

Inspection reports received in 2023 under the Joint Scheme of International Inspection with possible infractions and responses received

CPC inspecting	Report n°	Vessel name	Day of inspection	Violation reported by inspector	CPC inspected	Main finding	CPC Response
EU.Italy	9001	Irini	11/10/2022	Yes	EU.Greece	Failure to maintain sufficient records of catch-related data in accordance with the Commission's reporting of such catch and/or catch related data. Minimum size on board. During inspection, the inspectors found in the stowage 14 pieces of SWO under minimum size and, 1 BFT undersize. The captain did also not register the 17 pieces of SWO in the eLogbook.	
EU.Italy	7918	Rosario Padre	23/02/2023	Yes	EU.Italy	Failure to maintain sufficient records of catch-related data in accordance with the Commission's reporting of such catch and/or catch related data. Minimum size on board. Fishing during a closed season. Intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by ICCAT. Multiple violations which taken together constitute a serious disregard of measures in force pursuant to ICCAT. During inspection of the hold, 6 SWO individuals were found with estimated total weight of 30 kg. The lower jaws were cut off on SWO. 267 individuals of BFT with estimated total weight of 2136 kg. The captain refused to sign.	
EU.Spain	9930	Mohamed Ahmed	24/05/2023	Yes	Tunisia	Fish and retention of species (auxis SPP.) using GND (Rec. 03-04). Intentional taking or retention of species in contravention of any applicable conservation and management measure by ICCAT.	
EU.Italy	9933	Rayen	24/05/2023	No	Tunisia		
EU.Italy	7919	Languedoc 7	31/05/2023	No	Eu.Malta		
EU.Malta	9934	Cakiroglu Salih Reis	31/05/2023	P/I	Türkiye	Regarding the ITDs TUR-2023/048/ITD and TUR-2023/053/ITD, the number of BFT transferred counted by inspectors indicated that there is more than 10% of the quantity reported in the ITDs (24.44%, transfer conducted during the night). Misreporting on daily logbook of vessel. Logbook not compliant with Annex 2 (section B, ICCAT Rec. 22-08). Master report No. 200 BFT transfer on 31-05-2023, instead of No. 500. BFT-Master report No. 200 BFT Transfer on 01-06-2023, instead of No. 280 BFT. Statement: After the analysis of the transfer (1/06/2023), the inspector declared that at the end of the transfer the net was not recorded, therefore it was not possible to verify if some fishes remained inside. At the same time, the first transfer between Orsiride and Enza Madre (1/06/23) exceeded the 10% of difference reported in the ITD (-18.4%).	See Addendum 1.
EU.Italy	9004	Osiride	03/06/2023	P/I	EU.Italy	Based on the results of the stereoscopic camera, the total transfers on 31/05/2023 exceeded the 10% difference reported in the ITD (10.34%). The catching vessel SSF2 declared in its FAR message dated 03/06/2023 ACK that it had two dead bluefin tuna weighing 240 kg on board. The two dead bluefin tuna are not recorded in the section concerning the 1st transfer in the ITD UE-FRA-2023-193/ITDx. The two bluefin tuna are not recorded in section 4 "Number of fish dead during transfer" of BCD no. FR23-900921-LT01. Section 2 "Number of fish" indicates 1,902 bluefin tuna and section 4 "Cage No." indicates 1,900 bluefin tuna (228,000 kg).	
EU.France	3239	Saint Sophie Francios 2	02/06/2023	P/I	EU.France	Regarding the ITDs TUR-2023/069/ITD, the number of BFT transferred counted by inspectors indicated that there is more than 10% of the quantity reported in the ITDs (-12%) Regarding the ITDs TUR-2023/071/ITD and TUR-2023/072/ITD, the number of BFT transferred counted is less than 10% of the quantity reported in the ITDs. The transfer was during night. Door was not continuously visible, no sufficient lighting and bad water visibility.	
EU.Malta	9850	Karahasanoglu	04/06/2023	Yes	Türkiye	It was not possible to board due to the transfer operation. Therefore, the Captain and the observer did not sign.	
EU.France	9931	Geciciler Balıkcılık	31/05/2023	P/I	Türkiye		
EU.Malta	9866	GUN KARDESLER BALIKCIL	04/06/2023	No	Türkiye		
EU.Malta	8944	TUNCAY SAGUN 6	09/06/2023	No	Türkiye		
EU.Malta	8943	Hamsilos	09/06/2023	No	Türkiye		
EU.Malta	8945	Kilimiglu 1	09/06/2023	P/I	Türkiye	Vessel's navigational logbook not filled by Captain of the vessel. The Captain says he does not understand the language of the inspection form.	

