceed to the seizure of the catches and the release of the fish into the sea according to the procedures described in paragraph 72 and **Annex 10**.

The caging shall not begin without the prior confirmation, within 24 hours / 1 working day of the request, of the catching vessel's or trap flag State, or of the CPC authorities of the farm if agreed with the CPC authorities of the catching vessel/trap. If no response is received within 24 hours / 1 working day from the CPC authorities of the catching vessel/trap, the CPC authorities of the farm may authorize the caging operation. This does not prejudice the sovereign rights of the farm CPC.

Fish shall be caged before the 15 August unless the farm CPC receiving the fish provides valid reasons including force majeure, which shall accompany the caging report when submitted.

80. The CPC under whose jurisdiction the farm for bluefin tuna is located shall prohibit placing bluefin tuna in cages for farming bluefin tuna that are not accompanied by the documents required by ICCAT as confirmed and validated by the catching vessel or trap CPC authorities.
81. The CPC under whose jurisdiction the farm is located shall ensure that transfer activities from cages to the farm shall monitored by video camera in the water.

One video record shall be produced for each caging operation in accordance with the procedures in **Annex 8**.

In cases where there is more than a 10% difference by number between the estimates made by either the regional observer, relevant control authorities and/or the farm operator, an investigation shall be initiated by the farm CPC in cooperation with the flag State of the catching vessel and or trap where appropriate. The catching and farm flags undertaking the investigations may use other information at their disposal including the results of the caging programmes referred to under paragraph 83 which use stereoscopic cameras systems or alternative techniques.

82. CPCs shall take the necessary measures and actions to better estimate both the number and weight of bluefin tuna at the point of capture and caging and report the results to the SCRS.

SCRS shall continue to explore operationally viable technologies and methodologies for determining the size and biomass at the points of capture and caging and report to the Commission at the Annual meetings.

83. A programme using stereoscopic cameras systems or alternative techniques that provide the equivalent precision shall cover 100% of all caging operations, in order to refine the number and weight of the fish. This program shall be conducted in accordance with the procedures set out in **Annex 9**.

The results of this programme shall be communicated by the flag State of the farm CPC to the catching CPC and to the Regional Observer. When these results indicate that the quantities of bluefin tuna being caged differ from the quantities reported caught and transferred, an investigation shall be launched. If the investigation is not concluded within 10 working days from the communication of the assessment of the

video from the stereoscopic camera or alternative techniques conducted in accordance with the procedures laid down in **Annex 9**, for a single caging operation or complete assessment of all cagings from a JFO, or if the outcome of the investigation indicates that the number and/or average weight of bluefin tuna is in excess of that declared caught and transferred, the flag CPCs authorities of the catching vessel and or trap shall issue a release order for the excess which must be released in accordance with the procedures laid down in paragraph 72 and **Annex 10**.

The quantities derived in the programme shall be used to decide if releases are required and the caging declarations and relevant sections of the BCD shall be completed accordingly. When a release order has been issued, the farm operator shall request the deployment of a Regional Observer.

The results of this programme shall be submitted by 15 September annually to SCRS by all farming CPCs. The SCRS should evaluate such procedures and results and report to the Commission by the Annual meeting in accordance with **Annex 9**.

84. The transfer of live bluefin tuna from one farming cage to another farming cage shall not take place without the authorization and the presence of the farm State control authorities.
85. A difference superior or equal to 10% between the quantities of bluefin tuna reported caught by the vessel/trap and the quantities established by the control camera shall constitute a Potential Non-Compliance of the vessel/trap concerned.
86. The CPC under whose jurisdiction the farm for bluefin tuna is located shall submit within one week of the completion of the caging operation (a caging operation is not complete until a potential investigation and release are also completed) a caging report to the CPC whose flag vessels has fished the tuna and to the ICCAT Secretariat. This report shall contain the information referred to in the caging declaration as set out in the *Recommendation of ICCAT on Bluefin Tuna Farming* [Rec. 06-07].

When the farming facilities authorized to operate for farming of bluefin tuna caught in the Convention area (hereafter referred to as FFBS) are located beyond waters under jurisdiction of CPCs, the provisions of the previous paragraph shall apply, *mutatis mutandis*, to CPCs where the natural or legal persons responsible for FFBS are located.

VMS

87. Without prejudice to paragraph 1.d) of Recommendation 06-07, CPCs shall implement a vessel monitoring system for their fishing vessels over 24 m, in accordance with the *Recommendation by ICCAT Amending Recommendation 03-14 by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 14-09].

Without prejudice to paragraph 1.d) of Recommendation 06-07, with effect from 1 January 2010 this measure shall be applied for their fishing vessels over 15 m.

The ICCAT Executive Secretary shall make available without delay the information received under this paragraph to CPCs with an active inspection presence in the Plan Area and to SCRS, at its request.

On request from CPCs engaged in inspection at sea operations in the Convention area in accordance with the ICCAT Scheme of Joint International Inspection referred to in paragraphs 97 and 99 of this Recommendation, the ICCAT Secretariat shall make available the messages received under paragraph 3 of *Recommendation by ICCAT Concerning Data Exchange Format and Protocol in Relation to the Vessel Monitoring System (VMS) for the Bluefin Tuna Fishery in the ICCAT Convention Area* [Rec. 07-08] to all fishing vessels.

The transmission of VMS data by fishing vessels over 15 m in length included in the ICCAT bluefin tuna record of 'catching' and 'other' vessels to ICCAT shall start at least 15 days before their period of authorisation and shall continue at least 15 days after their period of authorisation unless the vessel is removed by the flag State authorities.

For control purposes, the transmission of VMS bluefin tuna authorised fishing vessels shall not be interrupted when vessels are in port unless there is a system of hailing in and out of port.

The ICCAT Secretariat shall immediately inform CPCs in term of delays or non-receipt of VMS transmissions and distribute monthly reports to all CPCs with specific information on the nature and the scope of these delays. Such reports shall be weekly during the period 1 May to 30 July.

CPC Observer Programme

88. Each CPC shall ensure coverage by observers, issued with an official identification document, on vessels and traps active in the bluefin tuna fishery on at least:

- 20% of its active pelagic trawlers (over 15 m),
- 20% of its active longline vessels (over 15 m),
- 20% of its active baitboats (over 15 m),
- 100% of towing vessels,
- 100% of harvesting operations from traps.

The observer tasks shall be, in particular, to:

- a) monitor fishing vessel and trap compliance with the present Recommendation,
- b) record and report upon the fishing activity, which shall include, inter alia, the following:
 - amount of catch (including by-catch), that also includes species disposition, such as retained on board or discarded dead or alive,
 - area of catch by latitude and longitude,
 - measure of effort (e.g., number of sets, number of hooks, etc.), as defined in the ICCAT Manual for different gears,
 - date of catch.
- c) observe and estimate catches and verify entries made in the logbook,
- d) sight and record vessels that may be fishing contrary to ICCAT conservation measures.

In addition, the observer shall carry out scientific work, such as collecting Task II data, when required by the Commission, based on the instructions from the SCRS.

In implementing this observer requirement, CPCs shall:

- a) ensure representative temporal and spatial coverage to ensure that the Commission receives adequate and appropriate data and information on catch, effort, and other scientific and management aspects, taking into account characteristics of the fleets and fisheries;
- b) ensure robust data collection protocols;
- c) ensure observers are properly trained and approved before deployment;
- d) ensure, to the extent practicable, minimal disruption to the operations of vessels and traps fishing in the Convention area.

Data and information collected under each CPCs observer programme shall be provided to the SCRS and the Commission, as appropriate, in accordance with requirements and procedures to be developed by the Commission by 2009 taking into account CPC confidentiality requirements.

For the scientific aspects of the programme, the SCRS shall report on the coverage level achieved by each CPC and provide a summary of the data collected and any relevant findings associated with that data. SCRS shall also provide any recommendations to improve the effectiveness of CPC observer programmes.

ICCAT Regional Observer Programme

89. An ICCAT Regional Observer Programme shall be implemented to ensure observer coverage of 100%:

- on all purse seiners authorised to fish bluefin tuna;
- during all transfers of bluefin tuna from purse seiners;
- during all transfers of bluefin tuna from traps to transport cages;
- during all transfers from one farm to another;

- during all cagings of bluefin tuna in farms;
- during all harvesting of bluefin tuna from farms.

Purse seine vessels without an ICCAT regional observer shall not be authorized to fish or to operate in the bluefin tuna fishery.

90. The observer tasks shall be, in particular, to:

- observe and monitor fishing and farming operations in compliance with the relevant ICCAT conservation and management measures,
- sign the ICCAT transfer declarations and BCDs when he/she is in agreement that the information contained within them is consistent with his/her observations,
- carry out such scientific work, for example collecting samples, as required by the Commission based on the directions from the SCRS.

Enforcement

91. CPCs shall take enforcement measures with respect to a fishing vessel, where it has been established, in accordance with its law that the fishing vessel flying its flag does not comply with the provisions of paragraphs 18 to 23, 26 to 28 and 61 to 65 (fishing seasons, minimum size and recording requirements).

The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- fines,
- seizure of illegal fishing gear and catches,
- sequestration of the vessel,
- suspension or withdrawal of authorization to fish,
- reduction or withdrawal of the fishing quota, if applicable.

92. The CPC under whose jurisdiction the farm for bluefin tuna is located shall take enforcement measures with respect to a farm, where it has been established, in accordance with its law that this farm does not comply with the provisions of paragraphs 78 to 86 and 93 (caging operations and observers) and with Recommendation 06-07.

The measures may include in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- fines,
- suspension or withdrawal of the record of FFBS,
- prohibition to put into cages or market quantities of bluefin tuna.

Access to and requirements for video records

93. Each CPC shall take the necessary measures to ensure that the video records as referred to in paragraph 81 are made available to the ICCAT inspectors and ICCAT and CPC observers.

Each CPC shall establish the necessary measures to avoid any replacement, edition or manipulation of the original video record.

Market measures

94. Consistent with their rights and obligations under international law, exporting and importing CPCs shall take the necessary measures:

- to prohibit domestic trade, landing, imports, exports, placing in cages for farming, re-exports and transshipments of eastern Atlantic and Mediterranean bluefin tuna species that are not accompanied by accurate, complete, and validated documentation required by this Recommendation and the

Recommendation by ICCAT Amending the Recommendation 09-11 on an ICCAT Bluefin Tuna Catch Documentation Program [Rec. 11-20] on a Bluefin Tuna Catch Documentation Programme.

- to prohibit domestic trade, imports, landings, placing in cages for farming, processing, exports, re-exports and the transshipment within their jurisdiction, of eastern and Mediterranean bluefin tuna species caught by fishing vessels or traps whose flag State either does not have a quota, catch limit or allocation of fishing effort for that species, under the terms of ICCAT management and conservation measures, or when the flag State fishing possibilities are exhausted, or when the individual quotas of catching vessels referred to in paragraph 10 are exhausted;
- to prohibit domestic trade, imports, landings, processing, and exports from farms that do not comply with Recommendation 06-07.

Conversion factors

95. The conversion factors adopted by SCRS shall apply to calculate the equivalent round weight of the processed bluefin tuna.

Growth factors

96. The SCRS shall review information from BCDs and other submitted data and further study growth rates so as to provide updated growth tables to the Commission by the 2016 Annual meeting.

Part V

ICCAT Scheme of Joint International Inspection

97. In the framework of the Multi-annual Management Plan for Bluefin Tuna, each CPC agrees, in accordance with Article IX, paragraph 3, of the ICCAT Convention, to apply the ICCAT Scheme of Joint International Inspection adopted during its Fourth Regular Meeting, held in November 1975 in Madrid, as modified in **Annex 7**.
98. The Scheme referred to in paragraph 97 shall apply until ICCAT adopts a monitoring, control and surveillance scheme which will include an ICCAT scheme for joint international inspection, based on the results of the Integrated Monitoring Measures Working Group, established by the *Resolution by ICCAT for Integrated Monitoring Measures* [Res. 00-20].
99. When at any time, more than 15 fishing vessels of anyone CPC are engaged in bluefin tuna fishing activities in the Convention area, the CPC shall, during that time have an inspection vessel in the Convention area, or shall cooperate with another CPC to jointly operate an inspection vessel.

Part VI

Final provisions

100. Availability of data to the SCRS

The ICCAT Secretariat shall make available to the SCRS all data received in accordance with the present recommendation.

All data shall be treated in a confidential manner.

101. Evaluation

All the CPCs shall submit each year to the Secretariat regulations and other related documents adopted by them to implement this Recommendation. In order to have greater transparency in implementing this Recommendation, all the CPCs involved in the bluefin tuna chain shall submit each year, no later than 15 October, a detailed report on their implementation of this Recommendation.

102. Cooperation

All the CPCs involved in the bluefin tuna chain are encouraged to enter into bilateral arrangements in order to improve the compliance with the provisions of this recommendation. These arrangements could notably cover exchanges of inspectors, joint inspections and data sharing.

103. Repeals

This Recommendation replaces the *Recommendation by ICCAT Amending the Recommendation 12-03 by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 13-07] and the *Recommendation by ICCAT Complementing Recommendation [12-03] by ICCAT which Established a Multi-annual Recovery Plan for the Eastern Atlantic and Mediterranean Bluefin Tuna* [Rec. 13-08].

ANNEXES

Annex 1

Specific Conditions Applying to the Catching Vessels Referred to in Paragraph 27

1. CPCs shall limit:

- The maximum number of its baitboats and trolling boats authorized to fish actively bluefin tuna to the number of the vessels participating in directed fishery for bluefin tuna in 2006.
- The maximum number of its artisanal fleet authorized to fish actively bluefin tuna in the Mediterranean to the number of the vessel participating in the fishery for bluefin tuna in 2008.
- The maximum number of its catching vessel authorized to fish actively bluefin tuna in the Adriatic to the number of the vessel participating in the fishery for bluefin tuna in 2008. Each CPC shall allocate individual quotas to the concerned vessels.

CPCs shall issue specific authorizations to the vessels referred to in paragraph 1 of this Annex. Such vessels shall be indicated in the list of catching vessels referred to in paragraph 52 of this recommendation, where the conditions for changes shall also apply.

2. Each CPC shall allocate no more than 7% of its quota for bluefin tuna among its baitboats and trolling boats, with up to a maximum of 100 t of bluefin tuna weighing no less than 6.4 kg or 70 cm fork length caught by baitboat vessels of an overall length of less than 17 m by derogation to paragraph 27 of this recommendation.
3. Each CPC may allocate no more than 2% of its quota for bluefin tuna among its coastal artisanal fishery for fresh fish in the Mediterranean.

Each CPC may allocate no more than 90% of its quota for bluefin tuna among its catching vessel in the Adriatic for farming purposes.

4. CPCs whose baitboats, longliners, handliners and trolling boats are authorized to fish for bluefin tuna in the eastern Atlantic and Mediterranean under the conditions of this Annex shall institute tail tag requirements as follows:
 - a) Tail tags must be affixed on each bluefin tuna immediately upon offloading.
 - b) Each tail tag shall have a unique identification number and be included on bluefin tuna catch documents and written on the outside of any package containing tuna.

Logbook requirements

A – Catching Vessels

Minimum specification for fishing logbooks:

1. The logbook must be numbered by sheets.
2. The logbook must be filled in every day (midnight) or before port arrival.
3. The logbook must be completed in case of at sea inspections.
4. One copy of the sheets must remain attached to the logbook.
5. Logbooks must be kept on board to cover a period of one-year operation.

Minimum standard information for fishing logbooks:

1. Master name and address.
2. Dates and ports of departure, Dates and ports of arrival.
3. Vessel name, register number, ICCAT number international radio call sign and IMO number (if available).
4. Fishing gear:
 - a) Type by FAO code
 - b) Dimension (length, 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 including:
 - i) FAO code
 - ii) round (RWT) weight in kg per day
 - iii) number of pieces per day

For purse seiners this should be recorded by fishing operation including nil returns.

6. Master signature.
7. Means of weight measure: estimation, weighing on board and counting.
8. The logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

Minimum information for fishing logbooks in case of landing or transshipment:

1. Dates and port of landing /transshipment
2. Products
 - a) species and presentation by FAO code
 - b) number of fish or boxes and quantity in kg
3. Signature of the Master or Vessel Agent
4. In case of transshipment: receiving vessel name, its flag and ICCAT number

Minimum information for fishing logbooks in case of transfer into cages:

1. Date, time and position (latitude / longitude) of transfer
2. Products:
 - a) Species identification by FAO code
 - b) Number of fish and quantity in kg transferred into cages
3. Name of towing vessel, its flag and ICCAT number
4. Name of the farm of destination and its ICCAT number

5. In case of joint fishing operation, in complement of information laid down in points 1 to 4, the masters shall record in their log book:
 - a) as regards the catching vessel transferring the fish into cages:
 - amount of catches taken on board,
 - amount of catches counted against its individual quota,
 - the names of the other vessels involved in the JFO.
 - b) as regards the other catching vessels not involved in the transfer of the fish:
 - the name of the other vessels involved in the JFO, their international radio call signs and ICCAT numbers,
 - that no catches have been taken on board or transferred into cages,
 - amount of catches counted against their individual quotas,
 - the name and the ICCAT number of the catching vessel referred to in (a).

B –Towing Vessels

1. Masters of towing vessels shall record on their daily logbook, the date, time and position of transfer, the quantities transferred (number of fish and quantity in kg), the cage number, as well as the catching vessel name, flag and ICCAT number, the name of the other vessel(s) involved and their ICCAT number, the farm of destination and its ICCAT number, and the ICCAT transfer declaration number.
2. Further transfers to auxiliary vessels or to other towing vessel shall be reported including the same information as in point 1 as well as the auxiliary or towing vessel name, flag and ICCAT number and the ICCAT transfer declaration number.
3. The daily logbook shall contain the details of all transfers carried out during the fishing season. The daily logbook shall be kept on board and be accessible at any time for control purposes.

C – Auxiliary Vessels

1. Masters of auxiliary vessels shall record their activities daily in their logbook including the date, time and positions, the quantities of bluefin tuna taken onboard, and the fishing vessel, farm or trap name they are operating in association with.
2. The daily logbook shall contain the details of all activities carried out during the fishing season. The daily logbook shall be kept on board and be accessible at any time for control purposes.

D – Processing Vessels

1. Masters of processing vessels shall report on their daily logbook, the date, time and position of the activities and the quantities transshipped and the number and weight of bluefin tuna received from farms, traps or catching vessel where applicable. They should also report the names and ICCAT numbers of those farms, traps or catching vessel.
2. Masters of processing vessels shall maintain a daily processing logbook specifying the round weight and number of fish transferred or transshipped, the conversion factor used, the weights and quantities by product presentation.
3. Masters of processing vessels shall maintain a stowage plan that shows the location and the quantities of each species and presentation.
4. The daily logbook shall contain the details of all transshipments carried out during the fishing season. The daily logbook, processing logbook, stowage plan, original of ICCAT transshipment declarations shall be kept on board and be accessible at any time for control purposes.

No. of document

ICCAT Transshipment Declaration

| | | |
|--|--|--|
| <p>Carrier vessel Name of vessel and radio call sign: Flag: Flag State authorization No. National Register No. ICCAT Register No. IMO No.</p> | <p>Fishing Vessel Name of the vessel and radio call sign: Flag: Flag State authorization No. National register No. ICCAT Register No. External identification: Fishing logbook sheet No.</p> | <p>Final destination: Port: Country: State:</p> |
|--|--|--|

| | | | | | | | |
|-----------|-----|-------|------|-------|-----------|--------------------|-------------------------------|
| Departure | Day | Month | Hour | Year | 2_ 0_ _ _ | F.V Master's name: | Carrier vessel Master's name: |
| Return | _ _ | _ _ | _ _ | From: | _ _ _ | Signature: | Signature: |
| Tranship. | _ _ | _ _ | _ _ | To: | _ _ _ | | |

For transhipment, indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: |_|_| kilograms.

LOCATION OF TRANSHIPMENT

| Port | Sea | | Species | Number of unit of fishes | Type of product live | Type of product whole | Type of product gutted | Type of product head off | Type of product filleted | Type of product | Further transhipments |
|------|------|-------|---------|--------------------------|----------------------|-----------------------|------------------------|--------------------------|--------------------------|-----------------|---|
| | Lat. | Long. | | | | | | | | | |
| | | | | | | | | | | | Date: _____ Place/Position: _____ Authorization CP No. _____ Transfer vessel Master's signature: _____ |
| | | | | | | | | | | | Name of receiver vessel: _____ Flag _____ ICCAT Register No. _____ IMO No. _____ Master's signature _____ |
| | | | | | | | | | | | Date: _____ Place/Position: _____ Authorization CP No. _____ Transfer vessel Master's signature: _____ |
| | | | | | | | | | | | Name of receiver vessel: _____ Flag _____ ICCAT Register No. _____ IMO No. _____ Master's signature _____ |

Obligations in case of transhipment:

1. The original of the transhipment declaration must be provided to the recipient vessel (processing/transport).
2. The copy of the transhipment declaration must be kept by the correspondent catching vessel or trap.
3. Further transshipping operations shall be authorized by the relevant CPC which authorized the vessel to operate.
4. The original of the transhipment declaration has to be kept by the recipient vessel which holds the fish, up to the landing place.
5. The transshipping operation shall be recorded in the logbook of any vessel involved in the operation.

| Document No. | ICCAT Transfer Declaration | | | |
|---|-------------------------------------|---|---|--|
| 1 - TRANSFER OF LIVE BFT DESTINATED FOR FARMING | | | | |
| Fishing vessel name: Call sign: Flag: Flag State transfer authorisation no. ICCAT Register no. External identification: Fishing logbook no. JFO no. eBCD nbr. | Trap name: ICCAT Register no. | Tug vessel name: Call sign: Flag: ICCAT Register no. External identification: | Name of destination farm: ICCAT Register no: Cage Number: | |
| 2 - TRANSFER INFORMATION | | | | |
| Date: __/__/____ | Place or position: Port: | Lat: | Long: | |
| Number of individuals: | | Species: | | |
| Type of product: Live <input type="checkbox"/> Whole <input type="checkbox"/> Gutted <input type="checkbox"/> Other (Specify): | | | | |
| Master of fishing vessel / trap operator / farm operator name and signature: | | Master of receiver vessel (tug, processing, carrier) name and signature: | | Observer Names, ICCAT No. and signature: |
| 3 - FURTHER TRANSFERS | | | | |
| Date: __/__/____ | Place or position: Port: Lat: Long: | | | |
| Tug vessel name: | Call sign: | Flag: | ICCAT Register no. | |
| Farm State transfer authorisation no: | External identification: | Cage no. | Master of receiver vessel name and signature: | |
| Date: __/__/____ | Place or position: Port: Lat: Long: | | | |
| Tug vessel name: | Call sign: | Flag: | ICCAT Register no. | |
| Farm State transfer authorisation no: | External identification: | Cage no. | Master of receiver vessel name and signature: | |
| Date: __/__/____ | Place or position: Port: Lat: Long: | | | |
| Tug vessel name: | Call sign: | Flag: | ICCAT Register no. | |
| Farm State transfer authorisation no: | External identification: | Cage no. | Master of receiver vessel name and signature: | |
| 4 - SPLIT CAGES | | | | |
| Donor Cage no. | Kg: | Nbr of fish: | | |
| Donor Tug vessel name: | Call sign: | Flag: | ICCAT Register no. | |
| Receiving Cage no. | Kg: | Nbr of fish: | | |
| Receiving Tug vessel name: | Call sign: | Flag: | ICCAT Register no. | |
| Receiving Cage no. | Kg: | Nbr of fish: | | |
| Receiving Tug vessel name: | Call sign: | Flag: | ICCAT Register no. | |
| Receiving Cage no. | Kg: | Nbr of fish: | | |
| Receiving Tug vessel name: | Call sign: | Flag: | ICCAT Register no. | |

Joint fishing operation form

| <i>Flag State</i> | <i>Vessel Name</i> | <i>ICCAT No.</i> | <i>Duration of the Operation</i> | <i>Identity of the Operators</i> | <i>Vessels individual quota</i> | <i>Allocation key per vessel</i> | <i>Fattening and farming farm destination</i> | |
|-------------------|--------------------|------------------|----------------------------------|----------------------------------|---------------------------------|----------------------------------|---|------------------|
| | | | | | | | <i>CPC</i> | <i>ICCAT No.</i> |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Date

Validation of the flag State

ICCAT Regional Observer Programme

1. Each CPC shall require its farms, traps and purse seine vessels as referred to in paragraph 89 to deploy an ICCAT regional observer.
2. The Secretariat of the Commission shall appoint the observers before 1 April each year, and shall place them on farms, traps and on board the purse seine vessels flying the flag of Contracting Parties and of non-Contracting Cooperating Parties, Entities or Fishing Entities that implement the ICCAT observer programme. 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 or farm or trap operator. This contract shall be signed by both parties involved.
4. The Secretariat shall establish an ICCAT Observer Programme Manual.

Designation of the observers

5. The designated observers 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 and based on ICCAT training guidelines;
 - the ability to observe and record accurately;
 - a satisfactory knowledge of the language of the flag of the vessel or farm or trap observed.

Obligations of the observer

6. Observers shall:
 - a) have completed the technical training required by the guidelines established by ICCAT;
 - b) be nationals of one of the CPCs and, to the extent possible, not of the farm State, trap State or flag State of the purse seine 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 bluefin tuna fishery.
7. The observer tasks shall be, in particular:
 - a) As regards observers on purse-seine vessels, to monitor the purse seine vessels' compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
 - i) In cases where the observer observes what may constitute non-compliance with ICCAT recommendation he/she shall submit this information without delay to the observer implementing company who shall forward it without delay to the flag State authorities of the catching vessel. For this purpose the observer implementing company shall set up a system through which this information can be securely communicated;
 - ii) record and report upon the fishing activities carried out;
 - iii) observe and estimate catches and verify entries made in the logbook;
 - iv) issue a daily report of the purse seiner vessels' transfer activities;
 - v) sight and record vessels which may be fishing in contravention to ICCAT conservation and management measures;

- vi) record and report upon the transfer activities carried out;
 - vii) verify the position of the vessel when engaged in transfer;
 - viii) observe and estimate products transferred, including through the review of video recordings;
 - ix) verify and record the name of the fishing vessel concerned and its ICCAT number;
 - x) carry out scientific work such as collecting Task II data when required by the Commission, based on the directives from the SCRS.
- b) As regards observers in the farms and traps to monitor their compliance with the relevant conservation and management measures adopted by the Commission. In particular the observers shall:
- i) verify the data contained in the transfer declaration, caging declaration and BCDs, including through the review of video records;
 - ii) certify the data contained in the transfer declaration, caging declaration and BCDs;
 - iii) issue a daily report of the farms' and traps transfer activities;
 - iv) countersign the transfer declaration and caging declarations and BCDs only when he/she agrees that the information contained within them are consistent with his/her observations including a compliant video record as per the requirements in paragraphs 75 and 76;
 - v) carry out such scientific work, for example collecting samples, as required by the Commission, based on the directives from the SCRS;
 - vi) register and verify the presence of any type of tag, including natural marks, and notify any sign of recent tag removals.
- c) 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.
- d) Submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
- e) Exercise any other functions as defined by the Commission.
8. Observers shall treat as confidential all information with respect to the fishing and transfer operations of the purse seiners and of the farms and traps and accept this requirement in writing as a condition of appointment as an observer.
9. Observers shall comply with requirements established in the laws and regulations of the flag or farm State which exercises jurisdiction over the vessel, farm or trap to which the observer is assigned.
10. Observers shall respect the hierarchy and general rules of behaviour which apply to all vessel, farm and trap personnel, provided such rules do not interfere with the duties of the observer under this program, and with the obligations of vessel and farm personnel set forth in paragraph 11 of this Programme.

Obligations of the flag States of purse seine vessels and farm and trap States

11. The responsibilities regarding observers of the flag States of the purse seine vessels and their masters shall include the following, notably:
- a) Observers shall be allowed to access to the vessel, farm and trap personnel and to the gear, cages 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 Programme.
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication;

- 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, farm, trap and vessel owners do not obstruct, intimidate, interfere with, influence, bribe or attempt to bribe an observer in the performance of his/her duties.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the farm State, trap State or flag State of the purse seine 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.

Observer fees and organization

- 12.a) The costs of implementing this program shall be financed by the farm and trap operators and purse seiner's owners. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program;
- b) No observer shall be assigned to a vessel, trap and farm for which the fees, as required under subparagraph a), have not been paid.

ICCAT Scheme of Joint International Inspection

Pursuant to paragraph 3 of Article IX of the Convention, the ICCAT Commission recommends the establishment of the following arrangements for international control outside the waters under national jurisdiction for the purpose of ensuring the application of the Convention and the measures in force thereunder:

I. Serious violations

1. For the purposes of these procedures, a serious violation means the following violations of the provisions of the ICCAT conservation and management measures adopted by the Commission:
 - a) fishing without a license, permit or authorization issued by the flag CPC;
 - b) failure to maintain sufficient records of catch and catch-related data in accordance with the Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;
 - c) fishing in a closed area;
 - d) fishing during a closed season;
 - e) intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by the ICCAT;
 - f) significant violation of catch limits or quotas in force pursuant to the ICCAT rules;
 - g) using prohibited fishing gear;
 - h) falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
 - i) concealing, tampering with or disposing of evidence relating to investigation of a violation;
 - j) multiple violations which taken together constitute a serious disregard of measures in force pursuant to the ICCAT;
 - k) assault, resist, intimidate, sexually harass, interfere with, or unduly obstruct or delay an authorized inspector or observer;
 - l) intentionally tampering with or disabling the vessel monitoring system;
 - m) such other violations as may be determined by the ICCAT, once these are included and circulated in a revised version of these procedures;
 - n) fishing with assistance of spotter planes;
 - o) interference with the satellite monitoring system and/or operation of a vessel without a VMS system;
 - p) transfer activity without transfer declaration;
 - q) transshipment at sea.

2. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious violation, as defined in paragraph 1, the authorities of the flag State of the inspection vessel shall immediately notify the flag State of the fishing vessel, directly as well as through the ICCAT Secretariat. In such situations, the inspector should, also inform any inspection ship of the flag State of the fishing vessel known to be in the vicinity.

3. ICCAT inspectors should register the inspections undertaken and the infringements detected (if any) in the fishing vessel logbook.

4. The flag State CPC shall ensure that, following the inspection referred to in paragraph 2 of this Annex, the fishing vessel concerned ceases all fishing activities. The flag State CPC shall require the fishing vessel to proceed within 72 hours to a port designated by it, where an investigation shall be initiated.

5. In the case where an inspection has detected an activity or condition that would constitute a serious violation, the vessel should be reviewed under the procedures described in the *Recommendation by ICCAT Further Amending Recommendation 09-10 Establishing a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 11-18], taking into account any response actions and other follow up.

II. Conduct of inspections

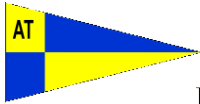
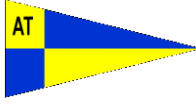
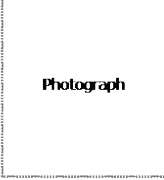
6. Inspections shall be carried out by inspectors designated by the Contracting Governments. The names of the authorized government agencies and individual inspectors designated for that purpose by their respective governments shall be notified to the ICCAT Commission.

7. Ships carrying out international boarding and inspection duties in accordance with this Annex shall fly a special flag or pennant approved by the ICCAT Commission and issued by the ICCAT Secretariat. The names of the ships so used shall be notified to the ICCAT Secretariat as soon as practical in advance of the commencement of inspection activities. The ICCAT Secretariat shall make information regarding designated inspection vessels available to all CPCs, including by posting on its password-protected website.
8. Inspectors shall carry appropriate identity documentation issued by the authorities of the flag State, which shall be in the form shown in paragraph 21 of this Annex.
9. Subject to the arrangements agreed under paragraph 16 of this Annex, a vessel flagged to a Contracting Government and fishing for tuna or tuna-like fishes in the Convention area outside waters under national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship flying the ICCAT pennant described in paragraph 7 and carrying an inspector unless the vessel is actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master* of the vessel shall permit the inspection party, as specified in paragraph 10 of this Annex, to board it and must provide a boarding ladder. The master shall enable the inspection party to make such examination of equipment, catch or gear and any relevant documents as an inspector deems necessary to verify compliance with the ICCAT Commission's recommendations in force in relation to the flag State of the vessel being inspected. Further, an inspector may ask for any explanations that he or she deems necessary.
10. The size of the inspection party shall be determined by the commanding officer of the inspection vessel taking into account relevant circumstances. The inspection party should be as small as possible to accomplish the duties set out in this Annex safely and securely.
11. Upon boarding the vessel, inspectors shall produce the identity documentation described in paragraph 8 of this Annex. Inspectors shall observe generally accepted international regulations, procedures and practices relating to the safety of the vessel being inspected and its crew, and shall minimize interference with fishing activities or stowage of product and, to the extent practicable, avoid action which would adversely affect the quality of the catch on board; Inspectors shall limit their enquiries to the ascertainment of the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned. In making the inspection, inspectors may ask the master of the fishing vessel for any assistance he may require. Inspectors shall draw up a report of the inspection in a form approved by the ICCAT Commission. Inspectors shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he or she may think suitable and must sign such observations.
12. Copies of the report shall be given to the master of the vessel and to the government of the inspection party, which shall transmit copies to the appropriate authorities of the flag State of the inspected vessel and to the ICCAT Commission. Where any infringement of ICCAT recommendations is discovered, the inspector should, where possible, also inform any inspection ship of the flag State of the fishing vessel known to be in the vicinity.
13. Resistance to inspectors or failure to comply with their directions shall be treated by the flag State of the inspected vessel in a manner similar to such conduct committed with respect to a national inspector.
14. Inspectors shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation, but they shall remain under the operational control of their national authorities and shall be responsible to them.
15. Contracting Governments shall consider and act on inspection reports, sighting information sheets as per Recommendation [94-09] and statements resulting from documentary inspections of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements.

* Master refers to the individual in charge of the vessel.

- 16.a) Contracting Governments shall inform the ICCAT Commission by 15 February each year of their provisional plans for conducting inspection activities under this Recommendation in that calendar year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors;
- b) the arrangements set out in this recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them, and such agreement shall be notified to the ICCAT Commission. Provided, however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the ICCAT Commission to that effect, pending completion of such an agreement.
- 17.a) the fishing gear shall be inspected in accordance with the regulations in force for the subarea for which the inspection takes place. Inspectors will state the subarea for which the inspection took place, and a description of any violations found, in the inspection report;
- b) inspectors shall have the authority to inspect all fishing gear in use or on board.
18. Inspectors shall affix an identification mark approved by the ICCAT Commission to any fishing gear inspected which appears to be in contravention of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and shall record this fact in his report.
19. The inspector may photograph the gears, equipment, documentation and any other element he/she considers necessary in such a way as to reveal those features which in their opinion are not in conformity with the regulation in force, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag State.
20. Inspectors shall, as necessary, inspect all catch on board to determine compliance with ICCAT recommendations.
21. The model Identity Card for inspectors is as follows:

Dimensions: Width 10.4cm, Height 7cm

| | | |
|--|--|--|
| <p>INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNA</p>  <p>ICCAT</p> <p>Inspector Identity Card</p> <p>Contracting Party:</p> <p>Inspector Name:</p> <p>Card n°:</p> <p>Issue Date: Valid five years</p> | |  <p>ICCAT</p> <p>The holder of this document is an ICCAT inspector duly appointed under the terms of the Scheme of Joint International Inspection and Surveillance of the International Commission for the Conservation of the Atlantic Tuna and has the authority to act under the provision of the ICCAT Control and Enforcement measures.</p> <p>.....</p> <p>Issuing Authority Inspector</p> |
|  <p>Photograph</p> | | |

Minimum standards for video recording procedures**Transfers**

- i) The electronic storage device containing the original video record shall be provided to the observer as soon as possible after the end of the transfer operation who shall immediately initialize it to avoid any further manipulation.
- ii) The original recording shall be kept on board the catching vessel or by the farm or trap operator where appropriate, during their entire period of authorisation.
- iii) Two identical copies of the video record shall be produced. One copy shall be transmitted to the regional observer on board of the purse seine vessel and one to the CPC observer on board the towing vessel, the latter of which shall accompany the transfer declaration and the associated catches to which it relates. This procedure should only apply to CPC observers in the case of transfers between towing vessels.
- iv) At the beginning and/or the end of each video, the ICCAT transfer authorisation number shall be displayed.
- v) The time and the date of the video shall be continuously displayed throughout each video record.
- vi) Before the start of the transfer, the video shall include the opening and closing of the net/door and whether the receiving and donor cages already contain bluefin tuna.
- vii) The video recording must be continuous without any interruptions and cuts and cover the entire transfer operation.
- viii) The video record should be of sufficient quality to estimate the number of bluefin tuna being transferred.
- ix) If the video record is of insufficient quality to estimate the number of bluefin tuna being transferred, then a new transfer shall be requested by the control authorities. The new transfer must include all the bluefin tuna in the receiving cage into another cage which must be empty.

Caging operations

- i) The electronic storage device containing the original video record shall be provided to the regional observer as soon as possible after the end of the caging operation who shall immediately initialize it to avoid any further manipulation.
- ii) The original recording shall be kept by the farm where applicable, during their entire period of authorisation.
- iii) Two identical copies of the video record shall be produced. One copy shall be transmitted to the regional observer deployed on the farm.
- iv) At the beginning and/or the end of each video, the ICCAT caging authorisation number shall be displayed.
- v) The time and the date of the video shall be continuously displayed throughout each video record.
- vi) Before the start of the caging, the video shall include the opening and closing of the net/door and whether the receiving and donor cages already contain bluefin tuna.
- vii) The video recording must be continuous without any interruptions and cuts and cover the entire caging operation.
- viii) The video record should be of sufficient quality to estimate the number of bluefin tuna being transferred.
- ix) If the video record is of insufficient quality to estimate the number of bluefin tuna being transferred, then a new caging operation shall be requested by the control authorities. The new caging operation must include all the bluefin tuna in the receiving farm cage into another farm cage which must be empty.

Standards and procedures for stereoscopic cameras systems in the context of caging operations

Use of stereoscopic cameras systems

The use of stereoscopic cameras systems in the context of caging operations, as required by article 83 of this Recommendation, shall be conducted in accordance with the following:

- i. The sampling intensity of live fish shall not be below 20% of the amount of fish being caged. When technically possible, the sampling of live fish shall be sequential, by measuring one in every five specimens. Such a sample shall be made up of fish measured at a distance between 2 and 8 meters from the camera.
- ii. The dimensions of the transfer gate connecting the donor cage and the receiving cage shall be set at maximum width of 10 meters and maximum height of 10 meters.
- iii. When the length measurements of the fish present a multi-modal distribution (two or more cohorts of distinct sizes), it shall be possible to use more than one conversion algorithm for the same caging operation. The most up to date algorithm(s) established by SCRS shall be used to convert fork lengths into total weights, according to the size category of the fish measured during the caging operation.
- iv. Validation of the stereoscopic length measurements shall be undertaken prior to each caging operation using a scale bar at a distance of 2 and 8 m.
- v. When the results of the stereoscopic program are communicated, the information shall indicate the margin of error inherent to the technical specifications of the stereoscopic camera system, which shall not exceed a range of +/- 5 percent.
- vi. The report on the results of the stereoscopic program should include details on all the technical specifications above, including the sampling intensity, the way of sampling methodology, the distance from the camera, the dimensions of the transfer gate, and the algorithms (length-weight relationship). SCRS shall review these specifications, and if necessary provide recommendations to modify them.
- vii. In cases where the stereoscopic camera footage is of insufficient quality to estimate the weight of bluefin tuna being caged, a new caging operation shall be ordered by the flag CPC authorities of the catching vessel/trap, or the flag CPC authorities of the farm.

Presentation and use of stereoscopic cameras systems outcome

- i. Decisions regarding differences between the catch report and the results from the stereoscopic system programme shall be taken at the level of the Joint Fishing Operation (JFO) or total trap catches, for JFOs and trap catches destined to a farm facility involving a single CPC and/or EU Member State. The decision regarding differences between the catch report and the results from the stereoscopic system programme shall be taken at the level of the caging operations for JFO's involving more than one CPC and/or EU Member State, unless otherwise agreed by all the flag CPC/State authorities of the catching vessels involved in the JFO.
- ii. The farm CPC/State authorities shall provide a report to the flag CPC/State authorities of the catching vessel, including the following documents:
 - ii.1 Technical stereoscopic system report including:
 - general information: species, site, cage, date, algorithm;
 - sizing statistical information: average weight and length, minimum weight and length, maximum weight and length, number of fish sampled, weight distribution, size distribution.
 - ii.2 Detailed results of the programme, with the size and weight of every fish that was sampled.
 - ii.3 Caging report including:
 - general information on the operation: number of the caging operation, name of the farm, cage number, BCD number, ITD number, name and flag of the catching vessel, name and flag of the towing vessel, date of the stereoscopic system operation and footage file name;

- algorithm used to convert length into weight;
 - comparison between the amounts declared in the BCD and the amounts found with the stereoscopic system, in number of fish, average weight and total weight (the formula used to calculate the difference shall be: $(\text{Stereoscopic System}-\text{BCD}) / \text{Stereoscopic System} * 100$);
 - margin of error of the system;
 - for those caging reports relating to JFOs/traps, the last caging report shall also include a summary of all information in previous caging reports.
- iii. When receiving the caging report, the flag CPC/State authorities of the catching vessel shall take all the necessary measures according to the following situations.
- iii.1 The total weight declared by the catching vessel in the BCD is within the range of the stereoscopic system results:
- no release shall be ordered;
 - the BCD shall be modified both in number (using the number of fish resulting from the use of the control cameras or alternative techniques) and average weight, while the total weight shall not be modified.
- iii.2 The total weight declared by the catching vessel in the BCD is below the lowest figure of the range of the stereoscopic system results:
- a release shall be ordered using the lowest figure in the range of the stereoscopic system results;
 - the release operations must be carried out in accordance with the procedure laid down in paragraph 72 and **Annex 10**;
 - after the release operations took place, the BCD shall be modified both in number (using the number of fish resulting from the use of the control cameras, minus the number of fish released) and average weight, while the total weight shall not be modified.
- iii.3 The total weight declared by the catching vessel in the BCD exceeds the highest figure of the range of the stereoscopic system results:
- no release shall be ordered;
 - the BCD shall be modified for the total weight (using the highest figure in the range of the stereoscopic system results), for the number of fish (using the results from the control cameras) and average weight accordingly.
- iv. For any relevant modification of the BCD, the values (number and weight) entered in Section 2 shall be consistent with those in Section 6 and the values in Sections 3, 4 and 6, shall be not higher those in Section 2.
- v. In case of compensation of differences found in individual caging reports across all cagings from a JFO/trap, whether or not a release operation is required, all relevant BCDs shall be modified on the basis of the lowest range of the stereoscopic system results. The BCDs related to the quantities of bluefin tuna released shall also be modified to reflect the weight/number released. The BCDs related to bluefin tuna not released but for which the results from the stereoscopic systems or alternative techniques differ from those reported caught and transferred shall also be amended to reflect these differences.

The BCDs relating to the catches from where the release operation took place shall also be modified to reflect the weight/number released.

Release Protocol

The release of bluefin tuna from transport/farming cages into the sea shall be recorded by video camera and observed by an ICCAT Regional Observer, who shall draft and submit a report together with the video records to the ICCAT Secretariat.

The release of bluefin tuna from traps into the sea shall be observed by a national observer from a CPC, who shall draft and submit a report to the CPC control authorities.

Before a release operation takes place, CPC control authorities might order a control transfer using standard and/or stereoscopic cameras to estimate the number and weight of the fish that need to be released.

CPC control authorities might implement any additional measures they feel necessary to guarantee that the release operations take place at the most appropriate time and place in order to increase the probability of the fish going back to the stock. The operator shall be responsible for the fish survival until the release operation has taken place. These release operations shall take place within 3 weeks of the completion of the caging operations.

Following completion of harvesting operations, fish remaining in a farm and not covered by an ICCAT bluefin catch document shall be released in accordance with the procedures described in paragraph 72.

Treatment of dead fish

During fishing operations by purse seiners, the quantities of fish found dead in the seine shall be recorded on the fishing vessel logbook and therefore deducted from the Flag CPCs quota.

Recording/treating of dead fish during 1st transfer

- a) The BCD shall be provided to the towing vessel with Section 2 (Total Catch), Section 3 (Live fish trade) and Section 4 (Transfer – including “dead” fish) completed.

The total quantities reported in Sections 3 and 4 shall be equal to the quantities reported in Section 2. The BCD shall be accompanied by the original ICCAT Transfer Declaration (ITD) in accordance with the provisions of this Recommendation. The quantities reported in the ITD (transferred live), must equal the quantities reported in Section 3 in the associated BCD.

- b) A split of the BCD with Section 8 (Trade information) shall be completed and given to the auxiliary vessel which will transport the dead BFT to shore (or retained on the catching vessel if landed directly to shore). This dead fish and split BCD must be accompanied with a copy of the ITD.
- c) With regards to BCDs, dead fish shall be allocated to the catching vessel which made the catch, or in the case of JFOs either to participating catching vessels or flags.

RECOMMENDATION BY ICCAT AMENDING THE SUPPLEMENTAL RECOMMENDATION BY ICCAT CONCERNING THE WESTERN ATLANTIC BLUEFIN TUNA REBUILDING PROGRAM

(Entered into force **3 June 2015**)

RECALLING the 1998 Recommendation by ICCAT to Establish a Rebuilding Program for Western Atlantic Bluefin Tuna [Rec. 98-07], the Recommendation by ICCAT Concerning Conservation of Western Atlantic Bluefin Tuna [Rec. 02-07], the Recommendation by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program and the Conservation and Management Measures for Bluefin Tuna in the Eastern Atlantic and Mediterranean [Rec. 04-05], the Supplemental Recommendations by ICCAT Concerning the Western Atlantic Bluefin Tuna Rebuilding Program [Recs. 06-06, 08-04, 10-03, 12-02, and 13-09];

FURTHER RECALLING that the objective of the Convention is to maintain populations at levels that will support maximum sustainable catch (usually referred to as MSY);

CONSIDERING that the 2014 stock assessment resulted in a more optimistic view of stock status with respect to the 2012 assessment, but that the assessment and the projections do not capture the full degree of uncertainty;

NOTING that under the low recruitment scenario the western Atlantic bluefin tuna stock is above the biomass level that can support MSY and is consistent with the Convention objective. Under the high recruitment scenario (under which higher sustainable yields are possible in the future), the stock remains overfished, but is not experiencing overfishing. Regardless of recruitment scenario, the spawning stock biomass has increased by 70 percent since 1998, when the rebuilding program was adopted;

FURTHER CONSIDERING that the Standing Committee on Research and Statistics (SCRS) has estimated MSY to be 3,050 t under the low recruitment scenario and 5,316 t under the high recruitment scenario;

ACKNOWLEDGING that the SCRS indicates that the issue of identifying either the high or low recruitment scenario, or an alternative scenario, as being the more realistic remains unresolved;

RECOGNIZING that the SCRS recommends that the next stock assessment be conducted in 2016 to incorporate new data from the research conducted under the Atlantic-wide Bluefin Tuna Research Program (GBYP) and related activities and to utilize new assessment methodologies;

FURTHER RECOGNIZING the value of increasing biological sampling to provide additional support toward addressing some key stock assessment uncertainties;

FURTHER ACKNOWLEDGING the need to re-evaluate the western Atlantic bluefin tuna rebuilding program no later than 2016 in light of the 2016 stock assessment results and resulting advice from SCRS;

UNDERSCORING that the SCRS indicates that the strong 2002/2003 year classes and recent reduction in fishing mortality have contributed to a more rapid increase in spawning stock biomass in recent years;

UNDERSCORING FURTHER that SCRS has advised that further increases in spawning stock biomass will increase the ability to discriminate between alternative recruitment hypotheses;

RECOGNIZING that the SCRS noted the uncertainties associated with existing CPUE fishery dependent indices, and suggested that using a scientific research quota within a TAC that is consistent with scientific advice may help support the improvement of stock abundance indices, including fishery independent indices, for western Atlantic bluefin tuna and overcome this situation;

FURTHER ACKNOWLEDGING that management actions taken in the eastern Atlantic and Mediterranean are likely to affect recovery in the western Atlantic, given that the productivity of the western Atlantic bluefin tuna fisheries is linked to the eastern Atlantic and Mediterranean stock;

FURTHER RECOGNIZING the ICCAT Criteria for the Allocation of Fishing Possibilities [Ref. 01-25];

RENEWING the commitment to the full implementation of existing mandatory reporting obligations including those in the *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* [Rec. 03-13];

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) whose vessels have been actively fishing for bluefin tuna in the western Atlantic will continue the 20-year rebuilding program that began in 1999 and continues through 2018.

Effort and capacity limits

2. In order to avoid increasing fishing mortality of bluefin tuna in the eastern or western Atlantic, CPCs will continue to take measures to prohibit any transfer of fishing effort from the western Atlantic to the eastern Atlantic and Mediterranean and from the eastern Atlantic and Mediterranean to the western Atlantic.

TACs, TAC allocations, and catch limits

3. The rebuilding program for bluefin tuna in the western Atlantic will have a TAC, inclusive of dead discards, of 2,000 t in each of 2015 and 2016.
4. The annual TAC, MSY target, and the 20-year rebuilding period shall be reviewed and, if appropriate, adjusted based upon subsequent SCRS advice. No adjustment to the annual TAC or the 20-year rebuilding period shall be considered unless SCRS advice indicates that the TAC under consideration will allow the MSY target to be achieved within the rebuilding period with a 50 percent or greater probability.
5. If the SCRS detects a serious threat of stock collapse, the Commission shall suspend all bluefin tuna fisheries in the western Atlantic for the following year.
6. The allocation of the annual TAC, inclusive of dead discards, will be indicated as follows:
 - a) The annual TAC shall include the following allocations:

| <i>CPC</i> | <i>Allocation</i> |
|---|-------------------|
| USA (by-catch related to longline fisheries in vicinity of management area boundary) | 25 t |
| Canada (by-catch related to longline fisheries in vicinity of management area boundary) | 15 t |

- b) After subtracting the amounts under paragraph 6(a), the remainder of the annual TAC will be allocated as follows:

| CPC | <i>If the remainder of the annual TAC is:</i> | | | |
|--|---|------------------------|--|----------------------------|
| | <2,413 t (A) | 2,413 t (B) | >2,413-2,660 t (C) | >2,660 t (D) |
| United States | 54.02% | 1,303 t | 1,303 t | 49.00% |
| Canada | 22.32% | 539 t | 539 t | 20.24% |
| Japan | 17.64% | 426 t | 426 t + all increase between 2,413 t and 2,660 t | 24.74% |
| United Kingdom (in respect of Bermuda) | 0.23% | 5.5 t | 5.5 t | 0.23% |
| France (in respect of St. Pierre & Miquelon) | 0.23% | 5.5 t | 5.5 t | 0.23% |
| Mexico | 5.56% | 134 t | 134 t | 5.56% |

- c) Consistent with paragraphs 1, 3, and 6(b), the TAC for each of 2015 and 2016 results in the following CPC-specific quota allocations (not including by-catch allowances listed in 6(a)):

| TAC (for each of 2015 and 2016) | 2,000 t |
|--|------------|
| United States | 1,058.79 t |
| Canada | 437.47 t |
| Japan | 345.74 t |
| United Kingdom (in respect of Bermuda) | 4.51 t |
| France (in respect of St. Pierre & Miquelon) | 4.51 t |
| Mexico | 108.98 t |

In no case shall the allocation to France (in respect of St. Pierre & Miquelon) and to the United Kingdom (in respect of Bermuda) be less than 4 t each in any single year unless the fishery is closed.

- d) Depending on availability, Mexico can transfer up to 108.98 t of its adjusted quota in each of 2015 and 2016 to Canada to support cooperative research as specified in paragraph 20.
- e) Depending on availability, the United Kingdom (in respect of Bermuda) can transfer up to the amount of its adjusted quota in each of 2015 and 2016 to the United States to support cooperative research as specified in paragraph 20.
- f) Depending on availability, France (in respect of St. Pierre & Miquelon) can transfer up to the amount of its adjusted quota in each of 2015 and 2016 to Canada to support cooperative research as specified in paragraph 20.
- g) CPCs planning to engage in the cooperative research activities specified in paragraphs 6(d), 6(e), and 6(f) above shall: notify the Commission and the SCRS of the details of their research programs to be undertaken before they commence, and present the results of the research to the SCRS.
7. A CPC's total quota shall include its allocations in paragraph 6, adjusted for underharvest or overharvest consistent with the remainder of this paragraph. Each year shall be considered as an independent management period for the remainder of this paragraph.
- a) Any underharvest of a CPC's total quota in a given year may be carried forward to the next year. However, in no event shall the underharvest that is carried forward exceed 10% of the CPC's initial quota allocation under paragraph 6, with the exception of UK (in respect of Bermuda), France (in respect of St. Pierre and Miquelon), and Mexico (i.e., those with initial allocations of 115 t or less), for which the underharvest that is carried forward shall in no event exceed 100% of the initial allocation under paragraph 6 (i.e., the total quota for such CPC shall not exceed twice its annual quota in any given year).
- b) If, in the applicable management period, and each subsequent management period, any CPC has an overharvest of its total quota, its initial quota for the next subsequent management period will be reduced by 100% of the excess of such total quota, and ICCAT may authorize other appropriate actions.
- c) Notwithstanding paragraph 7(b), if a CPC has an overharvest of its total quota during any two consecutive management periods, the Commission will recommend appropriate measures, which may include, but are not limited to, reduction in the CPC's total quota equal to a minimum of 125% of the overharvest amount and, if necessary, trade restrictive measures. Any trade measures under this paragraph will be import restrictions on the subject species and consistent with each CPC's international obligations. The trade measures will be of such duration and under such conditions as the Commission may determine.

Minimum fish size requirements and protection of small fish

8. CPCs will prohibit the taking and landing of western Atlantic bluefin tuna weighing less than 30 kg or, in the alternative, having a fork length of less than 115 cm.

9. Notwithstanding the above measures, CPCs may grant tolerances to capture western Atlantic bluefin tuna either weighing less than 30 kg, or in the alternative, having a fork length of less than 115 cm, provided they limit the take of these fish so that the average over the 2015 and 2016 fishing periods is no more than 10% by weight of the total bluefin tuna quota for each CPC, and institute measures to deny economic gain to the fishermen from such fish. CPCs granting such a tolerance will prohibit the taking and landing of western Atlantic bluefin tuna having a fork length of less than 67 cm, except as the subject of a research project notified to SCRS, developed taking into consideration the recommended research priorities of the SCRS, and conducted by individuals duly permitted by the CPC to undertake such research.
10. CPCs shall prohibit fishermen from selling or offering for sale recreationally harvested fish of any size.
11. CPCs will encourage their commercial and recreational fishermen to tag and release all fish less than 30 kg or, in the alternative, having a fork length less than 115 cm and report on steps taken in this regard in their Annual Report.

Area and time restrictions

12. There shall be no directed fishery on the bluefin tuna spawning stock in the western Atlantic spawning grounds (i.e., the Gulf of Mexico). In light of advice received from SCRS pursuant to paragraph 23, the Commission shall review this measure and consider the need for alternative management actions.

Transshipment

13. Transshipment at-sea shall be prohibited.

Scientific research and data and reporting requirements

14. In 2016, and thereafter every three years, the SCRS will conduct a stock assessment for bluefin tuna for the western Atlantic stock and for the eastern Atlantic and Mediterranean stock and provide advice to the Commission on the appropriate management measures, approaches, and strategies, including, *inter alia*, regarding TAC levels for those stocks for future years.
15. The SCRS shall prepare and present a Kobe II strategy matrix reflecting recovery scenarios of western Atlantic bluefin tuna consistent with *Resolution by ICCAT to Standardize the Presentation of Scientific Information in the SCRS Annual Report and in Working Group Detail Reports* [Res. 11-14].
16. Canada, the United States, Japan, Mexico, and, as appropriate, other CPCs harvesting western Atlantic bluefin tuna shall collaborate in the improvement of existing indices of abundance and the development of new combined indices. To advance this work, SCRS should review the current stock abundance indices for western Atlantic bluefin tuna at its 2015 data preparatory meeting, as well as analysis of any relevant non-aggregated catch and effort data that can be provided, consistent with domestic confidentiality requirements.
17. The SCRS shall annually review available fishery and stock indicators and evaluate whether they warrant advancing the scheduling of the next stock assessment. In support of this evaluation, CPCs shall make special efforts to update abundance indices and other fishery indicators annually and provide them in advance of the SCRS annual species group meetings.
18. In preparation for the 2016 stock assessment, the SCRS should thoroughly review the evidence that initially was used in support of each recruitment scenario as well as any additional information available that might also support alternative scenarios as a means of informing the Commission on which recruitment scenario is more likely to reflect the current stock recruitment potential. If the SCRS is unable to support one scenario over the other, the SCRS then should provide the Commission with management advice that takes into consideration the risks (e.g., risk of not achieving the Convention objective, lost yield) that would be associated with opting to manage the stock under a scenario that does not accurately reflect the stock-recruit relationship.

19. If scientific evidence results in an SCRS recommendation to alter the definition of management units, or to take explicit account of mixing between management units, then the western Atlantic rebuilding program shall be re-evaluated.
20. CPCs that harvest western Atlantic bluefin tuna should contribute to the research being undertaken through ICCAT's GBYP. At the 2015 Bluefin Tuna Data Preparatory meeting, the SCRS will (a) identify existing fisheries for which biological sampling rates should be increased, (b) identify any fisheries for which improvements in the collection and/or provision of catch, effort, and/or size data are necessary to support the stock assessment, and (c) provide guidance on enhancing efforts to cover any deficiencies identified in (a) and (b) above. CPCs should make special efforts to enhance biological sampling activities in these fisheries beginning in the 2015 bluefin tuna fishing seasons. Complementary information will also be required for the eastern Atlantic and Mediterranean stock in order to more fully evaluate the effects of mixing. In addition, it is also important to enhance, and where needed develop, an accurate abundance index for juvenile fish. CPCs should also make special efforts to ensure complete and timely submission of any collected data to the SCRS.
21. All CPCs shall monitor and report on all sources of fishing mortality, including dead discards, and shall minimize dead discards to the extent practicable.
22. Each CPC shall ensure that its fishing vessels landing bluefin tuna are subject to a data recording system, in accordance with the *Recommendation by ICCAT Concerning the Recording of Catch by Fishing Vessels in the ICCAT Convention Area* [Rec. 03-13].
23. As part of the 2016 stock assessment, the SCRS shall review new available information related to the identification of specific spawning times and areas of bluefin tuna within the western Atlantic Ocean, including from those CPCs that harvest western Atlantic bluefin tuna, and advise the Commission on the results of this review for its consideration. Concerned CPCs are encouraged to work through the SCRS to develop advice for managing any identified times and areas under a precautionary approach.
24. Each CPC shall report its provisional monthly catches of bluefin tuna. This report shall be sent to the ICCAT Secretariat within 30 days of the end of the calendar month in which the catches were made.
25. The ICCAT Secretariat shall, within 10 days following the monthly deadline for receipt of the provisional catch statistics, collect the information received and circulate it to CPCs together with aggregated catch statistics.
26. All CPCs shall provide the best available data for the assessment of the stock by the SCRS, including information on the catches of the broadest range of all age classes encountered in their fisheries, consistent with minimum size restrictions.
27. SCRS should provide guidance on a range of fish size management measures for western Atlantic bluefin tuna and their impact on yield per recruit and spawner per recruit considerations. The SCRS should also comment on the effect of fish size management measures on their ability to monitor stock status.
28. This Recommendation replaces the *Supplemental Recommendation by ICCAT Concerning the Western Atlantic Rebuilding Program* [Rec. 13-09].

**RECOMMENDATION BY ICCAT TO FURTHER STRENGTHEN THE PLAN
TO REBUILD BLUE MARLIN AND WHITE MARLIN STOCKS**

(Entered into force: **June 10, 2013**)

RECALLING the 2000 *Recommendation by ICCAT to Establish a Plan to Rebuild Blue Marlin and White Marlin Populations* [Rec. 00-13] from ICCAT to rebuild Atlantic blue marlin and Atlantic white marlin,

FURTHER RECALLING that the *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Populations* [Rec. 11-07] called for Contracting Parties, non-Contracting Parties, Entities and Fishing Entities (CPCs) to establish at the 2012 Commission meeting a multi-year plan to rebuild blue marlin and white marlin populations on the basis of advice of the Standing Committee on Research and Statistics (SCRS), including the establishment of total mortality limits by CPC;

RECOGNIZING that the objective of the Convention is to maintain populations at levels that will support maximum sustainable catch (usually referred to as maximum sustainable yield or MSY),

FURTHER RECOGNIZING that the *Recommendation by ICCAT on the Principles of Decision Making for ICCAT Conservation and Management Measures* [Rec. 11-13] states that for stocks that are subject to overfishing, the Commission shall immediately adopt management measures, taking into account, *inter alia*, the biology of the stock and SCRS advice, designed to result in a high probability of ending overfishing in as short a time as possible.

CONSIDERING that the 2011 SCRS stock assessment indicates that the blue marlin stock is below B_{MSY} (the stock is overfished) and that fishing mortality is above F_{MSY} (overfishing is occurring) and that unless the recent catch levels are substantially reduced to 2000 t or less and that the Commission adopts measures to manage fishing mortality by non-industrial fleets, the stock will likely continue to decline,

TAKING NOTE OF the results of the 2012 white marlin assessment, which indicated that the stock remains overfished and that overfishing is probably not occurring, while noting significant uncertainty associated with species composition in the historical time series of catch (white marlin vs. spearfish) and the actual magnitude of the catch due to the underreporting of discards, and acknowledging that SCRS concluded that, at a minimum, the Commission should ensure that white marlin catches do not exceed current levels of approximately 400 t;

NOTING that, due to the misidentification problems between white marlin and spearfishes (genus *Tetrapturus*), the SCRS also recommended that management measures should be applied to these species together as a mixed stock complex until more accurate species identification and differentiation of species catches are available,

FURTHER RECALLING the obligations of CPCs to require the collection of discard data in their existing domestic observer and logbook programs under the *Recommendation by ICCAT on Information Collection and Harmonization of Data on By-catch and Discards in ICCAT Fisheries* [Rec. 11-10], and the minimum standards for scientific observer programs established in the *Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs* [Rec. 10-10],

COGNIZANT that marlins are caught in industrial, artisanal and recreational fisheries, and that fair and equitable conservation actions are needed to support rebuilding,

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

1. An annual limit of 2,000 t for blue marlin and 400 t for white marlin/spearfish is established for these stocks, for 2013, 2014 and 2015. This landings limit shall be implemented as follows:

| <i>Blue Marlin</i> | <i>Landings Limit (t)</i> |
|---------------------|---------------------------|
| Brazil | 190 |
| China, P.R. | 45 |
| Chinese Taipei | 150 |
| Côte d'Ivoire | 150 |
| European Union | 480 |
| Ghana | 250 |
| Japan | 390 |
| Korea Rep. | 35 |
| Mexico | 70 |
| S. Tome & Príncipe | 45 |
| Senegal | 60 |
| Trinidad and Tobago | 20 |
| Venezuela | 100 |
| TOTAL | 1,985 |

| <i>White Marlin/Spearfish</i> | <i>Landings Limit (t)</i> |
|-------------------------------|---------------------------|
| Barbados | 10 |
| Brazil | 50 |
| Canada | 10 |
| China, P.R. | 10 |
| Chinese Taipei | 50 |
| European Union | 50 |
| Côte d'Ivoire | 10 |
| Japan | 35 |
| Korea Rep. | 20 |
| Mexico | 25 |
| S. Tome & Príncipe | 20 |
| Trinidad and Tobago | 15 |
| Venezuela | 50 |
| TOTAL | 355 |

The United States shall limit its landings to 250 recreationally-caught Atlantic blue marlin and white marlin/spearfish combined on an annual basis. All other CPCs shall limit their landings to a maximum of 10 t of Atlantic blue marlin and 2 t of white marlin/spearfish combined.

- To the extent possible, as the CPC approaches its landings limits, such CPC shall take appropriate measures to ensure that all blue marlin and white marlin that are alive by the time of boarding are released in a manner that maximizes their survival. For CPCs that prohibit dead discards, the landings of blue marlin and white marlin/spearfish that are dead when brought alongside the vessel and that are not sold or entered into commerce shall not count against the limits established in paragraph 1, on the condition that such prohibition be duly informed to the ICCAT Secretariat.
- Any unused portion or excess of the annual landing limit established in Paragraph 1 may be added to/shall be deducted from, according to the case, the respective landing limit during or before the adjustment year, in the following way:

| <i>Catch Year</i> | <i>Adjustment Year</i> |
|-------------------|------------------------|
| 2013 | 2015 |
| 2014 | 2016 |
| 2015 | 2017 |

However, the maximum underage that a party may carryover in any given year shall not exceed 10% of its landing limit, for those CPCs whose landing limit is larger than 45 t, or 20% of its landing limit, for those CPCs whose landing limit is lower or equal to 45 t.

4. All CPCs with recreational fisheries shall maintain 5% scientific observer coverage of blue marlin and white marlin/spearfish tournament landings.
5. All CPCs with recreational fisheries shall adopt domestic regulations that establish minimum sizes in their recreational fisheries that meet or exceed the following lengths: 251 cm LJFL for blue marlin and 168 cm LJFL for white marlin/spearfish, or comparable limits by weight.
6. CPCs shall prohibit the sale, or offering for sale, of any part or whole carcass of blue marlin or white marlin/spearfish caught in recreational fisheries.
7. In their Annual Reports, beginning in 2013, CPCs shall inform the Commission of steps taken to implement this Recommendation through domestic law or regulations, including monitoring, control and surveillance measures.
8. All CPCs shall report to the SCRS by July 31, 2013, on their methods for estimating live and dead discards of blue marlin and white marlin/spearfish, as these estimates are critical to support the stock assessment process. The SCRS shall review these reports and provide advice to the Commission on any improvements needed.
9. The Secretariat, in conjunction with the SCRS, shall research and review existing regional or individual CPC data collection programs, including capacity building programs, for artisanal fisheries. The Secretariat and the SCRS will present their findings at the 2013 Commission meeting, including a plan to work with relevant regional and sub-regional international organizations and CPCs to expand such programs or implement them in new areas to improve data on billfish catches in these fisheries.
10. At its next assessments of blue marlin and white marlin/spearfish stocks, the SCRS shall evaluate progress toward the goals of the rebuilding programs for blue marlin and white marlin/spearfish.

This Recommendation consolidates and replaces the following Recommendations:

- *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Populations* [Rec. 06-09];
- *Recommendation by ICCAT on the Plan to Rebuild Blue Marlin and White Marlin Populations* [Rec. 10-05];
- *Recommendation by ICCAT to Further Strengthen the Plan to Rebuild Blue Marlin and White Marlin Populations* [Rec. 11-07].

**RESOLUTION BY ICCAT ON COOPERATION WITH THE FOOD AND AGRICULTURE
ORGANIZATION OF THE UNITED NATIONS (FAO) WITH REGARD TO
STUDY ON THE STATUS OF STOCKS AND BY-CATCHES OF SHARK SPECIES**

(Transmitted to Contracting Parties: **December 21, 1995**)

NOTING that more than 350 shark species inhabit both the pelagic areas and coastal areas, and that information on stock sizes, biological parameters, by-catch levels and effects of by-catch is insufficient;

NOTING that some shark species are incidentally caught in tuna fisheries;

FURTHER NOTING that, at present, sharks are not generally subject to specific conservation and management measures by international or regional/sub-regional fishery organizations;

RECOGNIZING the work of the Study Group on Elasmobranch Fishes of the International Council for the Exploration of the Sea (ICES);

RECOGNIZING that the Ninth Meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), (Fort Lauderdale, Florida - November 7 to 18, 1994), adopted a Resolution on the "Status of International Trade in Shark Species";

AFFIRMING that the Sub-Committee on By-catches of the ICCAT Standing Committee on Research and Statistics (SCRS) is presently assembling relevant information and identifying those species which should be studied by ICCAT;

ALSO, CONSIDERING that cooperation on research and analysis on a global basis is fundamentally essential to elucidate on the overall nature of this problem and actions to be taken concerning shark species;

Therefore,

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

- 1 That FAO be the focal point in which to initiate a program to collect, on a global scale, the necessary biological data, including stock abundance and the magnitude of by-catch, and trade data on shark species, and to serve a coordination function among regional or sub-regional fisheries management organizations for said activities;
- 2 That the Contracting Parties of ICCAT provide FAO with the information, and financial assistance where possible, to conduct the work required; and
- 3 That international or regional/sub-regional fisheries management organizations cooperate with FAO in providing the necessary information and advice in response to the requests made, including the aforementioned CITES Resolution.

RESOLUTION BY ICCAT ON THE SHARK FISHERY

(Transmitted to Contracting Parties: **December 19, 2003**)

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [01-11] at the 2001 meeting;

AFFIRMING the Commission's support for the initiative of the Food and Agriculture Organization of the United Nations (FAO) on conservation and management of sharks while noting with concern that only a small number of countries have implemented the 1999 FAO International Plan of Action (IPOA) for the Conservation and Management of Sharks;

ACKNOWLEDGING that the United Nations is considering calling upon States, FAO and sub-regional or regional fisheries management organizations and arrangements to implement fully the 1999 FAO IPOA for the Conservation and Management of Sharks, as a matter of priority, *inter alia*, through conducting assessments of shark stocks and developing and implementing National Plans of Action (NPOA);

CONCERNED that an extensive shark fishery is reported to be conducted in the Caribbean Sea and elsewhere in the Atlantic by a large number of shark fishing vessels, including those slightly smaller than 24 m length overall, about which the Commission has little information;

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

Each Contracting Party and Cooperating non-Contracting Party, Entity or Fishing Entity take the following actions:

- 1 Provide the Working Group of the Sub-Committee on By-catch scheduled to meet in 2004 with the information on their shark catches, effort by gear type, landings and trade of shark products.
- 2 Fully implement a NPOA in accordance with the FAO IPOA for the Conservation and Management of Sharks adopted by FAO.

**RECOMMENDATION BY ICCAT CONCERNING THE CONSERVATION OF SHARKS
CAUGHT IN ASSOCIATION WITH FISHERIES MANAGED BY ICCAT**

(Entered into force **June 13, 2005**)

RECALLING that the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Sharks calls on States, within the framework of their respective competencies and consistent with international law, to cooperate through regional fisheries organizations with a view to ensuring the sustainability of shark stocks as well as to adopt a National Plan of Action for the conservation and management of sharks;

CONSIDERING that many sharks are part of pelagic ecosystems in the Convention area, and that tunas and tuna-like species are captured in fisheries targeting sharks;

RECOGNIZING the need to collect data on catch, effort, discards, and trade, as well as information on the biological parameters of many species, in order to conserve and manage sharks;

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

- 1 Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall annually report Task I and Task II data for catches of sharks, in accordance with ICCAT data reporting procedures, including available historical data.
- 2 CPCs shall take the necessary measures to require that their fishermen fully utilize their entire catches of sharks. Full utilization is defined as retention by the fishing vessel of all parts of the shark excepting head, guts and skins, to the point of first landing.
- 3 CPCs shall require their vessels to not have onboard fins that total more than 5% of the weight of sharks onboard, up to the first point of landing. CPCs that currently do not require fins and carcasses to be offloaded together at the point of first landing shall take the necessary measures to ensure compliance with the 5% ratio through certification, monitoring by an observer, or other appropriate measures.
- 4 The ratio of fin-to-body weight of sharks described in paragraph 3 shall be reviewed by the SCRS and reported back to the Commission in 2005 for revision, if necessary.
- 5 Fishing vessels are prohibited from retaining on board, transshipping or landing any fins harvested in contravention of this Recommendation.
- 6 In fisheries that are not directed at sharks, CPCs shall encourage the release of live sharks, especially juveniles, to the extent possible, that are caught incidentally and are not used for food and/or subsistence.
- 7 In 2005, the SCRS shall review the assessment of shortfin mako sharks (*Isurus oxyrinchus*) and recommend management alternatives for consideration by the Commission, and reassess blue shark (*Prionaca glauca*) and shortfin mako no later than 2007.
- 8 CPCs shall, where possible, undertake research to identify ways to make fishing gears more selective.
- 9 CPCs shall, where possible, conduct research to identify shark nursery areas.
- 10 The Commission shall consider appropriate assistance to developing CPCs for the collection of data on their shark catches.
- 11 This recommendation applies only to sharks caught in association with fisheries managed by ICCAT.

SUPPLEMENTAL RECOMMENDATION BY ICCAT CONCERNING SHARKS

(Entered into force: **June 4, 2008**)

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Res. 01-11] and the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10] and the *Recommendation by ICCAT to Amend Recommendation 04-10 Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 05-05];

FURTHER RECALLING the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Sharks;

CONSIDERING that many shark species, including porbeagle, blue and shortfin mako sharks, are captured in ICCAT Convention area fisheries;

NOTING that the SCRS has previously stated there is a need for improved data reporting on catch, effort, and discards of sharks and this data has, in many instances, not been forthcoming;

NOTING that the 2007 SCRS presentation of the Report of the Shark Working Group Data Preparatory Meeting highlighted the porbeagle shark, among others, as a species of concern;

FURTHER NOTING that in 2005 the SCRS recommended reducing fishing mortality for North Atlantic shortfin mako sharks;

ACKNOWLEDGING that the SCRS will be conducting stock assessments on shortfin mako and blue sharks in 2008;

RECOGNIZING the global interest in shark conservation, specifically the proposal to add porbeagle shark to Appendix II of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES);

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing Entities (hereinafter referred to as CPCs), especially those directing fishing activities for sharks, shall submit Task I and II data for sharks, as required by ICCAT data reporting procedures (including estimates of dead discards and size frequencies) in advance of the next SCRS assessment;
2. Until such time as sustainable levels of harvest can be determined through peer reviewed stock assessments by SCRS or other organizations, CPCs shall take appropriate measures to reduce fishing mortality in fisheries targeting porbeagle (*Lamna nasus*) and North Atlantic shortfin mako sharks (*Isurus oxyrinchus*).
3. Notwithstanding paragraph 2, CPCs may conduct scientifically based research that is submitted to SCRS for these species in the Convention area.
4. CPCs shall, where possible, implement research on pelagic shark species caught in the Convention area in order to identify potential nursery areas. Based on this research, CPCs shall consider time and area closures and other measures, as appropriate.
5. The SCRS shall, as soon as possible but no later than 2009, conduct a stock assessment or a thorough review of available stock assessment information of, and recommend management advice for, porbeagle shark (*Lamna nasus*).

**RECOMMENDATION BY ICCAT ON REDUCING INCIDENTAL BY-CATCH
OF SEABIRDS IN LONGLINE FISHERIES**

(Transmitted to Contracting Parties: **June 4, 2008**)

RECOGNISING the need to strengthen mechanisms to protect seabirds in the Atlantic Ocean;

TAKING INTO ACCOUNT the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds), and the IOTC Working Party on By-catch objectives;

ACKNOWLEDGING that to date some Contracting Parties and Cooperating non-Contracting Parties, Entities, or Fishing Entities (hereinafter referred to as “CPCs”) have identified the need for, and have either completed or are near finalized, their National Plan of Action on Seabirds;

RECOGNISING the concern that some species of seabirds, notably albatross and petrels, are threatened with extinction;

NOTING that the Agreement on the Conservation of Albatrosses and Petrels has entered into force;

RECALLING the *Resolution by ICCAT on Incidental Mortality of Seabirds [Res. 02-14]*;

CONSCIOUS that there are on-going scientific studies which may result in the identification of more effective mitigation measures and therefore that these current measures should be considered provisional;

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

1. The Commission shall develop mechanisms to enable CPCs to record data on seabird interactions, including regular reporting to the Commission, and seek agreement to implement such mechanisms as soon as possible thereafter.
2. CPCs shall collect and provide all available information to the Secretariat on interactions with seabirds, including incidental catches by their fishing vessels.
3. CPCs shall seek to achieve reductions in levels of seabird by-catch across all fishing areas, seasons and fisheries, through the use of effective mitigation measures.
4. All vessels fishing south of 20°S shall carry and use bird-scaring lines (tori poles):
 - Tori poles shall be used in consideration of the suggested tori pole design and deployment guidelines (provided for in **Annex 1**);
 - Tori lines are to be deployed prior to longlines entering the water at all times south of 20°S;
 - Where practical, vessels are encouraged to use a second tori pole and bird-scaring line at times of high bird abundance or activity;
 - Back-up tori lines shall be carried by all vessels and be ready for immediate use.
5. Longline vessels targeting swordfish using monofilament longline gear may be exempted from the requirements of paragraph 4 of this Recommendation, on condition that these vessels set their longlines during the night, with night being defined as the period between nautical dusk/dawn as referenced in the nautical dusk/dawn almanac for the geographical position fished. In addition, these vessels are required to use a minimum swivel weight of 60g placed not more than 3m from the hook to achieve optimum sink rates.

CPCs applying this derogation shall inform the SCRS of their scientific findings resulting from their observer coverage of these vessels.

6. The Commission shall, upon receipt of information from the SCRS, consider, and if necessary, refine, the area of application of the mitigation measures specified in paragraph 4.
7. This measure is a provisional measure which will be subject to review and adjustment in the light of future available scientific advice.
8. The Commission shall consider adopting additional measures for the mitigation of any incidental catch of seabirds at its annual meeting in 2008 based on the results of the ICCAT seabird assessment which is currently underway.

Annex 1

Suggested Guidelines for Design and Deployment of Tori Lines

Preamble

These guidelines are designed to assist in preparation and implementation of tori line regulations for longline vessels. While these guidelines are relatively explicit, improvement in tori line effectiveness through experimentation is encouraged. The guidelines take into account environmental and operational variables such as weather conditions, setting speed and ship size, all of which influence tori line performance and design in protecting baits from birds. Tori line design and use may change to take account of these variables provided that line performance is not compromised. On-going improvement in tori line design is envisaged and consequently review of these guidelines should be undertaken in the future.

Tori line design

1. It is recommended that a tori line 150 m in length be used. The diameter of the section of the line in the water may be greater than that of the line above water. This increases drag and hence reduces the need for greater line length and takes account of setting speeds and length of time taken for baits to sink. The section above water should be a strong fine line (e.g. about 3 mm diameter) of a conspicuous color such as red or orange.
2. The above water section of the line should be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.
3. The line is best attached to the vessel with a robust barrel swivel to reduce tangling of the line.
4. The streamers should be made of material that is conspicuous and produces an unpredictable lively action (e.g. strong fine line sheathed in red polyurethane tubing) suspended from a robust three-way swivel (that again reduces tangles) attached to the tori line, and should hang just clear of the water.
5. There should be a maximum of 5-7 m between each streamer. Ideally each streamer should be paired.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.
7. The number of streamers should be adjusted for the setting speed of the vessel, with more streamers necessary at slower setting speeds. Three pairs are appropriate for a setting speed of 10 knots.

Deployment of tori lines

1. The line should be suspended from a pole affixed to the vessel. The tori pole should be set as high as possible so that the line protects bait a good distance astern of the vessel and will not tangle with fishing gear. Greater pole height provides greater bait protection. For example, a height of around 6 m above the water line can give about 100 m of bait protection.
2. The tori line should be set so that streamers pass over baited hooks in the water.
3. Deployment of multiple tori lines is encouraged to provide even greater protection of baits from birds.
4. Because there is the potential for line breakage and tangling, spare tori lines should be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted.
5. When fishers use a bait casting machine (BCM), they must ensure coordination of tori line and machine by:
 - (i) ensuring the BCM throws directly under the tori line protection, and
 - (ii) when using a BCM that allows throwing to port and starboard, ensure that two tori lines are used.
6. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.

**RECOMMENDATION BY ICCAT ON THE CONSERVATION OF THRESHER SHARKS CAUGHT
IN ASSOCIATION WITH FISHERIES IN THE ICCAT CONVENTION AREA**

(Entered into force: **June 1, 2010**)

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Res. 01-11], the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10], the *Recommendation by ICCAT to Amend the Recommendation 04-10 on the Conservation of Sharks Caught in Association with the Fisheries Managed by ICCAT* [Rec. 05-05], the *Supplemental Recommendation by ICCAT Concerning Sharks* [Rec. 07-06] and the *Recommendation by ICCAT on the Conservation of Bigeye Thresher Sharks (*Alopias superciliosus*) Caught in Association with Fisheries Managed by ICCAT* [Rec. 08-07],

CONSIDERING that thresher sharks of the family *Alopiidae* are caught as by-catch in the ICCAT Convention area,

NOTING that at its 2009 Meeting the Standing Committee on Research and Statistics (SCRS) recommended that the Commission prohibit retention and landings of bigeye thresher shark (*Alopias superciliosus*),

RECALLING the need to annually report Task I and Task II for catches of sharks in conformity with the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10],

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

1. Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit, retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of bigeye thresher sharks (*Alopias superciliosus*) in any fishery with exception of a Mexican small-scale coastal fishery with a catch of less than 110 fish.
2. CPCs shall require vessels flying their flag to promptly release unharmed, to the extent practicable, bigeye thresher sharks when brought along side for taking on board the vessel.
3. CPCs should strongly endeavor to ensure that vessels flying their flag do not undertake a directed fishery for species of thresher sharks of the genus *Alopias spp.*
4. CPCs shall require the collection and submission of Task I and Task II data for *Alopias spp* other than *A. superciliosus* in accordance with ICCAT data reporting requirements. The number of discards and releases of *A. superciliosus* must be recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.
5. CPCs shall, where possible, implement research on thresher sharks of the species *Alopias spp* in the Convention area in order to identify potential nursery areas. Based on this research, CPCs shall consider time and area closures and other measures, as appropriate.
6. *Recommendation by ICCAT on the Conservation of Bigeye Thresher Sharks (*Alopias superciliosus*) Caught in Association with Fisheries Managed by ICCAT* [Rec. 08-07] is superseded by this Recommendation.

**RECOMMENDATION BY ICCAT ON ATLANTIC SHORTFIN MAKO
SHARKS CAUGHT IN ASSOCIATION WITH ICCAT FISHERIES**

(Entered into force: **June 14, 2011**)

CONSIDERING that Atlantic shortfin mako sharks (*Isurus oxyrinchus*) are caught in association with fisheries managed by ICCAT;

TAKING INTO ACCOUNT that the 2008 ICCAT Standing Committee on Research and Statistics (SCRS) stock assessment indicated North Atlantic shortfin mako stock was depleted to about 50 percent of biomass estimated for the 1950s, and some model outcomes indicated that the stock biomass was near or below the level that would support MSY and current harvest levels are above F_{MSY} ;

RECALLING Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT [Rec. 04-10], Recommendation by ICCAT to Amend Recommendation [Rec. 04-10] Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT [Rec. 05-05], and the Supplemental Recommendation by ICCAT Concerning Sharks [Rec. 07-06], including the obligation of CPCs to annually report Task I and Task II data for catches of sharks, in accordance with ICCAT data reporting procedures;

ALSO RECALLING the need to improve species-specific Task I and Task II data for sharks, as recommended by SCRS;

RECOGNIZING the continuing obligation to reduce mortality of North Atlantic shortfin mako sharks under Recommendations 05-05 and 07-06;

NOTING that the 2008 ecological risk assessment conducted by the SCRS concluded that the shortfin mako shark has low biological productivity, making it susceptible to overfishing even at low levels of fishing mortality;

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

1. CPCs shall include information in their 2012 Annual Reports on actions taken to implement Recommendations 04-10, 05-05*, and 07-06, in particular the steps taken to improve their Task I and Task II data collection for direct and incidental catches;
2. Actions taken by CPCs, as described in paragraph 1, shall be reviewed annually by ICCAT's Compliance Committee, beginning in 2012;
3. CPCs that do not report Task I data for Atlantic shortfin mako sharks, in accordance with SCRS data reporting requirements, shall be prohibited from retaining this species, beginning in 2013 until such data have been received by the ICCAT Secretariat;
4. The SCRS shall conduct a stock assessment for shortfin mako sharks in 2012 and advise the Commission on:
 - a) the annual catch levels of shortfin mako that would support MSY;
 - b) other appropriate conservation measures for shortfin mako sharks, taking into account species identification difficulties;
4. The SCRS shall complete its shark identification guide and circulate it to CPCs before the 2011 Commission meeting.

* Recommendation 05-05 was replaced by Recommendation 14-06.

**RECOMMENDATION BY ICCAT ON THE CONSERVATION OF OCEANIC WHITETIP SHARK
CAUGHT IN ASSOCIATION WITH FISHERIES IN THE ICCAT CONVENTION AREA**

(Entered into force: **June 14, 2011**)

CONSIDERING that oceanic whitetip sharks (*Carcharhinus longimanus*) are caught as by-catch in the ICCAT Convention area,

TAKING INTO ACCOUNT that (a) the oceanic whitetip shark has been ranked as one of the five species with the highest degree of risk in an ecological risk assessment; (b) it has high at-vessel survival and constitutes a small portion of the shark catch; (c) it is one of the easiest shark species to identify; and (d) that a significant proportion of the species catch is composed of juveniles,

FURTHER CONSIDERING that SCRS recommends adoption of a minimum size of 200 cm total length to protect juveniles,

RECOGNIZING that such minimum size regulation may cause enforcement difficulties,

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

1. Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of oceanic whitetip sharks in any fishery.
2. CPCs shall record through their observer programs the number of discards and releases of oceanic whitetip sharks with indication of status (dead or alive) and report it to ICCAT.

RECOMMENDATION BY ICCAT ON HAMMERHEAD SHARKS (FAMILY *SPHYRNIDAE*) CAUGHT IN ASSOCIATION WITH FISHERIES MANAGED BY ICCAT

(Entered into force: **June 14, 2011**)

RECALLING that the Commission adopted the *Resolution by ICCAT on Atlantic Sharks* [Res. 01-11], the *Recommendation by ICCAT Concerning the Conservation of Sharks caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10], the *Recommendation by ICCAT to Amend the Recommendation 04-10 on the Conservation of Sharks Caught in Association with the Fisheries Managed of ICCAT* [Rec. 05-05] and the *Supplemental Recommendation by ICCAT Concerning Sharks* [Rec. 07-06].

NOTING that *Sphyrna lewini* and *Sphyrna zygaena* are among the shark species for which there are sustainability concerns.

CONSIDERING that it is difficult to differentiate between the various species of hammerhead sharks except for the bonnethead (*Sphyrna tiburo*) without taking them on board and that such action might jeopardize the survival of the captured individuals.

RECALLING the need to annually report Task I and Task II for catches of sharks in conformity with the *Recommendation by ICCAT Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10];

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

1. Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall prohibit retaining onboard, transshipping, landing, storing, selling, or offering for sale any part or whole carcass of hammerhead sharks of the family *Sphyrnidae* (except for the *Sphyrna tiburo*), taken in the Convention area in association with ICCAT fisheries.
2. CPCs shall require vessels flying their flag, to promptly release unharmed, to the extent practicable, hammerhead sharks when brought alongside the vessel.
3. Hammerhead sharks that are caught by developing coastal CPCs for local consumption are exempted from the measures established in paragraphs 1 and 2, provided these CPCs submit Task I and, if possible, Task II data according to the reporting procedures established by the SCRS. If it is not possible to provide catch data by species, they shall be provided at least by genus *Sphyrna*. Developing coastal CPCs exempted from this prohibition pursuant to this paragraph should endeavor not to increase their catches of hammerhead sharks. Such CPCs shall take necessary measures to ensure that hammerhead sharks of the family *Sphyrnidae* (except of *Sphyrna tiburo*) will not enter international trade and shall notify the Commission of such measures.
4. CPCs shall require that the number of discards and releases of hammerhead sharks are recorded with indication of status (dead or alive) and reported to ICCAT in accordance with ICCAT data reporting requirements.
5. CPCs shall, where possible, implement research on hammerhead sharks in the Convention area in order to identify potential nursery areas. Based on this research, CPCs shall consider time and area closures and other measures, as appropriate.
6. As appropriate, the Commission and its CPCs should, individually and collectively, engage in capacity building efforts and other cooperative activities to support the effective implementation of this Recommendation, including entering into cooperative arrangements with other appropriate international bodies.

RECOMMENDATION BY ICCAT ON THE BY-CATCH OF SEA TURTLES IN ICCAT FISHERIES

(Entered into force: **June 14, 2011**)

RECOGNIZING that some fishing operations carried out in the Convention area can adversely affect sea turtles and there is a need to implement measures to mitigate these adverse effects;

EMPHASIZING the need to improve the collection of scientific data regarding all sources of mortality for sea turtle populations, including but not limited to data from fisheries within the Convention area;

CONSISTENT with the call for the minimization of waste, discards, catch of non-target species (both fish and non-fish species), and impacts on associated or dependent species, in particular endangered species, in the FAO Code of Conduct for Responsible Fisheries and U.N. Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks;

GIVEN THAT the United Nations Food and Agriculture Organization (FAO) adopted the *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* at its Twenty-sixth Session of the Committee on Fisheries, held in March 2005, and recommended their implementation by regional fisheries bodies and management organizations;

NOTING the importance of harmonizing conservation and management measures with other organizations responsible for managing international fisheries, in particular following through on the commitments that have been made throughout the Kobe meeting process;

RECALLING the recommendation from the independent performance review in September 2008 that ICCAT “develop a stronger approach generally to by-catch and develop and adopt appropriate mitigation measures including reporting on the effectiveness of these measures throughout the fisheries”;

FURTHER RECALLING the *Resolution by the ICCAT on Sea Turtles* [Res. 03-11] and the *Resolution by ICCAT on Circle Hooks* [Res. 05-08];

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

1. Each CPC shall collect, and annually report to ICCAT no later than 2012 information on the interactions of its fleet with sea turtles in ICCAT fisheries by gear type, including catch rates that take into consideration gear characteristics, times and locations, target species, and disposition status (i.e., discarded dead or released alive). Data to be recorded and reported must also include a breakdown of interactions by sea turtle species, and, where possible, include the nature of the hooking or entanglement (including with Fish Aggregating Devices or FADs), bait type, hook size and type, and the size of the animal. CPCs are strongly encouraged to use observers to collect this information.
2. CPCs shall require that:
 - a) purse seine vessels flagged to that CPC operating in the Convention area avoid encircling sea turtles to the extent practicable, release encircled or entangled sea turtles, including on FADs, when feasible, and report interactions between purse seines and/or FADs and sea turtles to their flag CPC so that this information is included in the CPC reporting requirements specified in paragraph 1;
 - b) pelagic longline vessels flagged to that CPC operating in the Convention area carry on board safe-handling, disentanglement and release equipment capable of releasing sea turtles in a manner that maximizes the probability of their survival;
 - c) fishermen on pelagic longline vessels flagged to that CPC operating under their flag use the equipment specified in item 2b above to maximize the probability of sea turtle survival and are trained in safe-handling and release techniques.

3. In advance of the 2011 SCRS meeting, if possible, and no later than 2012, the ICCAT Secretariat shall compile the data collected under paragraph 1 as well as available information from the scientific literature and other relevant sea turtle by-catch mitigation information, including that provided by CPCs and report it to the SCRS for its consideration.
4. SCRS shall also provide advice to the Commission on approaches for mitigating sea turtle by-catch in ICCAT fisheries, including reducing the number of interactions and/or the mortality associated with those interactions. Such advice should be provided, as appropriate, whether or not an assessment as envisioned in paragraph 5 has been conducted.
5. Based on the activities undertaken in paragraph 3, SCRS shall initiate an assessment of the impact of the incidental catch of sea turtles resulting from ICCAT fisheries as soon as possible and no later than 2013. After the initial assessment is complete and the results presented to the Commission, SCRS shall advise the Commission on the timing of future assessments.
6. Upon receipt of advice from the SCRS, the Commission shall consider additional measures to mitigate sea turtle by-catch in ICCAT fisheries, if necessary.
7. As appropriate, the Commission and its CPCs should, individually and collectively, engage in capacity building efforts and other cooperative activities to support the effective implementation of this recommendation, including entering into cooperative arrangements with other appropriate international bodies.
8. In their Annual Reports to ICCAT, CPCs shall report on the implementation of this Recommendation, focusing on paragraphs 1, 2, and 7. In addition, CPCs should report on other relevant actions taken to implement FAO's *Guidelines to Reduce Sea Turtle Mortality in Fishing Operations* with respect to ICCAT fisheries in their Annual Reports.
9. This recommendation replaces the *Resolution by ICCAT on Sea Turtles* [Res. 03-11] in its entirety.

**RECOMMENDATION BY ICCAT ON THE CONSERVATION
OF SILKY SHARKS CAUGHT IN ASSOCIATION WITH ICCAT FISHERIES**

(Entered into force: **June 7, 2012**)

CONSIDERING that silky sharks (*Carcharhinus falciformis*) are caught in association with ICCAT fisheries;

TAKING INTO ACCOUNT that the silky shark has been ranked as the species with the highest degree of vulnerability in the 2010 ecological risk assessment for Atlantic sharks;

CONSIDERING that SCRS recommends that proper conservation and management measures, similar to those adopted for other vulnerable shark species, be also adopted for the silky shark;

NOTING the geographic range of the silky shark which inhabits coastal and oceanic waters throughout the tropics;

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

1. Contracting Parties, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) shall require fishing vessels flying their flag and operating in ICCAT managed fisheries to release all silky sharks whether dead or alive, and prohibit retaining on board, transshipping, or landing any part or whole carcass of silky shark.
2. CPCs shall require vessels flying their flag to promptly release silky sharks unharmed, at the latest before putting the catch into the fish holds, giving due consideration to the safety of crew members. Purse seine vessels engaged in ICCAT fisheries shall endeavor to take additional measures to increase the survival rate of silky sharks incidentally caught.
3. CPCs shall record through their observer programs the number of discards and releases of silky sharks with indication of status (dead or alive) and report it to ICCAT.
4. Silky sharks that are caught by developing coastal CPCs for local consumption are exempted from the measures established in paragraphs 1 and 2, provided these CPCs submit Task I and, if possible, Task II data according to the reporting procedures established by the SCRS. CPCs that have not reported species-specific shark data shall provide a plan by July 1, 2012, for improving their data collection for sharks on a species specific level for review by the SCRS and Commission. Developing coastal CPCs exempted from the prohibition pursuant to this paragraph shall not increase their catches of silky sharks. Such CPCs shall take necessary measures to ensure that silky sharks will not enter international trade and shall notify the Commission of such measures.
5. Any CPC that does not report Task I data for silky shark, in accordance with SCRS data reporting requirements, shall be subject to the provisions of paragraph 1 until such data have been reported.
6. The prohibition on retention in paragraph 1 does not apply to CPCs whose domestic law requires that all dead fish be landed, that the fishermen cannot draw any commercial profit from such fish and that includes a prohibition against silky shark fisheries.
7. In their annual reports, CPCs shall inform the Commission of steps taken to implement this Recommendation through domestic law or regulations, including monitoring, control and surveillance measures that support implementation of this recommendation.
8. In 2012, the SCRS Sub-Committee on Statistics shall evaluate the data collection improvement plans (referenced in paragraph 4) submitted by CPCs and, as necessary, make recommendations on how shark data collection can be improved.
9. In 2013, the SCRS shall evaluate the information provided under paragraphs 3 and 4 and report on the sources of silky shark mortality in ICCAT fisheries, including silky shark discard mortality rates, and provide an analysis and advice regarding the benefits of a range of specific silky shark management options.
10. This measure should be reviewed in 2013 in light of the advice provided by the SCRS in accordance with paragraph 9.

**SUPPLEMENTAL RECOMMENDATION BY ICCAT ON REDUCING
INCIDENTAL BY-CATCH OF SEABIRDS IN ICCAT LONGLINE FISHERIES**

(Entered into force: **June 7, 2012**)

RECALLING the Recommendation by ICCAT on Reducing Incidental By-catch of Seabirds in Longline Fisheries [Rec. 07-07];

RECOGNISING the need to strengthen mechanisms to protect endangered seabirds in the Atlantic Ocean;

TAKING INTO ACCOUNT the United Nations Food and Agriculture Organization (FAO) International Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds);

ACKNOWLEDGING that to date some Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as "CPCs") have identified the need for, and have either completed or are near finalizing, their National Plan of Action on Seabirds;

RECOGNISING the concern that some species of seabirds, notably some albatrosses and petrels, are threatened with global extinction;

NOTING that the Agreement on the Conservation of Albatrosses and Petrels has entered into force;

NOTING that the General Fisheries Commission for the Mediterranean (GFCM) has adopted Recommendation GFCM/35/2011/13 launching a process, to be carried out in coordination with other RFMOs, with a view to reducing incidental by-catch of seabirds in fisheries in the GFCM Competence Area,

CONSCIOUS that the ICCAT seabird assessment has been completed and has concluded that ICCAT fisheries are having a measurable impact on seabird species;

RECOGNIZING the progress that some CPCs have made in addressing seabird bycatch in their fisheries:

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

1. CPCs shall record data on seabird incidental catch by species through scientific observers in accordance with the Recommendation 10-10 and report these data annually.
2. CPCs shall seek to achieve reductions in levels of seabird by-catch across all fishing areas, seasons, and fisheries through the use of effective mitigation measures, while giving due consideration to the safety of crew members and the practicability of mitigation measures.
3. In the area south of 25 degrees South latitude, CPCs shall ensure that all longline vessels use at least two of the mitigation measures in **Table 1**. These measures should also be considered for implementation in other areas, as appropriate, consistent with scientific advice.
4. In the Mediterranean, mitigation measures in **Table 1** should be implemented on a voluntary basis. The SCRS is encouraged to work in coordination with the GFCM as provided for in GFCM Recommendation 35/2011/13.
5. Mitigation measures used pursuant to paragraph 3 shall conform to the minimum technical standards for the measures as shown in **Table 1**.
6. The design and deployment for bird scaring lines should also meet the additional specifications provided in **Annex 1**.

7. CPCs shall collect and provide to the Secretariat information on how they are implementing these measures and on the status of their National Plans of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries.
8. In 2015, the SCRS shall conduct another fishery impact assessment to evaluate the efficacy of these mitigation measures. Based on this fishery impact assessment, the SCRS shall make appropriate recommendations, if necessary, to the Commission on any modifications.
9. The Commission shall consider adopting additional measures for the mitigation of any incidental catch of seabirds in light of any new scientific information available, if necessary and consistently with the precautionary approach.
10. Notwithstanding Article VIII of the Convention the provisions of this Recommendation shall come into force to the extent possible by January 2013 but not later than July 2013.
11. ICCAT Rec. 07-07 will continue to apply in the area between 20°S to 25°S.

Table 1. Mitigation measures that comply with the following minimum technical standards.

| <i>Mitigation measure</i> | <i>Description</i> | <i>Specification</i> |
|--|---|--|
| Night setting with minimum deck lighting | No setting between nautical dawn and before nautical dusk. Deck lighting to be kept to a minimum | Nautical dusk and nautical dawn are defined as set out in the Nautical Almanac tables for relevant latitude, local time and date. Minimum deck lighting should not breach minimum standards for safety and navigation. |
| Bird-scaring lines (Tori lines) | Bird-scaring lines shall be deployed during longline setting to deter birds from approaching the branch line. | <p>For vessels greater than or equal to 35 m:</p> <ul style="list-style-type: none"> - Deploy at least 1 bird-scaring line. Where practical, vessels are encouraged to use a second tori pole and bird scaring line at times of high bird abundance or activity; both tori lines should be deployed simultaneously, one on each side of the line being set - Aerial extent of bird-scaring lines must be greater than or equal to 100 m. - Long streamers of sufficient length to reach the sea surface in calm conditions must be used. - Long streamers must be at intervals of no more than 5m. <p>For vessels less than 35m:</p> <ul style="list-style-type: none"> - Deploy at least 1 bird-scaring line. - Aerial extent must be greater than or equal to 75m. - Long and/or short (but greater than 1m in length) streamers must be used and placed at intervals as follows: <ul style="list-style-type: none"> o Short: intervals of no more than 2m. o Long: intervals of no more than 5m for the first 55 m of bird scaring line. <p>Additional design and deployment guidelines for bird-scaring lines are provided in Annex 1 of this Recommendation.</p> |
| Line weighting | Line weights to be deployed on the snood prior to setting | Greater than a total of 45 g attached within 1 m of the hook or; Greater than a total of 60 g attached within 3.5 m of the hook or; Greater than a total of 98 g weight attached within 4 m of the hook. |

Supplemental Guidelines for Design and Deployment of Tori Lines

Preamble

Minimum technical standards for deployment of tori lines are found in **Table 1** of this Recommendation, and are not repeated here. These supplemental guidelines are designed to assist in preparation and implementation of tori line regulations for longline vessels. While these guidelines are relatively explicit, improvement in tori line effectiveness through experimentation is encouraged, within the requirements of **Table 1** in the Recommendation. The guidelines take into account environmental and operational variables such as weather conditions, setting speed and ship size, all of which influence tori line performance and design in protecting baits from birds. Tori line design and use may change to take account of these variables provided that line performance is not compromised. On-going improvement in tori line design is envisaged and consequently review of these guidelines should be undertaken in the future.

Tori line design

1. An appropriate towed device on the section of the tori line in the water can improve the aerial extension.
2. The above water section of the line should be sufficiently light that its movement is unpredictable to avoid habituation by birds and sufficiently heavy to avoid deflection of the line by wind.
3. The line is best attached to the vessel with a robust barrel swivel to reduce tangling of the line.
4. The streamers should be made of material that is conspicuous and produces an unpredictable lively action (e.g. strong fine line sheathed in red polyurethane tubing) suspended from a robust three-way swivel (that again reduces tangles) attached to the tori line.
5. Each streamer should consist of two or more strands.
6. Each streamer pair should be detachable by means of a clip so that line stowage is more efficient.

Deployment of tori lines

1. The line should be suspended from a pole affixed to the vessel. The tori pole should be set as high as possible so that the line protects bait a good distance astern of the vessel and will not tangle with fishing gear. Greater pole height provides greater bait protection. For example, a height of around 7 m above the water line can give about 100 m of bait protection.
2. If vessels use only one tori line it should be set to windward of sinking baits. If baited hooks are set outboard of the wake, the streamer line attachment point to the vessel should be positioned several meters outboard of the side of the vessel that baits are deployed. If vessels use two tori lines, baited hooks should be deployed within the area bounded by the two tori lines.
3. Deployment of multiple tori lines is encouraged to provide even greater protection of baits from birds.
4. Because there is the potential for line breakage and tangling, spare tori lines should be carried onboard to replace damaged lines and to ensure fishing operations can continue uninterrupted. Breakaways can be incorporated into the tori line to minimize safety and operational problems should a longline float foul or tangle with the in-water extent of a streamer line.
5. When fishers use a bait casting machine (BCM), they must ensure coordination of tori line and machine by:
 - i) ensuring the BCM throws directly under the tori line protection, and
 - ii) when using a BCM (or multiple BCMs) that allows throwing to both port and starboard, two tori lines should be used.
6. When casting branchline by hand, fishers should ensure that the baited hooks and coiled branchline sections are cast under the tori line protection, avoiding the propeller turbulence which may slow the sink rate.
7. Fishers are encouraged to install manual, electric or hydraulic winches to improve ease of deployment and retrieval of tori lines.

**RECOMMENDATION BY ICCAT ON INFORMATION COLLECTION
AND HARMONIZATION OF DATA ON BY-CATCH AND DISCARDS IN ICCAT FISHERIES**

(Entered into force: **June 7, 2012**)

RECALLING the findings of ICCAT's independent performance review in 2008, including the panel's recommendation that "ICCAT develop a stronger approach generally to by-catch and develop and adopt appropriate mitigation measures including reporting on the effectiveness of these measures throughout the fisheries";

ACKNOWLEDGING the findings of the International Workshop on Tuna RFMO Management of Issues Relating to Bycatch in June 2010, including the recommendation that RFMOs should assess fishery impacts on bycatch, using the best available data;

CONSIDERING that the FAO issued International Guidelines for By-catch Management and Reduction of Discards in January 2011, advising RFMOs to recognize the importance of addressing bycatch problems and to collaborate with other RFMOs to address common issues of concern;

FURTHER CONSIDERING the recommendations developed at the first meeting of the Joint Tuna RFMO Technical Working Group on Bycatch in July 2011;

RECOGNIZING that discussions within the Future of ICCAT Working Group have highlighted the importance of ecosystem considerations;

NOTING that the *Recommendation by ICCAT to Establish Minimum Standards for Fishing Vessel Scientific Observer Programs* [Rec. 10-10] requires CPCs to establish observer programs to collect data that quantify bycatch (including sharks, sea turtles, marine mammals, and seabirds) and report this information to the SCRS;

RESPONDING to recommendations from the SCRS Subcommittee on Ecosystems, including the need for all CPCs to collect and provide bycatch data to the SCRS;

FURTHER RECOGNIZING that the SCRS Sub-Committee on Ecosystems, together with the Working Group on Stock Assessment Methods, is developing guidelines for the presentation and analysis of bycatch statistics;

DETERMINED to improve data collection and reporting on bycatch in ICCAT fisheries, as a basis for future assessment by the SCRS of impacts of these fisheries on bycatch species and consideration of appropriate conservation and management measures by the Commission;

UNDERSCORING the importance of full and active involvement by ICCAT in the work of the Joint Tuna RFMO Technical Working Group on By-Catch, including the development of minimum standards for data collection;

FURTHER NOTING that although Recommendations 04-10, 07-07 and 10-09 established some reporting requirements for species encountered as bycatch in ICCAT fisheries, many CPCs have not taken the necessary steps to collect and report these data.

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

1. Notwithstanding other data collection and reporting programs and requirements adopted by ICCAT and noting continued obligations to fulfill those requirements, in particular those of Recommendation 10-10:
 - a) Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) shall require the collection of bycatch and discard data in their existing domestic scientific observer programs and logbook programs;

- b) CPCs that wish to employ an alternative scientific monitoring approach for vessels <15 meters, as specified in paragraph 1b) of Recommendation 10-10, shall describe their alternative approach as part of the observer program report that is due to the SCRS on July 31, 2012 (as required by paragraph 5 of Recommendation 10-10).
 - c) For artisanal fisheries that are not subject to ICCAT's minimum standards for scientific observer programs (Recommendation 10-10) or recording of catch requirements (Recommendation 03-13) CPCs shall implement measures to collect bycatch and discard data through alternative means and describe these efforts in their Annual Reports, beginning in 2012. The SCRS shall evaluate these measures in 2013 and provide advice to the Commission on this matter;
 - d) CPCs shall report the bycatch and discard data collected under paragraphs 1a and b to the Secretariat in the format specified by SCRS, in accordance with existing deadlines for data reporting;
 - e) CPCs shall report on steps taken to mitigate bycatch and reduce discards, and on any relevant research in this field, as part of their Annual Reports, beginning in 2012;
2. CPCs shall provide these data in a manner consistent with their domestic confidentiality requirements.
 3. Where possible, CPCs shall provide existing identification guides for sharks, seabirds and turtles and marine mammals caught in the Convention Area to the ICCAT Secretariat, and the Secretariat shall request sub-regional RFMOs to provide the Commission with relevant identification guides. The Secretariat shall share these guides with the T-RFMO Technical Working Group on Bycatch, as appropriate.
 4. The ICCAT Secretariat and SCRS will continue to support the work plan of the T-RFMO Joint Bycatch Technical Working Group.
 5. This recommendation applies to discards and bycatch of species caught in association with fisheries managed by ICCAT, as reflected in the FAO International Guidelines on Bycatch Management and the Reduction of Discards.

**RECOMMENDATION BY ICCAT ON COMPLIANCE WITH
EXISTING MEASURES ON SHARK CONSERVATION AND MANAGEMENT**

(Entered into force: **June 10, 2013**)

RECALLING that ICCAT has put in place recommendations that prohibit the retention of shark species identified as at risk due to the impact of fisheries within the ICCAT Convention area: bigeye thresher (09-07), oceanic whitetip (10-07), hammerhead (10-08), silky sharks (11-08).

NOTING that these shark recommendations have now been in place for up to three years, and that contrary to other species explicitly covered by the Convention, there are no extensive records of compliance by Contracting Parties, non-Contracting Parties, Entities and Fishing Entities (CPCs) on shark recommendations.

RECALLING the *Recommendation by ICCAT Concerning the Conservation of sharks Caught in Association with Fisheries Managed by ICCAT* [Rec. 04-10] that highlights the need for action and co-operation for the proper conservation and management of sharks in the ICCAT convention area and that establishes the obligation to annually report Task I and Task II data for catches of sharks, in accordance with ICCAT data reporting procedures.

FURTHER RECALLING the *Recommendation by ICCAT on Penalties Applicable in Case of non-Fulfilment of Reporting Obligations* [Rec. 11-15] that establishes the obligation of CPCs to include information in their Annual Reports on actions taken to implement their reporting obligations for all ICCAT fisheries, including shark species caught in association with ICCAT fisheries;

RECOGNIZING the need to follow the precautionary approach at all times when dealing with shark management and conservation, given sharks inherent vulnerability to overexploitation;

NOTING that the 30th Session of the Committee on Fisheries (COFI) of the Food and Agriculture Organization of the United Nations, which met in July 2012, stated that: *The Committee recognized that further actions by States and RFMOs need to be taken for shark conservation and management;*

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

All CPCs submit to the ICCAT Secretariat, in advance of the 2013 annual meeting, details of their implementation of and compliance with shark conservation and management measures [Recs. 04-10, 07-06, 09-07, 10-08, 10-07, 11-08 and 11-15].

**RECOMMENDATION ON BIOLOGICAL SAMPLING OF PROHIBITED
SHARK SPECIES BY SCIENTIFIC OBSERVERS**

(Entered into force: **June 10, 2014**)

CONSIDERING that the SCRS recommended the adoption of measures to enable scientific observers to collect biological samples from the shark species for which retention is prohibited by ICCAT and which are dead at haulback, provided that such samples are for a research project notified to the SCRS.

TAKING INTO CONSIDERATION the shark research and data collection program developed by the Shark Working Group of the SCRS.

NOTING that for all these species there is an important lack of biological knowledge, for which the SCRS strongly recommends that such samples be collected.

FURTHER NOTING that, as recommended by the SCRS, to obtain approval of such research projects, the proposal should include a detailed document that describes the objective of the work, the number and type of sample that need to be collected and the time-area distribution of the sampling.

ACKNOWLEDGING the importance of promoting coordination between SCRS scientists and improving collaboration on research related to shark biology, as prioritised by the SCRS shark research and data collection program.

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

1. By derogation to ICCAT conservation measures providing for the prohibition of retaining on board certain shark species, the collection of biological samples during commercial fishing operations (e.g vertebrae, tissue, reproductive tracts, stomachs, skin samples, coil valves, jaws, whole fish or skeletons for taxonomic studies and fauna inventories) by scientific observers or individuals duly permitted by the CPC to collect biological samples is authorised under the following conditions:
 - a) The biological samples are collected only from animals which are dead at the haulback.
 - b) The biological samples are taken in the framework of a research project notified to the SCRS and developed taking into consideration the recommended research priorities of the SCRS Shark Group. The research project should include a detailed document that describes the objective of the work, the methodologies to be used, the number and type of samples to be collected, the time-area distribution of the sampling and a chronogram of the activities to be carried out.
 - c) The biological samples must be kept on board until the port of landing or transshipment.
 - d) The authorisation of the flag State CPC or, in the case of chartered vessels, of the chartering CPC and the flag State CPC, must accompany all such samples collected according to this Recommendation until the final port of landing. Such samples and other parts of the shark specimens sampled may not be marketed or sold.
2. An annual report of the results achieved by the research project should be presented to the Shark Species Group and the SCRS. The SCRS should review and assess this report and provide advice on follow up.
3. The sampling campaign can only start once the authorisation by the relevant State has been issued.

**RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION 10-09
ON THE BY-CATCH OF SEA TURTLES IN ICCAT FISHERIES**

(Entered into force: **June 10, 2014**)

CONSIDERING that ICCAT adopted in 2010 a recommendation to mitigate the by-catch of sea turtles in ICCAT fisheries (Recommendation 10-09), which requested that the SCRS initiate an assessment of the impact of incidental catch of sea turtles no later than 2013 and advise on approaches to mitigate such incidental capture, including reducing the number of interactions and/or the mortality associated with those interactions.

NOTING that on that basis the SCRS in 2013 made specific recommendations to maintain the provisions of Recommendation 10-09 and to call for additional measures to reduce mortality of incidentally captured sea turtles through, safe-handling practices, such as the use of line cutters and the use of de-hooking devices.

ACKNOWLEDGING that it is necessary to amend Recommendation 10-09 to include the specific recommendations made by the SCRS in 2013.

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

1. The following sub-items are inserted after point 2. c) of Recommendation 10-09:

d) *Regarding safe-handling practices:*

- i) *When a turtle is to be removed from the water, an appropriate basket lift or dip-net shall be used to bring aboard sea turtles that are hooked or entangled in gear. No turtle shall be hauled from the water by a fishing line attached to, or entangled upon the body of a turtle. If the turtle cannot be safely removed from the water, the crew should cut the line as close as possible to the hook, without inflicting additional unnecessary harm on the turtle.*
- ii) *In cases where marine turtles are taken on board, vessel operators or crew shall assess the condition of sea turtles that are caught or entangled prior to release. Those turtles with difficulties to move or are unresponsive shall be kept on board to the extent practicable and assisted in a manner consistent with maximizing their survival prior to release. These practices are described further in the FAO's Guidelines to Reduce Sea Turtle Mortality in Fishing Operations.*
- iii) *To the extent practicable, turtles handled in fishing operations or during national observer programs (e.g. tagging activities) shall be handled in a manner consistent with the FAO's Guidelines to Reduce Sea Turtle Mortality in Fishing Operations.*

e) *Regarding the use of line cutters:*

- i) *Longline vessels shall carry on board line-cutters and use these when de-hooking is not possible without harming the marine turtle while releasing them.*
- ii) *Other types of vessels that use gear that may entangle sea turtles shall carry on board line-cutters and use these tools to safely remove gear, and release sea turtles.*

f) *Regarding the use of de-hooking devices:*

Longline vessels shall carry on board de-hooking devices to effectively remove hooks from sea turtles.

When a hook is swallowed, no attempt shall be made to remove the hook. Instead, the line must be cut as close to the hook as possible without inflicting additional unnecessary harm on the turtle.

2. Points 4, 5 and 6 of Recommendation 10-09 are deleted and replaced by the following:

4. The SCRS shall continue to improve the ERA initiated for sea turtles in 2013 and shall advise the Commission on its plan for future sea turtle impact analyses at the 2014 meeting. Upon receipt of advice from the SCRS, the Commission shall consider additional measures to mitigate sea turtle by-catch in ICCAT fisheries, if necessary.

3. Points 7, 8 and 9 of Recommendation 10-09 become points 5, 6 and 7.

**RECOMMENDATION BY ICCAT ON
SHORTFIN MAKO CAUGHT IN ASSOCIATION WITH ICCAT FISHERIES**

(Entered into force **3 June 2015**)

CONSIDERING that shortfin mako sharks (*Isurus oxyrinchus*) are caught in association with fisheries managed by ICCAT;

RECALLING Recommendation by ICCAT concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT [Rec. 04-10], Recommendation by ICCAT to Amend Recommendation [Rec. 04-10] concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT [Rec. 05-05], Supplement Recommendation by ICCAT concerning Sharks [Rec. 07-06] and Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries [Rec. 10-06], including the obligation of CPCs to annually report Task I and Task II data for catches of sharks from all ICCAT fisheries, in accordance with ICCAT data reporting procedures;

ALSO RECALLING that according to Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries [Rec. 10-06] and Recommendation by ICCAT on Penalties Applicable in Case of non-Fulfillment of Reporting Obligations [Rec.11-15], CPCs that do not report Task I data, for one or more species (including sharks species) for a given year, shall be prohibited from retaining such species until such data have been received by the ICCAT Secretariat;

NOTING that, following the Shortfin Mako Stock Assessment carried out in June 2012, the SCRS recommended, as a precautionary approach, that the fishing mortality of shortfin mako sharks should not be increased until more reliable stock assessment results are available for both the north and south stocks;

FURTHER NOTING the continued high vulnerability ranking of shortfin mako sharks in the 2008 and 2012 Ecological Risk Assessments, the uncertainty associated to the stock assessment process and the relative low productivity of this species;

FURTHER NOTING that the 2014 management recommendations of the SCRS indicate that precautionary management measures should be considered for sharks stocks where there is the greatest biological vulnerability and conservation concern and that in particular for shortfin mako shark the SCRS has recommended that the catches of this species should not be increased with respect to current levels until more reliable stock assessment results are available for both the northern and southern stocks;

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

1. CPCs shall improve their catch reporting systems to ensure the reporting of shortfin mako catch and effort data to ICCAT in full accordance with the ICCAT requirements for provision of Task I and Task II catch, effort and size data.
2. CPCs shall include in their annual reports to ICCAT information on the actions they have taken domestically to monitor catches and to conserve and manage shortfin mako sharks.
3. CPCs are encouraged to undertake research that would provide information on key biological/ecological parameters, life-history and behavioural traits, as well as on the identification of potential mating, pupping and nursery grounds of shortfin mako sharks. Such information shall be made available to the SCRS.
4. The SCRS shall endeavour to conduct a stock assessment for shortfin mako sharks by 2016, if the available data permit, and shall evaluate and advise the Commission on appropriate management measures.
5. This Recommendation replaces and repeals Recommendations 05-05 and 06-10 in their entirety.

Agreed by the Commission November, 1975

Pursuant to paragraph 3 of Article IX of the Convention, the Commission recommends the establishment of the following arrangements for international control outside the waters under national jurisdiction for the purpose of ensuring the application of the Convention and the measures in force thereunder:

1. Control shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by their respective governments shall be notified to the Commission.
2. Ships carrying inspectors shall fly a special flag or pennant approved by the Commission to indicate that the inspector is carrying out international inspection duties. The names of the ships so used for the time being, which may be either special inspection vessels or fishing vessels, shall be notified to the Commission, as soon as may be practical.
3. Each inspector shall carry a document of identity supplied by the authorities of the flag state in a form approved by the Commission and given him on appointment stating that he has authority to act under arrangements approved by the Commission.
4. Subject to the arrangements agreed under paragraph (9), a vessel employed for the time being in fishing for tuna or tuna-like fishes in the Convention area outside the waters under national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship carrying an inspector unless actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master¹ of the vessel shall permit the inspector, who may be accompanied by a witness, to board it. The master shall enable the inspector to make such examination of catch or gear and any relevant documents as the inspector deems necessary to verify the observance of the Commission's recommendations in force in relation to the flag state of the vessel concerned and the inspector may ask for any explanations that he deems necessary.
5. On boarding the vessel an inspector shall produce the document described in (3) above. Inspections shall be made so that the vessel suffers the minimum interference and inconvenience and that degradation of the quality of the fish be avoided. An inspector shall limit his enquiries to the ascertainment of the fact in relation to the observance of the Commission's recommendations in force in relation to the flag state of the vessel concerned. In making his examination an inspector may ask the master for any assistance he may require. He shall draw up a report of his inspection in a form approved by the Commission. He shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he may think suitable and must sign such observations. Copies of the report shall be given to the master of the vessel and to the inspector's government who shall transmit copies to the appropriate authorities of the flag state of the vessel and to the Commission. Where any infringement of the recommendations is discovered the inspector should, where possible, also inform the competent authorities of the flag state, as notified to the Commission, and any inspection ship of the flag state known to be in the vicinity.
6. Resistance to an inspector or failure to comply with his directions shall be treated by the flag state of the vessel in a manner similar to resistance to any inspector of that state or a failure to comply with his directions.
7. Inspectors shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation but they shall remain under the operational control of their national authorities and shall be responsible to them.

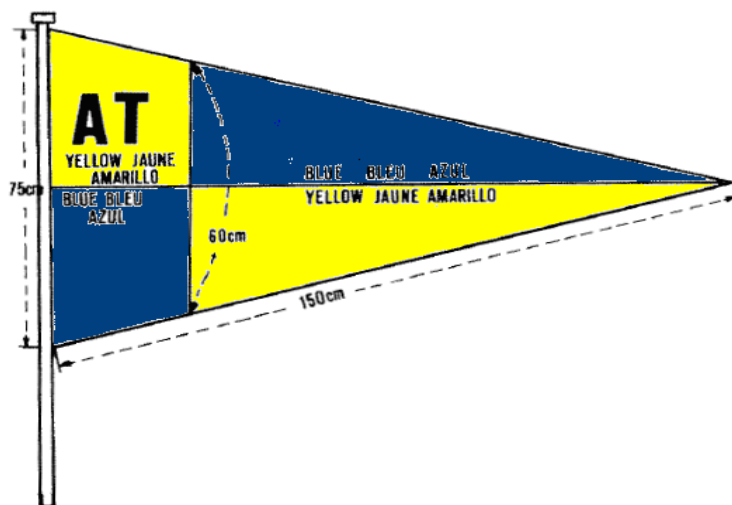
¹Master refers to the individual in charge of the vessel.

8. Contracting Governments shall consider and act on reports of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements.
9. (i) Contracting Governments shall inform the Commission by the 1st of March each year of their provisional plans for participation in these arrangements in the following year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors.

(ii) The arrangements set out in this recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them; and such agreement shall be notified to the Commission:

Provided, however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the Commission to that effect, pending completion of an agreement.
10. (i) The fishing gear shall be inspected in accordance with the regulations in force for the subarea in which the inspection takes place. The inspector will state the nature of the violation in his report.
(ii) Inspectors shall have the authority to inspect all fishing gear in use or that fishing gear on deck ready for use.
11. The inspector shall affix an identification mark approved by the Commission to any fishing gear inspected which appears to be in contravention of the Commission's recommendations in force in relation to the flag state of the vessel concerned and shall record this fact in his report.
12. The inspector may photograph the gear in such a way as to reveal those features which in his opinion are not in conformity with the regulation in force, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag state.
13. The inspector shall have authority, subject to any limitations imposed by the Commission, to examine the characteristics of catches, to establish whether the Commission's recommendations are being complied with. He shall report his findings to the authorities of the flag state of the inspected vessel as soon as possible.