						Regarding the ITD: ALB-2023/003/ITD, the number of BFT transferred indicates that is more than 10% difference of the quantity reported in the ITD (12.33%).	After the revision of the original video of the first transfer, based on the count done by our Fisheries Inspectors, we have arrived at the conclusion that there are 202 pieces of tuna visible on the video of the transfer to the mentioned cage ALB001. The video is compliant with Annex 8 of the Rec. 22-08. We request the Master of Vessel to correct the respective eBCD according to the investigation findings. Competent authority will not provide the Caging Authorization for the cage in question, until the mentioned correction is made. No control transfer is necessary to provide any additional information.
EU.France	3241	Rozafa 21	07/06/2023	Yes	Albania		After the revision of the original video of the first transfer, based on the count done by our Fisheries Inspectors, we have arrived at the conclusion that there are 340 pieces of tuna visible on the video of the transfer to the mentioned cage ALB002. The video is compliant with Annex 8 of the Rec. 22-08. We request the Master of Vessel to correct the respective eBCD according to the investigation findings. Competent authority will not provide the Caging Authorization for the cage in question, until the mentioned correction is made. No control transfer is necessary to provide any additional information.
						Regarding the ITD: ALB-2023/002/ITD, the number of BFT transferred indicates that is more than 10% difference from the quantity reported in the ITD (-10.52%).	
EU.France	3241	Rozafa 22	07/06/2023	Yes	Albania	Logbook incomplete, Rec. 22-08, para. 75-11C Annex II Part b.1-2. Absence onboard of the video transfers between the vessel and the Hadj Ahmed.	
EU.France	3243	AYMEN	14/06/2023	Yes	Tunisia	After the analysis of the videos of two transfers between the towing vessels MAHDIA and ESSAHBI, there were no authorisation names at the beginning or the end of each transfer.	
EU.France	3245	Ahmed Robaine II	13/06/2023	Yes	Algeria	The inspection was not possible due to the vessel could not provide ICCAT inspectors with a boarding ladder according the requirements of IMO resolution A889(21) to facilitate safe access to any fishing vessel requiring a height of 1.5 m or more.	See Addendum 2 .
EU.Italy	9968	Graziella	13/06/2023	Suspected infringement	EU.Malta	At the time of the inspection, the video transfer from GRAZIELA (ATEU0MLT00011) to CALLORE (ATEU0ITA00104) occurred on 09/06/2023, as not on board the towing vessels. The same was provided 2 hours after the conclusion of the inspection. It represents a suspected infringement of ICCAT Rec. 22-08, paras 120 and 121.	
EU.France	2627	Abderrahim	11/06/2023	No	Tunisia		
EU.France	3073	Latrhon	11/06/2023	No	Libya		
EU.Italy	9871	ARWA	17/06/2023	Suspected infringement	Libya	During the inspection of cage EU.MLT-045-MFF, three dead tunas were found. The Master of the towing vessel was informed but cannot record the information because he had not the template for the Annex 11.9 of Rec. 22-08. Difference of more than 10% (10.3%) between the number of BFTs estimated by the inspectors and the one reported in the ITD No. LY2023-407 related to the first transfer.	

EU.France	3245	Ahmed Robaine II	13/06/2023	Suspected infringement	Algeria	<p>The inspection was not possible due to the vessel could not provide ICCAT inspectors with a boarding ladder according to the requirements of IMO resolution A889(21) to facilitate safe access to any fishing vessel requiring a height of 1.5 m or more.</p> <p>Referring to the inspection carried out on 18/06/2023 on board of the Maltese towing vessel Laura II, ICCAT list number ATEU0MLT00066, towing cage No. EUMLT-027-MFF, the undersigned inspectors, after the analysis of the video related to the transfers of BFT carried out on:</p> <p>Regarding the activity with divers performed on the 17/6/23 by the LBY PS AL KAPTAN (ICCAT No. AT000LBY00091) within the cage No. EUMLT027-MFF as declared by the captain of the TW Laura II, it represents a suspected infringements because the mentioned Libyan vessel is listed in the ICCAT as catching vessel and not as auxiliary/supporting vessel (attachment No. 3 included in COC_303 Annex 3, JIS 9854 taken by the official website on 18/06/2023) in violation of para 2 of ICCAT Rec. 22-08.</p> <p>As evidence of the presence of dead tuna inside the cage No. EUMLT027-MFF on 17/06/2023 a.m., the pictures taken by the EFCA FWA are attached, together with the pictures taken on 18/06/2023 a.m. from the RPAS of Ocean Sentinel where it is shown that there are not anymore dead BFT in the same cage (attachment Np. 4 included in COC_303 Annex 3, JIS 9854).</p>
EU France	9854	Laura II	18/06/2023	Suspected infringement	EU.Malta	<p>Logbook not completed (Rec. 22-08, para 75 Annex II): the ICCAT register numbers involved in the first transfer are not mentioned as well as the cage inspection of vessel GRECALE/ATEU0MLT00092</p> <p>Wrong destination farm recorded in ITD (para 130 Annex II).</p> <p>No presence onboard of original ITD (para 132 Rec.22-08).</p> <p>Cage ID (TUN12TT) not in compliment with para 148 Rec. 22-08.</p> <p>Difference of more than 10% (10.3%) between the number of BFTs estimated by the inspectors and the one reported in the ITD.</p>
EU.Malta	7797	El Moetez Belleh	18/06/2023	No	Tunisia	
EU.Malta	7798	Ibn El Walid	18/06/2023	No	Tunisia	
EU.France	3284	Hadj Ali	21/06/2023	Yes	Tunisia	<p>The daily logbook does not comply with the Rec. 22-08, para 10, Annex 2.The master did not record the total of number and total weight of BFT in the cage No. EU.MLT027FF (On 16/06/2023- 992 BFT recorded instead of 1.962 BFT and 37.969 kg instead of 138.628 kg).</p> <p>No video on board for first transfer from caging vessel Atlante on the 05/06/2023. No video on board for Split to tow (Legal reference para 121, Rec. 22-08, Annex 8).</p> <p>Transfer 18/06/2023 from Leovito (ATEU0ITA00642) to Marpesca Due (ATEU0ITA00669) is not compliant with the Annex 8, Rec. 22-08 due to the lack of date and time displayed.</p> <p>02/06/2023 First transfer from Al Hares (AT000LYB00074) to Lo-ljun: the video is not compliant with Annex 8 of Rec. 22-08. The visibility was poor, and it was not possible to count properly the amount of fish being transferred.</p> <p>First Transfer: EUMLT-025-MFF, ITD N#: LBY-2023/402/ITD: Difference between the No. of BFTs counted by the inspector and reported in the ITD is more than 10%.</p> <p>13/06/2023 First transfer from CV HadjSoufi Mohamed (AT000DZA01003) to TW Mohamed Rabah (AT000TUN00505) the video is not compliant with Annex 8 of Rec. 22-08. The visibility was poor, and it was not possible to count properly the amount of fish being transferred. Difference between the No. of BFTs counted by the inspector and reported in the ITD is more than 10% (36.2%).</p> <p>20/06/2023 Split from towing vessel Mohamed Rabah (AT000TUN00505), towing the cage No. EUMLT-003-MB to TW Mohamed Amir (AT000TUN01380) towing cage EUMLT-12-MB, the video is not compliant with Annex 8 of Rec. 22-08 due to lack of date and time displayed.</p> <p>09/06/2023 First Transfer from CV Al Fatayeh (AT000LYB00111) to Anastasia Ruta (ATEU0ITA005677): The video is not compliant with Annex 8 of Rec. 22-08. Difference between the No. of BFTs counted by the inspector and reported in the ITD LYB-2023/404 is more than 10%.</p> <p>Absence on board the tug, of videos of the transfers carried out from the catching vessel HADJ AHMED.</p> <p>Absence on board the towing vessel, of the video of the subsequent transfer carried out on 2 June 2023 from the tug vessel MAHDIA to the tug vessel ESSAHBI.</p> <p>On the video of the transfer carried out on 2 June 2023, between the tug vessel HMAIDA and the tug vessel ESSAHBI, the transfer authorisation number is not available in accordance with Rec. 22-08 (paragraph 119, annex VIII paragraph 1-a).</p>
EU.Malta	7802	Latrhon	19/06/2023	No	Libya	
EU.Malta	7803	Taknes	19/06/2023	No	Libya	
EU.Malta	7799	Zarga	19/06/2023	No	Libya	
EU.Italy	172	Salve Regina	16/06/2023	Suspected infringement	EU.Malta	
EU.Italy	9842	Leo Vito	29/06/2023	Suspected infringement	EU.Italy	
EU.Italy	9860	Marpesca Due	29/06/2023	Suspected infringement	EU.Italy	
EU.Italy	9851	Li-ljun	26/06/2023	Suspected infringement	EU.Malta	
EU.Malta	9944	Mohamed Rabh	28/06/2023	Suspected infringement	Tunisia	
EU.Italy	9969	Anastasia Ruta	03/07/2023	Suspected infringement	EU.Portugal	
EU.France	3243	Aymen	14/06/2023	Suspected infringement	Tunisia	