ICCAT Pennant



**RESOLUTION BY ICCAT ON COMPLIANCE WITH THE ICCAT
CONSERVATION AND MANAGEMENT MEASURES (INCLUDING ADDENDUM)**

(Transmitted to Contracting Parties: **January 23, 1995**)

RECALLING that the Commission has taken various conservation and management measures on tuna and tuna-like species in the Convention Area;

NOTING the *Recommendation by ICCAT on Supplemental Regulatory Measures for the Management of Eastern Atlantic Bluefin Tuna* adopted at the Thirteenth Regular Meeting in 1993, which prohibits the fishing for bluefin tuna using longline fishing vessels greater than 24 m in length in the Mediterranean during the period from June 1 to July 31;

FURTHER NOTING the *Recommendation by ICCAT on the Management of Bluefin Tuna Fishing in the Central North Atlantic Ocean* adopted at the Thirteenth Regular Meeting in 1993, which limits the bluefin tuna catch in this area and prohibits the initiation of a new fishery targeting bluefin tuna for a period of two years;

BEING AWARE of the need to obtain and monitor cooperation from the non-Contracting Parties with ICCAT conservation and management measures to ensure the effectiveness of the Commission's recommendations;

RECOGNIZING the need to develop a mechanism to monitor fishing activities by non-Contracting Parties in the Convention Area and to take possible ways and means based on the collected information to deter fishing activities of non-Contracting Parties which undermine conservation and management measures of the Commission;

ALSO RECOGNIZING the need to improve compliance by Contracting Parties in the Convention area;

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

- 1 The Contracting Parties should collect any information on the sighting of vessels of Contracting and non-Contracting Parties, as set out below, through their enforcement and surveillance operations in the Convention Area. Such information should be transmitted promptly to the Executive Secretary (a sighting information sheet is attached as an Addendum):
 - a) Large pelagic tuna longline fishing vessels greater than 24 m in length operating in the Mediterranean during the period from June 1 to July 31,
 - b) Vessels that appear to be:
 - i) fishing bluefin tuna in the North Atlantic without regard to the scientific monitoring quota in the western Atlantic;
 - ii) directing a fishery on bluefin tuna spawning stocks in the Gulf of Mexico; or,
 - iii) fishing bluefin tuna in the central North Atlantic (north of 40°N, between 35°W and 45°W) contrary to the relevant Commission recommendation.
 - iv) fishing tuna and tuna-like species contrary to the relevant Commission Recommendations other than i, ii, and iii.
- 2 The Contracting Parties should encourage those of their fishermen who operate in the Convention Area to collect the information on the vessels set out in paragraph 1.

- 3 When a vessel described in paragraph 1 is sighted and:
 - a) flies the flag of a Contracting Party, the Executive Secretary shall, upon receiving the information from the Contracting Party which sighted the vessel, immediately transmit it to the relevant Contracting Party which shall immediately take appropriate action with respect to the vessel in question. Such Contracting Party shall promptly inform the Commission of the actions taken,
 - b) flies the flag of a non-Contracting Party, the Executive Secretary shall, upon receiving the information from the Contracting Party which sighted the vessel, immediately transmit it to the relevant non-Contracting Party and request that it promptly take appropriate action to ensure that the effectiveness of the ICCAT conservation measures are not undermined and inform the Commission of the results of such action. The Executive Secretary shall compile the information and provide it to the Commission,
 - c) the flag state cannot be identified, the Executive Secretary shall compile the information received from the Contracting Parties which sight such vessels and provide it to the Commission.
- 4 Appropriate authorities of Contracting Parties are encouraged, upon the consent of the master, to board and collect information on pelagic fishing vessels of non-Contracting Parties fishing in the Convention Area. Information collected from such courtesy boardings shall be compiled and reported to the Commission.
- 5 Any Contracting Party in whose ports bluefin tuna fishing or transport vessels enter and any Contracting Party which has ports identified by the Statistical Document Program as a point of export of bluefin tuna should make every effort to collect the following information on the tuna vessels of non-Contracting Parties in its ports (the appended sighting information sheet should be used for this purpose) and report the information collected to the Commission:
 - a) Vessel Type and Name
 - b) Flag and Port of Registry
 - c) International Radio Call Sign
 - d) Registration Number
 - e) Length and Gross Tonnage
 - f) Fishing Gear Description (e.g. type, amount)
 - g) Nationality of master, officers and crew
 - h) Date of Entry and Departure
 - i) Activities at port (supply, landing, transshipment, etc.)
 - j) Other relevant information
- 6 Such Contracting Party should make every effort to photograph the vessels and collect the following information through interviews with vessel masters, officers or crew:
 - a) Name and Address of the Owner
 - b) Name and Address of the Operator
 - c) Amount of catch, landing or transshipment by species
 - d) Area, Target Species and Period of Fishing
- 7 Each Contracting Party shall make every effort to ensure that bluefin tuna harvested by its vessels and described in each Statistical Document has not been taken contrary to the Commission's conservation and management measures.
- 8 Each Contracting Party should seek to discourage, in accordance with its law, its nationals from associating with the activities of non-Contracting Parties which undermine the effectiveness of the ICCAT conservation and management measures.
- 9 The Contracting Parties should review the ICCAT Scheme of Port Inspection with a view to developing an effective enforcement scheme to enhance compliance with the ICCAT Recommendations.
- 10 The Executive Secretary shall transmit this Resolution to all non-Contracting Parties and request their cooperation for the effective implementation of this Resolution.

| SIGHTING INFORMATION SHEET | | | | |
|--|----------------------------|---------------|-----------------|----------------------|
| 1. Date of Sighting: | Month | Day | Year | |
| 2. Position of Vessel Sighted: | | | | |
| At Sea: | Latitude | Longitude | | |
| At Port: | Name of Port | Country | | |
| 3. Name of the Vessel Sighted: | | | | |
| 4. Flag Country: | | | | |
| 5. Port (and Country) of Registry: | | | | |
| 6. Type of Vessel: | | | | |
| 7. International Radio Call Sign: | | | | |
| 8. Registration Number: | | | | |
| 9. Estimated Length and Gross Tonnage: | | | | |
| | | m | T | |
| 10. Fishing Gear Description: | | | | |
| Type: | Estimated quantity (units) | | | |
| 11. Nationality of Captain: | | | | |
| | Officer: | Crew: | | |
| 12. Vessel Situation When Sighted at Sea (Please check): | | | | |
| Fishing | Cruising | Drifting | Transshipping | Other |
| 13. Type of Activities of the Vessel Sighted at Sea (Please check): | | | | |
| <input type="checkbox"/> 1) Large pelagic tuna longline fishing vessels greater than 24 m in length operating in the Mediterranean during the period from June 1 to July 31 <input type="checkbox"/> 2) Vessels actually or possible engaged in bluefin tuna fishing that is contrary to the quota established by the Commission for scientific monitoring purposes in the western Atlantic <input type="checkbox"/> 3) Vessels actually or possible engaged in a directed fishery on bluefin tuna spawning stocks in the Gulf of Mexico <input type="checkbox"/> 4) Vessels actually or possible engaged in fishing bluefin tuna contrary to the Commission's regulation in the central North Atlantic (north of 40°N, between 35°W and 45°W). <input type="checkbox"/> 5) Vessels actually or possible engaged in fishing bluefin tuna contrary to the Commission Regulations other than above (Specify) | | | | |
| 14. Date of Entry and Departure (Port Sighting Only) | | | | |
| Entry: | M | , D | , Y | Departure: M , D , Y |
| 15. Activities at Port (Port Sighting Only) (Please check): | | | | |
| Supply | Landing | Transshipment | Other (Specify) | |

| | | | | | |
|--|-----------------|----------------------|----------|------------|---|
| 16. Other Relative Information: | | | | | |
| NOTE: THE SECTIONS BELOW ARE FOR NON-CONTRACTING PARTIES' VESSELS SIGHTED AT PORT ONLY. Fill out the following when information is obtained by interviewing the vessel master, officers and/or crew: | | | | | |
| 17. Name and Address of the Owner: | | | | | |
| 18. Name and Address of the Operator: | | | | | |
| 19. Estimated Amount of Catch, Landing, or Transshipment (when possible, by species) in metric tons (T): | | | | | |
| TOTAL | T | BLUEFIN | T | BIGEYE | T |
| ALBACORE | T | SWORDFISH | T | BILLFISHES | T |
| | | | | YELLOWFIN | T |
| | | | | OTHERS | T |
| 20. Fishing Area, Target Species, and Period of Fishing: | | | | | |
| Fishing Area: | Target Species: | Fishing Period: From | | to | |
| 21. Other Information: | | | | | |
| THE ABOVE INFORMATION WAS COLLECTED BY: | | | | | |
| OFFICER'S NAME: | | TITLE: | | | |
| NAME OF VESSEL: | | AIRCRAFT: | OR PORT: | | |
| DATE: (Month) | (Day) | (Year) | | | |
| SIGNATURE: | | | | | |

Sighting Form: 1994

**RECOMMENDATION BY ICCAT REGARDING COMPLIANCE IN THE BLUEFIN
TUNA AND NORTH ATLANTIC SWORDFISH FISHERIES**

(Entered into force: **August 4, 1997**)

CONSIDERING that the 1996 SCRS has identified Atlantic bluefin tuna and North Atlantic swordfish stocks as over-exploited;

GIVEN that statistics indicate that some Contracting Parties have exceeded their catch limits; and,

RECOGNIZING that compliance with catch limits is essential to conservation of Atlantic bluefin tuna and North Atlantic swordfish.

THEREFORE, with respect to the harvest of bluefin tuna in the western Atlantic, the eastern Atlantic, and the Mediterranean Sea, and swordfish in the North Atlantic,

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RECOMMENDS THAT:

- 1 At the 1997 Commission Meeting, and each year thereafter, each Contracting Party whose landings, as provided in the Task I data, exceeded its catch limit for that species in the previous fishing year will explain to the Compliance Committee how the over-harvest occurred, and the actions already taken, or to be taken to prevent further over-harvest;
- 2 If, in the applicable management period, beginning in 1997, and each subsequent management period, any Contracting Party exceeds its catch limit, its catch limit will be reduced in the next subsequent management period by 100% of the amount in excess of such catch limit; and ICCAT may authorize other appropriate actions; and
- 3 Notwithstanding paragraph (2), if any Contracting Party exceeds its catch limit during any two consecutive management periods, the Commission will recommend appropriate measures, which may include, but are not limited to, reduction in the catch limit equal to a minimum of 125% of the excess harvest, and, if necessary, trade restrictive measures. Any trade measures under this paragraph will be import restrictions on the subject species and consistent with each Party's international obligations. The trade measures will be of such duration and under such conditions as the Commission may determine.

Treatment of Contracting Party under-harvest may be addressed as part of the Recommendation regarding total catch limits in the following management period.

**RESOLUTION BY ICCAT ON
LARGE-SCALE PELAGIC DRIFTNETS**

(Transmitted to Contracting Parties: **February 3, 1997**)

CONSIDERING that in November, 1993, and November, 1994, ICCAT adopted Resolutions in support of the Resolutions of the United Nations General Assembly, 44/225, 45/197 and 46/215, concerning large-scale, high seas, pelagic driftnets and their impact on the living marine resources of the world's oceans and seas, requesting its Contracting Parties to support these Resolutions;

CONSIDERING that it was brought to the attention of the Contracting Parties of the Commission that in 1995 such large-scale, high seas, pelagic driftnet fishing continued in the areas of ICCAT competence and that this activity in some fisheries was increasing;

CONSIDERING that the Commission continues to express its concern about the possibility that certain stocks under ICCAT mandate, as well as other marine resources, are being adversely affected by such fishing; and

CONSIDERING that the Commission has reaffirmed its commitment as regards the concept of responsible fishing, such as established within the framework of the FAO Code of Conduct,

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

REAFFIRMS the importance it gives to compliance with the Resolutions of the United Nations 44/225, 45/197 and 46/215,

EXPRESSES its appreciation for the individual and collective efforts made by some of its members to apply and support the objective of these Resolutions.

REITERATES its serious concern about the potential negative impacts that large-scale pelagic driftnet fishing can have on the marine resources of the Atlantic Ocean and Mediterranean Sea, and its intention to carefully monitor the repercussions of this fishing on these stocks.

APPEALS to all its Contracting Parties to apply these Resolutions in their entirety and inform the Commission and the Secretary General of the United Nations on the regulatory measures adopted with a view towards assuring their application, in accordance with the Decisions of the United Nations 47/443 and 48/445.

APPEALS to all its Contracting Parties to commit themselves immediately as concerns their application, assuring that their nationals and their fishing vessels comply with Resolution 46/215, to provide all the necessary data relative to these fisheries in order that the scientists can study the effects of the utilization of these gears, and imposing adequate sanctions on their nationals and on their fishing vessels that act contrary to the terms of Resolution 46/215.

CHARGES the Compliance Committee and the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) to monitor compliance with the U.N. Resolutions within the ICCAT Convention Area with a view to adopting adequate measures.

**RECOMMENDATION BY ICCAT TO
IMPROVE COMPLIANCE WITH MINIMUM SIZE REGULATIONS**

(Entered into force: **June 13, 1998**)

RECOGNIZING that some Contracting Parties are not complying with the minimum size regulations for ICCAT stocks;

ACKNOWLEDGING that compliance with minimum size regulations would improve the state of ICCAT stocks;

NOTING THAT to better assess all harvest of ICCAT stock, parties, entities or fishing entities should make every effort to submit timely and complete Task II information (catch and effort statistics in detailed time/area strata and size data by ICCAT sampling areas and quarterly periods).

Therefore,

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

- 1 That Contracting Parties immediately implement measures to ensure the monitoring and enforcement of the minimum size regulations for ICCAT stocks;
- 2 That at the 1998 Commission meeting, and each year thereafter, each Contracting Party who has harvested any bluefin tuna weighing less than 3.2 kg, or whose harvest of any ICCAT stock exceeds the specified minimum size tolerance level adopted by the Commission, explain to the Compliance Committee:
 - a) The magnitude of the over-harvest;
 - b) Domestic measures implemented to avoid further over-harvest;
 - c) Monitoring of compliance with domestic measures; and
 - d) Any other actions to be taken to prevent further over-harvest;
- 3 That beginning at the 2000 Commission Meeting, if any Contracting Party's actions pursuant to paragraph (2) have failed to prevent further over-harvest, the Commission may recommend measures to reduce harvest of undersized fish, which may include, but are not limited to, time and area closures, assignment of small fish quotas, and/or gear restrictions.

97-08

GEN

**RECOMMENDATION BY ICCAT REGARDING
COMPLIANCE IN THE SOUTH ATLANTIC SWORDFISH FISHERY**

(Entered into force on **September 24, 1998**)

(Except for **Brazil, South Africa and Uruguay** who presented and reaffirmed objections)

RECOGNIZING that at its 1997 meeting the Commission addressed South Atlantic swordfish quotas;

NOTING that compliance with the quotas is essential to effective implementation;

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

The *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*, adopted by the Commission at its Tenth Special Meeting (November 1996), be extended to include compliance in the South Atlantic swordfish fishery.

– RECOMMENDATION –
TRANSSHIPMENTS & VESSEL SIGHTINGS

(Entered into force: **June 13, 1998**)

RECOGNIZING the importance of ensuring that at-sea transshipments do not undermine ICCAT conservation measures; and

ALSO RECOGNIZING the importance of cooperating with respect to the sightings of vessels which may be fishing contrary to ICCAT conservation measures;

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

1 Contracting Parties shall ensure that fishing vessels and mother vessels flying their flag only transfer or receive at-sea transshipment of ICCAT species from Contracting Parties and Cooperating [Parties, Entities, or Fishing Entities], as defined in the *Resolution by ICCAT on Becoming a Cooperating Party, Entity or Fishing Entity* [Res. 97-17]*. Such transshipment activities shall be reported annually to the Commission.

2 Any sightings of vessels that appear to be without nationality (stateless) that may be fishing for ICCAT species shall be reported immediately to the appropriate authorities of the Contracting Party whose vessel or aircraft made the sighting. Where there are reasonable grounds for suspecting that a fishing vessel targeting ICCAT species on the high seas is stateless, a Contracting Party may board and inspect the vessel. Where evidence so warrants, the Contracting Party may take such action as may be appropriate in accordance with international law. Any Contracting Party receiving a report of a sighting or conducting an action against a stateless fishing vessel shall immediately notify the ICCAT Secretariat, which, in turn, shall notify all other Contracting Parties. In addition, Contracting Parties are encouraged to establish points of contact to facilitate cooperation and other appropriate actions

3 Any observation by a Contracting Party vessel or aircraft of Contracting Parties' vessels that may be fishing contrary to ICCAT conservation measures shall be reported immediately to the appropriate authorities of the flag-State making the observation. That Contracting Party shall then immediately notify the appropriate authorities of the flag-State of the vessel fishing. Each Contracting Party making the observation and the Contracting Party whose fishing vessels were observed shall provide the pertinent information to the ICCAT Secretariat for review by the Compliance Committee.

4 Any observation by a Contracting Party vessel or aircraft of non-contracting party, entity or fishing entity vessels that may be fishing contrary to ICCAT conservation measures shall be reported immediately to the appropriate authorities of the flag-State making the observation. The Contracting Party shall then notify immediately the appropriate authorities of the flag-State of the vessel fishing. Each Contracting Party making the observation shall also immediately notify the ICCAT Secretariat, which, in turn, shall notify the other Contracting Parties.

* Resolution 97-17 was replaced by Recommendation 03-20.

**RECOMMENDATION BY ICCAT
CONCERNING THE BAN ON LANDINGS AND TRANSHIPMENTS
OF VESSELS FROM NON-CONTRACTING PARTIES IDENTIFIED AS
HAVING COMMITTED A SERIOUS INFRINGEMENT**

(Entered into force: **June 21, 1999**)

RECOGNIZING the importance of ensuring compliance of vessels from non-contracting parties, entities or fishing entities with ICCAT rules;

CONSIDERING that ICCAT adopted in November 1997 a Recommendation concerning the transshipments and vessel sightings and that, therefore, Contracting Parties of ICCAT have an obligation to report immediately the sightings of vessels from non-contracting parties, entities or fishing entities fishing in contravention to ICCAT rules;

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

- 1 A vessel flying the flag of a non-contracting party, entity or fishing entity, which has been sighted in the ICCAT Convention Area, in conformity with the conditions of paragraph 4 of the *Recommendation by ICCAT on Transshipment and Vessel Sightings*, adopted in November 1997, is presumed to be undermining ICCAT conservation measures.
- 2 When a vessel of a non-contracting party, entity or fishing entity referred to in paragraph 1 enters voluntarily a port of any Contracting Party, it shall be inspected by authorized Contracting Party officials knowledgeable of ICCAT measures and shall not be allowed to land or tranship any fish until this inspection has taken place. Such inspections shall include the vessel's documents, logbooks, fishing gear, catch on board and any other matter relating to the vessel's activities in the Convention Area.
- 3 Landings and transshipments of all fish from vessels of a non-contracting party, entity or fishing entity which have been inspected pursuant to paragraph 2, shall be prohibited in all Contracting Party ports if such inspection reveals that the vessel has onboard species subject to ICCAT conservation measures, unless the vessel establishes that the fish were caught outside the Convention Area or in compliance with the relevant ICCAT conservation measures and requirements under the Convention.
- 4 Information on the results of all inspections of vessels of non-contracting parties, entities or fishing entities, conducted in the ports of Contracting Parties, and any subsequent action, shall be transmitted immediately to the Commission. The Secretariat shall transmit this information to all Contracting Parties and to the relevant flag State(s).

**RESOLUTION BY ICCAT CALLING FOR FURTHER ACTIONS AGAINST
ILLEGAL, UNREGULATED AND UNREPORTED FISHING ACTIVITIES BY LARGE-SCALE
LONGLINE VESSELS IN THE CONVENTION AREA AND OTHER AREAS**

(Transmitted to Contracting Parties: **December 16, 1999**)

RECALLING that ICCAT adopted at its 1998 meeting a *Resolution by ICCAT Concerning Unreported and Unregulated Catches of Tunas by Large Scale Longline Vessels in the Convention Area*, and a *Recommendation Concerning Registration and Exchange of Information of Bigeye Tuna Fishing Vessels*,

BEING CONCERNED that illegal, unregulated, and unreported fishing activities by large scale tuna longline vessels activities in the Convention area have continued and increased, and that such activities diminish the effectiveness of ICCAT conservation and management measures,

RECOGNIZING that there is evidence to indicate that many owners of vessels engaged in such fishing activities have reflagged their vessels to avoid compliance with ICCAT conservation and management measures and to evade the non-discriminatory trade restrictive measures that ICCAT has adopted,

BEING CONCERNED that many of these vessels are shifting their flag from Non-Contracting Parties to Contracting Parties,

BEING INFORMED that most of these vessels are owned and operated by Chinese Taipei's business entities while almost all of their products are being exported to Japan,

BEING AWARE that a majority of these vessels used to be Japanese vessels and were exported, whereas most of the remaining vessels were built in Chinese Taipei,

SUPPORTING the joint effort by Japan and Chinese Taipei to eliminate large-scale tuna longline vessels engaged in illegal, unregulated, and unreported fishing, i.e. scrapping of Japanese origin vessels and reflagging of Chinese Taipei built vessels to Chinese Taipei under its own registration,

RECOGNIZING with grave concern that a number of large-scale tuna longline vessels which are currently under construction in the Chinese Taipei's shipping yards with equipment/devices largely supplied from Japan, have high potential of engaging in illegal, unregulated, and unreported unregulated fishing activities,

BEING AWARE that further action must be taken to deter unreported and unregulated fishing activities in the Convention Area and other areas,

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

- 1 The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall ensure that large-scale tuna longline vessels under their registry do not carry out illegal, unregulated and unreported fishing activities in the Convention area and other areas (e.g. by means of denying such vessels a license to fish).
- 2 The Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities shall take every possible action, consistent with the relevant laws,
 - i) to urge their importers, transporters and other concerned business people to refrain from engaging in transaction and transshipment of tunas and tuna-like species caught by vessels carrying out illegal, unregulated and unreported fishing activities in the Convention area and other areas.
 - ii) to inform their general public of illegal, unregulated and unreported fishing activities by tuna longline vessels which diminish the effectiveness of ICCAT conservation and management measures and urge them not to purchase fish harvested by such vessels, and
 - iii) to urge their manufacturers and other concerned business people to prevent their vessels and equipment/devices from being used for the illegal, unregulated and unreported longline fishing operations in the Convention area and other areas.

- 3 The Commission urges all non-Contracting Parties, Entities or Fishing Entities not referred to above to act in conformity with operative paragraphs 1 and 2 of this Resolution.
- 4 Notwithstanding paragraph 1, the Commission praises Chinese Taipei's effort to establish a proper scheme to allow the registration of Chinese Taipei built vessels which have engaged in illegal, unregulated and unreported fishing activities and urges Chinese Taipei to continue and strengthen this effort. The Commission also urges Japan, in cooperation with Chinese Taipei, to scrap Japan-built vessels engaged in illegal, unregulated and unreported fishing activities in the Convention area and other areas.

**RESOLUTION BY ICCAT CONCERNING THE NEED FOR NEW APPROACHES TO DETER
ACTIVITIES THAT DIMINISH THE EFFECTIVENESS OF ICCAT CONSERVATION AND
MANAGEMENT MEASURES**

(Transmitted to Contracting Parties: **December 16, 1999**)

RECOGNIZING that ICCAT has adopted a wide variety of conservation and management measures designed to attain the goal of the Convention of maximum sustainable catches of tuna and tuna-like species in the ICCAT Convention Area;

CONCERNED that, despite the adoption of these measures, more than half of the major stocks of species managed by the Commission continue to be at levels below that necessary to provide maximum sustainable catch, while most other stocks appear to be at or near full exploitation levels;

REAFFIRMING the responsibility of flag States to ensure that vessels flying their flags do not engage in fishing activities that diminish the effectiveness of international conservation and management measures, such as those adopted by ICCAT;

NOTING that the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the 1993 Agreement to Promote Compliance with International Conservation and Management Measure by Fishing Vessels on the High Seas, which set forth in detail the responsibility of flag States in this regard, have not yet entered into force;

AWARE that some flag States remain unable or unwilling to fulfill this responsibility;

ENDORISING, in this regard, paragraph 33 of the International Plan of Action for the Management of Fishing Capacity, adopted in 1999 by the Food and Agriculture Organization of the United Nations ("FAO"), which provides that "States should recognize the need to deal with the problem of those States which do not fulfill their responsibilities under international law as flag States with respect to their fishing vessels, and in particular those which do not exercise effectively their jurisdiction and control over their vessels which may operate in a manner that contravenes or undermines relevant rules of international law and international conservation and management measures";

CONVINCED that, to deal with this problem successfully, Contracting Parties, Non-Contracting Parties, Entities and Fishing Entities need to consider new measures and approaches beyond those that have been adopted by ICCAT to date;

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

- 1 The Commission fully endorse the initiative of the FAO to develop an international plan of action to combat illegal, unregulated and unreported fishing and encourages all Contracting Parties, Non-Contracting Parties, Entities and Fishing Entities to participate actively in this undertaking.
- 2 All Contracting Parties that have not yet done so should consider becoming party to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, as well as the Agreement to Promote Compliance with International Conservation and Management Measure by Fishing Vessels on the High Seas as soon as possible.
- 3 The Commission encourages each Contracting Party, non-Contracting Party, Entity and Fishing Entity to participate in efforts to ensure the sustainability of marine living resources in the Convention area, as called for in the International Plan of Action for the Management of Fishing Capacity.

00-14

GEN

**RECOMMENDATION BY ICCAT REGARDING COMPLIANCE WITH MANAGEMENT
MEASURES WHICH DEFINE QUOTAS AND/OR CATCH LIMITS**

(Entered into force: **June 26, 2001**)

RECOGNIZING that the *Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries* was adopted at the 1996 Commission meeting and it was extended to include compliance in the South Atlantic swordfish fishery at the 1997 Commission meeting;

NOTING the treatment of overage and underage differs among the stocks and this complicates quota management and compliance;

RECOGNIZING the need to simplify the rules by generalizing the treatment of overage and underage to avoid future confusion;

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

For any species under quota/catch limit management, underages/overages from one year may be added to/must be subtracted from the quota/catch limit of the management period immediately after or one year after that year, unless any recommendation on a stock specifically deals with overages/underages, in which case that recommendation will take precedence.

01-12

GEN

RECOMMENDATION BY ICCAT REGARDING THE TEMPORARY ADJUSTMENT OF QUOTAS

(Entered into force: **August 21, 2002**)

RECOGNIZING the results of the ICCAT Working Group on Allocation Criteria,

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

Any temporary quota adjustments shall be done only under authorization by the Commission.

**– SUPPLEMENTAL RECOMMENDATION –
COMPLIANCE IN THE ATLANTIC BFT & SWO FISHERIES**

(Entered into force: **August 21, 2002**)

RECALLING the Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries adopted at the 1996 Commission Meeting, and the Recommendation by ICCAT Regarding Compliance in the South Atlantic Swordfish Fishery, adopted at the 1997 Commission Meeting;

AWARE that all the Contracting Parties may not have the necessary data at the moment to establish catch limits for a management period immediately following a management period during which overfishing was reported, and are not in condition to respect the provisions of application stipulated under paragraph 2 of the 1996 Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries, which were also applicable to the South Atlantic swordfish fisheries;

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

Notwithstanding paragraph 2 of the 1996 Recommendation by ICCAT Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries which is also applicable to the South Atlantic swordfish fisheries, all unused portion (if this is specified in the pertinent management recommendation) or excess of the annual quota/catch limit shall be deducted from/may be added to, according to the case, the respective quota/catch limit during or before the adjustment year, in the following way:

| | <i>Catch year</i> | <i>Adjustment year</i> |
|--|-------------------|------------------------|
| North Atlantic swordfish | 2000 | 2002 |
| | 2001 | 2003 |
| | 2002 | 2004 |
| East Atlantic/Mediterranean bluefin tuna | 1999 | 2001 |
| | 2000 | 2002 |
| | 2001 | 2003 |

RESOLUTION BY ICCAT FURTHER DEFINING THE SCOPE OF IUU FISHING

(Transmitted to Contracting Parties: **March 22, 2002**)

RECALLING that ICCAT adopted at its 1999 meeting a *Resolution by ICCAT Calling for Further Actions Against Illegal, Unregulated, and Unreported Fishing Activities by Large-scale Longline Vessels in the Convention Area and Other Areas*;

RECOGNIZING that the International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unregulated, and Unreported Fishing of the Food and Agriculture Organization of the United Nations establishes in Section 3.1 a clear definition of what constitutes IUU fishing;

MINDFUL of the need to ensure that actions taken to support ICCAT conservation and management measures are non-discriminatory and in accordance with international law;

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

Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities shall take every possible action, consistent with relevant laws, to instruct their importers, transporters, and other concerned business people to refrain from engaging in transaction and transshipment of tunas and tuna-like species caught by vessels carrying out illegal, unregulated, and unreported fishing activities, which include, *inter alia*, any fishing not in compliance with relevant ICCAT conservation and management measures, in the Convention Area or other areas.

**ICCAT CRITERIA FOR THE ALLOCATION
OF FISHING POSSIBILITIES**

I Qualifying Criteria

Participants will qualify to receive possible quota allocations within the framework of ICCAT in accordance with the following criteria:

- 1 Be a Contracting or Cooperating non-Contracting Party, Entity or Fishing Entity.
- 2 Have the ability to apply the conservation and management measures of ICCAT, to collect and to provide accurate data for the relevant resources and, taking into account their respective capacities, to conduct scientific research on those resources.

II Stocks to Which the Criteria Would be Applied

- 3 These criteria should apply to all stocks when allocated by ICCAT.

III Allocation Criteria

A Criteria Relating to Past/Present Fishing Activity of Qualifying Participants

- 4 Historical catches of qualifying participants.
- 5 The interests, fishing patterns and fishing practices of qualifying participants.

B Criteria Relating the Status of the Stock(s) to be Allocated and the Fisheries

- 6 Status of the stock(s) to be allocated in relation to maximum sustainable yield, or in the absence of maximum sustainable yield an agreed biological reference point, and the existing level of fishing effort in the fishery taking into account the contributions to conservation made by qualifying participants necessary to conserve, manage, restore or rebuild fish stocks in accordance with the objective of the Convention.
- 7 The distribution and biological characteristics of the stock(s), including the occurrence of the stock(s) in areas under national jurisdiction and on the high seas.

C Criteria Relating to the Status of the Qualifying Participants

- 8 The interests of artisanal, subsistence and small-scale coastal fishers.
- 9 The needs of the coastal fishing communities which are dependent mainly on fishing for the stocks.
- 10 The needs of the coastal States of the region whose economies are overwhelmingly dependent on the exploitation of living marine resources, including those regulated by ICCAT.
- 11 The socio-economic contribution of the fisheries for stocks regulated by ICCAT to the developing States, especially small island developing States and developing territories¹ from, the region.
- 12 The respective dependence on the stock(s) of the coastal States, and of the other States that fish species regulated by ICCAT.
- 13 The economic and/or social importance of the fishery for qualifying participants whose fishing vessels have habitually participated in the fishery in the Convention area.

¹ In this document the term « territories » refers only to those territories of States which are Contracting Parties to the Convention as those territories.

- 14 The contribution of the fisheries for the stocks regulated by ICCAT to the national food security/needs, domestic consumption, income resulting from exports, and employment of qualifying participants.
- 15 The right of qualified participants to engage in fishing on the high seas for the stocks to be allocated.

D Criteria Relating to Compliance/Data Submission/Scientific Research by Qualifying Participants

- 16 The record of compliance or cooperation by qualifying participants with ICCAT's conservation and management measures, including for large-scale tuna fishing vessels, except for those cases where the compliance sanctions established by relevant ICCAT recommendations have already been applied.
- 17 The exercise of responsibilities concerning the vessels under the jurisdiction of qualifying participants.
- 18 The contribution of qualifying participants to conservation and management of the stocks, to the collection and provision of accurate data required by ICCAT and, taking into account their respective capacities, to the conduct of scientific research on the stocks.

IV Conditions for Applying Allocation Criteria

- 19 The allocation criteria should be applied in a fair and equitable manner with the goal of ensuring opportunities for all qualifying participants.
- 20 The allocation criteria should be applied by the relevant Panels on a stock-by-stock basis.
- 21 The allocation criteria should be applied to all stocks in a gradual manner, over a period of time to be determined by the relevant Panels, in order to address the economic needs of all parties concerned, including the need to minimize economic dislocation.
- 22 The application of the allocation criteria should take into account the contributions to conservation made by qualifying participants necessary to conserve, manage, restore or rebuild fish stocks in accordance with the objective of the Convention.
- 23 The allocation criteria should be applied consistent with international instruments and in a manner that encourages efforts to prevent and eliminate over-fishing and excess fishing capacity and ensures that levels of fishing effort are commensurate with the ICCAT objective of achieving and maintaining MSY.
- 24 The allocation criteria should be applied so as not to legitimize illegal, unregulated and unreported catches and shall promote the prevention, deterrence and elimination of illegal, unregulated and unreported fishing, particularly fishing by flag of convenience vessels.
- 25 The allocation criteria should be applied in a manner that encourages cooperating non-Contracting parties, Entities and Fishing Entities to become Contracting Parties, where they are eligible to do so.
- 26 The allocation criteria should be applied to encourage cooperation between the developing States of the region and other fishing States for the sustainable use of the stocks managed by ICCAT and in accordance with the relevant international instruments.
- 27 No qualifying participant shall trade or sell its quota allocation or a part thereof.

**RESOLUTION BY ICCAT CONCERNING COOPERATIVE
ACTIONS TO ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING
ACTIVITIES BY LARGE-SCALE TUNA LONGLINE VESSELS**

(Transmitted to Contracting Parties: **December 4, 2002**)

RECALLING that ICCAT adopted at its 1999 meeting a *Resolution by ICCAT Calling for Further Actions against Illegal, Unregulated and Unreported Fishing Activities by Large-Scale Longline Vessels in the Convention Area and Other Areas*, in which ICCAT urged Japan and Chinese Taipei to scrap or to re-register to Chinese Taipei those vessels,

RECALLING that ICCAT, at its 2000 meeting, praised and strongly supported the Joint Programs implemented by Japan and Chinese Taipei to eliminate illegal, unreported and unregulated (IUU) large-scale tuna longline vessels (LSTLVs) in its *Supplemental Resolution by ICCAT to Enhance the Effectiveness of the ICCAT Measures to Eliminate Illegal, Unregulated and Unreported Fishing Activities by Large-Scale Tuna Longline Vessels in the Convention Area and Other Areas*,

RECOGNIZING that the ICCAT *Ad Hoc* Working Group on Measures to Combat IUU Fishing in Tokyo 2002 stressed the importance of the collaborative work between Chinese Taipei and Japan to study further the involvement of Chinese Taipei's residents and licensed vessels in IUU fishing and other activities assisting IUU fishing, and to work out effective measures to prevent such involvement,

RECOGNIZING that ICCAT adopted at its 2002 meeting a *Recommendation by ICCAT Concerning Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area [02-22]* (the Recommendation),

CONCERNED that still around 100 IUU LSTLVs exist, while the Japan/Chinese Taipei Joint Program resulted in contracts for scrapping of 43 vessels and agreements for re-registration of 34 vessels,

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

- 1 Japan and Chinese Taipei should further work together to eliminate the remaining IUU LSTLVs owned and/or operated by Chinese Taipei's residents.
- 2 Japan should work closely with the flag States of LSTLVs and if appropriate take joint action, so as to implement the Recommendation smoothly and satisfactorily and to achieve the objective of paragraph 1 above.
- 3 The Commission urges Chinese Taipei to consider adopting appropriate domestic legislation to improve its ability to control its residents that invest in or otherwise support or engage in IUU fishing.
- 4 Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities should urge and may instruct their residents to refrain from engaging in and/or associating with activities that may support IUU tuna longline fishing vessels and with any other activities that undermine the effectiveness of ICCAT conservation and management measures.

**GENERAL OUTLINE OF INTEGRATED MONITORING
MEASURES ADOPTED BY ICCAT**

NEEDS AND PRINCIPLES

The monitoring measures should respond to the peculiarities of the different ICCAT areas and fisheries.

These measures should be applied by the Contracting Parties and *mutatis mutandis* by Cooperating non-Contracting Parties, Entities or Fishing Entities.

Effective monitoring measures should embody a number of principles, namely:

- i* Consistency with the ICCAT Convention and existing relevant international law.
- ii* Evaluation of the current ICCAT measures and possibly complementing them with new measures.
- iii* The general obligation to co-operate and a commitment to implement the following measures with transparency, taking into account requirements for confidentiality.
- iv* Two types of measures should be applied:
 - Measures applicable to all fisheries. Measures concerning vessels would apply only to vessels beyond a certain size.
 - Measures applicable on a case-by-case basis to certain fisheries, taking cost-effectiveness into account.
- v* Contribution to the improvement of the collection and timely transmission of statistics, for scientific as well as monitoring purposes.
- vi* Provision of a means to ensure compliance by both Contracting and non-Contracting Parties, and to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing in the ICCAT Convention Area.
- vii* The special requirements of developing States should be fully recognized and active co-operation should be established to facilitate the implementation of the measures by them.

Under these circumstances, the ICCAT monitoring measures should consist of the following basic components:

1 Flag State duties

The following monitoring measures should be taken by the flag States in regard to vessels entitled to fly their flags in the ICCAT Convention area:

- i* Control of their vessels by:
 - a* adopting measures so that their vessels comply with and do not undermine ICCAT conservation and management measures;
 - b* authorizing their vessels to fish in the ICCAT Convention Area by means of fishing authorizations, licenses, or permits;
 - c* ensuring they do not authorize vessels to fish in the ICCAT Convention Area unless they are able to effectively exercise their responsibilities in respect of such vessels, including monitoring and controlling their fishing activities;

- d ensuring that their vessels do not conduct unauthorized fishing within areas under the national jurisdiction of other States, through appropriate cooperation with coastal States concerned, and other relevant means available to the flag State;
- e requiring their vessels fishing on the high seas to carry the license, authorization or permit on board at all times and to produce it on demand for inspection by a duly authorized person.
- ii Establishment of a national record of fishing vessels entitled to fly their flags and authorized to fish in the ICCAT Convention Area, which should include vessels of other States authorized under charter agreements, and transmission of this information to ICCAT.
- iii Regulation of transshipment.
- iv Measures regarding the operation and control of chartering.
- v Requirements for recording and timely reporting of vessel position, catch of target and non target species, fishing effort and other relevant fisheries data including an estimate of discards, unless ICCAT stipulates otherwise. These data should be verified for certain fisheries by observer programs, where these programs have been adopted by the Commission.
- vi Implementation of a vessel monitoring system (VMS).
- vii Investigation of, follow-up to, and report on actions taken in response to an alleged violation by a vessel.

2 Obligations of the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities

The obligations of the Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities should include:

- i Provision to ICCAT, in the manner and at such regular intervals as may be required by ICCAT, of compliance reports and information concerning its fishing activities, including fishing area and fishing vessels, in order to facilitate the compilation of reliable fishing statistics (catch, effort, size samples, etc.), and the effective implementation of ICCAT's compliance program.
- ii Compliance with all ICCAT conservation and management measures.

3 Compliance and enforcement

The Contracting Parties, through the Commission, should establish an observation and inspection program to ensure compliance with ICCAT conservation and management measures.

The program may *inter alia* comprise the following elements:

- i High seas inspection.
- ii Procedures for an effective investigation of an alleged violation of ICCAT conservation and management measures, and for reporting to the Commission on the actions taken, including procedures for exchanging information.
- iii Provisions for appropriate action to be taken when inspections reveal serious violations as well as the expedient and transparent follow-up of such actions in order to uphold the Flag State's responsibility within the intended program.
- iv Port inspections.
- v Monitoring of landings and catches, including statistical follow-up for management purposes.

vi Specific monitoring programs adopted by ICCAT, including boarding and inspection.

vii Observer programs.

4 A program to promote compliance by vessels of non-Contracting Parties, Entities or Fishing Entities

Further to existing measures, ICCAT should examine measures consistent with international law to deter activities of such vessels which undermine the effectiveness of ICCAT conservation and management measures.

- Implementation of all the relevant elements of the FAO International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing.
- Prohibition of landings and transshipments of ICCAT species by vessels of non-Contracting Parties, Entities or Fishing Entities, sighted in the ICCAT Convention Area, that do not comply with the relevant ICCAT conservation and management measures.

**RECOMMENDATION BY ICCAT CONCERNING
THE DUTIES OF CONTRACTING PARTIES AND COOPERATING
NON-CONTRACTING PARTIES, ENTITIES, OR FISHING ENTITIES IN RELATION TO
THEIR VESSELS FISHING IN THE ICCAT CONVENTION AREA**

(Entered into force: **June 19, 2004**)

IN ACCORDANCE WITH the Needs and Principles set forth in the General Outline of Integrated Monitoring Measures Adopted by ICCAT, adopted by the Commission in 2002 to ensure effective monitoring measures;

CONSIDERING the deliberations of the ICCAT Working Group to Develop Integrated Monitoring Measures held in Madeira from 26 to 28 May 2003;

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

- 1 In order to control vessels entitled to fly their flags and authorized to fish species managed by ICCAT in the Convention area, flag Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) shall:
 - a) adopt measures so that their vessels comply with and do not undermine ICCAT conservation and management measures;
 - b) authorize their vessels to fish in the ICCAT Convention area by means of fishing authorizations, licenses, or permits;
 - c) ensure they do not authorize their vessels to fish in the ICCAT Convention area unless they are able to effectively exercise their responsibilities in respect of such vessels, including monitoring and controlling their fishing activities;
 - d) ensure that their vessels do not conduct unauthorized fishing within areas under the national jurisdiction of other States, through appropriate cooperation with coastal States concerned, and other relevant means available to the flag CPC;
 - e) require their vessels fishing on the high seas to carry the license, authorization or permit on board at all times and to produce it on demand for inspection by a duly authorized person;
 - f) investigate and follow-up on an alleged violation by a vessel and report the results of such investigation, as well as the actions taken whenever that violation has been confirmed.
- 2 Each flag CPC shall establish and maintain an up-to-date record of fishing vessels entitled to fly its flag and authorized to fish species managed by ICCAT in the Convention area, which should include vessels of other flags authorized under charter agreements.
- 3 Each flag CPC shall ensure that its fishing vessels authorized to fish species managed by ICCAT in the Convention area, as well as their fishing gears, are marked in such a way that they can be readily identified in accordance with generally accepted standards such as the FAO standard specification for the marking and the identification of fishing vessels.

**RECOMMENDATION BY ICCAT
CONCERNING THE RECORDING OF CATCH
BY FISHING VESSELS IN THE ICCAT CONVENTION AREA**

(Entered into force: **June 19, 2004**)

IN ACCORDANCE WITH the Needs and Principles set forth in the General Outline of Integrated Monitoring Measures Adopted by ICCAT, adopted by the Commission in 2002 to ensure effective monitoring measures;

CONSIDERING the deliberations of the ICCAT Working Group to Develop Integrated Monitoring Measures held in Madeira from 26 to 28 May 2003;

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

Each flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity shall ensure that all fishing vessels flying its flag and authorized to fish species managed by ICCAT in the Convention area be subject to a data recording system. All commercial fishing vessels over 24 m length overall shall keep a bound or electronic logbook recording the information required in the *ICCAT Field Manual for Statistics and Sampling*. In the case of sport fishing vessels, other comparable data-collection systems shall be acceptable.

03-16

GEN

**RECOMMENDATION BY ICCAT TO ADOPT ADDITIONAL MEASURES
AGAINST ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING**

(Entered into force: **June 19, 2004**)

MINDFUL of the need to improve the control and management of quotas and catch limits fixed by ICCAT,

CONCERNED by the fact that the activities of IUU fishing in the ICCAT Convention area continue, and that these activities undermine the effectiveness of the ICCAT conservation and management measures,

NOTING that certain vessels catch, land, place in cages for farming, market and/or transship tuna and tuna-like species when their flag State has no quota, catch limit or effort allocation in accordance with ICCAT conservation and management measures,

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

Consistent with their rights and obligations under international law, Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter referred to as CPCs) take the necessary measures to prohibit landings from fishing vessels, placing in cages for farming and/or the transshipment within their jurisdiction of tunas or tuna-like species caught by IUU fishing activities.

**RECOMMENDATION BY ICCAT
TO ADOPT MEASURES CONCERNING SPORT
AND RECREATIONAL FISHING ACTIVITIES IN THE MEDITERRANEAN SEA**

(Entered into force: **June 13, 2005**)

TAKING INTO ACCOUNT the need to regulate sport and recreational fishing activities to ensure that these activities do not undermine sustainable exploitation of the stocks, notably the bluefin tuna stock, in the Mediterranean Sea,

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

- 1 Contracting Parties, Entities, and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereafter named CPCs) shall take the measures necessary to forbid the use within the framework of sport and recreational fishing of towed nets, encircling nets, seine sliding, dredgers, gill nets, trammel net and longline to fish for tuna and tuna-like species, notably bluefin tuna, in the Mediterranean Sea.
- 2 The CPCs shall ensure that catches of tuna and tuna-like species carried out in the Mediterranean Sea from sport and recreational fishing are not marketed.
- 3 The CPCs shall take the necessary measures so that catch data from sport and recreational fishing are collected and transmitted to the SCRS.

**RESOLUTION BY ICCAT CONCERNING
THE CHANGE IN THE REGISTRY AND FLAGGING OF VESSELS**

(Transmitted to Contracting Parties: **December 14, 2005**)

RECALLING that ICCAT has adopted an extensive variety of conservation and management measures aimed at achieving the objective of the Convention of maximum sustainable catches of tunas and tuna-like species in the Convention area,

CONCERNED that, in spite of the adoption of these measures, large longliners that carry out illegal, unregulated and unreported fishing activities in the Convention area resort to constant changes in vessel names, registration and flags as new stratagems to undermine the effectiveness of the ICCAT conservation and management measures,

CONVINCED of the need to adopt new measures that result in halting the use of these practices to evade the ICCAT conservation and management measures,

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

- 1 As a prior condition for the registration or flagging of vessels, the Contracting and non-Contracting Parties should require the presentation of a Certificate of Deletion from the previous Registry or flag or any other proof of consent to the transfer of the ship, issued by the previous Contracting Party or non-Contracting Party State.
- 2 Prior to the registry of any fishing vessel, the CPC should investigate the history of compliance of the subject vessel in ICCAT and other regional management organizations, in order to determine if such vessel is on the negative lists and/or is currently registered in the sanctioned CPCs or non-Contracting Parties.

RESOLUTION BY ICCAT ON CIRCLE HOOKS

(Transmitted to Contracting Parties: **December 14, 2005**)

RECOGNIZING that ICCAT Parties should already be reporting data on incidentally caught sea turtles to the SCRS;

IN SUPPORT OF the 2004 Food and Agricultural Organization (FAO) Technical Consultation on Sea Turtles Conservation and Fisheries and the Guidelines to Reduce Sea Turtle Mortality in Fishing Operations, which were adopted by the Committee on Fisheries (COFI) in March 2005;

RECALLING that the 2003 Resolution by ICCAT on Sea Turtles [Res. 03-11] encourages “technical measures to reduce the incidental catch of turtles” and resolves to “support efforts by FAO to address the conservation and management of sea turtles, through a holistic approach”;

NOTING that recent international scientific studies on circle hooks show a statistically significant decrease in sea turtle by-catch when such hooks are used in pelagic longline fishing, but that studies and trials continue in different geographic areas;

FURTHER NOTING that scientific studies indicate that, with the use of circle hooks, the hooking location can lead to a decrease in post-release mortality of incidentally caught species;

CONSIDERING that the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks calls on nations to take ecosystem considerations into account and that many countries, including Contracting Parties, are moving to incorporate ecosystem considerations into fisheries management; and

ALSO RECALLING that both blue marlin and white marlin are currently under a rebuilding plan and the use of circle hooks has been experimentally shown to significantly reduce their post-release mortality;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RESOLVES THAT:

- 1 All Contracting Parties, Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) are encouraged to undertake research trials of appropriate-size circle hooks in commercial pelagic longline fisheries.
- 2 CPCs should also encourage research and trials on the use of circle hooks in recreational and artisanal fisheries.
- 3 CPCs are encouraged to exchange ideas regarding fishing methods and technological gear changes that improve the safe handling and release of incidentally caught species including, but not limited to, the use of de-hookers, line cutters, and scoop nets.
- 4 When feasible and appropriate, SCRS should present the Commission with an assessment of the impact of circle hooks on the dead discard levels in ICCAT pelagic longline fisheries.

RECOMMENDATION BY ICCAT CONCERNING TRADE MEASURES

(Entered into force: **June 13, 2007**)

NOTING that the objective of ICCAT is to maintain the populations of tuna and tuna-like species in the Atlantic at levels which will permit harvesting at maximum sustainable yield;

CONSIDERING the need for action to ensure the effectiveness of the ICCAT objectives;

CONSIDERING the obligation of all Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) to respect the ICCAT conservation and management measures;

AWARE of the necessity for sustained efforts by CPCs to ensure the enforcement of ICCAT's conservation and management measures, and the need to encourage non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as NCPs) to abide by these measures;

NOTING that trade restrictive measures should be implemented only as a last resort, where other measures have proven unsuccessful to prevent, deter and eliminate any act or omission that diminishes the effectiveness of ICCAT conservation and management measures;

ALSO NOTING that trade restrictive measures should be adopted and implemented in accordance with international law, including principles, rights and obligations established in World Trade Organization (WTO) Agreements, and be implemented in a fair, transparent and non-discriminatory manner.

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

1. CPCs that import tuna and tuna-like fish and/or fish products or in whose ports those products are landed, shall identify such products, collect and examine the relevant import, landing or associated data on such products, in order to submit the relevant information in a timely manner to the ICCAT Secretariat for distribution to the other CPCs to collect any additional element in order that the Commission can identify each year:
 - a) vessels that caught and produced such tuna or tuna-like species products,
 - i) name
 - ii) flag
 - iii) name and address of owners
 - iv) registration number
 - b) farming facilities
 - i) name
 - ii) location
 - iii) name and address of owners
 - iv) registration number
 - c) species (of tuna and tuna-like species) of the products,
 - d) areas of catch (Atlantic Ocean, Mediterranean Sea, or other area),
 - e) product weight by product type,
 - f) points of export,

2. a) The Commission, through the Conservation and Management Measures Compliance Committee (hereinafter Compliance Committee) or the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (hereinafter PWG), shall identify each year:
 - i) The CPCs that have failed to discharge their obligations under the ICCAT Convention in respect of ICCAT conservation and management measures, in particular, by not taking measures or exercising effective control to ensure compliance with ICCAT conservation and management measures by the vessels flying their flag, or farming facilities subject to their jurisdiction; and/or
 - ii) The NCPs that have failed to discharge their obligations under international law to co-operate with ICCAT in the conservation and management of tuna and tuna-like species, in particular, by not taking measures or exercising effective control to ensure that their vessels or their farming facilities do not engage in any activity that undermines the effectiveness of ICCAT conservation and management measures.
 - b) These identifications should be based on a review of all information provided in accordance with paragraph 1 or, as appropriate, any other relevant information, such as: the catch data compiled by the Commission; trade information on these species obtained from national statistics; the ICCAT Bluefin Tuna Catch Documentation Programme, the ICCAT Bigeye Tuna and Swordfish Statistical Document Programmes; the list of the IUU vessels adopted by ICCAT, as well as any other relevant information.
 - c) In deciding whether to make identification, the Compliance Committee or the PWG should consider all relevant matters including the history, and the nature, circumstances, extent, and gravity of the act or omission that may have diminished the effectiveness of ICCAT conservation and management measures.
3. The Commission should request CPCs and NCPs concerned to rectify the act or omission identified under paragraph 2 so as not to diminish the effectiveness of the ICCAT conservation and management measures.

The Commission should notify identified CPCs and NCPs of the following:

- a) the reason(s) for the identification with all available supporting evidence;
 - b) the opportunity to respond to the Commission in writing at least 30 days prior to the annual meeting of the Commission with regard to the identification decision and other relevant information, for example, evidence refuting the identification or, where appropriate, a plan of action for improvement and the steps they have taken to rectify the situation; and
 - c) in the case of a NCP, an invitation to participate as an observer at the annual meeting where the issue will be considered.
4. CPCs are encouraged jointly and individually to request the CPC/NCPs concerned to rectify the act or omission identified under paragraph 2 so as not to diminish the effectiveness of the ICCAT conservation and management measures.
 5. The Executive Secretary should, by more than one means of communication, within 10 working days following the approval of the report of the Compliance Committee or the PWG, transmit the Commission's request to the identified CPC or NCP. The Executive Secretary should seek to obtain confirmation from the CPC or the NCP that it received the notification.
 6. The Compliance Committee or the PWG should evaluate the response of the CPCs or NCPs, together with any new information, and propose to the Commission to decide upon one of the following actions:
 - a) the revocation of the identification;
 - b) the continuation of the identification status of the CPC or NCP; or
 - c) the adoption of non-discriminatory trade restrictive measures.

Absence of response from the CPCs/NCPs concerned within the time limit shall not prevent action from the Commission.

In the case of CPCs, actions such as the reduction of existing quotas or catch limits should be implemented to the extent possible before consideration is given to the application of trade restrictive measures. Trade measures should be considered only where such actions either have proven unsuccessful or would not be effective.

7. If the Commission decides upon the action described in paragraph 6 c), it should recommend to the Contracting Parties pursuant to Article VIII of the Convention to take non-discriminatory trade restrictive measures, consistent with their international obligations. The Commission shall notify the CPCs and NCPs concerned of the decision and the underlying reasons in accordance with the procedures specified in paragraph 5.
8. CPCs shall notify the Commission of any measures that they have taken for the implementation of the non-discriminatory trade restrictive measures adopted in accordance with paragraph 7.
9. In order for the Commission to recommend the lifting of trade restrictive measures, the Compliance Committee or the PWG shall review each year all trade restrictive measures adopted in accordance with paragraph 7. Should this review show that the situation has been rectified, the Compliance Committee or PWG shall recommend to the Commission the lifting of the non-discriminatory trade restrictive measures.

Such decisions should also take into consideration whether the CPCs and/or NCPs concerned have taken concrete measures capable of achieving lasting improvement of the situation.

10. Where exceptional circumstances so warrant or where available information clearly shows that, despite the lifting of trade-restrictive measures, the CPC or NCP concerned continues to diminish the effectiveness of ICCAT conservation and management measures, the Commission may immediately decide on action including, as appropriate, the imposition of trade-restrictive measures in accordance with paragraph 7.

Before making such a decision, the Commission shall request the CPC or NCP concerned to discontinue its wrongful conduct and shall provide the CPC or NCP with a reasonable opportunity to respond.

11. The Commission shall establish annually a list of CPCs and NCPs that have been subject to a trade-restrictive measure pursuant to paragraph 7 and, with respect to NCPs, are considered as non-Cooperating non-Contracting Parties to ICCAT.
12. The *Resolution by ICCAT Concerning Trade Measures* [Res. 03-15] is repealed and replaced by the present Recommendation. For the purposes of this paragraph, CPCs and NCPs that are under sanction pursuant to Resolution 03-15 are deemed to be sanctioned under the present Recommendation, provided that this will not result in any greater level of sanction than that already imposed.

**RECOMMENDATION BY ICCAT TO PROMOTE
COMPLIANCE BY NATIONALS OF CONTRACTING PARTIES,
COOPERATING NON-CONTRACTING PARTIES, ENTITIES, OR
FISHING ENTITIES WITH ICCAT CONSERVATION AND MANAGEMENT MEASURES**

(Entered into force: **June 13, 2007**)

CONVINCED that illegal, unreported and unregulated (IUU) fishing compromises the objectives of the Convention,

CONCERNED that some flag States do not comply with their obligations regarding jurisdiction and control according to international law in respect of fishing vessels entitled to fly their flag that carry out their activities in the Convention area, and that as a result these vessels are not under the effective control of such flag States,

AWARE that the lack of effective control facilitates fishing by these vessels in the Convention area in a manner that undermines the effectiveness of ICCAT conservation and management measures, and can lead to illegal, unreported and unregulated (IUU) catches of fish,

CONCERNED that vessels that carry out activities in the Convention area which do not comply with the ICCAT conservation and management measures are benefiting from the support provided by persons subject to the jurisdiction of Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs), including, *inter alia*, through participation in transshipment, transport and trade of illegally harvested catches or engagement on board or in the management of these vessels,

NOTING that the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing calls on States to take measures to discourage nationals subject to their jurisdiction from supporting and engaging in any activity that undermines the effectiveness of international conservation and management measures,

RECALLING that CPCs should cooperate in taking appropriate action to deter any activities which are not consistent with the objective of the Convention,

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

1. Without prejudice to the primacy of the responsibility of the flag State, the Contracting Parties shall take appropriate measures, subject to and in accordance with their applicable laws and regulations:
 - (i) to investigate allegations and/or reports concerning the engagement of any natural or legal persons subject to their jurisdiction are engaged in the activities described, *inter alia*, in Recommendation 06-12, paragraph 1, *Recommendation by ICCAT to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 06-12]*.
 - (ii) take appropriate action in response to any verified activities referred to in paragraph 1(i); and
 - (iii) cooperate for the purpose of implementing the measures and actions referred to in paragraph 1(i). To this end, relevant agencies of CPCs should cooperate to implement ICCAT conservation and management measures and CPCs shall seek cooperation by industries within their jurisdiction.
2. To assist with the implementation of this recommendation, CPCs shall submit reports subject to the national laws of confidentiality to the ICCAT Secretariat and the CPCs on the actions and measures taken in accordance with paragraph 1, in a timely fashion.
3. These provisions shall be applicable from 1 July 2008. Contracting Parties may voluntarily decide to implement these provisions prior to this date.

* Recommendation 06-12 was replaced by Recommendation 11-18.

**RECOMMENDATION BY ICCAT CONCERNING DATA EXCHANGE FORMAT
AND PROTOCOL IN RELATION TO THE VESSEL MONITORING SYSTEM (VMS)
FOR THE BLUEFIN TUNA FISHERY IN THE ICCAT CONVENTION AREA**

(Entered into force: **June 4, 2008**)

IN ACCORDANCE WITH paragraph 49 of the *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05];

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

1. Each flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereinafter referred to as “CPCs”) shall implement a vessel monitoring system (VMS) for its bluefin tuna fishing vessels referred to in paragraph 49 of the *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05]*, in accordance with the *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-14]*.
2. The autonomous system referred to in paragraph 1(a) of the *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-14] shall be in conformity with the specifications and schedule set out in **Annex 1**.
3. Each CPC shall communicate electronically the messages pursuant to paragraph 1 here above to the ICCAT Secretariat. In the event of technical malfunction, the messages shall however be transmitted electronically to the ICCAT Secretariat within 24 hours of receipt.
4. Not later than 31 January 2008, the CPCs shall transmit the messages to the ICCAT Secretariat every six hours at least when operating in the ICCAT Convention area. The messages should be sequentially numbered (with a unique identifier) in order to avoid duplication.
5. Each CPC shall ensure that the messages transmitted by their corresponding Fishing Monitoring Centre (hereinafter referred to as “FMCs”) to the ICCAT Secretariat shall be in accordance with the data exchange format set out in **Annex 2**.
6. CPCs engaged in inspection at sea operations in the Convention area in accordance with the ICCAT Scheme of Joint International Inspection referred to in paragraphs 56 and 57 of the *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05] shall request the ICCAT Secretariat to make available the messages received under paragraph 3 for all fishing vessels within 100 n miles of the inspection vessel(s) at sea.
7. CPCs shall take the necessary measures to assure that all messages shall be treated in a confidential manner, and be limited for the inspection at sea operations referred to in paragraph 6. The ICCAT Secretariat shall ensure the confidential treatment of the messages received. Data three years old or more shall be available to the SCRS for scientific purposes, given due consideration of data confidentiality.

* Recommendation 06-05 was replaced by Recommendation 14-04.

* Recommendation 13-14 was replaced by Recommendation 14-09.

Annex 1

1. Each CPC shall establish and operate fishing monitoring centres, hereinafter referred to as “FMC”, which shall monitor the fishing activities of vessels flying their flags. The FMC shall be equipped with computer hardware and software enabling automatic data processing and electronic data transmission. Each CPC shall provide for back-up and recovery procedures in case of system failures.
2. The CPC of the vessel shall take the necessary measures to ensure that the data received from its fishing vessels to which VMS applies are recorded in computer readable form for a period of three years.
3. The satellite tracking devices installed on board the fishing vessels shall ensure the automatic transmission to the FMC of the flag CPC, at all applicable times.
4. Each CPC shall take the necessary measures to ensure that its FMC receives the requested VMS data.

Annex 2

Format for the Communication of VMS messages by fishing vessels

A. Content of the position message

| Data element | Field code | Mandatory /optional | Remarks |
|--|-----------------|---------------------|--|
| Start record | SR | M | Message detail; indicates start of record |
| Address | AD | M | Destination: ICCAT |
| Sequence No. | SQ | M ¹ | Message detail; message serial number in current year |
| Type of message | TM ² | M | Message detail; “POS” as Position message to be communicated by VMS or other means by vessels with a defective satellite tracking device |
| Radio call sign | RC | M | Vessel registration detail; international radio call sign of the vessel |
| Trip No. | TN | O | Activity detail; fishing trip serial number in current year |
| Vessel name | NA | O | Vessel registration detail; name of the vessel |
| Contracting Party internal reference No. | IR | O | Vessel registration detail. Unique Contracting Party vessel number as flag State 3-alpha country code followed by number |
| External registration No. | XR | O | Vessel registration detail; the side number of the vessel or IMO number in the absence of a side number |
| Latitude | LA | M ³ | Activity detail; position at time of transmission |
| Longitude | LO | M ³ | Activity detail; position at time of transmission |
| Latitude (decimal) | LT | M ⁴ | Activity detail; position at time of transmission |
| Longitude (decimal) | LG | M ⁴ | Activity detail; position at time of transmission |
| Date | DA | M | Message detail; date of transmission |
| Time | TI | M | Message detail; time of transmission |
| End of record | ER | M | System detail; indicates end of the record |

¹ Optional in case of a VMS message.