						<p>Difference of more than 10% between the average calculated by the inspectors (1,445.6 specimens) and the number recorded in the ITD (1,260 specimens), i.e. +14.73%.</p> <p>Incompleteness of the logbook.</p> <p>The name of the farm of destination entered in the ITD does not correspond to that indicated on the BCD.</p> <p>The original ITD is not available on board HADJ ALI, only a duplicate.</p> <p>The external identification of cage TUN012TT does not comply with art. 148 of Rec. 22-08.</p>
EU.France	3284	Hadj Ali	21/06/2023	Suspected infringement	Tunisia	
						<p>After the analysis of the videos of the first transfer and split collected the inspector states:</p> <p>13/6/2023 First transfer: from CV Hadj Soufi Mohamed to TW Mohamed Rabah that the video is not compliant with Annex 8, Rec. 22-08. The visibility of the video was poor, not possible to count properly the amount of fish transferred.</p> <p>20/6/23: Split from towing vessel Mohamed Rabah, towing cage No. EUMLT-003-MB to TW Mohamed Amir towing cage EUMLT-012-MB that the video was not compliant with Ann. 8, Rec. 22-08.</p>
EU.Malta	9944	Mohamed Rabeh	28/06/2023	Suspected infringement	Tunisia	
						<p>After the analysis of the videos of the first transfer and split collected the inspector states:</p> <p>04/06/2023 - first transfer - from CV Echahid Mestefa Beuboulaid (ATO00DZA00017) to TW Vincenzo Ruta (ATEUOITA00483) is not compliant with the Annex 8 of ICCAT Rec. 22-08.</p> <p>- 05/06/2023 - first transfer - from CV EL BACHIR (ATO00DZA00997) to TW Vincenzo Ruta (ATEUOITA00483): ITD DZA-2023/002; Video was not found on board of the towing vessel.</p> <p>- 06/06/2023 - first transfer - from CV Echahid Mestefa Beuboulaid (ATO00DZA00017) to TW Vincenzo Ruta (ATEUOITA00483) is not compliant with the Annex 8 of ICCAT Rec. 22-08.</p>
EU.Italy	9970	Vincenzo Ruta	04/07/2023	Suspected infringement	EU.Italy	
						<p>The undersigned inspectors, after the analysis of the video related to the transfers of BFT state that:</p> <p>- 06/06/2023 - first transfer - from CV AL FATAYEH (ATO00LBY00111) to TW Budafel (ATEUOML T00118) is not compliant with the Annex 8 of ICCAT Rec. 22-08.</p> <p>- 11/06/2023 - first transfer - from CV AL FATAYEH (ATO00LBY00111) to TW Budafel (ATEUOML T00118) is not compliant with the Annex 8 of ICCAT Rec. 22-08.</p>
EU.Malta	9971	Budafell	04/07/2023	Suspected infringement	Eu.Malta	
						<p>The undersigned inspectors declare:</p> <p>- the net was not anchored to the bottom. The vessel had to navigate towards the net to retrieve it as it was drifting in the water. The net was kept in the water by floats attached to a rope along the top of the net (i.e. in the surface). Picture No.1 included in COC_303 Annex 3.</p> <p>- The catch composition of the fishing operation observed by the inspectors was only of Auxis spp. In addition, in accordance with the master's declaration provided in the report (section 12 of the report), the net observed was used to fish frigates tuna (FRJ). Pictures No. 2 and 3 included in COC_303 Annex 3.</p> <p>The other species reported in inspection report point 10.1 ("aragosta" - LOB, "triglia"-MUX, and SMD) were caught with gillnets working close to the bottom of the sea by the use of weights to catch demersal species.</p>
EU.Spain	9930	Mohamed Ahmed	24/05/2023	Suspected infringement	Tunisia	
						<p>After analysing the videos, the inspectors state the following:</p> <p>Regarding the video related to the first transfer done on 22 June 2023 from catching vessel EL MAJDE to towing vessel HADJ SADOK it shall be noted that not entire door is visible during the whole transfer process, that affects the quality of determination of the number of BFT being transferred, which means that the video is non-compliant with the minimum standards for video recording procedures set in Annex 8 of Rec. 22-08.</p> <p>In addition, it should be noted that part 3 (further transfer) of the ITD DZA/2023/011/ITD was not correctly updated by the master of the donor towing vessel (YYY) in such a way that the receiving cage (EUMLTOOSMB) was not recorded. Which could be considered as potential non-compliance with para 132 b) of ICCAT Rec. 22-08.</p>
EU.Italy	9035	Zembra I	18/07/2023	Suspected infringement	Tunisia	
EU.Italy	8861	Amir	18/07/2023	No	Tunisia	
						2 renewable marine engines were found on board. Money and mobile phones stolen from migrants in the vicinity were found. Petrol cans.
EU.Italy	8862	Asyl Salah	18/07/2023	Suspected infringement	Tunisia	
EU.Greece	10114	Atasoy Ahmet	20/06/2023	No	Türkiye	
EU.Greece	10138	Aziz Kaptan 1	20/06/2023	No	Türkiye	
						The serious violations observed is "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 catchrelated data"; do not consider the other item.
EU.Italy	8879	Hamed Anis	22/07/2023	Suspected infringement	Tunisia	

EU.Spain	9924	Al Kawtar	11/05/2023	Suspected infringement	Maroc	Presence onboard of highly migratory species, caught using drifting net against the ICCAT Rec. 03-04 para 3.	See Addendum 3 .
EU.Italy	9034	Gladius	02/08/2023	Suspected infringement	EU.Italy	ITD N°: ITA-2023/045/ITD 12106/2023 First transfer from trap CAPO ALTANO (ATEU21TA00009) to cage EU-MLT-020-MFF. The video is not compliant with the Annex 8 POINT 1 e) of ICCAT Rec. 22-08 - low quality. The inspectors are not able to determine the correct number of BFT transferred.	
EU.Italy	9954	Naucrates	02/08/2023	Suspected infringement	EU.Italy	The undersigned inspectors, after the analysis of the video related to the transfers of BFT state that: 27/05/2023 - first transfer - from trap CALA VI NAG RA (ATEU21T A0000B) to cage EU-ML T-022-MFF. The video is compliant with the Annex 8 of ICCAT Rec. 22-08. The difference of BFT counted by the inspectors and the one in the ITD ITA-2023-004 is more than 10%.	
	9021	Nawres	09/08/2023	Suspected infringement	Tunisia	No logbook on board (ICCAT Rec. 16-05, Annex 1).	

Responses by Türkiye to the European Union Inspection Reports

A detailed examination has been launched by Republic of Türkiye, Ministry of Agriculture and Forestry (MoAF) General Directorate of Fisheries and Aquaculture and results of the examination regarding the Inspection Report Ref. No.9934, 8945 and 9850 issued by EU ICCAT Inspectors for the Turkish vessels Çakiroğlu Salih Reis, Kilimoğlu-1 and Karahasanoğlu Balıkçılık are given below:

A. Results for ICCAT Inspection Report No. 9934 (vessel Çakiroğlu Salih Reis - AT000TUR08039)

An inspection on Turkish flagged authorized BFT towing vessel, Çakiroğlu Salih Reis (AT000TUR08039) was conducted by EU French and Maltese Inspectors on 31 May 2023 in the context of ICCAT Joint Scheme of International Inspection and findings obtained have been delivered to our authority (General Directorate of MoAF) on 5 June 2023.

In the inspection report No. 9934, as a suspected infringement, it was indicated by the EU French Maltese Inspectors that; in accordance with the video analysis, the counted number of BFT transferred (first transfer) with the ITDs TUR-2023-048/ITD and TUR-2023-0053/ITD under the JFO 2023-006 was more than the 10% difference with the one declared in the ITD and eBCD.

MoAF initiated an investigation in respect to the suspected infringement reported by the EU ICCAT Inspectors with an official notification to the concerned operator. The video footages of the concerned transfer which the number of fish found by the EU inspectors was more than 10% difference with the one declared in the ITD and eBCD has been demanded from the operator and, in any case, MoAF has instructed the operator not to conduct caging operation with regard to questioned transfer without finalizing the investigation.

The video footages of the questioned transfers with the ITDs numbered TUR-2023-048/ITD and TUR-2023-0053/ITD have been examined by a working group of technical experts at the DG Fisheries and Aquaculture. The results of the repeated counts carried-out by the ministerial technical staff have been found consistent with the figures reflected on the ITDs in question, as estimated by the ROP observer. Therefore, our side's examination has not encountered any findings that support the findings disclosed in the inspection report 9934 stating that the 10% margin of error was exceeded in transfer operations TUR-2023-048/ITD and TUR-2023-0053/ITD.

As regards the quality of video footages pertinent to TUR-2023-048/ITD, TUR-2023-0053/ITD and TUR-2023-059/ITD; the technical working group have resolved that the passage door was visible continuously throughout the record but it is recognized that the quality of the footage was not ideal as the transfer operation took place at night conditions. Notwithstanding, the group has affirmed that the number of fish passing through could be countable during the estimations from the footage and relatively poor visibility conditions. Technical WG concluded that relatively poor visibility has not been a major obstacle to accurate and consistent counting of fish. However, operators have been strongly encouraged by the Ministry to carry out at-sea transfers in conditions of higher visibility at their future operations to avoid and misperceptions. The result of the investigation did not reveal any potential serious infringements, suspicious or illegal activities.

Lastly, during the caging operation of the related transfers; 1,455 pieces and 138,700 Kgs. of BFT have been caged in the farming facility Kiliç Orkinos Besiciliği Projesi (AT001TUR0010) on 30 June 2023. No fish exceeding the declared quantity / amount of fish transferred was determined by MoAF inspectors.

B. Results for ICCAT Inspection Report No. 8945 (Vessel Kilimoğlu-1 AT000TUR07830)

An inspection on Turkish flagged authorized BFT towing vessel Kilimoğlu-1 (AT000TUR07830) was conducted by EU Maltese Inspectors on 9 June 2023 in the context of ICCAT Joint Scheme of International Inspection and findings obtained have been delivered to our authority (General Directorate of Fisheries and Aquaculture/Ministry of Agriculture and Forestry - MoAF) on 13 June 2023.