² Type of message shall be “ENT” for the first VMS message from the Convention area as detected by the FMC of the Contracting Party. Type of message shall be “EXI” for the first VMS message from outside the Convention area as detected by the FMC of the Contracting Party, and the values for latitude and Longitude are, in this type of message, optional.

Type of message shall be “MAN” for reports communicated by vessels with a defective satellite tracking device.

³ Mandatory for manual messages.

⁴ Mandatory for VMS messages.

B. Structure of the position message:

Each data transmission is structured as follows:

- Double slash (//) and the characters “SR” indicate the start of a message.
- A double slash (//) and field code indicate the start of a data element.
- A single slash (/) separates the field code and the data.
- Pairs of data are separated by space.
- The characters “ER” and a double slash (//) indicate the end of a record.

**RECOMMENDATION BY ICCAT TO ESTABLISH A PROCESS FOR
THE REVIEW AND REPORTING OF COMPLIANCE INFORMATION**

(Entered into force: **June 17, 2009**)

RECOGNIZING the international obligations regarding flag state responsibilities to ensure compliance with management measures and to immediately and fully investigate allegations of non-compliance,

ACKNOWLEDGING that effective monitoring and control is required to achieve compliance with agreed upon ICCAT management measures so that the goals of such management measures have a chance of being achievable,

ACKNOWLEDGING that the Commission has historically suffered from a lack of information as well as data deficiencies thus resulting in an inability to identify relevant instances of non-compliance with management measures,

NOTING that, in a responsible, open, transparent and non-discriminatory manner, the Commission should be made aware of any and all available information that may be relevant to the work of the Commission in identifying and holding accountable instances of non-compliance with management measures,

FURTHER NOTING ICCAT's Guidelines for the Dissemination of Information Submitted by Contracting Parties, Cooperating Non-Contracting Parties, Entities and Fishing Entities,

RECOGNIZING that, the Compliance Officer position is authorized and financed by the members of the Commission to assist the Secretariat specifically with the Commission's ongoing work to strengthen ICCAT; particularly in regards to overseeing, coordinating, and executing actions on compliance matters of relevance to the Commission,

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

1. Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) should submit to the Secretariat documented information that indicates possible non-compliance with ICCAT Conservation and Management Measures at least 120 days before the annual meeting.
2. The Executive Secretary shall transmit this information to the CPCs involved in any reports of non-compliance at least 90 days before the annual meeting.
3. CPCs shall, consistent with domestic laws, provide the Executive Secretary with the findings of any investigation taken in relation to the allegations of non-compliance and any actions taken to address compliance concerns at least 30 days before the annual meeting. If such investigation is ongoing, CPCs shall advise the Executive Secretary of the expected length of the investigation and provide periodic updates in their progress until completed.
4. The Executive Secretary shall circulate to all CPCs, at least two weeks in advance of the annual meeting a summary report of information received, including responses by CPCs, which shall be considered by the Compliance Committee and the PWG, as appropriate in a responsible, open, transparent and non-discriminatory manner.
5. Non-governmental organizations may submit reports on non-compliance with ICCAT conservation and management measures to the Secretariat at least 120 days before the annual meeting for circulation to the CPCs. Organizations submitting reports may request to present such reports to the Compliance Committee and the Permanent Working Group. In adopting the Agendas for meetings of the respective bodies CPCs shall determine if such presentations can be accommodated.

**RECOMMENDATION BY ICCAT TO HARMONIZE THE MEASUREMENT
OF LENGTH OF THE VESSELS AUTHORIZED TO FISH IN
THE AREA OF THE CONVENTION**

(Entered into force: **June 17, 2009**)

NOTING that several ICCAT recommendations and resolutions refer to the length of the vessels,

ALSO NOTING that there exist different definitions of the length of the vessels in ICCAT recommendations and resolutions,

WHEREAS it would be advisable to use identical rules for determining the length of the vessels,

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

The length of a vessel referred in the recommendations and the resolutions adopted by ICCAT corresponds to the length overall, defined as the distance measured in a straight line between the foremost point of the bow and the aftermost point of the stern.

RECOMMENDATION BY ICCAT AMENDING THREE RECOMMENDATIONS IN CONFORMITY WITH THE 2009 RECOMMENDATION BY ICCAT CONCERNING THE ESTABLISHMENT OF AN ICCAT RECORD OF VESSELS 20 METERS IN LENGTH OVERALL OR GREATER AUTHORIZED TO OPERATE IN THE CONVENTION AREA

RECOGNISING that the 2009 Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area [Rec. 09-08] replaces the 2002 Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area [Rec. 02-22];

NOTING three previously adopted Recommendations that make reference to Recommendation 02-22, in some cases adopting the conditions and procedures established in that Recommendation *mutatis mutandis*,

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

1. References to the 2002 “*Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels Over 24 Meters Authorized to Operate in the Convention Area*” [Rec. 02-22]* be replaced by “*Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area*” in the following provisions:
 - i) *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* [Rec. 03-19], in the first paragraph of the preamble;
 - ii) *Recommendation Amending the Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 08-05]*, in paragraph 56 and 58.
 - iii) *Recommendation by ICCAT Amending Ten Recommendations and Three Resolutions* [Rec. 08-11] in Paragraph 2 (iii) and Paragraph 5.
2. References to “Recommendation [02-22]” be replaced by “Recommendation [09-08]” in the second paragraph of the preamble of the *Recommendation by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents* [Rec. 03-19].

* Recommendation 02-22 was replaced by Recommendation 13-13 and 14-10.

* Recommendation 08-05 was replaced by Recommendation 14-04.

**RECOMMENDATION BY ICCAT TO ESTABLISH MINIMUM
STANDARDS FOR FISHING VESSEL SCIENTIFIC OBSERVER PROGRAMS**

(Entered into force: **August 13, 2011**)

RECALLING that Article IX of the Convention requires Contracting Parties to furnish, on the request of the Commission, any available statistical, biological and other scientific information needed for the purposes of the Convention;

FURTHER RECALLING the 2001 *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Res. 01-16], in which the Commission established clear guidelines for the submission of Task I and Task II data;

TAKING ACCOUNT OF the observations in the report of the Independent Review Panel on the performance of ICCAT about the completeness and reliability of data for many ICCAT fisheries and its recommendation that Commission members and cooperating non-members collect and transmit to the Secretariat in a timely way accurate Task I and Task II data;

ACKNOWLEDGING that poor quality data impacts the ability of the SCRS to complete robust stock assessments and provide management advice as well as the ability of the Commission to adopt effective conservation and management measures;

DETERMINED to ensure the collection of data accounting for all sources of mortality in ICCAT fisheries, for both target species and by-catch, to improve the certainty of future scientific advice while taking into account ecosystem considerations;

ACKNOWLEDGING the discussion and recommendations of the Working Group on the Future of ICCAT concerning the importance of observer programs in developing and implementing an ecosystem approach to management;

WELCOMING the planned future work of the SCRS Sub-Committee on Ecosystems and the Sharks Species Group to advise on minimum observer coverage levels needed to ensure sufficient data and information are available to support robust species estimates, particularly of by-catch species;

RECOGNIZING that observer programs are used successfully at both the national and Regional Fisheries Management Organization (RFMO) level for the purposes of collecting scientific data;

TAKING INTO ACCOUNT the needs of developing States with regard to capacity building;

RECOGNIZING the United Nations General Assembly Sustainable Fisheries Resolution 63/112, that encourages the development of observer programs by regional fisheries management organizations and arrangements to improve data collection;

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

1. Notwithstanding additional observer program requirements that may be in place or adopted by ICCAT in the future for specific fisheries for the collection of scientific information, each Contracting Party and Cooperating non-Contracting Party, Entity, or Fishing Entity (CPC) shall ensure the following with respect to its domestic observer programs:
 - a) A minimum of 5% observer coverage of fishing effort in each of the pelagic longline, purse seine, and, as defined in the ICCAT glossary, baitboat fisheries, as measured in number of sets or trips for purse seine fisheries; fishing days, number of sets, or trips for pelagic longline fisheries; or in fishing days in baitboat fisheries;

- b) Notwithstanding paragraph 1a), for vessels less than 15 meters, where an extraordinary safety concern may exist that precludes deployment of an onboard observer, a CPC may employ an alternative scientific monitoring approach that will collect data equivalent to that specified in this recommendation in a manner that ensures comparable coverage. In any such cases, the CPC wishing to avail itself of an alternative approach must present the details of the approach to the SCRS for evaluation. The SCRS will advise the Commission on the suitability of the alternative approach for carrying out the data collection obligations set forth in this Recommendation. Alternative approaches implemented pursuant to this provision shall be subject to the approval of the Commission at the annual meeting prior to implementation, except in the case of the 2011 fishing season. For the 2011 fishing season, alternative plans must be submitted to the SCRS prior to the commencement of the fishing season and shall be subject to the approval of the Commission at the 2011 annual meeting.
 - c) Representative temporal and spatial coverage of the operation of the fleet to ensure the collection of adequate and appropriate data as required under this recommendation and any additional domestic CPC observer program requirements, taking into account characteristics of the fleets and fisheries;
 - d) Data collection on all aspects of the fishing operation, including catch, as specified in paragraph 2 below.
2. In particular, CPCs shall require observers to:
 - a) record and report upon the fishing activity, which shall include at least the following:
 - i) data collection that includes quantifying total target catch and by-catch (including sharks, sea turtles, marine mammals, and seabirds), size composition, disposition status (i.e., retained, discarded dead, released alive), and the collection of biological samples for life history studies (e.g., gonads, otoliths, spines, scales);
 - ii) fishing operation information, including:
 - area of catch by latitude and longitude;
 - fishing effort information (e.g., number of sets, number of hooks, etc.);
 - date of each fishing operation, including, as appropriate, the start and stop times of the fishing activity;
 - iii) other scientific work as recommended by SCRS and agreed by the Commission.
 - b) observe and record the use of by-catch mitigation measures and other relevant information;
 - c) present to their CPC, as feasible and appropriate, any proposals the observer considers appropriate to improve the efficiency of conservation measures and scientific monitoring.
 3. In implementing these observer requirements, CPCs shall ensure use of robust data collection protocols, including, as necessary and appropriate, the use of photography, and that observers are properly trained and approved before deployment. Toward that end, CPCs shall ensure that their observers have the following qualifications to accomplish their responsibilities:
 - a) sufficient knowledge and experience to identify species and collect information on different fishing gear configurations;
 - b) satisfactory knowledge of the ICCAT conservation and management measures;
 - c) the ability to observe and record accurately data to be collected under the program;
 - d) the ability to collect biological samples;
 - e) not be a crew member of the fishing vessel being observed; and
 - f) not be an employee of a fishing vessel company involved in the observed fishery.

In addition, CPCs shall ensure their observed flag vessels permit appropriate access to the vessel and its operations to allow the observer to carry out its responsibilities effectively.

4. Each year, CPCs shall report information collected under domestic observer programs to the SCRS for stock assessment and other scientific purposes in line with procedures in place for other data reporting requirements and consistent with domestic confidentiality requirements, including, *inter alia*, catch rates,

the coverage level achieved within their respective fisheries, and details on how coverage levels were calculated.

5. CPCs shall also provide a preliminary report to SCRS by 31 July 2011 on the structure and design of their domestic observer programs to be followed by an updated report on 31 July 2012. These reports shall include, *inter alia*, the following information:
 - a) target level of observer coverage by fishery and how measured,
 - b) data required to be collected,
 - c) data protocols in place,
 - d) information on how vessels are selected for coverage to achieve the CPC's target level of observer coverage,
 - e) observer training requirements, including any training materials, such as a training manual,
 - f) observer qualification requirements.

Following the submission of the reports referred to in this paragraph, any changes to CPC observer programs shall be reported to the SCRS through CPC Annual Reports.

6. Beginning in 2012 and every three years thereafter SCRS shall:
 - a) report to the Commission on the coverage level achieved by each CPC by fishery;
 - b) provide the Commission with a summary of the data and information collected and reported pursuant to this Recommendation and any relevant findings associated with that data and information;
 - c) review the minimum standards established for CPC observer programs as set out in this recommendation; and
 - d) make recommendations as necessary and appropriate on how to improve the effectiveness of observer programs in order to meet the data needs of the Commission, including possible revisions to this Recommendation and/or with respect to implementation of these minimum standards by CPCs.
7. The Commission shall take due regard of the special requirements of developing States in the implementation of the provisions of this Recommendation.
8. The Commission shall review this Recommendation no later than its 2012 annual meeting and every three years thereafter, and consider revising it in light of information on CPC observer programs received pursuant to paragraphs 4 and 5 and SCRS advice pursuant to paragraph 6.
9. The ICCAT Secretariat shall facilitate the required exchange of information between each CPC concerned and the SCRS and the implementation of any other aspects of this Recommendation as necessary and appropriate.

**RECOMMENDATION BY ICCAT TO CLARIFY THE APPLICATION OF COMPLIANCE
RECOMMENDATIONS AND FOR DEVELOPING THE COMPLIANCE ANNEX**

(Entered into force: **June 7, 2012**)

RECOGNIZING the need to clarify the procedures regarding implementation of ICCAT's compliance recommendations that address the treatment of under/over harvest of catch limits and minimum size tolerances, including the deadline and process for the submission of compliance tables and for developing the Compliance Annex;

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

1. By 15 September of each year, Contracting Parties and Cooperating Non-Contracting Parties, Entities, and Fishing Entities (CPCs) shall complete and submit the following to ICCAT using Commission-approved tables and forms provided by the Secretariat:
 - an "ICCAT Compliance Reporting Table" covering each of its applicable fisheries, and
 - a form for each stock or species, as appropriate, showing how adjusted quotas or catch limits were calculated taking into account ICCAT's rules on under and overharvests.

The Compliance Reporting Table shall cover the current reporting year and any revisions of previous years' data, which should be highlighted for ease of reference. The table format shall include, *inter alia*, current catches, balance, adjusted quotas/catch limits, and, where applicable, minimum size data. CPCs shall submit their compliance reporting table and forms for the application of underharvests/overharvests electronically in the format provided by the Secretariat.

2. Upon submission of the ICCAT Compliance Reporting Tables to the Commission, the Secretariat in consultation with the Compliance Committee Chairman shall prepare and distribute to CPCs a "Compliance Annex." The Annex will reflect: (1) all catch limits and minimum sizes/tolerances to which each CPC is subject; (2) each CPC's catch statistics submitted to the SCRS for the current reporting year, and any revisions to previous years' data; (3) any underharvests or overharvests; (4) all catch limit reductions that each Party must take pursuant to applicable rules and any catch limit increases a CPC may choose to take due to underharvest; and (5) the dates by when such reductions or increases will be taken. In the Compliance Annex, the Secretariat shall also note where compliance table submissions by CPCs indicate actions that may be inconsistent with ICCAT recommendations for consideration by the Compliance Committee.
3. At each annual meeting, the Compliance Committee shall review and adjust, as necessary, the Compliance Annex to ensure it reflects the proper application of ICCAT's compliance recommendations. In support of this review, each CPC shall report on the information presented in its ICCAT Compliance Reporting Table, including a detailed explanation of any overharvest of a catch limit and/or minimum size tolerance level, the actions already taken, or to be taken, to prevent further overharvest, and the dates by which such actions will be taken. CPCs shall also report any changes to the compliance information provided in previous years and explain, in detail, any changes to their Compliance Reporting Table made after the 15 September deadline. If a CPC's compliance data differs substantially from relevant statistics reported to SCRS, the Committee shall seek an explanation for the difference, where necessary and appropriate.
4. At each annual meeting, the Compliance Committee will present the results of its deliberations on the application of ICCAT's compliance recommendations, as reflected in a final Compliance Annex, for endorsement, in whole or in part, by the Commission. The Compliance Annex will be appended to the meeting report.
5. This Recommendation replaces *Recommendation by ICCAT on Application of Three Compliance Recommendations* (98-14) in its entirety.

**RECOMMENDATION BY ICCAT ON THE PRINCIPLES OF DECISION
MAKING FOR ICCAT CONSERVATION AND MANAGEMENT MEASURES**

(Entered into force: **June 7, 2012**)

RECALLING the Recommended Course of Actions from the first Global Summit of Tuna RFMOs in Kobe, Japan, noted that management decisions should be based upon scientific advice and consistent with the precautionary approach;

NOTING that participants of the first Global Summit of Tuna RFMOs in 2007 in Kobe, Japan agreed that stock assessment results be presented in a standardized “four quadrant, red-yellow-green” format that is now referred to as the “Kobe Plot,” which is widely embraced as a practical, user-friendly method to present stock status information;

FURTHER NOTING that, at the Second Joint Meeting of Tuna RFMOs in June 2009 in San Sebastian, Spain, a “Strategy Matrix” was adopted to provide fisheries managers with the statistical probability of meeting management targets, including ending overfishing and rebuilding overfished stocks, in a standardized manner as a result of potential management actions;

ACKNOWLEDGING that the Strategy Matrix is a harmonized format for RFMO science bodies to convey advice, and that this format for presenting stock assessment results facilitates the application of the precautionary approach by providing Commissions with the basis to evaluate and adopt management options at various levels of probability of success;

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

To support the achievement of the ICCAT Convention objective, the following principles, based on the status of stocks as represented by the Kobe Plot, shall guide the development of management measures for ICCAT-managed stocks:

1. For stocks that are not overfished and not subject to overfishing (i.e., stocks in the green quadrant of the Kobe plot), management measures shall be designed to result in a high probability of maintaining the stock within this quadrant.
2. For stocks that are not overfished, but are subject to overfishing, (i.e., stocks in the upper right yellow quadrant of the Kobe plot), the Commission shall immediately adopt management measures, taking into account, *inter alia*, the biology of the stock and SCRS advice, designed to result in a high probability of ending overfishing in as short a period as possible.
3. For stocks that are overfished and subject to overfishing (i.e., stocks in the red quadrant of the Kobe plot), the Commission shall immediately adopt management measures, taking into account, *inter alia*, the biology of the stock and SCRS advice, designed to result in a high probability of ending overfishing in as short a period as possible. In addition, the Commission shall adopt a plan to rebuild these stocks taking into account, *inter alia*, the biology of the stock and SCRS advice.
4. For stocks that are overfished and not subject to overfishing (i.e. stocks in the lower left yellow quadrant of the Kobe plot), the Commission shall adopt management measures designed to rebuild these stocks in as short a period as possible, taking into account, *inter alia*, the biology of the stock and SCRS advice.

**RESOLUTION BY ICCAT TO STANDARDIZE THE PRESENTATION OF
SCIENTIFIC INFORMATION IN THE SCRS ANNUAL REPORT
AND IN WORKING GROUP DETAILED REPORTS**

(Entered into force: **December 7, 2011**)

NOTING that the presentation of scientific information in the Standing Committee for Research and Statistics (SCRS) annual report to the Commission can vary by stock;

STRESSING the importance of standardizing the presentation of scientific information to facilitate an easier appropriation and utilization by the Commission;

RECALLING recommendations of the Kobe II Workshop of Experts to Share Best Practices on the Provision of Scientific Advice and of the Kobe III recommendations, in particular on development on research activities to better quantify the uncertainty and understand how this uncertainty is reflected in the risk assessment inherent in the Kobe II strategy matrix;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RESOLVES AS FOLLOWS:

1. In support of the SCRS scientific advice, the Executive Summaries within the SCRS annual report which present the results of the stock assessment results should include, when possible:
 - i) A statement characterizing the robustness of methods applied to assess stock status and to develop the scientific advice. This statement should focus on modeling approaches and on assumptions.
 - ii) Three Kobe matrices, in accordance with the format set out in Annex **Table 2**:
 - a) A Kobe II strategy matrix indicating the probability of $B > B_{MSY}$ for different levels of catch across multiple years.
 - b) A Kobe II strategy matrix indicating the probability of $F < F_{MSY}$ for different levels of catch across multiple years.
 - c) A Kobe II strategy matrix indicating the probability of $B > B_{MSY}$ and $F < F_{MSY}$ for different levels of catch across multiple years.
 - d) Kobe II strategy matrices to be prepared by the SCRS should highlight in a similar format as shown in Annex **Table 2** a progression of probabilities over 50 % and in the range of 50-59 %, 60-69 %, 70-79 %, 80-89 % and ≥ 90 %.
 - e) When the Commission agrees on acceptable probability levels on a stock by stock basis and communicates them to the SCRS, the SCRS should prepare and include, in the annual report, the Kobe II strategy matrices using color coding corresponding to these thresholds.
 - iii) A statement concerning the reliability of long term projections period.
 - iv) A Kobe plot chart showing:
 - a) Management reference points expressed as $F_{CURRENT}$ on F_{MSY} (or a proxy) and as $B_{CURRENT}$ on B_{MSY} (or a proxy);
 - b) The estimated uncertainty around current stock status estimates;
 - c) The stock status trajectory.
in accordance with the format set out in Annex **Figure 1**.
 - v) A pie chart summarizing the stock status showing the proportion of model outputs that are within the green quadrant of the Kobe plot chart (not overfished, no overfishing), the yellow quadrant (overfished or overfishing), and the red quadrant (overfished and overfishing), in accordance with the format set out in Annex **Figure 2**.

- vi) An indication of the modeling approaches used by the SCRS to conduct the stock assessment shall be included in the caption and in the corresponding text accompanying the introduction of the matrices and the charts.
 - vii) Statements, where needed, reflecting the different opinions expressed regarding the SCRS scientific advice during the endorsement process.
2. The Kobe plot chart described in paragraph 1 should reflect the uncertainties on the estimates of the relative Biomass ($B_{CURRENT}$ on B_{MSY} or its proxy) and of the relative fishing mortality ($F_{CURRENT}$ on F_{MSY} or its proxy), provided that statistical methods to do so have been agreed upon by SCRS and that sufficient data exist to do so.
 3. The SCRS should review recommendations and templates for the Kobe II strategy matrices, plot and pie charts as laid down in this resolution and should advise the Commission on possible improvements.
 4. If the Commission adopts alternative reference points, such as limit reference points associated to the precautionary approach, the SCRS should also provide in its annual report versions of the elements described in paragraphs 1 and 2 calculated with respect to these alternative reference points and following the format specified in the same paragraphs.
 5. The SCRS should indicate in its annual report those cases where the modeling approaches used during the assessment and/or data limitation did not allow for the preparation of the elements mentioned above.
 6. The Kobe II strategy matrices are intended to reflect the scientists understanding of the uncertainties associated with their model estimates. Therefore, where models and/or data are insufficient to quantify those uncertainties, the SCRS should consider alternative means of representing them in ways that are useful to the Commission.
 7. When, due to data limitations, the SCRS is unable to develop Kobe II strategy matrices and associated charts or other estimates of current status relative to benchmarks, the SCRS should develop its scientific advice on fisheries indicators in the context of Harvest Control Rules, if previously agreed upon by the Commission.
 8. The SCRS should also include in its annual report any other tables and/or graphics that it considers useful to provide advice to the Commission.
 9. The Commission encourages the SCRS to also include in the detailed reports, where possible, the following additional elements:
 - i) A scoring table addressing data completeness and quality with the format set out in Annex **Table 1**;
 - ii) Information on the by-catches of the different fleet segments and fisheries, as well as other ecosystems considerations.

Table 2. Format of a Kobe II strategy matrix indicating the probability of $B > B_{MSY}$, or $F < F_{MSY}$ or $B > B_{MSY}$ and $F < F_{MSY}$ for different levels of catch limits and years.

| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|------|------|------|------|------|------|------|------|------|------|------|
| 0 | 25% | 51% | 70% | 78% | 84% | 87% | 89% | 91% | 92% | 93% |
| 250 | 24% | 48% | 66% | 76% | 81% | 85% | 87% | 89% | 90% | 92% |
| 500 | 24% | 45% | 63% | 73% | 78% | 82% | 85% | 87% | 89% | 90% |
| 750 | 24% | 43% | 59% | 69% | 75% | 79% | 82% | 84% | 86% | 87% |
| 1000 | 24% | 40% | 54% | 65% | 71% | 75% | 78% | 81% | 82% | 84% |
| 1250 | 24% | 37% | 49% | 59% | 66% | 70% | 73% | 76% | 78% | 80% |
| 1500 | 23% | 35% | 45% | 53% | 59% | 64% | 67% | 70% | 72% | 74% |
| 1750 | 23% | 32% | 40% | 46% | 51% | 55% | 58% | 61% | 64% | 65% |
| 2000 | 23% | 29% | 35% | 39% | 43% | 45% | 47% | 49% | 51% | 53% |
| 2250 | 22% | 26% | 29% | 31% | 33% | 34% | 36% | 36% | 37% | 38% |
| 2500 | 20% | 21% | 22% | 22% | 22% | 21% | 21% | 21% | 21% | 21% |

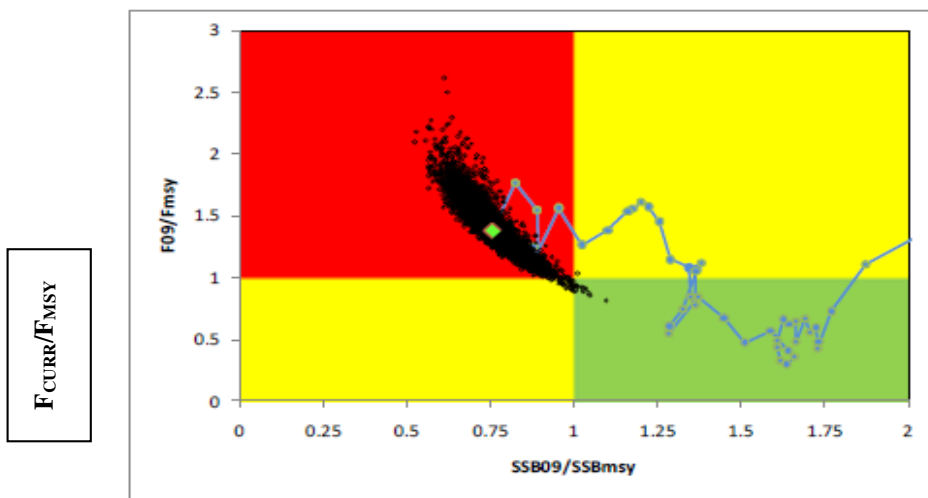


Figure 1. Example of a Kobe plot chart showing the stock status trajectory (intervals around relative biomass and relative fishing mortality will be included when available).

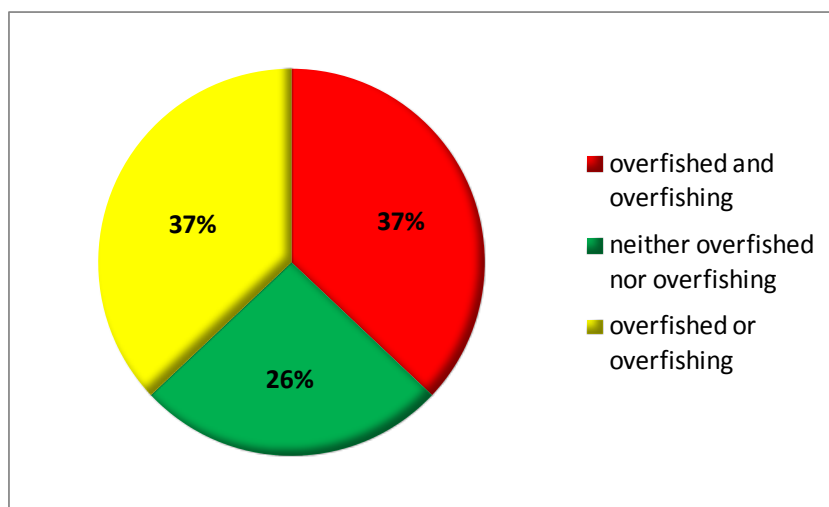


Figure 2. Example of pie chart summarizing the stock status showing the proportion of model outputs that are within each quadrant of the Kobe plot chart.

**RECOMMENDATION BY ICCAT ON PENALTIES APPLICABLE
IN CASE OF NON FULFILMENT OF REPORTING OBLIGATIONS**

(Entered into force: **June 7, 2012**)

GIVEN that following Article IX of the Convention, Contracting Parties agree to supply, on the request of the Commission, any available statistical, biological and other scientific information that the Commission may need for the purposes of this Convention and that all Task I and II data should be submitted annually to the Secretariat by July the year following the fishing activities;

RECALLING the *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Res. 01-16] and the *Recommendation by ICCAT on Compliance with Statistical Reporting Obligations* [Rec. 05-09];

FURTHER RECALLING that the *ICCAT Criteria for the Allocation of Fishing Possibilities* (Ref. 01-25) clearly links fisheries access with the obligation to provide accurate data on fishing effort and catch;

TAKING INTO ACCOUNT the *Recommendation by ICCAT on Atlantic Shortfin Mako Sharks Caught in Association with ICCAT Fisheries* [Rec. 10-06], which provides that “CPCs that do not report Task I data for Atlantic shortfin mako sharks, in accordance with SCRS data reporting requirements, shall be prohibited from retaining this species, beginning in 2013 until such data have been received by the ICCAT Secretariat”;

NOTING that incomplete reporting or no data reporting also concerns species other than shortfin mako and that, despite the adoption of numerous measures intended to address the matter, lack of compliance with reporting obligations still is a problem for the Scientific Committee and for the Commission;

FURTHER NOTING that, in order that all ICCAT fisheries are managed in line with the precautionary approach, it is necessary to take measures aimed at eliminating or reducing non-reporting and misreporting;

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

1. CPCs shall include information in their Annual Reports on actions taken to implement their reporting obligations for all ICCAT fisheries, including shark species caught in association with ICCAT fisheries, in particular the steps taken to improve their Task I and Task II data collection for direct and incidental catches;
2. Actions taken by CPCs, as described in paragraph 1, shall be reviewed annually by ICCAT’s Compliance Committee, beginning in 2013;
3. CPCs that do not report Task I data, including zero catches, for one or more species for a given year, in accordance with SCRS data reporting requirements, shall be prohibited from retaining such species as of the year following the lack or incomplete reporting until such data have been received by the ICCAT Secretariat.

RESOLUTION BY ICCAT ON BEST AVAILABLE SCIENCE

(Transmitted to Contracting Parties: **December 7, 2011**)

RECOGNIZING the importance of sound scientific advice as the centerpiece for the conservation and management of tuna and tuna-like species in the Atlantic and the Mediterranean in line with international law and recommendations and Article VIII of the ICCAT Convention,

AWARE that the availability of adequate scientific information is fundamental to carrying out the objectives of the Convention laid down in Article IV of the Convention,

EMPHASIZING the importance of the effective participation of CPCs in the work of the Standing Committee on Research and Statistics (SCRS) and its working groups,

ACKNOWLEDGING the need to strengthen the data availability and quality for scientific advice, including on by-catch and discards,

NOTING that external expert participation may advance the quality assurance of the scientific work of the SCRS,

RECOGNIZING the need for broadening and streamlining the scope of financial support for capacity building for the purpose of this resolution,

BUILDING on the recommendations of the SCRS and of the Kobe process,

NOTING the importance of regular assessments of the performance of regional fisheries management organizations, including the functioning of their scientific committees,

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

CPCs undertake to:

1. Take all measures which would be appropriate
 - i) To improve the communication between CPCs, the Commission and the SCRS by enabling a constant and regular dialogue;
 - ii) To improve the implementation of data collection and provision to the SCRS, including on by-catches,
 - iii) To support research programs and projects supporting the work of the SCRS;
 - iv) To facilitate participation in working groups and SCRS meetings of scientists from all CPCs, as well as other relevant scientific bodies;
 - v) To contribute to the training of scientific researchers, including young scientists;
2. Preserve and promote the independence and excellence of the SCRS and its working groups by:
 - i) Enhancing the participation of scientists to meetings of the SCRS and its Working Groups, including scientists involved in other tunas' RFMOs and other relevant scientific bodies;
 - ii) Adopting, publishing and implementing SCRS rules, including a code of conduct for scientists and for observers. For this purpose, SCRS will develop such rules to avoid conflict of interests and ensure the independence of the scientific process and, where applicable, maintain the confidentiality of the data used;
 - iii) Ensuring that independent and objective scientific input, based on the best available and peer-reviewed scientific deliverables, is presented by the SCRS to the Commission;
 - iv) Ensuring that sources and history of revisions of all documents submitted to and assessed by the SCRS and its working groups are fully documented;

- v) Providing clear, transparent, and standardized scientific findings and advice to the Commission;
 - vi) Providing for well-defined rules for efficient decision-making to arrive at scientific advice to be endorsed, released and published by the SCRS;
 - vii) Reflecting different opinions in the scientific reports and during the endorsement process of SCRS' scientific advice to foster transparency of the scientific advisory process.
3. Strengthen peer review mechanisms within the SCRS by participation of outside experts (e.g., from other RFMOs or from academia) in the SCRS activities, particularly for stock assessments.
 4. Continue to support the SCRS' initiatives to publish its scientific findings in the scientific peer-reviewed literature.
 5. With the aim of meeting the above-mentioned objectives, consider broadening financial support and mechanisms, including *inter alia*, contributing to the “Meeting Participation Fund for Developing ICCAT Contracting Parties”, for the purpose of the implementation of this Resolution, in particular to:
 - i) Contribute to the scientific capacity building of the developing CPCs and to enhance their effective participation in the work of the SCRS and its working groups;
 - ii) Provide necessary resources for the SCRS and its working groups.
 6. The next independent performance review of ICCAT should include an assessment of the functioning of the SCRS and its working groups through a total quality management process, including an evaluation of the potential role of external reviews.

**RECOMMENDATION BY ICCAT FURTHER AMENDING RECOMMENDATION 09-10
ESTABLISHING A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT
ILLEGAL, UNREPORTED AND UNREGULATED FISHING ACTIVITIES IN
THE ICCAT CONVENTION AREA**

(Entered into force: **June 7, 2012**)

RECALLING that the FAO Council adopted on 23 June 2001 an International Plan of Action to prevent, to deter and eliminate illegal, unreported and unregulated fishing (IPOA-IUU). This plan stipulates that the identification of the vessels carrying out Illegal Unregulated and Unreported (IUU) activities should follow agreed procedures and be applied in an equitable, transparent and non-discriminatory way.

RECALLING that ICCAT has already adopted measures against IUU fishing activities and, in particular, against large-scale tuna longline vessels,

CONCERNED by the fact that IUU fishing activities in the ICCAT area continue, and these activities diminish the effectiveness of ICCAT conservation and management measures,

FURTHER CONCERNED that there is evidence of a large number of vessel owners engaged in such fishing activities which have re-flagged their vessels to avoid compliance with ICCAT management and conservation measures, and to evade the ICCAT-adopted non discriminatory trade measures,

DETERMINED to address the challenge of an increase in IUU fishing activities by way of counter-measures to be applied in respect to the vessels, without prejudice to further measures adopted in respect of flag States under the relevant ICCAT instruments.

CONSIDERING the results of the ICCAT *Ad Hoc* Working Group on Measures to Combat IUU Fishing, which was held in Tokyo from May 27 to 31, 2002,

CONSCIOUS of the urgent need to address the issue of large-scale fishing vessels as well as other vessels conducting IUU fishing and fishing related activities in support of IUU fishing,

NOTING that the situation must be addressed in the light of all relevant international fisheries instruments and in accordance with the relevant rights and obligations established in the World Trade Organization (WTO) Agreement.

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

Definition of IUU Activities

1. For the purposes of this recommendation, the fishing vessels flying the flag of a non-Contracting Party, or a Cooperating non-Contracting Party, Entity or Fishing Entity, or a Contracting Party are presumed to have carried out illegal, unreported and unregulated fishing activities in the ICCAT Convention area, *inter alia*, when a Contracting Party or a Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPC) presents evidence that such vessels:
 - a) Harvest tunas and tuna-like species in the Convention area and are not registered on the ICCAT list of vessels authorized to fish for tuna and tuna-like species in the ICCAT Convention area;
 - b) Harvest tuna and tuna-like species in the Convention area, whose flag State is without quotas, catch limit or effort allocation under relevant ICCAT conservation and management measures;
 - c) Do not record or report their catches made in the ICCAT Convention area, or make false reports;
 - d) Take or land undersized fish in contravention of ICCAT conservation measures;
 - e) Fish during closed fishing periods or in closed areas in contravention of ICCAT conservation measures;

- f) Use prohibited fishing gear in contravention of ICCAT conservation measures;
- g) Transship with, or participate in joint operations such as re-supply or re-fuelling vessels included in the IUU vessels list;
- h) Harvest tuna or tuna-like species in the waters under the national jurisdiction of the coastal States in the Convention area without authorization and/or infringes its laws and regulations, without prejudice to the sovereign rights of coastal States to take measures against such vessels,
- i) Are without nationality and harvest tunas or tuna-like species in the ICCAT Convention area, and/or
- j) Engage in fishing activities contrary to any other ICCAT conservation and management measures.

Information on alleged IUU activities

2. CPCs shall transmit every year to the Executive Secretary at least 120 days before the annual meeting, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the Convention Area during the current and previous year, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list shall be based on the information collected by CPCs, *inter alia*, under relevant ICCAT recommendations and resolutions.

Draft IUU List

3. On the basis of the information received pursuant to paragraph 2, the ICCAT Executive Secretary shall draw up a Draft IUU List. This list shall be drawn up in conformity with **Annex 1**. The Secretary shall transmit it together with the current IUU List as well as all the evidence provided to CPCs, and to non-Contracting Parties whose vessels are included on these lists before at least 90 days before the annual meeting. CPCs and non-Contracting Parties, shall transmit their comments, as appropriate, including evidence showing that the listed vessels have neither fished in contravention to ICCAT conservation and management measures nor had the possibility of fishing tuna and tuna-like species in the Convention area, at least 30 days before the annual meeting of ICCAT.

The Commission shall request the flag State to notify the owner of the vessels of its inclusion in the Draft IUU List and of the consequences that may result from their inclusion being confirmed in the IUU list adopted by the Commission.

Upon receipt of the Draft IUU List, CPCs shall closely monitor these vessels included in the Draft IUU List in order to determine their activities and possible changes of name, flag and/or registered owner.

Provisional IUU List

4. On the basis of the information received pursuant to paragraph 3, the Executive Secretary shall draw up a Provisional List which he will transmit two weeks in advance to the Commission meeting to the CPCs and to the non-Contracting Parties concerned, together with all the evidence provided. This list shall be drawn up in conformity with **Annex 1**.
5. CPCs may at any time submit to the ICCAT Executive Secretary any additional information, which might be relevant for the establishment of the IUU list. The ICCAT Executive Secretary shall circulate the information, at latest before the annual meeting, to the CPCs and to the non-Contracting Parties concerned, together with all the evidence provided.
6. The Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) shall examine, each year, the Provisional List, as well as the information referred to in paragraphs 3 and 5. The results of this examination may, if necessary, be referred to the Conservation and Management Measures Compliance Committee.

The PWG shall remove a vessel from the Provisional List if the flag State demonstrates that:

- The vessel did not take part in any IUU fishing activities described in paragraph 1, or
- Effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution and imposition of sanctions of adequate severity.

7. Following the examination referred to in paragraph 6, at each ICCAT annual meeting, the PWG shall:

- i) Adopt a Provisional IUU Vessel List following consideration of the Draft IUU List and information and evidence circulated under paragraphs 3 and 5. The Provisional IUU Vessel List shall be submitted to the Commission for approval.
- ii) Recommend to the Commission which, if any, vessels should be removed from the IUU Vessel List adopted at the previous ICCAT annual meeting, following consideration of that List, of the information and evidence circulated under paragraph 5 and the information received in accordance with paragraph 14.

IUU List

8. On adoption of the list, the Commission shall request non-Contracting Parties, whose vessels appear on the IUU List:

- To notify the owner of the vessel identified on the IUU Vessels List of its inclusion on the list and the consequences which result from being included on the list, as referred to in paragraph 9.
- To take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.

9. CPCs shall take all necessary measures, under their applicable legislation:

- So that the fishing vessels, support vessels, refueling vessels, the mother-ships and the cargo vessels flying their flag do not assist in any way, engage in fishing processing operations or participate in any transshipment or joint fishing operations with vessels included on the IUU Vessels List;
- So that IUU vessels are not authorized to land, tranship re-fuel, re-supply, or engage in other commercial transactions;
- To prohibit the entry into their ports of vessels included on the IUU list, except in case of *force majeure*, unless vessels are allowed entry into port for the exclusive purpose of inspection and effective enforcement action;
- To give priority to the inspection of vessels on the IUU list, if such vessels are otherwise found in their ports;
- To prohibit the chartering of a vessel included on the IUU vessels list;
- To refuse to grant their flag to vessels included in the IUU list, except if the vessel has changed owner and the new owner has provided sufficient evidence demonstrating the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel, or having taken into account all relevant facts, the flag CPC determines that granting the vessel its flag will not result in IUU fishing;
- To prohibit the imports, or landing and/or transshipment, of tuna and tuna-like species from vessels included in the IUU list;
- To encourage the importers, transporters and other sectors concerned, to refrain from transaction and transshipment of tuna and tuna-like species caught by vessels included in the IUU list;
- To collect and exchange with other CPCs any appropriate information with the aim of searching for, controlling and preventing false import/export certificates regarding tunas and tuna-like species from vessels included in the IUU list.

10. The ICCAT Executive Secretary will take any necessary measure to ensure publicity of the IUU vessels list adopted by ICCAT pursuant to paragraph 7, in a manner consistent with any applicable confidentiality requirements, and through electronic means, by placing it on the ICCAT web site. Furthermore, the ICCAT

Executive Secretary will transmit the IUU Vessels List to other regional fisheries organizations for the purposes of enhanced co-operation between ICCAT and these organizations in order to prevent, deter and eliminate illegal, unreported and unregulated fishing.

11. Upon receipt of the final IUU vessel list established by another regional fisheries management organization (RFMO) managing tuna or tuna-like species and supporting information considered by that RFMO, and any other information regarding the listing determination, the Executive Secretary shall circulate this information to the CPCs. Vessels that have been included on or deleted from the respective lists shall be included on or deleted from the ICCAT IUU Vessel List as appropriate, unless any Contracting Party objects to the inclusion on the final ICCAT IUU list within 30 days of the date of transmittal by the Executive Secretary on the grounds that:

i) there is satisfactory information to establish that:

a) The vessel did not engage in the IUU fishing activities identified by the other RFMO, or

b) That effective action has been taken in response to the IUU fishing activities in question, including, *inter alia*, prosecution, and imposition of sanctions of adequate severity,

or

ii) There is insufficient supporting information and other information regarding the listing determination to establish that none of the conditions in sub-paragraph i) above have been met.

In the event of an objection to a vessel listed by another RFMO managing tuna or tuna-like species being included on the final ICCAT IUU Vessel List pursuant to this paragraph, such vessel shall be placed on the Draft IUU Vessel List and considered by the PWG pursuant to paragraph 6.

12. This recommendation shall apply to fishing vessels 12 meters or greater in length overall and, *mutatis mutandis*, fish processing vessels, tug and towing vessels, vessels engaged in transshipment, and support vessels. The Commission shall, at its annual meeting in 2013, review and, as appropriate, revise this recommendation with a view to its extension to other types of IUU fishing activities.

13. Without prejudice to the rights of flag States and coastal States to take proper action consistent with international law, CPCs shall not take any unilateral trade measures or other sanctions against vessels provisionally included in the Draft IUU List, pursuant to paragraph 3, or which have been already removed from the list, pursuant to paragraph 6, on the grounds that such vessels are involved in IUU fishing activities.

Deletion from the IUU vessels list

14. A non-Contracting Party whose vessel appears on the IUU List may request the removal of this vessel from the list during the inter-sessional period by providing the following information:

– It has adopted measures so that this vessel conforms with ICCAT conservation measures,

– It is and will continue to assume effectively its responsibilities with respect to this vessel in particular as regards the monitoring and control of the fishing activities executed by this vessel in the ICCAT Convention area,

– It has taken effective action in response to the IUU fishing activities in question including prosecution and imposition of sanctions of adequate severity; and/or

– The vessel has changed ownership and that the new owner can establish the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it and that the new owner has not participated in IUU fishing.

Inter-sessional modification of the IUU Vessels List

15. The non-Contracting Party shall send its request for the removal of a vessel from the IUU Vessels List to the ICCAT Executive Secretary accompanied by the supporting information referred to in paragraph 14.

16. On the basis of the information received in accordance with paragraph 14, the ICCAT Executive Secretary will transmit the removal request, with all the supporting information to the Contracting Parties within 15 days following the notification of the removal request.
17. The Contracting Parties will examine the request to remove the vessel and arrive at a conclusion on either the removal from, or the maintenance of the vessel on the IUU Vessels List by mail within 30 days following the notification by the Executive Secretary. The result of the examination of the request by mail will be checked by the Executive Secretary at the end of the 30-day period following the date of the notification by the Executive Secretary referred to in paragraph 16.
18. The Executive Secretary will communicate the result of examination to all Contracting Parties.
19. If the result of the exercise indicates that there is a majority of the Contracting Parties in favor of removal of the vessel from the IUU List, the Chairperson of ICCAT, on behalf of ICCAT, will communicate the result to all the Contracting Parties and to the non-Contracting Party which requested the removal of its vessel from the IUU list. In the absence of a majority, the vessel will be maintained on the IUU List and the Executive Secretary will inform the non-Contracting Party accordingly.
20. The ICCAT Executive Secretary will take the necessary measures to remove the vessel concerned from the ICCAT IUU Vessels List, as published on the ICCAT web site. Moreover, the ICCAT Executive Secretary will forward the decision of removal of the vessel to other regional fishery organizations.

General dispositions

21. This recommendation replaces Recommendation 09-10.
22. This Recommendation shall apply *mutatis mutandis* to vessels referred to in paragraph 12 flying the flag of CPCs.

Annex 1

Information to be included in all IUU Lists (Draft, Provisional and Final)

The Draft IUU List, as well as the Provisional IUU List shall contain the following details, where available:

- i) Name of vessel and previous names;
- ii) Flag of vessel and previous flag;
- iii) Name and address of owner of vessel and previous owners, including beneficial owners, and owner's place of registration;
- iv) Operator of vessel and previous operators;
- v) Call sign of vessel and previous call sign;
- vi) Lloyds/IMO number;
- vii) Photographs of the vessel;
- viii) Date vessel was first included on the IUU List;
- ix) Summary of activities which justify inclusion of the vessel on the List, together with references to all relevant documents informing of and evidencing those activities

RECOMMENDATION BY ICCAT ON A PROGRAMME FOR TRANSSHIPMENT

(Entered into force: **June 10, 2013**)

TAKING ACCOUNT of the need to combat illegal, unregulated and unreported (IUU) fishing activities because they undermine the effectiveness of the conservation and management measures already adopted by ICCAT;

EXPRESSING GRAVE CONCERN that organized tuna laundering operations have been conducted and a significant amount of catches by IUU fishing vessels have been transhipped under the names of duly licensed fishing vessels;

IN VIEW THEREFORE OF THE NEED to ensure the monitoring of the transhipment activities by large-scale pelagic longline vessels (LSPLVs) in the Convention area, including the control of their landings;

TAKING ACCOUNT of the need to ensure collection of catch data from such LSPLVs to improve the scientific assessments of those stocks;

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

SECTION 1. GENERAL RULES

1. Except under the program to monitor transhipment at sea established in Section 2 below, all transhipment operations:
 - a) within the Convention area of tuna and tuna-like species and other species caught in association with these species, and
 - b) outside the Convention area of tuna and tuna-like species and other species caught in association with these species that were harvested in the ICCAT Convention area,
 must take place in port.
2. The flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereafter referred to as CPCs) shall take the necessary measures to ensure that fishing vessels flying their flag comply with the obligations set out in **Annex 3**, when transshipping tuna and tuna-like species and any other species caught in association with these species in port.
3. This Recommendation does not apply to harpoon vessels engaged in the transhipment of fresh swordfish⁵ at sea.
4. This Recommendation does not apply to transshipments outside the Convention area where such transhipment is subject to a comparable monitoring program established by another regional fisheries management organization.
5. This Recommendation is without prejudice to additional requirements applicable to transhipment at sea or in port in other ICCAT recommendations.

SECTION 2. PROGRAMME TO MONITOR TRANSSHIPMENT AT SEA

6. At sea transhipment by LSPLVs for tuna and tuna-like species and other species caught in association with these species may only be authorized in accordance with the procedures set forth in Sections 3, 4 and 5, and **Annexes 1 and 2** below.

⁵ For the purpose of this Recommendation, "fresh swordfish" means swordfish that are alive, whole or gutted / dressed but not further processed or frozen.

7. For the purposes of this Recommendation, LSPLVs shall be defined as those greater than 24 meters length overall.

SECTION 3. RECORD OF VESSELS AUTHORISED TO RECEIVE TRANSSHIPMENT IN THE ICCAT AREA

8. Transshipment of tuna and tuna-like species and other species caught in association with these species may only be authorized with regard to carrier vessels authorized in accordance with this Recommendation.
9. An ICCAT Record of Carrier Vessels authorized to receive tuna and tuna-like species and any other species caught in association with these species in the Convention area from LSPLVs shall be established. For the purposes of this Recommendation, carrier vessels not entered on the record are deemed not to be authorized to receive tuna and tuna-like species and any other species caught in association with these species in transshipment operations.
10. In order for its carrier vessels to be included on the ICCAT Record List of Carrier Vessels, a flag CPC or flag non-Contracting Party (NCP) shall submit each calendar year, electronically, and in the format specified by the ICCAT Executive Secretary, a list of the carrier vessels that are authorized to receive transshipments from LSPLVs in the Convention area. This list shall include the following information:
 - Name of vessel, register number
 - ICCAT Record Number (if any)
 - IMO number (if any)
 - Previous name (if any)
 - Previous flag (if any)
 - Previous details of deletion from other registries (if any)
 - International radio call sign
 - Type of vessels, length, gross registered tonnage (GRT) and carrying capacity
 - Name and address of owner(s) and operator(s)
 - Time period authorized for transshipping

Each flag CPC that authorizes its LSPLVs to tranship at sea shall submit each calendar year electronically and in the format specified by the Executive Secretary, the list of its LSPLVs that are authorized to tranship at sea.

This list shall include the following information:

- Name of vessel, register number
- ICCAT Record Number
- Time period authorized for transshipping at sea
- Flag(s), name(s) and register number(s) of the carrier vessel(s) authorized for use by the LSPLVs

Upon receipt of the lists of LSPLVs authorized to tranship at sea, the Executive Secretary shall provide to the flag CPCs of the carrier vessels the list of LSPLVs authorized to operate with its carrier vessels.

11. Each CPC shall promptly notify the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record, at any time such changes occur.
12. The ICCAT Executive Secretary shall maintain the ICCAT record and take measures to ensure publicity of the record through electronic means, including placing it on the ICCAT website, in a manner consistent with domestic confidentiality requirements.
13. Carrier vessels authorized for at-sea transshipment and LSPLVs which tranship at sea shall be required to install and operate a VMS in accordance with all applicable ICCAT recommendations, including the *Recommendation by ICCAT Concerning Minimum Standards for the Establishment of a Vessel Monitoring System in the ICCAT Convention Area* [Rec. 03-14], or any successor recommendation, including any future revisions thereto.

SECTION 4. AT-SEA TRANSSHIPMENT

14. Transshipments by LSPLVs in waters under the jurisdiction of a CPC are subject to prior authorization from that CPC. An original or copy of the documentation of coastal State prior authorization must be retained on the vessel and made available to the ICCAT observer when requested. CPCs shall take the necessary measures to ensure that LSPLVs flying their flag comply with the provisions of this Section, as follows:

Flag CPC authorization

15. LSPLVs are not authorized to tranship at sea unless they have obtained prior authorization from their flag State. An original or copy of the documentation of prior authorization must be retained on the vessel and made available to the ICCAT observer when requested.

Notification obligations

Fishing vessel:

16. To receive the prior authorization mentioned in paragraph 14 and 15 above, the master and/or owner of the LSPLV must notify the following information to its flag CPC authorities, and, where applicable, the coastal CPC, at least 24 hours in advance of the intended transhipment:
- the name of the LSPLV and its number in the ICCAT record of fishing vessels,
 - the name of the carrier vessel and its number in the ICCAT record of carrier vessels authorized to receive transshipments in the ICCAT area, and the product to be transhipped, by species, where known, and, if possible, by stock,
 - the quantities of tuna and tuna-like species and, if possible, by stock, to be transhipped,
 - the quantities of other species caught in association with tuna and tuna-like species by species, where known, to be transhipped,
 - the date and location of transhipment.
 - the geographic location of the catches by species and, where appropriate, by stock, consistent with ICCAT statistical areas

The LSPLV concerned shall complete and transmit to its flag CPC, and, where applicable, the coastal CPC not later than 15 days after the transhipment, the ICCAT transhipment declaration, along with its number in the ICCAT record of fishing vessels in accordance with the format set out in **Annex 1**.

Receiving carrier vessel:

17. The master of the receiving carrier vessel shall complete and transmit the ICCAT transhipment declaration to the ICCAT Secretariat and the flag CPC of the LSPLV, along with its number in the ICCAT record of carrier vessels authorized to receive transhipment in the ICCAT area, within 24 hours of the completion of the transhipment.
18. The master of the receiving carrier vessel shall, 48 hours before landing, transmit an ICCAT transhipment declaration, along with its number in the ICCAT record of vessels authorized to receive transhipment in the ICCAT Convention area, to the competent authorities of the State where the landing is to take place.

ICCAT Regional Observer Program

19. Each CPC shall ensure that all carrier vessels transhipping at sea have on board an ICCAT observer in accordance with the ICCAT regional observer program specified in **Annex 2**. The ICCAT observer shall observe the adherence to this Recommendation, and, notably, that the transhipped quantities are consistent with the reported catch in the ICCAT transhipment declaration and, as feasible, as recorded in the fishing vessel logbook.
20. Vessels shall be prohibited from commencing or continuing transhipping in the ICCAT Convention area without an ICCAT regional observer on board, except in cases of *force majeure* duly notified to the ICCAT Secretariat.

SECTION 5. GENERAL PROVISIONS

21. To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Catch and Statistical Document Programs:
 - a) In validating the Catch or Statistical Documents, flag CPCs of LSPLVs shall ensure that transshipments are consistent with the reported catch amount by each LSPLV.
 - b) The flag CPC of LSPLVs shall validate the Catch or Statistical Documents for the transhipped fish, after confirming that the transshipment was conducted in accordance with this Recommendation. This confirmation shall be based on the information obtained through the ICCAT Observer Program.
 - c) CPCs shall require that the species covered by the Catch or Statistical Document Programs caught by LSPLVs in the Convention area, when imported into the area or territory of a CPC, be accompanied by catch or statistical documents validated for the vessels on the ICCAT record and a copy of the ICCAT transshipment declaration.
22. The flag CPCs of LSPLVs which have transhipped during the previous year and the flag CPCs of carrier vessels accepting transshipments shall report annually before 15 September to the Executive Secretary:
 - The quantities of tuna and tuna-like catches by species (and, if possible, by stock) transhipped during the previous year.
 - The quantities of other species caught in association with tuna and tuna-like species by species, where known, transhipped during the previous year.
 - The list of the LSPLVs which have transhipped during the previous year.
 - A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transshipment from their LSPLVs.

These reports shall be made available to the Commission and relevant subsidiary bodies for review and consideration. The Secretariat shall post these reports to a password protected website.
23. All tuna and tuna-like species and any other species caught in association with those species landed in or imported into the area or territory of CPCs, either unprocessed or after having been processed on board and which are transhipped, shall be accompanied by the ICCAT transshipment declaration until the first sale has taken place.
24. The Flag CPC of the LSPLV engaged in at-sea transshipments, and the coastal CPC, where applicable, shall review the information received pursuant to the provisions of this Recommendation to determine consistency between the reported catches, transshipments, and landings of each vessel, including in cooperation with the landing State as necessary. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.
25. At its request, and subject to ICCAT confidentiality requirements, the Standing Committee on Research and Statistics (SCRS) shall have access to the data collected under this Recommendation.
26. Each year, the Executive Secretary of ICCAT shall present a report on the implementation of this Recommendation to the annual meeting of the Commission which shall, *inter alia*, review compliance with this Recommendation.
27. This Recommendation replaces the *Recommendation by ICCAT Establishing a Programme for Transshipment by Large-scale Longline Fishing Vessels* [Rec. 06-11].

Transshipment Declaration

Carrier vessel

Vessel Name and radio call sign:
 Flag Country/Entity/Fishing Entity:
 Flag State authorization number:
 Domestic Registration Number:
 ICCAT Record Number:
 IMO Number, if any:

Fishing vessel

Vessel Name and radio call sign:
 Flag CPC:
 Flag CPC authorization number:
 Domestic Registration Number:
 ICCAT Record Number, if applicable:
 IMO Number, if any:
 External identification:

| | | | | | | | | |
|---------------|-------|-------|-------|-------|-----------|---------------|-------------------------------|-------------------------------|
| Departure | Day | Month | Hour | Year | 2_ 0_ _ _ | Agent's name: | Fishing vessel Master's name: | Carrier vessel Master's name: |
| Return | _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| Transshipment | _____ | _____ | _____ | _____ | _____ | Signature: | Signature: | Signature: |

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: _____ kilograms

LOCATION OF TRANSHIPMENT.....

| Species (by stock,* if applicable) ² | Port | Area ³ | Type of Product ¹ RD/GG/DR/FL/ST/OT | Net Weight (Kg) | | | | | |
|---|------|-------------------|---|-----------------|--|--|--|--|--|
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

ICCAT Observer signature and date (if transshipment at sea):

¹ Type of Product should be indicated as Round (RD), Gilled and Gutted (GG), Dressed (DR), Fillet (FL), Steak (ST), Other (OT) (describe the type of product).
² A list of species by stock, with their geographic delineations, is included on the back of this form. Please provide as much detail as possible.
³ Atlantic, Mediterranean, Pacific, Indian.

*If stock level information is not available, please provide explanation.

ICCAT Regional Observer Programme

1. Each CPC shall require carrier vessels included in the ICCAT record of vessels authorized to receive transshipments in the ICCAT area and which tranship at sea, to carry an ICCAT observer during each transshipment operation in the Convention area.
2. The Secretariat of the Commission shall appoint the observers and shall place them on board the carrier vessels authorized to receive transshipments in the ICCAT area from LSPLVs flying the flag of CPCs that implement the ICCAT observer program.
3. The ICCAT Secretariat shall ensure observers are properly equipped to perform their duties.

Designation of the observers

4. The designated observers shall have the following qualifications to accomplish their tasks:
 - demonstrated ability to identify ICCAT species and fishing gear with a strong preference given to those with experience as observers on pelagic longline vessels;
 - satisfactory knowledge of the ICCAT conservation and management measures;
 - the ability to observe and record accurately;
 - 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 nationals or citizens of the flag State of the receiving carrier vessel;
 - c) be capable of performing the duties set forth in point 6 below;
 - d) be included in the list of observers maintained by the Secretariat of the Commission;
 - e) not be a crew member of the LSPLV or the carrier vessel or an employee of the LSPLV or carrier vessel company.
6. The observer shall monitor the LSPLV's and carrier vessel's adherence to the relevant conservation and management measures adopted by the Commission. The observers' tasks shall be, in particular, to:
 - 6.1 Visit the LSPLV intending to tranship to a carrier vessel, taking into account the safety concerns reflected in paragraph 10 of this Annex, and before the transshipment takes place, to:
 - a) Check the validity of the fishing vessel's authorization or license to fish for tuna and tuna-like species and any other species caught in association with those species in the Convention area;
 - b) Inspect the fishing vessel's prior authorizations to tranship at sea from the flag CPC and, if appropriate, the coastal State;
 - c) Check and record the total quantity of catch on board by species and, if possible, by stock, and the quantities to be transhipped to the carrier vessel;
 - d) Check that the VMS is functioning and examine the logbook and verify entries, if possible;
 - e) Verify whether any of the catch on board resulted from transfers from other vessels, and check the documentation on such transfers;
 - f) In the case of indication that there are any violations involving the fishing vessel, immediately report the violation(s) to the master of the carrier vessel (taking due regard of any safety considerations) and to the observer program implementing company, who shall promptly forward it to the flag CPC authorities of the fishing vessel; and
 - g) Record the results of these duties on the fishing vessel in the observer's report.
 - 6.2 Observe the activities of carrier vessel and:
 - a) record and report upon the transshipment activities carried out;
 - b) verify the position of the vessel when engaged in transshipping;
 - c) observe and estimate quantities of tuna and tuna-like species transhipped by species, if known, and, if possible, by stock;

- d) the quantities of other species caught in association with tuna and tuna-like species by species, where known;
- e) verify and record the name of the LSPLV concerned and its ICCAT record number;
- f) verify the data contained in the transshipment declaration, including through comparison with the LSPLV logbook, where possible;
- g) certify the data contained in the transshipment declaration;
- h) countersign the transshipment declaration; and
- i) observe and estimate quantities of product by species when offloaded in the port where the observer is disembarked to verify consistency with quantities received during at sea transshipment operations.

6.3 In addition, the observer shall:

- a) issue a daily report of the carrier vessel's transshipping activities;
 - b) establish general reports compiling the information collected in accordance with the observer's duties and provide the captain the opportunity to include therein any relevant information.
 - c) submit to the Secretariat the aforementioned general report within 20 days from the end of the period of observation.
 - d) exercise any other functions as defined by the Commission.
7. Observers shall treat as confidential all information with respect to the fishing operations of the LSPLV and of the LSPLV owners 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 and, where relevant, the coastal 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 10 of this program.

Responsibilities of the Flag States of carrier vessels

10. The conditions associated with implementation of the regional observer program *vis à vis* the flag States of the carrier vessels and their captains include the following, notably:
- a) Observers shall be allowed access to the vessel personnel, pertinent documentation, 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 6:
 - i) satellite navigation equipment;
 - ii) radar display viewing screens when in use;
 - iii) electronic means of communication; and
 - iv) scale used for weighing transhipped product;
 - 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;
 - e) Observers shall be allowed to determine the most advantageous location and method for viewing transshipment operations and estimating species/stocks and quantities transhipped. In this regard, the master of the carrier vessel, giving due regard to safety and practical concerns, shall accommodate the needs of the observer in this regard, including, upon request, temporarily placing product on the carrier vessel deck for inspection by the observer and providing adequate time for the observer to carry out his/her duties. Observations shall be conducted in a manner that minimizes interference and avoids compromising the quality of the products transhipped.

- f) In light of the provisions of paragraph 11, the master of the carrier vessel shall ensure that all necessary assistance is provided to the observer to ensure safe transport between the carrier and fishing vessels should weather and other conditions permit such an exchange; and
- g) The flag States shall ensure that captains, 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.

The Secretariat, in a manner consistent with any applicable confidentiality requirements, is requested to provide to the flag State of the carrier vessel under whose jurisdiction the vessel transhipped and to the flag CPC of the LSPLV, copies of all raw data, summaries, and reports pertaining to the trip.

The Secretariat shall submit the observer reports (covering the information and activities of both the fishing and carrier vessels) to the Compliance Committee and to the SCRS.

Responsibilities of LSPLVs during transhipments

- 11. Observers shall be allowed to visit the fishing vessel, if weather and other conditions permit, and shall be granted access to personnel, all pertinent documentation, and areas of the vessel necessary to carry out their duties set forth in paragraph 6 in this Annex. The master of the fishing vessel shall ensure that all necessary assistance is provided to the observer to ensure safe transport between the carrier and fishing vessels. Should conditions present an unacceptable risk to the welfare of the observer such that a visit to the LSPLV is not feasible prior to the start of transhipment operations, such operations may still be carried out.

Observer fees

- 12. The costs of implementing this program shall be financed by the flag CPCs of LSPLVs wishing to engage in transhipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the ICCAT Secretariat and the ICCAT Secretariat shall manage the account for implementing the program.
- 13. No LSPLV may participate in the at-sea transhipment program unless the fees, as required under paragraph 12, are paid.

Information Sharing

- 14. To facilitate information sharing and, to the extent possible, harmonization of at sea transhipment programs across relevant regional fisheries management organizations, all training materials, including observer manuals, and data collection forms developed and used to support implementation of ICCAT's at sea transhipment regional observer program shall be posted on the public portion of the ICCAT website.

Identification Guides

- 15. The SCRS shall work with the ICCAT Secretariat and others as appropriate to develop new or improve existing identification guides for frozen tuna and tuna-like species. The ICCAT Secretariat shall ensure that these identification guides are made broadly available to CPCs and other interested parties, including to ICCAT regional observers prior to deployment and to other regional fisheries management organizations running similar at sea transhipment observer programs.

In-Port Transshipment

1. In the exercise of their authority over ports located in areas under their jurisdiction, CPCs may adopt more stringent measures, in accordance with domestic and international law.
2. Pursuant to Section 1 of this Recommendation, transshipment in port by any CPC of tuna and tuna-like species and any other species caught in association with these species from or in the Convention area may only be undertaken in accordance with *Recommendation by ICCAT for an ICCAT Scheme for Minimum Standards for Inspection in Port* [Rec. 12-07] and the following procedures:

Notification obligations

3. Fishing vessel

- 3.1 At least 48 hours in advance of transshipment operations, the captain of the fishing vessel must notify to the Port State authorities the name of the carrier vessel and date/time of transshipment.
- 3.2 The captain of a fishing vessel shall, at the time of the transshipment, inform its flag CPC of the following:
 - the quantities of tuna and tuna-like species, if possible, by stock, to be transhipped;
 - the quantities of other species caught in association with tuna and tuna-like species by species, where known, to be transhipped;
 - the date and place of the transshipment;
 - the name, registration number and flag of the receiving carrier vessel; and
 - the geographic location of the catches by species and, where appropriate, by stock, consistent with ICCAT statistical areas.
- 3.3 The captain of the fishing vessel concerned shall complete and transmit to its flag CPC the ICCAT transshipment declaration, along with its number in the ICCAT record of fishing vessels, where applicable, in accordance with the format set out in **Annex 1** not later than 15 days after the transshipment.

4. Receiving vessel

- 4.1 Not later than 24 hours before the beginning and at the end of the transshipment, the master of the receiving carrier vessel shall inform the port State authorities of the quantities of catches of tuna and tuna-like species transhipped to his vessel, and complete and transmit the ICCAT transshipment declaration to the competent authorities within 24 hours.
- 4.2 The master of the receiving carrier vessel shall, at least 48 hours before landing, complete and transmit an ICCAT transshipment declaration to the competent authorities of the landing State where the landing takes place.

Port and Landing State Cooperation

5. The port State and the landing State referred to in the above paragraphs shall review the information received pursuant to the provisions of this Annex, including in cooperation with the flag CPC of the fishing vessel as necessary, to determine consistency between the reported catches, transshipments, and landings of each vessel. This verification shall be carried out so that the vessel suffers the minimum interference and inconvenience and that degradation of the fish is avoided.

Reporting

6. Each flag CPC of the fishing vessel shall include in its Annual Report each year to ICCAT the details on the transshipments by its vessels.

**RECOMMENDATION BY ICCAT FOR AN
ICCAT SCHEME FOR MINIMUM STANDARDS FOR INSPECTION IN PORT**

(Entered into force: **June 10, 2013**)

RECOGNIZING that many Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) currently have port inspection schemes in place;

RECALLING *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10];

ALSO RECALLING the *Recommendation by ICCAT further Amending the Recommendation by ICCAT to Establish a List of Vessels Presumed to have carried out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 11-18] and the *Recommendation by ICCAT Concerning the Ban on Landings and Transshipments of Vessels from non-Contracting Parties Identified as Having Committed a Serious Infringement* [Rec. 98-11];

FURTHER RECALLING the 2009 Agreement on Port State Measures to Combat Illegal Unreported and Unregulated (IUU) Fishing; and

DESIRING to take a step that will strengthen ICCAT's monitoring, control, and surveillance regime to promote implementation of and compliance with conservation and management measures;

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

Scope

1. Nothing in this Recommendation shall prejudice the rights, jurisdiction and duties of CPCs under international law. In particular, nothing in this Recommendation shall be construed to affect the exercise by CPCs of their authority over their ports in accordance with international law, including their right to deny entry thereto as well as to adopt more stringent measures than those provided for in this Recommendation.

This Recommendation shall be interpreted and applied in conformity with international law, taking into account applicable international rules and standards, including those established through the International Maritime Organization, as well as other international instruments.

CPCs shall fulfil in good faith the obligations assumed pursuant to this Recommendation and shall exercise the rights recognized herein in a manner that would not constitute an abuse of right.

2. With a view to monitor compliance with ICCAT conservation and management measures, each CPC, in its capacity as a port CPC, shall apply this Recommendation for an effective scheme of port inspections in respect of foreign fishing vessels carrying ICCAT-managed species and/or fish products originating from such species that have not been previously landed or transhipped at port, hereinafter referred to as "foreign fishing vessels".
3. A CPC may, in its capacity as a port CPC, decide not to apply this Recommendation to foreign fishing vessels chartered by its nationals operating under its authority and returning to its port. Such chartered fishing vessels shall be subject to measures by the chartering CPC which are as effective as measures applied in relation to vessels entitled to fly its flag.
4. Without prejudice to specifically applicable provisions of other ICCAT Recommendations, and except as otherwise provided in this Recommendation, this Recommendation shall apply to foreign fishing vessels equal to or greater than 12 meters in length overall.
5. Each CPC shall subject foreign fishing vessels below 12 meters length overall, foreign fishing vessels operating under charter as referred to under paragraph 3, and fishing vessels entitled to fly its flag to measures that are at least as effective in combating IUU fishing as measures applied to vessels referred to in paragraph 4.

6. CPCs shall take necessary action to inform fishing vessels entitled to fly their flag of this and other relevant ICCAT conservation and management measures.

Points of Contact

7. Each CPC wishing to grant access to its ports to foreign fishing vessels shall designate a point of contact for the purposes of receiving notifications pursuant to paragraph 11 of this Recommendation. Each CPC shall designate a point of contact for the purpose of receiving inspection reports pursuant to paragraph 22(b) of this Recommendation. It shall transmit the name and contact information for its points of contact to the ICCAT Secretariat no later than 30 days following the entry into force of this Recommendation. Any subsequent changes shall be notified to the ICCAT Secretariat at least 14 days before such changes take effect. The ICCAT Secretariat shall promptly notify CPCs of any such change.
8. The ICCAT Secretariat shall establish and maintain a register of points of contact based on the lists submitted by the CPCs. The register and any subsequent changes shall be published promptly on the ICCAT website.

Designated ports

9. Each CPC wishing to grant access to its ports to foreign fishing vessels shall:
 - a) designate its ports to which foreign fishing vessels may request entry pursuant to this Recommendation;
 - b) ensure that it has sufficient capacity to conduct inspections in every designated port pursuant to this Recommendation;
 - c) provide to the ICCAT Secretariat within 30 days from the date of entry into force of this Recommendation a list of designated ports. Any subsequent changes to this list shall be notified to the ICCAT Secretariat at least 14 days before the change takes effect.
10. The ICCAT Secretariat shall establish and maintain a register of designated ports based on the lists submitted by the port CPCs. The register and any subsequent change shall be published promptly on the ICCAT website.

Prior notification

11. Each port CPC wishing to grant access to its ports to foreign fishing vessels shall require foreign fishing vessels seeking to use its ports for the purpose of landing and/or transshipment to provide, at least 72 hours before the estimated time of arrival at the port, the following information:
 - a) Vessel identification (External identification; Name; Flag State; ICCAT Record No., if any; IMO No., if any; and IRCS);
 - b) Name of the designated port, as referred to in the ICCAT register, to which it seeks entry and the purpose of the port call (landing and/or transshipment);
 - c) Fishing authorization or, where appropriate, any other authorization held by the vessel to support fishing operations on ICCAT species and/or fish products originating from such species, or to tranship related fishery products;
 - d) Estimated date and time of arrival in port;
 - e) The estimated quantities in kilograms of each ICCAT species and/or fish products originating from such species held on board, with associated catch areas. If no ICCAT species and/or fish products originating from such species are held on board, a 'nil' report shall be transmitted;
 - f) The estimated quantities for each ICCAT species and/or fish products originating from such species in kilograms to be landed or transhipped, with associated catch areas.

The port CPC may also request other information as it may require to determine whether the vessel has engaged in IUU fishing, or related activities.

12. The port CPC may prescribe a longer or shorter notification period than specified in paragraph 11, taking into account, *inter alia*, the type of fishery product, the distance between the fishing grounds and its ports. In such a case, the port CPC shall inform the ICCAT Secretariat, which shall publish the information promptly on the ICCAT website.
13. After receiving the relevant information pursuant to paragraph 11, as well as such other information as it may require to determine whether the foreign fishing vessel requesting entry into its port has engaged in IUU fishing, the port CPC shall decide whether to authorize or deny the entry of the vessel into its port. In case the port CPC decides to authorize the entry of the vessel into its port, the following provisions on port inspection shall apply.

Port inspections

14. Inspections shall be carried out by a competent authority of the port CPC.
15. Each year CPCs shall inspect at least 5 % of landing and transshipment operations in their designated ports as are made by foreign fishing vessels.
16. In determining which foreign fishing vessel to inspect, the port CPC shall, in accordance with its domestic law, take into account, *inter alia*:
 - a) Whether a vessel has failed to provide complete information as required in paragraph 11;
 - b) requests from other CPCs or relevant regional fisheries management organizations (RFMOs) that a particular vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question;
 - c) whether clear grounds exist for suspecting that a vessel has engaged in IUU fishing, including information derived from RFMOs.

Inspection procedure

17. Each inspector shall carry a document of identity issued by the port CPC. In accordance with domestic laws, port CPC inspectors may examine all relevant areas, decks and rooms of the fishing vessel, catches processed or otherwise, nets or other fishing gears, equipment both technical and electronic, records of transmissions and any relevant documents, including fishing logbooks, Cargo Manifests and Mates Receipts and landing declarations in case of transshipment, which they deem necessary to ensure compliance with the ICCAT conservation and management measures. They may also question the Master, crew members, or any other person on the vessel being inspected. They may take copies of any documents considered relevant.
18. Inspections shall involve the monitoring of the landing or transshipment and include a cross-check between the quantities by species notified in the prior notification message in paragraph 11 above and held on board. Inspections shall be carried out in such a way that the fishing vessel suffers the minimum interference and inconvenience, and that degradation of the quality of the catch is avoided, to the extent practicable.
19. On completion of the inspection, the port CPC inspector shall provide the Master of the foreign fishing vessel with the inspection report containing the findings of the inspection, including possible subsequent measures that could be taken by the port CPC. The Master shall be given the opportunity to add any comments or objection to the report and to contact the flag State. The inspector and the Master shall sign the report and a copy of the report shall be provided to the Master. The Master's signature shall serve only as acknowledgement of the receipt of a copy of the report.
20. The port CPC shall transmit a copy of the inspection report to the ICCAT Secretariat no later than 14 days following the date of completion of the inspection. If the inspection report cannot be transmitted within 14 days, the port CPC should notify the ICCAT Secretariat within the 14 day time period the reasons for the delay and when the report will be submitted.
21. Flag CPCs shall take necessary action to ensure that Masters facilitate safe access to the fishing vessel, cooperate with the competent authorities of the port CPC, facilitate the inspection and communication

and not obstruct, intimidate or interfere, or cause other persons to obstruct, intimidate or interfere with port CPC inspectors in the execution of their duties.

Procedure in the event of apparent infringements

22. If the information collected during the inspection provides evidence that a foreign fishing vessel has committed an infringement of the ICCAT conservation and management measures, the inspector shall:
 - a) record the infringement in the inspection report;
 - b) transmit the inspection report to the port CPC competent authority, which shall promptly forward a copy to the ICCAT Secretariat and to the flag State point of contact and, as appropriate, the relevant coastal State;
 - c) to the extent practicable, ensure safekeeping of the evidence pertaining to such infringement. If the infringement is to be referred to the flag State for further action, the port CPC shall promptly provide the evidence collected to the flag State.
23. If the infringement falls within the legal jurisdiction of the port CPC, the port CPC may take action in accordance with its domestic laws. The port CPC shall promptly notify the action taken to the flag State, the relevant coastal State, as applicable, and the ICCAT Secretariat, which shall promptly publish this information in the secure part of the ICCAT website.
24. Infringements that do not fall within the jurisdiction of the port CPC, and infringements referred to in paragraph 23 for which the port CPC has not taken action, shall be referred to the flag State and, as appropriate, the relevant coastal State. Upon receiving the copy of the inspection report and evidence, the flag CPC shall promptly investigate the infringement and notify the ICCAT Secretariat of the status of the investigation and of any enforcement action that may have been taken within 6 months of such receipt. If the flag CPC cannot notify the ICCAT Secretariat this status report within 6 months of such receipt, the flag CPC should notify the ICCAT Secretariat within the 6 month time period the reasons for the delay and when the status report will be submitted. The ICCAT Secretariat shall promptly publish this information in the secure part of the ICCAT website. CPCs shall include in their Annual Report [Ref. 12-13] information regarding the status of such investigations.
25. Should the inspection provide evidence that the inspected vessel has engaged in IUU activities as referred to in Rec. 11-18, the port CPC shall promptly report the case to the flag State, and the relevant coastal CPC, as applicable, and notify as soon as possible the ICCAT Secretariat, along with its supporting evidence, for the purpose of inclusion of the vessel in the draft IUU list.

Requirements of developing CPCs

26. CPCs shall give full recognition to the special requirements of developing CPCs in relation to a port inspection scheme consistent with this Recommendation. CPCs shall, either directly or through the ICCAT Secretariat, provide assistance to developing CPCs in order to, *inter alia*:
 - a) Develop their capacity including by providing technical assistance and establishing an appropriate funding mechanism to support and strengthen the development and implementation of an effective system of port inspection at national, regional or international levels and to ensure that a disproportionate burden resulting from the implementation of this recommendation is not unnecessarily transferred to them;
 - b) Facilitate their participation in meetings and/or training programmes of relevant regional and international organizations that promote the effective development and implementation of a system of port inspection, including monitoring, control and surveillance, enforcement and legal proceedings for infractions and dispute settlements pursuant to this Recommendation; and
 - c) Either directly or through the ICCAT Secretariat, assess the special requirements of developing CPCs concerning the implementation of this Recommendation.

General provisions

27. CPCs are encouraged to enter into bilateral agreements/arrangements that allow for an inspector exchange program designed to promote cooperation, share information, and educate each party's inspectors on

inspection strategies and methodologies which promote compliance with ICCAT conservation and management measures. Information regarding such programs, including a copy of such agreements or arrangements, should be included in Annual Reports of CPCs [Ref. 12-13].

28. Without prejudice to domestic laws of the port CPC, the flag CPC may, in the case of appropriate bilateral agreements or arrangements with the port CPC or at the invitation of that CPC, send its own officials to accompany the inspectors of the port CPC and observe or take part in the inspection of its vessel.
29. Flag CPCs shall consider and act on reports of infringements from inspectors of a port CPC on a similar basis as the reports from their own inspectors, in accordance with their domestic laws. CPCs shall cooperate, in accordance with their domestic laws, in order to facilitate judicial or other proceedings arising from inspection reports as set out in this Recommendation.
30. The ICCAT Secretariat shall develop model formats for prior notification reports and inspection reports required under this Recommendation, taking into account forms adopted in other relevant instruments, such as the FAO Port State Measures Agreement and other RFMOs, for consideration at the 2013 Integrated Monitoring Measures meeting and adoption as annexes to this Recommendation at the 2013 Annual Meeting of the Commission.
31. The Commission shall review this Recommendation no later than its 2014 Annual Meeting and consider revisions to improve its effectiveness.
32. The *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10] is repealed and replaced by this Recommendation.

**RECOMMENDATION BY ICCAT ON THE RULES OF PROCEDURE
FOR THE STANDING COMMITTEE ON RESEARCH AND STATISTICS (SCRS)**

(Entered into force: **June 10, 2014**)

RECALLING that Resolution 11-17 urges CPCs to adopt SCRS rules, including a code of conduct for scientists and observers;

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

1. Pursuant to paragraph 2(ii) of Resolution 11-17, SCRS shall develop rules of procedure, including a code of conduct for scientist and observers, in the framework of its Strategic Plan, and submit this to the 2015 Commission annual meeting for endorsement.
2. Until the Commission endorses such rules of procedure for SCRS, the rules of procedure of the Commission shall be applied, *mutatis mutandis*, to the operation of SCRS.

**RECOMMENDATION BY ICCAT CONCERNING THE ESTABLISHMENT OF
AN ICCAT RECORD OF VESSELS 20 METRES IN LENGTH OVERALL OR GREATER
AUTHORIZED TO OPERATE IN THE CONVENTION AREA**

(Entered into force: **June 10, 2014**)

RECALLING that ICCAT adopted at its 2000 meeting a *Recommendation by ICCAT Concerning Registration and Exchange of Information of Fishing Vessels Fishing for Tuna and Tuna-like Species in the Convention Area* [Rec. 00-17],

FURTHER RECALLING that ICCAT adopted at its 1994 meeting a *Resolution by ICCAT Regarding the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas* [Res. 94-08],

FURTHER RECALLING that the Commission has been taking various measures to prevent, deter and eliminate the illegal, unreported and unregulated (IUU) fisheries conducted by large-scale tuna fishing vessels,

NOTING that large-scale fishing vessels are highly mobile and easily change fishing grounds from one ocean to another, and have high potential of operating in the Convention area without timely registration with the Commission,

RECALLING that the FAO Council adopted on June 23, 2001 an International Plan of Action (IPOA) aiming to prevent, to deter and to eliminate illegal, unreported and unregulated fishing, that this plan stipulates that the regional fisheries management organization should take action to strengthen and develop innovative ways, in conformity with international law, to prevent, deter and eliminate IUU fishing and in particular to establish records of vessels authorized and records of vessels engaged in IUU fishing,

FURTHER RECALLING that the Commission, in 2002, established an ICCAT Record of Vessels 24 meters in length overall or greater and then, in 2009, expanded the list to include all vessels 20 meters in length overall or greater,

FURTHER NOTING that the International Maritime Organization's Maritime Safety Committee, at its 92nd meeting, approved amendments to the IMO Ship Identification Number Scheme that remove the exclusion of vessels solely engaged in fishing; which will be considered for final adoption by IMO Assembly at its 28th meeting in November 2013,

RECOGNIZING the utility and practicality of using IMO numbers as a unique vessel identifier (UVI) for fishing vessels,

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

1. The Commission shall establish and maintain an ICCAT record of fishing vessels 20 meters in length overall or greater (hereinafter referred to as "large scale fishing vessels" or "LSFVs") authorized to fish for tuna and tuna-like species in the Convention Area. For the purpose of this recommendation, LSFVs not entered into the record are deemed not to be authorized to fish for, retain on board, transship or land tuna and tuna-like species.
2. Each CPC shall submit to the ICCAT Executive Secretary, the list of its LSFVs that are authorized to operate in the Convention area. The initial list and any subsequent changes shall be submitted electronically in a format provided by the Secretariat. This list shall include the following information:
 - Name of vessel, register number
 - IMO or LR number (if assigned)
 - Previous name (if any)
 - Previous flag (if any)
 - Previous details of deletion from other registries (if any)
 - International radio call sign (if any)
 - Type of vessels, length, and gross registered tonnage (GRT), or, where possible, Gross Tonnage (GT)
 - Name and address of owner(s) and operator(s)

- Gear used
- Time period authorized for fishing and/or transshipping. However, in no case shall the authorization period include dates more than 30 days* prior to the date of submission of the list to the Secretariat.

The ICCAT record shall consist of all LSFVs submitted under this paragraph.

3. Each CPC shall promptly notify the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record at any time such changes occur. Periods of authorization for modifications or additions to the list shall not include dates more than 30 days* prior to the date of submission of the changes to the Secretariat. The Secretariat shall remove from the ICCAT Record of Vessels any vessel for which the period of authorization has expired.
4. The ICCAT Executive Secretary shall maintain the ICCAT record, and take any measure to ensure publicity of the record and make the record available through electronic means, including placing it on the ICCAT website, in a manner consistent with confidentiality requirements noted by CPCs.
5. The flag CPCs of the vessels on the record shall:
 - a) Authorize their LSFVs to operate in the Convention area only if they are able to fulfill in respect of these vessels the requirements and responsibilities under the Convention and its conservation and management measures;
 - b) Take necessary measures to ensure that their LSFVs comply with all the relevant ICCAT conservation and management measures;
 - c) Take necessary measures to ensure that their LSFVs on the ICCAT record keep on board valid certificates of vessel registration and valid authorization to fish and/or transship;
 - d) Ensure that their LSFVs on the ICCAT record have no history of IUU fishing activities or that, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, their LSFVs are not engaged in or associated with IUU fishing;
 - e) Ensure, to the extent possible under domestic law, that the owners and operators of their LSFVs on the ICCAT record are not engaged in or associated with tuna fishing activities conducted by LSFVs not entered into the ICCAT record in the Convention area; and
 - f) Take necessary measures to ensure, to the extent possible under domestic law, that the owners of the LSFVs on the ICCAT record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them.

5bis. Effective January 1, 2016, flag CPCs shall authorize their commercial LSFVs to operate in the Convention area only if the vessel has an IMO number or a number in the seven-digit numbering sequence allocated by IHS-Fairplay (LR number), as applicable. Vessels without such a number shall not be included in the ICCAT record.

5tris. Paragraph 5bis shall not apply to:

- a) LSFVs unable to obtain an IMO/LR number, provided that the flag CPC provides an explanation of its inability to obtain an IMO/LR number in its submission of information pursuant to paragraph 2.
 - b) Wooden LSFVs that are not authorized to fish on the high seas, provided that the flag CPC notifies the Secretariat of the LSFVs for which it is exercising this exemption in its submission of information pursuant to paragraph 2.
6. CPCs shall review their own internal actions and measures taken pursuant to paragraph 5, including punitive and sanction actions and in a manner consistent with domestic law as regards disclosure, report any

* This period was extended to 45 days through Recommendation 14-10.

relevant results of the review to the Commission at its annual meeting. In consideration of any CPC reports on the relevant results of such reviews, the Commission shall, if appropriate, request the flag CPCs of LSFVs on the ICCAT record to take further action to enhance compliance by those vessels to ICCAT conservation and management measures.

7. a) CPCs shall take measures, under their applicable legislation, to prohibit the fishing for, the retaining on board, the transshipment and landing of tuna and tuna-like species by the LSFVs which are not entered into the ICCAT record.
- b) To ensure the effectiveness of the ICCAT conservation and management measures pertaining to species covered by Statistical Document Programs:
 - i) Flag CPCs or, if the vessel is under a charter arrangement, the exporting CPC shall validate statistical documents only for the LSFVs on the ICCAT record,
 - ii) CPCs shall require that the species covered by Statistical Document Programs caught by LSFVs in the Convention area, when imported into the territory of a Contracting Party be accompanied by statistical documents validated for the vessels on the ICCAT record and,
 - iii) CPCs importing species covered by Statistical Document Programs and the flag States of vessels shall cooperate to ensure that statistical documents are not forged or do not contain misinformation.
8. Each CPC shall notify the ICCAT Executive Secretary of any factual information showing that there are reasonable grounds for suspecting LSFVs not on the ICCAT record to be engaged in fishing for and/or transshipment of tuna and tuna-like species in the Convention area.
9. a) If a vessel mentioned in paragraph 8 is flying the flag of a CPC, the Executive Secretary shall request that CPC to take measures necessary to prevent the vessel from fishing for tuna and tuna-like species in the Convention area.
- b) If the flag of a vessel mentioned in paragraph 8 cannot be determined or is of a non-Contracting Party without cooperating status, the Executive Secretary shall compile such information for future consideration by the Commission.
10. The Commission and the CPCs concerned shall communicate with each other, and make the best effort with FAO and other relevant regional fishery management bodies to develop and implement appropriate measures, where feasible, including the establishment of records of a similar nature in a timely manner so as to avoid adverse effects upon tuna resources in other oceans. Such adverse effects might consist of excessive fishing pressure resulting from a shift of the IUU LSFVs from the Atlantic to other oceans.
- 10bis. At the 2014 meeting of the Working Group on Integrated Monitoring Measures and at the 2014 Annual Meeting, the Commission shall review relevant developments on vessel numbering at the IMO, FAO, and other international fora and consider revisions, as necessary, to this Recommendation for adoption prior to the January 1, 2016 effective date of paragraph 5bis.
11. The *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 Meters in Length Overall or Greater Authorized to Operate in the Convention Area* [Rec. 11-12] is replaced in its entirety by this recommendation.

RECOMMENDATION BY ICCAT ON VESSEL CHARTERING

(Entered into force: **June 10, 2014**)

RECOGNIZING that, under the ICCAT Convention, Contracting Parties shall cooperate in maintaining the populations of tuna and tuna-like fish at levels that will permit the maximum sustainable catch;

RECALLING that, according to Article 92 of the United Nations Convention on the Law of the Sea, of 10 December 1982, ships shall sail under the flag of one State only and shall be subject to its exclusive jurisdiction on the high seas except as otherwise provided in relevant international instruments,

ACKNOWLEDGING the needs and interests of all States to develop their fishing fleets so as to enable them to fully utilize the fishing opportunities available to them under relevant ICCAT recommendations;

MINDFUL that the practice of charter arrangements, whereby fishing vessels do not change their flag, might seriously undermine the effectiveness of conservation and management measures established by ICCAT unless properly regulated;

REALIZING that there is a need for ICCAT to regulate charter arrangements with due regard to all relevant factors;

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

The chartering of fishing vessels, other than bareboat chartering, shall observe the following provisions:

1. Charter arrangements may be allowed, predominantly as an initial step in the fishery development of the chartering nation. The period of the chartering arrangement shall be consistent with the development schedule of the chartering nation.
2. Chartering nations shall be Contracting Parties to the ICCAT Convention.
3. Fishing vessels to be chartered shall be registered to responsible Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities or by other responsible non-Contracting Parties, Entities or Fishing Entities, which explicitly agree to apply ICCAT conservation and management measures and enforce them on their vessels. All flag Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities concerned shall effectively exercise their duty to control their fishing vessels to ensure compliance with ICCAT conservation and management measures.
4. Both the chartering Contracting Party and the flag Contracting Parties or Cooperating non-Contracting Parties, Entities or Fishing Entities shall ensure compliance by chartered vessels with relevant conservation and management measures established by ICCAT, in accordance with their rights, obligations and jurisdiction under international law.
5. Catches taken pursuant to the chartering arrangement of vessels that operate under these provisions shall be counted against the quota or fishing possibilities of the chartering Contracting Party.
6. The chartering Contracting Party shall report to ICCAT catches and other information required by SCRS.
7. Vessel Monitoring Systems (VMS) and, as appropriate, tools for differentiation of fishing areas, such as fish tags or marks, shall be used, according to the relevant ICCAT measures, for effective fishery management.
8. There shall be observer coverage of at least 10% of fishing effort, as measured in the manner specified in paragraph 1 of recommendation 10-10, for chartered vessels. All other provisions of recommendation 10-10 apply *mutatis mutandis* in the case of chartered vessels.

9. The chartered vessels shall have a fishing license issued by the chartering nation, and shall not be on the ICCAT IUU list as established by the *Recommendation by ICCAT Further Amending Recommendation 09-10 Establishing a List of Vessels Presumed to Have Carried out Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 11-18].
 10. When operating under charter arrangements, the chartered vessels shall not, to the extent possible, be authorized to use the quota or entitlement of the flag Contracting Parties or Cooperating non- Contracting Parties, Entities or Fishing Entities. In no case, shall the vessel be authorized to fish under more than one chartering arrangement at the same time.
 11. Unless specifically provided in the chartering arrangement, and consistent with relevant domestic law and regulation, the catches of the chartered vessels shall be unloaded exclusively in the Ports of the chartering Contracting Party or under its direct supervision in order to assure that the activities of the chartered vessels do not undermine ICCAT conservation and management measures. The chartering company must be legally established in the chartering Contracting Party.
 12. Any transshipment at sea shall be consistent with the 2012 *Recommendation by ICCAT on a Programme for Transshipment* [Rec. 12-06]. Any transshipment at sea shall also be previously and duly authorized by the chartering nation and shall occur only under the supervision of an observer on board.
 13. a) At the time the chartering arrangement is made, the chartering Contracting Party shall provide the following information to the Executive Secretary:
 - i. the name (in both native and Latin alphabets) and registration of the chartered vessel;
 - ii. the name and address of the owner(s) of the vessel;
 - iii. the description of the vessel, including the length, type of vessel and the type of fishing method(s);
 - iv. species of fish covered by the charter and quota allocated to the chartering Party;
 - v. the duration of the chartering arrangement;
 - vi. the consent of the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity; and
 - vii. the measures adopted to implement these provisions.
 - b) At the time the chartering arrangement is made, the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity shall provide the following information to the Executive Secretary:
 - i. its consent to the chartering arrangement; and
 - ii. the measures adopted to implement these provisions.
 - iii. its agreement to comply with ICCAT conservation and management measures.
 - c) Both the chartering Contracting Party and the flag Contracting Party or Cooperating non-Contracting Party, Entity or Fishing Entity shall inform the Executive Secretary of the termination of the charter;
 - d) The Executive Secretary of ICCAT shall circulate all the information without delay to all Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities.
14. The chartering Contracting Party shall report to the Executive Secretary of ICCAT by July 31 each year, and for the previous calendar year, the particulars of charter arrangements made and carried out under this recommendation, including information of catches taken and fishing effort deployed by the chartered vessels as well as the level of observer coverage achieved on the chartered vessels, in a manner consistent with confidentiality requirements.
15. Each year the Executive Secretary of ICCAT shall present a summary of all the chartering arrangements to the Commission which, at its annual meeting, shall review compliance with this recommendation.
16. Recommendation [02-21] is repealed and replaced by the present Recommendation.

**RESOLUTION BY ICCAT TO COMPLETE THE STANDARDIZATION
OF THE PRESENTATION OF SCIENTIFIC INFORMATION IN THE SCRS ANNUAL REPORT**

(Transmitted to Contracting Parties: **December 10, 2013**)

RECOGNIZING that, in response to ICCAT Resolution 11-14, the presentation of scientific information in the Standing Committee for Research and Statistics (SCRS) annual report and inter-sessional meeting reports have significantly improved.

NOTING, however, that the standardization of information included in the SCRS reports with respect to the quality and reliability of input data and projections of stock status can be further enhanced;

RECALLING the recommendation of the Kobe II Workshop of Experts to Share Best Practices on the Provision of Scientific Advice that the Executive Summaries of scientific reports should be standardized to the extent possible;

RECALLING that the Kobe III Workshop of Experts on Science recognized that substantial uncertainties still remain in the assessments and recommended that the Scientific Committees and Bodies of the t-RFMOs develop research activities to better quantify the whole uncertainty and understand how uncertainty is reflected in the risk assessment inherent in the Kobe II Strategy Matrix;

CONSIDERING the utility of distinguishing, where possible, between the inherent variability in natural system (*i.e.* life history parameters) which is unavoidable, and the uncertainty related to the quality of the state of knowledge of the system and of the fishery data, which could potentially be reduced through improvements to the available data and/or the models applied;

FURTHER NOTING that the SCRS, as part of its 2015-2020 Strategic Plan for Science, will develop specific formats to provide scientific advice in line with the needs of the Commission.

FINALLY STRESSING that the best way to tackle uncertainties related to fisheries data consists for CPCs in complying with their fundamental obligations of reporting basic catch and effort statistics, including reliable Task I and Task II data, in a due time to ensure their availability to the SCRS.

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RESOLVES AS FOLLOWS:**

- 1) The SCRS should clearly identify sources of variability and uncertainty and clearly explain how this variability and uncertainty affect the stock assessment results and the interpretation of the Kobe II Strategy Matrices.
- 2) The SCRS should further standardize the presentation of information included in its reports.
- 3) Therefore, in addition to the minimum elements required by Resolution 11-14, the SCRS may further score the quality of the fisheries data and related to the knowledge of the species (e.g. biological parameters, fishery distribution patterns historical data, selectivity) used as inputs to stock assessments. Qualitative scores on input data and assumptions may be detailed and should summarize the state of knowledge of the different inputs and report on:
 - a) the quality, the reliability and, where relevant, the representativeness of input data and information, such as, but not limited to, (i) fisheries statistics and fisheries indicators (e.g. catch and effort, catch-at-size and catch-at-age matrices by sex and, when applicable, fisheries dependent indices of abundance), (ii) biological information (e.g. growth parameters, natural mortality, maturity and fecundity, migrations patterns and stock structure, fisheries independent indices of abundance) and (iii) complementary information (*i.e.* consistencies among available abundance indices, influence of the environmental factors on the dynamic of the stock, changes in fishing effort distribution, selectivity and fishing power, changes in target species),

- b) limitations of the assessment models used with respect to the type and the quality of the input data,
 - c) potential biases in the assessment results associated with uncertainties of the input data.
- 4) For the purpose of paragraphs 2 and 3, the SCRS may consider a specific table or any other alternate format to be included in its annual report in association to the Kobe plot in order to summarize the information required in this resolution.
 - 5) In cases where the SCRS utilizes different modeling approaches and/or scenarios (*i.e.*, sensitivity runs or alternative hypotheses) to characterize uncertainty in stock assessments, the SCRS should clearly identify what it considers as the most defensible or the most likely scenario (*i.e.*, 'base case') and provide the rationale for its decision. In cases where these different approaches and/or scenarios would finally be considered as equally plausible, this model or structural uncertainty should be accounted for in the calculation of the stock assessment parameters.

RECOMMENDATION BY ICCAT ON ACCESS AGREEMENTS

(Entered into force **3 June 2015**)

MINDFUL of the data reporting requirements for all CPCs and the importance of complete statistical reporting to the work of SCRS and the Commission;

MINDFUL of the need to ensure transparency among CPCs in respect of conditions for accessing the waters of coastal States, in particular to facilitate joint efforts to combat illegal, unreported, and unregulated fishing;

RECALLING the *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21] that establishes reporting and other requirements for chartering arrangements;

RECALLING the *Recommendation by ICCAT Concerning the Duties of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities in Relation to their Vessels in the ICCAT Convention Area* [Rec. 03-12], which requires CPCs to ensure that their vessels do not conduct unauthorized fishing within areas under the national jurisdiction of other States, through appropriate cooperation with coastal States concerned, and other relevant means available to the flag CPC;

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) that allow foreign-flagged vessels to fish in waters under their jurisdiction for species managed by ICCAT, and CPCs whose vessels fish in waters under the jurisdiction of another CPC or non-Contracting party (NCP) for species managed by ICCAT pursuant to an agreement, shall, individually or jointly, notify the Commission prior to beginning fishing activities of the existence of such agreements and provide to the Commission information concerning these agreements, including:
 - The CPCs, NCPs, or other entities involved in the agreement;
 - The time period or periods covered by the agreement;
 - The number of vessels and gear types authorized;
 - The stock or species authorized for harvest, including any applicable catch limits;
 - The CPC's quota or catch limit to which the catch will be applied;
 - Monitoring, control, and surveillance measures required by the flag CPC and coastal State involved with, for the coastal State, a particular specification of:
 - i) the National authority (contact coordinates) responsible for issuing fishing licenses or permits,
 - ii) the National authority (contact coordinates) responsible for MCS activities.
 - Data reporting obligations stipulated in the agreement, including those between the parties involved, as well as those regarding information that must be provided to the Commission;
 - A copy of the written agreement.
2. For agreements in existence prior to the entry into force of this recommendation, the information specified in paragraph 1 shall be provided in advance of the 2015 Commission meeting.
3. When an access agreement is modified in a manner that changes any of the information specified in paragraph 1, these changes shall be promptly notified to the Commission.
4. Consistent with ICCAT data reporting requirements, flag CPCs involved in the agreements specified in paragraph 1 shall ensure that all target and incidental catches made pursuant to these agreements are reported to the SCRS.

5. Flag CPCs and coastal CPCs involved in the agreements specified in paragraph 1 shall provide a summary of the activities carried out pursuant to each agreement, including all catches made pursuant to these agreements, in their annual report to the Commission.
6. In cases where coastal CPCs allow foreign-flagged vessels to fish in waters under their jurisdiction for species managed by ICCAT through a mechanism other than a CPC-to-CPC or CPC-to-NCP agreement, the coastal CPC shall be solely responsible for providing the information required by this Recommendation. Flag CPCs with vessels involved in such an agreement, however, shall endeavour to provide to the Commission relevant information regarding that agreement as indicated in paragraph 1.
7. The Secretariat shall develop a form for reporting the information specified in this Recommendation and annually compile CPC submissions into a report to be presented to the Commission for consideration at its Annual meeting.
8. This recommendation does not apply to chartering arrangements covered by the *Recommendation by ICCAT on Vessel Chartering* [Rec. 02-21]*.
9. All information provided pursuant to this Recommendation shall be consistent with domestic confidentiality requirements.
10. The *Recommendation by ICCAT on Access Agreements* [Rec. 11-16] is replaced by this Recommendation.

* Recommendation 02-21 was replaced by Recommendation 13-14.

**RECOMMENDATION BY ICCAT TO SUPPORT EFFECTIVE IMPLEMENTATION
OF RECOMMENDATION 12-07 BY ICCAT FOR AN ICCAT SCHEME FOR
MINIMUM STANDARDS FOR INSPECTION IN PORT**

(Entered into force **3 June 2015**)

RECALLING the 2009 Agreement on Port State Measures to Combat Illegal, Unreported, and Unregulated (IUU) fishing;

FURTHER RECALLING *Recommendation by the International Commission for the Conservation of Atlantic Tuna (ICCAT) for an ICCAT Scheme for Minimum Standards for Inspection in Port (12-07)*;

HIGHLIGHTING, in particular, that Recommendation 12-07 requires Contracting Parties and Cooperating Non-Contracting Parties, Entities, and Fishing Entities (CPCs), either directly or through the ICCAT Secretariat, to provide assistance to developing CPCs in order to, among other things, (1) develop their capacity to support and strengthen the development and implementation of an effective system of port inspection; (2) facilitate their participation in meetings and/or training programs of relevant organizations that promote the effective development and implementation of such a system, and (3) assess the special requirements of developing CPCs concerning the implementation of Recommendation 12-07;

RECOGNIZING that the Commission, through Resolution 03-21 and Recommendations 11-26 and 13-19, has established several funds to facilitate attendance at meetings of the Commission and its subsidiary bodies, enhance the scientific capacity of developing state scientists, and improve data collection and quality assurance;

ALSO RECOGNIZING that a fund has been established under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Seas of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) to provide assistance to developing States Parties to the Agreement for a number of purposes, including to build capacity for activities in key areas such as monitoring, control and surveillance;

NOTING that several Contracting Parties, on their own initiative, have been carrying out capacity building activities to assist developing coastal States in improving their management of ICCAT fisheries, including tools and approaches for collecting and assessing data, conducting monitoring, control, and surveillance activities, and enhancing domestic legal frameworks;

DESIRING to take further concrete steps in ICCAT to support the implementation of CPC capacity building responsibilities with regard to Recommendation 12-07 to ensure the program is as effective as possible in promoting compliance with ICCAT conservation and management measures;

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

1. A special Monitoring, Control, and Surveillance Fund (MCSF) be established to support and strengthen the development and implementation of effective systems of port inspection by developing CPCs in order to meet or exceed the minimum standards set out in *Recommendation by ICCAT for an ICCAT Scheme for Minimum Standards for Inspection in Port (12-07)*.
2. Funds from the MCSF shall be used to provide technical assistance to port inspectors and other relevant enforcement personnel from developing CPCs. Such technical assistance can include, among other things, conducting or arranging for in country training activities and supporting the participation of relevant developing CPC personnel in training programs or exchanges offered by other CPCs or organizations that promote the effective development and implementation of port inspection systems, including monitoring, control and surveillance, enforcement and legal proceedings for infractions, and the resolution of disputes pursuant to Recommendation 12-07.

3. Notwithstanding paragraph 2, for participation in meetings of the Commission or its subsidiary bodies where port inspection issues may be discussed, developing CPCs should seek funding support through the Meeting Participation Fund established per ICCAT Recommendation 11-26. Further, all eligible applicants for support through the MCSF should explore alternative avenues of funding available to developing CPCs, such as the UNSFA Part VII fund, prior to applying to the MCSF. The Secretariat will advise eligible applicants whether alternate ICCAT funding sources may be appropriate to support that CPC's particular capacity building needs.
4. The MCSF shall be financed, at least initially, by ICCAT's Working Capital Fund. The amount of Working Capital funds allocated to the MCSF shall be decided by the Commission. CPCs are encouraged to supplement the MCSF through voluntary contributions. The fund may also be supplemented from other sources as the Commission may identify. The Commission will identify a procedure for supplying funds to the MCSF in the future as needed.
5. The initial allocation to the MCSF will be determined based on an assessment of developing CPC needs. In that regard, developing CPCs interested in seeking assistance from the MCSF should provide a report to the Commission on their progress in implementing Recommendation 12-07 and identify specific areas where training or other assistance is needed.
6. The ICCAT Secretariat will administer the MCSF in accordance with the same financial controls as apply to regular budget appropriations.
7. The ICCAT Executive Secretary shall:
 - a) establish a process for notifying CPCs annually of the level of available funds in the MCSF;
 - b) develop a timeline and describe the format for the submission of applications for assistance, circulate this information to the Commission for intersessional review and approval, and, once agreed, post it on the public portion of the ICCAT website.
 - c) develop and circulate to the Commission for intersessional review and approval, a process and procedures for evaluating requests for assistance from the MCSF to determine the level and type of assistance to provide taking into account available resources, Commission priorities, and the need to ensure fair and balanced access to the fund;
 - d) notify the Commission and the requesting developing CPC of the details of the assistance to be provided without delay; and
 - e) submit an annual report to the Commission on the status of the MCSF, including a financial statement of contributions to and disbursements from the fund and a summary of all assistance provided.
8. CPCs with the ability to provide relevant technical assistance to developing CPCs are strongly encouraged to explore bilateral or other arrangements to provide such assistance. CPCs are also encouraged to consider ways they may be able to support any ICCAT-sponsored initiatives, such as by providing relevant experts to conduct trainings.
9. The Commission shall coordinate, where feasible and appropriate, its port inspection capacity building activities with such activities of other RFMOs, the FAO, and other relevant entities.
10. This recommendation will be evaluated and reviewed at the latest in 2017.

**RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION
03-14 BY ICCAT CONCERNING MINIMUM STANDARDS FOR THE ESTABLISHMENT
OF A VESSEL MONITORING SYSTEM IN THE ICCAT CONVENTION AREA**

(Entered into force **3 June 2015**)

IN ACCORDANCE WITH the Needs and Principles set forth in the General Outline of Integrated Monitoring Measures Adopted by ICCAT, adopted by the Commission in 2002 to ensure effective monitoring measures;

CONSIDERING the deliberations of the ICCAT Working Group to Develop Integrated Monitoring Measures, held in Madeira from 26 to 28 May 2003;

RECOGNIZING the developments in satellite-based vessel monitoring systems (VMS), and their utility within ICCAT;

RECOGNIZING the legitimate right of coastal States to monitor the vessels fishing in waters under their jurisdiction;

CONSIDERING that real-time transmission to the Fishing Monitoring Center (FMC) of the coastal State of VMS data of all the vessels (including catching, carrier and support vessels) flying the flag of a CPC authorised to fish ICCAT species enables this coastal State, particularly in the case of a developing State, to ensure the effective implementation of ICCAT conservation and monitoring measures;

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

1. Each flag Contracting Party, Cooperating non-Contracting Party, Entity or Fishing Entity (hereinafter referred to as CPC) shall implement a Vessel Monitoring System (hereinafter referred to as VMS) for its commercial fishing vessels exceeding 20 meters between perpendiculars or 24 meters length overall and:
 - a) require its fishing vessels to be equipped with an autonomous system able to automatically transmit a message to the Fisheries Monitoring Center (hereinafter referred to as FMC) of the flag CPC allowing continuous tracking of the position of a fishing vessel by the CPC of that vessel.
 - b) ensure that the satellite tracking device fitted on board the fishing vessels shall enable the vessel to continuously collect and transmit, at any time, to the FMC of the flag CPC the following data:
 - i) the vessel's identification;
 - ii) the most recent geographical position of the vessel (longitude, latitude) with a margin of error lower than 500 metres, with a confidence interval of 99%;
 - iii) the date and time of the fixing of the said position of the vessel.
 - c) Ensure, in cooperation with the coastal State, that the position messages transmitted by its vessels while fishing in waters under the jurisdiction of that coastal State are transmitted automatically and in real time to the FMC of the coastal State that has authorized the fishing activity, provided that due consideration has been given to minimizing the operational costs, technical difficulties, and administrative burden associated with transmission of these messages.
 - d) In order to facilitate the transmission and receipt of position messages, as described in subparagraph 1(c), the FMC of the flag State and the FMC of the coastal State shall exchange their contact information and notify each other without delay of any changes to this information. The FMC of the coastal State shall notify the flag State FMC of any interruption in the reception of consecutive position messages. The transmission of position messages between the FMC of the flag State and that of the coastal State shall be carried out electronically using a secure communication system.

2. Each CPC shall take appropriate measures to ensure that the VMS messages are transmitted and received, as specified in paragraph 1.
3. Each CPC shall ensure that the masters of fishing vessels flying its flag shall ensure that the satellite tracking devices are permanently operational and that the information identified in paragraph 1.b) is collected and transmitted at least every four (4) hours. In the event of a technical failure or non-operation of the satellite tracking device fitted on board a fishing vessel, the device shall be repaired or replaced within one month, unless the vessel has been removed from the list of authorized LSFVs. After this period, the master of a fishing vessel is not authorized to commence a fishing trip with a defective satellite tracking device. Furthermore, when a device stops functioning or has a technical failure during a fishing trip, the repair or the replacement has to take place as soon as the vessel enters a port; the fishing vessel shall not be authorized to commence a fishing trip without the satellite tracking device having been repaired or replaced.
4. Each CPC shall ensure that a fishing vessel with a defective satellite tracking device shall communicate to the FMC, at least daily, reports containing the information in paragraph 1(b) by other means of communication (radio, telefax or telex).
5. CPCs are encouraged to extend the application of this Recommendation to their fishing vessels of less than 20 meters between perpendiculars or 24 meters length overall if they consider this to be appropriate to ensure the effectiveness of ICCAT conservation and management measures.
6. The Commission shall review this Recommendation no later than 2017 and consider revisions to improve its effectiveness, including by changing the transmission frequency, taking into account SCRS advice, the different nature of various fisheries, cost implications, and other relevant considerations, including generally accepted MCS best practices.
7. To inform this review, the SCRS is requested to provide advice on the VMS data that would most assist the SCRS in carrying out its work, including frequency of transmission for the different ICCAT fisheries.
8. This measure shall repeal and replace Recommendation 03-14.

**RECOMMENDATION BY ICCAT TO HARMONIZE AND GUIDE
THE IMPLEMENTATION OF ICCAT VESSEL LISTING REQUIREMENTS**

(Entered into force **3 June 2015**)

RECALLING the discussion at the 2014 intersessional meeting of the Working Group on Integrated Monitoring Measures (IMM) on the need to clarify, harmonize, and guide implementation of ICCAT's vessel listing requirements;

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

1. *The Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels 20 meters in length overall or greater authorized to operate in the Convention Area* [Rec. 13-13] shall be amended as follows:
 - a) For the final item listed in paragraph 2, change the number of days specified for authorization periods from 30 days to 45 days, so it reads as follows:
 - Time period authorized for fishing and/or transshipping. However, in no case shall the authorization period include dates more than 45 days prior to the date of submission of the list to the Secretariat.
 - b) For paragraph 3, make a corresponding change to the days specified, so it reads as follows:

Each CPC shall promptly notify the ICCAT Executive Secretary of any addition to, any deletion from and/or any modification of the ICCAT record at any time such changes occur. 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 Secretariat. The Secretariat shall remove from the ICCAT Record of Vessels any vessel for which the period of authorization has expired.
2. Paragraph 2 of the *Recommendation by ICCAT Concerning the Limitation of Fishing Capacity on Northern Albacore* [Rec. 98-08] is repealed.

**RESOLUTION BY ICCAT ESTABLISHING GUIDELINES FOR THE CROSS-LISTING OF VESSELS
CONTAINED ON IUU VESSEL LISTS OF OTHER TUNA RFMOs ON THE ICCAT IUU VESSEL
LIST IN ACCORDANCE WITH RECOMMENDATION 11-18**

(Transmitted to Contracting Parties: **4 December 2004**)

RECALLING paragraph 11 of the *Recommendation by ICCAT Further Amending Recommendation 09-10 Establishing a List of Vessels Presumed to have Carried Out Illegal, Unreported, and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 11-18];

RECOGNIZING the need to facilitate efficient and effective implementation of ICCAT's IUU vessel list recommendation, in particular the process to incorporate into ICCAT's IUU vessel list those vessels included in the IUU vessel lists of other regional fisheries management organizations (RFMOs) that manage tuna and tuna-like species;

TAKING INTO ACCOUNT the Basic principles for adopting measures for cross-listing vessels listed as IUU by other RFMOs endorsed in the recommendations of the 3rd Joint Meeting of the Tuna RFMO, held in La Jolla, California in 2011 and acknowledging, in particular, the need to preserve the decision-making authority of ICCAT in any cross-listing decision by ensuring that members have the opportunity to consider each vessel on a case-by-case basis prior to its inclusion in the ICCAT IUU vessel list;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNA (ICCAT) RESOLVES AS FOLLOWS:

- a) The ICCAT Secretariat will maintain appropriate contacts with the Secretariats of other RFMOs managing tuna or tuna-like species in order to obtain copies of these RFMOs' IUU vessel lists in a timely manner upon adoption or amendment.
- b) As soon as possible after adoption or amendment of an IUU vessel list by another RFMO managing tuna or tuna-like species, the ICCAT Secretariat will collect all supporting documentation available from that RFMO regarding the listing/delisting determinations.
- c) Once the ICCAT Secretariat has received/collected the information outlined in paragraphs (a) and (b), it will, consistent with Recommendation 11-18, circulate the other RFMO's IUU vessel list, supporting information, and any other relevant information regarding the listing determination to all CPCs. The requisite circular will clearly state the reason the information is being provided and explain that ICCAT Contracting Parties have 30 days to object to the inclusion of the vessels on the ICCAT IUU vessel list.
- d) The ICCAT Secretariat will add any new vessels contained in the other RFMO's IUU vessel list to the final ICCAT IUU Vessel List at the end of the 30-day period provided no objection to such inclusion is received from a Contracting Party pursuant to paragraph 11 of Recommendation 11-18. If a CPC objects to inclusion of any vessel, the ICCAT Secretariat will instead include such vessel on the Draft IUU Vessel List, and then the Provisional IUU Vessel List to be considered by the PWG at the next Annual meeting.
- e) Where a vessel has been included on the ICCAT IUU vessel list solely due to its inclusion on another RFMO's IUU vessel list, the ICCAT Secretariat will immediately remove that vessel from the ICCAT list when it has been deleted by the RFMO that originally listed it.
- f) Upon the addition or deletion of vessels from the final ICCAT IUU Vessel List pursuant to paragraph 11 of Recommendation 11-18, the ICCAT Secretariat will circulate the final ICCAT IUU Vessel List as amended to ICCAT CPCs.

**RECOMMENDATION BY ICCAT CONCERNING
THE TRADE SANCTION AGAINST ST. VINCENT AND THE GRENADINES**

(Entry into force **3 June 2003**)

RECALLING the 1998 *Resolution Concerning the Unreported And Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area*^{*};

ALSO RECALLING the 2001 *Recommendation by ICCAT Concerning the Importation of Bigeye Tuna and Bigeye Tuna Products from St. Vincent and the Grenadines* (hereinafter referred to as the Recommendation);

RECOGNIZING the continuing progress that the Government of St. Vincent and the Grenadines has made in implementing measures to achieve full compliance with ICCAT measures, including developing and implementing monitoring, control, and surveillance methods to its fleet;

CONCERNED nonetheless that additional steps still remain to be taken for St. Vincent and the Grenadines to address fully the concerns in the Resolution and Recommendation noted above;

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

1. Paragraph 2 of the *Recommendation by ICCAT Concerning the Importation of Bigeye Tuna and Bigeye Tuna Products From St. Vincent and the Grenadines* be amended to read:

“The suspension of the import prohibitions imposed under the Recommendation above shall take effect on January 1, 2004, unless the Commission decides, on the basis of documentary evidence, at its 2003 meeting that St. Vincent and the Grenadines has not completed necessary actions to bring its fishing practices for Atlantic bigeye tuna into conformity with ICCAT conservation and management measures.”

2. Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall assist St. Vincent and the Grenadines with its efforts to ensure that the owners and operators of its large-scale fishing vessels have no history of illegal, unreported and unregulated fishing activities, or the previous owners and operators have no legal, beneficial or financial interest in, or control over its large-scale fishing vessels.

^{*} Note from the Secretariat: The *Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-Scale Longline Vessels in the Convention Area* [Res. 98-18] is replaced by *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13], adopted at the Commission meeting of 2006.

**RECOMMENDATION BY ICCAT
CONCERNING THE LIFTING OF TRADE SANCTIONS AGAINST EQUATORIAL GUINEA**

(Entered into force: **June 13, 2005**)

RECOGNIZING ICCAT's responsibility as concerns the management of tuna and tuna-like stocks in the Atlantic and adjacent seas, in an international scope;

RECALLING the decisions adopted by the Commission in 1999 (ICCAT Recommendation concerning Equatorial Guinea in accordance with the *Recommendation Regarding Compliance in the Bluefin Tuna and North Atlantic Swordfish Fisheries*" [Rec. 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* [Rec. 00-16]) to prohibit, respectively, the imports of Atlantic bluefin tuna, Atlantic bigeye and their products from Equatorial Guinea,

CONSIDERING that Equatorial Guinea has demonstrated in an irrefutable manner that the vessels which motivated the adoption of the aforementioned ICCAT Recommendations were not licensed or flagged by Equatorial Guinea;

INDICATING SATISFACTION with regard to the measures adopted by Equatorial Guinea through Decree No. 33/2004 of 17 May, cancelling the licenses and flags attributed to Equatorial Guinea of all registered or unregistered vessels in this country, as well as the collaboration requested from all the Contracting Parties to intervene and immobilize these vessels, informing Equatorial Guinea to take the corresponding legal actions;

CONSIDERING that on 23 August 2004 the Minister of Fisheries of Equatorial Guinea presented to the ICCAT Secretariat in Madrid the package of actions undertaken by this country to guarantee compliance with the ICCAT conservation and management measures, and requested the lifting of the trade sanctions against Equatorial Guinea;

EXAMINING IN DETAIL during its 2004 meeting the actions undertaken by Equatorial Guinea, and considering that the action of this country is in accordance with the ICCAT conservation and management measures,

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

- 1 Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) shall lift the import prohibitions on Atlantic bigeye tuna and Atlantic bluefin tuna and their products that were imposed on Equatorial Guinea pursuant to the 1999 and 2000 Recommendations.
- 2 Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, the CPCs shall implement this Recommendation as soon as possible in accordance with their regulatory procedures.
- 3 The ICCAT Secretariat continue providing Equatorial Guinea with the technical assistance necessary for the implementation of a statistical-fishing data system so that this country can fully adapt to the ICCAT requirements concerning the submission of statistical data.

**RECOMMENDATION BY ICCAT CONCERNING
THE ICCAT BIGEYE TUNA STATISTICAL DOCUMENT PROGRAM**

(Entered into force: **September 21, 2002**)

RECALLING the Recommendation by ICCAT on Establishing Statistical Document Programs for Swordfish, Bigeye Tuna and Other Species Managed by ICCAT adopted by the Commission in 2000 in which the full implementation of the program was required by 1 January 2002, or as soon as possible thereafter;

AWARE that there is uncertainty of the catch of Atlantic bigeye tuna and that the availability of trade data would greatly assist in reducing such uncertainty;

RECOGNIZING that Atlantic bigeye tuna is the main target species of IUU fishing operations and that most of the bigeye harvested by such IUU fishing vessels are exported to Contracting Parties, especially to Japan;

RECALLING the Recommendation by ICCAT Regarding Belize, Cambodia, Honduras, and St. Vincent and the Grenadines Pursuant to the 1998 Resolution Concerning the Unreported and Unregulated Catches of Tuna by Large-scale Longline Vessels in the Convention Area and the 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 adopted by the Commission in 2000;

RECOGNIZING that the Statistical Document Program is an effective tool to assist the Commission's effort for the elimination of IUU fishing operations;

RECOGNIZING the nature of the international market for Atlantic bigeye tuna;

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

1. Contracting Parties, by July 1, 2002 or as soon as possible thereafter, require that all bigeye tuna, when imported into the territory of a Contracting Party, be accompanied by an ICCAT Bigeye Tuna Statistical Document which meets the requirements described in Annex 1 or an ICCAT Bigeye Tuna Re-export Certificate which meets the requirements described in Annex 2. Bigeye tuna caught by purse seiners and pole and line (bait) vessels and destined principally for the canneries in the Convention area are not subject to this statistical document requirement. The Commission and the Contracting Parties importing bigeye tuna shall contact all the exporting countries to inform them of this program, in advance of implementation of the program.
2. (1) The ICCAT Bigeye Tuna Statistical Document must be validated by a government official, or other authorized individual or institution, of the flag state of the vessel that harvested the tuna, or, if the vessel is operating under a charter arrangement, by a government official or other authorized individual of the exporting state;
- (2) The ICCAT Bigeye Tuna Re-export Certificate must be validated by a government official or other authorized individual of the state that re-exported the tuna; and
- (3) The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document*, adopted by the Commission in 1993, may be applied to the above requirements for both validations in this Bigeye Statistical Document Program. The substitutional measure should also apply *mutatis mutandis* to chartering arrangements as provided in paragraph 2(1) above.
3. Each Contracting Party shall provide to the Executive Secretary sample forms of its statistical document and re-export certificate required with bigeye tuna imports and information on validation in the format specified in Annex 4 and inform him of any change in a timely fashion.