In the inspection report No. 8945, as a suspected infringement, it was indicated by the EU Maltase Inspectors that; the vessel's logbook was not filled by the captain of the vessel.

MoAF initiated an investigation in respect to the suspected infringement reported with an official notification to the concerned operator. The operator confirmed that inadvertently no logbook entry has been made for those days by the skipper of the vessel at that time due to the intensity of the fishing operation.

As a result of the investigation, the operator has been imposed by MoAF to pay an administrative fine corresponding to an amount identified in accordance with the related articles of Turkish Fisheries Law No. 1380. MoAF checked, in detail, the related documents of this fishery and did not conclude any serious infringements, suspicious or illegal activities.

C. Results for ICCAT Inspection Report No. 9850 (Vessel Karahasanoğlu Balıkçılık AT000TUR08308)

An inspection on Turkish flagged authorized BFT Towing Vessel Karahasanoğlu Balıkçılık (AT000TUR08308) was conducted by EU Italian Inspectors on 04/06/2023 in the context of ICCAT Joint Scheme of International Inspection and findings obtained have been delivered to our authority (General Directorate of MoAF) on 12 June 2023.

In the Inspection Report No: 9850, as a suspected infringement, it was indicated by the EU Italian Inspectors that; in accordance with the video analysis, the counted number of BFT transferred (first transfer) with the ITD TUR-2023-069/ITD under the JFO 2023-006 was more than the 10% difference with the one declared in the ITD and eBCD.

The Turkish MoAF initiated an investigation in respect to the suspected infringement reported by the EU ICCAT Inspectors with an official notification to the concerned operator. The video footages of the concerned transfer which the number of fish found by the EU inspectors was more than 10% difference with the one declared in the ITD and eBCD has been demanded from the operator and, in any case, MoAF has instructed the operator not to conduct caging operation with regard to questioned transfer without finalizing the investigation.

The video footages of at-sea transfers in the context of TUR-2023-069/ITD, TUR-2023-071/ITD and TUR-2023-072/ITD have been examined by a working group of technical experts at the DG Fisheries and Aquaculture. The results of the repeated counts carried-out by the ministerial technical staff have been found consistent with those figures contained in the above-referred ITDs, as estimated by the ROP observers. In other words, the examination conducted has not revealed any findings to support those findings that are provided in inspection report 9850 stating that the 10% margin of error was exceeded in the transfer operation TUR-2023-069/ITD.

As regards the quality of video footages pertinent to TUR-2023-071/ITD and TUR-2023-072/ITD; the technical working group have resolved that the passage door was visible continuously throughout the record but it is recognized that the quality of the footage was not ideal as the transfer operation took place at night conditions. Notwithstanding, the group has affirmed that the number of fish passing through could be countable during the estimations from the footage and relatively poor visibility conditions. Technical WG concluded that relatively poor visibility has not been a major obstacle to accurate and consistent counting of fish. However, operators have been strongly encouraged by the Ministry to carry out at-sea transfers in conditions of higher visibility at their future operations to avoid and misperceptions. The result of the investigation did not reveal any potential serious infringements, suspicious or illegal activities.

Lastly, during the caging operation of the related transfers; 1,390 pieces and 109,350 Kgs. of BFT have been caged in the farming facility Kiliç Orkinos Besiciliği Projesi (AT001TUR0010). No fish exceeding the declared quantity / amount of fish transferred was determined by MoAF inspectors.

Response of Algeria

Further to the ICCAT at-sea inspection report under No. 3245, notified by the EU party to the former ICCAT-DZA focal point on 21/06/2023, and which refers to a potential non-conformity (infringement) of the tuna purse seiner vessel named AHMED ROBAINÉ II (CH5415), registered under ICCAT number AT000DZA00967 and having on board the master Mr HELLAL Nourdine, an investigation was opened by the fisheries administration and the following was concluded:

On 13 June 2023 at 09:40, the ICCAT inspection team on board the patrol vessel Ocean Sentinel requested boarding of the vessel Ahmed Robaine II, in accordance with the relevant provisions of ICCAT Recommendation 22-08.

The ICCAT inspection team considered that the ladder made available to them was non-compliant and so boarding did not take place.

As soon as we were informed of the event, on 13 June 2023, by the national observer on board the tuna purse seiner Ahmed Robaine II, we requested a detailed report on the event. The vessel returned to port within the time limit set and a thorough inspection was carried out.

To this end, we concluded the following:

- The master of the tuna purse seiner Ahmed Robaine II cooperated with the ICCAT inspection team and provided them with a ladder to board.
- The master of the tuna purse seiner Ahmed Robaine II gave all facilities to the ICCAT inspectors, in particular access to the relevant documents (logbook, fishing permit).