4. The Contracting Parties which export or import bigeye tuna shall compile data from the Program.
5. The Contracting Parties which import bigeye tuna shall report the data collected by the Program to the Executive Secretary each year by April 1 for the period of July 1-December 31 of the preceding year and October 1 for the period of January 1-June 30 of the current year, which shall be circulated to all the Contracting Parties by the Executive Secretary. The formats of the report are attached as Annex 3.
6. The Contracting Parties which export bigeye tuna shall examine export data upon receiving the import data mentioned in paragraph 5 above from the Executive Secretary, and report the results to the Commission in the national reports.
7. The Contracting Parties should exchange copies of statistical documents and re-export certificates to facilitate the examination mentioned in paragraph 6, consistent with domestic laws and regulations.
8. The Commission shall request Cooperating Non-Contracting Parties, Entities, Fishing Entities to take the measures described in the above paragraphs.
9. The Executive Secretary shall request information on validation from all the non-Contracting Parties fishing and exporting bigeye tuna to Contracting Parties, and request them to inform him in a timely fashion of any changes to the information provided.
10. The Executive Secretary shall maintain and update information specified in paragraphs 3 and 9 and provide it to all the Contracting Parties, and promptly circulate any changes.
11. The Commission shall request the non-Contracting Parties which import bigeye tuna to cooperate with implementation of the Program and to provide to the Commission data obtained from such implementation.
12. Implementation of this Program shall be in conformity with relevant international obligations.
13. At the initial stage of the program, the statistical documents and the re-export certificates will be required for frozen bigeye products. Prior to implementing this Program for fresh products, several practical problems need to be solved, such as guidelines to ensure procedures to handle fresh products at customs.
14. The provisions of the *Recommendation by ICCAT on Validation of the Bluefin Tuna Statistical Documents by the European Community*, adopted by the Commission in 1998, shall apply to the Bigeye Tuna Statistical Document Program for bigeye caught by vessels that fly the flag of a Member State of the European Community.
15. Notwithstanding the provisions of Article VIII, paragraph 2, of the Convention, the Contracting Parties shall implement this recommendation by July 1, 2002 or as soon as possible thereafter in accordance with the regulatory procedures of each Contracting Party.

**Requirements Concerning
the ICCAT Bigeye Tuna Statistical Document**

1. The sample form of the ICCAT Bigeye Tuna Statistical Document shall be as in the Appendix.
2. Customs or other appropriate government officials will request and inspect all import documentation including the ICCAT Bigeye Tuna Statistical Document for all bigeye tuna in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
3. Only complete and valid documents will guarantee that shipments of bigeye tuna will be allowed to enter the territory of Contracting Parties.
4. Shipments of bigeye tuna that are accompanied by improperly documented Bigeye Tuna Statistical Documents (i.e., improperly documented means that the Bigeye Tuna Statistical Document is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bigeye tuna, that are contrary to ICCAT conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.
5. The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

| | | | |
|--|---|-----------------------------------|---|
| DOCUMENT NUMBER | ICCAT BIGEYE TUNA STATISTICAL DOCUMENT | | |
| EXPORT SECTION | | | |
| 1.FLAG OF COUNTRY/ENTITY/FISHING ENTITY | | | |
| 2.NAME OF VESSEL AND REGISTRATION NUMBER (when available) | | | |
| 3.TRAPS (if applicable) | | | |
| 4.POINT OF EXPORT(City, State / Province, Country / Entity / Fishing Entity) | | | |
| 5.AREA OF CATCH (check one of the following) <input type="checkbox"/> (a) Atlantic <input type="checkbox"/> (b) Pacific <input type="checkbox"/> (c) Indian * In case of (b) or (c) checked, the items 6 and 7 below do not need to be filled out. | | | |
| 6.DESCRPTION OF FISH | | | |
| Product Type (*1) F/FR RD/GG/DR/FL/OT | | Gear Code(*2) | Net Weight (Kg) |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| 1= F=Fresh, FR=Frozen, RD=Round, GG=Gilled and Guttred, DR=Dressed, FL=Fillet OT=Other, describe the type of product *2= When the Gear Code is OT, describe the type of gear, | | | |
| 7.EXPORTER CERTIFICATION I certify that the above information is complete, true, and correct to the best of my knowledge and belief. | | | |
| Name | Company name | Address | Signature Date License Number (if applicable) |
| | | | |
| 8.GOVERNMENT VALIDATION I validate that information listed above is complete, true, and correct to the best of my knowledge and belief. | | | |
| Total weight of the shipment _____ Kg. | | | |
| Name & Title | Signature | Date | Government Seal |
| | | | |
| IMPORT SECTION: | | | |
| 9.IMPORTER CERTIFICATION I certify that the above information is complete, true, and correct to the best of my knowledge and belief. | | | |
| Importer Certification (Intermediate Country / Entity / Fishing Entity) | | | |
| Name | Address | Signature | Date License # (if applicable) |
| | | | |
| Importer Certification (Intermediate Country / Entity / Fishing Entity) | | | |
| Name | Address | Signature | Date License # (if applicable) |
| | | | |
| Final Point of Import | | | |
| City | State/Province | Country / Entity / Fishing Entity | |
| | | | |

NOTE: If a language other than English is used in completing this form. Please add the English translation on this document.

ICCAT BIGEYE TUNA STATISTICAL DOCUMENT INSTRUCTION SHEET

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a country/entity/fishing entity encoded Document Number.

(1) FLAG COUNTRY/ENTITY/FISHING ENTITY: Fill in the name of the country/entity/fishing entity of the vessel that harvested the bigeye tuna in the shipment and issued this Document. According to the ICCAT Recommendation, only the flag state of the vessel that harvested the bigeye tuna in the shipment or, if the vessel is operating under a charter arrangement, the exporting state, can issue this Document.

(2) NAME OF VESSEL AND REGISTRATION NUMBER (when available): Fill in the name and registration number of the vessel that harvested the bigeye tuna in the shipment.

(3) TRAPS (if applicable): Fill in the name of the trap that harvested the bigeye tuna in the shipment.

(4) POINT OF EXPORT: Identify the City, State or Province, and Country/Entity/Fishing Entity from which the bigeye tuna was exported.

(5) AREA OF CATCH: Check the area of catch. (If (b) or (c) checked, items 6 and 7 below do not need to be filled out.)

(6) DESCRIPTION OF FISH: The exporter must provide, to the highest degree of accuracy, the following information. NOTE: One row should describe one product type.

1. Product Type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment.
2. Gear Code: Identify the gear type which was used to harvest the bigeye tuna using the list below. For OTHER TYPE, describe the type of gear, including farming.
3. Net product weight in kilograms.

(7) EXPORTER CERTIFICATION: The person or company exporting the bigeye tuna shipment must provide his/her name, company name, address, signature, date the shipment was exported, and dealer license number (if applicable).

(8) GOVERNMENT VALIDATION: Fill in the name and full title of the official signing the Document. The official must be employed by a competent authority of the flag state government of the vessel that harvested the bigeye tuna appearing on the Document or other individual or institution authorized by the flag state. When appropriate, this requirement is waived according validation of the document by a government official, or if the vessel is operating under a charter arrangement, by a government official or other authorized individual or institution of the exporting state. The total weight of the shipment shall also be specified in this block. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document*, adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Bigeye Tuna Statistical Document Program.

(9) IMPORTER CERTIFICATION: The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye was imported, license number (if applicable), and final point of import. This includes imports into intermediate countries, entities or fishing entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

GEAR CODE:

| <i>Gear Code</i> | <i>Gear Type</i> |
|------------------|--------------------------------|
| BB | BAITBOAT |
| GILL | GILLNET |
| HAND | HANDLINE |
| HARP | HARPOON |
| LL | LONGLINE |
| MWT | MID-WATER TRAWL |
| PS | PURSE SEINE |
| RR | ROD AND REEL |
| SPHL | SPORT HANDLINE |
| SPOR | SPORT FISHERIES UNCLASSIFIED |
| SURF | SURFACE FISHERIES UNCLASSIFIED |
| TL | TENDED LINE |
| TRAP | TRAP |
| TROL | TROLL |
| UNCL | UNSPECIFIED METHODS |
| OT | OTHER TYPE |

RETURN A COPY OF COMPLETED DOCUMENT TO: (the name of the office of the competent authority of the flag state).

**Requirements Concerning
the ICCAT Bigeye Tuna Re-export Certificate**

1. The sample form of the ICCAT Bigeye Tuna Re-export Certificate shall be as in the Appendix.
2. Customs or other appropriate government officials will request and inspect all import documentation including the ICCAT Bigeye Tuna Re-export Certificate for all bigeye tuna in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
3. Only complete and valid documents will guarantee that shipments of bigeye tuna will be allowed to enter the territory of Contracting Parties.
4. A Contracting Party shall be free to validate ICCAT Bigeye Tuna Re-export Certificates for bigeye tuna imported by that Contracting Party, to which ICCAT Bigeye Tuna Statistical Documents or ICCAT Bigeye Tuna Re-export Certificates are attached. ICCAT Bigeye Tuna Re-export Certificates shall be validated by government organizations or by recognized institutions which are accredited by a Contracting Party's government to validate the ICCAT Bigeye Tuna Statistical Document. A copy of the original Bigeye Tuna Statistical Document accompanying the imported bigeye tuna must be attached to an ICCAT Bigeye Tuna Re-export Certificate. The copy of the original Bigeye Tuna Statistical Document so attached must be verified by that government organization or by that recognized institution accredited by a government which validated the ICCAT Bigeye Tuna Statistical Document. When re-exported bigeye tuna is again re-exported, all copies of documents, including a verified copy of a Statistical Document and Re-export Certificate which accompanied that bigeye tuna upon importation, must be attached to a new Re-export Certificate to be validated by a re-exporting Contracting Party. All copies of the Documents to be attached to that new Re-export Certificate must be also be verified by a government organization or a recognized institution accredited by a government which validated the ICCAT Bigeye Tuna Statistical Document.
5. Shipments of bigeye tuna that are accompanied by improperly documented Bigeye Tuna Re-export Certificate (i.e., improperly documented means that the Bigeye Tuna Re-export Certificate is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of bigeye tuna, that are contrary to ICCAT conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.
6. ICCAT Contracting Parties that validate Re-export Certificates in accordance with the procedure set forth in paragraph 4 shall require from the re-exporting bigeye dealer necessary documents (e.g. written sales contracts) which are to certify that the bigeye tuna to be re-exported corresponds to the imported bigeye tuna. Contracting Parties which validate Re-export Certificates shall provide flag states and importing states with evidence of this correspondence upon their request.
7. The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

| | | | | | |
|--|--|--|--------------------|--|-------------------|
| DOCUMENT NUMBER | | ICCAT BIGEYE TUNA RE-EXPORT CERTIFICATE | | | |
| RE-EXPORT SECTION: | | | | | |
| 1. RE-EXPORTING COUNTRY / ENTITY / FISHING ENTITY | | | | | |
| 2. POINT OF RE-EXPORT | | | | | |
| 3. DESCRIPTION OF IMPORTED FISH | | | | | |
| Product Type(*) F/FR | | RD/GG/DR/FL/OT | Net Weight (Kg) | Flag country/ Entity/Fishing Entity | Date of Import |
| | | | | | |
| | | | | | |
| | | | | | |
| 4. DESCRIPTION OF FISH FOR RE-EXPORT | | | | | |
| Product Type(*) F/FR | | RD/GG/DR/FL/OT | Net Weight (Kg) | | |
| | | | | | |
| | | | | | |
| | | | | | |
| * F=FRESH, FR=Frozen, RD=Round, GG=Gilled and Gutted, DR=Dressed, FL=Fillet OT=Other(Describe the type of product) | | | | | |
| 5. RE-EXPORTER CERTIFICATION: I certify that the above information is complete, true and correct to the best of my knowledge and belief. | | | | | |
| Name/Company Name Address Signature Date License Number (if applicable) | | | | | |
| 6. GOVERNMENT VALIDATION: I validate that the above information is complete, true and correct to the best of my knowledge and belief. | | | | | |
| Name & Title Signature Date Government Seal | | | | | |
| IMPORT SECTION: | | | | | |
| 7. IMPORTER CERTIFICATION: I certify that the above information is complete, true and correct to the best of my knowledge and belief. | | | | | |
| Importer Certification (Intermediate Country / Entity / Fishing Entity) | | | | | |
| Name Address Signature Date License # (if applicable) | | | | | |
| Importer Certification (Intermediate Country / Entity / Fishing Entity) | | | | | |
| Name Address Signature Date License # (if applicable) | | | | | |
| Importer Certification (Intermediate Country / Entity / Fishing Entity) | | | | | |
| Name Address Signature Date License # (if applicable) | | | | | |
| Final Point of Import | | | | | |
| City _____ State/Province _____ Country / Entity / Fishing Entity | | | | | |

NOTE: If a language other than English is used in completing this form, please add the English translation on this document.

ICCAT BIGEYE TUNA RE-EXPORT CERTIFICATE INSTRUCTION SHEET

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a Country/Entity/Fishing Entity coded document number.

(1) RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY

Fill in the name of the Country/Entity/Fishing Entity which re-exports the bigeye tuna in the shipment and issued this Certificate. According to the ICCAT Recommendation, only the re-exporting Country/Entity/Fishing Entity can issue this Certificate.

(2) POINT OF RE-EXPORT

Identify the City/State Province and Country/Entity/Fishing Entity from which the bigeye tuna was re-exported.

(3) DESCRIPTION OF IMPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms. (3) Flag Country/Entity/Fishing Entity: the name of the Country/Entity/Fishing Entity of the vessel that harvested the bigeye tuna in the shipment. (4) Date of import: Imported date.

(4) DESCRIPTION OF FISH FOR RE-EXPORT

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms.

(5) RE-EXPORTER CERTIFICATION

The person or company re-exporting the bigeye tuna shipment must provide his/her name, address, signature, date the shipment was re-exported, and re-exporter's license number (if applicable).

(6) GOVERNMENT VALIDATION

Fill in the name and full title of the official signing the Certificate. The official must be employed by a competent government authority of the re-exporting Country/Entity/Fishing Entity appearing on the Certificate, or a person or institution authorized to validate such certificates by the competent government authority. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document*, adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Bigeye Statistical Document Program.

(7) IMPORTER CERTIFICATION

The person or company that imports bigeye tuna must provide his/her name, address, signature, date the bigeye tuna was imported, license number (if applicable) and re-exported final point of import. This includes imports into intermediate Countries/Entities/Fishing Entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting Country/Entity/Fishing Entity).

REPORT OF THE ICCAT BIGEYE TUNA STATISTICAL DOCUMENT

Period _____ to _____, _____ IMPORT COUNTRY/ENTITY/FISHING ENTITY _____
 Month Month Year

| <i>Flag Country/Entity/Fishing Entity</i> | <i>Area Code</i> | <i>Gear Code</i> | <i>Point of Export</i> | <i>Product Type</i> | | <i>Product Wt.(Kg)</i> |
|---|----------------------|----------------------|----------------------------|---------------------|-----------------------|----------------------------|
| | | | | <i>F/FR</i> | <i>RD/GG/DR/FL/OT</i> | |
| | | | | | | |

Gear Code***Gear Type***

| | |
|------|---|
| BB | Baitboat |
| GILL | Gillnet |
| HAND | Handline |
| HARP | Harpoon |
| LL | Longline |
| MWT | Mid-water trawl |
| PS | Purse seine |
| RR | Rod & reel |
| SPHL | Sport Handline |
| SPOR | Sport fisheries unclassified |
| SURF | Surface fisheries unclassified |
| TL | Tended line |
| TRAP | Trap |
| TROL | Troll |
| UNCL | Unclassified methods |
| OTH | Other type (Indicate the type of gear): |

Product type***Area Code***

| | | | |
|----|---|----|--------------|
| F | Fresh | AT | Atlantic |
| FR | Frozen | PA | Pacific |
| RD | Round | ID | Indian Ocean |
| GG | Gilled & gutted | | |
| DR | Dressed | | |
| FL | Fillet | | |
| OT | Other form, describe the type of products in the shipment | | |

REPORT OF THE ICCAT BIGEYE TUNA RE-EXPORT CERTIFICATE

Period _____ to _____, _____ IMPORT COUNTRY/ENTITY/FISHING ENTITY
 Month Month Year

| <i>Flag Country/Entity/ Fishing Entity</i> | <i>Re-export Country/ Entity/Fishing Entity</i> | <i>Point of Re-export</i> | Product Type | | <i>Product Wt.(Kg)</i> |
|--|---|-------------------------------|---------------------|-----------------------|----------------------------|
| | | | <i>F/FR</i> | <i>RD/GG/DR/FL/OT</i> | |
| | | | | | |

Product type

- F Fresh
- FR Frozen
- RD Round
- GG Gilled & gutted
- DR Dressed
- FL Fillet
- OT Other form, describe the type of products in the shipment

INFORMATION ON VALIDATION OF ICCAT STATISTICAL DOCUMENTS

1. Flag _____
2. Statistical Document (Bluefin, Bigeye, Swordfish, All): _____
3. Government/Authority organization(s) accredited to validate Statistical Documents

| <i>Organization Name</i> | <i>Organization Address</i> | <i>Sample Seal</i> |
|--------------------------|-----------------------------|--------------------|
| | | |
| | | |
| | | |

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

4. Other institutions accredited by the government/authority to validate Statistical Documents

| <i>Organization Name</i> | <i>Organization Address</i> | <i>Sample Seal</i> |
|--------------------------|-----------------------------|--------------------|
| | | |
| | | |
| | | |

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

Instructions Contracting Parties, non-Contracting Parties, Entities, Fishing Entities having vessels that harvest species whose international trade must be accompanied by ICCAT Statistical Documents are requested to submit the information on this sheet to the Executive Secretary of ICCAT¹, and to ensure that any changes to the above are also transmitted to the Executive Secretary on a timely fashion.

1. ICCAT: c/Corazón de María, 8 (6th floor), Madrid, Spain 28002.

**RECOMMENDATION BY ICCAT
ESTABLISHING A SWORDFISH STATISTICAL DOCUMENT PROGRAM**

(Entered into force: **September 21, 2002**)

RECALLING the Recommendation by ICCAT on Establishing Statistical Document Program for Swordfish, Bigeye Tuna and Other Species Managed by ICCAT adopted by the Commission in 2000 in which the full implementation of the program was required by 1 January 2002, or as soon as possible thereafter;

TAKING INTO ACCOUNT the efforts to maintain and rebuild Atlantic swordfish, consistent with the objectives of the Convention;

RECOGNIZING that the Statistical Document Program is an effective tool to assist the Commission's effort for the elimination of IUU fishing operations;

FURTHER RECOGNIZING the Resolution by ICCAT Concerning an Action Plan to Ensure the Effectiveness of the Conservation Program for Atlantic Swordfish adopted by the Commission in 1995, and recalling the 1999 Recommendation by ICCAT establishing trade measures pursuant to this Resolution;

AWARE that it is important to improve the reliability of statistical information on catches of Atlantic swordfish and that the availability of trade data would greatly assist in reducing such uncertainty;

RECOGNIZING that a considerable number of vessels fishing for Atlantic swordfish are registered to nations that are not members of ICCAT;

TAKING INTO ACCOUNT the significant efforts that have been undertaken by Contracting Parties to address the problems created by catches of Atlantic swordfish by non-contracting parties, entities, and fishing entities;

CONSIDERING that some of the non-contracting parties, entities, and fishing entities have great difficulty in providing information on the catches of their flag vessels;

ALSO BEING AWARE that this program may be adapted to the specific regulations established by ICCAT Contracting Parties, as well as in the framework of regional economic organizations;

RECOGNIZING the work of the Food and Agriculture Organization (FAO) with respect to statistical document programs, which could impact the programs of the Commission;

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

- 1 Contracting Parties shall require that all swordfish, when imported into the territory of a Contracting Party be accompanied by an ICCAT Swordfish Statistical Document (**Attachment 2**) that meets the requirements described in **Attachment 1** or an ICCAT Swordfish Re-export Certificate¹ (**Attachment 4**) that meets the requirements described in Attachment 3. The Commission and the Contracting Parties importing swordfish shall contact all the exporting countries to inform them of this program, particularly differentiation of treatment between catches of swordfish in the Convention Area and those outside of it, in advance of implementation of the program.
- 2 (1) The ICCAT Swordfish Statistical Document must be validated by a government official, or other authorized individual or institution, of the flag state of the vessel that harvested the swordfish, or, if the vessel is operating under a charter arrangement, by a government official or other authorized individual of the exporting state; (2) the ICCAT Swordfish Re-Export Certificate must be validated by a government official, or other authorized individual or institution, of the state that re-exported the swordfish; and (3) the substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a*

¹ Note from the Secretariat: The ICCAT Swordfish Statistical Document and accompanying instructions were adopted under the Recommendations by ICCAT Concerning the Amendment of the Forms of the ICCAT Bluefin/Bigeye/Swordfish Statistical Documents [Ref. 03-19], and replace those originally adopted.

Government Official of the Bluefin Tuna Statistical Document, adopted by the Commission in 1993, may be applied to the above requirements for both validations in the Swordfish Statistical Document Program. The substitutional measure should also apply *mutatis mutandis*, to chartering arrangements as provided in section (1) of this paragraph.

- 3 Each Contracting Party shall provide to the Executive Secretary sample forms of its statistical document and re-export certificate required with swordfish imports, and information on validation in the format specified in Attachment 6 and inform him of any change in a timely fashion.
- 4 Contracting Parties that import or export swordfish shall compile the data collected through the Program.
- 5 Contracting Parties that import swordfish shall report the data collected by the Program to the Executive Secretary each year by April 1 for the period of July 1 through December 31 of the preceding year and October 1 for the period of January 1 through June 30 of the current year, which shall be circulated to all the contracting parties by the Executive Secretary. The formats of the reports are attached, as in Attachment
- 6 Contracting Parties that export swordfish shall examine export data upon receiving the import data in Paragraph 5 above from the Executive Secretary, and report the results to the Commission in their National Reports².
- 7 Contracting Parties should exchange copies of statistical documents and re-export certificates to facilitate the examination mentioned in paragraph 6 consistent with domestic laws and regulations.
- 8 The Commission shall request Cooperating non-Contracting Parties, Entities, and Fishing Entities to take the measures described in the above paragraphs.
- 9 The Executive Secretary shall request all non-Contracting Parties, Entities, and Fishing Entities fishing for and exporting swordfish to Contracting Parties to provide information on validation in the format specified in Attachment 6 and to inform him in a timely fashion of any changes to the information provided.
- 10 The Executive Secretary shall maintain and update information specified in paragraphs 3 and 9 and provide it to all the Contracting Parties, and promptly circulate any changes.
- 11 The Commission shall request non-Contracting Parties, Entities, and Fishing Entities that import swordfish to cooperate in the implementation of the Program and to provide to the Commission data obtained from such implementation in the format specified in Attachment 5 on an annual basis by October 15 for the previous calendar year.
- 12 Implementation of this program shall be in conformity with relevant international obligations.
- 13 The provisions of the *Recommendation by ICCAT on Validation of the Bluefin Tuna Statistical Document by the European Community*, adopted by the Commission in 1998, shall apply to the Swordfish Statistical Document Program for swordfish caught by vessels that fly the flag of a Member State of the European Community.
- 14 Notwithstanding the provisions of Article VIII, paragraph 2 of the Convention, the Contracting Parties shall implement this recommendation as soon as possible, but not later than January 1, 2003 in accordance with the regulatory procedures of each Contracting Party.

² Note from the Secretariat: Based on a Commission decision in 2004, these reports are now called *Annual Reports*. Please see the *Revised Guidelines for the Preparation of Annual Reports* [Ref. 12-13].

Requirements Concerning the ICCAT Swordfish Statistical Document

- 1 The sample form of the ICCAT Swordfish Statistical Document shall be as in Attachment 2.
- 2 Customs or other appropriate government officials will request and inspect all import documentation including the ICCAT Swordfish Statistical Document for all swordfish in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
- 3 Only complete and valid documents will guarantee that shipments of swordfish will be allowed to enter the territory of Contracting Parties.
- 4 Shipments of swordfish that are accompanied by improperly documented Swordfish Statistical Documents (i.e., improperly documented means that the Swordfish Statistical Document is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of swordfish, that are contrary to ICCAT conservation efforts, and their entry into the territory of a Contracting Party will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) or subject to administrative or other sanction.
- 5 The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

| DOCUMENT NUMBER | ICCAT SWORDFISH STATISTICAL DOCUMENT | | | |
|--|--------------------------------------|-------------------------------|----------------------------------|---|
| EXPORT SECTION: | | | | |
| 1. FLAG COUNTRY/ENTITY/FISHING ENTITY | | | | |
| 2. DESCRIPTION OF VESSEL (if applicable) | | | | |
| Vessel Name | Registration Number | LOA (m) | ICCAT Record No. (if applicable) | |
| 3. POINT OF EXPORT: | | | | |
| CITY, STATE OR PROVINCE | | COUNTRY/ENTITY/FISHING ENTITY | | |
| 4. AREA OF CATCH (Check one of the following) | | | | |
| (a) North Atlantic (b) South Atlantic (c) Mediterranean (d) Pacific (e) Indian | | | | |
| * In case of (d) or (e) is checked, the items 5 and 6 below do not need to be filled out. | | | | |
| 5. DESCRIPTION OF FISH | | | | |
| Product Type ^a F/FR RD/GG/DR/FL/OT | | Time of Harvest (mm/yy) | Gear Code ^b | Net Weight (kg) |
| | | | | |
| | | | | |
| ^a F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Gutted, DR=Dressed, FL=Fillet, ST=Steak, OT=Others (Describe the type of product: _____) | | | | |
| ^a When the Gear Code is OT, describe the type of gear: _____ | | | | |
| 6. EXPORTER CERTIFICATION: For export to countries that have adopted the ICCAT alternative minimum size for swordfish the exporter must certify that the listed Atlantic swordfish are greater than 15 kg(33lb.) or if pieces, the pieces were derived from a swordfish weighing >15kg. | | | | |
| I certify that the above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Name | Address | Signature | Date | License # (if applicable) |
| 7. GOVERNMENT VALIDATION: | | | | |
| I validate that the above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Name & Title | | Signature | Date | Total weight of the shipment: _____ kg Government Seal |
| IMPORT SECTION | | | | |
| 8. IMPORTER CERTIFICATION: | | | | |
| I certify that the above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Importer Certification (Intermediate Country/Entity/Fishing Entity) | | | | |
| Name | Address | Signature | Date | License # (if applicable) |
| Importer Certification (Intermediate Country/Entity/Fishing Entity) | | | | |
| Name | Address | Signature | Date | License # (if applicable) |
| Importer Certification (Final Destination of Shipment) | | | | |
| Name | Address | Signature | Date | License # (if applicable) |
| Final Point of Import: City _____ State/Province _____ Country/Entity/Fishing Entity | | | | |

SWO Form: 2003

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

ICCAT SWORDFISH STATISTICAL DOCUMENT INSTRUCTION SHEET

Pursuant to the 2001 ICCAT recommendation, swordfish imported into the territory of a Contracting Party or upon first entry into a regional economic organization must be accompanied by an ICCAT Swordfish Statistical Document (SWD) beginning January 1, 2003. Swordfish dealers who export or import swordfish from all ocean areas will be required to complete the appropriate sections of the SWD. Only complete and valid documents will guarantee that shipments of swordfish will be allowed to enter the customs territory of Contracting Parties (e.g., Japan, Canada, U.S., Spain, etc.). Improperly documented swordfish shipments (i.e., the SWD is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate and contrary to ICCAT conservation efforts. Entry of improperly documented swordfish will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the customs territory of a Contracting Party or subject to administrative or other sanctions.

Please use the instructions below as a guide to complete the sections that apply to Exporters, Importers, and Government Validation. If a language other than English is used for description, please add an English translation either on the SWD or on a separate paper. Note: if a swordfish product is exported directly from the harvesting Country/Entity/Fishing Entity to a Contracting Party, without going through an intermediate Country/Entity/Fishing Entity, all fish can be identified on one document. However, if the swordfish product is exported through an intermediate Country/Entity/Fishing Entity (i.e., a Country/Entity/Fishing Entity other than the Country/Entity/Fishing Entity which is the final destination of the product), separate documents must be prepared for fish destined for different final destinations, or only one fish may be identified on a document to cope with any possible separation in an intermediate Country/Entity/Fishing Entity. Import of swordfish parts other than meat (i.e., heads, eyes, roe, guts, tails) may be allowed entry without an accompanying SWD.

DOCUMENT NUMBER: This block is for the issuing Country/Entity/Fishing Entity to designate a country coded Document Number.

(1) FLAG COUNTRY/ENTITY/FISHING ENTITY - Fill in the name of the Country/Entity/Fishing Entity of the vessel that harvested the swordfish in the shipment and issued this Document. According to the ICCAT Recommendation, only the flag state of the vessel that harvested the swordfish in the shipment, or, if the vessel is operating under a chartering arrangement, the exporting state, can issue this Document.

(2) DESCRIPTION OF VESSEL (if applicable): Fill in the name, registration number, length overall (LOA) and ICCAT Record number of the vessel that harvested the swordfish in the shipment.

(3) POINT OF EXPORT - Identify the City and State or Province, and country/entity/fishing entity from which the swordfish was exported.

(4) AREA OF CATCH - Check the area of catch. (In case of (d) or (e) checked, items 4 and 5 need not be completed).

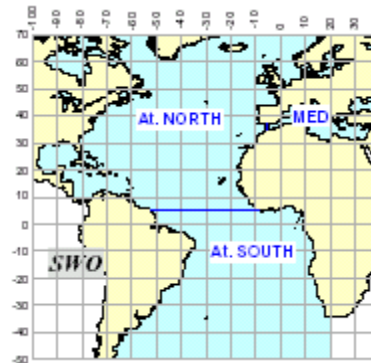
(5) DESCRIPTION OF FISH - The exporter must provide, to the highest degree of accuracy, the following information. (NOTE: One row should describe one product type.) (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, FILLET or OTHER form. For OTHER, describe the type of products in the shipment; (2) Time of Harvest: Fill in the time of harvest (month and year) of the swordfish in the shipment; (3) Gear Code: Identify the gear type which was used to harvest the swordfish using the listed codes; (5) Net weight: Net product weight in kilograms.

(6) EXPORTER CERTIFICATION - The person or company exporting the swordfish shipment must provide his/her name, signature, address, date the shipment was exported, and dealer license number (if applicable). For countries that have adopted the ICCAT alternative minimum size for swordfish the exporter must certify that the listed Atlantic swordfish are greater than 15 kg (33 lb.) or if pieces, the pieces were derived from a swordfish weighing >15 kg.

(7) GOVERNMENT VALIDATION - Fill in name and full title of the official signing the SWD. The official must be employed by a competent authority of the flag state government of the vessel that harvested the swordfish appearing on the SWD or other individual or institution authorized by the flag state or if the vessel is operating under a charter arrangement, by a government official or other authorized individual or institution of the exporting state. Net weight must also be certified and recorded. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT concerning Validation by a Government Official of the Bluefin Tuna Statistical Document [93-2]*, adopted by the Commission in 1993, may be applied to the above requirements for the validations in this Swordfish Statistical Document Program.

(8) IMPORTER CERTIFICATION - The person or company that imports swordfish must provide their name, signature, address, date the swordfish was imported, license number (if applicable) and final point of import. This includes imports into intermediate countries, entities or fishing entities. For fresh and chilled products, signature of the importer may be substituted by person of a custom clearance company when the authority of signature is properly accredited to the company

| GEAR CODE | GEAR TYPE |
|-----------|---------------------------------------|
| BB | Baitboat |
| GILL | Gillnet |
| HAND | Handline |
| HARP | Harpoon |
| LL | Longline |
| MWT | Mid-water trawl |
| PS | Purse seine |
| RR | Rod and reel |
| SPHL | Sport handline |
| SPOR | Sport fisheries, unclassified |
| SURF | Surface fisheries, unclassified |
| TL | Tended line |
| TRAP | Trap |
| TROL | Troll |
| UNCL | Unspecified methods |
| OT | Other type: Describe the type of gear |



Original completed document must accompany exported shipment. Retain a copy for your records. The original (imports) or a copy (exports) must be postmarked and mailed, or faxed, within 24 hours of import or export to: XXXX

Requirements Concerning the ICCAT Swordfish Re-export Certificate

- 1 The sample form of the ICCAT Swordfish Tuna Re-export Certificate shall be as in Attachment 4.
- 2 Customs or other appropriate government officials will request and inspect all import documentation including the ICCAT Swordfish Re-export Certificate for all swordfish in the shipment. Those officials may also inspect the content of each shipment to verify the information on the document.
- 3 Only complete and valid documents will guarantee that shipments of swordfish will be allowed to enter the territory of Contracting Parties.
- 4 A Contracting Party shall be free to validate ICCAT Swordfish Re-export Certificates for swordfish imported by that Contracting Party, to which ICCAT Swordfish Statistical Documents or ICCAT Swordfish Re-export Certificates are attached. ICCAT Swordfish Re-export Certificates shall be validated by government organizations, persons authorized by a government organization, or by recognized institutions which are accredited by a Contracting Party's government to validate the ICCAT Swordfish Statistical Document. A copy of the original Swordfish Statistical Document accompanying the imported swordfish must be attached to an ICCAT Swordfish Re-export Certificate. The copy of the original Swordfish Statistical Document so attached must be verified by that government organization or by that recognized institution accredited by a government which validated the ICCAT Swordfish Statistical Document. When re-exported swordfish is again re-exported, all copies of documents, including a verified copy of a Statistical Document and Re-export Certificate which accompanied that swordfish upon importation, must be attached to a new Re-export Certificate to be validated by a re-exporting Contracting Party. All copies of the Documents to be attached to that new Re-export Certificate must be also be verified by a government organization or a recognized institution accredited by a government which validated the ICCAT Swordfish Statistical Document, or by persons authorized by a government organization.
- 5 Shipments of swordfish that are accompanied by improperly documented Swordfish Re-export Certificate (improperly documented means that the Swordfish Re-export Certificate is either missing from the shipment, incomplete, invalid or falsified) will be considered illegitimate shipments of swordfish, that are contrary to ICCAT conservation efforts, and their entry will be suspended (PENDING RECEIPT OF A PROPERLY COMPLETED DOCUMENT) into the territory of a Contracting Party or subject to administrative or other sanction.
- 6 ICCAT Contracting Parties that validate Re-export Certificates in accordance with the procedure set forth in paragraph 4 shall require from the re-exporting swordfish dealer necessary documents (e.g., written sales contracts) which are to certify that the swordfish to be re-exported corresponds to the imported swordfish. Contracting Parties which validate Re-export Certificates shall provide flag states and importing states with evidence of this correspondence upon their request.
- 7 The import of fish parts other than the meat, i.e., head, eyes, roe, guts, tails may be allowed without the document.

| | | | | |
|---|--|-------------------------------|--|--------------------------------|
| DOCUMENT NUMBER | ICCAT SWORDFISH RE-EXPORT CERTIFICATE | | | |
| RE-EXPORT SECTION: | | | | |
| 1. RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY | | | | |
| 2. POINT OF RE-EXPORT | | | | |
| 3. DESCRIPTION OF IMPORTED FISH | | | | |
| Product Type(*) | | Net Weight (Kg) | Flag country/ Entity/Fishing entity | Date of Import |
| F/FR | RD/GG/DR/FL/ST/OT | | | |
| | | | | |
| | | | | |
| | | | | |
| 4. DESCRIPTION OF FISH FOR RE-EXPORT | | | | |
| Product Type(*) | | Net Weight (Kg) | | |
| F/FR | RD/GG/DR/ST/FL/OT | | | |
| | | | | |
| | | | | |
| | | | | |
| * F=FRESH, FR=Frozen, RD=Round, GG=Gilled and Gutted, DR=Dressed, ST=Steak, FL=Fillet OT=Other(Describe the type of product) | | | | |
| 5. RE-EXPORTER CERTIFICATION: For export to countries/entities or fishing entities that have adopted the ICCAT alternative minimum size for swordfish, the exporter must certify that the listed Atlantic swordfish are greater than 15 kg (33 lb.) or if pieces, the pieces were derived from a swordfish weighing >15 kg. | | | | |
| I certify that above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Name | Company Name | Address | Signature | Date License # (if applicable) |
| 6. GOVERNMENT VALIDATION: I validate that above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Name & Title | Organization | Signature | Date | |
| IMPORT SECTION: | | | | |
| 7. IMPORT CERTIFICATION: I certify that above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Importer Certification (Intermediate Country / Entity / Fishing Entity) | | | | |
| Name | Address | Signature | Date | License #(if applicable) |
| Importer Certification (Intermediate Country / Entity / Fishing Entity) | | | | |
| Name | Address | Signature | Date | License #(if applicable) |
| Importer Certification (Intermediate Country / Entity / Fishing Entity) | | | | |
| Name | Address | Signature | Date | License #(if applicable) |
| Final Point of Import | | | | |
| City | State/Province | Country/Entity/Fishing Entity | | |

SWOSD Re-Export Certificate: 2001

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

ICCAT SWORDFISH RE-EXPORT CERTIFICATE INSTRUCTION SHEET

DOCUMENT NUMBER: Block for the issuing Country/Entity/Fishing Entity to designate a Country/Entity/Fishing Entity coded document number.

(1) RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY

Fill in the name of the Country/Entity/Fishing Entity which re-exports the swordfish in the shipment and issued this Certificate. According to the ICCAT Recommendation, only the re-exporting Country/Entity/Fishing Entity can issue this Certificate.

(2) POINT OF RE-EXPORT

Identify the City/State Province and Country/Entity/Fishing Entity from which the swordfish was re-exported.

(3) DESCRIPTION OF IMPORTED FISH

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, STEAK, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms. (3) Flag Country/Entity/Fishing Entity: the name of the Country/Entity/Fishing Entity of the vessel that harvested the swordfish in the shipment. (4) Date of import: Imported date.

(4) DESCRIPTION OF FISH FOR RE-EXPORT

The exporter must provide, to the highest degree of accuracy, the following information: NOTE: One row should describe one product type. (1) Product type: Identify the type of product being shipped as either FRESH or FROZEN, and in ROUND, GILLED AND GUTTED, DRESSED, STEAK, FILLET or OTHER form. For OTHER, describe the type of products in the shipment. (2) Net weight: Net product weight in kilograms.

(5) RE-EXPORTER CERTIFICATION

The person or company re-exporting the swordfish shipment must provide his/her name, company name address, signature, date the shipment was re-exported, and re-exporter's license number (if applicable).

(6) GOVERNMENT VALIDATION

Fill in the name and full title of the official signing the Certificate. The official must be in the employment of the competent government authority of the re-exporting Country/Entity/Fishing Entity appearing on the Certificate, or a person or institution authorized to validate such certificates by the competent government authority. The substitutional measure described in paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Statistical Document*, adopted by the Commission in 1993 may be applied to the above requirements for the validations in this Swordfish Statistical Document Program.

(7) IMPORTER CERTIFICATION

The person or company that imports swordfish must provide his/her name, company name, address, signature, date the swordfish was imported, license number (if applicable) and re-exported final point of import. This includes imports into intermediate Countries/Entities/Fishing Entities. For fresh and chilled products, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

RETURN A COPY OF THE COMPLETED CERTIFICATE TO: (the name of the office of the competent authority of the re-exporting Country/Entity/Fishing Entity).

REPORT OF THE ICCAT SWORDFISH STATISTICAL DOCUMENT

Period to , IMPORT COUNTRY/ENTITY/FISHING ENTITY
 Month Month Year

| <i>Flag Country/Entity/ Fishing Entity</i> | <i>Area Code</i> | <i>Gear Code</i> | <i>Point of Export</i> | <i>Product Type</i> | | <i>Product Wt.(Kg)</i> |
|--|----------------------|----------------------|----------------------------|---------------------|--------------------------|----------------------------|
| | | | | <i>F/FR</i> | <i>RD/GG/DR/ST/FL/OT</i> | |
| | | | | | | |

SWOSD Biannual Report Form: 2001

Gear Code

BB
GILL
HAND
HARP
LL
MWT
PS
RR
SPHL
SPOR
SURF
TL
TRAP
TROL
UNCL
OTH

Gear Type

Baitboat
Gillnet
Handline
Harpoon
Longline
Mid-water trawl
Purse seine
Rod & reel
Sport handline
Sport fisheries unclassified
Surface fisheries unclassified
Tended line
Trap
Troll
Unclassified methods
Other type (Indicate the type of gear):

Product type

F Fresh
FR Frozen
RD Round
GG Gilled & gutted
DR Dressed
FL Fillet
ST Steak
OT Other form, describe the type of products in the shipment

Area Code

NAT North Atlantic
SAT South Atlantic
MED Mediterranean
PAC Pacific Ocean
ID Indian Ocean

REPORT OF THE ICCAT SWORDFISH RE-EXPORT CERTIFICATE

Period _____ to _____, _____ IMPORT COUNTRY/ENTITY/FISHING ENTITY _____
 Month Month Year

| <i>Flag Country / Entity/Fishing Entity</i> | <i>Re-export Country/Entity/Fi shing Entity</i> | <i>Point of Re-export</i> | <i>Product Type</i> | | <i>Product Wt.(Kg)</i> |
|---|---|-------------------------------|---------------------|--------------------------|----------------------------|
| | | | <i>F/FR</i> | <i>RD/GG/DR/ST/FL/OT</i> | |
| | | | | | |

SWOSD Biannual Re-Export Certificate Report Form: 2001

Product type

- F Fresh
- FR Frozen
- RD Round
- GG Gilled & gutted
- DR Dressed
- ST Steak
- FL Fillet
- OT Other form, describe the type of products in the shipment

INFORMATION ON VALIDATION OF ICCAT STATISTICAL DOCUMENTS

- 1 Flag _____
- 2 Statistical Document (Bluefin, Bigeye, Swordfish, All): _____
- 3 Government/Authority organization(s) accredited to validate Statistical Documents

| <i>Organization Name</i> | <i>Organization Address</i> | <i>Sample Seal</i> |
|--------------------------|-----------------------------|--------------------|
| | | |
| | | |
| | | |

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

- 4 Other institutions accredited by the government/authority to validate Statistical Documents

| <i>Organization Name</i> | <i>Organization Address</i> | <i>Sample Seal</i> |
|--------------------------|-----------------------------|--------------------|
| | | |
| | | |
| | | |

Validation Information Form: 2001

NOTE: For each organization, attach a list with the names, titles and addresses of the individuals authorized to validate Documents.

Instructions: Contracting Parties, non-Contracting Parties, Entities, Fishing Entities having vessels that harvest species whose international trade must be accompanied by ICCAT Statistical Documents are requested to submit the information on this sheet to the Executive Secretary of ICCAT¹, and to ensure that any changes to the above are also transmitted to the Executive Secretary on a timely fashion.

¹ICCAT: c/Corazón de María, 8 (6th floor), Madrid, Spain 28002.

**RECOMMENDATION BY ICCAT
CONCERNING THE AMENDMENT OF THE FORMS OF
THE ICCAT BLUEFIN/BIGEYE/SWORDFISH STATISTICAL DOCUMENTS¹**

(Entered into force: **June 19, 2004**)

NOTING that the *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessel Over 24 Meters Authorized to Operate in the Convention Area* [02-22] prescribes that both exporting and importing Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (hereinafter referred to as CPCs) shall cooperate to ensure that the forgery of or misinformation in statistical documents is avoided;

RECOGNIZING that additional information such as vessel length and time of harvest is necessary for better implementation of Commission's conservation and management measures and for the smooth implementation of the Recommendation [02-22];

CONSIDERING that the Standing Committee on Research and Statistics (SCRS) and Ad Hoc Data Workshop are strongly concerned about the quality of the catch data including statistics related to bluefin farming;

FURTHER RECOGNIZING the necessity of better data collection on farming tuna through the Statistical Document Program;

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

- 1 The sample forms of the statistical documents and the re-export certificate and instruction sheets in the following Recommendations and Resolution shall be replaced by the attached forms and instructions, respectively.
 - a) *Resolution by ICCAT Concerning the Effective implementation of the ICCAT Bluefin Tuna Statistical Document Program* [94-5]
 - b) *Recommendation by ICCAT Concerning the Implementation of the ICCAT Bluefin Tuna Statistical Document Program on Re-export* [97-4]
 - c) *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [01-21]
 - d) *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [01-22]
- 2 Related to the *Recommendation by ICCAT on Bluefin Tuna Farming* [03-09], the Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities that export farmed bluefin tuna products shall ensure to mark the box "Farmed" in the first line of the ICCAT Bluefin Tuna Statistical Document or the box in item 5 of the ICCAT Bluefin Tuna Re-export Certificate.
- 3 The Commission shall communicate with other relevant regional fishery management bodies which established the statistical document programs and the authorized vessel records and request them to implement the similar reforms.

¹ Note from the Secretariat: The amended forms and instruction sheets have been appended to the relevant Recommendations and Resolutions, the *Resolution by ICCAT Concerning the Effective Implementation of the ICCAT Bluefin Tuna Statistical Document Program* [Ref. 94-05], the *Recommendation by ICCAT Concerning the Implementation of the ICCAT Bluefin Tuna Statistical Document Program on Re-export* [Ref. 97-04], the *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Ref. 01-21] and the *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Ref. 01-22].

**RECOMMENDATION BY ICCAT
ON AN ELECTRONIC STATISTICAL DOCUMENT PILOT PROGRAM**

(Entered into force: **June 13, 2007**)

RECALLING that ICCAT's Working Group to Review Statistical Monitoring Programs concluded that improved implementation of the statistical document programs is warranted,

RECOGNIZING the developments in electronic information exchange and the benefits of rapid communication with regard to the processing and management of ICCAT's statistical document programs, and

NOTING that electronic systems could improve the ICCAT statistical document programs through expediting cargo handling, increasing the ability to detect fraud and deter IUU shipments, facilitating more efficient exchange of information between exporting and importing parties, and encouraging automated links between national catch reporting and customs processing systems,

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

1. Contracting Parties and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs), to the extent they are able, should develop pilot projects to investigate the feasibility of electronic systems to improve the statistical document programs, consistent with their national laws. Pilot projects shall contain all of the information elements of the current paper systems and have the ability to produce paper copies upon request of national authorities from the exporting and importing parties.
2. CPCs implementing a pilot electronic system shall coordinate with importing and exporting partners prior to the proposed effective date of the pilot system to ensure that the electronic system meets the current requirements of the ICCAT statistical document programs, taking into consideration the respective national regulations of the importing and exporting parties and the need for electronic means of authenticating transactions and users of the system. The pilot electronic system should be flexible enough to accommodate any agreed changes to ICCAT's programs in the future.
3. CPCs implementing a pilot electronic statistical document program shall continue to accept valid paper documents from exporting parties, and issue paper documents to importing parties, for all such parties unable to participate in the pilot program and for all participating parties upon notification of either party.
4. A description of the pilot electronic system and details of its implementation shall be provided to the Secretariat for distribution to all parties. Parties taking part in the pilot program shall report observations on the advantages and problems, if any, to the Commission.

**RECOMMENDATION BY ICCAT AMENDING TEN
RECOMMENDATIONS AND THREE RESOLUTIONS**

(Entered into force: **June 17, 2009**)

RECOGNISING that the *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10] replaced the ICCAT Bluefin Tuna Statistical Document Program;

NOTING that many previously adopted Recommendations and Resolutions make reference to the Bluefin Tuna Statistical Document and to Statistical Document Programs in general;

CONSIDERING that the coverage of bluefin tuna is intended in references to Statistical Document Programs in general;

FURTHER NOTING that the measures adopted for the previous bluefin tuna statistical document program pertained to the bigeye tuna and swordfish statistical document programs;

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

1. References to the 'bluefin tuna statistical document program' and 'bluefin tuna statistical documents' be replaced by 'bluefin tuna catch document program' and 'bluefin tuna catch documents' in the following provisions:
 - i) *Recommendation by ICCAT Concerning Unreported Catches of Bluefin Tuna, Including Catches Classified as Not Elsewhere Included* [Rec. 97-03], paragraph 3;
 - ii) *Recommendation by ICCAT to Establish a Multi-annual Recovery Plan for Bluefin Tuna in the Eastern Atlantic and Mediterranean* [Rec. 06-05], in ANNEX 1, paragraph 11 b);
 - iii) *Recommendation by ICCAT on Bluefin Tuna Farming* [Rec. 06-07]: paragraphs 2b and 2f, paragraph 4, paragraph 8, paragraph 9f and the Caging Declaration contained in the Annex to the Recommendation;
 - iv) *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13], paragraph 2b.

2. The phrases 'Statistical Document Programs' and 'Statistical Documents' be replaced respectively by the phrases 'Statistical or Catch Document Programs' and 'Statistical Documents or Catch Documents' in the following Recommendations and Resolutions:
 - i) *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management measures* [Res. 94-09], paragraph 5 and paragraph 7;
 - ii) *Resolution by ICCAT Concerning a Management Standard for Large-Scale Tuna Longline Fishery* [Res. 01-20], Attachment 1, paragraph 2)iii and Attachment 2, Section B;
 - iii) *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels over 24 meters Authorized to Operate in the Convention area* [Rec. 02-22], paragraph 7b;
 - iv) *Resolution by ICCAT Concerning the Measures to Prevent the Laundering of Catches by Illegal, Unreported and Unregulated (IUU) Large-Scale Tuna Longline Fishing Vessels* [Res. 02-25], paragraph 1 and 2;
 - v) *Recommendation by ICCAT to Change the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)* [Rec. 02-28], paragraph 3 and paragraph 4;
 - vi) *Recommendation by ICCAT Establishing a Program for Transshipment* [Rec. 06-11], SECTION 5. GENERAL PROVISIONS, paragraph 17;
 - vii) *Recommendation by ICCAT on Additional Measures for Compliance of the ICCAT Conservation and Management Measures* [Rec. 06-15], paragraph 1, paragraph 2 and paragraph 3.

3. The first sentence of paragraph 2(3) of the *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21] and the *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22] be replaced, *mutatis mutandis*, by paragraphs A-D of the *Resolution by ICCAT Concerning Validation by a Government Official of the Bluefin Tuna Statistical Document* [Res. 93-02].
4. Paragraph 14 of the *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21] and paragraph 13 of the *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22] be replaced *mutatis mutandis* by the *Recommendation by ICCAT on Validation of the Bluefin Tuna Statistical Document by the European Community* [Rec. 98-12].
5. Paragraph 2 of the *Recommendation by ICCAT Amending the Recommendation by ICCAT to Establish a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the ICCAT Convention Area* [Rec. 06-12] be replaced by the following text:

“Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities shall transmit every year to the Executive Secretary at least 120 days before the annual meeting, the list of vessels flying the flag of a non-Contracting Party presumed to be carrying out IUU fishing activities in the Convention area during the current and previous year, accompanied by the supporting evidence concerning the presumption of IUU fishing activity.

This list shall be based on the information collected by Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities, *inter alia*, under:

- 1994 *Resolution by ICCAT on Compliance with the ICCAT Conservation and Management Measures* [Res. 94-09];
- 1997 *Recommendation by ICCAT on Transshipments and Vessel Sightings* [Rec. 97-11];
- 1997 *Recommendation by ICCAT for a Revised ICCAT Port Inspection Scheme* [Rec. 97-10];
- 2002 *Recommendation by ICCAT Concerning the Establishment of an ICCAT Record of Vessels over 24 meters Authorized to Operate in the Convention Area* [Rec. 02-22];
- 2007 *Recommendation by ICCAT on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 07-10]; 2001 *Recommendation by ICCAT Concerning the ICCAT Bigeye Tuna Statistical Document Program* [Rec. 01-21]; and 2001 *Recommendation by ICCAT Establishing a Swordfish Statistical Document Program* [Rec. 01-22];
- 2006 *Recommendation by ICCAT Concerning Trade Measures* [Rec. 06-13].”

**RECOMMENDATION BY ICCAT ON AN ELECTRONIC
BLUEFIN TUNA CATCH DOCUMENT PROGRAMME (eBCD)**

(Entered into force: **June 14, 2011**)

TAKING INTO ACCOUNT the multi-annual recovery plan for eastern Atlantic and Mediterranean bluefin tuna.

RECOGNIZING the developments in electronic information exchange and the benefits of rapid communication with regard to the processing and management of catch information,

NOTING the ability of electronic catch documentation systems to detect fraud and deter IUU shipments and the creation of automated links between Parties including exporting and importing authorities.

RECOGNIZING the necessity to develop and strengthen the implementation of the bluefin tuna catch documentation by the implementation of an electronic document system.

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

An electronic Bluefin Tuna Catch Documentation System (eBCD) shall be developed and maintained at the ICCAT Secretariat covering all bluefin tuna caught, farmed, harvested and traded.

The technical specifications of the eBCD system along the lines of the concepts presented in the enclosed document together with full details of its implementation shall be developed by the Secretariat in collaboration with CPCs through the formation of an eBCD Working Group.

This Working Group shall meet throughout 2011 and discuss in detail which elements shall be developed by the Secretariat, based on their experience and management of other databases such as the ICCAT Record of Vessels, and those that will need to be undertaken by outsourced technical services.

On this basis the development and testing of the system will proceed under the guidance of the Working Group so as to be completed prior to the 2011 annual meeting.

The Recommendation by ICCAT Amending Recommendation 08-12 on an ICCAT Bluefin Tuna Catch Documentation Program [Rec. 09-11] shall then be amended at the 2011 annual meeting so that the eBCD system is fully operational by 1 March 2012.

The Bluefin Tuna Catch Documentation (BCD) Programme – The way forward through the development of an electronic BCD system (eBCD)

1. Background

As part of the measures to sustainably manage eastern Atlantic and Mediterranean bluefin tuna, improve the quality and reliability of statistical data and prevent, deter and eliminate illegal, unregulated and unreported fishing, ICCAT adopted in 2007 a catch documentation programme for bluefin tuna entitled the blue-fin catch document (BCD) which must accompany bluefin tuna products from catch to trade.

Each BCD is composed of different sections (catch, transfer, farming, harvesting, trade) which must each be completed by concerned operators and subsequently validated by their flag and/or farm States. By validating, flag State authorities confirm that the products referred to each section of the BCD have been caught and transferred in accordance with appropriate conservation and management measures.

The programme has, however, suffered from a number of shortcomings which have been discussed during the 2009 ICCAT annual meeting as well as the 2010 intersessional Compliance Committee, which if not improved could weaken the management of E-BFT particularly within the purse seine and farming sectors.

In light of the discussions at the Second Joint Meeting of Tuna Regional Fisheries Management Organisations in San Sebastian, Spain, in 2009 which concluded that minimum standards or best practices for catch document systems should be adopted, and in the context of the draft recommendation for an electronic catch document pilot programme proposed by the Working Group on Integrated Monitoring Measures in Madrid, Spain in February 2010, the framework in ICCAT for technological developments to the BCD programme are well founded.

2. Current situation

The BCD programme is currently 100% paper based with validation authorities, seals, signatures and numbers provided by flag CPC authorities and registered with ICCAT.

A number of sections must be completed by operators while others by the competent validating authorities. The provisions of ICCAT Recommendation [09-11] require a copy of a BCD to be sent to the ICCAT Secretariat by the CPC authorities within five days of validation.

The EU considers the main problems associated with the programme to date include, but are not limited to:

(1) Delays in validation

Issues have been observed in the validation procedures associated with the relevant sections of the BCD. This concerns both delays in validation as well as the order in which the validations have taken place.

(2) Traceability

This specifically relates to where there have been variations in the numbers of individual eastern Atlantic and Mediterranean bluefin tuna throughout the supply chain, particularly the case in live trade and split shipments (lots).

(3) Security / confidentiality of information

The lack of real-time centralisation of information cannot safeguard its integrity and confidentiality.

(4) Errors and unreadable entries

There are also cases, often due to faxed or scanned copies, where the entries have become unreadable and impossible to verify. Alternatively, there are cases where data has been entered incorrectly and/or in the wrong field.

3. The way forward

In light of recent developments in electronic information exchange, processing and management it is clear that electronic systems can improve the BCD Programme through the treatment of shipments (lots), the ability to detect fraud and deter IUU shipments and the facilitation of automated links between the various actors involved including exporting and importing authorities.

Alongside the deficiencies in the Programme, there is therefore the need through technological advances to strengthen and further develop the BCD Programme.

An electronic BCD system should be developed and maintained at the ICCAT Secretariat to ensure the legitimacy of actions and data related to the programme which will also facilitate enhanced monitoring and control at the critical control points.

4. Technical overview of the eBCD system

An electronic BCD system (eBCD) should involve a central database at the ICCAT Secretariat that can only be accessed by secure web-based technology by each respective 'actor'¹ involved in the catching, farming, harvesting and trading of bluefin tuna.

The online BCD form used by each actor will have the same appearance and be completed in the same way as the paper version.

The rights and obligations of each actor will be strictly related to their role in the BCD Programme by way of secured access or administrative rights, i.e. such that a validating authority can only validate, while a fisherman can only enter catch data.

The access to the system will be based on standard technology and users need only have an internet connection (with the required security installed). Alternatively, the system should be able to receive data automatically provided by catch information systems in the CPCs, for example systems managing electronic logbook data.

The system will be progressive in accordance with the known traceability of bluefin tuna, so for example the farming section cannot be filled in before the catch section is completed and subsequently validated. See **Figure 1**, which represents the basic flow of information and involvement of the different 'actors' within the BCD Programme.

The system can be customised for error and/or non-compliance prevention, so for example catch can only be recorded weighing between 8 and 500 kgs can be entered or catch can not be validated in a closed season / area.

The system should be linked with other ICCAT information sources such as the Record of Vessels, so that only those vessels authorised and active can report a catch. Likewise, other sources like the VMS Registry or the list of Joint Fishing Operation repartition keys could be linked to the eBCD system.

As there is a requirement for the BCD to follow the fish, it can be envisaged for a user to print out and display the BCD number and/or barcode on a shipment/lot. This BCD number barcode identifier could then be cross-checked by an inspector, who need only log onto to the secure ICCAT website. The compliance aspects / features should be further discussed between CPCs (e.g. prior authorisations could be dealt with by the system).

An important element of the system will be dedicated to managing the user accounts with the login name, password, contact details and/or security certificate. Every actor should receive one or more user accounts associated to their rights in the eBCD system. Every CPC shall manage the user accounts dedicated to them.

For the actors themselves, they will obtain the necessary information and/or security certificate from the system in order to start using the eBCD system simply with a default internet connection and web browser.

Account details and security certificates will also need to be implemented for automatic data exchange, for which the uniform data exchange format needs to be developed.

¹ 'Actors' refer to operators (fisherman, farms) and/or their representatives and validating authorities.

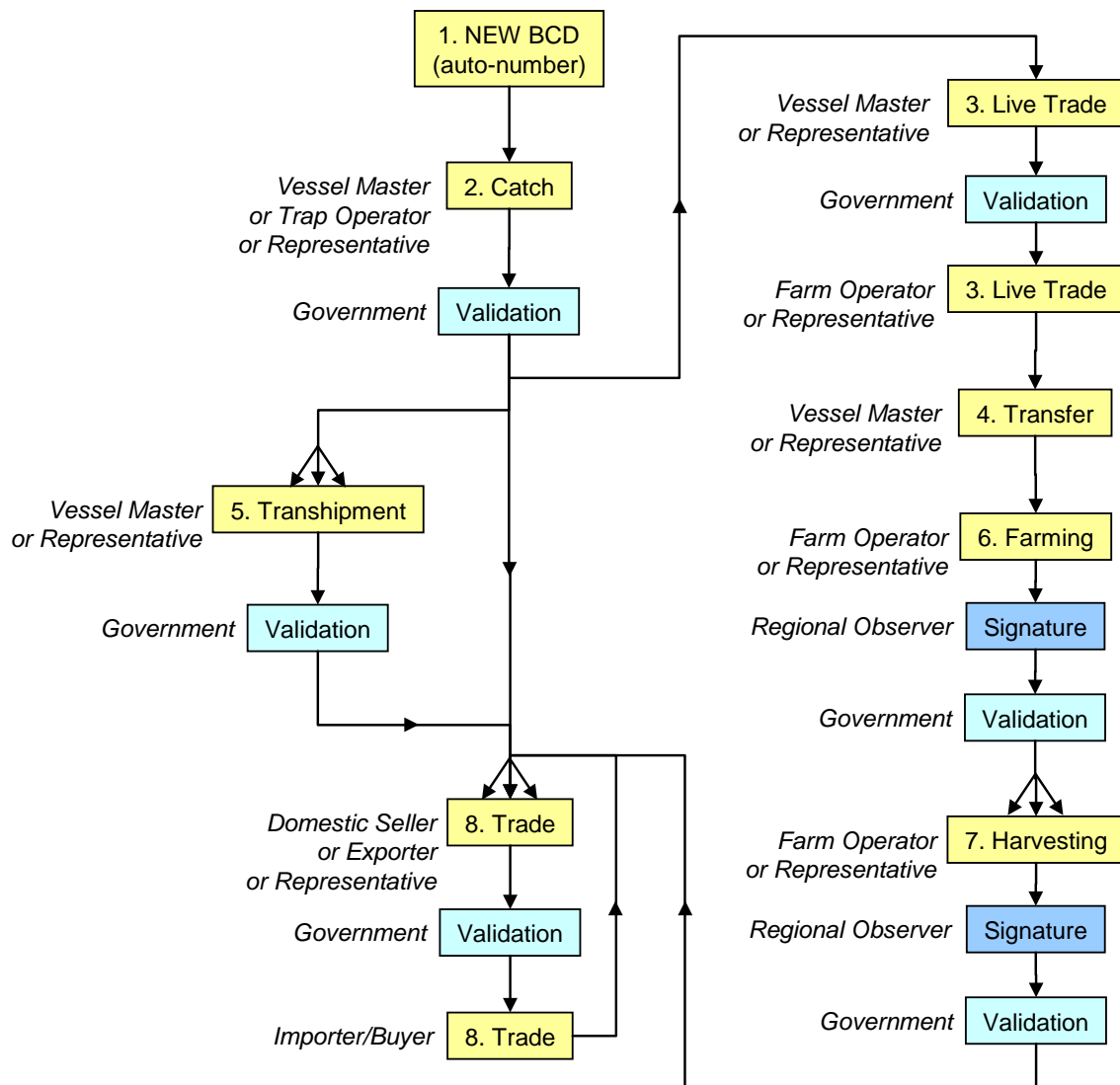


Figure 1. Basic flowchart of BCD sections with related actors.

5. Example actions and related actors:

Each 'action' in the system has different applications, each of which has its own actor's specific to it. Below are a number of example actions:

- **Validating:** after the completion of the catching, farming, trading and harvesting sections, a validating authority must validate the content before the eBCD can pass to the next actor.
- **Inserting** a new quantity into the system: can only be done by fishermen or trap owners which by doing so generates a new BCD and unique BCD ID number.
- **Transmitting:** actors like transfer vessels or transport companies cannot amend the entries relating to the quantities of bluefin tuna reported caught, but only complete transmit them to the next actor. Farming is a specific case as the number of individuals will remain equal while the weight increases.
- **Splitting:** Includes fish processing so the catch is split in different products, also splitting of shipments for different trade destinations.
- **Combining:** contrary to splitting, several batches of tuna could be combined into one before continuing the trade.
- **Exiting:** usually when the fish is sold on the market, it exits from the eBCD chain and becomes inactive nonetheless the data remains on the eBCD database.

The system should also have an 'alerting' function, such that each actor is alerted by means of an email which will direct them (URL link) to the eBCD system.

6. Advantages of the eBCD system

The electronic system will manage all aspect of the eBCD programme, also the printed BCD numbers which accompany the fish.

In general the eBCD system will look to improve the following:

- Copying, scanning, emailing etc.
- Delays in sending BCDs for validation
- Errors and poor quality entries
- Encoding of BCD data (within CPCs or by Secretariat)
- Non-compliance
- Administrative burden.

As mentioned, the system could be further expanded for control purposes and allow connections with other systems.

7. Way forward

The EU proposes that a system be discussed and agreed with a view to developing system specification and/or minimum standards, which could assist the Secretariat in the development of the system. External technical services may also be needed for some aspects of system development.

Following the agreement of the Commission, the *Recommendation by ICCAT Amending the Recommendation 08-12 on an ICCAT Bluefin Tuna Catch Documentation Program* [Rec. 09-11] will then be revisited at the 2011 annual meeting with a view to incorporating the eBCD system.

Given the time required for the development and testing it is realistic to envisage the system being operational in 2012.

It would be more appropriate to have a instantaneous switch-over as opposed to a phased approach, consequently 1 March 2012 would be a suitable date for the system to go online as this date in the context of the eastern Atlantic and Mediterranean bluefin tuna Recovery Plan this represents the beginning of the campaign (submission date for authorised vessel lists, annual fishing plans).

The ICCAT Secretariat shall therefore establish an ICCAT eBCD system so as to be fully operational by 1 March 2012.

**RECOMMENDATION BY ICCAT AMENDING RECOMMENDATION 09-11 ON
AN ICCAT BLUEFIN TUNA CATCH DOCUMENTATION PROGRAM**

(Entered into force: **June 7, 2012**)

RECOGNIZING the situation of Atlantic bluefin tuna stocks and the impact that market factors have on the fishery;

TAKING INTO ACCOUNT the rebuilding plan for western Atlantic bluefin tuna and the recovery plan for eastern Atlantic and Mediterranean bluefin tuna that ICCAT has adopted, including the need for complementary market related measures;

RECOGNIZING the necessity to clarify and improve the implementation of the bluefin tuna catch documentation scheme, providing detailed instructions for the issuance, numbering, completion and the validation of the bluefin tuna catch document;

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

**PART I
GENERAL PROVISIONS**

1. Each Contracting Party, Cooperating non-Contracting Party, Entity and Fishing Entity (hereafter referred to as CPCs) shall take the necessary steps to implement an ICCAT Bluefin Tuna Catch Documentation Scheme for the purpose of identifying the origin of any bluefin tuna in order to support the implementation of conservation and management measures.
2. For the purpose of this Program:
 - a) "Domestic trade" means:
 - trade of bluefin tuna harvested in the ICCAT Convention area by a vessel or trap, which is landed in the territory of the CPC where the vessel is flagged or where the trap is established, and
 - trade of farmed bluefin tuna products originating from bluefin tuna harvested in the ICCAT Convention area by a vessel which is flagged to the same CPC where the farm is established, which is supplied to any entity in this CPC, and
 - trade between the Member States of the European Union of bluefin tuna harvested in the ICCAT Convention area by vessels flagged to one Member State or by a trap established in one Member State.
 - b) "Export" means:

Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of the CPC where the fishing vessel is flagged or where the trap or farm is established to the territory of another CPC or non-Contracting Party, or from the fishing grounds to the territory of a CPC which is not the flag CPC of the fishing vessel or to the territory of a non- Contracting Party.
 - c) "Import" means:

Any introduction of bluefin tuna in its harvested or processed form (including farmed) into the territory of a CPC, which is not the CPC where the fishing vessel is flagged or where the trap or the farm is established.
 - d) "Re-export" means: Any movement of bluefin tuna in its harvested or processed form (including farmed) from the territory of a CPC where it has been previously imported.

- e) “flag CPC” means the CPC where the fishing vessel is flagged; “trap CPC” means the CPC where the trap is established; and “farm CPC” means the CPC where the farm is established.
3. A Bluefin Tuna Catch Document (BCD) shall be completed for each bluefin tuna in accordance with **Annex 3**.

Each consignment of bluefin tuna domestically traded, imported into or exported or re-exported from its territories shall be accompanied by a validated BCD, except in cases where paragraph 13(c) applies and, as applicable, an ICCAT transfer declaration or a validated Bluefin Tuna Reexport Certificate (BFTRC). Any such landing, transfer, delivery, harvest, domestic trade, import, export or re-export of bluefin tuna without a completed and validated BCD or a BFTRC shall be prohibited.

4. In order to support an effective BCD, CPCs shall not place bluefin tuna into a farm not authorized by the CPC or listed in the ICCAT record.
5. Farm CPCs shall ensure that bluefin tuna catches are placed in separate cages or series of cages and partitioned on the basis of flag CPC origin. By derogation, if the bluefin tuna are caught in the context of a joint fishing operation (JFO) between different CPCs, farm CPCs shall ensure that bluefin tuna are placed in separate cages or series of cages and partitioned on the basis of joint fishing operations.
6. At the time of caging, relevant BCDs may be grouped as a “Grouped BCD” with a new BCD number in the following cases, provided that caging of all the fish is conducted on the same day and all the fish is caged in the same farming cage:
- a) Multiple catches made by the same vessel
 - b) Catches made by JFO

The Grouped BCD shall replace all the related original BCDs and be accompanied by the list of all the associated BCD numbers. The copies of such associated BCDs shall be made available upon request of CPCs.

7. Farm CPCs shall ensure that bluefin tuna are harvested from farms in the same year in which they were caught, or before the beginning of the purse seiners fishing period, if harvested in the following year. In the case where harvesting operations are not completed before this date, farm CPCs shall complete and transmit an annual carry-over declaration to the ICCAT Secretariat within 15 days after this date. Such declaration shall include:
- Quantities (expressed in kg) and number of fish intended to be carried over,
 - Year of catch,
 - Average weight,
 - Flag CPC,
 - References of the BCD corresponding to the catches carried over,
 - Name and ICCAT number of the fattening facility,
 - Cage number, and
 - Information on harvested quantities (expressed in kg), when completed.
8. Quantities carried over in accordance with paragraph 7 shall be placed in separate cages or series of cages in the farm on the basis of the catch year.
9. Each CPC shall provide BCD forms only to catching vessels and traps authorized to fish bluefin tuna in the Convention area, including as by-catch. Such forms are not transferable. Each BCD form shall have a unique document identification number. Document numbers shall be specific to the flag or trap CPC and assigned to the catching vessel or trap.
10. Domestic trade, export, import and re-export of fish parts other than the meat (i.e., heads, eyes, roes, guts and tails) shall be exempted from the requirements of this Recommendation.

PART II

VALIDATION OF BCDs

11. The catching vessel master or trap operator, or its authorized representative, or the operator of farms, or the authorized representative of the flag, farm, or trap CPC, shall complete the BCD by providing the required information in appropriate sections and request validation in accordance with paragraph 13 for a BCD for catch landed, transferred to cages, harvested, transhipped, domestically traded or exported on each occasion that it lands, transfers, harvests, transships, domestically trades or exports bluefin tuna.
12. A validated BCD shall include, as appropriate, the information identified in **Annex 1** attached. A BCD format is attached as **Annex 2**. In cases where a section of the BCD format does not provide enough room to completely track movement of BFT from catch to market, the needed information section of the BCD maybe expanded as necessary and attached as an annex using the original BCD format and number. The authorized representative of the CPC shall validate the annex as soon as possible but not later than the next movement of BFT.
13.
 - a) The BCD must be validated by an authorized government official, or other authorized individual or institution, of the flag CPC of the catching vessel, the CPC of the seller/exporter, or the trap or farm CPC that caught, harvested, domestically traded or exported the bluefin tuna.
 - b) The CPCs shall validate the BCD for all bluefin tuna products only when all the information contained in the BCD has been established to be accurate as a result of the verification of the consignment, and only when the accumulated validated amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to catching vessels or traps, and when those products comply with other relevant ICCAT provisions of the conservation and management measures.
 - c) Validation under 13(a) shall not be required in the event that all bluefin tuna available for sale are tagged by the flag CPC of the catching vessel or the trap CPC that fished the bluefin tuna.
 - d) Where the bluefin tuna quantities caught and landed are less than 1 metric ton or three fish, the logbook or the sales note may be used as a temporary BCD, pending the validation of the BCD within seven days and prior to export.

PART III

VALIDATION OF BFTRCs

14. Each CPC shall ensure that each bluefin tuna consignment which is re-exported from its territory be accompanied by a validated Bluefin Tuna Re-export Certificate (BFTRC). In cases where bluefin tuna is imported live, the BFTRC shall not apply.
15. The operator who is responsible for the re-export shall complete the BFTRC by providing the required information in its appropriate sections and request its validation for the bluefin tuna consignment to be re-exported. The completed BFTRC shall be accompanied by a copy of the validated BCD(s) relating to the bluefin tuna products previously imported.
16. The BFTRC shall be validated by an authorized government official or authority.
17. The CPC shall validate the BFTRC for all bluefin tuna product only when:
 - a) all the information contained in the BFTRC has been established to be accurate,
 - b) the validated BCD(s) submitted in support to the BFTRC had been accepted for the importation of the products declared on the BFTRC and
 - c) the products to be re-exported are wholly or partly the same product on the validated BCD(s).
 - d) a copy of the BCD(s) shall be attached to the validated BFTRC.
18. The validated BFTRC shall include the information identified in **Annex 4** and **Annex 5** attached.

**PART IV
VERIFICATION AND COMMUNICATION**

19. Each CPC shall communicate a copy of all validated BCDs or BFTRCs, except in cases where paragraph 13(c) applies, within five working days following the date of validation, or without delay where the expected duration of the transportation should not take more than five working days, to the following:
 - a) the competent authorities of the country where the bluefin tuna will be domestically traded, or transferred into a cage or imported, and
 - b) the ICCAT Secretariat.
20. The ICCAT Secretariat shall extract from the validated BCDs or BFTRCs communicated under paragraph 19 above the information marked with an asterisk (*) in **Annex 1** or **Annex 4** and enter this information in a database on a password protected section of its website, as soon as practicable.

At its request, the SCRS shall have access to the catch information contained in the database, except the vessel or trap names.

**PART V
TAGGING**

21. CPCs may require their catching vessels or traps to affix a tag to each bluefin tuna preferably at the time of kill, but no later than the time of landing. Tags shall have unique country specific numbers and be tamper proof. The tag numbers shall be linked to the BCD and a summary of the implementation of the tagging program shall be submitted to the ICCAT Secretariat by the CPC. The use of such tags shall only be authorized when the accumulated catch amounts are within their quotas or catch limits of each management year, including, where appropriate, individual quotas allocated to vessels or traps.

**PART VI
VERIFICATION**

22. Each CPC shall ensure that its competent authorities, or other authorized individual or institution, take steps to identify each consignment of bluefin tuna landed in, domestically traded in, imported into or exported or re-exported from its territory and request and examine the validated BCD(s) and related documentation of each consignment of bluefin tuna. These competent authorities, or authorized individuals or institutions, may also examine the content of the consignment to verify the information contained in the BCD and in related documents and, where necessary, shall carry out verifications with the operators concerned.
23. If, as a result of examinations or verifications carried out pursuant to paragraph 22 above, a doubt arises regarding the information contained in a BCD, the final importing State/CPC and the CPC whose competent authorities validated the BCD(s) or BFTRCs shall cooperate to resolve such doubts.
24. If a CPC involved in trade of bluefin tuna identifies a consignment with no BCD, it shall notify the findings to the exporting CPC and, where known, the flag CPC.
25. Pending the examinations or verifications under paragraph 22 to confirm compliance of the bluefin tuna consignment with the requirements in the present Recommendation and any other relevant Recommendations, the CPCs shall not grant its release for domestic trade, import or export, nor, in the case of live bluefin tuna destined to farms, accept the transfer declaration.
26. Where a CPC, as a result of examination or verifications under paragraph 22 above and in cooperation with the validating authorities concerned, determines that a BCD or BFTRC is invalid, the domestic trade, import, export or re-export of the bluefin tuna concerned shall be prohibited.
27. The Commission shall request the non-Contracting Parties that are involved in domestic trade, import, export or re-export of bluefin tuna to cooperate with the implementation of the Program and to provide to the Commission data obtained from such implementation.

PART VII
NOTIFICATION AND COMMUNICATION

28. Each CPC that validates BCDs in respect of its flag catching vessels, traps or farms in accordance with paragraph 13(a), shall notify the ICCAT Secretariat of the government authorities, or other authorized individuals or institutions (name and full address of the organization(s) and, where appropriate, name and title of the validating officials who are individually empowered, sample form of document, sample impression of stamp or seal, and as appropriate tag samples) responsible for validating and verifying BCDs or BFTRCs. This notification shall indicate the date at which this entitlement comes into force. A copy of the provisions adopted in national law for the purpose of implementing the bluefin tuna catch documentation program shall be communicated with the initial notification, including procedures to authorize nongovernmental individuals or institutions. Updated details on validating authorities and national provisions shall be communicated to the ICCAT Secretariat in a timely fashion.
29. The information on validating authorities transmitted by notifications to the ICCAT Secretariat shall be placed on the password protected page of the database on validation held by the ICCAT Secretariat. The list of the CPCs having notified their validating authorities and the notified dates of entry into force of the validation shall be placed on a publicly accessible website held by the ICCAT Secretariat. CPCs are encouraged to access this information to help verify the validation of BCDs and BFTRCs.
30. Each CPC shall notify to the ICCAT Secretariat the points of contact (name and full address of the organization(s)) that should be notified when there are questions related to BCDs or BFTRCs.
31. Copies of validated BCDs and notification pursuant to paragraphs 28, 29 and 30 shall be sent by CPCs to the ICCAT Secretariat, by electronic means, whenever possible.
32. Copies of BCDs shall follow each part of split shipments or processed product, using the unique document number of the BCD to link them
33. CPCs shall keep copies of documents issued or received for at least two years.
34. CPCs shall provide to the ICCAT Secretariat a report each year by October 1 for the period from July 1 of the preceding year to June 30 of the current year to provide the information described in **Annex 6**.

The ICCAT Secretariat shall post these reports on the password protected section of the ICCAT website, as soon as practicable.

At its request, the SCRS shall have access to the reports received by the ICCAT Secretariat.
35. The *Recommendation by ICCAT Amending Recommendation 08-12 on an ICCAT Bluefin Tuna Catch Document Program* [Rec. 09-11] is repealed and replaced by this Recommendation.

Data to be Included in Bluefin Tuna Catch Document (BCD)

1. ICCAT Bluefin tuna catch document number*

2. Catch Information

Name of the Catching Vessel or Trap name*
Name of the Other Vessels (in case of JFO)
Flag*
ICCAT Record No.
Individual Quota
Quota used for this BCD
Date, area of catch and gear used*
Number of fish, total weight, and average weight*¹
ICCAT Record number of Joint Fishing Operation (if applicable)*
Tag No. (if applicable)
Government validation
Name of authority and signatory, title, signature, seal and date

3. Trade Information for live fish trade

Product description
Exporter/Seller information
Transportation description
Government validation
Name of authority and signatory, title, signature, seal and date
Importer/buyer

4. Transfer information

Towing vessel description
ICCAT Transfer Declaration No.
Vessel name, flag
ICCAT Record No.
Number of fish dead during transfer
Total weight of dead fish (kg)
Towing cage description
Cage number

5. Transshipment information

Carrier vessel description
Name, Flag, ICCAT Record No., Date, Port name, Port state, position
Product description
(F/FR; RD/GG/DR/FL/OT)
Total weight (NET)
Government validation
Name of authority and signatory, title, signature, seal and date

* Information to be entered by the Secretariat in the BCD database (see paragraph 20).

¹ Weight shall be reported by round weight where available. If round weight is not used, specify the type of product (e.g. GG) in the "Total Weight" and "Average Weight" section of the form.

6. Farming information

Farming facility description

Name, CPC*, ICCAT FFB No.* and location of farm

Participation in national sampling program (yes or no)

Cage description

Date of caging, cage number

Fish description

Estimates of number of fish, total weight, and average weight*¹

ICCAT Regional observer information

Name, ICCAT No., signature

Estimated size composition (<8 kg, 8-30 kg, >30 kg)

Government validation

Name of authority and signatory, title, signature, seal and date

7. Harvesting information

Harvesting description

Date of harvest*

Number of fish, total (round) weight, and average weight*

Tag numbers (if applicable)

ICCAT regional observer information

Name, ICCAT No., signature

Government validation

Name of authority and signatory, title, signature, seal and date

8. Trade information

Product description

(F/FR; RD/GG/DR/FL/OT)²

Total weight (NET)*

Exporter/Seller information

Point of export or departure*

Export company name, address, signature and date

State of destination*

Description of transportation (relevant documentation to be attached)

Government validation

Name of authority and signatory, title, signature, seal and date

Importer/buyer information

Point of import or destination*

Import company name, address, signature and date³

² When different types of products are recorded in this section, the weight shall be recorded by each product type.

³ DATE to be filled by IMPORTER/BUYER in this section is the date of signature.

| | | | | | | |
|---|---|---|-----------------|------------------|------------|------------------------|
| 1. ICCAT BLUEFIN TUNA CATCH DOCUMENT (BCD) | | No : | | | 1/2 | |
| 2. CATCH INFORMATION | | | | | | |
| VESSEL / TRAP INFORMATION | | | | | | |
| | NAME OF THE CATCHING VESSEL / TRAP | FLAG / CPC | ICCAT RECORD NO | INDIVIDUAL QUOTA | CATCH | |
| | NAME OF THE OTHER FISHING VESSELS | FLAG | ICCAT RECORD NO | INDIVIDUAL QUOTA | CATCH | |
| | | | | | | |
| | | | | | | |
| CATCH DESCRIPTION | | | | | | |
| | DATE (dd/mm/yy) | AREA | GEAR | | | |
| | No. of FISH | TOTAL WEIGHT(kg) | AVG. WEIGHT(kg) | | | |
| | ICCAT RECORD No. of Joint Fishing Operation | | | | | |
| | TAG Numbers (If applicable) | | | | | |
| GOVERNMENT VALIDATION | | | | | | |
| | NAME OF AUTHORITY | | | | SEAL | |
| | TITLE | | | | | |
| | SIGNATURE | | | | | |
| | DATE (dd/mm/yy) | | | | | |
| 3. TRADE INFORMATION | | | | | | |
| PRODUCT DESCRIPTION | | | | | | |
| | LIVE WEIGHT (kg) | No. of FISH | ZONE | | | |
| EXPORTER/ SELLER | | | | | | |
| | POINT OF EXPORTATION/DEPARTURE | COMPANY | ADDRESS | | | |
| | FARM OF DESTINATION | CPC | ICCAT FFB No. | | | |
| | SIGNATURE | | | | | |
| | DATE (dd/mm/yy) | | | | | |
| TRANSPORTATION DESCRIPTION (Relevant documentation to be attached) | | | | | | |
| GOVERNMENT VALIDATION | | | | | | |
| | NAME OF AUTHORITY | | | | SEAL | |
| | TITLE | | | | | |
| | SIGNATURE | | | | | |
| | DATE (dd/mm/yy) | | | | | |
| IMPORTER/ BUYER | | | | | | |
| | COMPANY | PT. of IMPORT/DESTINATION (City, Country, State) | | | | |
| | ADDRESS | | | | | |
| | DATE OF SIGNATURE (dd/mm/yy) | SIGNATURE | | | | |
| | ANNEX(ES): YES/NO (circle one) | | | | | |
| 4. TRANSFER INFORMATION | | | | | | |
| TOWING VESSEL DESCRIPTION | | | | | | |
| | ICCAT TRANSFER DECLARATION No. | FLAG | | ICCAT REC. No. | | |
| | NAME | TOTAL WEIGHT OF DEAD FISH (kg) | | | | |
| | No. Of FISH DEAD DURING TRANSFER | | | | | |
| | TOWING CAGE DESCRIPTION | CAGE No. | | | | |
| | ANNEX(ES): YES/NO (circle one) | | | | | |
| 5. TRANSHIPMENT INFORMATION | | | | | | |
| CARRIER VESSEL DESCRIPTION | | | | | | |
| | NAME | FLAG | ICCAT REC. No. | | | |
| | DATE (dd/mm/yy) | PORT NAME | PORT STATE | | | |
| | POSITION (Lat./Long.) | | | | | |
| PRODUCT DESCRIPTION (Indicate net weight in kg. for each type of product) | | | | | | |
| F | RD(kg): | GG(kg): | DR(kg): | FL(kg): | OT(kg): | TOTAL WEIGHT "F" (kg) |
| FR | RD(kg): | GG(kg): | DR(kg): | FL(kg): | OT(kg): | TOTAL WEIGHT "FR" (kg) |
| GOVERNMENT VALIDATION | | | | | | |
| | NAME OF AUTHORITY | | | | SEAL | |
| | TITLE | | | | | |
| | SIGNATURE | | | | | |
| | DATE (dd/mm/yy) | | | | | |
| | ANNEX(ES): YES/NO (circle one) | | | | | |

| ICCAT BLUEFIN TUNA CATCH DOCUMENT (BCD) | | | | No : | | 2/2 | |
|--|---|--------------------------|---|---------------------------|---------------|------------------------|--|
| 6. FARMING INFORMATION | | | | | | | |
| FARMING FACILITY DESCRIPTION | NAME | | CPC | | ICCAT FFB NO. | | |
| | NATIONAL SAMPLING PROGRAM? YES or NO(circle one) | | | LOCATION | | | |
| CAGE DESCRIPTION | DATE (dd/mm/yy) | | CAGE No. | | | | |
| FISH DESCRIPTION | NO. of FISH : | | TOTAL WT (kg) : | | AVG WT (kg) : | | |
| ICCAT REGIONAL OBSERVER INFORMATION | NAME | | TITLE | | SIGNATURE | | |
| | SIZE COMPOSITION | | <8 kg | 8-30 kg | >30 kg | | |
| GOVERNMENT VALIDATION | | | | | | | |
| NAME OF AUTHORITY | | | | SEAL | | | |
| TITLE | | | | | | | |
| SIGNATURE | | | | | | | |
| DATE (dd/mm/yy) | | | | | | | |
| ANNEX(ES): YES/NO (circle one) | | | | | | | |
| 7. HARVESTING INFORMATION | | | | | | | |
| HARVESTING DESCRIPTION | | | | | | | |
| DATE (dd/mm/yy) | | NO. of FISH | | TOTAL ROUND WT (kg) | | | |
| AVG. WEIGHT (kg) | | TAG NOS. (If applicable) | | | | | |
| ICCAT REGIONAL OBSERVER INFORMATION | NAME | | TITLE | | SIGNATURE | | |
| GOVERNMENT VALIDATION | | | | | | | |
| NAME OF AUTHORITY | | | | SEAL | | | |
| TITLE | | | | | | | |
| SIGNATURE | | | | | | | |
| DATE (dd/mm/yy) | | | | | | | |
| | | | | | | | |
| 8. TRADE INFORMATION | | | | | | | |
| PRODUCT DESCRIPTION (Indicate net weight in kg. for each type of product) | | | | | | | |
| F | RD(kg): | GG(kg): | DR(kg): | FL(kg): | OT(kg): | TOTAL WEIGHT "F" (kg) | |
| FR | RD(kg): | GG(kg): | DR(kg): | FL(kg): | OT(kg): | TOTAL WEIGHT "FR" (kg) | |
| EXPORTER/ SELLER | | | | | | | |
| PT of EXPORT/DEPARTURE | | COMPANY | | | ADDRESS | | |
| STATE of DESTINATION | | | | | | | |
| SIGNATURE | | | | | | | |
| DATE (dd/mm/yy) | | | | | | | |
| TRANSPORTATION DESCRIPTION | | | (Relevant documentation to be attached) | | | | |
| GOVERNMENT VALIDATION | | | | | | | |
| NAME OF AUTHORITY | | | | SEAL | | | |
| TITLE | | | | | | | |
| SIGNATURE | | | | | | | |
| DATE (dd/mm/yy) | | | | | | | |
| | | | | | | | |
| IMPORTER/ BUYER | | | | | | | |
| COMPANY | | | | PT. of IMPORT/DESTINATION | | | |
| | | | | (City, Country, State) | | | |
| ADDRESS | | | | | | | |
| DATE (dd/mm/yy) | | | | SIGNATURE | | | |
| ANNEX(ES): YES/NO (circle one) | | | | | | | |

Instructions for the Issuance, Numbering, Completion and Validation of the Bluefin Tuna Catch Document (BCD)

1. GENERAL PRINCIPLES

(1) Language

An official ICCAT language (English, French and Spanish) shall be used in completing the BCD.

(2) Numbering

CPCs shall develop unique numbering system for BCDs using their ICCAT country code or ISO code in combination with an 8-digit number, of which two digits shall indicate the year of catch.

Example: CA-09-123456 (*CA stands for Canada*)

In case of split shipments, or processed products, copies of the original BCD shall be numbered by supplementing the number of the original BCD with a 2-digit number.

Example: CA-09-123456-01, CA-09-123456-02, CA-09-123456-03.

The numbering shall be sequential and preferably printed. The serial numbers of blank BCDs issued shall be recorded by the name of the recipient.

In case of producing a "Grouped BCD", the farm operator or his authorized representative shall request a new BCD number from the farm CPC. The number for Grouped BCDs shall contain "G" as in "CA-09-123456-G".

2. CATCH INFORMATION

(1) Completion

(a) *General principles:*

This section is applicable to all catches of bluefin tunas.

The master of the catching vessel or the trap operator or their authorised representative or the authorised representative of the flag or trap CPC shall be responsible for the completion and the request for validation of the CATCH INFORMATION section.

CATCH INFORMATION section shall be completed no later than the end of transfer, transshipment or landing operation.

Remark: in case of JFO between different flags, one BCD for each flag shall be produced. In this case, each BCD shall indicate the same information in VESSEL/TRAP INFORMATION concerning the vessel which actually made the catch and all the other fishing vessels involved in that JFO, whereas CATCH DESCRIPTION shall indicate the catch information attributed to each flag based on the allocation key of the JFO.

In case of catches originating from one JFO comprising vessels of the same flag, the master of the catching vessel which actually made such catches, or its authorized representative or the authorized representative of the flag, shall complete the BCD form on behalf of all the vessels participating in such JFO.

(b) *Specific instructions:*

“NAME OF THE CATCHING VESSEL/TRAP”: list the name of the catching vessel which actually made the catches.

“NAME OF THE OTHER FISHING VESSELS”: only applicable to JFOs and list the other participating fishing vessels.

"FLAG": indicate the flag or trap CPC.

"ICCAT RECORD NO": indicate the ICCAT number of the catching vessel or trap authorised to fish bluefin tuna in the ICCAT Convention area. This information is not applicable to catching vessels which fish bluefin tuna as by-catch. In case of JFO, list the ICCAT Record Numbers of the vessel which actually made the catch as well as other vessels participating in that JFO.

“INDIVIDUAL QUOTA”: indicate the amount of individual quota given to each vessel.

“QUOTA USED FOR THIS BCD”: indicate the amount of catch attributed to this BCD.

"GEAR": indicate the fishing gear using the following codes:

| | |
|------|--------------------------------|
| BB | Baitboat |
| GILL | Gillnet |
| HAND | Handline |
| HARP | Harpoon |
| LL | Longline |
| MWT | Mid-water trawl |
| PS | Purse seine |
| RR | Rod and reel |
| SPHL | Sport handline |
| SPOR | Sport fisheries unclassified |
| SURF | Surface fisheries unclassified |
| TL | Tended line |
| TRAP | Trap |
| TROL | Troll |
| UNCL | Unspecified methods |
| OT | Other type |

“ NO. OF FISH”: in case of JFO comprising vessels of the same flag, indicate the total number of fish caught in such operation. In case of JFO between different flags, indicate the number of fish attributed to each flag in accordance with the allocation key.

"TOTAL WEIGHT": indicate the total round weight in kilograms. If round weight is not used at the time of catch, indicate the type of product (e.g. GG). In case of JFO between different flags, indicate the round weight attributed to that flag in accordance with the allocation key.

"AREA": indicate Mediterranean, western Atlantic, eastern Atlantic or Pacific.

"TAGS No. (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

(2) Validation

The flag or trap CPC shall be responsible for the validation of the CATCH INFORMATION section unless bluefin tuna are tagged in accordance with Paragraph 21 of the Recommendation.

3. TRADE INFORMATION FOR LIVE FISH TRADE

(1) Completion

(a) General principles:

This section is only applicable to export of live bluefin tunas.

The master of the catching vessel or his authorised representative or the authorised representative of the flag CPC shall be responsible for the completion and the request for validation of the TRADE INFORMATION FOR LIVE FISH TRADE section.

The TRADE INFORMATION FOR LIVE FISH TRADE section shall be completed before the first transfer operation, i.e. the transfer of fish from the catching vessel net to the transport cage.

Remark: in case that a quantity of fish dies during the transfer operation and is domestically traded or exported, the original BCD (CATCH INFORMATION section completed shall be copied for the fish, and TRADE INFORMATION section of the copied BCD shall be completed by the master of the catching vessel or his authorised representative or the authorised representative of the flag CPC and transmitted to the domestic buyer/importer. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the CPC. Without the government validation, any BCD copy is null and void.

In case of JFO comprising vessels of the same CPC, the master of the catching vessel which actually made the catches, or its authorized representative or the authorized representative of the flag, shall be responsible for the completion.

(b) Specific instructions:

"ZONE": indicate the area of transfer, Mediterranean, western Atlantic, eastern Atlantic or Pacific.

"POINT OF EXPORT/DEPARTURE": indicate the CPC name of the fishery zone where the bluefin tuna were transferred or indicate "high seas" otherwise.

"TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) Validation

The flag CPC shall not validate documents where the CATCH INFORMATION section is not completed.

4. TRANSFER INFORMATION

(1) Completion

(a) General principles:

This section is only applicable to live bluefin tunas.

The master of the catching vessel or his authorised representative or the authorised representative of the flag CPC shall be responsible for the completion of the TRANSFER INFORMATION section. In case of JFO comprising vessels of the same CPC, the master of the catching vessel which actually made the catches, or its authorized representative or the authorized representative of the flag, shall be responsible for the completion.

The TRANSFER INFORMATION section shall be completed no later than the end of the first transfer operation, i.e. the transfer of fish from the catching vessel net to the transport cage.

At the end of the transfer operation, the master of the catching vessel (or the master of the catching vessel which actually made the catches in case of JFO comprising vessels of the same CPC) shall provide the BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the master of the tug vessel.

The completed BCD shall accompany the transfer of fish during transport to farm, including transfer of live bluefin tuna from the transport cage to another transport cage or transfer of dead bluefin tuna from the transport cage to an auxiliary vessel.

Remark: in case that some fish die during the transfer operation, the original BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) shall be copied, and TRADE INFORMATION section of the copied BCD shall be completed by the domestic seller/exporter or his authorised representative or the authorised representative of the flag CPC and transmitted to the domestic buyer/importer. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the CPC. Without the authorized government validation, any BCD copy is null and void.

(b) Specific instructions:

"No. OF FISH DEAD DURING TRANSFER" and "TOTAL WEIGHT OF DEAD FISH": information completed (if applicable) by the master of the tug vessel.

"CAGE No.": indicate each number of cages in the case of a tug vessel having more than one cage.

(2) Validation

Validation of this section is not required.

5. TRANSSHIPMENT INFORMATION

(1) Completion

(a) General principles:

This section is only applicable to dead bluefin tunas.

The master of the transshipping fishing vessel or his authorized representative or the authorized representative of the flag CPC shall be responsible for the completion and the request for validation of the TRANSSHIPMENT INFORMATION section.

The TRANSSHIPMENT INFORMATION section shall be completed at the end of the transshipment operation.

(b) Specific instructions:

"DATE": indicate the date of the transshipment.

"PORT NAME": indicate the designated port of transshipment.

"PORT STATE": indicate the CPC of the designated port of transshipment. (2)

Validation

The flag CPC shall not validate documents where the CATCH INFORMATION section is not completed and validated.

6. FARMING INFORMATION

(1) Completion

(a) General principles:

This section is only applicable to live caged tunas.

The master of the tug vessel shall provide the BCD (CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections completed and, where applicable, validated) to the farm operator at the time of caging.

The farm operator or his authorized representative or an authorized representative of the farm CPC shall be responsible for the completion and the request for validation of the FARM INFORMATION section.

The FARM INFORMATION section shall be completed at the end of the caging operation.

(b) Specific instructions:

"CAGE No": indicate each number of cage.

"ICCAT Regional Observer Information": indicate name, ICCAT # and signature.

(2) Validation

The farm CPC shall be responsible for the validation of the FARM INFORMATION section.

The farm CPC shall not validate BCDs where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE and TRANSFER INFORMATION sections are not completed and, where applicable, validated.

7. HARVESTING INFORMATION

(1) Completion

(a) General principles:

This section is only applicable to dead farmed tunas.

The farm operator or his authorized representative or an authorized representative of the farm CPC shall be responsible for the completion and the request for validation of the HARVEST FROM FARM INFORMATION section.

The HARVESTING INFORMATION section shall be completed at the end of the harvesting operations.

(b) Specific instructions:

"TAGS No (if applicable)": additional lines may be added to allow the listing of each tag number by individual fish.

"ICCAT Regional Observer Information": indicate name, ICCAT # and signature.

(2) Validation

The farm CPC shall be responsible for the validation of the HARVESTING INFORMATION section.

The farm CPC shall not validate BCDs where the CATCH INFORMATION, TRADE INFORMATION FOR LIVE FISH TRADE, TRANSFER INFORMATION and FARMING INFORMATION sections are not completed and, where applicable, validated.

8. TRADE INFORMATION

(1) Completion

(a) General principles:

This section is applicable to dead bluefin tunas.

The domestic seller or exporter or their authorized representative or an authorized representative of the CPC of the seller/exporter shall be responsible for the completion and the request for validation of the TRADE INFORMATION section.

The TRADE INFORMATION section shall be completed prior to the fish being domestically traded or exported.

(b) Specific instructions:

(c) "TRANSPORTATION DESCRIPTION": attach any relevant document certifying the trade.

(2) Validation

The CPC of the seller/exporter shall be responsible for the validation of the TRADE INFORMATION section unless bluefin tuna are tagged in accordance with Paragraph 20 of the Recommendation.

Remark: in cases where more than one domestic trade or export results from a single BCD, a copy of the original BCD shall be validated by the CPC of the domestic seller or exporter and shall be used and accepted as an original BCD. Government validation of this copy shall guarantee that it is a valid copy and has been recorded by authorities of the concerned CPC. Without the authorized government validation, any BCD copy is null and void.

In cases of re-export, the RE-EXPORT CERTIFICATE (**Annex 5**) shall be used to track further movements, which shall be related to the catch information of the original BCD of the catch via the original BCD number.

When bluefin tuna is caught by a CPC using the tagging system, exported dead to a country, and re-exported to another country, the BCD accompanying the re-exported certificate does not have to be validated. However, the re-exported certificate shall be validated.

After import, a bluefin tuna may be divided into several pieces, which then may be subsequently exported. The re-exporting CPC shall confirm that the re-exported piece is part of the original fish accompanied by the BCD.

Data to be Included in the Bluefin Tuna Re-export Certificate (BFTRC)

1. Document number of the BFTRC*

2. Re-export section

Re-exporting Country/Entity/Fishing Entity
Point of re-export*

3. Description of imported bluefin tuna

Product type F/FR RD/GG/DR/FL/OT¹
Net weight (kg)*
BCD number(s) and date(s) of importation*
Flag CPC (s) of fishing vessel(s) or CPC of establishment of the trap, where appropriate

4. Description of bluefin tuna to be re-exported

Product type F/FR RD/GG/DR/FL/OT*¹
Net weight (kg)*
Corresponding BCD number(s) from section 3
State of destination

5. Statement of re-exporter

Name
Address
Signature
Date

6. Validation by governmental authorities

Name and address of the authority
Name and position of the official
Signature
Date
Government seal

7. Import section

Statement by the importer in the CPC of import of the bluefin tuna consignment
Name and address of the importer
Name and signature of the importer's representative and date
Point of import: City and CPC*

Note: Copies of the BCD(s) and Transport document(s) shall be attached.

* Information to be entered by the Secretariat in the BCD database (see paragraph 20).

¹ When different types of products are recorded in this section, the weight shall be recorded by each product type.

| | | | | |
|--|--|--------------------------|-----------------|------------|
| 1. DOCUMENT NUMBER | ICCAT BLUEFIN TUNA RE-EXPORT CERTIFICATE | | | |
| 2. RE-EXPORT SECTION: RE-EXPORTING COUNTRY/ENTITY/FISHING ENTITY POINT OF RE-EXPORT | | | | |
| 3. DESCRIPTION OF IMPORTED BLUEFIN TUNA | | | | |
| Product Type <i>F/FR RD/GG/DR/FL/OT</i> | Net Weight (kg) | Flag CPC | Date of import | BCD No. |
| | | | | |
| | | | | |
| 4. DESCRIPTION OF BLUEFIN TUNA FOR RE-EXPORT | | | | |
| Product Type <i>F/FR RD/GG/DR/FL/OT</i> | Net Weight (kg) | Corresponding BCD number | | |
| | | | | |
| | | | | |
| F=Fresh, FR=Frozen, RD=Round, GG=Gilled & Guttled, DR=Dressed, FL=Fillet, OT=Others (Describe the type of product:) | | | | |
| STATE OF DESTINATION: | | | | |
| 5. RE-EXPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Name | Address | Signature | Date | |
| | | | | |
| 6. GOVERNMENT VALIDATION: I validate that the above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Name & Title | Signature | Date | Government Seal | |
| | | | | |
| 7. IMPORT SECTION | | | | |
| IMPORTER STATEMENT: I certify that the above information is complete, true and correct to the best of my knowledge and belief. | | | | |
| Importer Certification | | | | |
| Name | Address | Signature | Date | |
| | | | | |
| Final Point of Import: City State/Province CPC | | | | |

NOTE: IF A LANGUAGE OTHER THAN ENGLISH IS USED IN COMPLETING THIS FORM, PLEASE ADD THE ENGLISH TRANSLATION ON THIS DOCUMENT.

**Report on the Implementation of the
ICCAT Bluefin Tuna Catch Documentation Programme**

Reporting CPC:

Period of reference: 1 July [2XXX] to 30 June [2XXX]

1. Information extracted from BCDs

- Number of BCDs validated
- Number of validated BCDs received
- Total amount of bluefin tuna products traded domestically, with breakdown by fishing areas and fishing gears
- Total amount of bluefin tuna products imported, exported, transferred to farms, re-exported with breakdown by CPC of origin, re-export or destination, fishing areas and fishing gears
- Number of verifications of BCDs requested to other CPCs and summary results
- Number of requests for verifications of BCDs received from other CPCs and summary results
- Total amount of bluefin tuna consignments subject to a prohibition decision with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), reasons for prohibition and CPCs and/or non-Contracting Parties of origin or destination

2. Information on cases under Part VI paragraph 22.

- Number of cases
- Total amount of bluefin tuna with breakdown by products, nature of operation (domestic trade, import, export, re-export, transfer to farms), CPCs or other countries referred to in Part VI paragraph 22.

**RECOMMENDATION BY ICCAT ON A PROCESS TOWARDS THE ESTABLISHMENT
OF A CATCH CERTIFICATION SCHEME FOR TUNA AND TUNA-LIKE SPECIES**

(Entered into force: **June 10, 2013**)

RECOGNIZING the impact that market factors have on the fishery;

CONCERNED by the impact that illegal, unregulated and unreported (IUU) fishing has in the ICCAT Convention area;

REITERATING the responsibilities of flag States to ensure that their vessels conduct their fishing activities in a responsible manner, fully respecting ICCAT conservation and management measures;

NOTING the need for improved and strict control on all the components involved in the tuna and tuna-like species fisheries;

UNDERLINING the complementary role that importing States also have in the control of the catches of tuna and tuna-like species to ensure compliance with ICCAT conservation and management measures;

RECALLING ICCAT's statistical document program for bigeye tuna and swordfish and their objectives;

RECOGNIZING that properly tracing tuna and tuna-like species from the point of capture to their final import has significant operational and technical aspects that would need to be addressed for any effective catch certification scheme;

COMMITTED to taking steps that conform with international law, notably as regards the World Trade Organization (WTO), and to ensure that tuna and tuna-like species entering markets of Contracting and Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs) of ICCAT and non-members of ICCAT is caught in the Convention area in a manner that does not diminish the effectiveness of ICCAT conservation and management measures;

CONSIDERING the discussions on traceability system in the 7th Meeting of the Working Group on Integrated Monitoring Measures (hereinafter referred to as the 7th IMM WG),

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

1. The next meeting of the Working Group on Integrated Monitoring Measures in 2013 shall address technical and practical issues associated with the development of a Catch Certificate Scheme for tuna and tuna-like species, taking into consideration Appendix 3 of the Report on the 7th IMM WG and taking into account the following factors:
 - i) The conservation status of ICCAT species/stocks;
 - ii) Monitoring and control measures currently in place, including catch and trade tracking programs, and their effectiveness and utility;
 - iii) Which species, stocks, ocean areas, and/or fisheries would most benefit from additional monitoring and control measures, and which approaches or tools, including catch certification schemes, could best be used to enhance the effectiveness of ICCAT conservation and management measures;
 - iv) How ICCAT fisheries are conducted (e.g., fishing grounds, gear types, transshipment activities, harvesting CPCs, etc);
 - v) The ways in which products from ICCAT fisheries are processed, transported, and traded;
 - vi) The overall level of trade by species and product type as well as the CPCs and non-Contracting Parties, Entities or Fishing Entities (NCPs) involved;

- vii) Operational issues, capacity requirements, and costs associated with various monitoring and control approaches, including data collection, submission, handling, analysis, reconciliation and dissemination associated with catch certification schemes and options for addressing the costs; and
 - viii) Any other relevant issues or information.
2. The Commission shall also hold a Working Group on Integrated Monitoring Measures meeting in 2014 to review the draft recommendation on catch certification in Appendix 3 of the Report of the 7th IMM WG and consider the development of catch certification schemes in light of the results of the discussions on paragraph 1 above.
 3. In considering matters mentioned in paragraphs 1 and 2, CPCs shall take into account the progress of developments of the Electronic Bluefin Tuna Catch Documentation (eBCD) programme and each CPC's experience of existing catch documentation schemes.
 4. The Commission at its 2014 Annual Meeting shall consider any draft recommendations on catch certification schemes for tuna species for their adoption with a view to implementing such scheme in 2015.

**RECOMMENDATION BY ICCAT AMENDING ANNEX 1 OF RECOMMENDATION 11-20
ON AN ICCAT BLUEFIN TUNA CATCH DOCUMENTATION PROGRAM**

(Entered into force: **June 10, 2014**)

RECOGNIZING the necessity to analyze BCD information on a cage by cage basis;

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

An asterisk (*) shall be put on “Date of caging” and “cage number” in “6. Farming information” in Annex 1 of Recommendation 11-20.

Annex 1

Data to be Included in Bluefin Tuna Catch Document (BCD)

1. ICCAT Bluefin tuna catch document number*

2. Catch Information

Name of the Catching Vessel or Trap name*
 Name of the Other Vessels (in case of JFO)
 Flag*
 ICCAT Record No.
 Individual Quota
 Quota used for this BCD
 Date, area of catch and gear used*
 Number of fish, total weight, and average weight*²
 ICCAT Record number of Joint Fishing Operation (if applicable)*
 Tag No. (if applicable)
Government validation
 Name of authority and signatory, title, signature, seal and date

3. Trade Information for live fish trade

Product description
Exporter/Seller information
Transportation description
Government validation
 Name of authority and signatory, title, signature, seal and date
Importer/buyer

4. Transfer information

Towing vessel description
 ICCAT Transfer Declaration No.
 Vessel name, flag
 ICCAT Record No.
 Number of fish dead during transfer
 Total weight of dead fish (kg)
Towing cage description
 Cage number

* Information to be entered by the Secretariat in the BCD database (see paragraph 20).

² Weight shall be reported by round weight where available. If round weight is not used, specify the type of product (e.g. GG) in the “Total Weight” and “Average Weight” section of the form.

5. Transshipment information

Carrier vessel description

Name, Flag, ICCAT Record No., Date, Port name, Port state, position

Product description

(F/FR; RD/GG/DR/FL/OT)

Total weight (NET)

Government validation

Name of authority and signatory, title, signature, seal and date

6. Farming information

Farming facility description

Name, CPC*, ICCAT FFB No.* and location of farm

Participation in national sampling program (yes or no)

Cage description

Date of caging*, cage number*

Fish description

Estimates of number of fish, total weight, and average weight*¹

ICCAT Regional observer information

Name, ICCAT No., signature

Estimated size composition (<8 kg, 8-30 kg, >30 kg)

Government validation

Name of authority and signatory, title, signature, seal and date

7. Harvesting information

Harvesting description

Date of harvest*

Number of fish, total (round) weight, and average weight*

Tag numbers (if applicable)

ICCAT regional observer information

Name, ICCAT No., signature

Government validation

Name of authority and signatory, title, signature, seal and date

8. Trade information

Product description

(F/FR; RD/GG/DR/FL/OT)³

Total weight (NET)*

Exporter/Seller information

Point of export or departure*

Export company name, address, signature and date

State of destination*

Description of transportation (relevant documentation to be attached)

Government validation

Name of authority and signatory, title, signature, seal and date

Importer/buyer information

Point of import or destination*

Import company name, address, signature and date⁴

³ When different types of products are recorded in this section, the weight shall be recorded by each product type.

⁴ DATE to be filled by IMPORTER/BUYER in this section is the date of signature.

**RECOMMENDATION BY ICCAT SUPPLEMENTING THE RECOMMENDATION FOR AN
ELECTRONIC BLUEFIN TUNA CATCH DOCUMENT (eBCD) SYSTEM**

(Entered into force: **June 10, 2014**)

TAKING INTO ACCOUNT the multi-annual recovery plan for eastern Atlantic and Mediterranean bluefin tuna and the commitment to develop an electronic bluefin tuna catch document (eBCD) programme;

RECOGNIZING the developments in electronic information exchange and the benefits of rapid communication with regard to the processing and management of catch information;

NOTING the ability of electronic catch documentation systems to detect fraud and deter IUU shipments, expedite the validation/verification process of bluefin tuna catch documents (BCDs), prevent erroneous information entry, reduce pragmatic workloads and create automated links between Parties including exporting and importing authorities;

RECOGNIZING the necessity to implement the eBCD programme to strengthen the implementation of the bluefin tuna catch documentation programme;

FOLLOWING the work of the eBCD Technical Working Group from and the system design and cost estimates presented in the feasibility study;

CONSIDERING the commitments previously made in *Recommendation by ICCAT Amending Recommendation 10-11 on an Electronic Bluefin Tuna Catch Document Programme (eBCD)* [Rec. 11-21] to seek “full implementation of the eBCD system before the 2013 purse seine season,” and recognizing that “a level of flexibility will be maintained based on the results of the pilot phase,”

RECOGNIZING the progress in the on-going development of the eBCD system, but noting that the eBCD system could not be fully tested during 2013, including during the 2013 eastern Atlantic and Mediterranean bluefin purse seine season;

FURTHER RECOGNIZING the technical complexity of the system and the need for ongoing development and resolution of outstanding technical issues;

COMMITTED to the successful implementation of the eBCD system and desiring to complete the transition to the system as expeditiously as possible while ensuring trade is not disrupted;

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

1. Prior to 1 March 2015 both eBCDs and paper BCDs issued pursuant to *Recommendation by ICCAT Amending Recommendation 09-11 on an ICCAT Bluefin Tuna Catch Documentation Programme* [Rec. 11-20] shall continue to be accepted. By 16 May 2014, CPCs should notify the Secretariat of whether they intend to use the electronic system or paper BCDs during this period. Validated paper BCDs submitted to the Secretariat in accordance with paragraph 19 of Recommendation 11-20 shall be entered into the eBCD system by the Secretariat.
2. All CPCs concerned shall, as soon as possible for full eBCD system implementation referenced in paragraph 1, submit to the Secretariat the data necessary to ensure the registration of their users in the eBCD system. Access to and use of the system cannot be ensured for those who fail to provide the necessary data as defined by the ICCAT Secretariat and endorsed by the eBCD Technical Working Group.
3. The Secretariat, with assistance from the eBCD Technical Working Group, will coordinate with the developing consortium to develop and distribute to CPCs a comprehensive technical manual and training plan before 1 March 2014.

4. During the year, CPCs shall communicate to the Secretariat and the Working Group their experiences on technical aspects of system implementation and report those experiences at the 2014 Annual Meeting.
5. The eBCD programme shall be fully implemented as soon as feasible and no later than 1 March 2015, unless the Commission determines otherwise based on demonstration of significant problems with the design or functionality of the system.
6. The substantive provisions of Recommendation 11-20 will be applied *mutatis mutandis* to the electronic BCDs. The Permanent Working Group assisted by the eBCD Technical Working Group will consider whether a comprehensive eBCD program recommendation is necessary and, if so, will submit that recommendation and the related technical manual to the Commission for its consideration at the 2014 Annual Meeting.
7. This recommendation repeals and replaces Recommendations 11-21 and 12-08.

(Transmitted to Contracting Parties: **December 27, 2000**)

CONSIDERING that the monitoring of compliance with conservation measures is an essential element for the success of these measures;

NOTING that ICCAT has already adopted several monitoring measures;

FURTHER NOTING that integrated monitoring measures are desirable and efficient;

CONSIDERING that integrated monitoring measures should take into account the characteristics of the fisheries and the fishing areas covered by ICCAT;

RECOGNIZING that this is a complex task, but that it should be initiated without delay;

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

- 1 That a Working Group be established to develop integrated monitoring measures, in accordance with applicable international law, such as the United Nations Convention on the Law of the Sea, the 1995 United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, the FAO Compliance Agreement, the FAO Code of Conduct, and appropriate FAO International Plans of Action (IPOAs), for fisheries managed by ICCAT.
- 2 That in carrying out this task, the Working Group will:
 - a) be supported by the ICCAT Secretariat;
 - b) establish a time schedule for the development of its work, and will hold at least one meeting during 2001 before the next Commission meeting; and
 - c) invite observers attending ICCAT meetings, the FAO, and other regional fishery organizations to participate in the meetings of this Working Group.

**RESOLUTION BY ICCAT TO ESTABLISH A
WORKING GROUP ON SPORT AND RECREATIONAL FISHERIES**

(Transmitted to Contracting Parties: **December 14, 2006**)

TAKING INTO ACCOUNT the need to regulate sport and recreational fishing activities to ensure that these activities do not undermine sustainable exploitation of the stocks managed by ICCAT,

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RESOLVES AS FOLLOWS:

1. A Working Group on Sport and Recreational Fishing Activities is established and will meet in late 2007 or early 2008 at a place to be determined by the Commission.
2. The Working Group will:
 - a) Examine the biological and economic impact of recreational and sport fishing activities on ICCAT-managed stocks and notably assess the level of harvest.
 - b) Based on available information, identify approaches for managing the recreational and sport fishing activities in ICCAT fisheries.
 - c) Report the results of deliberations to the Commission at its 2008 Meeting and, as appropriate, propose recommendations for next steps to manage the recreational and sport fishing activities in the Convention area. CPCs shall report prior to the Working Group meeting the techniques used to manage their sport and recreational fisheries and methods used to collect such data.
3. The SCRS should provide the Working Group with relevant information notably concerning the harvest levels in the recreational and sport fisheries for the most recent year(s) available in advance of the Working Group to assist deliberations.

(Transmitted to Contracting Parties: **December 14, 2006**)

RECALLING that, further to the 2005 *Resolution by ICCAT to Strengthen ICCAT* [Res. 05-10], the Commission should review ICCAT's conservation and management program and develop a workplan to address the strengthening of the organization;

ACKNOWLEDGING the work of the Secretariat in compiling the information requested in paragraph 2 of *Resolution by ICCAT to Strengthen ICCAT* [Res. 05-10]

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RESOLVES AS FOLLOWS:

1. The report of the Capacity Working Group established by *Resolution by ICCAT to Establish a Capacity Working Group* [Res. 06-19] should constitute part of the exercise to strengthen ICCAT.
2. In 2007, the Integrated Monitoring Measures Working Group established by *Resolution by ICCAT for Integrated Monitoring Measures* [Res. 00-20] should meet intersessionally to develop mechanisms to strengthen the existing ICCAT monitoring, control and surveillance (MCS) regime and to recommend changes. Port State measures should be considered as part of the review.
3. A Working Group on the Future of ICCAT is established to review the Convention and, notably, to evaluate its compatibility with developments in international law since the signature of the Convention in 1966. The terms of reference of the Working Group on the Future of ICCAT are attached in **Annex 2**. It should meet intersessionally in 2008 and report to the 2008 annual meeting on the outcome of its deliberations including, a future workplan. At the 2008 annual meeting, ICCAT should consider the work of the Working Group on the Future of ICCAT and decide on a workplan for the Working Group. An indicative timetable of Working Group activities contemplated by this Resolution is attached as **Annex 1**.

INDICATIVE TIMETABLE OF WORKING GROUP ACTIVITIES

| <i>Working Group</i> | <i>2006</i> | <i>2007</i> | <i>2008</i> | <i>2009</i> |
|-----------------------------------|------------------------------|--|---|-------------------------|
| Capacity WG | Established | Meet intersessionally Report to annual meeting. | <i>To be determined</i> | <i>To be determined</i> |
| Integrated Monitoring Measures WG | Issued instructions for 2007 | Meet intersessionally Report to annual meeting. | <i>To be determined</i> | <i>To be determined</i> |
| WG on the Future of ICCAT | Established | | Meet intersessionally Report to annual meeting. Decide further workplan. | |

TERMS OF REFERENCE

The Terms of Reference of the Working Group on the Future of ICCAT are as follows:

1. Review the document prepared by the Secretariat in accordance with the *Resolution by ICCAT to Strengthen ICCAT* [Res. 05-10], the outcome of the 2007 Joint Meeting of Tuna RFMOs in Kobe Japan, as well as other developments in international law, including Conventions, recommendations and resolutions of other regional fisheries management organizations.
2. Further to the review in paragraph 1, evaluate the ICCAT Convention and other ICCAT instruments, including Recommendations and Resolutions and make recommendations in order to strengthen ICCAT. The Working Group may recommend changes to the ICCAT Convention, the Rules of Procedure or other regulations, if appropriate. In particular, the review should consider and make recommendations pertaining to:
 - i) the decision making process;
 - ii) the current structure of ICCAT (constituent bodies);
 - iii) issues arising from the 2006 workshops convened by the Chair of ICCAT; and
 - iv) any other matter relating to the provisions of the Convention.

(Transmitted to Contracting Parties: **December 14, 2006**)

RECALLING that the Commission's management objective is to maintain populations of tuna and tuna-like species at levels that will support maximum sustainable yield and that, to this end, several conservation and management measures adopted by the Commission currently contain capacity limits;

FURTHER RECALLING that the immediate objective of the Food and Agriculture Organization (FAO) International Plan of Action for the Management of Fishing Capacity (IPOA-Capacity) is for States and regional fisheries organizations to achieve world-wide an efficient, equitable and transparent management of fishing capacity with particular priority on highly migratory fisheries;

NOTING the recommendations of the 2006 FAO Workshop on the Management of Tuna Fishing Capacity;

RECOGNIZING that some stocks under ICCAT jurisdiction are fully or overfished;

RECALLING the recent recommendations of the United Nations Fish Stocks Agreement (UNFSA) Review Conference (May 2006) and other international fisheries meetings regarding fishing capacity;

AGREEING that overcapacity can threaten the achievement of ICCAT's conservation and management objectives;

GIVEN the need to assess and address overcapacity in fleets participating in many ICCAT fisheries and seeking eventually to develop effective ways to address this problem in a comprehensive manner;

RECOGNIZING that Article 5 of FAO's Code of Conduct for Responsible Fisheries and Article 10 of the IPOA-Capacity note the need to enhance the ability of developing countries to develop their own fisheries as well as to participate in high seas fisheries, including access to such fisheries;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RESOLVES AS FOLLOWS:

1. A Capacity Working Group is established and will meet as early as possible in 2007 at a place to be determined by the Commission. The Working Group has the following terms of reference:
 - a) to determine by fishery the availability of the data required to assess fishing capacity and appropriate methodologies to measure fishing capacity based on available data;
 - b) to review and assess the level of fishing capacity for ICCAT managed species by country/fleet/gear/fishery in light of the status of the resources, as indicated in SCRS assessments with a priority focus on bluefin tuna, including caging activities;
 - c) to review the CPUE data and other relevant information in order to evaluate the relationship between capacity levels and available fishing possibilities.
 - d) In light of the outcomes of points 1(a)-(c) above, the Working Group may, if necessary, develop guidelines for managing fishing capacity in ICCAT fisheries for consideration by the Commission, *inter alia*, taking into account the needs of developing countries while ensuring the sustainable and equitable use of tuna and tuna-like resources;
2. Prior to the first meeting of the Working Group, CPCs shall submit to the Secretariat available information to be used in an assessment of fishing capacity including, but not limited to, the following:
 - a) Inputs in terms of numbers of vessels, vessel characteristics, fishing operational characteristics, and any other relevant information;

- b) Information on the types of measures and approaches used by the CPCs to manage fishing capacity;
3. At the 2007 annual meeting, the Working Group will report the progress of deliberations and, as appropriate, present proposals for next steps to the Commission.
 4. The SCRS should provide the Working Group with relevant information on short- and long-term stock conditions and harvest levels in ICCAT fisheries for the most recent year(s) available, and data on effort and CPUE by flag, gear, season and area, in advance of the 2007 Working Group meeting to assist deliberations.
 5. The Working Group should be supported by the ICCAT Secretariat staff. Broad representation from ICCAT's CPCs is encouraged, including by relevant experts in the field.
 6. The Working Group could also draw upon the technical work (and expertise) of relevant intergovernmental organizations as well as the work of other regional fisheries management organizations (RFMOs). The results of the joint tuna RFMO meeting in January 2007 should also be taken into account.

**RECOMMENDATION BY ICCAT TO AMEND THE TERMS OF REFERENCE OF THE
PERMANENT WORKING GROUP FOR THE IMPROVEMENT OF ICCAT STATISTICS AND
CONSERVATION MEASURES (PWG)**

(Entered into force: **June 7, 2012**)

RECALLING the 1992 *Resolution by ICCAT to Establish a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures and the Terms of Reference of the Working Group* (Res. 92-02] and the 2002 *Recommendation by ICCAT to Change the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures* [Rec.02-28];

TAKING INTO ACCOUNT calls at recent ICCAT meetings to clarify the roles and responsibilities of the Permanent Working Group and the Compliance Committee to strengthen their operation, effectiveness, and efficiency;

RECOGNIZING the importance of robust MCS and other technical measures to ensure effective implementation of ICCAT's conservation and management measures, improve ICCAT statistics, and help address IUU fishing;

MINDFUL of the need to ensure that actions taken to support ICCAT conservation and management measures are non-discriminatory and in accordance with international law;

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

The Terms of Reference of the PWG be as follows:

1. Review trade and other relevant fishery information regarding species under the purview of ICCAT in order to identify deficiencies in ICCAT statistics.
2. Consider the effectiveness and practical aspects of the implementation of ICCAT's technical measures, including but not limited to:
 - a) Catch Documentation and Statistical Document Programs;
 - b) Observer programs
 - c) At-sea and in-port transshipment requirements
 - d) Rules for chartering and other fishing arrangements
 - e) At-sea vessel sighting and inspection programs
 - f) Port inspection schemes and other port State measures
 - g) Vessel listing requirements
 - h) Vessel Monitoring System requirements
 - i) Flag State responsibilities
3. Develop or modify, where needed, technical measures to ensure effective implementation of ICCAT's conservation and management measures, including measures for the collection and reporting of statistical data, and proper application of the provisions of the Convention.
4. Oversee development of ICCAT's list of vessels presumed to be engaged in illegal, unreported, and unregulated (IUU) fishing activities.
5. Recommend measures to the Commission based upon the findings of the Permanent Working Group.
6. In carrying out its responsibilities, the PWG shall cooperate closely with other ICCAT subsidiary bodies in order to remain informed on all issues that may affect its work and refer relevant matters identified during its deliberations to the appropriate subsidiary body for attention, such as issues of non-compliance with ICCAT conservation and management measures.
7. This recommendation replaces the *Recommendation by ICCAT to Change the Terms of Reference of the Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG)* [Rec. 02-28] and the *Resolution by ICCAT to Establish a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG) and the Terms of Reference of the Working Group* [Res. 92-02].