However, the conditions and the state of the sea on the day of the inspection made it very difficult for the ICCAT inspectors to board the vessel, despite the attempts made by the master to remedy the situation by placing bolsters on the boarding ladder.

Measures were therefore taken immediately after the inspection to fit the vessel in question with a second boarding ladder before returning to sea, to ensure that ICCAT inspectors could be taken on board and to avoid any confusion as to the conformity of the old ladder on board the vessel.

N.B. Notification of the at-sea inspection of the vessel AHMED ROBAINÉ II by the patrol vessel Ocean Sentinel was sent on 21/06/2023 to the former national focal point, who has been retired since 2021, and who sent us this notification on 25/06/2023.

The vessel in question did not carry out any fishing operations; the quota allocated to joint fishing group 2023-020 was fished in its entirety by another vessel belonging to this JFO on 13 June 2023.

Réponse N° 2 de l'Algérie

Faisant suite à la réception du rapport d'inspection sous le numéro 3245 effectué par le patrouilleur de l'UE faisant référence à une non-conformité potentielle du navire thonier sennear Ahmed Robaine II, enregistré sous le numéro ICCAT AT000DZA00967. Une enquête a été ouverte par les services de contrôle de l'administration centrale de la pêche.

Selon le rapport de l'inspection effectuée en date du 13 juin 2023, les inspecteurs ICCAT ont mentionnés que l'échelle n'était pas adéquate pour effectuer l'embarquement. Le contrôleur national, en date du 13 juin a demandé au navire de rejoindre le port et a effectué une inspection sur les moyens d'embarquement à bord. **Il a été relevé que le capitaine du thonier sennear a coopéré avec l'équipe d'inspection en leur fournissant une échelle pour l'embarquement et l'accès à la documentation pertinente a été assuré.**

Suite à ce constat, l'armateur a été instruit à fournir une deuxième échelle en vue d'écarter toute confusion par rapport à la conformité de l'échelle.

En date du 13 juillet, en vue d'approfondir l'enquête, le navire en question a fait l'objet d'une deuxième inspection au niveau de son port d'attache effectué par **l'inspecteur de l'administration centrale**. La mission s'est intéressée à recueillir les informations pouvant constituer des éléments supplémentaires par rapport à l'échelle. Ainsi des mesures ont été faites. Les inspecteurs nationaux ont reproduit la même scène de l'arraisonnement et ont utilisé l'échelle du navire. Le constat réalisé a fait apparaître que l'échelle ne se tord pas lors de la montée.

En effet, il a été constaté que l'échelle présente des marches en bois fabriqués en une seule pièce sans nœud.

L'échelle a une distance voisine de 40 cm entre les cordages latéraux et une épaisseur conforme à la réglementation.

Les marches de l'échelle fixées horizontalement et présente une marche d'écartement conforme à la réglementation.

Enquête administrative : l'armateur du navire a été entendu sur les faits et a indiqué qu'il a armé son navire avant la campagne avec une échelle conforme. Néanmoins il a avancé le fait que son arrêt technique relativement long en Tunisie « confirmé par les données VMS » a fait que l'échelle a subi des dommages et a fait l'objet de réparation lors de la descente de canots.

Conclusions :

Bien que le rapport d'inspection démontre que l'échelle n'était pas adéquate, néanmoins les inspecteurs nationaux ont reproduit la même scène d'embarquement.

L'armateur **a pallié** à cette situation en fournissant une nouvelle échelle adéquate au niveau de son premier port. Des mesures correctives ont été prises malgré que l'armateur a démontré que son navire est conforme notamment à travers la bonne foi d'assister les inspecteurs et la fourniture des documents pertinents. **Ainsi le cas de force majeure qui a empêché l'embarquement des inspecteurs et aussi la défaillance qu'a subis le navire au niveau du port en Tunisie avant de prendre la mer.**

Prenant compte de ce qui précède, et les résultats de l'enquête administrative, et que le navire a été déjà objet d'inspections en mer où n'a pas été signalé d'incident en matière de coopération au contraire il a justifié de la collaboration et du soutien aux inspecteurs.

L'Administration de la pêche a décidé de prendre et de prononcer des mesures correctives contre l'armement du navire AHMED ROBAINE II.

Emails from Morocco to DG-Mare (EU)

Further to your correspondence of 04/05/2023 and 11/05/2023 referred to above on the alleged use of driftnets by the vessels *AHMED MARZOK* (2-235) and *AL KAWTAR* (7-864), I have the honour to inform you of the following:

As soon as your information was received, it was requested that the regional authorities of the Department of Maritime Fishing carry out the enquiries and investigations necessary to verify the alleged facts involving the two vessels. The vessels were boarded at the quayside and inspections and investigations were carried out, including in relation to the skippers (captains) concerned.