**RECOMMENDATION BY ICCAT TO AMEND THE MANDATE AND
TERMS OF REFERENCE ADOPTED BY THE COMMISSION FOR THE ICCAT
CONSERVATION AND MANAGEMENT MEASURES COMPLIANCE COMMITTEE (COC)**

(Entered into force: **June 7, 2012**)

RECALLING the 1995 adoption by ICCAT of the “Mandate and Terms of Reference for the ICCAT Conservation and Management Measures Compliance Committee” (Compliance Committee) (95-15);

TAKING INTO ACCOUNT calls at recent ICCAT meetings to clarify the roles and responsibilities of the Permanent Working Group and the Compliance Committee to strengthen their operation, effectiveness, and efficiency;

MINDFUL of the need to ensure that actions taken to support ICCAT conservation and management measures are non-discriminatory and in accordance with international law;

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

The Mandate and Terms of Reference of the Compliance Committee be as follows:

1. The Compliance Committee shall be broadly responsible for reviewing all aspects of compliance with ICCAT conservation and management measures.
2. The Compliance Committee shall report directly to the Commission on its deliberations and recommendations.
3. Compliance Committee shall:
 - a) Gather and review information relevant to the assessment of compliance by Contracting Parties and Cooperating non-Contracting Parties, Entities, and Fishing Entities (CPCs) with ICCAT conservation and management measures, including information from ICCAT subsidiary bodies; Annual Reports submitted to the Commission; catch data compiled by the Commission and SCRS; trade information obtained through statistics of CPCs and non-Contracting Parties, Entities or Fishing Entities (NCPs), including from statistical and catch document programs; and other relevant information;
 - b) Pursuant to this review, assess the status of each CPC’s implementation of and compliance with ICCAT conservation and management measures, including monitoring, control, and surveillance (MCS) measures;
 - c) Review available information to assess the cooperation of NCPs with ICCAT in the conservation and management of ICCAT species;
 - d) Review domestic measures for the implementation of the Commission’s recommendations, as reported by CPCs, and, if available, NCPs;
 - e) Review and evaluate reports on inspection and surveillance activities carried out in accordance with ICCAT measures, including reports of activities in contravention of such measures as well as follow-up actions taken to address such activities;
 - f) Develop and make recommendations to the Commission to address issues of non-compliance or lack of cooperation with ICCAT conservation and management measures,
 - g) Where needed, develop new or modify existing recommendations to the Commission designed to enhance compliance and cooperation with ICCAT conservation and management measures, such as rules on quota carryovers, or to address ambiguity with respect to the application of such measures; and
 - h) Review and make recommendations to the Commission regarding requests for cooperating status.
4. In carrying out its responsibilities, the Compliance Committee shall cooperate closely with other ICCAT subsidiary bodies in order to remain informed on all issues that may affect its work and refer relevant matters to the appropriate subsidiary body for attention, such as the development of new or revision of existing MCS or other technical measures.
5. This recommendation replaces the *Mandate and Terms of Reference Adopted by the Commission for the ICCAT Conservation and Management Measures Compliance Committee* [TOR 95-15].

**RESOLUTION BY ICCAT ON A PROGRAM OF WORK
FOR THE WORKING GROUP ON THE FUTURE OF ICCAT**

(Transmitted to Contracting Parties: **December 7, 2011**)

RECALLING the 2005 *Resolution by ICCAT to Strengthen ICCAT* [Res. 05-10], calling for the Commission to review its conservation and management program and develop a workplan to address the strengthening of the organization, and the 2006 *Resolution by ICCAT to Strengthen ICCAT* [Res. 06-18] establishing the Working Group on the Future of ICCAT to review the Convention and, notably, to evaluate its compatibility with developments in international law since the adoption of the Convention in 1966;

BEARING IN MIND that pursuant to the Terms of Reference of the Working Group on the Future of ICCAT, annexed to Res. 06-18, the Working Group should evaluate the ICCAT Convention and other ICCAT instruments, including Recommendations and Resolutions and make recommendations in order to strengthen ICCAT;

CONSIDERING the Report of the Working Group on the Future of ICCAT for its first meeting in Sapporo, Japan, August 31 to September 3, 2009 and the Report of the second meeting of the Working Group on the Future of ICCAT, which took place in Madrid, Spain, May 16 to 20, 2011, and noting in particular the progress achieved at those two meetings to identify a number of priority issues that should be considered in amending ICCAT's *Basic Texts*, or updating and adopting further conservation and management measures;

RECALLING that, at the conclusion of the second meeting of the Working Group, there was no consensus to recommend that the Commission undertake an immediate exercise to draft amendments to the Convention, and that instead, the Working Group requested its Chair to prepare, with input from CPCs, an analysis paper assessing the legal, management and policy implications of the various approaches available to the Commission in addressing the priority issues previously identified, including the potential benefits, disadvantages and procedural aspects involved;

WELCOMING in this regard, the paper entitled: *Analysis of Issues for the Strengthening of ICCAT* and acknowledging the significant contribution it makes to further the discussion on improving the work of the Commission;

RECALLING that in the report of its second meeting, the Working Group requested the Commission to consider the analysis paper and comments by CPCs and decide on the next steps needed to achieve progress in improving the *Basic Texts* and recommendations of ICCAT and that the Commission also consider whether to continue this Working Group and, if so, whether any changes to its terms of reference were needed.

NOTING that three CPCs have provided input into the analysis paper from the Chair of the Working Group and one had provided additional comments before the annual meeting and acknowledging that CPCs might require additional time to consider the analysis paper and undertake consultations domestically.

RECOGNIZING the need to continue discussions within the context of the Working Group to build consensus on the priorities to be addressed to strengthen ICCAT, on the approaches to improve the efficiency and effectiveness of the Commission and on the desired outcomes of potential modifications to ICCAT's *Basic Texts* or decisions;

DESIRING to provide some guidance to the program of work of the Working Group on the Future of ICCAT, as called for in Resolution 06-18;

REITERATING that the strengthening of ICCAT is a matter of priority;

**THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RESOLVES AS FOLLOWS:**

1. A third meeting of the Working Group on the Future of ICCAT should be convened in 2012 in advance of the 18th Special Meeting of the Commission;

2. At this third meeting, the Working Group should discuss concrete proposals to address the priority issues identified during the first two meetings of the Working Group on the Future of ICCAT with a view to making recommendations to the Commission at the 18th Special Meeting to achieve progress on strengthening ICCAT.
3. The reports from the previous meetings of the Working Group on the Future of ICCAT, the analysis paper from the Chair of the Working Group and proposals elaborated by the Contracting and Cooperating non-Contracting Parties, Entities and Fishing Entities (CPCs) described in **Annex 1** shall provide the basis for discussion at this third meeting of the Working Group.
4. In order to propose recommendations to 18th Special Meeting of the Commission, the Working Group should seek to build consensus among the participants on priority issues which the Commission should address to strengthen ICCAT as well as the desired mechanism for and outcomes of a proposed modification including amendments to the Convention.
5. The Commission should review the current program of work at its 18th Special Meeting.

Proposals by CPCs

In order to facilitate the work of the Working Group at its third meeting, CPCs should prepare proposals addressing a priority issue for strengthening ICCAT, as follows:

1. CPCs should indicate to the Secretariat, which issues or areas they intend to work on, by December 31, 2011. The Secretariat will combine this information into a list and circulate to all CPCs by January 15, 2012;
2. CPCs should prepare their proposals with a view of achieving consensus among CPCs on addressing the priority issues identified by the Working Group and submit them to the Secretariat for circulation to all CPCs at least 45 days in advance of the meeting of the Working Group. CPCs interested in preparing proposals on the same issues should coordinate and collaborate on joint proposals to the extent possible.
3. The proposals should address:
 - Objectives and desired outcomes of a proposed initiative to address a particular priority issue;
 - Mechanisms envisaged for the proposed initiative (modifying Basic Texts, decisions of the Commission or both), and;
 - Potential legal, management and policy implications associated with the proposal;
 - Possible drafting suggestions for eventual amendments to Basic Texts or for decisions of the Commission, as appropriate.
4. Interested parties may submit comments to authors of a proposal at least 30 days in advance of the meeting of the Working Group for their integration, as appropriate, in a revised proposal.
5. CPCs should submit revised proposals to the Secretariat for circulation to all CPCs at least 15 days in advance of the meeting of the Working Group.
6. Nothing in the above should prevent CPCs from making proposals on additional issues at any stage of the process.

**RECOMMENDATION BY ICCAT TO ESTABLISH A WORKING GROUP
TO DEVELOP AMENDMENTS TO THE ICCAT CONVENTION**

(Entered into force: **June 10, 2013**)

RECALLING that, further to the 2005 *Resolution by ICCAT to Strengthen ICCAT* [Res. 05-10], the Commission should review ICCAT's conservation and management program and develop a work plan to address the strengthening of the organization;

RECOGNIZING the results of the Independent Performance Review of ICCAT;

RECALLING the discussions held during the meetings of the Working Group on the Future of ICCAT pursuant to the *Resolution by ICCAT to Strengthen ICCAT* [Res. 06-18];

TAKING INTO ACCOUNT developments in relevant international fisheries governance since the signature of the Convention;

FURTHER TAKING INTO ACCOUNT the outcome of the 2012 meeting of the Working Group on the Future of ICCAT acknowledging that to address certain issues, amendments to the ICCAT Convention are necessary;

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

A Working Group is established with the following Terms of Reference:

- a) Develop proposed amendments to the Convention with respect to the items identified in the **Annex 1** and produce draft recommendations or amendments to the Convention, if the draft recommendations cannot address the issue, with respect to the items identified in the **Annex 2**, in order to further strengthen ICCAT to ensure it can fully meet current and future challenges.
- b) In developing proposed amendments and producing draft recommendations, take into account the input of ICCAT Contracting Parties, Cooperating non-Contracting Parties, Entities or Fishing Entities (CPCs), including proposals considered during the Future of ICCAT Working Group process.
- c) The Working Group will carry out its work in accordance with the following work plan:

| <i>2013</i> | <i>2014</i> | <i>2015</i> |
|--|---|--|
| Meet intersessionally to discuss proposed amendments to the Convention, including draft text, and to produce draft recommendations for their possible adoption at the 2013 Commission meeting. | Meet intersessionally to continue discussion of proposed amendments to the Convention, and develop a consolidated draft of proposed amendments that will serve as a negotiating text for future meeting(s). | Meet intersessionally to finalize, if possible, proposed amendments to the Convention. Present the final proposed Convention amendment text for adoption. |

- d) The Working Group should seek to advance issues electronically, where possible.
- e) All CPCs should participate in the Working Group.
- f) Pursuant to Article 13 of the Convention, only Contracting Parties may propose amendments to the Convention and have the decision-making power on the adoption of the amendments to the Convention.
- g) A special Working Group Meeting Fund financed through voluntary contributions and, if necessary, the ICCAT Working Capital Fund is established to assist with the cost of participation of up to two representatives from each of those ICCAT Contracting Parties which are developing States.
- h) In carrying out this exercise, principles related to monitoring, control, and surveillance measures (MSC), *force majeure*, and responsible international trade should be duly taken into account.

(not in priority order)

Convention scope, in particular shark conservation and management

Decision-making processes and procedures:

- Entry into force provisions for recommendations
- Voting rules/quorum
- Objection procedures
- Dispute resolution

Non-party participation

Precautionary Approach

Ecosystem considerations

Capacity building and assistance

Allocation of fishing possibilities

Transparency

**RECOMMENDATION BY ICCAT FOR ENHANCING THE DIALOGUE
BETWEEN FISHERIES SCIENTISTS AND MANAGERS**

(Entered into force: **June 10, 2014**)

CONSIDERING scientific advice released by the Standing Committee on Research and Statistics (SCRS) as the corner stone for establishing a proper management framework on stocks and fisheries under the purview of ICCAT;

RECOGNIZING that an in depth understanding by the Commission of scientific advice and management recommendations made by the SCRS should ease the adoption by the Commission of relevant and effective conservation measures;

NOTING that the ICCAT Resolution 11-17 on best available science recommends improving the communication between CPCs, the Commission and the SCRS by enabling a constant dialogue;

RECALLING the work in the Working Group of Fisheries Managers and Scientists held in June 2013 in support of the W-BFT stock assessment;

HIGHLIGHTING the need to further enhance the dialogue between fisheries managers and scientists in the coming years in order to achieve the Convention objectives in the most efficient and effective way;

STRESSING that such enhanced dialogue should, in particular, allow the Commission to focus on the establishment of management frameworks that take into account Target and Limit Reference points, associated level of risks and related Harvest Control Rules consistent with Recommendation 11-13;

STRESSING FURTHERMORE that such enhanced dialogue should also allow the Commission to focus on the review and the establishment of research priorities, considering more particularly the development of Strategic Plan on Science, and to explore further improvements in ICCAT science and management processes;

RECALLING that provisions laid down in Recommendation 11-26 establishing a meeting participation fund should ease the attendance of fisheries scientist and managers from developing Contracting Parties and therefore contribute to an inclusive and participative dialogue.

EMPHASIZING that the Commission management decisions should be based on the best available science independently developed by the SCRS.

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

1. A standing working group dedicated to the dialogue between fisheries scientists and managers ("SWGSM") is established under the following objectives and rules.
2. The standing working group consists in enhancing communication and in fostering mutual understanding between fisheries managers and scientists, in particular on management strategies, including data collection, research needs and priorities, and establishment of limit and target reference points, as well as to promote the efficient use of scientific resources and information. The working group will seek to establish management strategies for the ICCAT fisheries which are consistent with the objectives of the ICCAT convention, an ecosystem-based approach and a precautionary approach.
3. The Chair of the standing working group will be selected by the Commission.
4. The standing working group will meet inter-sessionally and its meetings will be open to fisheries managers of Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing entities (CPCs), SCRS scientists and accredited observers. Fishery managers of the CPCs and fishery scientists of the SCRS will be considered on an equal footing during the standing working group meetings. Other experts may be invited to specific meetings of the standing working group depending on the topics to be discussed.

5. The structure of the meetings will, include an open forum/dialogue. Recommendations to the Commission shall be developed through formal sessions of the Standing Working Group.
6. The first meeting of the standing working group will take place prior to the 2014 Commission Annual Meeting. The focus of that meeting will be:
 - a. the use of B_{MSY} and F_{MSY} and other proxies as Target and/or Limit Reference points, Harvest Control Rules, and associated probabilities, allowing, in particular, the implementation of a precautionary approach and Recommendation 11-13, for the management of stocks under the purview of ICCAT, and
 - b. possible further improvements in ICCAT science and management processes and research needs and priorities, in particular in the light of the SCRS annual work programme and of the development of the Strategic Plan on Science.
7. Further meetings of the standing working group will be decided by the Commission during its special and regular meetings.

**RECOMMENDATION BY ICCAT TO ESTABLISH AN AD HOC WORKING GROUP FOR
PREPARING THE NEXT PERFORMANCE REVIEW**

(Entered into force **3 June 2015**)

NOTING that the first and only performance review for ICCAT was decided by the ICCAT Annual Meeting in 2007 and that the recommendations by an independent expert panel were issued in 2008;

RECOGNIZING that ICCAT has been progressing well with the implementation of the performance review recommendations, notably via the Working Group on the “Future of ICCAT”, the Working Group to develop amendments to the ICCAT Convention, and important improvements to the operations of the Compliance Committee;

REMINDING that the United National General Assembly Resolution on Sustainable Fisheries of 2013 in its point 130 “*urges States, through their participation in RFMO/As, to undertake performance reviews of those RFMO/As on a regular basis, and to make the results publicly available, to implement the recommendations of such reviews and to strengthen the comprehensiveness of those reviews over time*”;

RECALLING that ICCAT Resolution [11-17] on best available science stipulates in its point 6 that “*the next independent performance review of ICCAT shall include an assessment of the functioning of the SCRS and its working groups through a total quality management process, including an evaluation of the potential role of external reviews*”;

RECOGNIZING, therefore, the need to prepare the process and terms of reference for the next performance review in time for consideration at the 2015 ICCAT Annual Meeting;

STRESSING that such a performance review should build on the first review and compare ICCAT’s performance with the performance of other tuna-RFMOs in relation to the Kobe recommendations;

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

1. An ad hoc Working Group is established in order to prepare proposed terms of reference for the next performance review of ICCAT to be agreed by the Commission at its 2015 Annual Meeting. These terms of reference shall include:
 - a) the assessment criteria, taking into account, inter alia, the criteria used by ICCAT during its first performance review, the criteria for second performance reviews by other RFMOs, ICCAT Resolution [11-17] on best available science, and the Kobe recommendations.
 - b) parameters for the composition of the performance review panel, including possible suggestions for panellists, if appropriate; and
 - c) the timeline for launching and implementing the review process.
2. The Working Group shall also explore the possibilities for comparing ICCAT’s performance with the performance of other tuna-RFMOs and make recommendations on how such a comparative performance review could be done.
3. The Working Group should work on a virtual basis starting at the latest in February 2015.
4. CPCs shall designate the participants in the WG at the latest by 31 January 2015 to the ICCAT Secretariat.

**RECOMMENDATION BY ICCAT AMENDING THE RECOMMENDATION
BY ICCAT FOR ENHANCING THE DIALOGUE BETWEEN
FISHERIES SCIENTISTS AND MANAGERS**

(Entered into force **3 June 2015**)

CONSIDERING scientific advice released by the Standing Committee on Research and Statistics (SCRS) as the corner stone for establishing a proper management framework on stocks and fisheries under the purview of ICCAT;

RECOGNIZING that an in depth understanding by the Commission of scientific advice and management recommendations made by the SCRS should ease the adoption by the Commission of relevant and effective conservation measures;

NOTING that the ICCAT Resolution 11-17 on best available science recommends improving the communication between CPCs, the Commission, and the SCRS by enabling a constant dialogue;

RECALLING the work in the Working Group of Fisheries Managers and Scientists held in June 2013 in support of the W-BFT stock assessment;

HIGHLIGHTING the need to further enhance the dialogue between fisheries managers and scientists in the coming years in order to achieve the Convention objectives in the most efficient and effective way;

STRESSING that such enhanced dialogue should, in particular, allow the Commission to focus on the establishment of management frameworks that take into account Target and Limit Reference points, associated level of risks and related Harvest Control Rules consistent with Recommendation 11-13;

STRESSING FURTHERMORE that such enhanced dialogue should also allow the Commission to review and provide input to the SCRS on the establishment of research priorities, considering more particularly the development of the Strategic Plan on Science, and to explore further improvements in ICCAT science and management processes;

RECALLING that provisions laid down in Recommendation 11-26 establishing a meeting participation fund should ease the attendance of fisheries scientist and managers from developing Contracting Parties and therefore contribute to an inclusive and participative dialogue;

EMPHASIZING that the Commission management decisions should be based on the best available science independently developed by the SCRS;

RECOGNIZING that the first meeting of the SWGSM was an important step to facilitate the dialogue between scientists and managers;

NOTING that the SCRS strongly supports the continuation of this initiative;

FURTHER NOTING that that development of Harvest Control Rules and application of the Management Strategy Evaluation to ICCAT fisheries is dependent upon input and guidance from fishery managers;

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

7. A standing working group dedicated to the dialogue between fisheries scientists and managers (“SWGSM”) is established under the following objectives and rules.

8. The objective of the SWGSM is to enhance communication and foster mutual understanding between fisheries managers and scientists, by establishing a forum to exchange views and to support the development and effective implementation of management strategies, in particular through, inter alia:
 - a. the development of a general framework to guide establishment, review and update of management objectives and strategies, which
 - i. is consistent with the Convention objectives, the ecosystem-based and precautionary approaches;
 - ii. defines the role and the responsibilities of both fisheries managers and scientists (SCRS) and possible interactions and feedbacks; and
 - iii. allows for reflecting both conservation and socio-economic considerations.
 - b. ways to improve managers and scientists' mutual understanding of concepts related to management strategies, including:
 - i. the adoption of Limit and Target Reference Points (LRPs and TRPs);
 - ii. the development of Harvest Control Rules (HCRs);
 - iii. the application of Management Strategies Evaluation (MSE).
 - c. the analysis of case studies, exchanges and feedbacks on ongoing experiences.
 - d. the identification of opportunities / approaches that would enhance the available data.
 - e. the identification of research needs and priorities, in the light of discussions on SCRS annual work programmes and on the Strategic Plan on Science and including possible social and economic research topics.
 - f. the promotion of an efficient use of scientific resources and information.
9. The Chair of the SWGSM will be selected by the Commission.
10. The SWGSM will meet inter-sessionally and its meetings will be open to fisheries managers of Contracting Parties, Cooperating non-Contracting Parties, Entities and Fishing entities (CPCs), SCRS scientists and accredited observers. Fishery managers of the CPCs and fishery scientists of the SCRS will be considered on an equal footing during the standing working group meetings. Other experts may be invited to specific meetings of the standing working group depending on the topics to be discussed.
11. The structure of the meetings will include an open forum/dialogue. Recommendations to the Commission shall be developed through formal sessions of the SWGSM, which should ensure a balanced presence and an active participation of scientists and managers.
12. As part of its meeting, the SWGSM will review its work plan and make recommendations to update it, as necessary. Taking into account these recommendations and based on objectives identified in paragraph 2, the Commission will develop a schedule and draft agenda for future meetings of the SWGSM and assess the need to continue the Standing Working Group.
13. This Recommendation replaces the Recommendation by ICCAT for Enhancing the Dialogue between Fisheries Scientists and Managers [Rec. 13-18].

**RESOLUTION ON THE COLLECTION OF STATISTICS ON
THE ATLANTIC TUNA FISHERIES****The Conference**

Taking note of documents FID: AT/66/4, Annex 6, and FID: AT/66/INF-5 relating to the collection and publication of statistics on Atlantic tuna fisheries; and

Agreeing that it is essential that all countries fishing these Atlantic tuna resources should collect adequate statistics on catch and fishing effort and the necessary biological data, and make available for publication the statistical and related economic data with a view to enabling the International Commission for the Conservation of Atlantic Tunas to fulfill its functions adequately as soon as it is established;

Urges all countries to take steps without delay to create, where they do not already exist, offices within their fisheries administrations suitably staffed and having appropriate financial and legislative support to undertake the collection and the processing of the data to be used by the Commission; and

Suggests that all countries faced with the tasks of establishing and operating such offices, give priority to requests for assistance in this connection through the United Nations Development Programme and through the regular programme of the Food and Agriculture Organization of the United Nations.

**RESOLUTION BY ICCAT ON COOPERATION WITH THE
CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED
SPECIES OF WILD FAUNA AND FLORA (CITES)**

(Transmitted to Contracting Parties: **November 30, 1993**)

WHEREAS, among the objectives of the International Commission for the Conservation of Atlantic Tunas is to ensure the effective conservation and rational management of tuna and tuna-like fishes in the Atlantic Ocean, including the adjacent seas;

RECALLING that international trade in threatened and endangered species, including marine species, is under the purview of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);

NOTING that Article XV, paragraph 2.b of the CITES Convention requires the Secretariat, when it receives a proposal for an amendment to the Appendices on marine species, to consult inter-governmental bodies having a function in relation to those species especially with a view to obtaining scientific data these bodies may be able to provide and to ensuring coordination with any conservation measures enforced by such bodies;

NOTING the provisions of the Draft Resolution contained in the Notification to the Parties of CITES No. 773 of October 15, 1993, which states in particular that the views of inter-governmental organizations with competence for the management of the species concerned should be taken fully into account;

NOTING that Appendix 6 of the above Draft Resolution would require proponents, when preparing proposals to amend the Appendices relating to marine species, to consult in advance with the competent inter-governmental organizations responsible for the conservation and management of the species, and to take their views fully into account;

CONSIDERING that marine fishery resources constitute one of the valuable food sources of humankind, and that their importance will become even greater in the future.

ENDORSING the Declaration of the International Conference on Responsible Fishing (Cancun, May 1992), in virtue of which States recognize that policy for the protection of the environment should encompass the fundamental causes of the degradation of the environment, in order to avoid that the measures adopted do not involve useless restrictions in trade matters.

ENDORSING the concept of sustainable utilization of resources, agreed at the United Nations Conference on Environment and Development (UNCED) in 1992;

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

- a) *REQUESTS* that the Parties of CITES consult fully with ICCAT in reaching conclusions on proposals for listing any of the relevant marine species, and for the revision of the criteria for listing species on the CITES Appendices;
- b) *REAFFIRMS* its intention to provide CITES with a report on the status of the Bluefin Tuna populations, and on related conservation initiatives;
- c) *EXPRESSES* its wish that the management measures undertaken by ICCAT and the information provided will be taken fully into account by CITES.

**RESOLUTION BY ICCAT
CONCERNING THE COMPOSITION OF THE DELEGATIONS
OF ICCAT CONTRACTING PARTIES TO CITES**

(Transmitted to Contracting Parties: **November 30, 1993**)

NOTING that the International Commission for the Conservation of Atlantic Tunas (ICCAT) has full competence on the conservation and management of tunas and tuna-like species in the Atlantic Ocean and its adjacent seas,

CONSIDERING that any decision which might be taken by the Conference of Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), as regards the trade of tunas and tuna-like species in the Atlantic Ocean and its adjacent seas should take fully into account the conservation and management measures adopted by ICCAT,

RECOGNIZING that the Delegates of the Contracting Parties to CITES may be unaware of the objectives and efforts made by ICCAT concerning the conservation of Atlantic tunas and tuna-like species,

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

That when any proposal is made to CITES to list in its Appendices any tuna or tuna-like species which is under ICCAT competence, each Contracting Party of ICCAT which is also a Party to the CITES should:

- a) Include on its official delegation, a member or members who are familiar with ICCAT, its work and its objectives, or
- b) Identify a contact point in their CITES delegation, and communicate this to the other Contracting Parties of ICCAT.

**RESOLUTION BY ICCAT ON
COORDINATION WITH NON-CONTRACTING PARTIES**

(Transmitted to Contracting Parties: **January 23, 1995**)

RECOGNIZING that the international community has an important responsibility to conserve the tuna and tuna-like resources of the Atlantic for present and future generations;

RECOGNIZING that the problem of ensuring such sustainability cannot be resolved properly unless all nations fishing these species work together cooperating through the Commission, which is the accredited international body with jurisdiction regarding these species in the Convention area;

RECALLING that the on-going United Nations Conference on Straddling Stocks and Highly Migratory Species has emphasized the importance of ensuring the conservation of highly migratory species through international fisheries organizations such as the Commission;

THEREFORE,

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

- 1 The Executive Secretary of ICCAT shall contact all non-Contracting Parties known to be fishing in the Convention area for species under the competence of the Convention to urge them to become Contracting Parties or "Cooperating Parties". A Cooperating Party shall be defined as a non-Contracting Party that does not hold membership in ICCAT as a Contracting Party but voluntarily fishes in conformity with the conservation decisions of ICCAT.
- 2 Non-Contracting Parties that continue to fish for bluefin tuna and that do not become Cooperating Parties shall be advised that their continued fishing outside ICCAT's conservation measures will diminish the effectiveness of those measures.
- 3 Cooperating Parties may attend the meetings of ICCAT as observers.
- 4 The Executive Secretary shall provide to non-Contracting Parties referred to in paragraph 1 above a copy of all relevant ICCAT Resolutions and Recommendations adopted by ICCAT.

**RESOLUTION BY ICCAT ON IMPROVING
RECREATIONAL FISHERY STATISTICS**

(Transmitted to Contracting Parties: **December 16, 1999**)

RECOGNIZING that in accordance with the terms of the Convention, it is the responsibility of each Contracting Party to provide annually on a timely basis, data relating to fishing activities in the Convention Area for species of interest to the Commission;

RECALLING that the Commission, through its Standing Committee on Research and Statistics (SCRS), has established minimum data reporting requirements comprised of Task I and Task II, and length sampling annual statistics for all tunas and tuna-like fishes as defined by the Convention, by flag vessels, by fishing area and time, and by gear (e.g., longline, purse seine, baitboat, trap, troll, other methods, and by recreational gears);

CONSIDERING that lack of compliance with the minimum data reporting requirements established diminishes the effectiveness of the Commission;

CONSIDERING that ICCAT managed species provide important benefits to recreational fishery activities and that these benefits may not be achieved through management that relies primarily on quotas, effort and access limitations, and commercial fishing gear limitations;

RECOGNIZING that the scientific information that can be obtained from recreational fishing can be substantial; for example fish can be tagged and released without adversely affecting the recreational experience.

NOTING that information and scientifically collected data concerning the extent of and participation in recreational fishery activities are generally lacking;

RECOGNIZING that these activities generally occur almost exclusively within waters outside the high seas;

DESIRING that significant improvements be made in the routine, standardized submission of data concerning the use of ICCAT-managed species;

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

- 1 Beginning in 2000, each Contracting Party, Cooperating non-Contracting Party, Entity, or Fishing Entity provide specific data to SCRS that allow the Commission to determine separately the magnitude of recreational fisheries of each species of Atlantic tuna and tuna-like fish.
- 2 Beginning in 2000, each Contracting Party, Cooperating non-Contracting Party, Entity, or Fishing Entity should include a discussion in their annual national reports¹ to ICCAT of the techniques used to manage these fisheries.
- 3 The Commission urge all non-Contracting Parties, Entities and Fishing Entities not referred to above to act in conformity with operative paragraphs 1 and 2 of this Resolution.
- 4 That SCRS carry out an examination of the extent of recreational fisheries and their effects on Atlantic tuna and tuna-like resources.

¹Note from the Secretariat: Based on a Commission decision in 2004, these reports are now called *Annual Reports*. Please see the *Revised Guidelines for the Preparation of Annual Reports* [Ref. 12-13].

**RESOLUTION BY ICCAT ENDORSING
THE INTERNATIONAL PLAN OF ACTION
FOR THE MANAGEMENT OF FISHING CAPACITY (IPOA)**

(Transmitted to Contracting Parties: **December 16, 1999**)

RECALLING that the FAO Committee on Fisheries adopted the International Plan of Action for the Management of Fishing Capacity (IPOA) in February 1999,

FURTHER RECALLING that the Rome Declaration on the Implementation of the Code of Conduct for Responsible Fisheries (the Code) adopted by the FAO Ministerial Meeting on Fisheries in March 1999 underlines the important role of regional fishery management organizations in respect of the implementation of the Code,

NOTING that Japan's initiative to implement the reduction in the number of large-scale tuna longline fishing vessels by 20% (132 vessels) by scrapping of those vessels in accordance with the IPOA,

ALSO NOTING that Chinese Taipei's previous efforts of reducing by 136 vessels, or 16%, its large-scale longline fleet during 1991-1995, and its commitment to take further reduction of large-scale tuna longline fishing vessels in accordance with the IPOA,

ALSO NOTING that the European Community has introduced a Multi Annual Program for the management of its fishing capacity,

ALSO NOTING Korea's previous efforts of reducing its large-scale tuna longline fleet by 73 vessels, since 1991,

RECALLING that the ICCAT is now undertaking a measure to limit the fishing capacity for bigeye tuna,

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

Endorse the FAO International Plan of Action for the Management of Fishing Capacity (IPOA) and attaches high priority to its implementation.

– RESOLUTION –
DEADLINES & PROCEDURES FOR DATA SUBMISSION

(Transmitted to Contracting Parties: **February 22, 2002**)

GIVEN that Article IX of The Convention states that the Contracting Parties agree to furnish, on the request of the Commission, any available statistical, biological and other scientific information the Commission may need for the purposes of this Convention;

ALSO GIVEN that Rule 13 of the Rules of Procedure states that the Standing Committee on Research and Statistics shall develop and recommend to the Commission such policies and procedures in the collection, compilation, analysis and dissemination of fishery statistics as may be necessary to ensure that the Commission has available at all times complete, current and equivalent statistics on fishery activities in the Convention Area;

RECOGNIZING that the Format Adopted by the Commission for Annual National Reports to be Submitted to ICCAT established by this Commission in 1995 states that National Reports¹ should be submitted to the ICCAT Secretariat at least one month before the start of the annual or Regular or Special Commission meeting. Where the meeting of SCRS is held some time before the Commission meeting, such reports should be submitted at the start of the SCRS meeting. The exact submission dates should be annually determined by the Secretariat;

ALSO GIVEN that the *Recommendation by ICCAT on Application of Three Compliance Recommendations* adopted at the 1998 Commission meeting states that each Contracting Party shall include in its national report a completed "ICCAT Reporting Table;"

EMPHASIZING that the SCRS continues to recommend that the Commission ensure that the ICCAT Secretariat be provided with reliable data in a timely manner on catch, effort, size in the format requested, and on as fine a scale as possible. These obligations are considered a minimum standard as they are clearly stated in the ICCAT Convention, FAO's Code of Conduct for Responsible Fisheries, as well as the UN Implementation Agreement;

NOTING that in 2001, the SCRS recommended that the deadline for the submission of Task I data be revised to 31 July concurrent with the deadline for Task II statistics;

AND ALSO NOTING that the 1996 SCRS recommended that all data changes be formally reported and justified.

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

1. All Task I and Task II data should be submitted annually to the Secretariat by 31 July the following year, as recommended by the SCRS. In case where the final statistics cannot be submitted by that date, at least preliminary statistics should be provided. Exceptions may be in years when early assessment meetings are held, in which case Task I and Task II for those particular species being addressed should be submitted two weeks prior to the start of the meeting or as specified in the meeting announcement.
2. National Reports, and therefore ICCAT Reporting Tables (for use by the Compliance Committee), should be submitted to the ICCAT Secretariat at least one month before the start of the annual or Regular or Special Commission meeting. Where the meeting of SCRS is held some time before the Commission meeting, the sections on the *National Fisheries Information* and *Research and Statistics* (Parts 1 and 2 of the National Report) should be submitted at the start of the SCRS meeting. The exact submission dates should be annually determined by the Secretariat.
3. All revisions of historical scientific data should be formally reported and duly justified. In the case of Task I and II data, these reports should be made on forms provided by the Secretariat and reviewed by the SCRS. The SCRS will advise the Secretariat if revisions are then accepted for scientific use.

¹ Note from the Secretariat: Based on a Commission decision in 2004, these reports are now called *Annual Reports*. Please see the *Revised Guidelines for the Preparation of Annual Reports* [Ref. 12-13]. Paragraph 2 should be read in the light of the modifications required by the aforementioned Guidelines.

**RECOMMENDATION BY ICCAT ON CRITERIA FOR ATTAINING
THE STATUS OF COOPERATING NON-CONTRACTING PARTY,
ENTITY OR FISHING ENTITY IN ICCAT**

(Entered into force: **June 19, 2004**)

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 for clear criteria to enable non-Contracting Parties, Entities or Fishing Entities whose vessels fish for ICCAT species in the ICCAT 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.

- 5 The Commission's Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (hereinafter PWG) 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 PWG 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.
- 6 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.
- 7 The *Resolution by ICCAT on Becoming a Cooperating Party, Entity or Fishing Entity* [01-17], adopted at the 2001 Commission meeting, is substituted by this Recommendation.

**RESOLUTION BY ICCAT ON IMPROVEMENTS
IN DATA COLLECTION AND QUALITY ASSURANCE**

(Transmitted to Contracting Parties: **December 19, 2003**)

RECOGNIZING that collection and submission of accurate fishery data is a fundamental obligation of Contracting Parties to the Convention;

KNOWING that these data collection and submission requirements are clearly stated in Article IX (paragraph 2) of the ICCAT Convention, Rule 13 (paragraph 2) of the Rules of Procedure, the *Resolution by ICCAT on the Collection of Statistics on the Atlantic Tuna Fisheries* [Res. 66-01], and the *Resolution by ICCAT on the Deadlines and Procedures for Data Submission* [Res. 01-16];

NOTING that in 2002, the Commission resolved to convene a Data Workshop [02-30] in response to concern that the quality of such fishery data continues to deteriorate for some fisheries and that for some fisheries relevant required data have never been available to the Commission;

CONSIDERING the recommendations held within the Report of the Data Workshop which included, among other items, provision of training and funds to build capacity of Parties not yet capable of meeting their fundamental obligations, updating the *ICCAT Field Manual for Statistics and Sampling*, and elevating or instituting scientific sampling in some fisheries with inadequate levels;

FURTHER CONSIDERING the results of ICCAT's Survey on Statistic Collection Systems indicating that many Parties with important tuna fisheries do not have the data collection programs in place that are required or recommended by ICCAT, although of the more than 90 Parties believed to be fishing for tuna or tuna-like species in the Convention Area, only 17 have so far completed questionnaires and;

ALSO DESIRING to improve capacity of various Parties to the Convention in their ability to collect, quality assure, and report the required data;

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

- 1 Parties should respond to the ICCAT Survey on Statistic Collection Systems at the earliest possible date;
- 2 Parties with sufficient capacity for meeting fundamental data collection, quality assurance, and reporting obligations should make voluntary contributions in proportion to their catch level, to a special fund, managed at the Secretariat. These funds will be used for training in data collection and for supporting of scientific participation in SCRS data preparatory and stock assessment sessions by scientists from Parties with insufficient capacity to meet data collection, quality assurance, and reporting obligations. For 2004, this special fund should be initially established at 40,000 Euros and activities undertaken with these funds should be reviewed by the Commission at its 2004 meeting and annually thereafter.
- 3 A plan for reinstating ICCAT port sampling should be developed by SCRS, including expected costs associated with this sampling, and presented to the Commission at its 2004 meeting for further consideration.

**RECCOMENDATION BY ICCAT ON
COMPLIANCE WITH STATISTICAL REPORTING OBLIGATIONS**

(Entered into force: **June 13, 2006**)

WHEREAS the reporting of basic catch and effort statistics is a fundamental obligation of Contracting Parties under Article IX, Rule 2 of the Convention and for Cooperating non-Contracting Parties, Entities and Fishing Entities under the terms of the 2003 *Recommendation by ICCAT on Criteria for Attaining the Status of Cooperating Non-Contracting Party, Entity, or Fishing Entity in ICCAT* [Rec. 03-20];

NOTING that, despite the adoption of numerous measures intended to address the matter, lack of compliance with reporting obligations has been a persistent problem for the Commission over the entire history of its work;

FURTHER NOTING that SCRS has frequently identified incomplete, missing, or late data as a contributor to uncertainty in assessments for several stocks, a factor that limits its ability to formulate specific and science-based management advice;

RECOGNIZING the need to establish a clear process and procedures to identify data gaps, particularly those that limit the ability of SCRS to conduct robust stock assessments, and to find appropriate means to address those gaps;

RECALLING that the *ICCAT Criteria for the Allocation of Fishing Possibilities* (Reference Document 01-25) clearly links fishing access with the obligation to provide accurate data on fishing effort and catch;

COGNIZANT of the differing levels of development of ICCAT's membership and recalling the 2003 *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* [Res. 03-21];

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

- 1 The Secretariat shall prepare, as part of its annual report on statistics and research, a list of specific data elements that are lacking for each stock. Such listing shall indicate the missing data elements pertaining to catch, by-catch, effort, and/or size composition, by fleet, gear, and fishing area to the extent such fishing operations are presumed to have occurred based on secondary sources.
- 2 In view of the report of the Secretariat, SCRS shall provide:
 - a) an evaluation of the extent to which missing data have adversely affected the most recent assessment or update,
 - b) an appraisal of the effect on new stock assessments if the data remain unavailable or incomplete, and
 - c) the consequences of the data deficiencies with respect to the formulation of management advice.
- 3 Each Contracting Party and Cooperating non-Contracting Party, Entity, or Fishing Entity (CPC) shall provide an explanation regarding its reporting deficiencies including the reasons underlying the identified data gaps, capacity challenges and plans for corrective action. The Commission, through the Compliance Committee or Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures (PWG), as appropriate, shall evaluate the information provided by the Secretariat, SCRS and CPCs under this Recommendation.
- 4 Based on the information provided under Paragraphs 1-3, the Compliance Committee or PWG shall identify problematic data deficiencies and recommend appropriate actions by the respective CPC to address the problem. In making this determination, the Compliance Committee or PWG shall take into account:
 - a) any explanations and/or plans for corrective action,
 - b) the responsible CPC's record of late, incomplete, and/or missing data submissions,

- c) the extent to which the responsible CPC has requested and/or received data collection assistance from the Food and Agriculture Organization, other CPCs, the Secretariat, including through the data fund established by the 2003 *Resolution by ICCAT on Improvements in Data Collection and Quality Assurance* [Res. 03-21], or others, and
- d) the effect of the data deficiency(ies) on the Commission's ability to determine the status of the stock(s) and on the effectiveness of the ICCAT conservation and management measures.

(Transmitted to Contracting Parties: **December 14, 2005**)

RECALLING that the Commission is responsible for the study of the populations of tuna and tuna-like fishes and that such study includes research on the abundance, biometry and ecology of the fishes, the oceanography of their environment, and the effects of natural and human factors upon their abundance;

RECOGNIZING that pelagic *Sargassum* supports a diverse assemblage of marine organisms, including over 140 species of fish, and that the fishes associated with pelagic *Sargassum* include tuna and tuna-like species at different life stages;

WHEREAS the greatest concentrations of pelagic *Sargassum* (*Sargassum natans* and *S. fluitans*) are found within the North Atlantic Central Gyre in the Sargasso Sea, providing nutrients and habitat for large pelagic fish traversing the otherwise nutrient-poor, energy-poor open ocean;

RECOGNIZING that certain stocks under ICCAT jurisdiction could be adversely impacted by a decline in the abundance of pelagic *Sargassum*, diminishing the Commission's ability to maintain the stocks at maximum sustainable levels;

RECALLING that the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks calls for consideration of habitat and biodiversity in the marine environment, refers to the need to take ecosystem considerations into account, and that many countries, including Contracting Parties, are moving to incorporate ecosystem considerations into fisheries management;

FURTHER RECALLING that the Commission's Sub-Committee on the Environment, meeting October 6, 2005, recommended expanding its area of research to ecosystem matters;

CONFIRMING that the objective of including ecosystem considerations in fisheries management, including protection of fish habitat, is to contribute to long-term food security and to human development and to assure the effective conservation and sustainable use of the ecosystem and its resources;

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

1. Contracting Parties, non-Contracting Parties, Entities and Fishing Entities, where appropriate, undertake to provide to the SCRS information and data on activities that impact pelagic *Sargassum* in the Convention area on the high seas, directly or indirectly, with particular emphasis in the Sargasso Sea.
2. The SCRS should examine available and accessible information and data on the status of pelagic *Sargassum* and its ecological importance to tuna and tuna-like species.

**GUIDELINES AND CRITERIA FOR GRANTING
OBSERVER STATUS AT ICCAT MEETINGS**

- 1 In exercising the responsibilities in respect to invitation to observers to ICCAT Meetings as provided for in Article XI of the Convention and in Article 2 of the FAO/ICCAT Agreement, the Executive Secretary, acting on behalf of the Commission, shall invite:
 - FAO.
 - Intergovernmental economic integration organizations constituted by States that have transferred to it competence over the matters governed by the ICCAT Convention, including the competence to enter into treaties in respect of those matters.
 - Intergovernmental organizations that have regular contacts with ICCAT as regards fisheries matters or whose work is of interest to ICCAT or vice versa.
 - Non-Contracting countries with coastlines bordering the Convention Area as defined in Article I of the Convention, or those non-contracting parties, entities or fishing entities identified as harvesting tunas or tuna-like species in the Convention Area.
- 2 All non-governmental organizations (NGOs) which support the objectives of ICCAT and with a demonstrated interest in the species under the purview of ICCAT should be eligible to participate as an observer in all meetings of the organization and its subsidiary bodies, except extraordinary meetings held in executive sessions or meetings of Heads of Delegations.
- 3 Any NGO desiring to participate as an observer in a meeting of the organization or its subsidiary bodies shall notify the Secretariat of its desire to participate at least 50 days in advance of the meeting. This application must include:
 - Name, address, telephone and fax number of the organization;
 - Address of all its national/regional offices;
 - Aims and purposes of the organization and an indication as to how they relate to the objectives of ICCAT;
 - A brief history of the organization and a description of its activities;
 - Any papers produced by or for the organization on the conservation, management or science of tunas or tuna-like species;
 - A history of ICCAT observer status granted/revoked;
 - Information or input that the organization proposes to present at the meeting in question;
- 4 The Executive Secretary shall review applications received within the prescribed time, and, at least 45 days before the meeting for which the application was received, shall notify the Contracting Parties of the names and qualifications of NGOs determined to meet the criteria for participation stipulated in paragraph 2 above. Such applications will then be considered as accepted unless one-third of Contracting Parties object in writing at least 30 days prior to the meeting, or within 60 days of receipt of applications, if such date falls earlier than 30 days prior to the meeting.
- 5 Any eligible NGO admitted to a meeting may:
 - Attend meetings, as set forth above, but may not vote;
 - Make oral statements during the meeting upon the invitation of the presiding officer;
 - Distribute documents at meetings through the secretariat; and
 - Engage in other activities, as appropriate and as approved by the presiding officer;
- 6 Observers will be required to pay a fee for their participation at the meetings of the Organization, which will contribute to the additional expenses generated by their participation, as determined annually by the Executive Secretary.

- 7 The Executive Secretary will determine whether, due to conference room capacity, seating limitations require that a limited number of observers per NGO may be present at any meetings. The Executive Secretary will transmit any such determination in the conditions of participation.
- 8 All observers admitted to a meeting shall be sent or otherwise receive the same documentation generally available to Contracting Parties and their delegations, except those documents deemed confidential by the Parties.
- 9 All observers admitted to a meeting shall comply with all rules and procedures applicable to other participants in the meeting. Failure to conform to these rules or any other rules that ICCAT may adopt for the conduct of observers will result in withdrawal of accreditation by the Chairman of the Commission.

(Adopted by the Commission at its 11th Special Meeting, Santiago de Compostela - November 16 to 23, 1998, and subsequently amended by the Commission at its 19th Regular meeting, Seville, November 14-20 2005).

**RESOLUTION BY ICCAT REGARDING THE PRESENTATION
OF OBJECTIONS IN THE CONTEXT OF PROMOTING EFFECTIVE
CONSERVATION AND MANAGEMENT MEASURES ADOPTED BY ICCAT**

(Transmitted to Contracting Parties: **November 28, 2012**)

RECALLING that pursuant to Article VIII of the Convention, Contracting Parties may present objections to recommendations adopted by the Commission;

CONCERNED that the presentation of objections by ICCAT Contracting Parties has increased;

CONSIDERING that the presentation of an objection does not exempt a Contracting Party from the obligation to cooperate with Contracting Parties in pursuing the objectives of the ICCAT Convention;

FURTHER CONSIDERING that in conformity with the aims of the Commission and in view of the rights accorded by Article VIII of the Convention and taking account of the fundamental obligation of all Contracting Parties not to undermine the ICCAT objectives, it is essential that the terms relating to the presentation of objections be clearly defined;

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

1. Contracting Parties wishing to present objections should do so no less than 45 days before the end of the extended objection period, so not as to delay further the entry into effect of a recommendation.
2. Each Contracting Party that presents an objection pursuant to Article VIII of the Convention should provide to the Commission, at the time of presenting its objection, the reasons for its objection, based on, *inter alia*, the following grounds:
 - The recommendation is inconsistent, with UNCLOS, the UN Fish Stocks Agreement, the ICCAT Convention or another ICCAT recommendation still in effect;
 - The recommendation unjustifiably discriminates in fact or law against the objecting Contracting Party;
 - The recommendation is inconsistent with a domestic measure that pursues compatible conservation and management objectives and that is at least as effective as the recommendation.
3. Each Contracting Party that presents an objection pursuant to Article VIII of the Convention should, at the same time, to the extent applicable, specify to the Commission the alternative management and conservation measures consistent with the objectives of the Convention it proposes to adopt and implement.
4. At each Commission meeting thereafter while its objection is maintained, the Contracting Party concerned should communicate to the Commission the alternative conservation and management measures it has adopted to respect the objectives of ICCAT and their effectiveness.
5. The Executive Secretary should provide all Contracting Parties with the details of all information and clarifications that have been received in conformity to paragraphs 2 and 3.
6. Each year the Commission should consider the effectiveness of the measures identified in paragraph 3.

(Transmitted to Contracting Parties: **November 28, 2012**)

RECALLING the *Resolution by ICCAT on Pelagic Sargassum* [Res. 05-11] which called upon the Standing Committee on Research and Statistics (SCRS) to examine available and accessible information and data on the status of pelagic *Sargassum* and its ecological importance to tuna and tuna-like species;

RECOGNISING that relevant new information is available concerning *Sargassum* and the Sargasso Sea;

NOTING also that the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks calls for the protection of biodiversity in the marine environment and refers to the need to take ecosystem considerations into account;

NOTING further that the International Commission for the Conservation of Tunas (ICCAT) has already incorporated ecosystem considerations into fisheries management;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS RESOLVES THAT:

1. The SCRS will examine the available data and information concerning the Sargasso Sea and its ecological importance to tuna and tuna-like species and ecologically associated species.
2. The SCRS will provide an update on the progress of this work in 2014 and report back to the Commission with its findings in 2015.

REVISED GUIDELINES FOR THE PREPARATION OF ANNUAL REPORTS**1. Introduction**

The purpose of Annual Reports is to provide a mechanism for the submission to ICCAT of relevant information on the tuna-related activities of Contracting Parties and Cooperating non-Contracting Parties, Entities or Fishing Entities during the preceding year.

2. Submission process

Annual Reports should be submitted in two parts, Part I relating to information on fisheries, research and statistics and Part II relating to information on management implementation and other related activities. Part I should be submitted to the SCRS one week before the start of the SCRS Plenary Session (i.e., by 9:00 am on the first day of the Species Groups meetings). The complete report, comprising Part I and Part II, should be submitted on 16 October of each year.

Annual Reports must be provided to the Secretariat in Word file. The layout should follow these “Revised ICCAT Guidelines for Preparation of Annual Reports (also available on www.iccat.int).

3. Report sections

Annual Reports should contain specific, separate sections on fisheries, research, management and inspection activities and may optionally include appendices containing additional information pertinent to these sections. Information presented in Annual Reports should be divided into the relevant sections to facilitate the extraction and copying of particular information required by the Commission and its subsidiary bodies.

The overall structure of the main report sections should be as follows:

Summary

A summary (not to exceed 20 lines, or half a page) must be included with the report. This summary should be submitted in one (or more) of the three official languages of the Commission (English, French or Spanish). The ICCAT Secretariat will translate these summaries to the other two languages.

Part I (Information on Fisheries, Research and Statistics)

Please note that national fisheries information and information on research and statistics **should be concise**. Detailed information of a more scientific nature, or for discussion by individual species working groups, should be presented to the SCRS as a scientific paper. **Fisheries statistics should be reported separately by the Statistical Correspondent in accordance with the ICCAT Request for Atlantic tuna and shark statistics.**

Section 1: Annual fisheries information

This report section should provide complementary information relating to the data submitted to ICCAT on total catches, effort, CPUE and size-frequency data and briefly describe trends in tuna fisheries during the preceding year. Attention should be given to changes in fishing patterns or new developments in fisheries, as well as socio-economic factors which influence or explain such changes and developments.

Section 2: Research and statistics

This report section should provide a description of the statistical data collection systems implemented to monitor tuna fisheries, with an indication of the degree of coverage of catch, effort and size data for fishing operations in local and distant waters. Attention should be given to problems, changes and improvements in such statistical systems and, where possible, the coverage of retained catches of target and by-catch species, and of discarded catches.

This section should also present summarized information on tuna-related research activities and results of particular interest to ICCAT, such as research related to stock delineation, stock assessment, migration and environmental factors.

A brief description and summarized results or observer programs may also be included in this section.

A list of the information submitted to Secretariat in accordance with Commission requirements and which is to be reviewed by the SCRS should also be included in Part I for submission to SCRS.

Part II (Management implementation)

Section 3: Compliance with reporting requirements under ICCAT conservation and management measures

This section should comprise the list of reporting requirements and the response as appropriate. A template will be circulated early in the year by the Secretariat and should be followed and inserted into the report. Responses should indicate:

Where information is required in a specific format by a deadline, the date on which this was sent should be entered.

Where the requirement is not applicable, this should be noted, with one sentence as to why it is not applicable.

Where information is required by a Recommendation to be included in the Annual Report, the text should be written under the heading of that requirement.

Section 4: Implementation of other ICCAT Conservation and Management Measures

Text on measures taken to implement ICCAT conservation and management measures not included in Section 3 above, and any other information of interest to the Commission. This section should not exceed four pages in length.

Section 5: Difficulties encountered in implementation of and compliance with ICCAT conservation and management measures

This section should outline any difficulties encountered in implementing ICCAT conservation and management measures and/ or explanations of why reporting requirements or deadlines could not be met, and any steps being taken to overcome these difficulties. In addition, if standard forms have not been used, a brief indication of the difficulties encountered in the use of these forms should be included.

Appendices (if any)

Appendices may be included as a supplement to the information contained in the main body of the Annual Reports to be submitted to ICCAT. The purpose of such appendices should be to provide detailed supplementary information to the main sections of the Annual Reports. As such, information contained in the appendices should be considered to have been formally transmitted to the ICCAT Secretariat, as will be the contents of the body of the Annual Reports. However, such appendices will not be included in the subsequent publication of Annual Reports, but will be made available on request.

4. Formats

General text must be in Times New Roman 10 (see margins below). Section headings are standardized; further sub-headings should be short, reflect a logical sequence, and follow the rules of multiple subdivision (*i.e.*, there can be no subdivision without at least 2 two subheadings). The entire text should be intelligible to readers and therefore acronyms and abbreviations should be written out and all lesser-known technical terms should be defined the first time they are mentioned. Dates should be written as follows: 10 November 2003. Measures should be expressed as metric units, *e.g.*, metric tons (t).

Tables should be placed after the text, followed by the figure(s); they should be in MSWord files. Tables should be cited in numerical order in the text. Tables should be numbered (Arabic) and the table heading should be included above the table; avoid using grids. Headings in tables should be short but sufficient to allow the table to be intelligible on its own. All unusual symbols should be explained in the Table legend. Other incidental comments may be footnoted.

Figures should be in MSWord files and placed after tables. Figures should be cited in numerical order in the text. Figures should be numbered (Arabic) and the figure caption should be included beneath the figure; avoid using grids. Clearly identify numerical scales, units and legends for the X- and Y-axes for each figure. If graphics are prepared in color, please be sure that the information plotted or depicted can also be easily read in black and white (e.g., use ■, ◆, •, etc. or colors that are easily distinguishable).

Appendices should be placed after figures, and following the standardized headings.

Summary of Formatting Instructions

| | |
|------------------------|--|
| Software: | Please prepare in MSWord. |
| Paper size: | A4 |
| Margins: | (Top, Bottom, Left, Right): 2.5 cm; headers 1.5 cm, footers 2.0 cm. |
| Line spacing: | Single (or 1.0); Double space between paragraphs; Triple space before new major headings. For contributors using an East Asian version of MSWord, please ensure that the printed copy is indeed single-spaced. |
| Page numbering: | None (for electronic copies) |
| Header: | ANN-xxx/year [insert year and document number as provided by the Secretariat]; page 1 header only (different first page), Arial 10, right justified. No other running headers. |
| Font type: | Times New Roman. |
| Font size: | TR 10. Footnotes should be in TNR 8. |
| Case: | Only the document title on the title page should be in CAPS. |
| Tabs: | Every 0.6 cm; no paragraph indents |
| Files: | Please submit 1 file with the formatted text (and tables, figures and appendices, should there be any). |

**RECOMMENDATION BY ICCAT ON THE ESTABLISHMENT OF A SCIENTIFIC CAPACITY
BUILDING FUND FOR DEVELOPING STATES WHICH ARE ICCAT CONTRACTING PARTIES**

(Entered into force: **June 10, 2014**)

RECOGNISING that the ICCAT Commission has noted with concern the low number of participants from developing States at its scientific meetings.

TAKING INTO ACCOUNT the concern expressed by several developing States, which are ICCAT CPCs on their difficulties to actively contribute to the works of SCRS and to the formulation of scientific advice due to a lack of capacity and training;

NOTING that Article 25 paragraph 3 of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) identifies, *inter alia*, forms of cooperation with developing states and the need for assistance relating to collection, reporting, verification, exchange and analysis of fisheries data and related information; and stock assessment and scientific research;

ACKNOWLEDGING the increasing role and workload of the SCRS and the need of all Contracting Parties to actively and effectively contribute to its works;

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

1. A special Scientific Capacity Building Fund (SCBF) be established for the purposes of supporting scientists from those ICCAT Contracting Parties which are developing States in their need to acquire knowledge and develop skills on issues related to ICCAT.
2. Funds will be allocated to scientists from those developing States, which are ICCAT Contracting Parties, in order to attend ad-hoc trainings of their choice (up to 14 days) on ICCAT related matters in the scientific Institutes and, or Research Centres, of another ICCAT CPC, based on a training strategy submitted to the ICCAT Secretariat and to the SCRS.
3. The SCBF shall be financed from an initial allocation of €80,000 from ICCAT's accumulated Working Capital Fund, and subsequently by voluntary contributions from Contracting Parties and such other sources as the Commission may identify. The Commission will identify a procedure for supplying funds to the SCBF in the future.
4. The Fund will be administered by the ICCAT Secretariat, in accordance with the same financial controls as regular budget appropriations.
5. The ICCAT Executive Secretary shall establish a process for notifying Contracting Parties annually of the level of available funds in the SCBF, and provide a timeline and describe the format for the submission of applications for assistance, and the details of the assistance to be made available.
6. The ICCAT Executive Secretary shall submit an annual report to the Commission on the status of the Fund, including a financial statement of contributions to and disbursements from the Fund;
7. All potential eligible applicants are encouraged to explore the alternative avenues of funding available to developing State Contracting Parties prior to applying to the ICCAT Fund.
8. This Recommendation will be evaluated and reviewed at the latest in 2017.

**RECOMMENDATION BY ICCAT AMENDING
RECOMMENDATION 11-26 ON THE ESTABLISHMENT OF A MEETING
PARTICIPATION FUND FOR DEVELOPING ICCAT CONTRACTING PARTIES**

(Entered into force **3 June 2015**)

RECOGNISING that the ICCAT Meeting Participation Fund established by Recommendation 11-26 has contributed improving the participation of representatives from developing States at meetings of the Commission and of its subsidiary bodies;

RECALLING that concerns on the lack of participation from developing States had been echoed by the ICCAT Performance Review Panel in 2008;

NOTING that Article 25 paragraph 3 of the Agreement for the Implementation of the Provisions of the United Nations Convention of the Law of the Sea of December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA) identifies, inter alia, forms of cooperation with developing States and the need for assistance relating to collection, reporting, verification, exchange and analysis of fisheries data and related information; and stock assessment and scientific research;

FURTHER NOTING that the first meeting of the Standing Working Group to Enhance Dialogue between Fisheries Scientists and Managers (SWGSM) recommended that in future meetings of the SWGSM the Commission consider providing funds for two members per delegation (one manager and one scientist) for those CPCs needing assistance;

RECOGNISING that implementing the recommendation of the SWGSM to allow for a sufficient and balanced participation of representatives from developing States at its meetings requires amending Recommendation 11-26;

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

1. A special Meeting Participation Fund (MPF) be established for the purposes of supporting representatives from those ICCAT Contracting Parties which are developing States to attend and/or contribute to the work of the Commission and other subsidiary bodies.
2. The MPF shall be financed from an initial allocation of €60,000 from ICCAT's accumulated Working Capital Fund, and subsequently by voluntary contributions from Contracting Parties and such other sources as the Commission may identify.
3. The Fund will be administered by the ICCAT Secretariat, in accordance with the same financial controls as regular budget appropriations.
4. The ICCAT Executive Secretary shall establish a process for notifying Contracting Parties annually of the level of available funds in the MPF, and provide a timeline and describe the format for the submission of applications for assistance, and the details of the assistance to be made available.
5. The ICCAT Executive Secretary shall submit an annual report to the Commission on the status of the Fund, including a financial statement of contributions to and disbursements from the Fund.
6. For participation in ICCAT scientific meetings, including Species Group and other inter-sessional meetings, those eligible scientists may submit an application for assistance from the existing funds from voluntary contribution. Applicants will be selected in accordance with the protocol established by the Standing Committee on Research and Statistics (Addendum 2 to Appendix 7 to the 2011 SCRS Report).

7. For participation in non-scientific meetings, funds will be allocated in order of application. Only one participant per Contracting Party will be funded for any one meeting, with the exception of the SWGSM, for which two members per delegation (one manager and one scientist) are eligible to receive assistance. All applications shall be subject to the approval of the Chair of the Commission, the Chair of STACFAD and the Executive Secretary and, in the case of subsidiary bodies, the Chair of the meeting for which funding is being sought.
8. The funds in the MPF shall be disbursed in a manner that ensures a balanced distribution between nonscientific and scientific meetings.
9. All potential eligible applicants are encouraged to explore the alternative avenues of funding available to developing State Contracting Parties prior to applying to the ICCAT Fund.
10. This recommendation replaces and repeals Recommendation 11-26 in its entirety.