It should be noted that in these investigations, the alleged facts were considered to be true and strongly genuine, since the information was provided by the competent authorities (inspectors of the inspection vessel *OCEAN SENTINEL* for the vessel *AL KAWTAR* and the aircraft PRT AIRPLANE for the vessel *AHMED MARZOK*). As a matter of fact, it is difficult to identify the "drifting" nature of the nets from the photographs, but great importance was given to the fact that the in situ (at sea) observations were carried out by competent authorities, as that the alleged infringers deny the allegation.

It should also be noted that when it is established that there has been an infringement of the maritime fishing regulations, including the use of driftnets, detected either by the Moroccan or foreign control authorities, the legal procedures relating to fines and penalties are immediately applied to the vessel concerned, provided that the evidence is sufficiently solid and cannot be challenged in court of any kind. Therefore, the established rules and ethics on recording of infringement, issue and penalty are safeguarded.

The two vessels concerned were given a fixed lump sum fine and detained at the quayside for a minimum of 29 days.

Moreover, it should be recalled that there is strong and solid collaboration between the Moroccan and Spanish control authorities on issues related to the fight against IUU fishing, particularly in the Mediterranean. In addition, official channels for combating IUU fishing are continually operational and are proving to be highly effective.

Furthermore, the Kingdom of Morocco is also pleased to remind of the measures taken to ensure the success of the national programme to eliminate driftnets:

Legal aspects

Morocco enacted Law (19-07) on permanent prohibition of drift gillnets on 2 August 2008 and its implementing Decree on 11 April 2011, which provides for a ban on their use one year after its enactment (i.e. from 10 April 2012).

The current Moroccan regulations (Dahir of 23 November 1973) provide for severe penalties for the use of these nets.

The Kingdom of Morocco has strengthened at-sea control of its vessels to prohibit the use of drift gillnets on its Mediterranean and Atlantic coasts.

In adopting Ministerial Order N°1176-13 of 8 April 2013, as amended and supplemented, Morocco has implemented since 2013 a development and management plan for the swordfish fishery in the Mediterranean and Atlantic. It establishes a number of management measures for this fishery, including in particular, a prohibition on fishing for this species using gears other than surface drifting longline and line.

Support for the industry

The Kingdom of Morocco implemented in 2010 the Action Plan for the abandonment of drift gillnets, which provided compensation for users offering 2 options: 175 opted for destruction of drift gillnet fishing gear and 86 vessels chose definitive and voluntary withdrawal from fishing activity in return for compensation for an aggregate amount of Dhs 256 million.

The seafarers who worked on these vessels were offered a retraining programme in selective swordfish fishing techniques (surface longline and handline). 1,857 seafarers who met the eligibility criteria established by their own associations attended retraining sessions and received lump-sum compensation for an aggregate amount of MAD 40 million.

It should be noted that the majority of the funding for this operation to compensate vessel owners and seafarers comes from the General Budget of the Government of Morocco, as well as from funds from the maritime fisheries partnership agreement between the Kingdom of Morocco and the European Union. No other source of funding has been requested.

In conclusion, the Kingdom of Morocco would like to reassure that it has been *very strict* in recording the infringements of the two reported vessels and that their detention and the fixed lump-sum fines levied are stiff and severe penalties for these two vessels, given their category as "coastal vessels" engaged in small-scale fishing and their income.

This strictness in the recording of the infringement is due to the fact that:

- The basis of the evidence are photographs which, as the means of proving the "drifting" nature of the net, may be open to legal challenge;
- The record of infringement produce by the national issuing officer may also be liable to legal challenge given that it is based on photographic evidence that may be legally challenged.

This demonstrates how difficult it is to define the infringement of using a drift gillnet except where the infringement is being committed and is duly recorded at sea by the issuing officers.

It is therefore time for the control authorities to be supported in their fight against the use of drift gillnets through stricter measures and by better determination of the definition and characteristics of driftnets. Moreover, the specification "large pelagic" must be stipulated in a measure taken by ICCAT.

The definition and characteristics of driftnets are not sufficiently elaborated in an ICCAT resolution or recommendation to formally differentiate them from other gillnets. Moreover, the gear referred to in the relevant resolutions adopted by the United Nations Commission is "large pelagic driftnets". It should be noted it was these resolutions that served as the basis for the prohibition on driftnets in the large pelagic fishery in the Mediterranean (Rec. 03-04).

This need for precise characterisation of prohibited driftnets was raised within the GFCM at the relevant COC meeting on 5 May 2023 in Rhodes, Greece.

A more precise definition of the characteristics of driftnets would also make it possible to involve fishing gear exporting States in their control to combat the use of this gear.

Through the content of this response, the Kingdom of Morocco has wished to demonstrate its commitment to the fight against the use of driftnets in the Mediterranean, its firmness with regard to the two intercepted vessels which were the subject of the reports received, and also its desire for work and discussions to be carried out within ICCAT with a view to specifying in a recommendation the intrinsic characteristics of driftnets and the definition of large pelagic species.